

Transfer No. _____

73746

Post Office address 275 N 4500E. Rigby ID 83442 RECEIVED

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OCT 02 2006

- Department of Water Resources
-
- Eastern Region

2. Describe the reason for the proposed changes To fill a lined pond. It is the same P.O.D. and to use some of the water to ~~use~~ water trees around the pond.

<u>1. Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>1-42</u>	<u>2-27-1885</u>	<u>69.6</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>
		<u>0.4</u>	<u>Recreation</u>	<u>4-1</u> to <u>10-31</u>
<u>1-234</u>	<u>1-22-1916</u>	<u>29.8</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>
		<u>0.4</u>	<u>Recreation</u>	<u>4-1</u> to <u>10-31</u>
<u>1-303</u>	<u>4-1-1939</u>	<u>4.6</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>
		<u>0.4</u>	<u>Recreation</u>	<u>4-1</u> to <u>10-31</u>

3. Source of water Snake River tributary to _____

- 4. Point(s) of Diversion:**

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres

page 2 of 12

PART 1

6. General

a. Description Ditch

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 Yes Y No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

We changing the nature of use ^{recreation} only for 0.4 cfs within their service area.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

PART 3

73746

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
	<u>Diversion to Storage</u>	<u>0.4 cfs</u>	<u>214</u>	<u>4-1</u> to <u>10-31</u>
	<u>Recreation Storage</u>	<u>18 AF</u>	<u>214</u>	<u>4-1</u> to <u>10-31</u>

2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change: _____

I hereby 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.

Dale Mortimer
(Signature of Applicant)

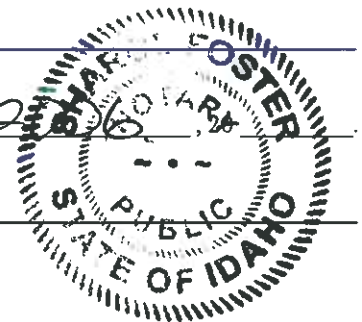
Subscribed and sworn to before me this

1st

day of

October, 2006

Sharon Foster
(Notary Public)



My commission expires

5-5-09

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 0 attachmentsReceived by beDate 10/2/06

Protest filed by _____

Prelim. Check by _____

Fee 250-Receipted by SCDate 10/2/061032282Published in Jefferson Star

Copies of protest forwarded by _____

Pub. Dates _____

Hearing held by _____ Date _____

Watermaster recommendations requested on _____

Recommended for ☐ approval ☐ denial

_____ received _____

by _____

Copy of transfer sent to lien holder _____

73746

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Clark & Edwards Canal Phone 538-7117
Mailing address 4485 E 250N RIGBY, ID 83442
2. Source of water supply Snake River which is a tributary of _____
3. Location of point of diversion is Township 4N Range 40E Sec. 20, in the SE 1/4, SW 1/4, Govt. Lot _____, B.M., Jefferson County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.4 for diversion to storage purposes from 4/1 to 10/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 18 AF for Recreation storage purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.4 cubic feet per second and/or (b) 18 acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source CLARK & Edwards Canal
to lined pond
 - b. Height of storage dam _____ feet; active reservoir capacity 18 acre-feet; total reservoir capacity 18 acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully. Recreation pond

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9. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	39E	13															R _g		

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 1-42,234,363
used as mitigation
11. a. Who owns the property at the point of diversion? EXISTING CANAL
b. Who owns the land to be irrigated or place of use? Brad Foster - Woodland Lake Estates
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Remarks: USING CANAL WATER TO FILL AND MAINTAIN A
POND WITHIN SERVICE AREA OF CLARK AND EDWARDS CANAL
DRYING UP ACRES.
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

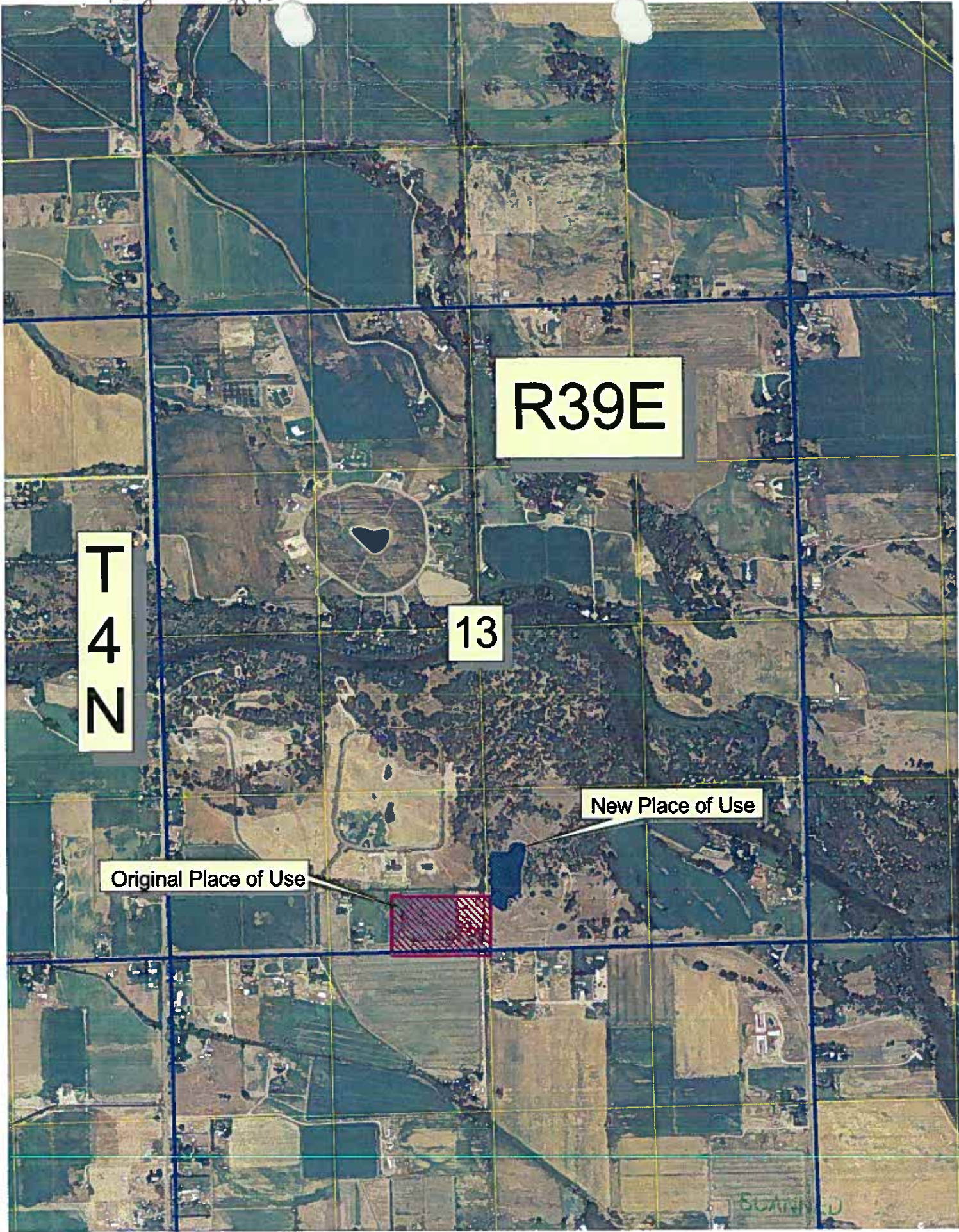
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Nate Mortimer - President
Signature of Applicant (and title, if applicable)

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Received by DC Date 4/6/2007 Time _____ Preliminary check by _____
Fee \$ 250 Receipted by E032283 DC # E032283 Date 10/2/2006
Publication prepared by SC Date 4/18 & 4/25/07 Published in Jefferson Star
Publication approved _____ Date _____



R39E

T
4
N

13

New Place of Use

Original Place of Use

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No. C 876 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	no later than April 30, 2007 Annual Report Form 1. Mailing Address - Correct in this box, if applicable : CLARK AND EDWARDS CANAL OR IRRIGATION KRISTI RADFORD 4485 E 250 N RIGBY, ID 83442	2. Registered Agent and Office NO PO BOX KRISTI RADFORD ~~275 N 4500 E~~ 4485 E 250 N RIGBY, ID 83442 3. New Registered Agent Signature
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4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
Pres	DALE MORTIMER	4242 E 400N	Rigby	Id	83442.
SEC	KRISTI RADFORD	4485 E 250N	Rigby	Id	83442.
Dir.	Austin Clements	4452 E 300N	Rigby	Id	83442.
	Gary Wiles	4413 E 275N	Rigby	Id	83442.
	Carl Farrimond	4236 E 400N	Rigby	Id	83442.
	Mark Model	316 N 4400 E	Rigby	Id	83442.

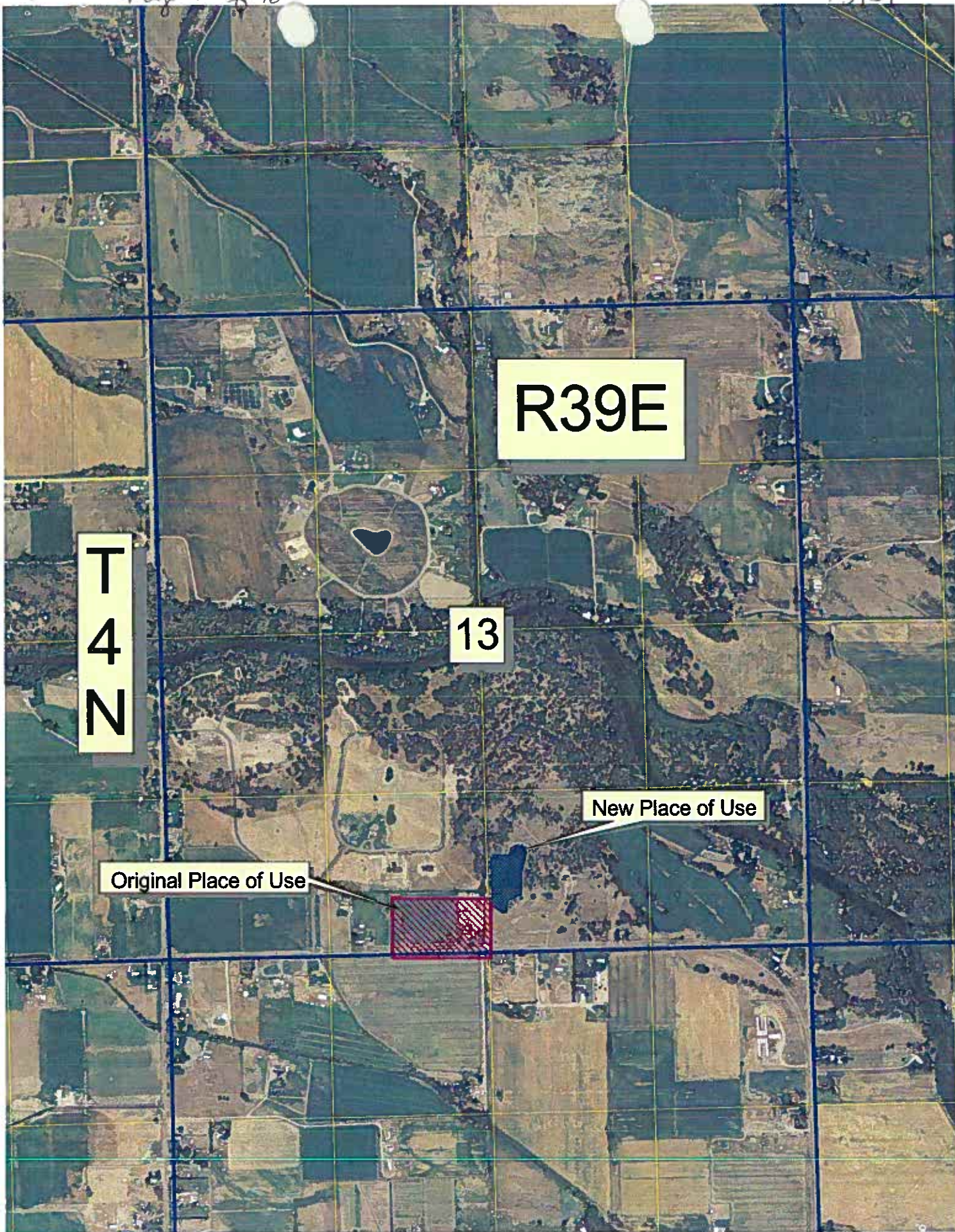
5. Organized Under the Laws of: IDAHO C 876	6. Signature _____ Date <u>2-13-07</u> Name (Printed or Typed) <u>KRISTI RADFORD</u> Title <u>Secretary</u>
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Issued 02/01/2007

Do Not Tape or Staple

200704000002

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CLARK & EDWARD 01-10533

POND CONSUMPTIVE USE CALC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
ANNUAL FWS EVAP (inches)	40	40	40	40	40	40	40	40	40	40	40	40	40
MONTHLY DISTRIBUTION (%)	1	2	4	7	12	15	19	16	11	6	4	3	100
Monthly FWS evap--(in/month)	0.4	0.8	1.6	2.8	4.8	6	7.6	6.4	4.4	2.4	1.6	1.2	40
AVE TOTAL precip-- (in/month)	1.11	1.02	1.07	1.13	1.89	1.44	0.9	0.72	0.82	1.07	1.09	1.06	13.31
Pond Loss	0	0	0	0.53	1.67	2.91	4.56	6.7	5.68	3.58	1.33	0.51	27.61
POND SURFACE ACRES	6.4	6.4	6.4	6.4	6.4	6.4	6.4	6.4	6.4	6.4	6.4	6.4	6.4
Total Pond Loss --(acre-in)	0	0	3.392	10.69	18.62	29.2	42.9	36.35	22.912	8.51	3.264	0.896	176.704
Total Pond Loss-- (acre-ft)													14.7253

REX DUREG

IRRIGATION CONSUMPTION

MEAN IRRIGATION REQ (mm/season)
MEAN IRRIGATION REQ (FT/season)

CROP

692 pasture
2.27

ACRES TO DRY UP FOR POND USE

6.49

RED LINES ARE INPUT VALUES FROM CHARTS, APPENDIX AND FROM TRANSFER

92

18 AFA POND STORAGE
2.27 AFA PASTURE = 7.9 ACRES to Dry up.

14.4(2.27) = 32.76

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REXBURG RICKS COLLEGE, IDAHO (107644)

Period of Record Monthly Climate Summary

Period of Record : 7/ 1/1977 to 12/31/2005

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	29.4	33.4	46.2	57.3	65.9	74.6	83.5	84.3	73.9	60.3	41.4	30.3	56.7
Average Min. Temperature (F)	10.7	13.8	23.5	30.6	38.6	44.8	49.2	47.2	38.6	29.9	20.2	11.4	29.9
Average Total Precipitation (in.)	1.11	1.02	1.07	1.13	1.89	1.44	0.90	0.72	0.82	1.07	1.09	1.06	13.31
Average Total SnowFall (in.)	13.5	10.5	4.0	2.1	0.5	0.0	0.0	0.0	0.1	1.0	7.6	15.3	54.6
Average Snow Depth (in.)	9	8	4	0	0	0	0	0	0	0	1	6	2

Percent of possible observations for period of record.

Max. Temp.: 92.9% Min. Temp.: 93% Precipitation: 91.8% Snowfall: 92.1% Snow Depth: 85.6%

Check [Station Metadata](#) or [Metadata graphics](#) for more detail about data completeness.

Western Regional Climate Center, wrcc@dri.edu

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 1-42 V1

WATER RIGHT NUMBER: 1-42 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLARK & EDWARDS CANAL CO 4485 E 250 N RIGBY, ID 83442 (208)538-7117

Priority Date: 02/27/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	70.000 CFS	
	<u>Total Diversion:</u>	70.000 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	SE1/4SE1/4SW1/4	Sec. 20, Twp 04N, Rge 40E, B.M.
JEFFERSON 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	
04N	39E	10									X		X	X	X	X	X	X	
04N	39E	11											X	X					
04N	39E	13			X						X	X	X	X	X	X	X	X	
04N	39E	14			X		X	X	X	X	X	X	X	X	X	X	X	X	
04N	39E	15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
04N	39E	16	X	X	X	X													
04N	39E	23	X	X	X	X	X	X	X	X					X	X			
04N	39E	24	X	X	X	X	X	X	X	X	X	X			X	X		X	

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 1-42 V1

04N 40E 18					X		
					L 5		
04N 40E 19			X	X	X		
			L 1	L 2			

Total Acres: 1559

Conditions of Approval:

1. 129 Place of use is within the area served by Clark & Edwards Canal Company.
2. F01 Water is delivered through Clark & Edwards Canal.
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.
4. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
5. E33 Water is delivered from the Dry Bed.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POU	4/25/2006 12:01:08 PM	mhollday			Active

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WOODLAND LAKE ESTATES

DIVISION NO. 1

JEFFERSON COUNTY, IDAHO

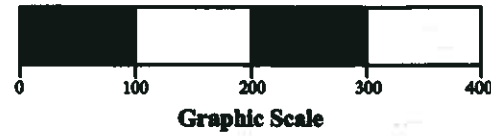
LOCATED IN THE SE 1/4 OF SECTION 13, T4N R39E, B.M.

LEGEND

- Set 5/8" X 30" Iron Rod W/Cap No. 10563
● Set 1/2" X 24" Iron Rod W/Cap No. 10563
- - - - - Adjacent Property Line
- - - - - 12' Utility Easement

ACREAGE

Total Subdivision ----- 40.27 Acres
26 Lots ----- 32.81 Acres
Undeveloped Acre ----- 0.80 Acres
Linear Footage of Road --



Graphic Scale

River Bend Estates
Division No. 1



PRELIMINARY PLAT

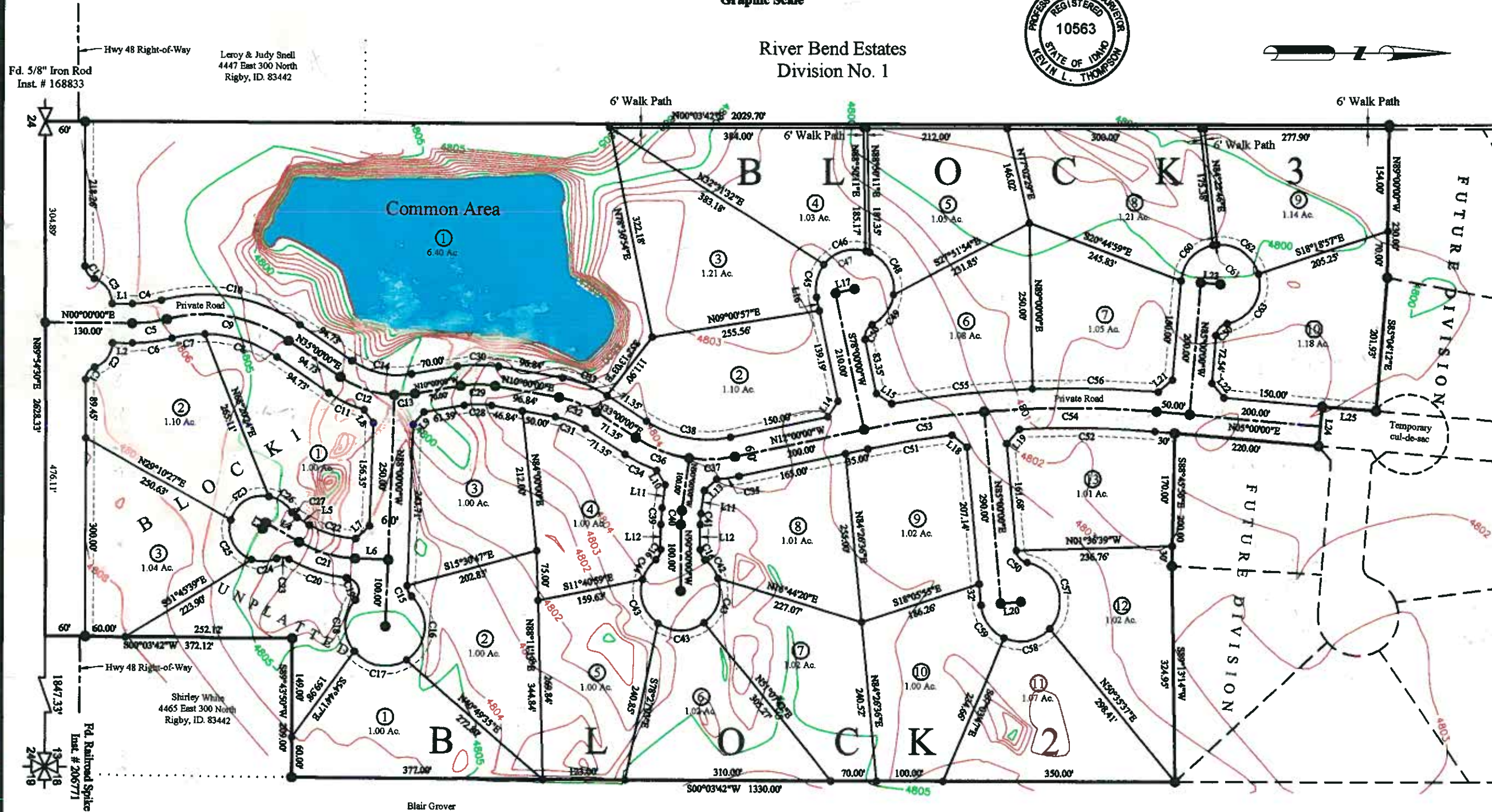
LOCATED IN THE SE 1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 39 EAST, JEFFERSON COUNTY, IDAHO

Project Name: Foster Land & Cattle
Job Number: 2004-51
CoGo File: ArchibaldKipp2003-107.1

Scale
1" = 100'

Date February 21, 2005
Surveyor K.L.T.
Drawn By: J.W.T.

Sheet	Of
2	3



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Blair Grover
P.O. Box 36
Rigby, ID. 83442