Form No.42-1409-1 (Internet 06/21)

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: 11-2159
Date Received: 3.19.26
Receipt No: P000549
Claim Fee: _____ By: _____

RECEIVED
MAR 19 2026
IDWR/Preston

AMENDED

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) March 20, 1963 (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.

   Control house with a metal slide gate that is controlled with hydraulics located in the cinder block shed at the bottom of the dam where water is diverted into the system. A measuring gauge is located in the cement structure coming out of the dam. See attached supplemental sheet for description of diversions for irrigation from storage.

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 ¼ of SW ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 45E, Section 6, SW ¼ of NW ¼, Govt. Lot 5, BM, County of Bear Lake

Township 12S, Range 45E, Section 6, SW ¼ of NW ¼, Govt. Lot 5, BM, County of Bear Lake

Township 12S, Range 44E, Section 1, NE ¼ of SW ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 44E, Section 1, NE ¼ of SW ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 44E, Section 2, SE ¼ of NE ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 44E, Section 2, SE ¼ of NE ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 44E, Section 2, SW ¼ of NW ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 44E, Section 3, SE ¼ of NE ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 44E, Section 9, NE ¼ of NE ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 44E, Section 8, NE ¼ of SE ¼, Govt. Lot ____, BM, County of Bear Lake

Township 12S, Range 45E, Section 27, NE ¼ of SE ¼, Govt. Lot ____, BM, County of Bear Lake

Township _____, Range _____, Section ____, ____ ¼ of ____ ¼, Govt. Lot ____, BM, County of _____

Township _____, Range _____, Section ____, ____ ¼ of ____ ¼, 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 Storage purposes from 01/01 to 12/31 amount _____ or 3840.00

For Irrigation from Storage purposes from 04/15 to 10/15 amount _____ or 3840.00

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 3840.00 (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:
   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.

			NE				NW				SW				SE				
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
			SEE ATTACHED SUPPLEMENTAL SHEET																

Parcel no(s). N/A Total number of acres irrigated Limit 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.

			NE				NW				SW				SE				
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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	6							2										2
12S	45E	32							1	4	10	11							26

Parcel No(s). N/A

Total number of acres irrigated 8,134acres/ AC Limit 5580

Name of claimant(s) Montpelier Irrigation Company Claim ID

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

The priority date is based off the license date of March 20, 1963.
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 11-2159
2. Map depicting the irrigation from storage current points of diversion and place of use.
3. Map depicting the irrigation storage POU.

Name of claimant(s) Montpelier Irrigation Company Claim ID

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-2159

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: 3

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 (Agent's title (Please print)) of Montpelier Irrigation Company (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

HOW YOU WILL RECEIVE NOTICES IN THE BEAR RIVER BASIN WATER SYSTEM ADJUDICATION

All documents filed in the Bear River Basin Water System Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Bear River Basin Water System Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Bear River Basin Water System Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Bear River Basin Water System Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of IDWR; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at:

http://www.srba.idaho.gov/BRBA20.HTM

Copies of any document listed on the docket sheet may be obtained from any of the IDWR offices or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with IDWR will be available for inspection at all IDWR offices. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. A Director's report will be prepared for all claims filed in the Bear River Basin Water System Adjudication. When this report is filed with the court, you will be mailed a notice informing you that the report has been filed. The notice will be sent to the most recent address shown by IDWR's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way another claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

It is very important that you inform IDWR in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

If you are acquiring property with water rights within the boundaries of the Bear River Basin Water System Adjudication in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of IDWR whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with IDWR. You may contact IDWR regional offices or the IDWR web site http://www.idwr.idaho.gov/ for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

Close

Water Right Report : 11-2159(License/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 : 3/20/1963
Basis : License
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 STORAGE	01/01	12/31		3840.00 AFA
IRRIGATION FROM STORAGE	04/15	10/15		3840.00 AFA
TOTAL				3840.00 CFS

Places of Use

Printable View Paged View

Place of Use Legal Description : IRRIGATION FROM STORAGE (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

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Montpelier Irrigation Company

Township	Range	Section	Lot	QQQ	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
12S	44E	33			SW	NE	40

Montpelier Irrigation Company

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
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
13S	44E	3			SE	NW	40
13S	44E	3			NE	SW	40

Montpelier Irrigation Company

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
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
13S	44E	9	6		SW	SE	46
13S	44E	9	5		SE	SE	43
13S	44E	10			NW	NE	40

Montpelier Irrigation Company

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
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

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

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
12S	45E	22			NE	NE	
12S	45E	22			SE	NE	
12S	45E	22			NE	SE	
12S	45E	22			SE	SE	
12S	45E	23			NW	NW	
12S	45E	23			SW	NW	
12S	45E	23			NW	SW	
12S	45E	27			NE	NE	
12S	45E	27			NW	NE	
12S	45E	27			SW	NE	
12S	45E	27			SE	NE	
12S	45E	27			NE	SE	
12S	45E	27			NW	SE	

Conditions

Code	Condtions
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

Montpelier Irrigation Company

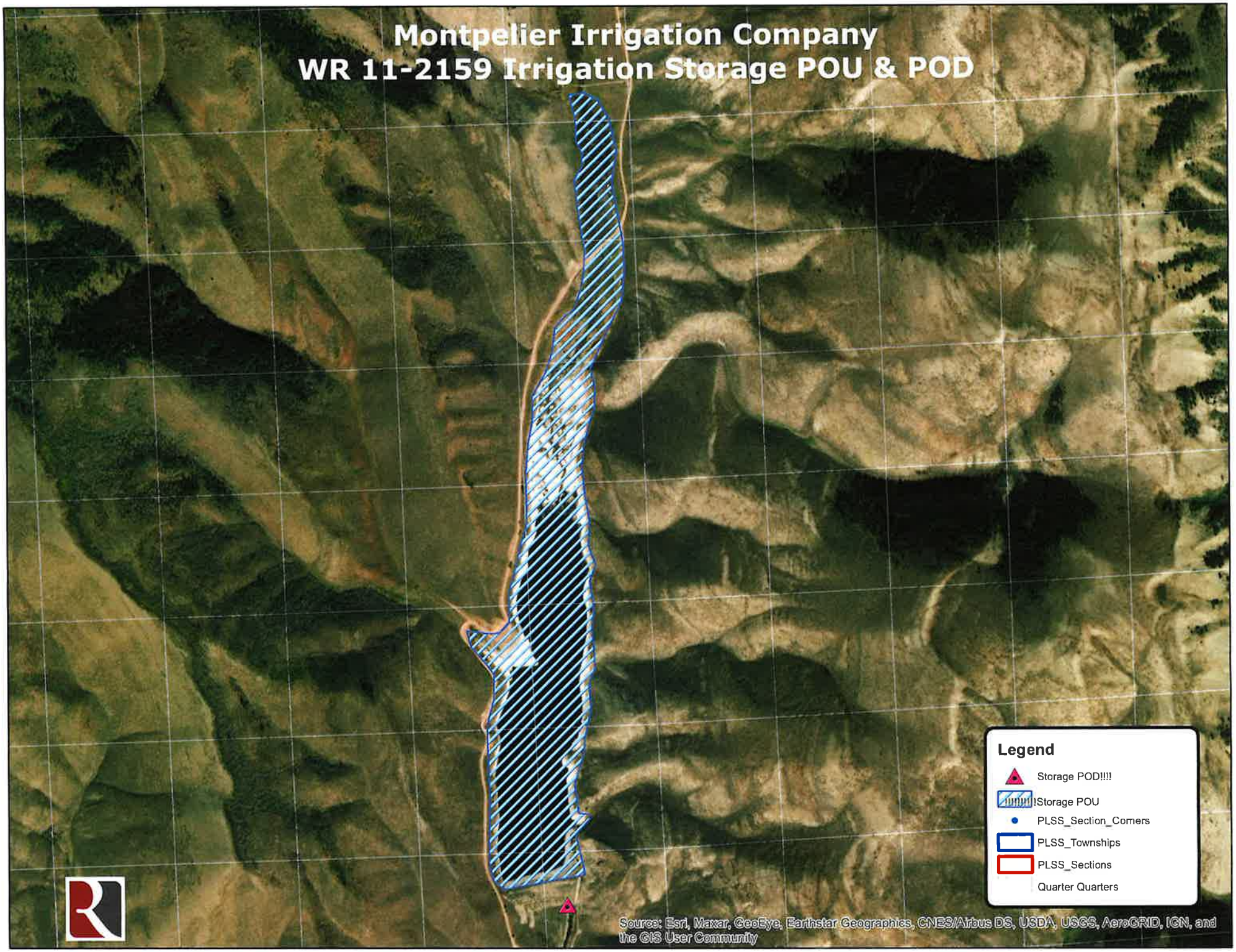
Licensed Date : 5/24/1995
Decreed Date :
Permit Proof Due Date : 2/22/1973
Permit Proof Made Date : 1/5/1973
Permit Approved Date : 3/22/1963
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date: 3/20/1963
Protest Deadline Date:

State or Federal :
Water District Number : 11H
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Combined Acre Limit : 5580.00
Combined Volume Limit:
Combined Rate Limit:
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

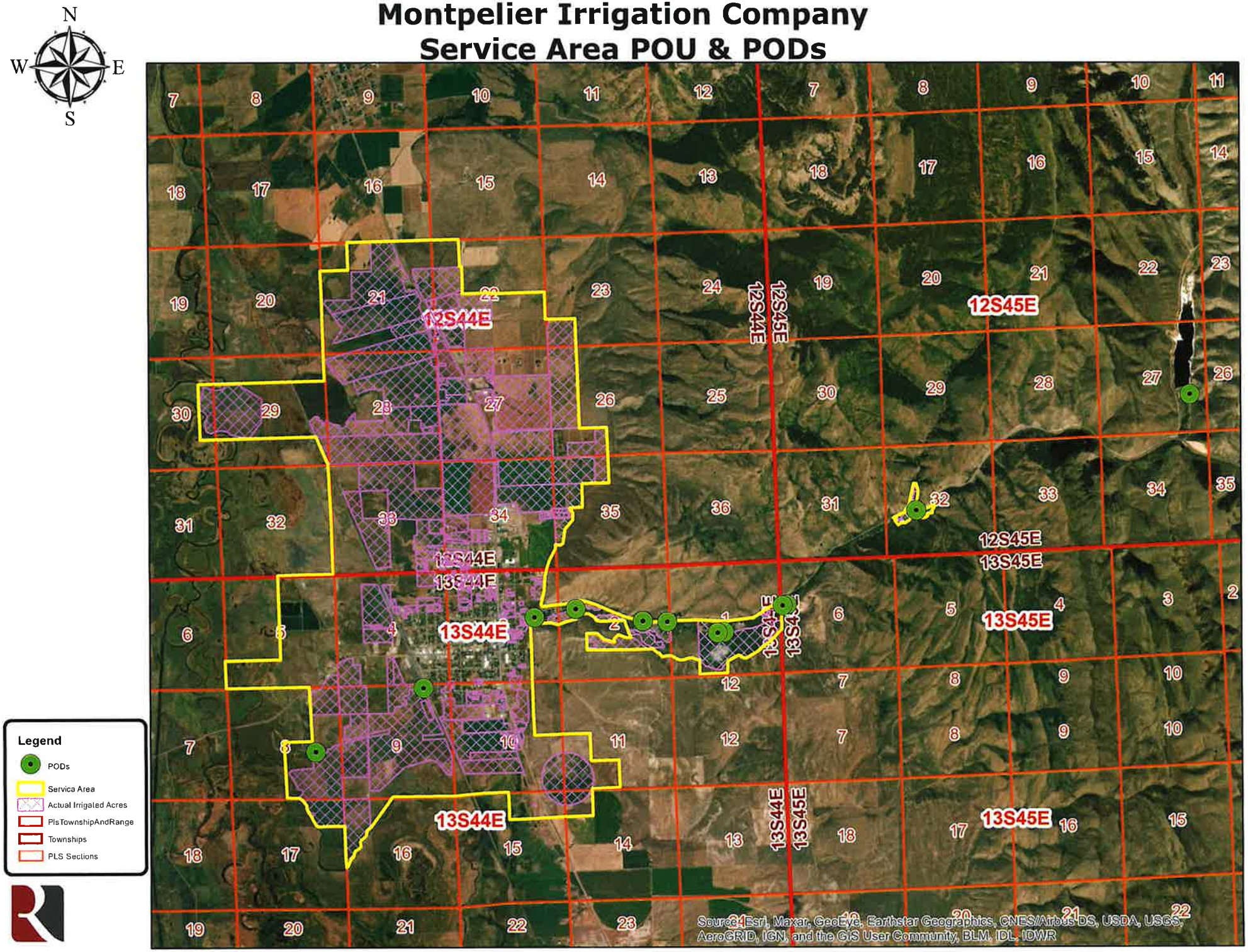
IDAHO DEPARTMENT OF WATER RESOURCES

3/30/2023

Montpelier Irrigation Company


Montpelier Irrigation Company
WR 11-2159 Irrigation Storage POU & POD
Legend
Storage POD!!!!
!Storage POU
PLSS_Section_Corners
PLSS_Townships
PLSS_Sections
Quarter Quarters
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Montpelier Irrigation Company
Service Area POU & PODs



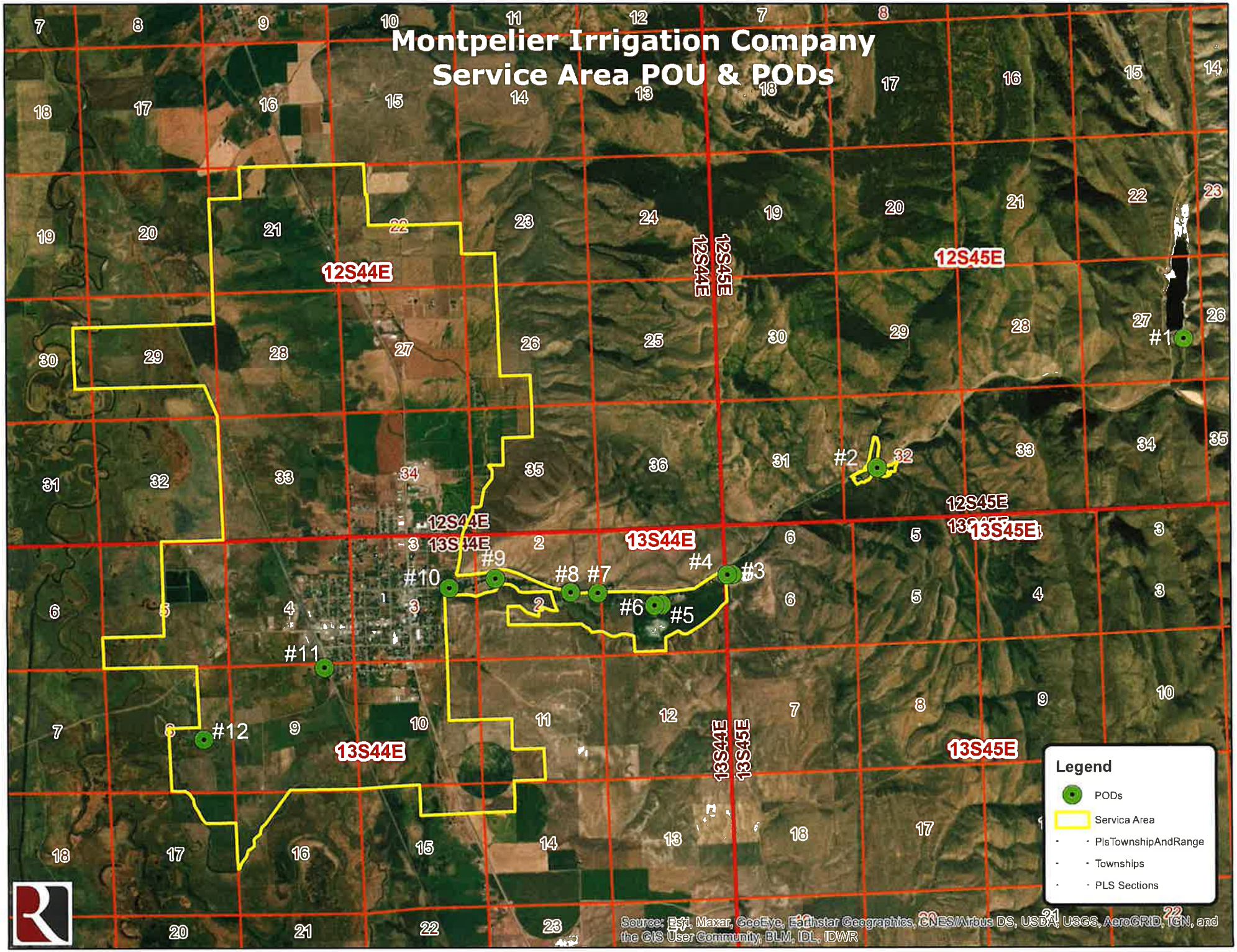
Attachment

Description of Existing Diversion Works

Points of Diversion

1. 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.
2. Electric pump.
3. Head gate with a metal slide that goes into a pipe that feeds and electric pump.
4. Metal head gate with a metal slide installed in a cement structure.
5. Metal wall with a waterman screw headgate going into a pipe that feeds a diesel pump.
6. Diesel pump.
7. Metal headgate feeding a diesel pump.
8. Metal headgate installed in gravel with a metal slide.
9. 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.
10. 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.
11. Cement structure using boards to send water to shareholders below the UPPR tracks.
12. Metal structure used to supply water to diesel pump.

***See attached map**


Montpelier Irrigation Company
Service Area POU & PODs
12S44E
12S45E
13S44E
13S45E
#1
#2
#3
#4
#5
#6
#7
#8
#9
#10
#11
#12
Legend
PODs
Servica Area
PlsTownshipAndRange
Townships
PLS Sections
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, BLM, IDL, IDWR

RACINE OLSON
ATTORNEYS | PROBLEM SOLVED

March 19, 2026

Sent via Email and U.S. Mail

Brian Wunsch
Senior Water Resource Agent
Idaho Dept. of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
brian.wunsch@idwr.idaho.gov
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RECEIVED
MAR 19 2026
IDWR/Preston

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

Dear Brian:

This letter responds to your February 26, 2026, correspondence regarding the water right claims filed on behalf of Montpelier Irrigation Company ("Company") in the Bear River Basin Adjudication.

Response to Issues No. 1 and No. 2

In response to Issues No. 1 and No. 2 identified in your letter, the Company has determined that the claimed place of use (POU), source, and point of diversion (POD) located above the Montpelier Reservoir can be removed from the claims filed previously. Accordingly, the Company is amending those claims, as discussed below.

The diversion and use above Montpelier Reservoir is associated with a separate water right (11-2115) owned by the Company. Enclosed herewith is a notice of claim for water right no. 11-2115 and a check in the amount of $78 ($50 flat fee + $1.00 per acre x 28 additional acres = $78) for the filing fee.

Response to Issues No. 3 and No. 4

In response to Issues No. 3 and No. 4, the Company is filing amended claims for the following water rights: 11-1015, 11-1018, 11-1019, 11-1020, 11-1021, 11-1022, 11-1023, 11-1024, 11-1025, 11-1034, 11-1036, 11-1037, 11-1038, 11-1039, 11-1040, 11-9319, 11-9321, 11-9328, 11-9329, 11-9342, and 11-2159.

These amended claims make the following corrections and clarifications:

1. The claimed POD and POU located above Montpelier Reservoir have been removed from each claim, as discussed above.
2. The POD located at the south end of the Montpelier Reservoir in T12S, R45E, Section 27 has been added to the supplemental point of diversion sheet. This POD was shown on the map but inadvertently omitted from the supplemental POD sheet in the original claims.

3. The location of the two PODs in T13S, R44E, Section 2 has been corrected to SENE, which matches the location identified in attached POD description and map. The original claims inadvertently identified these PODs as being in the NESE.
4. The total irrigated acres of the Company have also been corrected to remove the acreage located in the POU above Montpelier Reservoir.

The Company believes these amendments resolve the concerns identified in your letter. Please let us know if the Department has any questions or requires any additional information or clarification.

Sincerely,

T. J. BUDGE

Enclosure
c: Montpelier Irrigation Company