

04/02/2004

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

RIGHT NUMBER: 29-10125

NAME AND ADDRESS: THE THELMA REDFORD SPOUSAL TRUST
2882 NIPPER RD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 2.280 CFS

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.24 CFS. COMBINED RIGHT NOS.: 29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.~~

PRIORITY DATE: 06/17/1902

This priority date is more accurately described as 6/17/1902 NOON

POINT OF DIVERSION:

T06S R38E S34 NWNESE Within CARIBOU County

T06S R38E S35 SWSNW Within CARIBOU County

T06S R38E S35 NWNESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	2.280 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within CARIBOU County

T07S R39E S06 Lot 5 NWSW	28.0	T07S R39E S06	SWSE	40.0	
T07S R39E S06	SESE	35.0	T07S R39E S07	NENE	40.0
T07S R39E S07	NWNE	40.0	T07S R39E S07	SWNE	40.0
T07S R39E S07 Lot 1 NENW	24.0	T07S R39E S07 Lot 2 SENW		25.0	
T07S R39E S07 Lot 3 NESW	25.0	T07S R39E S07 Lot 4 SESW		24.0	

321 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

This 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.

04/02/2004

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

EXPLANATORY MATERIAL: Decreed

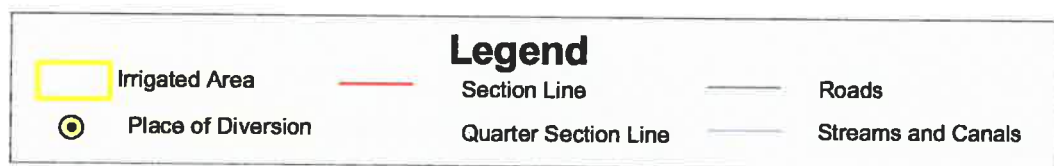
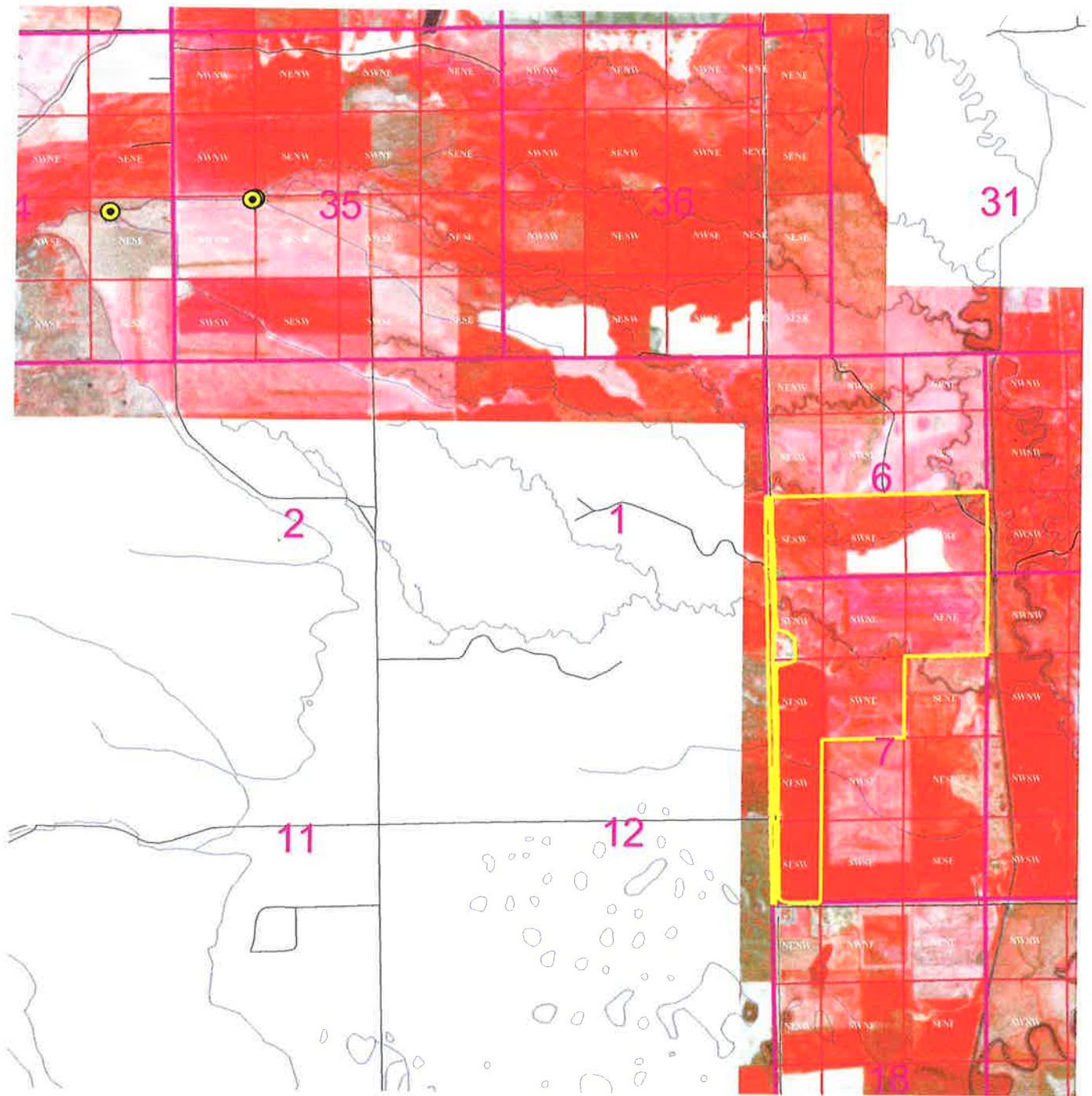
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-109 AND 29-119.

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

1

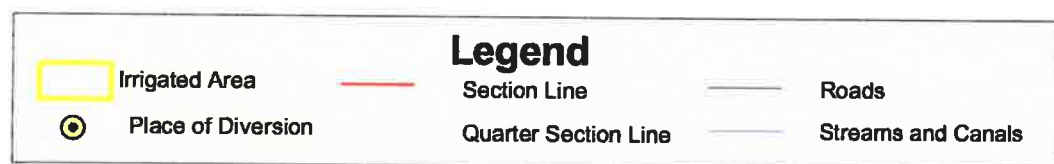
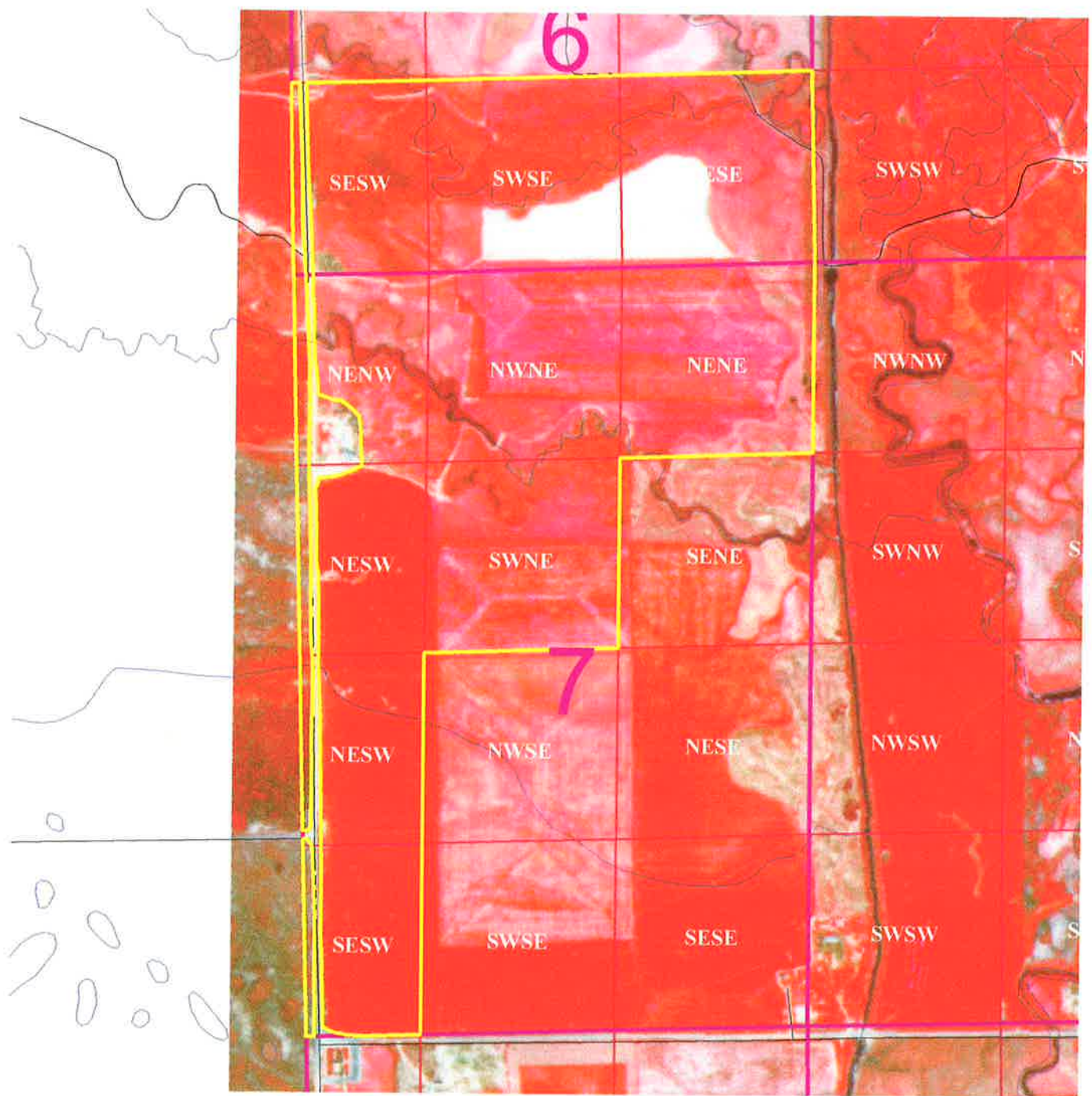
Townships , 7S39E, 7S38E



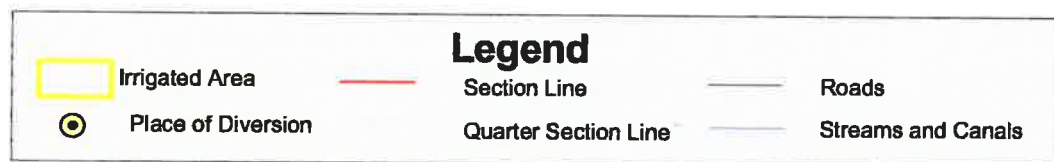
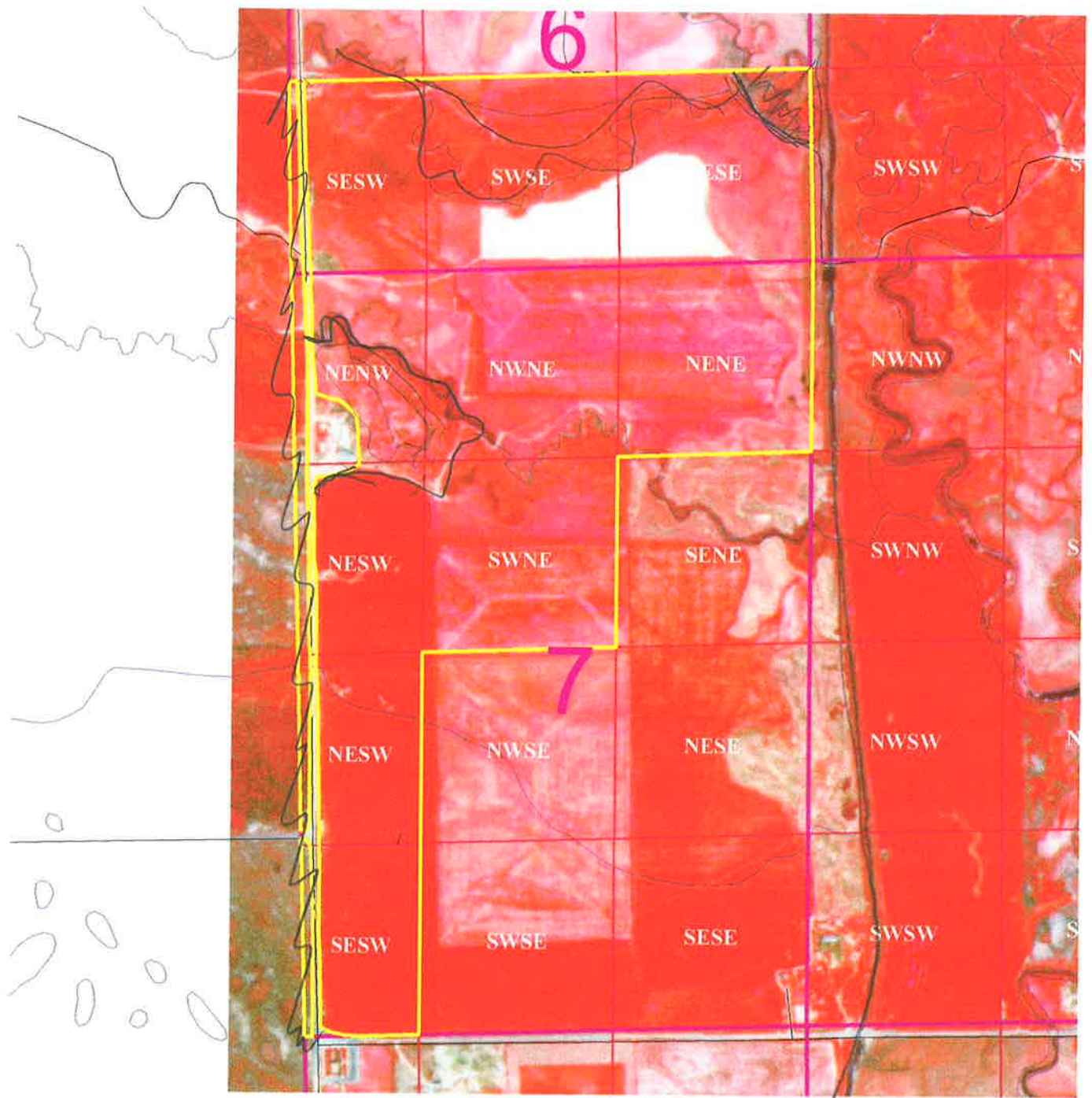
Water Right Claim Number A29-10125

06/15/2000

Townships , 7S39E, 7S38E



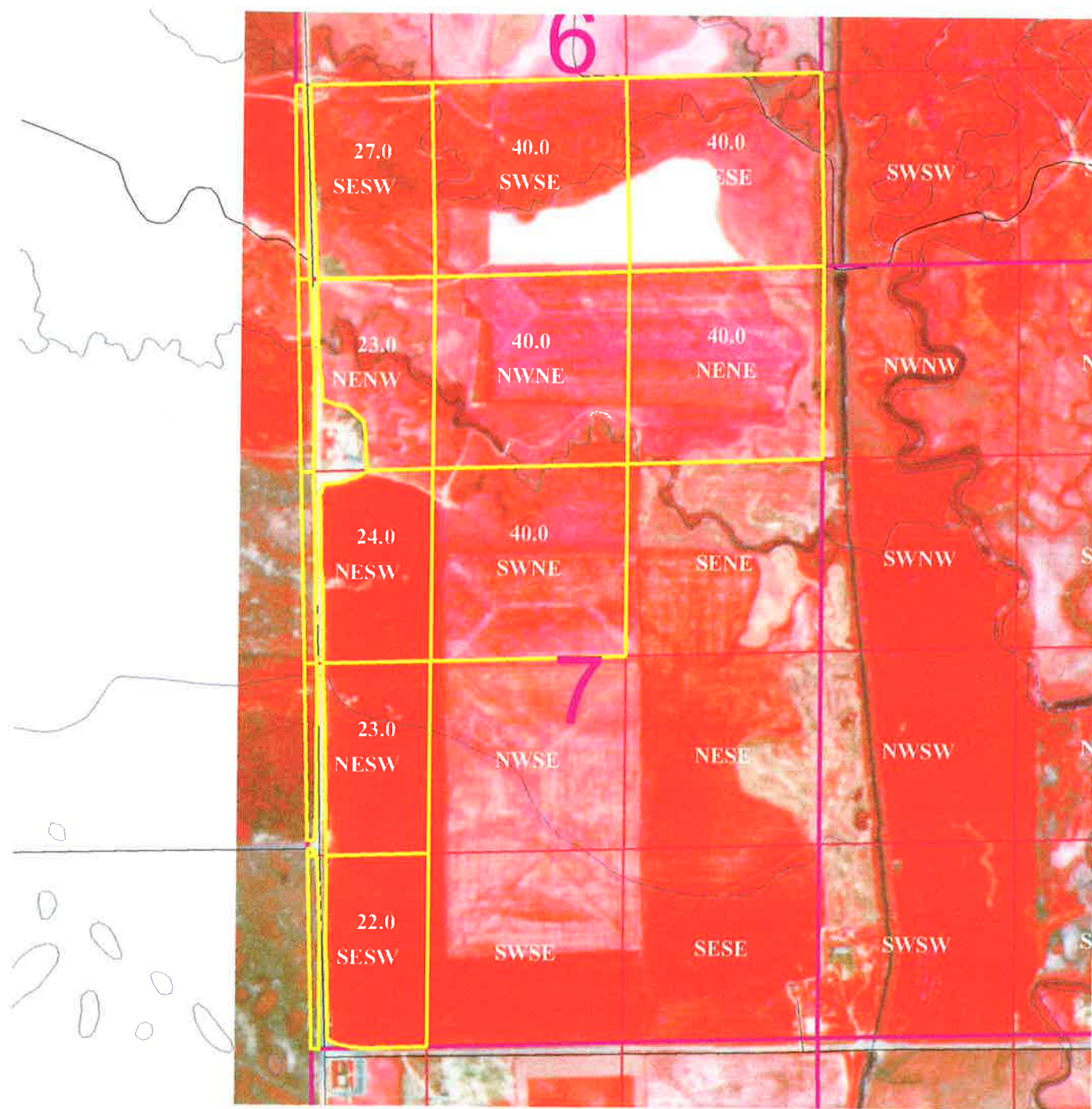
Townships , 7S39E, 7S38E



Water Right Claim Number A29-10125

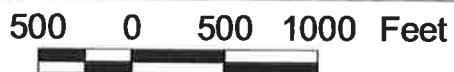
06/15/2000

Townships , 7S39E, 7S38E



Legend

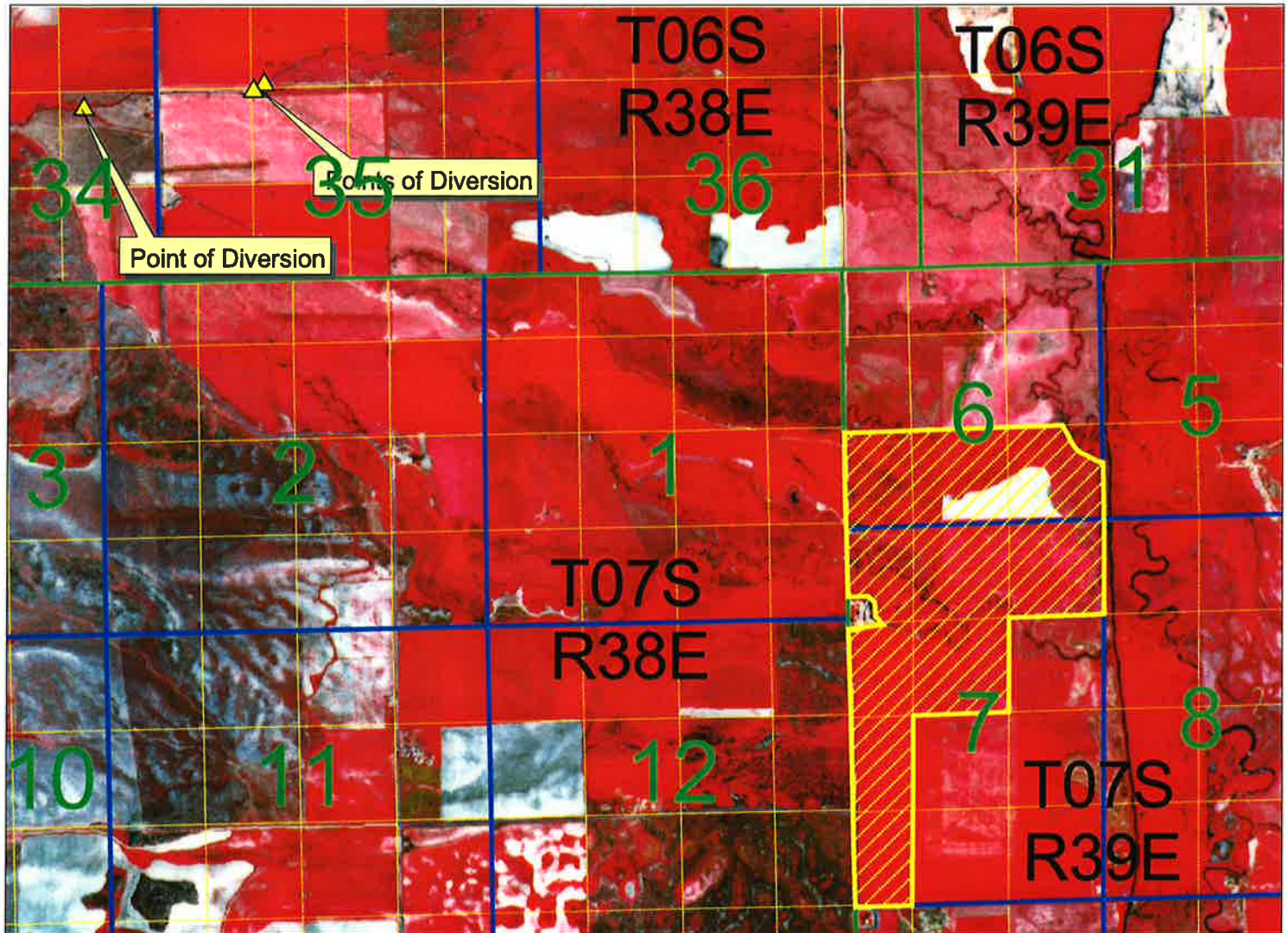
Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals





**State of Idaho
Department of Water Resources
Eastern Region**

**Claim No.: 29-10122, 29-10123,
29-10124, 29-10125, & 29-13483.**



0.5 0 0.5 1 Miles

Irrigated Acres = 321



- Points of Diversion**
- Place of use.shp**
- Townships**
- Sections**
- QQ**

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: June, 2003

Notes

4/22/04. Repaired an SF5 and submitted
to the court. The Combined Limit Remark
needs to be on the Claims. CB
Ownership Change- Ring Creek Grazing

see file 27-10122 notes. CB

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. 39576)

A. Subcase 29-10125

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Thelma Redford

Address:

2882 Nipper Road

BANAROFF, Idaho 83217

Daytime Phone:

208-648-7762

Name & Address of Attorney, if any:

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

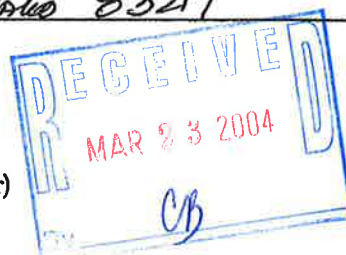
Name:

The Thelma Redford Spousal Trust

Address:

2882 Nipper Road

BANAROFF, Idaho 83217



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: limited to a total combined diversion rate of 7.20 cfs.

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) 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: _____

11. 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): When diversion rates are combined,

they equal 7.20 cfs. Combined Rights Nos. 29-10123 (1.800 cfs), 29-10125 (2.280 cfs), 29-10124 (0.900), 29-13483 (0.220), and 29-10122 (2.000 cfs) equal 7.20 cfs. Used on 321 acres (6.42 cfs), the other .78 cfs would be lost in delivery coming down the ditch.

F.

VERIFICATION (Must be Completed)

State of Idaho)
County of Bannock)ss.

Thelma V. REDFORD, 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.

Thelma V. Redford
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 10th day of Sept., 2003.

Cindy E. Bird
Notary Public for Cindy E. Bird
Residing at: Lava Hot Spring.
My Commission Expires: 5-1-2007.



INSTRUCTIONS FOR MAILING

You must mail the objection, 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 certify that on Sept 10, ²⁰⁰³~~199~~, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Thelma V. REDFORD
Address: 2882 N. PRER IDAD
BANCRAFT, Idaho 83217

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

Thelma V Redford
Signature of Objector or attorney
mailing on Objector's behalf

Rogers

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-10125

ROSS D REDFORD
2882 NIPPER RD
BANCROFT ID 83217
Telephone Number: (208) 648-7762

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

1- Priority date
2- Period of use
3- Place of use

2. Describe the changes you wish to make in the proposed recommendation:

1- Priority date should be 06/17/1902 - 12:00 NOON
2- Period of use should be 04/15 to ~~10/31~~ 09/15.
3- Place of use should be 320.7 Acres instead of 262 Acres.

3. Give a brief explanation as to why you disagree with these portions:

1- Priority date 06/17/1902 - 12:00 Noon AS indicated in 29-0109 + 29-0119.
2- Period of use in (29-0109 + 29-0119) - For the entire irrigation season of each and every year.
3- Right of 114 Acres within place of use should be total Acreage in Sec 6+7 (320.7 Acres)

I AGREE with this proposed recommendation: no changes need to be made. (See claim to water right # 10)

DATE: 4/17/03

SIGNATURE:

Thelma Redford

Please print your name:

Thelma Redford

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

add:
D03 - Noon
add P15.
Combined old rights.
29-109 + 29-119

RECEIVED

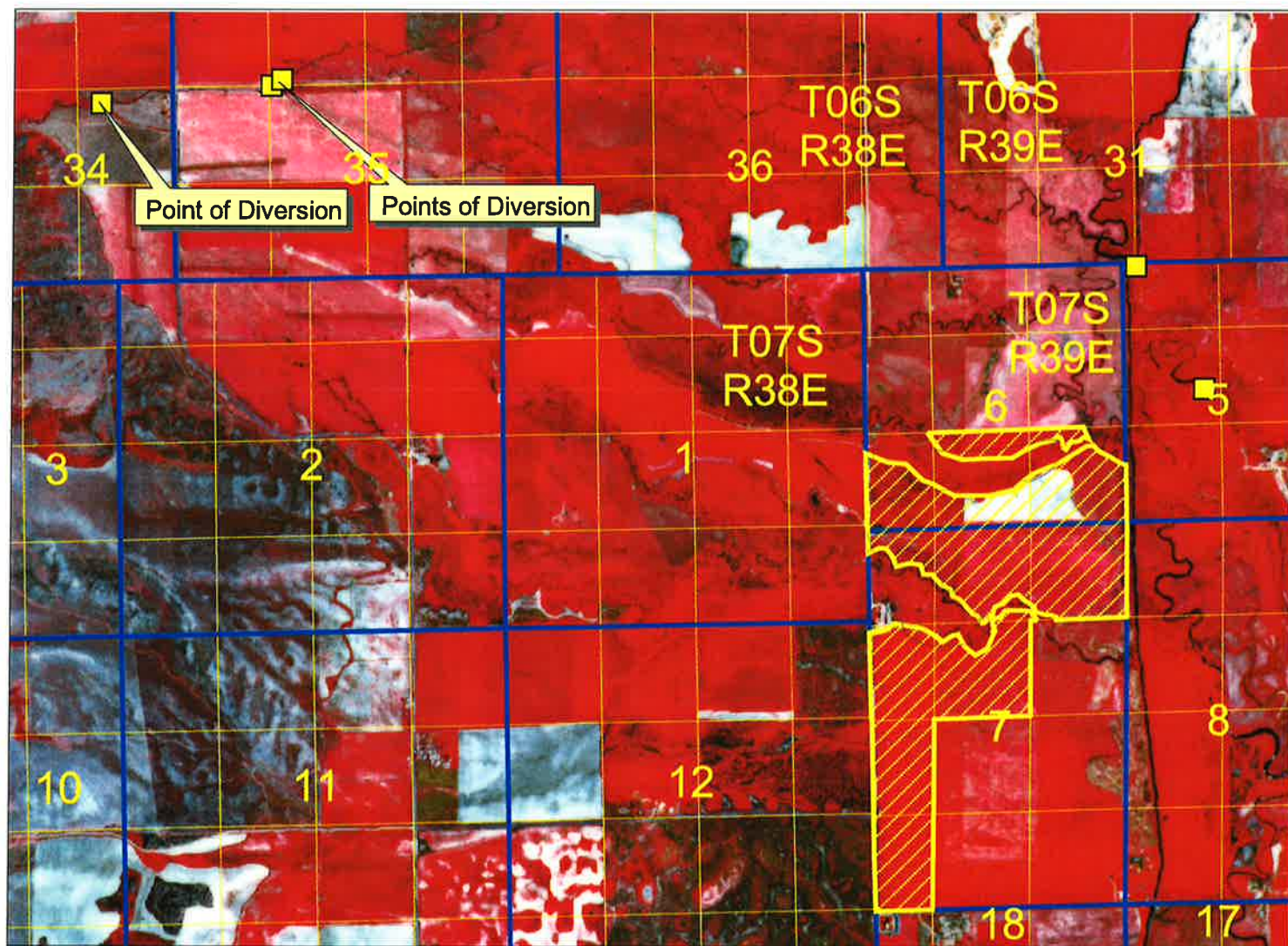
APR 24 2003

Department of Water Resources
Eastern Region



**State of Idaho
Department of Water Resources
Eastern Region**

**Claim No.: 29-10122, 29-10123,
29-10124, 29-10125, & 29-13483.**



0.5 0 0.5 1 Miles

Irrigated Acres = 262

-  **29-10123.shp**
-  **Diversion.shp**
-  **Sections**
-  **QQ**



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: February, 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10125 V1

WATER RIGHT NUMBER: 29-10125 V1

Owner Type Name and Address
 Current Owner ROSS D REDFORD
 2882 NIPPER RD
 BANCROFT, ID 83217
 (208)648-7762
 Original Owner J A ELDREDGE
 , ID

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

Source

TOPONCE CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 07/01

Diversion Rate

2.280 CFS

Annual VolumeTotal Diversion:

2.280 CFS

Location of Point(s) of Diversion

TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, 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	
07S	39E	6											18.0				25.0	30.0	73.0
													L 5						
07S	39E	7	39.0	33.0	34.0		9.0		25.0	25.0			24.0						189.0
							L 1		L 2	L 3			L 4						

Total Acres: 262

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10125 V1

2. 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. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.24 CFS. COMBINED RIGHT NOS.: 29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 262 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. 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 JULY 1 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.

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:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 29
 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	2/7/2003 3:11:18 PM	rwarnar			Active
Priority Date	2/7/2003 3:11:40 PM	rwarnar			Active
POD	2/7/2003 3:11:58 PM	rwarnar			Active
Source	2/7/2003 3:14:24 PM	rwarnar			Active
POU	2/7/2003 3:16:51 PM	rwarnar			Active
Use	2/7/2003 3:18:34 PM	rwarnar			Active
Season	2/7/2003 3:24:14 PM	rwarnar			Active
Quantity	2/7/2003 3:24:42 PM	rwarnar			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10125 V1

Summary

02/07/2003

rwarner

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	2/7/2003 3:11:18 PM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
POD	2/7/2003 3:12:24 PM	rwarner	Edited point location
POD	2/7/2003 3:14:05 PM	rwarner	Edited point location
POU	2/7/2003 3:16:52 PM	rwarner	(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? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Priority Date	2/7/2003 3:11:40 PM	rwarner	(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	2/7/2003 3:11:58 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required?
POD	2/7/2003 3:13:19 PM	rwarner	Edited point location
Source	2/7/2003 3:14:24 PM	rwarner	(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	2/7/2003 3:17:11 PM	rwarner	Edited shape boundary
POU	2/7/2003 3:17:46 PM	rwarner	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10125 V1

Use	2/7/2003 3:18:35 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?
Season	2/7/2003 3:24:15 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (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	2/7/2003 3:24:42 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? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
Summary	2/7/2003 3:25:58 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? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 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?

29 0116 ✓
ELDREDGE, J. A.
1902 June 17. (12 o'clock M)
.70 c.f.s.
Up to July 1st of each irrigation season.

Ross Redford

29 0117 ✓
ELDREDGE, J. A.
1902 June 17 .60 c.f.s.
(12 o'clock M.)
Up to July 1st of each irrigation season.

Ross Redford

29 0118 ✓
ELDREDGE, J. A. 1.70 c.f.s.
1902 June 17
(12 o'clock M)
Up to July 1st of each irrigation season.

Ross Redford

29 0119 ✓
ELDREDGE, J. A. 2.1 c.f.s.
1902 June 17
At 12 o'clock M.
for the entire irrigation season of each and every year.

Ross Redford

29 0120 ✓
ELDREDGE, J. A. 2.1 c.f.s.
1902 June 17
(12 o'clock Noon)
Up to July 1st of each irrigation season.

Ross Redford

29 0121 ✓
92. KNOLLIN A. J.
1882 July 1 .48 c.f.s.
(24 inches)

trans. # 525

tion of 45 acres within the South half of the Sutheast quarter of Section 6, and the Northeast quarter of Section 7, Township 7 South, Range 39 East, B. M.

Said water to be diverted by means of a dam located at a point which bears South 80 degrees 45 minutes West, 3110 feet, from the Northeast corner of Section 7, Township 7 South, Range 39 East, for the irrigation of 35 acres of land lying within Lot 1, and the Northeast quarter of Section 7, Township 7 South, Range 39 East.

Said water to be diverted by means of a ditch having its intake at a point which bears North 25 degrees 30 minutes West, 2660 feet, from the Southwest corner of Lot 4, Section 36, Township 6 South, Range 38 East, B. M., for the irrigation of 30 acres of land lying within Lot 3, Section 36, Township 6 South, Range 38 East, Lot 3, and the East half of the Southwest quarter of Section 31, Township 6 South, Range 39 East B. M.

Said water to be diverted by means of a ditch having its intake at a point which bears North 49 degrees 15 minutes West, 1600 feet, from the South quarter corner of Section 36, Township 6 South, Range 38 East, for the irrigation of 85 acres of land lying within Lots 3 and 4, Section 36, Township 6 South, Range 38 East; Lot 4, and the Southeast quarter of the Southwest quarter of Section 31, Township 6 South, Range 39 East, and Lots 1, 2, and 3, Section 6, Township 7 South, Range 39 East.

Said water to be diverted by means of a ditch having its intake at a point which bears South 1000 feet from the South quarter corner of Section 36, Township 7 South, Range 38 East; for the irrigation of 105 acres of land lying within Lots 1, 2, 3, 4, and 5, and the Southeast quarter of Section 6, Township 7 South, Range 39 East.

Said water to be diverted by means of a ditch having its intake in Lots 4, Section 1, Township 7 South, Range 38 East, for the irrigation of 105 acres of land lying within Lots 4 and 5; and the South half of the South-east quarter of Section 6, and Lot 1, and the North half of the Northeast quarter of Section 7, Township 7 South, Range 39 East.

TOPONCE CREEK, NORTH FORK, TRIBUTARY TO THE PORTNEUF RIVER
Said water to be diverted through Knollin ditch which diverts water from the North Fork of Toponce Creek, in the Northeast quar-

Crandal farms.

Lot 5 + 5 1/2 SE
Redford

RECORDED

MAY 15 1996

IN THE DISTRICT COURT OF THE FIFT' JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF
BANNOCK

UNION GRAIN & ELEVATOR COMPANY, a corporation
Plaintiff,

-vs-

McCammon Ditch Co., a corporation, defendants

McCammon Ditch Company, a corporation; Portneuf Irrigating Company, a corporation; Sunnyside Ditch Company, a corporation; Topaz Irrigation Company, a corporation; Dempsey Irrigation Company, a corporation; Toponce Canal Company, Limited, a corporation; Portneuf-Marsh Valley Canal Company, Limited, a corporation; Portneuf Marsh Valley Irrigation Company, a corporation; Oregon Short Line Railroad Company, a corporation; Elizabeth Kinport, Administratrix of the estate of Harry B. Kinport, deceased; George Goodenough, William Lewis, Edward Murphy, C. C. Peoples, Charles West, A. J. Knollin, W. A. Hibner, Andrew Cutler, W. A. Barron, George Romriell, Frank Warner, John Symons, Joseph Simons, S. J. Palmer, W. W. Cooper, John Hall, Roe White, Willard Bell, Patrick Bell, J. F. Dunn, Charles J. McGuinn, Leslie Gillett, and Fish Creek Irrigating Company, a co-partnership composed of John Hall, Charles J. McGuinn, Frank C. Potter, J. F. Dunn and J. A. Eldredge,

Defendants.

The following parties were upon application of the attorneys for the plaintiff, by reason of the statute in such cases made and provided, afterwards brought in as parties defendant in order that a complete determination of the controversy could be had, to-wit:

Roy Faulkner, Kepler Sessions, Thomas J. Nipper, Stephen Grimm, George John, Emmel Byington, Frank Reed, Smith Ranch (Donald Monson and R. Monson), Charles Byington, James Byington, Noah Reese, Tom Hallinan, George A. Whitworth, J. T. Gittens, George Lewis, Joseph Cutler, Thomas E. Orgill, John Gooch, Fred Johnson, Ira Call, C. V. Call, Chris Call, Carl Loveland, Josiah Loveland, David Butterfield, Andrew Butterfield, Osmond Call, Earl Holbrook, Chester Call Estate (Sarah Call, Administratrix), Arthur Naylor, Byrant Perkins, Parley Jensen, Forest Cornelison, West Side Canal Co., a corporation, I. E. Thompson, Ben D. Jensen, George Brangham, Jas. A. Eldredge, John Gooch, Robert Redford, Alma Hogan, Joseph Purvis, Dave Butterfield, Thomas J. Nipper, Thomas J. Nipper, M. Whitworth, John Whitworth, Neal Williams, J. Buckindorf, J. F. Corbett, Peter Zadron, Joseph Smith, Earl Moss, E. J. Dolbeer, Hall City Ditch, a co-partnership composed of C. J. McGuinn, Rebecca Warner, A. W. Hall, John Hall Estate, Thomas F. Terrell, Mrs. J. G. Bristol, Lesli Sharp, Lew White, Leslie Bowden, James Kofoed, David Aslett, James C. Allen, Mrs. Anna Norton, Lee Merrick, Rebecca Warner, John Potter, George Harrison, A. M. Boyce, J. H. Maughn, G. H. Maughn, F. D. Fagnent, Nephi Hemmingway, F. V. Briscoe, Clarence Avery, John N. Avery, John Byington W. R. Godfrey, Alonso Avery, Jesse Avery, J. M. Jensen, W. Leo Jensen, Claud Jensen, Arthur Roswell, H. A. Weddell, Ray Bloxum, Charles Strom, Joseph Bell, Herbert Byington, John Ramsey, H. K. Ward, C. F. Potter, Adrian Campbell, Ira Byington, Alfred Baker, Charley Bell, Ernest Byington, D. A. Monroe Martin, O. K. Exum, A. A. Kofoed, Tom Harper, Brady Stolpe, Spencer Godfrey, A. B. Cheney, Bert Lish, Archie Lish, James Higgins, John M. Fairchilds, Poster, Edward Wilmore, Edgar Beebe, James T. Benson, Arthur Fopront, Ray Kedley, James Roddy, George Chapman, D. K. Merrick, L. S. Wight, Leo

RECORDED
MAY 15 1906

86. NIPPER, THOMAS J.
29 0107 1902 June 17 (noon)
2.5 c.f.s.

Trans # 1036

Trans # 2402

29-107 A Chambers
29-107 B.

87. PURVIS & WILLIAM F.
29 0108 1902 June 17 (noon)
3.5 c.f.s.
29-0596 1902 June 17 (noon) ✓
up to July 1 each
year. 1.4 c.f.s.

88. ELDREDGE, J. A.
29 0109 1902 June 17 (noon) 2.0 c.f.s.

Ross Redford

89. PURVIS, JOSEPH
29 0110 & William F. 4.2 c.f.s.
1886 June 1.
up to July 1 of each
irrigation season

Dean Smith 110 A 2.6 cfs

quarter of the Southeast quarter, Section 23; 16 acres in the southwest quarter of the Southwest quarter, Section 14; 2.6 acres in the North half of the Northeast quarter, the Suthwest quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, Section 24; all in Township 7 South, Range 38 East, 135.16 acres in Lot 4, the Southwest quarter of the Sutheast quarter the Southeast quarter of the Southeast quarter, Section 18; Lots 1 and 2, the Northwest quarter of the Northeast quarter, the Northeast quarter of the Northeast quarter, Section 19, Township 7 South, Range 39 East.

Said water to be diverted through Gooch Ditch, which diverts from Toponce Creek in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the point of diversion bears North, 14 degrees and 45 minutes East, 2137 feet for the irrigation of 170 acres of land described as follows: 29 acres in Lot 2; 40 acres in the Southwest quarter of the Northeast quarter; 28 acres in Lot 3; 40 acres in the Northwest quarter of the Southeast quarter; 33 acres in the Northeast quarter of the Southeast quarter, Section 18, Township 7 South, Range 39 East.

Said water to be diverted through the said Gooch Ditch, last above described, for the irrigation of 245 acres of land in the Suth-east quarter, and part of the Southeast quarter of the Northeast quarter, Section 7; and part of the East half of the Northeast quarter, Section 18, Township 7 South, Range 39 East.

Said water to be diverted through the said Gooch Ditch, last above described, for the irrigation of 50 acres of land (tracts K & L), Lots 3 and 4, Section 7; 50 acres in part of Lots 1 and 2, and tract in the Southwest quarter of the Northeast quarter, Section 7, Township 7 South, Range 39 East.

TOPONCE CREEK, SOUTH FORK, A DAM. The point of diversion is located in the Southwest quarter of the Northwest quarter, Section 8, Township 7 South, Range 39 East. From the Northeast corner of Section 17, Township 7 South, Range 39 East, said dam bears south 1920 feet, for the irrigation of 210 acres of land in the legal subdivisions described as follows:
A tract in the Southeast quarter of the Notheast quarter, Section 7; the West half of the Southwest quarter, the Suthwest quarter of the Northwest quarter, Section 8; a tract in the Northwest quarter, Section 17,

Handwritten:
Rang
Hatch
lot 1, 2, 3, 4
owned by Redford
100
SW NE - Hatch

RECORDED

MAY 15 1896

MAY 7 2001

Log for claim A29-10125

Spatial Dynamics LTD

6/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s39e	6	SESW	28	27	
07s39e	6	SWSE	40	40	
07s39e	6	SESE	40	40	
07s39e	7	NENE	40	40	
07s39e	7	NWNE	40	40	
07s39e	7	SWNE	40	40	
07s39e	7	NENW	22.8	23	
07s39e	7	NESW	23.1	24	
07s39e	7	NESW	23.3	23	
07s39e	7	SESW	23.5	22	
Totals:			320.7	319	

AJ5809NP
No. A29-10125

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 123

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROSS D REDFORD 2882 NIPPER RD BANCROFT ID 83217 (208) 648-7762	06/17/1902	IRRIGATION	04-15 11-01	4.100 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	4.100 CFS 776.80 AFA

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:	T06S R38E S34 S35	NWNESE NWNESW	NENWSW	CARIBOU County CARIBOU County
------------------------	----------------------	------------------	--------	----------------------------------

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	39E	6	:																	:	80.0
07S	39E	7	:			40				40										:	120.0
																				TOTAL ACRES	320.7

POU County: CARIBOU

Other Rights: A29-00114, A29-10122, A29-10123, A29-10124.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00114 A29-00246B A29-10121 A29-10122 A29-10123 A29-10124 A29-10222 X29-10222

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00114 A29-00115 A29-10122 A29-10123 A29-10124

Remarks: GEN THIS CLAIM COMBINES DECREED RIGHTS 29-0109 AND 29-0119.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 12/26/89 JONES 01/24/90 MEYER 07/29/94 THOMPSON 03/29/95 POST-STD

NAME OF CLAIMANT and
DATE OF PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

87. Purvis &

William F. *Stoddard*

1902—June 17 (noon) 3.5 c. f. s.

1902—June 17 (noon)

up to July 1st each

year

1.4 c. f. s.

of the Southeast quarter; 33 acres in the Northeast quarter of the Southeast quarter, Section 18, Township 7 South, Range 39 East.

Said water to be diverted through the said Gooch Ditch, last above described, for the irrigation of 245 acres of land in the Southeast quarter, and part of the Southeast quarter of the Northeast quarter, Section 7; and part of the East half of the Northeast quarter, Section 18, Township 7 South, Range 39 East.

29-0109 88. Eldredge, J. A.: *Redford*

1902—June 17 (noon) 2.0 c. f. s.

South Field from House

also the field south end
made in maps.

All

Said water to be diverted through the said Gooch Ditch, last above described, for the irrigation of 50 acres of land (Tracts K and L), Lots 3 and 4; Section 7; 50 acres in part of Lots 1 and 2, and tract in the Southwest quarter of the Northeast quarter, Section 7, Township 7 South, Range 39 East.

89. Purvis, Joseph &

William F.: *Stoddard*

1886—June 1

4.2 c. f. s.

Up to July 1st of
each irrigation season.

TOPONCE CREEK, SOUTH FORK; A DAM. The point of diversion is located in the Southwest quarter of the Northwest quarter, Section 8, Township 7 South, Range 39 East. From the Northeast corner of Section 17, Township 7 South, Range 39 East, said dam bears South 1920 feet, for the irrigation of 210 acres of land in the legal subdivisions described as follows: A tract in the Southeast quarter of the Northeast quarter, Section 7; the West half of the Southwest quarter, the Southwest quarter of the Northwest quarter, Section 8; a tract in the Northwest quarter, Section 17, Township 7 South, Range 39 East.

90. Eldredge, J. A. *Redford*

1886—June 1

.80 c. f. s.

Up to July 1 of
each irrigation season.

Said water to be diverted by means of the dam, last above described, diverting water from the South Fork of Toponce Creek, for the irrigation of 40 acres of land in the East half of the Southwest quarter, Section 8, Township 7 South, Range 39 East.

*Lower place
for ditch*

*Came in and turned around
to water west land in West 46
of River of Lower Place.*

DO NOT FILM

NAME OF CLAIMANT and
DATE OF PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

29-0119*

Hogans & Redford
Eldredge, J. A.:
1902—June 17 at 2.1 c. f. s.
12 o'clock M.
For the entire
irrigation season of
each and every year.

Timothy Gard

29-0120*

Hogans & Redford
Eldredge J. A.:
1902—June 17 2.1 c. f. s.
(12 noon) 30 miles
Up to July 1st of *Redford shore*
each irrigation season.

Shed Ditch

Range 38 East; Lot 4 and the Southeast quarter of the Southwest quarter of Section 31, Township 6 South, Range 39 East, and Lots 1, 2 and 3, Section 6, Township 7 South, Range 39 East, B. M.

Said water to be diverted by means of a ditch having its intake at a point which bears South one thousand feet from the South quarter corner of Section 36, Township 7 South, Range 38 East; for the irrigation of 105 acres of land lying within Lots 1, 2, 3, 4, and 5, and the Southeast quarter of Section 6, Township 7 South, Range 39 East.

Said water to be diverted by means of a ditch having its intake in Lot Four, Section 1, Township 7 South, Range 38 East, for the irrigation of 105 acres of land lying within Lots 4 and 5; and South half of the Southeast quarter of Section 6, and Lot 1 and North half of the Northeast quarter of Section 7, Township 7 South, Range 39 East, B. M.

TOPONCE CREEK, NORTH FORK, TRIBUTARY TO THE PORTNEUF RIVER

92. Knollin, A. J.:

1882—July 1

.48 c. f. s.

1902—June 17
at noon.

.72 c. f. s.

1903—July 1

1.10 c. f. s.

1908—July 1

2.68 c. f. s.

1910—June 1

1.08 c. f. s.

Total 6.06 c. f. s.

Said water to be diverted through Knollin Ditch, which diverts water from the North Fork of Toponce Creek, in the Northeast quarter of the Northwest quarter, Section 35, Township 6 South, Range 38 East. From the Northwest corner of Section 35, said Township and Range, the point of diversion bears South 71 degrees and 10 (134.10 inches) minutes East, 1748 feet, for the irrigation of land described as follows: 5 acres in (54 inches) the Northeast quarter of the Southwest quarter; 10 acres in the Northwest quarter of the Southeast quarter, 5 acres in Lot 3; 2 acres in the Southeast quarter of the Southwest quarter; 30 acres in the Southwest quarter of the Southeast quarter; 38 acres in Lot 4, all in Section 25, Township 6 South, Range 38 East; 33.4 acres in Lot 1; 33.4 acres in Lot 2; Section 36, Township 6 South, Range 38 East; 40

DO NOT FILM

MAY - 7 2001

(accreage paid on A29-00114)

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: A29-10125
Date Received: 12/26/89
Receipt No: E011291
Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~ROSS D. REDFORD~~ *The Thelma Redford Spousal Trust.*
Address: 2882 NIPPER RD.
BANCROFT, ID 83217 208-648-7762

2. Date of Priority: JUN 17, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	38E	34	NW	NE	SE		CARIBOU
		35	NW	NE	SW		CARIBOU
			NE	NW	SW		CARIBOU

5. Description of diverting works:
HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15 11/01	4.100		

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

8. Total consumptive use is 776.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	39E	6		SW	5	IRR	28.0
			SW	SE		IRR	40.0

A29-10125

Page 1

Date: 12/15/89

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	39E	6	SE	SE		IRR	40.0
						Section Acres	108.0
		7	NW	NE		IRR	~~30.0~~ 40.0
				NW	1	IRR	22.8
				NW	2	IRR	23.1
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
				SW	3	IRR	23.3
				SW	4	IRR	23.5
						Section Acres	202.7
						Total Acres	~~310.7~~ 320.7

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:

A29-00114, A29-10122, A29-10123, A29-10124.

14. Remarks:

THIS CLAIM COMBINES DECREED RIGHTS 29-0109 AND 29-0119.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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): *Russ H. Redford* Date: *12-26-89*

Date: _____

State of Idaho)
County of *Bonneville*) SS.

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

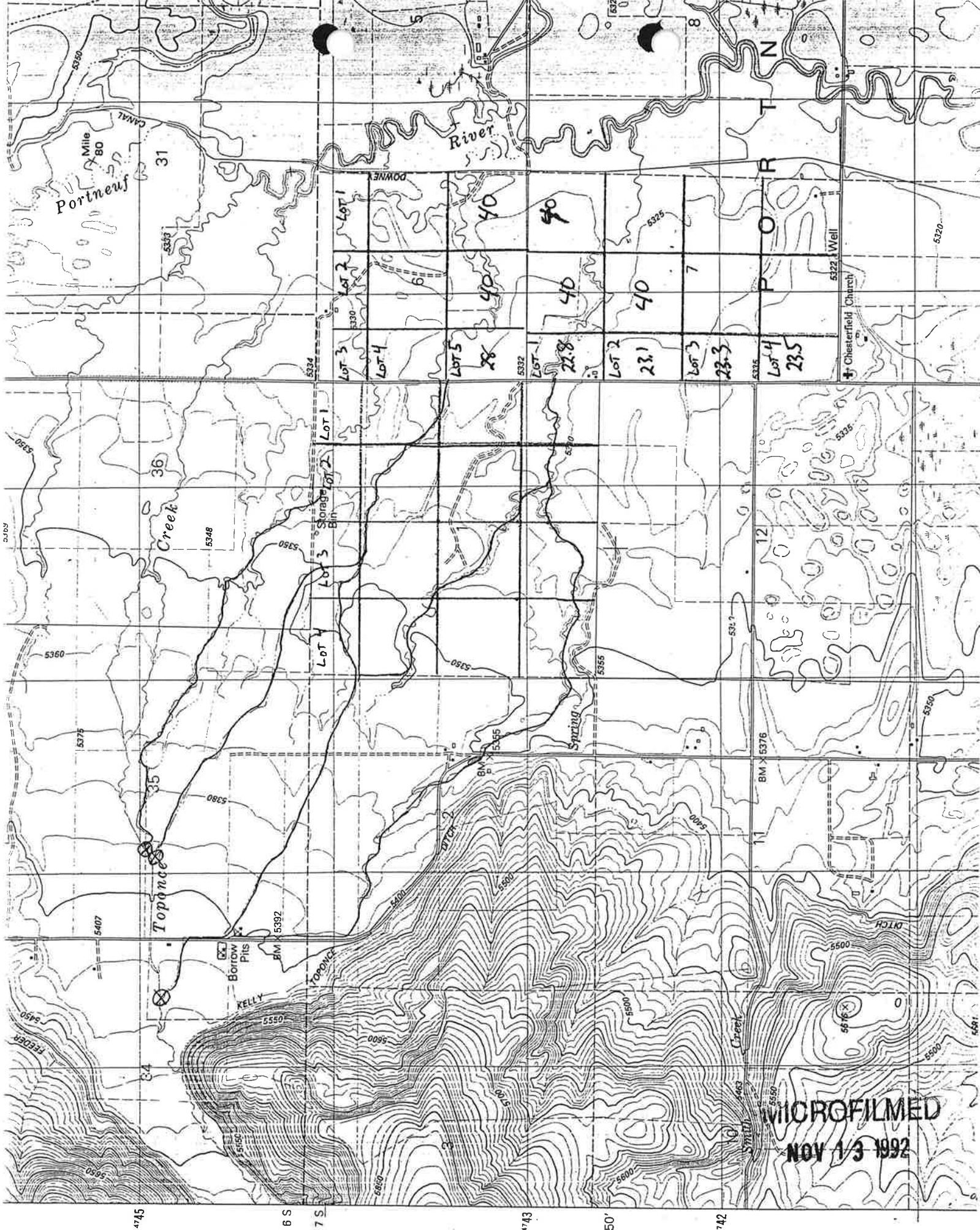
of *Paeribu* 19 *89*

Anthony J. Brueck
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires *9/12/1994*



MICROFILMED
NOV 1/3 1992

Koger

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-10125

ROSS D REDFORD
2882 NIPPER RD
BANCROFT ID 83217
Telephone Number: (208)648-7762

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

1- Priority date
2- Period of use
3- Place of use

2. Describe the changes you wish to make in the proposed recommendation:

1- Priority date should be 06/17/1902 - 12:00 NOON
2- Period of use should be 04/15 to 09/15.
3- Place of use should be 320.7 Acres instead of 262 Acres.

3. Give a brief explanation as to why you disagree with these portions:

1- Priority date 06/17/1902 - 12:00 Noon AS indicated in 29-0109 + 29-0119.
2- Period of use in (29-0109 + 29-0119) - FOR the ENTIRE IRRIGATION season of each and every year.
3- Right of 114 Acres within place of use should be total Acreage in Sec 6+7 (320.7 Ac)

I AGREE with this proposed recommendation: no changes need to be made. (See claim to water right # 10)

DATE: 4/17/03

SIGNATURE:

Thelma Redford

Please print your name:

Thelma Redford

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

add:
D03 - Noon
add P15.
Combined old rights.
29-109 + 29-119

RECEIVED

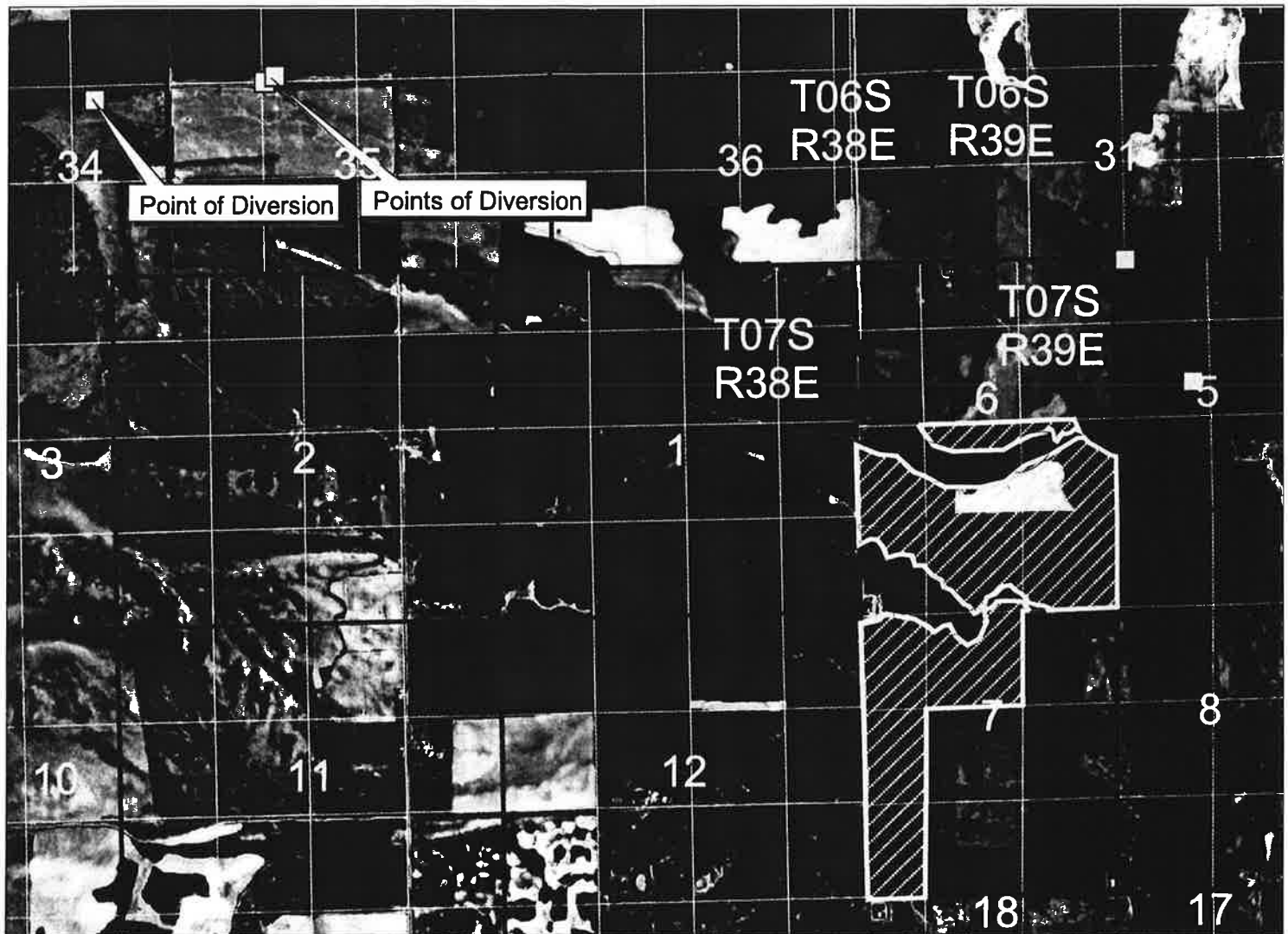
APR 24 2003

Department of Water Resources
Eastern Region



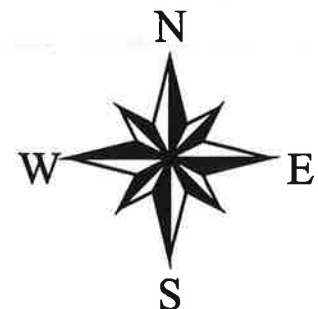
State of Idaho
Department of Water Resources
Eastern Region

Claim No.: 29-10122, 29-10123,
29-10124, 29-10125, & 29-13483.



0.5 0 0.5 1 Miles

Irrigated Acres = 262



29-10123.shp

□ Diversion.shp

□ Sections
QQ

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: February, 2003