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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5689
WATER RIGHT NO(S). 01-00062/01-00063/22-00207/22-00659

This is to certify that: PINCOCK-GARNER DITCH ASSN
C/O WAYNE S WARD
3976 N 5000 E
SUGAR CITY ID 83448

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 01-00062 :			
IRRIGATION	04/01 to 10/31	8.88 CFS	1158.5 AF
Priority: 03/01/1884			
Right No. 01-00063 :			
IRRIGATION	04/01 to 10/31	16.00 CFS	1158.5 AF
Priority: 04/01/1898			
Right No. 22-00207 :			
IRRIGATION	04/01 to 10/31	3.20 CFS	280.0 AF
Priority: 05/15/1898			
Right No. 22-00659 :			
IRRIGATION	04/01 to 10/31	4.00 CFS	1158.5 AF
Priority: 04/01/1939			

TOTAL: * 32.08 CFS * 1158.5 AF

SOURCE

TETON RIVER

TRIBUTARY OF

HENRYS FORK

LOCATION OF POINT(S) OF DIVERSION:

SEnw , Sec. 36, Township 07N, Range 40E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	40E	34	SWNE 35	SENE 25		60
		35	SWNE 37	SENE 37	SWNW 22	
			SEnw 35	NESE 38	NWSE 37	
			SWSE 37	SESE 28		271

Total number of acres irrigated: * 331 **

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WATER RIGHT NO(S). 01-00062/01-00063/22-00207/22-00659

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 7. Right 22-00207 is limited to the irrigation of 80.0 acres in the place of use described above in a single irrigation season.
- * 8. Rights 01-00062, 01-00063, 22-00207 and 22-00659 when combined shall not exceed a total diversion rate of 32.08 cfs, a total annual maximum diversion volume of 1158.5 af at the field headgate, and the irrigation of 331.0 acres.
9. Approval of Transfer 5689 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 24th day of April, 2000.

J. Blum Saxton
Chief, Water Allocation Bureau

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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT,
STATE OF IDAHO, COUNTY OF FREMONT

ABERDEEN-SPRINGFIELD CANAL COMPANY, et als,

Plaintiff,

vs

HENRY EAGLE, WATERMASTER DISTRICT # 36

Defendant,

SUPPLEMENTAL DECREE

March 12, 1969

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MAY 13 1996

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF

IDAHO, IN AND FOR THE COUNTY OF FREMONT

ABERDEEN-SPRINGFIELD CANAL COMPANY, a corporation;
 REBECCA HOLDEN, a widow; BLACKFOOT IRRIGATION CO., a
 corporation; BRAMWELL DITCH CO., a corporation; BUTLER
 ISLAND CANAL CO., a corporation; BUTTE & MARKET LAKE
 CANAL CO., a corporation; CLARK & EDWARDS CANAL CO.,
 a corporation; CORBETT SLOUGH DITCH CO., a corporation;
 DANSKIN DITCH CO., a corporation; DILTS IRRIGATION CO.,
 LTD., a corporation; DEWEY FOX; HARRISON CANAL &
 IRRIGATION CO., a corporation; MARVON M. NEWBY; IDAHO
 IRRIGATION DISTRICT, an irrigation district organized
 and existing under the laws of the State of Idaho;
 MARVIN M. JOHNSON; WILLIAM S. HOLDEN; TED BLOSCH;
 MARVEL JACKSON and V. E. HIER; LABELLE IRRIGATION
 CO., a corporation; LIBERTY PARK IRRIGATION CO., a
 corporation; LONG ISLAND IRRIGATION CO., a corporation;
 ROBERT D. MACKAY; JOHN L. NELSON, ADRIAN NELSON, ERVEN
 SCOTT, VELMA ANDERSON and LAURA ANDERSON; NEW SWEDEN
 IRRIGATION DISTRICT, an irrigation district organized
 and existing under the laws of the State of Idaho;
 CARL JOHNSON; UTAH-IDAHO SUGAR CO., a corporation;
 PROGRESSIVE IRRIGATION DISTRICT, a corporation; REID
 CANAL CO., a corporation; RIVERSIDE DITCH CO., a cor-
 poration; SHATTUCK IRRIGATION CO., a corporation; SAM
 SAKAGUCHI; SNAKE RIVER VALLEY IRRIGATION DISTRICT, an
 irrigation district organized and existing under the
 laws of the State of Idaho; TEXAS SLOUGH IRRIGATING
 CANAL CO., a corporation; R. DUWAYNE SCOTT; WEST
 LABELLE IRRIGATION CO., a corporation; ENTERPRISE
 IRRIGATION DISTRICT, an irrigation district organized
 and existing under the laws of the State of Idaho;
 RALPH D. MILLER; FARMERS FRIEND CANAL CO., a corpora-
 tion; SALEM UNION CANAL CO., a corporation; EGIN
 IRRIGATING CO., a corporation; INDEPENDENT CANAL CO., LTD.
 a corporation; JAMES A. CROFT; PINCOCK-BYINGTON CANAL
 CO. a corporation; PINCOCK-GARNER DITCH COMPANY, a
 corporation; FALL RIVER IRRIGATION CO., a corporation;
 ST. ANTHONY UNION CANAL CO., a corporation, CONSOLIDAT-
 ED FARMERS CANAL COMPANY, a corporation; WILFORD IRRI-
 GATION & MFG. CO., a corporation; D. F. RICHARDS; D. V.
 HAGENBARTH; AL FRAZIER; SAUREY-SOMMER DITCH by LeRoy
 Saurey; FARMERS OWN DITCH CO., a corporation; TETON
 IRRIGATION & MFG. CO., a corporation; GEORGE BAUER,
 BENJAMIN STEWART, ANDREW STEWART, ANNIE WRIGHT, BOYD
 HOLLIST and ALICE P. BIRCH, operating as Stewart Canal;
 BURLEY IRRIGATION DISTRICT, an irrigation district
 organized and existing under the laws of the State of
 Idaho; MINIDOKA IRRIGATION DISTRICT, an irrigation
 district organized and existing under the laws of the
 State of Idaho; MILNER LOW-LIFT IRRIGATION DISTRICT,
 an irrigation district organized and existing under the
 laws of the State of Idaho; TWIN FALLS CANAL COMPANY,
 a corporation; CLARENCE H. TILLEY; WILLIAM KENDALL-
 FALLS IRRIGATION DISTRICT, an irrigation district
 organized and existing under the laws of the State
 of Idaho; A & B IRRIGATION DISTRICT, an irrigation
 district organized and existing under the laws of
 the State of Idaho; OTIS ORTEN; AMERICAN FALLS RESER-
 VOIR DISTRICT, an irrigation district organized and
 existing under the laws of the State of Idaho.

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MAY 13 1996

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AMERICAN FALLS RESERVOIR DISTRICT

NO. 2 an irrigation district organized and existing)
under the laws of the State of Idaho; NORTH SIDE CANAL)
COMPANY, a corporation; BURGESS CANAL & IRRIGATING)
CO., a corporation; CRAIG MATTSON CANAL CO., a corpora-)
tion; ENTERPRISE CANAL CO., LTD, a corporation; FOOD)
MACHINERY & CHEMICAL CORP., a corporation; ISLAND)
IRRIGATION COMPANY, a corporation; J. R. SIMPLOT CO.,)
a corporation; THE LENROOT CANAL CO., . a corpora-)
tion; LOWDER SLOUGH CANAL CO., LTD., a corporation;)
THE MARTIN CANAL CO., a corporation; THE NEW LAVA)
SIDE DITCH CO., a corporation; NORTH RIGBY IRRIGA-)
TION & CANAL CO., a corporation; OWNERS MUTUAL IRRI-)
GATION CO., a corporation; PARKS & LEWISVILLE IRRIGA-)
TION CO., A corporation; PARSONS DITCH CO., a cor-)
poration; PEOPLES CANAL & IRRIGATION CO. a corpora-)
tion; CITY OF POCA TELLO, a municipal corporation of)
the State of Idaho; POPLAR IRRIGATION DISTRICT, an)
irrigation district organized and existing under the)
laws of the State of Idaho; THE RIGBY CANAL & IRRIGA-)
TING CO., a corporation; RUDY IRRIGATION CANAL CO.,)
a corporation; SUNNYDELL IRRIGATION DISTRICT, an)
irrigation district organized and existing under the)
laws of the State of Idaho; THE TREGO DITCH CO., a)
corporation; WATSON SLOUGH DITCH & IRRIGATION CO.,)
LTD., a corporation; WEARYRICK DITCH CO., a corpora-)
tion; WEST SIDE MUTUAL CANAL CO., a corporation;)
WOODVILLE CANAL CO., a corporation; and PALISADES)
WATER USERS INC., a corporation,)

Plaintiffs,

-vs-

HENRY EAGLE, Watermaster, Water District No. 36
State of Idaho,

Defendant.

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APR 27 2000

MAY 13 1996

All in Fremont County, Idaho.

~~1-0312~~ 22-0658

UU. PINCOCK-BYINGTON CANAL CO.

That Pincock-Byington Canal Co. shall have the right to divert and use 38.0 cubic feet of water per second at the following point of diversion and upon the following described lands;

Point of Diversion

Northeast Quarter of Section 36, Township 7 North, Range 40 E.B.M.

Lands to Which Appurtenant

Section 35, Township 7 North, Range 40 E.B.M., Madison County, Idaho; and Section 36, Township 7 North, Range 40 E.B.M., Fremont County, Idaho.

VV. PINCOCK-GARNER DITCH COMPANY

~~1-0314~~ 22-0659

That Pincock-Garner Ditch Company shall have the right to divert and use 4.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Northeast Quarter of Section 36, Township 7 North, Range 40 E.B.M., Madison County, Idaho.

Lands to Which Appurtenant

Section 34, Township 7, N. Range 40 E.B.M., Madison County, Idaho.

WW. D. F. RICHARDS

1 0315

That D. F. Richards shall have the right to divert and use 10.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Section 36, Township 15, North, Range 43 E.B.M.

Lands to Which Appurtenant

N $\frac{1}{2}$ of the SE $\frac{1}{4}$ and E $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 1, Township 14 North, Range 43 E.B.M., Fremont County, Idaho.

E $\frac{1}{2}$ East of old Highway in Section 2, Township 14 North Range 43 E.B.M., Fremont County, Idaho.

MAY 13 1996

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MEMORANDUM

TO: FILE 22-00659

FROM: VAULT

RE: TRANSFER # 5689

DATE: 3/20/00

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 01-00062

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