

2004

RECEIVED

JUL 23 2004

Form 42-222A
12/99Department of Water Resources
Eastern RegionIdent. No. TC-21-06

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION**

(To change point of diversion, place of use or purpose of use)

Name of Applicant North Fremont Canal Systems INC
% Lonnie Atchley Sec Phone 208 3332
652-7960

Post Office Address PO Box 307 Ashton Id 83420

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Marysville Canal
add a point of diversion. Portion of water rights represented by shares in company will
be allowed to flow thru system and be discharged into Black Springs Creek. Since
irrigation is timely this change will be filed later this year a regular transfer will
be filed to make this a permanent change.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>see attached list</u>				
<u>21-0073</u>	<u>11-05-1895</u>	<u>245.00 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
				to
				to
				to

2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Unnamed Streams tributary to _____

4. Point(s) of Diversion: New Point of Diversion - see attached Page for all points of Diversion

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NE	NE	3?	9N	42E	Fremont	Darrel Kirkham # 46083

5. Lands irrigated or place of use: See attached List

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres 31539ac

TC-21-06

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right —
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Share holder will be able to divert water thru existing pumping system to his place of use
- d. Has the water right sought to be transferred been used this year? — If yes, explain —
- e. Absent the changes, how would the right be used for the remainder of the year? would be extremely difficult to divert water
- f. Describe other water rights used for the same purpose. —
- g. Remarks: Share holder in system wants to divert his shares from unnamed stream Tributary to Black Spring Creek. Share holder has an agreement with one of the canals in the N. Fremont Canal System allow share holder to divert water. Agreement was never filed listing this new P/O as a P/O

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Jeff J. Carlson Pres. NFCS Inc.
(Signature of applicant) & Title

FOR DEPARTMENT USE ONLY

Received by KCW Date 7-23-04 Fee 50⁰⁰

Receipted Kaw 7/28/04 # E030086 Recommend: — approve — deny —

Watermaster recommendation —

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-21-06

And said application is hereby — subject to the following limitations and conditions:

—

—

—

Witness my hand this 12 day of August, 2004.

W. Roger Warner for
For the Director

Don Carlson

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR)
TEMPORARY CHANGE OF A)
WATER RIGHT 21-73)
)
North Fremont Canal Systems)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-21-06

WHEREAS, a drought emergency has been declared for Fremont County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water authorized under water rights when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 23, 2004, North Fremont Canal Systems submitted the attached Temporary Change Application TC-21-06 to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). ^{21-140 / 21-10944} 21-48 / 21-49 / 21-50 / 21-73B, D, F, J / 21-75 is authorized only at the point of diversion and place of use described on the application.
2. This temporary Change approval does not authorize construction of a new well as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the diversion and use of water under the temporary change approval cause injury to other water rights, constitute an enlargement in use of the original right, be inconsistent with the conservation of water resources within the state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

ORDER AUTHORIZING
TEMPORARY CHANGE

TC- 21-06

- 21-48/21-49/21-50/21-73.B, D, F, J/21-75/21-1147
5. Right(s) 21-440/21-10944 are limited to the irrigation of a total of 31539 acres in a single irrigation season
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicants agree to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The Water master of Water District No. 61 is authorized to administer the temporary change approval.
11. This Temporary change approval expires on Oct 31, 2004 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use, and nature of use existing prior to the temporary change approval..

DATED this 12 day of August, 2004.


Ronald D. Carlson
Eastern Regional Manager

INFO

TC-21-06

Item B (1)

NORTH FREMONT CANAL SYSTEMS INC

Source: Fall River

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(af)	Water Use(s)	Source Table
21	48		Decreed	1896-04-01	34		IRRIGATION	wrAdjudicationClaim
21	49		Decreed	5/1/1904	12		IRRIGATION	wrAdjudicationClaim
21	50		Decreed	5/1/1905	40		IRRIGATION	wrAdjudicationClaim
21	73	B	Decreed	1895-11-05	4		IRRIGATION	wrAdjudicationClaim
21	73	D	Decreed	1895-11-05	4		IRRIGATION	wrAdjudicationClaim
21	73	F	Decreed	1895-11-05	3.92		IRRIGATION	wrAdjudicationClaim
21	73	J	Decreed	1895-11-05	317.66	22120	IRRIGATION	wrAdjudicationClaim
21	75		Decreed	1894-06-01	3		IRRIGATION	wrAdjudicationClaim
21	114	D	Decreed	1890-06-01	2.8		IRRIGATION	wrAdjudicationClaim
21	140		Decreed	5/1/1906	100		IRRIGATION	wrAdjudicationClaim
21	10944		Decreed	1892-06-01	1.9		IRRIGATION	wrAdjudicationClaim

IDAHO DEPARTMENT OF WATER RESOURCES

Owner TypeName and Address

Current Owner

NORTH FREMONT CANAL SYSTEMS INC

Location of Point(s) of Diversion

FALL RIVER NW1/4NW1/4Sec. 35,Twp 09N,Rge 44E, B.M. FREMONT County

FALL RIVER SE1/4SE1/4Sec. 22,Twp 08N,Rge 42E, B.M. FREMONT County

FALL RIVER NW1/4NE1/4Sec. 25,Twp 09N,Rge 42E, B.M. FREMONT County

FALL RIVER NE1/4NE1/4Sec. 4,Twp 08N,Rge 42E, B.M. FREMONT County

FALL RIVER SW1/4NW1/4Sec. 13,Twp 09N,Rge 42E, B.M. FREMONT County

FALL RIVER NE1/4SE1/4Sec. 35,Twp 09N,Rge 43E, B.M. FREMONT County

FALL RIVER NE1/4SE1/4Sec. 23,Twp 09N,Rge 42E, B.M. FREMONT County

FALL RIVER NW1/4SW1/4Sec. 33,Twp 09N,Rge 45E, B.M. FREMONT County

FALL RIVER NE1/4SE1/4Sec. 21,Twp 08N,Rge 42E, B.M. FREMONT County

FALL RIVER NW1/4NE1/4Sec. 23,Twp 09N,Rge 42E, B.M. FREMONT 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	
08N 42E 1	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	37.0	39.0	39.0	40.0	40.0	40.0	36.0	628.0
08N 42E 2	31.0	34.0	40.0	39.0	13.0	38.0	15.0	39.0	39.0	37.0	40.0	40.0	40.0	39.0	40.0	38.0	562.0
08N 42E 3	38.0	39.0	40.0	40.0	25.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	35.0	30.0	32.0	29.0	580.0
08N 42E 4	37.0	39.0	40.0	40.0				38.0	39.0	40.0	40.0	39.0	40.0	40.0	39.0	39.0	549.0
08N 42E 5			25.0	25.0				10.0	40.0			30.0	40.0	40.0	40.0	40.0	290.0
08N 42E 6								22.0		13.0	40.0	38.0	33.0	40.0	40.0		226.0
08N 42E 7	40.0	40.0			40.0	27.0	40.0										187.0
08N 42E 8	39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	15.0	5.0	15.0	393.0
08N 42E 9	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	30.0	30.0	615.0
08N 42E 10	38.0	34.0	40.0	40.0	30.0	40.0	40.0	35.0	40.0	10.0	30.0	40.0	40.0	40.0	40.0	40.0	577.0
08N 42E 11	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	637.0
08N 42E 12	39.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	34.0	39.0	39.0	622.0
08N 42E 13	40.0	40.0	40.0	36.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	20.0		574.0
08N 42E 14	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	630.0
08N 42E 15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	37.0	634.0
08N 42E 16			10.0	35.0					25.0			40.0	40.0	38.0	40.0	25.0	253.0
08N 42E 20				40.0									40.0			20.0	100.0
08N 42E 21		40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0	5.0	40.0	35.0	40.0			440.0
08N 42E 22	25.0	30.0			30.0	30.0	20.0	20.0									155.0
08N 42E 23	40.0	40.0	13.0	13.0	20.0	8.0											134.0
08N 42E 24					10.0	30.0	13.0										53.0
08N 43E 3	4.0	32.0	5.0		40.0	40.0	37.0	39.0		21.0	19.0						237.0
08N 43E 4	38.0	40.0	25.0	17.0	40.0	39.0	40.0	36.0	30.0	20.0			35.0	25.0	33.0		418.0
08N 43E 5	38.0	38.0	38.0	39.0	40.0	40.0	38.0	40.0	40.0	38.0	38.0	40.0	37.0	38.0	37.0		579.0
08N 43E 6	39.0	34.0	40.0	37.0	40.0	38.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	627.0
08N 43E 7	40.0	40.0	40.0	40.0	32.0	36.0	30.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	34.0	11.0	582.0
08N 43E 8		35.0			40.0	40.0	40.0	5.0		15.0							175.0
08N 43E 9	40.0	40.0	40.0	40.0									35.0				195.0
08N 43E 10					31.0	38.0											69.0
08N 43E 18		10.0	28.0		40.0	40.0		16.0	8.0	10.0							152.0
09N 42E 13			20.0				35.0	32.0	39.0	36.0	40.0	40.0	16.0	40.0			298.0
09N 42E 14				10.0									37.0	4.0	20.0	40.0	111.0
09N 42E 22	30.0	30.0	40.0	39.0	5.0			39.0	39.0		25.0	40.0	37.0	40.0	40.0	35.0	439.0
09N 42E 23	38.0	36.0	25.0	29.0	7.0	22.0	40.0	40.0	40.0	30.0	20.0	20.0	10.0	20.0	40.0	25.0	442.0
09N 42E 24	40.0	40.0	38.0	40.0	40.0	36.0	36.0	40.0	30.0	25.0	34.0		16.0	40.0		40.0	495.0
09N 42E 25			30.0	10.0		38.0	26.0			10.0			5.0			40.0	159.0
09N 42E 26	33.0	33.0	38.0	38.0	40.0	17.0	20.0	40.0	40.0	17.0	35.0	39.0	27.0	38.0	37.0	38.0	530.0
09N 42E 27	40.0	20.0	30.0	35.0	35.0	15.0			40.0	35.0	35.0	39.0	33.0	39.0	39.0	37.0	472.0
09N 42E 28													1.0		7.0	28.0	36.0
09N 42E 32																4.0	4.0
09N 42E 33	40.0	30.0	30.0	40.0					35.0	15.0	38.0	35.0	40.0	36.0	39.0	39.0	417.0

TC-21-06

Item B5

IDAHO DEPARTMENT OF WATER RESOURCES

Place of Use (Cont.)

TC-21-06

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 42E 34	28.0	38.0	40.0	40.0	40.0	30.0	37.0	38.0	40.0	37.0	37.0	37.0	40.0	40.0		39.0	561.0
09N 42E 35	28.0	38.0	40.0	32.0	40.0	35.0							39.0	14.0	36.0	38.0	340.0
09N 42E 36	31.0		40.0	40.0			36.0	36.0	34.0	36.0	40.0	37.0	34.0	39.0	36.0	34.0	473.0
09N 43E 13			30.0	30.0				20.0	40.0	40.0	40.0	40.0		20.0	20.0		280.0
09N 43E 14								13.0					16.0			18.0	47.0
09N 43E 18									3.0	17.0	40.0						60.0
09N 43E 19		35.0	27.0	16.0	40.0	40.0	39.0	40.0	40.0	38.0	39.0	39.0	38.0	30.0	40.0	40.0	541.0
09N 43E 20			25.0	35.0			20.0	25.0	40.0	40.0	36.0	40.0	39.0	40.0	40.0	40.0	420.0
09N 43E 21		3.0	37.0	21.0	2.0		32.0	37.0	40.0	39.0	38.0	40.0	37.0	40.0	40.0	40.0	446.0
09N 43E 22	25.0		39.0	40.0			35.0	39.0	39.0	35.0	39.0	37.0	40.0	40.0	39.0	38.0	485.0
09N 43E 23	38.0	38.0	38.0	39.0	38.0	38.0	38.0	40.0	40.0	39.0	38.0	35.0	40.0	40.0	39.0	38.0	615.0
09N 43E 24	40.0	35.0	34.0	33.0	35.0	39.0	40.0	35.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	605.0
09N 43E 25	28.0	40.0	39.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	35.0	40.0	39.0	40.0	40.0	36.0	611.0
09N 43E 26	40.0	35.0	40.0	39.0	36.0	38.0	36.0	40.0	39.0	38.0	36.0	35.0	36.0	40.0	35.0	25.0	588.0
09N 43E 27	38.0	39.0	39.0	39.0	33.0	39.0	38.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	37.0	614.0
09N 43E 28	39.0	40.0	36.0	36.0	40.0	40.0	35.0	39.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	624.0
09N 43E 29	39.0	40.0	40.0	38.0	40.0	40.0	40.0	40.0	40.0	39.0	31.0	40.0	39.0	40.0	40.0	35.0	621.0
09N 43E 30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	26.0	38.0	40.0	40.0	40.0	40.0	622.0
09N 43E 31	35.0	39.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	38.0	40.0	627.0
09N 43E 32	40.0	39.0	33.0	40.0	40.0	25.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	38.0	36.0	606.0
09N 43E 33	38.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	39.0	34.0	37.0	38.0	38.0	39.0	37.0	616.0
09N 43E 34	40.0	38.0	38.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	36.0	38.0	20.0	14.0	38.0	25.0	563.0
09N 43E 35	37.0	36.0	40.0	40.0	39.0	40.0	36.0	30.0	25.0	26.0	20.0	33.0			15.0		417.0
09N 43E 36	38.0	40.0	38.0	33.0	37.0	40.0	40.0	38.0									304.0
09N 44E 17						16.0			36.0	40.0	39.0	36.0	27.0	30.0	37.0	38.0	299.0
09N 44E 18		8.0	14.0						38.0	36.0	39.0	39.0	34.0	38.0	39.0	38.0	323.0
09N 44E 19		33.0	32.0		38.0	36.0	39.0	39.0	39.0	39.0	36.0	35.0	39.0	37.0	38.0	38.0	518.0
09N 44E 20					35.0	38.0	38.0	39.0	40.0	40.0	34.0	33.0	35.0	35.0	33.0	35.0	435.0
09N 44E 21			40.0	38.0			38.0	38.0	40.0	39.0	37.0	40.0	40.0	40.0	38.0	38.0	466.0
09N 44E 22		40.0				25.0	35.0	35.0	20.0		35.0	37.0					227.0
09N 44E 27					19.0	39.0	39.0	12.0	22.0	23.0	5.0	18.0		33.0	21.0	10.0	241.0
09N 44E 28	32.0	38.0	40.0	32.0	38.0	38.0	40.0	39.0	35.0	35.0	40.0	40.0	36.0	37.0	38.0	33.0	591.0
09N 44E 29	34.0	39.0	40.0	40.0	38.0	38.0	39.0	38.0	35.0	38.0	39.0	33.0	40.0	40.0	33.0	34.0	598.0
09N 44E 30	39.0	38.0	40.0	39.0	36.0	39.0	39.0	39.0	39.0	37.0	39.0	40.0	37.0	40.0	39.0	39.0	619.0
09N 44E 31	35.0	40.0	22.0	5.0	39.0	38.0	28.0	36.0									243.0
09N 44E 32					17.0												17.0

Total Acres: 31539

Conditions of Approval:

1. A04 THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

Remarks:

1. General The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority. The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points. The total instantaneous diversion of water from all points of diversion under Transfer No. 4014 shall not exceed 521.38 cfs, nor total combined annual volume of 110,386.5 afa. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on each diverting works in a manner that will provide the watermaster suitable control of the diversions and will allow determination of the total rate of diversion. Combined Right Nos. 21-48, 21-49, 21-50, 21-73B, 21-73D, 21-73F, 21-73J, 21-75, 21-114D and 21-140 are limited to the total combined irrigation of 31,539.0 acres in a single irrigation season. Right No. 21-73J is limited to the irrigation of 6,320.0 acres in the place of use described above in a single irrigation season. Two points of diversion are located within NESE, S35, T09N, R43E. *THIS CLAIM IS A PART OF ORIGINAL CLAIM #A21-73A. A21-73A WAS SPLIT INTO 21-73F AND 21-73J IN ORDER TO MATCH THE ALLOCATION DATA BASE 2-7-96 GJT.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-73J

WATER RIGHT NUMBER: 21-73J

TC-21-06

Owner TypeName and Address

Current Owner

NORTH FREMONT CANAL SYSTEMS INC
 C/O JEFF MAROTZ-SEC CON AYLEY Ass't SEC
 1245 N 4300 E PO Box 307
 ASHTON, ID 83420
 (208)652-8984 3332

Original Owner

MARYSVILLE CANAL & IMPROVEMENT CO LTD

Priority Date: 11/05/1895

Basis: Decreed

Status: Active

SourceTributary

FALL RIVER

HENRYS FORK

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION

4/15 to 10/15

317.660 CFS

22,120.00 AF

Total Diversion: 317.660 CFS

22,120.00 AF

Location of Point(s) of Diversion

FALL RIVER	NW1/4NW1/4Sec. 35,Twp 09N,Rge 44E, B.M.	FREMONT County
FALL RIVER	SE1/4SE1/4Sec. 22,Twp 08N,Rge 42E, B.M.	FREMONT County
FALL RIVER	NW1/4NE1/4Sec. 25,Twp 09N,Rge 42E, B.M.	FREMONT County
FALL RIVER	NE1/4NE1/4Sec. 4,Twp 08N,Rge 42E, B.M.	FREMONT County
FALL RIVER	SW1/4NW1/4Sec. 13,Twp 09N,Rge 42E, B.M.	FREMONT County
FALL RIVER	NE1/4SE1/4Sec. 35,Twp 09N,Rge 43E, B.M.	FREMONT County
FALL RIVER	NE1/4SE1/4Sec. 23,Twp 09N,Rge 42E, B.M.	FREMONT County
FALL RIVER	NW1/4SW1/4Sec. 33,Twp 09N,Rge 45E, B.M.	FREMONT County
FALL RIVER	NE1/4SE1/4Sec. 21,Twp 08N,Rge 42E, B.M.	FREMONT County
FALL RIVER	NW1/4NE1/4Sec. 23,Twp 09N,Rge 42E, B.M.	FREMONT 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	
08N 42E 1	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	37.0	39.0	39.0	40.0	40.0	40.0	36.0	628.0
08N 42E 2	31.0	34.0	40.0	39.0	13.0	38.0	15.0	39.0	39.0	37.0	40.0	40.0	40.0	39.0	40.0	38.0	562.0
08N 42E 3	38.0	39.0	40.0	40.0	25.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	35.0	30.0	32.0	29.0	580.0
08N 42E 4	37.0	39.0	40.0	40.0				38.0	39.0	40.0	40.0	39.0	40.0	40.0	39.0	39.0	549.0
08N 42E 5			25.0	25.0				10.0	40.0			30.0	40.0	40.0	40.0	40.0	290.0
08N 42E 6									22.0	13.0	40.0	38.0	33.0	40.0	40.0		226.0
08N 42E 7	40.0	40.0			40.0	27.0	40.0										187.0
08N 42E 8	39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	15.0	5.0	15.0	393.0
08N 42E 9	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	30.0	30.0	615.0
08N 42E 10	38.0	34.0	40.0	40.0	30.0	40.0	40.0	35.0	40.0	10.0	30.0	40.0	40.0	40.0	40.0	40.0	577.0
08N 42E 11	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	637.0
08N 42E 12	39.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	34.0	39.0	39.0	622.0
08N 42E 13	40.0	40.0	40.0	36.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	20.0		574.0
08N 42E 14	40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	630.0
08N 42E 15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	37.0	634.0
08N 42E 16			10.0	35.0					25.0			40.0	40.0	38.0	40.0	25.0	253.0
08N 42E 20				40.0									40.0			20.0	100.0
08N 42E 21		40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0	5.0	40.0	35.0	40.0			440.0

TC-21-06

TC-21-06

[illegible]

Total Acres: 31539

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-73J

TC-21-06

Conditions of Approval:

1. A04 THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

Remarks:

1. General The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.
- The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points. The total instantaneous diversion of water from all points of diversion under Transfer No. 4014 shall not exceed 521.38 cfs, nor total combined annual volume of 110,386.5 afa.
- A measuring device and lockable controlling works of a type approved by this Department shall be maintained on each diverting works in a manner that will provide the watermaster suitable control of the diversions and will allow determination of the total rate of diversion.
- Combined Right Nos. 21-00048, 21-00049, 21-00050, 21-00073B, 21-00073D, 21-00073F, 21-00073J, 21-00075, 21-00114D and 21-00140 are limited to the total combined irrigation of 31,539.0 acres in a single irrigation season.
- Right No. 21-00073J is limited to the irrigation of 6,320.0 acres in the place of use described above in a single irrigation season.
- Two points of diversion are located within NESE, S35, T09N, R43E. *THIS CLAIM IS A PART OF ORIGINAL CLAIM #A21-00073A. A21-00073A WAS SPLIT INTO 00073F AND 00073J IN ORDER TO MATCH THE ALLOCATION DATA BASE 2-7-96 GJT.
- THIS RIGHT WAS PAID FOR UNDER RECEIPT #E006278.

Comments:Dates and Other Information:

Claim Received Date: 2/7/1996
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 01
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

08/11/2004

Adjudication Claim Report 21-73J

WATER RIGHT NUMBER: 21-73J

Owner TypeName and Address

Current Owner

NORTH FREMONT CANAL SYSTEMS INC, C/O JEFF MAROTZ SEC, 1245 N 4300 E
ASHTON, ID 83420 [(208)652-3984]

Original Owner

MARYSVILLE CANAL & IMPROVEMENT CO LTD, ASHTON, ID 83420

Priority Date: 11/05/1895

Basis: Decreed

Status: Active

SourceTributary

FALL RIVER

HENRYS FORK

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION

4/15 to 10/15

317.660 CFS

22,120.00 AF

Total Diversion: 317.660 CFS

22,120.00 AF

Location of Point(s) of Diversion

Location of Point(s) of Diversion	From	To	Diversion Rate	Annual Volume
FALL RIVER NW1/4NW1/4	Sec. 35, Twp 09N, Rge 44E, B.M.	FREMONT County		
FALL RIVER SE1/4SE1/4	Sec. 22, Twp 08N, Rge 42E, B.M.	FREMONT County		
FALL RIVER NW1/4NE1/4	Sec. 25, Twp 09N, Rge 42E, B.M.	FREMONT County		
FALL RIVER NE1/4NE1/4	Sec. 4, Twp 08N, Rge 42E, B.M.	FREMONT County		
FALL RIVER SW1/4NW1/4	Sec. 13, Twp 09N, Rge 42E, B.M.	FREMONT County		
FALL RIVER NE1/4SE1/4	Sec. 35, Twp 09N, Rge 43E, B.M.	FREMONT County		
FALL RIVER NE1/4SE1/4	Sec. 23, Twp 09N, Rge 42E, B.M.	FREMONT County		
FALL RIVER NW1/4SW1/4	Sec. 33, Twp 09N, Rge 45E, B.M.	FREMONT County		
FALL RIVER NE1/4SE1/4	Sec. 21, Twp 08N, Rge 42E, B.M.	FREMONT County		
FALL RIVER NW1/4NE1/4	Sec. 23, Twp 09N, Rge 42E, B.M.	FREMONT 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	
08N 42E 1			39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	37.0	39.0	39.0	40.0	40.0	40.0	36.0	628.0
08N 42E 2			31.0	34.0	40.0	39.0	13.0	38.0	15.0	39.0	39.0	37.0	40.0	40.0	40.0	39.0	30.0	32.0	562.0
08N 42E 3			38.0	39.0	40.0	40.0	25.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	35.0	30.0	32.0	29.0	580.0
08N 42E 4			37.0	39.0	40.0	40.0		38.0	39.0	40.0	40.0	40.0	39.0	40.0	39.0	40.0	39.0	39.0	549.0
08N 42E 5				25.0	25.0				10.0	40.0			30.0	40.0	40.0	40.0	40.0	40.0	290.0
08N 42E 6										22.0		13.0	40.0	38.0	33.0	40.0	40.0	40.0	226.0
08N 42E 7			40.0	40.0			40.0	27.0	40.0										187.0
08N 42E 8			39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0				40.0	15.0	5.0	15.0		393.0
08N 42E 9			40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	30.0	30.0	615.0
08N 42E 10			38.0	34.0	40.0	40.0	30.0	40.0	40.0	35.0	40.0	10.0	30.0	40.0	40.0	40.0	40.0	40.0	577.0
08N 42E 11			40.0	40.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	637.0
08N 42E 12			39.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	34.0	39.0	39.0	622.0
08N 42E 13			40.0	40.0	40.0	36.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	20.0		574.0
08N 42E 14			40.0	40.0	40.0	40.0	40.0	40.0	35.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	630.0
08N 42E 15			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	37.0	634.0
08N 42E 16				10.0	35.0					25.0			40.0	40.0	40.0	38.0	40.0	25.0	253.0
08N 42E 20					40.0									40.0			20.0		100.0
08N 42E 21				40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0	5.0	40.0	35.0	40.0			440.0
08N 42E 22			25.0	30.0			30.0	30.0	20.0	20.0									155.0
08N 42E 23			40.0	40.0	13.0	13.0	20.0	8.0											134.0
08N 42E 24							10.0	30.0	13.0										53.0
08N 43E 3			4.0	32.0	5.0		40.0	40.0	37.0	39.0		21.0	19.0						237.0
08N 43E 4			38.0	40.0	25.0	17.0	40.0	39.0	40.0	36.0	30.0	20.0			35.0	25.0	33.0		418.0
08N 43E 5			38.0	38.0	38.0	39.0	40.0	40.0	38.0	40.0	40.0	38.0	40.0	37.0	38.0	37.0			579.0
08N 43E 6			39.0	34.0	40.0	37.0	40.0	38.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	627.0
08N 43E 7			40.0	40.0	40.0	40.0	32.0	36.0	30.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	34.0	11.0	582.0
08N 43E 8				35.0			40.0	40.0	40.0	5.0		15.0							175.0
08N 43E 9			40.0	40.0	40.0	40.0								35.0					195.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-73J

Place of Use (Cont.)

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	
08N 43E 10					31.0	38.0											69.0
08N 43E 18		10.0	28.0		40.0	40.0		16.0	8.0	10.0							152.0
09N 42E 13			20.0				35.0	32.0	39.0	36.0	40.0	40.0	16.0	40.0			298.0
09N 42E 14				10.0									37.0	4.0	20.0	40.0	111.0
09N 42E 22	30.0	30.0	40.0	39.0	5.0			39.0	39.0		25.0	40.0	37.0	40.0	40.0	35.0	439.0
09N 42E 23	38.0	36.0	25.0	29.0	7.0	22.0	40.0	40.0	40.0	30.0	20.0	20.0	10.0	20.0	40.0	25.0	442.0
09N 42E 24	40.0	40.0	38.0	40.0	40.0	36.0	36.0	40.0	30.0	25.0	34.0		16.0	40.0		40.0	495.0
09N 42E 25			30.0	10.0		38.0	26.0			10.0			5.0			40.0	159.0
09N 42E 26	33.0	33.0	38.0	38.0	40.0	17.0	20.0	40.0	40.0	17.0	35.0	39.0	27.0	38.0	37.0	38.0	530.0
09N 42E 27	40.0	20.0	30.0	35.0	35.0	15.0			40.0	35.0	35.0	39.0	33.0	39.0	39.0	37.0	472.0
09N 42E 28													1.0		7.0	28.0	36.0
09N 42E 32																4.0	4.0
09N 42E 33	40.0	30.0	30.0	40.0					35.0	15.0	38.0	35.0	40.0	36.0	39.0	39.0	417.0
09N 42E 34	28.0	38.0	40.0	40.0	40.0	30.0	37.0	38.0	40.0	37.0	37.0	37.0	40.0	40.0		39.0	561.0
09N 42E 35	28.0	38.0	40.0	32.0	40.0	35.0							39.0	14.0	36.0	38.0	340.0
09N 42E 36	31.0		40.0	40.0			36.0	36.0	34.0	36.0	40.0	37.0	34.0	39.0	36.0	34.0	473.0
09N 43E 13			30.0	30.0				20.0	40.0	40.0	40.0	40.0		20.0	20.0		280.0
09N 43E 14							13.0						16.0			18.0	47.0
09N 43E 18									3.0	17.0	40.0						60.0
09N 43E 19		35.0	27.0	16.0	40.0	40.0	39.0	40.0	40.0	38.0	39.0	39.0	38.0	30.0	40.0	40.0	541.0
09N 43E 20			25.0	35.0			20.0	25.0	40.0	40.0	36.0	40.0	39.0	40.0	40.0	40.0	420.0
09N 43E 21		3.0	37.0	21.0	2.0		32.0	37.0	40.0	39.0	38.0	40.0	37.0	40.0	40.0	40.0	446.0
09N 43E 22	25.0		39.0	40.0			35.0	39.0	39.0	35.0	39.0	37.0	40.0	40.0	39.0	38.0	485.0
09N 43E 23	38.0	38.0	38.0	39.0	38.0	38.0	38.0	40.0	40.0	39.0	38.0	35.0	40.0	39.0	38.0	39.0	615.0
09N 43E 24	40.0	35.0	34.0	33.0	35.0	39.0	40.0	35.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	605.0
09N 43E 25	28.0	40.0	39.0	39.0	40.0	35.0	40.0	40.0	40.0	40.0	35.0	40.0	39.0	40.0	40.0	36.0	611.0
09N 43E 26	40.0	35.0	40.0	39.0	36.0	38.0	36.0	40.0	39.0	38.0	36.0	35.0	36.0	40.0	35.0	25.0	588.0
09N 43E 27	38.0	39.0	39.0	39.0	33.0	39.0	38.0	36.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	37.0	614.0
09N 43E 28	39.0	40.0	36.0	36.0	40.0	40.0	35.0	39.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	624.0
09N 43E 29	39.0	40.0	40.0	38.0	40.0	40.0	40.0	40.0	40.0	39.0	31.0	40.0	39.0	40.0	40.0	35.0	621.0
09N 43E 30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	26.0	38.0	40.0	40.0	40.0	40.0	622.0
09N 43E 31	35.0	39.0	40.0	40.0	39.0	38.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	38.0	40.0	627.0
09N 43E 32	40.0	39.0	33.0	40.0	40.0	25.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	38.0	36.0	606.0
09N 43E 33	38.0	38.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	39.0	34.0	37.0	38.0	38.0	39.0	37.0	616.0
09N 43E 34	40.0	38.0	38.0	38.0	40.0	40.0	40.0	40.0	38.0	40.0	36.0	38.0	20.0	14.0	38.0	25.0	563.0
09N 43E 35	37.0	36.0	40.0	40.0	39.0	40.0	36.0	30.0	25.0	26.0	20.0	33.0			15.0		417.0
09N 43E 36	38.0	40.0	38.0	33.0	37.0	40.0	40.0	38.0									304.0
09N 44E 17						16.0			36.0	40.0	39.0	36.0	27.0	30.0	37.0	38.0	299.0
09N 44E 18			8.0	14.0					38.0	36.0	39.0	39.0	34.0	38.0	39.0	38.0	323.0
09N 44E 19		33.0	32.0		38.0	36.0	39.0	39.0	39.0	39.0	36.0	35.0	39.0	37.0	38.0	38.0	518.0
09N 44E 20					35.0	38.0	38.0	39.0	40.0	40.0	34.0	33.0	35.0	35.0	33.0	35.0	435.0
09N 44E 21			40.0	38.0			38.0	38.0	40.0	39.0	37.0	40.0	40.0	40.0	38.0	38.0	466.0
09N 44E 22		40.0				25.0	35.0	35.0	20.0		35.0	37.0					227.0
09N 44E 27					19.0	39.0	39.0	12.0	22.0	23.0	5.0	18.0		33.0	21.0	10.0	241.0
09N 44E 28	32.0	38.0	40.0	32.0	38.0	38.0	40.0	39.0	35.0	35.0	40.0	40.0	36.0	37.0	38.0	33.0	591.0
09N 44E 29	34.0	39.0	40.0	40.0	38.0	38.0	39.0	38.0	35.0	38.0	39.0	33.0	40.0	40.0	33.0	34.0	598.0
09N 44E 30	39.0	38.0	40.0	39.0	36.0	39.0	39.0	39.0	39.0	37.0	39.0	40.0	37.0	40.0	39.0	39.0	619.0
09N 44E 31	35.0	40.0	22.0	5.0	39.0	38.0	28.0	36.0									243.0
09N 44E 32						17.0											17.0

Total Acres: 31539

Conditions of Approval:

1. A04 THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-73J

Remarks:

1. General The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.

The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points. The total instantaneous diversion of water from all points of diversion under Transfer No. 4014 shall not exceed 521.38 cfs, nor total combined annual volume of 110,386.5 afa.

A measuring device and lockable controlling works of a type approved by this Department shall be maintained on each diverting works in a manner that will provide the watermaster suitable control of the diversions and will allow determination of the total rate of diversion.

Combined Right Nos. 21-00048, 21-00049, 21-00050, 21-00073B, 21-00073D, 21-00073F, 21-00073J, 21-00075, 21-00114D and 21-00140 are limited to the total combined irrigation of 31,539.0 acres in a single irrigation season.

Right No. 21-00073J is limited to the irrigation of 6,320.0 acres in the place of use described above in a single irrigation season.

Two points of diversion are located within NESE, S35, T09N, R43E. *THIS CLAIM IS A PART OF ORIGINAL CLAIM #A21-00073A. A21-00073A WAS SPLIT INTO 00073F AND 00073J IN ORDER TO MATCH THE ALLOCATION DATA BASE 2-7-96 GJT. THIS RIGHT WAS PAID FOR UNDER RECEIPT #E006278.

Comments:Dates and Other Information:

Claim Received Date: 2/7/1996
State or Federal: S
Water District Number: 01

Combined Use Limits:

Marysville Canal

Source: Fall River

Basin	Sequence	Suffix	Priority	Date	Rate(cfs)	Volume(af)	Owner(s)	Source Table
21		73 B		1895-11-05	4		NORTH FREMONT CANAL SYSTEMS INC	wrAdjudicationClaim
21		73 F		1895-11-05	3.92		NORTH FREMONT CANAL SYSTEMS INC	wrAdjudicationClaim
21		73 H		1895-11-05	0.42		DAVIS, DE LOIS & WAYNE C	wrAdjudicationClaim
21		73 J		1895-11-05	317.66	22120	NORTH FREMONT CANAL SYSTEMS INC	wrAdjudicationClaim
21		73 B		1895-11-05	4	840	NORTH FREMONT CANAL SYSTEMS INC	wrWaterRight
21		73 D		1895-11-05	4	840	NORTH FREMONT CANAL SYSTEMS INC	wrWaterRight
21		73 F		1895-11-05	3.92		NORTH FREMONT CANAL SYSTEMS INC	wrWaterRight
21		73 J		1895-11-05	317.66	22120	NORTH FREMONT CANAL SYSTEMS INC	wrWaterRight

[Dale] Daryl Kirkham

Dennis F

7/28/04 Called, left message for
Lonnie Atchley needed
amount represented by shares

7/29/04 WDOI Ron & Tony
what water Right
what canal
amount

Marysville

Dennis Franzen

3760
652-~~7310~~

8/2/04 Lonnie Atchley
called as best as he remember
it's from Marysville.

Dennis Franzen message machine
left message.

1334
8/2/04 Dennis Franzen
will supply amount and
WR #

