

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

RECEIVED

OCT 25 2023

CIVIL CASE NUMBER: 79576

Claim ID: 11-1040

Date Received: 10/25/23

Receipt No: 7000549

Claim Fee: 50.00 By: MB

IDWR/Preston NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Montpelier Irrigation Company Phone ( 208 ) 681-4794  
Mailing address c/o Donna Anderson, Secretary, 135 S. 3rd Street, Montpelier, Idaho Zip 83254  
Street or Box City State  
Email address (optional) ipsencattlecompany@yahoo.com
2. Date of priority: (Only one per claim) April 23, 1886 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water ( ) or Other (✓) (a) Montpelier Creek  
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_,  
\_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM, County of \_\_\_\_\_  
Parcel no. See attached supplemental sheet.  
Additional points of diversion, if any: See attached supplemental sheet.  
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 \_\_\_\_\_
5. 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.  
See attached diversion works description.

**SUPPLEMENTAL SHEET  
NOTICE OF CLAIM TO A WATER RIGHT**

**4. Location of point of diversion – Additional points of diversion**

Township 12S, Range 45E, Section 32, NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 45E, Section 6, SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 45E, Section 6, SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 1, NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 1, NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 2, NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 2, NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 2, SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 3, SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 9, NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 44E, Section 8, NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township 12S, Range 45E, Section 15, SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot       , BM, County of Bear Lake

Township       , Range       , Section       ,         $\frac{1}{4}$  of         $\frac{1}{4}$ , Govt. Lot       , BM, County of       

Township       , Range       , Section       ,         $\frac{1}{4}$  of         $\frac{1}{4}$ , Govt. Lot       , BM, County of       

Parcel Nos.: 03280.00, 04253.00, 04253.03, 03909.00, 03918.00, 00404.00, 03977.00, and 03277.00

Name of claimant(s) Montpelier Irrigation Company Claim ID

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/01 to 11/01 amount 3.0 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 3.0 (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.)

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). N/A Total number of acres irrigated 5580

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

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.

See attached supplemental sheet. or None ( )

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

See attached supplemental sheet.

Name of claimant(s) Montpelier Irrigation Company Claim ID

# SUPPLEMENTAL SHEET NOTICE OF CLAIM TO A WATER RIGHT

## 9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.  
b. If water is used for other purposes, place a symbol of 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   |        |
| 12S | 44E | 21  | 40 | 40 | 40  | 40   | 40  |    | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 600    |
| 12S | 44E | 22  |    |    |     |      |     | 40 | 40 | 4   | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 404    |
| 12S | 44E | 23  |    |    |     |      |     |    |    |     |     |      | 40  | 2.3 |      |     |    |      | 42.3   |
| 12S | 44E | 26  |    |    |     |      | 2.4 | 40 | 40 | 2.4 | 2.4 | 40   | 40  | 40  |      |     | 1  |      | 208.2  |
| 12S | 44E | 27  | 40 | 40 | 40  | 40   | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 640    |
| 12S | 44E | 28  | 40 | 40 | 40  | 40   | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 640    |
| 12S | 44E | 33  | 40 | 40 | 40  | 40   | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 640    |
| 12S | 44E | 34  | 40 | 40 | 40  | 40   | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 35.5 | 635.5  |
| 12S | 44E | 35  |    | 1  |     |      | 40  | 40 | 38 | 2   |     | 20.4 | 2.2 |     |      |     |    |      | 143.6  |
| 13S | 44E | 1   |    |    |     | 10.2 |     |    |    |     | 37  | 38   | 18  | 40  | 35   | 37  | 18 | 3    | 236.2  |
| 13S | 44E | 2   |    |    | 6   |      |     |    | 24 | 19  | 18  | .5   |     | 1   | 38   | 30  | 2  | 7.5  | 146    |
| 13S | 44E | 3   | 24 | 40 | 40  | 33   | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 0.5  | 40  | 40 |      | 537.5  |
| 13S | 44E | 4   | 40 | 40 | 40  | 40   | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 640    |
| 13S | 44E | 5   | 40 | 40 | 40  | 40   |     |    |    |     |     |      | 40  | 40  | 40   | 40  | 40 | 40   | 400    |
| 13S | 44E | 8   | 40 |    |     | 40   |     |    |    |     |     |      |     |     | 40   | 40  | 40 | 40   | 240    |
| 13S | 44E | 9   | 40 | 40 | 40  | 40   | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 640    |
| 13S | 44E | 10  |    | 40 | 40  |      | 40  | 40 | 40 | 40  | 40  | 40   | 40  | 40  | 40   | 40  | 40 | 40   | 560    |
| 13S | 44E | 11  |    |    |     |      |     |    |    |     |     | 40   | 40  | 40  |      |     |    |      | 120    |
| 13S | 44E | 14  |    |    |     |      |     | 40 |    |     |     |      |     |     |      |     |    |      | 40     |
| 13S | 44E | 15  | 40 | 40 |     |      |     |    |    |     |     |      |     |     |      |     |    |      | 80     |
| 13S | 44E | 16  |    |    |     |      | 17  | 40 | 27 |     |     | 4    |     |     |      |     |    |      | 88     |
| 13S | 44E | 17  | 40 | 10 |     | 2    |     |    |    |     |     |      |     |     |      |     |    |      | 52     |
| 12S | 44E | 29  |    |    | 40  | 40   |     |    | 40 | 40  | 40  | 40   |     |     | 40   | 40  |    | 10   | 330    |
| 12S | 44E | 30  |    |    | 21  |      |     |    |    |     |     |      |     |     | 21   |     |    |      | 42     |
| 12S | 45E | 15  |    |    | 3.6 | 3.4  |     |    |    |     |     |      |     |     | 11.7 | 0.2 |    | 2.8  | 21.7   |
| 12S | 45E | 32  |    |    |     |      |     |    | 1  | 4   | 10  | 11   |     |     |      |     |    |      | 26     |
| 12S | 45E | 6   |    |    |     |      |     |    | 2  |     |     |      |     |     |      |     |    |      | 2      |
|     |     |     |    |    |     |      |     |    |    |     |     |      |     |     |      |     |    |      |        |
|     |     |     |    |    |     |      |     |    |    |     |     |      |     |     |      |     |    |      |        |
|     |     |     |    |    |     |      |     |    |    |     |     |      |     |     |      |     |    |      |        |

Parcel No(s) N/A

Total number of acres irrigated 8,155 acres/ AC Limit 5580

Name of claimant(s) Montpelier Irrigation Company Claim ID

**SUPPLEMENTAL SHEET  
NOTICE OF CLAIM TO A WATER RIGHT**

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

The priority date originates from the Decree dated 2/20/1902 in Bear Lake County, E. Strong, et al. v. Montpelier Irrig. Co., et. al. The property at the place of use is owned by current and/or any future shareholders of Montpelier Irrigation Company.

Other water rights used at the same place and for the same purposes as described above:

11-1012, 11-1013, 11-1014, 11-1015, 11-1016, 11-1017, 11-1018, 11-1019, 11-1020, 11-1021, 11-1022, 11-1023, 11-1024, 11-1025, 11-1026, 11-1027, 11-1028, 11-1029, 11-1030, 11-1031, 11-1032, 11-1033, 11-1034, 11-1035, 11-1036, 11-1037, 11-1038, 11-1039, 11-1040, 11-1041 and 11-2159, and when combined shall not exceed a total diversion rate of 96.48 cfs, and the irrigation of 5580.0 acres.

List of Attachments to Claim Form:

1. IDWR Water Right Report of 11-1040
2. IDWR Map of 11-1040
3. Map depicting the current point of diversion and place of use.
4. Description of diversion works.

Name of claimant(s) Montpelier Irrigation Company Claim ID \_\_\_\_\_

14. Basis of claim (Check one) Beneficial Use ( ) Posted Notice ( ) License ( ) Permit ( ) Decree ( ☒ )

Court Bear Lake County Decree Date 02/20/1902 Plaintiff v. Defendant E. Strong, et al. v. Montpelier Irrig. Co., et. al.

If applicable provide IDWR Water Right Number 11-1040

15. Signature(s)

- (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.

Number of attachments: 4

**For Individuals:** I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

President \_\_\_\_\_ of Montpelier Irrigation Company  
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Mark Ipsen Date 10/16/23

Printed Name of Authorized Agent Mark Ipsen, President

16. Notice of Appearance:

Notice is hereby given that I, (please print) Thomas J. Budge, Attorney, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Thomas J. Budge Date 10/16/2023

Address P.O. Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

Name of claimant(s) Montpelier Irrigation Company Claim ID \_\_\_\_\_

Close

## Water Right Report : 11-1040( Decreed/Active)

## Water Right Owners

| Owner Type     | Name                     | Address                          | City       | State | Postal Code |
|----------------|--------------------------|----------------------------------|------------|-------|-------------|
| Current Owner  | MONTPELIER IRRIGATION CO | C/O G ALLEN LLOYD 320 LINCOLN ST | MONTPELIER | ID    | 83254       |
| Original Owner | STRONG, E                |                                  |            | ZZ    |             |

## Water Right Status

Priority Date : 4/23/1886

Basis : Decreed

Status : Active

## Water Source

| Source           | Source Qualifier | Tributary  | Tributary Qualifier |
|------------------|------------------|------------|---------------------|
| MONTPELIER CREEK |                  | BEAR RIVER |                     |

## Points Of Diversion (Location)

| Source           | Township | Range | Section | Govt. Lot | QQQ | QQ | Q  | County    | Diversion Type |
|------------------|----------|-------|---------|-----------|-----|----|----|-----------|----------------|
| MONTPELIER CREEK | 12S      | 45E   | 32      | 0         | NW  | NE | SW | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 1       | 0         | NE  | NE | SW | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 1       | 0         | NE  | NE | SW | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 2       | 0         | SW  | SE | NE | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 2       | 0         | SE  | SE | NE | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 2       | 0         | NE  | SW | NW | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 3       | 0         | SW  | SE | NE | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 8       | 0         | NW  | NE | SE | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 44E   | 9       | 0         | NW  | NE | NE | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 45E   | 6       | 0         | SW  | SW | NW | BEAR LAKE |                |
| MONTPELIER CREEK | 13S      | 45E   | 6       | 0         | SW  | SW | NW | BEAR LAKE |                |

## Water Uses

| Beneficial Use | From  | To    | Diversion Rate | Volume |
|----------------|-------|-------|----------------|--------|
| IRRIGATION     | 04/01 | 11/01 | 3.00 CFS       |        |
| <b>TOTAL</b>   |       |       | 3.00 CFS       |        |

## Places of Use

Printable View

Paged View

## Place of Use Legal Description : IRRIGATION (BEAR LAKE county)

| Township | Range | Section | Lot | QQQ | QQ | Q | Acres |
|----------|-------|---------|-----|-----|----|---|-------|
| 12S      | 44E   | 15      |     | SW  | SW |   | 0.5   |
| 12S      | 44E   | 16      |     | SW  | SE |   | 0.3   |
| 12S      | 44E   | 16      |     | SE  | SE |   | 0.4   |
| 12S      | 44E   | 21      |     | NE  | NE |   | 40    |
| 12S      | 44E   | 21      |     | NW  | NE |   | 40    |
| 12S      | 44E   | 21      |     | SW  | NE |   | 40    |
| 12S      | 44E   | 21      |     | SE  | NE |   | 40    |
| 12S      | 44E   | 21      |     | NE  | NW |   | 40    |
| 12S      | 44E   | 21      |     | SW  | NW |   | 40    |
| 12S      | 44E   | 21      |     | SE  | NW |   | 40    |
| 12S      | 44E   | 21      |     | NE  | SW |   | 40    |
| 12S      | 44E   | 21      |     | NW  | SW |   | 40    |
| 12S      | 44E   | 21      |     | SW  | SW |   | 40    |
| 12S      | 44E   | 21      |     | SE  | SW |   | 40    |

| Township | Range | Section | Lot | QQ | Q  | Acres |
|----------|-------|---------|-----|----|----|-------|
| 12S      | 44E   | 21      |     | NE | SE | 40    |
| 12S      | 44E   | 21      |     | NW | SE | 40    |
| 12S      | 44E   | 21      |     | SW | SE | 40    |
| 12S      | 44E   | 21      |     | SE | SE | 40    |
| 12S      | 44E   | 22      |     | NW | NW | 40    |
| 12S      | 44E   | 22      |     | SW | NW | 40    |
| 12S      | 44E   | 22      |     | SE | NW | 40    |
| 12S      | 44E   | 22      |     | NE | SW | 40    |
| 12S      | 44E   | 22      |     | NW | SW | 40    |
| 12S      | 44E   | 22      |     | SW | SW | 40    |
| 12S      | 44E   | 22      |     | SE | SW | 40    |
| 12S      | 44E   | 22      |     | NE | SE | 40    |
| 12S      | 44E   | 22      |     | NW | SE | 40    |
| 12S      | 44E   | 22      |     | SW | SE | 40    |
| 12S      | 44E   | 22      |     | SE | SE | 40    |
| 12S      | 44E   | 23      |     | SW | SW | 23    |
| 12S      | 44E   | 26      |     | NW | NW | 40    |
| 12S      | 44E   | 26      |     | SW | NW | 40    |
| 12S      | 44E   | 26      |     | NW | SW | 40    |
| 12S      | 44E   | 26      |     | SW | SW | 40    |
| 12S      | 44E   | 26      |     | SE | SW | 40    |
| 12S      | 44E   | 27      |     | NE | NE | 40    |
| 12S      | 44E   | 27      |     | NW | NE | 40    |
| 12S      | 44E   | 27      |     | SW | NE | 40    |
| 12S      | 44E   | 27      |     | SE | NE | 40    |
| 12S      | 44E   | 27      |     | NE | NW | 40    |
| 12S      | 44E   | 27      |     | NW | NW | 40    |
| 12S      | 44E   | 27      |     | SW | NW | 40    |
| 12S      | 44E   | 27      |     | SE | NW | 40    |
| 12S      | 44E   | 27      |     | NE | SW | 40    |
| 12S      | 44E   | 27      |     | NW | SW | 40    |
| 12S      | 44E   | 27      |     | SW | SW | 40    |
| 12S      | 44E   | 27      |     | SE | SW | 40    |
| 12S      | 44E   | 27      |     | NE | SE | 40    |
| 12S      | 44E   | 27      |     | NW | SE | 40    |
| 12S      | 44E   | 27      |     | SW | SE | 40    |
| 12S      | 44E   | 27      |     | SE | SE | 40    |
| 12S      | 44E   | 28      |     | NE | NE | 40    |
| 12S      | 44E   | 28      |     | NW | NE | 40    |
| 12S      | 44E   | 28      |     | SW | NE | 40    |
| 12S      | 44E   | 28      |     | SE | NE | 40    |
| 12S      | 44E   | 28      |     | NE | NW | 40    |
| 12S      | 44E   | 28      |     | NW | NW | 41    |
| 12S      | 44E   | 28      |     | SW | NW | 40    |
| 12S      | 44E   | 28      |     | SE | NW | 40    |
| 12S      | 44E   | 28      |     | NE | SW | 40    |
| 12S      | 44E   | 28      |     | NW | SW | 40    |
| 12S      | 44E   | 28      |     | NE | SE | 40    |
| 12S      | 44E   | 28      |     | NW | SE | 40    |
| 12S      | 44E   | 28      |     | SW | SE | 40    |
| 12S      | 44E   | 28      |     | SE | SE | 40    |
| 12S      | 44E   | 33      |     | NE | NE | 40    |
| 12S      | 44E   | 33      |     | NW | NE | 40    |

Montpelier Irrigation Company

| Township | Range | Section | Lot | QQ | Q  | Q   | Acres |
|----------|-------|---------|-----|----|----|-----|-------|
| 12S      | 44E   | 33      |     | SW | NE | 40  |       |
| 12S      | 44E   | 33      |     | SE | NE | 40  |       |
| 12S      | 44E   | 33      |     | NE | SW | 40  |       |
| 12S      | 44E   | 33      |     | NW | SW | 40  |       |
| 12S      | 44E   | 33      |     | SW | SW | 40  |       |
| 12S      | 44E   | 33      |     | SE | SW | 40  |       |
| 12S      | 44E   | 33      |     | NE | SE | 40  |       |
| 12S      | 44E   | 33      |     | NW | SE | 40  |       |
| 12S      | 44E   | 33      |     | SW | SE | 40  |       |
| 12S      | 44E   | 33      |     | SE | SE | 40  |       |
| 12S      | 44E   | 34      |     | NE | NE | 41  |       |
| 12S      | 44E   | 34      |     | NW | NE | 41  |       |
| 12S      | 44E   | 34      |     | SW | NE | 41  |       |
| 12S      | 44E   | 34      |     | SE | NE | 41  |       |
| 12S      | 44E   | 34      |     | NE | NW | 40  |       |
| 12S      | 44E   | 34      |     | NW | NW | 40  |       |
| 12S      | 44E   | 34      |     | SW | NW | 40  |       |
| 12S      | 44E   | 34      |     | SE | NW | 40  |       |
| 12S      | 44E   | 34      |     | NE | SW | 40  |       |
| 12S      | 44E   | 34      |     | NW | SW | 40  |       |
| 12S      | 44E   | 34      |     | SW | SW | 40  |       |
| 12S      | 44E   | 34      |     | SE | SW | 40  |       |
| 12S      | 44E   | 34      |     | NE | SE | 41  |       |
| 12S      | 44E   | 34      |     | NW | SE | 40  |       |
| 12S      | 44E   | 34      |     | SW | SE | 40  |       |
| 12S      | 44E   | 34      |     | SE | SE | 37  |       |
| 12S      | 44E   | 35      |     | NE | NW | 41  |       |
| 12S      | 44E   | 35      |     | NW | NW | 41  |       |
| 12S      | 44E   | 35      |     | SW | NW | 41  |       |
| 12S      | 44E   | 35      |     | SE | NW | 0.2 |       |
| 12S      | 44E   | 35      |     | NW | SW | 24  |       |
| 12S      | 44E   | 35      |     | SW | SW | 2.3 |       |
| 13S      | 44E   | 1       |     | NE | SW | 40  |       |
| 13S      | 44E   | 1       |     | NW | SW | 40  |       |
| 13S      | 44E   | 1       |     | SW | SW | 15  |       |
| 13S      | 44E   | 1       |     | SE | SW | 28  |       |
| 13S      | 44E   | 1       |     | NE | SE | 34  |       |
| 13S      | 44E   | 1       |     | NW | SE | 41  |       |
| 13S      | 44E   | 1       |     | SW | SE | 16  |       |
| 13S      | 44E   | 1       |     | SE | SE | 2.4 |       |
| 13S      | 44E   | 2       |     | SW | NE | 9.7 |       |
| 13S      | 44E   | 2       |     | SW | NW | 24  |       |
| 13S      | 44E   | 2       |     | SE | NW | 21  |       |
| 13S      | 44E   | 2       |     | NE | SE | 38  |       |
| 13S      | 44E   | 2       |     | NW | SE | 11  |       |
| 13S      | 44E   | 2       |     | SE | SE | 4.4 |       |
| 13S      | 44E   | 3       | 1   | NE | NE | 25  |       |
| 13S      | 44E   | 3       | 2   | NW | NE | 41  |       |
| 13S      | 44E   | 3       |     | SW | NE | 40  |       |
| 13S      | 44E   | 3       |     | SE | NE | 33  |       |
| 13S      | 44E   | 3       | 3   | NE | NW | 41  |       |
| 13S      | 44E   | 3       | 4   | NW | NW | 41  |       |
| 13S      | 44E   | 3       |     | SW | NW | 40  |       |

Montpelier Irrigation Company

| Township | Range | Section | Lot | QQ | Q  | Q  | Acres |
|----------|-------|---------|-----|----|----|----|-------|
| 13S      | 44E   | 3       |     | SE | NW | 40 |       |
| 13S      | 44E   | 3       |     | NE | SW | 40 |       |
| 13S      | 44E   | 3       |     | NW | SW | 40 |       |
| 13S      | 44E   | 3       |     | SW | SW | 40 |       |
| 13S      | 44E   | 3       |     | SE | SW | 40 |       |
| 13S      | 44E   | 3       |     | NW | SE | 40 |       |
| 13S      | 44E   | 3       |     | SW | SE | 40 |       |
| 13S      | 44E   | 4       | 1   | NE | NE | 41 |       |
| 13S      | 44E   | 4       | 2   | NW | NE | 41 |       |
| 13S      | 44E   | 4       |     | SW | NE | 40 |       |
| 13S      | 44E   | 4       |     | SE | NE | 40 |       |
| 13S      | 44E   | 4       | 3   | NE | NW | 41 |       |
| 13S      | 44E   | 4       | 4   | NW | NW | 41 |       |
| 13S      | 44E   | 4       |     | SW | NW | 40 |       |
| 13S      | 44E   | 4       |     | SE | NW | 40 |       |
| 13S      | 44E   | 4       |     | NE | SW | 40 |       |
| 13S      | 44E   | 4       |     | NW | SW | 40 |       |
| 13S      | 44E   | 4       |     | SW | SW | 40 |       |
| 13S      | 44E   | 4       |     | SE | SW | 40 |       |
| 13S      | 44E   | 4       |     | NE | SE | 40 |       |
| 13S      | 44E   | 4       |     | NW | SE | 40 |       |
| 13S      | 44E   | 4       |     | SW | SE | 40 |       |
| 13S      | 44E   | 4       |     | SE | SE | 41 |       |
| 13S      | 44E   | 5       | 1   | NE | NE | 41 |       |
| 13S      | 44E   | 5       | 2   | NW | NE | 41 |       |
| 13S      | 44E   | 5       |     | SW | NE | 40 |       |
| 13S      | 44E   | 5       |     | SE | NE | 40 |       |
| 13S      | 44E   | 5       |     | SW | SW | 40 |       |
| 13S      | 44E   | 5       |     | SE | SW | 40 |       |
| 13S      | 44E   | 5       |     | NE | SE | 40 |       |
| 13S      | 44E   | 5       |     | NW | SE | 40 |       |
| 13S      | 44E   | 5       |     | SW | SE | 40 |       |
| 13S      | 44E   | 5       |     | SE | SE | 40 |       |
| 13S      | 44E   | 8       |     | NE | NE | 40 |       |
| 13S      | 44E   | 8       |     | SE | NE | 40 |       |
| 13S      | 44E   | 8       |     | NE | SE | 42 |       |
| 13S      | 44E   | 8       |     | NW | SE | 42 |       |
| 13S      | 44E   | 8       |     | SW | SE | 41 |       |
| 13S      | 44E   | 8       |     | SE | SE | 41 |       |
| 13S      | 44E   | 9       |     | NE | NE | 40 |       |
| 13S      | 44E   | 9       |     | NW | NE | 40 |       |
| 13S      | 44E   | 9       |     | SW | NE | 40 |       |
| 13S      | 44E   | 9       |     | SE | NE | 40 |       |
| 13S      | 44E   | 9       |     | NE | NW | 40 |       |
| 13S      | 44E   | 9       |     | NW | NW | 40 |       |
| 13S      | 44E   | 9       |     | SW | NW | 40 |       |
| 13S      | 44E   | 9       |     | SE | NW | 40 |       |
| 13S      | 44E   | 9       | 2   | NE | SW | 64 |       |
| 13S      | 44E   | 9       | 1   | NW | SW | 50 |       |
| 13S      | 44E   | 9       | 8   | SW | SW | 33 |       |
| 13S      | 44E   | 9       | 7   | SE | SW | 20 |       |
| 13S      | 44E   | 9       | 4   | NE | SE | 41 |       |
| 13S      | 44E   | 9       | 3   | NW | SE | 38 |       |

Montpelier Irrigation Company

| Township | Range | Section | Lot | QQ | QQ | Q  | Acres |
|----------|-------|---------|-----|----|----|----|-------|
| 13S      | 44E   | 9       | 6   |    | SW | SE | 46    |
| 13S      | 44E   | 9       | 5   |    | SE | SE | 43    |
| 13S      | 44E   | 10      |     |    | NW | NE | 40    |
| 13S      | 44E   | 10      |     |    | SW | NE | 40    |
| 13S      | 44E   | 10      |     |    | NE | NW | 40    |
| 13S      | 44E   | 10      |     |    | NW | NW | 40    |
| 13S      | 44E   | 10      |     |    | SW | NW | 40    |
| 13S      | 44E   | 10      |     |    | SE | NW | 40    |
| 13S      | 44E   | 10      |     |    | NE | SW | 40    |
| 13S      | 44E   | 10      | 1   |    | NW | SW | 56    |
| 13S      | 44E   | 10      | 3   |    | SW | SW | 27    |
| 13S      | 44E   | 10      | 2   |    | SE | SW | 39    |
| 13S      | 44E   | 10      |     |    | NE | SE | 40    |
| 13S      | 44E   | 10      |     |    | NW | SE | 41    |
| 13S      | 44E   | 10      |     |    | SW | SE | 41    |
| 13S      | 44E   | 10      |     |    | SE | SE | 40    |
| 13S      | 44E   | 14      |     |    | NW | NW | 40    |
| 13S      | 44E   | 14      |     |    | SW | NW | 40    |
| 13S      | 44E   | 15      |     |    | NE | NE | 40    |
| 13S      | 44E   | 15      |     |    | NW | NE | 41    |
| 13S      | 44E   | 15      |     |    | SW | NE | 41    |
| 13S      | 44E   | 15      |     |    | SE | NE | 40    |

**Irrigation Totals**

Total Acres Acre Limit

7356.20 5580.00

**Conditions****Code Conditions**

- X35 Rights 11-1012, 11-1013, 11-1014, 11-1015, 11-1016, 11-1017, 11-1018, 11-1019, 11-1020, 11-1021, 11-1022, 11-1023, 11-1024, 11-1025, 11-1026, 11-1027, 11-1028, 11-1029, 11-1030, 11-1031, 11-1032, 11-1033, 11-1034, 11-1035, 11-1036, 11-1037, 11-1038, 11-1039, 11-1040, 11-1041 and 11-2159 when combined shall not exceed a total diversion rate of 96.48 cfs, and the irrigation of 5580.0 acres.
- 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. 11H.
- R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- 01J Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
- 004 This right does not grant any right-of-way or easement across the land of another.
- 129 Place of use is within the area served by Montpelier Irrigation Company.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**Dates****Other Information**

Licensed Date :

Decreed Date : 2/20/1902

Permit Proof Due Date :

Permit Proof Made Date :

Permit Approved Date :

Permit Moratorium Expiration Date :

Enlargement Use Priority Date :

Enlargement Statute Priority Date :

IDWR DEPARTMENT OF WATER RESOURCES

Protest Deadline Date:

3/30/2023

**Montpelier Irrigation Company**

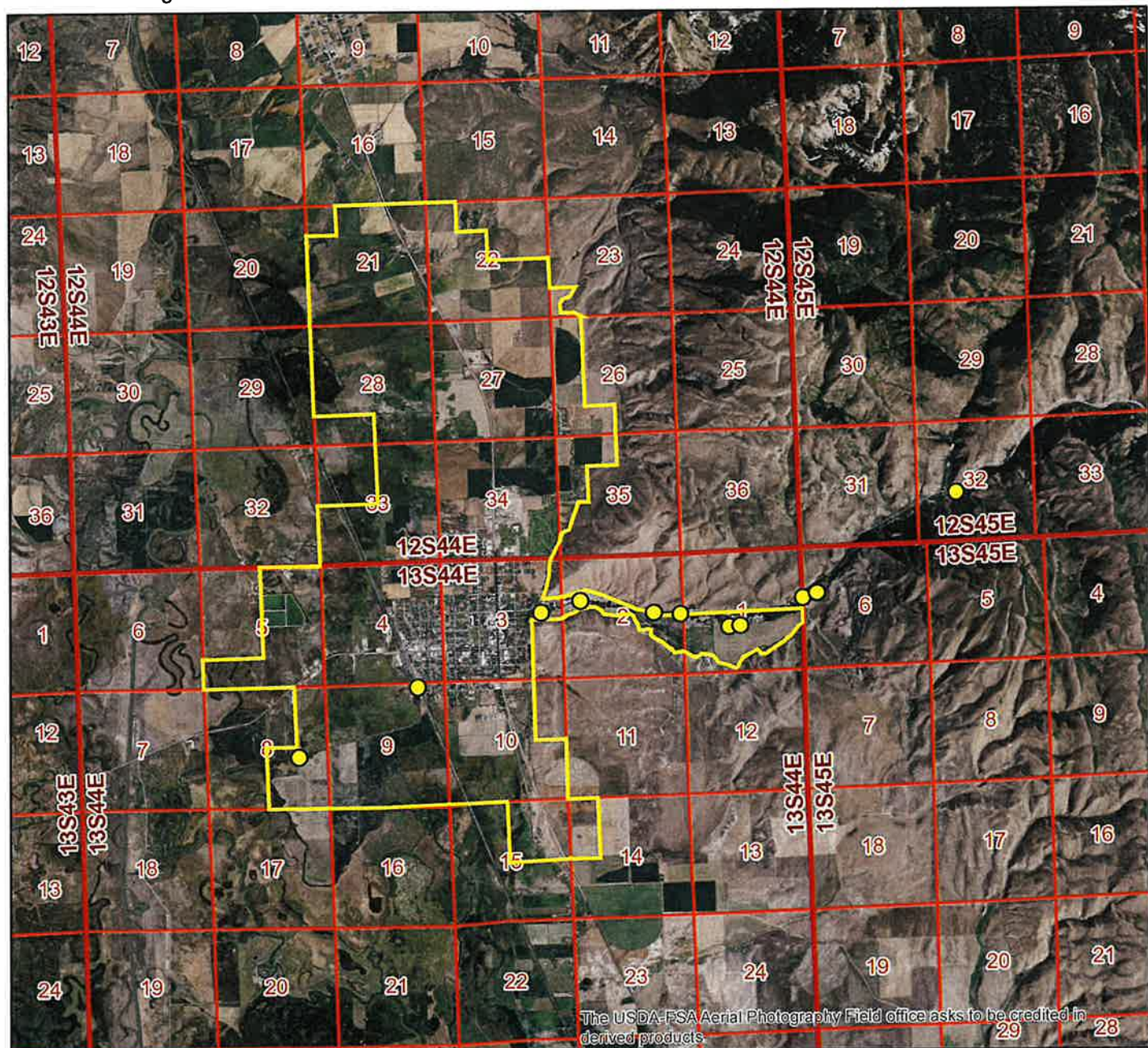
State or Federal :  
Water District Number : 11H  
Generic Max Rate Per Acre : 0.02  
Generic Max Volume Per Acre : 3.5  
Combined Acre Limit : 5580.00  
Combined Volume Limit:  
Combined Rate Limit:  
Civil Case Number :  
Decree Plaintiff :  
Decree Defendant :  
Swan Falls Trust or Nontrust :  
Swan Falls Dismissed :  
DLE Act Number :  
Cary Act Number :  
Mitigation Plan: False

State of Idaho  
Department of Water Resources  
**Water Right**

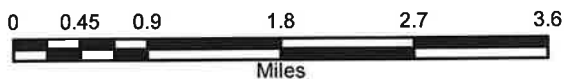
11-1040

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 3/30/2023



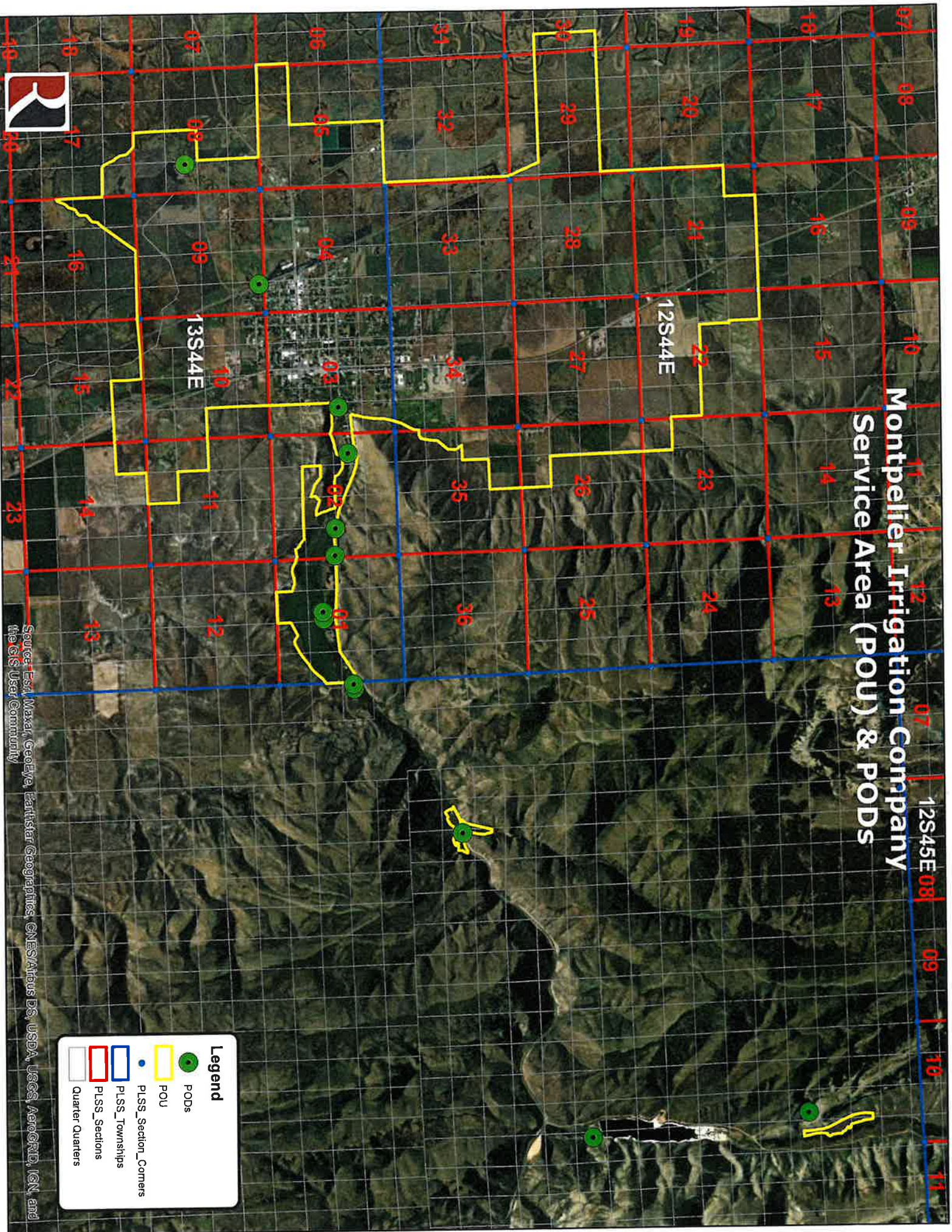
Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections



Montpelier Irrigation Company

# Montpelier Irrigation Company Service Area (POU) & PODs



PODs

POU

PLSS\_Section\_Corners

PLSS\_Townships

PLSS\_Sections

Quarter Quarters

Legend

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## **Attachment**

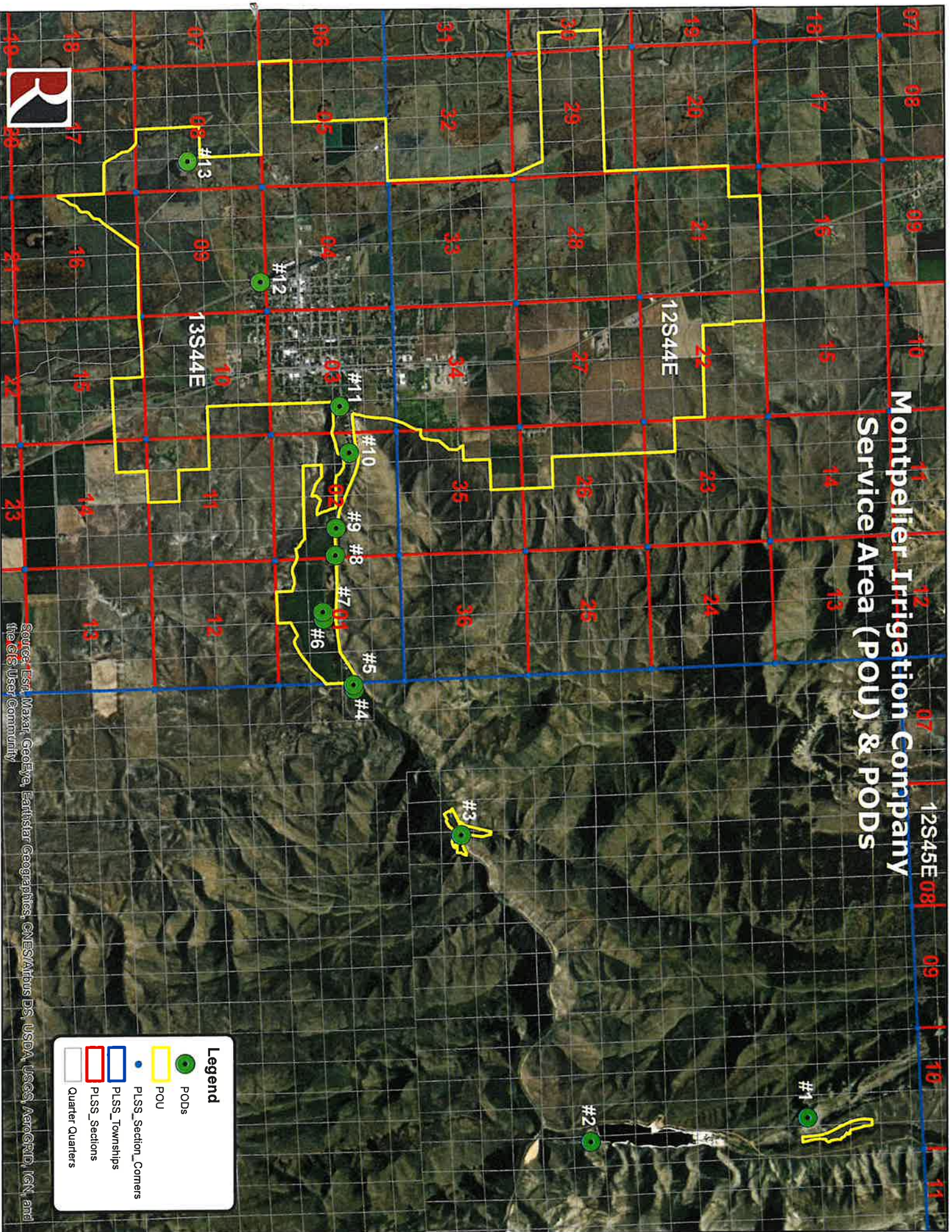
### **Description of Existing Diversion Works**

#### **Points of Diversion**

1. Plastic/canvas dam diverting into a ditch.
2. Control house with a metal slide gate that is controlled with hydraulics located in the cinder block shed at the bottom of the dam. A measuring gauge is located in the cement structure coming out of the dam.
3. Electric pump.
4. Head gate with a metal slide that goes into a pipe that feeds an electric pump.
5. Metal head gate with a metal slide installed in a cement structure.
6. Metal wall with a waterman screw headgate going into a pipe that feeds a diesel pump.
7. Diesel pump.
8. Metal headgate feeding a diesel pump.
9. Metal headgate installed in gravel with a metal slide.
10. Cement structure with waterman screw headgate. In this structure there is a gauge on the wall that correlated with Parshall Flume measurements. It feeds the north canal that goes around the east side of Montpelier above the golf course and cemetery. It supplies water to the northern shareholders and the emergency drain canal on the northern side of Montpelier that is used for flood diversion in the spring if needed.
11. Cement structure using boards. It diverts water into what is referred to as the Burgoyne Ditch and the South Ditch. Burgoyne ditch supplies water to shareholders within the city of Montpelier and the central part of the company. South ditch takes water south on the eastern side of town to the shareholders in the southern part of the Company.
12. Cement structure using boards to send water to shareholders below the UPRR tracks.
13. Metal structure used to supply water to diesel pump.

**\*See attached map**

## Service Area (POU) & PODs



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



October 16, 2023

RECEIVED

OCT 25 2023

IDWR/Preston

Idaho Dept. of Water Resources  
325 East 600 South, Ste 300  
Preston, Idaho 83263-4921  
marion.beck@idwr.idaho.gov

*Sent via Email & U.S. Mail*

**Re: Montpelier Irrigation Company  
Notices of Claims to Water Rights  
Bear River Basin Adjudication**

To whom it may concern:

Enclosed for filing please find the originals of twenty-two Notices of Claims to Water Rights, together with a check in the amount of \$6,874.00 for the filing fees, broken down as follows:

**Claim 1:** \$50 flat fee + (\$100.00 per cfs x 0.07 cfs stockwater) + (\$1.00 per acre x 187 acres) = \$244.00

**Claims 2-22:** \$50 flat fee x 21 claims = \$1,050.00

**Claims 2-22:** \$1.00 per acre x 5,580 combined acres = \$5,580.00

**Total: \$6,874.00**

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,

A handwritten signature in dark ink that reads 'Tessa Sparrow'.

TESSA SPARROW  
Paralegal

Enclosure

c: Montpelier Irrigation Company