



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 06, 2022

JIM BERNARD
MELISSA BERNARD
2 N LANDMARK LN STE 4
RIGBY ID 83442-5340

BROC GILSTRAP
DAKRI BERNARD
2 N LANDMARK LN STE 4
RIGBY ID 83442-5340

Re: Change in Ownership for Water Right No(s): 1-10676, 1-10677, 1-10678

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: D L EVANS BANK
WATER DISTRICT 01

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Water Right 1-10676

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIM BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	BROC GILSTRAP 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	DAKRI BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	MELISSA BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Security Interest	D L EVANS BANK PO BOX 64 RIGBY, ID 83442-0064 (208) 745-8107

Priority Date: 6/1/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>From</u>	<u>To</u>	<u>Tributary</u>	<u>Volume</u>
SNAKE RIVER			COLUMBIA RIVER	
<u>Beneficial Use</u>			<u>Diversion Rate</u>	
IRRIGATION	04/01	10/31	0.960 CFS	
	<u>Total Diversion</u>		0.960 CFS	

Source and Point(s) of Diversion:

SNAKE RIVER	SWNENE	Sec. 29, Twp 04N, Rge 40E, JEFFERSON County
SNAKE RIVER	NESWNW	Sec. 28, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28							0.3	29.0	4.0	1.4	28.0						62.7

POU Total Acres: 62.7

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

1. E56 The rights listed below are limited to the irrigation of a combined total of 62.7 acres in a single irrigation season. Combined Right Nos.: 01-10676, 1-10677 and 1-10678.
2. Water is delivered from the Dry Bed.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. P21 This right is a split from former right 1-10535.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
7. T18 The right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Water Right 1-10677

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIM BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	MELISSA BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	DAKRI BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	BROC GILSTRAP 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Security Interest	D L EVANS BANK PO BOX 64 RIGBY, ID 83442-0064 (208) 745-8107

Priority Date: 6/2/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>From</u>	<u>To</u>	<u>Tributary</u>	<u>Volume</u>
SNAKE RIVER			COLUMBIA RIVER	
<u>Beneficial Use</u>			<u>Diversion Rate</u>	
IRRIGATION	04/01	10/31	0.880 CFS	
STOCKWATER	04/01	10/31	0.040 CFS	
	Total Diversion		0.880 CFS	

Source and Point(s) of Diversion:

SNAKE RIVER	SWNE	Sec. 29, Twp 04N, Rge 40E, JEFFERSON County
SNAKE RIVER	NESWNW	Sec. 28, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28						0.3	29.0	4.0	1.4	28.0							62.7

Right Acre Limit: 23.40
POU Total Acres: 62.7

STOCKWATER within JEFFERSON County

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28						X	X	X	X								

Conditions of Approval:

1. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. E56 The rights listed below are limited to the irrigation of a combined total of 62.7 acres in a single irrigation season. Combined Right Nos.: 01-10676, 1-10677 and 1-10678.
3. K06 This right is limited to the irrigation of 23.4 acres within the place of use described above in a single irrigation season.
4. T18 The right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. Water is delivered from the Dry Bed.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
8. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. This right is a split from former right 1-10537.
10. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
11. X35 Rights 1-10537 & 1-10677 when combined shall not exceed a total diversion rate of 0.04 cfs for stockwater

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Water Right 1-10678

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIM BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	MELISSA BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	DAKRI BERNARD 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Current Owner	BROC GILSTRAP 2 N LANDMARK LN STE 4 RIGBY, ID 83442-5340 (208) 520-2580
Security Interest	D L EVANS BANK PO BOX 64 RIGBY, ID 83442-0064 (208) 745-8107

Priority Date: 4/1/1939

Basis: Decreed

Status: Active

<u>Source</u>	<u>From</u>	<u>To</u>	<u>Tributary</u>	<u>Volume</u>
SNAKE RIVER			COLUMBIA RIVER	
<u>Beneficial Use</u>			<u>Diversion Rate</u>	
IRRIGATION	04/01	10/31	4.160 CFS	
STOCKWATER	04/01	10/31	0.040 CFS	
	Total Diversion		4.160 CFS	

Source and Point(s) of Diversion:

SNAKE RIVER NESWSW

Sec. 27, Twp 04N, Rge 40E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28							0.3	29.0	4.0	1.4	28.0						62.7

POU Total Acres: 62.7

STOCKWATER within JEFFERSON County

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/6/2022

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	28						X			X	X							

Conditions of Approval:

1. F01 Water is delivered through Steele Canal.
2. 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.
3. This right is a split from former right 1-10539 .
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. E56 The rights listed below are limited to the irrigation of a combined total of 62.7 acres in a single irrigation season. Combined Right Nos.: 01-10676, 1-10677 and 1-10678.
6. X02 Water Right 1-10539 and 1-10678 stockwater use is limited to 165 range cattle.
7. 179 The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.
8. Water is delivered from the Dry Bed.
9. X35 Rights 35-10539 and 1-10678 when combined shall not exceed a total diversion rate of 0.04 cfs for stockwater.