

11/19/2003

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

RIGHT NUMBER: 29-525

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE ID 83709-1657

SOURCE: CHANDLER SPRING

TRIBUTARY: SINKS

QUANTITY: 0.130 CFS
8.10 AFY

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

PRIORITY DATE: 06/01/1910

POINT OF
DIVERSION: T08S R41E S19 SENENW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
1/01 12/31

QUANTITY
0.130 CFS
8.10 AFY

PLACE OF USE: STOCKWATER Within CARIBOU County
T08S R41E S30 NENW

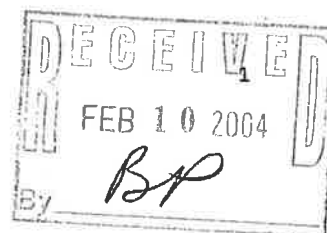
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: BASIS OF CLAIM - Decreed

PARCEL NO. 1621F STOCKWATER, 650 RANGE CATTLE



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-526 V1

WATER RIGHT NUMBER: 29-526 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DON C RIGBY PO BOX 187 BANCROFT, ID 83217 (208)648-7872
Current Owner	VIRGINIA E RIGBY PO BOX 187 BANCROFT, ID 83217 (208)648-7872

Priority Date: 05/01/1910

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.130 CFS	8.10 AF
	<u>Total Diversion:</u>	0.130 CFS	8.10 AF

Location of Point(s) of Diversion

SPRING	SW1/4SE1/4	Sec. 26, Twp 08S, Rge 40E, B.M.
CARIBOU County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	40E	26																X	

Conditions of Approval:

1. 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. 00000002884C STOCKWATER, 650 CATTLE THIS SPRING FLOWS INTO FARMER'S LAND & IRRIGATION CANAL.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-526 V1

Comments:

1. AJU5-ECA 10/1/1997 AJU5 STOCK ONLY UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

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: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
Water District Number:
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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/2/2003 2:55:20 PM	rwarner			Active
Priority Date	1/2/2003 2:55:59 PM	rwarner			Active
POD	1/2/2003 3:01:13 PM	rwarner			Active
Source	1/2/2003 3:01:57 PM	rwarner			Active
POU	1/2/2003 3:02:39 PM	rwarner			Active
Use	1/2/2003 3:04:00 PM	rwarner			Active
Season	1/2/2003 3:32:40 PM	rwarner			Active
Quantity	1/2/2003 3:34:02 PM	rwarner			Active
Summary			01/02/2003	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/2/2003 2:55:20 PM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review

IDAHO DEPARTMENT OF WATER RESOURCES

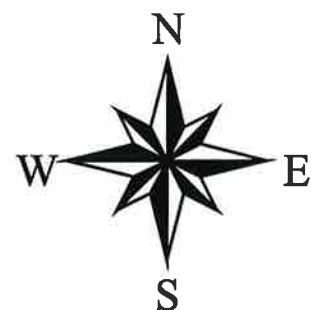
Adjudication Recommendation Report 29-526 V1

Priority Date	1/2/2003 2:55:59 PM	rwarnar	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	1/2/2003 3:01:14 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	1/2/2003 3:01:57 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/2/2003 3:02:40 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Bancroft-Lund Decreed
Use	1/2/2003 3:04:01 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-526 V1

Season	1/2/2003 3:32:41 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	1/2/2003 3:40:28 PM	rwarnar	Edited point location
POU	1/2/2003 3:43:04 PM	rwarnar	Edited shape boundary
Quantity	1/2/2003 3:34:02 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Use Bancroft-Lund Decreed amount Description for Question 10 - B-L decreed
Summary	1/2/2003 3:37:38 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POD	1/2/2003 3:44:00 PM	rwarnar	Edited point location



SCANNED
DEC 07 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 21, 2003

UNITED STATES OF AMERICA ACTING THROUGH
USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

RE: Notice of Change of Water Right Ownership (NCO) for 29-525 and Notice of
Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On November 7, 2003, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Kristen Forsgren
Office Specialist 1

Enclosure

cc: DON C & VIRGINIA RIGBY

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DEC 07 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Rights: 29-525

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Nov 19, 2003

Ernest Carlson

Signature of IDWR Representative

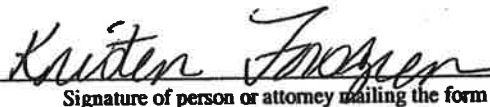
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DEC 07 2005

CERTIFICATE OF MAILING

I certify that on November 21, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
DON C & VIRGINIA RIGBY
PO BOX 187
BANCROFT ID 83217
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
UNITED STATES OF AMERICA ACTING THROUGH
USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
4. One copy to:
Each party in the subcase, or attorney of record
USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

11-11
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 NOV - 3 2003
 Department of Water Resources

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>29-00525</u>	<u>29-00525</u>	<u> </u>			

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Don C. and Virginia E. Rigby
PO Box 187; Bancroft, ID 83217
4. New Owner/Claimant(s) United States of America acting through USDI BLM
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address Idaho State Office; 1387 S Vinnell Way
- City, State and ZIP Code Boise, ID 83709-1657
- New Telephone Number (208) 373-4000
5. Date you acquired the property 05/05/1989

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Department of Water Resources
 Eastern Region

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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Fredric W. Price
FREDRIC W. PRICE

WATER RIGHTS SPECIALIST

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____

Date _____

Fee _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

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UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

In Reply Refer To:
7250/1230 (933) P

July 27, 2001

EMS

Instruction Memorandum No. ID-2001-063

Expires: 09/30/2002

To: ICT

From: State Director

Subject: Water Rights Delegation of Authority

Idaho State Office 1203 - Delegation of Authority Manual Supplement is amended to add a delegated authority to both the Deputy State Director for Resource Services and the Branch Chief for Lands and Minerals to negotiate and settle Snake River Basin Adjudication (SRBA) water rights issues. The SRBA water rights team leader (Gary Madenford) and senior water rights specialist (Fred Price) will continue to have authority to represent the BLM regarding all water rights issues.

This delegation is effective immediately. The Idaho Delegation of Authority Supplement will be revised to reflect these changes.

Contact Jimmie Buxton if you have comments or questions regarding this issue.

Signed by:	Authenticated by:
Martha G. Hahn	Susanna M. Henry
	Staff Assistant (ID-933)

cc:
ISO Water Rights Team
Larry Brown, DOJ Attorney
Mel Matlock (950)
Bill Ferry, Field Solicitor - Boise

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IDI-34043

WARRANTY DEED

For the true and actual consideration of \$316,000.00,

BRET V. BURGESS, a single man, dba WEST VIEW LAND COMPANY

hereinafter called Grantor, whether one or more, does hereby grant, bargain, sell, and convey to the UNITED STATES OF AMERICA and its assigns, as authorized by Section 205 of the Federal Land Policy and Management Act of 1976 as amended (90 Stat. 2755; 43 U.S.C. 1715), the following described real property situated in the County of Caribou, State of Idaho, to wit:

All that portion of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 24, the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 25, the West Half of the Southwest Quarter of the Northwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 36, Township 8 South, Range 40 East and property located in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 19, the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 29, and in lot 1 and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 30, Township 8 South, Range 41 East, Boise Meridian.

The parcel of land to which the above description applies contains 495.43 acres, more or less.

The acquiring agency is the United States Department of the Interior, Bureau of Land Management.

TO HAVE AND TO HOLD unto the UNITED STATES OF AMERICA and its assigns forever

Grantor covenants and warrants that he is lawfully seized and possessed of the real property aforesaid and has the full right, power and authority to execute this conveyance, and that said real property is free and clear of liens, claims or encumbrances, except as shown of record, and that he will defend the title to the real property conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

Dated this 25th day of February, 2003

WEST VIEW LAND COMPANY.

BRET V. BURGESS

IDI-34043

Page 1 of 2

Acknowledgement on Page 2

STATE OF IDAHO

COUNTY OF CARIBOU

DATE: March 13, 2003

TIME: 2:55 PM

OFFICIAL RECORDS

RECORDER: EDIE BUSH

DEPUTY: Sheri A. Collins

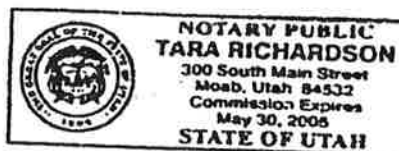
FEE: \$1000.00

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STATE OF UTAH)
 : SS
County of Grand)



On this 25 day of February, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **Bret V. Burgess**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.

Tara Richardson
Notary Public for UTAH
Residing at: 300 S Main Moab
My Commission Expires: 5/30/05

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NOV 04 2003

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US DEPT OF INTERIOR

141780

2003 OCT 27 PM 12:45

BUREAU OF LAND MANAGEMENT
POCATELLO FIELD OFFICE
POCATELLO ID

STATE OF IDAHO
County of Caribou
Date: July 19, 1991
Time: 11:15 A.M.
Microfilm Records
Recorder: Rebecca A. Jenkins
Deputy: Ruth Green
Fee: \$12.00 C1

This Indenture made and executed this 16th day of July, 1991, between the following parties:

GRANTOR: THE DON C. RIGBY FAMILY PARTNERSHIP, a partnership organized under the laws of the State of Idaho.

GRANTEE: BRET V. BURGESS, a single man, doing business as WEST VIEW LAND COMPANY, of Wasatch County, State of Utah, whose mailing address is 2521 South 3000 West, Heber City, Utah 84032.

WITNESSETH:

The Grantor, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is acknowledged, does by these presents grant, bargain, sell and convey unto the Grantee all of that certain parcel of real property situated in Caribou County, State of Idaho, more particularly described as follows:

TOWNSHIP 8 SOUTH, RANGE 41 EAST OF THE BOISE
MERIDIAN:

Section 19: SE1/4 of the SW1/4; NE1/4 of the NW1/4

Section 30: N1/2 of the N1/2

Section 29: NW1/4 of the NW1/4

TOWNSHIP 8 SOUTH, RANGE 40 EAST OF THE BOISE
MERIDIAN:

Section 25: SW1/4 of the NW1/4; N1/2 of the N1/2

Section 24: SE1/4 of the SW1/4; SW1/4 of the SE1/4

Section 26: NE1/4; W1/2 of the SE1/4; N1/2 of the
N1/2 of the SW1/4; SE1/4 of the NE1/4
of the SW1/4; SW1/4 of the SW1/4; E1/2
of the SE1/4 of the SW1/4; SW1/4 of

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the SE1/4 of the SW1/4; SE1/4 of the
SE1/4; S1/2 of the NW1/4 of the SW1/4;
SW1/4 of the NE1/4 of the SW1/4

Section 36: W1/2 of the SW1/4 of the NW1/4

A tract in the E1/2 of the NW1/4, more particularly
described as follows:

Beginning at a point that is South 0° 22'22" East
1100 feet from the North Quarter Corner of said
Section 26, and running thence South 0° 22'22" East
1542.24 feet to the Center Quarter Corner of said
Section 26; then South 89° 57'13" West 728.70 feet
to an intersection with a fence; thence North 0°
48'54" East 136.60 feet along said fence; thence
North 9° 19'36" East 210 feet along said fence;
thence North 18° 17'44" West 215.49 feet along said
fence; thence North 17° 10'54" West 210.92 feet
along said fence; thence North 17° 51'56" West
489.22 feet along said fence; thence North 25°
45'12" West 363.35 feet along said fence; thence
East 1120.60 feet, to the Point of Beginning.

Also, the NE1/4 of the NW1/4, excepting therefrom
the following tract:

Beginning at the North 1/4 corner of Section 26,
TOWNSHIP 8 SOUTH, RANGE 40 EAST OF THE BOISE
MERIDIAN, and going thence South 0° 22'22" East
1100 feet; thence West 1120.60 feet to an inter-
section with an existing fence line; thence South
25° 45'12" East 245.16 feet along said fence;
thence South 89° 59'21" West 311.60 feet to the SW
corner of the NW1/4 of the NW1/4 of Section 26;
thence N 0° 19'43" West 1321.44 feet to the NW
corner of the NE1/4 of the NW1/4 of Section 26;
thence South 89° 58'30" East 1326.10 feet along the
Section line to the Point of Beginning.

Section 35: SE1/4 of the NW1/4 of the NW1/4; N1/2
of the NW1/4 of the NW1/4; NE1/4 of
the NW1/4; NW1/4 of the NE1/4; SE1/4
NE1/4; NE1/4 of the NE1/4

Township 9 South Range 41 East of the Boise
Meridian:

Section 6: W1/2 of the SE1/4 of the NW1/4; and
the S1/2 of the SE1/4 of the SE1/4 of
the NW1/4.

Reserving from all of the described real property,

nevertheless, all oil, gas, other mineral and geothermal rights including, but not limited to, such rights relative thereto as may have heretofore been reserved or otherwise severed by separate conveyance.

Subject to all canal and road easements and rights of way.

In addition to the above, Burgess shall retain 138 shares of Farmer's Land and Irrigation Company stock, and shall relinquish to Grantor all of his right, title and interest in and to 100 shares of Farmer's Land and Irrigation stock. Grantee shall also have the sole right to water from two of 17 taps from a spring located in Swensen Valley, Section 25, Township 8 South, Range 40 East of the Boise, Meridian, to have and to hold the said premises, together with their appurtenances unto the Grantee, his heirs and assigns forever. The Grantor hereby covenants to and with said Grantee that it is the owner in fee simple of said premises and that they are free from all encumbrances created by Grantor in any manner. However, Grantor does not covenant nor warrant that the property is free from any and all lawful claims which may have been created by Grantee, nor does the Grantor warrant against right of ways, easements or claims of record, nor claims to possession or use not of record.

DATED this 16th day of July, 1991.

DON C. RIGBY FAMILY PARTNERSHIP


Don C. Rigby, General Partner

141780

STATE OF IDAHO)
) ss.
COUNTY OF CARIBOU)

On this 16th day of July, 1991, before me, the undersigned notary public, personally appeared Don C. Rigby, General Partner of the Don C. Rigby Family Partnership, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the said partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

A. Bruce Larson
Notary Public
Residing at Soda Springs
My Commission Expires 2-22-94

STATE OF IDAHO }
County of Caribou

SS

79337

I hereby certify that this instrument was filed
at the request of Caribou Title Co

at 3:07 o'clock P M this 20 day of

March, 19 74 in my office and duly

recorded in Microfilm Records 79337

KENNETH M. FOWLER Myrna Aschwald
Ex-Officio Recorder Deputy

RECEIVED
US DEPT OF INTERIOR

2003 OCT 27 PM 12:45

BUREAU OF LAND MGMT.
POCATELLO FIELD OFFICE
POCATELLO ID

WARRANTY DEED

ROBERT W. HUBBARD and AILEEN A. HUBBARD, husband and wife; MURRIE C. GODFREY and RHEA GODFREY, husband and wife; DALE K. CORBRIDGE and ANNA LEE CORBRIDGE, husband and wife; and DAVID H. CLEGG and SHIRLEY CLEGG, husband and wife, Grantors, of Soda Springs, County of Caribou, State of Idaho, hereby CONVEY and WARRANT to DON C. RIGBY FAMILY PARTNERSHIP, Grantee, of Logan, County of Cache, State of Utah, for the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration the following described tracts of real property in the Counties of Bonneville, Caribou, Bannock and Franklin, State of Idaho:

Bonneville County, Idaho:

1. Township 4 South, Range 42 East of the Boise Meridian:
Section 26: NW1/4SE1/4, W1/2NE1/4, SE1/4SE1/4, NW1/4, N1/2SW1/4
Section 35: Lots 1, 2, 3 and 4
Section 27: E1/2NE1/4

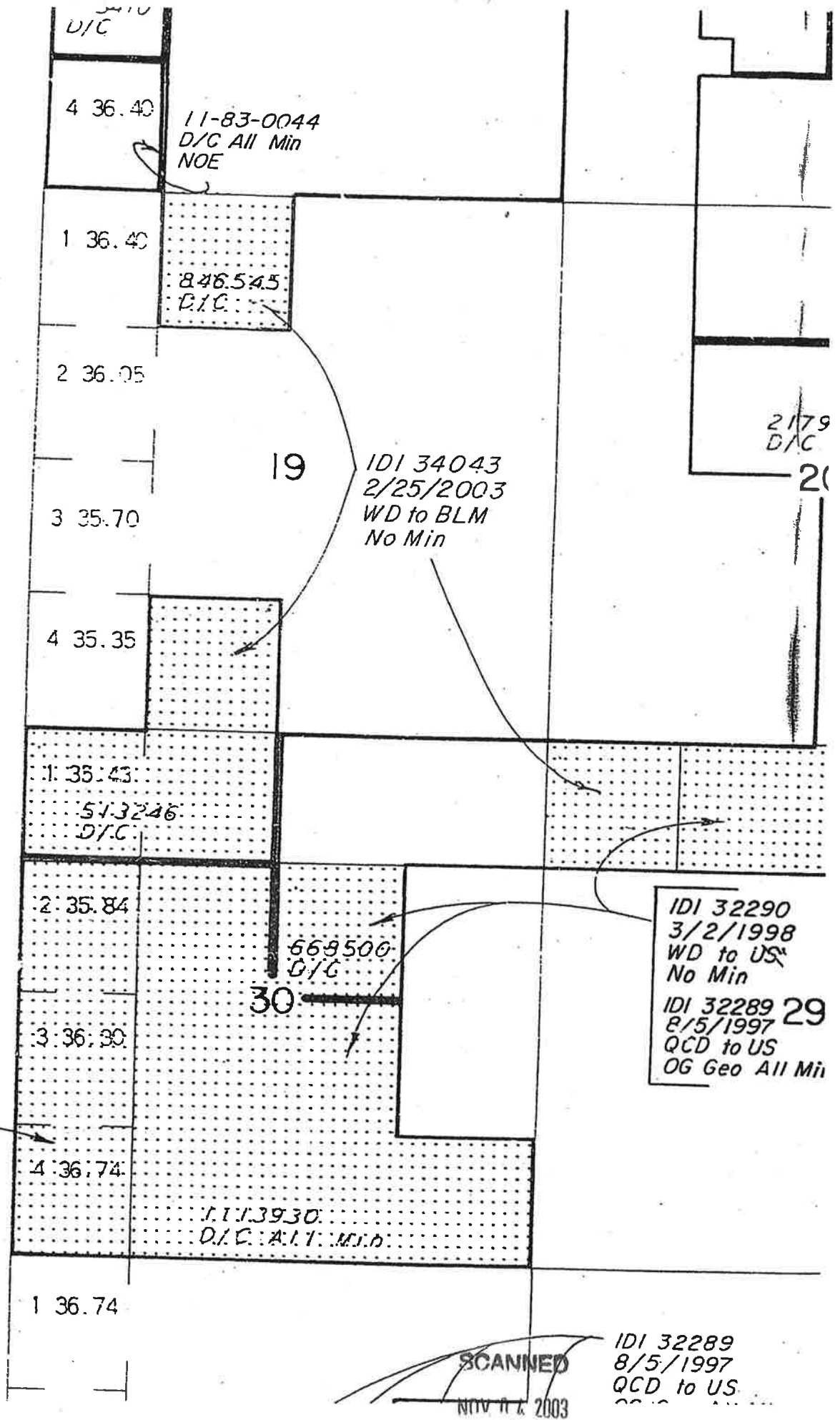
Caribou County, Idaho:

2. Township 8 South, Range 39 East of the Boise Meridian:
Section 10: SE1/4
Section 36: N1/2, NE1/4SW1/4, SE1/4
3. Township 9 South, Range 39 East of the Boise Meridian:
Section 1: Lots 1, 2, 3, 4 and 5, SW1/4NW1/4
Section 2: Lots 6 and 7, SW1/4NE1/4, SE1/4NW1/4, N1/2 SW1/4
4. Township 8 South, Range 40 East of the Boise Meridian:
Section 24: SE1/4SW1/4, SW1/4SE1/4
Section 25: N1/2, NE1/4SW1/4, SE1/4
Section 26: NE1/4, NE1/4NW1/4 SW1/4, W1/2SE1/4, SE1/4SE1/4
Section 29: S1/2S1/2
Section 30: SW1/4SE1/4
Section 31: Lots 2 and 3, NE1/4, E1/2NW1/4, SE1/4
Section 32: All
Section 33: E1/2NE1/4, N1/2SE1/4, and all that portion of the SW1/4SE1/4 lying North of the

SCANNED

NOV 04 2003

T 85
R 41E
Boise Meridian



10-29-01 Don Rigby

29-578 - recommended in the Bancroft-Lund decree.
 Claimed?

29-525 claimed 0.16 cfs - decreed at 0.13.
 Source change from Carpenter Spring
 to Chandler Spring?

29-526. POD; POU change?
 increased diversion rate from 0.13 to 0.16 cfs.
 chg'd trib - from Sinks to Farmers canal?

max div.
 5.86 cfs.

29-2548 - claimed longer season 4/1 to 10/30
 156 AC.
 decreed at 4/15 to 10/15

claimed 309 Acres under 29-2548 = 7061.
 claimed an increased diversion rate. decreed at 3.12 cfs.
 claimed 3.18 cfs.

29-7061
 158 AC.
 (314 AC. total)
 claimed a longer season. 4/1 to 10/15
 decreed 4/15 to 10/15

imagery appears that 320 is irrigated?

29-7001, 10167 & 10171.

permits. 29-7636 & 7637. Covers most of the POU
 under 10167 & 10171.

why wasn't 10167 & 10171 claimed in the Bancroft-Lund decree or under the mandatory permit statute ~~in~~ 1963?

SC D

DEC 05

Irrigated lands?

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-526

WATER RIGHT NUMBER: 29-526

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DON C RIGBY PO BOX 187 BANCROFT, ID 83217

Priority Date: 05/01/1910

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.130 CFS	8.10 AF
WILDLIFE	1/01 to 12/31	0.010 CFS	0.10 AF
	<u>Total Diversion:</u>	0.130 CFS	8.20 AF

Location of Point(s) of Diversion

SPRINGS	SW1/4SE1/4	Sec. 26, Twp 08S, Rge 40E, B.M.
CARIBOU County		

Place of UseSTOCKWATER Within CARIBOU County

T08S R40E S26 SWSE

Total Acres: 0

WILDLIFE same as STOCKWATERConditions of Approval:Remarks:

1. General STOCK, 600 RANGE; WILDLIFE, VARIABLE AMOUNT

Comments:Dates and Other Information:

AJ5856NP

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

DATE: NOV-12-1991
PAGE: A-88

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
	SOURCE: SPRINGS		TRIBUTARY: SINKS			

29-00526	DON C. RIGBY P.O. BOX 187 BANCROFT ID 83217	05/01/1910	STOCKWATER	01-01 12-31	.13 CFS	BENEFICIAL USE
			WILDLIFE	01-01 12-31	.01 CFS	
				TOTAL QUANTITY:	.13 CFS	
					8.2 AFY	

NON-IRRIGATION-USES:

STOCK, 600 RANGE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

T08S R40E S26

PLACE OF USE: STOCKWATER

T08S R40E S26

PLACE OF USE: WILDLIFE
SAME AS OTHER USE

SWSE

SWSE

SESW?

SESW?

changed when?

increased claimed 0.16

farmer's land & irrigation

River
Source -
SWSE

SCANNED

MAY 6

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: A29-00526

Date Received: 1-17-90

Receipt No: 0005541

Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON C. RIGBY
Address: P.O. BOX 187
BANCROFT, ID

208-648-7872

83217

AND/OR

Name: VIRGINIA E. RIGBY
Address: P.O. BOX 187
BANCROFT, ID

208-648-7872

83217

2. Date of Priority: MAY 01, 1910

3. Source: SPRING

Trib. to: FARMERS LAND & IRR. CANAL

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	40E	26	SE	SE	SW		CARIBOU

5. Description of diverting works:
SPRING-FLOWS THROUGH CORRALS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.160		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/650 CATTLE

A29-00526

Page 1

Date: 01/17/90

MICROFILMED

NOV 13 1992

A2900526



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	40E	26	SE SW		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:

15. Basis of Claim: BENEFICIAL USE

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Donekigh Date: 1-17-90
_____ Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of January 1990

Seal

Anna Baunhoff
Notary Public

Residing at Anna Baunhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994

WATER RIGHT NUMBER = 422-00226

CLAIM TRANSLATION: ADJUDICATION CLAIM

+ + + + + DECREE PLAINTIFF + + + + +

+ + + + + DECREE DEFENDANT + + + + +

+ - DECREE DATE - +
00/00/0000

+ + + AUDIT FIELDS = 01/17/90 FA000000

+ + + + + COMMENTS + + + + +
NO COMMENTS FOUND

+ + + + + ADJUDICATION RIGHTS DATES AND FLAGS AREA + + + + +

COPY REPORT FILING	= 00/00/0000	FIELD INSPECTION DATE	= 00/00/0000	CIVIL CASE NUMBER	= 39576
OBJECTION FILED DATE	= 00/00/0000	FIELD INSPECTION FLAG	=	BLD CASE NUMBER	=
RESPONSE FILED DATE	= 00/00/0000	VERIFIED DATE	= 00/00/0000	OLD JUDICIAL DISTRICT	=
CLAIM RECEIVED DATE	= 01/17/1990	LAST AMENDED DATE	= 00/00/0000	TEMPORARY RIGHT	= P
PROOF DUE DATE	= 00/00/0000	PROOF MADE DATE	= 00/00/0000	WATER DISTRICT	=
LICENSED DATE	= 00/00/0000	RECEIPT NUMBER	= 0005541	FEDERAL/STATE INDICATOR	= S
CLAIMS TAPE ERROR FLAG	=	POU OWNERSHIP FLAG	= Y	PRESUMPTION FLAG	=
FEE EXEMPT FLAG	=	NONE CONNECTOR	= 000/00	NOTICE OF ERROR FLAG	=

00000002884C

DATA ENTRY

ENTERED 9-10-92
CHECKED 10/26/92

Term Map/Ortho PQ
ACCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

OCT 16 1991

CERTIFIED
OCT 17 1991
WATER EXAMINER

MICROFILMED

APR 12 1994

WATER RIGHT NUMBER - 419-30322

PRIOR TRANSLATION: ADJUDICATION CLAIM

OLD (00) NUMBER -

***** PLATT RIVER *****

***** FIRST NAME *****

***** ADDRESS *****

OWN C - QUANT-TRIVER RIVER
RIVER

WIN C.

1 - P.O. BOX 187

2 -

3 -

CITY- BANCROFT

STATE- ID ZIP- 83217

PHONE - 208-548-7872

1 - P.O. BOX 187

2 -

3 -

CITY- BANCROFT

STATE- ID ZIP- 83217

PHONE - 208-548-7872

KISSI

WINNIE B.

***** PRIORITY DATE *****
01/01/1910

***** REGION *****
15 EASTERN

***** STAGE *****

***** STATUS *****

1 - BENEFICIAL USE

***** SOURCE *****
SPRING

***** TRIBUTARY *****
FARMERS LAND & IRR. CANAL

***** POINT OF DIVERSION *****
TWP. R. SEC. TRACT LOT ACRES COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

045 400 26 58 54 34 (29) CARIBOU

***** WATER USE *****
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.150

***** TOTAL DIV. RATE *****
0.150 ***** TOTAL DIV. VOLUME *****
***** TOTAL DIV. CAPACITY *****
***** TOTAL CONSUMPTIVE USE *****
***** KW USAGE *****

***** PLACE OF USE *****
TWP. R. SEC. TRACT LOT ACRES CODE DESCRIPTION COUNTY

045 400 26 58 54 04 STOCKWATER (29) CARIBOU

***** DIVERSION MARKS - SPRING-FLOWS THROUGH CHANNELS.

***** NON-FARIGATION USE - 57,550 CATTLE

***** OTHER RIGHTS FOR SAME USE - NONE

***** REMARKS *****
NO REMARKS FOUND.

***** OLD WATER RIGHT NUMBERS *****
NO OLD WATER RIGHT NUMBERS FOUND.

***** CONDITIONS OF APPROVAL *****
NO CONDITIONS OF APPROVAL FOUND.