

03/04/2003

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

RIGHT NUMBER: 29-180

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

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 13.440 CFS

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T09S R38E S33 SENWNW Within BANNOCK County Source: DEMPSEY CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	13.440 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:

861.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 861.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-36, 29-37, 29-180, 29-11773.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 672 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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

EXPLANATORY MATERIAL: Decreed

03/04/2003

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

TOPAZ IRRIGATION CO. OWNS 51% OF DEMPSEY-TOPAZ CANAL SYSTEM. FISH CREEK IRRIGATING CO. IS ALSO CARRIED IN THIS SAME CANAL SYSTEM FROM FISH CK 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.

ADDITIONAL WATER FROM WATER RIGHTS 29-36, 29-37, AND 29-11773 IS DELIVERED THROUGH DEMPSEY-TOPAZ CANAL SYSTEM UNTIL INJECTED INTO DEMPSEY CREEK AND REDIVERTED.

02/05/2003

IDAHO DEPARTMENT OF WATER RESOURCES
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PLACE OF USE:

LARGE PLACE OF USE

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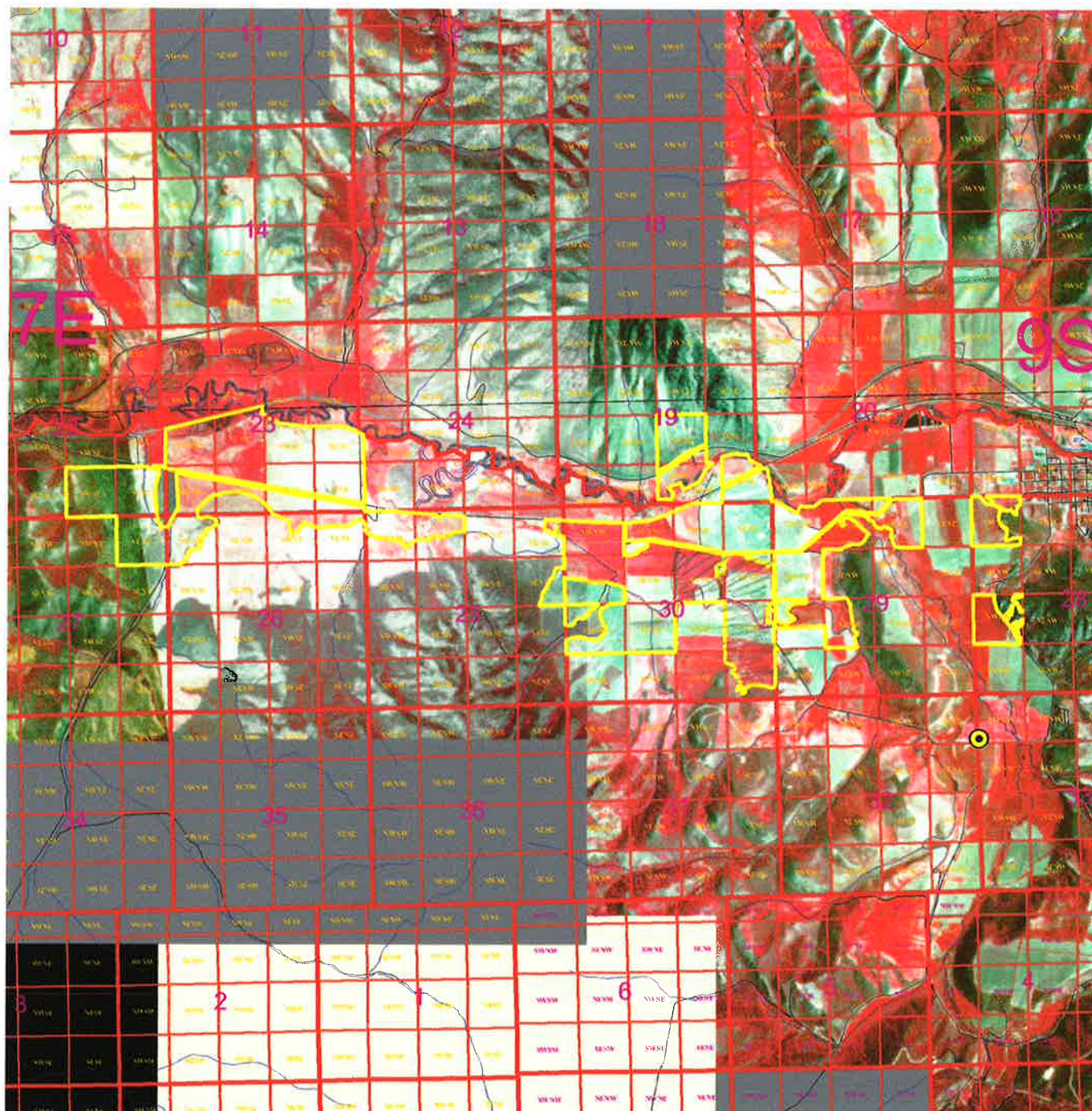
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Water Right Claim Number A29-00180

08/08/2000

Townships , 9S38E, 9S37E





Irrigated Area



Section Line



Roads



Place of Diversion



Quarter Section Line



Streams and Canals



2000 0 2000 4000 Feet



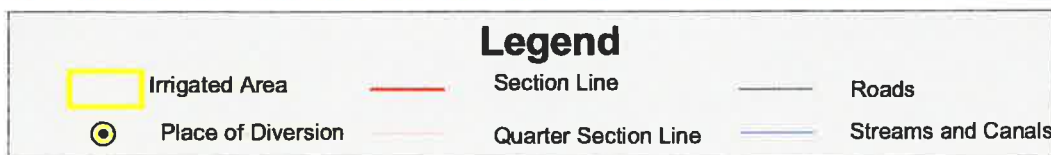
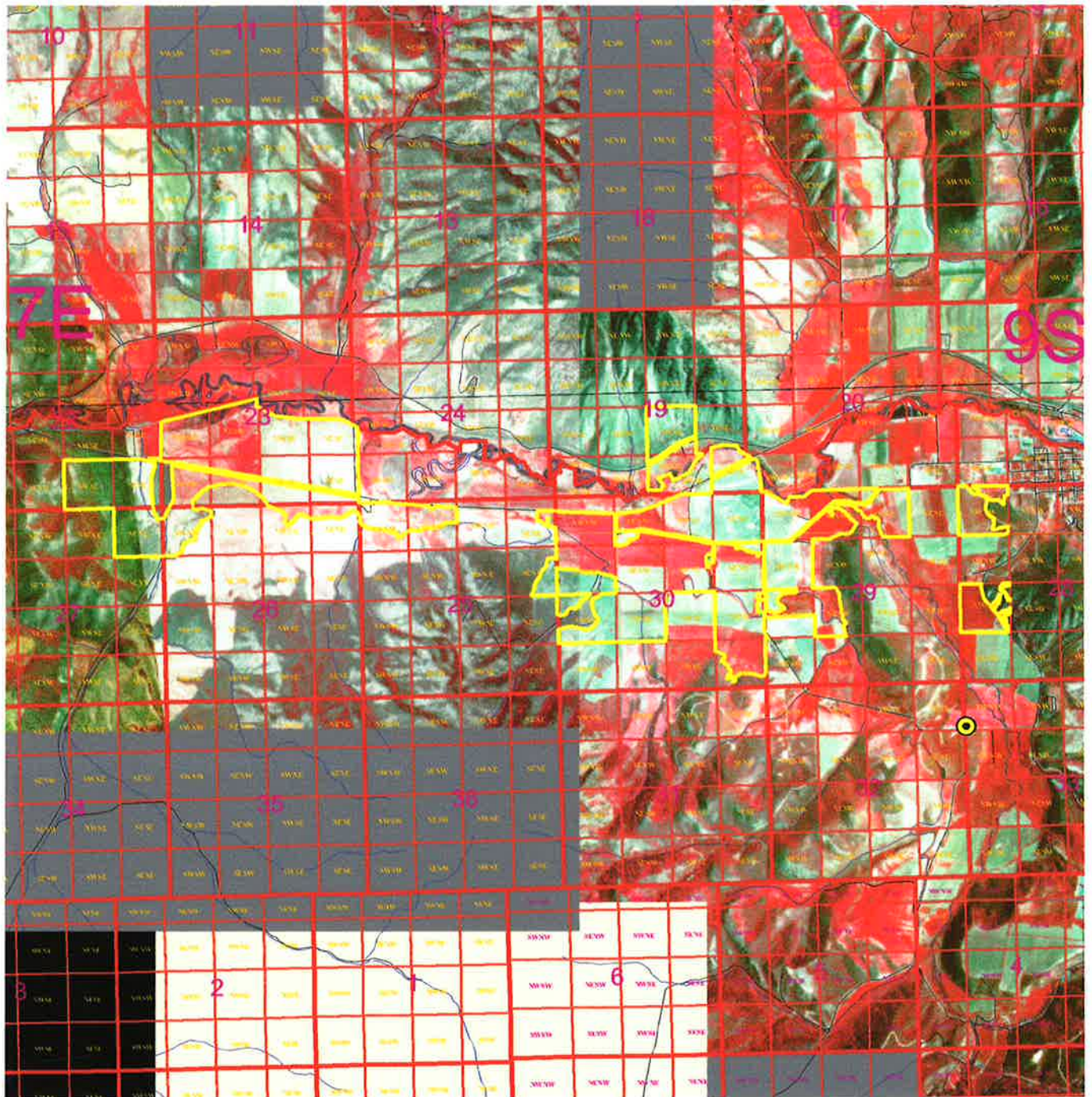
PROFILED

SCANNED
JUL 07 2005

Water Right Claim Number A29-00180

08/08/2000

Townships , 9S38E, 9S37E



2000 0 2000 4000 Feet

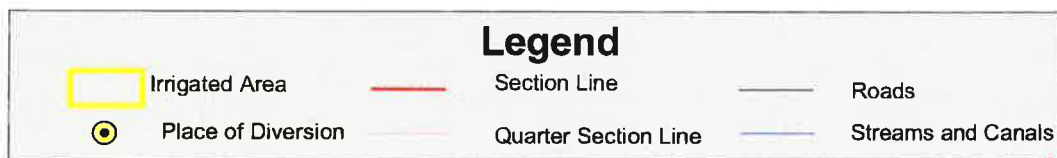
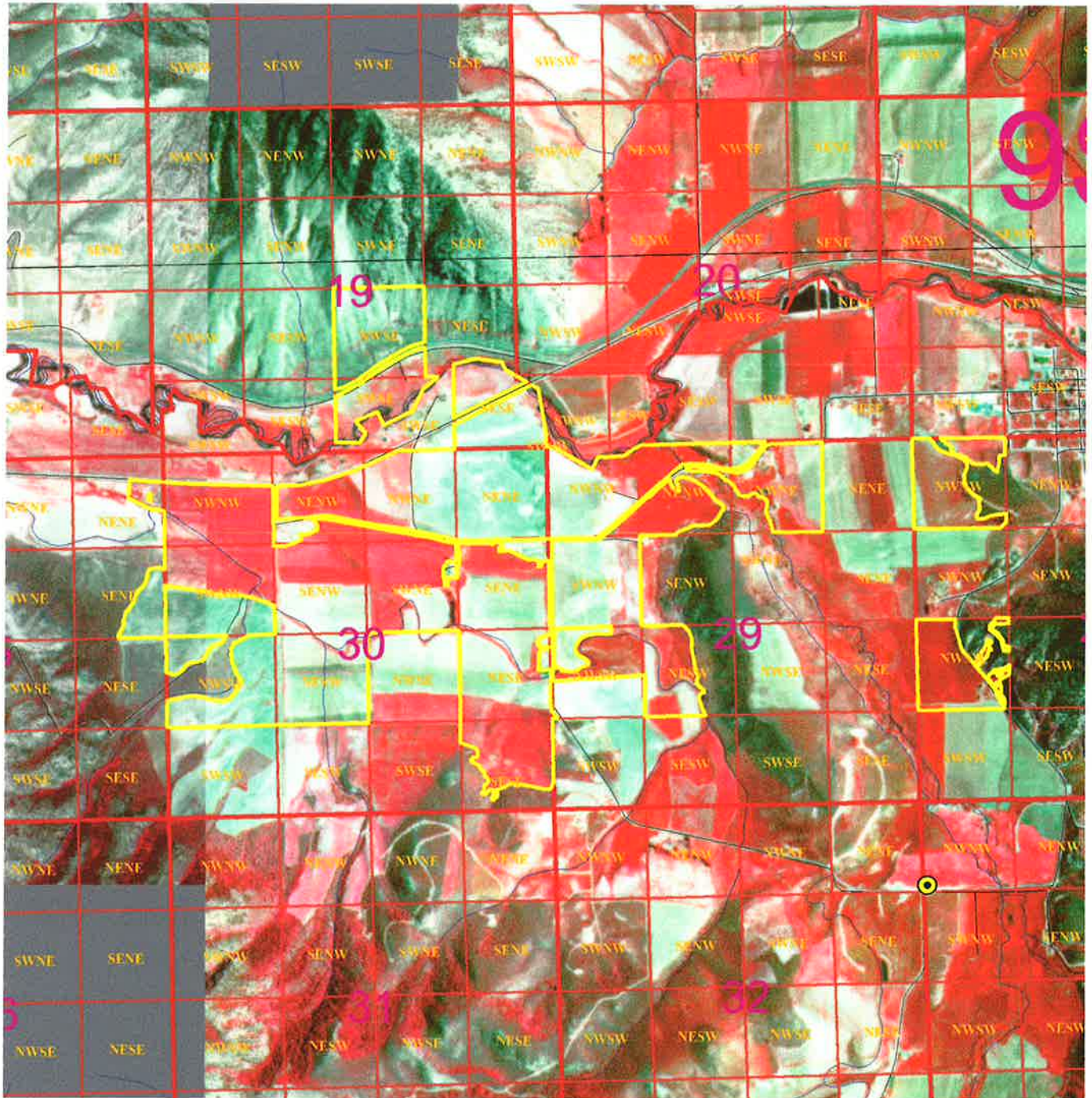


PROFILED

Water Right Claim Number A29-00180

08/08/2000

Townships , 9S38E, 9S37E



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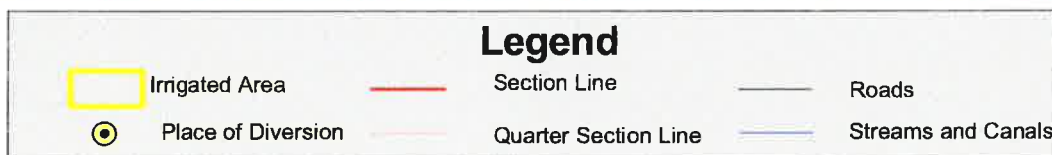
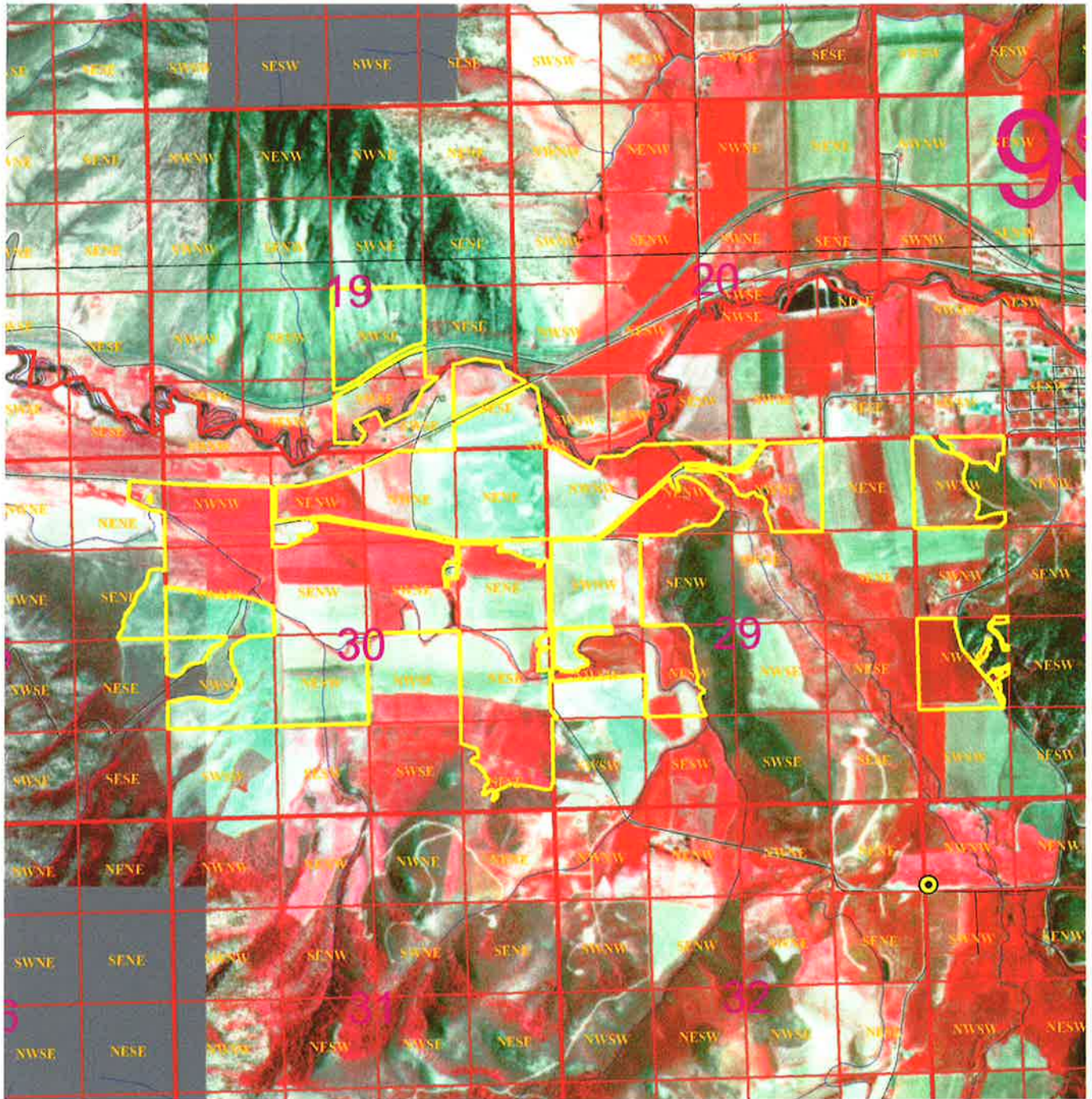
JUL 07 2005

PROFILED

Water Right Claim Number A29-00180

08/08/2000

Townships , 9S38E, 9S37E



2000 0 2000 4000 Feet

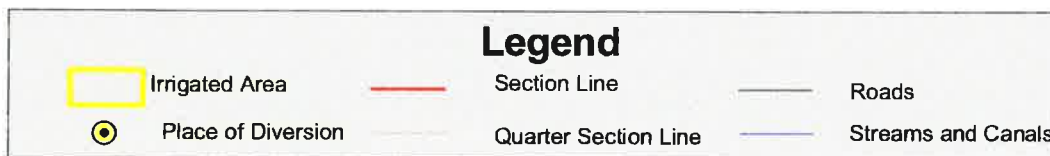
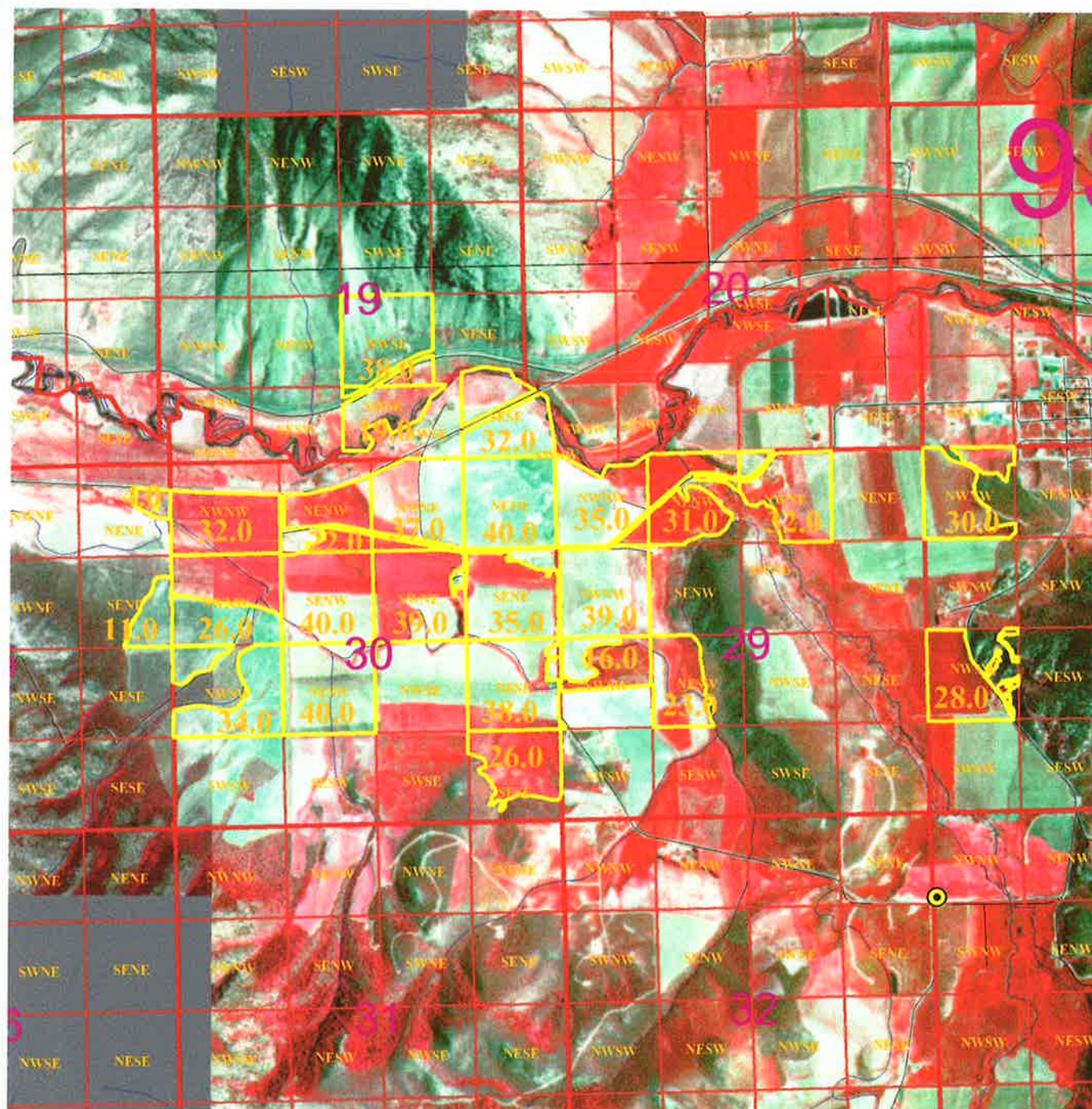
PROFILED

SCANNED
JUL 07 2005

Water Right Claim Number A29-00180

08/08/2000

Townships , 9S38E, 9S37E



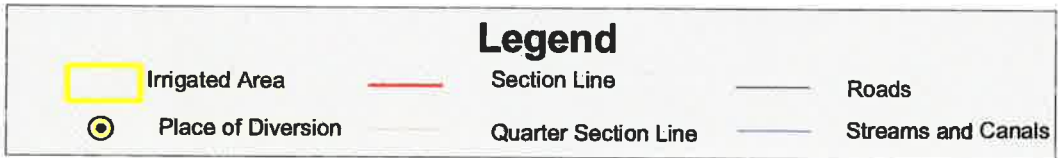
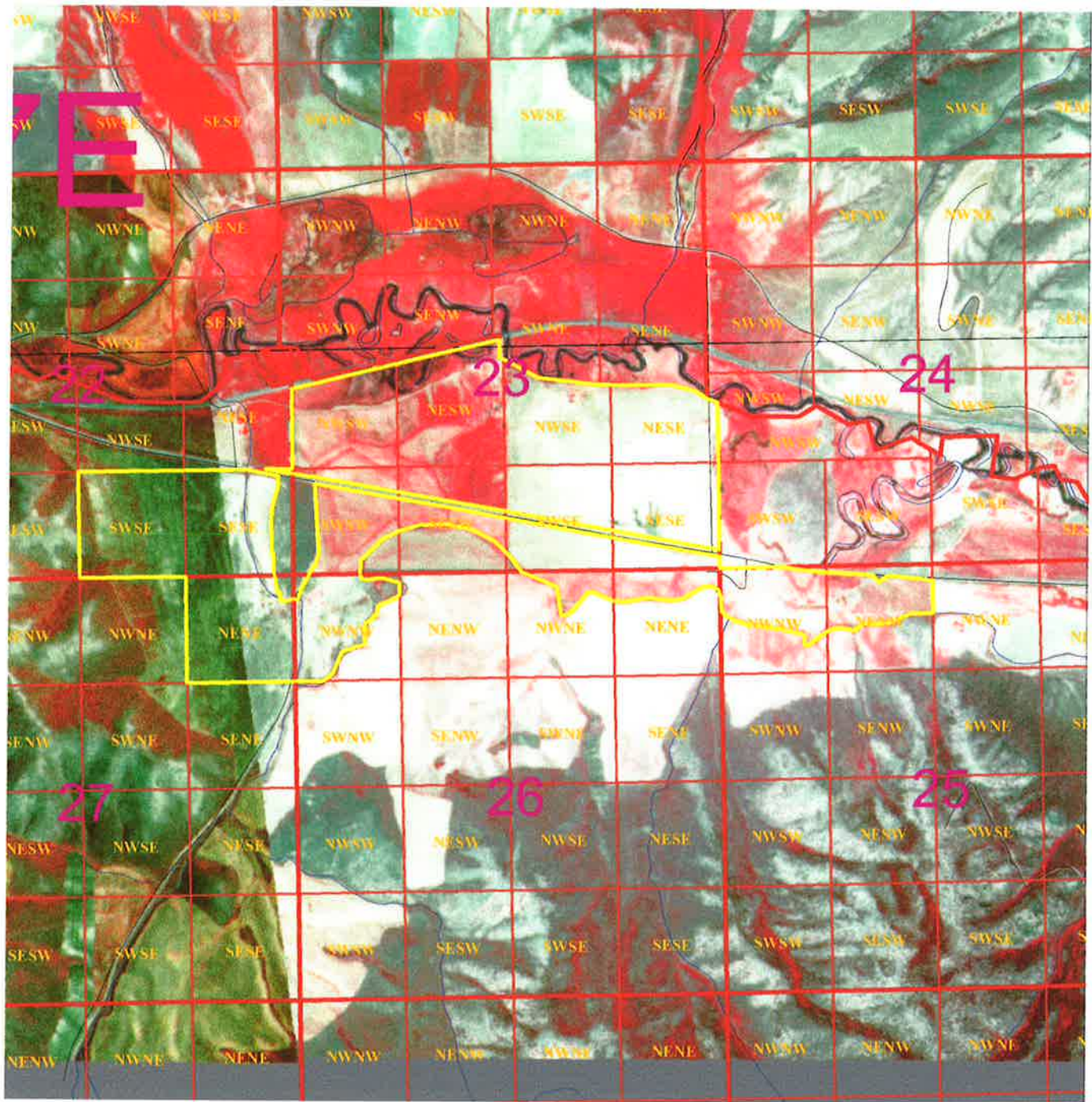
2000 0 2000 4000 Feet



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JUL 07 2005

Townships , 9S38E, 9S37E



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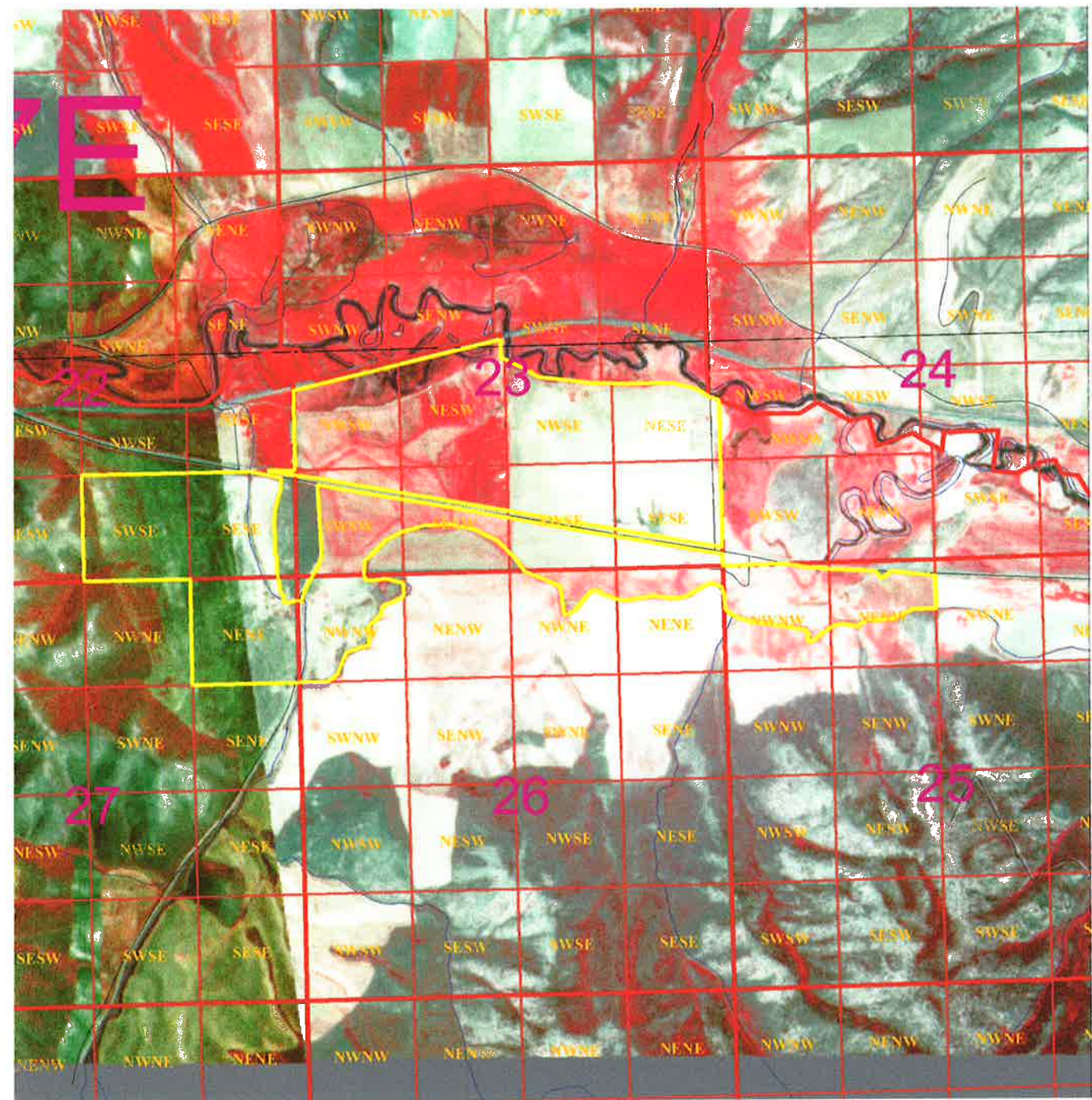
JUL 07 2005

FILED

Water Right Claim Number A29-00180

08/08/2000

Townships , 9S38E, 9S37E





Irrigated Area



Section Line



Roads



Place of Diversion



Quarter Section Line



Streams and Canals



PROFILED

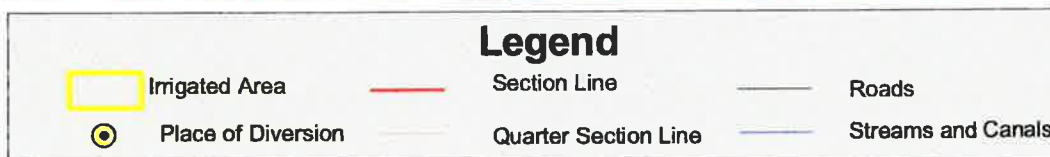
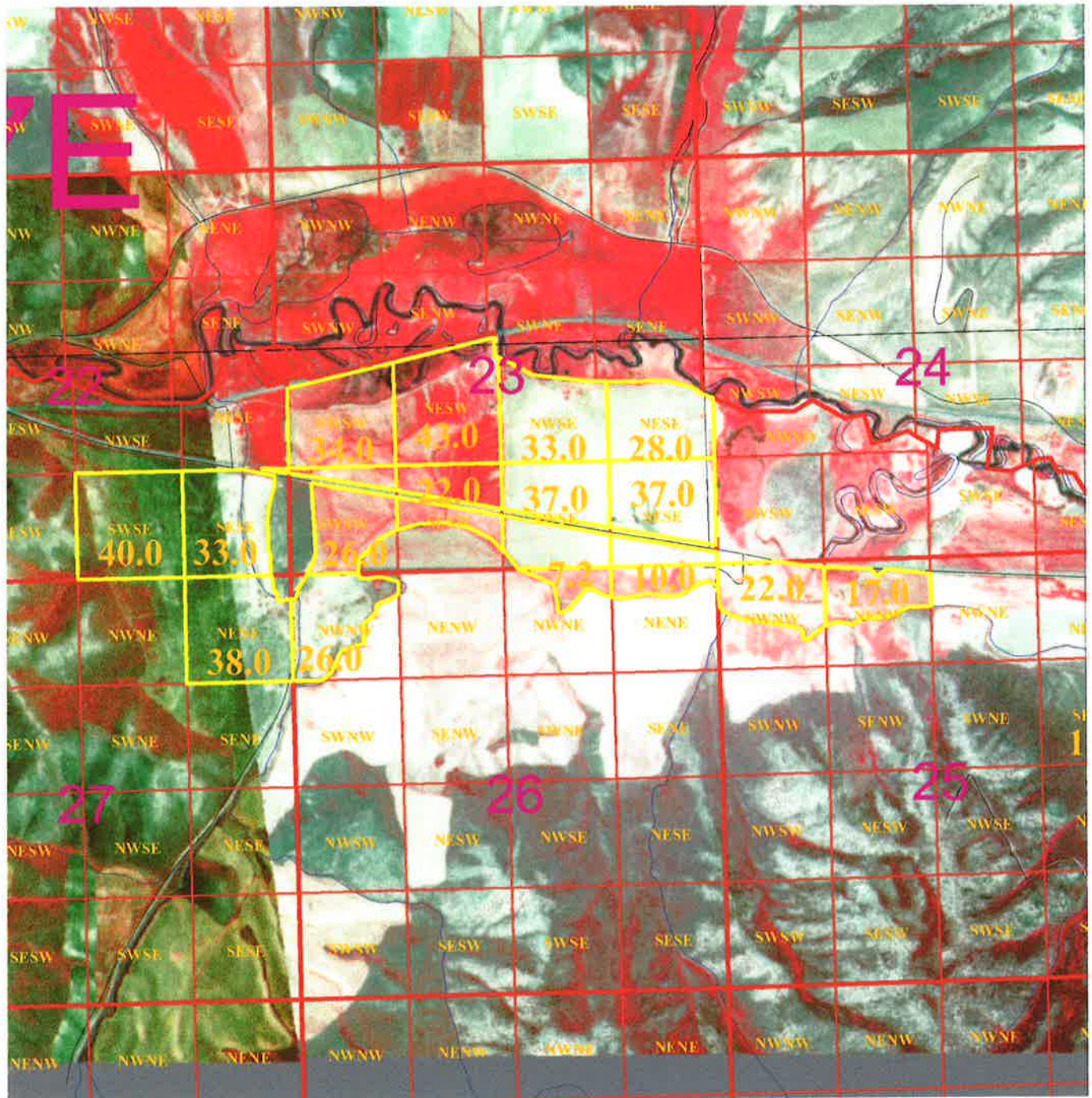
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JUL 07 2005

Water Right Claim Number A29-00180

08/08/2000

Townships , 9S38E, 9S37E



2000 0 2000 4000 Feet

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JUL 07 2005

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

RIGHT NUMBER: 29-180

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C/O GENE FAGNANT
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TRIBUTARY: PORTNEUF RIVER

QUANTITY: 13.440 CFS

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DIVERSION: T09S R38E S33 SENWNW Within BANNOCK County

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PLACE OF USE:

861.3 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.

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Place of use is within the area served by the Topaz Irrigation 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 RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT #29.

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 IRRIGATING CO. IS ALSO CARRIED IN THIS SAME CANAL SYSTEM FROM FISH CK POINT OF DIVERSION TO NESENW SEC.28 T9S R38E WHERE IT IS SPLIT OFF THE CANAL SYSTEM AND BECOMES ITS OWN ENTITY.

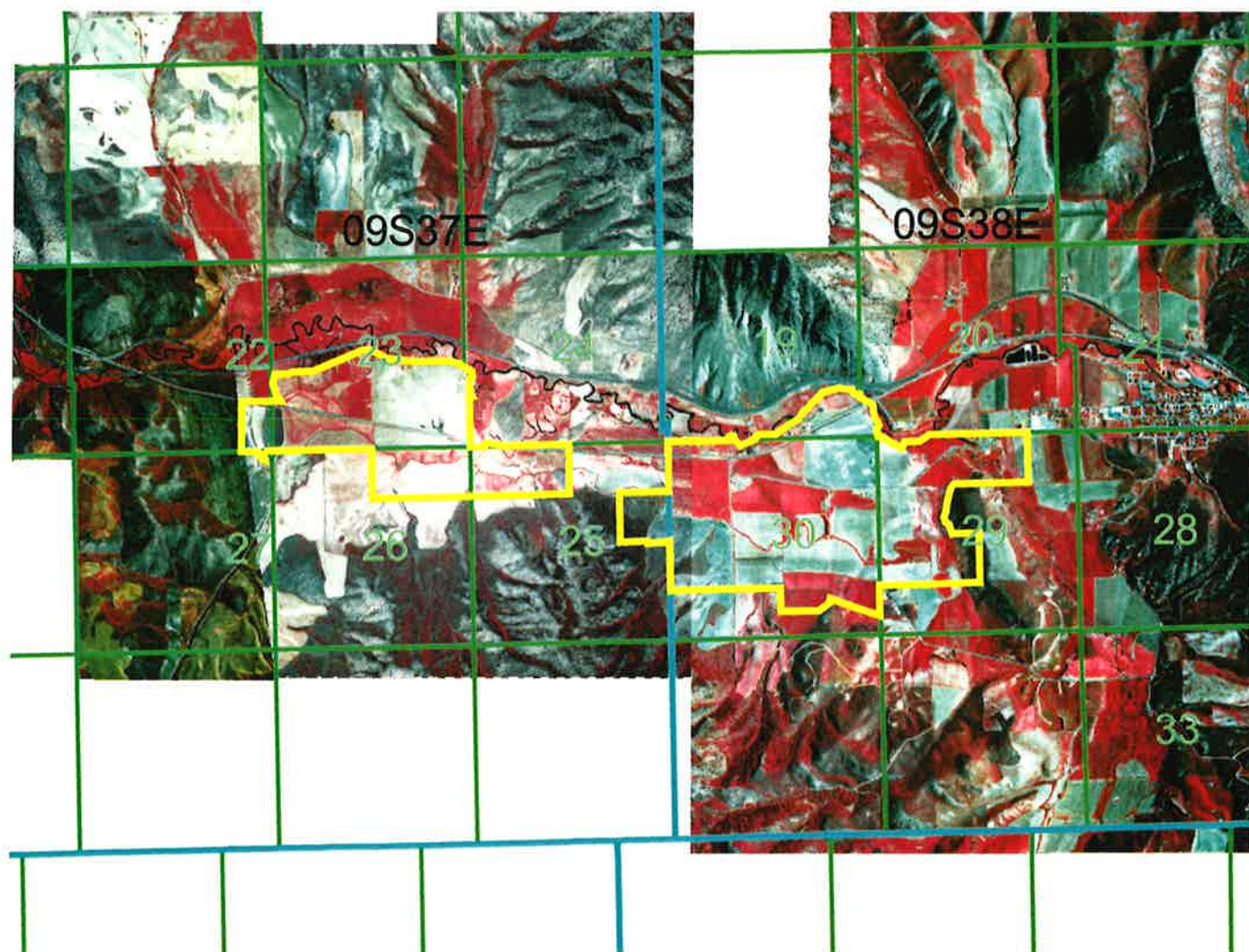
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Department of Water Resources

Topaz Irrigation Co



0 1 2 3 Miles

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-  Company boundary.shp
-  Townships
-  Sections



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

02/18/2003

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: 29-180

TOPAZ IRRIGATION CO

C/O GENE FAGNANT

PO BOX 293

LAVA HOT SPRINGS ID 83246

Telephone Number: (208) 776-~~5348~~ 776-5289

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: 3-2-03

SIGNATURE:

Topaz Irrigation Co. by Gene Fagnant

Please print your name: Topaz Irrigation Co. by Gene Fagnant

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

Done
3/4/03
[Signature]

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JUL 07 2005

Contacts Data Entry Form

29-180

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	TOPAZ Irrig Co.					
Name connector: and	, or , and/or					
Current Owner	% GENE FAGNANT					
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: GENE Phone Number: _____Relationship to Claimant: Rep.Date of Field Exam: 9/12/01 Time: _____

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

DECREED UNDER Union GRANT AND ELEVATOR VS
McCannon, 1932TOPAZ Irrigation owns 51% of DEMPSEY-TOPAZ
CANAL- And, Fish Ck Pump is CARVED IN
SAME CANAL FROM Fish Ck (POD) TO N6SENW
SEC. 28 T9S R38E

Remark

This Pt USED PERMISSIBLE PLATS OF 160 WITH
29-37, 29-36, 29-11773.

Remark

Reviewer: _____

Date: _____

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JUL 07 2005

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 04/01/1883 Claimed Basis: Dec.Recommended Priority Date: 04/01/1883 Recommended Basis: Dec.☐ 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:

Matchos DESCRIBES

Reviewer: _____

Date: _____

PROFILE

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JUL 07 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 95, R 388, Sec. 33, (SW, NW, NW). County: BannockSource: Dompson Cr Tributary: Pontnout Riv.

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>95</u>	<u>388</u>	<u>33</u>		<u>SENNWNW</u>	<u>Bann</u>	<u>Dompson Cr</u>
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

TRIB
Pontnout Riv.

Other rights from this POD? _____

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

POD DISCREPANCY AS NW NW SEC. 33 95/388, Dompson Cr
CLAIM ERROR BY SWNNWNW ⇒ Actually SENNWNW
ON THE GOLF COURSE.

Transfers Changing POD _____

Reviewer: _____

Date: _____

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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

Total Acres _____

Document how the POU was verified:

See GDS - Largo POU AC + Boundary
 Claims 927⁰ AC ⇒ GDS POU shows 861³ AC.

@ 13⁴⁴ cts ÷ 0.02 cts/ac = This Pt. is limited to 672⁰ AC
 w/ POU. However, THERE POU w/ ALL TOPAZ RIGHTS.

Remark
 Ac Limits

Transfers Changing POU _____

Reviewer: _____

Date: _____

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 JUL 07 2005

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ 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
<i>Panig</i>	<i>4/15</i>	<i>9/15</i>	<i>13.44</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Panig</i>	<i>4/15</i>	<i>9/15</i>	<i>13.44</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

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

RECOMM AS DESCRIBED
ALSO CLAIMS INCIDENTAL STOCKWATER → NOT SO DESCRIBED!

Reviewer: _____

Date: _____

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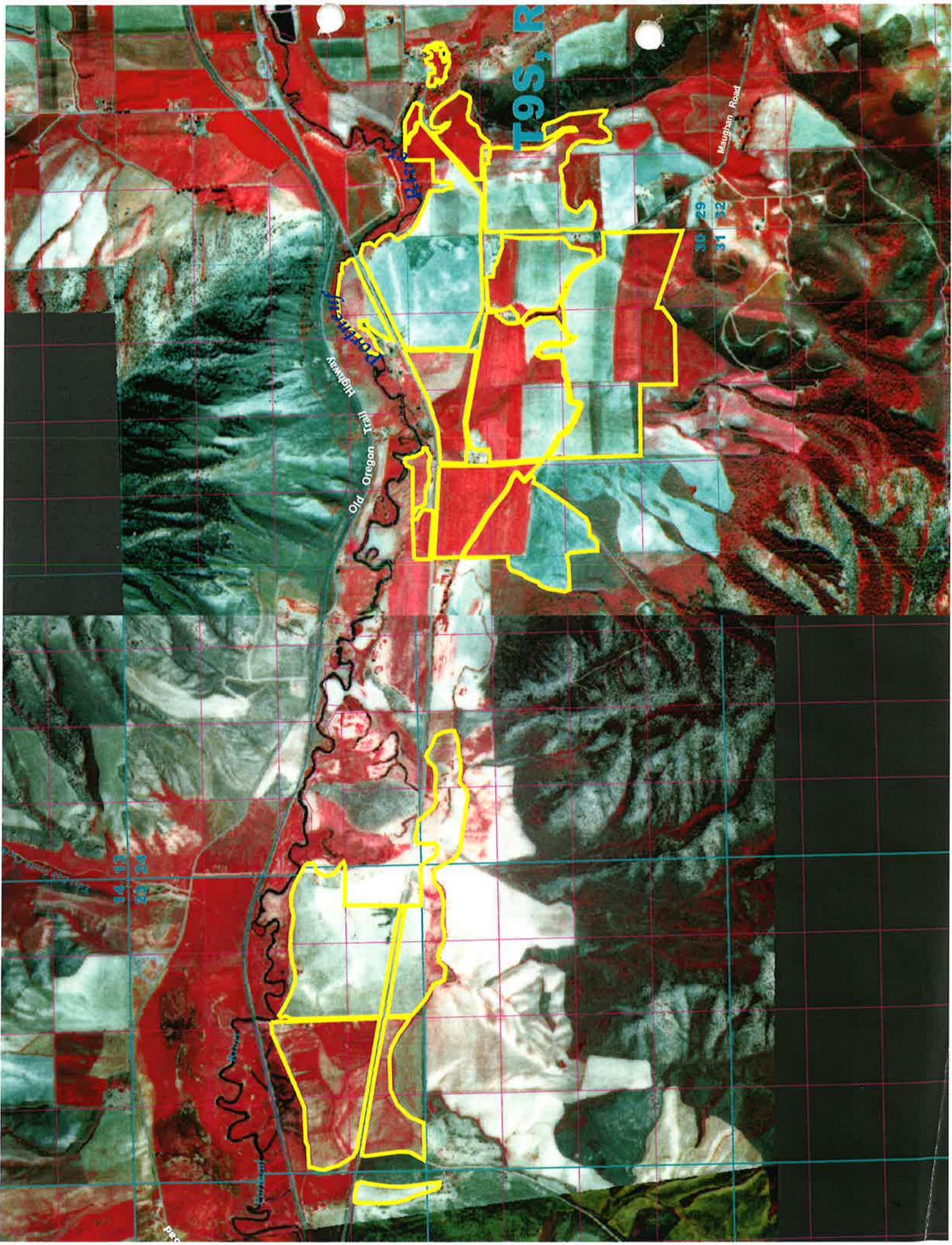


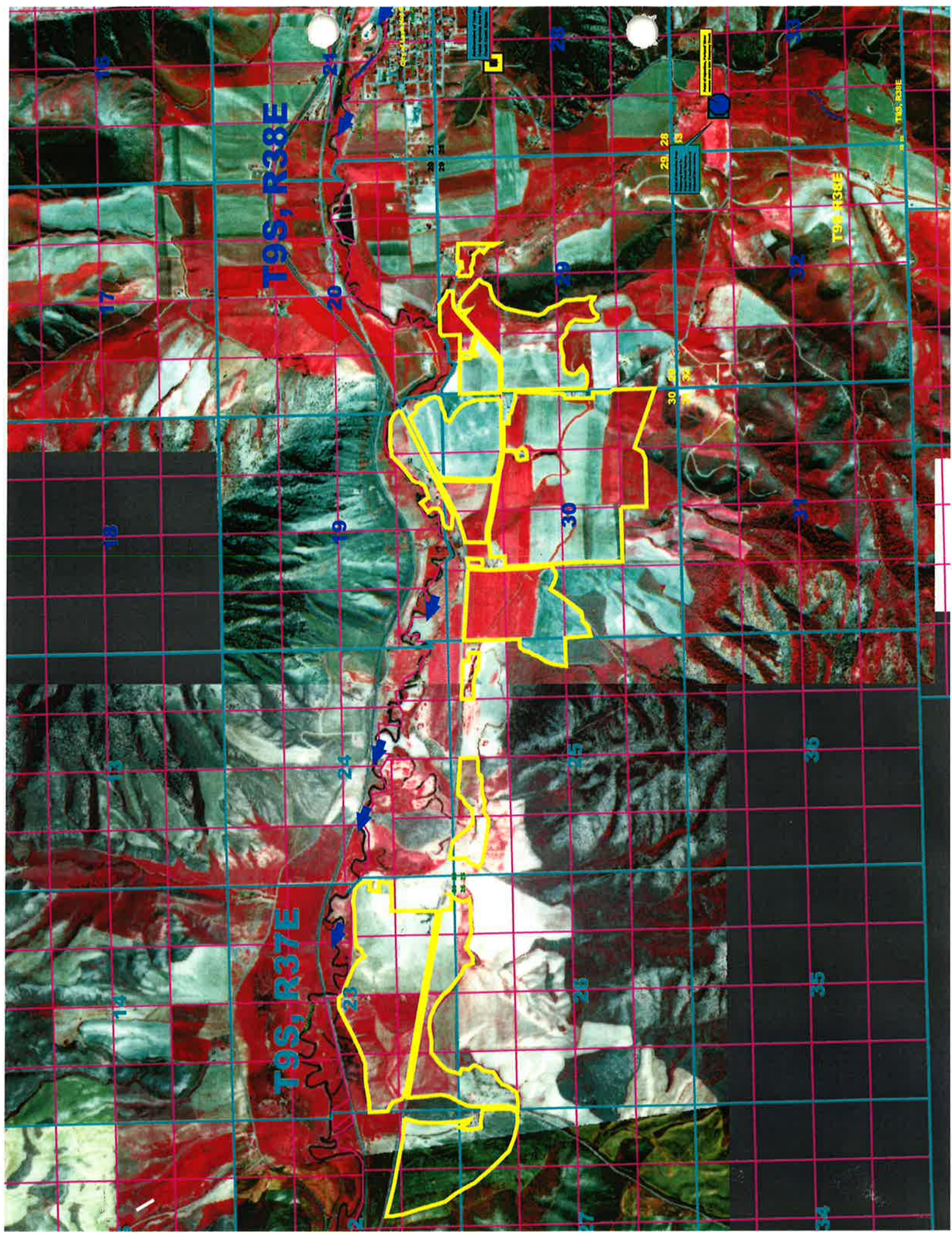
Shows SPLITTER OF
Fish Cr Canal From
Dumpsby Topaz
@ NESENW Sec. 28
T9S, R38E.

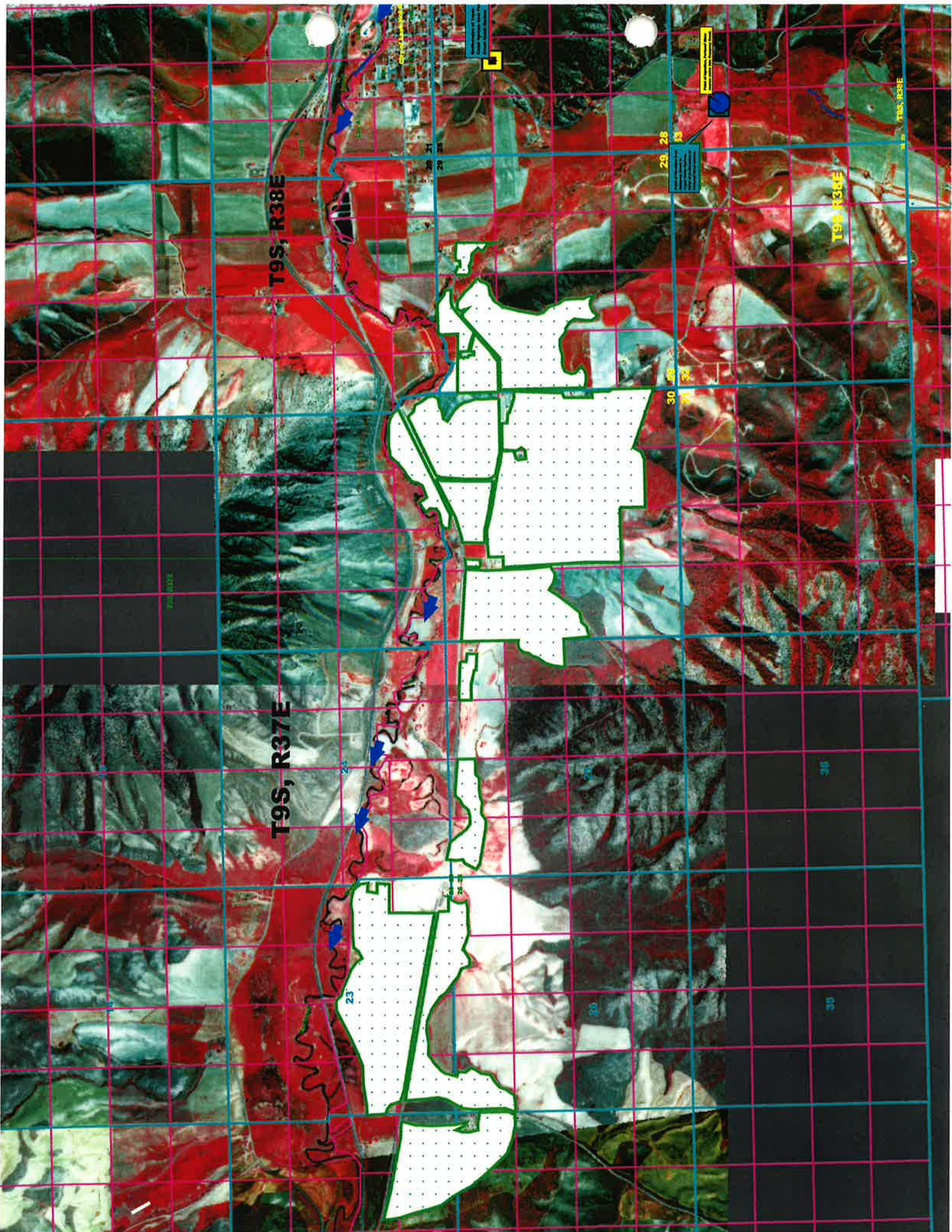


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JUL 07 2005







APPENDAGE TO THE FILING OF WATER OF

*Topaz Irrigation Co.
Gene Yaguant, Sec.*

Our present decreed water rights are jeopardized by

1. Illegal loss free transportation of storage water in the river channel. We ask the adjudication process to correct this situation by requiring the users of the storage water to stand the loss or require all the water users in the river district to share in the loss on a percentage basis according to the cubic feet of water they have decreed to them.
2. Many years after established use rights and decreed rights numerous wells have been allowed in the upper basin area, draining the aquifer. We ask an in depth study be made to determine the affect on the river flow before a decision is made.

Historically the amount of our water has been cut down during the irrigation season because there is not enough water to fill all the rights. Of necessity we have used the water at any time during the non irrigating season in any amount needed first come first serve down the river. We request this use right recognized and established as a legitimate water right.

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**SCANNED
JUL 07 2005**

**MICROFILMED
NOV 13 1992**

Log for claim A29-00180

Spatial Dynamics AMH

8/8/00

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	
09s37e	23	SWSW	25	26	
09s37e	23	SESW	24	22	
09s37e	23	NESE	11	28	
09s37e	23	NWSE	30	33	
09s37e	23	SWSE	40	37	
09s37e	23	SESE	20	37	
09s37e	25	NENE	5	4	Indiscernible
09s37e	25	SENE	15	11	
09s37e	25	NENW	12	17	
09s37e	25	NWNW	14	22	
09s37e	26	NENE	11	10	
09s37e	26	NWNE	9	7.2	
09s37e	26	NWNW	22	26	
09s37e	27	NENE	25	38	
09s38e	19	NWSE	40	38	
09s38e	19	SWSE	15	19	Indiscernible
09s38e	19	SESE	30	32	
09s38e	28	NWNW	3	30	
09s38e	28	NWSW	3	28	
09s38e	29	NWNE	10	32	
09s38e	29	NENW	23	31	
09s38e	29	NWNW	30	35	
09s38e	29	SWNW	40	39	
09s38e	29	NESW	10	23	
09s38e	29	NWSW	16	16	
09s38e	30	NENE	38	40	Indiscernible
09s38e	30	NWNE	26	37	
09s38e	30	SWNE	38	39	
09s38e	30	SENE	30	35	
09s38e	30	NENW	9	22	
09s38e	30	NWNW	34	32	
09s38e	30	SWNW	25	26	
09s38e	30	SENE	40	40	
09s38e	30	NESW	40	40	
09s38e	30	NWSW	6	34	
09s38e	30	NESE	33	38	Indiscernible
09s38e	30	SESE	26	26	
Totals:			930	1200.2	

PROFILE

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JUL 07 2005

SPATIAL
DYNAMICS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 26, 2000

Topaz Irrigation Company
Gene Fagnant
P O BOX 293
Lava Hot Springs, ID 83246

Subject: Topaz Irrigation Company Service Area

Dear Gene;

I received the map of the service area boundary. Please take a look at the boundary enclosed. If this boundary is right, call me and let me know. If I still need to make adjustments, indicate them and send the map back to me. I am keeping the map you sent for our records. If you need the map back, let me know and I will send it back to you. Thanks again for your cooperation.

If you have any questions, please don't hesitate to call me at (208) 327-7998.

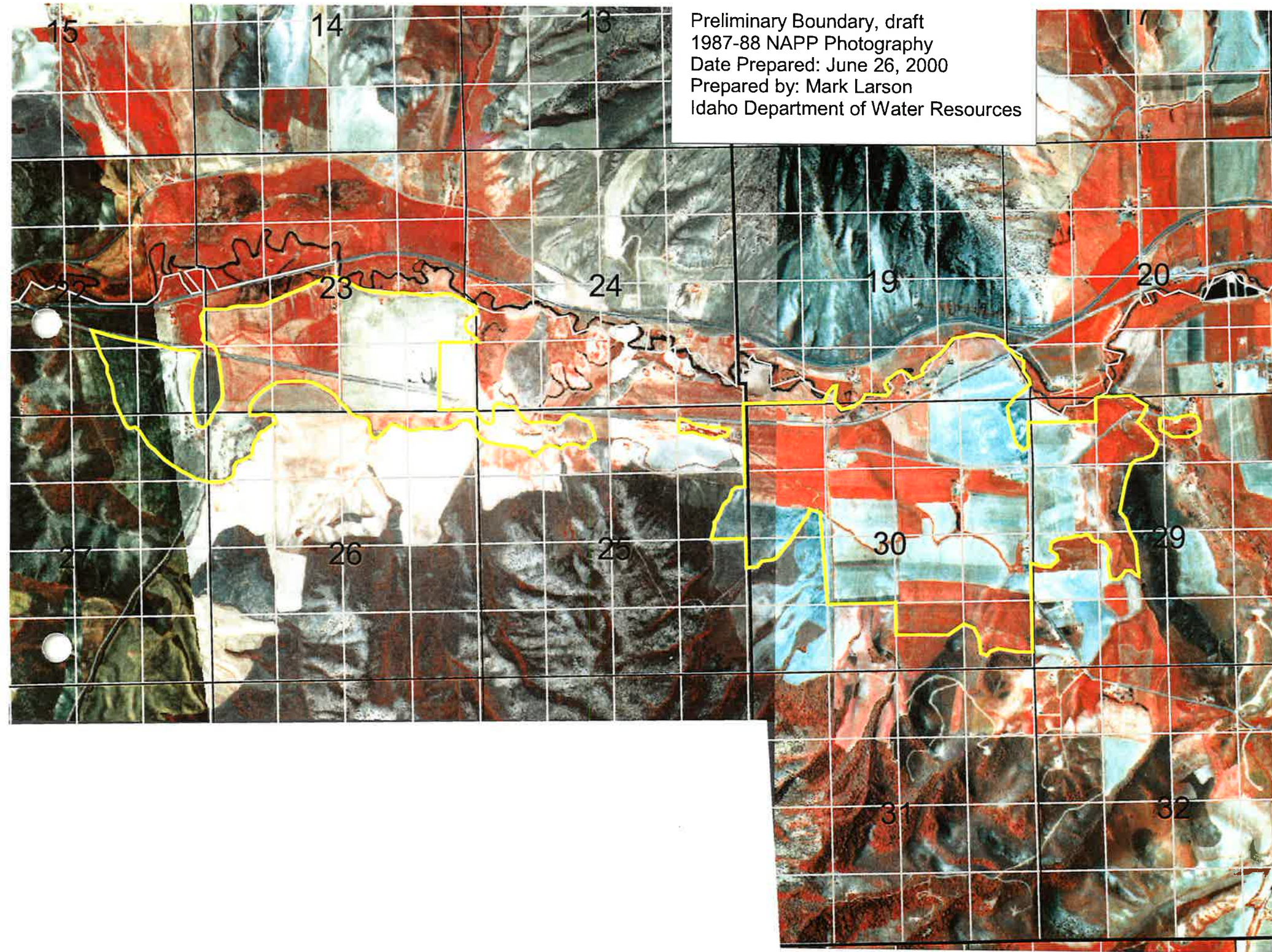
Sincerely,

Mark Larson
GIS Specialist
Adjudication Technical Section

PROFILE

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JUL 07 2005

Preliminary Boundary, draft
1987-88 NAPP Photography
Date Prepared: June 26, 2000
Prepared by: Mark Larson
Idaho Department of Water Resources



TOPAZ IRRIGATION COMPANY
P O BOX 293
LAVA HOT SPRINGS, IDAHO 83246

June 19, 2000

Mr. Mark Larsen
Idaho Department of Water Resources
1301 No. Orchard
Boise, Idaho 83706

Dear Sir:

Enclosed is a copy of the map which shows quite accurately the extent of the Topaz Irrigation Company canal and the land watered from it. As explained in our phone conversation, what is known as Dempsey Irrigating Company takes water from the Portneuf River approximately eight miles north of Lava Hot Springs. The Topaz system starts at a junction where the red line first appears on the map.

At the time of our appointment with the Idaho Falls office of Idaho Department of Water Resources for Snake River Adjudication, the local users paid for and claimed 927 acres of land to be irrigated. There have been a few minor changes and the amount of land would probably be closer to 800 acres.

If you don't have a decree copy they are available at the Idaho Falls office.

The entire system known as Dempsey-Topaz Irrigation Company has 32 cfs from the Portneuf River with priority date of April 18, 1898. In addition Topaz has 13.44 cfs with priority date of April 1, 1883. This is diverted from Dempsey Creek at the encircled point on the map.

I hope this is the information you wanted. If I can be of further assistance, please let me know.

Sincerely,

Gene Fagnant
Gene Fagnant,
Secretary-Treasurer

SCANNED

JUL 07 2005

PROFILE

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: A29-00180
Date Received: 4/04/1990
Receipt No: EO/2794
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: APR 01, 1883

3. Source: DEMPSEY CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	33	SW	NW	NW		BANNOCK

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	13.440		

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

8. Total consumptive use is 2317.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	37E	22	SW	SE		IRR	16.0
			SE	SE		IRR	32.0

Section Acres 48.0

A29-00180

Page 1

Date: 04/04/90

MICROFILMED

NOV 13 1992

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	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	19	NW	SE		IRR	40.0
			SW	SE		IRR	15.0
			SE	SE		IRR	30.0
						Section Acres	85.0
		28	NW	SW		IRR	3.0
						Section Acres	3.0
		29	NW	NE		IRR	10.0
			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	129.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	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

WZSB (CASPENSON Prop)
Section Acres 345.0

Total Acres 927.0

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:
29-00037, 00036,

14. Remarks:
COMPANY IS RESPONSIBLE FOR DELIVERY OF WATER TO SHAREHOLDERS.

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

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 Organizations:

I do solemnly swear or affirm that I am Secretary of Topaz Irrigation Co., that I have signed the foregoing document in the space below as Secretary of Topaz Irrigation Co. and that the statements contained in the 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 Donnerville)
SS.

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

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994