

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: A21-00034
Date Received: 5/08/1989
Receipt No: E007204
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHESTER CANAL AND IRRIGATION CO. 208-624-3609
Address: P. O. BOX 5
CHESTER, ID 83421

2. Date of Priority: APR 01, 1896

3. Source: FALLS RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	42E	20	SE	SW	SE		FREMONT

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	112.000		
GROUNDWATER RECHARGE	01/01	12/31	10.000		
STOCKWATER	01/01	12/31	0.230		

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

8. Total consumptive use is 5492.5 Acre Feet Per Annum.

9. Non-irrigation uses:
GROUNDWATER RECHARGE, 100 HEAD HORSES, CATTLE AND SHEEP.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	2	NW	NW		IRR	5.0

A21-00034

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Date: 11/14/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	2	SE	SE		IRR	31.0
			Section Acres				36.0
08N	41E	23	SW	SW		IRR	40.0
			SE	SW		IRR	21.0
			NE	SE		IRR	20.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
			Section Acres				159.0
		24	NE	SW		IRR	20.0
			NW	SW		IRR	20.0
			SW	SW		IRR	20.0
			SE	SW		IRR	13.0
			SW	SE		IRR	21.0
			SE	SE		IRR	34.0
			Section Acres				128.0
		25	NE	NE		IRR	40.0
			NW	NE		IRR	35.0
			SW	NE		IRR	40.0
			SE	NE		IRR	30.0
			NE	NW		IRR	39.0
			NW	NW		IRR	9.0
			SW	NW		IRR	38.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	36.0
			SE	SW		IRR	11.0
			NW	SE		IRR	31.0
			Section Acres				429.0
		26	NE	NE		IRR	39.0
			NW	NE		IRR	26.0
			SW	NE		IRR	3.0
			SE	NE		IRR	22.0
			NE	NW		IRR	13.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	41E	26	SW		SW		IRR	30.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	35.0
			SW		SE		IRR	26.0
			SE		SE		IRR	28.0
			Section Acres					398.0
		27	NE		NE		IRR	18.0
			SE		NE		IRR	38.0
			NE		SW		IRR	10.0
			SE		SW		IRR	38.0
			NE		SE		IRR	38.0
			NW		SE		IRR	38.0
			SW		SE		IRR	38.0
			SE		SE		IRR	16.0
			Section Acres					234.0
		34	NE		NE		IRR	36.0
			NW		NE		IRR	22.0
			SW		NE		IRR	38.0
			SE		NE		IRR	40.0
			NE		SE		IRR	23.0
			Section Acres					159.0
		35	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	4.0
			NE		SE		IRR	37.0
			SW		SE		IRR	22.0
			SE		SE		IRR	38.0
			Section Acres					341.0
		36	NW		NE		IRR	15.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres					95.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	42E	19	NE	SW		IRR	17.0
			SW	SW		IRR	40.0
			SE	SW		IRR	22.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				159.0
		30	NW	NE		IRR	10.0
			NE	NW		IRR	14.0
			NW	NW		IRR	35.0
			Section Acres				59.0
			Total Acres				2197.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
A21-11225, A21-00060B

14. Remarks:

THE WATER RIGHTS ARE IN THE NAME OF THE CLAIMANTS. THE WATER USERS HAVE SHARES OF STOCK IN THE CANAL COMPANY AND OWN THE LANDS LISTED ABOVE. THE WATER IS DELIVERED TO THE PLACE OF USE BY THE MAIN CANAL AND LATERAL DITCHES. ATTACHMENTS ARE THE DESCRIPTION OF THE PLACE OF USE AND GRIDS SHOWING ACRES IRRIGATED IN EACH 40 ACRE TRACT.
(#5 CONT.)
CONCRETE DIVERSION DAM IS ABOUT 125 FEET LONG. HEADGATE IS 14 FEET WIDE AND 11 FEET HIGH. TWO GATES ARE 6 FEET WIDE AND 5 FEET HIGH. CANAL AT THE HEAD IS ABOUT 20 FEET WIDE AND 11 FEET DEEP.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

REXBURG IRRIGATION CO.
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO.
Decree Defendant

A21-00034

Page

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Date: 11/14/89

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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 _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A21-00034Date Received 5/8/89Receipt Number E007204

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Chester & Canal and Irrigation Co. Phone (208) 624 3609
Mailing Address P.O. Box 5, Chester Idaho, Zip 83421

2. Date of Priority (Only one (1) per claim) June 10, 1887 Apr. 1, 1896

3. Source of water supply (a) Falls River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 8N Range 42W Section 20,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., 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. same description as on claim for

April 1, 1896 water right.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 112 or _____
For Groundwater recharge purposes from 1-1 to 12-31 amount 10 or _____
For Stockwater purposes from 1-1 to 12-31 amount 0.23 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 112 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2033 5492.5 acre feet per annum.

9. Non-Irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Groundwater recharge; recharge subwater table and recharge domestic and irrigation wells; 1000 head of cattle horses and sheep.

10. 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	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 2197

11. In which county (ies) are lands listed above as place of use located? Fremont

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
June 10, 1887, - Sep. 21 1889, (see additional claim forms for these priority dates.) or None ()

14. Remarks:
The water rights are in the name of the claimants. The water users have shares of stock in the canal company and own the land described above.
The water is delivered to the place of use by the main canal and lateral ditches.
Attachments are the description of the place of use, maps showing place of use, and grids showing acres irrigated in each 40 acre tract.

Last Name _____ Ident No. _____

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Copies: White - State, Yellow - Claimant
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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 21-0034

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 Individuals: I do solemnly swear or affirm 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 that I am ☒ President _____

Title

of Chester Canal and Irrigation Co. _____, that I have signed the foregoing

Organization

document in the space below as President _____ of Chester Canal and Irrigation Co.

Title

Organization

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

Signature of Authorized Agent Ralph D. Miller

Title and Organization ☒ President, Chester Canal and Irrigation Co. Date 5/2/89

State of Idaho/or _____)
County of Fremont) SS.

Subscribed and sworn (or affirmed) before me this 2 day of May 19 89

SEAL

Notary Public Dale L. Svensen

Residing at St. Anthony, ID

My Commission Expires May 18, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

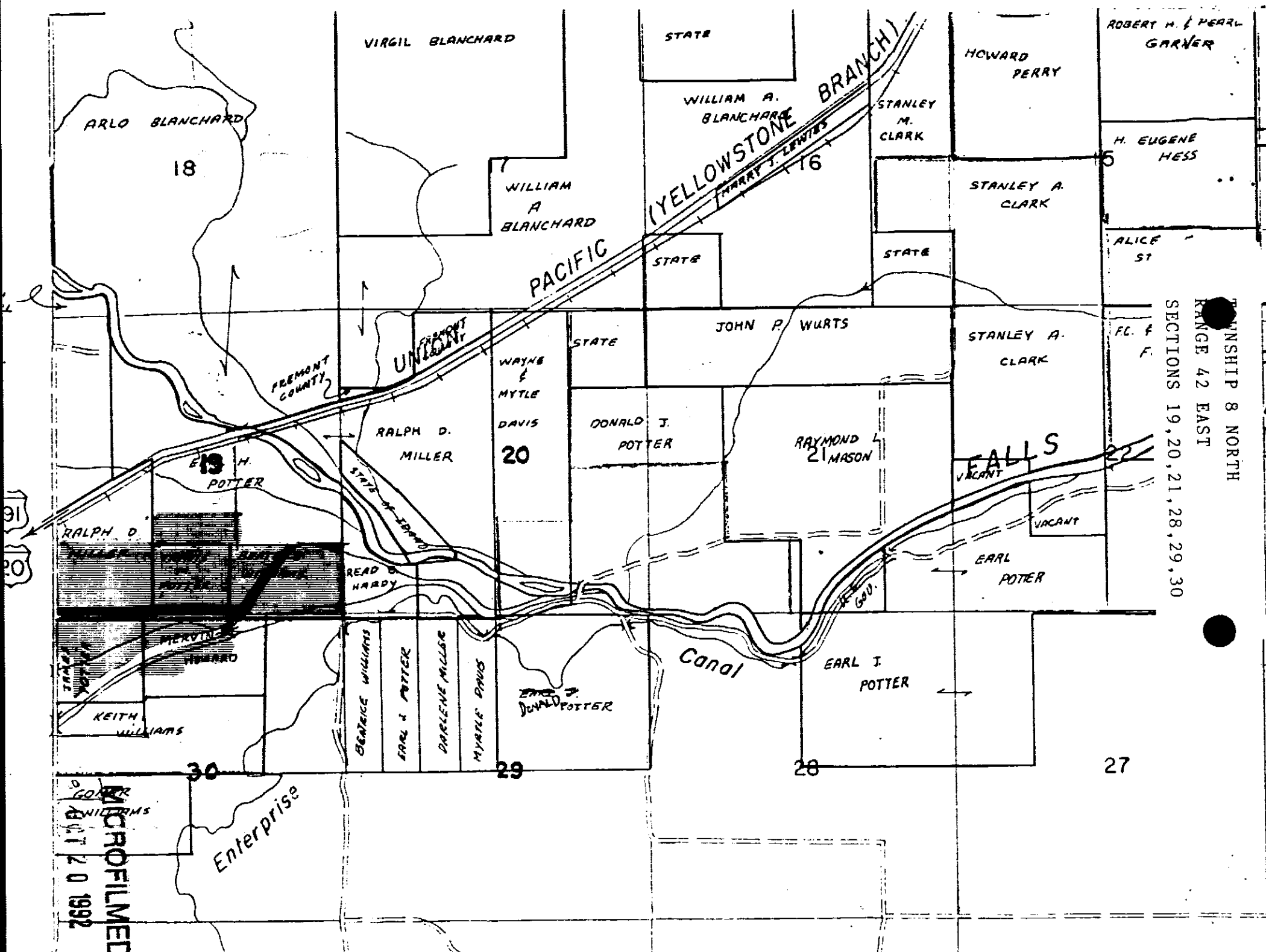
Date _____

Last Name _____ Ident. Number _____

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Copies White State, Yellow-Claimant



TOWNSHIP 8 NORTH
RANGE 42 EAST

CHESTER CANAL CO.
ATTACHMENT
NOTICE OF CLAIM TO A WATER RIGHT

17			
40	22	40	40

SECTION 19

35	14	10	

SECTION 30

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SECTIONS 25, 26, 27, 34, 35, 36



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TOWNSHIP 8 NORTH
RANGE 41 EAST

9	39	35	40
38	40	40	30
40 r	40	31	
36	11		

SECTION 25

			18
			38
	10	38	38
	38	38	16

SECTION 27

40	40	40	40
4		40	40
			37
		22	38

SECTION 35

CHESTER CANAL CO.
ATTACHMENT
NOTICE OF CLAIM TO A WATER RIGHT

38	13	26	39
38	20	3	22
		35	40
30	40	26	28

SECTION 26

		22	36
		38	40
			23

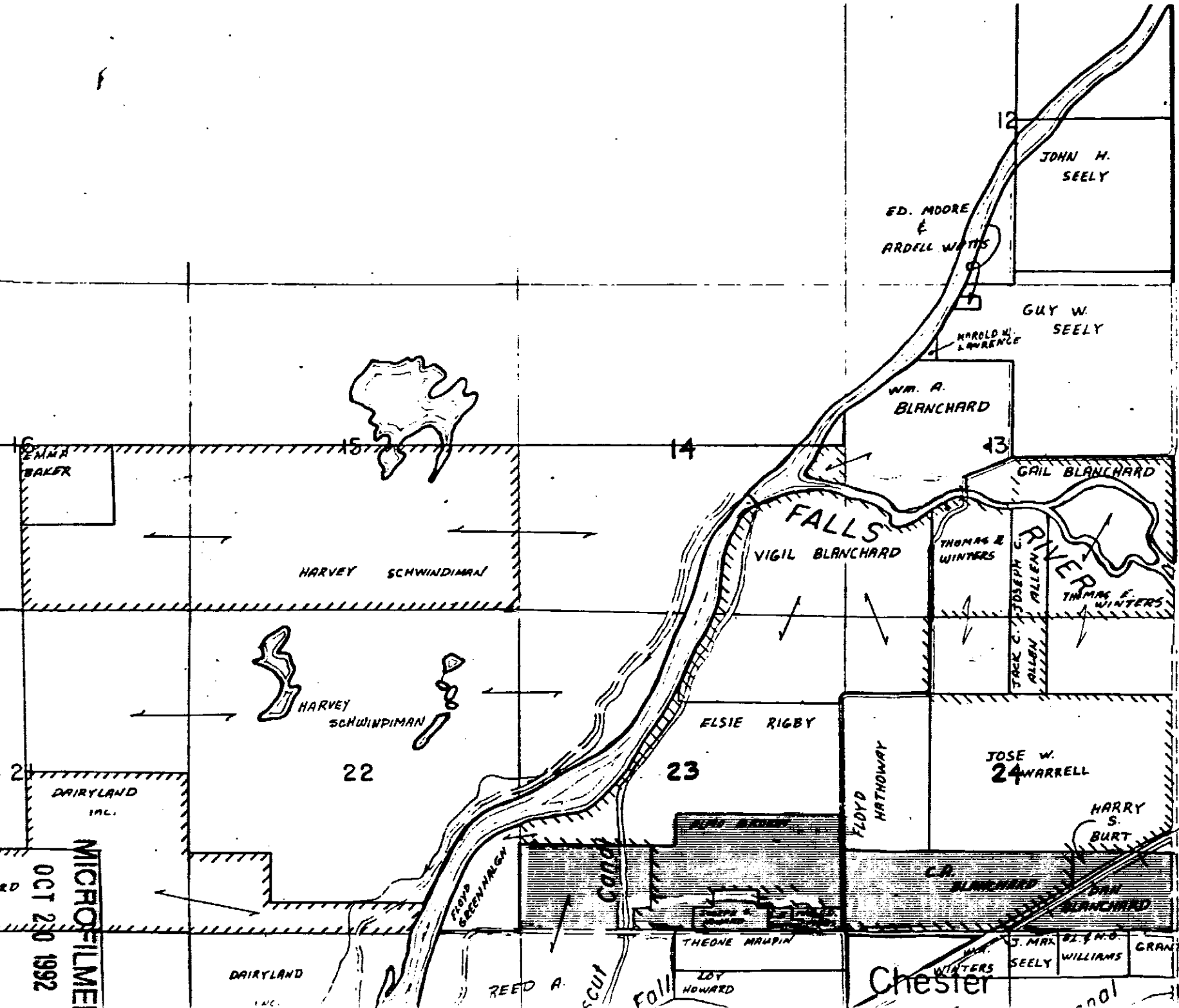
SECTION 34

40	40	15	

SECTION 36

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TOWNSHIP 8 NORTH
 RANGE 41 EAST
 SECTIONS 13, 14, 15, 22, 23, 24



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TOWNSHIP 8 NORTH
RANGE 41 EAST

		20	
40	21	39	39

SECTION 23

CHESTER CANAL CO.
ATTACHMENT
NOTICE OF CLAIM TO WATER RIGHT

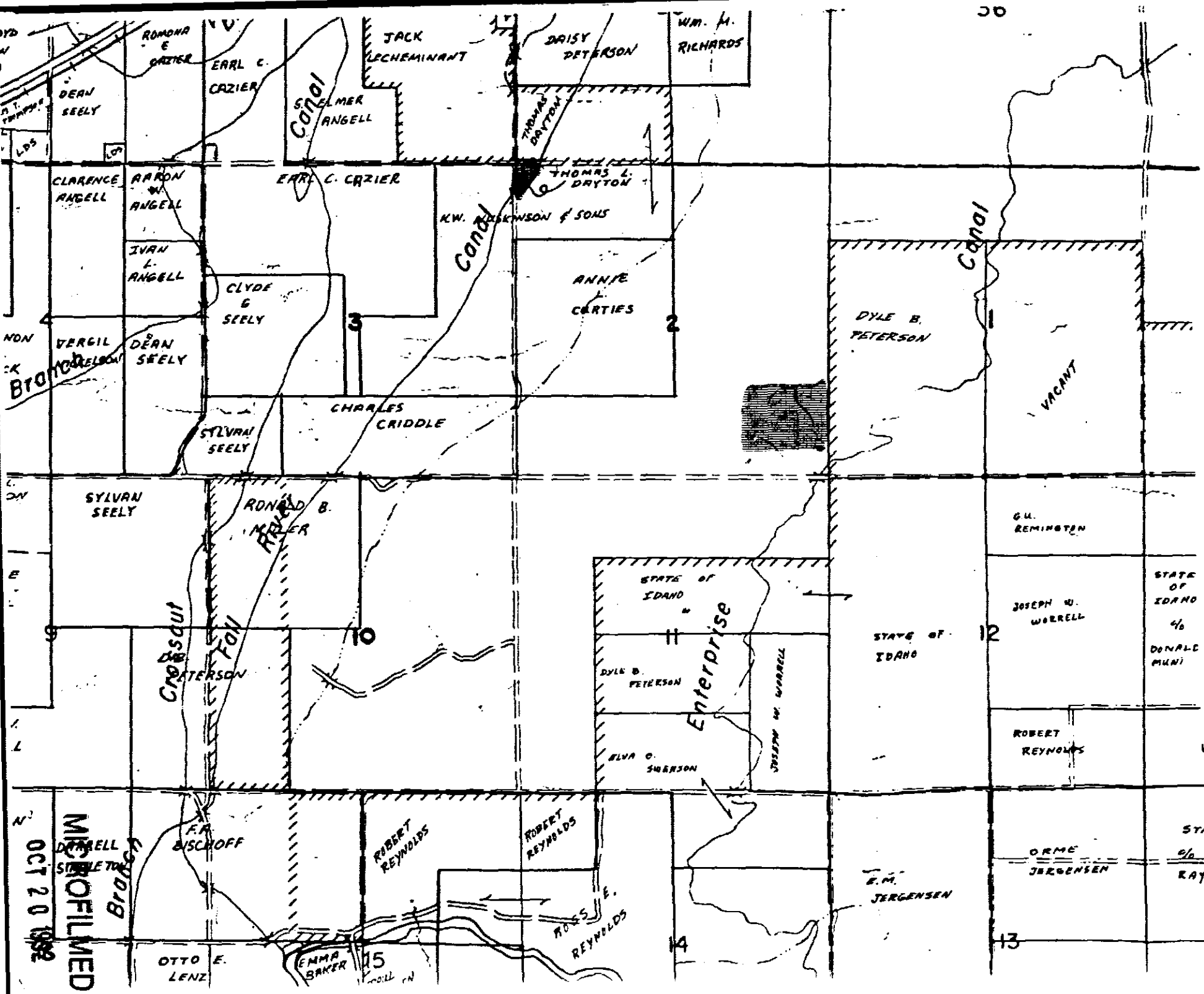
20	20		
20	13	21	34

SECTION 24

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TOWNSHIP 7 NORTH
RANGE 41 EAST

SECTIONS 1, 2, 3, 10, 11, 12



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TOWNSHIP 7 NORTH
RANGE 41 EAST

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r			
			31

SECTION 2

CHESTER CANAL CO.
ATTACHMENT
NOTICE OF CLAIM TO A WATER RIGHT

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RECEIVED

MEMO TO THE FILE
DATE: 8 MAY 89

FROM: ERNEST

RE: EXTENSION OF TIME FOR CHESTER CANAL CO.

CHESTER CANAL CO. AND FALL RIVER CANAL CO. AGREED THAT THE LATTER WOULD PAY THE VARIABLE IRRIGATION FEE FOR THOSE LANDS SERVED BY BOTH CANALS. BOTH CANALS WERE GRANTED AN EXTENSION OF TIME BUT FALL RIVER WAS GIVEN UNTIL 23 MAY AND CHESTER CANAL UNTIL 1 MAY.

IN DISCUSSING THIS SITUATION WITH DAVE SHAW, IT WAS AGREED TO EXTEND CHESTER CANAL COMPANY'S FILING DEADLINE TO CO-ENSIDE WITH THE FILING BY FALL RIVER CANAL CO., BUT NOT TO GO BEYOND 23 May 1989.

Ernest Carlson
8 May 1989.

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Date Received

State of Idaho
Department of Water Resources

MAR 06 1989

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Chester Canal Co.

Name of Claimant

P.O. Box 5

Post Office Address

Chester, Idaho 83421

City, State, Zip Code

Fremont

County(s) where Place of Use is located

March 23, 1989

Date Claim Originally Due

All

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Need more time to gather information from the individual
stockholders.

Claimant requests an extension to May 23, , 1989.

[Signature]
Signature

Secretary

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,
and the filing deadline extended to 5/1 , 1989.

Signed this 12 day of March , 1989.

[Signature]
Director of his designated agent 20 1992

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DAVID B. SHAW

ACTION REQUIRED

FROM: Tony Olenichak

TO: A21-00022, 00034, + 00060B

Keith Williams met with me to file the Chester Canal & Irrigation Co. claims on May 8, 1989. The claims were modified to correct the priority dates and complete some blank items (Note: The IDWR Number in Item #15 of A21-¹¹²²⁵00022 was incorrectly entered as 21-0342).

Mr. Williams calculated that: of the 2197 acres covered by the three claims, 669 acres of the variable fee will be paid by Fall River Irrigation Company, and 356 acres has been paid by Carr Ditch. The average paid by Chester Canal was \$1172, plus \$150 for the three claims.

The description of the place of use and maps were attached to A21-~~00022~~¹¹²²⁵, A21-00034.

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