

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

<u>PERIOD OF USE</u>	
1/01	12/31

QUANTITY
0.130 CFS
8.10 AFY

PLACE OF USE: STOCKWATER Within CARIBOU County

T08S R41E S30 NENW

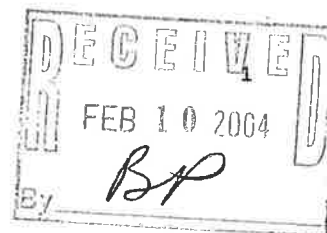
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

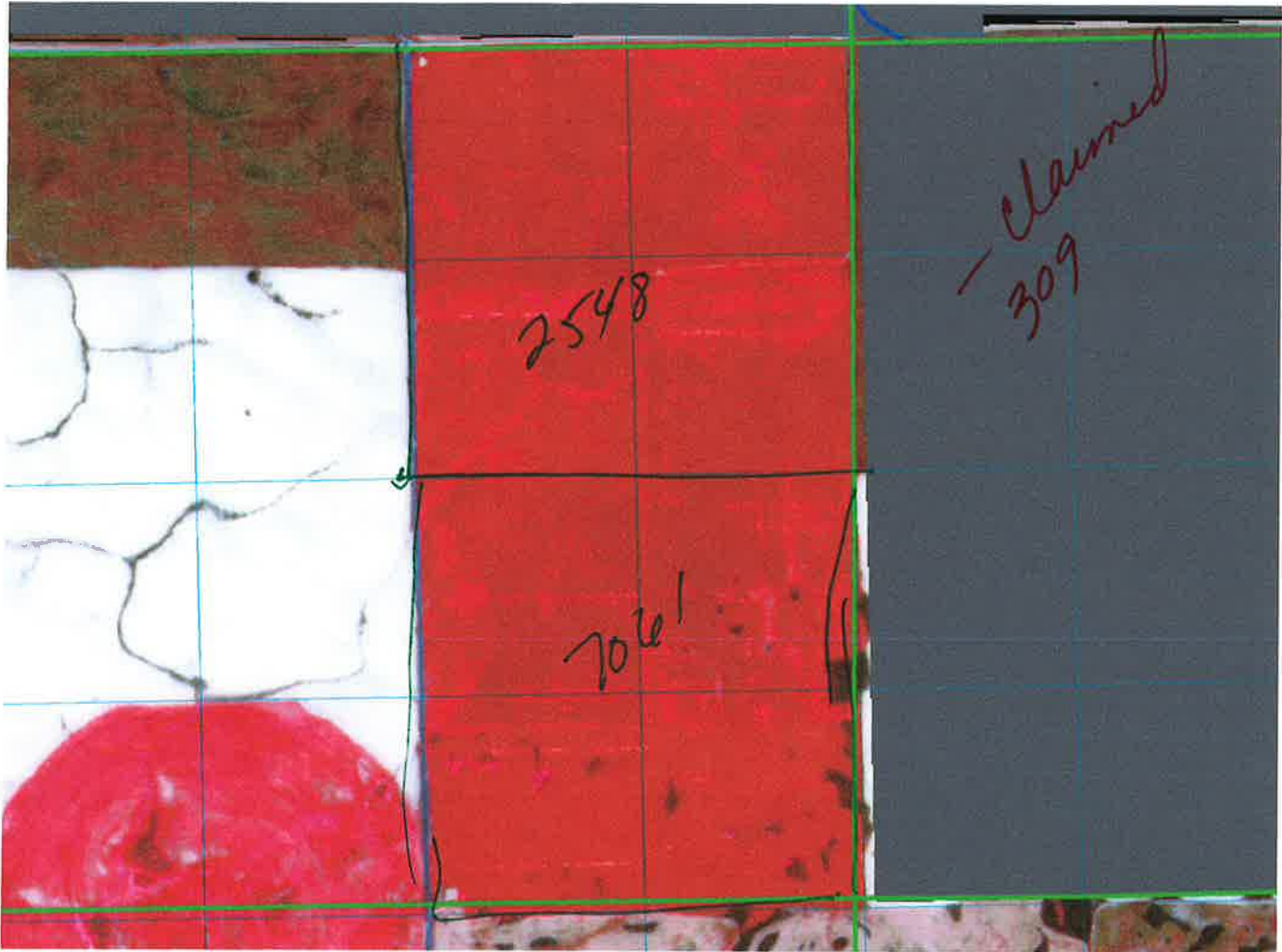


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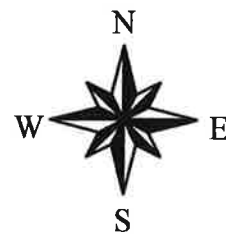
CLAIMS A29-2548 & A29-7061

85 39E sec 10.



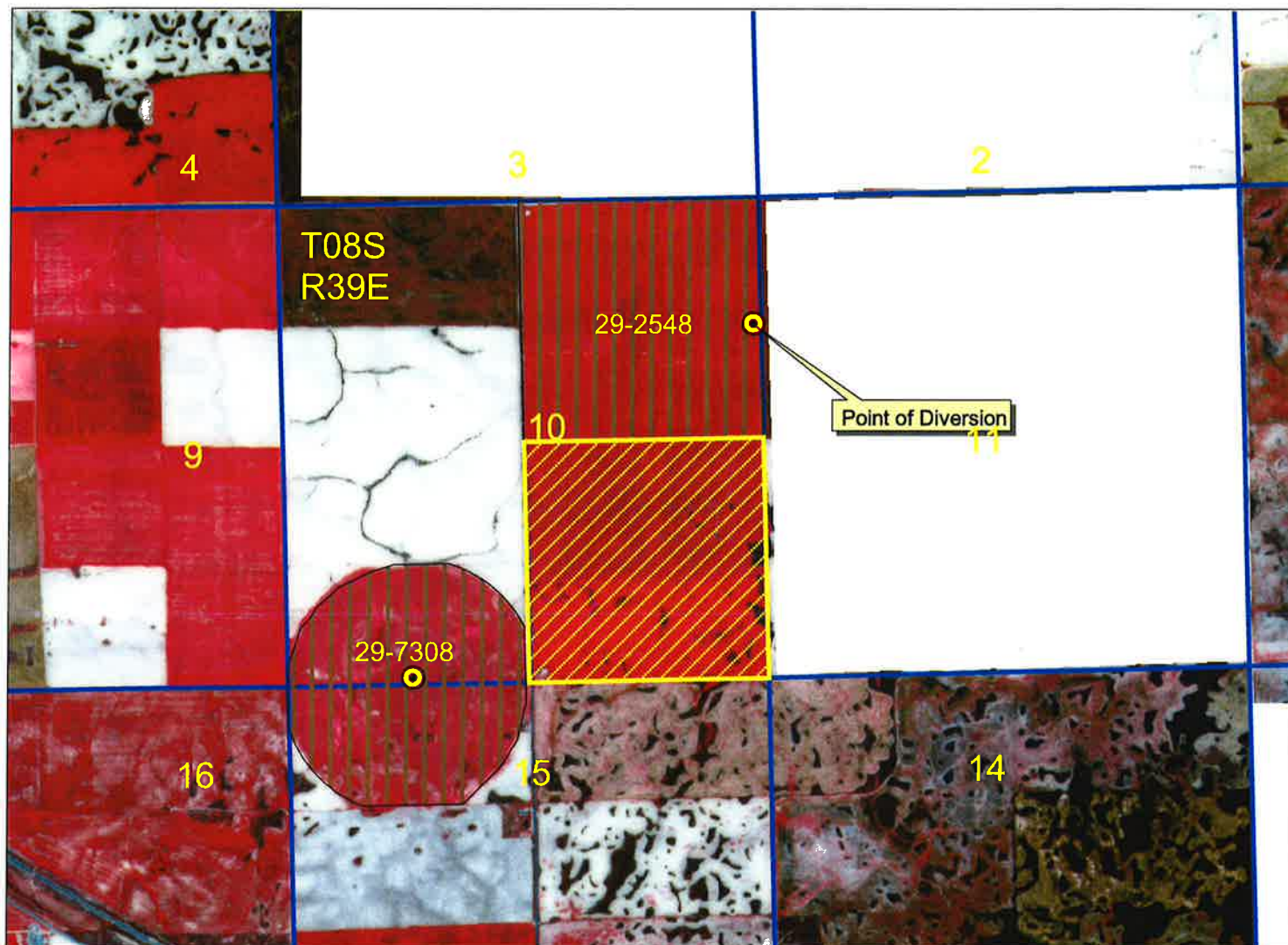
0.07 0 0.07 0.14 Miles

 Twn-Rge
Sections
QQ
Hydro100.shp





State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-7061



0.4 0 0.4 0.8 Miles

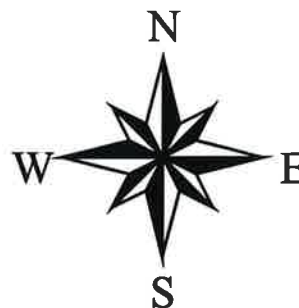
Irrigated Acres = 158

-  **Well.shp**
-  **Working place of use.shp**
-  **Place of use.shp**
-  **Sections**

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APR 13 2006





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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APR 13 2006

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

SCANNED

APR 13 2004

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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NOV 04 2003

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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

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NOV 04 2003

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

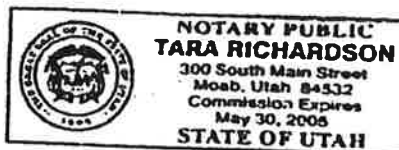
STATE OF IDAHO
COUNTY OF CARIBOU
DATE: MARCH 13 2003
TIME: 2:55 PM
OFFICIAL RECORDS
RECORDER: EDIE BUSH
DEPUTY: Shirley A. Brown
FEE: \$16.00

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167987

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.


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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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: 11:45 A.M.
Microfilm Records
Recorder: Rebecca A. Jenkins
Deputy: Kurt Green
Fee: \$12.00 CI

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,

141780

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

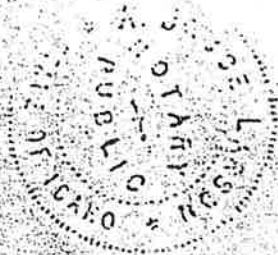

Don C. Rigby, General Partner

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 Lison
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

Ex-Officio Recorder

Deputy

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

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US DEPT OF INTERIOR
2003 OCT 27 PM 12:45

BUREAU OF LAND MGMT.
POCATELLO FIELD OFFICE
POCATELLO ID

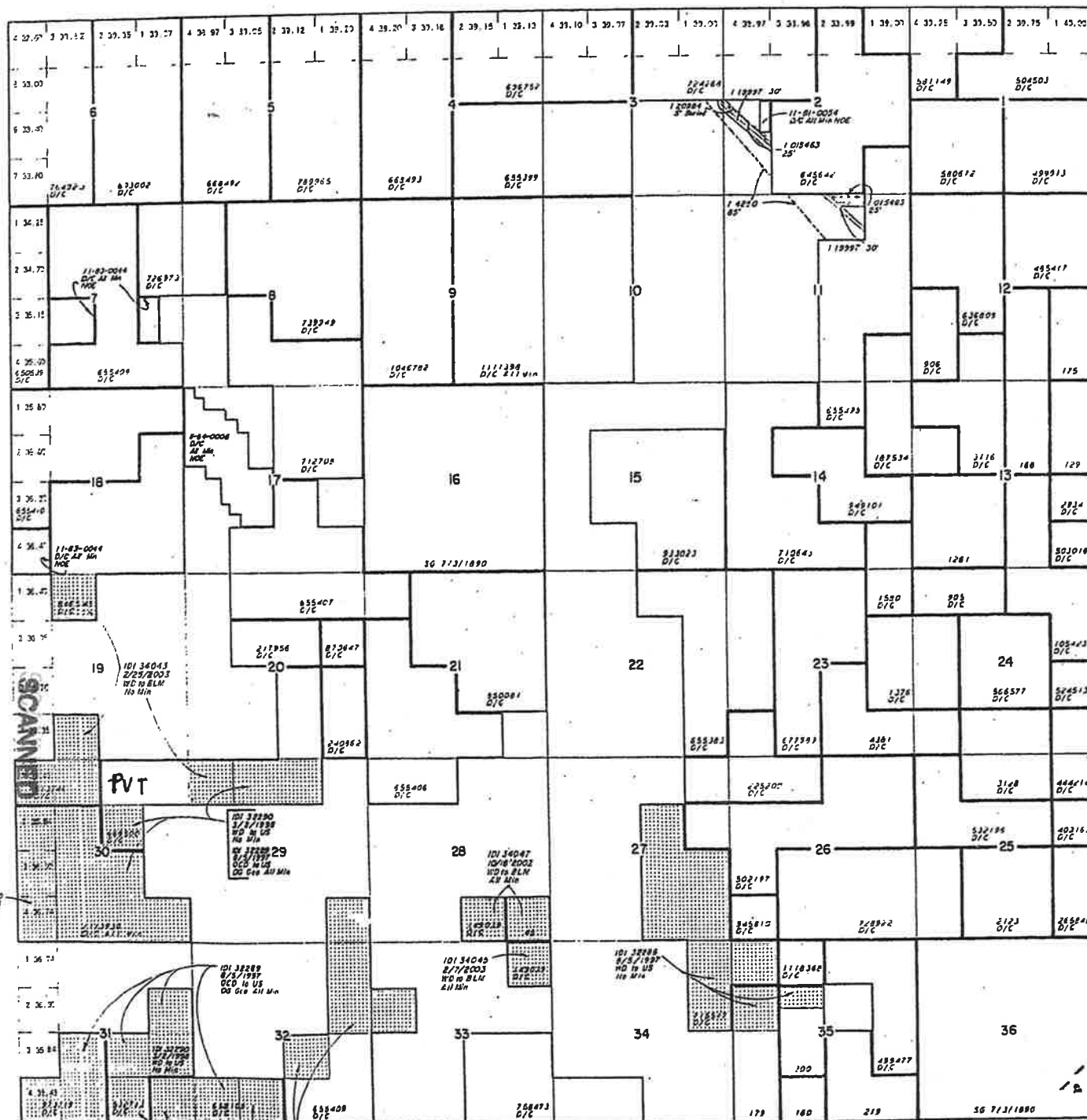


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R. 41 E.

MT PLAT

[illegible]

Sic 35: S.W. 1/4 NE 1/4

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO

USE PLATE:

11-83-0044
D/C All Min
NOE

1 36.40

2 36.05

3 35.70

4 35.35

1 35.43

2 35.84

3 36.30

4 36.74

1 36.74

19

IDI 34043
2/25/2003
WD to BLM
No Min

30

IDI 32290
3/2/1998
WD to US
No Min

29

IDI 32289
8/5/1997
QCD to US
OG Geo All Min

SCANNED
APR 13 2006

IDI 32289
8/5/1997
QCD to US

APR 13 2006

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~~NTV n 6~~ 2003

IDI 32289
8/5/1997
QCD to US

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7061 V1

WATER RIGHT NUMBER: 29-7061 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: 11/12/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.160 CFS	474.00 AF
	<u>Total Diversion:</u>	3.160 CFS	474.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 10, Twp 08S, Rge 39E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
08S	39E	10																	40.0	39.0	39.0	40.0	158.0

Total Acres: 158

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.

Remarks:

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

RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7061 V1

Comments: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:
 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	1/3/2003 11:58:24 AM	rwarner			Active
Priority Date	1/3/2003 11:58:58 AM	rwarner			Active
POD	1/3/2003 11:59:23 AM	rwarner			Active
Source	1/3/2003 1:26:50 PM	rwarner			Active
POU	1/3/2003 1:27:37 PM	rwarner			Active
Use	1/3/2003 1:27:56 PM	rwarner			Active
Season	1/3/2003 1:29:40 PM	rwarner			Active
Quantity	1/3/2003 1:30:40 PM	rwarner			Active
Summary			01/03/2003	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/3/2003 11:58:24 AM	rwarner	(No) 1. Do you want to schedule an appointment?
			Comment for 1: desktop review
POD	1/3/2003 11:59:23 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7061 V1

Priority Date	1/3/2003 11:58:58 AM	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	1/3/2003 1:26:01 PM	rwarnar	Edited point location
POU	1/3/2003 1:26:24 PM	rwarnar	Edited shape boundary
Source	1/3/2003 1:26:50 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	1/3/2003 1:27:37 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 POU
Use	1/3/2003 1:27:56 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 29-7061 V1

Season	1/3/2003 1:29:40 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	1/3/2003 1:30:40 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? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Bancroft-Lund Decreed amount Description for Question 10 - B-L
Summary	1/3/2003 1:31:19 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?

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

DATE: NOV-12-1991

PAGE: A-52

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
13-07010	EVERETT SMITH 1670 TURNER RD. GRACE ID 83241	03/05/1970	IRRIGATION	04-15 10-15	.68 CFS	LICENSE
			DOMESTIC	01-01 12-31	105.0 AFY	
					.06 CFS	
					3.6 AFY	
				TOTAL QUANTITY:	.68 CFS	
					108.6 AFY	
				CONSUMPTIVE USE:	87.5 AFY	
	NON-IRRIGATION-USES:					
	DOMESTIC, 3 HOMES					
	POINT OF DIVERSION:					
	T10S R40E S05	SWSE				
	PLACE OF USE: IRRIGATION					
	T10S R40E S05	SWSE 35.0				
	35.0 ACRES TOTAL					
	PLACE OF USE: DOMESTIC					
	SAME AS OTHER USE					
29-07061	DON C. RIGBY P.O. BOX 187 BANCROFT ID 83217	11/12/1970	IRRIGATION	04-15 10-15	3.16 CFS	LICENSE
					474.0 AFY	
				TOTAL QUANTITY:	3.16 CFS	
					474.0 AFY	
				CONSUMPTIVE USE:	395.0 AFY	
	POINT OF DIVERSION:					
	T08S R39E S10	SENE				
	PLACE OF USE: IRRIGATION					
	T08S R39E S10	NESE 40.0	NWSE 39.0	SWSE 39.0	SESE 40.0	
	158.0 ACRES TOTAL	37.6	39.5	37	37.4	

*claimed
4/1 to 10/15*

3.18 cfs. claimed.

151.5 AC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-7061

WATER RIGHT NUMBER: 29-7061

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

Priority Date: 11/12/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.160 CFS	474.00 AF
	<u>Total Diversion:</u>	3.160 CFS	474.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 10, Twp 08S, Rge 39E, B.M.
CARIBOU County		

Place of UseIRRIGATION Within CARIBOU County

T08S R39E S10	NESE 40.0	T08S R39E S10	NWSE 39.0
T08S R39E S10	SWSE 39.0	T08S R39E S10	SESE 40.0
Total Acres: 158			

Conditions of Approval:Remarks:Comments:Dates and Other Information:

29-7061

THIS IS TO CERTIFY, that **DON C. RICHY**

Beneficial Use	Period of Use		Rate of Diversion		Annual Volume
Irrigation	from	April 1 to Oct. 15	at	3.18 cfs and	954 acre feet or
	from	to	at	cfs and	3.0 af per acre
	from	to	at	cfs and	
	(both dates inclusive)				

♦ 964 acre feet per year, and waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 10, Twp. 8 N, Rgo. 30 E, B. M. in the County of Carbon

[illegible]

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of April, 1974.

L. Harold Hays
Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Don C. Rugby

Post office address 210 West Center, Logan, Utah

Phone

Person to contact: _____

Phone

2. Source of water supply: Groundwater ☒ Surface water ☐

(name spring, stream, etc)

Tributary to _____

3. Water will be used for the following purposes:

Amount 9.22 c.f.s. for Irrigation
AP/Annum (nature of use)

Period of Use: from April 1 to Oct. 18
(mo., day) inclusive (mo., day)

Amount \$ for
AP/Annuum (nature of use)

Period of Use, from 12/1/79 to 12/31/79
(mo./day) inclusive (mo./day)

Amount	c.f.a. for AP/Annum	(nature of use)
--------	------------------------	-----------------

Period of Use from _____ to _____
(mo./day) inclusive (mo./day)

Other uses:

4 Total amount to be appropriated:

Mean Rate of Diversion: 0.22 cubic feet per second and annual volume At/Annum

5 Location of Point(s) of Diversion:

Township	00	N/E, Range	00	E/W, B.M.	Section	10	Subdivision	NE	14	NE	14	Caribou
Township		N/S, Range		E/W, B.M.	Section		Subdivision		14		14	County
Township		N/S, Range		E/W, B.M.	Section		Subdivision		14		14	County
Township		N/S, Range		E/W, B.M.	Section		Subdivision		14		14	County

Other Points of Divergence

Description of diverting works:

Monitoring device required yes ☒ no ☐

6. Tends to be regulated or place of use

[illegible]

22. 2061

TOTAL ACREAGE

320

R. 30 E

21-7061

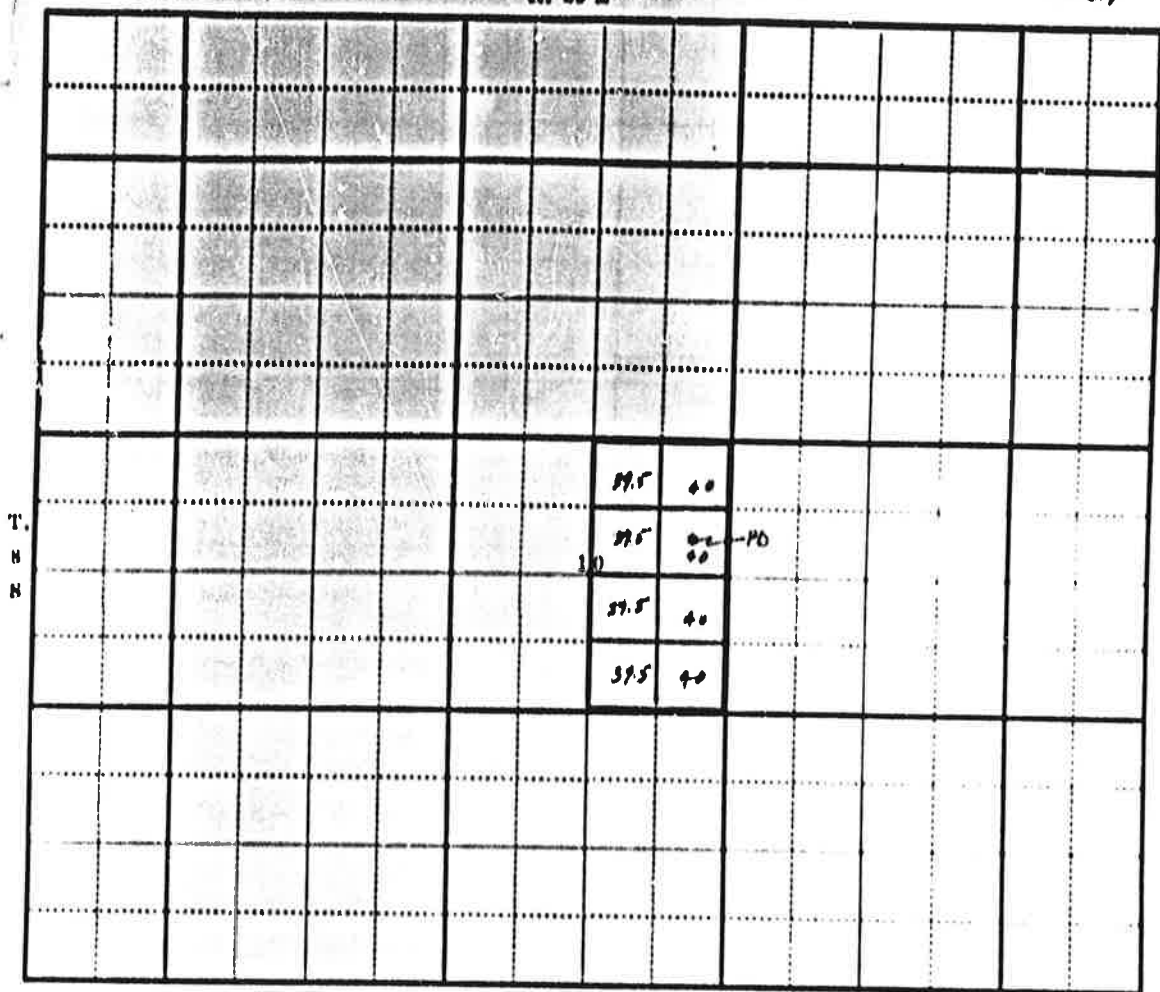
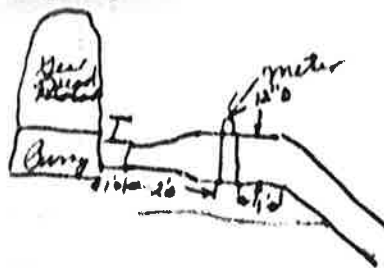
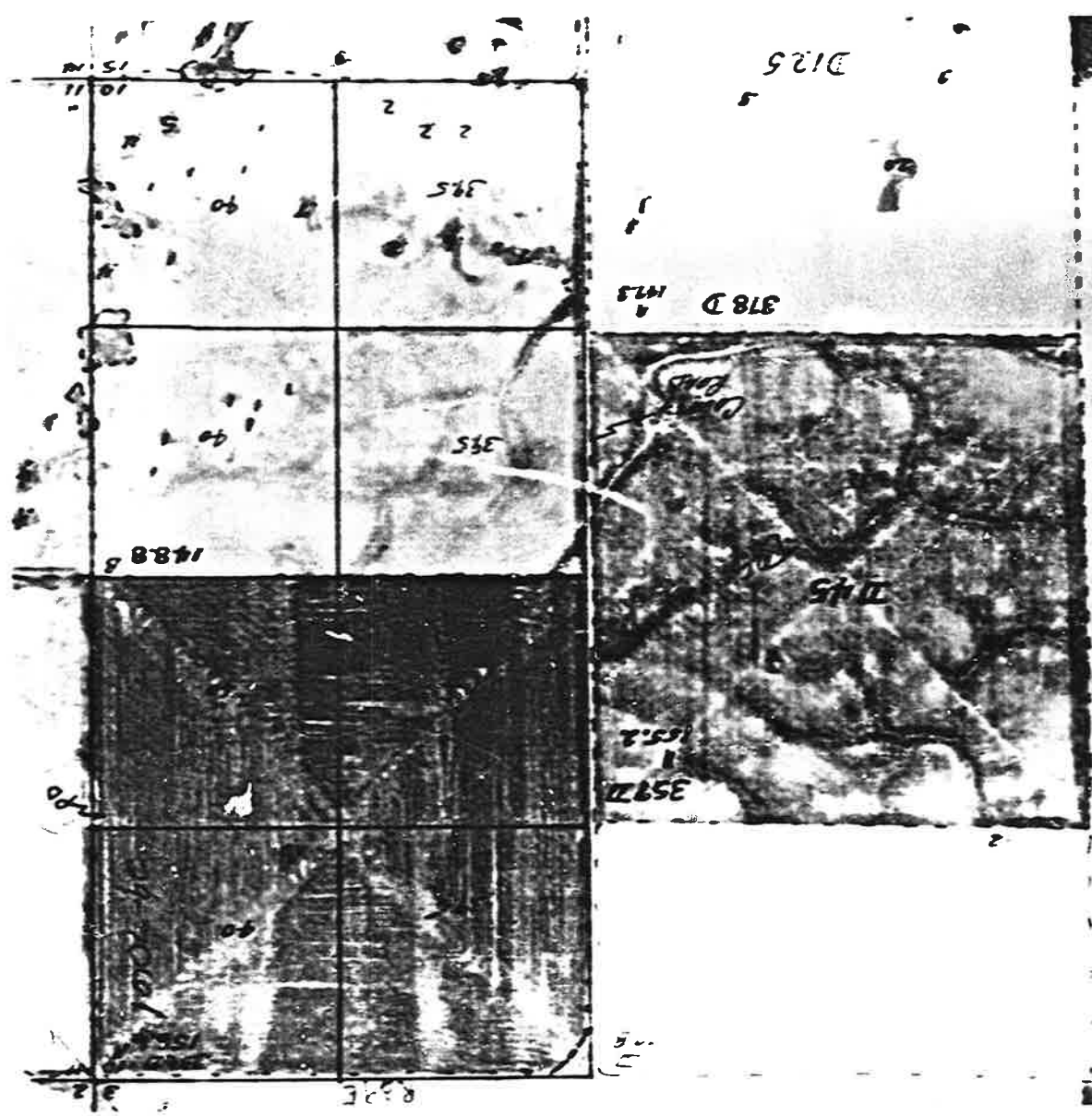


Diagram of System

W →





Location & signature
 marked by a line
 Agreement by

Date
 Date
 Date

DATE OF EXAM July 11, 1973

ACREAGE
Found 318
Recommended 318

Irrigation Requirement 3 Ac Ft/Ac

USE
Irrigation Q = 3.22 c.f.s. V = 954 AFIAnn. from April 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AFIAnn. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AFIAnn. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub. _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: A-1/A
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub. _____ 1/4 _____ County

Point of injection: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub. _____ 1/4 _____ County

Point of exchange: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub. _____ 1/4 _____ County

Total Q measured 5.86 CFS Method of measurement Badger Meter

Total Q recommended 3.22 CFS Meter No. 17032631 Type Saddle Condition Good

Total V recommended 954 AF

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
Discharge at 1000 gal in 38 min = 26.32 gal/min = 498.6 - 5.86 CFS
 $V = (318)(3.22) < (1.983)(1000) = 6375$

SYSTEM DESCRIPTION:
200 HP B.E. Motor # 565927125 PTO to Amarillo gear head
750-400 63858 Ratio Driver & Pump 2 w/Regulus pump # 257233
Discharge went increasing to 12" discharge then to buried man
north & south.

REMARKS:
System shown by owner's brother. Not Right.

Examiner's Signature Kyle Kerschner Date July 11, 1973
Checked by W.R. Phoenix Date Jan 4, 1973
Approved by _____ Date _____

29-7041

MAY 7 2001

X

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: A29-07061
Date Received: 1-17-90
Receipt No: MOU5541
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON C. RIGBY 208-648-7872
Address: P.O. BOX 187
BANCROFT, ID 83217

AND/OR

Name: VIRGINIA E. RIGBY 208-648-7872
Address: P.O. BOX 187
BANCROFT, ID 83217

2. Date of Priority: NOV 12, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	39E	10	NE	SE	NE		CARIBOU

5. Description of diverting works:
WELL 200HP PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	3.180		

7. Total Quantity Appropriated is:
3.180 C.F.S. (and/or) 954.00 A.F.A.

8. Total consumptive use is 618.0 Acre Feet Per Annum.

9. Non-irrigation uses:

not to exceed 5.86 cfs

A2907061



A29-07061

Page 1

Date: 01/17/90

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	39E	10	NE		NE		IRR	39.5
			NW		NE		IRR	38.5
			SW		NE		IRR	39.5
			SE		NE		IRR	40.0
			NE		SE		IRR	37.6 40
			NW		SE		IRR	39.5 39
			SW		SE		IRR	37.0 39
			SE		SE		IRR	37.4 40

Section Acres 309.0

Total Acres 309.0

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:
A29-02548

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAX. RATE OF DIVERSION & VOLUME PER YR. SHALL NOT EXCEED 5.86 CFS/954 AF WHEN COMBINED WITH LICENSE NO. 33455/29-2548.

THE WELL FOR THIS RIGHT SUPPLIES WATER FOR BOTH LICENSED RIGHTS 29-07061 AND 29-02548 UTILIZING A MAINLINE SYSTEM AND THEREFORE THE WATERS ARE CO-MINGLED.

15. Basis of Claim: LICENSE

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 [Signature] Date: 1-17-90
Date: _____

State of Idaho)
County of Carebore) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of January 19 90

[Signature]
Notary Public

Seal

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

A29-01061

BB4

T 8 S

570 000 FEET

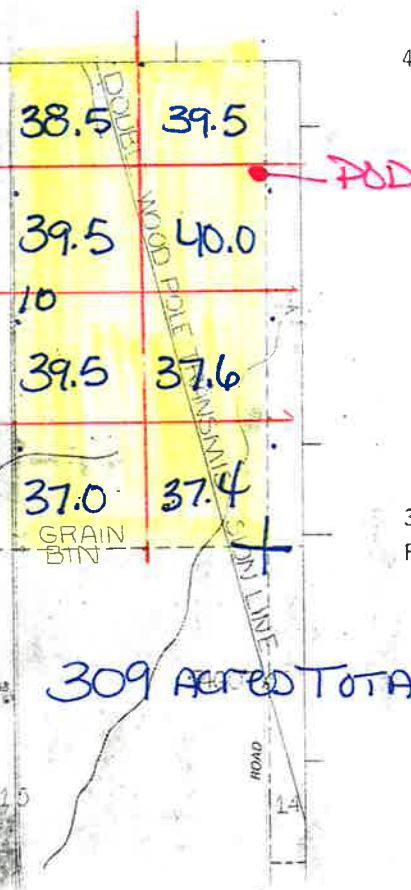
BANCROFT NW ORTHOPHOTOQUAD
IDAHO

111°52'30"

42°45'

390 000
FEET

309 ACRES TOTAL



R39
NOV 1 1992
MICROFILMED