

01/17/2003

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

RIGHT NUMBER: 29-4012A

NAME AND ADDRESS: ROGER N FERGUSON
PO BOX 519
REXBURG ID 83440

SYBIL FERGUSON
PO BOX 519
REXBURG ID 83440

SOURCE: PAPOOSE SPRINGS

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 49.000 CFS

PRIORITY DATE: 06/01/1914

POINT OF DIVERSION:

T06S R33E S1 SWNE Within POWER County

T06S R33E S1 NESE Within POWER County

T06S R33E S1 NWSE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

01/01 12/31

49.000 CFS

PLACE OF USE:

FISH PROPAGATION Within POWER County

T06S R33E S01

NENE

T06S R33E S01

NWNE

T06S R33E S01

SENE

T06S R34E S06

SWNW

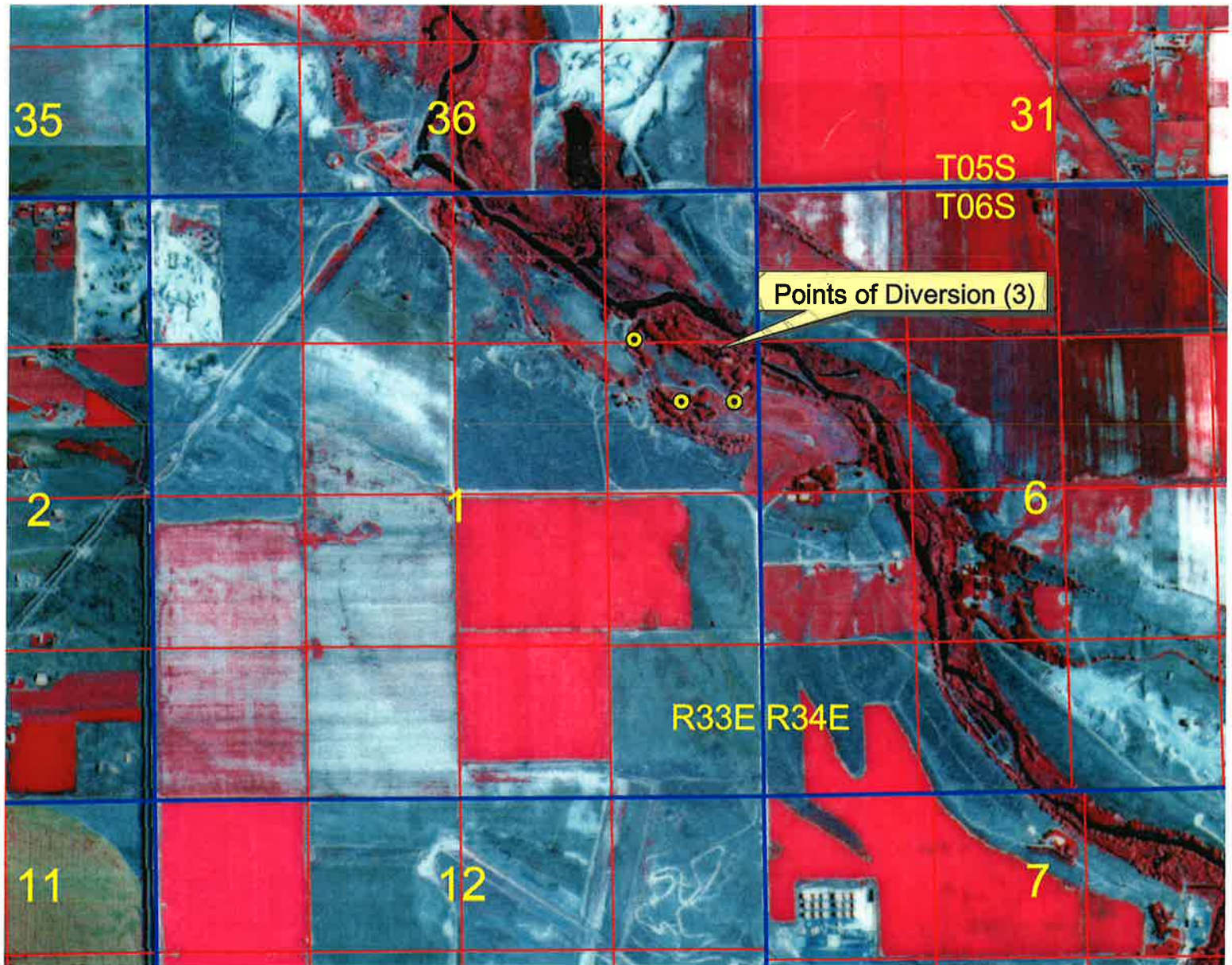
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-04012A



0.5 0 0.5 1 Miles

1:16000



-  Point(s) of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

PROFILED

SCANNED

MAR 01 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: January 2003

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

RIGHT NUMBER: 29-4012A

NAME AND ADDRESS:

ROGER N FERGUSON
PO BOX 519
REXBURG ID 83440

SYBIL FERGUSON
PO BOX 519
REXBURG ID 83440

SOURCE: Source: Tributary:
PAPOOSE SPRINGS PORTNEUF RIVER

QUANTITY: 75.000 CFS ~~49.000 CFS~~
0.000 AFY

PRIORITY DATE: 09/14/1925
~~06/01/1914~~

POINT OF DIVERSION:

T06S R33E S1 SWNE
Within POWER County

T06S R33E S1 NESENE
Within POWER County

T06S R33E S1 NWSENE
Within POWER County

T06S R34E S6 SESWNW
Within POWER County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	FISH PROPAGATION	01/01 12/31	<u>75.000 CFS</u> ~~49.000 CFS~~

PLACE OF USE: FISH PROPAGATION within POWER County
T06S R33E S01 NENE
T06S R33E S01 NWNE
T06S R33E S01 SENE
T06S R34E S06 SWNW

0 ACRES TOTAL

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 - Beneficial Use

MEMORANDUM

DATE: December 8, 2003

FROM: Ernie Carlsen

TO: File

RE: Objection resolution on 29-4012A

Bish Bemmer met with me and Dr. Chuck Brockway participated by telephone. Mr. Bemmer is expected to purchase the Papoose Springs Fish Hatchery in May of 2004 so he is very interested in the water right for the facility. The purpose of the meeting concerned the objection to the recommendation. We reviewed and analyzed the documentation in the file. Of particular interest was the affidavit by Mrs. Meeder and documentation from the USGS. The affidavit of Mrs. Meeder suggests the springs at the facility were developed in three stages. The final stage being completed around 1925 or 1926. Documentation from the USGS suggests the springs from Section 1 and 2 were measured by H. T. Stearns on September 14, 1925, and found to be flowing around 75 cfs. Though this measurement may not have included Section 3 of the facility it was agreed between Mr. Bemmer, Dr. Brockway and I that the recommendation could be modified to show 75 cfs with a priority of 9-14-1925. Dr. Brockway was going to contact Kent Foster, attorney for the claimant, and inform him of this decision.

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SEP 15 2003

Department of Water Resources
Eastern Region

COPY

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

Case No. 35976

A. Subcase 29-4012A

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Roger N. Ferguson and Sybil Ferguson

Address: P.O. Box 519

Rexburg, ID 83440

Daytime Phone: _____

Name & Address of Attorney, if any:

Kent W. Foster

Holden, Kidwell, Hahn & Crapo

PO Box 50130

Idaho Falls, ID 83405-0130

Phone No.: 208-523-0620

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Roger N. & Sybil Ferguson

Address: P.O. Box 519

Rexburg, ID 83440

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D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 75 cfs
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** While it may be true that the current amount of water issuing from Papoose Springs is less than the amount that was flowing from the springs when the right was claimed, it is still true that the maximum that has been used when available is 75 cfs and claimant thinks that should be the amount of the right in case the flows return.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

Kent W. Foster, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§42-1401A(1) and (6)
or that I am the attorney for the party/claimant objecting and that I have read this objection, know
its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Kent W. Foster

Attorney signing in representative capacity

Subscribed and sworn to before me on: Sept. 11, 2003



Cheri Vandermeulen
Notary Public for *Adrian*
Residing at: *Adrian, Idaho*
My Commission Expires: *July 2009*

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of September, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Roger N. & Sybil Ferguson
Address: P.O. Box 519
Rexburg, ID 83440

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Kent W. Foster, Attorney for Roger & Sybil
Ferguson

G:\WPDATA\KWF\1446 FERGUSON, ROGER\Objection.wpd

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4012A V1

WATER RIGHT NUMBER: 29-4012A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROGER N FERGUSON PO BOX 519 REXBURG, ID 83440 (208)356-9381
Current Owner	SYBIL FERGUSON PO BOX 519 REXBURG, ID 83440 (208)356-3716

Priority Date: 06/01/1914

Basis:

Status:

<u>Source</u>	<u>Tributary</u>
PAPOOSE SPRINGS	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FISH PROPAGATION	1/01 to 12/31	75.000 CFS	
	<u>Total Diversion:</u>	75.000 CFS	

Location of Point(s) of Diversion

PAPOOSE SPRINGS POWER County	SE1/4SW1/4NW1/4	Sec. 6, Twp 06S, Rge 34E, B.M.
PAPOOSE SPRINGS POWER County	SW1/4NW1/4NE1/4	Sec. 1, Twp 06S, Rge 33E, B.M.
PAPOOSE SPRINGS POWER County	NW1/4SE1/4NE1/4	Sec. 1, Twp 06S, Rge 33E, B.M.
PAPOOSE SPRINGS POWER County	SW1/4NE1/4NE1/4	Sec. 1, Twp 06S, Rge 33E, B.M.

Place of UseFISH PROPAGATION Within POWER County

T06S R33E S01 NENE	T06S R33E S01 NWNE
T06S R33E S01 SENE	T06S R34E S06 SWNW

DELOG PM
5/17/02

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

OK
data
entered

1. Water Right Number(s) 29-4012A and 29-4012B
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Crystal Springs, Inc. P.O. Box 519,
Rexburg, Idaho 83440
4. New Owner/Claimant(s) Roger Ferguson and Sybil Ferguson
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 519
City, State and ZIP Code Rexburg, Idaho 83440
New Telephone Number (208) 356 - 3716
5. Date you acquired the property 12/15/94
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Roger Ferguson Date 5-14-02
Sybil Ferguson Date 5-14-02
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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MAR 01 2005

BILLY G. DUPREE, JR.
ATTORNEY AT LAW
P.O. Box 723 • 58 East First North • Rexburg, Idaho 83440
Bus. (208) 356-0180 • Fax (208) 356-0238

RECEIVED

MAY 17 2002

Department of Water Resources
Eastern Region

May 15, 2002

Idaho Department of Water Resources
900 North Skyline Drive
Suite A
Idaho Falls, Idaho 83402
Attention: Jennifer

Re: Notice of Change of Water Right Ownership From
Crystal Springs, Inc. to Roger and Sybil Ferguson

Dear Jennifer:

Enclosed please find a Notice of Change of Water Right Ownership and copy of Warranty Deed transferring ownership from Crystal Springs, Inc. to Roger and Sybil Ferguson. At the time of the transfer of the real property and related water rights to Mr. and Mrs. Ferguson, they were the only shareholders of Crystal Springs, Inc. Under those circumstances, it is my understanding that there is no need to provide an aerial photo. Enclosed for your information are copies of Written Consents of Directors and Shareholders in Lieu of Annual Meeting showing officers, directors and shareholders of Crystal Springs, Inc. during the pertinent time period.

Thank you for your attention to the foregoing. Please telephone me, if you need any additional information or have any questions.

Very truly yours,



Billy G. DuPree, Jr.

BGD/law
Enclosure

SCANNED

MAR 01 2006

4-1.

166678

WARRANTY DEED

Instrument #	
Date	8 Time 12:15 PM
Rec'd	Billy L. Dyer
DEC 12 1995	
POWER COUNTY AM FALLS C. SCHMIDT	
BY	M. Schelske DEPUTY

Warranty deed made effective the 15th day of December, 1994, between Crystal Springs, Inc., an Idaho corporation, whose address is 950 South 1800 West, Post Office Box 123, Springfield, Idaho 83266 ("Grantor"), and Roger Ferguson and Sybil Ferguson, husband and wife, whose address is 1900 North 6000 West, Rexburg, Idaho 83440 ("Grantees"), wit: esseth:

That Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantees and their heirs and assigns forever, all of the following described real estate situated in the County of Power, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantees and their heirs and assigns forever.

SCANNED

MAR 01 2006

4-2

And Grantor and its successors shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantees, their heirs and assigns against Grantor and its successors and against all and every person or persons whomsoever, lawfully claiming the same through Grantor.

This deed memorializes and reflects the distribution of the herein described property from Grantor to Grantees made the 15th day of December, 1994.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

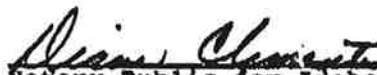
CRYSTAL SPRINGS, INC.,
an Idaho corporation


By: Roger Ferguson, President

STATE OF IDAHO)
) ss
County of Madison)

On this 31st day of May, in the year 1996, before me, Diane Clements, a Notary Public, personally appeared Roger Ferguson, known or identified to me (or proved to me on the oath of _____), to be the President of the corporation that executed this instrument or the person who executed this instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.




Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 4/22/97

WARRANTY DEED - Page 2

SCANNED

MAR 01 2006

4-3

EXHIBIT A

PARCEL 1:

THAT PORTION OF THE S $\frac{1}{4}$ NE $\frac{1}{4}$, AND LOTS 1 AND 2, SECTION 1, TOWNSHIP 6 SOUTH, RANGE 33 E.B.M., POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 1; THENCE NORTH 0°06' EAST ALONG THE MERIDIONAL CENTER LINE OF SAID SECTION, 1019.3 FEET; THENCE NORTH 46°50' EAST, 1370 FEET, MORE OR LESS TO THE PORTNEUF RIVER; THENCE FOLLOWING THE STREAM, IN COURSES AND DISTANCES APPROXIMATELY AS FOLLOWS:

SOUTH 51°18' EAST, 530 FEET; THENCE NORTH 83°42' EAST, 540 FEET; THENCE SOUTH 64°35' EAST, 420 FEET; THENCE SOUTH 65°49' EAST, 370 FEET, MORE OR LESS TO AN INTERSECTION WITH THE EAST LINE OF SAID SECTION 1; THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION, 1360 FEET, MORE OR LESS, TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE NORTH 89°22' WEST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION, 2659.5 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

AND:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 1; THENCE NORTH 0°06' EAST ALONG THE MERIDIONAL CENTER LINE OF SAID SECTION, 1019.3 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 46°50' EAST, 1370 FEET, MORE OR LESS, TO THE PORTNEUF RIVER; THENCE FOLLOWING SAID RIVER IN A NORTH AND NORTHWESTERLY DIRECTION TO A POINT ON THE NORTH LINE OF SAID SECTION, 70 FEET, MORE OR LESS, EAST OF THE NORTH QUARTER CORNER OF SAID SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION, 70 FEET, MORE OR LESS, TO THE NORTH QUARTER CORNER OF SAID SECTION 1; THENCE SOUTH ON THE MERIDIONAL CENTER LINE OF SAID SECTION, 1620.7 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE SOUTH 30 FEET, MORE OR LESS TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD, THE TRUE POINT OF BEGINNING; THENCE SOUTH 1566.6 FEET; THENCE NORTH 46°48' EAST 685.3 FEET; THENCE NORTH 16°03' WEST, 924.42 FEET, MORE OR LESS, TO THE WESTERLY BANK OF PORTNEUF RIVER; THENCE NORTH 45°53' WEST, 301.6 FEET, MORE OR LESS, TO THE SOUTH RIGHT OF WAY LINE OF ROAD; THENCE SOUTH 89°53' WEST, 28.6 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 25 FEET NORTH OF THE SOUTHEAST CORNER OF THE S $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION; THENCE DUE WEST, 174 FEET; THENCE NORTHEASTERLY 430.70 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID S $\frac{1}{4}$ NE $\frac{1}{4}$, WHICH POINT BEARS NORTH 394 FEET FROM THE POINT OF BEGINNING; THENCE SOUTH 394 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT PORTION OF LOT 5, SECTION 6 TOWNSHIP 6 SOUTH, RANGE 34 E.B.M.,

SCANNED

MAR 01 2006

EXHIBIT A (Continued)

POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 5, OF SECTION 6; THENCE ALONG THE WEST LINE OF SAID SECTION 6, NORTH 894.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 79°09' EAST, 567.71 FEET; THENCE SOUTH 36°41' EAST, 440.50 FEET; THENCE SOUTH 25°57' EAST, 415.00 FEET; THENCE NORTH 64°23' EAST 86.50 FEET, MORE OR LESS, TO THE CENTER LINE OF THE PORTNEUF RIVER; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE MEANDERING CENTER LINE OF THE PORTNEUF RIVER, 1799.50 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 6; THENCE ALONG SAID WEST LINE OF SAID SECTION, SOUTH 443.76 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

SCANNED

MAR 01 2006

CRYSTAL SPRINGS, INC.

Written Consent of Shareholders and Directors in Lieu of Meeting

The undersigned, being all of the shareholders and Directors of Crystal Springs, Inc., an Idaho corporation (the "Company"), hereby adopt the following resolutions by written consent in lieu of meeting as of June 3, 1996:

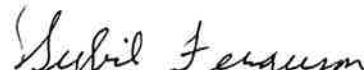
RESOLVED, that the Board of Directors consist of three (3) members and that Michael D. Ferguson, Roger Ferguson and Sybil Ferguson be, and hereby are, elected as directors of the Company until the next annual meeting of shareholders or their successors are elected and qualified.

RESOLVED, that the following persons be, and they hereby are, elected to hold the offices set forth opposite their respective names, each person to hold office until his or her successor is duly elected and qualified, or until he or she shall sooner die, resign or be removed:

<u>Name</u>	<u>Office</u>
Roger Ferguson	President
Michael D. Ferguson	Vice President
Sybil Ferguson	Secretary
Steven J. Hart	Treasurer



Roger Ferguson,
Shareholder and Director



Sybil Ferguson,
Shareholder and Director

SCANNED

MAR 01 2006

CRYSTAL SPRINGS, INC.

WRITTEN CONSENT OF SHAREHOLDERS IN LIEU OF ANNUAL MEETING

The undersigned, constituting all of the shareholders of Crystal Springs, Inc., an Idaho corporation (the "Company"), pursuant to § 30-1-145 of the Idaho Business Corporation Act, do hereby adopt the following resolutions by written consent in lieu of meeting as of January 31, 1996:

RESOLVED, that Roger Ferguson and Sybil Ferguson be, and hereby are, elected as directors of the Company until the next annual meeting of shareholders or their successors are elected and qualify.

RESOLVED, that the actions of the officers and directors of the Company since the last annual meeting of shareholders of the Company be, and hereby are, authorized, ratified and approved.


Roger Ferguson, Shareholder


Sybil Ferguson, Shareholder

SCANNED

MAR 01 2006

CRYSTAL SPRINGS, INC.

WRITTEN CONSENT OF DIRECTORS IN LIEU OF ANNUAL MEETING

The undersigned, constituting all of the directors of Crystal Springs, Inc., an Idaho corporation (the "Company"), pursuant to § 30-1-44 of the Idaho Business Corporation Act, do hereby adopt the following resolutions by written consent in lieu of meeting as of January 31, 1996:

RESOLVED, that the following individuals be, and hereby are, elected to the offices of the Company set forth opposite their names until the next annual meeting of directors or their successors are elected and qualify:

<u>Name</u>	<u>Office</u>
Roger Ferguson	President
Sybil Ferguson	Vice President and Secretary
Steven J. Hart	Treasurer

RESOLVED, that the actions of the officers of the Company since the last annual meeting of Directors of the Company be, and hereby are, authorized, ratified and approved.



Roger Ferguson, Director



Sybil Ferguson, Director

SCANNED

MAR 01 2006

CRYSTAL SPRINGS, INC.

WRITTEN CONSENT OF DIRECTORS IN LIEU OF ANNUAL MEETING

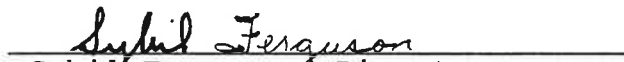
The undersigned, constituting all of the directors of Crystal Springs, Inc., an Idaho corporation (the "Company"), pursuant to § 30-1-44 of the Idaho Business Corporation Act, do hereby adopt the following resolution by written consent in lieu of meeting as of January 31, 1995:

RESOLVED, that the following individuals be, and hereby are, elected to the offices of the Company set forth opposite their names until the next annual meeting of directors or their successors are elected and qualify:

<u>Name</u>	<u>Office</u>
Roger Ferguson	President
Sybil Ferguson	Vice President and Secretary
Steven J. Hart	Treasurer



Roger Ferguson, Director



Sybil Ferguson, Director

SCANNED

MAR 01 2006

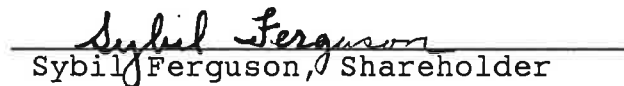
CRYSTAL SPRINGS, INC.

WRITTEN CONSENT OF SHAREHOLDERS IN LIEU OF ANNUAL MEETING

The undersigned, constituting all of the shareholders of Crystal Springs, Inc., an Idaho corporation (the "Company"), pursuant to § 30-1-145 of the Idaho Business Corporation Act, do hereby adopt the following resolution by written consent in lieu of meeting as of January 31, 1995:

RESOLVED, that Roger Ferguson and Sybil Ferguson be, and hereby are, elected as directors of the Company until the next annual meeting of shareholders or their successors are elected and qualify.


Roger Ferguson, Shareholder


Sybil Ferguson, Shareholder

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MAR 01 2006

RECEIVED

OCT 23 2001

Department of Water Resources
Eastern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE WATER RIGHTS FOR FISH) COMMENTS AND
ON THE PAPOOSE SPRINGS FACILITY) EVIDENCE OF
) SCOTT LANCASTER

COMES NOW, Scott Lancaster, and provides the following comments and evidence in this matter:

1. I am a native of Idaho and am familiar with the Portneuf River in the vicinity of Pocatello and in particular the area around the Papoose Springs.
1. I was employed by Aqua Life Inc. on the Papoose Springs fish hatchery in commercial fish production from 1985 through 1990.
- 2 My duties included management of the water supply system from the springs and all tasks involved in commercial production of Rainbow trout.
- 3 During my employment, all flow from the springs was utilized in the raceways and returned to the Portneuf river.
- 4 The hatchery at Papoose springs was also utilized during my employment.
5. Ownership of the place changed hands to Roger Fergeson of Crystal Springs Trout Inc. in 1994.
5. We had a pump in the tailrace which was used to irrigate around the place. Probably about 7 or 8 acres was irrigated as shown on the attached photo map (Exhibit A)

DATED this 16 day of ^{October}~~September~~ 2001

Scott Lancaster
Scott Lancaster

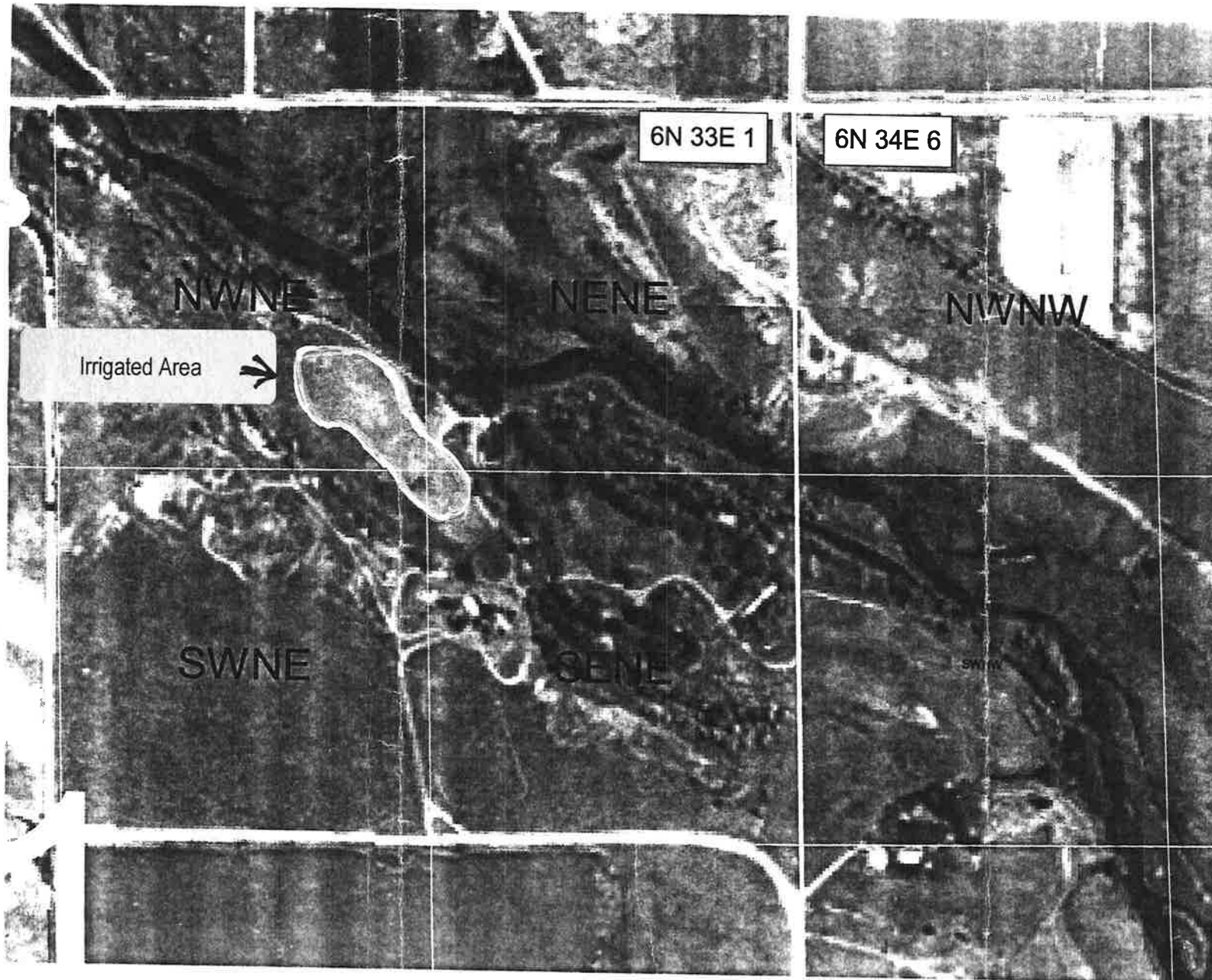
SUBSCRIBED and SWORN to before me this 16 day of ^{October}~~September~~ 2001.

Ayton M. Heath
NOTARY PUBLIC
Residing at Boise, ID 83762
My Commission Expires Jan 18, 2003

SCANNED

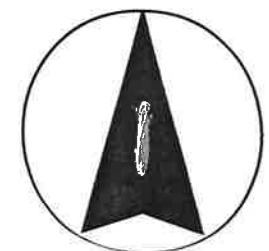
MAR 01 2006

9
Field Exam Map for 29-4012A, 20-4012B

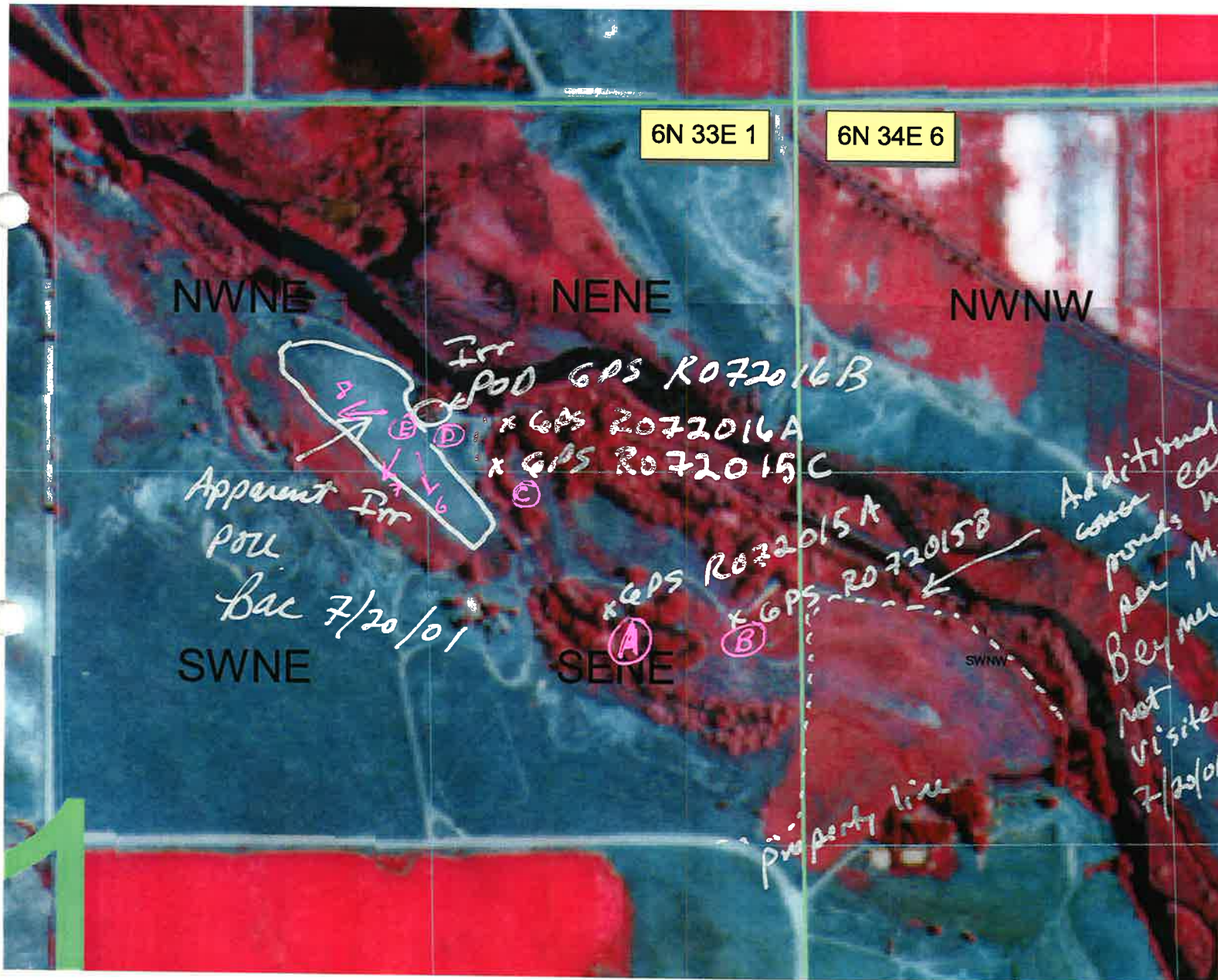


Township 6S
Range 33E
Section 1

Township 6S
Range 34E
Section 6



Field Exam Map for 29-4012A, 20-4012B



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MAR 01 2006

Township 6S
Range 33E
Section 1

Township 6S
Range 34E
Section 6



Attach photos. Bac

Crystal Springs p 2 7/20/01

Photo #4, #5 @ dam on NW-

Waterwheel. GPS R072015C

Runs SE of dam, large pool above
dam was raining pool.
(GPS about 1/2 out on dam)

GPS R072016A

Bridge @ outflow of springs
to Portway River

GPS R072016B

Pump @ spring sump
Fairbanks - Morse
68344

motor gear.
4" discharge

Apparent pool to West of GPS site

photo #6 = pump

photo #7, 8, 9 ~ apparent pool.

1.4' ~ 12' 3

*

Please mail copy of Barnett map
to Mr. Beymer

Joyce A. Carter
7/20/01

PROTECTED

SCANNED
MAR 01 2006

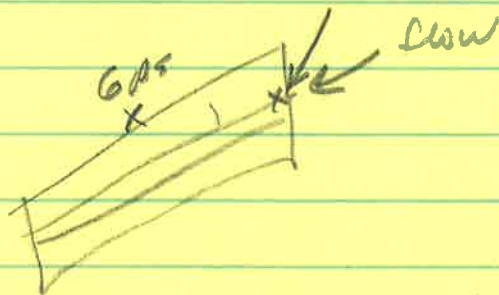
Crystal Springs Field Exam 7/20/01

acc. Bish Beymer, Elise Teton

GPS **R072015A** @ raceway, photo #1

photo 2, "1934" marked in concrete

photo 1
x →



Mr. Beymer's employee worked here through 1980s, will provide affidavit of ir @ aquaculture use.

GPS **R072015B** @ developed spring near East edge of property. Per Mr. Beymer, more raceways to east -

@ spring building estimate 40' x 20' indoor raceways

additional raceways on NE against river

Photo #3 @ Sward of building

SCANNED
MAR 01 2006

SCANNED

MAY 16 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Crystal Springs Inc
c/o Roger Ferguson, President
P.O. Box 519
Rexburg, Idaho 83440

Re: Adjudication Claims 29-4012A, 29-4012B

Dear Water User:

We are now investigating Adjudication Claims in Administrative Basin 29. My assignment is to make an accurate determination of the use of this water right up through November, 1987. Based upon this determination, I will make a recommendation to present to the Snake River Basin Adjudication Court.

I need your help to document the usage of these two water rights. Use of the water up through 1970 is adequately documented, but I have very little information on use from 1970 up through 1996. Of particular interest is usage in the years 1986 and 1987. If you could document the nature and extent of water use in those two years, it would help me make an accurate recommendation of your water right. Affidavits from former owners or employees of the hatchery, or former neighbors, would be very useful. Production records or aerial photos may also be useful, though I cannot get much out of my 1987 aerial photos.

The enclosed pamphlet gives some guidance on sources of documentation. If you get affidavits, be sure the affidavit clearly shows the person is speaking from personal knowledge (I saw...) and provides enough details of dates and locations that we can be sure it refers to these particular claims. In general, the more detail, the better.

For your convenience I have enclosed copies of the original claims.

Please call me at 525-7161 if you have questions. I am usually in the office later in the week, but not usually on Monday or Tuesday.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

PROFILED

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MAR 01 2006

MEMORANDUM

May 20, 1999

TO: Eastern Adjudication Unit
FROM: Cindy Hodges, Water Distribution Section *cyh*
RE: Claim Nos. A29-04012A/04012B

The attached memo is in regard to the above claims filed by Roger Ferguson. Mr. Hart is Ferguson's accountant and representative.

I solicited the information in response to Mr. Ferguson's petition for exclusion from the East Water Measurement District. Unfortunately, the nature of the information indicates a possible forfeiture of these rights and the memo should be placed in the claim file.

I have also forwarded to Mr. Hart a Change in Ownership form, as Crystal Springs Inc, the name on the claims, appears to have been dissolved.

Please check with me or with Lewis Rounds if you have any questions.

RECEIVED
MAY 28 1999
Department of Water Resources
Eastern Region

SCANNED
MAR 01 2006

HART & COMPANY

Steven J. Hart, CPA

108 West First South
PO Box 519
Rexburg, ID 83440
Fax: 208-356-4421

FAX TRANSMISSION COVER SHEET

To: ..

CINDY HODGES - Sr. Water Resource Agent

Fax #:

208-327-7866

Sender:

STEVE HART CPA

Date:

3/31/99

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 208-356-3716

CINDY,

A29-04012A/4012B

Sorry I'm late in responding to your letter dated 3/3/99. It is tax season and my days & nights are a blur. Thank you for your patience.

The hatchery is idle. It sits on 100 acres in power county and it is owned by Roger & Sybil Ferguson, my clients. Crystal Springs, Inc. is no longer in existence. Please make this ownership correction on your records.

The land & hatchery was acquired in 1994 in a lawsuit settlement with its owner. As of that date forward it has not been operating.

SCANNED

MAR 01 2006

AND I THINK FOR 2 YEARS PRIOR TO THE
LAW SUIT IT SAT IDLE ALSO. THE PRIOR
OWNER CEASED ITS OPERATION I THINK
AS A RESULT OF HIS GOING OUT OF
BUSINESS. WE HAVE NEVER USED THE
FACILITY SINCE OBTAINING IT.

WE HAVE NO IDEA WHEN IT WILL
BE USED AGAIN AS A AQUACULTURE
FACILITY. THE FERGUSONS HAVE SOLD THEIR
FISH PROCESSING PLANT.

WE HAVE A CARE TAKER LIVING ON
THE PROPERTY AND CURRENTLY NO
FARM CROPS ARE BEING RAISED ON
THE LAND.

I HOPE THIS IS WHAT YOU NEED.
PLEASE CALL LEWIS ROUNDS 208-525-
7171 AND HE WILL NOT PROCESS THE
BILLING ON THIS EXEMPTION. ONCE
AGAIN - THANKS!
BACK TO TAXES!

STEVE

SCANNED

MAR 01 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

DECEMBER 12, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CRYSTAL SPRINGS INC
C/O ROGER FERGUSON
PO BOX 519
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A29-04012A AND A29-04012B

Dear Mr. Ferguson:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

PROFILED

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MAR 01 2006

NOV 13 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

OCT 17 1994

Department of Water Resources
Southern Region OfficeDATE OF CLOSING: 8-25-94

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED
OCT 18 1994

Department of Water Resources
Eastern District Office

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A29-04012A = A29-04012B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): KENNETH ELLIS, PRESIDENT
AQUA LIFE, INC.
RT. 4-BOX 5033 BOHL, ID. 83316
- ☐ New Owner/Claimant (Purchaser): ROGER FERGUSON, PRESIDENT
- ☐ New Mailing Address: CRYSTAL SPRINGS, INC.
P.O. BOX 519
REXBURG, IDAHO 83440
- ☐ New Telephone Number: (208) 356-3716
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: SEE ATTACHED WARRANTY DEED
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): CRYSTAL SPRINGS, INC. Date 10-11-94
ROGER FERGUSON, PRESIDENT Date 10-11-94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
 Initial Review and Data-Entry
 Date: _____ By: _____
 Further Action Needed:
 Further Action Taken
 Date: _____ By: _____
 Final Review and Data-Entry
 Date: _____ By: _____
 Claim Numbers of Split, if any:

SCANNED

MICROFILMED

NOV 13 1996

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

WARRANTY DEED

Warranty deed made this 25th day of Aug., 1994, between Aqua Life, Inc., an Idaho corporation ("Grantor"), and Crystal Springs, Inc., an Idaho corporation ("Grantee"), whose address is 950 South 1800 West, Post Office Box 125, Springfield, Idaho 83277, witnesseth:

That Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantee and its heirs and assigns forever, all of the following described real estate situated in the County of Power, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its heirs and assigns forever.

And Grantor and its heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, its heirs and assigns against Grantor and its heirs and against all and every person or persons whomsoever, lawfully claiming the same through Grantor.

The Grantee, by accepting and recording this Deed, does not intend a merger of the title herein conveyed with its interest under that certain mortgage dated February 9, 1994 and

RECORDED

NOV 13 1996

SCANNED

MAR 01 2006

recorded February 15, 1994 as Instrument No. 160857 in the Official Records of Power County, Idaho, and it is the intention of the parties hereto that the property above-described shall remain subject to the lien of said mortgage as a first lien upon the property, unless and until the same is released by the Grantee, and Grantee shall retain all rights to foreclose any junior liens pursuant to said mortgage.

This instrument is intended to effectuate an absolute conveyance and is not given as additional security. Part of the consideration for this instrument is full satisfaction of that certain Promissory Note dated February 9, 1994 given by Grantor to Grantee. Grantor declares that this conveyance is freely and fairly made and there are no agreements or understandings between the parties hereto, oral or written, other than this instrument, with respect to said property. Grantor and Grantee verily believes that the aforesaid consideration received by Grantor represents at least the fair value of the property conveyed to Grantee by this instrument.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

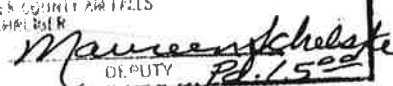
AQUA LIFE, INC., an Idaho corporation


By: Kenneth Ellis, President

WARRANTY DEED - 2

SCANNED
MAR 01 2006

162145

Instrument #	8	Time	2:40 PM
Grantee	American Land		
Grantor	Title		
NOV 13 1994			
POWER COUNTY RECORDS			
BY  DEPUTY			

STATE OF IDAHO)

) ss.

County of Ada

On this 25th day of August, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared **Kenneth Ellis**, known to me to be the person whose name is subscribed to the within instrument, and acknowledge 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 in this certificate first above written.

Notary Public for Idaho
Residing at Boise, Id
My Commission Expires 03/04/2009



(gjm\2695\deeds\deed.001)

WARRANTY DEED - 3

NOV 13 1996

SCANNED

MAR 01 2006

EXHIBIT A

PARCEL 1:

THAT PORTION OF THE S½NE¼, AND LOTS 1 AND 2, SECTION 1, TOWNSHP 6 SOUTH, RANGE 33 E.B.M., POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 1; THENCE NORTH 0°06' EAST ALONG THE MERIDIONAL CENTER LINE OF SAID SECTION, 1019.3 FEET; THENCE NORTH 46°50' EAST, 1370 FEET, MORE OR LESS TO THE PORTNEUF RIVER; THENCE FOLLOWING THE STREAM, IN COURSES AND DISTANCES APPROXIMATELY AS FOLLOWS:

SOUTH 51°18' EAST, 530 FEET; THENCE NORTH 83°42' EAST, 540 FEET; THENCE SOUTH 64°35' EAST, 420 FEET; THENCE SOUTH 65°45' EAST, 370 FEET, MORE OR LESS TO AN INTERSECTION WITH THE EAST LINE OF SAID SECTION 1; THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION, 1360 FEET, MORE OR LESS, TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE NORTH 89°22' WEST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION, 2659.5 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

AND:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 1; THENCE NORTH 0°06' EAST ALONG THE MERIDIONAL CENTER LINE OF SAID SECTION, 1019.3 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 46°50' EAST, 1370 FEET, MORE OR LESS, TO THE PORTNEUF RIVER; THENCE FOLLOWING SAID RIVER IN A NORTH AND NORTHWESTERLY DIRECTION TO A POINT ON THE NORTH LINE OF SAID SECTION, 70 FEET, MORE OR LESS, EAST OF THE NORTH QUARTER CORNER OF SAID SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION, 70 FEET, MORE OR LESS, TO THE NORTH QUARTER CORNER OF SAID SECTION 1; THENCE SOUTH ON THE MERIDIONAL CENTER LINE OF SAID SECTION, 1620.7 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE SOUTH 30 FEET, MORE OR LESS TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD, THE TRUE POINT OF BEGINNING; THENCE SOUTH 1566.6 FEET; THENCE NORTH 46°48' EAST 685.5 FEET; THENCE NORTH 16°03' WEST. 924.42 FEET, MORE OR LESS, TO THE WESTERLY BANK OF PORTNEUF RIVER; THENCE NORTH 45°53' WEST, 301.6 FEET, MORE OR LESS, TO THE SOUTH RIGHT OF WAY LINE OF ROAD; THENCE SOUTH 89°53' WEST, 28.6 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION OF SAID LAND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 25 FEET NORTH OF THE SOUTHEAST CORNER OF THE SE¼NE¼ OF SAID SECTION; THENCE DUE WEST, 174 FEET; THENCE NORTHEASTERLY 430.70 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID SE¼NE¼, WHICH POINT BEARS NORTH 394 FEET FROM THE POINT OF BEGINNING; THENCE SOUTH 394 FEET TO THE POINT OF BEGINNING

NOV 13 1990

PARCEL 2:

THAT PORTION OF LOT 5, SECTION 6 TOWNSHIP 6 SOUTH, RANGE 34 E.B.M.,

MAR 01 2006

EXHIBIT A (Continued)

POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 5, OF SECTION 6; THENCE ALONG THE WEST LINE OF SAID SECTION 6, NORTH 894.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 79°09' EAST. 567.71 FEET; THENCE SOUTH 36°41' EAST, 440.50 FEET; THENCE SOUTH 25°57' EAST, 415.00 FEET; THENCE NORTH 64°23' EAST 86.50 FEET, MORE OR LESS, TO THE CENTER LINE OF THE PORTNEUF RIVER; THENCE IN A NORTHWESTERLY DIRECTION ALONG THE MEANDERING CENTER LINE OF THE PORTNEUF RIVER, 1799.50 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 6; THENCE ALONG SAID WEST LINE OF SAID SECTION, SOUTH 443.76 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

RECORDED

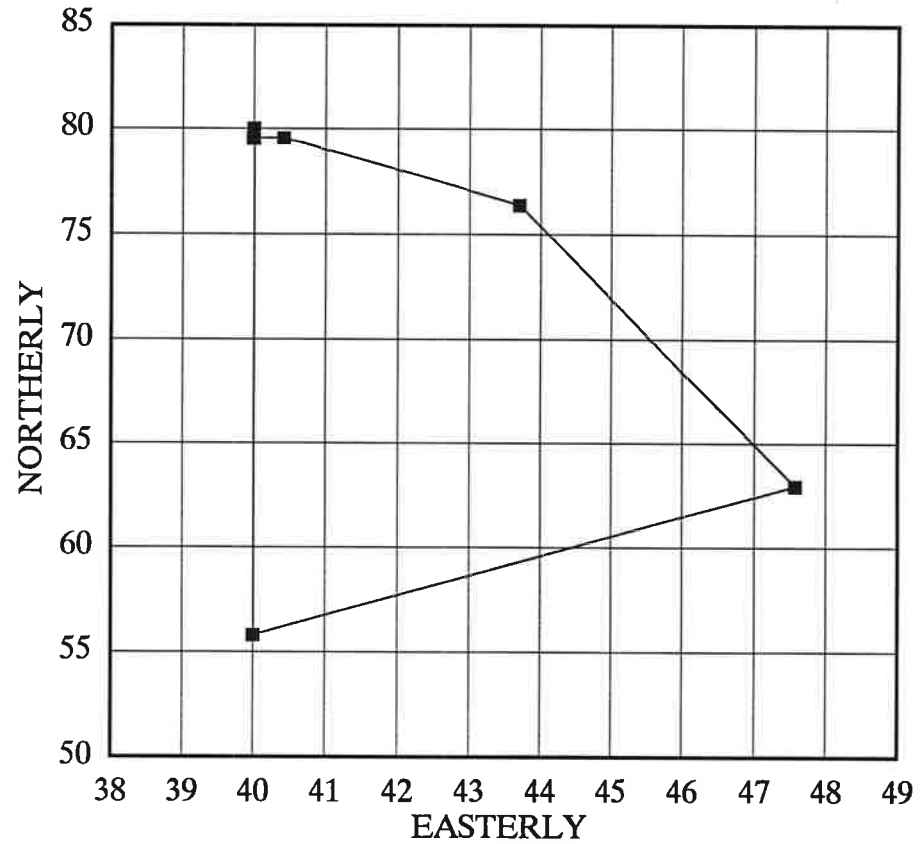
NOV 13 1896

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MAR 01 2006

CHANGE IN OWNERSHIP

DISTANCES ARE IN CHAINS



GJT LINDSTROM PARCEL 2

SCANNED

MAR 01 2008

NOV 13 1990

POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
40.00	80.00						
40.00	79.55	0.00	0.00	0.00	SE	30.00	0.00
40.00	55.81	0.00	0.00	0.00	SW	1566.60	0.00
47.57	62.92	46.00	48.00	0.00	NE	685.50	2.69
43.70	76.38	16.00	3.00	0.00	NW	924.42	10.28
40.42	79.56	45.00	53.00	0.00	NW	301.60	10.93
39.98	79.56	89.00	53.00	0.00	SW	28.60	10.93

MAR 01 2006

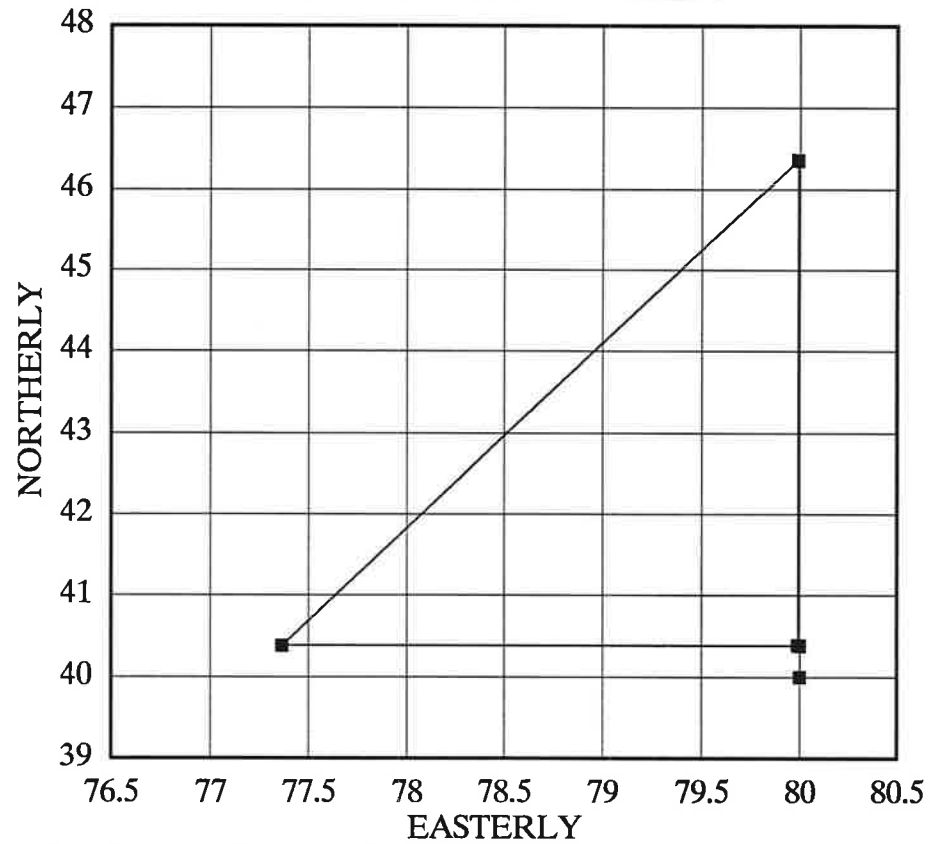
SCANNED

NOV 13 1998

NOV 13 1998

CHANGE IN OWNERSHIP

DISTANCES ARE IN CHAINS



GJT LINDSTROM PARCEL 2

SCANNED

MAR 01 2006

NOV 13 1999

POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
80.00	40.00						
80.00	40.38	0.00	0.00	0.00	NE	25.00	0.00
77.36	40.38	90.00	0.00	0.00	SW	174.00	0.00
79.99	46.35	23.00	42.00	59.00	NE	430.70	0.79
79.99	40.38	0.00	0.00	0.00	SE	394.00	0.78
79.99	40.38	0.00	0.00	0.00	NW	0.00	0.78
79.99	40.38	0.00	0.00	0.00	SW	0.00	0.78

MAR 01 2006

SCANNED

NOV 13 1995

6-27-07/11/08

Photo #1, location "A" on attached. Outdoor fish runs. NE end of runs is one POD.



Photo #2, location "A" on attached. Marking "1934" in concrete.



Photos taken 7/20/2001 by B. Contor. Accompanied by Elese Teton of Shoshone-Bannock tribes and Bish Beymer, representative of claimant. See attached locator map.

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MAR 01 2006

bal

Photo # 3, location of spring that supplies indoor fish runs. Runs in tin building NE of spring. This is second POD for aquaculture claim.



pool /
Source under
cover

SCANNED
MAR 07 2006

Photos taken 7/20/2001 by B. Contor. Accompanied by Elese Teton of Shoshone-Bannock tribes and Bish Beymer, representative of claimant. See attached locator map.

pac

Photo #4, dam at location "C" on attached. Note remnant of water wheel. Pool upstream of this dam is fish propagation area.



SCANNED
MAR 01 2006

Photos taken 7/20/2001 by B. Contor. Accompanied by Elese Teton of Shoshone-Bannock tribes and Bish Beymer, representative of claimant. See attached locator map.

Buc

Photo #5. Pump and POD for irrigation, location "D" on attached.



ne south and then swinging

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MAR 01 2006

bae

Photos taken 7/20/2001 by B. Contor. Accompanied by Elese Teton of Shoshone-Bannock tribes and Bish Beymer, representative of claimant. See attached locator map.

Photo #6, 7, 8. Panoramic view of POU, looking first to the south and then swinging around to the west. Location "E" on attached.



SCANNED
MAR 01 2006

Photos taken 7/20/2001 by B. Contor. Accompanied by Else Teton of Shoshone-Bannock tribes and Bish Beymer, representative of claimant. See attached locator map.

Bac

Photo #8



SCANNED
MAR 01 2006

Photos taken 7/20/2001 by B. Contor. Accompanied by Elese Teton of Shoshone-Bannock tribes and Bish Beymer, representative of claimant. See attached locator map.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 8, 1993

RECEIVED
NOV 23 1993
RECEIVED

Aqua Life, Inc.
Rt. 5, Box 5053
Buhl, ID 83316

Department of Water Resources
Eastern District Office

JUL 12 1993

RE: Snake River Basin Adjudication (SRBA)
AR #S000049

Department of Water Resources
Southern Region Office

Dear Claimant:

Enclosed is your receipt #C028073 acknowledging your latest payment of the claim fees on this account. I've written this letter to address your note on the check stub, "Final Payment on 10 Water Rights". To the contrary, one payment yet remains for this account. You may recall the account was split into five equal payments plus interest beginning with the filing of the claims in May, 1990.

To date, you have made each annual installment with a total of \$4,441.34 split between \$2,942.34 for claim filing fees (principal) and \$674.35 in interest. \$824.65 of the initial payment was for late filing fees not credited toward the claim fees. The remaining balance on the account is now \$737.36. This amount is accruing ten percent (10%) simple interest from May 1, 1993 until the next payment is made. You will receive a statement for the payment in April, 1994.

If you have any questions about this account, please feel free to contact me.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:AR:region

Enclosure:

Receipt #C028073

File: A29-4012A
A27-07013

SCANV 1

MAR 6 1993

PROFILED

MICROFILMED

APR 12 1994

Identification No. 29-4012

Claim No. 29-4013

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Thousand Springs Trout Farms, Inc.
post office address Box 232, Buhl, Idaho
2. The point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 6 Township 6S
Range 34E B.M. located on Papoose Springs (See Remarks for Additional Points
(name of source) of Diversion
tributary to Portneuf River in Power County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

- a. Date of priority claimed:
- | | | | | | |
|--------------|-----------------|---------------|-----------|---------------|------------|
| (Fish) | 1914 thru 1926 | amount: 75 | c.f.s. or | (See remarks) | acre feet |
| (Irrigation) | 1956 or earlier | amount: .14 | c.f.s. or | | acre feet |
| | | amount: _____ | c.f.s. or | | acre feet |
| | | Total claimed | 75.14 | c.f.s. or | acre feet. |

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Fish Propagation period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use Irrigation period of use from April 1 to Oct. 31 (both dates inclusive)
use Fish Hatchery period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of See remarks
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

- b. Underground water diverting works: is well flowing or pumped NA depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

_____, if so, give dates and explain.

ing date and dimensions if possible:

is reservoir on or off stream _____ explain _____

location of reservoir by 40-acre subdivisions _____

describe _____

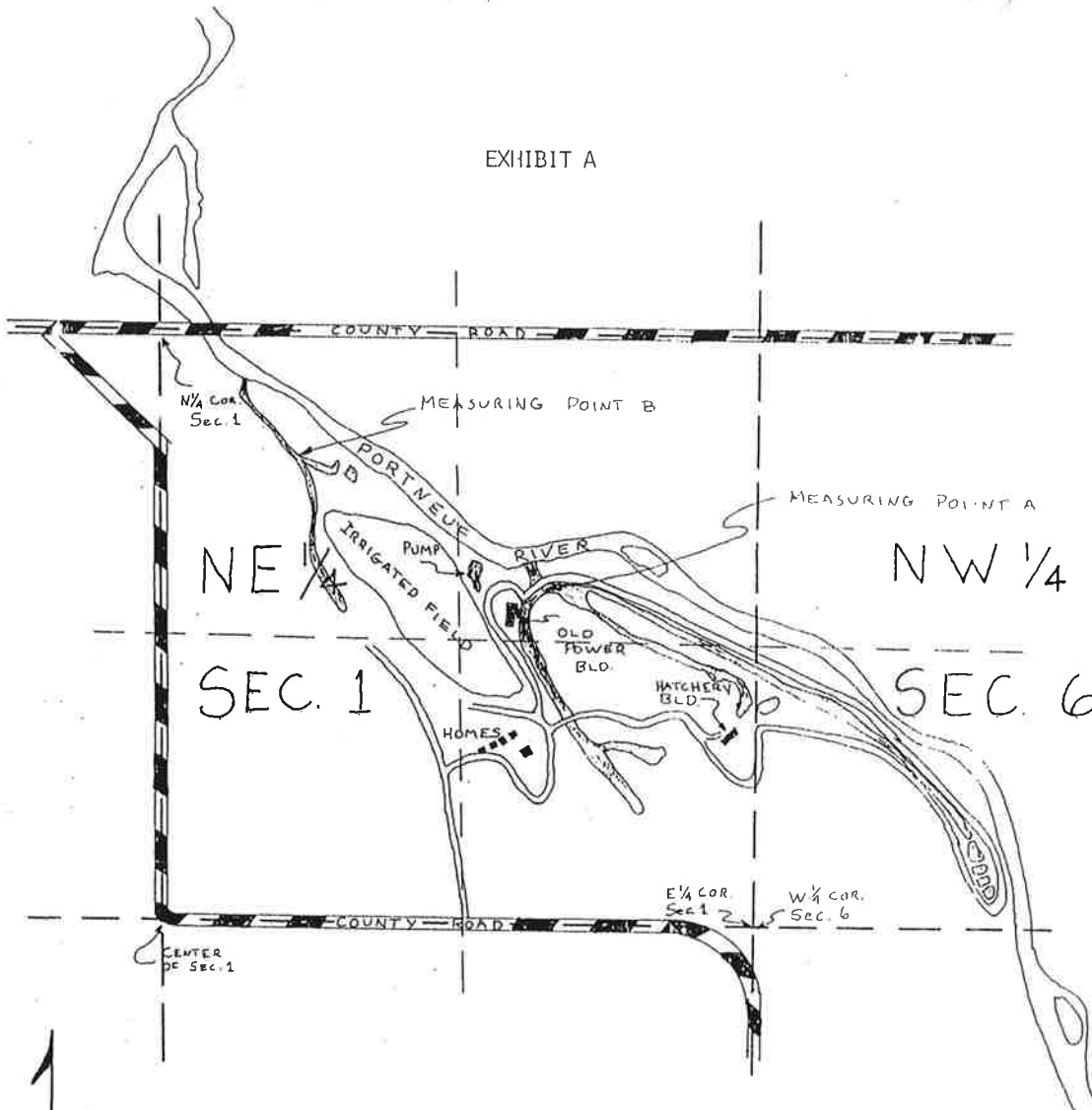
Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 6.8

1

EXHIBIT A



MAP SHOWING THE LOCATION OF THE
PAPOOSE SPRINGS

Legend

Locations shown are in the NE $\frac{1}{4}$ of Sec. 1, T. 6S, R. 33E, and the NW $\frac{1}{4}$, Sec. 6, T. 6S, R. 34E, all in Power County, Idaho.

Dark blue represents pond areas and raceways easily seen from the aerial photo. Some ponds are completely or partly hidden on photo because of heavy tree growth.

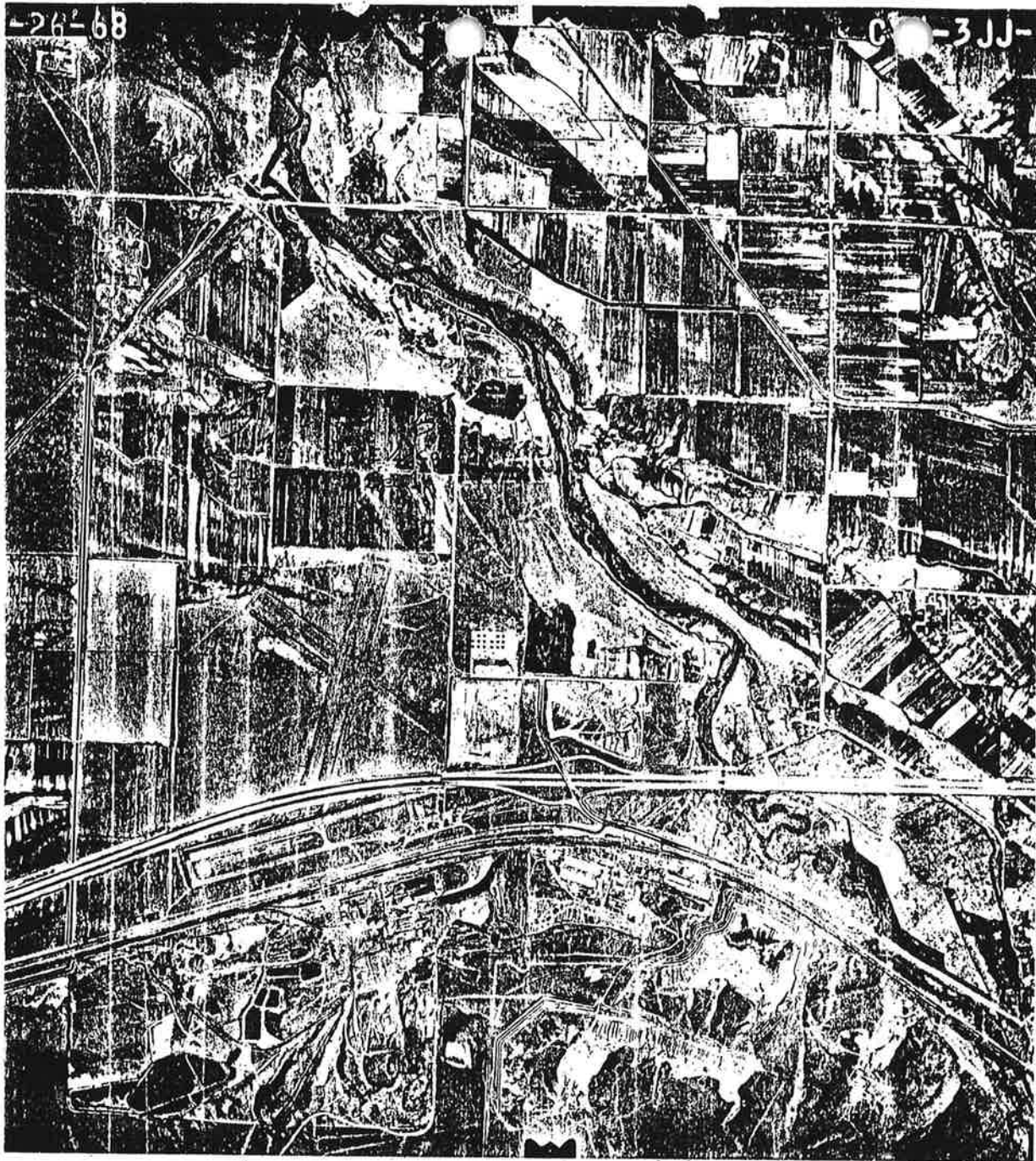
Map was prepared by Anderson and Kelly Engineering of Boise, Idaho from aerial Photo CXV-10 DD-71. Taken 10-31-64.

Approximate Scale: 8"=1 Mile



-26-68

C-3JJ-



CYN-3JJ-142

EXHIBIT B

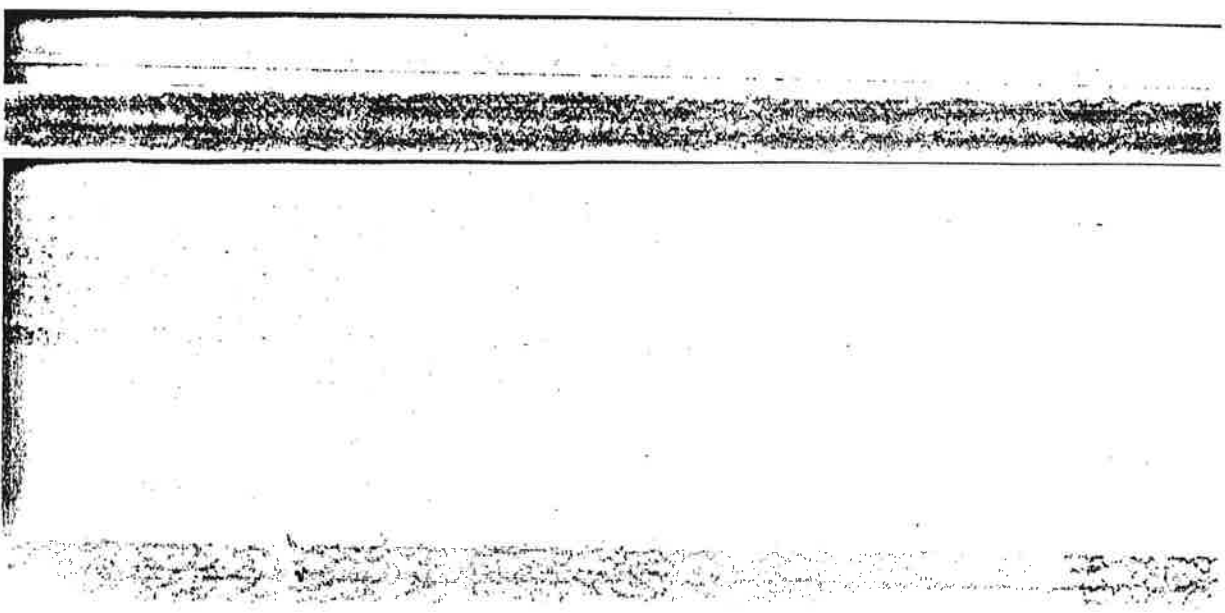


Exhibit C

STATE OF IDAHO)
 : SS
COUNTY OF TWIN FALLS)

Mrs. May Meader, being first duly sworn on her oath, deposes
and says:

Although I was not there at the time I know that my then
future husband started raising fish in and near Papoose
Springs in about 1914. His development took over from a
group that had been working and raising fish at earlier
dates. I believe the earlier group was called the Pocatello
Trout Growers. The first used springs on the property now
owned by the Papoose Spring Trout Ranch, Inc. were those
farthest upstream and near the Portneuf River. I believe
their first use by my husband was in 1914. In 1919 I was
married and moved onto the property. I was aware of and
involved with the development and use of the springs under
the hill and near the home in about 1921. Springs farther
downstream were developed in about 1925 or 1926.

By cleaning and developing the springs their flow was increased
in the initial years. I personally know that until I left
the property in 1956, each year thereafter the water was
used to raise fish. We also irrigated a small piece of
ground from time to time and raised crops on a flat under the
hill but higher than the springs. Up to as much as 7 acres
were irrigated before I left in 1956.

Mrs. May Meader
MRS. MAY MEADER

Subscribed and sworn to before me this 26 day
of August, 1970.

J. H. Peterson
Notary Public residing in Twin Falls Idaho

My Commission Expires:
12-8-72

EXHIBIT D

LARGE SPRINGS IN THE UNITED STATES

The topographic and geologic conditions are evidently such that ground water is contributed in large quantities to this spring area from an extensive region on the southeast, east, and northeast. This catchment area probably includes not only the large undrained area of permeable lava rock in the region about Bancroft, but also Soda Springs Valley and the valley of Bear River above the bend. Apparently Bear River once flowed into the Portneuf and was diverted toward the south by a lava flow that dammed its valley in the vicinity of Alexander. Ground water probably follows the ancient lava-filled valley westward to the large springs along the Portneuf. Large quantities of ground water are doubtless also contributed by Blackfoot River and its tributaries. Moreover, the contour map of the water table along the Snake River, prepared by the United States Bureau of Reclamation, indicates that the Snake may itself make large contributions of ground water to the spring area.

The following notes were furnished by H. T. Stearns on the basis of a few days of field work in this region in September, 1925:

Batise Springs are on the west bank of Portneuf River, near Batise siding of the Oregon Short Line Railroad, about 4 miles northwest of Pocatello. The largest of these springs is pumped to supply the railroad shops in Pocatello. The water issues from basalt at the base of a stream-laid terrace. On September 14, 1925, the springs had a temperature of 57° F. and Portneuf River a temperature of 56° F. The total discharge of the springs on this date, according to a rough measurement, was 42 second-feet. There is one other spring below the section that was measured which would probably bring the total flow of this group to 50 second-feet.

About 1½ miles downstream from Batise Springs there are large springs owned by C. B. Ross and utilized by W. S. Meeder for a fish hatchery. The water issues from basalt at the base of the same gravel terrace as is found at Batise Springs and comes out of two well-defined vents about 10 feet above the river. The water flows northward a quarter of a mile before it enters the river. On September 14, 1925, these springs had a temperature of 54° F. and a discharge of about 75 second-feet.

Between the Fish Hatchery Spring and the mouth of Portneuf River the river receives two large spring-fed tributaries from the north. The upper of these is Ross Fork, which receives most of its water from Clear Creek, and the lower one is Spring Creek. Clear Creek rises in a number of springs on the bottom lands close to the base of the Gibson terrace, which is underlain by volcanic sand and alluvium. No measurements of its flow are recorded, but W. B. Heroy has estimated the flow at 100 to several hundred second-feet. Large springs occur near the south base of Big Butte, in or near the NW ¼ sec. 5, T. 4 S., R. 34 E. A large volume of beautifully clear water wells up in a pool about 50 feet in diameter and flows southward through a marsh. The stream from the

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137

SPRINGS IN THE FORT HALL BOTTOMS
GENERAL FEATURES

GENERAL FEATURES AND DISCHARGE

SPRINGS IN THE FORT HALL BOTTOMS
GENERAL FEATURES AND DISCHARGE

Springs rise at intervals for a distance of 10 miles or more along the Fort Hall bottoms and adjacent to the Portneut River near its mouth. Most of these springs rise on the valley floor at heights of 10 to 15



Sketch map showing the location of spring-measuring stations in the vicinity of the Falls Reservoir. (See table, p. 138, for explanation of numbers.)

above the river. They have a fairly uniform aggregate discharge about 1,400 second-feet, and most of them issue from basalt which covers the alluvium in this area. The flow and the names of 30 of the larger springs in the vicinity of the American Falls Reservoir are given below. The location of the stations where the flow from each spring was measured is shown in figure 11. Additional details

Exhibit F

A F F I D A V I T

STATE OF IDAHO)
 :
COUNTY OF ADA)

JACK E. KELLY, being first duly sworn on his oath, deposes
and says:

I am a registered professional engineer residing in Boise,
Idaho. I am a partner in the consulting engineering firm
of Anderson & Kelly which specializes in water resource
work.

I have personally visited the Papoose Spring Trout Ranch
near the Portneuf River in Power County and observed the
use of the water from the springs. The water was being
used in fish rearing ponds in Sections 1 and 6 as indicated
on the map marked "Exhibit A". Water was also being used
in a hatchery building. Although my visit was not during
the irrigation season, the field shown in Exhibit A had
obviously been irrigated and cropped in the past. I also
observed the 15 HP motor and pump used to raise water onto
the land.

On March 30, 1970 I measured the combined flow of the springs
with a current meter as they leave the pond known by the
owner as pond 17 of Section 2 at a point marked measuring
point A on Exhibit A. The flow on that date was 41.24 cfs.
I also measured the flow of additional springs in a pond
known as pond 9 of Section 3 at a point marked measuring
point B on Exhibit ^A. The flow on that date was 7.83 cfs.
These two measurements total 49.07 cfs and represent the
total flow of all of the springs in the ponds and raceways
of the trout company on that particular date.

I anticipate the flow of the springs will vary from year to year and throughout the season and therefore additional measurements are planned in the future.

Jack E. Kelly
JACK E. KELLY

Subscribed and sworn to before me this 29th day of June, 1970.

Jack Arnold Barnett
Notary Public residing in Boise, Idaho

My Commission Expires:

Jan. 21, 1974

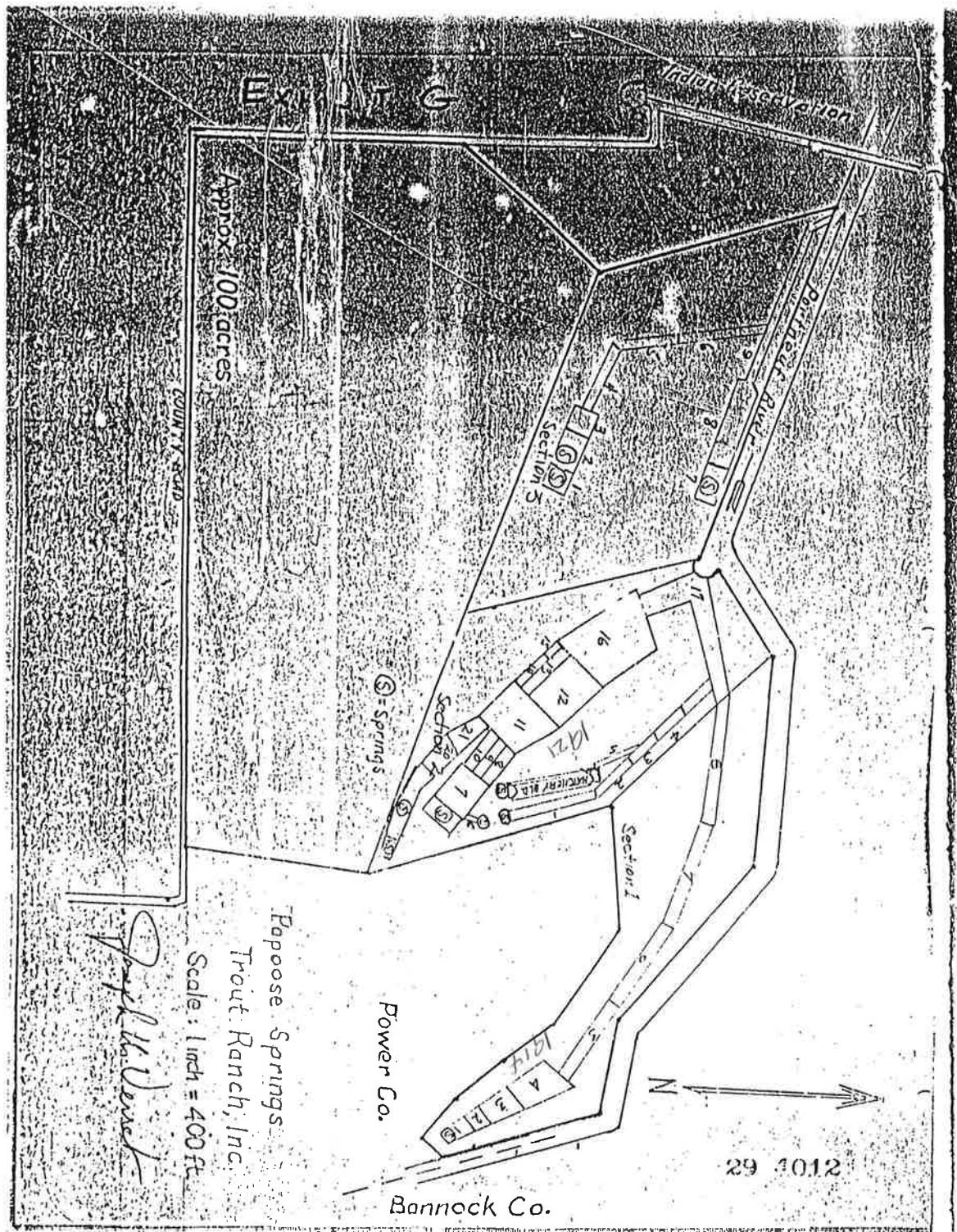


Exhibit II

A F F I D A V I T

STATE OF IDAHO)
 :
COUNTY OF POWER) SS

JOSEPH V. VERRET, being first duly sworn on his oath, deposes and says:

I first became involved with the raising of fish at Papoose Springs near the Portneuf River in Power County, Idaho, in 1956 when I came on the place as an owner-manager. I have lived and worked on the property from 1956 until the present.

The facilities have not been enlarged from the facilities I found in 1956 and all of the water had been used then for fish production. The facilities have been improved from time to time for the more efficient raising of fish and additional improvements are planned to increase efficiency of the operation and perhaps result in the raising of more pounds of fish. In 1969, 180,000 pounds of fish were raised and harvested at the Springs. Phil Meader, the son of the previous owner, indicated to me that more total poundage than this was raised in past years.

I prepared the sketch map which is marked as "Exhibit G" in the claim to a water right, which I have signed. The exact positioning may be off a little on the map but it accurately represents the ponds and their general relationship to the major spring areas and the Portneuf River.

In January of 1968 I made a survey of the ponds, inventoried the fish on hand as of January 1, 1968 and computed the spawning record for 1967-68. Copies of my figures have been marked "Exhibit I", for the water right claim, and signed by me.

About 7 acres of land have been irrigated from a spring area located just southwest of pond #17. I do not know when irrigation of this land started as it was under irrigation when I came on the property in 1956. At the present time there is a seven-foot long casing in the spring. A 15 HP pump is set on the casing with a 6-inch intake and a 4-inch discharge that pumps the water to a sprinkler line. The line has 13 heads that are moved to irrigate about 7 acres. The crops generally raised are alfalfa and irrigated pasture.

Joseph V. Verret
JOSEPH V. VERRET

Subscribed and sworn to before me this 8th day of July, 1970.

George R. Phillips
Notary Public for Idaho
Residing at Palatka,
Idaho.

January 1963		Tond Survey		Joseph W. Throck		rapose springs - recore.	
Location	Size in cubic feet	Volume in gallons	Flow GPM	Changes in minutes & per hr.	GPM	Remarks	
1	10' x 10' x 5' = 9450	70875	900	78.8	1:20 min	1	
2	70' x 10' x 5' = 5810	44100	2000	22.0	2.7	2 Springs & 1	
3	95' x 39' x 5' = 11232	84240	2300	36.5	1.6	3	
4	100' x 120' x 5' = 13860	104000	2640	39.0	1.5	4	
5	536' x 16' x 1.33' = 7150	53625	2640	20.0	3.0	5	
6	315' x 16' x 1.33' = 7341	55057	2640	21.0	3.0	6	
7	570' x 30' x 1.66' = 28386	213000	3168	70.0	1:10 min	7	
8	618' x 12' x 1.33' = 72475	93562	3168	29.2	2.0	8 Temp. 54°	
9						9	
10						10	
11	225' x 15' x 1.33' = 1350	10125	308	33.0	1.8	11	
12	115' x 6' x 1.33' = 702	5265	1188	4.3	14.0	12 concrete	
13	115' x 6' x 1.33' = 702	7357	1188	6.0	10.0	13	
14	20' x 10' x 1.33' = 835	6262	2126	3.0	20.0	14 Temp. 54°	
15	240' x 5' x 1.33' = 630	4725	938	5.0	12.0	15	
16	30' x 10' x 1.33' = 398	2925	120	25.0	2.4	16	
17	115' x 10' x 1.33' = 24750	185625	5000	37.0	1.6	17 7.7 O ₂ , NH ₃ , 1-.2 P.H. 7.6 Temp.	
18	115' x 10' x 1.33' = 3000	22500	1633	14.0	4.25	18	
19						19	
20						20	
21	100' x 20' x 1.33' = 31122	253415	7000	33.3	1.66	21	
22	200' x 10' x 1.33' = 14414	168105	2440	44.0	1.36	22 6.8 O ₂ , 1-.25 P.H. 7.6	
23	200' x 10' x 1.33' = 4368	32760	3300	10.0	6.0	23 Temp. 54°	
24	100' x 10' x 1.33' = 1008	7560	1287	6.00	10.0	24	
25	100' x 10' x 1.33' = 1512	11340	1287	9.0	6.6	25	
26	200' x 10' x 1.33' = 30537	229027	7000	33.0	1.8	26	
27	200' x 10' x 1.33' = 59425	445687	12600	35.8	1.4	27	
28						28	
29						29 (used only)	
30						30 Water 5	

January 1968

Pond Survey

Papease Springs Peatell

Location	Start in 6 hr. tank	Volume in gallons	Flow GPM	Changes in minutes & per hr.	Oxygen	Remarks
1	10000	10000	2000	37.5	1.6	1
2	9477	11075	2000	35.5	1.7	2 Brood stock
3						3
4						4
5						5
6						6
7						7
8						8 Springs no. 1
9						9
10						10
11						11
12						12
13						13 Spring no
14						14
15						15
16						16 Total Volume
17						17 15,400 GPM
18						18 unofficial
19						19
20						20
21						21
22						22
23						23 Temp 51°
24						24
25						25
26						26
27						27
28						28
29						29
30						30

Hapoose Springs - Mo.

(1600 26, add 1-13-68)

1-4-11

January 1968

INVENTORY

Papoose Springs - Pocatello

Section		Records Fishes	No. per Pound	Number Fishes	Remarks												
Section 1	No. 1	0	0	0	Spring												
	No. 2	0	0	0	Spring												
	No. 3	100	2.6	100													
	No. 4	1000	2.6	1000													
	No. 5	0	0	0													
	No. 6	0	0	0													
	No. 7	0	0	0	Spring												
	No. 8	0	0	0	Mid-trip												
Total		1100		2000													
Notes		60000 fry and 100000 Hatched from Oct. to Jan.															
Weight		5.66 lbs. per 1000 7.65 1.52 at 700 lbs. daily															

29 1012

Joseph W. Dink

Spawning Record 1967-68

Pinose Spruce Locality

[illegible]

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____
The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

Item #2 con't. (Point of Diversion) The Papoose Springs are a large area of
springs. Their issuing point farthest upstream is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T.6S.,
R.34E. Additional water rises and is comingled and used in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$
and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 1, T.6S., R.33E. (See enclosed map marked "Exhibit A")
Exhibit A is taken from a 1964 aerial photo. Exhibit B is a photo taken in 1968
at a scale of about 3 inches to the mile, much smaller than the scale of Exhibit A.
Item #3 a con't. Development of the springs for commercial fish propagation began in
1914 and from that time until the present, during most years, most or all of the
water was used. Mrs. May Meader was involved with the first development and her
affidavit has been included with this claim and marked "Exhibit C".

State of Idaho

County of Shoshone ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 27th day of August, 1970.

Robert E. Keen, President
Claimant

Loislyn B. Matthews
Notary Public

Residing at Shoshone, Idaho

My commission expires Jan. 1, 1973

For Department Use Only

Received by <u>1001</u> Date <u>1001</u>	Exception filed by <u>5460</u>	Forwarded to claimant by: _____	Date _____
Prelim. check by _____ Date _____			
Fee received by <u>1</u> Date <u>5-27-76</u> Fee \$ <u>1</u>			
Approved for publication by _____			
Published in <u>Power County Press</u> Dates <u>1-14 & 1-21-71</u>	dg		

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: **A29-04012A**
Date Received: 5/25/1990
Receipt No: S012346
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CRYSTAL SPRINGS INC 208-356-3716
Address: C/O ROGER FERGUSON PRESIDENT
PO BOX 519
REXBURG ID 83440

2. Date of Priority: JUN 1, 1914

3. Source: PAPOOSE SPRINGS Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	33E	1	SW	NE	NE		POWER
			SW	NW	NE		POWER
			NW	SE	NE		POWER
	34E	6	SE	SW	NW		POWER

5. Description of diverting works:
PONDS AND RACEWAYS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	75.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/COMMERCIAL FISH

PROFILED

SCANNED

NOV 13 1990

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	33E	1	NE		NE		FISH	
			NW		NE		FISH	
			SE		NE		FISH	
	34E	6	SW		NW		FISH	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

A29-04012B

14. Remarks:

THIS IS A PORTION OF WR 29-04012 FOR FISH PROPAGATION.
CHANGED OWNERSHIP 12/12/94/JT

15. Basis of Claim: STATUTORY CLAIM

SCANNED

MAR 01 2006

RECORDED

NOV 13 1990

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04012A
Date Received: 5/25/1990
Receipt No: S012346
Received By: Scu

RECEIVED

MAY 28 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: AQUA LIFE INC. 208-543-4312
Address: RT. 5 BOX 5053
BUHL, ID 83316

2. Date of Priority: JUN 01, 1914

3. Source: PAPOOSE SPRINGS Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	33E	1	SW	NE	NE		POWER
			SW	NW	NE		POWER
			NW	SE	NE		POWER
	34E	6	SE	SW	NW		POWER

5. Description of diverting works:
PONDS AND RACEWAYS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	75.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/COMMERCIAL FISH

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	33E	1	NE	NE		FISH	

A29-04012A

Page 1

Date: 05/25/90

A2904012A



FILED

SCANNED
MAR 01 2006

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	1	NW	NE		FISH	
			SE	NE		FISH	
	34E	6	SW	NW		FISH	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
A29-04012B

14. Remarks:
THIS IS A PORTION OF WR 29-04012 FOR FISH PROPAGATION.

15. Basis of Claim: STATUTORY CLAIM

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 _____ of
_____ Title
_____ Organization, that I have signed the foregoing
document in the space below as _____ of
_____ Title
_____ Organization and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

5-25-90
Date

State of Idaho

County of

Twin Falls

) SS.
)

Subscribed and sworn (or affirmed) before me this 25th day

of May 19 90

Steve Callahan

Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

