

09/29/2004

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

RIGHT NUMBER: 25-57A

NAME AND ADDRESS: FOSTER CO
PO BOX 308
RIGBY ID 83442-0308

SOURCE: WILLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.540 CFS
108.800 AFY

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.

PRIORITY DATE: 04/01/1876

POINT OF DIVERSION:

T03N R40E S16 SWNWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.540 CFS 108.80 AFY
STOCKWATER	03/01 12/01	0.120 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S21	NESE	30.0	T03N R40E S21	NWSE	12.0
T03N R40E S21	SWSE	35.0	T03N R40E S21	SESE	40.0
T03N R40E S22	NWSW	12.0	T03N R40E S22	SWSW	35.0
T03N R40E S27	NWNW	28.0	T03N R40E S28	NENE	40.0
T03N R40E S28	NWNE	28.0	T03N R40E S28	SENE	6.0

STOCKWATER same as IRRIGATION

266 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 266 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 25-00057A, 25-00059, 25-00136B, 25-00137B

This right is limited to the irrigation of 27.2 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: Decreed

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 25-00137B, 25-00057A, 25-00057B, 25-00059,
25-00136B

Water Right 25-57A

PROFILED

SCANNED

OCT 20 2004

09/29/2004

**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: 25-57A

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

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: 11-17-04

SIGNATURE:

Please print your name:

Boyd Foster / Foster Co.

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

PROFILED

RECEIVED

DEC 08 2004

SCANNED

DEC 22 2004

Department of Water Resources
Eastern Region

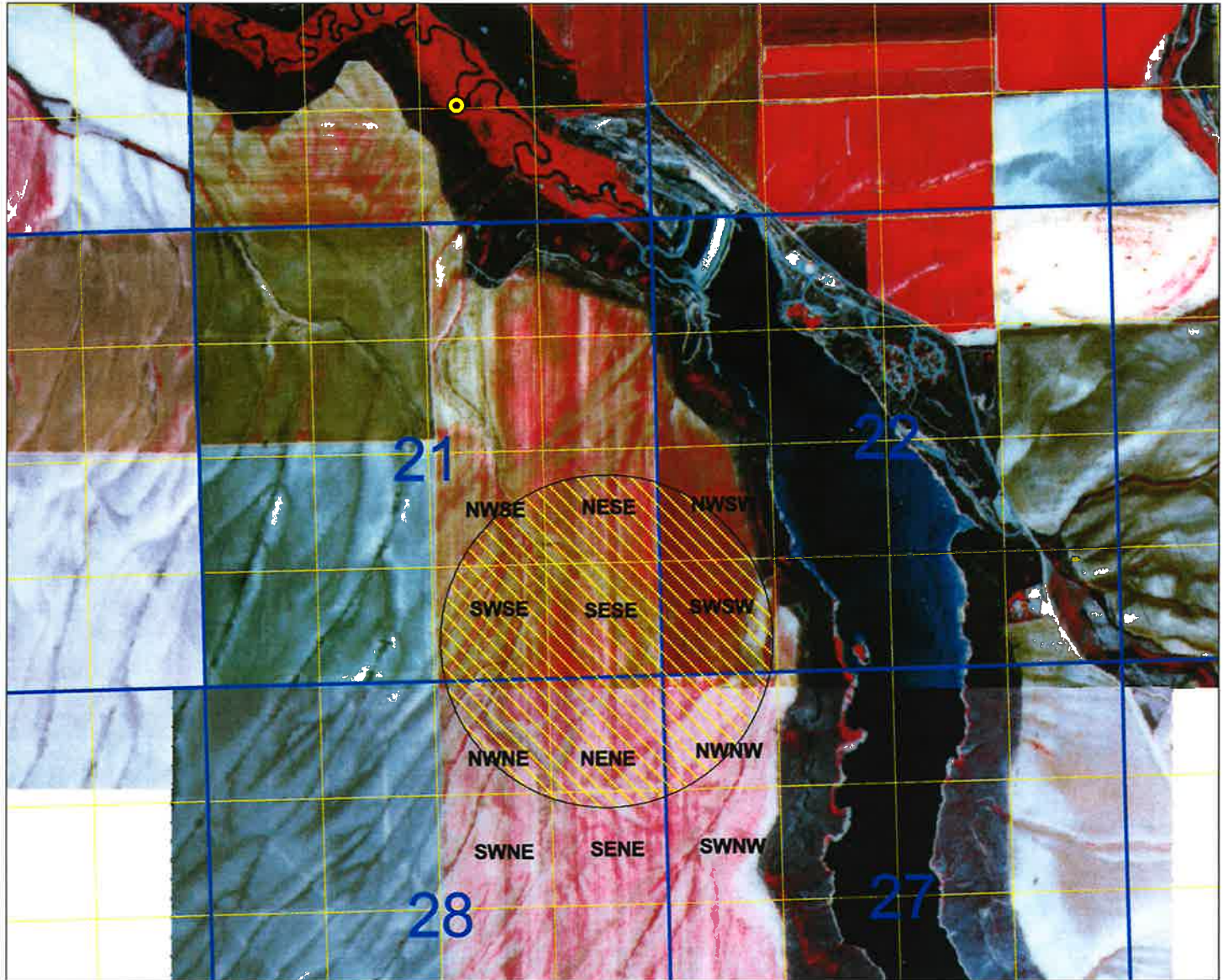


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-00057A, 25-00059, 25-00136B, 25-00137B



1320 0 1320 2640 3960 5280 Feet

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

PROFILED



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

Claim no. A 25000057A

Claimant Contact Log

Date _____

Remarks

Agent initials

Claim Number: _____

[illegible]

Total acres _____

[illegible]

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

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

Reviewer: _____ Date: _____

Claim Number: _____

Current Owner: TOSEKER (S) Phone No.: 538 5170

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: 8.27.04

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

[illegible]

Reviewer: _____ Date: _____

PROFILED
SCANNED

OCT 20 2004

Priority Date Data Entry Form

Claim Number: A2500005A

Water Right Priority Date: April 1 1876 Water Right Basis: DACRED

Claimed Priority Date: April. 1 1876 Claimed Basis: Discovered.

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence.

EAGLE ROCK WATER CO. ET AL. VS. HENRY KIEFER, ET AL

Reviewer: _____

Date: _____

SCANNED
OCT 20 2004

PROFILED

Water Right No(s). A250000 57A



GPS DATA:

Tag # A0013813 Location: _____

Diversion Data:

Source: Willow Creek Trib to: Sonora River

MOTOR

Make: GE Model: 5K-6278X1H2A Hp: 200

SN: C6J 319116 Discharge 10" to 18"

MOTOR C.

PUMP

Make: US Model: NA Disch: 10" To 18"

SN: 042799 H.P. 600

NOTES:

Pump ARE Submersible. Pump out of Willow
Creek. Each pump Has 16" Discharge into 4
18" MAIN LINE.

Field Exam Date: 8-27-04 Agent: Nick Olson

GPS. # 2681330
1378696

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OCT 20 2004

PROFILED

Point of Diversion and Source Data Entry Form

Claim Number: A25000057A-Water Right Point(s) of diversion and Source.Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: BonnevilleSource: Willow Creek Tributary to: Snake River

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

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

This water right is used along with other
water right. A2500059, A2500057B, A2500 136B
A25000

Reviewer: _____

Date: _____

PROFILED

SCANNED

2004

transfer says
1882 priority
should be
1876
OCT 20 2004
PROFILED

Claim Number: _____

Water Use

Start

End

Rate

Volume

Three horizontal number lines are provided for graphing the solution set. Each line has tick marks at intervals of 1, from -10 to 10. The lines are labeled 1, 2, and 3 from top to bottom.

Overall Diversion Rate _____

Overall Diversion Volume _____

Water Use

Start

End

Rate

Volume

Three horizontal number lines are provided for graphing. Each line has four tick marks, but they are not labeled with numbers. The lines are intended for the student to plot the solution set of the inequality $x < 2$.

Overall Diversion Rate _____

Overall Diversion Volume _____

Water Use

Start

End

Rate

Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

[illegible]

Reviewer: _____

Date: _____

SCANNED

JUL 25 2001

Log for claim 25-00057A

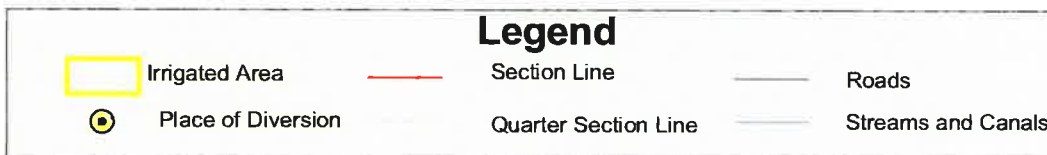
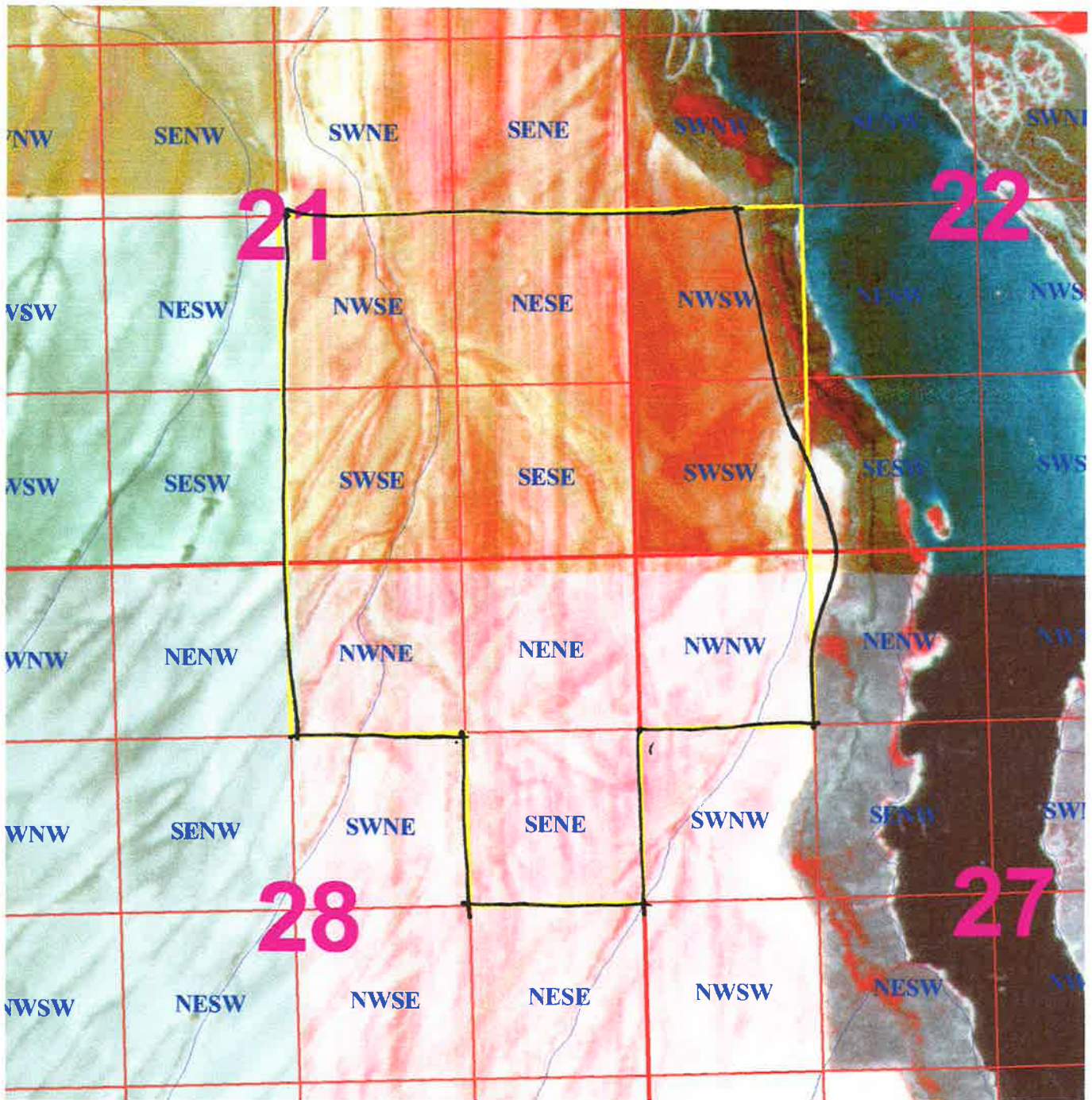
Spatial Dynamics CAT

11/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n40e	21	NESE	30	40	Indiscernible
03n40e	21	NWSE	12	40	Indiscernible
03n40e	21	SWSE	35	40	Indiscernible
03n40e	21	SESE	40	40	
03n40e	22	NWSW	12	40	Indiscernible
03n40e	22	SWSW	35	40	Indiscernible
03n40e	27	NWNW	28	40	Indiscernible
03n40e	28	NENE	40	40	
03n40e	28	NWNE	28	40	Indiscernible
03n40e	28	SENE	6	40	Indiscernible
Totals:			266	400	

Water Right Claim Number 25-00057A
Township , 3N40E

11/22/2000



800 0 800 1600 2400 Feet

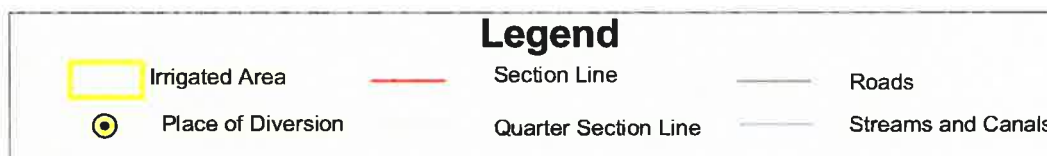
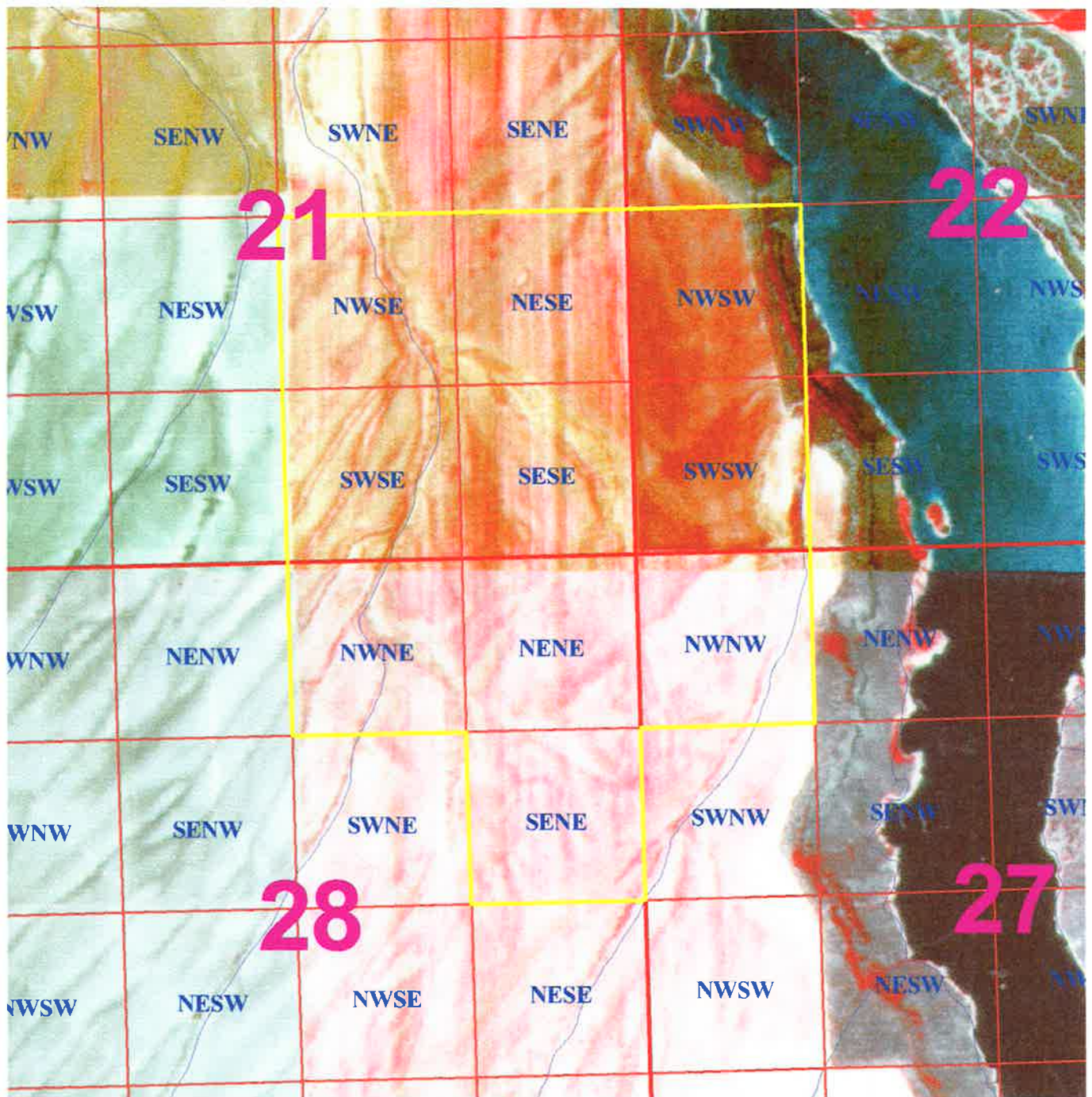


SPATIAL
DYNAMICS



Water Right Claim Number 25-00057A
Township , 3N40E

11/22/2000



800 0 800 1600 2400 Feet

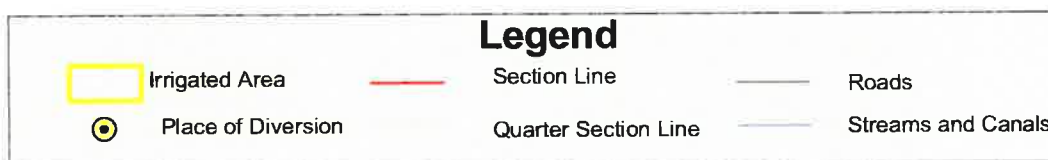
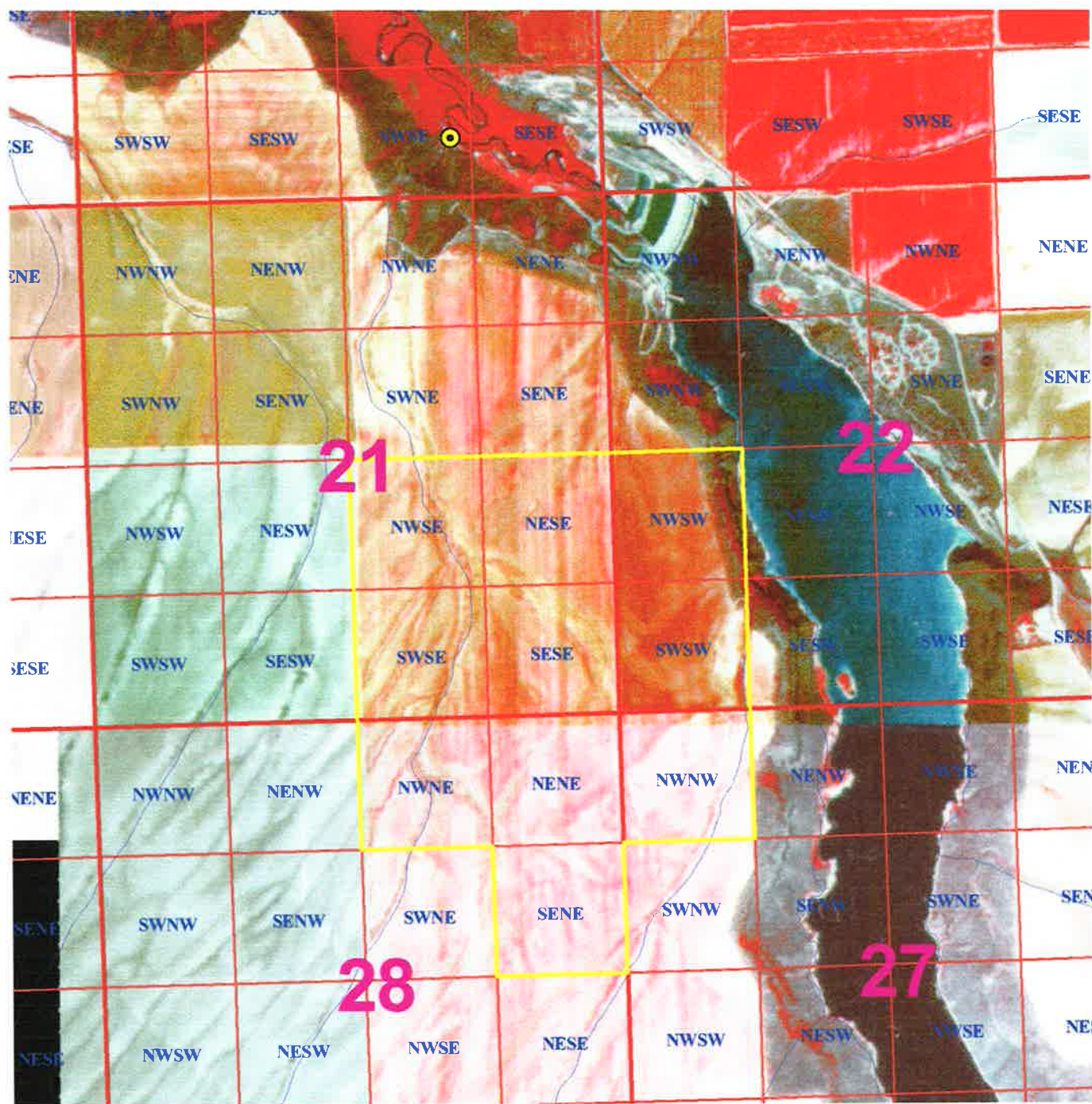


SPATIAL
DYNAMICS



Water Right Claim Number 25-00057A
Township , 3N40E

11/22/2000



1000 0 1000 2000 3000 Feet

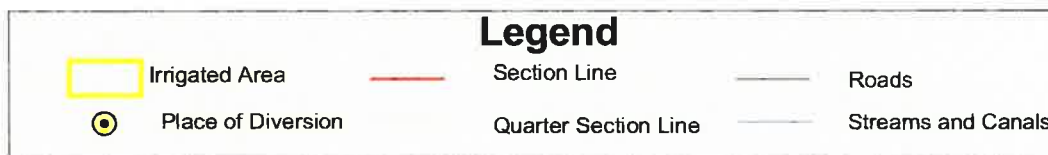
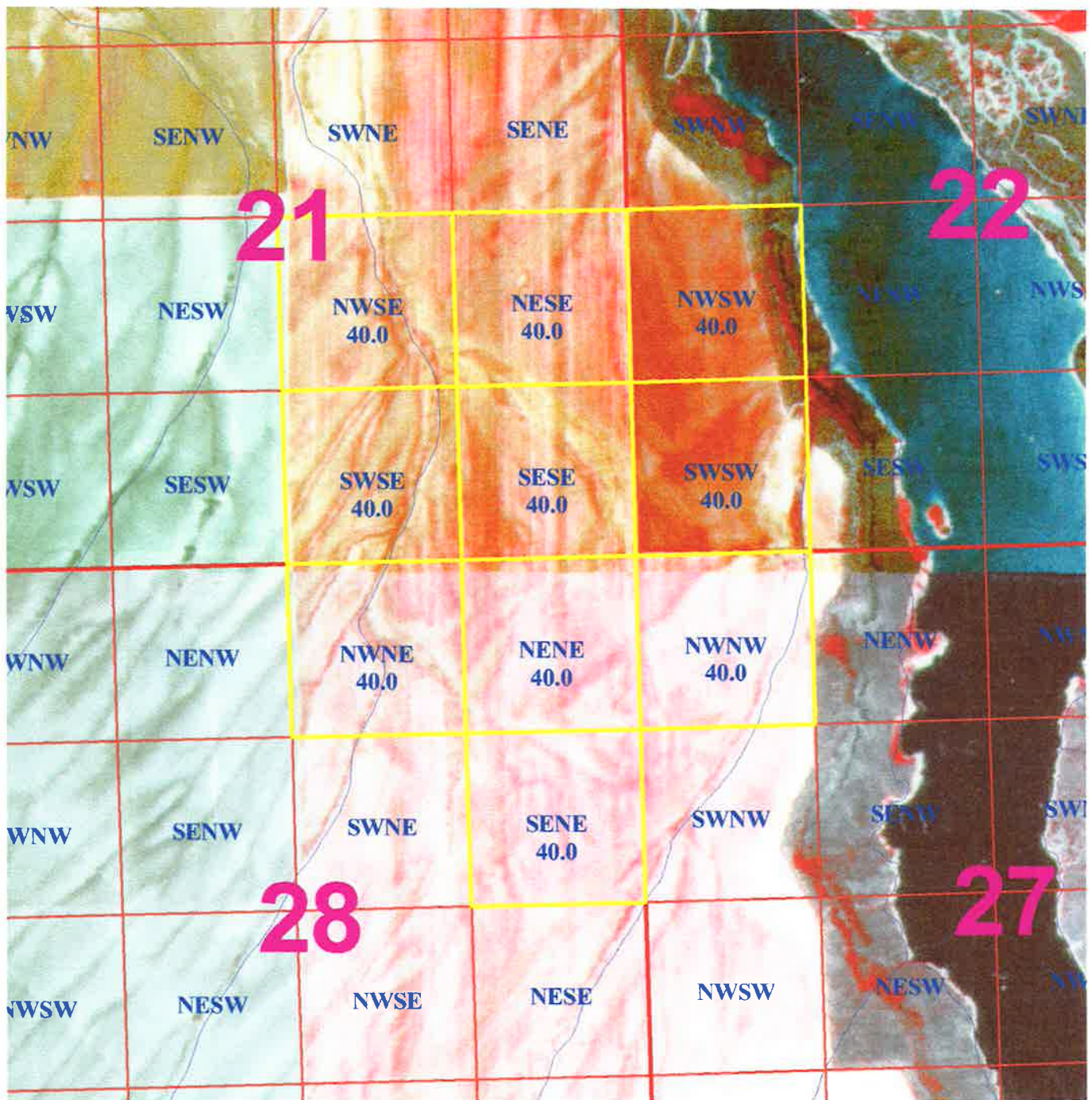


SPATIAL
DYNAMICS



Water Right Claim Number 25-00057A
Township , 3N40E

11/22/2000



800 0 800 1600 2400 Feet

SPATIAL
DYNAMICS

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	04/01/1876	IRRIGATION STOCKWATER	04-01 10-31 03-01 12-01	0.540 CFS 0.120 CFS	
TOTAL DIVERSION:					0.540 CFS	
CONSUMPTIVE USE:						798.00 AFA

Water Source: WILLOW CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R40E S16 SWSE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
03N	40E	21	:				:				:	30	12	35	40	117.0
03N	40E	22	:				:	12	35		:					47.0
03N	40E	27	:				:	28			:					28.0
03N	40E	28	:	40	28		:				:					74.0
TOTAL ACRES																266.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BONNEVILLE

Non-Irrigation Uses: S/ 470 HD. CATTLE, SHEEP, HORSES, HOGS.

Other Rights: 25-00059, 25-00137

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00057B A25-00059 A25-00136B A25-00137B

Other Water Rights Listing Overlapping Place(s) of Use:
A25-00136B A25-00137B

Remarks: GEN CLAIMANT ORIGINALLY FELT THAT THIS RIGHT WAS IN THE NAME OF CLEVERLEY, HOWEVER NO CLEVERLEY SHOWED IN THE COMPUTER IN THE NAME SEARCH OR THE PLACE OF USE SEARCH. SEE ATTACHED COPY OF PAGE FROM DECREE FROM COURT HOUSE.
SEE RESULTS OF TRANSF. 4139 AND 4140. HWJ 7-15-93
*** CLAIM A25-00057 AMENDED AND SPLIT PURSUANT TO TRANSFER NO. 4140. ESV 9/23/93

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 01.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.2 ACRES WITHIN THE PLACE OF USE ABOVE IN A SINGLE IRRIGATION SEASON.
FILING FEE PAID UNDER RECEIPT NO. M004062.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 9

Audit: 09/23/93 VERNER 03/29/95 POST-STD 11/24/95 JTHOMPSO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4140
WATER RIGHT NO(S). 25-00057A/25-00059

This is to certify that: **HOLLIS T SARGENT**
10960 N 85TH E
IDAHO FALLS ID 83401

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. 25-00057A: IRRIGATION Priority: 04/01/1882	04/01 to 10/31 1876	0.54 CFS	108.8 AF
Right No. 25-00059 : IRRIGATION Priority: 04/01/1882	04/01 to 10/31	3.00 CFS	600.0 AF

SOURCE

WILLOW CREEK

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 40E 21	NESE 30	NWSE 12	SWSE 35	
	SESE 40			117
22	NWSW 12	SWSW 35		47
27	NWNW 28			28
28	NENE 40	NWNE 28	SENE 6	74
		Total number of acres irrigated:		266

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. 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.

SEP 24 1993

TRANSFER NO. 4140
WATER RIGHT NO(S). 25-00057A/25-00059

CONDITIONS/REMARKS:

3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. 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.
5. 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.
6. Right No. 25-00057A is limited to the irrigation of 27.2 acres in the place of use described above in a single irrigation season.
7. Right No. 25-00059 is limited to the irrigation of 150 acres in the place of use described above in a single irrigation season.

Dated this 2nd day of September, 1993


Chief, Water Alloc. Bureau

SEP 24 1993

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4140

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 19 1993

PART 1

Department of Water Resources
Name of applicantRollis T. SargentPhone 522-2368Post Office address 10960 N 85 E Idaho Falls Id 83401

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 _____

2. Describe the reason for the proposed changes Current place of use has sufficient water from canal system. Transfer is to move water to lands with water permits that have a later priority.

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>A25-000578A</u> | <u>4/1/1876</u> | <u>0.54</u> | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| <u>A25-00059</u> | <u>4/1/1882</u> | <u>3.00</u> | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 3.54 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Willow Creek tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	16	3N	40E	Bonneville	

5. 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	
3N	40E	21													30	2	35		67
		21														10		40	50
		22									12	35							47
		27						28											28
		28	40	28		6													74

Total acres 266

PART 1

6. General Information:

a. Description of diversion system Diversion pump & Motor to mainline to center pivotsb. 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:

Place of use has other water rights from canal company and
flood right A25-13497 (25-00137/136)

d. Remarks:

All Remaining rights (A25-00057 & A25-00059) are being transferred
to same system under this and a second transfer.**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____.

SEP 24 1993

WR0749NP
No. T25-00057A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/25/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROLINE HEATH	04/01/1876	IRRIGATION STOCKWATER DOMESTIC	00-00 00-00 00-00 00-00 00-00 00-00	0.54 CFS	

TOTAL DIVERSION: 0.54 CFS

Water Source: WILLOW CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R39E S11 NW SE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03N	39E	15	:	I		I														:	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BONNEVILLE

Other Water Rights with Same Point(s) of Diversion and Source:
25-00057 25-00058 25-00059 25-00136 25-00137 25-00168

Other Water Rights Listing Overlapping Place(s) of use:
01-00057 25-00057 25-00136 25-07591 M25-07591

Remarks: P/D NOT GIVEN IN DECREE. SOURCE WD01.
P/U INCOMPLETE IR. ACC. = 27.2 per Transfer No. 4139.

Dates: App. Received: Priority Date: 04/01/1876
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Comments: Date: 08/25/1993 User-ID: SKAGGS Subject: TRANSFER NO. 4139
Transfer No. 4139 was filed to change a point of diversion and
the place of use of a portion of Right No. 4139, splitting the
right into parts A and B.

Audit: 08/25/93 SKAGGS

RECEIVED

SEP 24 1993

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. Claim No. A25-00057 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 Willow Creek tributary to Snake River

4. Date or priority 4-1-1876

5. Water is used for the following purpose:

amount 1.60 cfs for Irrigation purposes from 4/1 to 11/1
(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 1.60 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	SE	11	3N	39E	Bonneville	

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	
3N	39E	15	34	40	38		36	38			13								199

Total acres 199

9. Describe any other water rights used for the same purpose as described above A 25-00059 / A25-13497

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 25-00057A

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

1. amount 0.54 cfs for Irrigation purposes from 4/1 to 10/31
 (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
	<u>NE</u>	<u>SE</u>	<u>SE</u>	<u>11</u>	<u>3N</u>	<u>39E</u>	<u>Bonneville</u>	

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	
<u>3N</u>	<u>39E</u>	<u>15</u>					<u>16</u>			<u>38</u>	<u>13</u>								<u>67</u>

Total acres 67**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. amount 1.06 cfs for Irrigation purposes from 4/1 to 10/31
 (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
	<u>NE</u>	<u>SE</u>	<u>SE</u>	<u>11</u>	<u>3N</u>	<u>39E</u>	<u>Bonneville</u>	

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	
<u>3N</u>	<u>39E</u>	<u>15</u>	<u>34</u>	<u>40</u>	<u>38</u>		<u>20</u>												<u>132</u>

Total acres 132

WR5809NP
No. 25-00059

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/25/93
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	O. S. LEE, SR.	04/01/1882	IRRIGATION STOCKWATER DOMESTIC	00-00 00-00 00-00 00-00 00-00 00-00	3.00 CFS	

TOTAL DIVERSION: 3.00 CFS

Water Source: WILLOW CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R39E S11 NW SE

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
03N 39E 15			I				I				I				I		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BONNEVILLE

Other Water Rights with Same Point(s) of Diversion and Source:
25-00057 25-00058 25-00136 25-00137 25-00168

Other Water Rights Listing Overlapping Place(s) of use:
25-00137 25-07591 M25-07591

Remarks: P/D NOT GIVEN IN DECREE. SOURCE WD01.
P/U INCOMPLETE IRR. AC. NOT STATED.

Dates:	App. Received:	Priority Date:	04/01/1882
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

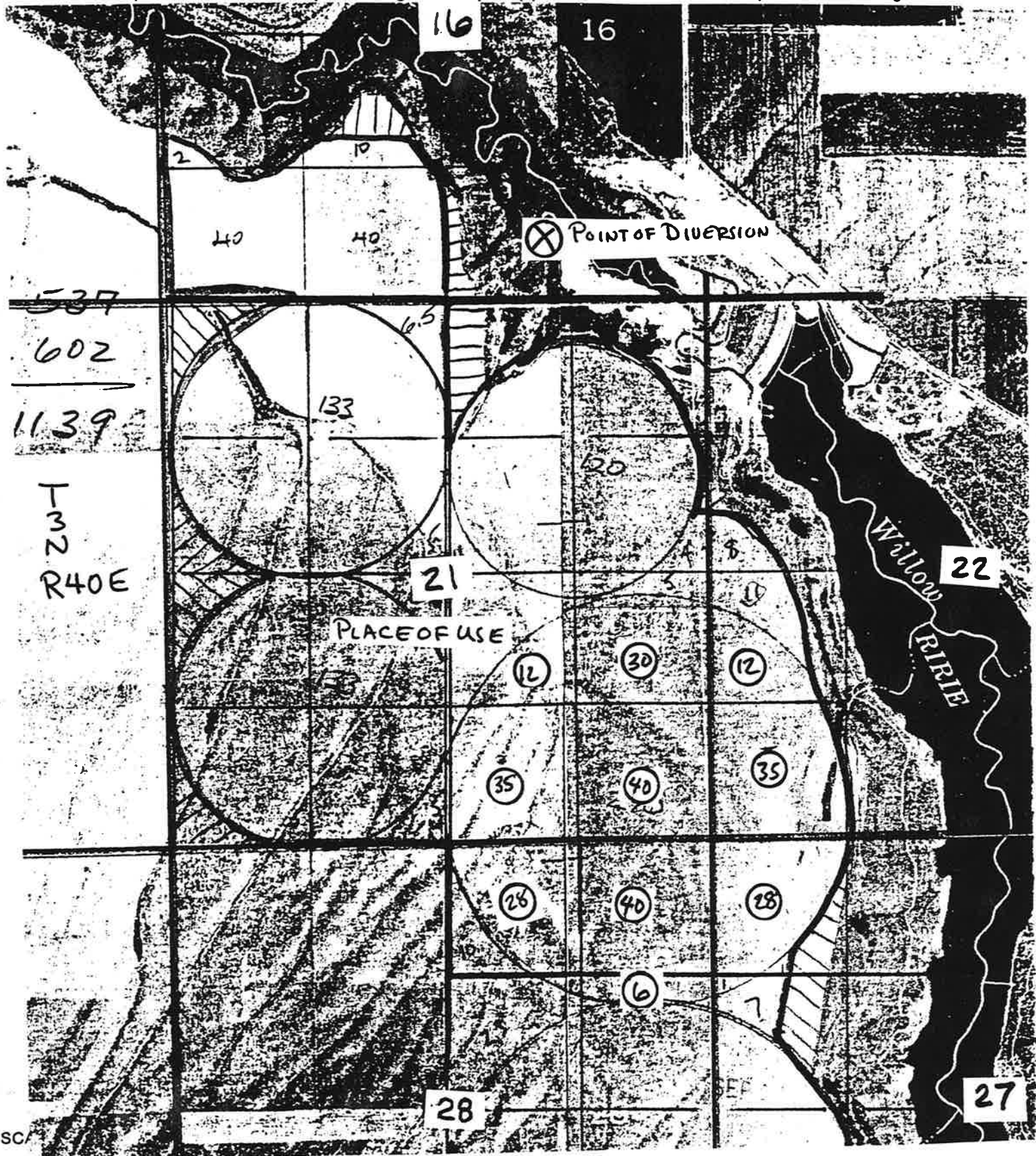
Misc: Water District Number: 01 Field Exam Fee:

Audit: 05/13/85 05/22/88 CONVERT

SEP 24 1993

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



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.

Hollis Sargent

(Signature of Applicant)

Subscribed and sworn to before me this 6th day of MAY, 1993Dynn Powell

(Notary Public)

My commission expires 3/22/97**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Assisted by Kew

Received by _____

Date 5-7-93

Protest filed by _____

Prelim. check by _____

Fee

50⁰⁰ # E018566Receipted by Kew

Date

5-7-93Published in May 27 & June 3, 1993

Pub. dates

Post Register

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

rec'd.

by RDC

Copy of transfer sent to lien holder _____



SEP 24 1993

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. Claim No. A25-00059 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 Willow Creek tributary to Snake River
4. Date or priority 4-1-1882

5. Water is used for the following purpose:

amount 3.00 cfs for Irrigation purposes from 4/1 to 11/1
(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 3.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SE	11	3N	39E	Bonneville	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	39E	15	34	40	38		36	38			13								199

Total acres 199

9. Describe any other water rights used for the same purpose as described above A25-00057, A25-13447

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

(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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

SEP 21 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

NOVEMBER 24, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FOSTER COMPANY
PO BOX 308
RIGBY ID 83442

RE: CHANGE IN OWNERSHIP FOR A25-00057A, A25-00057B,
A25-00059, & A25-13497

Dear Mr. Powell:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

MICROFILMED
NOV 27 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: A25-00057A, 57B, 59, 25-13497

☐ Name and Address of Former Owner/Claimant(s)(Seller): Hollis Sargent

☐ New Owner/Claimant (Purchaser): Idaho Falls
X FOSTER COMPANY

☐ New Mailing Address: P.O. Box 308
RIGBY, IDAHO 83442

☐ New Telephone Number: (208) 338-5170

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): FOSTER COMPANY by Lynn Threlk Date 11-22-95
BUSINESS MGR. Date _____

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

OK

DC 11-22-95

By:

yes

MICROFILMED

NOV 07 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4140
WATER RIGHT NO(S). 25-00057A/25-00059

Regin Adjud.
RECEIVED
SEP 17 1993
Department of Water Resources
Eastern District Office

This is to certify that: **HOLLIS T SARGENT**
10960 N 85TH E
IDAHO FALLS ID 83401

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. 25-00057A:			
IRRIGATION	04/01 to 10/31	0.54 CFS	108.8 AF
Priority: 04/01/1882			
Right No. 25-00059 :			
IRRIGATION	04/01 to 10/31	3.00 CFS	600.0 AF
Priority: 04/01/1882			

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WILLOW CREEK	SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 40E 21	NESE 30	NWSE 12	SWSE 35	
	SESE 40			117
22	NWSW 12	SWSW 35		47
27	NWNW 28			28
28	NENE 40	NWNE 28	SENE 6	74
Total number of acres irrigated:				266

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. 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.

MICROFILMED
NOV 07 1996

TRANSFER NO. 4140
WATER RIGHT NO(S). 25-00057A/25-00059

CONDITIONS/REMARKS:

3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. 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.
5. 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.
6. Right No. 25-00057A is limited to the irrigation of 27.2 acres in the place of use described above in a single irrigation season.
7. Right No. 25-00059 is limited to the irrigation of 150 acres in the place of use described above in a single irrigation season.

Dated this

2nd day of

September, 1993

J. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED
NOV 8 / 1990

CONTRACT OF SALE

THIS AGREEMENT is made and entered into this 30 day of December, 1993, by and between HOLLIS SARGENT of Bonneville County, Idaho, BARBARA SARGENT of Bonneville County Idaho, hereinafter referred to as SELLERS, and FOSTER COMPANY, an Idaho partnership, of BOYD FOSTER and BRAD FOSTER, of 392 Farnsworth Way, Rigby, Jefferson County, Idaho, hereinafter referred to as PURCHASER.

WITNESSETH:

1. CONSIDERATION AND PROPERTY DESCRIPTION: For and in consideration of the sum of Three Hundred Twenty Thousand Dollars (\$320,000), lawful money of the United States of America, to be paid by the PURCHASER as is hereinafter provided; the SELLERS agree to sell and convey, and the PURCHASER agrees to purchase all that certain lot, piece and parcel of land, situate, lying and being in Bonneville County, Idaho described as follows, to wit:

(a) See the legal description attached hereto marked Exhibit A and by this reference made a part hereof.

(b) Water rights consisting of: 1) 110 inches in the Enterprise Canal; 2) 56 1/2 inches in the Farmers Friend Canal; 3) 410 inches in Willow Creek as follows:

Water Right C A25-13497 with a priority date of 5/1/1888 for 3.6 cfs; Water Right C A25-00057 with a priority date of 4/1/1876 for 1.6 cfs; and Water Right C A25-00059 with a priority date of 4/1/1882 for 3.0 cfs.

(c) Subject to all existing easements or claims of easements, patent reservations, rights-of-way, protective covenants, zoning ordinances and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

(d) Pending payment in full, PURCHASER shall be entitled to vote shares in any canal, irrigation district or water company.

2. PURCHASE PRICE - INTEREST - ACCELERATION: The PURCHASER agrees to pay the purchase price of Three Hundred Twenty Thousand Dollars (\$320,000), as follows:

(a) \$60,000 down as follows:

1. \$19,000 which SELLERS hereby acknowledge has heretofore been paid PURCHASERS.

2. \$41,000 be paid on the closing hereof plus interest on \$31,000 of that \$41,000 at 10% per annum from July 1, 1993 to the date of closing.

(b) The balance of \$260,000 is to be paid at the rate of \$28,548 per year with the first such payment due May 1, 1994, and a like payment on the same date each succeeding year for a total of fifteen (15) such equal annual payments. The unpaid balance shall earn interest at seven percent (7%) per annum from May 1, 1993, and each payment shall be applied first to interest due and the balance to principal.

Exhibit 'A'

TOWNSHIP 3 NORTH, RANGE 39 EAST, BOISE MERIDIAN

Tract 1:

Section 15:

E 1/2 NW 1/4; SW 1/4 NE 1/4; all that part of NE 1/4 SW 1/4 lying North of Willow Creek.

EXCEPTING the following described tract:

Commencing at the NE corner of the NW 1/4 and running thence South 1 rod; thence West 60 rods, more or less, to the Anderson Canal, thence in a Southwesterly direction 30 rods, more or less, to the West line of the NE 1/4 of the NW 1/4; thence North 16 rods, more or less, to the North line of said Section; thence East 80 rods to the place of beginning.

Tract 2:

NW 1/4 NE 1/4

Tract 3:

NE 1/4 NE 1/4

EXCEPTING the following described tracts:

Beginning at the Northeast Corner of Section 15, Township 3 North, Range 39 East, Boise Meridian, Bonneville County, Idaho; thence West 350 feet along the North side of said section 15; thence due South 226 feet; thence due East 350 feet; thence North 226 feet along the East side of said Section 15 to the True Point of Beginning.

ALSO EXCEPTING:

Commencing at the Northeast Corner of Section 15, Township 3 North, Range 39 East, Boise Meridian, Bonneville County, Idaho, and running South 226 feet along the East side of said Section 15 to the True point of Beginning; thence due West 208 feet; thence due South 208 feet; thence due East 208 feet; thence North 208 feet along the East side of said Section 15 to the True Point of Beginning.

ALSO EXCEPTING:

The home and 10 acres surrounding the same located on the described property described as:

WARRANTY DEED

THIS INDENTURE, made this ____ day of _____, 1993, between HOLLIS SARGENT of Bonneville County, Idaho, and BARBARA SARGENT of Bonneville County, Idaho, the Party of the First Part, and FOSTER COMPANY, an Idaho partnership, of BOYD FOSTER and BRAD FOSTER, of 392 Farnsworth Way, Rigby, Jefferson County, Idaho, the Party of the Second Part,

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to Party of the First Part in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said Party of the Second Part, and to Party of the Second Part's heirs and assigns, forever, all the following described real estate situated in the County of Bonneville, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT A

Together with the following water rights: 1) 110 inches in the Enterprise Canal; 2) 56 1/2 inches in the Farmers Friend Canal; 3) 410 inches in Willow Creek as follows:

Water Right C A25-13497 with a priority date of 5/1/1888 for 3.6 cfs; Water Right C A25-00057 with a priority date of 4/1/1876 for 1.6 cfs; and Water Right C A25-00059 with a priority date of 4/1/1882 for 3.0 cfs.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Party of the First Part,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the Party of the Second Part, and to Party of the Second Part's heirs and assigns forever. And the said Party of the First Part, and said Party of the First Part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Party of the Second Part, and Party of the Second Part's heirs and assigns, against the said Party of the First Part, and Party of the First Part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Party of the First Part hereunto has set his hand.

STATE OF IDAHO)
) ss
County of)

On this ____ day of _____, 1993, before me, the undersigned, a Notary Public in and for said state, personally appeared HOLLIS SARGENT, known to me to be the person whose name is subscribed to the foregoing, 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 acknowledgement first above written.

(seal)

Notary Public for Idaho
Residing at:
Commission Expires:

SCANNED

JUL 25 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: **A25-00057A**
Date Received: 8/29/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: FOSTER COMPANY
Address: PO BOX 308
RIGBY ID

208-538-5170

83442

2. Date of Priority: APR 1, 1876

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	40E	16	SW	SE			BONNEVILLE

5. Description of diverting works:
/ CONCRETE HDGATE OUT OF WILLOW CREEK WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.540		
STOCKWATER	03/01	12/01	0.120		

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

A.F.A.

8. Total consumptive use is 798.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 470 HD. CATTLE, SHEEP, HORSES, HOGS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	40E	21	NE	SE		IRR	30.0
			NW	SE		IRR	12.0
			SW	SE		IRR	35.0

11/24/95

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	21	SE	SE		IRR	40.0
						Section Acres	117.0
		22	NW	SW		IRR	12.0
			SW	SW		IRR	35.0
						Section Acres	47.0
		27	NW	NW		IRR	28.0
						Section Acres	28.0
		28	NE	NE		IRR	40.0
			NW	NE		IRR	28.0
			SE	NE		IRR	6.0
						Section Acres	74.0
						Total Acres	266.0

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:
25-00059, 25-00137

14. Remarks:

CLAIMANT ORIGINALLY FELT THAT THIS RIGHT WAS IN THE NAME OF CLEVERLEY, HOWEVER NO CLEVERLEY SHOWED IN THE COMPUTER IN THE NAME SEARCH OR THE PLACE OF USE SEARCH. SEE ATTACHED COPY OF PAGE FROM DECREE FROM COURT HOUSE.
SEE RESULTS OF TRANSF. 4139 AND 4140. HWJ 7-15-93
*** CLAIM A25-00057 AMENDED AND SPLIT PURSUANT TO TRANSFER NO. 4140. ESV 9/23/93

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 01.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.2 ACRES WITHIN THE PLACE OF USE ABOVE IN A SINGLE IRRIGATION SEASON.
FILING FEE PAID UNDER RECEIPT NO. M004062.
CHANGED OWNERSHIP 11/24/95/JT/DC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

EAGEL ROCK WATER CO. ET AL
Decree Plaintiff

HENRY KIEFER ETAL.
vs Decree Defendant

MICROFILMED
NOV 07 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

Ident. Number: **A25-00057A**
Date Received: 8/29/1989
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HOLLIS T SARGENT 208-522-2368
Address: 10960 N 85TH E
IDAHO FALLS ID 83401
AND/OR
Name: BARBARA SARGENT 208-523-2134
Address: 797 K ST
IDAHO FALLS ID 83402



2. Date of Priority: APR 1, 1876

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	40E	16	SW	SE			BONNEVILLE

5. Description of diverting works:
CONCRETE HDGATE OUT OF WILLOW CREEK WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.540		
STOCKWATER	03/01	12/01	0.120		

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

8. Total consumptive use is 798.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 470 HD. CATTLE, SHEEP, HORSES, HOGS.

MICROFILMED
NOV 07 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	21	NE	SE		IRR	30.0
			NW	SE		IRR	12.0
			SW	SE		IRR	35.0
			SE	SE		IRR	40.0
						Section Acres	117.0
		22	NW	SW		IRR	12.0
			SW	SW		IRR	35.0
						Section Acres	47.0
		27	NW	NW		IRR	28.0
						Section Acres	28.0
		28	NE	NE		IRR	40.0
			NW	NE		IRR	28.0
			SE	NE		IRR	6.0
						Section Acres	74.0
						Total Acres	266.0

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:
25-00059, 25-00137

14. Remarks:

CLAIMANT ORIGINALLY FELT THAT THIS RIGHT WAS IN THE NAME OF CLEVERLEY, HOWEVER NO CLEVERLEY SHOWED IN THE COMPUTER IN THE NAME SEARCH OR THE PLACE OF USE SEARCH. SEE ATTACHED COPY OF PAGE FROM DECREE FROM COURT HOUSE.

SEE RESULTS OF TRANSF. 4139 AND 4140. HWJ 7-15-93

*** CLAIM A25-00057 AMENDED AND SPLIT PURSUANT TO TRANSFER NO. 4140. ESV 9/23/93

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 01.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.2 ACRES WITHINT THE PLACE OF USE ABOVE IN A SINGLE IRRIGATION SEASON.

FILING FEE PAID UNDER RECEIPT NO. M004062.

15. Basis of Claim: DECREED

MICROFILMED
NOV 8 7 1990

Case Number:

Court :

Decree date: / /

EAGEL ROCK WATER CO. ET AL

Decree Plaintiff

HENRY KIEFER ETAL.

vs

Decree Defendant

MICROFILMED
NOV 01 1993