

DEPA

2004

RCES

TEMPORARY CHANGE APPLICATION

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

Name of Applicant BURGESS CANAL COMPANY Phone 745-8230Post Office Address P.O. Box 536, RIGBY, ID 83442

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 MOVING WATER THAT WOULD BE USED BY THE BURGESS CANAL TO ALLOW FOR THE FILLING OF THE CITY OF BLACKFOOT'S JENSEN GROVE POND IN PREPERATION FOR THE EASTERN IDAHO STATE FAIR.

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>01-00032</u>	<u>6/10/1890</u>	<u>240 CFS</u>	<u>RECREATION</u>	<u>8/23</u> to <u>10/31</u>
				to
				to
				to

2. Total amount of water being transferred 70240 ^{in H} cubic feet per second and/or 42000 ^{in H} acre-feet per annum.

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	NE	27	2S	35E	BINGHAM	JENSEN GROVE DETCH (13062051)

5. Lands irrigated or place of use:

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	
2S	35E	27											X	X					
		33				X									X				
		34						X	X			X							

Total Acres _____

6. General Information:

TC-01-61

- a. Who owns the water right to be changed? BURGESS CANAL
- b. Describe the arrangement allowing use of the right BURGESS CANAL WILL ALLOW CITY OF BLACKFOOT TO USE IT'S 6/10/1890 WATER RIGHT UP TO A MAXIMUM DIVERSION OF 4,000 AC-FT.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
LANDS OF BURGESS CANAL WILL NOT BE IRRIGATED WITH 6/10/1890 WATER RIGHT WHILE CITY OF BLACKFOOT IS USING IT TO FILL JENSEN GROVE.
- d. Has the water right sought to be transferred been used this year? YES If yes, explain. BURGESS CANAL HAS USED THE WATER RIGHT FOR IRRIGATION WHEN THE PRIORITY WAS BEING FILLED BY WDOI.
- e. Absent the changes, how would the right be used for the remainder of the year? IRRIGATION
- f. Describe other water rights used for the same purpose.
01-00035P, 01-00029, 01-00116AP, 01-00030, 01-00117P, 01-00031
- g. Remarks: THIS WATER RIGHT SHALL REVERT BACK TO THE BURGESS CANAL ~~DATE~~ WHEN THE CITY OF BLACKFOOT HAS REACHED IT'S MAXIMUM ALLOWABLE DIVERSION OF 4,000 AC-FT

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.

Floyd Hicker President
(Signature of applicant) BCCL

FOR DEPARTMENT USE ONLY

Received by WM Date _____ Fee 50⁰⁰

Receipted _____ # E030167 Recommend: ☒ approve _____ deny _____

Watermaster recommendation OK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-01-61

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

Witness my hand this 27th day of August, 2004.

[Signature]
For the Director

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

IN THE MATTER OF APPLICATION FOR)
TEMPORARY CHANGE OF A)
WATER RIGHT 01-32)
_____))
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-01-61

WHEREAS, a drought emergency has been declared for Bingham 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 August 24, 2004, Burgess Canal submitted the attached Temporary Change Application TC-01-61 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). 01-32 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- 01-61

5. Right(s) 01-32 are limited to the irrigation of a total of 22200.6 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 is subject to all conditions and limitations listed on the application under the section titled "ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES"
10. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
11. The Water master of Water District No. 01 is authorized to administer the temporary change approval.
12. This Temporary change approval expires on October 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 27th day of August, 2004.


Ronald D. Carlson
Eastern Regional Manager

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-32

WATER RIGHT NUMBER: 1-32

Owner TypeName and Address

Current Owner

BURGESS CANAL & IRRIGATING CO

Priority Date: 06/10/1890

Basis: Decreed

Status: Active

SourceTributary

DRY BED

SNAKE RIVER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

/ to /

240.000 CFS

Total Diversion: 240.000 CFSLocation of Point(s) of Diversion

DRY BED	SE1/4SW1/4	Sec. 20,Twp 04N,Rge 40E, B.M.	JEFFERSON County
DRY BED	L3 (NE1/4SW1/4)	Sec. 13,Twp 03N,Rge 37E, B.M.	JEFFERSON County
DRY BED	L2 (SE1/4NW1/4)	Sec. 36,Twp 04N,Rge 37E, B.M.	JEFFERSON County
DRY BED	L2 (SE1/4NW1/4)	Sec. 23,Twp 04N,Rge 37E, B.M.	JEFFERSON County
DRY BED	L4 (SE1/4SW1/4)	Sec. 23,Twp 04N,Rge 37E, B.M.	JEFFERSON County
DRY BED	L3 (NW1/4SW1/4)	Sec. 36,Twp 04N,Rge 37E, B.M.	JEFFERSON County
DRY BED	L3 (NW1/4SE1/4)	Sec. 26,Twp 04N,Rge 37E, B.M.	JEFFERSON County

Place of Use

IRRIGATION

Twp Rge Sec

03N 37E 11	03N 37E 12	03N 37E 13	03N 37E 24	
03N 38E 3	03N 38E 4	03N 38E 5	03N 38E 6	03N 38E 7
03N 38E 8	03N 38E 9	03N 38E 10	03N 38E 15	03N 38E 17
03N 38E 18	03N 38E 19	04N 37E 24	04N 37E 26	04N 37E 36
04N 38E 15	04N 38E 16	04N 38E 17	04N 38E 19	04N 38E 20
04N 38E 21	04N 38E 22	04N 38E 23	04N 38E 24	04N 38E 25
04N 38E 26	04N 38E 27	04N 38E 28		
04N 38E 29	04N 38E 30	04N 38E 31	04N 38E 32	04N 38E 33
04N 38E 34	04N 38E 35	04N 38E 36	04N 39E 15	04N 39E 16
04N 39E 17	04N 39E 18	04N 39E 19	04N 39E 20	04N 39E 21
04N 39E 22	04N 39E 23	04N 39E 29	04N 39E 30	04N 40E 19

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

1. General P/U LANDS OF STOCKHOLDERS. TRANS. 2560.

Comments:Dates and Other Information:

Decreed Date: 12/16/1910
 Water District Number: 01
 Decree Defendant: Teton Irrigation Canal Co, et al
 Decree Plaintiff: Rexburg Irrigation Co
 Judicial District: Sixth District

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-32

WATER RIGHT NUMBER: 1-32

Owner Type

Current Owner

Name and Address

BURGESS CANAL & IRRIGATING CO
PO BOX 536
RIGBY, ID 83442
(208)745-7711

Priority Date: 06/10/1890

Basis: Decreed

Status: Active

Source

DRY BED
SNAKE RIVER

Tributary

SNAKE RIVER
COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

240.000 CFS

Annual VolumeTotal Diversion: 240.000 CFSLocation of Point(s) of Diversion

SNAKE RIVER	SE1/4NW1/4NW1/4	Sec. 36,Twp 04N,Rge 37E, B.M.	JEFFERSON County
SNAKE RIVER	NW1/4NE1/4SW1/4	Sec. 36,Twp 04N,Rge 37E, B.M.	JEFFERSON County
SNAKE RIVER	SE1/4SE1/4NW1/4	Sec. 23,Twp 04N,Rge 37E, B.M.	JEFFERSON County
SNAKE RIVER	SW1/4SE1/4SW1/4	Sec. 23,Twp 04N,Rge 37E, B.M.	JEFFERSON County
SNAKE RIVER	SE1/4SE1/4SE1/4	Sec. 26,Twp 04N,Rge 37E, B.M.	JEFFERSON County
DRY BED	SE1/4SW1/4	Sec. 20, Twp 04N,Rge 40E, B.M.	JEFFERSON County

Place of UseIRRIGATION Within BONNEVILLE County

T03N R37E S01	NENE	38.3	T03N R37E S01	NWNE	38.9	T03N R37E S01	SWNE	35.0
T03N R37E S01	SENE	38.9	T03N R37E S01	NENW	13.8	T03N R37E S01	SENW	6.0
T03N R37E S01	NESE	38.9	T03N R37E S01	NWSE	34.0	T03N R37E S01	SWSE	30.0
T03N R37E S01	SESE	38.9	T03N R37E S12	NENE	38.9	T03N R37E S12	NWNE	39.5
T03N R37E S12	SWNE	39.5	T03N R37E S12	SENE	38.9	T03N R37E S12	NESW	6.0
T03N R37E S12	SESW	4.0						
T03N R37E S12	NESE	38.9	T03N R37E S12	NWSE	39.5	T03N R37E S12	SWSE	33.5
T03N R37E S12	SESE	38.9	T03N R37E S13	NENE	38.9	T03N R37E S13	NWNE	24.0
T03N R37E S13	SWNE	1.0	T03N R37E S13	SENE	36.4	T03N R37E S13	NESE	25.4
T03N R37E S13	SESE	17.4	T03N R38E S04	NWNW	38.3	T03N R38E S04	SWNW	38.9
T03N R38E S04	NWSW	38.9	T03N R38E S04	SWSW	38.3	T03N R38E S05	NENE	38.3
T03N R38E S05	NWNE	38.4	T03N R38E S05	SWNE	39.0	T03N R38E S05	SENE	38.9
T03N R38E S05	NENW	38.4	T03N R38E S05	NWNW	38.3	T03N R38E S05	SWNW	38.9
T03N R38E S05	SENW	39.0	T03N R38E S05	NESW	39.0	T03N R38E S05	NWSW	38.9
T03N R38E S05	SWSW	38.3	T03N R38E S05	SESW	38.4	T03N R38E S05	NESE	38.9
T03N R38E S05	NWSE	39.0	T03N R38E S05	SWSE	38.4	T03N R38E S05	SESE	38.3
T03N R38E S06	NENE	38.3	T03N R38E S06	NWNE	38.9	T03N R38E S06	SWNE	39.5
T03N R38E S06	SENE	38.9	T03N R38E S06	NENW	38.9	T03N R38E S06	NWNW	38.3
T03N R38E S06	SWNW	38.9	T03N R38E S06	SENW	39.5	T03N R38E S06	NESW	39.5
T03N R38E S06	NWSW	38.9	T03N R38E S06	SWSW	38.3	T03N R38E S06	SESW	38.9
T03N R38E S06	NESE	38.9	T03N R38E S06	NWSE	39.5	T03N R38E S06	SWSE	38.9
T03N R38E S06	SESE	38.3	T03N R38E S07	NENE	38.3	T03N R38E S07	NWNE	38.9
T03N R38E S07	SWNE	39.5	T03N R38E S07	SENE	38.9	T03N R38E S07	NENW	38.9
T03N R38E S07	NWNW	38.3	T03N R38E S07	SWNW	38.9	T03N R38E S07	SENW	39.5

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-32

T03N R38E S07	NESW	39.5	T03N R38E S07	NWSW	38.9	T03N R38E S07	SWSW	38.3
T03N R38E S07	SESW	38.9	T03N R38E S07	NESE	38.9	T03N R38E S07	NWSE	39.5
T03N R38E S07	SWSE	38.9	T03N R38E S07	SESE	38.3	T03N R38E S08	NENE	37.6
T03N R38E S08	NWNE	38.2	T03N R38E S08	SWNE	39.5	T03N R38E S08	SENE	38.6
T03N R38E S08	NENW	38.9	T03N R38E S08	NWNW	38.3	T03N R38E S08	SWNW	38.9
T03N R38E S08	SENW	39.5	T03N R38E S08	NESW	39.5	T03N R38E S08	NWSW	38.9
T03N R38E S08	SWSW	38.3	T03N R38E S08	SESW	38.9	T03N R38E S08	NESE	38.9
T03N R38E S08	NWSE	39.5	T03N R38E S08	SESE	38.3	T03N R38E S08	SWSE	38.9
T03N R38E S08	SESE	38.3	T03N R38E S17	NENW	38.9	T03N R38E S17	NWNW	38.3
T03N R38E S17	SWNW	38.9	T03N R38E S17	SENW	39.5	T03N R38E S17	NESW	39.5
T03N R38E S17	NWSW	38.9	T03N R38E S18	NENE	38.3	T03N R38E S18	NWNE	38.9
T03N R38E S18	SWNE	39.5	T03N R38E S18	SENE	38.9	T03N R38E S18	NENW	38.9
T03N R38E S18	NWNW	38.3	T03N R38E S18	SWNW	38.9	T03N R38E S18	SENW	39.5
T03N R38E S18	NESW	39.5	T03N R38E S18	NWSW	38.9	T03N R38E S18	SWSW	38.3
T03N R38E S18	SESW	38.9	T03N R38E S18	NESE	38.9	T03N R38E S18	NWSE	39.5
T03N R38E S18	SWSE	38.9	T03N R38E S18	SESE	38.3	T03N R38E S19	NENE	38.3
T03N R38E S19	NWNE	38.9	T03N R38E S19	SWNE	39.5	T03N R38E S19	SENE	38.9
T03N R38E S19	NENW	38.9	T03N R38E S19	NWNW	30.9	T03N R38E S19	SWNW	7.5
T03N R38E S19	SENW	37.5	T04N R37E S23	NENE	39.5	T04N R37E S23	NWNE	39.5
T04N R37E S23	SWNE	39.5	T04N R37E S23	SENE	39.5	T04N R37E S23	NENW	13.0
T04N R37E S23	SENW	16.0	T04N R37E S23	NESW	38.5	T04N R37E S23	NWSW	27.0
T04N R37E S23	SWSW	36.0	T04N R37E S23	SESW	32.7	T04N R37E S23	NESE	39.5
T04N R37E S23	NWSE	39.5	T04N R37E S23	SWSE	38.9	T04N R37E S23	SESE	38.9
T04N R37E S24	NENE	39.5	T04N R37E S24	NWNE	39.5	T04N R37E S24	SWNE	39.5
T04N R37E S24	SENE	39.5	T04N R37E S24	NENW	39.5	T04N R37E S24	NWNW	39.5
T04N R37E S24	SWNW	39.5	T04N R37E S24	SENW	39.5	T04N R37E S24	NESW	39.5
T04N R37E S24	NWSW	39.5	T04N R37E S24	SWSW	38.9	T04N R37E S24	SESW	38.9
T04N R37E S24	NESE	39.5	T04N R37E S24	NWSE	39.5	T04N R37E S24	SWSE	38.9
T04N R37E S24	SESE	38.9	T04N R37E S25	NENE	38.3	T04N R37E S25	NWNE	38.9
T04N R37E S25	SWNE	39.5	T04N R37E S25	SENE	38.9	T04N R37E S25	NENW	38.9
T04N R37E S25	NWNW	38.9	T04N R37E S25	SWNW	39.5	T04N R37E S25	SENW	39.5
T04N R37E S25	NESW	39.5	T04N R37E S25	NWSW	39.5	T04N R37E S25	SWSW	39.5
T04N R37E S25	SESW	39.5	T04N R37E S25	NESE	38.9	T04N R37E S25	NWSE	39.5
T04N R37E S25	SWSE	38.9	T04N R37E S25	SESE	38.3	T04N R37E S26	NENE	38.9
T04N R37E S26	NWNE	38.9	T04N R37E S26	SWNE	32.0	T04N R37E S26	SENE	39.5
T04N R37E S26	NENW	8.8	T04N R37E S26	NESE	39.5	T04N R37E S26	NWSE	14.0
T04N R37E S26	SESE	20.0	T04N R37E S36	NENE	38.3	T04N R37E S36	NWNE	38.9
T04N R37E S36	SWNE	39.5	T04N R37E S36	SENE	38.9	T04N R37E S36	NENW	39.5
T04N R37E S36	NWNW	18.0	T04N R37E S36	SENW	35.0	T04N R37E S36	NESW	33.0
T04N R37E S36	SESW	19.8	T04N R37E S36	NESE	38.9	T04N R37E S36	NWSE	39.5
T04N R37E S36	SWSE	38.9	T04N R37E S36	SESE	38.3	T04N R38E S15	SWSW	38.3
T04N R38E S15	SESW	38.9	T04N R38E S16	NESW	39.5	T04N R38E S16	NWSW	38.9
T04N R38E S16	SWSW	38.3	T04N R38E S16	SESW	38.9	T04N R38E S16	NESE	38.9
T04N R38E S16	NWSE	39.5	T04N R38E S16	SWSE	38.9	T04N R38E S16	SESE	38.3
T04N R38E S17	SESW	38.4	T04N R38E S17	SWSE	38.4	T04N R38E S17	SESE	38.3
T04N R38E S19	NENE	38.9	T04N R38E S19	NWNE	39.5	T04N R38E S19	SWNE	39.5
T04N R38E S19	SENE	38.9	T04N R38E S19	NENW	39.5	T04N R38E S19	NWNW	39.5
T04N R38E S19	SWNW	39.5	T04N R38E S19	SENW	39.5	T04N R38E S19	NESW	39.5
T04N R38E S19	NWSW	39.5	T04N R38E S19	SWSW	38.9	T04N R38E S19	SESW	38.9
T04N R38E S19	NESE	38.9	T04N R38E S19	NWSE	39.5	T04N R38E S19	SWSE	38.9

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-32

T04N R38E S19	SESE	38.3	T04N R38E S20	NENE	38.3	T04N R38E S20	NWNE	38.4
T04N R38E S20	SWNE	39.0	T04N R38E S20	SENE	38.9	T04N R38E S20	NENW	38.4
T04N R38E S20	NWNW	38.3	T04N R38E S20	SWNW	38.9	T04N R38E S20	SENW	39.0
T04N R38E S20	NESW	39.0	T04N R38E S20	NWSW	38.9	T04N R38E S20	SWSW	38.3
T04N R38E S20	SESW	38.4	T04N R38E S20	NESE	38.9	T04N R38E S20	NWSE	39.0
T04N R38E S20	SWSE	38.4	T04N R38E S20	SESE	38.3	T04N R38E S21	NENE	38.3
T04N R38E S21	NWNE	38.9	T04N R38E S21	SWNE	39.5	T04N R38E S21	SENE	38.9
T04N R38E S21	NENW	38.9	T04N R38E S21	NWNW	38.3	T04N R38E S21	SWNW	38.9
T04N R38E S21	SENW	39.5	T04N R38E S21	NESW	39.5	T04N R38E S21	NWSW	38.9
T04N R38E S21	SWSW	38.3	T04N R38E S21	SESW	38.9	T04N R38E S21	NESE	38.9
T04N R38E S21	NWSE	39.5	T04N R38E S21	SWSE	38.9	T04N R38E S21	SESE	38.3
T04N R38E S22	NENE	38.3	T04N R38E S22	NWNE	38.9	T04N R38E S22	SWNE	39.5
T04N R38E S22	SENE	38.9	T04N R38E S22	NENW	38.9	T04N R38E S22	NWNW	38.3
T04N R38E S22	SWNW	38.9	T04N R38E S22	SENW	39.5	T04N R38E S22	NESW	39.5
T04N R38E S22	NWSW	38.9	T04N R38E S22	SWSW	38.3	T04N R38E S22	SESW	38.9
T04N R38E S22	NESE	38.9	T04N R38E S22	NWSE	39.5	T04N R38E S22	SWSE	38.9
T04N R38E S22	SESE	38.3	T04N R38E S23	NENE	38.3	T04N R38E S23	NWNE	38.9
T04N R38E S23	SWNE	39.5	T04N R38E S23	SENE	38.9	T04N R38E S23	NENW	38.9
T04N R38E S23	NWNW	38.3	T04N R38E S23	SWNW	38.9	T04N R38E S23	SENW	39.5
T04N R38E S23	NESW	39.5	T04N R38E S23	NWSW	38.9	T04N R38E S23	SWSW	38.3
T04N R38E S23	SESW	38.9	T04N R38E S23	NESE	38.9	T04N R38E S23	NWSE	39.5
T04N R38E S23	SWSE	38.9	T04N R38E S23	SESE	38.3	T04N R38E S24	NENE	38.3
T04N R38E S24	NWNE	38.9	T04N R38E S24	SWNE	39.5	T04N R38E S24	SENE	38.9
T04N R38E S24	NENW	38.9	T04N R38E S24	NWNW	38.3	T04N R38E S24	SWNW	38.9
T04N R38E S24	SENW	39.5	T04N R38E S24	NESW	39.5	T04N R38E S24	NWSW	38.9
T04N R38E S24	SWSW	38.3	T04N R38E S24	SESW	38.9	T04N R38E S24	NESE	38.9
T04N R38E S24	NWSE	39.5	T04N R38E S24	SWSE	38.9	T04N R38E S24	SESE	38.3
T04N R38E S25	NENE	36.0	T04N R38E S25	NWNE	38.9	T04N R38E S25	SWNE	39.5
T04N R38E S25	SENE	34.3	T04N R38E S25	NENW	38.9	T04N R38E S25	NWNW	38.3
T04N R38E S25	SWNW	38.9	T04N R38E S25	SENW	39.5	T04N R38E S25	NESW	39.5
T04N R38E S25	NWSW	38.9	T04N R38E S25	SWSW	38.3	T04N R38E S25	SESW	38.9
T04N R38E S25	NESE	36.6	T04N R38E S25	NWSE	37.2	T04N R38E S25	SWSE	34.3
T04N R38E S25	SESE	38.3	T04N R38E S26	NENE	38.3	T04N R38E S26	NWNE	38.9
T04N R38E S26	SWNE	39.5	T04N R38E S26	SENE	38.9	T04N R38E S26	NENW	38.9
T04N R38E S26	NWNW	38.3	T04N R38E S26	SWNW	38.9	T04N R38E S26	SENW	39.5
T04N R38E S26	NESW	39.5	T04N R38E S26	NWSW	38.9	T04N R38E S26	SWSW	38.3
T04N R38E S26	SESW	38.9	T04N R38E S26	NESE	38.9	T04N R38E S26	NWSE	39.5
T04N R38E S26	SWSE	38.9	T04N R38E S26	SESE	38.3	T04N R38E S27	NENE	38.3
T04N R38E S27	NWNE	38.9	T04N R38E S27	SWNE	39.5	T04N R38E S27	SENE	38.9
T04N R38E S27	NENW	38.9	T04N R38E S27	NWNW	38.3	T04N R38E S27	SWNW	38.9
T04N R38E S27	SENW	39.5	T04N R38E S27	NESW	39.5	T04N R38E S27	NWSW	38.9
T04N R38E S27	SWSW	38.3	T04N R38E S27	SESW	38.9	T04N R38E S27	NESE	38.9
T04N R38E S27	NWSE	39.5	T04N R38E S27	SWSE	38.9	T04N R38E S27	SESE	38.3
T04N R38E S28	NENE	38.3	T04N R38E S28	NWNE	38.9	T04N R38E S28	SWNE	39.5
T04N R38E S28	SENE	38.9	T04N R38E S28	NENW	38.9	T04N R38E S28	NWNW	38.3
T04N R38E S28	SWNW	38.9	T04N R38E S28	SENW	39.5	T04N R38E S28	NESW	39.5
T04N R38E S28	NESE	38.9	T04N R38E S28	NWSE	39.5	T04N R38E S28	SWSE	38.9
T04N R38E S28	SESE	38.3	T04N R38E S29	NENE	38.3	T04N R38E S29	NWNE	38.4
T04N R38E S28	NWSW	38.9	T04N R38E S28	SWSW	38.3	T04N R38E S28	SESW	38.9

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T04N R38E S29	SWNE	39.0	T04N R38E S29	SENE	38.9	T04N R38E S29	NENW	38.4
T04N R38E S29	NWNW	38.3	T04N R38E S29	SWNW	38.9	T04N R38E S29	SENW	39.0
T04N R38E S29	NESW	39.0	T04N R38E S29	NWSW	38.9	T04N R38E S29	SWSW	38.3
T04N R38E S29	SESW	38.4	T04N R38E S29	NESE	38.9	T04N R38E S29	NWSE	39.0
T04N R38E S29	SWSE	38.4	T04N R38E S29	SESE	38.3	T04N R38E S30	NENE	38.3
T04N R38E S30	NWNE	38.9	T04N R38E S30	SWNE	39.5	T04N R38E S30	SENE	38.9
T04N R38E S30	NENW	38.9	T04N R38E S30	NWNW	38.3	T04N R38E S30	SWNW	38.9
T04N R38E S30	SENW	39.5	T04N R38E S30	NESW	39.5	T04N R38E S30	NWSW	38.9
T04N R38E S30	SWSW	38.3	T04N R38E S30	SESW	38.9	T04N R38E S30	NESE	38.9
T04N R38E S30	NWSE	39.5	T04N R38E S30	SWSE	38.9	T04N R38E S30	SESE	38.3
T04N R38E S31	NENE	38.3	T04N R38E S31	NWNE	38.9	T04N R38E S31	SWNE	39.5
T04N R38E S31	SENE	38.9	T04N R38E S31	NENW	38.9	T04N R38E S31	NWNW	38.3
T04N R38E S31	SWNW	38.9	T04N R38E S31	SENW	39.5	T04N R38E S31	NESW	39.5
T04N R38E S31	NWSW	38.9	T04N R38E S31	SWSW	38.3	T04N R38E S31	SESW	38.9
T04N R38E S31	NESE	38.9	T04N R38E S31	NWSE	39.5	T04N R38E S31	SWSE	38.9
T04N R38E S31	SESE	38.3	T04N R38E S32	NENE	38.3	T04N R38E S32	NWNE	38.4
T04N R38E S32	SWNE	39.0	T04N R38E S32	SENE	38.9	T04N R38E S32	NENW	38.4
T04N R38E S32	NWNW	38.3	T04N R38E S32	SWNW	38.9	T04N R38E S32	SENW	39.0
T04N R38E S32	NESW	39.0	T04N R38E S32	NWSW	38.9	T04N R38E S32	SWSW	38.3
T04N R38E S32	SESW	38.4	T04N R38E S32	NESE	38.9	T04N R38E S32	NWSE	39.0
T04N R38E S32	SWSE	38.4	T04N R38E S32	SESE	38.3	T04N R38E S33	NENE	38.3
T04N R38E S33	NWNE	38.9	T04N R38E S33	SWNE	39.5	T04N R38E S33	SENE	38.9
T04N R38E S33	NENW	38.9	T04N R38E S33	NWNW	38.3	T04N R38E S33	SWNW	38.9
T04N R38E S33	SENW	39.5	T04N R38E S33	NESW	39.5	T04N R38E S33	NWSW	38.9
T04N R38E S33	SWSW	38.3	T04N R38E S33	SESW	38.9	T04N R38E S33	NESE	38.9
T04N R38E S33	NWSE	39.5	T04N R38E S33	SWSE	38.9	T04N R38E S33	SESE	38.3
T04N R38E S34	NENE	38.3	T04N R38E S34	NWNE	38.9	T04N R38E S34	SWNE	39.5
T04N R38E S34	SENE	38.9	T04N R38E S34	NENW	38.9	T04N R38E S34	NWNW	38.3
T04N R38E S34	SWNW	38.9	T04N R38E S34	SENW	39.5	T04N R38E S34	NESW	39.5
T04N R38E S34	NWSW	38.9	T04N R38E S34	SWSW	38.3	T04N R38E S34	SESW	38.9
T04N R38E S34	NESE	38.9	T04N R38E S34	NWSE	39.5	T04N R38E S34	SWSE	38.9
T04N R38E S34	SESE	38.3	T04N R38E S35	NENE	38.3	T04N R38E S35	NWNE	38.9
T04N R38E S35	SWNE	39.5	T04N R38E S35	SENE	38.9	T04N R38E S35	NENW	38.9
T04N R38E S35	NWNW	38.3	T04N R38E S35	SWNW	38.9	T04N R38E S35	SENW	39.5
T04N R38E S35	NESW	39.5	T04N R38E S35	NWSW	38.9	T04N R38E S35	SWSW	38.3
T04N R38E S35	SESW	38.9	T04N R38E S35	NESE	38.9	T04N R38E S35	NWSE	39.5
T04N R38E S35	SWSE	38.9	T04N R38E S35	SESE	35.4	T04N R38E S36	NENW	28.9
T04N R38E S36	NWNW	38.3	T04N R38E S36	SWNW	38.9	T04N R38E S36	SENW	13.5
T04N R38E S36	NWSW	26.9	T04N R38E S36	SWSW	9.2	T04N R39E S15	NESW	39.5
T04N R39E S15	NWSW	38.9	T04N R39E S15	SWSW	38.3	T04N R39E S15	SESW	38.9
T04N R39E S16	NESW	39.5	T04N R39E S16	NWSW	38.9	T04N R39E S16	SWSW	38.3
T04N R39E S16	SESW	38.9	T04N R39E S16	NESE	38.9	T04N R39E S16	NWSE	39.5
T04N R39E S16	SWSE	38.9	T04N R39E S16	SESE	38.3	T04N R39E S17	NESW	39.5
T04N R39E S17	NWSW	38.9	T04N R39E S17	SWSW	38.3	T04N R39E S17	SESW	38.9
T04N R39E S17	NESE	38.9	T04N R39E S17	NWSE	39.5	T04N R39E S17	SWSE	38.9
T04N R39E S17	SESE	38.3	T04N R39E S18	NESE	22.9	T04N R39E S18	SWSE	4.8
T04N R39E S18	SESE	37.3	T04N R39E S19	NENE	38.3	T04N R39E S19	NWNE	36.7
T04N R39E S19	SWNE	39.5	T04N R39E S19	SENE	38.9	T04N R39E S19	NENW	37.4
T04N R39E S19	NWNW	38.3	T04N R39E S19	SWNW	38.9	T04N R39E S19	SENW	35.8

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T04N R39E S19	NESW	37.7	T04N R39E S19	NWSW	37.0	T04N R39E S19	SWSW	34.9
T04N R39E S19	SESW	38.9	T04N R39E S19	NESE	38.9	T04N R39E S19	NWSE	39.5
T04N R39E S19	SWSE	38.9	T04N R39E S19	SESE	38.3	T04N R39E S20	NENE	38.3
T04N R39E S20	NWNE	38.9	T04N R39E S20	SWNE	39.5	T04N R39E S20	SENE	38.9
T04N R39E S20	NENW	38.9	T04N R39E S20	NWNW	38.3	T04N R39E S20	SWNW	38.9
T04N R39E S20	SENW	39.5	T04N R39E S20	NESW	39.5	T04N R39E S20	NWSW	38.9
T04N R39E S20	SWSW	38.3	T04N R39E S20	SESW	38.9	T04N R39E S20	NESE	38.9
T04N R39E S20	NWSE	39.5	T04N R39E S20	SWSE	38.9	T04N R39E S20	SESE	38.3
T04N R39E S21	NENE	38.3	T04N R39E S21	NWNE	38.9	T04N R39E S21	SWNE	39.5
T04N R39E S21	SENE	38.9	T04N R39E S21	NENW	38.9	T04N R39E S21	NWNW	38.3
T04N R39E S21	SWNW	38.9	T04N R39E S21	SENW	39.5	T04N R39E S21	NESW	39.5
T04N R39E S21	NWSW	38.9	T04N R39E S21	NESE	38.9	T04N R39E S21	NWSE	39.5
T04N R39E S22	NENE	38.3	T04N R39E S22	NWNE	38.9	T04N R39E S22	SWNE	39.5
T04N R39E S22	SENE	38.9	T04N R39E S22	NENW	38.9	T04N R39E S22	NWNW	38.3
T04N R39E S22	SWNW	38.9	T04N R39E S22	SENW	39.5	T04N R39E S22	NWSE	2.0
T04N R39E S23	NENE	38.3	T04N R39E S23	NWNE	38.9	T04N R39E S23	SWNE	39.5
T04N R39E S23	SENE	38.9	T04N R39E S23	NENW	38.9	T04N R39E S23	NWNW	38.3
T04N R39E S23	SWNW	38.9	T04N R39E S23	SENW	39.5	T04N R39E S23	NESE	25.7
T04N R39E S23	NWSE	10.0	T04N R39E S24	SWNW	38.9	T04N R39E S24	SENW	39.5
T04N R39E S24	NESW	12.0	T04N R39E S24	NWSW	10.8	T04N R39E S24	NESE	15.9
T04N R39E S24	NWSE	21.5	T04N R39E S24	SESE	27.0	T04N R39E S29	NENE	38.3
T04N R39E S29	NWNE	38.9	T04N R39E S29	SWNE	39.5	T04N R39E S29	SENE	38.9
T04N R39E S29	NENW	38.9	T04N R39E S29	NWNW	38.3	T04N R39E S29	SWNW	38.9
T04N R39E S29	SENW	39.5	T04N R39E S29	NESW	39.5	T04N R39E S29	NWSW	38.9
T04N R39E S30	NENE	38.3	T04N R39E S30	NWNE	38.9	T04N R39E S30	NENW	38.9
T04N R39E S30	NWNW	31.9	T04N R40E S19	NESW	39.5	T04N R40E S19	NWSW	30.9
T04N R40E S19	SWSW	21.6	T04N R40E S19	SESW	30.0			

Total Acres: 22200.6

Remarks:

1. General THE PLACE OF USE IS OWNED BY INDIVIDUALS HOLDING STOCK IN THE COMPANY. THE POINTS OF DIVERSION CONSIST OF THE HEADING FOR THE BURGESS CANAL AND SEVERAL PUMPS. EACH DIVERSION IS IDENTIFIED BELOW:

T4N, R37E, SEC. 23, SESENE - CARLSON NORTH PUMP.
 SEC. 23, SWSESW - CARLSON SOUTH PUMP.
 SEC. 26, SESESE - MARTIN PUMP.
 SEC. 36, SENWNW - LYNN HANSEN EAST PUMP.
 SEC. 36, NWNESW - MC KAY PUMP.
 SEC. 36, NWNESW - HEGSTED-WILSON GREY PUMP.
 T4N, R40E, SEC. 20, SESW - HEADING FOR BURGESS CANAL.
 SEE NOTICE A01-00029 FOR MAP OF SERVICE AREA.
 | ADDRESS CHANGE 10/13/93 SF.

Dates and Other Information:

Claim Received Date: 10/2/1989
 State or Federal: S