

06/29/2004

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

RIGHT NUMBER: 29-10202

NAME AND ADDRESS: THOMPSON BROTHERS FARMS LLP  
2663 NIPPER RD  
BANCROFT ID 83217

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.680 CFS  
951.000 AFY

PRIORITY DATE: 06/27/1960

POINT OF DIVERSION:

T07S R38E S24 SENWNE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY                               |
|----------------|---------------|----------------------------------------|
| IRRIGATION     | 04/01 10/31   | 5.520 CFS 5.680 CFS<br>828 AFY 951 AFY |

PLACE OF USE: IRRIGATION Within CARIBOU County

|                        |      |      |                     |      |      |
|------------------------|------|------|---------------------|------|------|
| T07S R38E S13          | NESW | 39.0 | T07S R38E S13       | NESW | 24.0 |
| T07S R38E S13          | SESW | 39.0 | T07S R38E S13       | SESW | 40.0 |
| T07S R38E S13          | NESE | 38.0 | T07S R38E S13 Lot 3 | NESE | 15.0 |
| T07S R38E S13          | NWSE | 39.0 | T07S R38E S13       | NWSE | 37.0 |
| T07S R38E S13          | SWSE | 39.0 | T07S R38E S13       | SWSE | 40.0 |
| T07S R38E S13          | SESE | 38.0 | T07S R38E S13 Lot 4 | SESE | 32.0 |
| T07S R38E S24          | NENE | 21.0 | T07S R38E S24 Lot 1 | NENE | 23.0 |
| T07S R38E S24          | NWNE | 35.0 | T07S R38E S24       | NWNE | 39.0 |
| T07S R38E S24          | NENW | 29.0 | T07S R38E S24       | NENW | 26.0 |
| 307<br>317 ACRES TOTAL |      |      | 276 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: License

THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS.29-2430 AND 29-2431.

03/14/2002

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

**RIGHT NUMBER: 29-10202**

NAME AND ADDRESS: THOMPSON BROTHERS FARMS LLP  
2663 NIPPER RD  
BANCROFT ID 83217

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 5.52 CFS  
828.0 AFY

PRIORITY DATE: 06/27/1960

POINT OF DIVERSION:

T07S R38E S24 SENWNE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY                |
|----------------|---------------|-------------------------|
| IRRIGATION     | 04/01 10/31   | 5.520 CFS<br>828.00 AFY |

PLACE OF USE: IRRIGATION Within CARIBOU County

|                     |      |        |                     |      |        |
|---------------------|------|--------|---------------------|------|--------|
| T07S R38E S13       | NESW | 24.0 ✓ | T07S R38E S13       | SESW | 40.0 ✓ |
| T07S R38E S13 Lot 3 | NESE | 15.0 ✓ | T07S R38E S13       | NWSE | 37.0 ✓ |
| T07S R38E S13       | SWSE | 40.0 ✓ | T07S R38E S13 Lot 4 | SESE | 32.0 ✓ |
| T07S R38E S24 Lot 1 | NENE | 23.0 ✓ | T07S R38E S24 ✓     | NWNE | 39.0 ✓ |
| T07S R38E S24 ✓     | NENW | 26.0   |                     |      |        |

278

276 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.

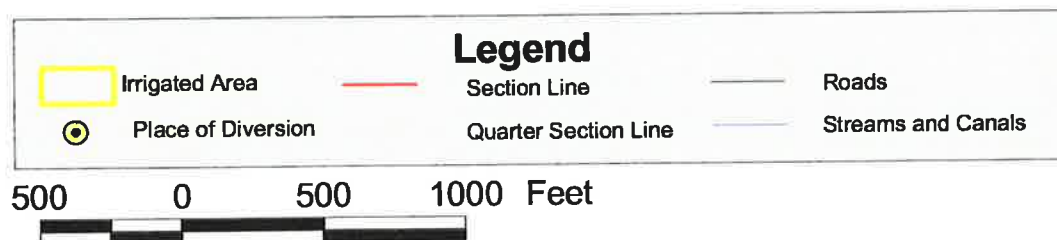
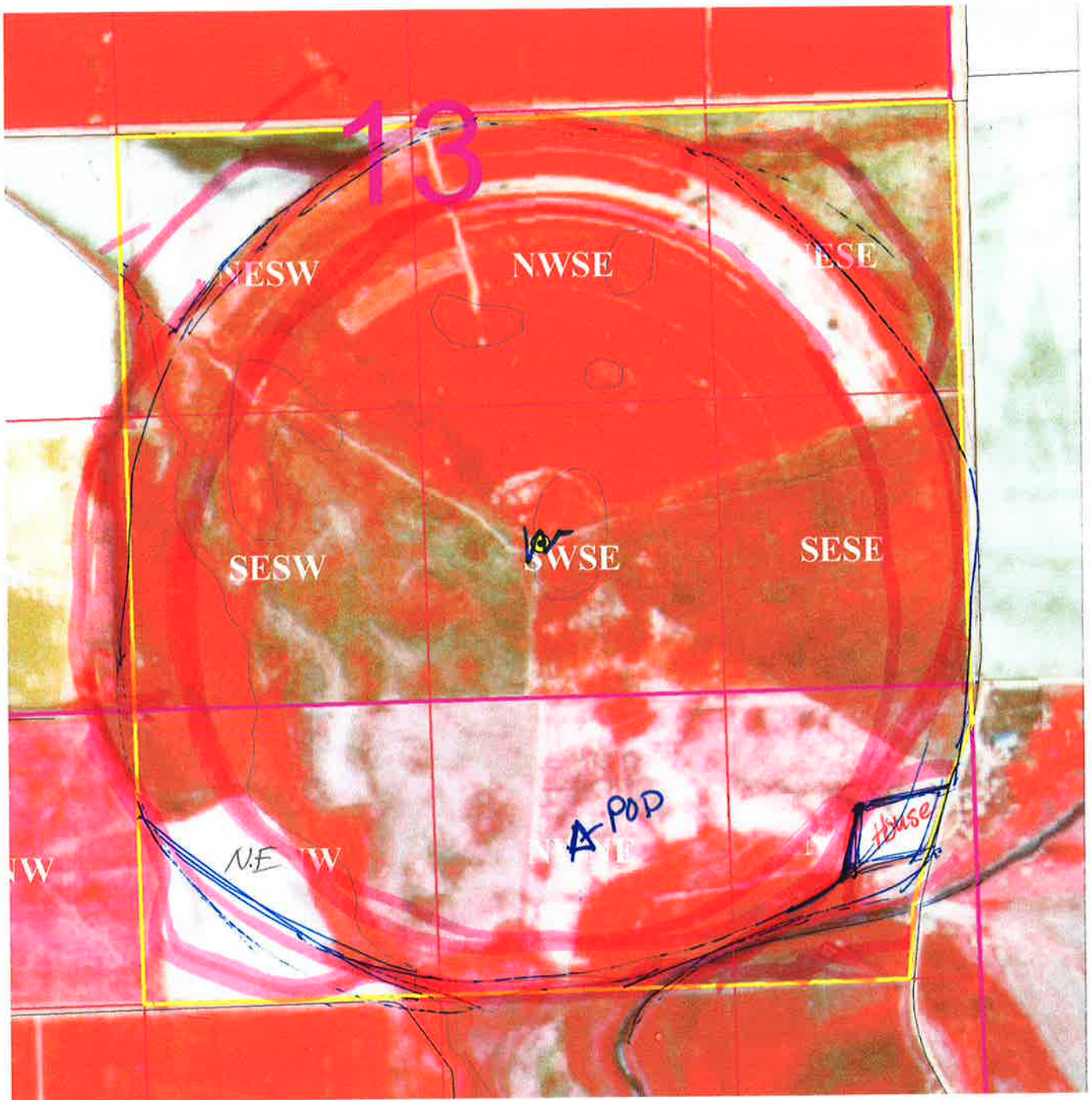
EXPLANATORY MATERIAL: License

add:  
Remarks  
895

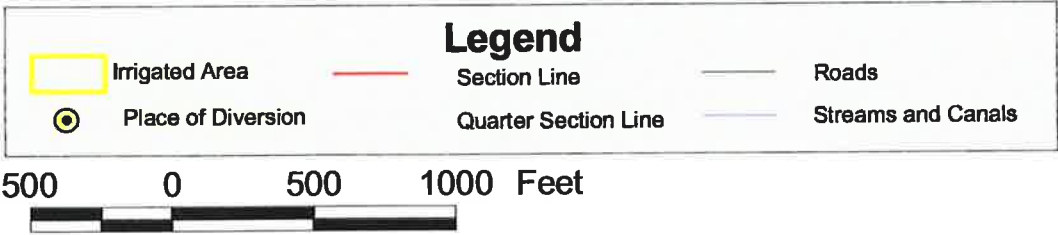
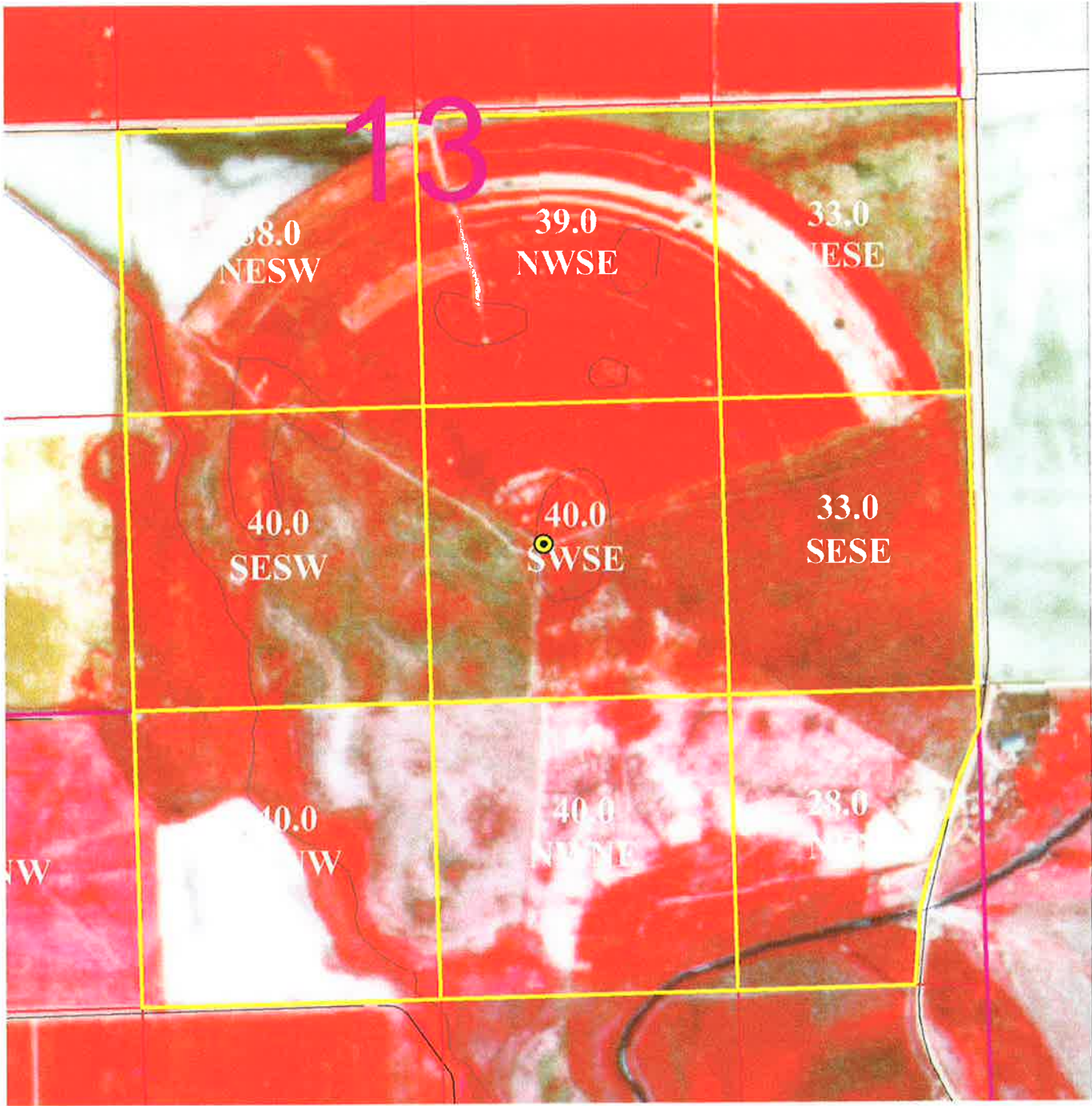
Combined 29-2430 & 29-2431

SENE Sec 24

Township , 7S38E



Township , 7S38E



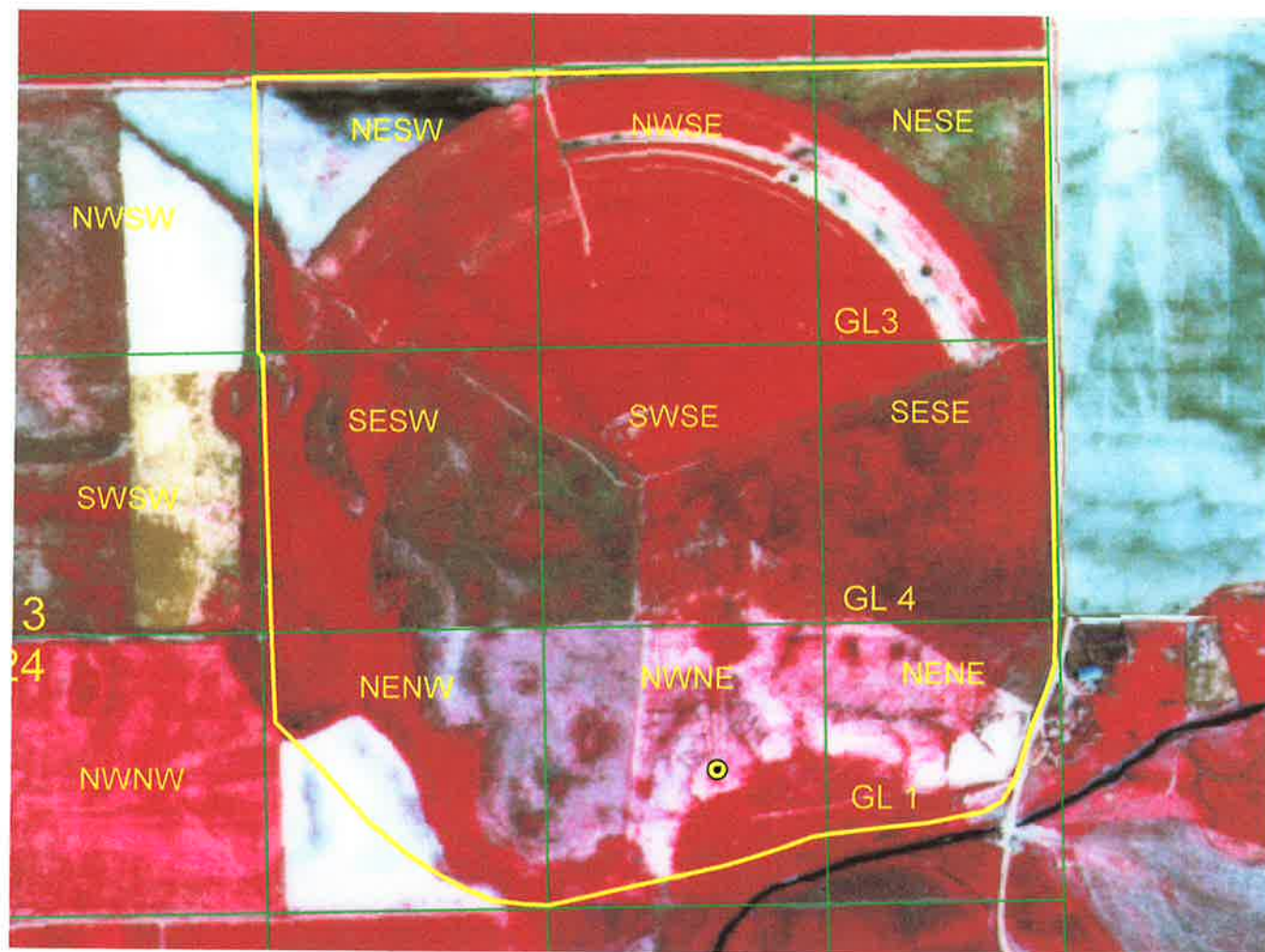


# STATE OF IDAHO

Department of Water Resources  
Eastern Region



## Water Right(s) 29-10202



800 0 800 1600 Feet

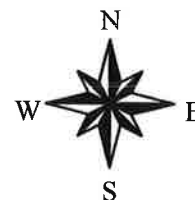
IRRIGATED ACRES 307.0

### LEGEND

- ⊙ Point of Diversion
- Yellow outline Place of Use
- Brown outline Townships
- Blue outline Sections
- Green outline Quarter-Quarters

Place of Use: T7S, R38E:  
(part of) Sec. 13, NESW, NWSE,  
NESE, SESW, SWSE, SESE.  
(part of) Sec. 24, NENW, NWNE, NENE.

Point(s) of Diversion: T7S, R38E:  
Sec. 24, SENWNE.



GIS Place of Use Illustration  
1987/88 NAPP Photography  
Prepared by: B. Payne  
Date: July 2004



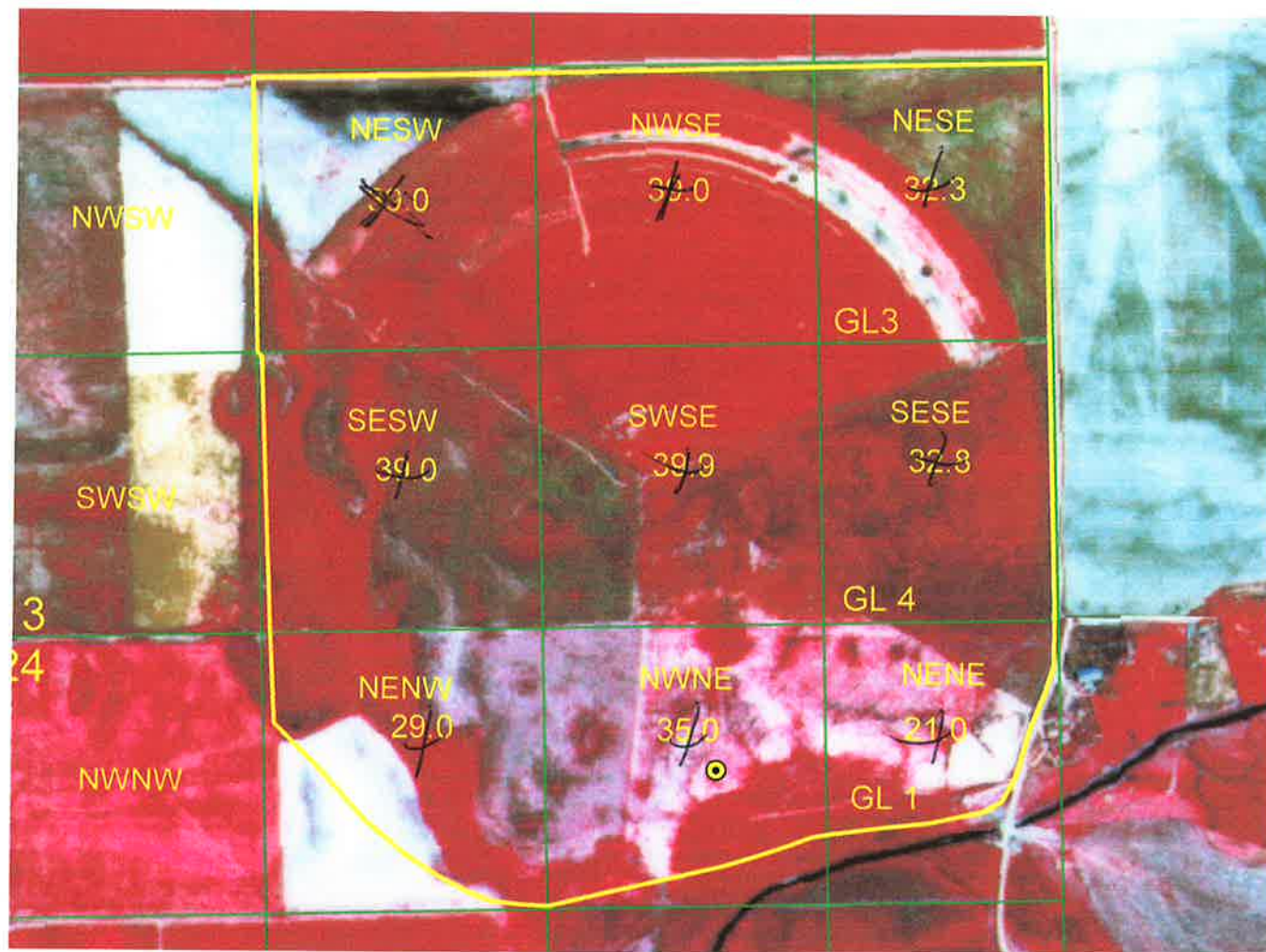
# STATE OF IDAHO

Department of Water Resources

Eastern Region



## Water Right(s) 29-10202



800 0 800 1600 Feet

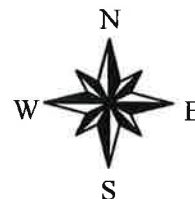
IRRIGATED ACRES 307.0

### LEGEND

- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T7S, R38E:  
(part of) Sec. 13, NESW, NWSE,  
NESE, SESW, SWSE, SESE.  
(part of) Sec. 24, NENW, NWNE, NENE.

Point(s) of Diversion: T7S, R38E:  
Sec. 24, SENWNE.



GIS Place of Use Illustration  
1987/88 NAPP Photography  
Prepared by: B. Payne  
Date: July 2004

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

RIGHT NUMBER: 29-10202

NAME AND ADDRESS:

THOMPSON BROTHERS FARMS LLP  
2663 NIPPER RD  
BANCROFT ID 83217

SOURCE:

Source:  
GROUND WATER

Tributary:

QUANTITY:

5.680 CFS  
951.000 AFY

~~5.570 CFS~~  
~~836.000 AFY~~

PRIORITY DATE:

06/27/1960

POINT OF DIVERSION:

T07S R38E S24 SENWNE  
Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

5.680 CFS 951.00 AFY  
~~5.570 CFS~~ ~~836.00 AFY~~

PLACE OF USE:

IRRIGATION within CARIBOU County

T07S R38E S13 NESW 39.0

~~T07S R38E S13 NESW 23.0~~

~~T07S R38E S13 SWSW 1.6~~

T07S R38E S13 SESW 39.0

~~T07S R38E S13 SESW 40.0~~

T07S R38E S13 NESE Lot 3 32.0

~~T07S R38E S13 NESE Lot 3 16.0~~

T07S R38E S13 NWSE 39.0

~~T07S R38E S13 NWSE 37.0~~

T07S R38E S13 SWSE 40.0

T07S R38E S13 SESE Lot 4 33.0

T07S R38E S24 NENE Lot 1 21.0

~~T07S R38E S24 NENE Lot 1 23.0~~

T07S R38E S24 NWNE 35.0

~~T07S R38E S24 NWNE 39.0~~

T07S R38E S24 NENW 29.0

~~T07S R38E S24 NENW 26.0~~

307 ACRES TOTAL

~~278.6 ACRES TOTAL~~

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

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

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**EXPLANATORY MATERIAL:** BASIS OF CLAIM - License

THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS.29-2430 AND 29-2431.



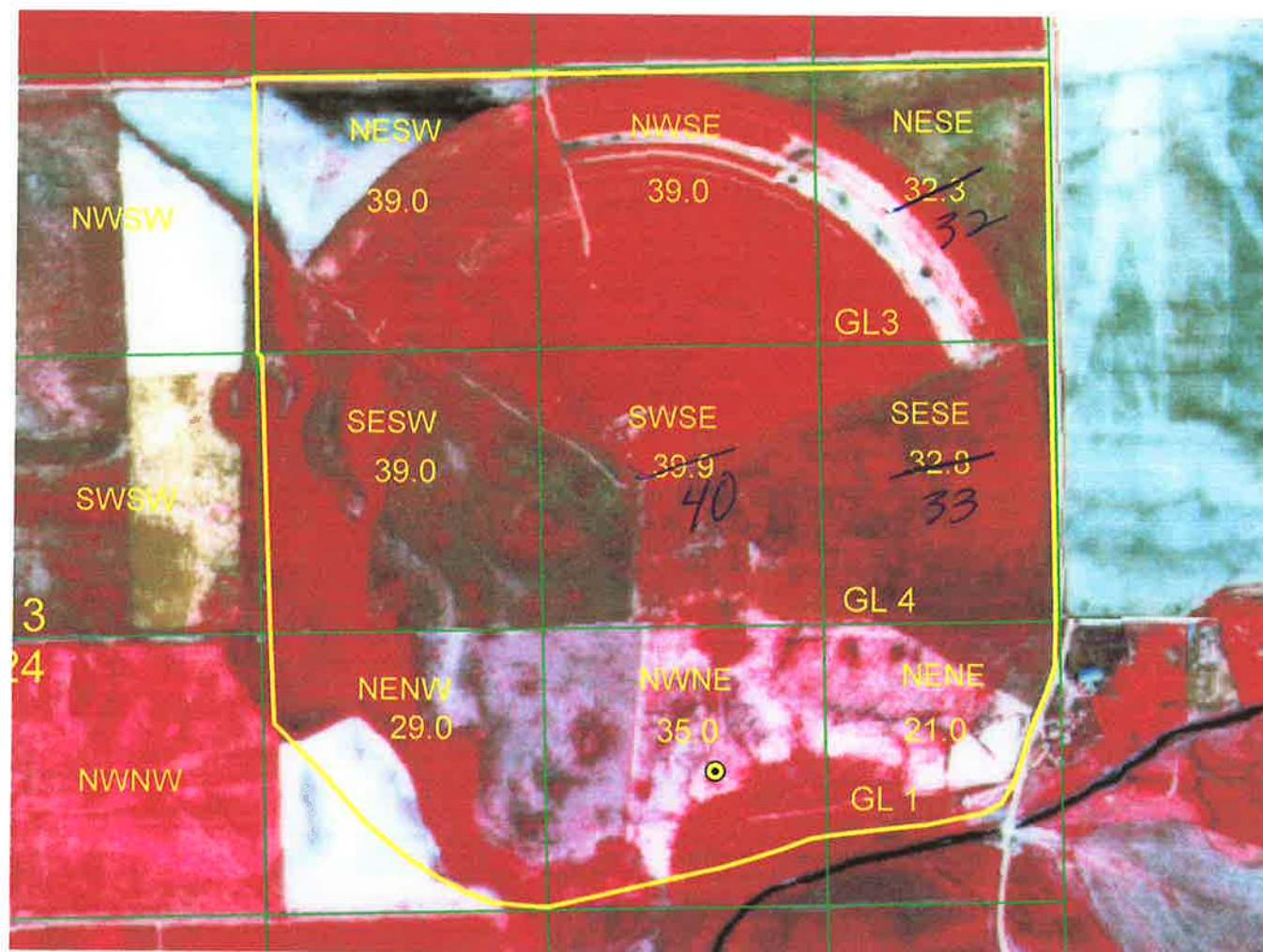
# STATE OF IDAHO

Department of Water Resources

Eastern Region



## Water Right(s) 29-10202



800 0 800 1600 Feet

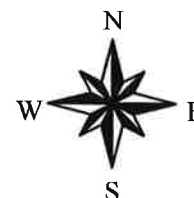
IRRIGATED ACRES 307.0

### LEGEND

- ⊙ Point of Diversion
- Yellow outline Place of Use
- Brown outline Townships
- Blue outline Sections
- Green outline Quarter-Quarters

Place of Use: T7S, R38E:  
(part of) Sec. 13, NESW, NWSE,  
NESE, SESW, SWSE, SESE.  
(part of) Sec. 24, NENW, NWNE, NENE.

Point(s) of Diversion: T7S, R38E:  
Sec. 24, SENWNE.



GIS Place of Use Illustration  
1987/88 NAPP Photography  
Prepared by: B. Payne  
Date: July 2004



# State of Idaho

Department of Water Resources

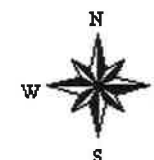
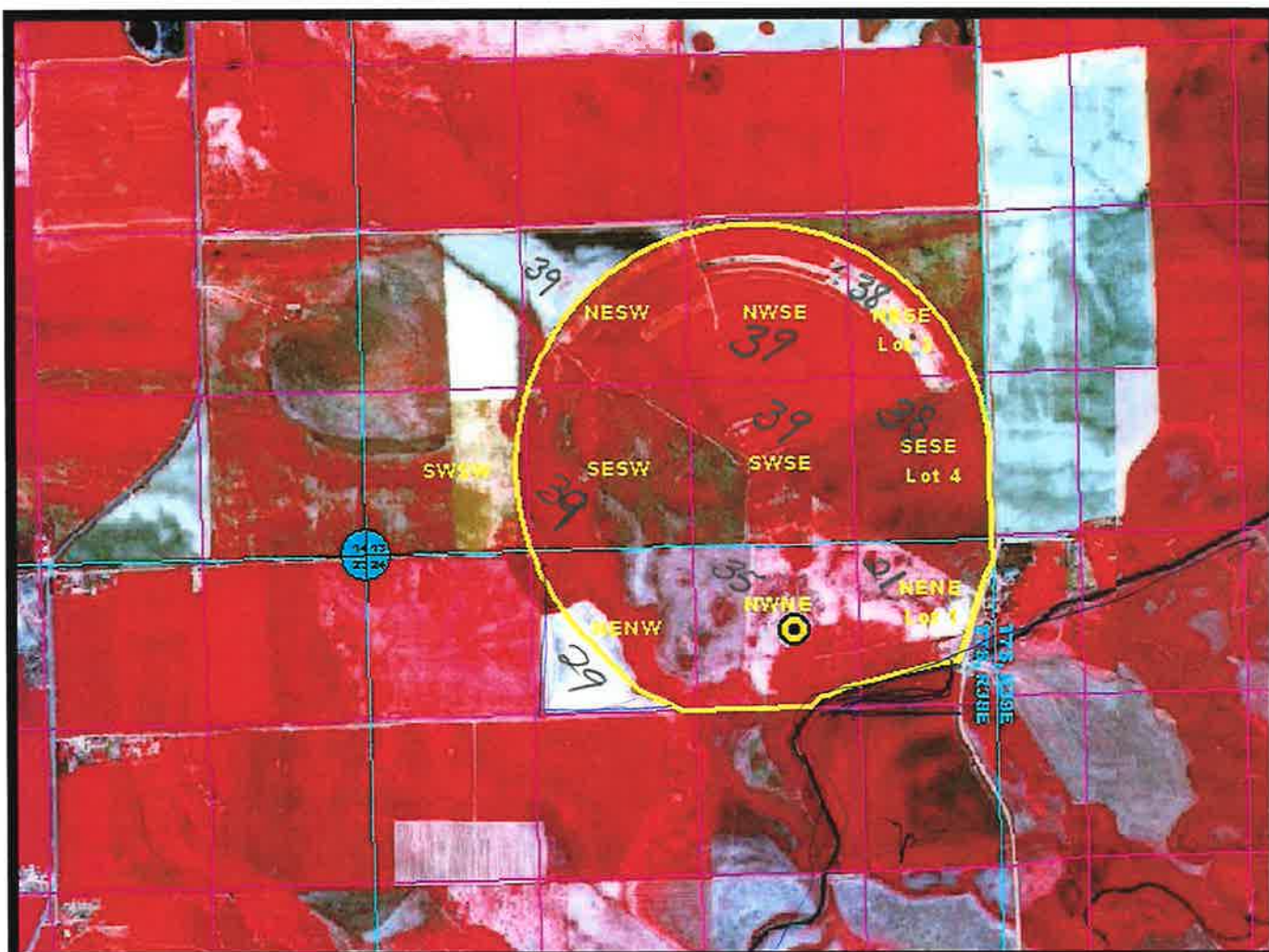
Eastern Region



**Water Right(s):**  
**29-10202**

**Place of Use: T7S, R38E**  
**(parts of) Secs. 13 S2,**  
**Sec. 24 N2NE, NENW**

**Point(s) of Diversion: T7S, R38E**  
**Sec. 24 SENWNE**



## LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500 8000 Feet

GIS Place of Use Illustration  
1037110202 MAPP Photogeography  
Prepared by: G. Bird  
Date: June 2005

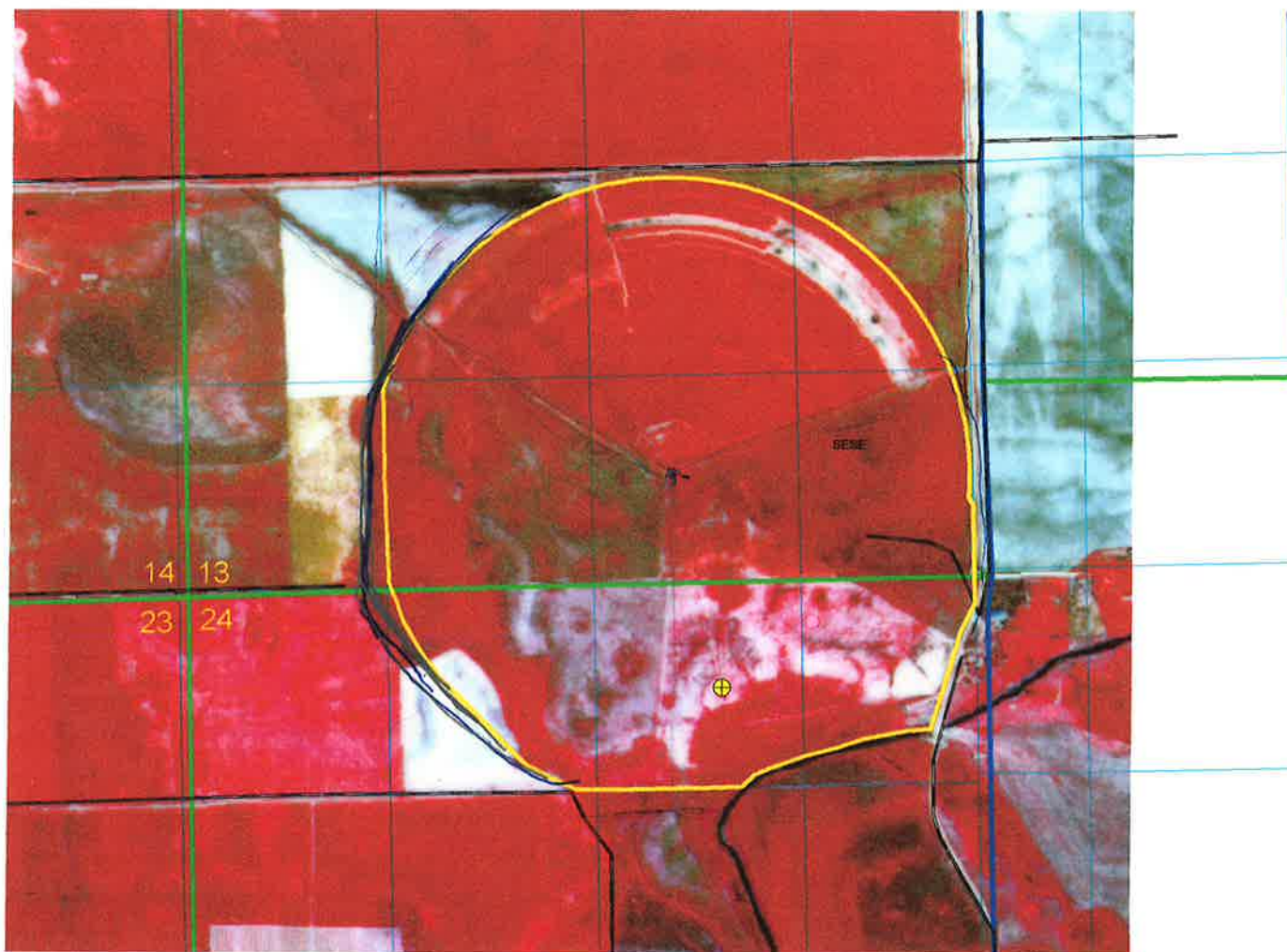


# STATE OF IDAHO

Department of Water Resources  
Eastern Region

Water Right(s) 29-10202

277.73 ac  
278.6 acres



600 0 600 1200 Feet

## LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T7S, R38E  
(part of) Sections 13 and 24.

Points of Diversion: T7S, R38E  
Sec. 24 NWNE



GIS Place of Use Illustration  
1987/88 NAPP PHOTOGRAPHY  
Prepared by C. Bird  
Date: March 2002

## Bird, Cindy

---

**From:** Pew, Lori  
**Sent:** Friday, July 23, 2004 3:54 PM  
**To:** Bird, Cindy  
**Subject:** SF5 29-10202



Untitled.tif

Hi Cindy,

Candice asked me to email this to you to sign and then please send to the court.

Thank you,  
Lori

*Barbara,*

*Please make me a copy for the file,  
then sign*

*Mailed  
7/23/04  
CB*



JUL 22 2004  
DEPARTMENT OF  
WATER RESOURCES

July 19, 2004

Patsy McGourty  
1301 N. Orchard Street  
P.O. Box 83720  
Boise, ID 83720

Dear Ms. McGourty

Enclosed is the signed SF5 per your request. Thanks to all for your cooperation in getting this matter resolved. If you have any questions, please feel free to call.

Sincerely,



Bron Rammell

BMR/ap  
Enclosure  
BR03-291  
Cc: Shane Thompson

ATTORNEYS

THOMAS F. DIAL  
COURT APPOINTED MANAGER  
GREGORY C. MAY  
BRON M. RAMMELL  
AARON N. THOMPSON

PARALEGAL

KORTNY C. WHITE

(208) 233-0132 • Fax: (208) 234-2961  
Railroad Credit Union Bldg. • P.O. Box 370 • Pocatello, ID 83204  
[www.dialmayrammell.com](http://www.dialmayrammell.com)



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

JUL 22 2004  
DEPARTMENT OF  
WATER RESOURCES

RIGHT NUMBER: 29-10202

NAME AND ADDRESS:

THOMPSON BROTHERS FARMS LLP  
2663 NIPPER RD  
BANCROFT ID 83217

SOURCE:

Source:  
GROUND WATER

Tributary:

QUANTITY:

5.680 CFS  
951.000 AFY

~~5.570 CFS~~  
~~936.000 AFY~~

PRIORITY DATE: 06/27/1960

POINT OF DIVERSION:

T07S R38E S24 SENWNE  
Within CARIBOU County

CB

SM<sup>2</sup> BR by SM<sup>2</sup>

PURPOSE AND  
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

5.680 CFS 951.00 AFY  
~~5.570 CFS~~ ~~936.00 AFY~~

PLACE OF USE:

IRRIGATION within CARIBOU County

T07S R38E S13 NESW 39.0

~~T07S R38E S13 NESW 23.0~~

~~T07S R38E S13 EWSW 1.6~~

T07S R38E S13 SESW 39.0

~~T07S R38E S13 SESW 40.0~~

T07S R38E S13 NESE Lot 3 32.0

~~T07S R38E S13 NESE Lot 3 16.0~~

T07S R38E S13 NNSW 39.0

~~T07S R38E S13 NNSW 27.0~~

T07S R38E S13 SWSW 40.0

T07S R38E S13 SESE Lot 4 33.0

T07S R38E S24 NENE Lot 1 21.0

~~T07S R38E S24 NENE Lot 1 23.0~~

T07S R38E S24 NWNE 35.0

~~T07S R38E S24 NWNE 39.0~~

T07S R38E S24 NENW 29.0

~~T07S R38E S24 NENW 26.0~~

307 ACRES TOTAL

~~278.6 ACRES TOTAL~~

SF5

Water Right No.: 29-10202

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

JUL 22 2004

DEPARTMENT OF  
WATER RESOURCES

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

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**EXPLANATORY MATERIAL: BASIS OF CLAIM - License**

THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS. 29-2430 AND 29-2431.

BR  
by smc

smc

CB

## CERTIFICATE OF SERVICE

I certify that on 23<sup>rd</sup> day of July, 2004, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

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

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

2. Copies to:

Bron M. Rammell  
Dial, May and Rammell, Chartered  
P.O. Box 370  
Pocatello, ID 83204-0370

☐ Overnight Mail  
☐ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

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

☐ Overnight Mail  
☐ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

\_\_\_\_\_  
Signature of person or attorney mailing the form

**Bird, Cindy**

---

**From:** McHugh, Candice  
**Sent:** Thursday, July 08, 2004 2:23 PM  
**To:** Bird, Cindy  
**Cc:** Carlsen, Ernie  
**Subject:** Revised SF5 29-10202 (Thompson Bros)

Cindy,

I spoke with Bron and his clients are fine with us revising the SF5 to make the acreage what is actually there (i.e. 307+?). We should also correct the legal POU to add the government lots and to make sure the acreage in each QQ adds up properly. Just forward me the new version and I will get it in the mail to Bron. Thanks for your help. We're just about done with this one! YAY!!

Candice

**Confidentiality Notice:** This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

7/2 emailed (4:30pm) Ernie to have him do the SF5 because I'm  
locked out of the system, CB.

4:45pm sent Candice an email to let her know.

7/2/04 Ernie sent the SFS.

7/13/04 emailed (9:36am) Candice a copy of the layout. co.

15 West Center Street  
Soda Springs, Idaho 83276  
(208) 547-3993  
(208) 547-3939 fax

## Idaho Department of Water Resources

# Fax

To: Candice McHugh From: Cindy Bird  
Fax: 1-208-327-5400 Pages: 2  
Phone: 1-208-327-5404 Date: 7/6/04  
Re: Thompson Brothers CC:

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

### • Comments:

Candice,  
am faxing you a copy of the POA outlined  
in Air View. The amended directors report  
needs to also include the government lots, (doesn't  
currently) and if you note in the SWSE, it is 39.9 acres and  
was only licensed for 39. The area of the problem  
is the NESE (GL-3) & SESE (GL-4) in section B.

CB

**FAXED**  
7/6/04 CB  
1:34pm

## Notes

6/29/04 The POD & POY still needs to be linked. The POY needs to be changed to the 317 acres.

7/6/04. Shape only comes to 307 acres when we take out for the road. We got 308 acres but that was snapped to GCDB but included part of the road.

Condie sent the Thompson attorney the amended director's report for 317 acres. So, she left a message for him that there is only 308 acres. She said hopefully he will agree to that ~~but~~ otherwise we will have to see what they want to do.

Ernie said we need to identify the government lots in the ~~the~~ amended director's report.

1:31pm Faxed Condie a copy of the ArcView map. CB.

## Notes

6/29/04 Amended the preliminary directors report per conversation with Candice McHugh today. As I explained to her, I don't agree with the policy to recommend the corners on this pivot because they have been abandoned / forfeited ~~the~~ since 1981. Which is 6 years prior to the adjudication and 9 years prior to filing the SRBA claim. Dave T has said numerous times in meeting that if land has not been irrigated 5 years prior to filing the SRBA claim we can seek forfeiture. But according to Ernie it is the "Policy of the Department" found in the claims investigation handbook, we don't seek forfeiture on corners for pivots.

During conversations with Ernie I ~~said~~ stated that when I came to Soda I was given a copy of the Claims investigation handbook and it said nothing about that, but apparently the new claims investigation handbook does and he sent me a new copy.

So, I reluctantly changed the recommendation but I don't agree with it because of the contradiction of forfeiture.

CR

**Bird, Cindy**

---

**From:** Bird, Cindy  
**Sent:** Monday, May 10, 2004 4:46 PM  
**To:** McHugh, Candice  
**Cc:** Music, Vicky  
**Subject:** Thompson Brothers (29-10202)

good afternoon,

I just spoke with Mike Hatch, he purchased the property in 1968 and lost it in the early 90's. He purchased the pivot in the fall of 1980 and finished installing it in the spring of 1981. After the pivot was installed he DID NOT irrigate the corners to the north of the pivot (NENE and NESW of section 13). He intended to install a mainline to irrigate the corner but he lost the farm in the early 90 so the corners were not irrigated, as I recommended. He also said that the corner in the NENW of section 24 was always subby and they could only farm it one year. It was sub-irrigated by a Spring that I guess doesn't run now. Then the corner in the NENE of section 24 was irrigated with handlines with the mainline run across the canal but the Thompson Brothers do not own that piece, it is owned by Allen Smith.

Cindy

Notes

Hatch.

1- 435- 753-2075 (hm)

5/10/04. 4:30pm: Call from Mike ~~435-881-2749~~ 435-881-2749. call

1968- Mike Hatch purchase the property  
from the Christensen  
North.

Marsh. - Wild grasses - ran a spring

put the pivot in 1980 - fall of 1980, finished  
putting in 1981 - big frost balance in barley. \$6.17/100.  
Pivot: 15 towers - ~~from~~ <sup>7-1981, I lost his crop.</sup> 3/8 mile, Peirce, Kingsford, grace installed.  
Shuply's wouldn't let Mike Hatch ditch.

- Corner by the house - ~~They ran a mainline across the~~  
~~subby - canal to irrigate the piece south of the canal~~  
But that is not owned by Thompson Brothers, it is <sup>owned</sup> ~~irrigated~~  
owned by Allen Smith.  
Corner to the north - Mike Hatch didn't  
irrigate them after the pivot was  
installed.  
~~Sod~~

SW corner - couldn't farm it because it  
was too wet. Sub irrigated from a  
spring.

Mike intended to put in pipe to water  
the corners but never got the chance to  
do that because he got booted. (Buried a mainline)

Aug. 1997 - left for mission.  
1999

Early 1990's.

## Notes

(233-0132)

5/10/04 3:22pm Bron Rammell called to meet his date to contact the Department required by the Court.

He didn't have any additional information to submit. He said I seen the appraisal I explained I hadn't seen the appraisal, only one page that was shown to me in the hallway of the court. If they want to submit it as evidence then I will gladly take a look at it. Bron said he didn't see the point because if they were going to have to litigate it, he might as well just prepare for litigation. But he would contact the claimants and see what they thought.

## **Bird, Cindy**

---

**From:** Bird, Cindy  
**Sent:** Monday, May 10, 2004 3:45 PM  
**To:** McHugh, Candice  
**Cc:** Music, Vicky  
**Subject:** Thompson Brothers

hi,  
Bron Rammell, the attorney for the Thompson Brothers, phoned this afternoon. He didn't have any additional information to submit and frankly didn't see the point if it wasn't going to change the recommendation and he was going to have to litigate it anyway. He was going to talk to the claimants to see if they had any other information they wanted to submit to the department.

Cindy

## Bird, Cindy

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**From:** Bird, Cindy  
**Sent:** Wednesday, April 28, 2004 12:25 PM  
**To:** McHugh, Candice  
**Subject:** 29-10202 Thompson Brothers

hi Candice,

The Thompson Brothers objected to my recommendation of 29-10202. I recommended 278 acres of irrigation. They purchased the property in 2000. This right is a combination of part of two licenses, 29-2430 and 2431. The licenses have a 1960 priority date. Proof was due in 1965, exam was done in 1968. At that time he found 317 acres irrigated for the QQ's that is now owned by the Thompson Brothers. I've enclosed layouts with the 1964 Imagery, 1987 Napp Photography and an 2003 satellite imagery. All layouts show the place of use that I recommended (black outline). A 1996 crop report from FSA lists 254.7 acres as irrigated lands. The 1987 FSA photo shows the same thing ( the corners are not irrigated in either the photo or the crop report from FSA). The Thompson Brothers brought in a 1983 Caribou County Assessors report that shows the land was being assessed for 295 acres of irrigated land. I spoke to several neighbors and they said that in the being when the land was farmed with hand lines it was doing about 344 acres but after the pivot was put on the corners were not irrigated. Based on all of that and the 1987 Napp Photography I recommended 278 acres as irrigated.

Well Thompson Brothers wants the recommendation changed to 295 acres of irrigation. What are your thoughts?

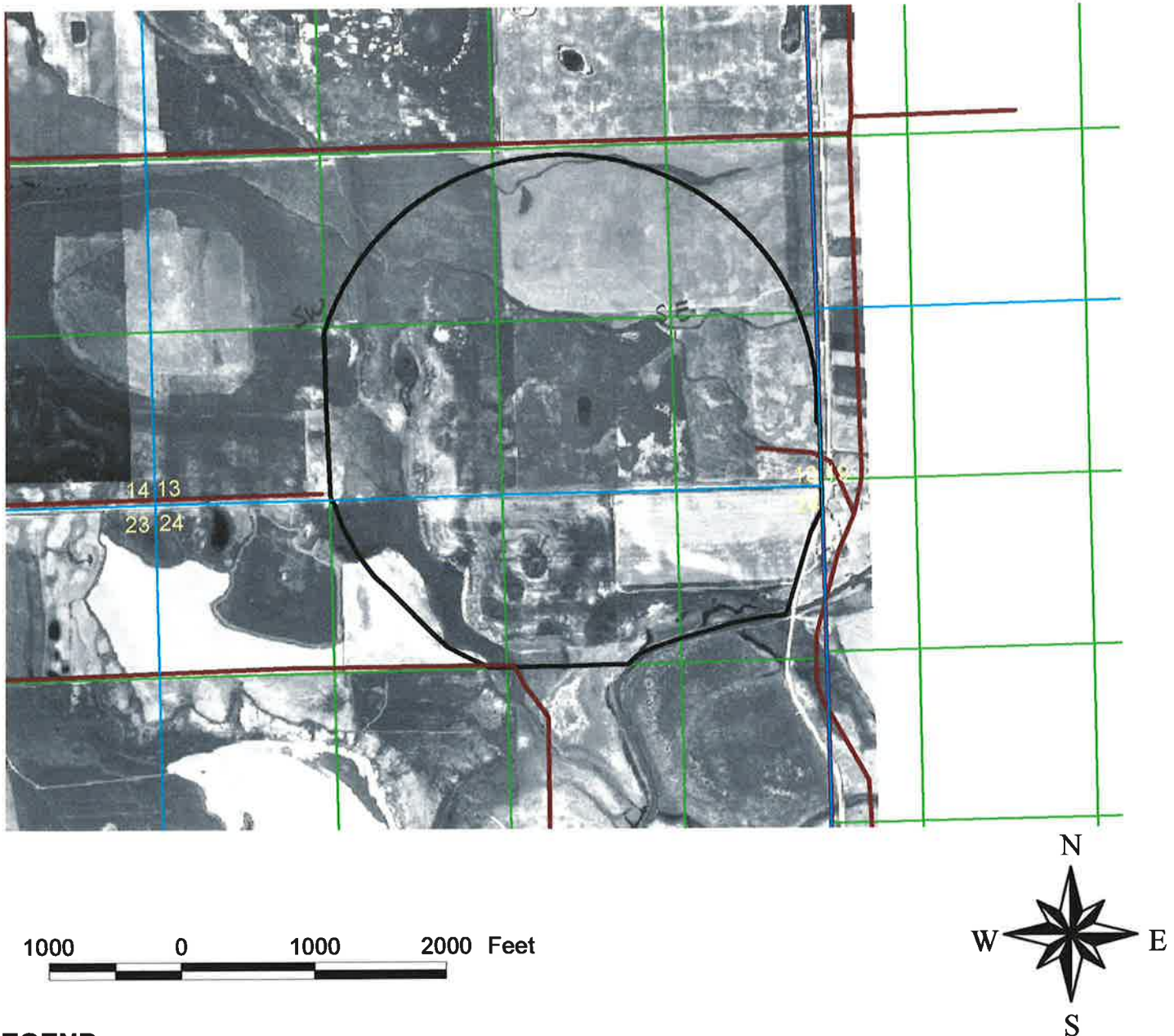


29-10202\_1964.jpg 29-10202\_1987.jpg 29-10202\_2003.jpg

Cindy

# State of Idaho

## Department of Water Resources Eastern Region Water Right 29-10202



### LEGEND

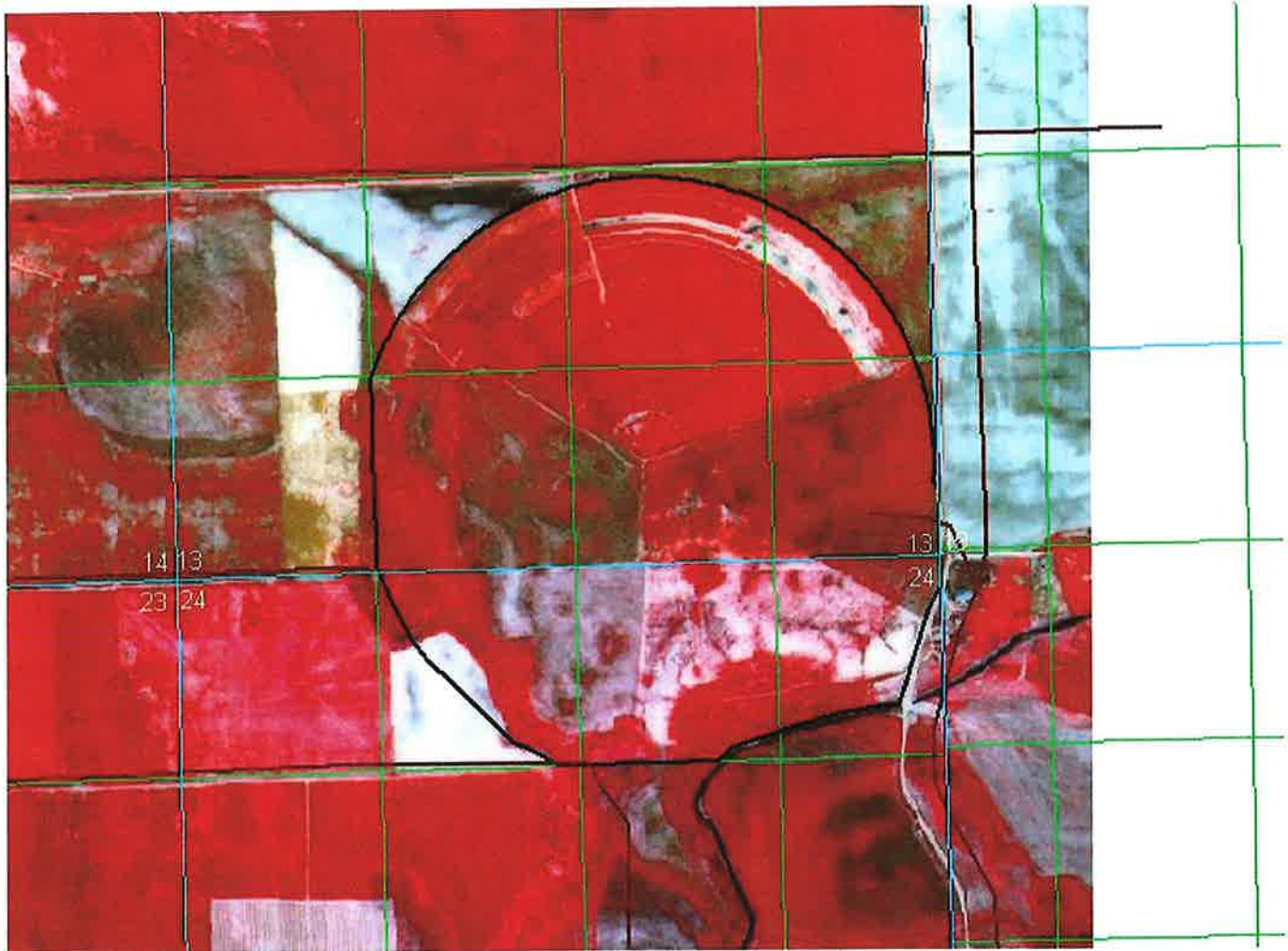
- Sections
- Streets
- 29-10202\_thompson bro
- Township\_Range
- QQ

Place of Use: T7S, R38E  
(part of) Sections 13 and 24.

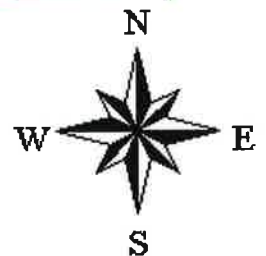
GIS Place of Use Illustration  
1964 Imagery  
Prepared by: CBird  
Date: April 28, 2004

# State of Idaho

Department of Water Resources  
Eastern Region  
Water Right 29-10202



1000 0 1000 2000 Feet



## LEGEND

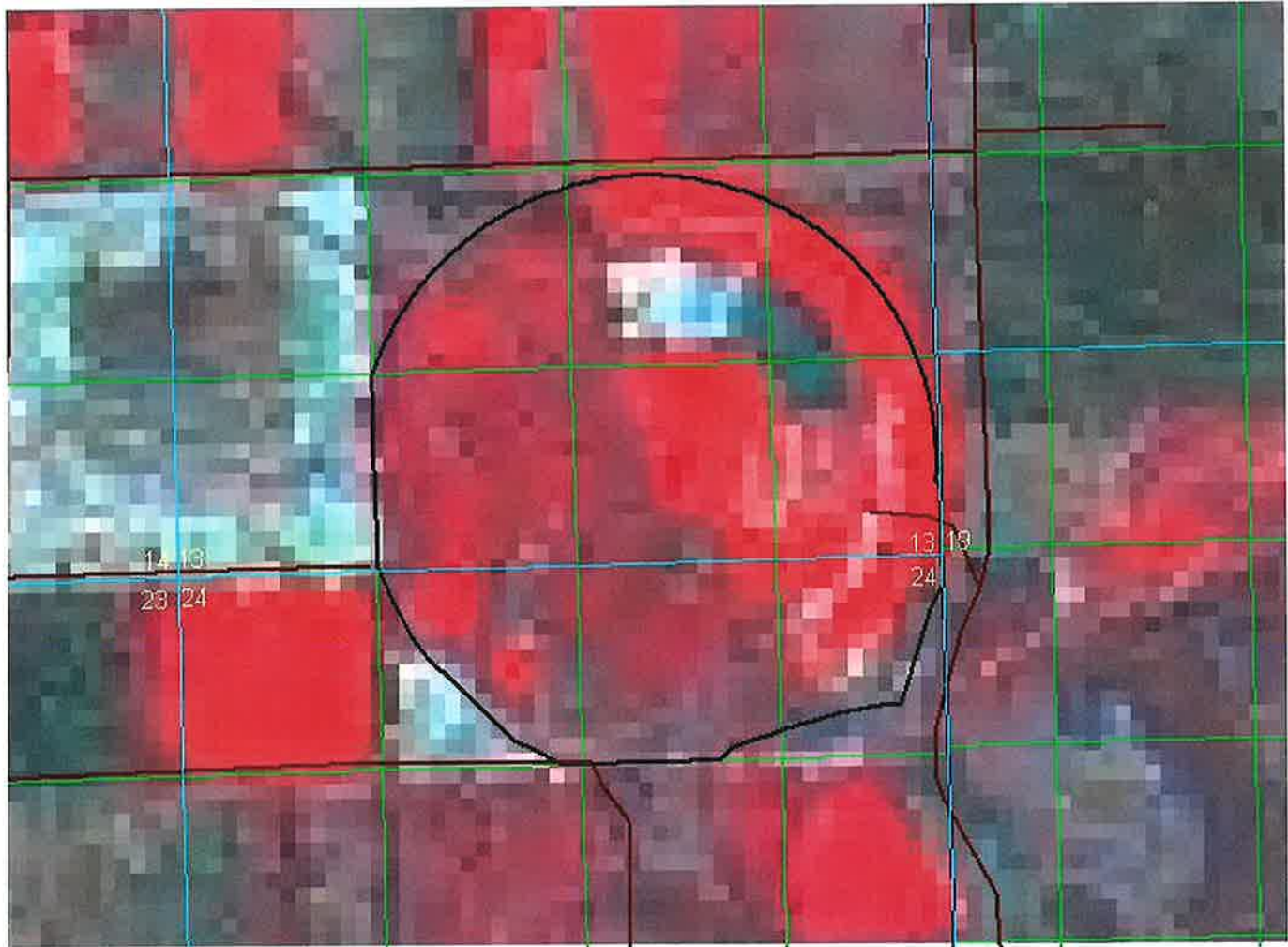
-  Sections
-  Streets
-  29-10202\_thompson bro
-  Township\_Range
-  QQ

Place of Use: T7S, R38E  
(part of) Sections 13 and 24.

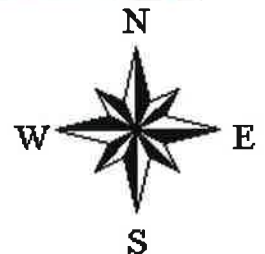
GIS Place of Use Illustration  
1987/88 NAPP Photography  
Prepared by: CBird  
Date: April 28, 2004

# State of Idaho

Department of Water Resources  
Eastern Region  
Water Right 29-10202



1000 0 1000 2000 Feet



## LEGEND

-  Sections
-  Streets
-  29-10202\_thompson bro
-  Township\_Range
-  QQ

Place of Use: T7S, R38E  
(part of) Sections 13 and 24.

GIS Place of Use Illustration  
2003 Satellite Imagery  
Prepared by: CBird  
Date: April 28, 2004

**Bird, Cindy**

---

**From:** McHugh, Candice  
**Sent:** Wednesday, April 23, 2003 2:45 PM  
**To:** Bird, Cindy; Carlsen, Ernie  
**Subject:** RE: partial abandonment 29-10202; additional lands under 29-7392A

See my responses below:

-----Original Message-----

**From:** Bird, Cindy  
**Sent:** Monday, April 21, 2003 3:09 PM  
**To:** Carlsen, Ernie; McHugh, Candice  
**Subject:** partial abandonment 29-10202; additional lands under 29-7392A

hi,

claim 29-10202

Thompson Brothers, combined two licenses 29-2430 and 29-2431 for irrigation of 317 acres under these licenses. I recommended 276 acres under a pivot from the 1987 imagery, they came in whining because Adam Welker told them when they purchased the property in 2000 that there was 317 acres of irrigated land. I asked them for a copy of their warranty deed to see what was conveyed to them. They are reluctant to provide me a copy and have not yet done so. I got a copy of the county assessment for the property for the years 1983 to current and they are being assessed at 295 acres of irrigated land. I asked them twice to sign a release for me to see the ASCE (FSA) photos and they ignored my request. Pauline checked it when she was at the other office and the 1996 farm report on the property was for 254.7 irrigated acres. Partial abandonment? They say they changed the pivot and are now irrigating 300 acres? I don't have any documentation to come close to 317 acres. Suggestions? Otherwise, I think we will be headed to court on this one.

**[McHugh, Candice]** I think the only other evidence we could possibly use would get them to 295 acres but they aren't going to get the 317. I will leave it up to your judgment on whether you think the assessment information along with the imagery provides enough evidence for 295.

claim 29-7392A

Stan Wistisen came in the office this morning on this license. It seem that under 29-7392A, which is owned by Newell Jenkins, but farmed by Stan has approximately 9 irrigated acres in the NWNW of section 22, T8S, R39E that was not described under the permit, the Bancroft Lund decree, the license or the SRBA claim but is described in the examiners report from September of 1982 that has been irrigated by Stan since 1972. There is a note on the field exam that they requested an amendment by didn't get a response? Can you check to see what that is about or if there is other information in the file? I checked the CD I have with scanned information and there is nothing on this file on the CD.

I told Stan that I felt he was out of luck on getting a recommendation under this well for irrigation of that piece. That he would have to use his canal shares on the 9 acres or he would have to dry up some other acres and transfer the well water over there after the adjudication. Any ideas or suggestions?

**[McHugh, Candice]** He is out of luck. If he wants to challenge the former decree or administrative procedure, he'll have to do that in front of the Special Master. His predecessor had many opportunities to get the acreage right and didn't. Is there a possibility of filing an enlargement claim?

## Notes

Cont'd from 4/22/04 meeting in Pocatello.

I think the appraiser was right on because I've heard from people in the Valley that the Thompson Brothers increased the size of the pivot.

This claim may actually fall under the resumption statute. CB

I need to talk to Candice about this. CB

4/26/04 Terra Server has 1992 imagery, which doesn't show that the corners are irrigated. I emailed Michael Cisull and Sandy Egbert to see if we have any 2000-2003 imagery. (after the Thompson brothers purchased the property). Michael is out of the office until April 30<sup>th</sup>, and I haven't heard from Sandy yet. CB

## Notes

4/22/04 Bron Rammell, attorney appeared at the settlement conference at Bannock Co. Courthouse. Mr. Rammell want to know why we hadn't recommended the 31 acres in the SENE of section 24 for the Thompson's. I explained because they don't own it. He was convinced that they did own it but he was confused on the legal. Then the Thompson brothers started hammering me to change my recommendation to 295 acres as their 1996 county assessment stated. I explained we only look at the what occurred prior to 1987. They said that the previous owner had a 15 tower pivot on the land they replaced it with a 14 tower unit and they both had end guns. They had their appraisal at court and was showing the old pictures of the pivot but the explanation from the appraiser said it was a 13 tower. When I asked the Thompson Brothers about that they said the guy (appraiser) didn't know what he was doing.

[Send To Printer](#)

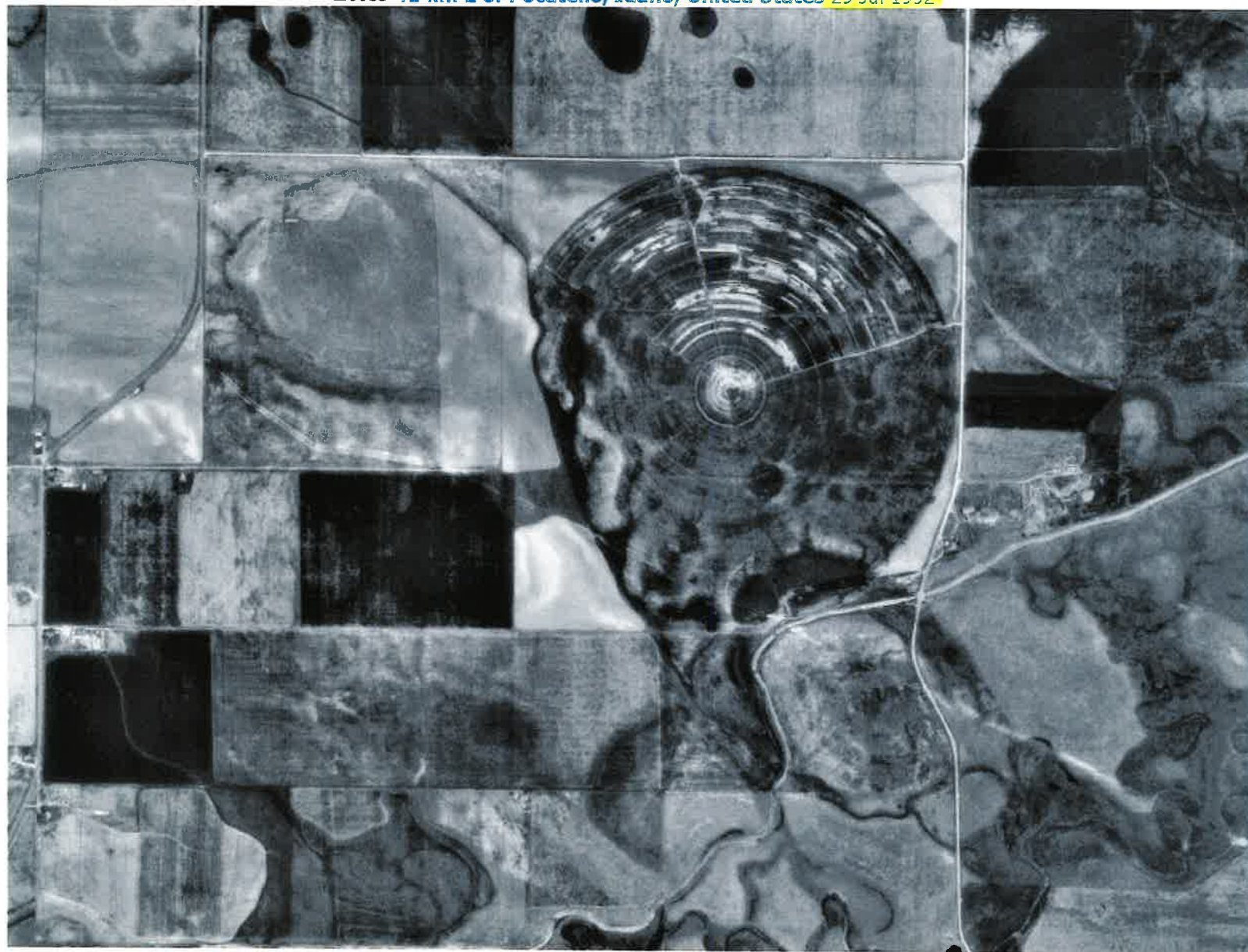
[Back To TerraServer](#)

[Change to 11x17 Print Size](#)

[Show Grid Lines](#)

[Change to Portrait](#)

**USGS 41 km E of Pocatello, Idaho, United States 29 Jul 1992**



0 1.5Km

0 1.25Mi

Image courtesy of the U.S. Geological Survey

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[Privacy Statement](#)

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10202 V1

WATER RIGHT NUMBER: 29-10202 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                              |
|-------------------|--------------------------------------------------------------------------------------|
| Original Owner    | ADAM J WELKER<br>2161 E SUNSET DR<br>LAYTON, UT 84040<br>(801)771-1472               |
| Current Owner     | THOMPSON BROTHERS FARMS LLP<br>2663 NIPPER RD<br>BANCROFT, ID 83217<br>(208)648-0857 |

Priority Date: 06/27/1960

Basis: License

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            | 04/01 to 10/31          | 5.570 CFS             | 836.00 AF            |
|                       | <u>Total Diversion:</u> | 5.570 CFS             | 836.00 AF            |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | SE1/4NW1/4NE1/4 | Sec. 24, Twp 07S, 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 | 38E | 13  |      |      |    |    |      |    |    |    | 23.0 |    | 1.6 | 40.0 | 16.0 | 37.0 | 40.0 | 33.0 | 190.6  |
|     |     |     |      |      |    |    |      |    |    |    |      |    |     |      | L 3  |      |      | L 4  |        |
| 07S | 38E | 24  | 23.0 | 39.0 |    |    | 26.0 |    |    |    |      |    |     |      |      |      |      |      | 88.0   |
|     |     |     | L 1  |      |    |    |      |    |    |    |      |    |     |      |      |      |      |      |        |

Total Acres: 278.6

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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10202 V1

1. Explanatory THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS.29-2430 AND 29-2431.

Comments:

1. cbird 3/14/2002 BASIS OF RIGHT

Comment: THIS RIGHT IS A COMBINATION OF LICENSES 29-2430 AND 29-2431.

2. cbird 3/14/2002 POD

Comment: THE ACTUAL POD WAS LICENSE UNDER 29-2431 NOT THE CLAIMED POD UNDER 29-2430.

3. cbird 6/4/2003 POU

Comment: ADJUSTED THE PIVOT LINE IN THE SWSW OF SECTION 13. SO THE QUANTITY WAS ALSO ADJUSTED FOR THE ADDITIONAL ACRES.

SubCase:

SubCase Number: 29-10202

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: Cindy Bird

Basis of Claim: License

Date Filed: 11/7/2003 Objection Status: Active

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-10202

WATER RIGHT NUMBER: 29-10202

| <u>Owner Type</u> | <u>Name and Address</u>                                                              |
|-------------------|--------------------------------------------------------------------------------------|
| Original Owner    | ADAM J WELKER<br>2161 E SUNSET DR<br>LAYTON, UT 84040<br>(801)771-1472               |
| Current Owner     | THOMPSON BROTHERS FARMS LLP<br>2663 NIPPER RD<br>BANCROFT, ID 83217<br>(208)648-0857 |

Priority Date: 06/27/1960

Basis: License

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            | 4/01 to 11/01           | 5.680 CFS             |                      |
|                       | <u>Total Diversion:</u> | 5.680 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | SW1/4NW1/4SE1/4 | Sec. 13, Twp 07S, 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 | 38E | 13  |      |      |    |    |      |    |    |    | 39.0 |    |    |    | 39.0 | 38.0 | 39.0 | 39.0 | 38.0   | 232.0 |
| 07S | 38E | 24  | 21.0 | 35.0 |    |    | 29.0 |    |    |    |      |    |    |    |      |      |      |      |        | 85.0  |

Total Acres: 317

Conditions of Approval:Remarks:

- General THIS NOTICE COMBINES 3.98 CFS OF LICENSE 29-02431 WITH 1.70 CFS OF LICENSE 29-02430.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 29-10202

Comments:

RECEIVED

NOV 10 2003

Department of Water Resources

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 29-10202

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Thompson Brother Farms, L.L.P.

Address: 2663 Nipper Rd.

Bancroft, ID 83217

Daytime Phone: Please refer to attorney 208-233-0132

Name & Address of Attorney, if any:

Bron M. Rammell

P.O. Box 370

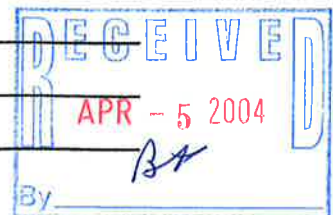
Pocatello, ID 83204

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

Name: Thompson Brother Farm, L.L.P.

Address: 2663 Nipper Rd.

Bancroft, ID 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: consistent with the number of irrigated acres (see objection to place of use)
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: 317 acres

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):** The recommended place of use is inconsistent with County water assessments and previous IDWR records. In reviewing relevant documents, it is likely that the acreage at T07S R38E S24 SE NE was inadvertently omitted from the recommendation. Additionally, T07S R38E S24 NE NW contains additional irrigated acreage not included in the recommendation. Other minor discrepancies exist. The County assessment clearly demonstrates that more acreage has been watered than is recommended by the director.

F.

VERIFICATION (Must be Completed)

State of Idaho )  
 )ss.  
County of Bannock

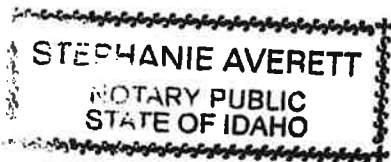
Bron M. Rammell, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6<sup>th</sup> day of November, 2003



Stephanie Averett  
Notary Public for Bannock County  
Residing at: Pocatello, Idaho  
My Commission Expires: 10-17-08

INSTRUCTIONS FOR MAILING

## 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 November 6, <sup>2003</sup>~~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: Thompson Brother Farms, L.L.P.  
Address: 2663 Nipper Rd.  
Bancroft, ID 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

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

# Thompson Brothers Farms LLP

2663 Nipper Rd.  
Bancroft, ID 83217

208-648-0857  
toll free 877-644-8564

August 5, 2003

Cindy Bird  
Dept. Water Resources

Subject: Thompson Brothers Farms LLP Water Rights

Lee Crocket – early 60's

Phil Christensen – Co Owner 1961 – 1969, 1972 – 1981 for Mike Hatch

The individuals listed above have worked and watered the property, 344 acres, Thompson Brothers Farms now owns.



Deon Thompson  
Thompson Brothers Farms LLP



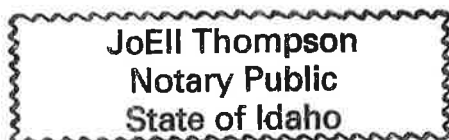
Shane Thompson  
Thompson Brothers Farms LLP



Lee Crocket



Phillip Christensen



*JoEll Thompson*  
exp. 11/17/09



*Kelly Christensen*  
Reside: Bancroft  
Expires: 4/2006

## Attorney's objection

1. T7S R38E S24 SENE was inadvertently omitted from recommendation.

RESPONSE: NO; the land in SENE is NOT OWNED by claimants it was recommended to Alan Smith (29-2430A ; 51 acres as licensed)

2. T7S, R38E S24 NENE Contains irrigated acres NOT included in the recommendation.

### Total Number of Irrigated Acres Sec. 24.

|      |     |
|------|-----|
| w/R  | 136 |
| SRBA | 139 |

COS Remark added.



Priority 1960. (Both 27-2431 & 2430)

Proof due 1965 Same

Exam 1968; Sprinkler; Mainline 1 day apart.

License 29-2431 issued Aug. 1969. (18<sup>th</sup>)

T7S, R38E Sec. 13. 232 acres.

License 29-2430 issued Aug. 1969. (4<sup>th</sup>)

T7S, R38E Sec. 24. 85 acres.

Total Irrigated 317 acres.

2431-232 acres were licensed at 0.01718 cts/ac. (3.99)

2430-85 acres were licensed at 0.02 cts/ac (1.7)

---

5.69

Thompson Bro. Purchased June, 2000

[illegible]



**Highway 39 West - P.O. Box 905 - Blackfoot**

## WATER LICENSE

Water License No. G-28825 Priority June 21, 1960 Amount 2.72 c.f.s.

THIS IS TO CERTIFY, that Vestal Christensen and Sons  
of Bancroft, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated June 21, 1960; that Permit G-28825 was issued pursuant  
to said application; that the proposed works were completed on or about June 30, 1960,  
with a storage/or carrying capacity of 3.59 c.f.s., said works consisting of well,  
motor, pump and sprinkler system; and that on October 15, 1964,  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 408  
acre feet per season, with a maximum rate of diversion of 2.72 cubic feet per second of the waters  
of ground water, tributary of \_\_\_\_\_,  
for the purpose of Irrigation from April 1 to October 31;  
and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
located in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 24, T. 7 S, R. 38 E, B.M., and  
other additional points \_\_\_\_\_, in the County of  
Caribou; and that the amount of water to which such right is  
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
used for said purposes and shall not exceed 408 acre feet per year.

Description and location of place of use:

| TWP.       | RANGE       | SEC.      | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS     |
|------------|-------------|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------|
|            |             |           | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |            |
| <u>7 S</u> | <u>38 E</u> | <u>24</u> | <u>21</u>        | <u>35</u>        | <u>20</u>        | <u>31</u>        | <u>29</u>        |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | <u>136</u> |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |

Total number of acres irrigated 136

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,  
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of August, 1969.

*[Signature]*  
State Reclamation Engineer

27 28825  
29-2430

85 acres

\*3  
255 AFA

1.70

gms

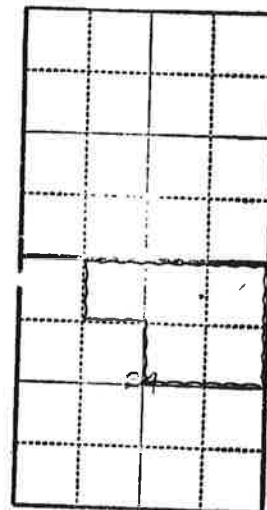
29-2430

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36808  
Permit No. G- 28825  
District No.

1. Name of Applicant: Vestal Christensen and Sons, a Partnership  
Postoffice address: 70 Bar Ranch Bancroft County: Caribou State: Idaho
2. Quantity of water claimed:
  - (a) Rate of withdrawal in cubic feet per second  $\frac{1}{4}$  or Idaho  
Miners' inches 200 or gallons per minute
  - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground water
4. Location of point of diversion or well is in the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 24  
Twp. 7 S , Rge. 38 E , B.M., County of Caribou
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
  - (a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.
  - (b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Pump - underground main line and sprinkler system
8. Estimated cost of works: \$ 10,000.00
9. (a) Is reservoir to be used? no  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
  - I. (a) Date and place of incorporation:  
(b) Amount of capital stock: \$ (c) Amount paid in: \$  
(d) Names and addresses of directors:
  - II. The financial resources of the applicant are (a) Cash onhand: \$  
(b) Treasury stock: (c) Bonds to be issued:  
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
  - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
  - (b) (cubic feet per second, inches or gallons per minute) is for new lands.



LICENSE ISSUED FOR 2.72 SEC. FT.  
 LICENSE TAG NO. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
**REPORT OF ENGINEER**

Permit No. 9-28825This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant: Vestal Christensen & Sons
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NW 1/4 of Section 24  
T. 7 S R. 38 E.B.M. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same:  
75HP NEWMAN ELEC MOTOR # 8076821  
F & W V.T.P. # 218025  
8" DISCHARGE THROUGH STEEL MAIN LINE  
SPRINKLER SYSTEM
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4, NE 1/4 Sec. 24, Twp. 7 S., Rge. 38 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Mrs. CHRISTENSEN CONTACTED.  
Mrs. BEGGER AS GRADE 1AHO FOR DATA ON 1300P.  
6" 1/2 inch L&T 112 RAIN GAGE BOW @ 30 in.  
$$Q = \frac{(178 \text{ NOZ}) (8.14 \text{ gpm})}{440.8 \text{ gpm}} = 3.59 \text{ cfs.}$$

IRRIGATION REVENUE RE/UNIT = 3.045-FT / ACRE / SEASONThis examination was made on the 25th day of JULY, 1960(Signed) Don Reynolds

Examiner.

292430  
28825

22  
11  
H.H.

mtl Brown

Grass & IF

7-4 10-10-54

G-1/4 Cat

### INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

125 114 115 116  
191 29 191 29  
6-10-54  
Jack Christensen (partner in Vostal Christensen & Sons)  
Bancroft, Idaho  
Permit No. G-28825

### Examination for Completion of Works & Beneficial Use

County Caribou

Quantity: 4.0 29-  
Sec. 24 T. 7S R. 38 ERM

Source: Well

P.D.: NWNE-24-7S-38E

Use: Irrigation

Filed: 21 June 1960

Due: 30 June 1965

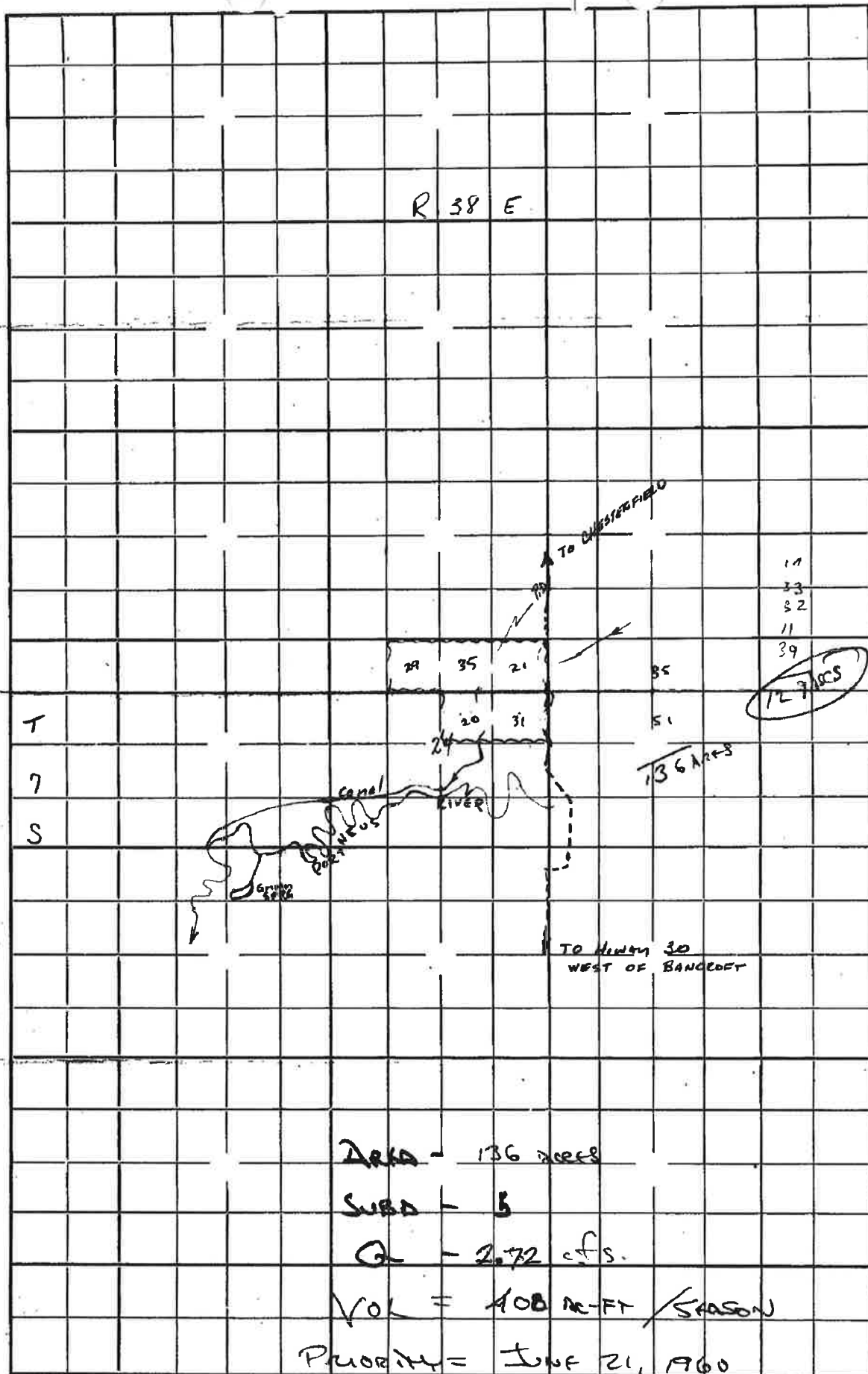
Extension: —

Protest: —

Completion of Works: —

Other Rights: None

Made: Oct 15, 1964



Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2430

WATER RIGHT NUMBER: 29-2430

|                   |                                                                  |
|-------------------|------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                          |
| Current Owner     | VESTAL CHRISTENSEN & SONS<br>RT 4 BOX 215<br>BLACKFOOT, ID 83221 |

Priority Date: 06/21/1960

Basis: License

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            | 4/01 to 10/31           | 2.720 CFS             | 408.00 AF            |
|                       | <u>Total Diversion:</u> | 2.720 CFS             | 408.00 AF            |

Location of Point(s) of Diversion

|                |            |                                 |
|----------------|------------|---------------------------------|
| GROUND WATER   | NW1/4NE1/4 | Sec. 24, Twp 07S, Rge 38E, B.M. |
| CARIBOU County |            |                                 |

Place of Use

IRRIGATION

*allan smyth 27-2430A*

| Twp | Rge | Sec | NE   | NW   | SW   | SE   | NE   | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|------|------|------|------|------|----|----|----|----|----|----|----|----|----|----|----|--------|
| 07S | 38E | 24  | 21.0 | 35.0 | 20.0 | 31.0 | 29.0 |    |    |    |    |    |    |    |    |    |    |    | 136.0  |

Total Acres: 136

Conditions of Approval:Remarks:Comments:*licensed at 0.02 cfs/acre*

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 29-2430

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2430A V1

WATER RIGHT NUMBER: 29-2430A V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                     |
|-------------------|-----------------------------------------------------------------------------|
| Original Owner    | VESTAL CHRISTENSEN & SONS<br>RT 4 BOX 215<br>BLACKFOOT, ID 83221            |
| Previous Owner    | MIKE W HATCH<br>1468 N 1750 E<br>LOGAN, UT 84341<br>(435)753-2075           |
| Previous Owner    | DONNA H HATCH<br>1468 N 1750 E<br>LOGAN, UT 84341<br>(435)753-2075          |
| Current Owner     | ALAN SMITH<br>2620 KELLY TOPONCE RD<br>BANCROFT, ID 83217                   |
| Current Owner     | ADA K SMITH<br>2620 KELLY TOPONCE RD<br>BANCROFT, ID 83217<br>(208)648-7775 |

Priority Date: 06/21/1960

Basis: License

Status: Active

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31          | 1.020 CFS             | 153.00 AF            |
|                       | <u>Total Diversion:</u> | 1.020 CFS             | 153.00 AF            |

Location of Point(s) of Diversion

GROUND WATER                      SE1/4SW1/4NE1/4                      Sec. 24, Twp 07S, Rge 38E, B.M.  
CARIBOU County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   | NW   | SW | SE | Totals |
|-----|-----|-----|------|------|----|----|--------|
| 07S | 38E | 24  | 24.0 | 27.0 |    |    | 51.0   |

Total Acres: 51

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2430A V1

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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. Explanatory RIGHT NO. 29-2524 AND 29-13408 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Comments:

1. cbird 3/26/2003 QUANTITY

Comment: BASED ON 37.5% OF THE ORIGINAL LICENSE.

2. cbird 3/26/2003 RECOMMENDATION

Comment: ALL OTHER COMPONENTS OF THE WATER RIGHT CAN BE VERIFIED WITH THE LICENSE.

MAY 09 2001

## WATER LICENSE

Water License No. 29-2431 Priority June 27, 1960 Amount 5.5 c.f.s.

THIS IS TO CERTIFY, that ASA E. HATCH  
of Bancroft, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated June 27, 1960; that Permit 29-2431 was issued pursuant  
to said application; that the proposed works were completed on or about 1960  
with a storage/or carrying capacity of 5.5 c.f.s., said works consisting of well,  
pump, motor, and sprinkler system; and that on May 26, 1965  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 960  
acre feet per season, with a maximum rate of diversion of 5.5 cubic feet per second of the waters  
of ground water, tributary of \_\_\_\_\_,  
for the purpose of Irrigation from April 1 to October 31;  
and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
located in CENTER XX of the SE 1/4, Sec. 13, T. 7 S, R. 38 E, B.M., and  
other additional points \_\_\_\_\_, in the County of  
Caribou; and that the amount of water to which such right is  
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
used for said purposes and shall not exceed 960 acre feet per year.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7 S  | 38 E  | 13   |        |        |        |        |        |        |        |        | 39     | 35     | 35     | 39     | 38     | 39     | 39     | 38     | 302    |
|      |       | 14   |        |        |        |        |        |        |        |        |        |        |        |        | 8      |        |        | 10     | 18     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 320

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,  
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of August, 1969.

Deputy State Reclamation Engineer

29-2431

28827  
29-2431

gmk

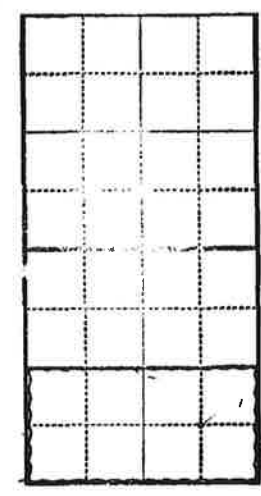
0.01718  
232 acres = 3.9875

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36810  
Permit No. G- 28827  
District No.

1. Name of Applicant: Asa F. Hatch  
Postoffice address: Bancroft County: Caribou State: Idaho
2. Quantity of water claimed:
  - (a) Rate of withdrawal in cubic feet per second 6.14 or Idaho  
Miners' inches 307 or gallons per minute
  - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: well
4. Location of point of diversion or well is in the SE  $\frac{1}{4}$  of the center  $\frac{1}{4}$  of Section 13  
Twp. 7 S , Rge. 38 E , B.M., County of Caribou
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
  - (a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.
  - (b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased, pump and motor
8. Estimated cost of works: \$ 5,000.00
9. (a) Is reservoir to be used?  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
  - I. (a) Date and place of incorporation:  
(b) Amount of capital stock: \$ (c) Amount paid in: \$  
(d) Names and addresses of directors:
  - II. The financial resources of the applicant are (a) Cash onhand: \$  
(b) Treasury stock: (c) Bonds to be issued:  
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 3100 shares in  
Tosponce Canal Company (flood rights)
  - (a) 0.8 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
  - (b) 5.34 (cubic feet per second, inches or gallons per minute) is for new lands.



BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By \_\_\_\_\_ Agent.

**Corrected application received:**

IN TESTIMONY WHEREOF, We, W. E. DREWSON, Acting, Governor of the State of Idaho,  
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to  
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th  
day of June, 1960

STATE OF IDAHO

By s/ W. E. DREYLOW,  
Acting Governor

| Twp.                                                                                    | Range | Sec. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|-----------------------------------------------------------------------------------------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|                                                                                         |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7 S                                                                                     | 38 E  | 13   |     |     |     |     |     |     |     |     | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 320    |
| <p>LICENSE ISSUED FOR <u>505</u> SEC. FT.</p> <p>LICENSE PAGE NO: <u>          </u></p> |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

LICENSE ISSUED FOR 55 SEC. FT.  
 LICENSE PAGE NO.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
REPORT OF EXAMINER

Permit No. G-28827

This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Asa F. Hatch, Bancroft, Idaho
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the Center SE 1/4 of Section 13  
T. 7 S. R. 38 E. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same:  
125 HP FAIRBANKS - MOORE ELEC MOTOR  
# F 39 7.65 FAIRBANKS - MOORE  
V. T. P. 8" DISCHARGE THROUGH  
STEEL UNDERGROUND MAIN LINE -  
THROUGH SPRINKLER SYSTEM 85 lbs
5. Water is used for: Irrigation ✓
6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S 1/2, Sec. 13, T. 7 S., R. 38 E., B. M.

1 EAST 1/2 SEC 14

SHOULD TO INCLUDE E 1/2 SEC 14

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: \_\_\_\_\_

IRR. WATER CONTRACTED

IRRIGATION REQUIREMENT = 3.0 AC-FT / ACRE / SEASON  
9-1/2 Acre LAT 32" RAINBOW SPRING @ 35 lbs

$$Q = (9 \text{ LAT}) \left( \frac{33 \text{ ACRE}}{148.8 \text{ gpm}} \right) (3.26 \text{ gpm}) = 550 \text{ cfs}$$

This examination was made on the 24th day of June, 1968

(Signed) \_\_\_\_\_

Examiner.

DR

28827  
292431

957  
26  
331  
320  
11

# INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

See Hatch  
Bancroft, Idaho

356-414 May  
60

Permit No. G-2227

Completion of Works  
Examination for and Beneficial Use

County Caribou

Quantity: 6.14

Sec 13 T. 78 N. 34 E

29-

Source: WELL

P.D.: CENTER SE 1/4, Section 13  
75-38E

Use: IRRIGATION

Extension: —

Protest: —

Completion of Works: —

Other Rights: 3100 SHARES IN  
TORONCE CANAL  
(FLOOD CONTROL)

Issued: JUNE 27, 1960

Re: JUNE 30, 1965

302

12

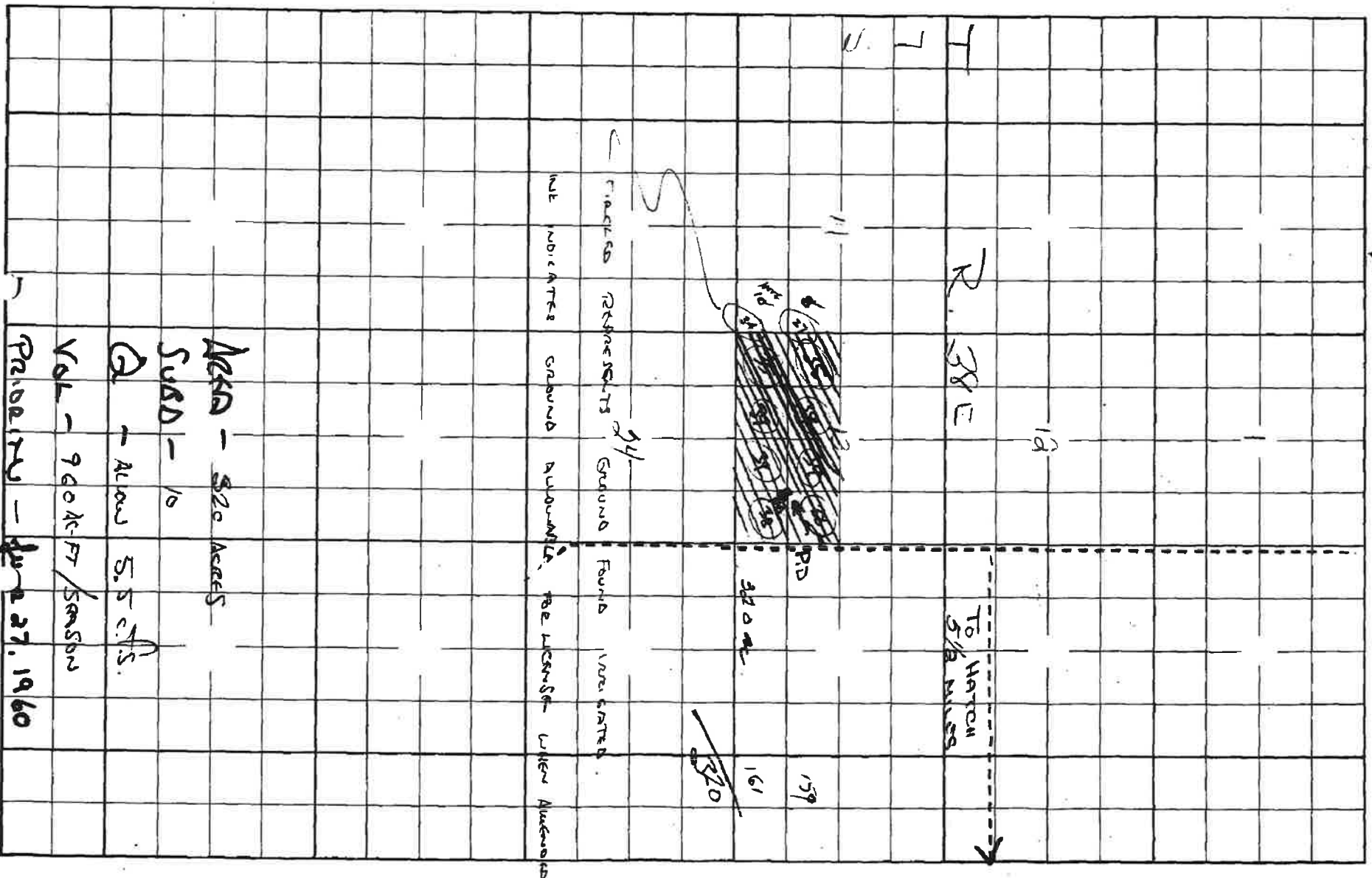
290

30

78.5

52.5

22.5



Scale: 2 inches equals 1 mile. Draw Map in ink.

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2431

WATER RIGHT NUMBER: 29-2431

Owner Type                      Name and Address  
 Current Owner                      ASA F HATCH  
                                                  BANCROFT, ID 83217

Priority Date: 06/27/1960

Basis: License

Status: Active

Source                                              Tributary  
 GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 10/31           | 5.500 CFS             | 960.00 AF            |
|                       | <u>Total Diversion:</u> | 5.500 CFS             | 960.00 AF            |

Location of Point(s) of Diversion

|                |            |                                 |
|----------------|------------|---------------------------------|
| GROUND WATER   | NE1/4SE1/4 | Sec. 13, Twp 07S, Rge 38E, B.M. |
| CARIBOU County |            |                                 |
| GROUND WATER   | SE1/4SE1/4 | Sec. 13, Twp 07S, Rge 38E, B.M. |
| CARIBOU County |            |                                 |
| GROUND WATER   | SW1/4SE1/4 | Sec. 13, Twp 07S, Rge 38E, B.M. |
| CARIBOU County |            |                                 |
| GROUND WATER   | NW1/4SE1/4 | Sec. 13, Twp 07S, 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 | 38E | 13  |    |    |    |    |    |    |    |    | 39.0 | 35.0 | 35.0 | 39.0 | 38.0 | 39.0 | 39.0 | 38.0 | 302.0  |
| 07S | 38E | 14  |    |    |    |    |    |    |    |    |      |      |      |      | 8.0  |      | 10.0 |      | 18.0   |

Total Acres: 320

Conditions of Approval:Remarks:

$$\frac{5.5 \text{ cfs}}{320 \text{ Ac}} = 0.0171875 \text{ cfs/ac.}$$

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2431

1. General P/D CENTER OF SE1/4, S13, T7S, R38E.

Comments:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2431A V1

WATER RIGHT NUMBER: 29-2431A V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                     |
|-------------------|-----------------------------------------------------------------------------|
| Previous Owner    | DONNA H HATCH<br>1468 N 1750 E<br>LOGAN, UT 84341<br>(435)753-2075          |
| Previous Owner    | MIKE W HATCH<br>1468 N 1750 E<br>LOGAN, UT 84341<br>(435)753-2075           |
| Current Owner     | ALAN SMITH<br>2620 KELLY TOPONCE RD<br>BANCROFT, ID 83217                   |
| Current Owner     | ADA K SMITH<br>2620 KELLY TOPONCE RD<br>BANCROFT, ID 83217<br>(208)648-7775 |
| Original Owner    | ASA F HATCH<br><br>BANCROFT, ID 83217                                       |

Priority Date: 06/27/1960

Basis: License

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            | 04/01 to 10/31          | 1.510 CFS             | 264.00 AF            |
|                       | <u>Total Diversion:</u> | 1.510 CFS             | 264.00 AF            |

Location of Point(s) of Diversion

|                |                      |                                 |
|----------------|----------------------|---------------------------------|
| GROUND WATER   | L3 (SW1/4NE1/4SE1/4) | Sec. 13, Twp 07S, 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 | 38E | 13  |    |    |    |    |    |    |    |    | 18.0 | 28.0 |    |    |      |    |      |    | 46.0   |
| 07S | 38E | 14  |    |    |    |    |    |    |    |    |      |      |    |    | 11.0 |    | 31.0 |    | 42.0   |

Total Acres: 88

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 29-2431A V1

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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:

Comments:

1. cbird 2/28/2003 POD

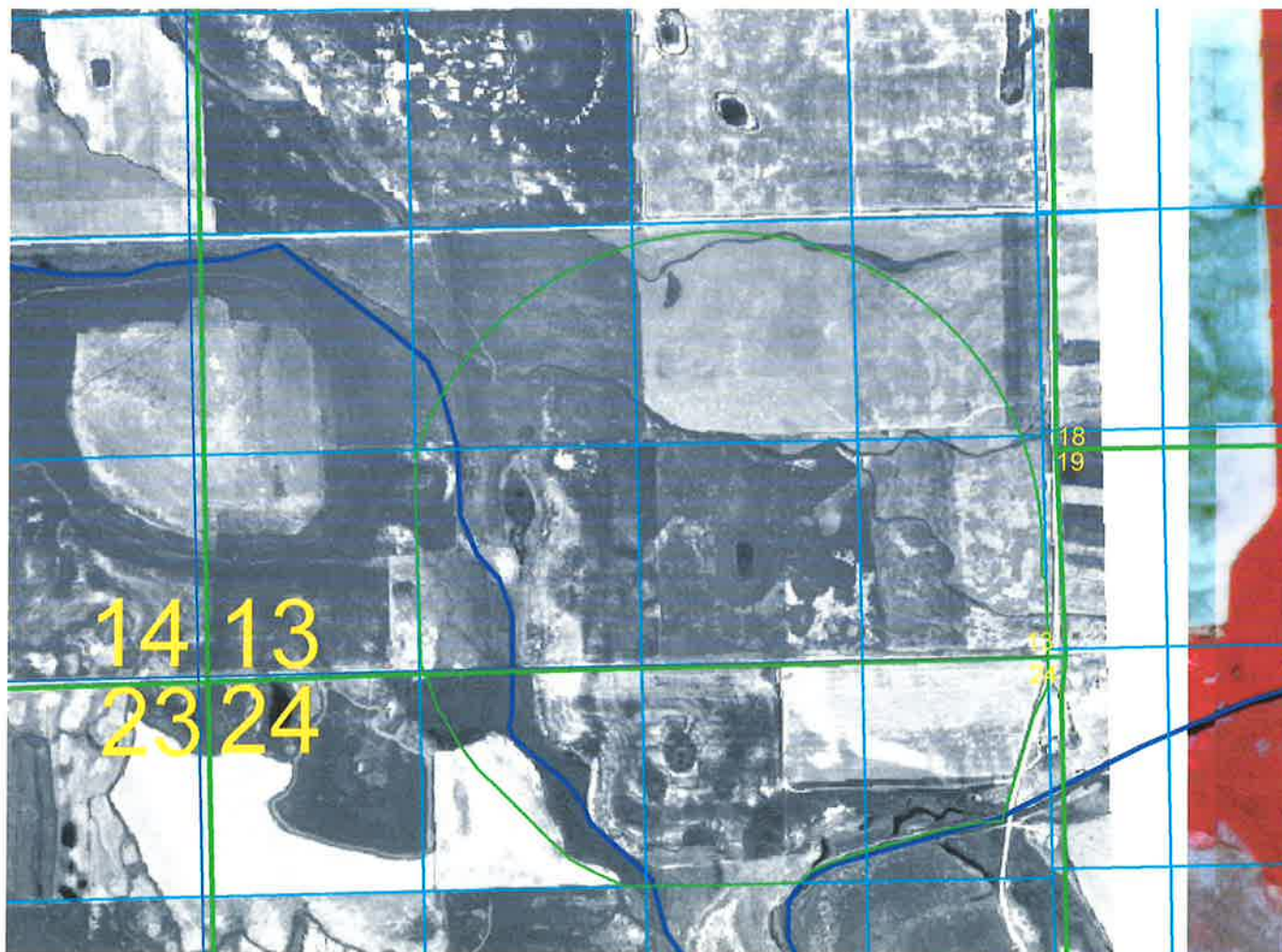
Comment: NO CHANGE IN THE WELL LOCATION. THE GPS POINT LOCATED IT JUST ACROSS THE LINE IN THE NESW SE.



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

## Water Right 29-10202



0.1 0 0.1 0.2 Miles

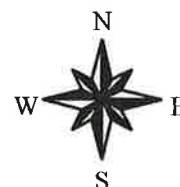


### LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T7S, R38E,  
(part of) Sections 13 S2,  
Sec. 24, N2NE, NENW

Points of Diversion: T7S, R38E  
Sec. 24 SENWNE



GIS Place of Use Illustration  
1964 IMAGERY  
Prepared by C. Bird  
Date: June, 2003

06/04/2003

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

**RIGHT NUMBER: 29-10202**

NAME AND ADDRESS: THOMPSON BROTHERS FARMS LLP  
2663 NIPPER RD  
BANCROFT ID 83217

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.570 CFS  
836.000 AFY

PRIORITY DATE: 06/27/1960

POINT OF DIVERSION:

T07S R38E S24 SENWNE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
5.570 CFS  
836.00 AFY

PLACE OF USE: IRRIGATION Within CARIBOU County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T07S R38E S13       | NESW | 23.0 | T07S R38E S13       | SWSW | 1.6  |
| T07S R38E S13       | SESW | 40.0 | T07S R38E S13 Lot 3 | NESE | 16.0 |
| T07S R38E S13       | NWSE | 37.0 | T07S R38E S13       | SWSE | 40.0 |
| T07S R38E S13 Lot 4 | SESE | 33.0 | T07S R38E S24 Lot 1 | NENE | 23.0 |
| T07S R38E S24       | NWNE | 39.0 | T07S R38E S24       | NENW | 26.0 |

278.6 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: License

THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS.29-2430  
AND 29-2431.

Thompson Bro.

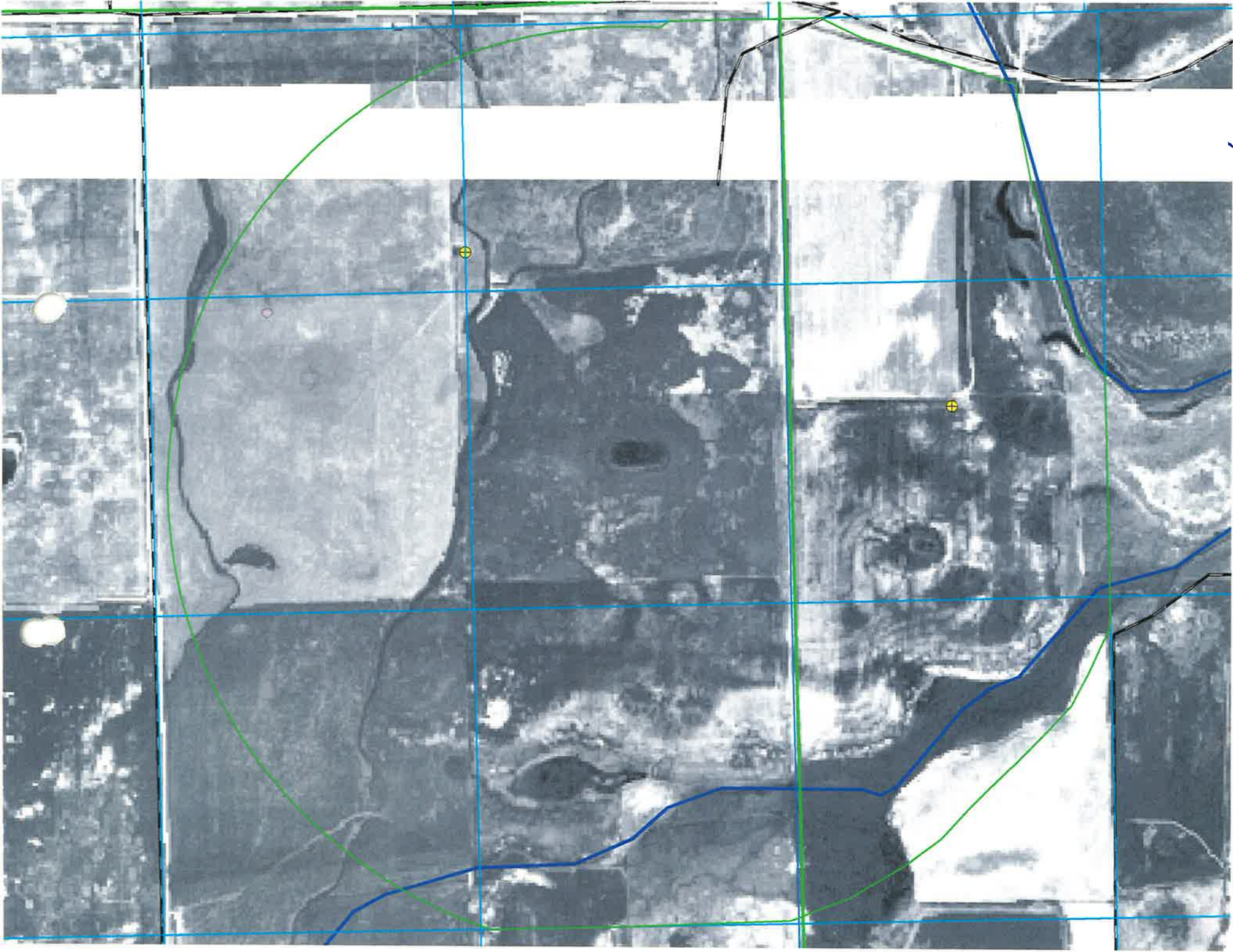
look at 1964 Imagery.

Steve Alt - leased the ground from Adam Wilka

Phil Christerson farmed it from

6/4/03 11:21 AM Allen Ruberry - changed the pivot on the ssw of section 13 to include the piece in the pivot. Total acres 278.6 acres, updated PIS. fixing the lay-out and he is emailing the new layout.

add PIS Remarks - Explanatory  
this right is a combination of part of the old rights 29-2430 & 29-2431.



1964 Imagery

04/100, 104.6

724-5784-02-01-010

REPORT OF ACREAGE

Form 100-100-100-100-100

Page 1 of 1

FARM NUMBER: 545

FARM AND TRACT DETAIL LISTING

DATE: 05-11-94

Operator Name and Address

10

TERR: 1 HATCH

0003

264c EARLY TOPSOIL 50

BANDWIDTH, 10

83217-514

Original

Revised

Unplanned

Farmland

302.7

350.0

| Tract Number | Field Num 10 | Int Pct    | Crop  | Var Type   | Int Use | Land Use    | Reported Acreage | Determined Acreage | D/A | Crop Stat | Plat# PCID | Prod Share  | Prod 10 |            |  |      |  |
|--------------|--------------|------------|-------|------------|---------|-------------|------------------|--------------------|-----|-----------|------------|-------------|---------|------------|--|------|--|
| 504          | 1            | 41         | WHEAT | HRW        | Grain   |             | 42.00            |                    |     | 1         | 5          |             | DEF     |            |  |      |  |
|              | 26           | 1r         | BARLY | SPR        | Grain   |             | 4.00             |                    |     | 1         | 2          |             | DEF     |            |  |      |  |
|              | 28           | 41         | GRASS | HAG        | Graze   | CUPCP       | 96.30            |                    |     | 1         |            |             | DEF     |            |  |      |  |
|              | 3            | 41         | WHEAT | HRW        | Grain   |             | 47.50            |                    |     | 1         | 5          |             | DEF     |            |  |      |  |
|              | 44           | 1r         | BARLY | SPR        | Grain   |             | 45.40            |                    |     | 1         | 2          |             | DEF     |            |  |      |  |
|              | 48           | 1r         | BARLY | SPR        | Grain   |             | 5.40             |                    |     | 1         | 2          |             | DEF     |            |  |      |  |
|              | 40           | 41         | GRASS | HAG        | Graze   | CUPCP       | 3.80             |                    |     | 1         |            |             | DEF     |            |  |      |  |
|              | 48           | 41         | GRASS | HAG        | Graze   | CUPCP       | 4.40             |                    |     | 1         |            |             | DEF     |            |  |      |  |
|              | 5            | 41         | GRASS | HAG        | Graze   | CUPCP       | .80              |                    |     | 1         |            |             | DEF     |            |  |      |  |
|              | 6            | 41         | BARLY | SPR        | Grain   |             | 3.80             |                    |     | 1         | 5          |             | DEF     |            |  |      |  |
|              | 7            | 41         | BARLY | SPR        | Grain   |             | 43.50            |                    |     | 1         | 5          |             | DEF     |            |  |      |  |
|              | 8            | 41         | BARLY | SPR        | Grain   |             | 2.20             |                    |     | 1         | 5          |             | DEF     |            |  |      |  |
|              | 9            | 41         | GRASS | HAG        | Graze   | CUPCP       | 5.90             |                    |     | 1         |            |             | DEF     |            |  |      |  |
|              | 10           | 41         | GRASS | HAG        | Graze   | CUPCP       | 3.30             |                    |     | 1         |            |             | DEF     |            |  |      |  |
|              | 11           | 41         | BARLY | SPR        | Grain   |             | 1.70             |                    |     | 1         | 5          |             | DEF     |            |  |      |  |
| Crop: BARLY  |              | Nirr: 24.5 |       | Int: 105.4 |         | Crop: CUPCP |                  | Nirr: 114.5        |     | Int:      |            | Crop: WHEAT |         | Nirr: 29.3 |  | Int: |  |

Photo Number/Legal Description: T-564 7-30-13 Map 565

Cropland:

323.7

Reported:

323.7

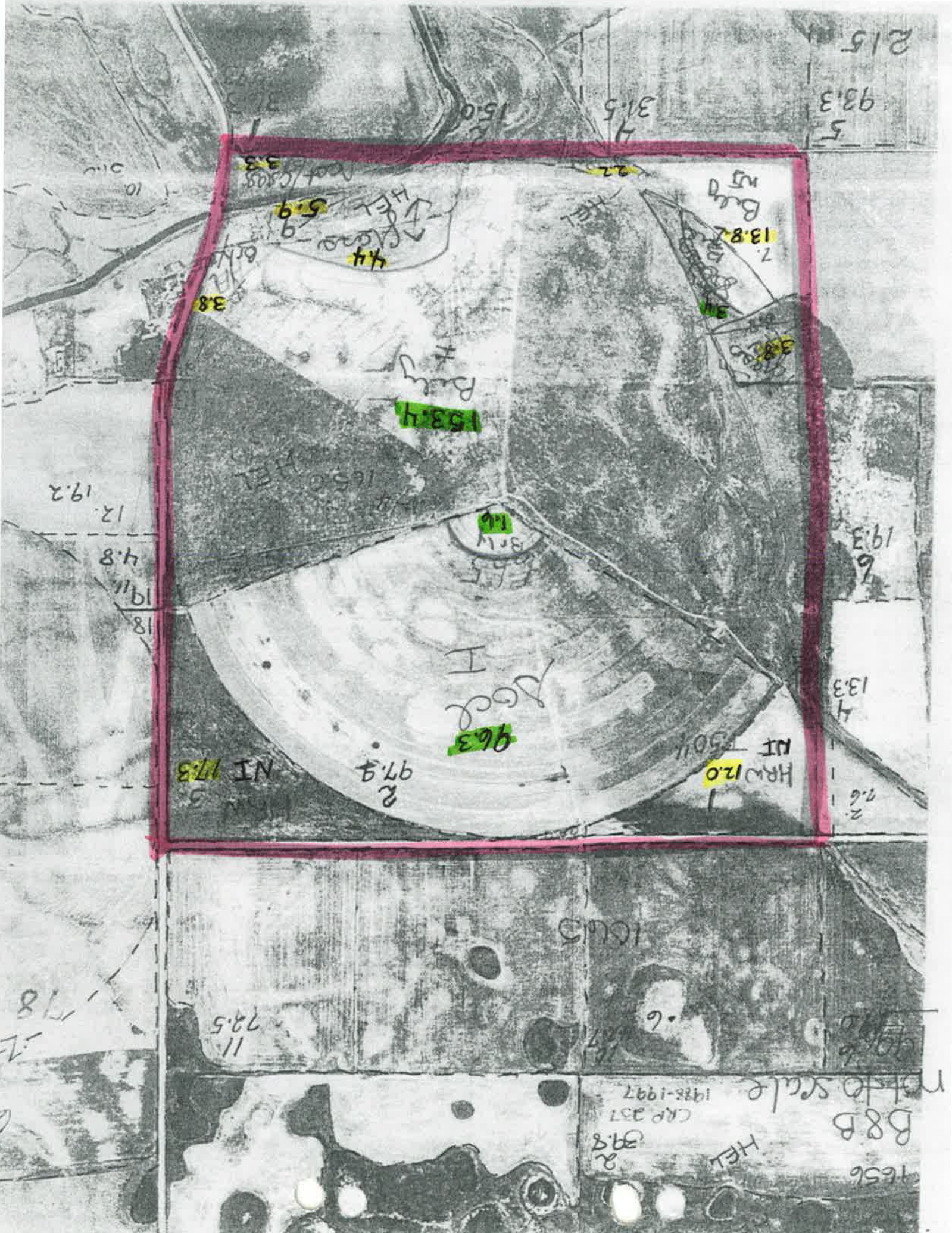
Difference:

.0

Reported 0.8, 2.2, 1.0

.0

254.7 irrigated



215

93.3

5

31.5

15.0

Not 10/10/88

5.9

4.4

3.8

Bully

13.8

7.8

3.8

3.8

153.4

Bully

HEL

165.0

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Rock I

963

97.9

2

NI 17.3

HRW 12.0

NI 150.4

19.3

9

13.3

4

13.3

2.6

2

11

7.8

11

7.8

11

7.8

11

7.8

11

7.8

11

7.8

1978-1997

CRP 237

99.8

2

HEL

B&B

1656

photo scale

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: 29-10202

THOMPSON BROTHERS FARMS LLP  
2663 NIPPER RD

BANCROFT ID 83217

Telephone Number: (208) 648-0857

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

23 Acres

317 Acres

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

increase increase irrigated acres to 317

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

When purchase property with under impression  
on irrigation 317

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

04/15/03

SIGNATURE:

Shane Thompson

Please print your name:

Shane Thompson

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

add. PIS <sup>Remark.</sup> This right combines 29-2430 &  
29-2431.

4-15-03. Shane Thompson came into the office to discuss the recommendation. He felt it should have been 317 acres as claimed. I explained to Shane that the 1987 imagery is questionable on the corners. I would need some additional information. He got the tax records from Carbon County (Preston) that in 1983-1985, 295 acres were irrigated.

Shane lives in Utah and comes up in the summer to farm. He was upset because he was lead to believe that 317 acres were irrigated by Adam Walker.

Cindy Bird  
4-15-03

# RURAL PROPERTY RECORD CARD

OWNERSHIP RECORD AND DESCRIPTION

05 002483A

ADAM J. WELKER

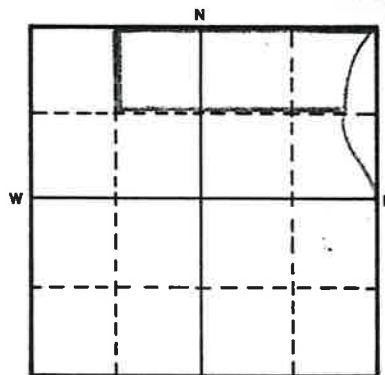
2161 E. Sunset Drive

~~4471 JEFFERSON AVE.~~

OGDEN Layton

UT ~~84403~~  
84041

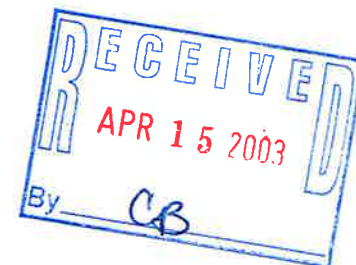
NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , LOT 1 W OF RD  
APPX 110 AC. SEC 24, T7S R38E



Well  
Irrigation = o  
Stock = s

Improvements  
Occupied = x  
Vacant = v

295



|    |   |
|----|---|
| TA | E |
|    |   |

| PARCEL NUMBER |  |  |  |  |  |
|---------------|--|--|--|--|--|
|               |  |  |  |  |  |

## 46. SUMMARY OF LAND AND IMPROVEMENT VALUES

## 48. ANNUAL ASSESSMENT

| Property     | Code         | Appraised Value | 19 87 | 19 90 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 |
|--------------|--------------|-----------------|-------|-------|----|----|----|----|----|----|----|----|----|----|
| Land         | 1. \$ 10     | 4050            | 4050  | 4050  |    |    |    |    |    |    |    |    |    |    |
|              | 90 1 R 1     | 40680           | 38646 | 38646 |    |    |    |    |    |    |    |    |    |    |
|              | 20 1. \$ M 4 | 4786            | 4547  | 4547  |    |    |    |    |    |    |    |    |    |    |
|              | 1. \$        |                 |       |       |    |    |    |    |    |    |    |    |    |    |
|              |              | 49516           | 47243 |       |    |    |    |    |    |    |    |    |    |    |
|              | 1. \$        |                 |       |       |    |    |    |    |    |    |    |    |    |    |
|              | 1. \$        |                 |       |       |    |    |    |    |    |    |    |    |    |    |
|              | 1. \$        |                 |       |       |    |    |    |    |    |    |    |    |    |    |
|              | 40           |                 |       |       |    |    |    |    |    |    |    |    |    |    |
| Improvements | 1. \$ 3F     | 16800           | 15120 | 12600 |    |    |    |    |    |    |    |    |    |    |
|              | 1. \$        |                 |       |       |    |    |    |    |    |    |    |    |    |    |
|              |              |                 |       |       |    |    |    |    |    |    |    |    |    |    |
| TOTAL        | 1. \$        | 66316           | 62363 | 59843 |    |    |    |    |    |    |    |    |    |    |

|                                                                                          |         |                                                                                                                    |
|------------------------------------------------------------------------------------------|---------|--------------------------------------------------------------------------------------------------------------------|
| Listed By <u>RLSK 10-10-83</u><br>Priced By _____<br>Reviewed By _____<br>ASSESSOR _____ | REMARKS | <b>PURCHASE INFORMATION</b><br>PRICE _____ DATE _____<br>PRICE _____ DATE _____<br>RENT _____ PER _____ DATE _____ |
|                                                                                          |         |                                                                                                                    |
|                                                                                          |         |                                                                                                                    |
|                                                                                          |         |                                                                                                                    |

# RURAL PROPERTY RECORD CARD

OWNERSHIP RECORD AND DESCRIPTION

05

2467A

Adam J. Welker

~~4471 Jefferson Ave.~~ 2161 E Sunset Dr.

~~Ogden, Utah 84403~~

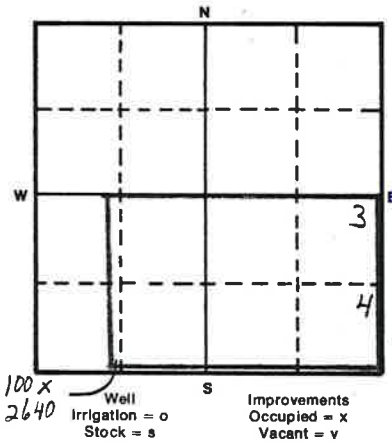
Layton

84041

Lots 3 & 4, W $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  Tr W $\frac{1}{2}$ SW $\frac{1}{4}$

233.06 Ac. Sec. 13

T7S R38E



|      |
|------|
| CODE |
|      |

|               |  |  |  |  |  |
|---------------|--|--|--|--|--|
| PARCEL NUMBER |  |  |  |  |  |
|               |  |  |  |  |  |

## 46. SUMMARY OF LAND AND IMPROVEMENT VALUES

## 48. ANNUAL ASSESSMENT

| Property     | Code | Appraised Value | 19    | 19    | 19    | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 |
|--------------|------|-----------------|-------|-------|-------|----|----|----|----|----|----|----|----|----|
| Land         | 205  | 1. s 1 r        | 81385 | 81297 | 77232 |    |    |    |    |    |    |    |    |    |
|              | 23   | m4              | 3111  | 3111  | 2955  |    |    |    |    |    |    |    |    |    |
|              | 5    | 1. s w 19       |       |       |       |    |    |    |    |    |    |    |    |    |
|              |      | 1. s            |       |       |       |    |    |    |    |    |    |    |    |    |
|              |      |                 |       |       |       |    |    |    |    |    |    |    |    |    |
|              |      | 1. s            |       |       |       |    |    |    |    |    |    |    |    |    |
|              |      | 1. s            |       |       |       |    |    |    |    |    |    |    |    |    |
|              |      | 1. s            |       |       |       |    |    |    |    |    |    |    |    |    |
| Improvements |      | 1. s            |       |       |       |    |    |    |    |    |    |    |    |    |
|              |      | 1. s            |       |       |       |    |    |    |    |    |    |    |    |    |
|              |      |                 |       |       |       |    |    |    |    |    |    |    |    |    |
| TOTAL        |      | 1. s            | 84496 | 84408 | 80187 |    |    |    |    |    |    |    |    |    |

## REMARKS

## PURCHASE INFORMATION

Listed By

Priced By

Reviewed By

ASSESSOR

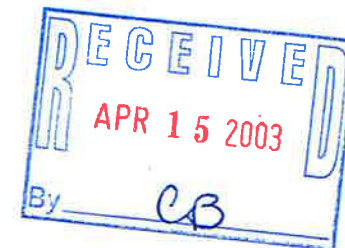
PRICE \_\_\_\_\_ DATE \_\_\_\_\_

PRICE \_\_\_\_\_ DATE \_\_\_\_\_

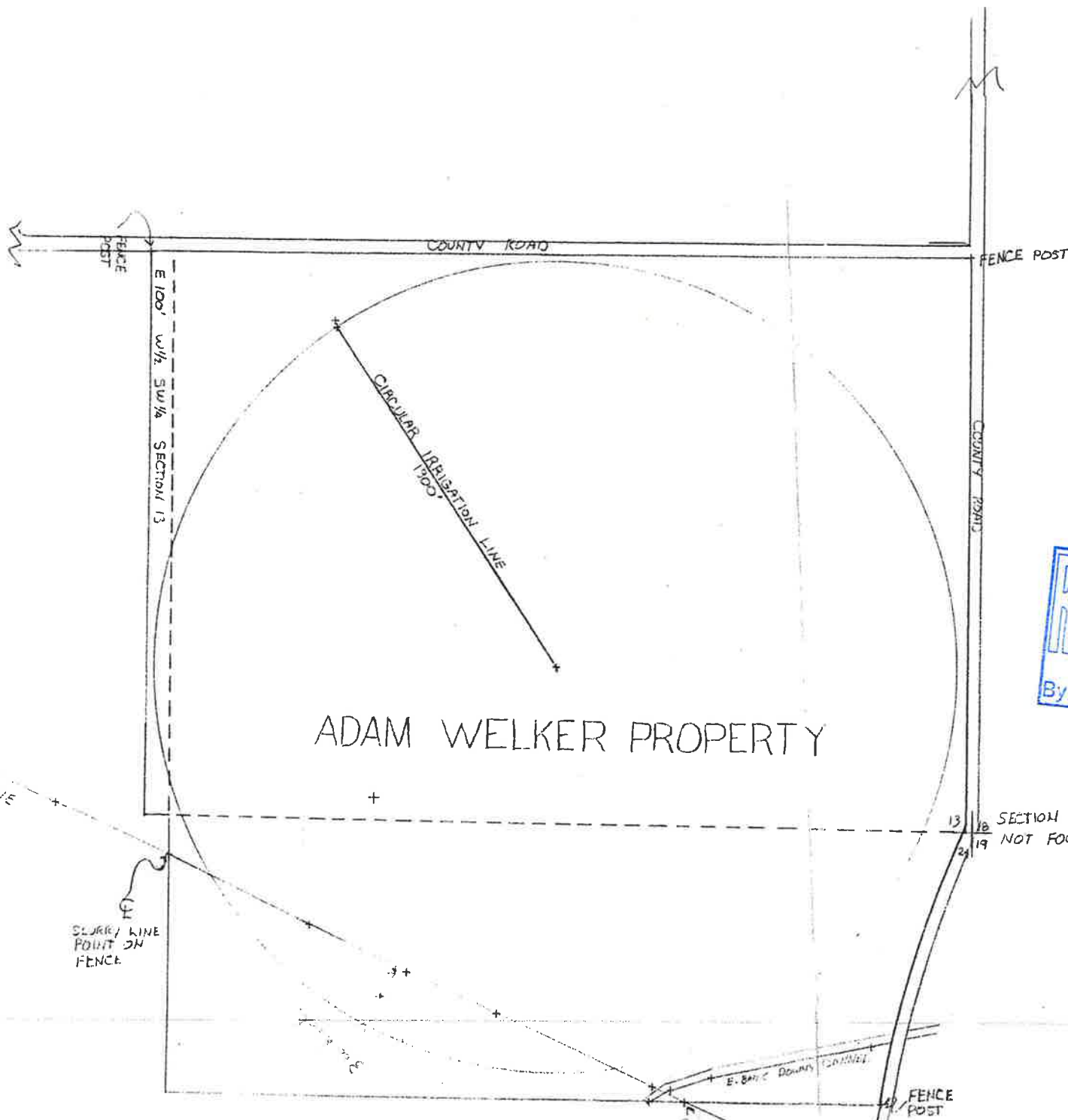
RENT \_\_\_\_\_ PER \_\_\_\_\_ DATE \_\_\_\_\_



SCALE 1" = 500'  
Not to Scale



ADAM WELKER PROPERTY



Claim No. A29-10202

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
CLAIM VERIFICATION EXAM SHEET

1. ☐ No Change NAME: Thompson Bro.  
☒ NEW OWNER: Thompson Bro.  
☐ No Change ADDRESS: 2663 Nipper Rd.  
☒ NEW ADDRESS: Bancroft, ID. 83217.
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.  
☒ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.  
Priority date, per claimant, is 6-21-1960  
(If the priority date, based on your exam, seems questionable, explain in remarks.) Claimed: POD is from lic. 29-2430.
3. ☒ No Change - SOURCE: which has a different priority date.  
☐ Source is different than that claimed:  
Source found: \_\_\_\_\_
4. ☐ No Change - POINT OF DIVERSION:  
☒ Point of diversion is different than the claim  
New P/D: Twp. 7S, Rge. 38E Sec. 24, 1/4 NW 1/4 NE 1/4.  
Actual POD is from license 29-2431. NOT 29-2430.  
Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:  
☐ Incomplete description, complete items missing, IF KNOWN.  
☐ Additional description in comments.  
HP of pump \_\_\_\_\_ Static water level \_\_\_\_\_ Well depth \_\_\_\_\_  
Casing size \_\_\_\_\_ Pumping water level \_\_\_\_\_ Gravity flow \_\_\_\_\_  
Method of irrigation \_\_\_\_\_
6. ☐ No Change - WATER USES:  
☐ Different uses, (list uses found). 276 acres acreage chg.  
Use Irrigation From 4/1 To 10/31 Amount 552 cfs \_\_\_\_\_ af  
Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ cfs \_\_\_\_\_ af
7. ☐ No Change - TOTAL VOLUME:  
☒ Change found, The new total is - 5.52 cfs 966 af
8. Not applicable 276 acres \* 3.5 AFA/acre = 966.00  
\* license was used 3.0 \* 276 = 828
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim  
☐ Incomplete on claim - Exam found:  
Domestic - No. of homes \_\_\_\_\_ Other: \_\_\_\_\_  
Stockwater - No. of head and kind \_\_\_\_\_ (EXP Remark)

Claim No. A29-10202.

10. ☐ No Change - PLACE OF USE: (If changed, list below.)

☒ Place of use is different than the claim

New P/U:

Twp. Rge. Sec. 1/4, 1/4 Use

\_\_\_\_\_  
\_\_\_\_\_

*See map  
for irrigated  
acres under  
the pivot.*

Remarks: (Include type and code)

C18

Comments pertinent to field examination:

P.O.D. Change - The POD claimed is actually  
used by Alan Smith. The POD used by the  
Thompson Brothers is under license 29-2431.  
Well GPS'D. Photo's taken

ATTACHMENTS:

Attached to  
This Form.

Attachments are  
in Claim File.

PHOTOS

MAP

SYSTEM DIAGRAM

☐  
☐  
☐

☐  
☐  
☐

☒ Changes found during exam or additional information in the claim file, see claim file.

DATE EXAM CONDUCTED:

10-3-01

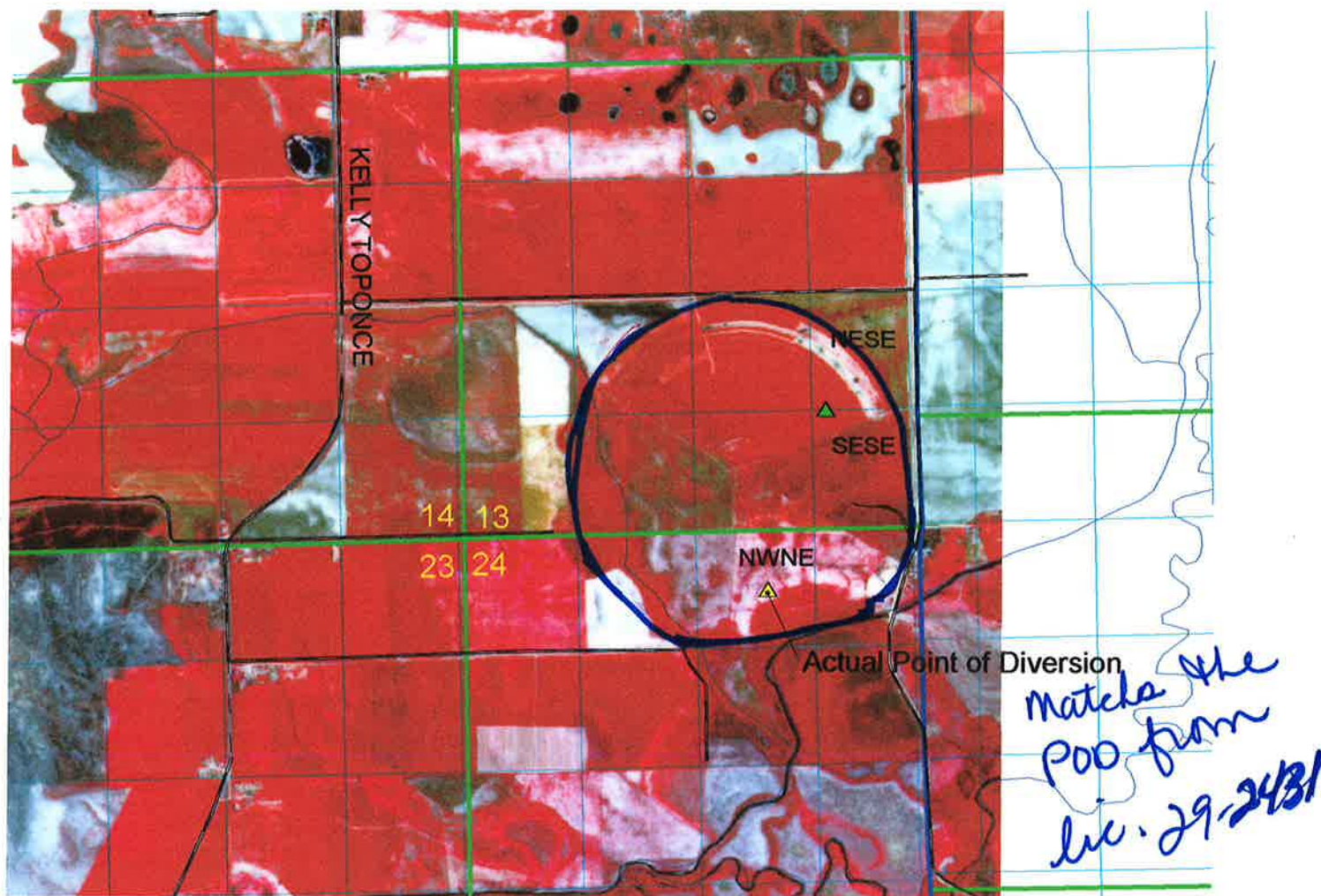
FIELD EXAMINER:

Cindy Buel

Signature

Cindy E Buel.

# Claim A29-10202



500 0 500 1000 Feet

- ▲ Point of Diversion
- ▬ Streets
- ▬ Township and Range Lines
- ▬ Section Lines
- ▬ Quarter-Quarter Lines
- ▬ Streams





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 28, 2001

THOMPSON BROTHERS FARMS LLP  
2663 HIPPER RD  
BANCROFT ID 83217

RE: CHANGE IN OWNERSHIP FOR A29-10202

Dear Claimant:

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(s).

Enclosed is a copy of the Notice(s) of Claim, 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 this Notice for your records.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheri Vandermeulen".

Cheri Vandermeulen  
Records Clerk

Enclosure: Notice(s) of Claim

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

RECEIVED

NOV 27 2001

Department of Water Resources  
Eastern RegionOK  
JC  
11-2801

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

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | A29-10202                    |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. NO fee.
- 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)

Adam J. Walker

2161 E. Sunset Dr. Layton, UT 84040

4. New Owner/Claimant(s)

Thompson Brothers Farms LLC

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

2643 Hipper Rd.

City, State and ZIP Code

Bancroft ID 83217

New Telephone Number

208 648-0857

5. Date you acquired the property

June 5, 2000

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

*Shane Thompson*  
*Beil Thompson*  
*Deen Thompson*

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

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

Mail Tax Notice to:  
Thompson Brothers LLP  
2663 Nipper Road  
Bancroft, Idaho 83217

STATE OF IDAHO }  
County of Caribou }

161487

I hereby certify that this instrument was filed at the request  
of Caribou Title  
at 4:25 o'clock P m this 5 day of  
June, 2000 in my office and duly  
recorded official Records  
Recorder Edie Izatt  
Denise Forsley  
Signature Deputy 600

### WARRANTY DEED

For Value Received ADAM J. WELKER AND VONDA MAE WELKER, husband and wife, as to the East 100 feet of the W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 13, and ADAM J. WELKER AND VONDA MAE WELKER AS JOINT TRUSTEES UNDER THE ADAM J. WELKER AND VONDA MAE WELKER TRUST AS TO THE REMAINDER, the grantors of 2161 E. Sunset Drive Layton, Utah 84041, does hereby grant, bargain, sell and convey unto THOMPSON BROTHERS LLP, A LIMITED LIABILITY PARTNERSHIP, of 2663 Nipper Road Bancroft, Idaho 83217, the grantees, the following described premises located in Caribou County, Idaho, to-wit:

Caribou County, Idaho:

Township 7 South, Range 38 East of the Boise Meridian:

Section 13: Lots 3 and 4, W $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , EXCEPT THEREFROM, Beginning at a point 1286 feet North and 1003 feet West, more or less, from the Southeast corner of said Section 13, and running thence North 30 feet; thence West 30 feet; thence South 30 feet; thence East 30 feet, to the point of beginning.

ALSO, including the East 100 feet of the W $\frac{1}{2}$ SW $\frac{1}{4}$  of said Section 13.

Section 24: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and all that portion of Lot 1 lying West of a County Road.

EXCEPT THEREFROM, any portion thereof lying within the right of way of a county road.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 5, 2000

ADAM J. WELKER AND VONDA MAE WELKER  
TRUST

By: Adam J. Welker  
ADAM J. WELKER, TRUSTEE

By: Vonda Mae Welker  
VONDA MAE WELKER, TRUSTEE

Adam J. Welker  
ADAM J. WELKER

Vonda Mae Welker  
VONDA MAE WELKER

STATE OF IDAHO )  
: ss.  
County of Caribou )

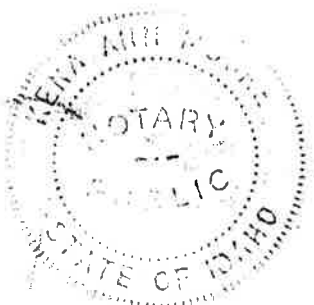
On the 5th day of June 2000, before me the undersigned, a notary public in and for said County and State, personally appeared **ADAM J. WELKER trustee, and VONDA MAE WELKER, trustee**, known or identified to me to be the persons whose names are subscribed to the within instrument as trustees of the ADAM J. WELKER AND VONDA MAE WELKER TRUST, and acknowledged to me that they executed the same.



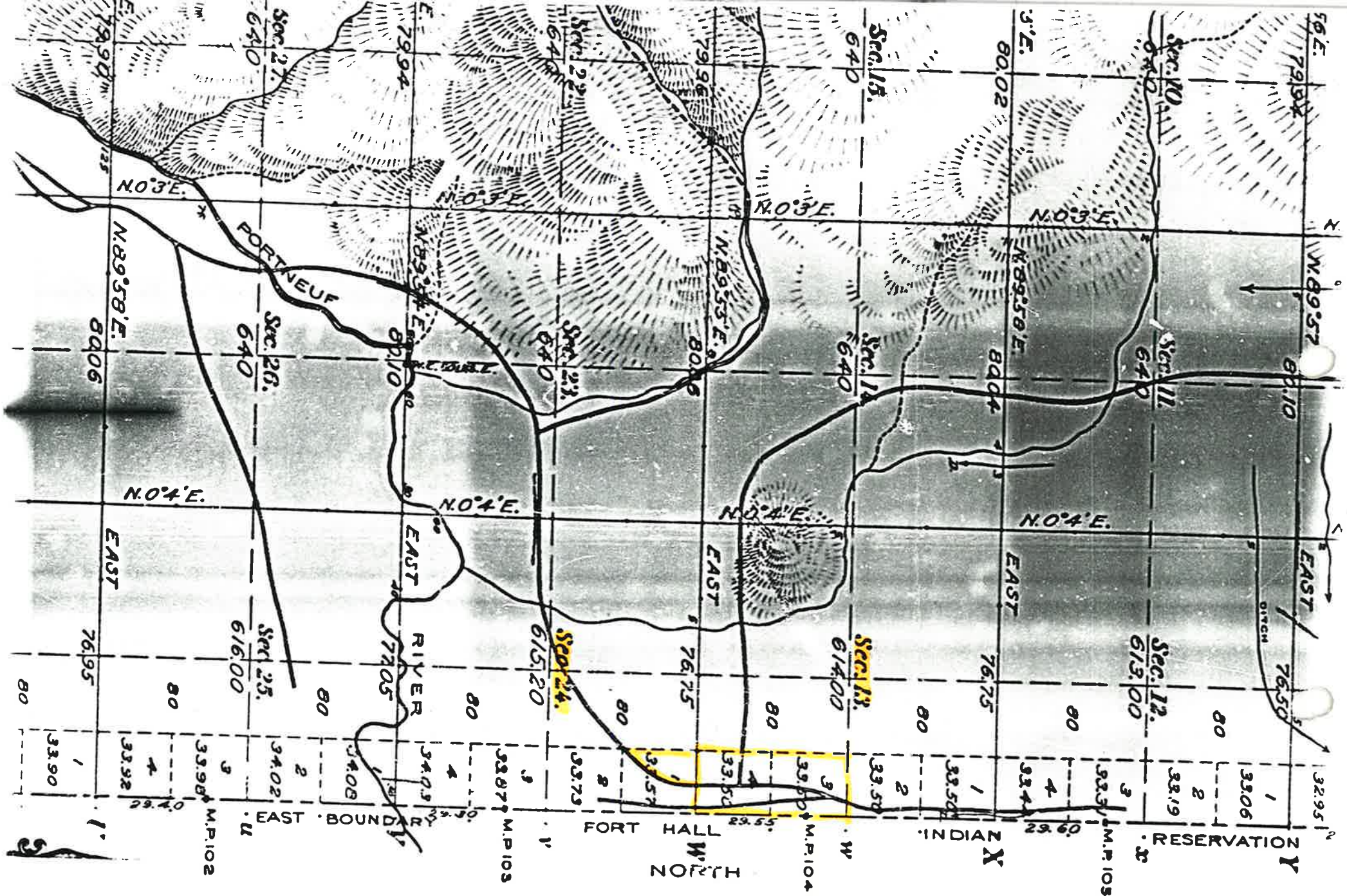
Kenneth Moore  
NOTARY PUBLIC FOR THE STATE OF IDAHO  
Residing at: Soda Springs, Idaho  
My commission expires: August 15, 2003

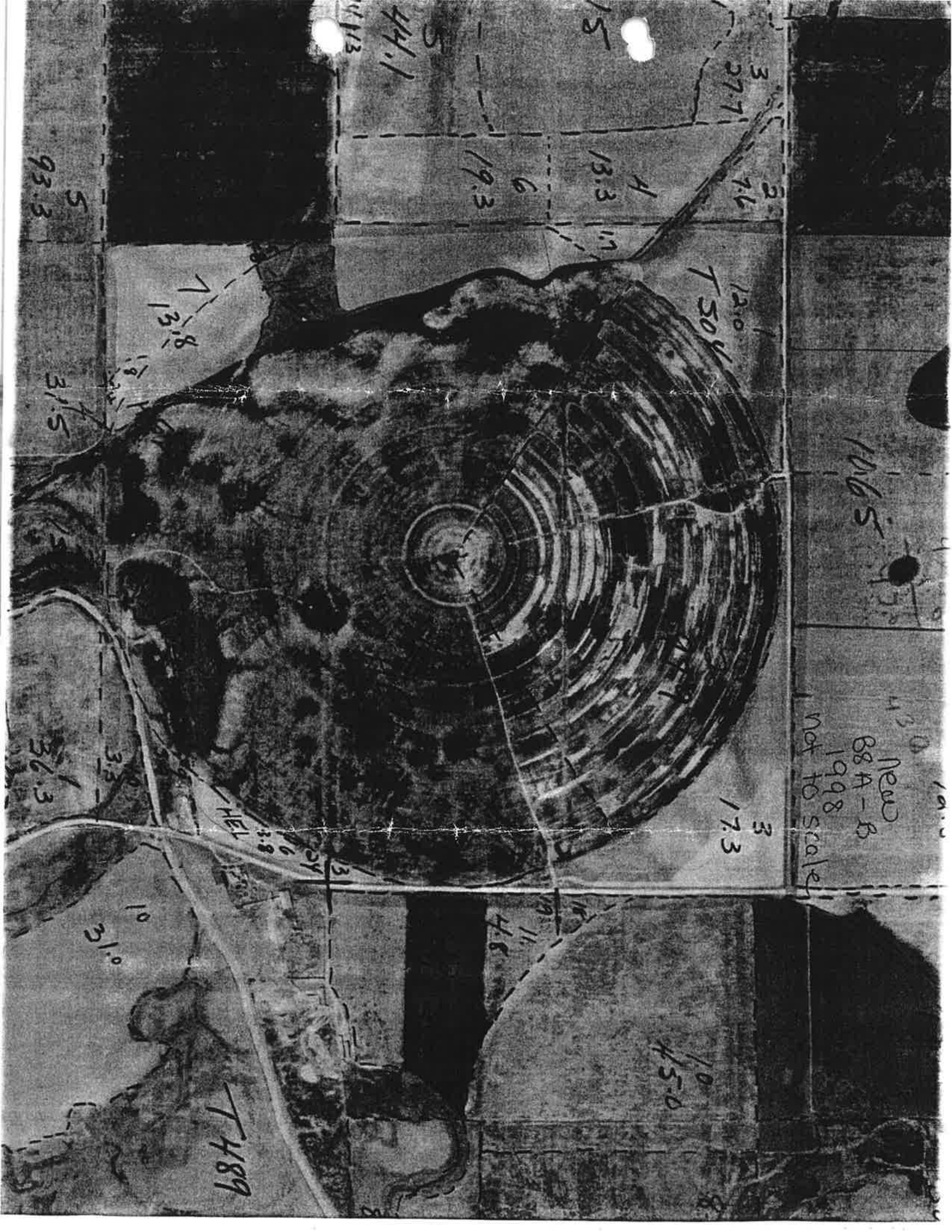
STATE OF IDAHO )  
:  
COUNTY OF CAIRBOU )

On the 5th day of June 2000, before me the undersigned, a notary public in and for the said County and State, personally appeared **ADAM J. WELKER AND VONDA MAE WELKER, husband and wife**, know or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Kenneth Moore  
NOTARY PUBLIC FOR THE STATE OF IDAHO  
Residing at: Soda Springs, Idaho  
My commission expires: August 15, 2003





# Water Right Report

[Close](#)

10/03/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report

WATER RIGHT NO. 29-2430

| <u>Owner Type</u> | <u>Name and Address</u>                                          |
|-------------------|------------------------------------------------------------------|
| Original Owner    | VESTAL CHRISTENSEN & SONS<br>RT 4 BOX 215<br>BLACKFOOT, ID 83221 |

Priority Date: 06/21/1960

Basis:

Status: See Remarks

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

278.6  
1.6

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/01        | 10/31     | 2.72 CFS              | 408 AFA       |
| Total Diversion       |             |           | 2.72 CFS              |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |                |
|--------------|------|---------|--------------|-----------|----------------|
| GROUND WATER | NWNE | Sec. 24 | Township 07S | Range 38E | CARIBOU County |
|--------------|------|---------|--------------|-----------|----------------|

IRRIGATION Use:

Acre Limit: 136

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 07S      | 38E   | 24      |     | NENE  | 21    |     | NWNE  | 35    |     | SWNE  | 20    |     | SENE  | 31    |
|          |       |         |     | NENW  | 29    |     |       |       |     |       |       |     |       |       |

Total Acres: 136

Remarks:

$$\frac{85}{136} = .625 * 2.72 = 1.70 \text{ cfs}$$

|    |         |                                                                                                                                                                                                                                                                                                                                             |
|----|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | General | THIS RIGHT WAS COMBINED AND SPLIT AS FOLLOWS: 1.70 CFS OF THIS RIGHT WAS COMBINED WITH 3.98 CFS OF 29-02431 TO MAKE 29-10202.   1.02 CFS OF THIS RIGHT CLAIMED BY MIKE/DONNA HATCH ON A29-02430A. * 1.70 CFS FOR A29-10202 1.02 CFS FOR A29-02430A TOTAL = 2.72 CFS CLAIMED * 29-02430 = 2.72 * THIS RIGHT IS CLAIMED IN FULL. CLF 11-01-95 |
|----|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Dates:

Licensed Date: 08/21/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

$$1.70 + 3.99 = 5.69$$

# Water Right Report

[Close](#)

10/03/2001

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report

WATER RIGHT NO. 29-2431

| <u>Owner Type</u> | <u>Name and Address</u>           |
|-------------------|-----------------------------------|
| Original Owner    | ASA F HATCH<br>BANCROFT, ID 83217 |

Priority Date: 06/27/1960

Basis:

Status: See Remarks

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

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 4/01        | 10/31     | 5.5 CFS               | 960 AFA       |
| Total Diversion       |             |           | 5.5 CFS               |               |

Location of Point(s) of Diversion:

|              |      |         |              |           |                |
|--------------|------|---------|--------------|-----------|----------------|
| GROUND WATER | NESE | Sec. 13 | Township 07S | Range 38E | CARIBOU County |
| GROUND WATER | NWSE | Sec. 13 | Township 07S | Range 38E | CARIBOU County |
| GROUND WATER | SWSE | Sec. 13 | Township 07S | Range 38E | CARIBOU County |
| GROUND WATER | SESE | Sec. 13 | Township 07S | Range 38E | CARIBOU County |

IRRIGATION Use:

Acre Limit: 320

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 07S      | 38E   | 13      |     | NESW  | 39    |     | NWSW  | 35 20 |     | SWSW  | 35 30 |     | SESW  | 39    |
|          |       |         |     | NESE  | 38    |     | NWSE  | 39    |     | SWSE  | 39    |     | SESE  | 38    |
|          |       | 14      |     | NESE  | 8     |     | SESE  | 10 30 |     |       |       |     |       |       |

Total Acres: 320

Remarks:

*claimed by Hatch → Allen Smith*  

$$\frac{232}{320} = .725 * 5.5 = 3.99$$

|            |                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. General | P/D CENTER OF SE1/4, S13, T7S, R38E. THIS RIGHT WAS SPLIT AND COMBINED AS FOLLOWS; 3.98 CFS OF THIS RIGHT WAS COMBINED WITH 1.7 CFS OF 29-02430 TO MAKE A29-10202.   1.51 CFS OF THIS RIGHT CLAIMED BY MIKE/DONNA HATCH ON A29-02431A. * 3.98 CFS FOR A29-10202 1.51 CFS FOR A29-02431A TOTAL = 5.49 CFS CLAIMED * 29-02431 = 5.50 CFS * THIS RIGHT IS UNDER-CLAIMED. CLF 11-01-95 |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Dates:

Licensed Date: 08/21/1979

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

# WATER LICENSE

Water License No. G-28825 Priority June 21, 1960 Amount 2.72 c.f.s.

THIS IS TO CERTIFY, that Vestal Christensen and Sons

of Bancroft, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 21, 1960; that Permit G-28825 was issued pursuant to said application; that the proposed works were completed on or about June 30, 1960 with a storage/or carrying capacity of 3.59 c.f.s., said works consisting of well, motor, pump and sprinkler system; and that on October 15, 1964 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 408 acre feet per season, with a maximum rate of diversion of 2.72 cubic feet per second of the waters of ground water, tributary of \_\_\_\_\_, for the purpose of Irrigation from April 1 to October 31; and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NW 1/4 NE 1/4, Sec. 24, T. 7 S, R. 38 E, B.M., and other additional points \_\_\_\_\_, in the County of Caribou; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 408 acre feet per year.

*- also claimed by Mike Hatoh  
1.02 cfs  
29-2430A  
bal. 1.7 cfs  
Total: 5.69 cfs.*

Description and location of place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7 S  | 38 E  | 24   | 21     | 35     | 20     | 31     | 29     |        |        |        |        |        |        |        |        |        |        |        | 136    |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 136

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of August, 19 69.

SCANNED

JUN 04 2001

*[Signature]*  
State Reclamation Engineer

28825

29-2430

# WATER LICENSE

ANNED  
MAY 09 2001

Water License No. 29-2431 Priority June 27, 1960 Amount 5.5 c.f.s.

THIS IS TO CERTIFY, that ASA F. HATCH  
of Bancroft, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated June 27, 1960; that Permit 29-2431 was issued pursuant  
to said application; that the proposed works were completed on or about 1960,  
with a storage/or carrying capacity of 5.5 c.f.s., said works consisting of well,  
pump, motor, and sprinkler system; and that on May 26, 1965,  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 960  
acre feet per season, with a maximum rate of diversion of 5.5 cubic feet per second of the waters  
of ground water, tributary of \_\_\_\_\_,  
for the purpose of Irrigation from April 1 to October 31;  
and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
located in CENTER XX of the SE 1/4, Sec. 13, T. 7 S, R. 38 E, B.M., and  
other additional points \_\_\_\_\_, in the County of  
Caribou; and that the amount of water to which such right is  
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
used for said purposes and shall not exceed 960 acre feet per year.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7 S  | 38 E  | 13   |        |        |        |        |        |        |        |        | 39     | 35     | 35     | 39     | 38     | 39     | 39     | 38     | 302    |
|      |       | 14   |        |        |        |        |        |        |        |        |        |        |        |        | 8      |        |        | 10     | 18     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 320

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,  
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of August, 19 69.

*Jack A. Barnett*  
Deputy State Reclamation Engineer

29 2431

28827  
29-2431

*Mike Hatch  
claimed 29-2431  
for 1.51 c.f.s.  
val. 3.99.*

MAY 7 2001

Log for claim A29-10202

Spatial Dynamics LTD

6/16/00

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|---------|-----|------|------------------|----------------|---------------|
| 07s38e  | 13  | NESW | 39               | 38             |               |
| 07s38e  | 13  | SESW | 39               | 40             |               |
| 07s38e  | 13  | NESE | 38               | 33             |               |
| 07s38e  | 13  | NWSE | 39               | 39             |               |
| 07s38e  | 13  | SWSE | 39               | 40             |               |
| 07s38e  | 13  | SESE | 38               | 33             |               |
| 07s38e  | 24  | NENE | 21               | 28             |               |
| 07s38e  | 24  | NWNE | 35               | 40             |               |
| 07s38e  | 24  | NENW | 29               | 40             | Indiscernible |
| Totals: |     |      | 317              | 331            |               |

4/11/1989

## SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Weller

CLAIM IDENT. NO.

A29-10202

DATE RECEIVED

1/26/90

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO \*
2. Is a priority date entered? ☒ YES ☐ NO \*
- Is the priority date acceptable in view of mandatory filing dates?  
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO \*
3. (a) Is a source entered? ☒ YES ☐ NO \*
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A \*
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO \*
5. Is there a description of the diverting works? ☒ YES ☐ NO \*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO \*
- Is the period of use included? ☒ YES ☐ NO \*
- Is a quantity claimed for each use? ☒ YES ☐ NO \*
7. Is a total quantity claimed entered? ☒ YES ☐ NO \*
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A \*
- Is the consumptive use correct? ☒ YES ☐ NO N/A \*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A \*
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO \*
11. Is (are) the county(ies) entered? ☒ YES ☐ NO \*
12. Is the ownership of p.u. checked? ☒ YES ☐ NO \*
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO \*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A \*
15. Is the basis of the claim indicated? ☒ YES ☐ NO \*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A \*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO \*
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO \*
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO \*
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt \*
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A \*
22. Should this claim be data entered? ☒ YES ☐ NO \*

Claim checked by:

De

Date:

1/25/90

Claim must be returned to claimant:

(Yes) ☒ (No)

Claimant must be notified of modifications:

(Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

De

Date:

1/25/90

Checked by:

Date:

Comments:

MICROFILMED

NOV 16 1992

AJ5809NP  
No. A29-10202

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00  
PAGE: 139

| OWNER<br>CODE | NAME & ADDRESS                                                         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE                    | DIVERSION<br>VOLUME     |
|---------------|------------------------------------------------------------------------|------------------|------------|-----------------------|--------------------------------------|-------------------------|
| C             | ADAM J WELKER<br>2161 E SUNSET DR<br>LAYTON UT 84040<br>(801) 771-1472 | 06/27/1960       | IRRIGATION | 04-01 11-01           | 5.680 CFS                            |                         |
|               |                                                                        |                  |            |                       | TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 5.680 CFS<br>792.50 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R38E S13

SWNWSE

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 | 38E | 13 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | :  |             |       |
| 07S | 38E | 24 | : | 21 |    | 35 |    |    |    | 29 |    |    |    | 39 |    | 39 |    | 38 | 39 | 39 | 38          | 232.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | :  | 85.0        |       |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | :  | TOTAL ACRES | 317.0 |

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: NONE

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

A29-00104 A29-00105 A29-00106 A29-02430 A29-02431

Remarks: GEN THIS NOTICE COMBINES 3.98 CFS OF LICENSE 29-02431 WITH 1.70 CFS  
OF LICENSE 29-02430.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/25/90 DCARLSON 08/01/94 THOMPSON 03/29/95 POST-STD 11/01/95 CFRITSCH

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-10202  
Date Received: 1/25/1990  
Receipt No: E011856  
Received By:

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

1. Name of Claimant(s)

THOMPSON BROTHERS FARMS LLP Phone: (208) 648-0857  
2663 NIPPER RD  
BANCROFT ID USA 83217

2. Date of Priority: 06/27/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 07S      | 38E   | 13      | SW NW SE              | CARIBOU |      |

5. Description of diverting works:

WELL/PUMP 250 FEET DEEP TO PIVOT SPRINKLER SYSTEM

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 5.68   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 07S      | 38E   | 13      | NE SW          | IRRIGATION | 39    |
|          |       |         | NE SE          | IRRIGATION | 38    |
|          |       |         | SE SW          | IRRIGATION | 39    |

|     |     |    |    |    |               |     |
|-----|-----|----|----|----|---------------|-----|
|     |     |    | NW | SE | IRRIGATION    | 39  |
|     |     |    | SW | SE | IRRIGATION    | 39  |
|     |     |    | SE | SE | IRRIGATION    | 38  |
|     |     |    |    |    | Section Acres | 232 |
| 07S | 38E | 24 | NE | NE | IRRIGATION    | 21  |
|     |     |    | NW | NE | IRRIGATION    | 35  |
|     |     |    | NE | NW | IRRIGATION    | 29  |
|     |     |    |    |    | Section Acres | 85  |
|     |     |    |    |    | Total Acres   | 317 |

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:

14. Remarks:

THIS NOTICE COMBINES 3.98 CFS OF LICENSE 29-02431 WITH 1.70 CFS OF LICENSE 29-02430.

15. Basis of Claim: License

MAY 7 2001

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: A29-10202  
Date Received: 1/25/1990  
Receipt No: E011856  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ADAM J. WELKER  
Address: 2161 E. SUNSET DRIVE  
LAYTON, UT 84040 801-771-1472

2. Date of Priority: JUN 27, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 07S      | 38E   | 13      | SW     | NW     | SE  |     | CARIBOU |

5. Description of diverting works:  
WELL/PUMP 250 FEET DEEP TO PIVOT SPRINKLER SYSTEM

6. Water is used for the following purposes:

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 5.680  |      |        |

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

8. Total consumptive use is 792.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 07S      | 38E   | 13      | NE     | SW  |     | IRR | 39.0  |
|          |       |         | SE     | SW  |     | IRR | 39.0  |
|          |       |         | NE     | SE  |     | IRR | 38.0  |

A29-10202

Page 1

Date: 01/25/90

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 07S      | 38E   | 13      | NW     | SE  |               | IRR | 39.0  |
|          |       |         | SW     | SE  |               | IRR | 39.0  |
|          |       |         | SE     | SE  |               | IRR | 38.0  |
|          |       |         |        |     | Section Acres |     | 232.0 |
|          |       | 24      | NE     | NE  |               | IRR | 21.0  |
|          |       |         | NW     | NE  |               | IRR | 35.0  |
|          |       |         | NE     | NW  |               | IRR | 29.0  |
|          |       |         |        |     | Section Acres |     | 85.0  |
|          |       |         |        |     | Total Acres   |     | 317.0 |

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:  
NONE

14. Remarks:

THIS NOTICE COMBINES 3.98 CFS OF LICENSE 29-02431 WITH 1.70 CFS  
OF LICENSE 29-02430.

15. Basis of Claim: LICENSE

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 A29-10202Date Received 1/29/90Receipt Number E011856

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 26 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) ADAM J. WELKER Phone (891) 771-1472Mailing Address 2161 E. SUNSET DRIVE, LAYTON, UT. Zip 840402. Date of Priority (Only one (1) per claim) JUNE 27, 19603. Source of water supply (a) GROUND WATER  
which is tributary to (b) \_\_\_\_\_4. a. Location of existing point of diversion is: Township 70S Range 38E Section 13,  
SW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of \_\_\_\_\_

Additional points of diversion if any: \_\_\_\_\_

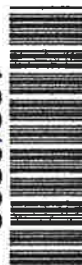
b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_  
\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well.APPROX. 10" CASING TO A DEPTH  
OF APPROX. 250'. DELIVERED TO CENTER PIVOT SPRINKLER SYSTEM.

A2910202



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 5.68 or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 5.68 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 792.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP       | RNG        | SEC       | NE 1/4    |           |       |       | NW 1/4    |       |       |       | SW 1/4    |       |       |           | SE 1/4    |           |           |           | Totals     |
|-----------|------------|-----------|-----------|-----------|-------|-------|-----------|-------|-------|-------|-----------|-------|-------|-----------|-----------|-----------|-----------|-----------|------------|
|           |            |           | NE1/4     | NW1/4     | SW1/4 | SE1/4 | NE1/4     | NW1/4 | SW1/4 | SE1/4 | NE1/4     | NW1/4 | SW1/4 | SE1/4     | NE1/4     | NW1/4     | SW1/4     | SE1/4     |            |
| <u>7S</u> | <u>38E</u> | <u>12</u> |           |           |       |       |           |       |       |       | <u>38</u> |       |       |           |           |           |           |           |            |
|           |            | <u>13</u> |           |           |       |       |           |       |       |       | <u>39</u> |       |       | <u>39</u> | <u>38</u> | <u>39</u> | <u>39</u> | <u>38</u> | <u>232</u> |
|           |            | <u>24</u> | <u>21</u> | <u>35</u> |       |       | <u>29</u> |       |       |       |           |       |       |           |           |           |           |           | <u>85</u>  |
|           |            |           |           |           |       |       |           |       |       |       |           |       |       |           |           |           |           |           |            |
|           |            |           |           |           |       |       |           |       |       |       |           |       |       |           |           |           |           |           |            |
|           |            |           |           |           |       |       |           |       |       |       |           |       |       |           |           |           |           |           |            |
|           |            |           |           |           |       |       |           |       |       |       |           |       |       |           |           |           |           |           |            |

Total number of acres irrigated 317

11. In which county (ies) are lands listed above as place of use located? CARIBOU

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
 \_\_\_\_\_ or None (X)

14. Remarks: THIS NOTICE COMBINES 3.98 CFS OF LICENSE 29-02431  
WITH 1.70 CFS OF LICENSE 29-02430.

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NOV 16 1992

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License ☒ Permit \_\_\_\_\_  
Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number 29-02430 + 29-02431

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs 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 1

☒ For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Adam J. Shacker Date 23 Jan 1990

Date \_\_\_\_\_

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 \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or Utah )  
County of Weber ) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of January 1990

SEAL

Notary Public Steven J. Pollock

Residing at Dogden, Utah

My Commission Expires MY COMMISSION EXPIRES JUNE 11, 1990

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

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NOV 16 1992

Copies White-State, Yellow-Claimant

