

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: A29-04060
Date Received: 2/14/1990
Receipt No: ED12060
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PORTNEUF MARSH VALLEY CANAL CO., LTD. 208-897-5206
Address: C/O THAYNE THOMPSON
18526 S. OLSON RD.
DOWNEY, ID 83234

2. Date of Priority: MAR 07, 1912

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	39E	19	SW	SW	SW	4	CARIBOU

5. Description of diverting works:
EARTH FILLED DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			21834.00
IRRIGATION FROM STORAGE	05/01	09/15			21834.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 21834.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	37E	5	NW	SW		IRR	2.0
			SW	SW		IRR	12.4

A29-04060

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Date: 02/14/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	5	SE	SW		IRR	8.0
						Section Acres	22.4
		8	SW	SE		IRR	38.0
						Section Acres	38.0
		17	NW	NE		IRR	38.0
			SE	NE		IRR	15.0
			NE	SW		IRR	7.0
			NW	SW		IRR	16.0
			SW	SW		IRR	37.0
			SE	SW		IRR	40.0
			NE	SE		IRR	30.0
			NW	SE		IRR	25.0
			SW	SE		IRR	35.0
			SE	SE		IRR	30.0
						Section Acres	273.0
		19	SE	NE		IRR	5.5
			NE	SE		IRR	5.5
						Section Acres	11.0
		20	NW	NE		IRR	40.0
			SW	NE		IRR	23.0
			NE	NW		IRR	20.0
			SW	NW		IRR	15.0
			SE	NW		IRR	21.0
			NE	SW		IRR	2.0
			NW	SW		IRR	25.0
			SE	SW		IRR	14.3
			SW	SE		IRR	27.5
						Section Acres	187.8
		28	SW	SW		IRR	30.0
			SE	SW		IRR	40.0
						Section Acres	70.0
		29	NW	NE		IRR	26.0
			SW	NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	37E	29	NE		NW		IRR	30.0
			NW		NW		IRR	8.0
			SW		NW		IRR	11.0
			SE		NW		IRR	24.0
			NE		SW		IRR	40.0
			NW		SW		IRR	16.0
			SE		SW		IRR	30.0
			NW		SE		IRR	24.0
			SW		SE		IRR	38.0
			SE		SE		IRR	40.0
			Section Acres					312.0
		32	NE		NE		IRR	40.0
			NW		NE		IRR	35.0
			SW		NE		IRR	37.5
			SE		NE		IRR	40.0
			NE		NW		IRR	25.0
			SW		NW		IRR	40.0
			SE		NW		IRR	37.5
			NE		SW		IRR	34.2
			NW		SW		IRR	4.0
			SW		SW		IRR	4.0
			SE		SW		IRR	34.2
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	30.0
			Section Acres					481.4
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres					80.0
11S	36E	13	SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			Section Acres					80.0
	37E	4	SW		NE		IRR	10.0
			NE		NW		IRR	40.0
			NW		NW		IRR	38.0
			SW		NW		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	4	SE	NW		IRR	38.0
			NE	SW		IRR	40.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			NW	SE		IRR	10.0
			SW	SE		IRR	5.0

Section Acres 320.0

5	NE	NE	IRR	38.0
	NW	NE	IRR	40.0
	SW	NE	IRR	36.0
	SE	NE	IRR	40.0
	NE	NW	IRR	30.0
	NW	NW	IRR	15.0
	SW	NW	IRR	30.0
	SE	NW	IRR	15.0
	NE	SW	IRR	20.0
	SW	SW	IRR	27.0
	SE	SW	IRR	27.0
	NE	SE	IRR	40.0
	NW	SE	IRR	30.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres 468.0

7	SW	SE	IRR	40.0
	SE	SE	IRR	32.0

Section Acres 72.0

8	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	35.8
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	24.0
	SW	SE	IRR	21.0
	SE	SE	IRR	40.0

Section Acres 320.8

9	NE	NW	IRR	40.0
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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	37E	9	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	26.0
			NW		SW		IRR	39.0
			SW		SW		IRR	34.0
			SE		SW		IRR	30.0
							Section Acres	289.0
		15	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	10.0
							Section Acres	90.0
		16	NW		NE		IRR	40.0
			SW		NE		IRR	20.0
			SE		NE		IRR	20.0
			NE		NW		IRR	38.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	33.0
			SE		SW		IRR	28.0
			NE		SE		IRR	10.0
			NW		SE		IRR	30.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	459.0
		18	NE		NE		IRR	33.0
							Section Acres	33.0
		19	SW		NW		IRR	40.0
			NW		SW		IRR	32.5
			SW		SW		IRR	32.5
							Section Acres	105.0
		20	NW		NE		IRR	18.0
							Section Acres	18.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	37E	21	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	41.5
			NE		NW		IRR	38.0
			SE		NW		IRR	22.6
			NE		SW		IRR	5.7
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	35.0
			SE		SE		IRR	38.0

Section Acres 380.8

22	SW	NE	IRR	16.0
	NE	NW	IRR	40.0
	NW	NW	IRR	39.0
	SW	NW	IRR	10.0
	SE	NW	IRR	20.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NW	SE	IRR	15.0
	SW	SE	IRR	8.0

Section Acres 308.0

27	NW	NE	IRR	26.0
	SW	NE	IRR	28.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	28.6
	NW	SW	IRR	39.0
	SW	SW	IRR	10.0
	SE	SW	IRR	10.0
	NW	SE	IRR	7.0
	SW	SE	IRR	17.0

Section Acres 325.6

28	NE	NE	IRR	40.0
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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	37E	28	NW		NE		IRR	15.0
			SE		NE		IRR	35.0
			NW		SW		IRR	20.0
			SW		SW		IRR	20.0
			NE		SE		IRR	20.0
			Section Acres					150.0
		33	NE		NE		IRR	13.0
			NW		NE		IRR	30.0
			NW		NW		IRR	10.0
			Section Acres					53.0
		34	NE		NW		IRR	10.0
			NW		NW		IRR	10.0
			SW		NW		IRR	10.0
			SE		NW		IRR	10.0
			NE		SW		IRR	31.0
			NW		SW		IRR	10.0
			SW		SW		IRR	10.0
			SE		SW		IRR	10.0
			NW		SE		IRR	8.0
			SW		SE		IRR	10.0
			Section Acres					119.0
			Total Acres					5066.8

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
A29-00052/00053/00589.

14. Remarks:
THE PLACE OF USE IS OWNED BY THE SHARE HOLDERS OF THE PORTNEUF
MARSH VALLEY CANAL CO.

15. Basis of Claim: STATUTORY CLAIM

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 OTI 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 President of
Title
Portneuf Marsh Valley Canal Co. that I have signed the foregoing
Organization
document in the space below as President of
Title
Portneuf Marsh Valley Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.

P. Wayne Thompson
Signature of Authorized Agent

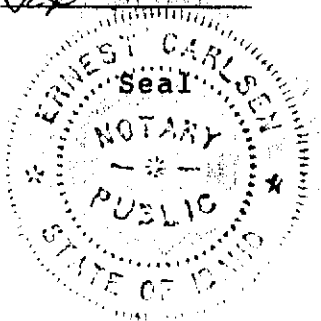
Pres. Portneuf Marsh Valley Canal Co.
Title and Organization

Feb. 14, 1990
Date

State of Idaho)
County of Bonneville) SS.

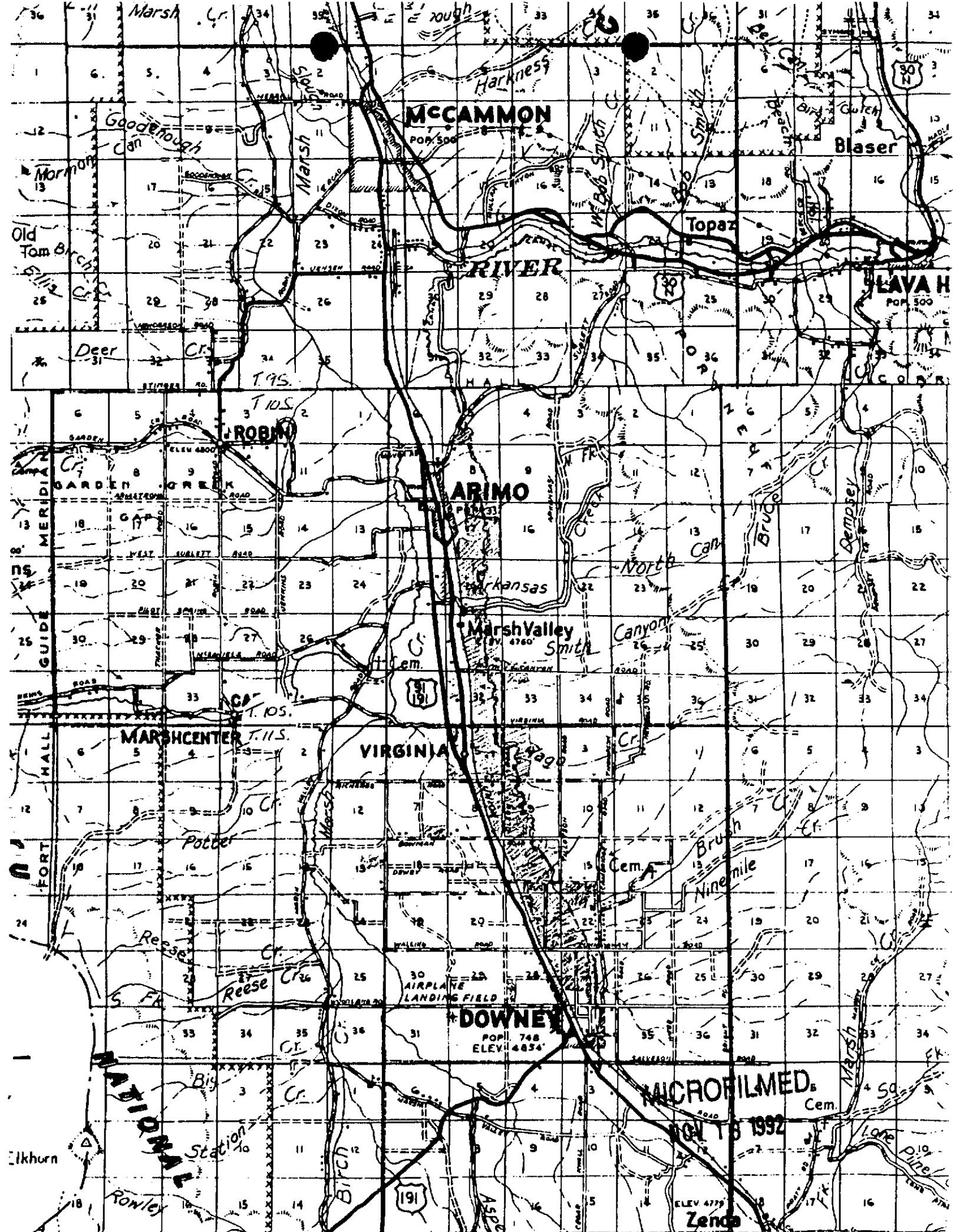
Subscribed and sworn (or affirmed) before me this 14 day
of Feb 19 90

Ernest Carlson
Notary Public



Residing at Blaine Falls, ID

My Commission Expires 6-14-1994



83234

July 10, 1978.

Gauge readings of high water levels of the Portneuf Reservoir at Chesterfield for the years of 1951 to 1978 inclusive.

x	June 6, 1951	.....	46.3	feet
	July 7, 1952	.....	45.0	"
	May 4, 1953	.....	42.3	"
	May 3, 1954	.....	39.0	"
	May 2, 1955	.....	27.0	"
	June 4, 1956	.....	42.0	"
x	July 1, 1957	.....	46.0	"
x	May 5, 1958	.....	45.3	"
	May 4, 1959	.....	37.0	"
	May 5, 1960	.....	35.0	"
	May 5, 1961	.....	30.3	"
x	June 4, 1962	.....	45.8	"
	June 3, 1963	.....	41.0	"
	June 1, 1964	.....	41.4	"
	July 6, 1964	.....	43.6	"
x	June 7, 1965	.....	47.5	"
	June 6, 1966	.....	45.0	"
	July 9, 1967	.....	43.5	"
x	July 1, 1968	.....	45.9	"
x	July 7, 1969	.....	47.5	" - full
x	July 6, 1970	.....	47.5	"
x	July 7, 1971	.....	47.0	"
	July 9, 1972	.....	45.0	"
x	June 4, 1973	.....	47.4	"
	July 1, 1974	.....	45.0	"
	June 3, 1975	.....	44.4	"
x	June 7, 1976	.....	45.7	"
	May 12, 1977	.....	41.5	"
x	June 3, 1978	.....	45.8	"

Portneuf-Marsh Valley Canal Co.

Hugh Brady
Hugh Brady asst secy-treas

Note - Original given to Dan Maden of the Indian Agency.

*12 years above old spillway level
4 years at "
12 years below "
28 total years.*

NOV 13 1978

83234

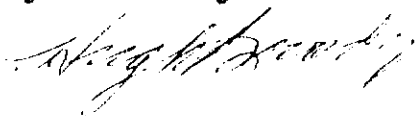
July 10, 1978

Gauge readings of high water levels of the Portneuf Reservoir at Chesterfield for the years 1933 to 1950 inclusive.

June 3, 1933	.....	38.6	feet
May 1, 1934	.....	26.5	"
June 3, 1935	.....	32.1	"
June 25, 1936	.....	42.7	"
May 24, 1937	.....	38.6	"
May 28, 1938	.....	44.9	"
May 1, 1939	.....	37.7	"
Mar. 7, 1940	.....	25.0	"
May 7, 1941	.....	32.2	"
June 3, 1942	.....	40.0	"
May 26, 1943	.....	45.7	"
June 7, 1944	.....	39.3	"
July 4, 1945	.....	43.7	"
May 18, 1946	.....	44.9	"
June 4, 1947	.....	41.7	"
June 2, 1948	.....	44.0	"
June 1, 1949	.....	44.0	"
May 3, 1950	.....	44.0	"

Portneuf-Marsh Valley Canal Co.

Hugh Brady asst secy-treas



NOV 13 1980

83234

May 5, 1988

Attorney W. F. Merrill,
Pocatello, Idaho. 83201

Dear Mr. Merrill:

As per our meeting of yesterday, herein find our
reservoir high water levels of 1972 to date, inclusive as follows:

1972 - May 1, .. 44.0 ft.
June 5, .. 44.0
July 3, .. 44.0
July 9, .. 45.0
Aug. 7, .. 40.0

1973 - Apr. 2, .. 40.82
May 7, .. 47.4
June 4, .. 44.0
July 9, .. 39.4

1974 - May 6, no record
June 3, .. 45.0
July 1, .. 45.00
Aug. 5, .. 41.0

1975 - Apr. 6, .. 41.0
May 6, .. 44.0
June 3, .. 33.3
July 7, .. 44.3

1976 - Apr. 5, ...44.0
May 3, .. 45.0
June 7, .. 45.7
July 12, .. 42.5
Aug. 2, .. 38.5

1977 - Apr. 4, .. 40.8
May 2, .. 39.0
May 12, .. 41.8
June 6, .. 37.3

1978 - Apr. 11, .. 38.0
Apr. 27 .. 41.5

Note:

In order to comply with State Water Resource Board
recommendations, we have endeavored to keep the water level
below the spillway level even though these years have all
been good water years,

Very truly yours,
Portneuf-Marsh Valley Canal Co.

by

Hugh Brady, Asst. Secy

NOV 13 1988

A29-04060

RECORD OF PROCEEDINGS

POOR ORIGINAL

100 LEAVES

MINUTES OF THE REGULAR MONTHLY MEETING OF THE DIRECTORS
OF THE PORTNEUF MARSH VALLEY CANAL COMPANY.

A regular meeting of the Directors of the Portneuf Marsh Valley Canal Company was held at the office of the Company in Downey, Idaho, at 2 o'clock p. m. on the 7th day of April, 1913.

Meeting was called to order by president Geo. T. Hyde. The following directors were present:

Geo. T. Hyde, J. A. Pitts, Wm. Laurensen and John Ware. Absent, Jesse S. Richards.

The secretary read the minutes of the last meeting which were approved by the Board. A letter from J. S. Whitaker was read petitioning to be allowed to build a fence on the west bank of the canal where same passed through his land.

On motion made and duly seconded, it was voted that he be permitted to build fence with the posts set 6" above high water on the west bank of the canal through his property, he to execute an agreement with the Company covering this license, and that he agree to keep the weeds cut on the right-of-way through his land.

The secretary reported in regard to construction of gates and fences across the right-of-way of the canal; that the Consolidated Wagon and Machine Co. had quoted a price on these gates of \$2.50 a piece for cash. A proposed set of rules and regulations of settlers was presented by the secretary, and on motion made and duly seconded, 500 were ordered printed for distribution to the settlers.

The following bills were presented by the treasurer and ordered paid:

Portneuf Marsh Valley Irrigation Company, \$60.30
for office rent and the purchase of desk, chair and station-

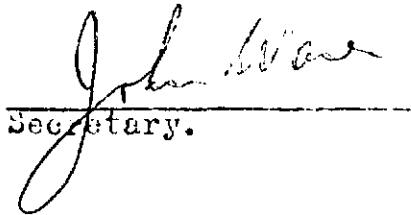
RECORD OF PROCEEDINGS

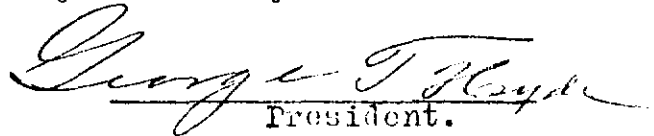
100 LEAVES

ory; Breeden Office Supply Co., \$4.05 for blue prints of canal system; Mountain States Telephone Co., \$2.00 for service during the month of April at Chesterfield dam.

On motion made and duly seconded, it was voted to have water run in the canal system at once.

The meeting was then adjourned subject to call.


Secretary.


President.