06/19/2003

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13499 221-8881 648-7116

NAME AND ADDRESS: C V CATTLE INC
3124 NIPPER ROAD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 2.370 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499

PRIORITY DATE: 04/01/1975

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T06S R38E S33 SWSESE Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.370 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S25	NWNW	40.0	T06S R38E S25	SWNW	39.0
T06S R38E S25	NESW	36.0	T06S R38E S25	NWSW	37.0
T06S R38E S25	SWSW	33.0	T06S R38E S25	SESW	40.0
T06S R38E S25 Lot 19	NESE	6.5	T06S R38E S25	NWSE	39.0
T06S R38E S25	SWSE	35.0	T06S R38E S25 Lot 20	SESE	4.0
T06S R38E S26	NENE	40.0	T06S R38E S26	SENE	39.0
T06S R38E S26	NESE	37.0	T06S R38E S26	SESE	12.0

437.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 29-121, 29-122, 29-123, 29-125 AND 29-10320 PURSUANT TO SECTION 42-1426, IDAHO CODE.

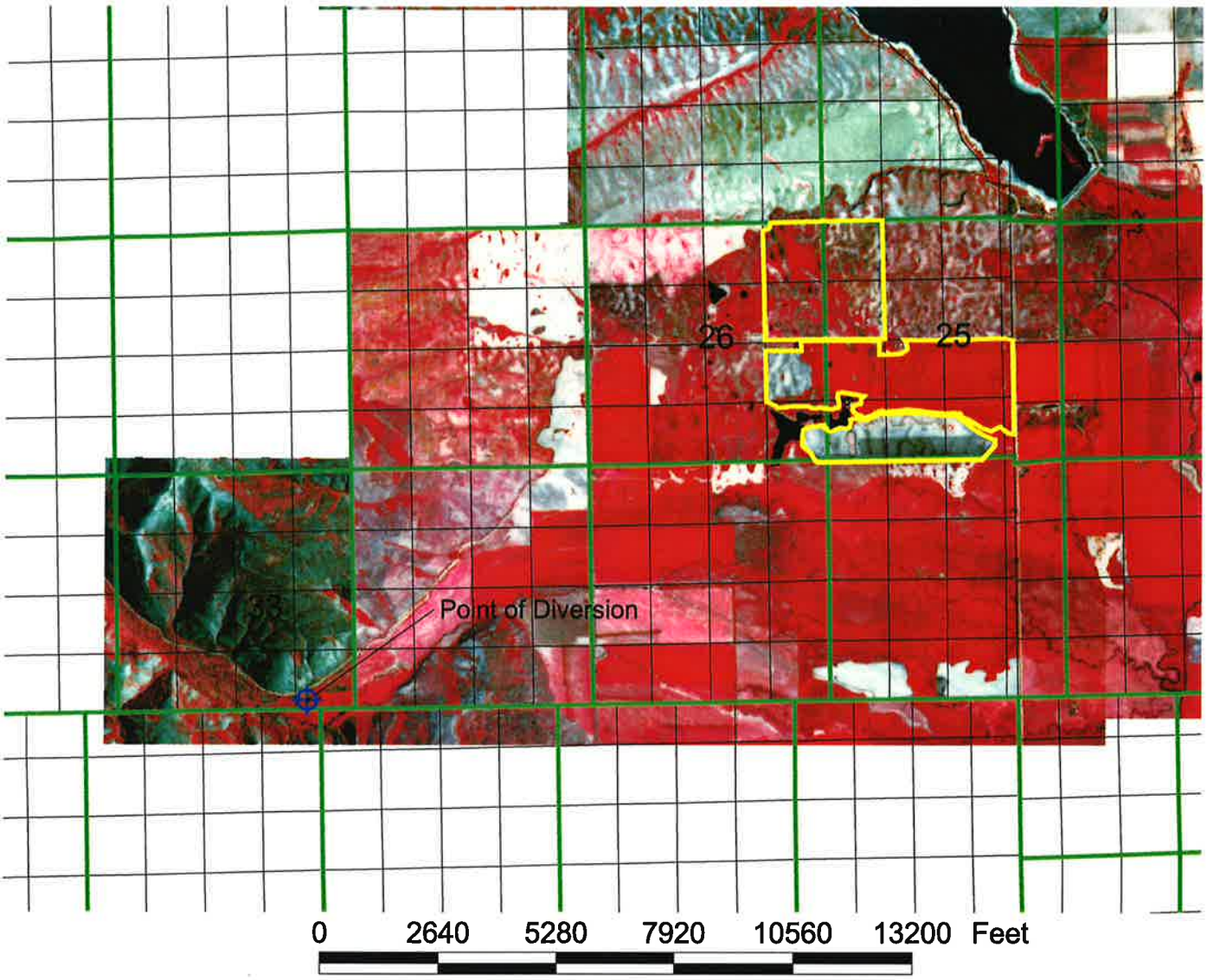
EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 202.5 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Department of Water Resources

Claim Nos: 29-121, 29-122, 29-123, 29-125, 29-10320, 29-13499

Twp 06S Rge 38E



Irrigated Acres = 437.5

Place of use.shp
Diversion.shp
Sections
QQ

N
W
E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: April 2003

Idaho Department of Water Resources Receipt

Receipt ID E028722

Payment Amount	$200.00	**Date Received**	4/28/2003 4:44:06 PM	**Region**	Eastern	**Status**	
Payment Type	Check	**Check Number**	683				

Payer C V CATTLE INC

Comment: Enlargement Claims 29-13556 and 29-13499

Fee Detail

Amount	Description	Fund	FD	PCA	SO
$100.00	ADJUDICATION FILING FEE	0337		43503	1155
$100.00	ADJUDICATION LATE FEE	0337		43503	1155

Ernest Carlsen

Signature Line (Dept. Representative)

PUBLIC NOTICE

First Time Published

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Caribou County are shown to the nearest section--more specific locations are available upon request.

Water Right 29-10065

NAME & ADDRESS: NORMAN W. & WANDA J. FRANK, 835 West 100 South, Blackfoot, ID 83221

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

PRIORITY DATE: 04/01/1974

POINT OF DIVERSION: T06S, R39E, S19, SWSW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T06S, R39E, S29, SWNW, NWSW, S30, SENE, NESE

This right is for an enlargement of 56.0 acres within the total 133.0 acres recommended.

Water Right: 29-10171

NAME & ADDRESS: DON C & VIRGINIA E. RIGBY, P.O. BOX 187, BANCROFT, ID 83217

SOURCE: GROUNDWATER

PRIORITY DATE: 04-01-1987

POINT OF DIVERSION: T08S, R40E, S16, SENWSE, S21, NENESE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S, R40E, S27, SWNW, NWSW, SWSW, S28, NENE, SENE, NESE, SESE

This right is for an enlargement of 280.0 acres within the total 280.0 acres recommended.

Water Right: 29-10176

NAME & ADDRESS: DEAN SMITH, 826 WOOD ROAD, BANCROFT, ID 83217

SOURCE: GROUNDWATER

PRIORITY DATE: 04-01-1987

POINT OF DIVERSION: T07S, R39E, S09, SESWSW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T07S, R39E, S09, SWNE, SENE, SENW

This right is for an enlargement of 100.0 acres within the total 100.0 acres recommended.

Water Right: 29-10247

NAME & ADDRESS: MAX D. & BONNIE K. RIGBY, P.O. BOX 12, BANCROFT, ID 83217

SOURCE: GROUNDWATER

PRIORITY DATE: 04-01-1987

POINT OF DIVERSION: T08S, R39E, 16, SENESW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S, R39E, 16, NWNW, SWNW, SENW, NESW, NWSW

This right is for an enlargement of 12.0 acres within the total 107.0 acres recommended.

Water Right: 29-10310

NAME & ADDRESS: JON L. JONSSON, 2040 IVINS ROAD, BANCROFT, ID 83217

SOURCE: TEN MILE SPRING

TRIBUTARY: SINKS

PRIORITY DATE: 04/01/1980

POINT OF DIVERSION: T08S, R40E, S22

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S, R40E, S22, NESW, NWSW, SWSW, SESW, NWSE, SWSE

This right is for an enlargement of 200.0 acres within the total 240.0 acres recommended.

Affidavit of Publication

County of Caribou
State of Idaho } ss.

Mark Steele

being first duly sworn on his oath, states:

That he is publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for

two

successive weekly issues thereof, the date of the first publication being the

18th day of

December, 2003

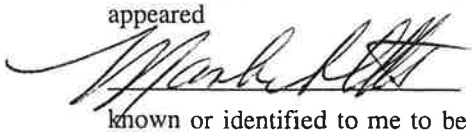
The date of the last publication

being the 25th day of

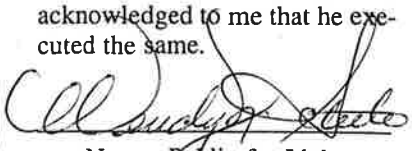
December, 2003

On this 30th day of December

in the year of 2003, before me, a Notary Public, personally appeared



known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 2006

Water Right: 29-13396
NAME & ADDRESS: WILLIAM JEAN & MARY ARLENE TREASURE, 2888 CHESTERFIELD ROAD, BANCROFT, ID 83217
SOURCE: TWENTY FOUR MILE CREEK
TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 04/15/1975
POINT OF DIVERSION: T06S, R39E, S33, NWNWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S, R39E, S33, NWNW, SWNW, NESW, NWSW, SESW
This right is for an enlargement of 91.0 acres within the total 131.0 acres recommended.

Water Right: 29-13408
NAME & ADDRESS: ALAN & ADA K. SMITH, 2620 KELLY TOPONCE ROAD, BANCROFT, ID 83217
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1974
POINT OF DIVERSION: T07S, R38E, S24, SWSWNE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T07S, R38E, S23, SWNE, SENE, NESE, NWSE, S24, SWNW, SENW, NESW, NWSW
This right is for an enlargement of 145.0 acres within the total 297.0 acres recommended.

Water Right: 29-13421
NAME & ADDRESS: STODDARD FARMS OF GRACE, 2004 TWO MILE ROAD, GRACE, ID 83241
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T09S, R39E, S14, NENE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09S, R39E, S11, NENW, NWNW, SWNW, SENW, SWSW, SESE, SWSE, SESE, S14, NENE, NWNE, NENW, NWNW
This right is for an enlargement of 23.0 acres within the total 330.0 acres recommended.

Water Right: 29-13428
NAME & ADDRESS: CRANDALL FARMS, INC., 2919 HANSEN ROAD, BANCROFT, ID 83217
SOURCE: TWENTY FOUR MILE CREEK
TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T06S, R39E, S33, SWSW, T07S, R39E, S04, LOT 4(SWNW), S05, SESWSE, S08, NESWNE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S, R39E, S33, SWSW, T07S, R39E, S03, NWSW, S04, LOT 2(SWNE), LOT 2(SENE), LOT 3(SENW), NESW, NWSW, NESE, NWSE, S05, NESE, NWSE, SWSE, S08, NWNE, SWNE, NENW, SENW
This right is for an enlargement of 223.5 acres within the total 572.0 acres recommended.

Water Right: 29-13429
NAME & ADDRESS: CRANDALL FARMS, INC., 2919 HANSEN ROAD, BANCROFT, ID 83217
SOURCE: PORTNEUF RIVER
TRIBUTARY: SNAKE RIVER
PRIORITY DATE: 04/01/1974
POINT OF DIVERSION: T06S, R39E, S31, NWSE, T07S, R39E, S05, LOT 4(NWNW)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S, R39E, S31, NESE, NWSE, SWSE, SESE, S32, NWNE, SWNE, NWSE, SWSE, NENW, NWNW, SWNW, SENW, NESW, NWSW, SWSW, SESW, S33, SWSW, T07S, R39E, S03, NWSW, S04, LOT 2(SWNE), LOT 1(SENE), LOT 4(SWNW), LOT 3(SENW), NESW, NWSW, NESE, NWSE, S05, LOT 2(SWNE), LOT 1(SENE), LOT 4(SWNW), LOT 3(SENW), NESW, NWSW, SWSW, SESW, NESE, NWSE, SWSE, S08, NENW, NWNW, SENW
This right is for an enlargement of 373.0 acres within the total 1400.7 acres recommended.

Water Right: 29-13482
NAME & ADDRESS: WAYNE C. PERKINS, 13825 NORTH 7TH STREET, STE. M, PHOENIX, AZ 85022
SOURCE: TOPONCE CREEK
TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 04/15/1946
POINT OF DIVERSION: T06S, R38E, S33, SWSESE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S, R38E, S26, NESW, SESW
This right is for an enlargement of 9.0 acres within the total 60.0 acres recommended.

Water Right: 29-13499
NAME & ADDRESS: C V CATTLE INC., 3124 NIPPER ROAD, BANCROFT, ID 83217
SOURCE: TOPONCE CREEK
TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 04/01/1975
POINT OF DIVERSION: T06S, R38E, S33, SWSESE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S, R38E, S25, NWNW, SWNW, NESW, NWSW, SWSW, SESW, LOT 19(NESE), NWSE, SWSE, LOT 20(SESE), S26, NENE, SENE, NESE, SESE
This right is for an enlargement of 202.5 acres within the total 437.5 acres recommended.

Water Right: 29-13532
NAME & ADDRESS: C V RANCHES, 3124 NIPPER ROAD,

BANCROFT, ID 83217
SOURCE: PORTNEUF RIVER
TRIBUTARY: SNAKE RIVER
PRIORITY DATE: 04/01/1975
POINT OF DIVERSION: T06S, R39E, S30, LOT 2(NESWNW)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S, R38E, S25, LOT 3(NESE), NWSE, LOT 4(SESE), S36, LOT 1(NENE), LOT 2(SENE), R39E, S30, NESW, LOT 3(NWSW), LOT 4(SWSW), SESW, NWSE, SWSE, S31, NENE, NWNE, SWNE, SENE, NENW, LOT 1(NWNW), LOT 2(SWNW), SENW, NESW, LOT 3(NWSW), NESE, NWSE
This right is for an enlargement of 545.3 acres within the total 759.7 acres recommended.

Water Right: 29-13556
NAME & ADDRESS: C V CATTLE, INC., 3124 NIPPER ROAD, BANCROFT, ID 83217
SOURCE: TOPONCE CREEK
TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 04/01/1970
POINT OF DIVERSION: T06S, R38E, S35, NWNESW, S36, SESW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S, R38E, S35, NESE, SESE, S36, NESW, NWSW, SWSW, SESW, SWSE, LOT 20(SESE)
This right is for an enlargement of 35.5 acres within the total 169.5 acres recommended.

Water Right: 29-13621
NAME & ADDRESS: LARRY & LANA NAEF, 5513 EAST OLD OREGON TRAIL ROAD, LAVA HOT SPRINGS, ID 83246
SOURCE: WEST BOB SMITH CREEK
TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 07/15/1976
POINT OF DIVERSION: T09S, R37E, S15, SENENW, SESENW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09S, R37E, S22, NENE, NENW
This right is for an enlargement of 2.0 acres within the total 6.2 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 North Skyline Drive, Ste. A, Idaho Falls, ID 83402-3653 on or before March 25, 2004.

Published Dec. 18 and 25, 2003 in the Caribou County Sun.

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

RIGHT NUMBER: 29-13499

NAME AND ADDRESS: C V CATTLE INC
3124 NIPPER ROAD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 2.370 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.55 CFS. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.69 CFS. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499~~

PRIORITY DATE: 04/01/1975

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T06S R38E S33 SWSESE Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.370 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S25	NWNW	40.0	T06S R38E S25	SWNW	39.0
T06S R38E S25	NESW	36.0	T06S R38E S25	NWSW	37.0
T06S R38E S25	SWSW	33.0	T06S R38E S25	SESW	40.0
T06S R38E S25 Lot 19	NESE	6.5	T06S R38E S25	NWSE	39.0
T06S R38E S25	SWSE	35.0	T06S R38E S25 Lot 20	SESE	4.0
T06S R38E S26	NENE	40.0	T06S R38E S26	SENE	39.0
T06S R38E S26	NESE	37.0	T06S R38E S26	SESE	12.0

437.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 437.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-125, 29-10320 AND 29-13499

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 29-121, 29-122, 29-123, 29-125 AND 29-10320 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~THIS RIGHT IS FOR AN ENLARGEMENT OF 202.5 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.~~

THIS RIGHT IS FOR AN ENLARGEMENT OF 210 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

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 29-13499
Date Received: 3/12/200
Receipt No: E028722
Received By: EMC

A2913499

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

C V CATTLE INC Phone:

3124 NIPPER ROAD
BANCROFT ID USA 83217

2. Date of Priority: 04/01/1975

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
06S	38E	36	SE SW		CARIBOU	
06S	38E	33	SW SE SE		CARIBOU	

5. Description of diverting works:

Diversion for the Toponce Feeder Canal.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	3.2	

KWP 4-28-03

7. Total Quantity Appropriated is:
3.2 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
06S	38E	25	NW NW		IRRIGATION	40

			SW	NW		IRRIGATION	39
			NE	SW		IRRIGATION	36
			NW	SW		IRRIGATION	37
			NE	SE	19	IRRIGATION	6.5
			NW	SE		IRRIGATION	39
			SE	SE	20	IRRIGATION	4
			SW	SW		IRRIGATION	33
			SE	SW		IRRIGATION	40
			SW	SE		IRRIGATION	35
						Section Acres	309.5
06S	38E	26	NE	NE		IRRIGATION	40
			SE	NE		IRRIGATION	39
			NE	SE		IRRIGATION	37
			SE	SE		IRRIGATION	12
						Section Acres	128
						Total Acres	437.5

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:

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 469.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-121, 29-122, 29-123, 29-124, 29-125, 29-13499 AND 29-10320.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 29-121 THROUGH 29-125 PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 157.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Title
C V Cattle Inc, that I have signed the foregoing
Organization
document in the space below as President of
Title
C V Cattle Inc and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

President, C V Cattle Inc
Title and Organization

4-28-03
Date

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 28th of April 2003.

Notary Public

Residing at Idaho Falls Id

My commission Expires 9/23/03

JENNIFER CRABTREE
NOTARY PUBLIC
STATE OF IDAHO