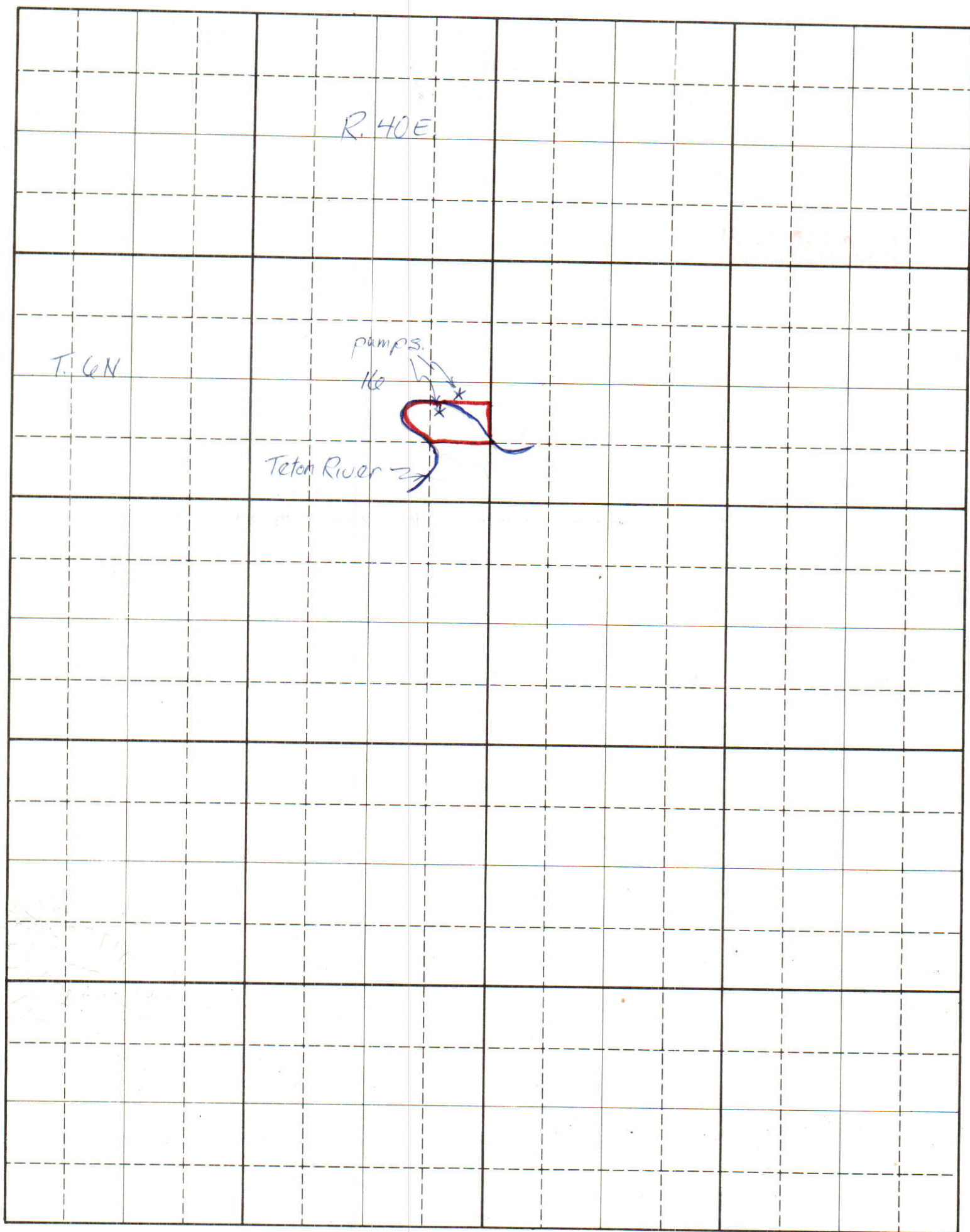


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

APR 10 1987

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Terry T. Weatherston,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

STANDARD JOURNAL

, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on June 30, 1977
and the last publication having been made

on July 7, 1977.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry T. Weatherston

Subscribed to and sworn to before me

this 7th. day of July, 1977

Effie S. Davenport
Notary Public.

(SEAL)

My commission expires March 25, 1978

RECEIVED

JUL 8 1977

Department of
East

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that Gordon D. Wright,
Sugar City, Idaho, has applied to the Department
of Water Resources for a change in the point of
diversion and place of use of the waters of the
Teton River tributary to Snake River. The rights
sought to be changed are evidenced by decree to
M. L. Nave, Clark & Houghton, Alfred Ricks, W. J.
Huskinson, John S. Eames, and Woodmansee-
Johnson Ditch in case of Rexburg Irrigation
Company et al vs. Teton Irrigation Canal Co. et al
dated 12-16-1910 in 6th District Court, County of
Fremont and are recorded as follows:

No. 22-0422	
AMOUNT: 0.50 cfs	PRIORITY: 6-01-1886
No. 22-0596	
AMOUNT: 12.4 cfs	PRIORITY: 10-01-1889
No. 22-0471	
AMOUNT: 9.00 cfs	PRIORITY: 10-01-1889
No. 22-0205	
AMOUNT: 3.20 cfs	PRIORITY: 6-01-1891
No. 22-0477	
AMOUNT: 0.20 cfs	PRIORITY: 6-01-1894
No. 22-0344	
AMOUNT: 0.40 cfs	PRIORITY: 4-01-1896
No. 22-0235	
AMOUNT: 0.50 cfs	PRIORITY: 7-15-1896
No. 22-0236	
AMOUNT: 1.00 cfs	PRIORITY: 4-01-1898
No. 22-0206	
AMOUNT: 4.00 cfs	PRIORITY: 4-01-1898
No. 22-0595	
AMOUNT: 27.6 cfs	PRIORITY: 4-01-1898
No. 22-0345	
AMOUNT: 1.00 cfs	PRIORITY: 4-01-1898

POINT OF DIVERSION: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T.
6N, R. 40 E, B.M., Madison County.

The water is used to irrigate lands within the
NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 11, NE $\frac{1}{4}$,
Sec. 22, T. 6N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

Only 1.72 cfs will be diverted within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40E, B.M., Madison
County and used to irrigate 33.5 acres within the
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40 E. B.M.

Any protest against approval of the above
proposed change of water right must be filed
with the Idaho Department of Water Resources,
1515 Lincoln Road, Idaho Falls, Idaho, 83401, on
or before July 18, 1977.

C. STEPHEN ALLRED
Director

Published in the Standard Journal, Rexburg,
Idaho, on June 30 and July 7, 1977.

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APR 10 1987

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Correction

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on March 9, 1978
and the last publication having been made

on March 16, 1978.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
ing a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Bruce Porter

Subscribed to and sworn to before me

this March 17, 1978

(SEAL)

Notary Public.

My commission expires

Lifetime

RECEIVED

MAR 31 1978

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that application
for transfer No. 22-0422/0596/0471/0205/-
0477/0344/0235/0236/0206/0595/0345 in the
name of Gordon D. Wright was advertised
incorrectly on June 30 and July 7, 1977. The
amount of water to be transferred was
advertised as being 1.72 c.f.s.

WHEREAS, the amount actually being
transferred is 1.81 c.f.s. within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40E, B.M.,
Madison County.

Any protests against approval of the
above proposed change of water as a result
of this correction must be filed with the
Idaho Department of Water Resources,
1515 Lincoln Road, Idaho Falls, Idaho
83401, on or before March 27, 1978.

C. STEPHEN ALLRED
Director

Published in the Standard Journal,
Rexburg, Idaho, on March 9 and March 16,
1978.

MODIFIED

APR 10 1981

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 2122 OF WATER RIGHT NOS.
22-0422/0596/0471/0205/0477/0344/
0235/0236/0206/0595/0345 IN THE
NAME OF GORDON D. WRIGHT

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 3rd day of April, 1987, a true
and correct copy of the foregoing ORDER ADOPTING PROPOSED MEMORANDUM DECISION
AND ORDER, was mailed, postage prepaid to:

Gordon D. Wright
Rt. 1
Sugar City, ID 83448


RITA I. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

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APR 10 1987

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 2122 OF WATER RIGHT NOS.)
22-0422/0596/0471/0205/0477/0344/)
0235/0236/0206/0595/0345 IN THE)
NAME OF GORDON D. WRIGHT)
_____)

ORDER ADOPTING
PROPOSED MEMORANDUM
DECISION AND ORDER

WHEREAS, A. Kenneth Dunn, Director of the Department of Water Resources having issued and served a copy on the parties on November 24, 1986, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Section 67-5211, Idaho Code; and,

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order.

Dated this 30th day of March, 1987.


A. KENNETH DUNN
Director

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APR 10 1987

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 2122 OF WATER RIGHT NOS.)
22-0422/0596/0471/0205/0477/0344/)
0235/0236/0206/0595/0345 IN THE)
NAME OF GORDON D. WRIGHT)
_____)

SOURCE: TETON RIVER

COUNTY: MADISON

PROPOSED MEMORANDUM DECISION AND ORDER

This matter is before the Department of Water Resources as a result of a review of unprotested Application for Transfer No. 2122 of the above captioned water rights.

FINDINGS OF FACT

1. On June 22, 1977, Gordon Wright filed an application with the Department of Water Resources to transfer the point of diversion for his portion of water he received as a shareholder in Woodmansee-Johnson Rexburg Mill Ditch Company. The application proposed to change water right Nos. 22-0422/0596/0471/0205/0477/0344/0235/0236/0206/0595/0345 decreed to the Woodmansee-Johnson Rexburg Mill Ditch Company in the case of Rexburg Irrigation Company, et al vs. Teton Irrigation Canal Company, et al, dated December 16, 1910. The application is identified as transfer No. 2122 in the department's records.

2. The application was researched by the department staff and it was determined that several rights held by Woodmansee-Johnson Rexburg Mill Ditch Company should have been but were not included as a part of the Application for Transfer No. 2122. The omitted rights were decreed in the case of J. A. Garner, et al -vs- G. Clyde Baldwin, Wm., dated March 15, 1930. They are identified by

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APR 10 1967

the department as water right Nos. 22-0001/0002/0003/0004/0005/0600, all with a priority of October 1, 1889.

3. Research by department staff also revealed that decreed right No. 22-0471, with a priority of October 1, 1889, which is included in the application was not held by Woodmansee-Johnson Rexburg Mill Ditch Company, and should not have been a part of Application for Transfer No. 2122.

4. To rectify the discrepancies evident on Application for Transfer No. 2122, an amended application was drafted and forwarded to the applicant on November 15, 1978.

5. The amended application was not returned prior to the applicant's death and James H. Wright, the applicant's son and current owner of the decreed place of use, has verbally advised the department on February 14, 1986, he was not interested in pursuing the transfer.

CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, authorizes the director of the department to approve an application for transfer in whole or in part, or upon conditions, provided no other water rights are injured, the change does not constitute an enlargement in use of the original right, and the change is in the local public interest as defined in Sec. 42-203, Idaho Code.

2. Section 42-203, Idaho Code defines local public interest as the affairs of the people in the area directly affected by the proposed use.

3. The interests of the applicant's successor, the shareholders of the Woodmansee-Johnson Rexburg Mill Ditch Company, and other water users on the Teton River would not be served by approval in whole or in part of a defective application which neglects to transfer several of the company's water rights while changing one water right not held by the company.

4. Application for transfer No. 2122 should be denied.

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APR 10 1987

ORDER

IT IS HEREBY ORDERED that pursuant to the provisions of Section 42-222, Idaho Code, Application for Transfer No. 2122 is DENIED.

Dated this 24th day of November, 1986.


BOBBY D. FLEENOR
Hearing Officer

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APR 10 1987

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

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 2122 IN THE NAME OF)
GORDON D. WRIGHT)

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

A. Kenneth Dunn, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, §67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code §§42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

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APR 10 1981

III.
ORAL ARGUMENTS

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral arguments in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, §42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.
CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.
FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 24th day of November, 19 86

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APR 10 1987


A. KENNETH DUNN
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

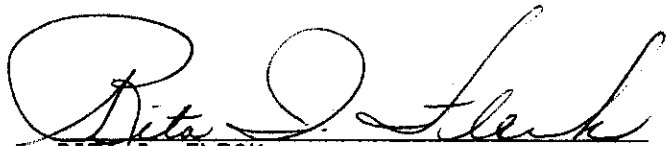
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 2122 OF WATER RIGHT NOS.
22-0422/0596/0471/0205/0477/0344/
0234/0236/0206/0595/0345 IN THE
NAME OF GORDON D. WRIGHT

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 24th day of November, 1986 a true
and correct copy of the foregoing PROPOSED MEMORANDUM DECISION AND ORDER was
mailed postage prepaid to:

Gordon D. Wight
c/o James H. Wight
610 Lilac
Rexburg, ID 83440



RITA I. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

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APR 10 1987

Transfer No. 2122

Application No. 22-0422/0596/
0471/0205/0477/0344/0235/
0236/0206/0595/0345

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

DENIED

Name of applicant Gordon D. Wright Phone 356-3951

Post office address Rt. #1, Sugar City, ID 83448

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: M.L. Nave, Clark & Houghton, Alfred Ricks, W.J. Huskinson,
a. Decree to John S. Eames, and Woodmansee - Johnson Ditch
(Name)
in case of Rexburg Irrigation Company et al vs Teton Irrigation Canal Co. et al
dated 12-16-1910 in 6th District Court county of Fremont
(Name of court)
b. License No. issued by the Idaho Department of Water Resources
c. Claim No. on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Applicant owns 40 shares of Woodmansee, Johnson Rexburg Mill Ditch Co. water stock
3. Source of water Teton River tributary to Snake River
4. Date of priority see enclosed document
5. Water is used for the following purposes:
amount 59.8 cfs for irrigation purposes from Apr. 1 to Nov. 1
amount for purposes from to
amount for purposes from to
(month/day - both dates inclusive)
6. Total amount of water under right: a. 59.8 cubic feet per second
&/or
b. acre feet per annum
7. Location of original point of diversion is NE ¼ of NW ¼ of Section 1
Township 6N Range 40E, B.M., in Madison County
Additional points of diversion, if any
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	40E	15	X	X	X	X					X	X	X	X					
		11									X	X			X	X			
		22	X	X	X	X													
			DESCRIPTION OF LANDS FOR 22-0596, 22-0471, 22-0477, and 22-0595																
			NOT GIVEN IN DECREE																

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APR 10 1987

Total number of acres to be irrigated **

**Not given in decree

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

- 1.81
1. Amount of water: a. 1.72 cubic feet per second The proportionate share for 40 shares with 1,398 outstanding shares
- b. _____ &/or _____ acre feet per annum 1,319
2. Point of diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1 Township 6N
- Range 40E , B.M., Madison County
- Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	40E	16													24.5	9			33.5

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- 1.81
1. Change in point of diversion
- a. Amount of water to be diverted 1.72 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16 Township 6N
- Range 40E , B.M., Madison County
- Additional points _____
- c. Description of diverting works there will be 2 pumps; a permanent electric 15 hp pump on south side of river and portable PT0 on north side; buried steel main line with three $\frac{1}{4}$ -mile lateral lines.
- d. Describe the reasons for applying for a change in the point(s) of diversion head ditch was destroyed by June 5th flood

2. Change in place of use

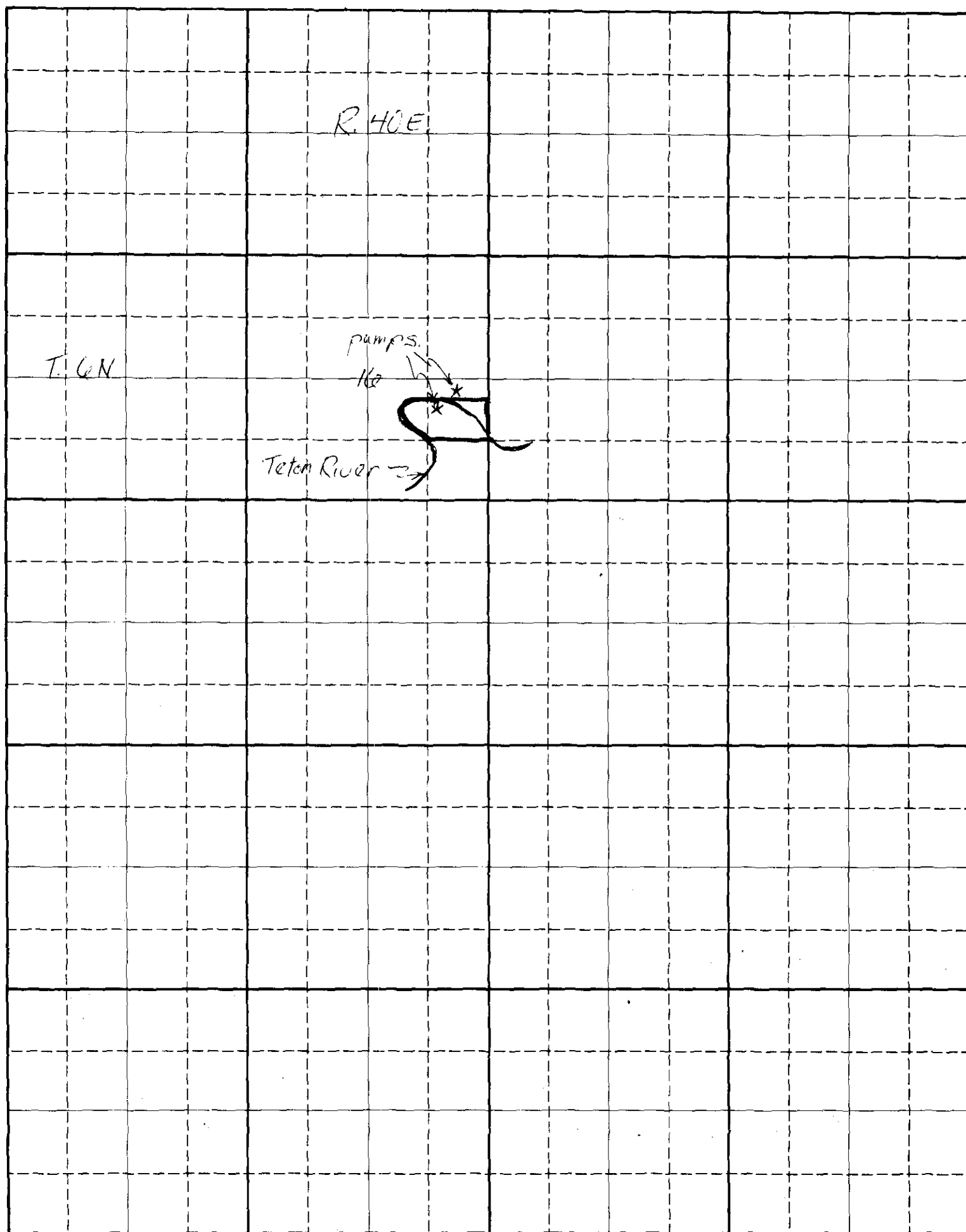
- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	40E	16													24.5	9			33.5

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APR 10 1987

Total number of acres to be irrigated 33.5

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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APR 10 1987

3. Remarks The Woodmansee Johnson is present owner of decreed rights and has issued shares of water stock certificates based on these rights. Right 22-0471 originally was decreed to Roxburg Mill Co for 60 cfs however only 9 cfs are presently being delivered for irrigation under the name of Woodmansee-Johnson.

I hereby assert that no one will be injured by such change and 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.

Gordon D. Wright
(Signature of applicant)

Subscribed and sworn to before me this 22nd day of June, 19 77

Allen Wray
(Notary public)

My commission expires 6/15/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0422/0596/0471/0205/0477/0344/0235/0236, and said application is hereby DENIED. 0206/0595/0345

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER.

Witness my hand this 30th day of March, 19 87

A. Kenneth Dunn
A. KENNETH DUNN, Director

FOR DEPARTMENT USE ONLY

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Received by AW Date 6-22-77

Prelim. check by EMC Fee \$30.00

Receipted by AW Date 6-22-77

Published in Standard Journal # 8206

Leadmaster may 94/6-1978

Pub. dates June 30 & July 7-1977

Watermaster recommendation requested on 6-28-77

WD #01 rec'd. 8-18-77

Art Larson

Protest filed by APR 10 1981

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by Ernest Carlson

RECEIVED

JUL 8 1977

Department
Earth

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



Affidavit of Publication

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tion; and that it has been continuously and
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ing a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry T. Weatherston



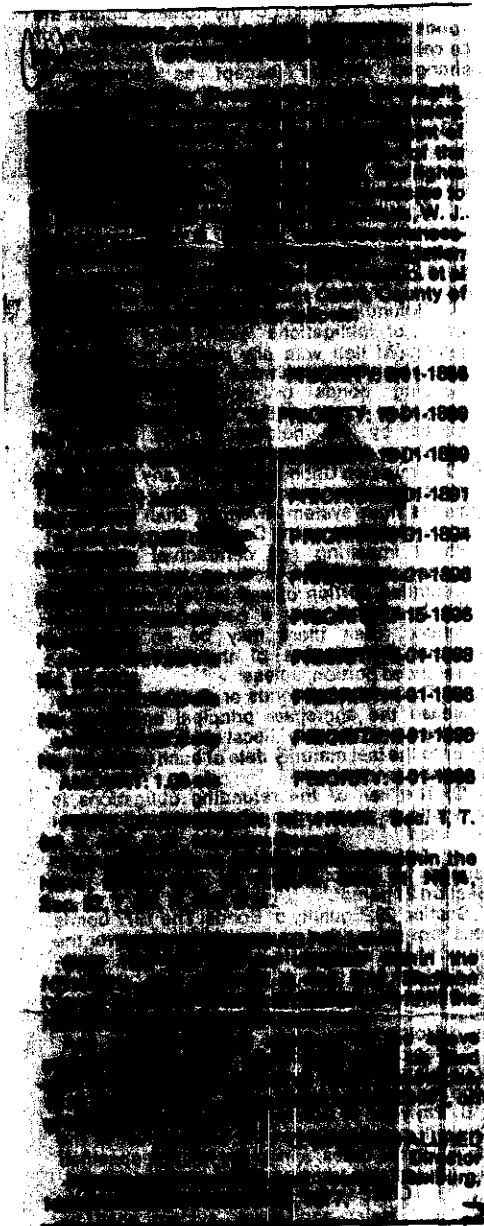
Subscribed to and sworn to before me

this 7th. day of July, 1977

Effie S. Davenport
Notary Public.

(SEAL)

My commission expires March 25, 1978



MICROFILMED

APR 10 1987

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

MAR 31 1978

Department of Water Resources
Eastern District Office

Affidavit of Publication

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County of Madison } ss.

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tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Bruce Porter

Subscribed to and sworn to before me

this March 17, 1978

(SEAL)

Boq. D. Rtn
Notary Public.

My commission expires

Lifetime

UNRECORDED

APR 10 1981

Warranty Deed

THIS INDENTURE, Made this 25th day of October
in the year of our Lord One Thousand Nine Hundred and Fifty-one, between
Harvey Summers and Eva Summers, his wife,
of Rexburg, County of Madison, State of Idaho,
the parties of the first part, and
Gordon D. Wright and Vera G. Wright, his wife,
of Rexburg, County of Madison, State of Idaho,
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
Eight Thousand and No/100- - - - (\$8,000.00)- - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties
of the second part, the receipt whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All that certain
lot piece or parcel of land situate, lying and being in the County of Madison,
State of Idaho, bounded and more Particularly described as follows, to-wit:

The Southeast Quarter of the Northeast Quarter and the Northeast
Quarter of the Southeast Quarter of Section 16, Township 6 North, Range
40 East, Boise Meridian, in Madison County, State of Idaho, and commenc-
ing at the Southeast corner of the Northwest Quarter of the Southeast
Quarter of said Section 16, Township and Range aforesaid, and running
thence West 620 feet; thence North 1320 feet; thence West 10 feet; thence
North 660 feet; thence East 630 feet; thence South 1980 feet to the point
of beginning.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise
appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges
thereunto incident unto the said parties of the second part, and to their heirs and assigns
forever. And the said parties of the first part, and their heirs the said premises in the quiet and
peaceable possession of the said parties of the second part, their heirs and assigns against the said
parties of the first part, and their heirs and against all and every person or persons
whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their
hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Reed A. Parker

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APR 10 1981

Harvey Summers (SEAL)

Eva Summers (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO, }
County of Madison, } SS.

On this 25th day of October in the year 19 51 ,

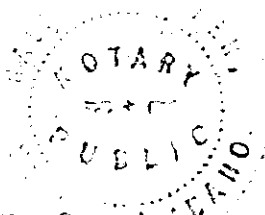
before me, Ralph A. Parker, a Notary Public

in and for said County and State, personally appeared
Harvey Summers and Eva Summers, his wife,

known to me to

be the person^S whose name^S are subscribed to the within instrument, and acknowledged to me that
they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this
certificate first above written.



Ralph A. Parker
Notary Public.

Residence Rexburg, Idaho.

My Commission Expires August 6th, 1955.

WARRANTY DEED

Harvey Summers and

Eva Summers, his wife,

TO

Gordon D. Wright and

Vera G. Wright, his wife.

Dated October 25th, 1951.

STATE OF IDAHO,

County of _____ } SS.

I hereby certify that this instrument was
filed for record at the request of _____

at 4 1/2 minutes past 11

o'clock A.M., this 27 day of

October A.D. 1951

at my office and duly recorded in Book 171

of Deeds at page 36

Harold L. Smith
Ex-Officio Recorder.

By Harold L. Smith

Deputy.

Fee, \$1.00

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APR 10 1987

FILED
FEB 27 1911
OFFICE OF STATE ENGINEER

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Rexburg Irrigation Company, et al.,
PLAINTIFFS,

DECREE.

-VS-

Teton Irrigation Canal Company, et al.,
DEFENDANTS.

This cause coming on to be heard this 10th day of April 1910, upon the report of F. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered therein, and the said F. J. Cowen, having filed his report of the testimony taken, and his recommendations as to Findings of Fact and Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the Court being full informed, advised in the premises, and having ordered that judgment be entered in accordance with the report and recommendations of the said Referee, and in accordance with the reason of the law and the Report and Findings of Fact and Conclusions of Law aforesaid,

It is ordered, Adjudged and Decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively as to right to use, for irrigation and other purposes, the following number of inches of water, each fifty inches thereof to be equivalent to a flow of one cubic foot per second, as prescribed by the law

APR 10 1911

127

(See S. J. Wiley.)

Morgan, Joshua P. 100 inches. May 1, 1886.

South Fork of Snake River.

128

Morgan, Joshua B. 50 inches. May 1, 1888.

South Fork of Snake River.

22 0413

Morris, Samuel

30 inches. June 1, 1902.

Trail Creek.

22 0414

Morriss, William L.

110 inches. June 1, 1900

Garner Creek and Trail Creek.

22 0415

Mortensen, Christian

218 inches. Apr. 1, 1898.

Teton River, through the Nelson-Jacobs ditch.

22 0416

Mortensen, Christian

112 inches. May 1, 1889.

Teton River, through the Nelson-Jacobs ditch.

Mortensen, James. P.

North Salem Agricultural & Milling Canal Company.

Moss, H. R.

Lower Canal Company.

Moss, H. T.

Lower Canal Company.

22 0417

Moulton, Charles

100 inches. May 15, 1896.

Fox Creek.

22 0418

Moulton, George F.

100 inches. May 15, 1896.

Fox Creek.

Muir, James

The Sunny Dell Irrigation Canal Company.

22 0419

Murphy, G. M.

150 inches. June 1, 1890.

Darby Creek. #63

Murphy, James,

The Farmers' Friend Canal Company.

Murphy, Patrick

Wearyick Ditch Company.

22 0420

Murphy, Thomas E.

160 inches. June 1, 1896.

Darby Creek.

N.

Naeff, Robert H.

Wolf Ditch Company.

22 0421

Nave, Martin L.

50 inches. June 1, 1886.

Moody Creek. (To be reduced to 25 inches after June 20th of each year.)

22 0422

Nave, Martin L.

25 inches. June 1, 1886.

Teton River.

21 0079

Nedrow, Simington

75 inches. June 19, 1893.

Springs on land.

25-0228 35-0009

Nelson, Andrew

160 inches. June 20, 1891.

Hull's Slough-- Boone Creek, Johnson dam.)

23-0075

22 0423

Nelson, Anton

180 inches. May 20, 1889.

Palisade Creek.

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APR 10 1987

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

CHARLES SAUREY, NICHOLAS SOMMER,
and CATHERINE T. LAVERY BAKER,

Plaintiff,

Vs.

LYNN CRANDALL, Water Master of
Water District Number Thirty-six,

Defendant.

D E C R E E

In this cause the defendant Lynn Crandall as water master of Water District Number Thirty-six of the State of Idaho, having been duly and regularly served with Summons within said Ninth Judicial District of the State of Idaho, and said defendant having failed to appear herein and having failed to answer or otherwise plead to the complaint of the plaintiff filed herein, and the time for such appearance and answer having expired, and the default of said defendant having been duly and regularly entered in the premises; and notice of the pendency of this action having been duly published for three successive weeks as provided by law and ordered by the court herein, and no one appearing in this cause by intervention or otherwise against the complaint of the plaintiffs; and said cause having come on regularly for hearing in open court the 20th day of February, A. D., 1932, C. W. Poole, Esq., appearing as attorney for the plaintiffs and the defendant not appearing, and no other person or party appearing in opposition to the complaint of the plaintiffs; and evidence oral and documentary having been introduced on behalf of the plaintiffs and each of them, and the court having heard the proofs and having considered the complaint and the petition of the plaintiffs and the evidence and proofs adduced, and being advised in the premises; and findings of fact and conclusions of law having been made and filed herein, and it having been by the court found and ordered that the plaintiffs are entitled to the relief prayed for in their said complaint and that judgment and decree be given in conformity with said findings of fact and conclusions of law:

NOW THEREFORE By reason of the law and premises, on motion of counsel for the plaintiffs,

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APR 10 1987

are entitled to the uses of, and they are hereby adjudged and decreed to have and possess the rights to the uses, of, the waters of the Teton River in the quantities herein set forth, for irrigation purposes upon the lands situated in the County of Madison, State of Idaho, and described after the names of the plaintiffs, respectively, as follows to wit:

22 0007 The plaintiff Charles Saurey Six Hundred sixteen (616) miner's inches, which are equivalent to twelve and thirty-two hundredths (12.32) cubic feet of water per second of time for the irrigation upon the following described lands:

The Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}NW\frac{1}{4}$) and the West Half of the Northeast Quarter of the Northwest Quarter ($W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$) of Section Two (2) Township Six(6) North of Range Thirty-nine (39) East of Boise Meridian, Lot Five (5) and the East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section Thirty-four (34); The West Half of the Southwest Quarter ($W\frac{1}{2}SW\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Thirty-five (35) in Township Seven (7) North, Range Thirty-nine (39) East of Boise Meridian, and comprising three hundred eight (308) acres of land:

22 0008 The plaintiff Nicholas Sommer five hundred seventy-four (574) miner's inches, which are equivalent to eleven and forty-eight hundredths (11.48) cubic feet of water per second of time for irrigation purposes upon the following described land:

Lots One (1) and Two (2) of Section Three (3) in Township Six (6) North, Range Thirty-nine (39) East of Boise Meridian; Lots Six (6) and Seven (7) of Section Thirty-four (34), and the West Half of the Northwest Quarter ($W\frac{1}{2}NW\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of Section Thirty-five (35) in Township Seven (7) North, Range Thirty-nine (39) East of Boise Meridian, and comprising two hundred eighty-eight (288) acres of land;

22 0009 The plaintiff Catherine T. Lavery Baker one hundred sixty (160) miner's inches, which are equivalent to three and two tenths (3.2) cubic feet of water per second of time for irrigation purposes upon the following described lands:

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will be, annually and perpetually.

That the quantities and number of inches of water which said plaintiffs are entitled to have and use under the aforesaid decree and this decree, and the lands upon which same are used and appurtenant to, respectively, are the following, namely:

22 0001 John A. Garner is entitled to 98 inches, equal to 1.96 second feet of said water, for use upon and appurtenant to forty-nine acres (49) in the Southeast Quarter ($SE\frac{1}{4}$) of Section Twenty (20), and the North Half of the Northeast Quarter ($N\frac{1}{2}NE\frac{1}{4}$) of Section Twenty-nine (29) in Township Six (6) North of Range Forty (40) East of Boise Meridian.

22 0002 Royal Garn is entitled to 40 inches, equal to .8 of a second foot of said water, for use upon and appurtenant to Twenty acres (20) in the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Sixteen (16) Township Six (6) North of Range Forty (40) East of Boise Meridian.

22 0003 H. B. Rigby is entitled to 112 inches, equal to 2.24 second feet of said water, for use upon and appurtenant to fifty-six acres (56) in the Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty (20), Township Six (6) North of Range Forty (40) East of Boise Meridian.

22 0004 The Desert Savings Bank is entitled to 90 inches, equal to 1.8 second feet of said water, for use upon and appurtenant to forty-five acres (45) in the South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Sixteen (16) Township Six (6) North of Range Forty (40) East of Boise Meridian.

22 0005 Northwestern and Pacific Hypotheekbank is entitled to 60 inches, equal to 1.2 second feet of said water, for use upon and appurtenant to thirty acres (30) in the Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty-one (21) Township Six (6) North of Range Forty (40) East of Boise Meridian.

22 0006 DeTweede Northwestern and Pacific Hypotheekbank is entitled to 50 inches, equal to 1 second foot of said water, for use upon and appurtenant to twenty-five (25) acres in the East Half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Twenty (20) and the North Half of the Southwest Quarter ($N\frac{1}{2}SW\frac{1}{4}$) of Section Twenty-one (21) in Township Six (6) North of Range Forty (40) East of Boise Meridian.

IT IS FURTHER ORDERED ADJUDGED AND DECREED That the Plaintiffs pay all costs incurred in this action, and that no cost be taxed against defendant.

Dated this 15th day of March, A. D., 1930.

April 3, 1987

Gordon D. Wright
Rt. 1
Sugar City, ID 83448

Dear Mr. Wright:

Re: Application for Transfer No. 2122 for Water Right Nos.
22-0422/0596/0471/0205/0477/0344/0235/0236/0206/0595/0345

Enclosed is a copy of the Order Adopting Proposed Memorandum Decision and Order and a copy of the Proposed Memorandum Decision and Order along with a copy of the denied application for transfer.

Any person who disagrees with the decision of the Director may appeal to the Director for a rehearing within 20 days or may appeal directly to the district court within 30 days of the mailing of this order.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

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APR 10 1987

February 24, 1986

RE: Application for Transfer of Water Right 2122

James H. Wright
610 Lilac
Rexburg, ID 83440

Dear Mr. Wright:

On February 14, 1986, you spoke with Ernest Carlsen of the Department of Water Resources, and indicated that you no longer wish to pursue the application for transfer of water right which was filed by your father, Gordon D. Wright, and which is listed above. As a follow up to that conversation, I have enclosed for your signature a withdrawal of application for transfer form. Would you please sign the form in the signature space, and have your signature acknowledged by someone who knows you. Would you then return the withdrawal form to me at the Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402.

At the time you return the signed withdrawal form to me would you also include a copy of your warranty deed showing that you are the owner of the property to which your father wished to transfer water. For your reference, the legal description is: The N1/2SE1/4, Sec. 16, T. 6N, R. 40E, B.M., located in Madison County, Idaho. A copy of the warranty deed is necessary to show that you are the owner of the property and have authority to withdraw the application.

I would appreciate your attention to this matter so that the records of the Department can be cleared.

Sincerely,

GARY SPACKMAN
Sr. Resource Agent

GS:cw

Enclosure

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APR 10 1987

November 1, 1985

RE: Amended Application for Transfer No. 22-0002

Mr. Gordon D. Wright
Rt. 1
Sugar City, ID 83448

Dear Mr. Wright:

In November, 1978 we sent you an amended application for transfer reflecting a change in point of diversion for right 22-0002 originally decreed to Royal Garn. Since the amended application has not be returned we, are wondering if you are still interested in pursuing the transfer.

For the Department of Water Resources to continue maintaining a file on the application you must return the amended application or provide an explanation of why you have not submitted it.

If the Department has not received a response by November 18, 1985, we will initiate administrative procedures to cancel the application.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

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APR 10 1987

November 15, 1978

Mr. Gordon D. Wright
Route #1
Sugar City, Idaho 83448

Dear Mr. Wright:

On November 9, 1978, I met with Dell Palmer, President of Woodmansee-Johnson Ditch, to discuss your application for transfer of water out of their canal system. It was decided that it would be to the advantage of yourself and the ditch company if you were allowed to transfer the Royal Garn right which was originally decreed to that property you presently own south of the Teton River in Section 16.

Enclosed you will therefore find an amended application for transfer which, for your convenience, was completed in our office and has been written in a manner to allow your transfer of the above mentioned right. You should be aware that approval of this amended application by the Department would effectively give you ownership of the water and that you will be assessed for its use on an annual basis by Water District 01.

Please review the application and, if you are in agreement with its proposal, sign the form in the presence of a notary and return it to our office with the statutory amendment fee of \$20.00. Should you have any questions, I will be glad to discuss this matter with you.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh

Enclosure

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APR 10 1987

STIPULATION AND AGREEMENT

The Woodmansee-Johnson-Rexburg-Mill Ditch Company agrees to the transferring of 0.80 c.f.s. of the Ditch Company's water by Gordon Wright to his new point of diversion. This water was originally decreed to Royal Garn, with a priority of November 1, 1889 and identified by Right No. 22-0002.

It is our understanding that approval of this transfer will reduce the Ditch Company's November 1, 1889 decreed water from 9.00 c.f.s. to 8.20 c.f.s and that Mr. Wright will be assessed for the use of this water by Water District 01.

Dated this _____ day of November, 1978.

Dell W. Palmer, President
Woodmansee-Johnson Ditch.

Original made by [unclear]

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APR 10 1987

November 15, 1978

Mr. Dell Palmer, President
Woodmansee-Johnson Ditch Company
Route #4, Box 1
Rexburg, Idaho 83440

Dear Mr. Palmer:

Enclosed please find an amended application for transfer for Gordon Wright and a stipulation and agreement requiring your signature. Based on our conversation of November 9, 1978, the amended application would allow Mr. Wright to transfer the forty inches originally ~~allocated~~ to Royal Garn through use of your canal system.

Please review this application and the stipulation and agreement and, if there are no questions, return the stipulation and agreement to our office with your signature at the bottom. Should you have any questions concerning this matter, please feel free to contact me.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh

Enclosures

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APR 10 1981

TO: File

FROM: Ernie

DATE: 11/13/78

RE: Amended Application for Transfer No. 22-0002

On November 9, 1978, I contacted Dell Palmer to discuss the various problems of Mr. Gordon Wright's application and to explain the implications of having Mr. Wright file the Application.

Mr. Palmer stated the Woodmansee-Johnson-Rexburg-Mill Ditch Company had no objections to allowing the transfer of the Royal Garn water, Decreed Right No. 22-0002, and, based on this information, an amended application was drawn up for Mr. Wright's signature.

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APR 10 1981

MEMO

6/16/78

TO: FRANK CARLSON

FROM: Jim Johnson

FRANK, ATTACHED IS A LETTER I SENT TO MR. BARRUS CONCERNING MR. WRIGHT'S TRANSFER. IT NOTED THAT PROOF WAS NEEDED SHOWING WHICH WATER RIGHTS THE WOODMANSEE-JOHNSON DITCH OWNED TO VALIDATE THE TRANSFER. BECAUSE OF THE QUESTIONS RAISED ON USING A POWER ONLY RIGHT FOR IRRIGATION A CHECK WAS MADE FOR OTHER POSSIBLE RIGHTS DIVERTED BY THE WOODMANSEE-JOHNSON DITCH. THE FOLLOWING RIGHTS: 22-0001, 22-0002, 22-0003, 22-0004, 22-0005, and 22-0006 ALL HAVE THE SAME POINT OF DIVERSION AND TOTAL 9 cfs. WATER RIGHT 22-0002 DECEASED TO ROYAL GORN FOR 0.8 cfs w/ 10-01-1889 PRIORITY HAS THE SAME PLACE OF USE WHICH GORDON D. WRIGHT WANTS TO TRANSFER WOODMANSEE-JOHNSON DITCH WATER.

SINCE IT APPEARS THAT THERE IS A WATER RIGHT ALREADY DECEASED TO WRIGHT'S LAND IS IT NECESSARY FOR WRIGHT TO APPLY FOR A TRANSFER THROUGH THE WOODMANSEE-JOHNSON DITCH CO.? THE ONLY SITUATION WHICH IT WOULD BE NECESSARY IS IF THE DECEASED RIGHT OWNERSHIP.

was transferred to the Ditch Co which the Co. should have records of.

If the Co cannot furnish proof that they own the water right then it appears that Mr. Wright would own the water right through ownership of the property. Of course there is always the question of abandonment but then neither party could claim ownership to the right.

Sorry about this mess, but it appears that the ownership question needs to be resolved to determine if a transfer is needed.

April 11, 1978

Re: Application for Transfer No. 22-0422/etc.
Gordan D. Wright

Mr. Rondo Barrus
W. J. R. M. Ditch Co.
218 South Teton
Sugar City, ID 83448

Dear Mr. Barrus:

Mr. Ernest Carlsen has corresponded with you in the past concerning transfer of a point of diversion by Gordan Wright in which you provided information on the number of shares and the associated amount of water owned by Mr. Wright. We are still having difficulty determining which water rights are involved with this transfer.

The point of confusion centers around the source of 9 cfs which is identified with October 1, 1889 priority.

Mr. Wright, on this transfer application, remarked that "Right No. 22-0471 originally decreed to Rexburg Mill Company for 60 cfs, however, only 9 cfs are being delivered for irrigation..." In checking the Rexburg vs. Teton Decree we find that Water Right No. 22-0471 is for power purposes only, and could not be used for irrigation, we did, however, find water rights with October 1, 1889, priority decreed in the Gouner, et. al. vs. Baldwin case. There are six rights that identify the point of diversion from the Teton River into the Woodmansie Johnson Ditch totaling 9 cfs. One of these rights, decreed to Royal Garn for .8 cfs, has the place of use described as N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16, Twp. 6N, Rge. 40E, B. M. which is the same land owned presently by Mr. Wright.

Before the Department can approve Mr. Wright's transfer we must be absolutely certain which water rights are involved. If you have information pertaining to which water rights the W. J. R. M. owns in particular the 10/01/1889 priority rights it would help us determine the amount of water that can be transferred.

-2-

April 11, 1978
Mr. Rondo Barrus

If you have any questions with regard to this request please call me at 384-2215 or write to 373 W. Franklin, Boise, Idaho, 83720.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ/kw

Water Rights of Lower Teton River - Downstream Order (continued)

Party or Canal	Date	Decreed Amount in Sec.-ft.	Accumulated Total
<u>North Salem</u> Until July 1 Only	June 1, 1888	26.50 ✓	26.50
<u>Roxana</u>	June 1, 1885 Jan. 22, 1916	16 ✓ 26	16 42
<u>Island Ward</u> (CPD 220)	Jan. 23, 1901	100 ✓	100
<u>Woodmansee-Johnson</u>	June 1, 1886	0.5 ✓	0.5
M. L. Nave	Oct. 1, 1889	12.4 ✓	12.9
<u>Woodmansee-Johnson</u>	Oct. 1, 1889	9 ✓	21.9
<u>Woodmansee-Johnson (Supp.)</u>	June 1, 1891	3.2 ✓	25.1
<u>Clark & Houghton</u>	June 1, 1894	0.2 ✓	25.3
Alfred Ricks	Apr. 1, 1896	0.4 ✓	25.7
W. J. Huskinson	July 15, 1896	0.5 ✓	26.2
John S. Eames	Apr. 1, 1898	1 ✓	
John S. Eames	Apr. 1, 1898	4 ✓	
Clark & Houghton	Apr. 1, 1898	27.6 ✓	
<u>Woodmansee-Johnson</u>	Apr. 1, 1898	1 ✓	59.8
W. J. Huskinson	Apr. 1, 1898		
<u>McCormick-Rowe</u> (Orig. decree less TR 532, 581, 602)	June 1, 1879 Apr. 1, 1898	2.71 ✓ 8.60 ✓	2.71 11.31
<u>City of Rexburg</u>	June 10, 1883 Apr. 1, 1898	27 ✓ 33 ✓	27 60
<u>Rexburg Irrigation</u>	June 10, 1883 Apr. 1, 1898	130 ✓ 170 ✓	130 300
<u>Hans J. Jepson</u> (Bigler Slough)	June 1, 1887	1.6 ✓	1.6
<u>Saurey</u>	Oct. 17, 1885	12.32 ✓	
Charles Saurey (Supp.)	Oct. 17, 1885	11.48 ✓	
N. Sommers (Supp.)	Oct. 17, 1885	3.2 ✓	27.00
C. Baker (Supp.)	Apr. 1, 1939	9 ✓	36
<u>Gary Beddes</u> (Supp.)	May 15, 1898	1.6	1.6
<u>D. L. Gardner</u> (Supp.)	Dec. 1, 1903	1.6	1.6

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APR 10 1981

TRANSFER REVIEW

TRANSFER No. 2122 Water Rights -

22-0422; 0596, 0471, 0205, 0477, 0344, 0235,
0236, 0206, 0595, 0345

1319 shares owned by W.J.R.m.

40 shares " " Wright = 35.6 inches = .712 cfs

	<u>IN.</u>	<u>cfs</u>	<u>Decreed OWNER</u>
✓ 22-0422	25	.50	Martin Nave
22-0596	620	12.40	W.J. Ditch - P.U. NOT DESTRUCTED
22-0471	(3,000)	(60.00)	Rexburg Milling Co. ("Power Purposes" ONLY)
22-0205	160	3.20	CLARK & Houghton
22-0477	10	.20	Alfred Ricks P.U. NOT DESTRUCTED
22-0344	20	.40	William Huskinson
22-0235	25	.50	John Eames
22-0236	50	1.00	John Eames
22-0206	200	4.00	CLARK & Houghton
22-0595	1,380	27.60	W. J. DITCH P.U. NOT DESTRUCTED
22-0345	<u>50</u>	<u>1.00</u>	William J. Huskinson
	5540	110.80	
	<u>-3000</u>	<u>-60.00</u>	(22-0471)
	2540	50.80	

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APR 10 1987

Memorandum

4/5/78

TO: Ron Carlson / DR TRNIE CARLSEN

FROM: Jim Johnson

RE: TRANSFER # 2122 Filed by GORDON D WRIGHT

Ron I have several questions on this transfer I hope you can answer for me.

1. I can't find any proof of ownership in the transfer file for water rights listed. How did you determine ^{the} proportion of the water rights that Mr. Wright owns from the listed water rights?
2. Why does water right 22-0471 decreed 60. cfs for power purposes only (See - copy of ^{ATTACHED} decree) have 9.00 cfs for irrigation purposes as described in the remark section under C. 3. ?
3. What rights is Dale Palmer referring to that belong to the Canal Co. ? The only 1826 priority right listed in the transfer application is 22-0422 decreed to Martin Nave. What proof do we have that ^{the Canal Co.} owns this right?

TITLE
OF
CASE

SOURCE
WATER DIST.
JUDICIAL DIST.
DATE OF DECREE

RN.	DN.	DECREED OWNER	NAME	PRESENT OWNER	AMT INCHES SEC. FT.	PRIORITY	DIVERSION			
							SUBDIV.	SEC.	TWP.	RG.
22-0428		North Salem Agricultural & Milling Canal Co.			26.50	6-01-1888	Until	7-1	each	year
22-0571		Walters, William		Teton River	3.36	6-01-1888				
22-0416		Mortensen, Christian		Teton River	2.24	5-01-1889	Nelson-Jacobs Ditch			
22-0471		Rexburg Milling Co.		Teton River	60.0	10-01-1889				
AE 22-0001		Garner, John A.		Teton River	1.96	10-01-1889	SWNW	1	6N	40E
AE 22-0002		Garn, Roval		Teton River	0.8	10-01-1889	SWNW	1	6N	40E
AE 22-0003		Rigby, H.B.		Teton River	2.24	10-01-1889	SWNW	1	6N	40E
AE 22-0004		Desert Savings Bank		Teton River	1.8	10-01-1889	SWNW	1	6N	40E
AE 22-0005		Northwestern & Pacific Hypotheekbank			1.2	10-01-1889	SWNW	1	6N	40E
AE 22-0006		Detweede Northwestern & Pacific Hypotheekbank			1.0	10-01-1889	SWNW	1	6N	40E
22-0596		Woodmansee-Johnston Ditch		Teton River	12.4	10-01-1889				

N $\frac{1}{2}$ NE $\frac{1}{4}$ - Sec. 19, T6N, R40E.

NE $\frac{1}{4}$ - Sec. 10, T6N, R40E.

For Power purposes only

SE $\frac{1}{4}$ - Sec. 20; N $\frac{1}{2}$ NE $\frac{1}{4}$ - Sec. 29, T6N, R40E.

N $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 16, T6N, R40E

NE $\frac{1}{4}$ - Sec. 20, T6N, R40E

S $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 16, T6N, R40E

NE $\frac{1}{4}$ - Sec. 21, T6N, R40E

E $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 20; N $\frac{1}{2}$ SW $\frac{1}{4}$ - Sec. 21, T6N, R40E

Not given in decree.

MICROFILMED

APR 10 1987

LEGEND

P.N. = PRIORITY NUMBER

D.N. = DECREE NUMBER

C.T. = CUMULATIVE TOTAL



DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 11, 1978

Re: Application for Transfer No. 22-0422/etc.
Gordan D. Wright

Mr. Rondo Barrus
W. J. R. M. Ditch Co.
218 South Teton
Sugar City, ID 83448

Dear Mr. Barrus:

Mr. Ernest Carlsen has corresponded with you in the past concerning transfer of a point of diversion by Gordan Wright in which you provided information on the number of shares and the associated amount of water owned by Mr. Wright. We are still having difficulty determining which water rights are involved with this transfer.

The point of confusion centers around the source of 9 cfs which is identified with October 1, 1889 priority.

Mr. Wright, on this transfer application, remarked that "Right No. 22-0471 was originally decreed to Rexburg Mill Company for 60 cfs, however, only 9 cfs are being delivered for irrigation..." In checking the Rexburg vs. Teton Decree we find that Water Right No. 22-0471 is for power purposes only, and could not be used for irrigation, we did, however, find water rights with October 1, 1889, priority decreed in the Gouner, et. al. vs. Baldwin case. There are six rights that identify the point of diversion from the Teton River into the Woodmansee Johnson Ditch totaling 9 cfs. One of these rights, decreed to Royal Garn for .8 cfs, has the place of use described as N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16, Twp. 6N, Rge. 40E, B. M. which is the same land owned presently by Mr. Wright.

Before the Department can approve Mr. Wright's transfer we must be absolutely certain which water rights are involved. If you have information pertaining to which water rights the W. J. R. M. owns in particular the 10/01/1889 priority rights it would help us determine the amount of water that can be transferred.

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APR 10 1987

*Miss Evans
Jan. 1978*

*Copy
356-6086
Phoned 7/6/78 - requested Mr. Palmer
try to locate some evidence
that rights belong to ind.
based on power*

April 11, 1978
Mr. Rondo Barrus

If you have any questions with regard to this request please call me at 384-2215 or write to 373 W. Franklin, Boise, Idaho, 83720.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ/kw

MICROFILMED

APR 10 1987

March 28, 1978

RE: Transfer of Water Right No. 22-0422/etc. WRIGHT (correction)

Standard Journal
Box 10
Rexburg, Idaho 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on March 9 and March 16, 1978.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Secretary

MICROFILMED

APR 10 1987

March 1, 1978

RE: Transfer of Water Right No. 22-0422/0569/0471/0205/ WRIGHT
0477/0344/0235/0236/
0206/0595/0345

Standard Journal
23 South First East
Rexburg, ID 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

EDWARD D. CARLSON
Supervisor
Eastern Region

Bill submitted 3-31-78 by Cal

RDC:CD

Enclosure: Legal Notice

MICROFILMED

APR 10 1987

NOTICE OF CORRECTION

Notice is hereby given that application for transfer No. 22-0422/0596/0471/0205/-0477/0344/0235/0236/0206/0595/0345 in the name of Gordon D. Wright was advertised incorrectly on June 30 and July 7, 1977. The amount of water to be transferred was advertised as being 1.72 c.f.s.

WHEREAS, the amount actually being transferred is 1.81 c.f.s. within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40E, B.M., Madison County.

Any protests against approval of the above proposed change of water as a result of this correction must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before March 27, 1978.

C. STEPHEN ALLRED

Director

Published in the Standard Journal, Rexburg, Idaho, on March 9 and March 16, 1978.

NOTICE OF CORRECTION

Notice is hereby given that application for transfer No. 22-0422/0596/0471/0205/0477/0344/0235/0236/0206/0595/0345 in the name of Gordon D. Wright was advertised incorrectly on June 30 and July 7, 1977. The amount of water to be transferred was advertised as being 1.72 c.f.s.

WHEREAS, the amount actually being transferred is 1.81 c.f.s. within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 16, T. 6N, R. 40E, B.M., Madison County.

Any protests against approval of the above proposed change of water as a result of this correction must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before March 27, 1978.

C. STEPHEN ALLRED

Director

Published in the Standard Journal, Rexburg, Idaho, on March 9 and March 16, 1978.

MICROFILMED

APR 10 1987

the
the
the

March 1, 1978

Mr. Gordon Wright
Rt. #1,
Sugar City, ID 83448

Dear Mr. Wright:

The Department of Water Resources will be re-advertising your application for transfer on March 9 and March 16, 1978, due to recalculating the amount of your water right based on 40 shares. Your total right is 1.81 c.f.s.; however, just the 86 and 89 water gives you 0.66 c.f.s. or 33 inches.

You should be aware that since the transfer is a change in point of diversion for Woodmansee-Johnson water, you are still obligated to reimburse the canal company for the water delivery even though it is pumped from the river.

Should you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Agent

EMC:me

bc: Dell Palmer
Rt. #4, Box 1
Rexburg, ID 83440

MICROFILMED

APR 10 1987

RE: Gordon Wright Transfer

RECEIVED

FEB 27 1978

Department of Water Resources
Eastern District Office

I, Dell Palmer, President of Board of Directors for Woodmansee-Johnson Canal, have no objections to using the attached figures for calculating Mr. Gordon Wright's water rights. These figures indicate his total right is 1.81 c.f.s. with his 86 and 89 water equalling 0.66 c.f.s. or 33 inches.

Signed this 22 day of February, 1978.



Dell W. Palmer, President
Woodmansee-Johnson Ditch

RECEIVED

APR 10 1981

<u>NUMBER OF DECREEED RIGHT</u>	<u>PRIORITY</u>	<u>AMOUNT OF DECREEED RIGHT (c.f.s.)</u>	<u>ACCUMULATED TOTAL OF TRANSFERRED WATER</u>	
			<u>(c.f.s.)</u>	<u>(inches)</u>
22-0422	June 1, 1886	0.50	0.015	0.75
22-0596	Oct. 1, 1889	12.4		
22-0471	Oct. 1, 1889	9.00	0.66	33.0
22-0205	June 1, 1891	3.20	0.76	38.0
22-0477	June 1, 1894	0.20	0.77	38.5
22-0344	Apr. 1, 1896	0.40	0.78	39.0
22-0235	July 15, 1896	0.50	0.79	39.5
22-0236	April 1, 1898	1.00		
22-0206	April 1, 1898	4.00		
22-0595	April 1, 1898	27.6		
22-0345	April 1, 1898	1.00	1.81	90.5

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APR 10 1981



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

November 25, 1977

RE: Application for Transfer No. 22-0422/etc. GORDON D. WRIGHT

Mr. Rondo Barrus
W.J.R.M. Ditch Company
218 South Teton
Sugar City, Idaho 83448

Dear Mr. Barrus:

Enclosed you will find a list of the water rights for the Woodmansee-Johnson and Gordon Wright's proportionate share listed as an accumulative total. The accumulative figures for Mr. Wright's forty (40) shares of stock were calculated based on 1,319 outstanding shares.

In your letter received July 1, 1977, you state Mr. Wright is entitled to 35.6 inches of water for his 40 shares. However, as one can see from the enclosed list, I was unable to come up with the same figure. Since it is our desire to transfer the correct amount of water, it would be appreciated if you would recalculate Mr. Wright's proportionate share of each water right and should these figures still differ from mine, send a copy of them to me. Should you agree with the enclosed list written approval should be forwarded to our office.

If you have any questions concerning this matter, please feel free to contact me.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Agent

EMC:CW

Enclosure

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APR 10 1981

<u>NUMBER OF DECREED RIGHT</u>	<u>PRIORITY</u>	<u>AMOUNT OF DECREED RIGHT (c.f.s.)</u>	<u>ACCUMULATED TOTAL OF TRANSFERRED WATER</u>	
			<u>(c.f.s.)</u>	<u>(inches)</u>
22-0422	June 1, 1886	0.50	0.015	0.75
22-0596	Oct. 1, 1889	12.4		
22-0471	Oct. 1, 1889	9.00	0.66	33.0
22-0205	June 1, 1891	3.20	0.76	38.0
22-0477	June 1, 1894	0.20	0.77	38.5
22-0344	Apr. 1, 1896	0.40	0.78	39.0
22-0235	July 15, 1896	0.50	0.79	39.5
22-0236	April 1, 1898	1.00		
22-0206	April 1, 1898	4.00		
22-0595	April 1, 1898	27.6		
22-0345	April 1, 1898	1.00	1.81	90.5

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APR 10 1987

M E M O R A N D U M

TO: File
FROM: Ernie Carlsen *EC*
RE: Application for Transfer by Gordon Wright
DATE: August 29, 1977

Dale Palmer, President of Woodmansee Johnson Canal, was contacted by phone on August 30, 1977, concerning his letter of approval for the above referenced application for transfer. Mr. Palmer stated the 35.6 inches of water entitled to Mr. Wright for his 40 shares as mentioned in the letter was based on the June 1, 1886 and October 1, 1889 water rights with 1319 outstanding shares in the company. The quantity of water recommended for transfer in the application is considerably more because it was based on calculations using the accumulated total of all the canals decreed rights.

Mr. Palmer indicated that Mr. Wright's farm has always used water from the Woodmansee Johnson Canal for irrigation, but due to the June 5th flood of last year, it was necessary for Mr. Wright to change his point of diversion in order to irrigate the same land.

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APR 10 1987

RECEIVED

AUG 16 1977

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 22-0422/ect.

Department of Water Resources
Eastern District Office

RECOMMENDATION OF WATERMASTER

I, Arthur L. Larson, watermaster of Snake River,
of Water District No. 01, County of Bonne, Fremont, etc., State of Idaho,
whose address is P.O. Box 1099, Idaho Falls
have read the attached copy of the application for transfer of water right for _____
Gordon Wright, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: Prescribed measuring device be
installed and maintained

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Idaho Falls, Idaho, this 12th day of Aug 1977.

Arthur L. Larson
(signature)

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APR 10 1981

RECEIVED

JUL 1 1977

Department of Water Resources
Eastern District Office

June 30, 1977

Water Resource Board
Ernie M. Carlson
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

Dear Sir:

The number of outstanding shares in W.J.R.M. Ditch Co. is 1319 shares. Gordon Wright has 40 shares equal to 35.6 inches of water. The Board of Directors has no objection to his transplanting his 40 shares of water, point of diversion, to the Teton River.

Sincerely yours,



W.J.R.M. Ditch Co.
Rondo Berrus

CW

MICROFILMED

APR 10 1987

June 29, 1977

RE: Application for Transfer of Water Right No. 22-0422/etc.

Mr. Rondo Barrus, Secretary
Woodmansee - Johnson Ditch Co.
218 South Teton
Sugar City, Idaho 83448

Dear Mr. Barrus:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is July 18, 1977, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:TH

Enclosure

1977

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APR 10 1987

June 28, 1977

RE: Application for Transfer of Water Right No. 21-0094/etc. A
22-0422/etc.
21-0094/etc. B

Mr. Art Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83401

Dear Mr. Larson:

Please find enclosed a copy of the above referenced applications and watermaster recommendation forms. Please review the applications and complete the forms, returning them to this office on or before July 18, 1977

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:TH

Enclosure

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APR 10 1981

June 24, 1977

RE: Application for Transfer No. 22-0422/etc. WRIGHT
Permit No. 22-7248 STEVECO CANYON

Standard Journal
Box 10
Rexburg, Idaho 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted _____ by _____

RDC:CW

Enc: 2

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APR 10 1987

APR 10 1987
MICROFILMED

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that Gordon D. Wright, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Teton River tributary to Snake River. The rights sought to be changed are evidenced by decree to M. L. Nave, Clark & Houghton, Alfred Ricks, W. J. Huskinson, John S. Eames, and Woodmansee-Johnson Ditch in case of Rexburg Irrigation Company et al -vs- Teton Irrigation Canal Co. et al dated 12-16-1910 in 8th District Court, County of Fremont and are recorded as follows:

No. 22-0422	
AMOUNT: 0.50 cfs	PRIORITY: 6-01-1886
No. 22-0596	
AMOUNT: 12.4 cfs	PRIORITY: 10-01-1889
No. 22-0471	
AMOUNT: 9.00 cfs	PRIORITY: 10-01-1889
No. 22-0205	
AMOUNT: 3.20 cfs	PRIORITY: 6-01-1891
No. 22-0477	
AMOUNT: 0.20 cfs	PRIORITY: 6-01-1894
No. 22-0344	
AMOUNT: 0.40 cfs	PRIORITY: 4-01-1896
No. 22-0235	
AMOUNT: 0.50 cfs	PRIORITY: 7-15-1896
No. 22-0236	
AMOUNT: 1.00 cfs	PRIORITY: 4-01-1898
No. 22-0208	
AMOUNT: 4.00 cfs	PRIORITY: 4-01-1898
No. 22-0595	
AMOUNT: 27.8 cfs	PRIORITY: 4-01-1898
No. 22-0345	
AMOUNT: 1.00 cfs	PRIORITY: 4-01-1898

POINT OF DIVERSION: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40 E, B.M., Madison County.

The water is used to irrigate lands within the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 11, NE $\frac{1}{4}$, Sec. 22, T. 6N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

Only 1.72 cfs will be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40E, B.M., Madison County and used to irrigate 33.5 acres within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40 E. B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 18, 1977.

C. STEPHEN ALLRED
Director

Published in the Standard Journal, Rexburg, Idaho, on June 30 and July 7, 1977.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Gordon D. Wright, Sugar City, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Teton River tributary to Snake River. The rights sought to be changed are evidenced by decree to M. L. Nave, Clark & Houghton, Alfred Ricks, W. J. Huskinson, John S. Eames, and Woodmansee-Johnson Ditch in case of Rexburg Irrigation Company et al -vs- Teton Irrigation Canal Co. et al dated 12-16-1910 in 6th District Court, County of Fremont and are recorded as follows:

No. 22-0422	AMOUNT: 0.50 cfs	PRIORITY: 6-01-1886
No. 22-0596	AMOUNT: 12.4 cfs	PRIORITY: 10-01-1889
No. 22-0471	AMOUNT: 9.00 cfs	PRIORITY: 10-01-1889
No. 22-0205	AMOUNT: 3.20 cfs	PRIORITY: 6-01-1891
No. 22-0477	AMOUNT: 0.20 cfs	PRIORITY: 6-01-1894
No. 22-0344	AMOUNT: 0.40 cfs	PRIORITY: 4-01-1896
No. 22-0235	AMOUNT: 0.50 cfs	PRIORITY: 7-15-1896
No. 22-0236	AMOUNT: 1.00 cfs	PRIORITY: 4-01-1898
No. 22-0206	AMOUNT: 4.00 cfs	PRIORITY: 4-01-1898
No. 22-0595	AMOUNT: 27.6 cfs	PRIORITY: 4-01-1898
No. 22-0345	AMOUNT: 1.00 cfs	PRIORITY: 4-01-1898

POINT OF DIVERSION: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 6N, R. 40E, B.M., Madison County.

The water is used to irrigate lands within the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 11, NE $\frac{1}{4}$, Sec. 22, T. 6N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

Only 1.72 cfs will be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40E, B.M., Madison County and used to irrigate 33.5 acres within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16, T. 6N, R. 40E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 18, 1977.

C. STEPHEN ALLRED

Director

Published in the Standard Journal, Rexburg, Idaho, on June 30 and July 7, 1977.

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APR 10 1987

Mr. J. H. D.

FEDERAL LAND BANK ASSOCIATION OF REXBURG

P. O. BOX 157 217 N. 2ND EAST REXBURG, IDAHO 83440

TELEPHONE: (208) 356-4442



LEE B. BOYLE, MANAGER

June 6, 1977

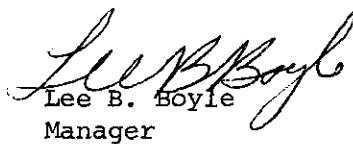
Ernie M. Carlsen
Dept of Water Resources
1515 Lincoln Road
Idaho Falls, ID 83401

Dear Mr. Carlsen,

We have in our possession as collateral for a real estate loan with Gordon D. Wright, 40 shares of "Woodmansee - Johnson Rexburg Mill Ditch Co." water stock certificate and a statement for 20 AF of "Fremont-Madison Irrigation District" storage rights.

The water stock certificate and evidence of storage water will be returned to Mr. Wright when his loan is paid in full.

Sincerely,


Lee B. Boyle
Manager

LBB/nc

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APR 10 1987



SERVING MADISON, FREMONT, AND TETON COUNTIES

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Teton RiverName Wright

2. Right Being Transferred

Right No. _____

a. ☒ DecreeTransfer No. 2122☐ License☐ Useb. ☒ Priority several see attached list.c. ☒ Location - Original P. D.d. ☒ " - Original P. U.e. ☒ " - New P.D.f. ☒ " - New P.U.g. ☒ Amount 1.72 proportionate share of water for share owned.☐ All☒ Part3. ☒ Proof of Ownership of RightComment See Warranty Deed attached.4. ☒ Expansion of RightComment None.5. ☒ Map6. ☒ Signature7. ☒ Fee8. Watermaster's Comments Requested.9. Comments Sent letter to Woodmansee John

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APR 10 1987

10. Initial Review by LajDate 6/24/77

11. Recommended Action

☒ Approve☐ Deny☒ Conditions Totalizing measuring device & regulation by OI watermasterBy Ernest CarlsonDate 3/31/78Copy

Dell Palmer
Rt 4 Box 1 Rexburg

18855
ARTICLES OF
INCORPORATION OF
WOODMANSEE-JOHNSON-
REXBURG MILL DITCH,
INC.

STATE OF IDAHO
DEPARTMENT OF STATE
Secretary's Office
Boise, Idaho

Approved, filed and admitted to
the records of Articles of Incorporation
of the State of Idaho and cer-
tificate issued

this 10th day of
January, 19 55
at 2:50 o'clock P. M

FEE PAID

Filing \$ 10.00
Recording 2.40
Certificate 5.00

~~RECORDED~~

TOTAL: 15.40

FRANKLIN GIRARD

SECRETARY OF STATE

Walter Pastorek
CORPORATION CLERK

MICROFILMED

APR 10 1987

Darla -
Send this to
Eastern instead
of destroying it.

Thanks
by

ARTICLES OF INCORPORATION

WOODMANSEE-JOHNSON--REXBURG MILL DITCH, INC.

UNITED STATES OF AMERICA, {
STATE OF IDAHO, { SS:
COUNTY OF MADISON, }

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, all of whom are residents of the State of Idaho, have this day voluntarily associated ourselves together for the purpose of forming a corporation under the laws of the State of Idaho, and we hereby certify:

I.

That the name of said corporation shall be
WOODMANSEE-JOHNSON--REXBURG MILL DITCH, INC.

II.

That the purposes for which it is formed are:

A: To buy and otherwise acquire, or, to lease or take options for leases, or to purchase, to hold and own, manage, operate, improve, develop, and sell, lease and rent to others, water, irrigation water, ditches, canals, reservoirs.

B: To engage in and carry on the business of owning, operating, managing and controlling an irrigation system; to distribute water for irrigation purposes through a system of ditches and canals; to install, maintain and repair, headgates, flumes, ditches, canals and distributing devices.

C: To acquire and acquire by purchase, lease or rent irrigation water, water rights, ditches, canals, reservoirs, reservoir sites, and to hold, sell and otherwise dispose of the capital stock and bonds of other corporation.

D: To contribute in any manner to the expense of promoting, constructing, improving or maintaining any works of any kind whatsoever, however owned, which, in the judgment of its board of directors, may be calculated

APR 10 1981
MICROFILMED

directly or indirectly, to advance the interests of the company; and to buy and otherwise acquire, hold, guarantee, pledge or contract with reference to, or otherwise dispose of, in any manner, the shares, bonds, obligations or other securities of this or of other corporations, or of individuals.

E: To do such business of whatever nature, or in such places, as the corporations board of directors for the time being, may from time to time, by bylaws, resolutions, or otherwise, determine, to promote, maintain, do, acquire, own, hold or dispose of each, all or anything incidental to, or necessary, convenient or proper to carry out or perform any of the matters, things or purposes deemed necessary, useful, requisite, convenient or incidental to any of the purposes, objects or things herein or in the judgment of its board of directors for the time being may tend to ~~advance the interest of the company, directly or indirectly;~~ it is expressly provided that the foregoing enumeration of specific powers shall not be held to limit or restrict in any manner or way the general powers of the company.

III.

That the term for which the corporation is to exist is fifty years from and after the date of its incorporation.

IV.

That its location and post office address of its registered office in this state, is: Sugar City, Madison County, Idaho.

That the number of its directors shall be five, and that the names and residences of those who are appointed for the first year are:

Martin L. Hove, President, Sugar City, R.F.D. #1, Idaho.

Royal Gern, Vice-Pres, Sugar City, R.F.D. #1, Idaho.

John H. Wilding, Sugar City, Idaho.

Jake Keller, Sugar City, R. F. D. #1, Idaho.

George Edwin Peterson, Rexburg, Idaho.

APR 10 1981
MICROFILMED

VL

That the amount of capital stock of said corporation is \$1500.00, and the number of shares into which it is divided is 1500 shares of the par value of \$1.00 each. The said capital stock is and shall be common stock of the corporation, and that each share of the capital stock issued, shall in addition to the par value of \$1.00 each, represent one inch of decreed water as the same is set forth in the case of Rexburg Irrigation Company versus Teton Irrigation Company, dated September 16th, 1910, and supplementary decrees thereto.

VII

That every certificate of stock shall state in addition to the required provisions of the statute, the date of priority as set forth in the decree mentioned in article six hereto.

VIII

That the amount of capital stock which has been actually subscribed is 1315, and the following are the names of the persons by whom the same have been subscribed:

Names	No. of Shares	Amount
John H. Wilding	45	\$45.00
Martin L. Nave✓	25	25.00
Jake Keller	60	60.00
E. A. Winmill	55	55.00
Dwain Petersen	112	112.00
Ellen J. Bigler	25	25.00
Hamilton Bras.	90	90.00
Hugh Johnston	35.	35.00
Royal Garn	85	85.00

Gordon Wright
Brunson

40 Shares - out of river
45 Shares - out of canal

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J. M. Bailey	98	98.00
Earl R. Wilding	45	45.00
W. J. Huskinson	20	20.00
Northwestern & Pacific Hyp.	60	60.00
DeTweede, Northwestern.	50	50.00
Deseret Sav. Bank	90	90.00
W. H. Garn	40	40.00
Devereaux Mtg. Co.	25	25.00
Dave Wilding	45	45.00
H. H. Harries	75	75.00

In witness whereof, we have here unto set our
hands and seals, this 13th day of November, 1931.

Martin L. Davis
Royal Garn
Jake Keller
J. H. Wilding
George Devereaux Peterson

STATE OF IDAHO
COUNTY OF MADISON

SS:

I hereby certify that on the 13th day of November,
1931, before me the undersigned, a notary public in and
for said county and state, personally appeared

Martin L. Davis, Royal Garn, Jake Keller
J. H. Wilding, George Devereaux Peterson

known to me to be the persons whose names are subscribed to
the within instrument, and thereupon they each duly acknowledged
to me that they executed the same.

Witness my hand and official seal, the day and year

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in this certificate first above written.

T. H. Smith

Notary Public, residing at
Rexburg, Idaho.

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City of Incorporation
Postmaster - Johnson
Miss Ruth C.

City of *Frank*
County of *Franklin*
Filed for Record at the Request of

W. W. Smith
At *12* Minutes past *9*

O'clock *P. M.*
day of *FEB 9* - 1935

and Received of *W. W. Smith*
of *Franklin* # *18*

Records of Madison County
State of *Missouri*

J. J. Elliott
Recorder

W. W. Smith
Deputy

504

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