

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-905
Date Received: 12/11/23
Receipt No: P000667
Claim Fee: 2550.00 By: mb

RECEIVED

DEC 11 2023

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

- Name of claimant(s) Ream Crockett Irrigation Co. Phone (208) 847 0288
Mailing address c/o Bill Robison PO Box 13 Dingle ID 83233
Street or Box City State
Email address (optional) c/o kristin.rmea@gmail.com
- Date of priority: (Only one per claim) April 15, 1877 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (✓) (a) Bear River
which is tributary to (b) Great Salt Lake
- a. Location of point of diversion is: Township 14S, Range 45E, Section 17,
SE 1/4 of NW 1/4, Govt. Lot _____, BM, County of _____
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
- Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Concrete headgate in the Bear River to a canal that serves laterals that distribute to the service area.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 4/15 to 7/1 amount 30 or

For Irrigation purposes from 7/1 to 9/30 amount 20 or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 30 (cfs) and/or (b) (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) (none)

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel no(s). Total number of acres irrigated 2,500

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes () No (✓)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
11-905, 11-906, 11-908 overlap 100%. 11-4103 overlaps part of POU. or None ()

13. Remarks (Include an explanation of the priority date selected):

- Priority date per decree.
- 11-905, 11-906 and 11-907 in combination are for irrigation of 2,500 acres.
- 11-906 and 11-908 in combination are for irrigation of 861 acres.
- 11-905 is a Meadow right. 11-906 and 11-907 are Agricultural rights. The provisions of the Terrell Decree regarding distribution to Meadow and Agricultural rights, and the subordination of Meadow rights in certain circumstances, are necessary to the definition and administration of this right.
- Due to the rough character of the ground and the historical practices, the full decreed diversion rate is necessary.
- Attachment 1 is an explanatory narrative.
- Attachment 2 is a collection of supporting documents.
- Attachment 3 is an excerpt from the decree, including the special provision referenced above.

Name of claimant(s) Ream Crockett Irrigation Co.

Claim ID

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☐ Application for Transfer** ☒ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

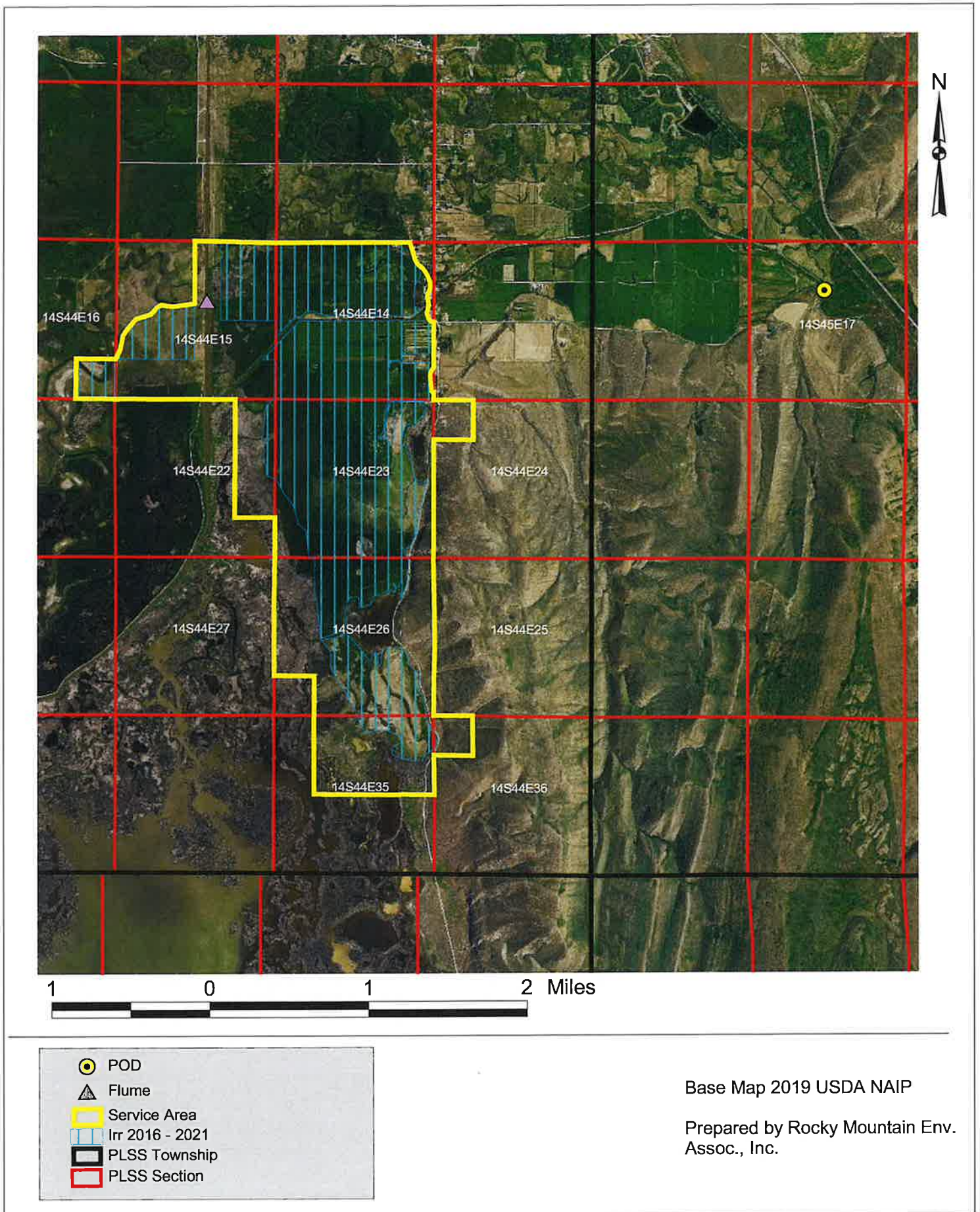
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. **I = Irrigation. S = Stockwater.**

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	44E	14	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	
		15	I,S	I,S	I,S	I,S			I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	
		16				I,S													
		22	I,S			I,S									I,S				
		23	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	
		24						S											
		26	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S	I,S		I,S	I,S	I,S	I,S	I,S	
		35	I,S	I,S	I,S	I,S	I,S			I,S									
		36						I,S											

Claimant: Ream Crockett Irrigation. Claim No. _____

Page 3 _____

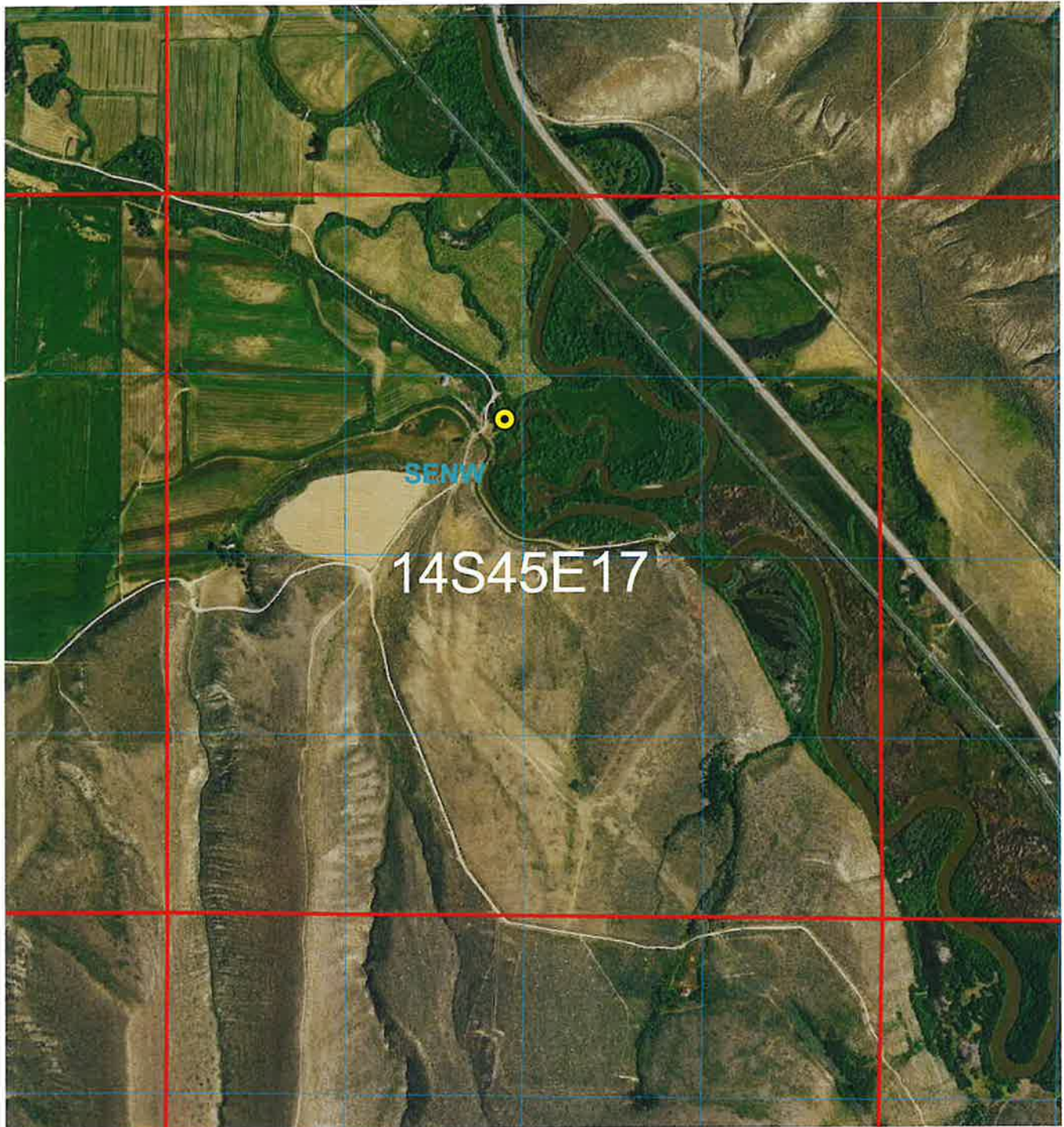
1 Map of Project



Claimant(s): Ream Crockett Irrigation

Claim No. _____

Map of Project - POD Detail



0.2 0 0.2 0.4 Miles

-  POD
-  PLSS Section
-  PLSS QQ

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Ream Crockett Irrigation

Claim No. _____

Court Idaho 5th District Decree Date 7 March 1924 Plaintiff v. Preston-Montp. vs. Dingle et al
 Defendant If applicable provide IDWR Water Right Number 11-905

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Signature of Claimant (s) _____ Date: _____
 _____ Date: _____

Signature of Authorized Agent William B. Robinson Date 12/6/23

Address _____

Name of claimant(s) Ream Crockett Irrigation Co. Claim ID

Attachment 1

Explanatory Narrative

Adjudication Claim Narrative Ream Crockett Irrigation Co.

The Ream Crockett Irrigation Company in Dingle, Idaho is submitting four claims in the Bear River Basin Adjudication:

- Irrigation claim based on 11-905;
- Irrigation claim based on 11-906;
- Irrigation claim based on 11-907;
- Stockwater claim.

This narrative explains the service area that constitutes the claimed Place of Use (POU) for all the claims, and explains the other entries on the claim form for the three irrigation claims. A separate narrative is prepared for the Stockwater claim.

1. Claimant

No comment

2. Date of Priority

Per decree & IDWR electronic records

3. Source

Per decree & IDWR electronic records

4. Point of Diversion

Per decree & IDWR electronic records. POD is also listed as a POD for PacifiCorp rights in current IDWR electronic records. Structures exist to split flow between Ream Crockett laterals and a ditch that could convey water to the Mud Lake/Dingle Swamp portion of the PacifiCorp Bear Lake Reservoir system.

5. Description of Diversion Works

No comment.

6, 7. Purpose, Season & Quantity

Per decree.

An attached affidavit from patrons of the adjoining Black Otter Irrigation Company explains the general nature of the rough lands in the area of the Dingle Bottoms, and the irrigation practices that require a large diversion rate. The runoff from the Ream Crockett flows west onto the

National Wildlife Refuge and provides habitat that would be unsupported if the water were not diverted.

8. Non-irrigation uses

None claimed

9. Place of Use

The claim maps and the Place of Use table in the claim show the service area, generated using input from meetings with patrons and with company leadership. Affidavits from most patrons are provided in attachments to the Stockwater claim. The service area boundary was drawn to Public Land Survey System aliquot parts except where it was adjusted to avoid indicating an overlap with adjoining companies whose water is *not* used jointly with Ream Crockett water. The resulting service area totals 2,802 acres for stockwater and irrigation, plus an additional 40 acres where Ream Crockett water is used for stockwater but not for irrigation.

The claimed acreage is based on the decree, per the annotated decree excerpts also attached to this claim. Per the decree, the following acreage allocations are claimed:

11-905	Meadow Right	No acreage limitation
11-906	Agricultural Right	861 acres in comb. w/. 11-907
11-907	Agricultural Right	861 acres in comb. w/. 11-906
Combined limitation		2,500 acres

These decreed acreages are claimed in the Bear River Basin Adjudication (BRBA) because recommendation of anything less would constitute a partial forfeiture of the Ream Crockett rights, and per Idaho Code 42-223:

(7) No portion of a water right held by an irrigation district, a Carey Act operating company, or any other company, corporation, association or entity which holds water rights for distribution to its landowners, shareholders or members shall be lost or forfeited due to nonuse by such landowners, shareholders or members, unless the nonuse is subject to the control of such entity.

It is acknowledged that within the near future, likely Ream Crockett may not need the ability to irrigate a full 2,500 acres. However, it is expected that the Bear River Basin Adjudication decree will endure beyond a period of time when future needs, practices and conditions can be foreseen. Even more important than preserving the original decreed acreage is to avoid any reduction in diversion rate based on a notion of loss of acres. Historical use has equilibrated to what can be supported with the decreed diversion rates, and a reduction in diversion rate would change the Adjudication from a *confirmation* of rights to a *reallocation*.

Because IDWR has expressed an interest in knowing the current actual irrigated acres, these have been estimated based on interviews with shareholders and refined with aerial image review and review by Ream Crockett Irrigation Company leadership. This exercise identified acres irrigated from 2016 through June 14, 2021. Attached maps show the actual irrigated acres that were mapped, and Table 1 provides GIS-calculated acreage. The underlying shapefiles are submitted electronically along with the claims.

Table 1: GIS Acreage of Irrigation Estimates.

Assigned PLSS	GIS Irrigated Acres Estimate 2016 through 2021	Rounded Irrigated Acres Estimate
14S 44E 10 NWSE	0.001	0.0
14S 44E 13 NWSW	0.508	0.5
14S 44E 14 NENE	21.956	22
14S 44E 14 NWNE	39.9	40
14S 44E 14 SWNE	34.314	34
14S 44E 14 SENE	18.319	18
14S 44E 14 NENW	39.871	40
14S 44E 14 NWNW	39.838	40
14S 44E 14 SWNW	35.897	36
14S 44E 14 SENW	33.746	34
14S 44E 14 NESW	39.85	40
14S 44E 14 NWSW	35.371	35
14S 44E 14 SWSW	39.794	40
14S 44E 14 SESW	39.841	40
14S 44E 14 NESE	33.392	33
14S 44E 14 NWSE	39.884	40
14S 44E 14 SWSE	39.72	40
14S 44E 14 SESE	36.475	36
14S 44E 15 NENE	40.404	40
14S 44E 15 NWNE	14.574	15
14S 44E 15 SWNE	14.739	15
14S 44E 15 SENE	40.492	40
14S 44E 15 SWNW	1.151	1.2
14S 44E 15 SENW	12.887	13
14S 44E 15 NESW	39.943	40
14S 44E 15 NWSW	30.88	31
14S 44E 15 NESE	2.305	2.3
14S 44E 16 SESE	40.628	41
14S 44E 22 NENE	10.354	10
14S 44E 22 SENE	9.553	9.6
14S 44E 23 NENE	21.271	21
14S 44E 23 NWNE	31.919	32
14S 44E 23 SWNE	39.631	40
14S 44E 23 SENE	15.937	16
14S 44E 23 NENW	40.009	40
14S 44E 23 NWNW	40.092	40
14S 44E 23 SWNW	40.376	40
14S 44E 23 SENW	40.013	40
14S 44E 23 NESW	39.996	40

Assigned PLSS	GIS Irrigated Acres Estimate 2016 through 2021	Rounded Irrigated Acres Estimate
14S 44E 23 NWSW	28.041	28
14S 44E 23 SWSW	10.045	10
14S 44E 23 SESW	40.115	40
14S 44E 23 NESE	28.495	28
14S 44E 23 NWSE	40.032	40
14S 44E 23 SWSE	40.029	40
14S 44E 23 SESE	19.165	19
14S 44E 26 NENE	10.88	11
14S 44E 26 NWNE	37.762	38
14S 44E 26 SWNE	2.927	2.9
14S 44E 26 NENW	40.267	40
14S 44E 26 SENW	26.663	27
14S 44E 26 NESW	24.559	25
14S 44E 26 SESW	7.535	7.5
14S 44E 26 NESE	11.678	12
14S 44E 26 NWSE	24.119	24
14S 44E 26 SWSE	40.284	40
14S 44E 26 SESE	28.667	29
14S 44E 35 NENE	48.721	49
14S 44E 35 NWNE	0.934	0.9
14S 44E 35 SENE	3.103	3.1
14S 44E 36 NWNW	1.248	1.2
Sums	1,651.1	1,651.2

The following notes apply to the mapping and tabulation:

- The "Assigned PLSS" column includes three types of parcels, which are not distinguished in the table. These may be distinguished using the attribute tables of the accompanying GIS data. Most entries are the actual quarter-quarter aliquot parts of Public Land Survey System sections. Some are IDWR assignments of approximate quarter-quarter nomenclature for aliquot parts that in reality are not quarter-quarters but are Government Lots. A few are IDWR extrapolations into areas where the Public Land Survey System does not extend, and no official PLSS description exists. If precise delineation of Government Lots is needed, this can be explored in the accompanying GIS files.
- 14S 44E Section 24 NWNW is included in the service area only for stockwater purposes. This parcel is the northernmost of two extensions of the service area to the east.
- The southernmost extension to the east is included in the service area to accommodate a small irrigated area in that quarter-quarter section that lies to the west of the road.
- Any other Assigned PLSS is considered part of the irrigation service area and it is intended that the rights would authorize irrigation
- Lands in 14S 44E 15 SE currently appear irrigated, but per company leadership these are not irrigated under the Ream Crockett water rights. They are included within the service area because physically the Ream Crockett system could deliver to those lands.

10. County

No comment

11. Ownership of Place of Use

The place of use does not belong to the claimant, but places of use are owned and/or leased by patrons.

12. Other Rights

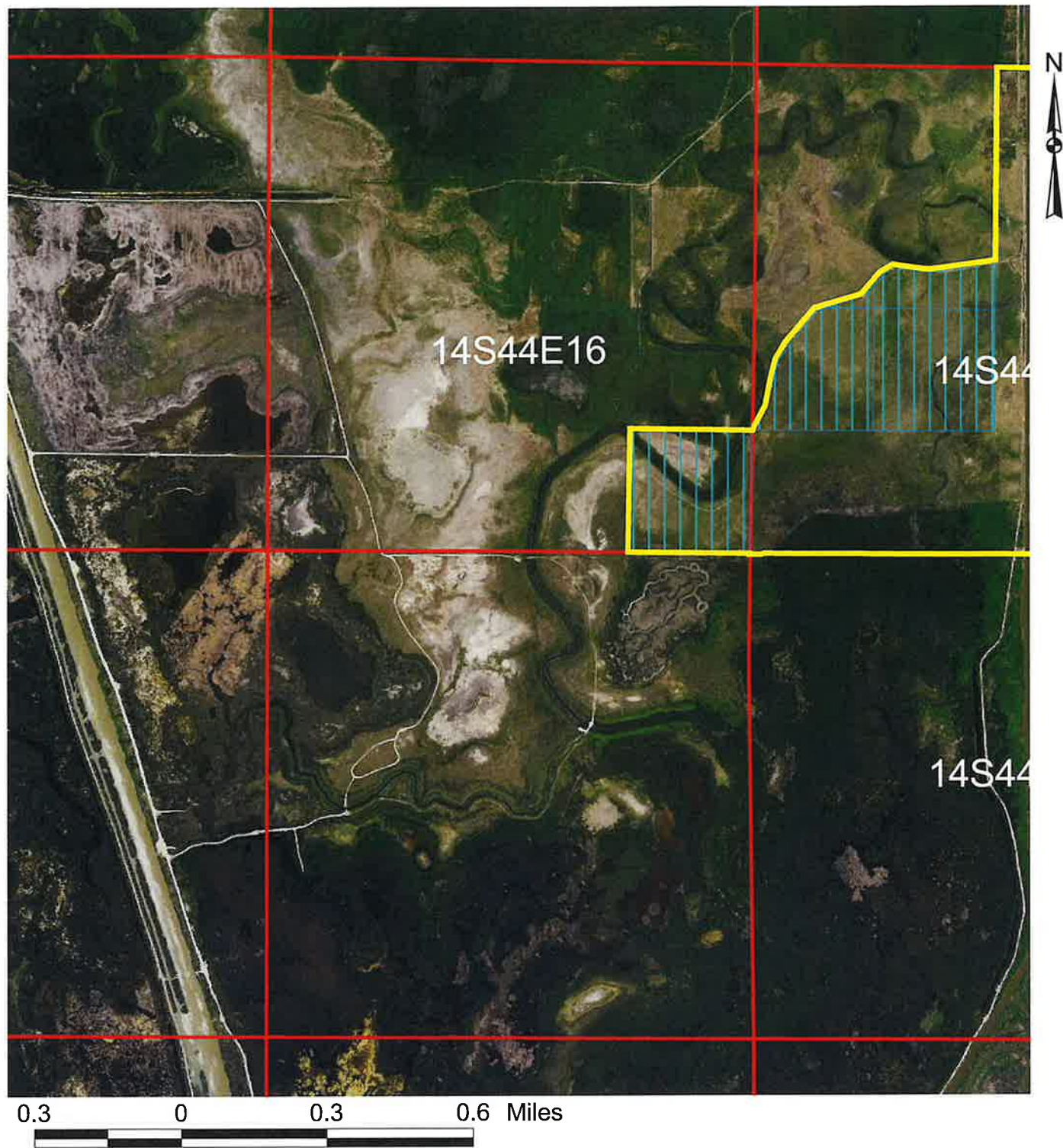
Per consultation w/ company leadership & leadership of adjoining companies. There are three classes of overlap status:

- Adjoining companies Dingle and Black Otter are known not to overlap, and no comingling of these sources occurs;
- 11-4301 is known to overlap, and it is known that Ream Crockett water is mingled with private water on its Place of Use;
- Company leadership does not know of other private rights that may be claimed within the service area.

13 - 16. Remarks, Basis, Signatures, and Notice of Appearance

No Comment.

Detail Map 1



-  Service Area
-  Irr 2016 - 2021
-  PLSS Township
-  PLSS Section

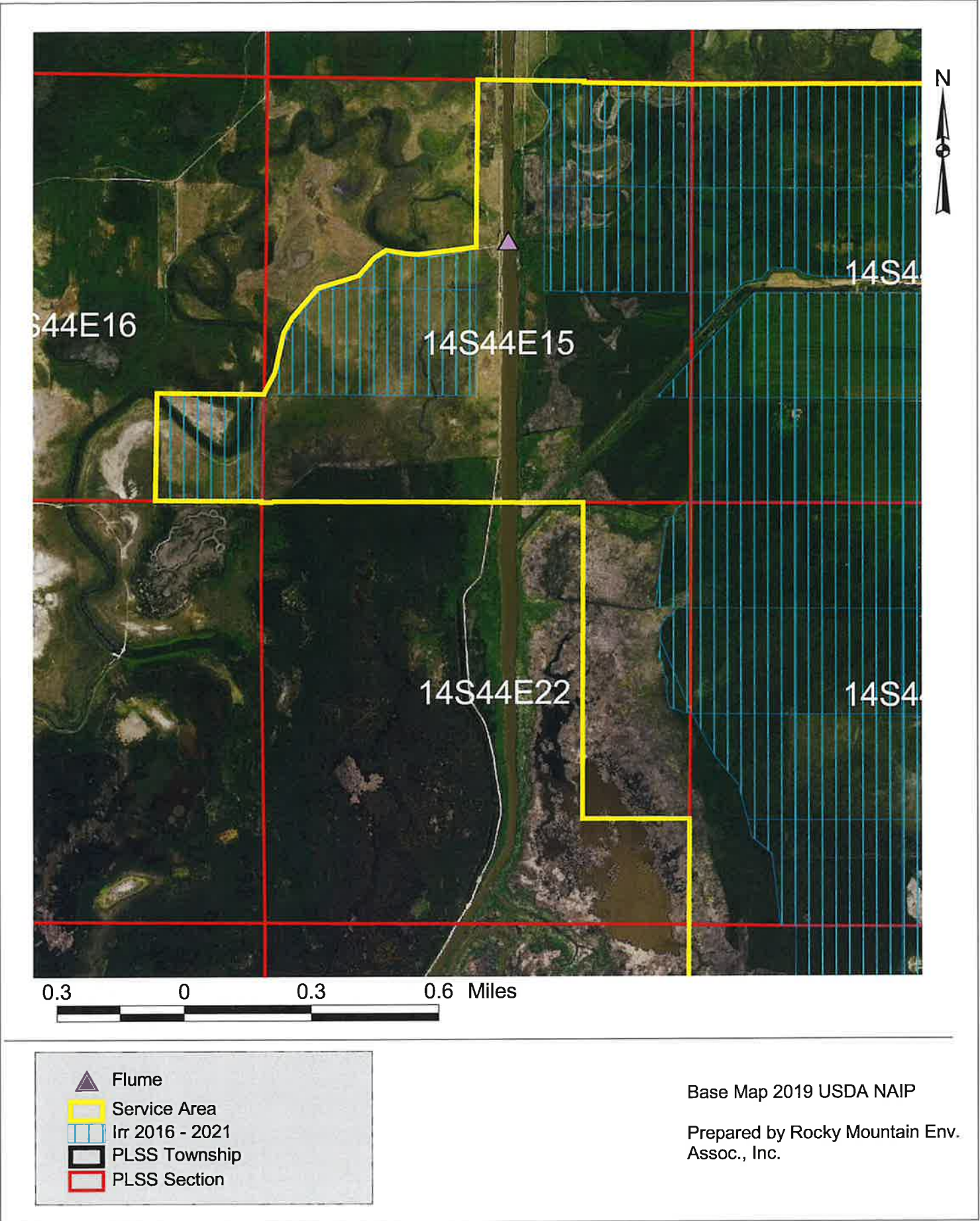
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Ream Crockett Irrigation

Claim No. _____

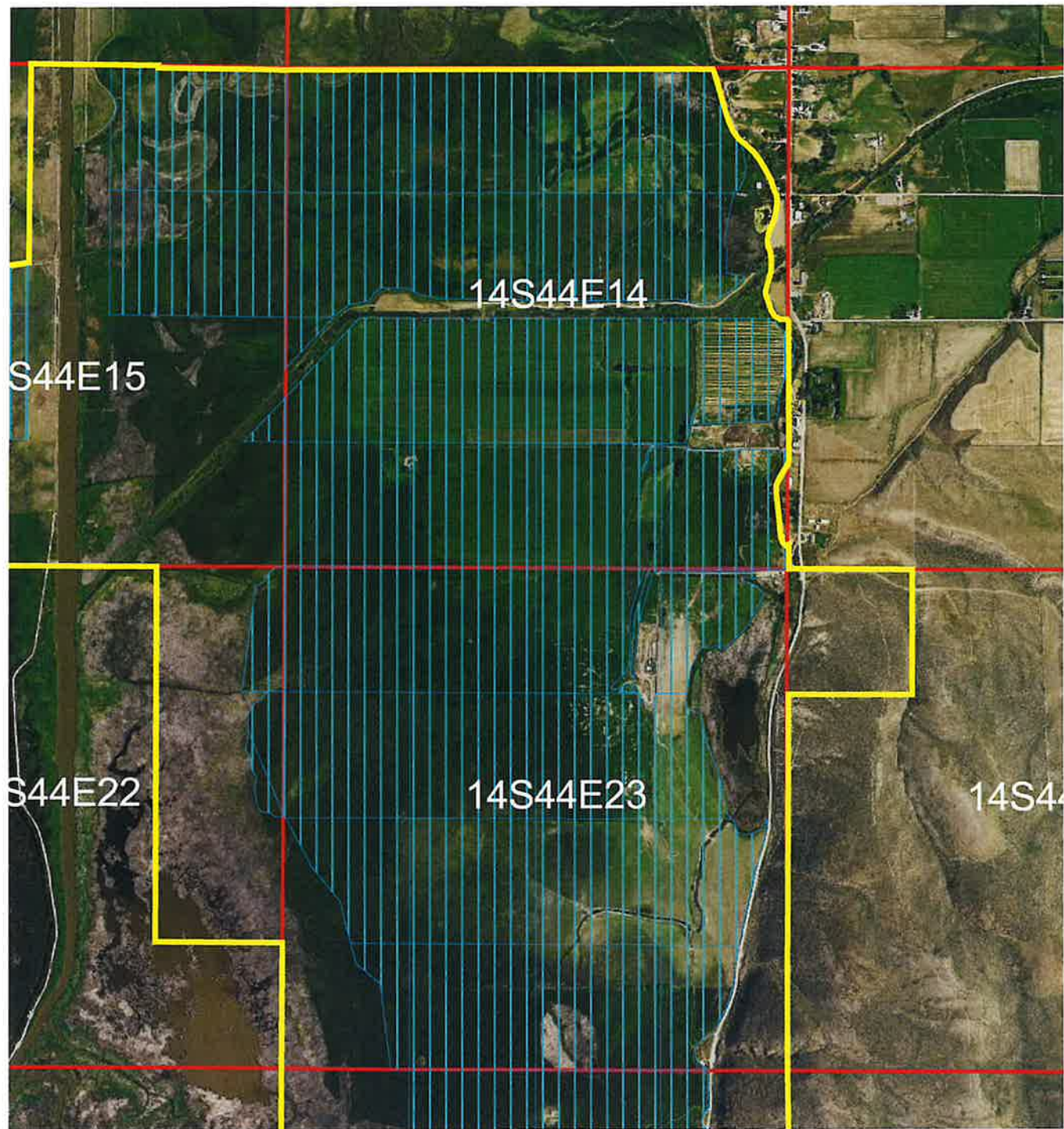
Detail Map 2



Claimant(s): Ream Crockett Irrigation

Claim No. _____

Detail Map 3



0.3 0 0.3 0.6 Miles

-  Service Area
-  Irr 2016 - 2021
-  PLSS Township
-  PLSS Section

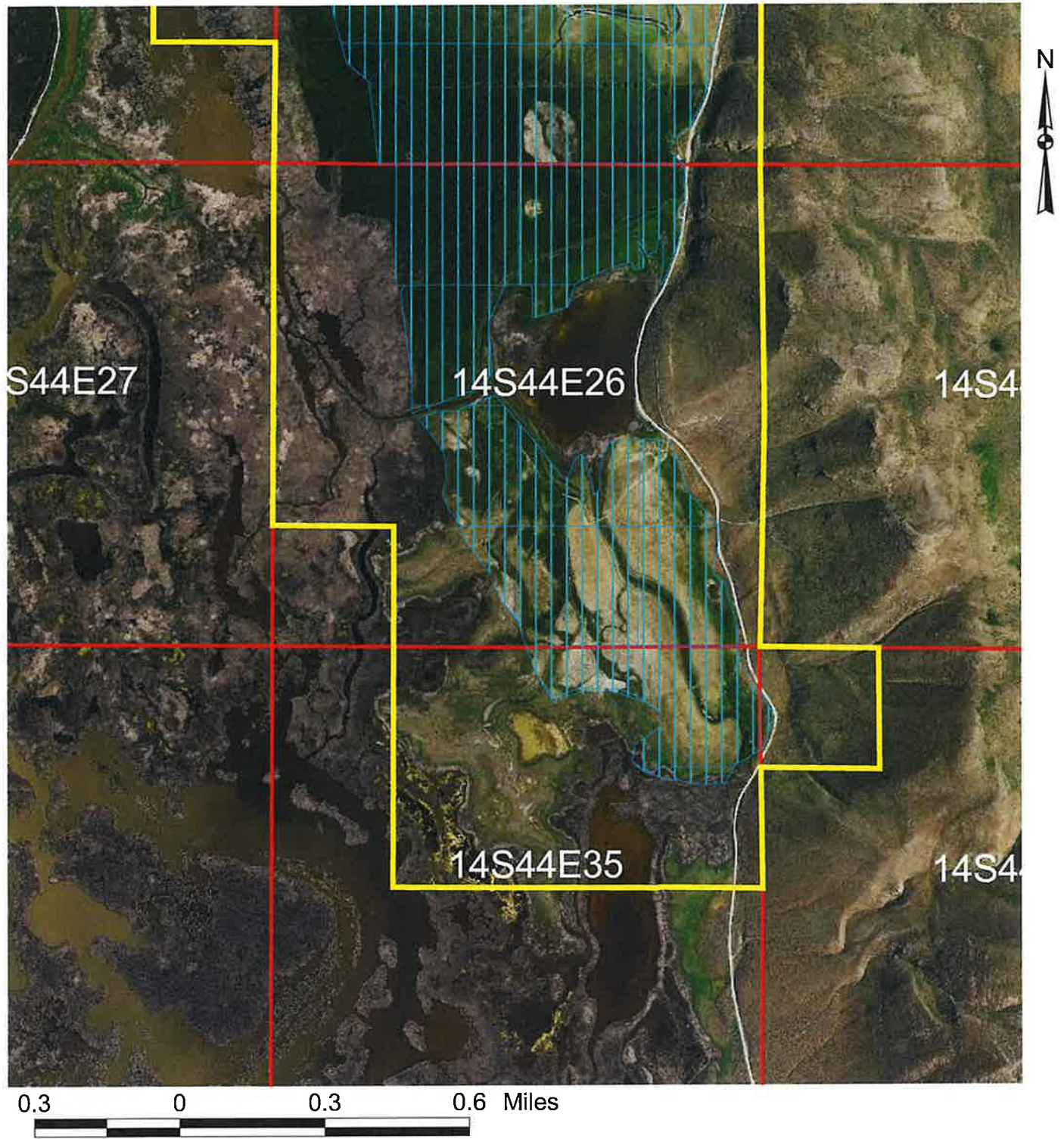
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Ream Crockett Irrigation

Claim No. _____

Irrigation Detail Map 4



- Service Area
- Irr 2016 - 2021
- PLSS Township
- PLSS Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Ream Crockett Irrigation

Claim No. _____

Attachment 2

Supporting Documents

1. Current shareholder list
2. Shareholder affidavits
3. Shareholder map
4. Black Otter irrigation practices affidavit

REAM CROCKETT SHAREHOLDERS

2023

NAME	ADDRESS	PHONE NUMBER	SHARES
Bill Robison	P.O. Box 13 Dingle, ID 83233	208-847-0288	722.1
Floyd Bunderson (Bryce)	P.O. Box 79 Dingle, ID 83233	208-681-5861	287.51
Wesley Ream	91 E Park Lane N Orem, UT 84058	801-919-5916	584
Joseph Coombs	1685 S. Mill Road Heber City, UT 84032	435-671-1586	78
Conrad Alleman	P.O. Box 1169 Kamas, UT 84036	435-640-4195	328.48

Affidavit of Joseph A. Coombs
for Irrigation in Ream Crockett Irrigation Co.
Bear Lake County, Idaho

My name is Joseph A. Coombs. I am 62 years old and I have been acquainted with the irrigation I have marked on the attached map since _____. I know about this irrigation because Since I purchased this property I have farmed, irrigated, raised stock (horses & cows) and actively watered stock from The Ream Crockett Irrigation Co.

The attached map is titled Ream Crockett Irrigation Co. Page(s) C2 & C3. The handwritten marks and notations are mine, and I have initialed the map in the in the property. These identified acres receive water via the Ream Crockett Irrigation Co.

Areas marked in blue boundaries I irrigated myself in 2021 and every year since purchased.
Areas marked _____ I irrigated myself in _____ but not since then. These lands were not irrigated between 2016 and June 14, 2021 because
____ a. water was not available, but the irrigation system was in place and maintained.
____ b. these acres were taken out of production due to a recent change in land use.
____ c. _____

I affirm that this statement is correct and that I myself have done and seen the things I have described.

Joseph A. Coombs
(name)

3/21/23
(date)

STATE OF IDAHO)
)ss.
County of Bear Lake)

This document was acknowledged before me by Joseph A. Coombs
on March 21, 2023.



Kristin Moore
Notary Public for Idaho
My Commission Expires: Aug 1, 2028

Affidavit of Bryce Bunderson
for Irrigation in Ream Crockett Irrigation Co.
Bear Lake County, Idaho

My name is Bryce Bunderson. I am 50 years old and I have been acquainted with the irrigation I have marked on the attached map since 1977. I know about this irrigation because My family Homesteaded the ground in the Early 1870's I have participated in the operation of the property all my life.

The attached map is titled Ream Crockett Irrigation Co. Page(s) B2, B3. The handwritten marks and notations are mine, and I have initialed the map in the Highlighted. These identified acres receive water via the Ream Crockett Irrigation Co. Property Boundaries and

Areas marked Blue Borders I irrigated myself in 2021 and every year prior to that.
Areas marked _____ I irrigated myself in _____ but not since then. These lands were not irrigated between 2016 and June 14, 2021 because

- ☐ a. water was not available, but the irrigation system was in place and maintained.
- ☐ b. these acres were taken out of production due to a recent change in land use.
- ☐ c. _____

I affirm that this statement is correct and that I myself have done and seen the things I have described.

Bryce Bunderson
(name)

3-21-23
(date)

STATE OF IDAHO)
)ss.
County of Bear Lake)

This document was acknowledged before me by Bryce Bunderson
on March 21, 2023.



Kristin Moore
Notary Public for Idaho
My Commission Expires: Aug 1, 2028

Affidavit of Conrad Alleman
for Irrigation in Ream Crockett Irrigation Co.
Bear Lake County, Idaho

My name is Conrad Alleman. I am 62 years old and I have been acquainted with the irrigation I have marked on the attached map since My whole life I know about this irrigation because Great Grand mother homesteaded it in 1873 I grew up on the property and witnessed it being irrigated and I currently own the property and lease it to a rancher who irrigates it for me.
The attached map is titled Ream Crockett Irrigation Co. Page(s) A1 A2 A3 The handwritten marks and notations are mine, and I have initialed the map in the Middle of property these identified acres receive water via the Ream Crockett Irrigation Co.

Areas marked outlined in blue I irrigated myself in lease and witness irrigation in 2020.
Areas marked _____ I irrigated myself in _____ but not since then. These lands were not irrigated between 2016 and June 14, 2021 because
a. water was not available, but the irrigation system was in place and maintained.
b. these acres were taken out of production due to a recent change in land use.
c. _____

I affirm that this statement is correct and that I myself have done and seen the things I have described.

Conrad Alleman
(name)

March 21/2023
(date)

STATE OF IDAHO)
)ss.
County of Bear Lake)

This document was acknowledged before me by Conrad Alleman
on March 21, 2023.



Kristin Moore
Notary Public for Idaho
My Commission Expires: Aug 1, 2028

Affidavit of Wesley J. Ream
for Irrigation in Ream Crockett Irrigation Co.
Bear Lake County, Idaho

My name is Wesley J. Ream. I am 70 years old and I have been acquainted with the irrigation I have marked on the attached map since _____. I know about this irrigation because the land has been in my family since 1944

grandfather purchased it, it has been leased since 1971.
I helped my father irrigate this land in the 1960's and it has been irrigated since

The attached map is titled Ream Crockett Irrigation Co. Page(s) E23, F23, G23, H3. The handwritten marks and notations are mine, and I have initialed the map in the middle of the property. These identified acres receive water via the Ream Crockett Irrigation Co.

Areas marked in red I irrigated myself or by Lessee in 2020
Areas marked _____ I irrigated myself in _____ but not since then. These lands were not irrigated between 2016 and June 14, 2021 because

- a. water was not available, but the irrigation system was in place and maintained.
- b. these acres were taken out of production due to a recent change in land use.
- c. _____

I affirm that this statement is correct and that I myself have done and seen the things I have described.

Wesley J. Ream (name) March 21, 2023 (date)

STATE OF IDAHO)
)ss.
County of Bear Lake)

This document was acknowledged before me by Wesley J. Ream
on March 21, 2023.



Kristin Moore
Notary Public for Idaho
My Commission Expires: Aug 1, 2028

Affidavit of NORMA ROBISON
for Irrigation in Ream Crockett Irrigation Co.
Bear Lake County, Idaho

My name is NORMA ROBISON. I am 82 years old and I have been acquainted with the irrigation I have marked on the attached map since 1998. I know about this irrigation because WE BOUGHT EVERYTHING BUT AUDRAU'S PLACE IN 1998. I SAW AUDRAU'S PLACE IRRIGATED EVERY YEAR SINCE THEN AND WE HAVE IRRIGATED THE REST EVERY YR SINCE. WE HAVE RUN AUDRAU'S PLACE SINCE ABOUT 6 YRS AGO AND BOUGHT IT DECEMBER 21 OR JAN 22.

The attached map is titled Ream Crockett Irrigation Co. Page(s) C2, C3, D3, D4, E2, E3. The handwritten marks and notations ^{MADE AT MY DIRECTION} ~~are mine~~, and I have initialed the map in the UPPER RIGHT. These identified acres receive water via the Ream Crockett Irrigation Co.

Areas marked "IRR" ^{OR MY FAMILY} I irrigated myself in ALL YRS SINCE 1998, OR APT 6 YRS FOR AUDRAU'S PLACE
Areas marked _____ I irrigated myself in _____ but not since then. These lands were not irrigated between 2016 and June 14, 2021 because

- water was not available, but the irrigation system was in place and maintained.
- these acres were taken out of production due to a recent change in land use.
- _____

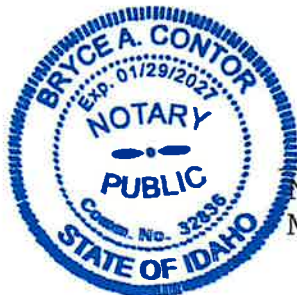
AUDRAU'S PLACE IS FULLY WITH REAM CROCKETT WATER, A SEPARATE SPRING RIGHT WATERS "AUDRAU'S PLACE" AND PART OF THE SOUTH OF THE 1998 PURCHASE. WE RUN CATTLE ON ALL THIS GROUND AND WATER THEM FROM REAM CROCKETT.
I affirm that this statement is correct and that I myself have done and seen the things I have described.

Norma Robison
(name)

3/21/23
(date)

STATE OF IDAHO)
)ss.
County of Bear Lake)

This document was acknowledged before me by NORMA ROBISON
on March 21, 2023.



Bryce A. Contor
Notary Public for Idaho
My Commission Expires: 1/29/2027

Bear Lake County, Idaho

The attached map is titled Ream Crockett Irrigation Co. Page(s) FLUME. The handwritten marks and notations are mine, and I have initialed the map in the UPPER LEFT. These identified acres receive water via the Ream Crockett Irrigation Co.

AND MY FAMILY

Areas marked BLACK LINE I irrigated myself in 1998 THROUGH 2022

Areas marked I irrigated myself in but not since then. These lands were not irrigated between 2016 and June 14, 2021 because

- ~~a. water was not available, but the irrigation system was in place and maintained.~~
~~b. these acres were taken out of production due to a recent change in land use.~~
~~c.~~

WE PASTURE CATTLE ON ALL THIS GROUND SPRING, FALL &
WINTER AND WATER THEM FROM THE REAM CROCKET
DITCHES.

I affirm that this statement is correct and that I myself have done and seen the things I have described.

Arno Roliser
(name)

March 21, 2023
(date)

STATE OF IDAHO)
County of Bear Lake)ss.

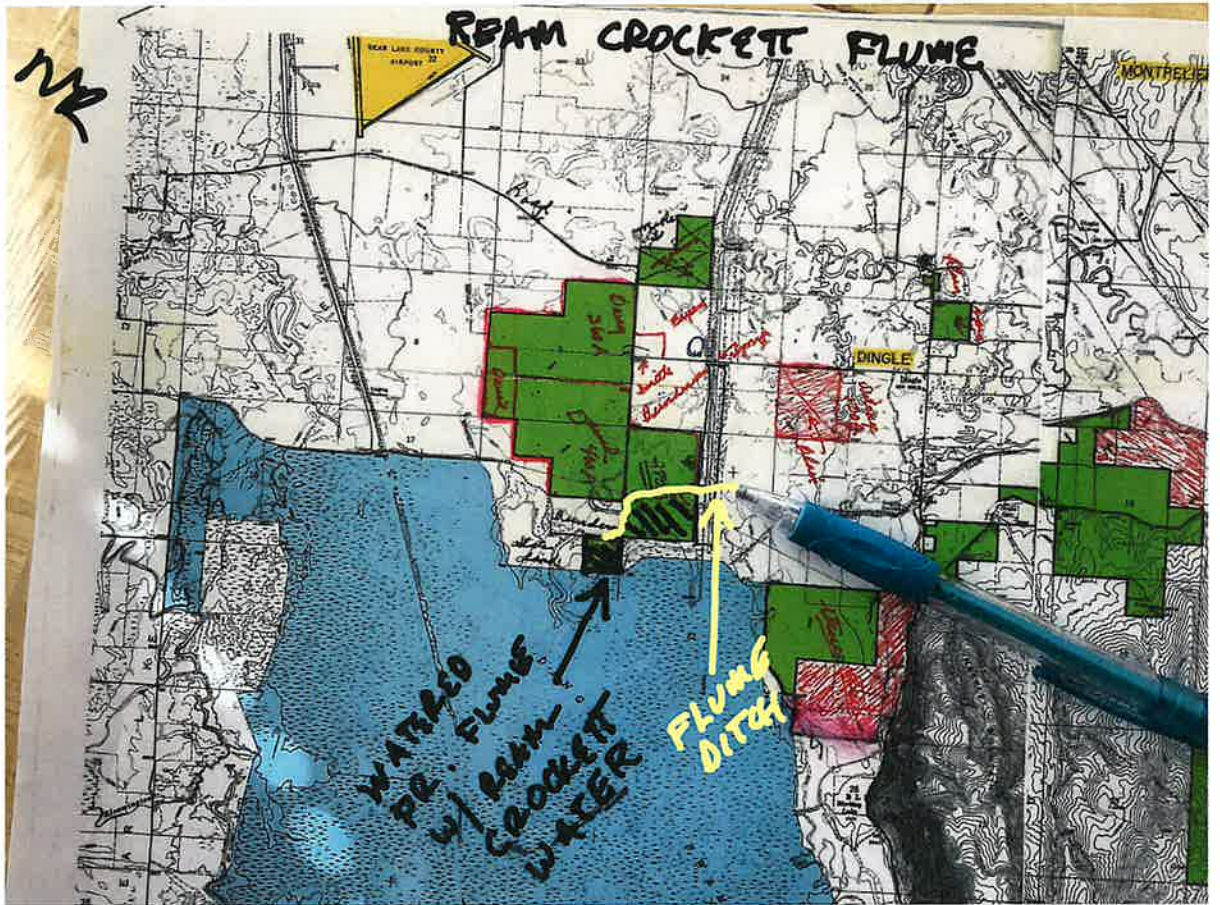
NORMA ROBISON

This document was acknowledged before me by
on March 21, 2023.

Byce A. Connor



Bryce A. Connor
Notary Public for Idaho
My Commission Expires: 1/29/2027



Affidavit of Black Otter Irrigation Patrons

This affidavit of the Black Otter Irrigation patrons describes the current and historical irrigation practice within the Black Otter Irrigation Company in the Dingle, Idaho area. The irrigated lands are mostly pasture lands in the bottoms and meadow hay, and for the most part, irrigation of an individual parcel depends on the irrigation done by other patrons. Some of the water moves overland, or in natural sloughs, but it is only available to be carried this way because it was diverted through the Black Otter and applied by Black Otter patrons.

When one parcel is irrigated, the water runs across and fills up sloughs that carry the water to the next patron. In places, cross-dikes control the movement of water. Culverts are used to carry water under roads, and boards can be used to control flow through culverts. There are headgates in some of the ditches, that also are used to control the flow.

When supplies are low, patrons take turns so all the water is used in one area and then when that area is watered, the Black Otter water is sent to another area so there is enough flow to water that area properly. Water is alternated between the North Ditch and the South Ditch unless there is abundance to run both ditches.

Because of this practice, on aerial photos our irrigated lands don't look like lands irrigated with other methods.

The attached map "Dingle Irrigation South" shows how water moves in the south part of the Company.. All water for the west side of the Rainbow Canal crosses the Rainbow at a flume marked with a heavy red line.

Red lines are approximately where ditches are, and blue lines show overland flow and flow in sloughs. When Bunderson waters at #1 water moves west into Robison at #2. Water keeps moving west to irrigate the Refuge at 3, then water moves north and northwest to irrigate other District lands. The same thing applies to other sets of numbers and blue lines.

The attached map titled "Master Map" has hand-written notes in red. The Black Otter Ditch flowing north is shown approximately to the location "H" which is the last headgate on the north of the Black Otter. From there water moves west overland and through ranches, filling sloughs until there is enough water to irrigate the airport ground. Water can move south from the airport to the Refuge, controlled by a culvert and a structure as marked in the Payne affidavit. In the "Master Map" is an east-west road. Flow under the road can be blocked to back up water to irrigate north of the road. Culverts can be opened to let water flow south to the Nate property. This is further explained in the Lloyd and Nate affidavits. Then with overland flow, though sloughs and a few small ditches, water moves from Lloyd and Nate south and west into the Refuge.

Signatures of patrons, March 22, 2023

Group A

Nana Robison

William B Robison

Digmar Tate
Long Ridge
Bry & Barry Bl. County

Wynne C Walentyro
Rey Dwyer
Chad Smith

Mike Th

State of Idaho
County of Bear Lake

This affidavit was signed before me by the above "Group A" patrons on March 22, 2023.



Bryce A. Contor
Notary Signature

Commission Expires

Group B

Mark Ipser
Dennis Hornwith
Mark Smith
Ty H. D.
Darcy K. Luford

Bryce A. Contor

State of Idaho
County of Bear Lake

This affidavit was signed before me by the above "Group B" patrons on March 22, 2023.



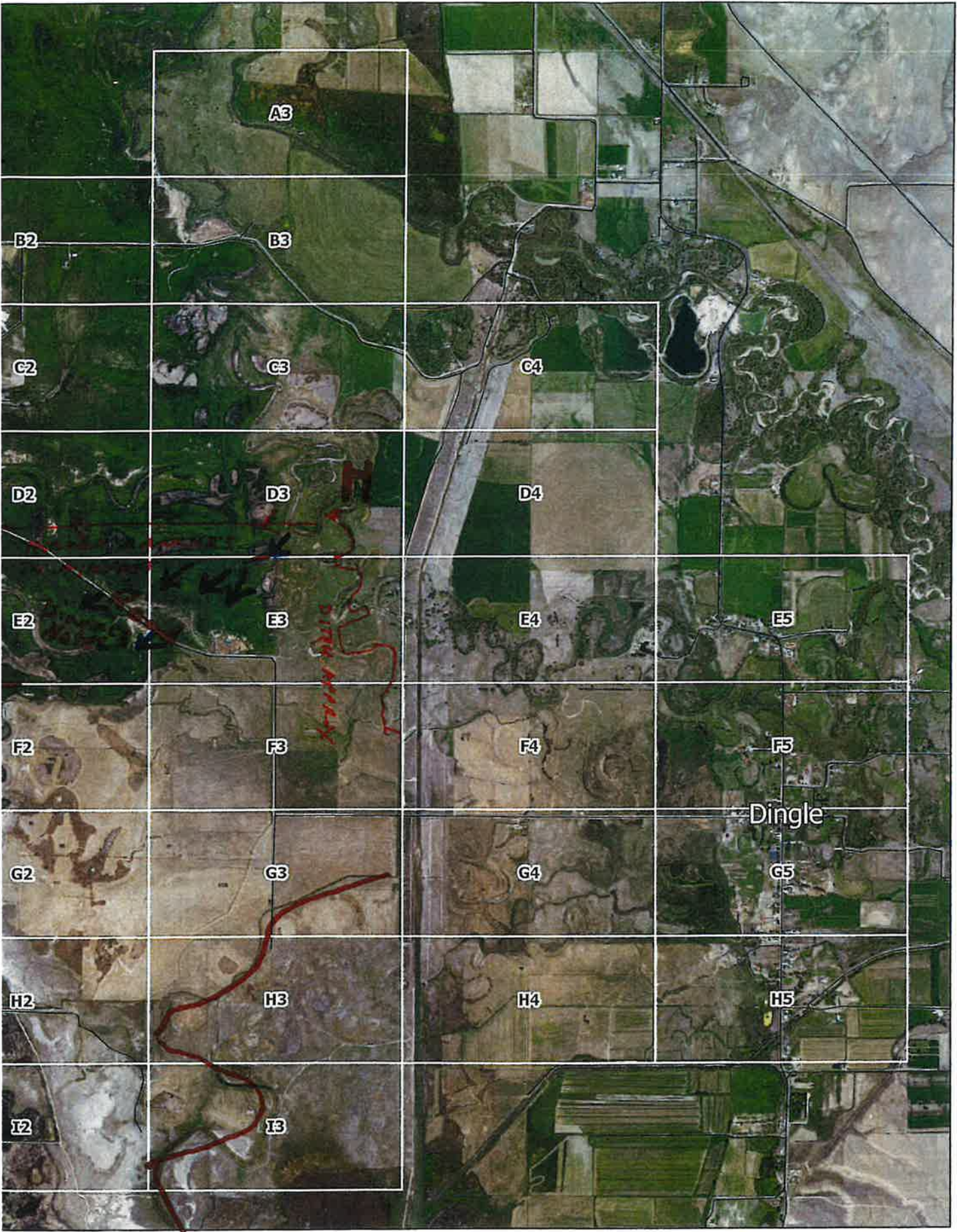
Bryce A. Contor
Notary Signature
1/29/2027
Commission Expires

Master Map

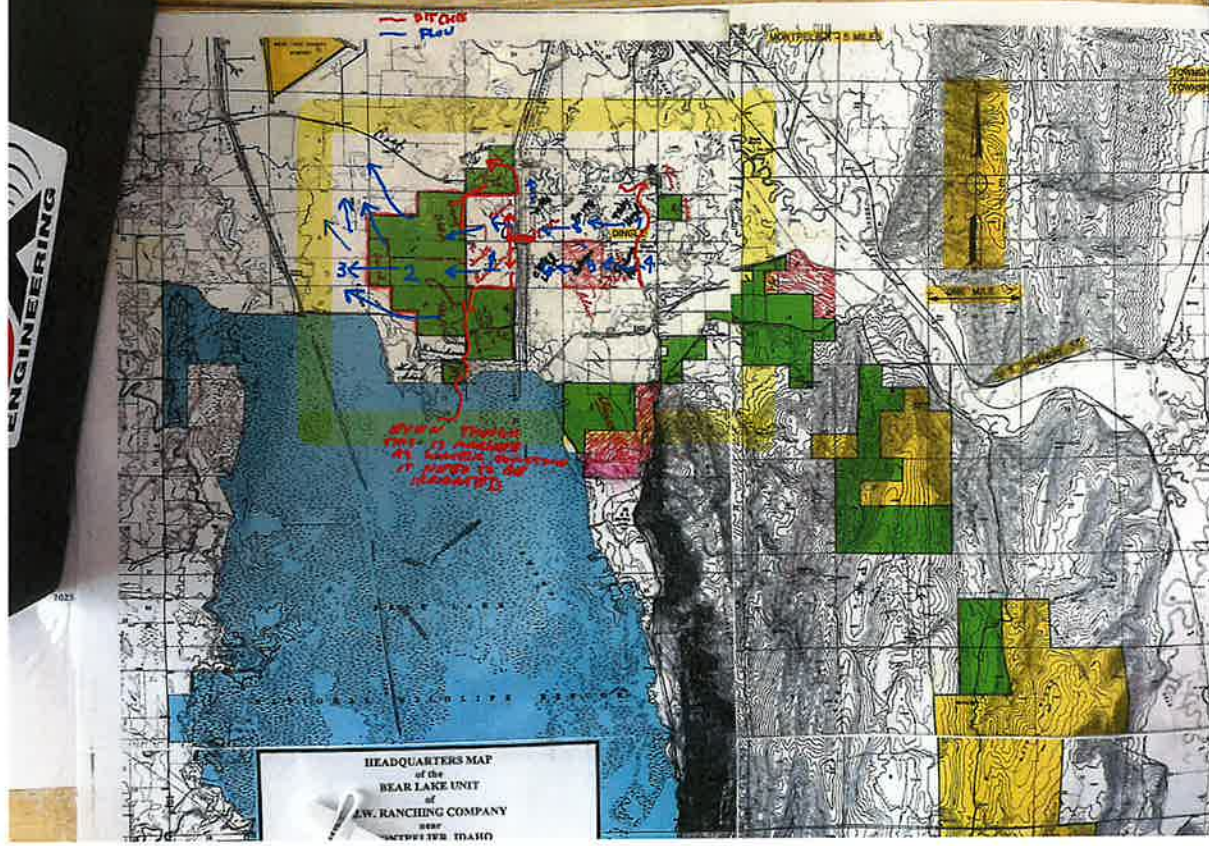
Grimmett Black Otter Irrigation Co

0 1.5 Miles





DINGLE IRRIGATION SOUTH



Attachment 3
Annotated Excerpts from Decree

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE.

PRESTON-MONTPELIER IRRIGATION
COMPANY, a corporation,

Plaintiff,

vs.

DINGLE IRRIGATION COMPANY, a corporation; Grinnett-Black Otter
Irrigation Company, a corporation; Peg Leg Island Irrigation Company, a
corporation; West Fork Irrigation Company, a corporation; Ream-Crockett
Irrigation Company, a corporation; Pugmire Livestock & Land Company, a
corporation; Continental Life Insurance Company, a corporation; Ole
Transtrum; Carrie Hill; J.A.O. Nielson; John A. Jensen; Oron Quayle; Thomas
Quayle; George Parker; Edw. LaRocco; John O. Miller; Ezra J. Phelps; George
A. Sparks; Hyrum Esterholdt, and Joseph Esterholdt,

Defendants

DEGREE

This cause came on regularly for trial on the 4th
day of August, 1923, John A. Bagley, Esquire, and D. C. Kutz,
Esquire, appearing as attorneys for the plaintiff Preston-Montpelier
Irrigation Company, a corporation, and John A. Bagley, Esquire, appearing
as attorney for Oron Quayle, Thomas Quayle, George Parker, Edw. LaRocco,
John O. Miller, Ezra J. Phelps, and George A. Sparks, defendants and cross-
complainants; and D. C. Kutz, Esquire, appearing as attorney for the
Continental Life Insurance Company, a corporation, Ole Transtrum, Carry
Hill, J. A. O. Nielson and John A. Jensen, defendants and cross-complain-
ants; and A. B. Gough, Esquire, appearing as attorney for Dingle Irrigation
Company, a corporation, Peg Leg Island Irrigation Company, a corporation,
Grinnett Black Otter Irrigation Company, a corporation, and the Pugmire
Livestock & Land Company, a corporation, defendants and cross-complainants;
Ross W. Bates, Esquire, appearing as attorney for the Ream-Crockett Irriga-
tion Company, a corporation, defendants and cross-complainants; and Jesse P.
Rich, Esquire, appearing as attorney for the West Fork Irrigation Company,
a corporation, defendants and cross-complainants; and Darwin Haddock, Esquire,
appearing as attorney for Hyrum Esterholdt and Joseph Esterholdt, defendants
and cross-complainants. Whereupon, the respective parties proceeded to
negotiate a settlement and adjustment of the issues raised by the complain-

NEAM-CROCKETT IRRIGATION COMPANY.

11 0905 1877- April 15th, what is designated in this decree as a "Meadow Right".

~~11 0906~~ April 15th-July 1st, 30 cubic feet per second
~~11 0907~~ July 1st - Sept. 30th, 20 cubic feet per second

~~11 0908~~ 1884- April 15th, what is designated in this decree as an "Agricultural Right". 19.5 cubic feet per second.

~~11 0909~~ 1885- April 15th, what is designated in this decree as an "Agricultural Right". 12.8 cubic feet per second.

All of said waters to be diverted from Bear River through a ditch known as the Neam-Crockett ditch therefrom at a point located at or near South 61°17' East 3335 feet from the Northwest corner of Section 17, Township Fourteen South, Range Forty-five East of the Boise Meridian, to be used upon 2500 acres of land.

Situated in the following sub-divisions:

Section Fourteen (14) of Township fourteen south (14 S.) Range Forty-four east (44 E.) Boise Meridian.

Section twenty-three (23) of Township fourteen south (14 S.) Range forty-four east (44 E.) Boise Meridian.

The east one-half (E $\frac{1}{2}$); the southwest one-quarter (SW $\frac{1}{4}$); and the south one-half of the northwest one-quarter (S $\frac{1}{2}$ of NW $\frac{1}{4}$) of Section fifteen (15) all in Township fourteen south (14 S.) Range forty-four east (44 E.) Boise Meridian.

The east one-half (E $\frac{1}{2}$); the east one-half of the West one-half (E $\frac{1}{2}$ of W $\frac{1}{2}$); the east one-half of the East one-half of the southwest one-quarter (E $\frac{1}{2}$ of W $\frac{1}{2}$ of SW $\frac{1}{4}$), all in Section 26, of Township fourteen south (14 S.), Range forty-four east (44 E.), Boise Meridian.

Lots 1 (1), Two (2) and three (3) of Section thirty-five (35) of Township fourteen south (14 S.), Range forty-four east (44 E.) Boise Meridian.

The southeast one-quarter of the Northeast one-quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$) of section sixteen (16) of township fourteen south (14 S.) Range forty-four east (44 E.) Boise Meridian.

Commencing at the northwest corner of section twenty-three (23) township fourteen south (14 S.), Range forty-four east (44 E.) Boise Meridian and running thence west eighty (80) rods, thence south two hundred forty (240) rods, thence east eighty (80) rods, thence south eighty (80) rods, thence east eighty (80) rods to the southwest corner of lot three (3) of said section twenty-three (23) thence north along the western boundary line of lots three (3), two (2) and one (1) and the northwest quarter of the north-west quarter of said section twenty-three (23) to point of beginning.

11 0908 GRIMMETT-BLACK OTTER IRRIGATION COMPANY.

~~11 0909~~ 1877- April 15th, what is designated in this decree as a "Meadow Right".

~~11 0910~~ April 15th - July 1st...133.8 cubic feet per second.
~~11 0911~~ July 1st - September 30th .. 89 cubic feet per second.

All of said waters to be diverted from Bear River through the Black Otter Slough near the line between Sections Six and Seven, Township Fourteen South, Range Forty-four East of the Boise Meridian, and from said slough through two main ditches, one of which is known as the Grimmett Ditch, taken from said slough in the Northwest Quarter of Section Eleven, Township Fourteen South Range Forty-four East of the Boise Meridian, and the other ditch taken from said slough in the Northwest Quarter of Section Twelve, Township Fourteen South, Range Forty-four East of the Boise Meridian, and other smaller ditches and dams, said water to be used upon 4434.28 acres of land described as follows, to-wit:

All of said waters to be diverted from Bear River by means of a Dam known as the Ezra J. Phelps Dam located at or near the Southeast corner of the Southeast Quarter of Section 23, Township 14 South, Range 45 East of the Boise Meridian, to be used on 260 acres of land, described as follows, to-wit:

GEORGE A. SPARKS:

90-2 (Sloyd ditch)

11 1948 1997- May 1st, What is designated in this decree as an "Agricultural Right". 3 cubic feet per second.

~~All of said water to be diverted from Bear River at a point described as follows, and~~

~~Section 23, Township 14 South, Range 45 East Boise Meridian in Bear Lake County, State of Idaho.~~

~~and to be used on 160 acres of land described as follows, to-wit:~~

All of said waters to be diverted from Bear River by means of a Dam known as the Ezra J. Phelps Dam located at or near the Southeast corner of the South East Quarter of Section 23, Township 14 South, Range 45 East, of the Boise Meridian, to be used on 160 acres of land, described as follows, to-wit:

~~Section 23; and, NE 1/4 Section 26, Township 14 South, Range 45 East, B.M., in Bear Lake County, State of Idaho, containing 160 acres.~~

JOHN G. MILLER:

84-2

11 1948 1997- April 15th, What is designated in this decree as a "Meadow Right".

April 15th - July 1st 4.8 cubic feet per second
July 1st - September 30th 3.0 cubic feet per second.

11 1950 1980- April 15th, What is designated in this decree to be a "Meadow Right".

April 15th - July 1st 4.5 cubic feet per second.
July 1st - September 30th 3.0 cubic feet per second.

11 1951 1985- April 15th, What is designated in this decree to be an "Agricultural Right". 3.6 cubic feet per second.

All of said waters to be diverted from Bear River by means of the Miller Ditch, the point of diversion of which is about 150 yards East from the Northeast corner of Section 31, Township 14 South, Range 45 East of the Boise Meridian, to be used upon 480 acres of land described as follows:

E 1/2, NE 1/2, SE 1/2, and SW 1/2, Section 31, Township 14 South, Range 45 East Boise Meridian.

And E 1/2 Section 36, Township 14 South, Range 45 East B. M., all in Bear Lake County, State of Idaho.

11 1957 IT IS FURTHER ORDERED, ADJUDGED AND DECREED That there shall be allowed to pass by the Wardmore Dam in Bear River five cubic feet per second of water at all times for the use of the West Fork Irrigation Company for culinary and domestic purposes; and it is further understood and agreed that said West Fork Irrigation Company is to have a riparian right, inferior to the irrigation rights herein decreed, for forty cubic feet per second of water to be run through the canal at all times during the year except when needed for irrigation purposes.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That all of the above described lands are arid in character and require irrigation for their proper cultivation and for the profitable raising of crops thereon, and that the duty of water shall be fixed and determined at one and one-half (1½) miners inches per acre of water from April 15th to July 1st of each year, and at one (1)

7070
3-70 13
after 8:45
and 4
2007 Oliver
Total 20.74 hrs
from 3:00
Spring 6.

and 1/2
from 3:00
Spring 6.

miners inch per acre from July 1st to September 30th of each year for the lands designated as meadow lands, and for the lands designated as agricultural lands, it is agreed that the duty shall be one miners inch per acre through the irrigation season, except that it is ^{adjudged & decreed} stipulated that 500 acres of agricultural lands under the canal of the Dingle Irrigation Company and 400 acres of agricultural lands under the Preston-Montpelier Irrigation Company's Canal, and 400 acres of land under the Ream-Crockett Ditch have a gravelly sub-soil and require one and one-fourth (1 $\frac{1}{4}$) miners inches per acre for their proper irrigation, which amount is to be decreed to said lands; it being further decreed that if within five years it is determined that said gravelly land does not need 1 $\frac{1}{4}$ miners inches per acre the same shall be reduced which in no event shall it be reduced ^{so as} /to give it less than one (1) miners inch per acre to such land, the Court retaining jurisdiction of this cause for said purpose.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the lands herein classified as meadow lands or rights are understood to mean those lands along Bear River producing what is commonly called "wild hay" or "natural meadow grass", which lands must be flooded in order to produce crops, the water running over said lands and back into Bear River, which said meadow lands shall be subject to rights hereinafter specified in this decree.

The agricultural lands or rights as herein classified are intended to mean those lands which have been cultivated and irrigated for the production of crops. The acreage of said agricultural lands are hereby decreed and designated as follows: Preston-Montpelier Irrigation Company, 2200 acres; Dingle Irrigation Company, 1721 acres; Peg Leg Irrigation Company, 865.8 acres; Ream-Crockett Irrigation Company, 861 acres; Kant-LaRocco Ditch, 365 acres; It being adjudged and decreed that this is the number of acres designated as agricultural lands under this decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That if at any time between the 17th day of June and the 4th day of July of any year there shall not be sufficient water in Bear River to supply the above designated agricultural lands consisting of 6012.25 acres, then and in that event, there shall be taken from the lands or rights herein designated as meadow rights pro rata a sufficient amount of water ^{said} so that 6012.25 acres of agricultural land shall receive 75 per cent of the full amount of water herein decreed to said agricultural lands, and if after July 4th of any year there is not sufficient water in Bear River to supply said 6012.25 acres with the full amount of their decreed water right, then, and in that event, there shall be taken from the said meadow lands or rights a sufficient amount of water

to supply said 8012.25 acres of said agricultural lands to the full extent of their decreed rights.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED; That the Court shall retain jurisdiction, and jurisdiction is hereby reserved for a period of five years from the date hereof for the purpose of correcting said decree if it shall be made to appear to the court that there are errors in the description or amounts of land to which water has been decreed under this decree

IT IS FURTHER ORDERED, ADJUDGED AND DECREED , That each party pay his own costs herein.

Dated this 7th day of March, 1924.

ROBERT M. TERRELL

District Judge.

STATE OF IDAHO

COUNTY OF BEAR LAKE

I, J. S. Peterson, Clerk of the District Court of the Fifth Judicial District of Idaho, in and for Bear Lake County, do hereby certify that the within and foregoing is a full and true copy of the original Water Decree in the case of Preston-Montpelier Irrigation Company vs. Dingle Irrigation Company, et al duly filed in my office on the 7th day of March, 1924.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Paris, Idaho, this 8th day of July, 1924.

(SEAL)

J. S. PETERSON

Clerk

Claim ID	\$ for Claim	Notes
11-905	\$2,550.00	2,500 acres combined limit
11-906	\$50.00	Acres included in 11-905
11-907	\$50.00	Acres included in 11-905
Stockwater	\$550.00	Extra cfs claimed for carriage water
Total	\$3,200.00	

Claimant:

Claim ID:

Ream Crockett Irrigation Co.
11-905

Instructions for Form No. 42-1402-1

Revised January 30, 2023

Rate/Unit Unit # Units \$ Amount

De Minimis	\$25 Claim			
De Minimis Stock (> 4th claim)	\$0 Claim			
Non-De Minimis	\$50 Claim	1		\$50.00
Irrigation	\$1 Acre	2500		\$2,500.00
Power Generation	\$3.50 KW of Capacity			
Aquaculture	\$10 cfs			
Dom. & Stock (>13k gpd),	\$100 cfs			
Municipal, industrial,				
commercial, mining, heating,				
cooling				
Public instream flow, public lake	\$100 cfs			
level maintenance, wildlife				
Fire protection	\$0 cfs			
Groundwater recharge	\$0 cfs or afa			

Total \$2,550.00

Duplicate this worksheet once for each claim.

Note:

2,500 acres combined limit

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose of use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than 13,000 gallons per day in total \$25.00
100 acres irrigation, domestic and stockwater as above \$150.00
Fish propagation, 4.2 cfs \$92.00
Multiple family domestic, 1.6 cfs, irrigation of yards and gardens, 14 acres \$224.00

TABLE 3. VARIABLE FEE SCHEDULE

Irrigation	\$1.00 per acre	Each acre is charged only once.
Power generation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less.
Aquaculture	\$10.00 per cfs	
Domestic, stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	

Exceptions: No variable fee is charged for fire protection or ground water recharge.

RECEIVED
DEC 11 2023
IDWR/Preston