

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 7.500 CFS
PRIORITY DATE: 01/14/1907
POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

T08S R38E S28 SWNESW Within BANNOCK County

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>		<u>QUANTITY</u>
IRRIGATION	4/15	9/15	7.500 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S	R37E	S22			SESE	7.7	T09S	R37E	S23	Lot	7	NESW	33.0
T09S	R37E	S23	Lot	8	NWSW	21.0	T09S	R37E	S23			SWSW	24.0
T09S	R37E	S23			SESW	21.0	T09S	R37E	S23	Lot	5	NESE	26.0
T09S	R37E	S23	Lot	6	NWSE	29.0	T09S	R37E	S23			SWSE	35.0
T09S	R37E	S23			SESE	18.0	T09S	R37E	S24	Lot	7	NWSW	0.4
T09S	R37E	S24			SWSW	0.6	T09S	R37E	S25			SENE	10.0
T09S	R37E	S25			NENW	9.9	T09S	R37E	S25			NWNW	17.0
T09S	R37E	S25			NESE	0.5	T09S	R37E	S26			NENE	9.7
T09S	R37E	S26			NWNE	6.0	T09S	R37E	S27			NENE	0.6
T09S	R38E	S09	Lot	3	SENE	8.0	T09S	R38E	S10			SWNW	13.0
T09S	R38E	S10			SENW	0.1	T09S	R38E	S10			NESW	34.0
T09S	R38E	S10	Lot	1	NWSW	22.0	T09S	R38E	S10	Lot	2	SWSW	5.8
T09S	R38E	S10			SESW	20.0	T09S	R38E	S15			NENW	0.8
T09S	R38E	S15	Lot	1	NWNW	8.9	T09S	R38E	S15			SWNW	13.0
T09S	R38E	S15			NESW	5.1	T09S	R38E	S15			NWSW	24.0
T09S	R38E	S15	Lot	2	SWSW	4.9	T09S	R38E	S15	Lot	3	SESW	17.0
T09S	R38E	S19	Lot	3	SWSW	0.4	T09S	R38E	S19	Lot	4	NESE	0.1
T09S	R38E	S19	Lot	2	SWSE	8.7	T09S	R38E	S19	Lot	7	SWSE	0.4
T09S	R38E	S19	Lot	1	SESE	28.0	T09S	R38E	S20	Lot	8	SWSW	0.2
T09S	R38E	S20	Lot	3	SESW	20.0	T09S	R38E	S20	Lot	1	NESE	20.0
T09S	R38E	S20	Lot	2	NWSE	20.0	T09S	R38E	S20	Lot	6	NWSE	0.7
T09S	R38E	S20			SWSE	30.0	T09S	R38E	S20			SESE	24.0
T09S	R38E	S21	Lot	6	NESW	0.3	T09S	R38E	S21	Lot	4	NWSW	20.0
T09S	R38E	S21			SWSW	25.0	T09S	R38E	S21	Lot	3	SESW	6.5
T09S	R38E	S21	Lot	8	NESE	3.3	T09S	R38E	S21	Lot	7	NWSE	10.0

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

T09S R38E S22 Lot 1 NWNE	3.8	T09S R38E S22 Lot 3 SWNE	12.0
T09S R38E S22 Lot 2 NENW	14.0	T09S R38E S22 Lot 7 NENW	1.8
T09S R38E S22 Lot 8 SENW	3.5	T09S R38E S22 Lot 4 NWSE	16.0
T09S R38E S22 SWSE	3.5	T09S R38E S28 NWNE	3.2
T09S R38E S28 NENW	5.7	T09S R38E S28 NWNW	21.0
T09S R38E S28 SWNW	14.0	T09S R38E S28 SENW	6.1
T09S R38E S28 NWSW	21.0	T09S R38E S29 NENE	39.0
T09S R38E S29 NWNE	14.0	T09S R38E S29 SENE	16.0
T09S R38E S29 Lot 1 NENW	25.0	T09S R38E S29 Lot 2 NWNW	27.0
T09S R38E S29 SWNW	37.0	T09S R38E S29 SENW	6.5
T09S R38E S29 NESW	10.0	T09S R38E S29 NWSW	7.3
T09S R38E S30 NENE	39.0	T09S R38E S30 NWNE	35.0
T09S R38E S30 SWNE	35.0	T09S R38E S30 SENE	33.0
T09S R38E S30 Lot 1 NENW	25.0	T09S R38E S30 Lot 2 NWNW	41.0
T09S R38E S30 Lot 3 SWNW	41.0	T09S R38E S30 SENW	38.0
T09S R38E S30 NESW	36.0	T09S R38E S30 Lot 4 NWSW	7.2
T09S R38E S30 SESW	0.2	T09S R38E S30 NESE	33.0
T09S R38E S30 NWSE	39.0	T09S R38E S30 SWSE	19.0
T09S R38E S30 SESE	17.0	T09S R38E S33 NWNE	0.4
T09S R38E S33 NENW	20.0		

1429.8 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1429.8 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-36, 29-37, 29-180 AND 29-11773

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL:

TOPAZ IRRIGATION CO. OWNS 51% OF DEMPSEY-TOPAZ CANAL SYSTEM. FISH CREEK IRRIGATION CO. IS ALSO CARRIED IN THIS SAME CANAL SYSTEM FROM FISH CREEK POINT OF DIVERSION TO NESENW SEC. 28 T9S R38E WHERE IT IS SPLIT OFF THE CANAL SYSTEM AND BECOMES ITS OWN ENTITY.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

02/06/2003

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

RIGHT NUMBER: 29-37
NAME AND ADDRESS: DEMPSEY IRRIGATING CO
C/O EARL SMITH
PO BOX 235
LAVA HOT SPRINGS ID 83246

TOPAZ IRRIGATION CO
C/O GENE FAGNANT
PO BOX 293
LAVA HOT SPRINGS ID 83246

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 7.500 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 39.5 CFS. COMBINED RIGHT NOS.: 29-36, 29-37 AND 29-11773.

PRIORITY DATE: 01/14/1907

POINT OF DIVERSION:

T08S R38E S28 SWNESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	7.500 CFS

PLACE OF USE:

Large Place of Use

1429.8 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1429.8 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-36, 29-37, 29-180 AND 29-11773

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL:

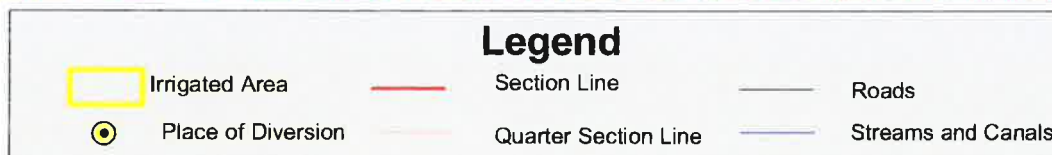
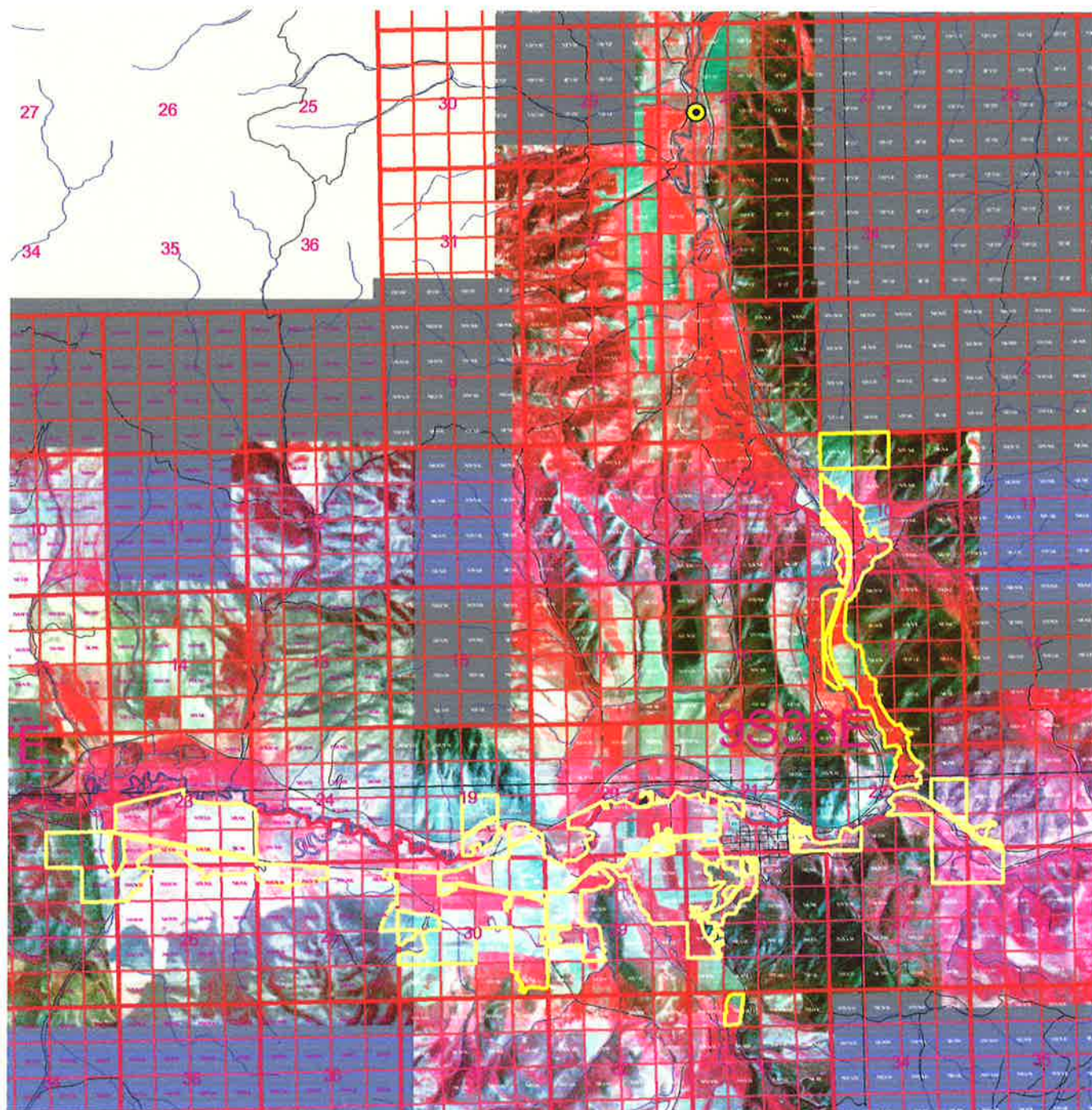
TOPAZ IRRIGATION CO. OWNS 51% OF DEMPSEY-TOPAZ CANAL
SYSTEM. FISH CREEK IRRIGATION CO. IS ALSO CARRIED IN THIS SAME
CANAL SYSTEM FROM FISH CREEK POINT OF DIVERSION TO NESENW SEC.
28 T9S R38E WHERE IT IS SPLIT OFF THE CANAL SYSTEM AND BECOMES
ITS OWN ENTITY.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Water Right Claim Number A29-00037

07/31/2000

Townships , 9S38E, 9S37E



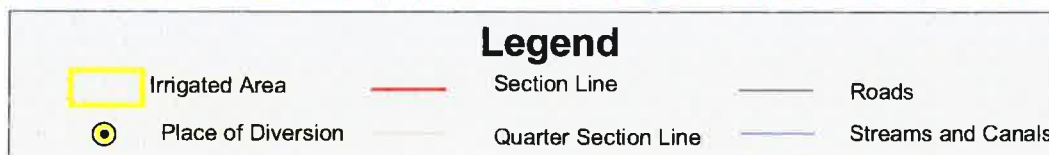
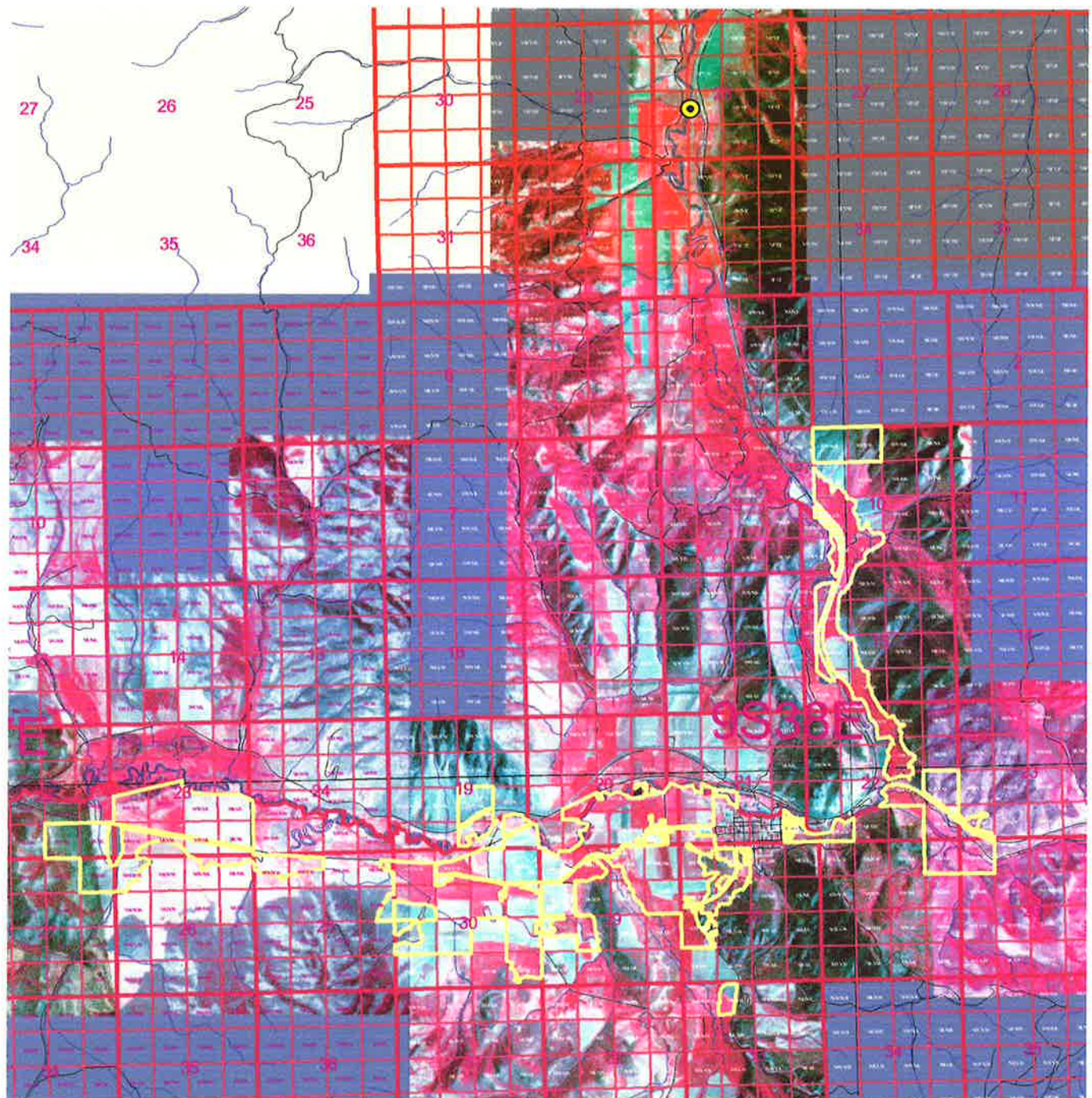
2200 0 2200 400 Feet



Water Right Claim Number A29-00037

07/31/2000

Townships , 9S38E, 9S37E



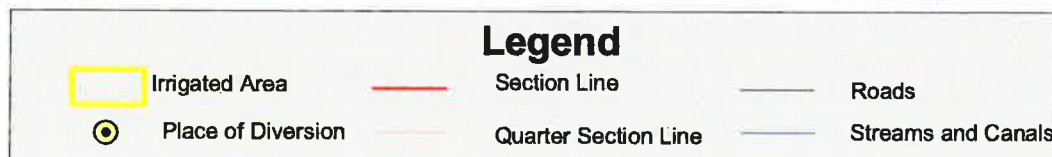
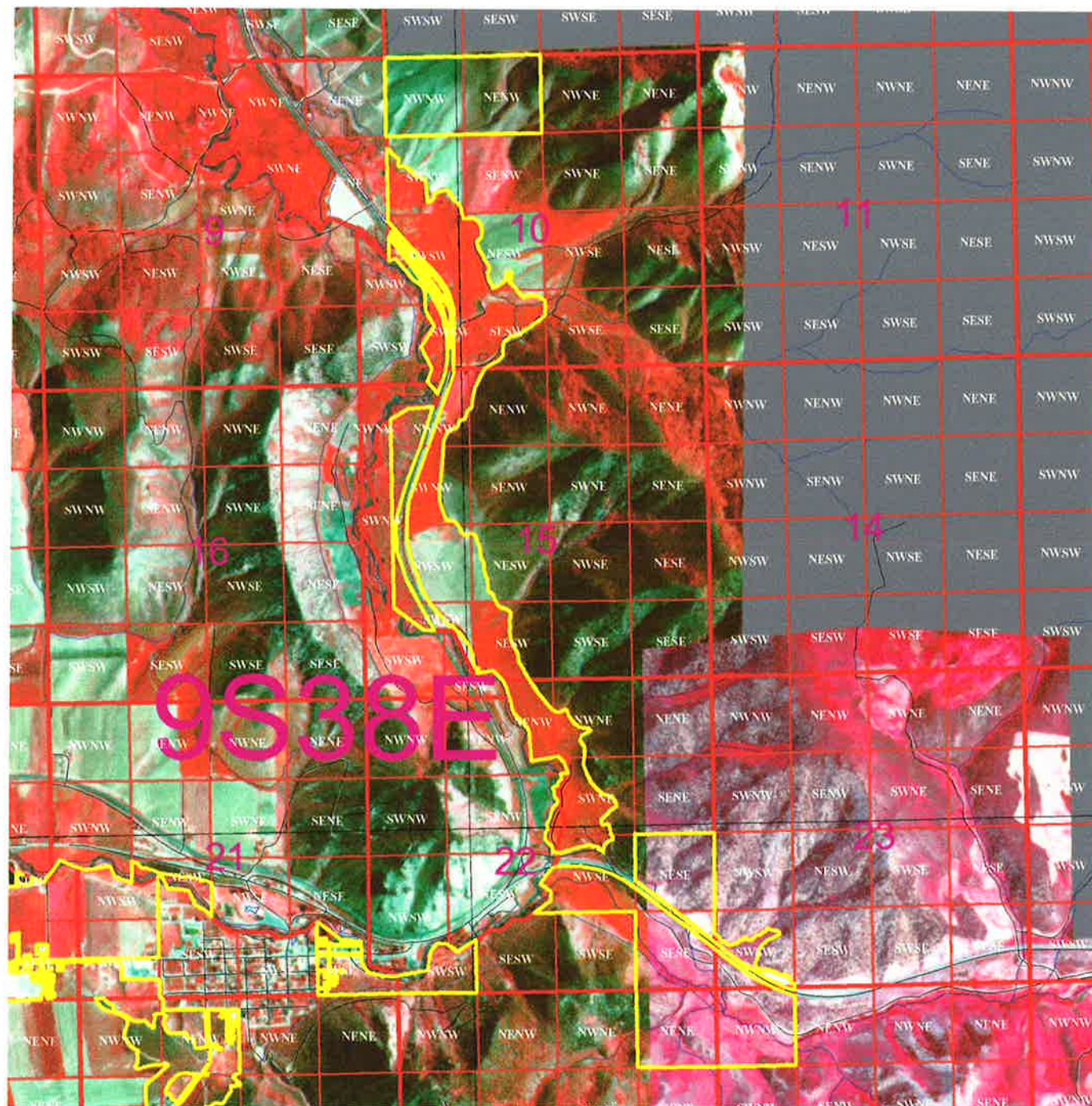
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Water Right Claim Number A29-00037

07/31/2000

Townships , 9S38E, 9S37E



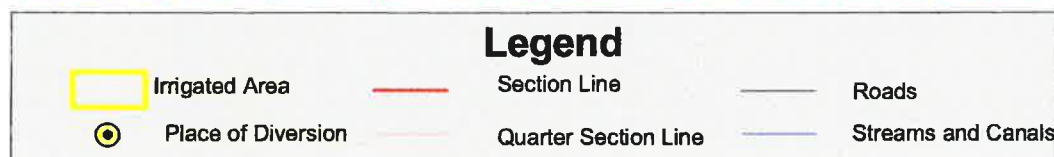
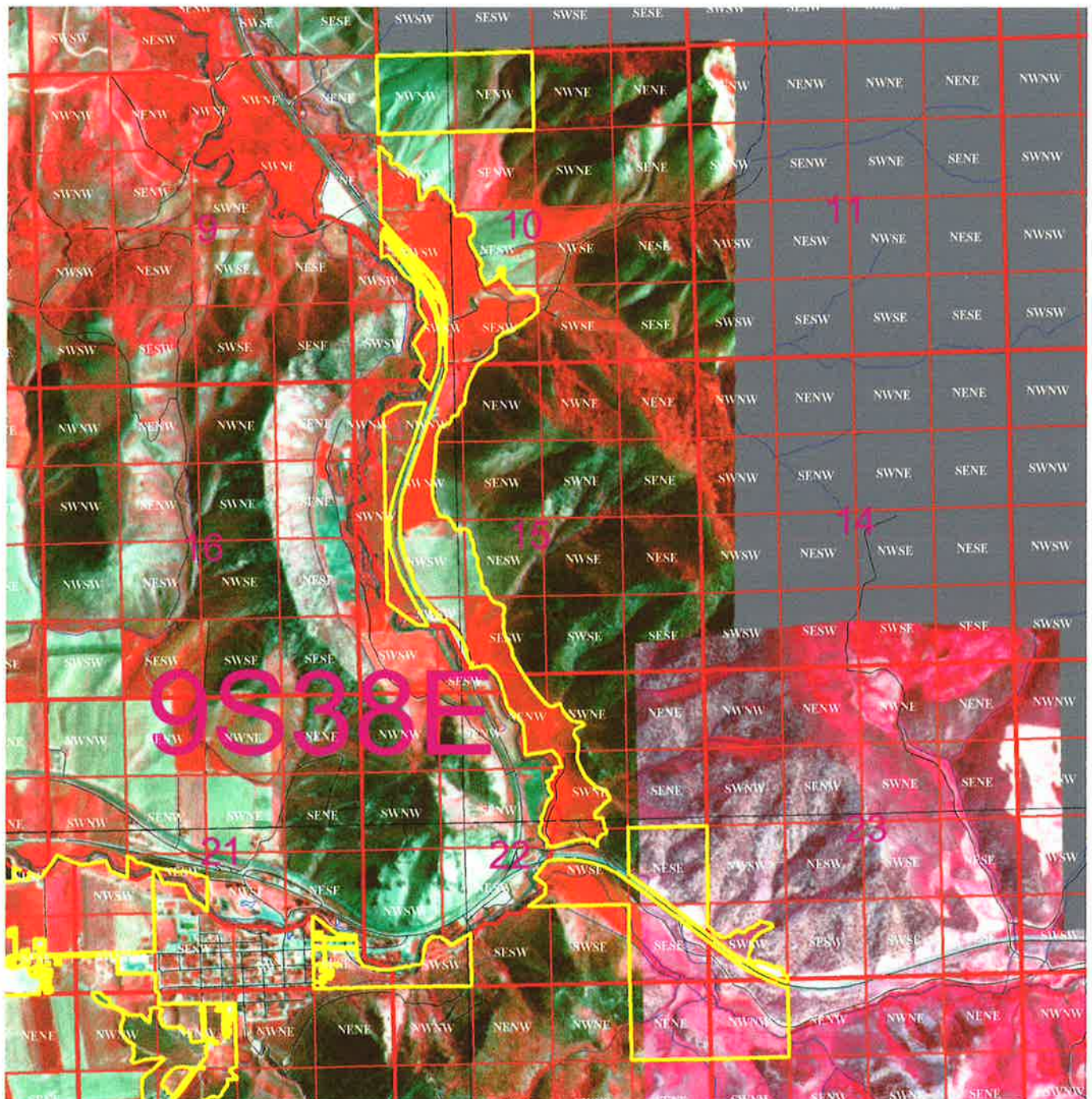
2200 0 2200 4400 Feet



Water Right Claim Number A29-00037

07/31/2000

Townships , 9S38E, 9S37E



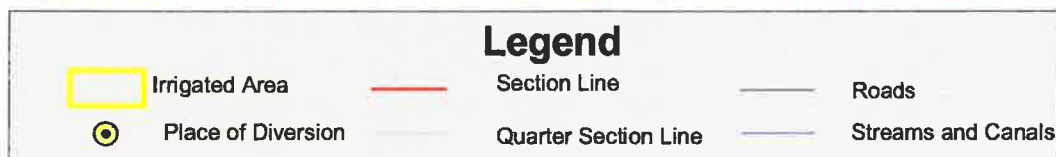
2200 0 2200 4400 Feet



Water Right Claim Number A29-00037

07/31/2000

Townships , 9S38E, 9S37E



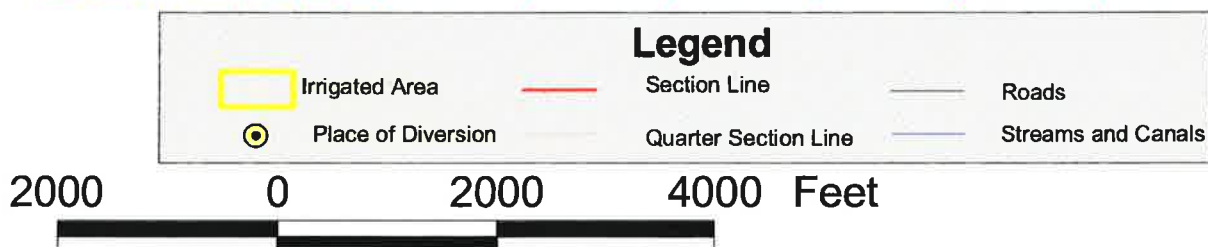
2200 0 2200 4400 Feet



Water Right Claim Number A29-00037

07/31/2000

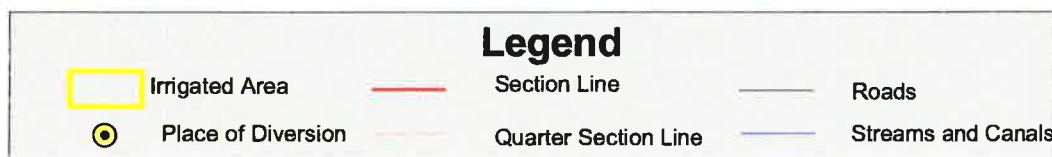
Townships , 9S38E, 9S37E



Water Right Claim Number A29-00037

07/31/2000

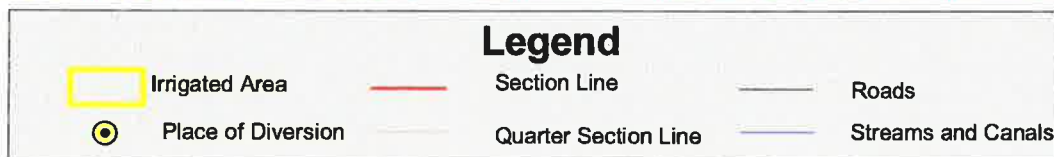
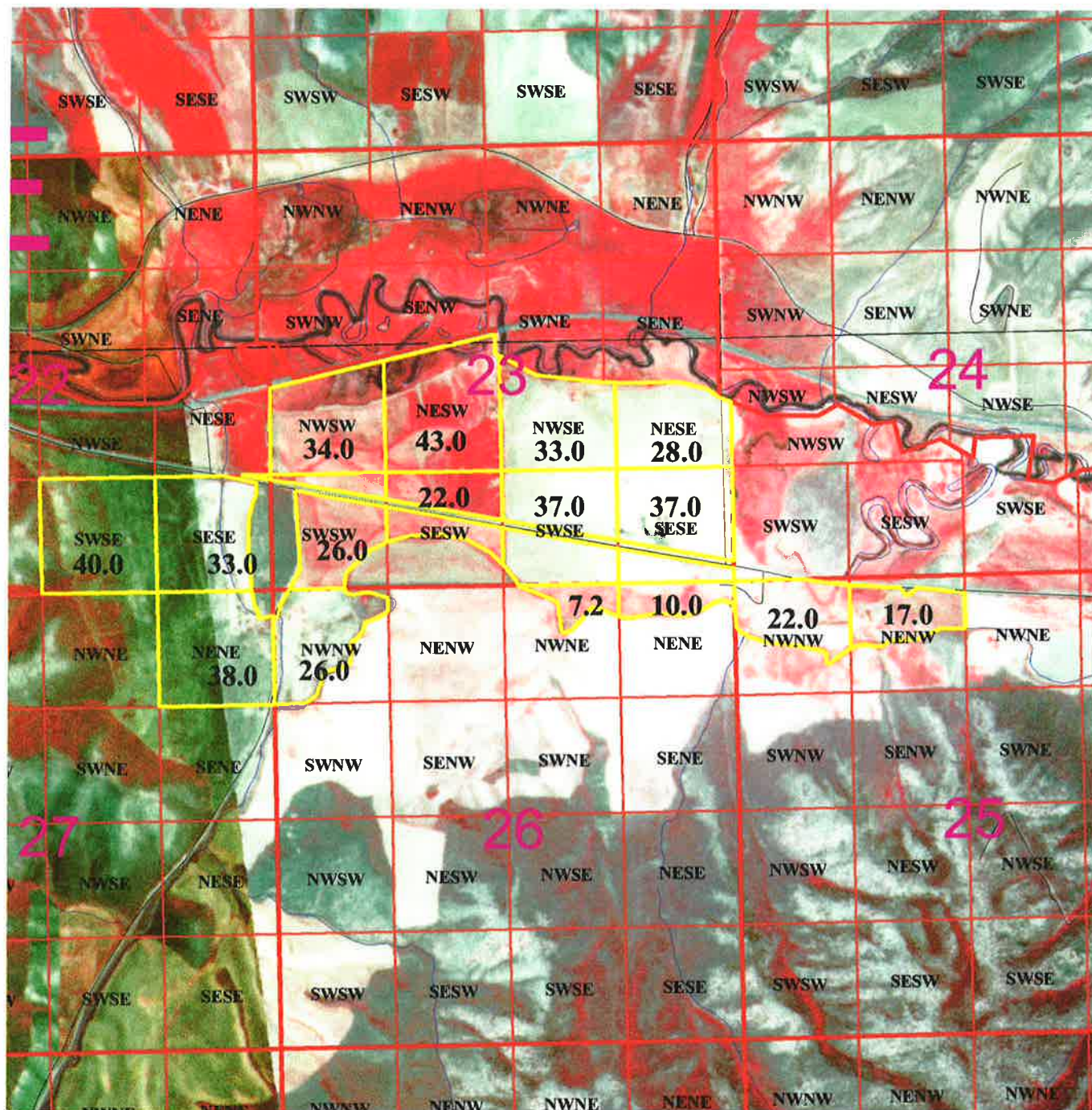
Townships , 9S38E, 9S37E



Water Right Claim Number A29-00037

07/31/2000

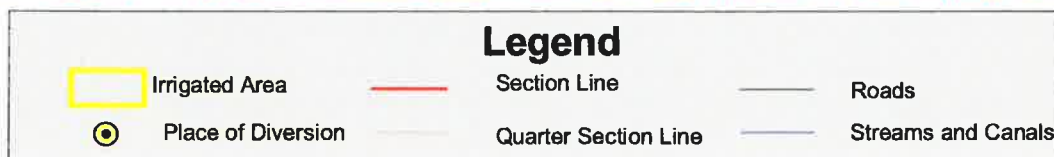
Townships , 9S38E, 9S37E



Water Right Claim Number A29-00037

07/31/2000

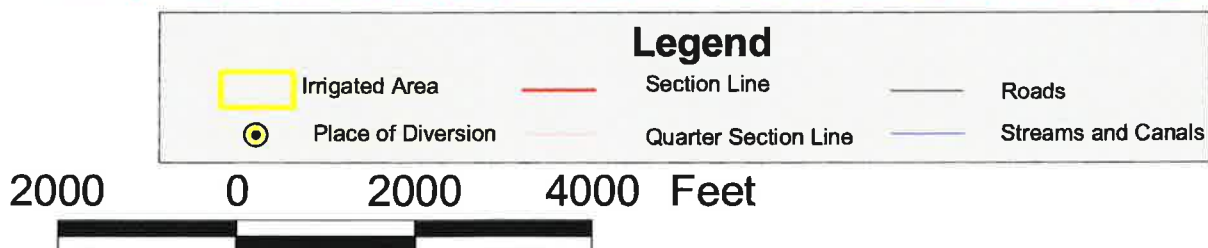
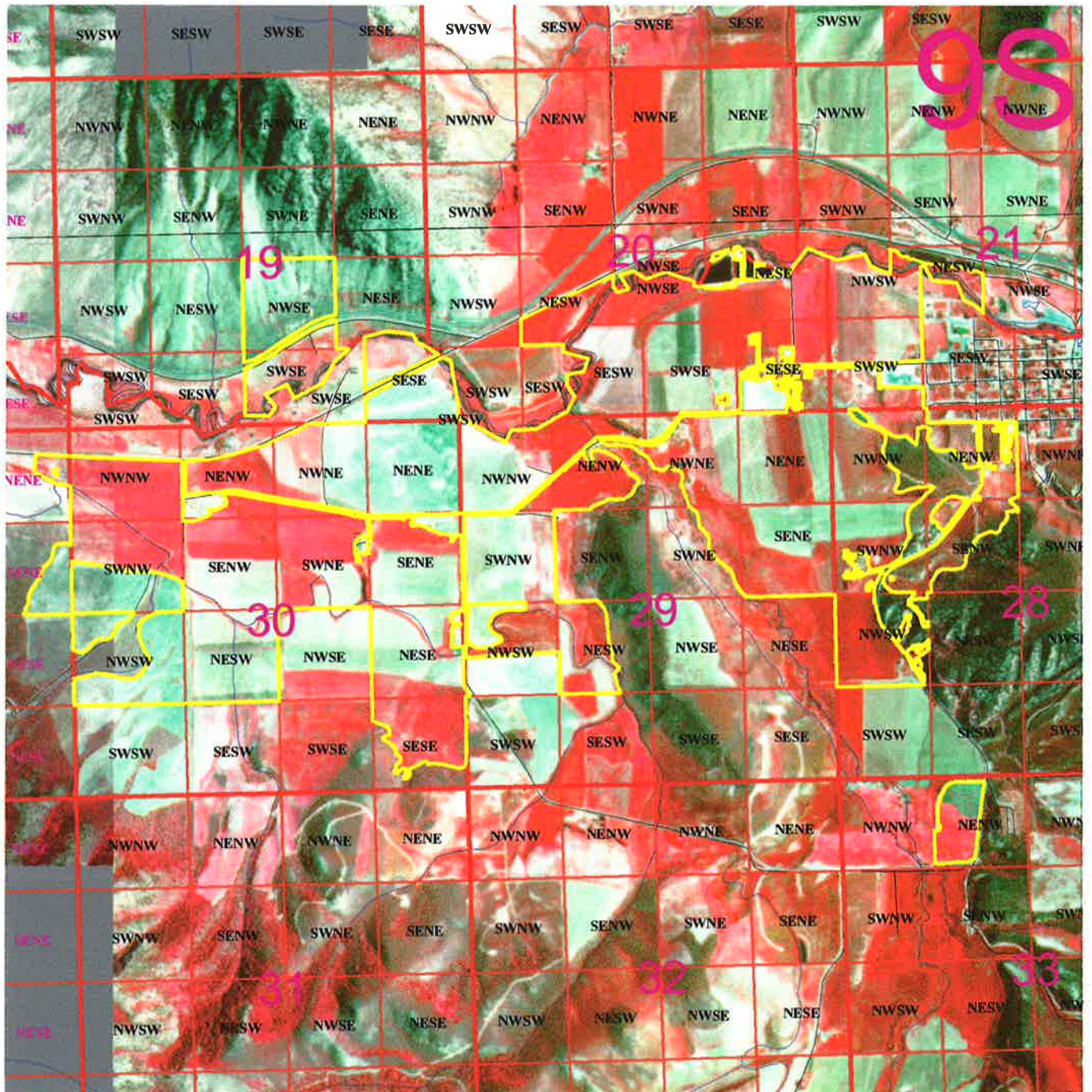
Townships , 9S38E, 9S37E



Water Right Claim Number A29-00037

07/31/2000

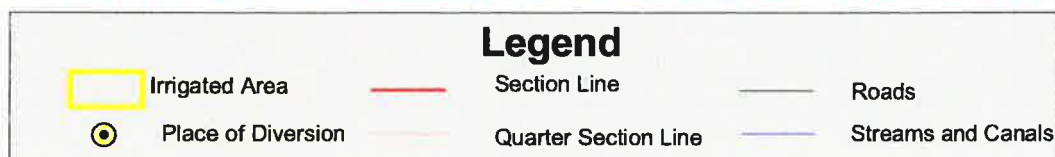
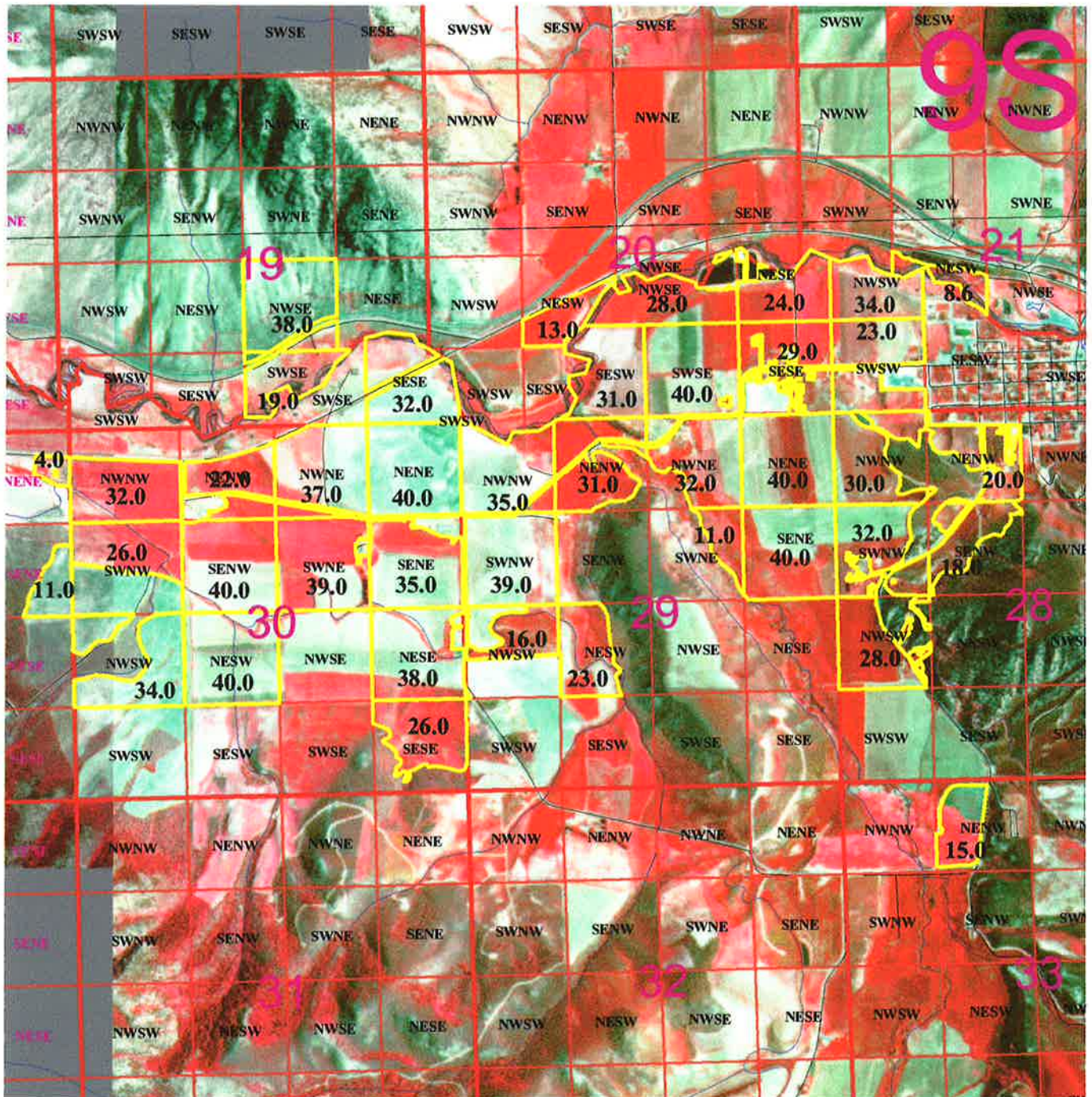
Townships , 9S38E, 9S37E



Water Right Claim Number A29-00037

07/31/2000

Townships , 9S38E, 9S37E



02/11/2004

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-37
NAME AND ADDRESS: DEMPSEY IRRIGATING CO
C/O EARL SMITH
PO BOX 235
LAVA HOT SPRINGS ID 83246

TOPAZ IRRIGATION CO
C/O GENE FAGNANT
PO BOX 293
LAVA HOT SPRINGS ID 83246

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 7.500 CFS
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 39.5 CFS. COMBINED RIGHT NOS.: 29-36, 29-37
AND 29-11773.

PRIORITY DATE: 01/14/1907

POINT OF
DIVERSION: T08S R38E S28 SWNESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	7.500 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE:
1429.8 ACRES TOTAL

The boundary encompassing the place of use for this water right is
described with a digital boundary as defined by I.C. Section 42-202B(2) and
authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the
digital boundary are incorporated herein by reference and are stored on a
CD-ROM disk issued in duplicate originals on file with the SRBA District Court
and the Idaho Department of Water Resources. A map depicting the place
of use is attached hereto to illustrate the place of use described by the
digital boundary.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 1429.8 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-36, 29-37, 29-180 AND 29-11773

Place of use is within the area served by the Dempsey Irrigating Company.

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

TOPAZ IRRIGATION CO. OWNS 51% OF DEMPSEY-TOPAZ CANAL SYSTEM. FISH CREEK IRRIGATION CO. IS ALSO CARRIED IN THIS SAME CANAL SYSTEM FROM FISH CREEK POINT OF DIVERSION TO NESENW SEC. 28 T9S R38E WHERE IT IS SPLIT OFF THE CANAL SYSTEM AND BECOMES ITS OWN ENTITY.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Adjudication Recommendation Report 29-37 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEMPSEY IRRIGATING CO C/O EARL SMITH PO BOX 235 LAVA HOT SPRINGS, ID 83246 (208)776-5348
Current Owner	TOPAZ IRRIGATION CO C/O GENE FAGNANT PO BOX 293 LAVA HOT SPRINGS, ID 83246 (208)776-5289

Status: Active

<u>Source</u>	<u>Tributary</u>
PORTNEUF RIVER	SNAKE RIVER

<u>Location of Point(s) of Diversion</u>		
PORTNEUF RIVER	SW1/4NE1/4SW1/4	Sec. 28, Twp 08S, Rge 38E, B.M.
BANNOCK County		

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	37E	22												X	X	X	X		
														L 5	L 6				
09S	37E	23			X	X			X	X	X	X	X	X	X	X	X		
					L 2	L 1			L 3	L 7	L 8			L 5	L 6				
09S	37E	24									X	X							
											L 7								
09S	37E	25	X	X		X	X							X					
09S	37E	26	X	X			X	X	X										
09S	37E	27	X	X		X													

Adjudication Recommendation Report 29-37 V1

[illegible]

Total Acres: 1429.8

1. 129 Place of use is within the area served by the Dempsey Irrigating Company.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-37 V1

1. Explanatory TOPAZ IRRIGATION CO. OWNS 51% OF DEMPSEY-TOPAZ CANAL SYSTEM. FISH CREEK IRRIGATION CO. IS ALSO CARRIED IN THIS SAME CANAL SYSTEM FROM FISH CREEK POINT OF DIVERSION TO NESENW SEC. 28 T9S R38E WHERE IT IS SPLIT OFF THE CANAL SYSTEM AND BECOMES ITS OWN ENTITY.
2. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 39.5 CFS. COMBINED RIGHT NOS.: 29-36, 29-37 AND 29-11773.
3. Place of Use USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
- Irrigation TOTAL OF 1429.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-36, 29-37, 29-180 AND 29-11773

Comments:

1. mlarson 10/29/2002 Large POU
Comment: Large POU linked

2. ecarlsen 2/6/2003 Large POU
Comment: Had Large POU flag removed so that the irrigated acres could be updated into the POU. Then the Large POU flag was reset.

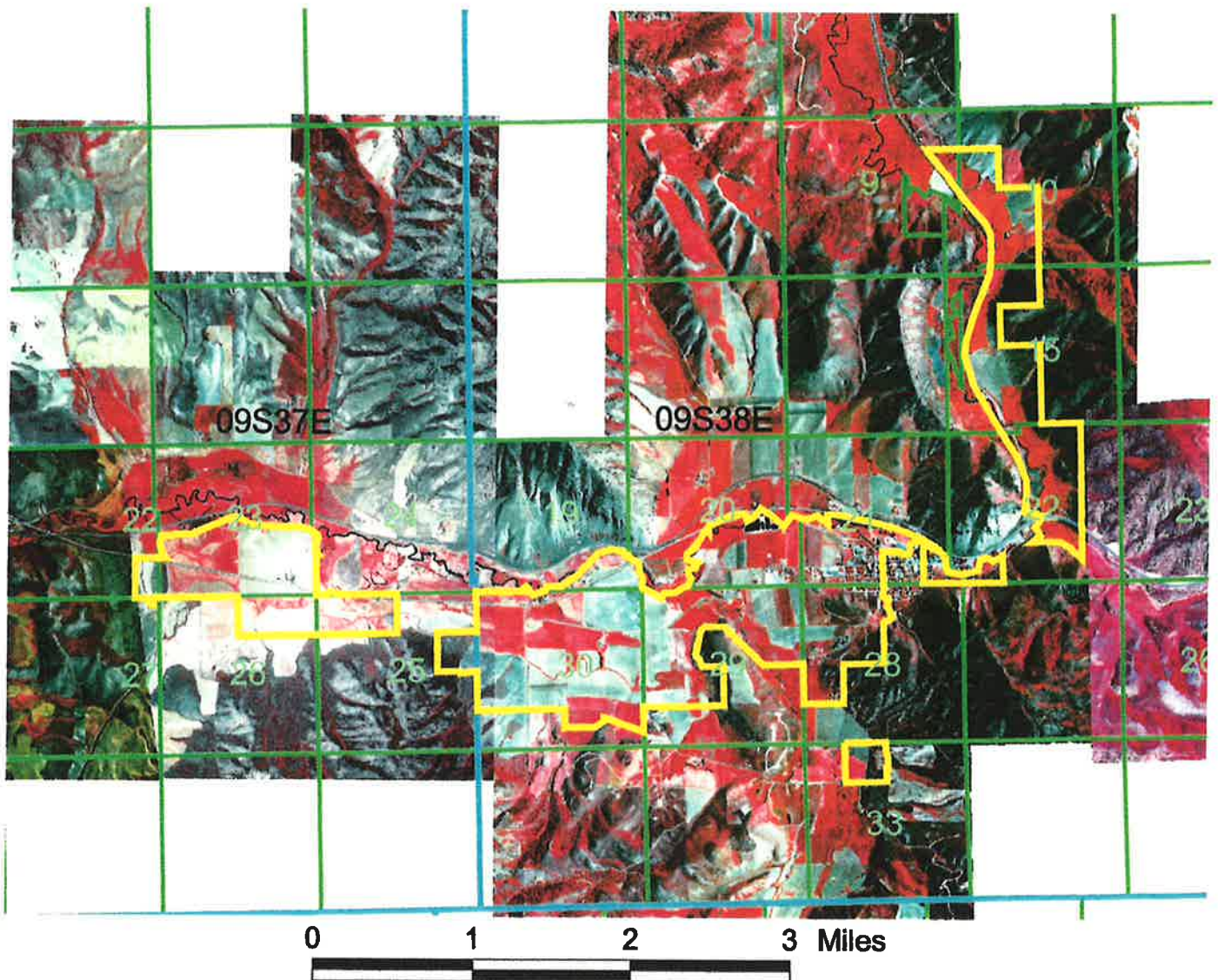
Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 29
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



Department of Water Resources

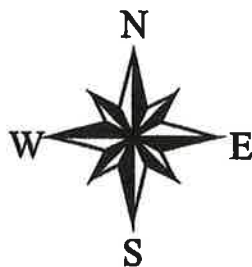
Dempsey Irrigation Co & Topaz Irrigation Co



SCANNED

MAY 27 2003

- Company boundary.shp
- Townships
- Sections



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: July 2003

02/18/2003

allen

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: April 21, 2003

Water right number: 29-37

DEMPSEY IRRIGATING CO
C/O EARL SMITH
PO BOX 235
LAVA HOT SPRINGS ID 83246
Telephone Number: (208)776-5348

TOPAZ IRRIGATION CO
C/O GENE FAGNANT
PO BOX 293
LAVA HOT SPRINGS ID 83246
Telephone Number: (208)776-5348

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:

3/20/03

SIGNATURE:

Earl H. Smith - Secretary
EARL H. Smith

Please print your name:

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

PROFILED

SCANNED
MAY 27 2005

RECEIVED
11-28-01
Department of State
Bureau of Land Management

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/03/01 13:11:30

Page 1

Water Right Number - 29-00037

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

DEMPSEY IRRIGATING CO.

1 -
2 -
3 -
City- State- Zip-
Phone -

TOPAZ IRRIGATION CO.

1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/14/1907 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
PORTNEUF RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
08S 38E 28 NE SW (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 09/15 7.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
7.500 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 38E 9 SW NE 2 01 IRRIGATION (5) BANNOCK
09S 38E 9 SE NE 3 01 IRRIGATION (5) BANNOCK
09S 38E 9 NE SE 6 01 IRRIGATION (5) BANNOCK
09S 38E 9 NW SE 01 IRRIGATION (5) BANNOCK
09S 38E 10 NW NW 01 IRRIGATION (5) BANNOCK
09S 38E 10 SW NW 01 IRRIGATION (5) BANNOCK
09S 38E 10 NE SW 01 IRRIGATION (5) BANNOCK
09S 38E 10 NW SW 1 01 IRRIGATION (5) BANNOCK
09S 38E 10 SW SW 2 01 IRRIGATION (5) BANNOCK
09S 38E 10 SE SW 01 IRRIGATION (5) BANNOCK
09S 38E 15 NE NW 01 IRRIGATION (5) BANNOCK
09S 38E 15 NW NW 1 01 IRRIGATION (5) BANNOCK
09S 38E 15 SW NW 01 IRRIGATION (5) BANNOCK
09S 38E 15 NE SW 01 IRRIGATION (5) BANNOCK
09S 38E 15 NW SW 01 IRRIGATION (5) BANNOCK
09S 38E 15 SW SW 2 01 IRRIGATION (5) BANNOCK

Water right number - 29-00037

Prefix Translation: WATER RIGHT

+ - - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	38E	15	SE SW	3		01	IRRIGATION	(5) BANNOCK
09S	38E	16	SE NE	1		01	IRRIGATION	(5) BANNOCK
09S	38E	20	NE SE	1		01	IRRIGATION	(5) BANNOCK
09S	38E	20	NW SE	2		01	IRRIGATION	(5) BANNOCK
09S	38E	20	SW SE			01	IRRIGATION	(5) BANNOCK
09S	38E	20	SE SE			01	IRRIGATION	(5) BANNOCK
09S	38E	21	NW SW	4		01	IRRIGATION	(5) BANNOCK
09S	38E	21	SW SW			01	IRRIGATION	(5) BANNOCK
09S	38E	21	SE SW	3		01	IRRIGATION	(5) BANNOCK
09S	38E	21	SW SE	2		01	IRRIGATION	(5) BANNOCK
09S	38E	21	SE SE	1		01	IRRIGATION	(5) BANNOCK
09S	38E	22	NW NE	1		01	IRRIGATION	(5) BANNOCK
09S	38E	22	SW NE	3		01	IRRIGATION	(5) BANNOCK
09S	38E	22	NE NW	2		01	IRRIGATION	(5) BANNOCK
09S	38E	22	SW SW	10		01	IRRIGATION	(5) BANNOCK
09S	38E	22	NE SE			01	IRRIGATION	(5) BANNOCK
09S	38E	22	NW SE	4		01	IRRIGATION	(5) BANNOCK
09S	38E	22	SE SE			01	IRRIGATION	(5) BANNOCK
09S	38E	28	NW NE			01	IRRIGATION	(5) BANNOCK
09S	38E	28	NE NW			01	IRRIGATION	(5) BANNOCK
09S	38E	28	NW NW			01	IRRIGATION	(5) BANNOCK
09S	38E	28	SW NW			01	IRRIGATION	(5) BANNOCK
09S	38E	28	SE NW			01	IRRIGATION	(5) BANNOCK
09S	38E	28	NW SW			01	IRRIGATION	(5) BANNOCK
09S	38E	28	SW SW			01	IRRIGATION	(5) BANNOCK
09S	38E	28	SE SW			01	IRRIGATION	(5) BANNOCK
09S	38E	29	NE NE			01	IRRIGATION	(5) BANNOCK
09S	38E	29	NW NE			01	IRRIGATION	(5) BANNOCK
09S	38E	29	SW NE			01	IRRIGATION	(5) BANNOCK
09S	38E	29	SE NE			01	IRRIGATION	(5) BANNOCK
09S	38E	29	NE SE			01	IRRIGATION	(5) BANNOCK
09S	38E	29	NW SE			01	IRRIGATION	(5) BANNOCK
09S	38E	32	SW SE			01	IRRIGATION	(5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +	
GEN	ACRES IRR. - 831.16. P/U INCOMPLETE.

+ - - - - - Old Water Right Numbers - - - - - +	
No Old Water Right Numbers found.	

Water right number - 29-00037

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

UNION GRAIN & ELEVATOR CO.

MCCAMMON DITCH CO. ET. AL.

08/06/1932

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 07/15/85 05/22/88 CONVERT 02/06/98 CLEARFLD

+ - - - - Water Rights Dates and Flags Area - - - - -

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
Exam to S.O. Date - 00/00/0000	Verified Date - 07/15/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 29
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		

Log for claim A29-00037

Spatial Dynamics AMH

7/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	22	SWSE	16	40	Indiscernible
09s37e	22	SESE	32	33	
09s37e	23	NESW	33	43	
09s37e	23	NWSW	21	34	Indiscernible
09s37e	23	SWSW	25	26	
09s37e	23	SESW	24	22	
09s37e	23	NESE	11	28	Indiscernible
09s37e	23	NWSE	30	33	
09s37e	23	SWSE	40	37	
09s37e	23	SESE	20	37	Indiscernible
09s37e	25	NENE	5	4	
09s37e	25	SENE	15	11	
09s37e	25	NENW	12	17	
09s37e	25	NWNW	14	22	Indiscernible
09s37e	26	NENE	11	10	
09s37e	26	NWNE	9	7.2	
09s37e	26	NWNW	22	26	
09s37e	27	NENE	25	38	
09s38e	10	NENW	4	40	
09s38e	10	NWNW	13	40	Indiscernible
09s38e	10	SWNW	23	16	Indiscernible
09s38e	10	NESW	8	9.4	
09s38e	10	NWSW	30	30	
09s38e	10	SWSW	5	17	Indiscernible
09s38e	10	SESW	22	27	
09s38e	15	NENW	25	2.1	Indiscernible
09s38e	15	NWNW	12	20	Indiscernible
09s38e	15	SWNW	13	21	Indiscernible
09s38e	15	NESW	8	5.5	
09s38e	15	NWSW	32	34	
09s38e	15	SWSW	5	10	
09s38e	15	SESW	11	19	
09s38e	19	NWSE	40	38	
09s38e	19	SWSE	15	19	
09s38e	19	SESE	30	32	
09s38e	20	NESW	10	13	
09s38e	20	SESW	23	31	Indiscernible
09s38e	20	NESE	20	24	
09s38e	20	NWSE	21	28	
09s38e	20	SWSE	38	40	
09s38e	20	SESE	29	29	
09s38e	21	NESW	5	8.6	
09s38e	21	NWSW	20	23	
09s38e	21	SWSW	32	34	
09s38e	21	SESE	15	20	
09s38e	22	NWNE	10	7.8	
09s38e	22	SWNE	25	19	
09s38e	22	NENW	17	15	

Log for claim A29-00037

Spatial Dynamics AMH

7/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	22	SENW	1	4.3	Indiscernible
09s38e	22	SWSW	4	19	Indiscernible
09s38e	22	NESE	1	38	Indiscernible
09s38e	22	NWSE	2	28	Indiscernible
09s38e	22	SESE	12	38	
09s38e	23	SWSW	1	15	Indiscernible
09s38e	26	NWNW	2	39	Indiscernible
09s38e	27	NENE	2	40	Indiscernible
09s38e	28	NENW	6	20	Indiscernible
09s38e	28	NWNW	24	30	Indiscernible
09s38e	28	SWNW	27	32	
09s38e	28	SENW	10	18	
09s38e	28	NWSW	3	28	Indiscernible
09s38e	29	NENE	40	40	
09s38e	29	NWNE	35	32	
09s38e	29	SWNE	15	11	
09s38e	29	SENE	40	40	
09s38e	29	NENW	23	31	
09s38e	29	NWNW	30	35	
09s38e	29	SWNW	40	39	
09s38e	29	NESW	10	23	Indiscernible
09s38e	29	NWSW	16	16	
09s38e	30	NENE	38	40	
09s38e	30	NWNE	26	37	Indiscernible
09s38e	30	SWNE	38	39	
09s38e	30	SENE	30	35	
09s38e	30	NENW	9	22	Indiscernible
09s38e	30	NWNW	34	32	
09s38e	30	SWNW	25	26	
09s38e	30	SENW	40	40	
09s38e	30	NESW	40	40	
09s38e	30	NWSW	6	34	Indiscernible
09s38e	30	NESE	33	38	
09s38e	30	SESE	26	26	
09s38e	33	NENW	6	15	Indiscernible
Totals:			1621	2180.9	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEMPSEY IRRIGATING CO C/O EARL SMITH PO BOX 235 LAVA HOT SPRINGS ID 83246 (208) 776-5348	01/14/1907	IRRIGATION	04-15 09-15	7.500 CFS	
					TOTAL DIVERSION:	
					CONSUMPTIVE USE:	4052.50 AFA

C TOPAZ IRRIGATION CO
C/O GENE FAGNANT
PO BOX 293
LAVA HOT SPRINGS ID 83246
(208) 776-5348

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T08S R38E S28 SWNESW

BANNOCK 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	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09S	37E	22	:															16	32		48.0	
09S	37E	23	:									33	21	25	24	11	30	40	20		204.0	
09S	37E	25	:	05			15	12	14												46.0	
09S	37E	26	:	11	09				22												42.0	
09S	37E	27	:	25																	25.0	
09S	38E	10	:					04	13	23		08	01-30	02-05	22						105.0	
09S	38E	15	:					25	01-12	13		08	32	02-05	03-11						106.0	
09S	38E	19	:														40	15	30		85.0	
09S	38E	20	:									10			23	20	21	38	29		141.0	
09S	38E	21	:									05	20	32					15		72.0	
09S	38E	22	:		01-10	03-25		02-17			01			10-04		01	04-02		12		72.0	
09S	38E	23	:											01							1.0	
09S	38E	26	:						02												2.0	
09S	38E	27	:	02																	2.0	
09S	38E	28	:					06	24	27	10		03								70.0	
09S	38E	29	:	40	35	15	40	23	30	40		10	16								249.0	
09S	38E	30	:	38	26	38	30	09	34	25	40	40	06			33			26		345.0	
09S	38E	33	:					06													6.0	
																			TOTAL ACRES		1621.0	

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING.

Other Rights: 29-00036, 00180, 00147

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

AJ5809NP
No. A29-00037

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 9

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

A29-00032 A29-00035 A29-00036 A29-00046 A29-11773 A29-12078 A29-12079

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

A29-00036	A29-00047A	A29-00048	A29-00147	A29-00152	A29-00152A	A29-00153	A29-00153A	A29-00158	A29-00158A
A29-00158B	A29-00158C	A29-00158D	A29-00158E	A29-00159	A29-00159A	A29-00159B	A29-00159C	A29-00160	A29-00160A
A29-00163	A29-00170	A29-00171	A29-00174	A29-00175	A29-00180	A29-00182	A29-00182A	A29-00182B	A29-00183
A29-00184	A29-02378	A29-02452	A29-04272	A29-04467	A29-07241	A29-07393	A29-07530	A29-10073	A29-10074
A29-10816	A29-10831	A29-10833	A29-10848	A29-11773	A29-11774	A29-12064			

Remarks: GEN AMT. OF 32CFS AS PER MEMORANDUM DECISION #2203.
*** BOTH CANAL COMPANIES SHARE THESE RIGHTS. THEY ARE DELIVERED
THROUGH A COMMON CANAL SYSTEM. COMPANIES ARE RESPONSIBLE FOR
DELIVERY OF WATER TO SHARE HOLDERS. THE FISH CREEK IRRIGATING
COMPANY ALSO USES THIS DELIVERY SYSTEM.
51% OF THIS RIGHT IS USED BY THE TOPAZ IRRIGATION CO.

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

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag: D

Audit: 04/04/90 VERNER 04/01/94 THOMPSON 03/29/95 POST-STD

Bannock County
 Portneuf River
 13.63 second feet
 Priority 2/6/1907.

STATE OF IDAHO

Water License No. 2553

WHEREAS, On the 6th day of February, A.D. 1907, the TOPAZ IRRIGATION COMPANY, LIMITED, of Dempsey, County of Bannock, State of Idaho, duly made application (No. 3592) to me for a permit to use 18 cubic feet per second of the waters of PORTNEUF RIVER, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 9th day of February, A.D. 1907, Permit No. 2553 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 9th day of February, A.D. 1910, and for the application to beneficial use of said water on or before the 9th day of February, A.D. 1912, and,

WHEREAS, On the 9th day of February, A.D. 1910, the TOPAZ IRRIGATION COMPANY, LIMITED, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 18 cubic feet per second of said waters, as evidenced by my Certificate No. 2553, dated May 5th, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 18 cubic feet per second of water, with date of priority of February 6th, 1907, and,

WHEREAS, On the 2nd day of February, A.D. 1912, the TOPAZ IRRIGATION COMPANY, LIMITED, the holder of said permit, duly made proof of the application to beneficial use of 13.63 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to the TOPAZ IRRIGATION COMPANY, LIMITED, of Dempsey, County of Bannock, State of Idaho, the holder and owner of said Permit No. 2553, a perpetual right, dating from February 6th, 1907, to the use of 13.63 cubic feet per second of the waters of PORTNEUF RIVER, in the County of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted as follows: From head of Dempsey canal the 1/4 section corner between Sections 28 and 33, Township 8 South, Range 30 East of the Boise Meridian, bears S. 35° 33' East 2120 feet, and conducted to and upon 1353.74 acres, divided as follows:

Description	Sec.	Twp. S.	R. 2BM	Cultivated.
NE 1/4 NW 1/4	29	9	38	38.94
NW 1/4 NW 1/4	"	"	"	35.30
SW 1/4 NW 1/4	"	"	"	40.00
SE 1/4 NW 1/4	"	"	"	26.00
NE 1/4 SW 1/4	"	"	"	16.70
NW 1/4 SW 1/4	"	"	"	13.30
SW 1/4 SW 1/4	19	"	"	19.60
SE 1/4 SW 1/4	"	"	"	2.99
SW 1/4 SE 1/4	"	"	"	23.06
SE 1/4 SE 1/4	"	"	"	33.35
NE 1/4 NE 1/4	30	"	"	40.00
NW 1/4 NE 1/4	"	"	"	40.00

Description	Sec.	Twp. 3	R. 38M	Only 1/2 Sec.
SW 1/4 NE 1/4	30	9	38	38.16
SE 1/4 NE 1/4	"	"	"	39.45
NE 1/4 NW 1/4	"	"	"	40.00
NW 1/4 NW 1/4	"	"	"	38.00
SW 1/4 NW 1/4	"	"	"	4.00
SE 1/4 NW 1/4	"	"	"	25.53
NE 1/4 SE 1/4	"	"	"	9.73
NW 1/4 SE 1/4	"	"	"	3.00
NE 1/4 SW 1/4	24	"	37	13.10
NW 1/4 SW 1/4	"	"	"	28.54
SW 1/4 SW 1/4	"	"	"	40.00
SE 1/4 SW 1/4	"	"	"	40.00
NE 1/4 SE 1/4	"	"	"	1.84
NW 1/4 SE 1/4	"	"	"	10.80
SW 1/4 SE 1/4	"	"	"	41.66
SE 1/4 SE 1/4	"	"	"	24.86
NE 1/4 NE 1/4	25	"	"	27.02
NW 1/4 NE 1/4	"	"	"	20.71
NE 1/4 NW 1/4	"	"	"	25.99
NW 1/4 NW 1/4	"	"	"	27.37
NE 1/4 SW 1/4	23	"	"	38.16
NW 1/4 SW 1/4	"	"	"	21.00
SW 1/4 SW 1/4	"	"	"	35.64
SE 1/4 SW 1/4	"	"	"	24.42
NE 1/4 SE 1/4	"	"	"	28.20
NW 1/4 SE 1/4	"	"	"	31.28
SW 1/4 SE 1/4	"	"	"	40.00
SE 1/4 SE 1/4	"	"	"	40.00
NE 1/4 NE 1/4	26	"	"	22.78
NW 1/4 NE 1/4	"	"	"	10.34
NW 1/4 NW 1/4	"	"	"	27.64
NE 1/4 NE 1/4	27	"	"	28.47
NE 1/4 SW 1/4	22	"	"	34.14
NW 1/4 SW 1/4	"	"	"	20.32
NW 1/4 SE 1/4	"	"	"	29.00
NE 1/4 SE 1/4	"	"	"	28.77
SE 1/4 SE 1/4	"	"	"	39.54

for the purpose of irrigation and domestic use, subject, however, to the laws of the State, and if applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 9th day of August,

A.D. Nineteen hundred and twelve.

(SEAL)

A. E. Robinson
State Engineer.

Report of Engineer

1. State name of applicant and number of permit: Donna Irrigation Co. Ltd., Permit No. 2553.
 2. State source of water supply: Portneuf River.
 3. Location of point of diversion: From the headgate of the Pempey Canal, the quarter corner stone bet. Sec. 28 & 33, T. 8 S. R. 36 E. S. 1. bears S. 55° 13' E. 2120 ft.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 5 feet
 (b) Width at water line: 7 feet
 (c) Depth of water: 2 "
 (d) Grade per mile: 4 "

6. State whether or not water has been turned into works of diversion and if so, to what extent:

It's an old canal having been used for years, but has during the last 3 years been enlarged.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract. Small piece in NW corner of Sec. 33 and parts of Secs. 28, 29, & 30. Tp. 8. S. R. 36 E. and parts of Secs. 25, 26, 27, 22, 23, 24. Tp. 9. S. R. 37 E. and small parts of Secs. 19 and 20. Tp. 8. S. R. 36 E. B.M.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED

MAY 2 - 1910

OFFICE OF STATE ENGINEER

STATE OF IDAHO,

County of _____

being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

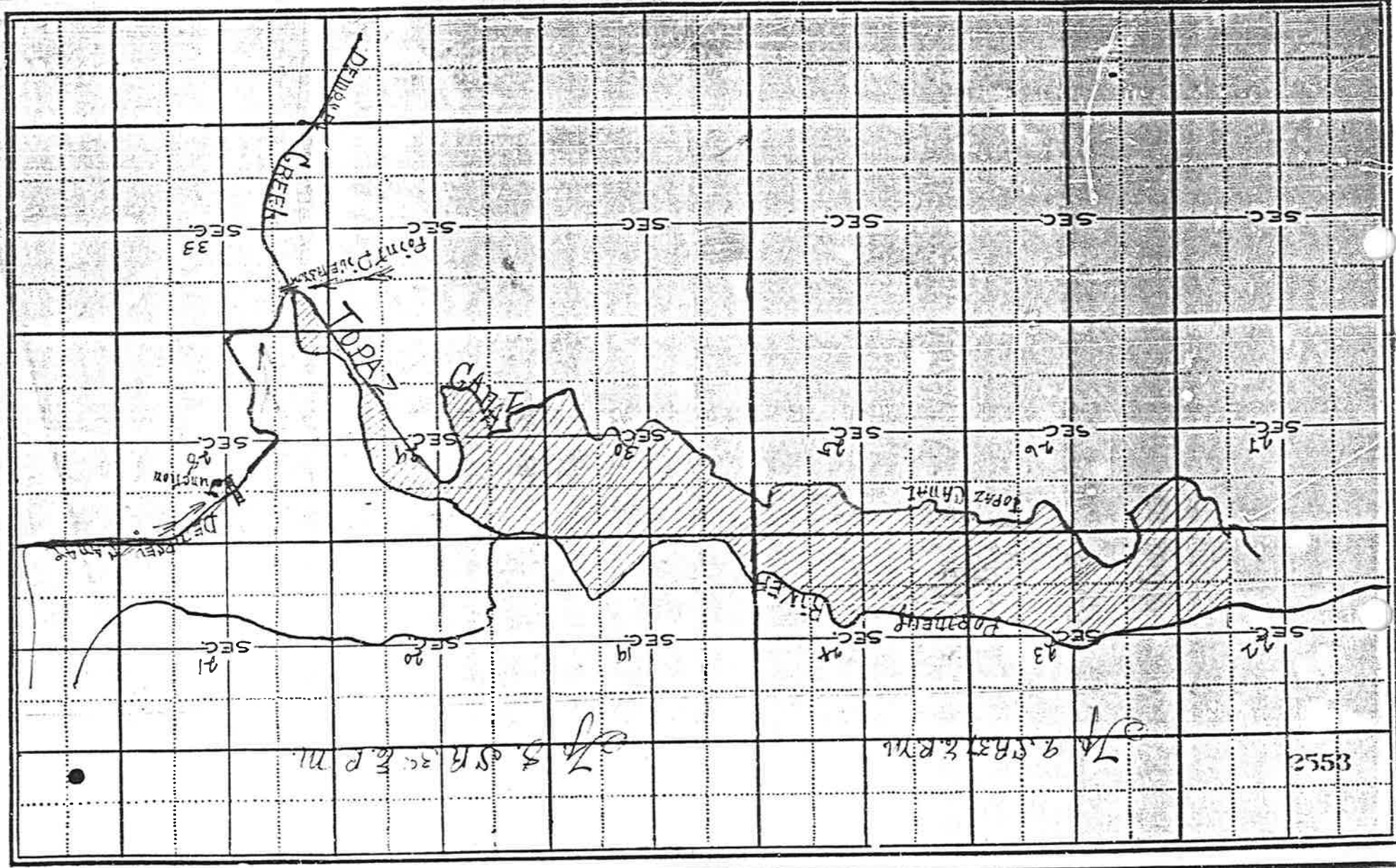
Subscribed and sworn to before me this _____ day of _____ 190 _____

My Commission Expires _____

Notary Public.

2553

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.



2553

REPORT OF ENGINEER

Copy up.

1. State name of applicant and number of permit: Topaz Irrigation Co.-Permit 2553
2. State source of water supply: Portnauf river, through Dempsey Canal.
3. Location of point of diversion: From head of Dempsey canal the 1/4 sec. 20th between sec's 28 & 33, 2.6 S.R.38 EBM, bears S.35°33' E. 2120 ft.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: 5'
- (b) Width at water line: 7'
- (c) Depth of water: 2'
- (d) Grade per mile: 3.7'
- (e) Capacity of ditch: 18 second feet.

State whether or not water has been turned into works of diversion and if so, to what extent:

Water has been used for several years

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

Description		Sec	Tw	R.E.B.M.	Acres	Description	Sec	Tw	R.E.B.M.	Acres	Cultivation
N.E. 1/4 N.W. 1/4	29	9	38	3	94	N.E. 1/4 N.E. 1/4	25	9	37	37.02	
N.W. 1/4 N.W. 1/4	"	"	"	3	30	N.W. 1/4 N.E. 1/4	"	"	"	26.71	
S.W. 1/4 N.W. 1/4	"	"	"	40	"	N.E. 1/4 N.W. 1/4	"	"	"	25.99	
S.E. 1/4 N.W. 1/4	"	"	"	26	70	N.W. 1/4 N.W. 1/4	"	"	"	27.37	
N.E. 1/4 S.W. 1/4	"	"	"	16	70	N.E. 1/4 S.W. 1/4	22	"	"	38.16	
N.W. 1/4 S.W. 1/4	"	"	"	13	30	N.W. 1/4 S.W. 1/4	"	"	"	21	
S.W. 1/4 S.W. 1/4	19	"	"	19	30	S.W. 1/4 S.W. 1/4	"	"	"	35.64	
S.E. 1/4 S.W. 1/4	"	"	"	6	99	S.E. 1/4 S.W. 1/4	"	"	"	24.42	
S.W. 1/4 S.E. 1/4	"	"	"	2	10	N.E. 1/4 S.E. 1/4	"	"	"	28.20	
S.E. 1/4 S.E. 1/4	"	"	"	33	35	N.W. 1/4 S.E. 1/4	"	"	"	31.22	
N.E. 1/4 N.E. 1/4	30	"	"	40	"	S.W. 1/4 S.E. 1/4	"	"	"	40	
N.W. 1/4 N.E. 1/4	"	"	"	40	"	S.E. 1/4 S.E. 1/4	"	"	"	40	
S.W. 1/4 N.E. 1/4	"	"	"	38	16	N.E. 1/4 N.E. 1/4	26	"	"	13.78	
S.E. 1/4 N.E. 1/4	"	"	"	39	45	N.W. 1/4 N.E. 1/4	"	"	"	10.34	
N.E. 1/4 N.W. 1/4	"	"	"	40	"	N.W. 1/4 N.W. 1/4	"	"	"	22.61	
N.W. 1/4 N.W. 1/4	"	"	"	38	"	N.E. 1/4 N.E. 1/4	27	"	"	28.47	
S.W. 1/4 N.W. 1/4	"	"	"	"	"	N.E. 1/4 S.W. 1/4	22	"	"	34.14	
S.E. 1/4 N.W. 1/4	"	"	"	33	63	N.W. 1/4 S.W. 1/4	"	"	"	20.32	
N.E. 1/4 S.E. 1/4	"	"	"	9	73	N.E. 1/4 S.E. 1/4	"	"	"	29	
N.W. 1/4 S.E. 1/4	"	"	"	3	"	N.W. 1/4 S.E. 1/4	"	"	"	28.77	
N.E. 1/4 S.W. 1/4	24	"	37	1	10	S.E. 1/4 S.E. 1/4	"	"	"	39.54	
N.W. 1/4 S.W. 1/4	"	"	"	28	54						
S.W. 1/4 S.W. 1/4	"	"	"	40	"						
S.E. 1/4 S.W. 1/4	"	"	"	40	"						
N.E. 1/4 S.E. 1/4	"	"	"	18	4						
N.W. 1/4 S.E. 1/4	"	"	"	10	80						
S.W. 1/4 S.E. 1/4	"	"	"	16	6						
S.E. 1/4 S.E. 1/4	"	"	"	34	86						

2553

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated

Direction	Sec	Tw	R	E	B	M	Description	Sec	Tw	R	E	B	M	Acres
N.E. 1/4 N.W. 1/4	29	9	38	5	94		N.E. 1/4 N.E. 1/4	25	9	37				37.02
N.W. 1/4 N.W. 1/4	"	"	"	"	35.30		N.W. 1/4 N.E. 1/4	"	"	"	"	"	"	26.71
S.E. 1/4 N.W. 1/4	"	"	"	"	20.		N.E. 1/4 N.W. 1/4	"	"	"	"	"	"	25.99
S.E. 1/4 N.W. 1/4	"	"	"	"	26.		N.W. 1/4 N.W. 1/4	"	"	"	"	"	"	27.37
N.E. 1/4 S.W. 1/4	"	"	"	"	16.70		N.E. 1/4 S.W. 1/4	23	"	"	"	"	"	38.16
N.W. 1/4 S.W. 1/4	"	"	"	"	33.30		N.W. 1/4 S.W. 1/4	"	"	"	"	"	"	21.
S.W. 1/4 S.W. 1/4	19	"	"	"	1.60		S.W. 1/4 S.W. 1/4	"	"	"	"	"	"	35.64
S.E. 1/4 S.W. 1/4	"	"	"	"	99		S.E. 1/4 S.W. 1/4	"	"	"	"	"	"	24.43
S.W. 1/4 S.E. 1/4	"	"	"	"	23.15		N.E. 1/4 S.E. 1/4	"	"	"	"	"	"	28.20
S.E. 1/4 S.E. 1/4	"	"	"	"	33.35		N.W. 1/4 S.E. 1/4	"	"	"	"	"	"	31.22
N.E. 1/4 N.E. 1/4	30	"	"	"	40.		S.W. 1/4 S.E. 1/4	"	"	"	"	"	"	40.
N.W. 1/4 N.E. 1/4	"	"	"	"	40.		S.E. 1/4 S.E. 1/4	"	"	"	"	"	"	40.
S.W. 1/4 N.E. 1/4	"	"	"	"	38.16		N.E. 1/4 N.E. 1/4	26	"	"	"	"	"	13.78
S.E. 1/4 N.E. 1/4	"	"	"	"	39.45		N.W. 1/4 N.E. 1/4	"	"	"	"	"	"	10.34
N.E. 1/4 N.W. 1/4	"	"	"	"	40.		N.W. 1/4 N.W. 1/4	"	"	"	"	"	"	15.61
N.W. 1/4 N.W. 1/4	"	"	"	"	38.		N.E. 1/4 N.E. 1/4	27	"	"	"	"	"	29.47
S.W. 1/4 N.W. 1/4	"	"	"	"	"		N.E. 1/4 S.W. 1/4	22	"	"	"	"	"	34.14
S.E. 1/4 N.W. 1/4	"	"	"	"	33.63		N.W. 1/4 S.W. 1/4	"	"	"	"	"	"	20.32
N.E. 1/4 S.E. 1/4	"	"	"	"	9.73		N.E. 1/4 S.E. 1/4	"	"	"	"	"	"	29.
N.W. 1/4 S.E. 1/4	"	"	"	"	3.		N.W. 1/4 S.E. 1/4	"	"	"	"	"	"	28.77
N.E. 1/4 S.W. 1/4	24	"	37	9	10		S.E. 1/4 S.E. 1/4	"	"	"	"	"	"	39.54
N.W. 1/4 S.W. 1/4	"	"	"	"	28.54									1253.74
S.W. 1/4 S.W. 1/4	"	"	"	"	40.									
S.E. 1/4 S.W. 1/4	"	"	"	"	40.									
N.E. 1/4 S.E. 1/4	"	"	"	"	1.84									
N.W. 1/4 S.E. 1/4	"	"	"	"	0.80									
S.W. 1/4 S.E. 1/4	"	"	"	"	1.66									
S.E. 1/4 S.E. 1/4	"	"	"	"	34.86									

2553

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: This canal runs its water through the Dempsey Canal from the point of diversion to the "junction" it are 28. T. 1 S. R. 35 E. when the Dempsey Canal proper begins

Geo. H. DeCamp
Water Eng. Dec 7-11

STATE OF IDAHO,

County of.....

ss.

2553

being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this..... day of.....

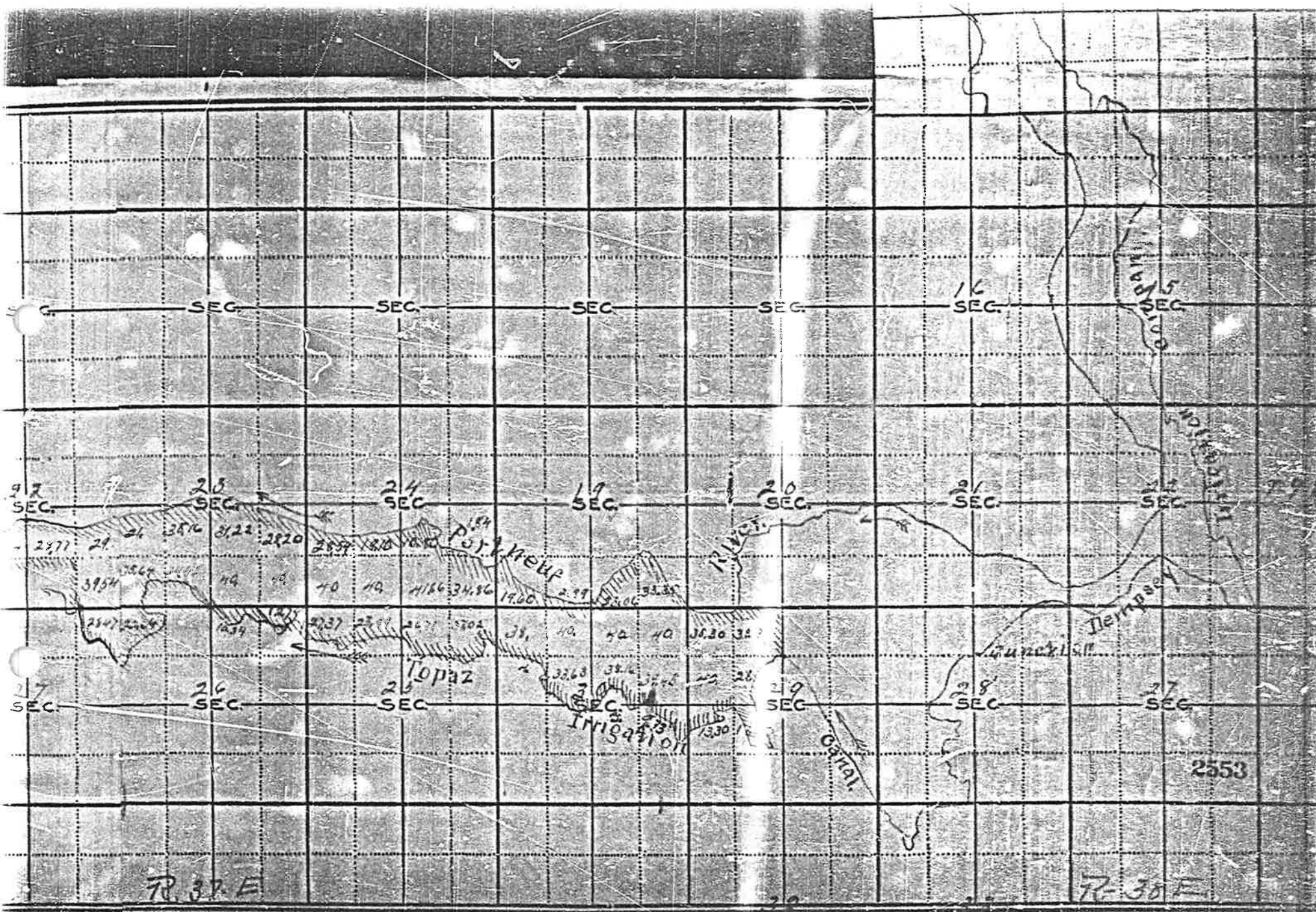
191...

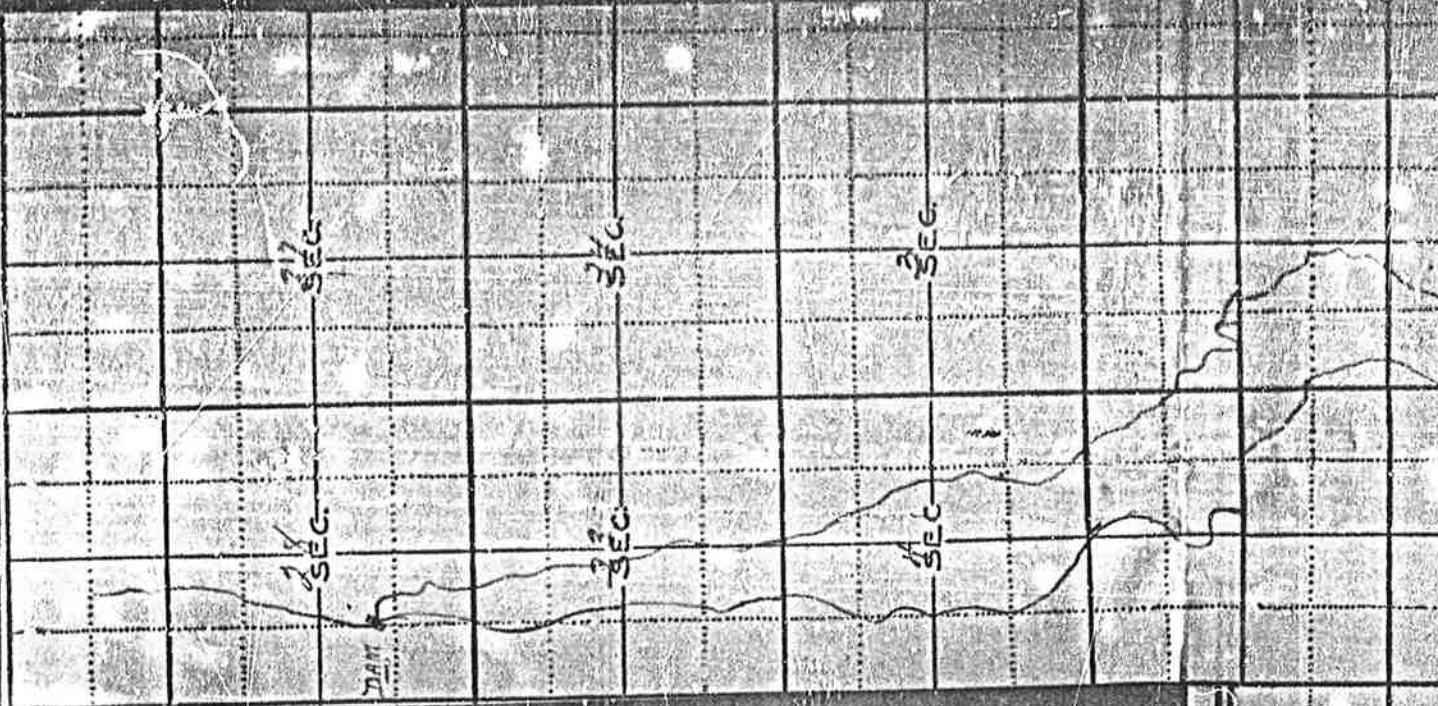
My Commission Expires.....

OFFICE OF STATE ENGINEER

Notary Public.

JUL 10 1912





JUN 08 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: A29-00037
Date Received: 4/04/1990
Receipt No: E012793
Received By: EGW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEMPSEY IRRIGATING CO. 208-776-5348
Address: C/O EARL SMITH
P.O. BOX 235
LAVA HOT SPRINGS, ID 83246 *49%*

AND

Name: TOPAZ IRRIGATION CO. 208-776-5348
Address: C/O GENE FAGNANT
P.O. BOX 293
LAVA HOT SPRINGS, ID 83246 *51%*

A2900037



2. Date of Priority: JAN 14, 1907

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08S	38E	28	SW NE SW		BANNOCK

5. Description of diverting works:
HEADGATE IN STREAM TO DELIVERY CANALS. SHARE COMMON HEADING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	7.500		

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

8. Total consumptive use is 4052.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING.

A29-00037

Page 1

Date: 04/04/90

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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	22	SW	SE		IRR	16.0
			SE	SE		IRR	32.0
			Section Acres				
		23	NE	SW		IRR	33.0
			NW	SW		IRR	21.0
			SW	SW		IRR	25.0
			SE	SW		IRR	24.0
			NE	SE		IRR	11.0
			NW	SE		IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	20.0
		Section Acres					204.0
		25	NE	NE		IRR	5.0
			SE	NE		IRR	15.0
			NE	NW		IRR	12.0
NW	NW			IRR	14.0		
Section Acres					46.0		
26	NE	NE		IRR	11.0		
	NW	NE		IRR	9.0		
	NW	NW		IRR	22.0		
Section Acres					42.0		
27	NE	NE		IRR	25.0		
	Section Acres					25.0	
38E		10	NE	NW		IRR	4.0
			NW	NW		IRR	13.0
			SW	NW		IRR	23.0
			NE	SW		IRR	8.0
			NW	SW	1	IRR	30.0
			SW	SW	2	IRR	5.0
			SE	SW		IRR	22.0
			Section Acres				
		15	NE	NW		IRR	25.0
			NW	NW	1	IRR	12.0
			SW	NW		IRR	13.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	15	NE	SW		IRR	8.0
			NW	SW		IRR	32.0
			SW	SW	2	IRR	5.0
			SE	SW	3	IRR	11.0
						Section Acres	106.0
		19	NW	SE		IRR	40.0
			SW	SE		IRR	15.0
			SE	SE		IRR	30.0
						Section Acres	85.0
		20	NE	SW		IRR	10.0
			SE	SW		IRR	23.0
			NE	SE		IRR	20.0
			NW	SE		IRR	21.0
			SW	SE		IRR	38.0
			SE	SE		IRR	29.0
						Section Acres	141.0
		21	NE	SW		IRR	5.0
			NW	SW		IRR	20.0
			SW	SW		IRR	32.0
			SE	SE		IRR	15.0
						Section Acres	72.0
		22	NW	NE	1	IRR	10.0
			SW	NE	3	IRR	25.0
			NE	NW	2	IRR	17.0
			SE	NW		IRR	1.0
			SW	SW	10	IRR	4.0
			NE	SE		IRR	1.0
			NW	SE	4	IRR	2.0
			SE	SE		IRR	12.0
						Section Acres	72.0
		23	SW	SW		IRR	1.0
						Section Acres	1.0
		26	NW	NW		IRR	2.0
						Section Acres	2.0

10. Place of Use: Continued

Township 09S	Range 38E	Section 27	1/4 NE	of 1/4 NE	Lot	Use IRR	Acres 2.0
					Section	Acres	2.0
		28	NE	NW		IRR	6.0
			NW	NW		IRR	24.0
			SW	NW		IRR	27.0
			SE	NW		IRR	10.0
			NW	SW		IRR	3.0
					Section	Acres	70.0
		29	NE	NE		IRR	40.0
			NW	NE		IRR	35.0
			SW	NE		IRR	15.0
			SE	NE		IRR	40.0
			NE	NW		IRR	23.0
			NW	NW		IRR	30.0
			SW	NW		IRR	40.0
			NE	SW		IRR	10.0
			NW	SW		IRR	16.0
					Section	Acres	249.0
		30	NE	NE		IRR	38.0
			NW	NE		IRR	26.0
			SW	NE		IRR	38.0
			SE	NE		IRR	30.0
			NE	NW		IRR	9.0
			NW	NW		IRR	34.0
			SW	NW		IRR	25.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	6.0
			NE	SE		IRR	33.0
			SE	SE		IRR	26.0
					Section	Acres	345.0
		33	NE	NW		IRR	6.0
					Section	Acres	6.0
					Total	Acres	1621.0

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11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
29-00036, 00180, 00147

14. Remarks:

AMT. OF 32CFS AS PER MEMORANDUM DECISION #2203.

*** BOTH CANAL COMPANIES SHARE THESE RIGHTS. THEY ARE DELIVERED THROUGH A COMMON CANAL SYSTEM. COMPANIES ARE RESPONSIBLE FOR DELIVERY OF WATER TO SHARE HOLDERS. THE FISH CREEK IRRIGATING COMPANY ALSO USES THIS DELIVERY SYSTEM.

51% OF THIS RIGHT BELONGS TO TORAZ IRRIGATION COMPANY

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 7/01/1921

UNION GRAIN & ELEVATOR CO.

Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.

Decree Defendant

MAP FILED

wp

A 29-00036

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NOV 13 1992

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NOV 13 1992

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 Organizations:

I do solemnly swear or affirm that I am SECRETARY of
Title
TOPAZ IRRIGATION Co., that I have signed the foregoing
Organization
document in the space below as SECRETARY of
Title

TOPAZ IRRIGATION Co. and that the statements contained in the
Organization
foregoing document are true and correct. Gene Fagnant
Signature of Authorized Agent

SECRETARY, TOPAZ IRRIGATION Co.
Title and Organization

4-4-90
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of April 19 90
Notary Public

Seal

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

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 Organizations:

I do solemnly swear or affirm that I am SECRETARY of
Title
DEMPSEY IRRIGATING Co., that I have signed the foregoing
Organization
document in the space below as SECRETARY of
Title
DEMPSEY IRRIGATING Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Earl H. Smith
Signature of Authorized Agent

SECRETARY, DEMPSEY IRRIGATING Co.
Title and Organization

4-4-90
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of April 19 90

[Signature]
Notary Public

Seal

Residing at State Falls, ID.
My Commission Expires 22 Aug 1994