

07/26/2004

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

**RIGHT NUMBER: 27-11344**

NAME AND ADDRESS: TORGESEN RANCH INC  
% KENT W. FOSTER, ATTORNEY  
P.O. BOX 50130  
IDAHO FALLS ID 83405

SOURCE: SPRINGS TRIBUTARY:

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 05/01/1946

POINT OF DIVERSION:

T07S R42E S26 NWNENW End of Stream Flow Within CARIBOU County

T07S R42E S26 SENENW Begin of Stream Flow Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 04/01 11/01          | 0.020 CFS       |

PLACE OF USE: STOCKWATER Within CARIBOU County

T07S R42E S26 NENW

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 IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

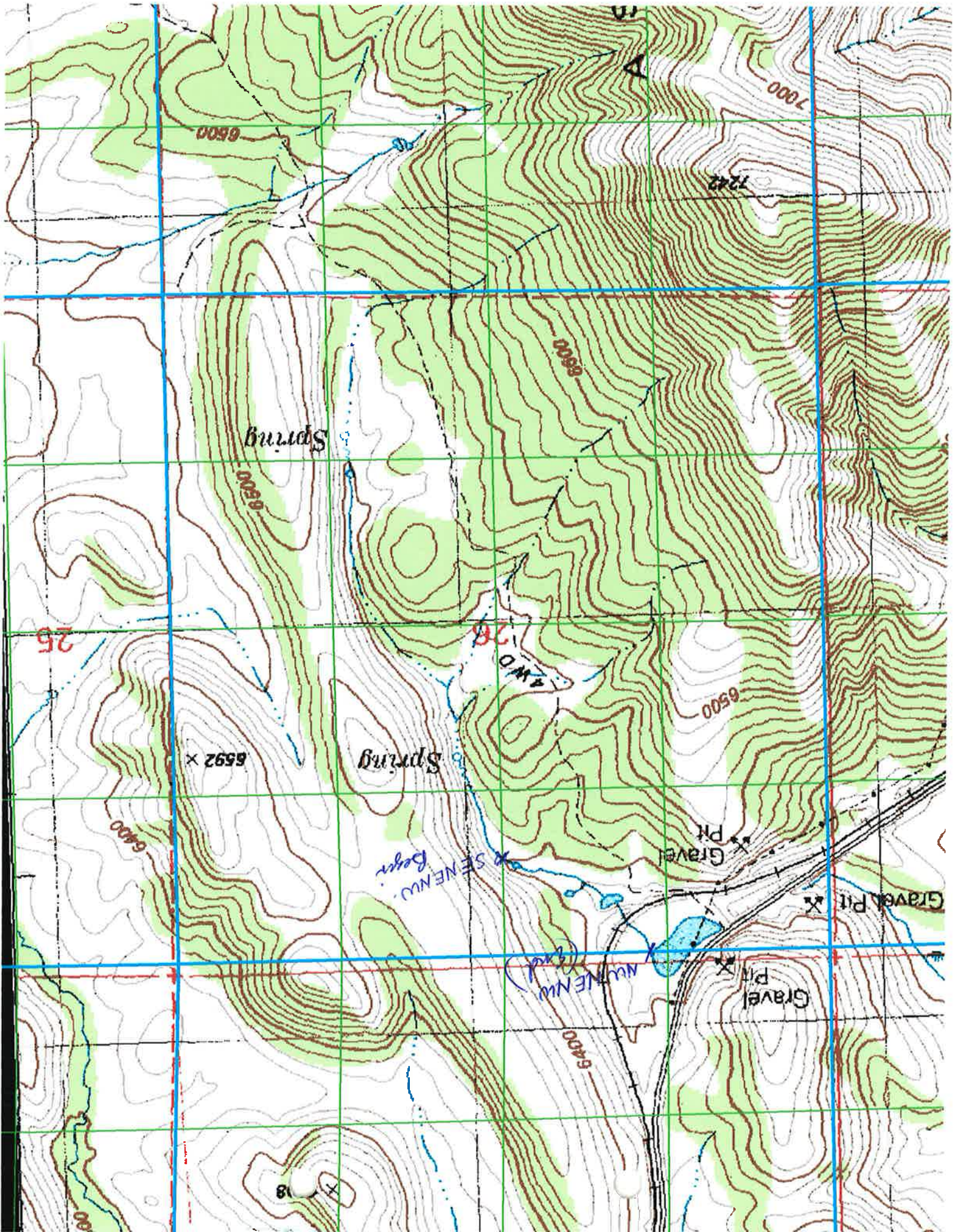
UP TO 250 CATTLE RP 14670

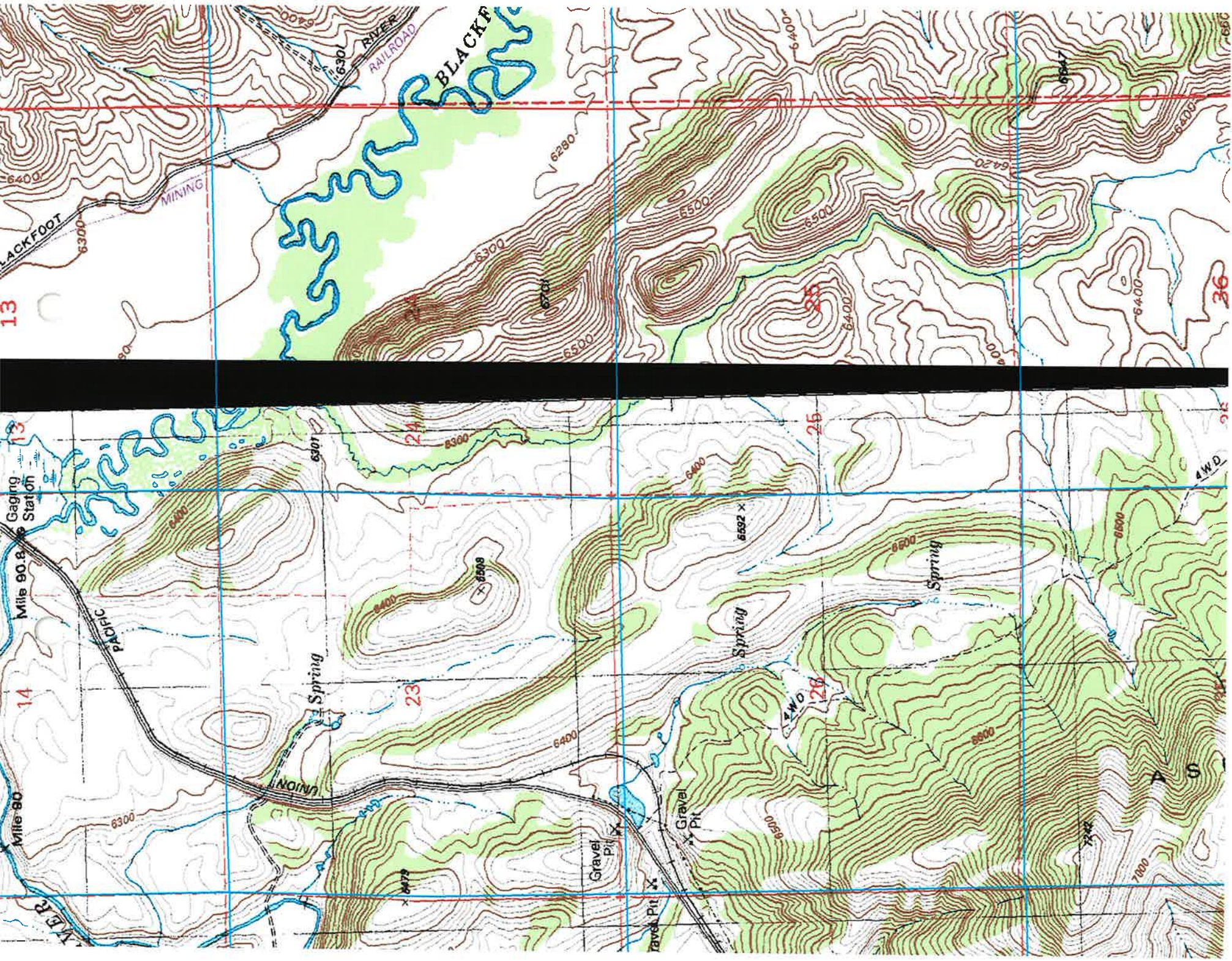
Water Right 27-11344

1

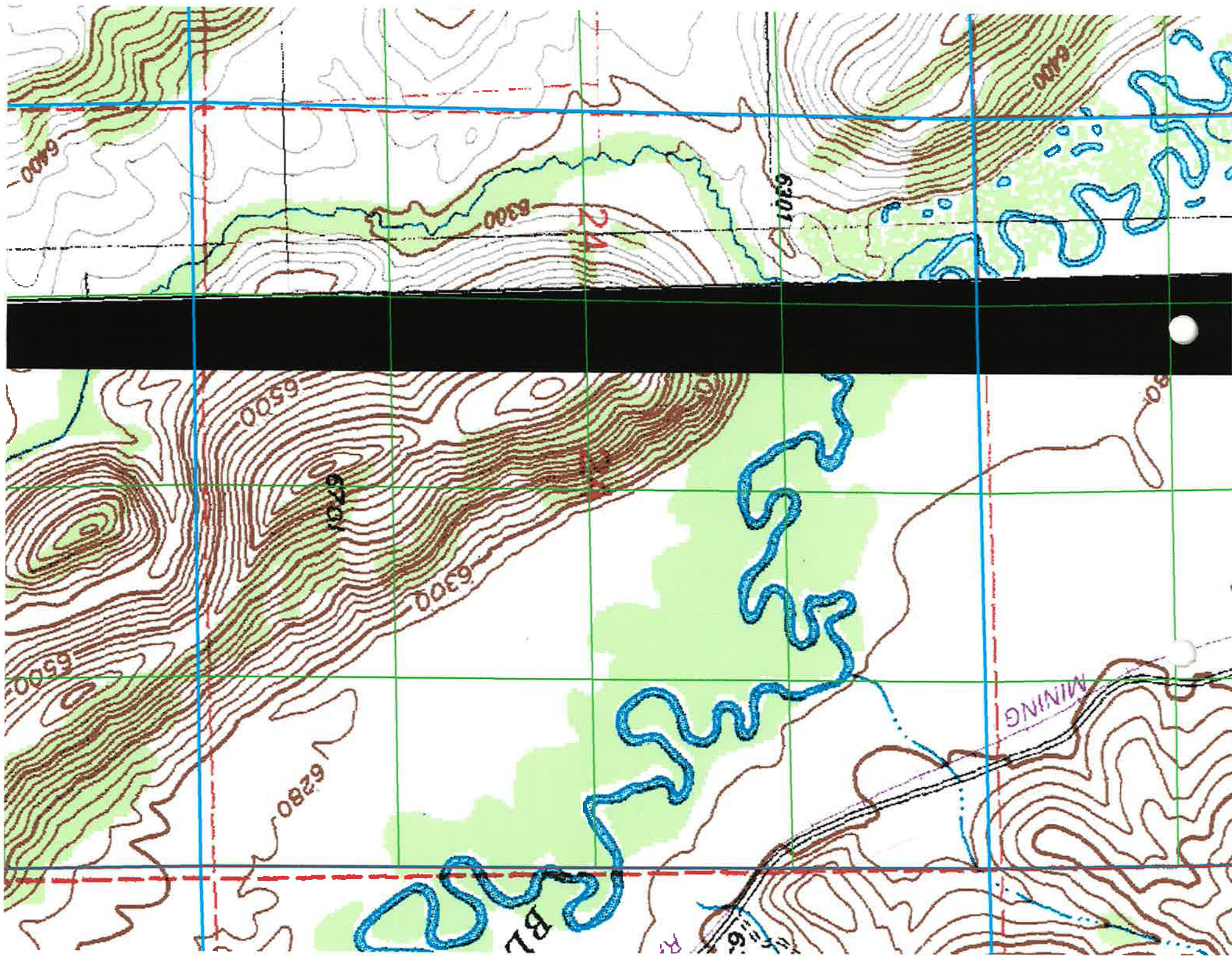
SCANNED  
MAY 25 2006  
PROFIT

T75, R42E









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

RIGHT NUMBER: 27-11344

NAME AND ADDRESS:

IORGESEN RANCH INC  
C/O KENT FOSIER  
HOLDEN KIDWELL NAHN & CRAPO  
PO BOX 50130  
IDAHO FALLS ID 83405

SOURCE:

Source:

SPRINGS

*unnamed str?*

Tributary:

SINKS

QUANTITY:

0.020 CFS

2.110 AFY

~~0.000 AFY~~

✓ Right Nos. 27-12094, 27-12095 and 27-11344 are limited to a total combined annual diversion volume of 2.11 AF.

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

PRIORITY DATE:

05/01/1946 ✓

POINT OF DIVERSION: T07S R42E S26 NWNENW End of Stream Flow ✓  
Within CARIBOU County

T07S R42E S26 SENENW Begin of Stream Flow ✓  
Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER ✓

✓ 05/15 10/01

04/01--11/01

0.020 CFS ✓

2.11 AFY ✓

PLACE OF USE:

STOCKWATER

within CARIBOU County

T07S R42E S26 NENW ✓

ACRES 101AL

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

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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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use  
Stockwater use is for 250 cow-calf pairs.  
UP TO 250 CATTLE RP 14670

CB  
AB  
27B  
CH



**SHOSHONE-BANNOCK TRIBES**  
**TRIBAL WATER RESOURCES DEPARTMENT**  
 P.O. BOX 306  
 FORT HALL, ID 83203

E031150

## FACSIMILE TRANSMITTAL SHEET

|                                                                              |                                     |
|------------------------------------------------------------------------------|-------------------------------------|
| TO:                                                                          | FROM:                               |
| Ernie Carlsen                                                                | Else D Teton                        |
| COMPANY:                                                                     | DATE:                               |
| IDWR                                                                         | January 9, 2007                     |
| FAX NUMBER:                                                                  | TOTAL NO. OF PAGES INCLUDING COVER: |
| (208) 525-7177                                                               | 1                                   |
| PHONE NUMBER:                                                                | SENDER'S TELEPHONE NUMBER:          |
| (208) 525-7161                                                               | (208) 239-4581                      |
| RE:                                                                          |                                     |
| Request for SF5 Preparation for 27-12094, 27-12095, 27-11344, Torgeson Ranch |                                     |

☐ URGENT    ☐ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

## NOTES/COMMENTS:

Ernie we would like to request that an SF5 be prepared for water right no. 27-12094, 27-12095, and 27-11344, Torgeson Ranch, Inc., to settle the Tribes' objection. We have settled on a volumetric amount for water rights. This amount being 2.11 AFY, this was based on the following calculation:

$$(250 \text{ cow calf pairs}) \times (20 \text{ gallons/cow calf pair/day}) \times (138 \text{ days}) = 2.11 \text{ AFY}$$

Remarks: These combined rights: 27-12094, 27-12095 and 27-11344 shall not exceed a total combined annual diversion volume of 2.11 AFY for stockwater use.

This settles all tribal objections to this water right. Should you have any questions regarding this request, please give me a call at the number above.

SOU 214 days [5/15-10/1] 138 days

|                   |            |         |                |            |   |
|-------------------|------------|---------|----------------|------------|---|
| Post-it® Fax Note | 7671       | Date    | 1/12/07        | # of pages | 2 |
| To                | CINDY BIRD | From    | ERIE MARTIN    |            |   |
| Co./Dept.         | IDWR       | Co.     | SBT MO RES     |            |   |
| Phone #           |            | Phone # | (208) 239-4582 |            |   |
| Fax #             |            | Fax #   |                |            |   |

TELEPHONE: (208) 239-4580

FAX: (208) 239-4592

\\Correspondence\1-25\2007\01-12-2007 Torgeson Ranch for 27-12094 ...doc

added NOS & NOB

SCANNED

FEB 14 2007

INTER-DEPARTMENT MEMO

TO: Pauline

SUBJECT: Recommendation

FROM: Cindy

DATE: 7/21/04

Recommend as in stream stock watering in section 26 only. Please note correspondences should go to Kent Foster in behalf of Trageson Ranch, Inc.

Note changes as made on review sheet.

( ) For your information

CB  
signature

SCANNED  
Jul 23 2006  
PROFILED



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

**DIRK KEMPTHORNE**  
Governor

**KARL J. DREHER**  
Director

July 21, 2004

Kent W. Foster  
Attorney at Law  
P.O. Box 50130  
Idaho Falls, ID 83405

REF: Torgeson Ranch, Inc.

Subject: In-stream stock watering claims

Dear Mr. Foster,

I received your letter dated July 20, 2004 in response to my request for more information. Your client needs to file 2 additional claims to cover the stock watering in sections 24 and 36 as identified in your letter. They need to be filed on separate claim forms and the appropriate fee needs to accompany the form to the Department. Claim 27-11344 can be recommended to take care of the first in-stream flow watering in the NENW of section 26, T7S, R42E. Please file the appropriate forms and fee with the Department as soon as possible.

Respectfully,

Cindy E. Bird  
Adjudication Bureau

Law Offices  
**HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.**

KENT W. FOSTER  
ROBERT E. FARNAM  
WILLIAM D. FALER  
CHARLES A. HOMER  
GARY L. MEIKLE  
DONALD L. HARRIS  
DALE W. STORER  
MARIE T. TYLER  
ROBERT M. FOLLETT  
FREDERICK J. HAHN, III  
KARL R. DECKER  
THEL W. CASPER\*  
SHAN B. PERRY  
AMELIA A. SHEETS  
DeANNE CASPERSON\*\*

1000 RIVERWALK DRIVE, SUITE 200  
P.O. BOX 50130  
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620  
FACSIMILE (208) 523-9518  
E-MAIL [KFOSTER@HOLDENLEGAL.COM](mailto:KFOSTER@HOLDENLEGAL.COM)

Arthur W. Holden  
(1877-1967)  
Robert B. Holden  
(1911-1971)  
Terry L. Crapo  
(1939-1982)  
William S. Holden  
(1907-1988)

Of Counsel  
Fred J. Hahn

\*Also Licensed in Utah and Arizona  
\*\*Also Licensed in Missouri & Kansas

July 20, 2004

Ms. Cindy Bird  
Idaho Department of Water Resources  
15 W. Center St.  
Soda Springs, ID 83276



RE: Snake River Basin Adjudication  
A27-11344 - in stream stockwater

Dear Ms. Bird:

We are writing this letter in response to your letter of June 30, 2004, to Torgesen Ranch, Inc., requesting beginning and ending points for the in stream flows. After discussing the matter at some length with Ernie Carlsen, we decided it is probably best to list only those points where the USGS quad map shows a continuous year round flow entering and leaving the Torgesen Ranch property. While there are several intermittent streams, and a number of springs and ponds, a continuous stream flows appears to cross Torgesen Ranch lands in only three (3) places. Those places are as follows:

| Beginning                     | Ending                        |
|-------------------------------|-------------------------------|
| NENW Sec. 26, T. 7S., R. 42E. | NENW Sec. 26, T. 7S., R. 42E. |
| SWSW Sec. 24, T. 7S., R. 42E. | SWNW Sec. 24, T. 7S., R. 42E. |
| NENW Sec. 36, T. 7S., R. 42E. | NENW Sec. 36, T. 7S., R. 42E. |

We hope this information is useful. Thank you for your patience and assistance.

Ms. Cindy Bird  
Idaho Department of Water Resources  
July 20, 2004  
Page 2 of 2

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Yours very truly,



Kent W. Foster

c: Greg Torgesen  
Torgesen Ranch, Inc.  
Box 456  
Soda Springs, ID 83276

## Notes

6/30/04 send claimants a letter requesting they amend claim for pt 2 begin & end for in-stream stock. CB

7-12-04 Kent Foster called representing claimant. Ask for an extension of time. Gave him til 8-1. BP

7-21-04 Letter from claimant atty re ~~PO~~ beginning & ending in-stream. BP

## Contacts Data Entry Form

Owner Type \_\_\_\_\_ Full Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Current Owner \_\_\_\_\_ Torgesen Ranch, Inc.

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_ c/o Kent W. Foster.

Current Owner \_\_\_\_\_

Current Owner \_\_\_\_\_ P.O. Box 50130.

Idaho Falls, ID 83405.

Representing Attorney: Kent W Foster. Phone Number: 523-0620.

Accompanied By: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

**Date of Field Exam:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Directions to Property (if different from above) and/or update owner information:**

This image shows a single page of white paper with horizontal 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: CB

Date: 7/21/04

## Contacts Data Entry Form

Claim Number: 27-11344

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: \_\_\_\_\_ Claimed Basis: \_\_\_\_\_

Recommended Priority Date: \_\_\_\_\_ Recommended Basis \_\_\_\_\_

X Use Claimed Priority Date and Basis as Recommended Priority Date and 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 printed text on the paper. A small vertical mark is visible near the top right corner.

Reviewer: CB

Date: 7/21/04

## Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ( ) No (X)  
If Yes, go to 2  
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ( ) No ( )  
If Yes, go to 3a  
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ( ) No ( )  
If Yes, consult the attorney assigned to the Basin. Go to 3b  
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ( ) No ( )  
If Yes, go to 11  
If No, go to 4
4. Is the basis of claim a decree or license? Yes ( ) No (X)  
If Yes, go to 5  
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ( ) No ( )  
If Yes, go to 6  
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ( ) No ( )  
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15  
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ( ) No (X)  
If Yes, go to 10e  
If No, go to 8
8. Is the basis of claim a posted notice? Yes ( ) No (X)  
If Yes, consult the attorney assigned to the Basin, go to 15  
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ( ) No (X)  
If Yes, go to 11  
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ( ) No ( )  
If Yes, recommend the Priority Date shown on the license, go to 15  
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.  
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ( ) No ( )  
If Yes, go to 12  
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes (X) No ( )  
If Yes, recommend the date supported by the evidence submitted, go to 15  
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ( ) No ( )  
If Yes, recommend the date supported by the evidence submitted, go to 15  
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ( ) No ( )  
If Yes, go to 15  
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? b-u. Yes (X) No ( )  
If Yes, go to 16  
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes ( ) No (X)  
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.  
If No, Priority Date review is complete.

Priority Date

Claim No. 27-11344

## Point of Diversion and Source Data Entry Form

Claim Number: 27-11344

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

Source:\_\_\_\_\_ Tributary:\_\_\_\_\_

Claimed Point of Diversion: T\_\_\_\_, R\_\_\_\_, Sec.\_\_\_\_,\_\_\_\_,\_\_\_\_,\_\_\_\_, County:\_\_\_\_\_

Source:\_\_\_\_\_ Tributary:\_\_\_\_\_

Recommended Point of Diversion: T 7S, R 42E, Sec. 26, SE, NE, NW, County: Caribou *pt of begin.*Source: Spring Tributary: SinksT7S, R42E Sec. 26 NWNE NW pt of END.

Use Claimed POD and Source as Recommended POD and Source

| Twp                    | Rge   | Sec   | Gov Lot | OOQ of Q | Q of Q | County | Source |
|------------------------|-------|-------|---------|----------|--------|--------|--------|
| _____                  | _____ | _____ | _____   | _____    | _____  | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |          |        |        |        |
| _____                  | _____ | _____ | _____   | _____    | _____  | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |          |        |        |        |
| _____                  | _____ | _____ | _____   | _____    | _____  | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |          |        |        |        |
| _____                  | _____ | _____ | _____   | _____    | _____  | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |          |        |        |        |
| _____                  | _____ | _____ | _____   | _____    | _____  | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |          |        |        |        |
| _____                  | _____ | _____ | _____   | _____    | _____  | _____  | _____  |
| GPS Coordinates: _____ |       |       |         |          |        |        |        |

Other rights from this POD? NO

Document how the POD and Source were verified and/or Pump and Motor data:

in stream stock.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_Transfers Changing POD noReviewer: CBDate: 7/21/04

Point of Diversion and Source Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4  
If No, go to 2

Yes ( ) No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3  
If No, go to 6

Yes ( ) No (X)

3. Has the License been issued?

If Yes, go to 5  
If No, recommend the POD as shown on the Permit. Go to 10

Yes ( ) No ( )

4. Does the parent right have a POD?

If Yes, go to 5  
If No, go to 6

Yes ( ) No ( )

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10  
If No, go to 6

Yes ( ) No ( )

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7  
If No, go to 9

Yes ( ) No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9  
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes ( ) No ( )

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10  
If No, go to 9

Yes ( ) No ( )

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10  
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (X) No ( )

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete  
If No, POD review is complete.

Yes ( ) No (X)

Point of Diversion

Claim No.

27-11344

1. Is the basis of claim a Decree or License?

If Yes, go to 4  
If No, go to 2

Yes ( ) No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3  
If No, go to 6

Yes ( ) No (X)

3. Has the License been issued?

If Yes, go to 5  
If No, recommend the Source as shown on the Permit. Go to 11

Yes ( ) No ( )

4. Does the parent right have a Source?

If Yes, go to 5  
If No, go to 7

Yes ( ) No ( )

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11  
If No, go to 7

Yes ( ) No ( )

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7  
If No, go to 7

Yes ( ) No (X)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8  
If No, go to 10

Yes ( ) No (X)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10  
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes ( ) No ( )

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11  
If No, go to 10

Yes ( ) No ( )

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11  
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (X) No ( )

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.  
If No, Source review is complete.

Yes ( ) No (X)

Source

Claim No. 27 - 11344

## Purpose of Use Data Entry Form

Claim Number: 27-11344         Use Claimed Purpose of Use as Recommended Purpose of Use

## Water Right Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|-----------|-----------------|-----------------|------------|-----------------|
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

## Claimed Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|-----------|-----------------|-----------------|------------|-----------------|
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

## Recommended Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|-----------|-----------------|-----------------|------------|-----------------|
| Stock     |                 | 250 cattle      |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

Document how the Purpose of Use was verified:

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Transfers Changing Purpose of Use NOReviewer: CBDate: 7/21/04

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4  
If No, go to 2

Yes ( ) No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3  
If No, go to 6

Yes ( ) No (X)

3. Has the License been issued?

If Yes, go to 5  
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes ( ) No ( )

4. Does the parent right have a Purpose of Use?

If Yes, go to 5  
If No, go to 6

Yes ( ) No ( )

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13  
If No, go to 6

Yes ( ) No ( )

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7  
If No, go to 11

Yes ( ) No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11  
If No, go to 8

Yes ( ) No ( )

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9  
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes ( ) No ( )

9. Was an enlargement claim filed?

If Yes, go to 11  
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes ( ) No ( )

10. Did the claimant file an enlargement claim?

If Yes, go to 11  
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes ( ) No ( )

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13  
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (X) No ( )

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13  
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes ( ) No ( )

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.  
If No, purpose of Use review is complete.

Yes ( ) No (X)

**Purpose of Use**

**Claim No.**

27 - 113461

## Place Of Use Data Entry Form

Claim Number: \_\_\_\_\_

\_\_\_\_\_ Use Claimed POU as Recommended POU

## Claimed Place of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total Acres \_\_\_\_\_

## Recommended Place of Use

| Twp | Rge | Sec | QQ   | Q | County  | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|------|---|---------|---------|-------|----------------|
| 7S  | 42E | 26  | NENW |   | Caribou |         |       | Stock watering |
|     |     |     |      |   |         |         |       |                |
|     |     |     |      |   |         |         |       |                |
|     |     |     |      |   |         |         |       |                |
|     |     |     |      |   |         |         |       |                |
|     |     |     |      |   |         |         |       |                |

Total Acres           

Document how the POU was verified:

TOPO

letter from Kent Foster

Transfers Changing POU noReviewer: CSDate: 7/21/04

Place Of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 2a  
If No, go to 2b

Yes ( ) No (X)

2a. Is a POU required?

If Yes, go to 5  
If No, go to 14

Yes ( ) No ( )

2b. Is a POU required?

If Yes, go to 3  
If No, go to 14

Yes (X) No ( )

3. Is the basis of claim a Permit or Application?

If Yes, go to 4  
If No, go to 7

Yes ( ) No (X)

4. Has the License been issued?

If Yes, go to 6  
If No, recommend the POU as shown on the Permit. Go to 14

Yes ( ) No ( )

5. Does the parent right have a POU?

If Yes, go to 6  
If No, go to 7

Yes ( ) No ( )

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14  
If No, go to 7

Yes ( ) No ( )

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8  
If No, go to 13

Yes ( ) No (X)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13  
If No, go to 9

Yes ( ) No ( )

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10  
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes ( ) No ( )

10. Was an enlargement claim filed?

If Yes, go to 13  
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes ( ) No ( )

11. Did the claimant file an enlargement claim?

If Yes, go to 13  
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes ( ) No ( )

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14  
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes ( ) No ( )

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14  
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (X) No ( )

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/ or condition. POU review is complete.  
If No, POU review is complete.

Yes ( ) No (X)

Place of Use

Claim No.

27 11344

## Period of Use and Quantity Data Entry Form

Claim Number: 27-11344☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

## Water Right Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

## Claimed Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

## Recommended Period of Use and Diversion Rate

| Water Use | Start | End  | Rate | Volume |
|-----------|-------|------|------|--------|
| stock     | 4/1   | 11/1 | 0.02 |        |
|           |       |      |      |        |
|           |       |      |      |        |

Overall Diversion Rate 0.02

Overall Diversion Volume \_\_\_\_\_

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

de minimis in-stream stock watering  
continuous flow

Reviewer: CBDate: 7/21/04

1. Is the basis of claim a Decree or License? Yes ( ) No (X)  
If Yes, go to 4  
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes ( ) No (X)  
If Yes, go to 3  
If No, go to 6
3. Has the License been issued? Yes ( ) No ( )  
If Yes, go to 5  
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes ( ) No ( )  
If Yes, go to 5  
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes ( ) No ( )  
If Yes, go to 14  
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes ( ) No (X)  
If Yes, go to 7  
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes ( ) No ( )  
If Yes, go to 9  
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes ( ) No ( )  
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12  
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes ( ) No ( )  
If Yes, go to 12  
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes ( ) No ( )  
If Yes, go to 12  
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes ( ) No ( )  
If Yes, go to 14  
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes (X) No ( )  
If Yes, go to 13  
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes ( ) No (X)  
If Yes, go to 14  
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes ( ) No ( )  
If Yes, go to 16  
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes ( ) No (X)  
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18  
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes ( ) No ( )  
If Yes, go to 17  
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes ( ) No ( )  
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18  
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes ( ) No (X)  
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.  
If No, Period of Use review is complete.

Period of Use

Claim No. 27 - 11344

1. Is the basis of claim a Decree or License?

If Yes, go to 4  
If No, go to 2

Yes ( ) No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3  
If No, go to 6

Yes ( ) No (X)

3. Has the License been issued?

If Yes, go to 5  
If No, recommend the Quantity shown on the Permit. Go to 11

Yes ( ) No ( )

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5  
If No, go to 7

Yes ( ) No ( )

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8  
If No, go to 7

Yes ( ) No ( )

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7  
If No, go to 7

Yes ( ) No (X)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9  
If No, describe why a flow measurement is not required. Go to 9

Yes ( ) No (X)

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10  
If No, go to 9

Yes ( ) No ( )

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10  
If No, go to 11

Yes ( ) No (X)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12  
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes ( ) No ( )

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12  
If No, go to 12

Yes ( ) No (X)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.  
If No, quantity review is complete.

Yes (X) No ( )

Quantity

Claim No. 27 - 11344

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2  
If No, go to 3

Yes ( ) No (X)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4  
If No, status will be set as Active. Go to 5

Yes ( ) No ( )

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5  
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes ( ) No (X)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5  
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (X) No ( )

5. Does this right have any combined used limits with other rights?

If Yes, go to 6  
If No, go to 6

Yes ( ) No (X)

6. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 7  
If No, go to 7

Yes (X) No ( )

7. Would you like to view the recommended right?

If Yes, go to 8  
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (X) No ( )

8. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9  
If No, go to 9

Yes ( ) No (X)

9. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 10  
If No, go to 10

Yes ( ) No (X)

10. Would you like to set the verification date?

If Yes, the review is complete.  
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (X) No ( )

**Summary**

**Claim No.**

27-11344.

Claim No.: \_\_\_\_\_

### Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

N13 Qty Cond.

N11 Gen Cond

Split or Combined Right Analysis:

No

Attached Field Notes or Other Documents:

No

Claim No.:

27-11344

Reviewer

CP

Date

7/21/02



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

**DIRK KEMPTHORNE**  
Governor

**KARL J. DREHER**  
Director

June 30, 2004

Torgeson Ranch, Inc.  
Box 456  
Soda Springs, ID 83276

Ref: Snake River Basin Adjudication (SRBA)  
A27-11344

Subject: In stream Stock watering.

RESPONSE DATE: JULY 15, 2004

Dear Claimant(s):

IDWR is in the process of reviewing your claim in the Adjudication process. During this review process some errors on your claim has been noted. The water is claimed as in stream stock watering but no beginning or ending points of are listed. It is required to have beginning and ending points of diversion for in stream stock watering. The sources must be listed separately with beginning and ending points of diversion.

I recommend you call my office and make an appointment to amend this claim and possible file some additional claims to water for the additional sources. This office must receive your response by the above response date. If not response is received, then your claim to water in the SRBA will be recommended to the Court as "DISALLOWED".

Respectfully,

Cindy Bird  
Adjudication Bureau

# Receipt Details for ID E012049

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

**General Information:**

| Date Received        | Date Deposited       | Region  | Total Amount | Payment Type |
|----------------------|----------------------|---------|--------------|--------------|
| 2/14/1990 8:42:29 AM | 2/14/1990            | Eastern | \$1,277.00   | Check        |
| <b>Payer</b>         | TORGESEN RANCH, INC. |         |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 9780                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** OVERPAYMENT**Fee Detail:**

| Amount     | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|------------|------------------|--------|------|-------------|------------|--------|
| \$1,103.00 | ADJUDICATION FEE | 410162 | 9337 | 0           | 0          | 6490   |
| \$174.00   | OVERPAYMENT      | 410162 | 9337 | 0           | 0          | 6490   |

**Refund(s):**

| Amount   | Payee                | Date                  | Document Number |
|----------|----------------------|-----------------------|-----------------|
| \$903.00 | TORGESEN RANCH, INC. | 2/27/2004 11:48:56 AM | REF 2285        |
| \$174.00 | TORGESON RANCH, INC. | 3/20/1990             |                 |

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: A27-11344  
Date Received: 2/14/1990  
Receipt No: E012049  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: TORGESON RANCH, INC. 208-547-3011  
Address: BOX 456  
SODA SPRINGS, ID 83276

2. Date of Priority: MAY 01, 1946

3. Source: UNNAMED SPRINGS, STREAMS Trib. to: SINKS  
POND SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07S      | 42E   | 23      | SE     | SW     |     |     | CARIBOU |
|          |       | 26      | NE     | NW     |     |     | CARIBOU |

5. Description of diverting works:  
TWO PONDS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 04/01 | 11/01 | 0.040  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/ UP TO 250 HEAD CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 07S      | 42E   | 23      | NE     | NE  |     | STOCK |       |

A27-11344

Page 1

Date: 02/14/90



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10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|-----|----|-----|-----|-------|-------|
| 07S      | 42E   | 23      | SE  |    | NE  |     | STOCK |       |
|          |       |         | SE  |    | SW  |     | STOCK |       |
|          |       | 24      | SW  |    | NW  |     | STOCK |       |
|          |       |         | NE  |    | SW  |     | STOCK |       |
|          |       |         | NW  |    | SW  |     | STOCK |       |
|          |       |         | SW  |    | SW  |     | STOCK |       |
|          |       |         | SE  |    | SW  |     | STOCK |       |
|          |       |         | SW  |    | SE  |     | STOCK |       |
|          |       | 26      | NE  |    | NW  |     | STOCK |       |
|          |       |         | SE  |    | NW  |     | STOCK |       |
|          |       |         | NE  |    | SW  |     | STOCK |       |
|          |       |         | SE  |    | SW  |     | STOCK |       |
|          |       | 36      | NW  |    | NE  |     | STOCK |       |
|          |       |         | NE  |    | NW  |     | STOCK |       |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
INSTREAM STOCKWATER USE IS CLAIMED ON ALL STREAMS WITHIN THE  
PLACE OF USE

15. Basis of Claim: BENEFICIAL USE

4/11/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Torgesen Ranch

CLAIM IDENT. NO.

A27-11344

DATE RECEIVED

2/14/90

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? . . . . .
2. Is a priority date entered?  
Is the priority date acceptable in view of mandatory filing dates?  
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? . . . . .  
(b) Is a tributary to entered? (if required) . . . . . N/A
4. Is the legal description of the p.d. sufficient? . . . . .
5. Is there a description of the diverting works? . . . . .
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. . . . .  
Is the period of use included? . . . . .  
Is a quantity claimed for each use? . . . . .
7. Is a total quantity claimed entered? . . . . .
8. If required is a consumptive use entered? . . . . . N/A  
Is the consumptive use correct? . . . . . N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. . . . . N/A
10. Is (are) the place(s) of use and purpose(s) indicated? . . . . .
11. Is (are) the county(ies) entered? . . . . .
12. Is the ownership of p.u. checked? . . . . .
13. Are other water rights listed or "none" indicated? . . . . .
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) . . . . . N/A
15. Is the basis of the claim indicated? . . . . .
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) . . . . . N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. . . . .
18. Has the claim been signed, sealed, and dated by a notary? . . . . .
19. Was this claim filed on time, or was an extension granted? . . . . .
20. Is the fee enclosed correct? . . . . . Exempt
21. If this claim is based on an existing water right, has the identification number been entered? . . . . . N/A
22. Should this claim be data entered? . . . . .

Claim checked by: DC

Date:

2/14/90

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by: \_\_\_\_\_  
 Claim data entered by: DC  
 Sent to claimant by: \_\_\_\_\_

Date:

Date: 2/14/90

Checked by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A27-11344Date Received 2/14/90Receipt Number 731747

E012049

RECEIVED

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

FEB 14 1990

Department of Water Resources  
Eastern District Office1. Name of Claimant(s) Torgesen Ranch, Inc. Phone (208) 547-3011Mailing Address Box 456, Soda Springs, Idaho Zip 832762. Date of Priority (Only (1) per claim) May 1, 19463. Source of water supply (a) Unnamed springs, small streams and ponds  
which is tributary to (b) Blackfoot River or Sinks

4.a. Location of existing

point of diversion is: Township 7S. Range 42E. Section       ,  
       1/4 of        1/4 of       , Govt. Lot,        B.M., County of CaribouAdditional points of diversion if any: wherever springs or streams arise  
or flow across land described in No. 10.

b. If instream flow, beginning point of claimed instream flow is:

Township        Range        Section       ,        1/4 of        1/4 of        1/4,  
Govt. Lot        B.M., County of       ending point is: Township        Range        Section       ,        1/4 of  
       1/4 of        1/4 Govt. Lot        B.M., County of       5. Description of existing diversion works (Dams, Reservoirs, Ditches,  
Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any  
changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.       Except for a pond or reservoir located in the SE1/4 SW1/4 of Sec.23,  
and the N1/2 of the NW1/4 of Sec.26, all in T.7S, R.42E, there are no  
artificial diversion works and the cattle drink from the streams,  
springs and ponds wherever they might be.

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6. Water is claimed for the following purposes:

(Both dates are inclusive)

(cfs) (acre feet)

For Stockwater purposes from 04/01 to 11/01 amount .04 or       

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .04 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)  
Stockwater--250 head of cattle.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

| TWP | RNG | SEC | NE1/4 |    |    | :  | NW1/4 |    |    | :  | SW1/4 |   |    | :  | SE1/4 |    |   | :  | TLS |    |    |   |
|-----|-----|-----|-------|----|----|----|-------|----|----|----|-------|---|----|----|-------|----|---|----|-----|----|----|---|
| :   | :   | :   | NE    | NW | SW | SE | :     | NE | NW | SW | SE    | : | NE | NW | SW    | SE | : | NE | NW  | SW | SE | : |
| 7S  | 42E | 23  | S     |    |    | S  | :     |    |    |    |       | : |    |    |       | S  | : |    |     |    |    | : |
| :   | :   | 24  | :     |    |    |    | :     |    |    | S  |       | : | S  | S  | S     | S  | : |    |     | S  |    | : |
| :   | :   | 26  | :     |    |    |    | :     | S  |    |    | S     | : | S  |    |       | S  | : |    |     |    |    | : |
| :   | :   | 36  | :     | S  |    |    | :     | S  |    |    |       | : |    |    |       |    | : |    |     |    |    | : |
| :   | :   | :   | :     |    |    |    | :     |    |    |    |       | : |    |    |       |    | : |    |     |    |    | : |
| :   | :   | :   | :     |    |    |    | :     |    |    |    |       | : |    |    |       |    | : |    |     |    |    | : |
| :   | :   | :   | :     |    |    |    | :     |    |    |    |       | : |    |    |       |    | : |    |     |    |    | : |
| :   | :   | :   | :     |    |    |    | :     |    |    |    |       | : |    |    |       |    | : |    |     |    |    | : |

Total number of acres irrigated \_\_\_\_\_

11. In which county(ies) are lands listed above as place of use located?  
Caribou

12. Do you own the property listed above as place of use? Yes X No       
If your answer is No, describe in Remarks below the authority you have  
to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

\_\_\_\_\_ or None ( X )

14. Remarks:

Last Name Torgesen Ranch, Inc. Ident. Number

MICROFILMED

NOV 13 1954

15. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice \_\_\_\_\_  
Permit \_\_\_\_\_ Decree \_\_\_\_\_ License \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs 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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am President of Torgesen Ranch, Inc., that I have signed the Title Organization

foregoing document in the space below as President Title  
of said corporation and that the statements contained in the Organization

foregoing document are true and correct.

Signature of Authorized Agent S. Richard Torgesen

Title and Organization President, Torgesen Ranch, Inc. Date 02/12/90

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 12 day of February, 1990.

Notary Public [Signature]  
Residing at Idaho Falls, Idaho  
My Commission Expires 11/10/92

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]  
Address P.O. Box 50130, Idaho Falls, Idaho 83405  
Date 02/12/90

Last Name Torgesen Ranch, Inc. Ident. Number NOV 13 1990

MICROFILMED



PRIVATELY OWNED  
RANGE LAND  
CONTAINING  
POINTS OF  
DIVERSION  
AND  
PLACES OF USE  
T. 7 S., R. 42 E.

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 A27-11344  
Date Received 2/14/90  
Receipt Number RECEIVED E012049

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

FEB 14 1990

Department of Water Resources  
Eastern District Office

1. Name of Claimant(s) Torgesen Ranch, Inc. Phone (208) 547-3011  
Mailing Address Box 456, Soda Springs, Idaho Zip 83276
2. Date of Priority (Only (1) per claim) May 1, 1946
3. Source of water supply (a) Unnamed springs, small streams and ponds  
which is tributary to (b) Blackfoot River or Sinks
- 4.a. Location of existing  
point of diversion is: Township 7S. Range 42E. Section       ,  
       1/4 of        1/4 of       , Govt. Lot,        B.M., County of Caribou  
Additional points of diversion if any: wherever springs or streams arise  
or flow across land described in No. 10.
- b. If instream flow, beginning point of claimed instream flow is:  
Township        Range        Section       ,        1/4 of        1/4 of        1/4,  
Govt. Lot        B.M., County of         
ending point is: Township        Range        Section       ,        1/4 of  
       1/4 of        1/4 Govt. Lot        B.M., County of
5. Description of existing diversion works (Dams, Reservoirs, Ditches,  
Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any  
changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.

Except for a pond or reservoir located in the SE1/4 SW1/4 of Sec.23,  
and the N1/2 of the NW1/4 of Sec.26, all in T.7S, R.42E, there are no  
artificial diversion works and the cattle drink from the streams,  
springs and ponds wherever they might be.

UNFILED

MAY 13 1992

(Both dates are inclusive) (cfs) (acre feet)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

| TWP:RNG:SEC: | NE1/4           | : | NW1/4           | : | SW1/4           | : | SE1/4           | : | TLS |
|--------------|-----------------|---|-----------------|---|-----------------|---|-----------------|---|-----|
| :            | :NE 'NW 'SW 'SE | : | :NE 'NW 'SW 'SE | : | :NE 'NW 'SW 'SE | : | :NE 'NW 'SW 'SE | : | :   |
| 7S:42E: 23:  | S               | : |                 | : |                 | : |                 | : |     |
| :            | 24:             | : |                 | : | S               | : | S               | : |     |
| :            | 26:             | : | S               | : | S               | : | S               | : |     |
| :            | 36:             | : | S               | : |                 | : |                 | : |     |
| :            | :               | : |                 | : |                 | : |                 | : |     |
| :            | :               | : |                 | : |                 | : |                 | : |     |
| :            | :               | : |                 | : |                 | : |                 | : |     |
| :            | :               | : |                 | : |                 | : |                 | : |     |

NOV 13 1956

of Claim (Check one) Beneficial Use X Posted Notice \_\_\_\_\_  
Permit \_\_\_\_\_ Decree \_\_\_\_\_ License \_\_\_\_\_

able provide IDWR Water Right Number \_\_\_\_\_  
Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

iff vs Defendant \_\_\_\_\_

8. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am President of Torgesen Ranch, Inc., that I have signed the Title Organization

foregoing document in the space below as President Title  
of said corporation and that the statements contained in the Organization

foregoing document are true and correct.

Signature of Authorized Agent J. Richard Torgesen  
Title and Organization President, Torgesen Ranch, Inc. Date 02/12/90

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 12 day of February, 1990.

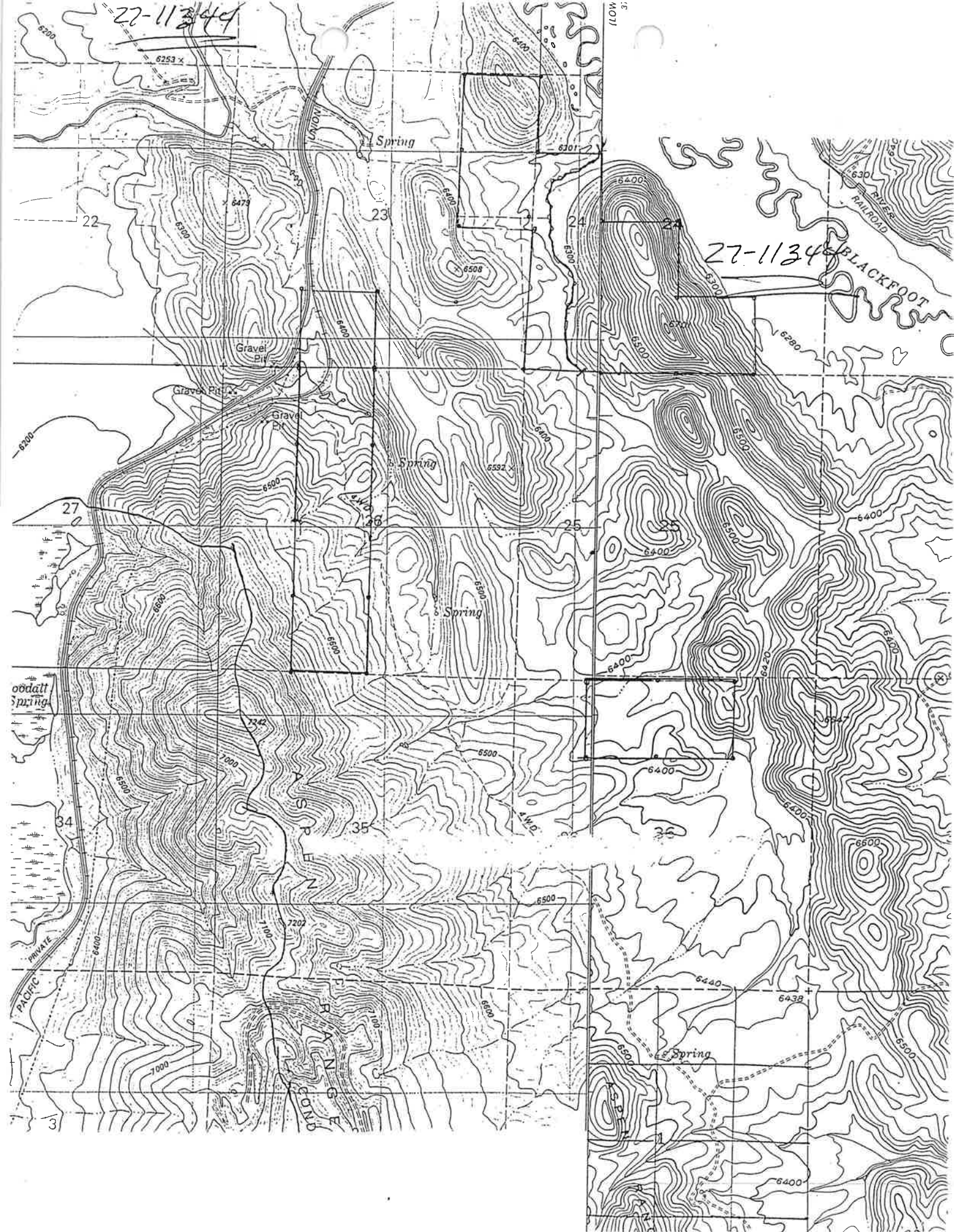
Notary Public [Signature]  
Residing at Idaho Falls, Idaho  
My Commission Expires 11/10/92

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]  
Address P.O. Box 50130, Idaho Falls, Idaho 83405  
Date 02/12/90

Last Name Torgesen Ranch, Inc. Ident. Number NOV 13 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 A27-11344  
Date Received 2/14/90  
Receipt Number RECEIVED E012049

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

FEB 14 1990

Department of Water Resources  
Eastern District Office

1. Name of Claimant(s) Torgesen Ranch, Inc. Phone (208) 547-3011  
Mailing Address Box 456, Soda Springs, Idaho Zip 83276
2. Date of Priority (Only (1) per claim) May 1, 1946
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which is tributary to (b) Blackfoot River or Sinks
- 4.a. Location of existing  
point of diversion is: Township 7S. Range 42E. Section \_\_\_\_\_,  
\_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_, Govt. Lot, \_\_\_\_\_ B.M., County of Caribou  
Additional points of diversion if any: wherever springs or streams arise  
or flow across land described in No. 10.
- b. If instream flow, beginning point of claimed instream flow is:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_  
ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of  
\_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_
5. Description of existing diversion works (Dams, Reservoirs, Ditches,  
Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any  
changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. \_\_\_\_\_  
Except for a pond or reservoir located in the SE1/4 SW1/4 of Sec.23,  
and the N1/2 of the NW1/4 of Sec.26, all in T.7S, R.42E, there are no  
artificial diversion works and the cattle drink from the streams,  
springs and ponds wherever they might be.

FILED  
FEB 13 1992

(Both dates are inclusive) (cfs) (acre feet)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

- | TWP | RNG | SEC | NE1/4 |    |    |    | : | NW1/4 |    |    |    | : | SW1/4 |    |    |    | : | SE1/4 |    |    |    | : | TLS |
|-----|-----|-----|-------|----|----|----|---|-------|----|----|----|---|-------|----|----|----|---|-------|----|----|----|---|-----|
| :   | :   | :   | NE    | NW | SW | SE | : | NE    | NW | SW | SE | : | NE    | NW | SW | SE | : | NE    | NW | SW | SE | : |     |
| 7S  | 42E | 23  | S     |    |    | S  | : |       |    |    |    | : |       |    |    | S  | : |       |    |    |    | : |     |
| :   | :   | 24  |       |    |    |    | : |       |    | S  |    | : | S     | S  | S  | S  | : |       |    | S  |    | : |     |
| :   | :   | 26  |       |    |    |    | : | S     |    |    | S  | : | S     |    |    | S  | : |       |    |    |    | : |     |
| :   | :   | 36  |       | S  |    |    | : | S     |    |    |    | : |       |    |    |    | : |       |    |    |    | : |     |
| :   | :   | :   |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |     |
| :   | :   | :   |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |     |
| :   | :   | :   |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |     |
| :   | :   | :   |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |       |    |    |    | : |     |

NOV 13 1954

of Claim (Check one) Beneficial Use X Posted Notice \_\_\_\_\_  
Permit \_\_\_\_\_ Decree \_\_\_\_\_ License \_\_\_\_\_

able provide IDWR Water Right Number \_\_\_\_\_  
Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
iff vs Defendant \_\_\_\_\_

8. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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Signature of Claimant(s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

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of said corporation and that the statements contained in the Organization

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Signature of Authorized Agent J. Richard Torgesen  
Title and Organization President, Torgesen Ranch, Inc. Date 02/12/90

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 12 day of February, 1990.

Notary Public [Signature]  
Residing at Idaho Falls, Idaho  
My Commission Expires 11/10/92

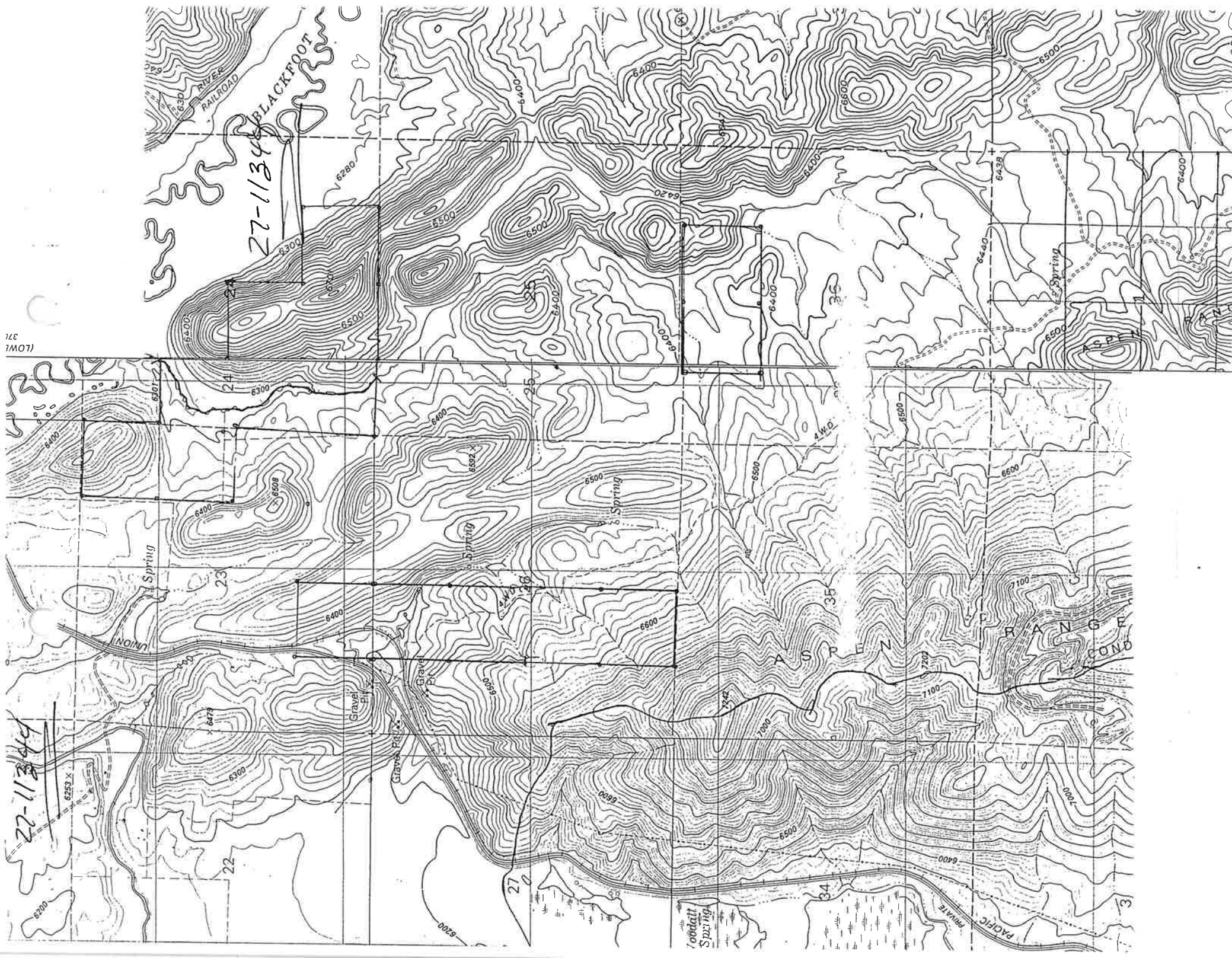
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Signature [Signature]  
Address P.O. Box 50130, Idaho Falls, Idaho 83405  
Date 02/12/90

Last Name Torgesen Ranch, Inc. Ident. Number NOV 13 1990

22-11345



LAW OFFICES  
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN  
KENT W. FOSTER  
ROBERT E. FARNAM  
WILLIAM D. FALER  
STEPHEN E. MARTIN  
CHARLES A. HOMER  
GARY L. MEIKLE  
MICHAEL D. CRAPO  
GAYLE A. SORENSON  
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WEST ONE BANK BUILDING  
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TELEPHONE (208) 523-0620  
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)  
ROBERT B. HOLDEN (1911-1971)  
TERRY L. CRAPO (1939-1982)  
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

February 13, 1990

RECEIVED

FEB 14 1990

Idaho Department of Water Resources  
150 Shoup Avenue, #15  
Idaho Falls, Idaho 83402

Department of Water Resources  
Eastern District Office

RE: J. Richard Torgesen SRBA Claims

Gentlemen:

Enclosed for filing are ten Notices of Claim in Caribou County, Idaho. We have also enclosed Mr. Torgesen's check in the amount of \$1,277.00 for the filing fees.

Please direct any questions you may have regarding these claims to our office. Thank you for your assistance with this matter.

Yours very truly,

  
Kent W. Foster

#1270.00/srr

Enclosure

DO NOT FILM