

10/01/2004

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

RIGHT NUMBER: 25-57B

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

SOURCE: WILLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.060 CFS
211.200 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

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>
STOCKWATER	03/01 12/01	0.120 CFS
IRRIGATION	04/01 10/31	1.060 CFS 211.20 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S21	NWNW	33.0	T03N R40E S21	<u>SWNW</u>	33.0
T03N R40E S21	SESW	33.0	T03N R40E S21	<u>NESW</u>	33.0

STOCKWATER same as IRRIGATION

132 ACRES TOTAL

This right is limited to the irrigation of 52.8 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

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

PROFILED

SCANNED

OCT 20 2004

10/01/2004

**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: 25-57B

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: Boyd Foster
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

SCANNED

JUL 25 2001

Log for claim 25-00057B

Spatial Dynamics CAT

11/22/00

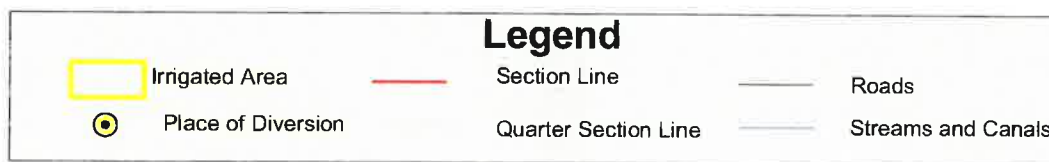
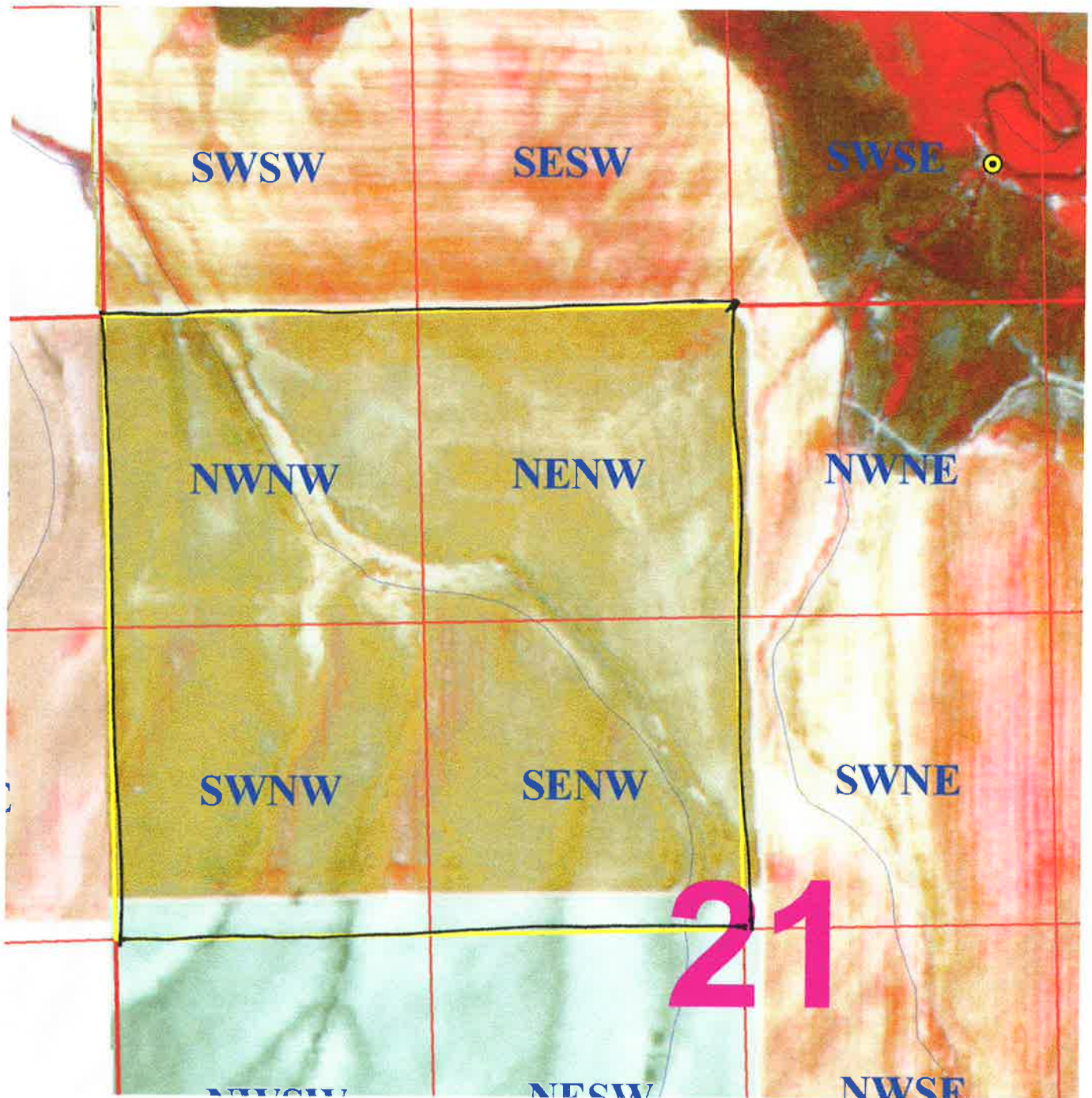
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n40e	21	NENW	33	40	Indiscernible see note *
03n40e	21	NWNW	33	40	Indiscernible
03n40e	21	SWNW	33	40	Indiscernible
03n40e	21	SENW	33	40	Indiscernible
Totals:			132	160	



pump information in claim A2500057A

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

11/22/2000



SPATIAL
DYNAMICS



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 52.8 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

AJ5809NP
No. A25-00057B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 11

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 01	Field Inspection Flag:	
		Presumption Flag:	D
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. 4139
WATER RIGHT NO. 25-00057B

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>
IRRIGATION	04/01 to 10/31	1.06 CFS	211.2 AF

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

Priority: 04/01/1876

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	NENW 33	NWNW 33	SWNW 33	
	SEnw 33			132
		Total number of acres irrigated:		132

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.
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.

RECEIVED

SEP 24 1993

TRANSFER NO. 4139
WATER RIGHT NO. 25-00057B

CONDITIONS/REMARKS:

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. 25-00057B is limited to the irrigation of 52.8 acres in the place of use described above in a single irrigation season.

Dated this 2nd day of September, 1993.

J. Glen Saxton

Chief, Water Alloc. Bureau

SEP 24 1993

WR5809NP
No. 25-00057

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

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	1.60 CFS	

TOTAL DIVERSION: 1.60 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:
25-00058 25-00059 25-00136 25-00137 25-00168

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

Remarks: P/D NOT GIVEN IN DECREE. SOURCE WD01.
P/U INCOMPLETE IR. ACC. = 80.

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:

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 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	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

SEP 24 1993

Total acres 199

9. Describe any other water rights used for the same purpose as described above A25-00057/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 PART B

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

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
	NE	SE	SE	11	3N	39E	Bonneville	

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	
3N	39E	15	34	46	38		20												132

Total acres 132**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) PART A**

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
	NE	SE	SE	11	3N	39E	Bonneville	

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	
3N	39E	15					16			38	13								67

Total acres 67

SEP 21 1993

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4139APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED
PART 1

JUL 19 1993

Name of applicant Hollis T. Sargent Phone 522-2588
Post Office address 10960 N 85th 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
- A25-00057AB 4/1/1876 1.06 cfs Irrigation 4/1 to 10/31
- _____ to _____
- _____ to _____
- _____ to _____
2. Total amount of water being transferred 1.06 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					33	33	33	33									132

Total acres 132

PART 1

6. General Information:

- a. Description of diversion system Diversion pump & Motor to mainline to center pivots
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Place of use has other water rights from canal company and flood right AZ5-13497 (25-0137/0136)
- d. Remarks:
Remaining portion of this right is also being transferred to same P/D but different center pivot.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

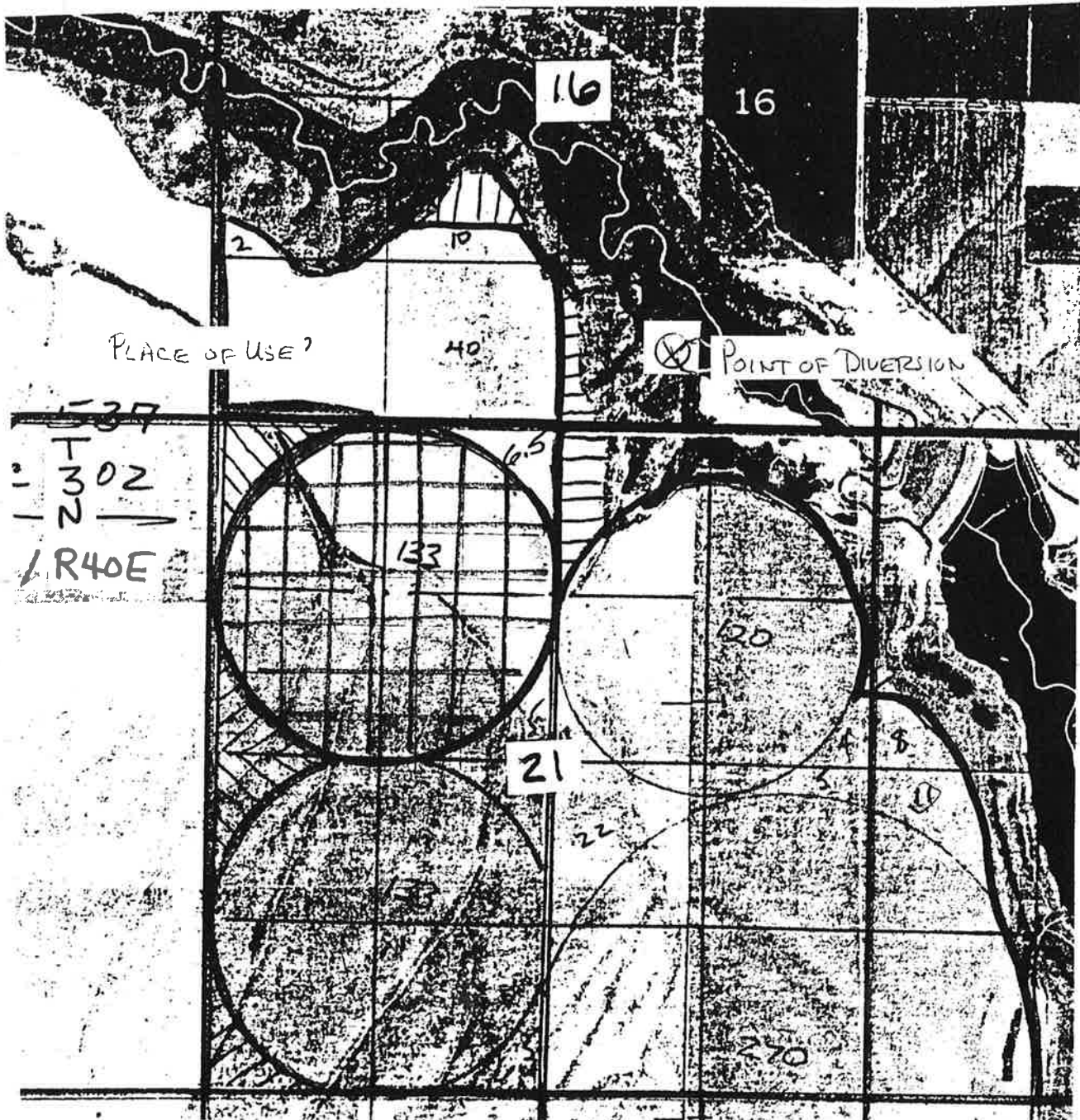
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

SEP 24 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ 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, 19 93.

Dyan Powell

(Notary Public)

My commission expires 3/28/97

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Assisted by KCW

Received by

Date

5-7-93

Protest filed by _____

Prelim. check by _____

Fee

50⁰⁰ #E018566Received by KCW

Date

5-7-93Published in Post Register

Copies of protest forwarded by _____

Pub. dates May 27 i June 3, 1993

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for



approval



denial

_____ rec'd.

by RA

Copy of transfer sent to lien holder _____

RECEIVED

SEP 24 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

NOV 24 1995
NOV 24 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
Idaho Falls
- ☐ New Owner/Claimant (Purchaser): 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 [Signature] Date 11-22-95
BUSINESS MAIL 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 DC 11-22-95

Date:

By: OK

Further Action Needed: yes

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

MICROFILMED

NOV 8 / 1995

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

M004062

Regin Adjut.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4139
WATER RIGHT NO. 25-00057B

RECEIVED

SEP 17 1993

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

Department of Water Resources
Eastern District Office

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.06 CFS	211.2 AF

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

Priority: 04/01/1876

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 16, Township 03N, Range 40E
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	40E	21	NENW 33	NWNW 33	SWNW 33	132
			SEnw 33			132
Total number of acres irrigated:						132

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.
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.

MICROFILMED
NOV 07 1990

TRANSFER NO. 4139
WATER RIGHT NO. 25-00057B

CONDITIONS/REMARKS:

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. 25-00057B is limited to the irrigation of 52.8 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 07 1990

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: **A25-00057B**
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 83442 208-538-5170

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	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	1.060		211.20
STOCKWATER	03/01	12/01	0.120		

7. Total Quantity Appropriated is:
1.060 C.F.S. (and/or) 211.20 A.F.A.

8. Total consumptive use is 396.0 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	Lot	Use	Acres
03N	40E	21	NW	NW		IRR	33.0
			SW	NW		IRR	33.0
			SE	NW		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	40E	21	NE SW		IRR	33.0

Section Acres 132.0

Total Acres 132.0

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:

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

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 52.8 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

NOV 01 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: **A25-00057B**
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
Address: 10960 N 85TH E
IDAHO FALLS ID 83401

208-522-2368

AND/OR

Name: BARBARA SARGENT
Address: 797 K ST
IDAHO FALLS ID 83402

208-523-2134

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	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	1.060		211.20
STOCKWATER	03/01	12/01	0.120		

7. Total Quantity Appropriated is:
1.060 C.F.S. (and/or) 211.20 A.F.A.

8. Total consumptive use is 396.0 Acre Feet Per Annum.

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

MICROFILMED
NOV 07 1996

A2500057B

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	40E	21	NW		NW		IRR	33.0
			SW		NW		IRR	33.0
			SE		NW		IRR	33.0
			NE		SW		IRR	33.0
Section Acres								132.0
Total Acres								132.0

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:

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

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