

09/29/2004

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

RIGHT NUMBER: 25-59

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

SOURCE: WILLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.000 CFS
600.000 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: 04/01/1882

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	3.000 CFS 600.00 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 150 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: 25-00137B, 25-00057A, 25-00057B, 25-00059,
25-00136B

PROFILED

Water Right 25-59

SCANNED

1

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: 25-59

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: Bel Foster

Please print your name: Boyd Foster/Foster Co

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

PROFILED

**SCANNED
DEC 22 2004**

**RECEIVED
DEC 08 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. A25 000 59

Claimant Contact Log

Date _____

Remarks

Agent initials

Claim Number: _____

Current Owner: Foster Phone No.: 538 5120

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No: _____

Relationship to Claimant: _____ Date of Field Exam: _____

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

This image shows a single sheet of white paper with horizontal ruling lines. 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: _____

SCANNED

OCT 20 2004

PROFILED

Claim Number: A2500059

Water Right Priority Date: April 1 1882 Water Right Basis: DACRRE

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

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

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

Reviewer: _____

Date: _____

SCANNED
OCT 20 2004

Water Right No(s). A2500059



GPS DATA:

Tag # A0013814 Location: _____

Diversion Data:

Source: Willow Creek Trib to: Snake River

MOTOR

Make: GE Model: 5K6257XH3A Hp: 60
SN: HAT313499

PUMP

Make: Sumergable Model: _____ Disch: 8"
SN: _____

NOTES:

Field Exam Date: 8-21-04 Agent: Nick Olson

GPS # 2673641
1379320

PROFILED **SCANNED**
OCT 20 2004

Claim Number: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to : _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to : _____

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

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

Other rights from this POD? A25 00137A

Transfers Pending or approved: _____

[illegible]

Reviewer: _____ Date: _____

SCANNED

OCT 20 2004

PROFILED

Claim Number: _____

[illegible][illegible]

Pending or approved Transfers: _____

Overlapping rights: _____

[illegible]

Reviewer: _____ Date: _____

Claim Number: _____

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Water Use	Start	End	Rate	Volume

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 25-00059

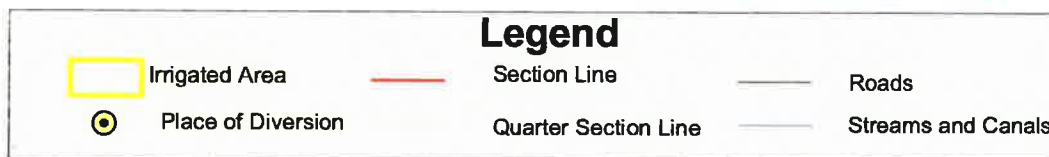
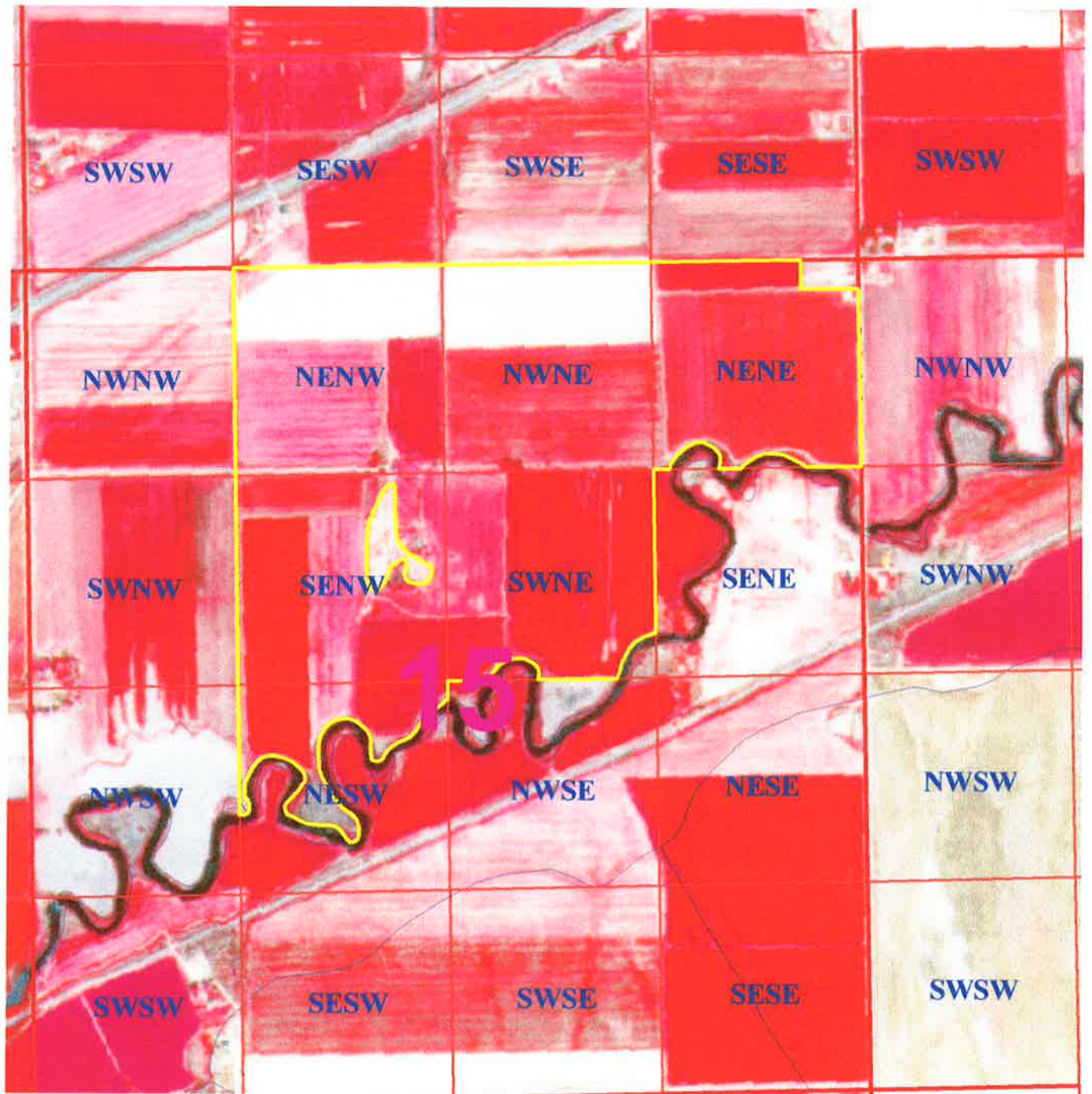
Spatial Dynamics CAT

11/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n39e	15	NENE	34	37	
03n39e	15	NWNE	40	40	
03n39e	15	SWNE	38	38	
03n39e	15	NENW	36	40	
03n39e	15	SEnw	38	37	
03n39e	15	NESW	13	14	
Totals:			199	206	

Water Right Claim Number 25-00059
Township , 3N39E

11/27/2000

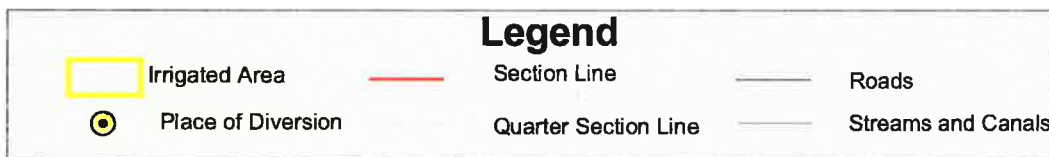
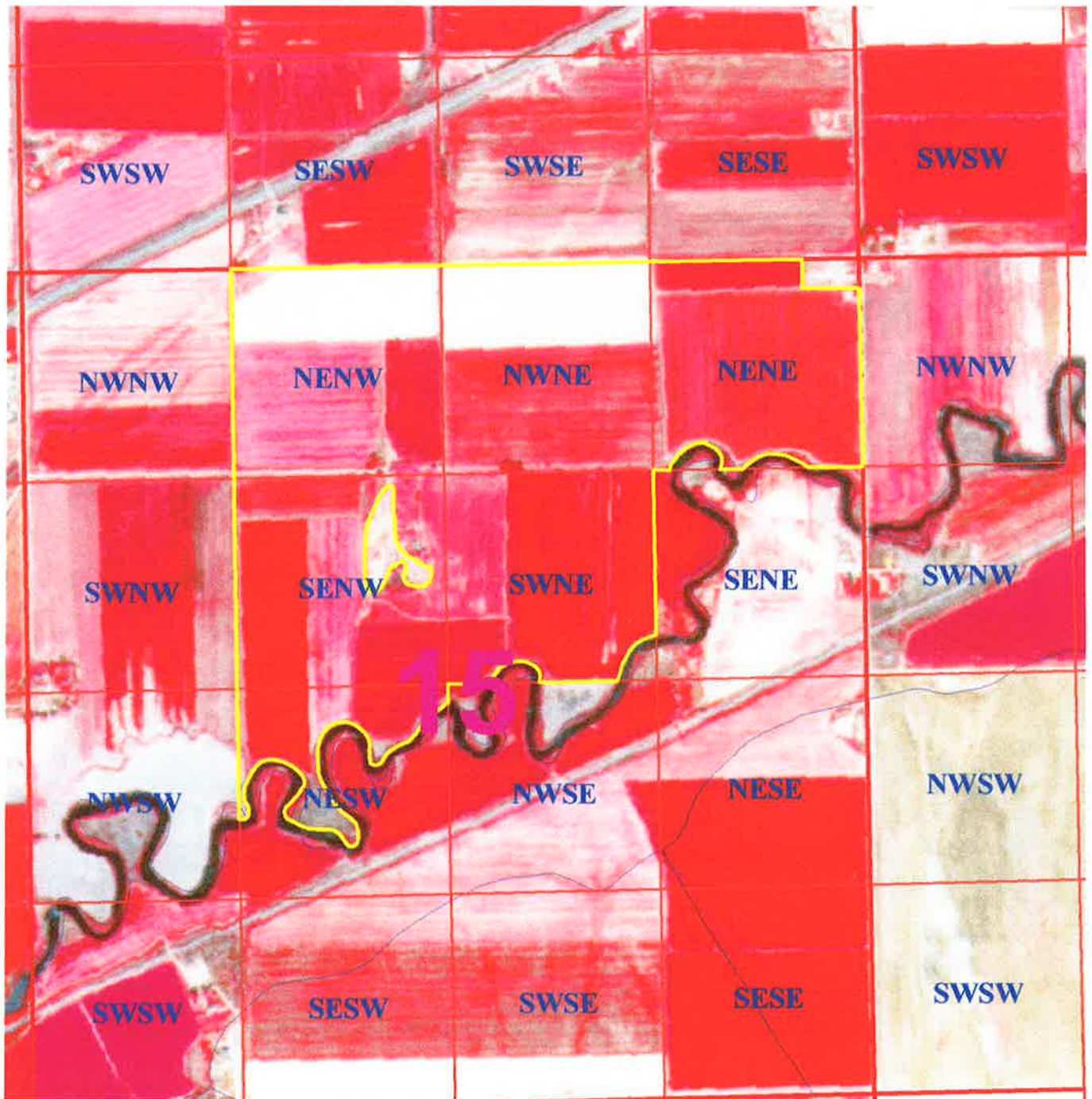


SPATIAL DYNAMICS



Water Right Claim Number 25-00059
Township , 3N39E

11/27/2000

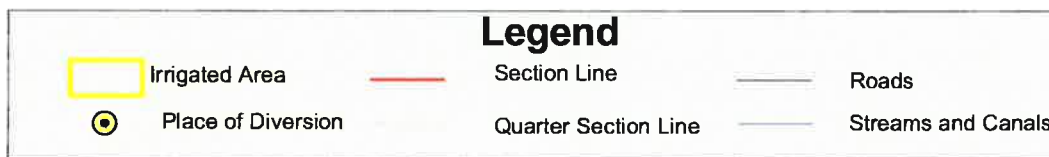
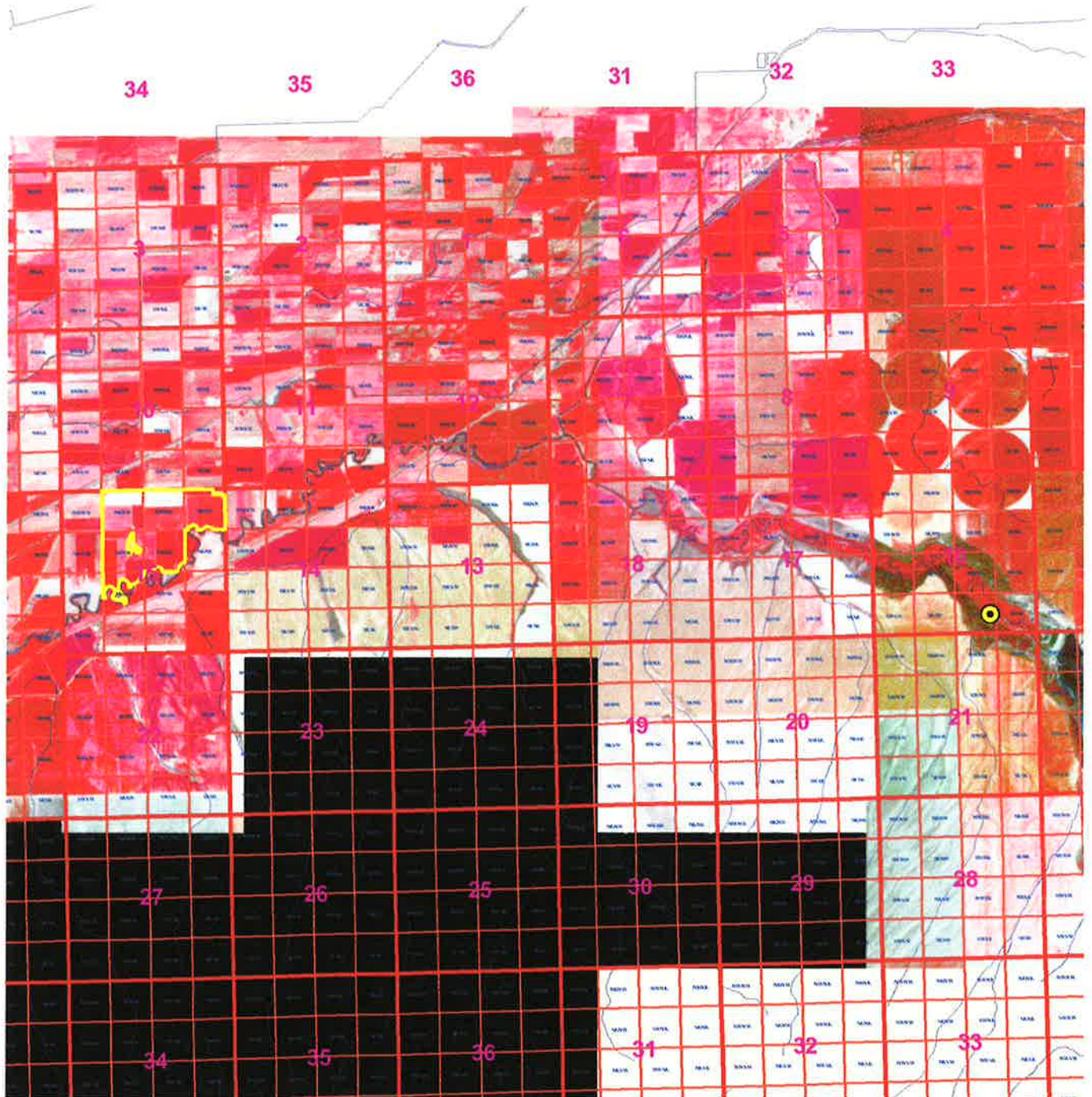


SPATIAL
DYNAMICS



Water Right Claim Number 25-00059 Township , 3N39E

11/27/2000

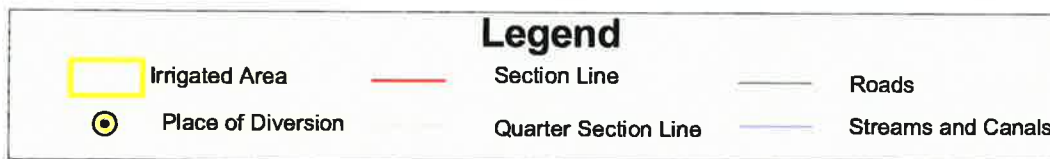
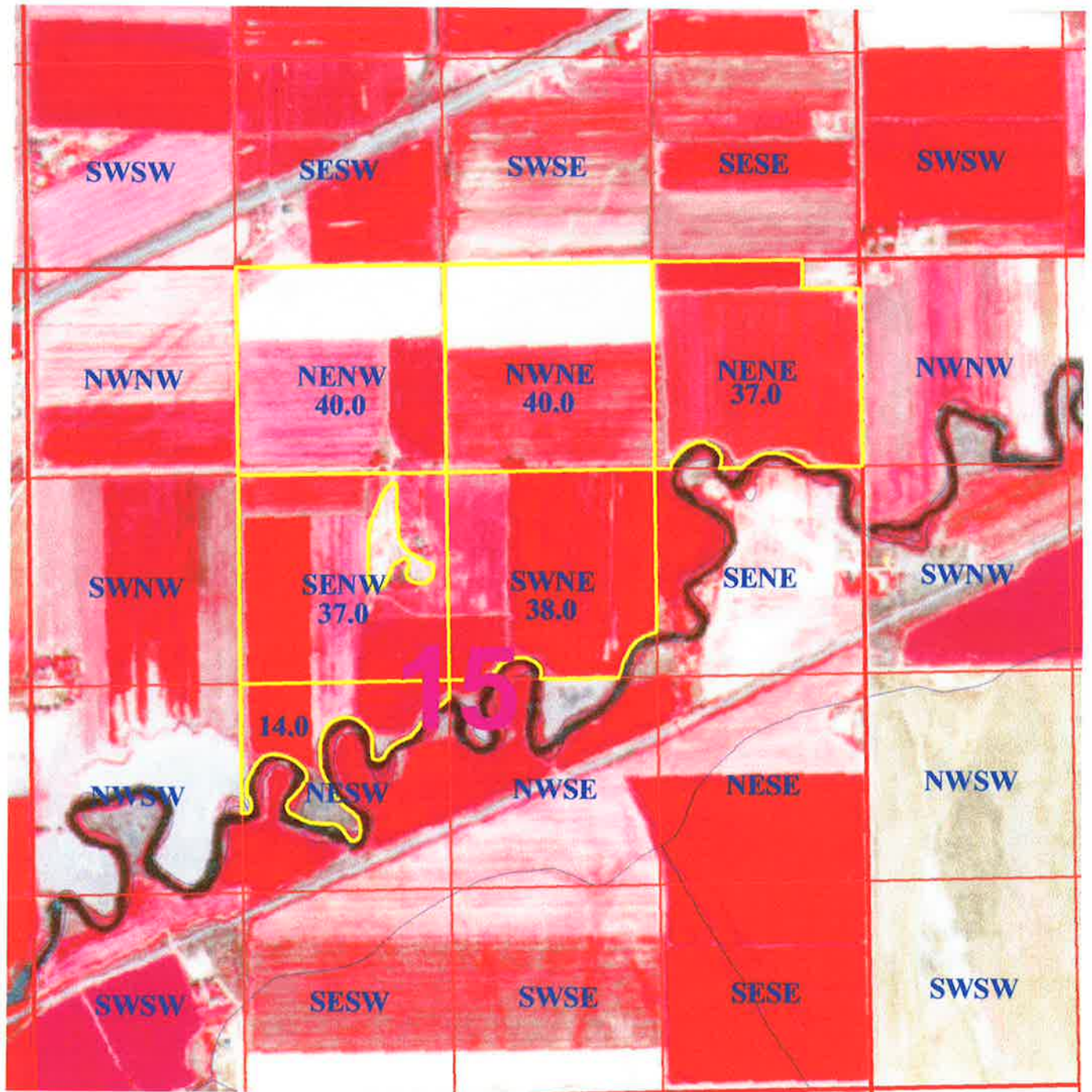


SPATIAL DYNAMICS



Water Right Claim Number 25-00059
Township , 3N39E

11/27/2000



SPATIAL
DYNAMICS



AJ5809NP
No. A25-00059

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 13

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	04/01/1882	IRRIGATION STOCKWATER	04-01 10-31 03-01 12-01	3.000 CFS 0.120 CFS	600.00 AFA
TOTAL DIVERSION:					3.000 CFS	600.00 AFA
CONSUMPTIVE USE:						450.00 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																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
03N	39E	15	34	40	38				36				38			13															199.0	
TOTAL ACRES																												199.0				

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: 25-00057A

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

A25-00057A A25-00057B A25-00136B A25-00137B

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
A25-00063 A25-00136A A25-00137A A25-00139 A25-13497

Remarks: GEN SEE RESULTS OF TRANSF. 4140

*** CLAIM AMENDED PURSUANT TO TRANSFER NO. 4140, ESV 9/23/93 **

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

CHANGED OWNERSHIP 11/24/95/JT/DC

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

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

Audit: 08/29/89 CARLSON 07/15/93 JONES 09/23/93 VERNER 03/29/95 POST-STD
11/24/95 JTHOMPSON

MEMORANDUM

TO: FILE 25-00059

FROM: PAM SKAGGS

RE: TRANSFER #. 4140.

DATE: 08-18-93

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 25-00057.

UNRECORDED

SEP 24 1993

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	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</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	
			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.

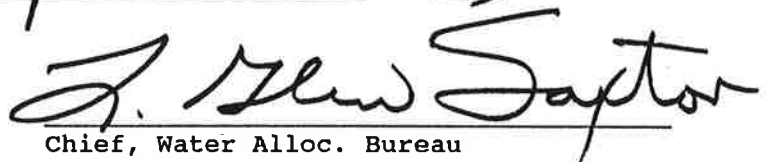
SEP 24 1993

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



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 07 1996



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) 538-5170

☐ 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 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 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: _____

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

MICROFILMED
NOV 01 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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.

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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</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	
			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:

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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.
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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 Saxton
Chief, Water Alloc. Bureau

MICROFILMED
NOV 07 1990

Water Right Number - 25-00059

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

LEE, SR.

O. S.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +
04/01/1882+ - - Region - - - +
15+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
WILLOW CREEK+ - - Tributary - - - - - +
SNAKE RIVER

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
03N	39E	11	NW SE			(19)	BONNEVILLE	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION				
43 -	DOMESTIC			3.000	
04 -	STOCKWATER				

Total Div. Rate - +	Total Div. Volume - +	Total Div. Capacity - +	Total Consumptive Use - +	KW Usage - +
3.000				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
03N	39E	15	SW NE			01	IRRIGATION	(19) BONNEVILLE
03N	39E	15	SE NW			01	IRRIGATION	(19) BONNEVILLE
03N	39E	15	NE SW			01	IRRIGATION	(19) BONNEVILLE
03N	39E	15	NW SW			01	IRRIGATION	(19) BONNEVILLE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/05/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 01
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 07/20/1901				

WILLOW CREEK DECREE

1874	160	John Peterson	75	1885
1874	130	Adam Smith	120	1885
1876	80	Joseph Tolley		
1876	80	Harvey Dahlstrom		
1880	160	J. H. Dahlstrom		
1880	140	J. H. Payne		
1880	160	Robert Livingston		
1880	140	William H. Price		
1881	154			
1882	150			
1882	40			
1882	45			
1882	15			
1882	35			
1882	65			
1882	55			
1883	120			
1883	200			
1883	50			
1883	175			
1883	80			
1883	80			
1883	85			
1883	45			
1883	100			
1883	165			
1884	85			
1884	160			
1884	134			
1884	160			
1884	140			
1884	145			
1884	80			
1884	120			
1884	70			
1884	100			
1884	70			
1884	100			
1884	175			
1884	60			
1884	100			
1884	100			
1884	150			
1884	200			
1885	160			
1885	160			
1885	120			
1885	40			
1885	160			
1885	160			
1885	30			
1885	50			
1885	160			
1885	160			

Oville Buck
 Frank Cleverley
 Caroline Heath
 Abel Cleverley
 Henry W. Klefer
 H. E. Haskins
 John R. Seedall
 Anderson Bros. Bank
 A. H. Jackson
 O. S. Lee, Jr.
 Robert Irwin
 Harmon Elijah Palmer
 John F. Williams
 J. D. Evans
 Louis Elg
 Henry Catmull
 Frank W. Beam
 Thomas Kerr
 Charles G. Martin
 Herman Bauman
 Bert W. Bruce
 Christ Z. Binden
 John Ritchie
 Mary Christina Ritchie
 Alfred Rastcot
 R. W. Norton
 Andrew A. Anderson
 Axel Anderson
 Mary Mullner
 Lee Norton
 Joseph S. Mullner
 J. H. Davis, Sr.
 James Buck
 Mrs. Mary C. Mann
 S. L. Cox
 H. F. Haskins
 Alfred Rastcot
 Joseph Tolley
 Rasmus Nelson
 Robert Irwin
 J. H. Robertson
 James Irwin
 J. F. M. Hash
 C. J. Owens
 H. L. Hansen
 Edward Safstrom
 W. C. Olson
 David W. Clark
 John P. Kelley
 Geo. P. Ward
 J. F. Norton
 Edward Cox
 L. M. Clifford
 Mrs. Christina Forbush
 J. V. Senter

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: **A25-00059**

Date Received: 8/29/1989

Receipt No: M004062

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, 1882

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 CR. 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	3.000		600.00
STOCKWATER	03/01	12/01	0.120		

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) 600.00 A.F.A.

8. Total consumptive use is 450.0 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	39E	15	NE	NE		IRR	34.0
			NW	NE		IRR	40.0
			SW	NE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	15	NE	NW		IRR	36.0
			SE	NW		IRR	38.0
			NE	SW		IRR	13.0

Section Acres 199.0

Total Acres 199.0

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:
25-00057A

14. Remarks:

SEE RESULTS OF TRANSF. 4140

*** CLAIM AMENDED PURSUANT TO TRANSFER NO. 4140, ESV 9/23/93 **

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

CHANGED OWNERSHIP 11/24/95/JT/DC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

EAGLE ROCK & WILLOW CR. WATER
Decree Plaintiff

HENRY KIEFER ET AL
vs Decree Defendant

MICROFILMED
NOV 8 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: **A25-00059**
Date Received: 8/29/1989
Receipt No: M004062
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 FALSS ID 83402

2. Date of Priority: APR 1, 1882

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 CR. 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	3.000		600.00
STOCKWATER	03/01	12/01	0.120		

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) 600.00 A.F.A.

8. Total consumptive use is 450.0 Acre Feet Per Annum.

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

MICROFILMED
NOV 0 / 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	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
			SE	NW		IRR	38.0
			NE	SW		IRR	13.0

Section Acres 199.0

Total Acres 199.0

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:
25-00057A

14. Remarks:

SEE RESULTS OF TRANSF. 4140

*** CLAIM AMENDED PURSUANT TO TRANSFER NO. 4140, ESV 9/23/93 **
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

EAGLE ROCK & WILLOW CR. WATER
Decree Plaintiff

HENRY KIEFER ET AL
vs Decree Defendant

MICROFILMED
NOV 0 / 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: A25-00059

Date Received: 8/29/1989

Receipt No: MOO 4062

Received By: g pe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOLLIS T. SARGENT
Address: 10960 N. 85TH E.
IDAHO FALLS, ID

208-522-2368

83401

AND/OR

Name: BARBARA SARGENT
Address: 797 K. ST.
IDAHO FALSS, ID

208-523-2134

83402

2. Date of Priority: APR 01, 1882

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	11	NE	SE	SE		BONNEVILLE

5. Description of diverting works:

CONCRETE HDGATE OUT OF WILLOW CR. WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		
STOCKWATER	03/01	12/01	0.120		

7. Total Quantity Appropriated is:

3.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 497.5 Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 470 HD. CATTLE, SHEEP HORSES, HOGS.

A25-00059

Page

08/29/89

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NOV 06 1992

A2500059



10. Place of Use:

Township	Range	Section	1/4	of	1/4	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
			SE		NW		IRR	38.0
			NE		SW		IRR	13.0
Section Acres								199.0
Total Acres								199.0

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:
A2500057,A2500137.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

EAGLE ROCK & WILLOW CR. WATER
Decree Plaintiff

vs

HENRY KIEFER ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not ☒ 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): Hollis T. Sargent Date: 8-29-89
Date:

State of Idaho)
County of Bonnerille) SS.

Subscribed and sworn (or affirmed) before me this 29 day

of Aug 19 89

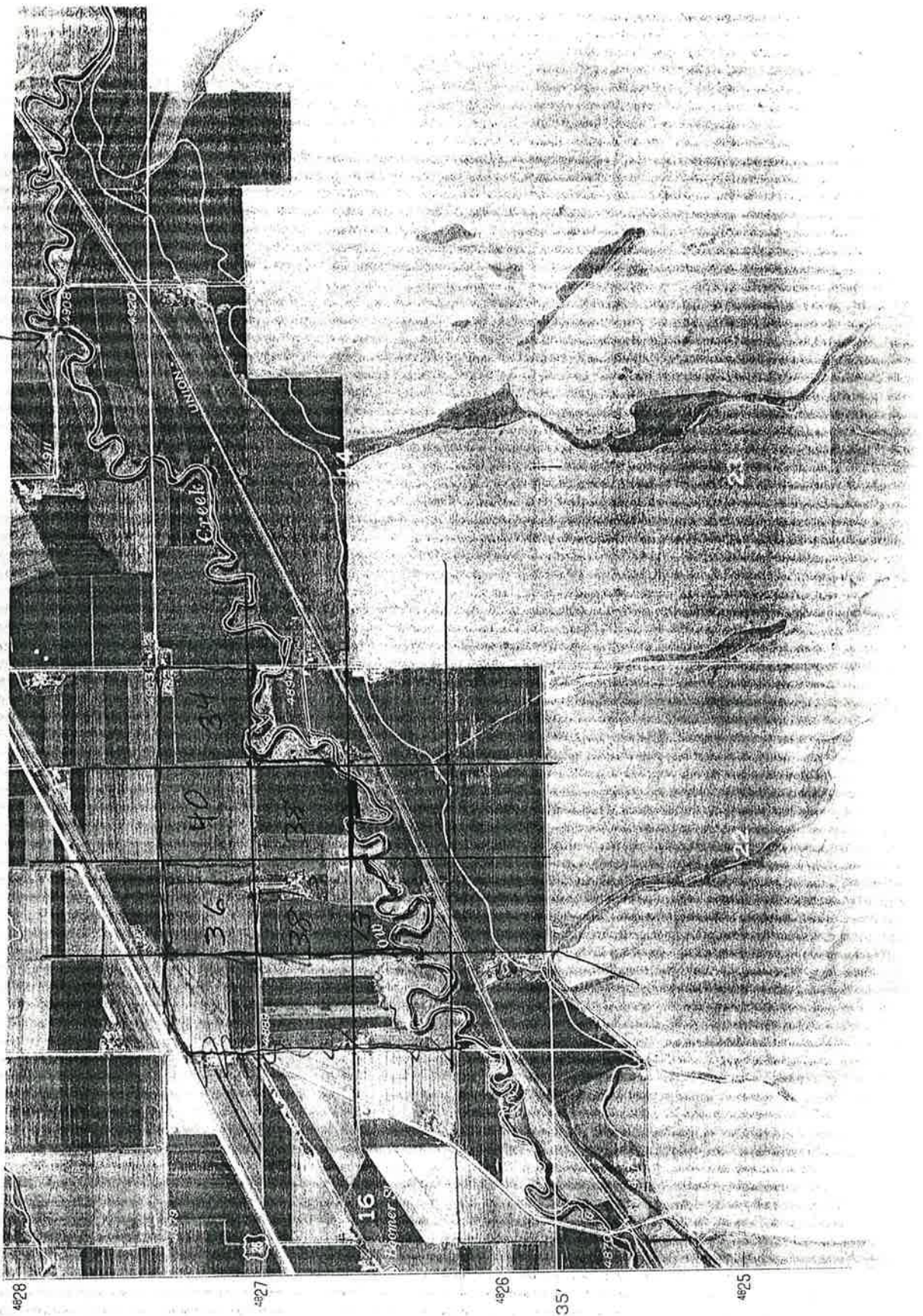
John Val. Carlson
Notary Public

Seal

Residing at Bon. Id

My Commission Expires 6/2/94

10



MICROFILMED

NOV 06 1992