



State of Idaho

DEPARTMENT OF WATER RESOURCES

#33-00003

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

David Andreason, Watermaster
Water District 33
Howe, Idaho 83244

Dry Creek Water Users
Water District 33
Howe, Idaho 83244

Dear Watermaster and Water Users:

Per a telephone request of Mr. Bill Stauffer of Blaine County Canal Company, I'm sending you this letter to clarify the remark regarding delivery of Dry Creek water, which reads:

"THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER FROM THE LITTLE LOST RIVER DOWNSTREAM FROM THE POINT OF DIVERSION PURSUANT TO SECTION 42-105, IDAHO CODE."

In notices of error and in the petition, many of the Dry Creek water users disagreed with this remark. I apologize that it was not changed, due to my error. Dave Tuthill had intended that I modify the remark to clearly indicate the reductions should be based upon transmission losses. It should have read something like:

"THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY DUE TO LOSS BY EVAPORATION AND SEEPAGE, PURSUANT TO SECTION 42-105, IDAHO CODE."

Now that the recommendations have gone to the court, however, I can't change the wording. Though the current remark is perhaps a little unclear, in my opinion it doesn't really injure the Dry Creek water users. The whole intent of this remark is to allow the watermaster to assess transmission losses to "developed" waters. It appears not only on the Dry Creek rights but also on the Bell Mountain rights and all exchange wells subject to transmission losses. While it is unfortunate that the remark doesn't explicitly state

"transmission losses," it clearly points to section 42-105 of Idaho Code. That section reads:

"The water that a person is entitled to divert... may be turned into the channel of a natural waterway and mingled with its water, and then reclaimed, but in reclaiming the water so mingled, the amount of water to which prior appropriators may be entitled shall not be diminished, and due allowance shall be made for loss by evaporation and seepage. The use of natural waterways... shall be subject to the regulation of the watermaster within an established water district."

Please review this carefully. If you still believe this remark injures you, you may file an objection with the court. Filing the objection will give you the opportunity to present your concerns with the judge, and the judge may direct IDWR to change the remark accordingly.

Typically the judge will ask IDWR's input, and I think the department's response would be agreeable to changing the wording. The department would still want some type of remark, to preserve historical practice and the intent of the 1966 agreement between Dry Creek users and users of the Little Lost River.

Please call me at 525-7161 or 663-4853 if you have questions or concerns about this issue.

Sincerely,

Bryce A. Contor

Mailing list for Dry Creek Remark Letter:

David Andreason, Watermaster
Water District 33
Howe, Idaho 83244

Bill Stauffer, Chairman
Blaine County Canal Company
Howe, Idaho 83244

Pancheri, Inc.
c/o Jerry Pancheri
HC 65 Box 2104
Howe, Idaho 83244

Keith Waymire
PO Box 47
Howe, Idaho 83244

Daryl Andreason
Brenda Andreason
PO Box 22
Howe, Idaho 83244

James Andreason
Elizabeth Andreason
PO Box 3
Howe, Idaho 83244

Woodie Land and Livestock
HC 65 Box 1019
Howe, Idaho 83244

Mays Land and Livestock
PO Box 1
Howe, Idaho 83244

RECEIVED

JAN 17 2001

Department of Water Resources

2001 JUN 16 PM 2:20
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

) ORDER OF PARTIAL DECREE

Case No. 39576

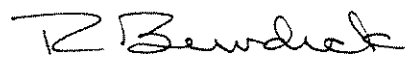
) For Water Right 33-00003
)
)
)

On November 30, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 33-00003 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 18 2001



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 33-00003

2001 JAN 16 PM 2:20

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BLAINE COUNTY CANAL CO
HC 65 BOX 1058
HOWE, ID 83244

SOURCE: DRY CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 61.00 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 30,000 AF.
COMBINED RIGHT NOS.: 33-00004, 33-00005.

THE AMOUNT OF WATER REDIVERTED FROM THE LITTLE LOST RIVER
SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO
APPROPRIATORS OF WATER FROM THE LITTLE LOST RIVER DOWNSTREAM FROM
THE POINT OF REDIVERSION PURSUANT TO SECTION 42-105, IDAHO CODE.

PRIORITY DATE: 07/01/1912

POINT OF DIVERSION:	T06N R28E S11	NENW	(Rediversion)	Within Butte County
	T09N R27E S04	SWNE	(Injection)	
	T10N R25E S31	NENW	Within Custer County	
	R26E S36	SWNW	(Injection)	Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	61.00 CFS

PLACE OF USE:	Irrigation		Within Butte County
	T06N R28E S25	SWNE 40.0	SENE 40.0
		NENW 40.0	SENE 40.0
		NESW 40.0	NESE 40.0
		NWSE 40.0	
	R29E S14	SWSW 39.0	
	S15	NESW 40.0	NWSW 40.0
		SWSW 39.0	SESW 39.0
		NESE 40.0	NWSE 40.0
		SWSE 39.0	SESE 39.0
	S17	NENE 38.0	NWNE 39.0
		SWNE 40.0	SENE 39.0
		NESE 39.0	NWSE 40.0
		SWSE 39.0	SESE 38.0
	S19	NENE 38.0	NWNE 38.0
		SWNE 38.0	SENE 38.0
		NENW 38.0	NWNW 35.0
		SWNW 30.0	SENE 36.0
		NESW 3.0	NESE 40.0
		NWSE 40.0	SWSE 40.0
		SESE 40.0	
	S21	NENE 40.0	NWNE 40.0
		NESE 39.0	SESE 38.0
	S22	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENE 40.0
		NESE 40.0	SESE 40.0
	S23	NENE 11.0	NWNE 40.0
		SWNE 40.0	SENE 39.0
		NENW 39.0	NWNW 33.0

PLACE OF USE (continued)

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4,880 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00004, 33-00005, 33-00068, 33-00075, 33-00077, 33-00098, 33-10086.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY

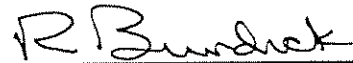
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

Department of Water Resources

2001 JAN 17 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 33-00003

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 33-00003 was mailed
on January 17, 2001, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BLAINE COUNTY CANAL CO
HC 65 BOX 1058
HOWE, ID 83244
Phone: 208-767-3203

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/16/01

November 23, 1999

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-00003

BLAINE COUNTY CANAL CO
HC 65 BOX 1058
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

1- ~~Source~~ ^{tributary}

2- Reduction of delivery clause (circled next page)

2. Describe the changes you wish to make in the proposed recommendation:

would like change to Read- ^{tributary} ~~Source~~ - Sinks

3. Give a brief explanation as to why you disagree with these portions:

I believe it is not correct to Reduce ^{delivery} ~~delivery~~ of this right to prevent injury to priority rights. - see attached Not

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-20-99

SIGNATURE:

William C Stuffs

 Please print your name:

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

Reg's Hearing

To: Blaine County Canal Company claim files:

A33-00002
A22-00003
A33-00004
A33-00005
A33-00014
A33 00015
A33-00016
A33-00068
A33-00069B
A33-00071B
A33-00072B
A33-00075
A33-00077
A33-00098
A33-10084
A33-10086

Fr: Bryce A. Contor
Date: 10/19/1999



Re: Documentation.

General documentation relating to all the claims is found in file A33-00002. Documentation relating to the later-in-time Knollin rights (33-00069B, 33-00071B, 33-00072B) is found in file A33-00069B. Any other documentation specific to only one of these rights is found in its own claim file.

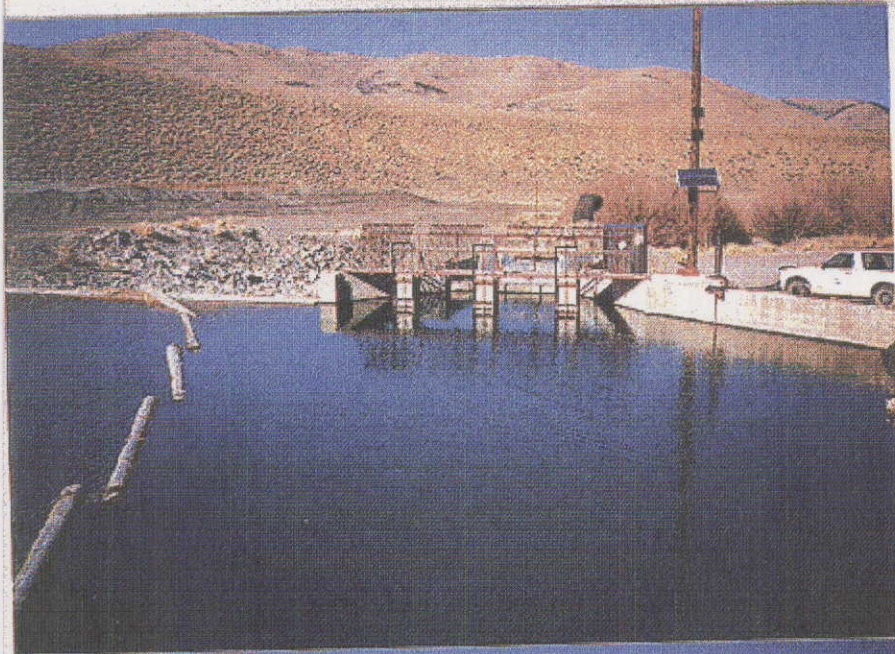


Photo 1. INTAKE FOR THE DRY CREEK HYDROPOWER AQUADUCT. ALSO SERVES AS THE POINT OF DIVERSION FOR SEVERAL DECREED RIGHTS FROM DRY CREEK. THESE RIGHTS ARE NOW DELIVERED AS DEVELOPED WATER AHEAD OF AND OUT OF SEQUENCE OF OTHER DECREED RIGHTS OF THE LITTLE LOST RIVER SYSTEM.

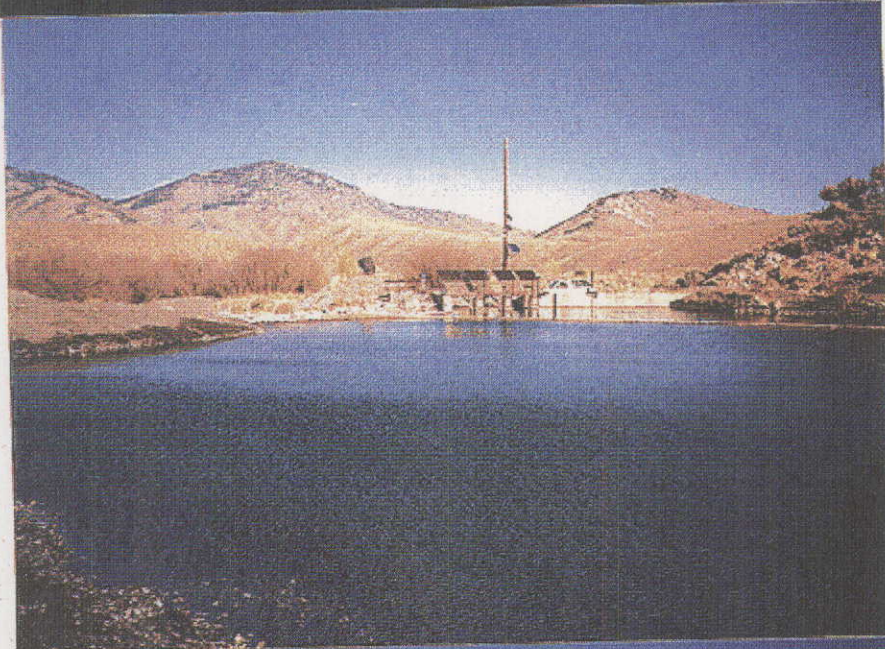


Photo 2. DRY CREEK HYDRO RESERVOIR POOL.

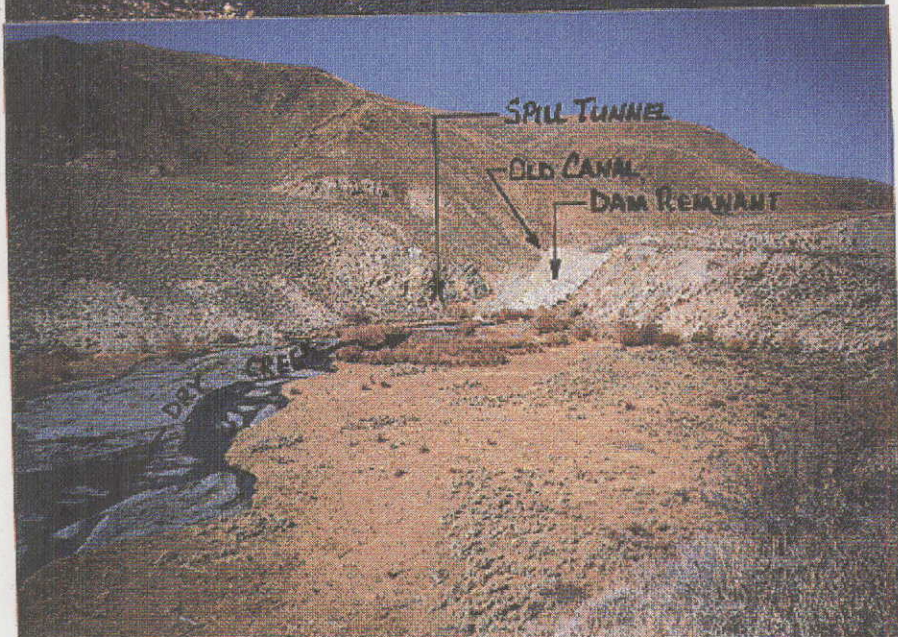
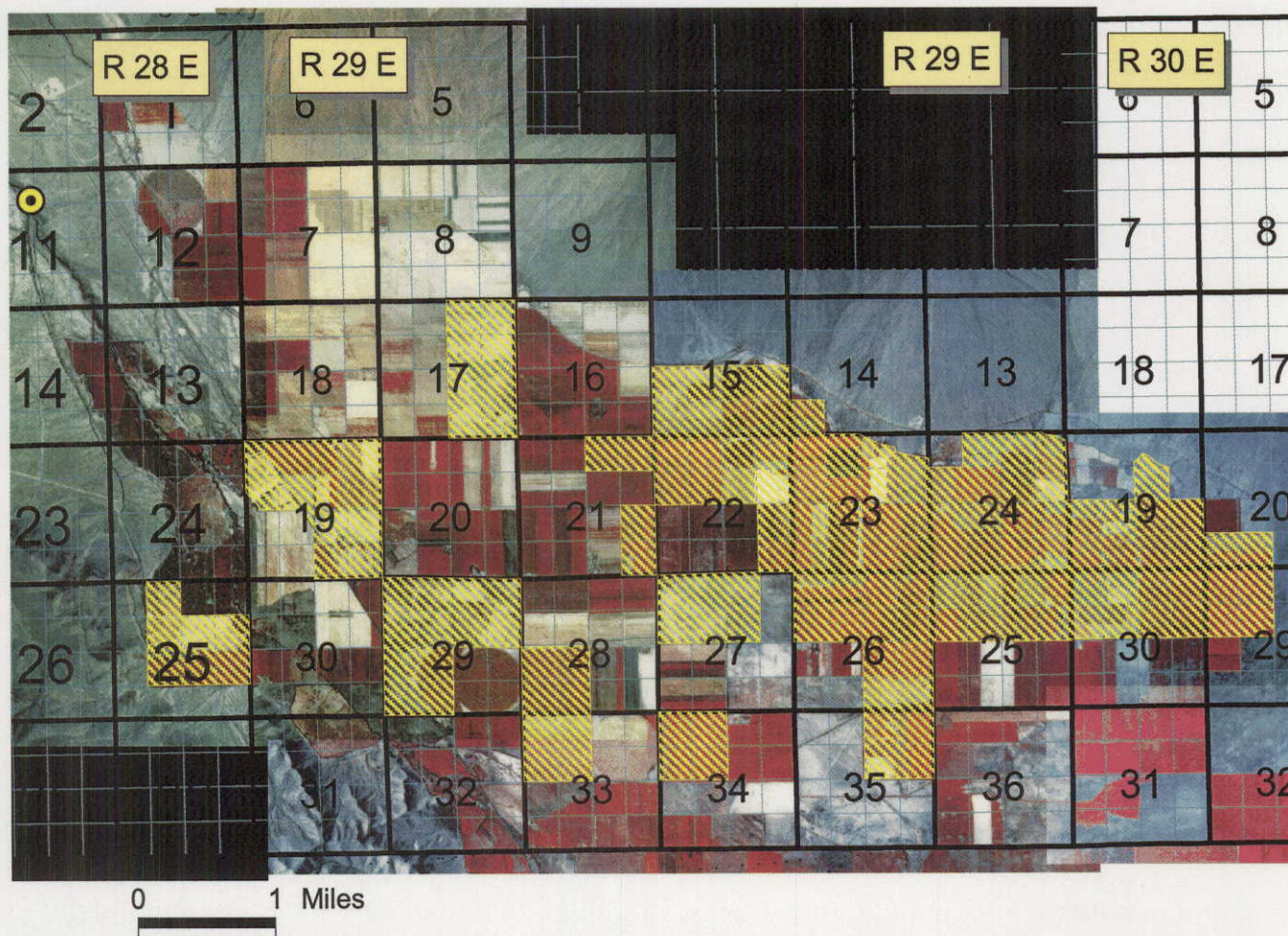


Photo 3. OLD DRY CREEK DAM WHICH IS REFERENCED IN THE DECREE AS THE POINT OF DIVERSION FOR THE DRY CREEK RIGHTS. THIS DAM WAS BLOWN IN THE 1930'S BUT DID NOT FAIL UNTIL 1958. IT WAS BLOWN DUE TO A WATER FIGHT BETWEEN THE OLD SETTLERS AND THE BLAINE COUNTY INVEST. CO. ALL PHOTOS LOOKING NORTHERLY. PHOTOS TAKEN: 31 Oct. 95 ABR

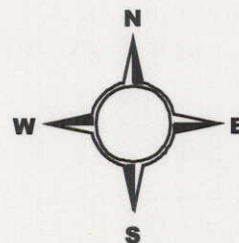
Idaho Department of Water Resources

Water Rights 33-00003, 33-00004, 33-00005, 33-00068,
33-00075, 33-00077, 33-00098, 33-10086



Township 6 North
Ranges 28 East, 29 East, 30 East

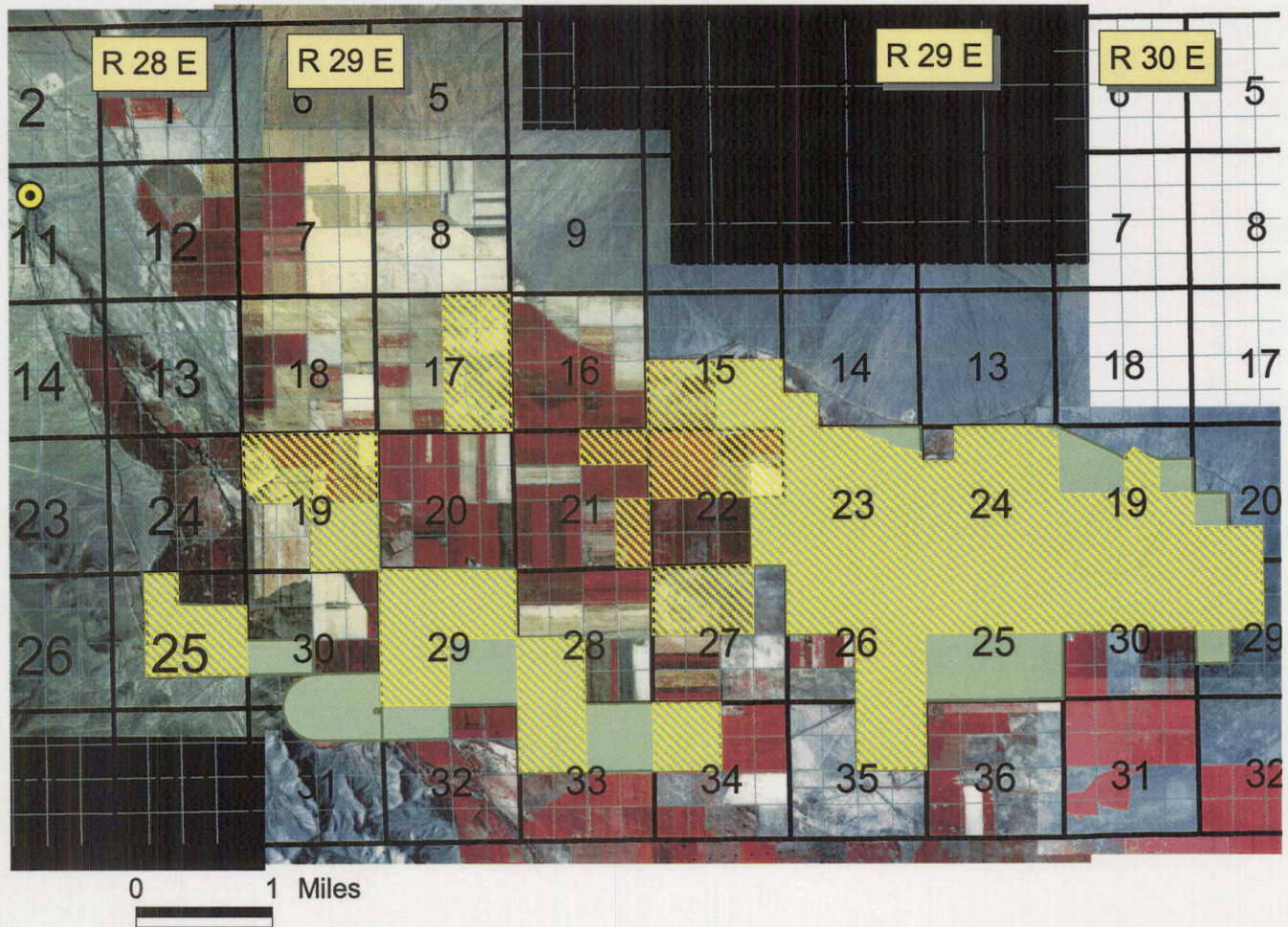
-  Point of Diversion
-  Permissible Place of Use - Recommended
-  Section Lines
-  Quarter-Quarter Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
October, 1999

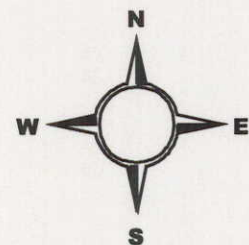
Idaho Department of Water Resources

Water Rights 33-00003, 33-00004, 33-00005, 33-00068,
33-00075, 33-00077, 33-00098, 33-10086



Township 6 North
Ranges 28 East, 29 East, 30 East

-  Point of Diversion
-  Permissible Place of Use - Recommended
-  Transfer Applied For
-  Section Lines
-  Quarter-Quarter Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
October, 1999

04-01 10-31	61,000 CFS

TOTAL DIVERSION:	61,000 CFS

Stage: DECREED

CUSTER county
BUTTE county
BUTTE county
BUTTE county

BUTTE County

[illegible]

POU County: BUTTE

Non-Irrigation Uses: NONE

Other Rights: 33-0002/0004/0005/0068/0075/0077/0098/10084

Conditions of Approval:

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

Conditions of Approval:
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 30,000 AF.
COMBINED RIGHT NOS.: 33-00004, 33-00005.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 4,880 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00004,
33-00005, 33-00068, 33-00075, 33-00077, 33-00098, 33-10086.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 33 Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/18/1999 User-ID: BCONTOR Subject: COPIED FROM REMARKS
QNT REMARK FROM DECREE BLAINE COUNTY INVESTMENT CO VS ROBERT G
MAYS, 1927, PAGE 3: "THE SAID APPROPRIATIONS OF THE PLAINTIFF
ARE SUBJECT, HOWEVER, TO THE LIMITATION AND QUANTIFICATION THAT
THE AGGREGATE AMOUNT OF WATER DIVERTED FROM ALL SAID SOURCES AND
APPLIED TO BENEFICIAL USE BY IT DURING ANY CALENDAR YEAR DOES
NOT EXCEED THIRTY THOUSAND ACRE FEET, MEASURED AT THE HEADGATE
OF ITS MAIN CANAL." BCONTOR 10/18/1999.
PERMISSIBLE PLACE OF USE AS CLAIMED. CLAIMANT HAS FILED A
TRANSFER TO CHANGE PERMISSIBLE PLACE OF USE, WHICH ALLOCATIONS
PLANS TO PROCESS AFTER ISSUE OF PARTIAL DECREE. SEE FILE
A33-00002 FOR DETAILS OF TRANSFER. BCONTOR 10/18/1999.
LIMITATION OF IRRIGATED ACRES FROM LONG-STANDING CANAL CO
PRACTICE OF 1 SHARE/ACRE W/ 4,880 OUTSTANDING SHARES. NOTE ALSO

AJ0749NP
No. R33-00003

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/22/99
PAGE: 3

Comments: Date: 10/18/1999 User-ID: BCONTOR Subject: COPIED FROM REMARKS
HISTORY OF CAREY ACT IN IDAHO P. 26 STATES U.S. DISTRICT COURT
ACTION REDUCED ACREAGE IN PROJECT TO 5,000 ACRES. COPY IN FILE
A33-00002. BCONTOR 10/18/1999.

Audit: 00/00/0

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-00003
Date Received: 2/12/1990
Receipt No: E011547
Received By: Kew

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244
2. Date of Priority: JUL 01, 1912
3. Source: DRY CREEK Trib. to: LITTLE LOST RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N | 28E | 11 | NE | NW | | R | BUTTE |
| 09N | 27E | 4 | SW | NE | | I | BUTTE |
| 10N | 25E | 31 | NE | NW | | | CUSTER |
| | 26E | 36 | SW | NW | | I | BUTTE |
5. Description of diverting works:
DIVERSION DAM/PIPE TO WET CK. TO LITTLE LOST R. TO HEADGATE/CANAL
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 61.000 | | |
7. Total Quantity Appropriated is:
61.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 13745.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	28E	25	SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	280.0
	29E	14	SW		SW		IRR	39.0
							Section Acres	39.0
		15	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0
							Section Acres	316.0
		17	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
							Section Acres	312.0
		19	NE		NE		IRR	38.0
			NW		NE		IRR	38.0
			SW		NE		IRR	38.0
			SE		NE		IRR	38.0
			NE		NW		IRR	38.0
			NW		NW		IRR	35.0
			SW		NW		IRR	30.0
			SE		NW		IRR	36.0
			NE		SW		IRR	3.0
			NE		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	19	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					454.0
		21	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		SE		IRR	39.0
			SE		SE		IRR	38.0
			Section Acres					157.0
		22	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					400.0
		23	NE		NE		IRR	11.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	33.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	37.0
			SE		SW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0
			Section Acres					594.0
		24	NE		NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	24	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	597.0
		25	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	319.0
		26	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	36.0
							Section Acres	471.0
		27	NW		NE		IRR	40.0
			SW		NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	27	NE		NW		IRR	40.0
			NW		NW		IRR	35.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	235.0
		28	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	160.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
							Section Acres	469.0
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	159.0
		34	NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	156.0
		35	NE		NE		IRR	38.0
			NW		NE		IRR	39.0

MICROFILMED
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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	35	SW	NE		IRR	40.0
			SE	NE		IRR	39.0
					Section Acres		156.0
	30E	19	NW	NE		IRR	15.0
			SW	NE		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	34.0
			SE	SE		IRR	39.0
					Section Acres		368.0
		20	SW	SW		IRR	40.0
			SE	SW		IRR	38.0
					Section Acres		78.0
		29	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres		160.0
		30	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres		318.0
					Total Acres		6198.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? NO

A33-00003

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Date: 04/03/90

MICROFILMED
NOV 18 1992

13. Other Water Rights Used:

33-0002/0004/0005/0014-0016/0068/0075/0077/0098/10084/10086

14. Remarks:

DRY CREEK IS DIVERTED INTO A PIPELINE: T10N, R25E, NENW SEC 31
INJECTED INTO WET CREEK: T10N, R26E, SWNW SEC 36.
WET CK. CONFLUENCE WITH LITTLE LOST R.: T9N, R27E, SWNE SEC 04
HEADGATE OF BLAINE COUNTY CANAL: T06N, R28E, NENW SEC 11

AMENDMENT NOTES

ADDED NW¼ OF SEC. 34 TO P/U; SECOND RECEIPT #S011171.
T6N. R29E.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BLAINE COUNTY INVESTMENT CO.

Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.

Decree Defendant

MICROFILMED
NOV 18 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin 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: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of _____ Title

Blaine Co. Canal Co. Organization, that I have signed the foregoing document in the space below as _____ Title

Blaine Co. Canal Co. Organization and that the statements contained in the foregoing document are true and correct.

Bruce A. Contor
Signature of Authorized Agent
Secretary Blaine Co. Canal
Title and Organization

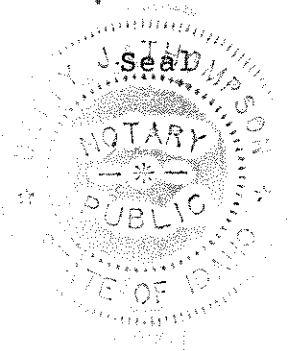
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 3 day

of April 19 90

Betty J. Thompson
Notary Public



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires 6-30-94

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-00003
Date Received: 2/12/1990
Receipt No: E011547
Received By: SEC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244

2. Date of Priority: JUL 01, 1912

3. Source: DRY CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	28E	11	NE	NW		R	BUTTE
09N	27E	4	SW	NE		I	BUTTE
10N	25E	31	NE	NW			CUSTER
	26E	36	SW	NW		I	BUTTE

5. Description of diverting works:
DIVERSION DAM/PIPE TO WET CK. TO LITTLE LOST R. TO HEADGATE/CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	61.000		

7. Total Quantity Appropriated is:
61.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 13745.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A33-00003

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Date: 02/22/90

MICROFILMED
NOV 18 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
06N	28E	25	SW		NE		IRR	40.0		
			SE		NE		IRR	40.0		
			NE		NW		IRR	40.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	40.0		
			NE		SE		IRR	40.0		
			NW		SE		IRR	40.0		
			Section Acres							280.0
		29E	14	SW		SW		IRR	39.0	
				Section Acres						
			15	NE		SW		IRR	40.0	
				NW		SW		IRR	40.0	
				SW		SW		IRR	39.0	
				SE		SW		IRR	39.0	
				NE		SE		IRR	40.0	
				NW		SE		IRR	40.0	
				SW		SE		IRR	39.0	
				SE		SE		IRR	39.0	
			Section Acres							316.0
			19	NE		NE		IRR	38.0	
				NW		NE		IRR	38.0	
				SW		NE		IRR	38.0	
				SE		NE		IRR	38.0	
				NE		NW		IRR	38.0	
				NW		NW		IRR	35.0	
SW		NW			IRR	30.0				
SE		NW			IRR	36.0				
NE		SW			IRR	3.0				
NE		SE			IRR	40.0				
NW		SE			IRR	40.0				
SW		SE			IRR	40.0				
SE		SE			IRR	40.0				
Section Acres							454.0			
21	NE		NE		IRR	40.0				
	NW		NE		IRR	40.0				
	NE		SE		IRR	39.0				
	SE		SE		IRR	38.0				
Section Acres							157.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	22	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 400.0

23	NE	NE	IRR	11.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	39.0
	NE	NW	IRR	39.0
	NW	NW	IRR	33.0
	SW	NW	IRR	39.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	37.0
	SE	SW	IRR	40.0
	NE	SE	IRR	39.0
	NW	SE	IRR	40.0
	SW	SE	IRR	39.0
	SE	SE	IRR	39.0

Section Acres 594.0

24	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	39.0
	SE	SW	IRR	39.0
	NE	SE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	24	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					597.0
		25	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres					240.0
		26	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	36.0
			Section Acres					471.0
		27	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	35.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres					235.0
		28	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres					160.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	29	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
							Section Acres	316.0
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	159.0
		34	NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	156.0
		35	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
							Section Acres	156.0
	30E	19	NW		NE		IRR	15.0
			SW		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	34.0
			SE		SE		IRR	39.0
							Section Acres	368.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	30E	20	SW	SW		IRR	40.0
			SE	SW		IRR	38.0
			Section Acres				78.0
		29	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			Section Acres				160.0
		30	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			Section Acres				318.0
			Total Acres				5654.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

33-0002/0004/0005/0014-0016/0068/0075/0077/0098/10084/10086

14. Remarks:

DRY CREEK IS DIVERTED INTO A PIPELINE: T10N, R25E, NENW SEC 31
 INJECTED INTO WET CREEK: T10N, R26E, SWNW SEC 36.
 WET CK. CONFLUENCE WITH LITTLE LOST R.: T9N, R27E, SWNE SEC 04
 HEADGATE OF BLAINE COUNTY CANAL: T06N, R28E, NENW SEC 11

AMENDMENT NOTES

ADDED NW¼ OF SEC. 34 TO P/U; SECOND RECEIPT #S011171.
 T6N. R29E.

15. Basis of Claim: DECREED

Case Number:

Court :
Decree date:

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs ROBERT G. MAYS, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of
Title
Blaine County Canal Co., that I have signed the foregoing
Organization
document in the space below as Secretary of
Title
Blaine County Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.
Bryce A. Conton
Signature of Authorized Agent
Secretary, Blaine County Canal Co.
Title and Organization
23 Feb 1990
Date

State of Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of February 19 90

Seal

James A. Hays
Notary Public
Residing at Lawrence
My Commission Expires 4-6-99

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-00003
Date Received: 2/12/1990
Receipt No: E011547
Received By: Sec

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244

2. Date of Priority: JUL 01, 1912

3. Source: DRY CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	28E	11	NE	NW		R	BUTTE
09N	27E	4	SW	NE		I	BUTTE
10N	25E	31	NE	NW			CUSTER
	26E	36	SW	NW		I	BUTTE

5. Description of diverting works:
DIVERSION DAM/PIPE TO WET CK. TO LITTLE LOST R. TO HEADGATE/CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	61.000		

7. Total Quantity Appropriated is:
61.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 13745.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A33-00003

Page 1

Date: 02/12/90

MICROFILMED
NOV 18 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
06N	28E	25	SW		NE		IRR	40.0	
			SE		NE		IRR	40.0	
			NE		NW		IRR	40.0	
			SE		NW		IRR	40.0	
			NE		SW		IRR	40.0	
			NE		SE		IRR	40.0	
			NW		SE		IRR	40.0	
				Section Acres 280.0					
		29E	14	SW		SW		IRR	39.0
	Section Acres 39.0								
			15	NE		SW		IRR	40.0
				NW		SW		IRR	40.0
				SW		SW		IRR	39.0
				SE		SW		IRR	39.0
				NE		SE		IRR	40.0
				NW		SE		IRR	40.0
				SW		SE		IRR	39.0
				SE		SE		IRR	39.0
				Section Acres 316.0					
			19	NE		NE		IRR	38.0
				NW		NE		IRR	38.0
				SW		NE		IRR	38.0
				SE		NE		IRR	38.0
				NE		NW		IRR	38.0
				NW		NW		IRR	35.0
		SW			NW		IRR	30.0	
		SE			NW		IRR	36.0	
		NE			SW		IRR	3.0	
		NE			SE		IRR	40.0	
		NW			SE		IRR	40.0	
		SW			SE		IRR	40.0	
		SE			SE		IRR	40.0	
			Section Acres 454.0						
		21	NE		NE		IRR	40.0	
			NW		NE		IRR	40.0	
			NE		SE		IRR	39.0	
			SE		SE		IRR	38.0	
			Section Acres 157.0						

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	22	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 400.0

23	NE	NE	IRR	11.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	39.0
	NE	NW	IRR	39.0
	NW	NW	IRR	33.0
	SW	NW	IRR	39.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	37.0
	SE	SW	IRR	40.0
	NE	SE	IRR	39.0
	NW	SE	IRR	40.0
	SW	SE	IRR	39.0
	SE	SE	IRR	39.0

Section Acres 594.0

24	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	39.0
	SE	SW	IRR	39.0
	NE	SE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	24	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	597.0
		25	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	240.0
		26	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	36.0
							Section Acres	471.0
		27	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	35.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	235.0
		28	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	160.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	29E	29	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	38.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	316.0
		33	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
						Section Acres	159.0
		35	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
						Section Acres	156.0
30E		19	NW	NE		IRR	15.0
			SW	NE		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	34.0
			SE	SE		IRR	39.0
						Section Acres	368.0
		20	SW	SW		IRR	40.0
			SE	SW		IRR	38.0
						Section Acres	78.0
		29	NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	30E	29	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres 160.0					
		30	NE		NE		IRR	39.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres 318.0					
		34	NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			Section Acres 156.0					
			Total Acres 5654.0					

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

33-0002/0004/0005/0014-0016/0068/0075/0077/0098/10084/10086

14. Remarks:

DRY CREEK IS DIVERTED INTO A PIPELINE: T10N, R25E, NENW SEC 31

INJECTED INTO WET CREEK: T10N, R26E, SWNW SEC 36.

WET CK. CONFLUENCE WITH LITTLE LOST R.: T9N, R27E, SWNE SEC 04

HEADGATE OF BLAINE COUNTY CANAL: T06N, R28E, NENW SEC 11

AMENDMENT NOTES

ADDED NW¼ OF SEC. 34 TO P/U; SECOND RECEIPT #S011171.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin 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: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of
Title
Blaine County Canal Co., that I have signed the foregoing
Organization
document in the space below as Secretary of
Title
Blaine County Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.
Bryce A. Conter
Signature of Authorized Agent
Secretary, Blaine County Canal Co
Title and Organization
12 February 1990
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of February 19 90
Steve Call
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7 1994

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A33-00003
Date Received: 1/09/1990
Receipt No: E011547
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244

2. Date of Priority: JUL 01, 1912

3. Source: DRY CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	28E	11	NE	NW		R	BUTTE
09N	27E	4	SW	NE		I	BUTTE
10N	25E	31	NE	NW			CUSTER
	26E	36	SW	NW		I	BUTTE

5. Description of diverting works:
DIVERSION DAM/PIPE TO WET CK. TO LITTLE LOST R. TO HEADGATE/CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	61.000		

7. Total Quantity Appropriated is:
61.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 13745.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A33-00003

Page 1

Date: 01/09/90

MICROFILMED

NOV 18 1992

A3300003

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
06N	28E	25	SW	NE		IRR	40.0	
			SE	NE		IRR	40.0	
			NE	NW		IRR	40.0	
			SE	NW		IRR	40.0	
			NE	SW		IRR	40.0	
			NE	SE		IRR	40.0	
			NW	SE		IRR	40.0	
			Section Acres					
	29E	14	SW	SW		IRR	39.0	
			Section Acres					
		15	NE	SW		IRR	40.0	
			NW	SW		IRR	40.0	
			SW	SW		IRR	39.0	
			SE	SW		IRR	39.0	
			NE	SE		IRR	40.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	39.0	
			SE	SE		IRR	39.0	
		Section Acres						316.0
		19	NE	NE		IRR	38.0	
			NW	NE		IRR	38.0	
			SW	NE		IRR	38.0	
			SE	NE		IRR	38.0	
			NE	NW		IRR	38.0	
			NW	NW		IRR	35.0	
SW	NW			IRR	30.0			
SE	NW			IRR	36.0			
NE	SW			IRR	3.0			
NE	SE			IRR	40.0			
NW	SE			IRR	40.0			
SW	SE			IRR	40.0			
SE	SE			IRR	40.0			
Section Acres						454.0		
21	NE	NE		IRR	40.0			
	NW	NE		IRR	40.0			
	NE	SE		IRR	39.0			
	SE	SE		IRR	38.0			
Section Acres						157.0		

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	22	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	400.0
		23	NE		NE		IRR	11.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	33.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	37.0
			SE		SW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0
							Section Acres	594.0
		24	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	24	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					597.0
		25	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres					240.0
		26	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	36.0
			Section Acres					471.0
		27	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	35.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres					235.0
		28	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres					160.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	29	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
							Section Acres	316.0
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	159.0
		35	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
							Section Acres	156.0
	30E	19	NW		NE		IRR	15.0
			SW		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	34.0
			SE		SE		IRR	39.0
							Section Acres	368.0
		20	SW		SW		IRR	40.0
			SE		SW		IRR	38.0
							Section Acres	78.0
		29	NE		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	30E	29	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres 160.0					
		30	NE		NE		IRR	39.0
	NW			NE		IRR	39.0	
	SW			NE		IRR	40.0	
	SE			NE		IRR	40.0	
	NE			NW		IRR	40.0	
	NW			NW		IRR	40.0	
	SW			NW		IRR	40.0	
	SE			NW		IRR	40.0	
			Section Acres 318.0					
			Total Acres 5498.0					

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? ~~YES~~ *no SAC*

13. Other Water Rights Used:

33-0002/0004/0005/0014-0016/0068/0075/0077/0098/10084/10086

14. Remarks:

DRY CREEK IS DIVERTED INTO A PIPELINE: T10N, R25E, NENW SEC 31
 INJECTED INTO WET CREEK: T10N, R26E, SWNW SEC 36.
 WET CK. CONFLUENCE WITH LITTLE LOST R.: T9N, R27E, SWNE SEC 04
 HEADGATE OF BLAINE COUNTY CANAL: T06N, R28E, NENW SEC 11

15. Basis of Claim: DECREED

Case Number:
 Court :
 Decree date:

BLAINE COUNTY INVESTMENT CO.
 Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.
 Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin 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: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of _____ Title

Blaine County Canal Co., that I have signed the foregoing Organization

document in the space below as Secretary of _____ Title

Blaine County Canal Co. and that the statements contained in the Organization

foregoing document are true and correct.

Bryce A. Contor
Signature of Authorized Agent

Secretary Blaine County Canal Co.
Title and Organization

9 January 1990
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of Jan 1990

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

R 28 E

R 29 E

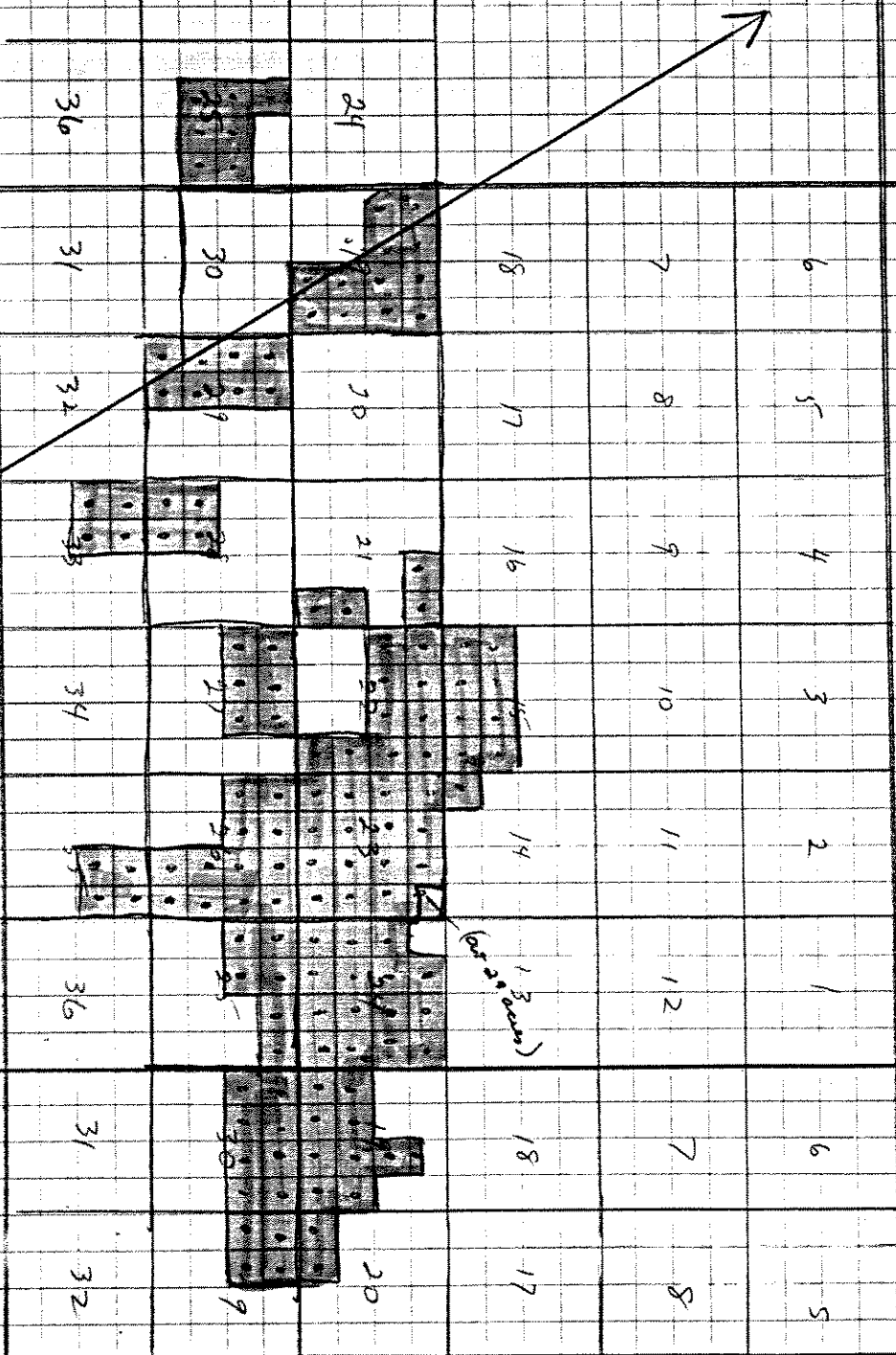
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Blaine Co Canal Co. Places of Use

1987 Adjudication



AB3-00003