

03/19/2003

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

RIGHT NUMBER: 29-412

NAME AND ADDRESS: DIAMOND T RANCH LLC
1705 N HWY 38
BRIGHAM CITY UT 84302

SOURCE: GARDEN CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.375 CFS

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION:

T10S R36E S7 NWNW Lot 1 Within BANNOCK County Source: GARDEN CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.375 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R36E S05	NESW	40.0	T10S R36E S05	SESW	30.0
T10S R36E S05	NWSE	40.0			

110 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 110 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00385, 29-00386,
29-00412, 29-00413

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

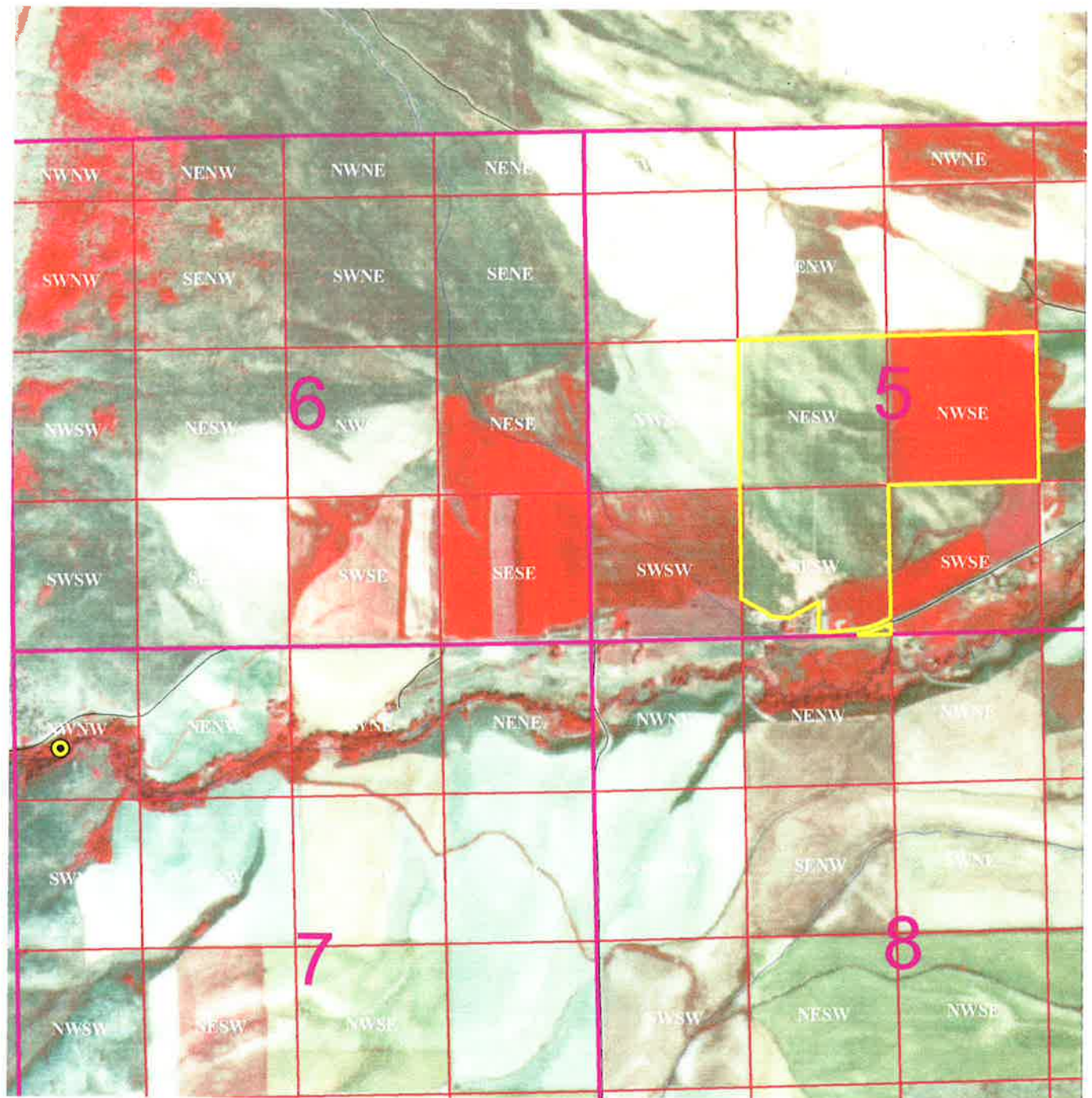
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

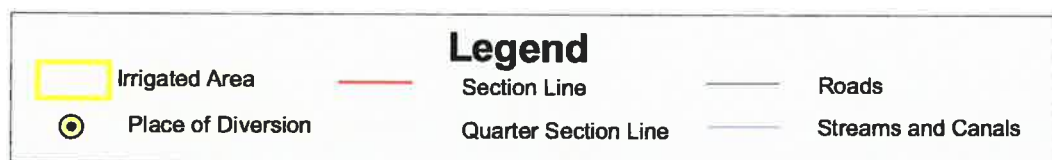
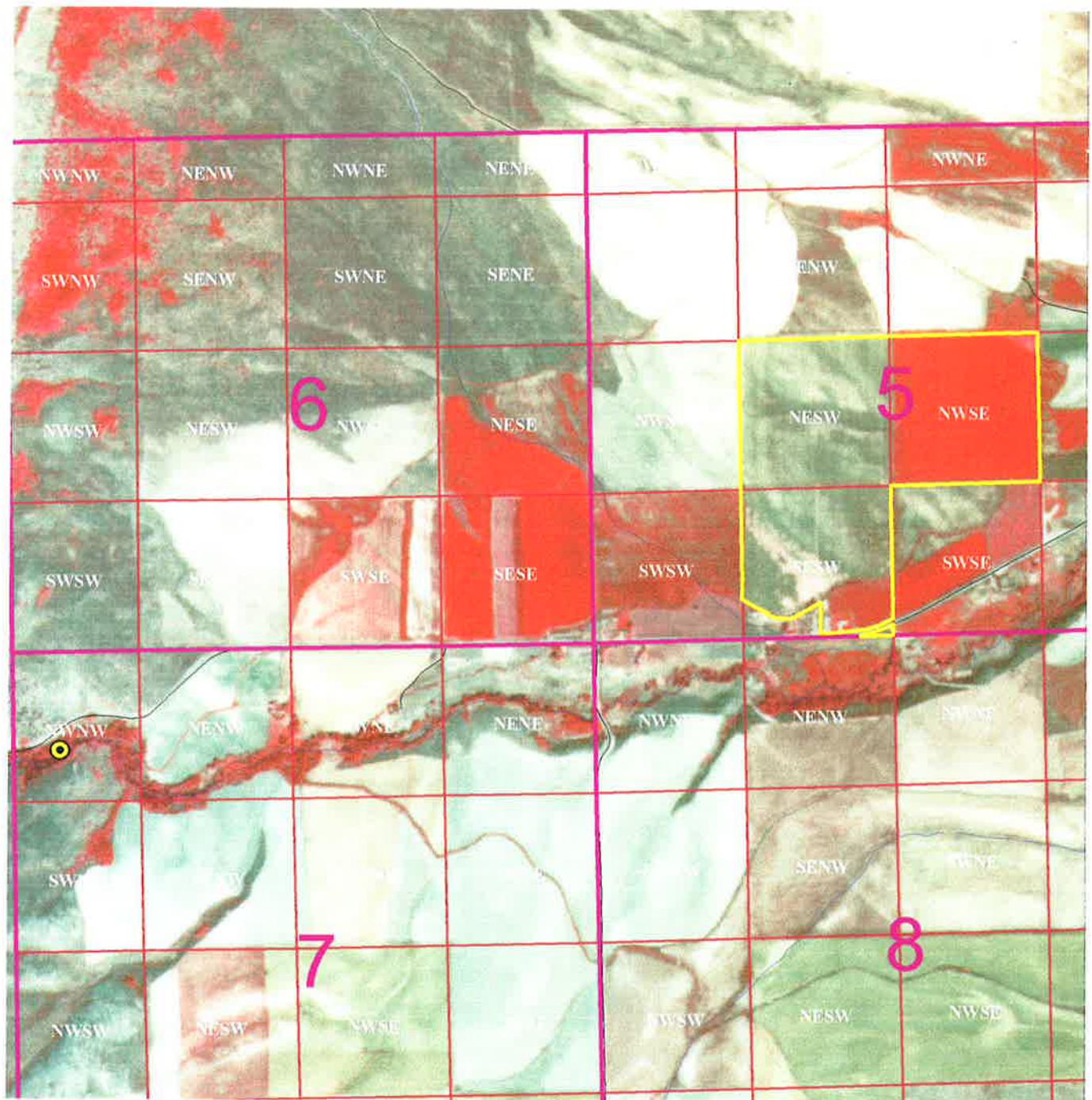
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

Township , 10S36E



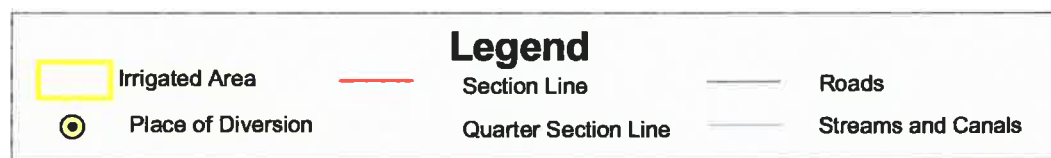
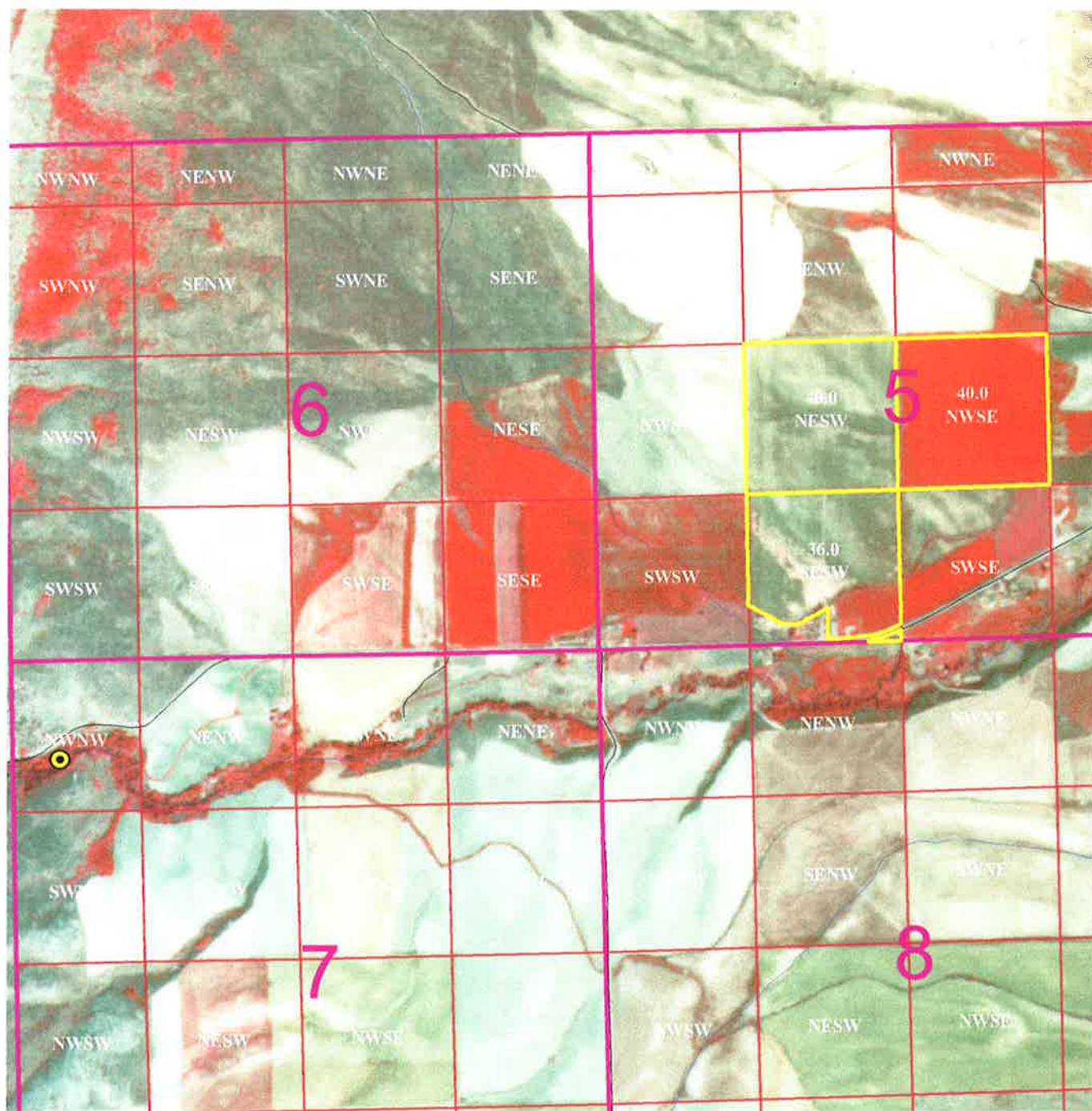
Township , 10S36E



1000 0 1000 2000 Feet



Township , 10S36E



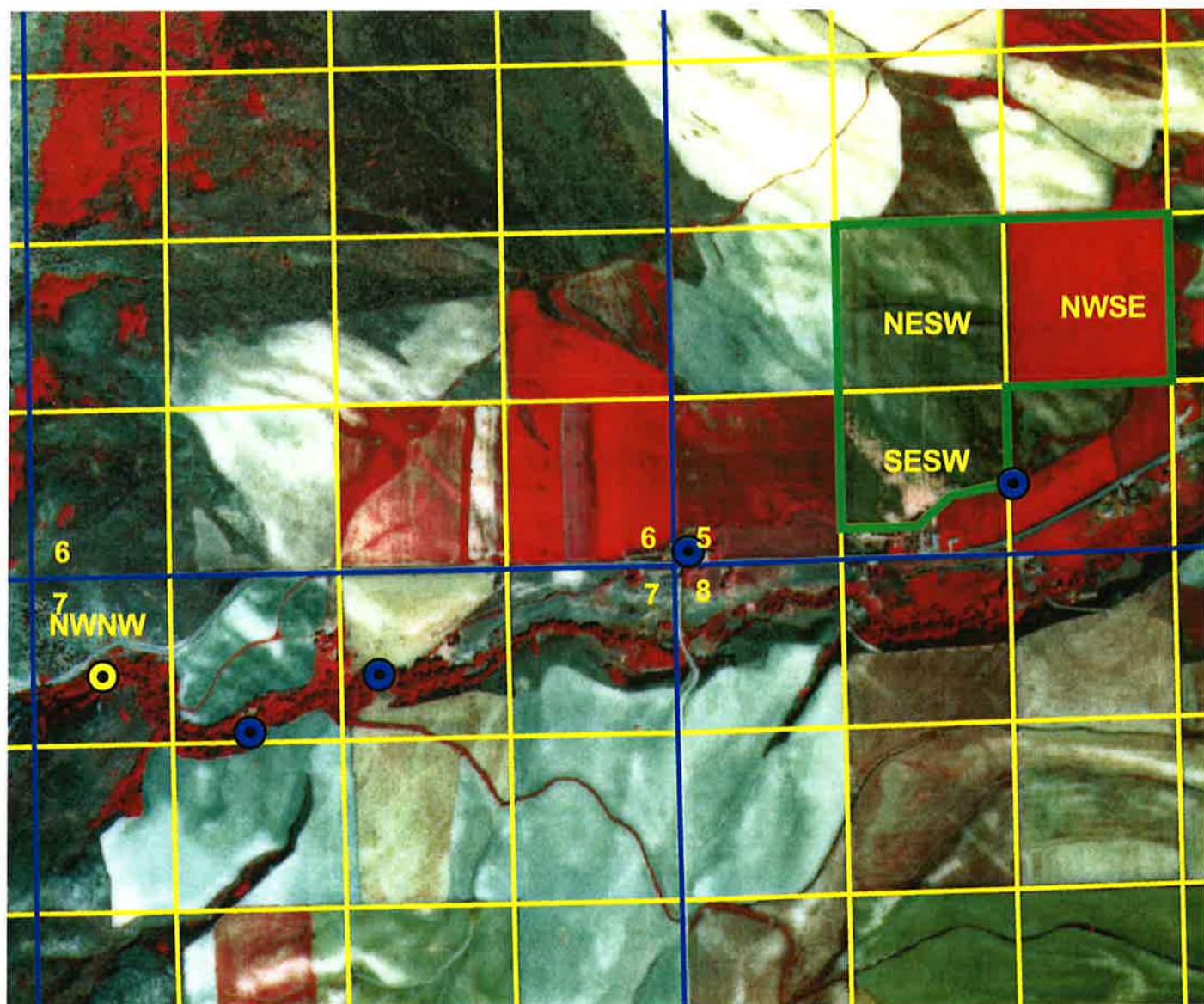
1000 0 1000 2000 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

29-00385, 29-00386, 29-00412, 29-00413

T10S, R36E SEC. 5



POINT OF DIVERSION



PLACE OF USE

ACRES IRRIGATED- 110

PROFILE

SCANNED

NOV 04 2005

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

- 29 0399 To James Chatterton, three-fourths second foot of water to date from the 1st day of May, 1900, and one second foot of water to date from the 1st day of May, 1904, to be used on the S. W. 1/4 of Sec. 15, Township 10 South of Range 36 E. B. M.
- 29 0400 To George Glover, three-fourths second foot of water to date from the 1st day of May, 1902, and one second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of Sec. 33, Township 9, South of Range 36 E. B. M.
- 29 0401 To George J. Allen, three-fourths second foot of water to date from the 1st day of May, 1896, and one second foot of water to date from the 1st day of May, 1904, to be used upon the N. E. 1/4 of the N. W. 1/4 of Sec. 5; also the West half of the N. W. 1/4 of Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0402 To William C. Smith, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May 1904, to be used on the East half of the N. W. 1/4 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0403 To J. W. Stinger, three-fourths second foot of water to date from the 1st day of May, 1898 and one second foot of water to date from the 1st day of May, 1904, to be used on lots three and four in sec. 4, and lots one and two in Sec. 5, Township 10 South of Range 36 E. B. M.
- 29 0404 To George A. Smith, three-fourths second foot of water to date from the 1st day of May, 1891, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the S. W. 1/4 and the east half of the N. W. 1/4 of Sec. 10, Township 10 South of Range 36 E. B. M.
- 29 0405 To J. H. Curtis, three-eighths of second foot of water to date from the 1st day of May, 1894, and three-eighths second foot of water to date from the 1st day of May, 1901, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 of Sec. 7, Township 10 South of Range 36 E. B. M.
- 29 0406 To A. M. Curtis, three-eighths second foot of water to date from the 1st day of May, 1894 and three-eighths second foot of water to date from the 1st day of May 1901, and one second foot of water to date from the 1st day of May 1904, to be used on the West half of the N. E. 1/4 Sec. 7, Township 10, South of Range 36 E. B. M.
- 29 0407 To Nannie R. Rollison, three-fourths second foot of water to date from the 1st day of May, 1887 and one second foot of water to date from the 1st day of May, 1904 to be used on the S. E. 1/4 and the North half of the S. W. 1/4 and the S. E. 1/4 of the N. W. 1/4 of Sec. 4, Township 10 South of Range 36 E. B. M.
- 29 0408 To William P. Burton, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May 1904, to be used on the North half of the S. E. 1/4 and the East half of the S. W. 1/4 of Sec. 8, Township 10 South of Range 36 E. B. M.
- 29 0409 To John B. Chedgzy, three-fourths second foot of water to date from the 1st day of May, 1891 and one second foot of water to date from the 1st day of May, 1904 to be used on the N. E. 1/4 of Sec. 9, Township 10, South of Range 36 E. B. M.
- 29 0410 To William H. Allen, three-fourths second foot of water to date from the 1st day of May 1903 and one second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of the S. E. 1/4 of Sec. 31 and the S. W. 1/4 of the S. W. 1/4 Sec. 32 in Township 9, South of Range 36 E. B. M.
- 29 0411 To Laura T. Toler, three-eighths second foot of water to date from the 1st day of May, 1895 and one-half second foot of water to date from the 1st day of May 1904, to be used on the North half of the S. W. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0412 To E. R. Kendall, three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth second foot of water to date from the 1st day of May, 1904, to be used on the S. E. 1/4 of the S. E. 1/4 of Sec. 9, Township 10 South of Range 36 E. B. M.
- 29 0413 To Truman Rowe, one and three-fourths second foot of water to date from the 1st day of May, 1904, to be used on lots one and two in Sec. 4, Township 10, South of Range 36 E. B. M.

All of the above described lands being in Bannock County, State of Idaho.

SCANNED It is further adjudged and decreed that the plaintiff and any of its stockholders, and any or all of said defendants, who are adjudged to be entitled to the use of any of the waters of said stream or any of its tributaries thereto or may pool or unite the waters so decreed to them and use the same jointly or alternately or in rotation, or in such other manner as will secure the greatest benefits and most economical use of said water, so that the waters so united or pooled do not exceed the amount decreed to the parties entering into such arrangement.

NOV 04 1905

MAY 22 2001

Log for claim A29-00412

Spatial Dynamics LTD

6/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	5	NESW	40	40	
10s36e	5	SESW	35	36	
10s36e	5	NWSE	40	40	
Totals:			115	116	

AJ5809NP
No. A29-00412

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 43

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MEADOWBROOK RANCH 10053 S MARSH CREEK RD MC CAMMON ID 83250 (208) 254-3186	05/01/1901	IRRIGATION	03-15 11-15	0.375 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.375 CFS 287.50 AFA

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R36E S07 Lot01(NWNW)

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
10S	36E	5	:																	:				
												40				35								
																40								
																TOTAL ACRES								115.0

POU County: BANNOCK

Non-Irrigation Uses: N/A

Other Rights: A29-00363/00385/00411/00412/11431/00362

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

29-11703	A29-00362	A29-00363	A29-00385	A29-00393	A29-00394	A29-00401	A29-00402	A29-00403	A29-00404
A29-00405	A29-00406	A29-00407	A29-00408	A29-00411	A29-11431	A29-11703			

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

A29-00362 A29-00363 A29-00385 A29-00411 A29-11431 A29-12118

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

Audit: 04/28/90 MEYER 06/01/94 COX 03/29/95 POST-STD

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 29-412
Date Received: 4/27/1990
Receipt No: E013796
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MEADOWBROOK RANCH Phone: (208)254-3186

10053 S MARSH CREEK RD
MC CAMMON ID USA 83250

2. Date of Priority: 05/01/1901

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	36E	7	NW NW 1	BANNOCK	

5. Description of diverting works:

HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.375	

7. Total Quantity Appropriated is:
0.375 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10S	36E	5	NW SE	IRRIGATION	40
			NE SW	IRRIGATION	40
			SE SW	IRRIGATION	35

NOV 04 2005

10S

36E 7

NE NE

Section Acres 115

IRRIGATION 8

Section Acres 8

Total Acres 123

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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.

SCANNED

NOV 04 2005

PROFILED

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Manager Sartre of
Title

Meadowbrook, that I have signed the foregoing
Organization
document in the space below as Manager Sartre of
Title

Meadowbrook and that the statements contained in the
Organization
foregoing document are true and correct.
Signature of Authorized Agent

Manager Sartre
Title and Organization

10-4-01
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this
4 of Oct 2001

Dave Carlson

Notary Public

Residing at Rigby Id

My commission Expires 2/26/2002



PROFILED

SCANNED
NOV 04 2005

MAY 22 2001

\$50.00

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: A29-00412
Date Received: 4/18/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MEADOWBROOK RANCH 208-254-3186
Address: 10053 S. MARSH CREEK RD.
MC CAMMON, ID 83250

2. Date of Priority: MAY 01, 1901

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	7	NW	NW		1	BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.375		

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

8. Total consumptive use is 287.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	5	NE	SW		IRR	40.0
			SE	SW		IRR	35.0
			NW	SE		IRR	40.0

Section Acres 115.0

A29-00412

Page 1

Date: 04/19/90



MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Total Acres 115.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
A29-00363/00385/00411/00412/11431

14. Remarks:

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

GARDEN CREEK IRRIG. CO.
Decree Plaintiff

vs

THOMAS E. WOLVERTON, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Ralph Whitley of _____

Title

Meadowbrook Ranch, that I have signed the foregoing
Organization

document in the space below as Partner and manager of

Title

Meadowbrook Ranch and that the statements contained in the
Organization

foregoing document are true and correct.

Ralph Whitley
Signature of Authorized Agent

Meadowbrook Ranch
Title and Organization

4/26/90
Date

State of Idaho)

County of Bannock)

SS.

Subscribed and sworn (or affirmed) before me this 26 day

of April 19 90

Belva Olsen
Notary Public

Seal

Residing at Mc Cammon, ID

My Commission Expires 10-95

A29-00412

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T105
R36E

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NOV 13 1992