SCANNED

MAY 4 2001

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: A29-00094B
Date Received: 1/25/1990
Receipt No: M005594
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: ERMA M.. BANKS 208-648-7856
   Address: 3229 BANKS RD.
   BANCROFT, ID 83217

2. Date of Priority: MAY 02, 1905

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06S	38E	33	SW SE SE		CARIBOU

5. Description of diverting works:
   CARRIED TO PORT. RES. BY FEEDER CANAL, SIPHON ON DAM, 40HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S 1.16 (or)	A.F.A.
IRRIGATION	04/15	09/15	2.000	

7. Total Quantity Appropriated is:
   2.000 C.F.S. (and/or) A.F.A.
   1.16

8. Total consumptive use is 1312.5 Acre Feet Per Annum.

9. Non irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	38E	24	NE NE		IRR	4.0
			SE NE		IRR	20.0
				Section Acres		24.0

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
06S	39E	19	NE	NW		IRR	5.0
			NW	NW		IRR	5.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	26.0
			SW	SW		IRR	4.0
			SE	SW		IRR	40.0
			NW	SE		IRR	14.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	294.0
		30	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	5.0
			SW	NW		IRR	4.5
			SE	NW		IRR	37.5
						Section Acres	207.0
						Total Acres	525.0

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A29-10246, -00010, -07391, 24 MILE CREEK CANAL CO.

14. Remarks:
PLACE OF USE INCOMPLETE.
|
THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 29-00094.
THIS RIGHT BELONGED TO THE WESTSIDE CANAL CO. WHICH IS DEFUNCT,
WE HAVE MAINTAIN THE USE OF OUR PORTION OF THIS WATER INITIALLY
UTILIZING A DITCH WHICH RAN AROUND AND UNDER THE DAM AND WHEN THE
DAM WAS RAISED A SIPHON WAS PUT ON THE DAM FOR OUR DIVERSION.
THE WATER WAS BROUGHT INTO THE RESERVOIR BY THE FEEDER CANAL
WHICH THE INITIAL CANAL(WESTSIDES) JOINS ALMOST IMMEDIATELY AFTER
DIVERTING FROM TOPONCE CREEK, SEE ATTACHED MAP OF INITIAL POINT

MICROFILMED
NOV 13 1992

14. Remarks: Continued
OF DIVERSION.

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

UNION GRAIN & ELEVATOR CO. (Decree Plaintiff) vs MC CAMMON DITCH CO., 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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

APPROVED

Claim No.: 29-94B

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

G02 Source Remark Portneuf River

C03

7/22/03 mail new shape to I.F.

Split or Combined Right Analysis:

29-94 < B Portneuf Bank 1.16

Holbrook

Attached Field Notes or Other Documents:

Claim No.: 29-94B Reviewer CB Date 8/2/03

Notes

file contains stock shares but I don't know how many shares are needed per acres.

Recommending Decreed POU of 58 ac. in the SESE Sec 19 & NENE of Sec. 30 T6S R39E.

Decreed diversion rate 0.02 cfs/ac = 1.16 cfs

POD: head of feeder canal
injection POD: in Chesterfield Reservoir.
& divert at Syphon.

Source for POD, injection and Rediversion is Topince Creek.

Priority date: 6-2-1905

Themes used for POD: 29-86_93_podwp.shp.
Pt of injection: 29-94b_INJ.shp.
Pt of rediversion: more chesterfield theme.

IDWR Field Exam Form 04/03/2002

Contacts Data Entry Form

Owner Type Full Name Address City State Zip Phone

Current Owner _____

Name connector: and ____, or ____, and/or ____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: David _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 10/30/01 Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____ Date: _____

IDWR Field Exam Form 04/03/2002

Priority Date Data Entry Form

Claim Number: 29-94B

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 6/2/1905 Recommended Basis Decree

_____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

U G & E decree

Reviewer: CB Date: 2/12/03

IDWR Field Exam Form 04/03/2002

Point of Diversion and Source Data Entry Form

Claim Number: 20-946

Water Right Point of Diversion: T 6S, R 3E Sec. 33, ____, SE, SE. County: Canyon

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec. ____, ____, ____, ____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. ____, ____, ____, ____. County: _____

Source: _____ Tributary: _____

X Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Field exam
UG & E deeds
West & Brangham ditches no longer exist
The water is now diverted through the Feeder Canal into Te Syphon.
→ POD, Point of injection, Pt of rediversion.

Transfers Changing POD _____

Reviewer: LB Date: 2/12/03

IDWR Field Exam Form 04/03/2002

Place Of Use Data Entry Form

Claim Number: 29-94B

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6S	39E	30	NENE		Caribou		58	Irrigation
		19	SESE		"			

Total Acres 58

Document how the POU was verified:
58 acres in deeded POU.

Transfers Changing POU _____

Reviewer: CB

Date: 2/12/03

IDWR Field Exam Form 04/03/2002

Purpose of Use Data Entry Form

Claim Number: 29-94B

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			58	

Document how the Purpose of Use was verified:

decree
field exam.

Transfers Changing Purpose of Use _____

Reviewer: CB

Date: 2/18/03

IDWR Field Exam Form 04/03/2002

Period of Use and Quantity Data Entry Form

Claim Number: 29-94B

__ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	9/15	1.16	

Overall Diversion Rate 1.16 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

decree

field exam

Reviewer: CB Date: 2/18/03

8/23/01 - A29-94B. only ~~80~~ 52 + ~~26~~ 56 acres of this was listed on the original 29-94 decreed POU.

Therefore, the diversion rate should only be 1.~~60~~ cfs. (1.16 cfs)

The original 29-94 decree was decreed to ~~29~~ - West Side Canal Co, which is now defunct.

- Document that you own this portion of right.

1426.

- Geneology of the

Claimant need to provide a chain of title that they own this portion of the water right.

Query the place-of-use?

- Have Boise (vault) re

Priority date should be 6-2-905

77. WEST SIDE CANAL COMPANY.

9 0094 1905. June 2. 13.14 c.f.s.
29 0095 1913. April 1. 3.48 c.f.s.

Said water to be diverted through the West Side Canal, a continuation of the West and Brangham Ditch, Point of diversion, see West and Brangham Ditch, for the irrigation of 692.6 acres of land described as follows: 32.6 acres in the Southwest quarter of the Northeast Quarter, Section 26, Township 6 South, Range 38 East; 58 acres in the Northeast quarter of the Northeast quarter, Section 30; the Southeast quarter of the Southeast quarter, Section 19, Township 6 South, Range 39 East; 25 acres in the Northwest quarter of the Northwest quarter, Section 29; 30 acres in the Southwest quarter of the Northwest quarter, Section 29; the Southeast quarter of the Northeast quarter, Section 30; 60 acres in the West half of the Northeast quarter, the East half of the Northwest quarter, Section 32; 50 acres in the Northeasu qtarer of the Southwest quarter, the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter, Section 32; 40 acres in the Southeast quarter of the Northwest quarter, 32 acres in the Southwest quarter of the Northeast quarter, 30 acres in the East half of the Southwest quarter, 80 acres in the West half of the Southeast quarter, 15 acres in the Southwest quarter of the Southwest quarter in Section 29, Township 6 South, Range 39 East.

T6S, R38E.

65, 39E

58 acres NENE Sec. 30
SESE Sec. 19
98 acres for Band
98 acres @ 0.02 cfs/acre
1.96 cfs.

40 acres in the South half of the Southwest quarter, Section 3, 35 acres in the West half of the Northwest quarter, Section 10; 15 acres in the Northeast quarter of Northeast quarter; 60 acres in the South half of the Northeast quarter, 40 acres in the Southeast quarter of the Northwest quarter, Section 9, Township 7 South, range 39 East.

T7S, R39E

78. JENSEN, PARLEY P. .05 c.f.s.
29 0096 1905. May 19. (2.72 inches)

Said water to be diverted through said Jensen Ditch No. 1, which diverts from Toponce Creek, in the Southeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East. From the Southquarter corner of Section 34, the Pointmof diversion bears north, 31 degrees and 40 minuted west, 1504 feet, for the irrigation of 2.72 acres of land, in the Northeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East.

29 0097

79. JENSEN, PARLEY P.
1905. May 19. .27 c.f.s.
(13.4 inches)

Said water to be diverted through Jensen Ditch No. 2, which diverts from Toponce Creek, in the Northeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the point of diversion bears North, 3 degrees and 15 minutes West, 1350 feet, for the irrigation of 13.4 acres of land in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 36 East.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	WEST SIDE CANAL CO.	06/02/1905	IRRIGATION	04/15	09/15	13.140 CFS	
				TOTAL DIVERSION:		13.140 CFS	

Water Source: TOPONCE CREEK Tributary to: PORTNEUF RIVER Stage: DECREED

Point(s) of Diversion: T06S R38E S33 SESE CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
06S	38E	26			I														
06S	39E	19																I	
06S	39E	29						I	I	I	I		I	I		I	I		
06S	39E	30	I			I													
06S	39E	32		I	I		I			I	I								
07S	39E	3											I	I					
07S	39E	9	I		I	I				I									
07S	39E	10						I	I										

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-00053 29-00082 29-00083 29-00084 29-00085 29-00086 29-00087 29-00088 29-00089 29-00090
29-00091 29-00092 29-00093 29-00095 29-00107A 29-02027 29-02032A 29-02032B 29-04346 29-04347

Other Water Rights Listing Overlapping Place(s) of use:
29-00011 29-00012B 29-00071 29-00095 29-02008 29-02027 29-02415 29-02435 29-02558 29-04347
29-04488

Remarks: GEN P/U INCOMPLETE - ACRES IRR. 692.6.

Dates: App. Received: Priority Date: 06/02/1905
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 29 Field Exam Fee:

Audit: 08/18/86 05/22/88 CONVERT 02/06/98 CLEARFLD

95

35

43

43

66

23

12/18/01 3pm David Banks came by the office this is the number of original stones from the stones book.

FEDERAL LAND BANK ASSOCIATION OF PRESTON

P.O. BOX 386 102 NORTH STATE PRESTON, IDAHO 83263

TELEPHONE: 852-2145

J. P. GARNER, MANAGER

April 4, 1975

Re: Loan # 159631-1

Mr. Floyd J. Banks
Bancroft,
Idaho 83217

Dear Mr. Banks,

Enclosed is water stock certificate No. 38 for 150 shares in West Side Canal Company we received from the bank in the pay-off of the Call escrow. We are not able to locate a secretary for this canal company. Will you please see what you can find out and have this certificate re-issued in your name and return it to us.

Thank you.

Yours truly,

Gayle C. Beeton
Ass't to Mananger

gcb
enclosure

INCORPORATED UNDER THE LAWS OF THE STATE OF IDAHO

NUMBER 38

SHARES 150.00

West Side Canal Company

CAPITAL STOCK, $10,000.00 SHARES, PAR VALUE $10.00 EACH

This Certifies That Chris Coe is the owner of One Hundred Fifty Shares of Capital Stock of

West Side Canal Company

transferable only on the Books of the Company in person or by Attorney on surrender of this Certificate properly endorsed.

In Witness Whereof the President and Secretary have hereunto subscribed their names and affixed the seal of said Company at Chesterfield, Idaho, this 23 day of Jan A.D. 1936

Chris Coe Secretary

Wm. Lewis President

INCORPORATED UNDER THE LAWS OF
THE STATE OF IDAHO

NUMBER
40

SHARES
74

West Side Canal Company

CAPITAL STOCK, $10,000.00 SHARES, PAR VALUE $10.00 EACH

This Certifies that Christian Carl is the owner of
Seventy Four Shares of Capital Stock of

West Side Canal Company

transferable only on the Books of the Company in person or by Attorney on surrender of this Certificate properly endorsed.

In Witness Whereof the President and Secretary have hereunto subscribed their names and affixed the seal of said Company at Chesterfield, Idaho,
this 23 day of Jan A.D. 1936

Chris Carl Secretary Orson Sessions President

MAY - 4 2001

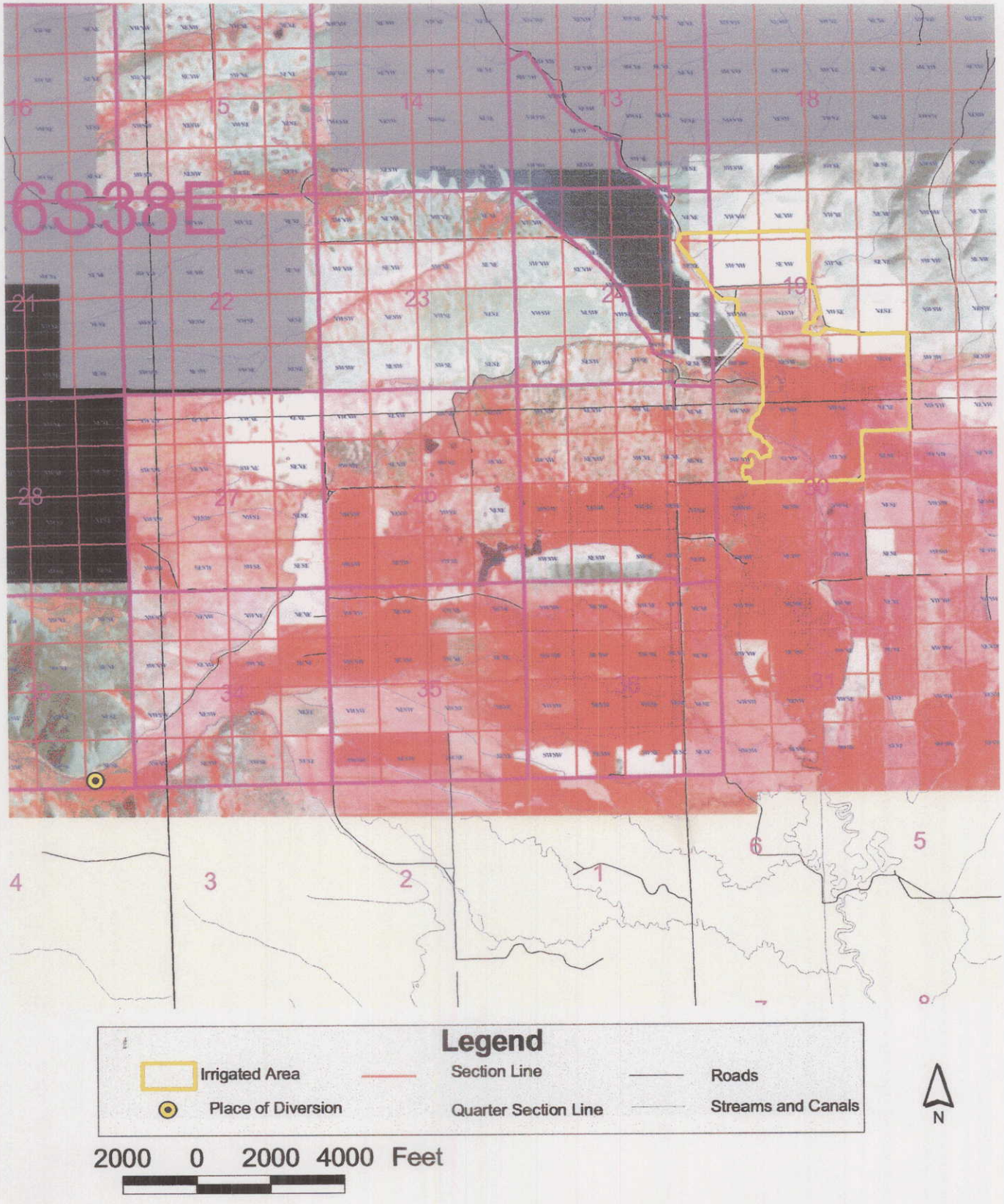
Log for claim A29-00094B **Spatial Dynamics BTD** **9/8/00**

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s38e	24	NENE	4	3.8	
06s38e	24	SENE	20	13	
06s39e	19	NENW	5	6.6	
06s39e	19	NWNW	5	6.6	
06s39e	19	SWNW	40	40	
06s39e	19	SENW	40	40	
06s39e	19	NESW	40	39	
06s39e	19	NWSW	26	21	
06s39e	19	SWSW	4	3	
06s39e	19	SESW	40	40	
06s39e	19	NWSE	14	7.1	
06s39e	19	SWSE	40	40	
06s39e	19	SESE	40	40	
06s39e	30	NENE	40	40	
06s39e	30	NWNE	40	40	
06s39e	30	SWNE	40	40	
06s39e	30	NENW	40	40	
06s39e	30	NWNW	5	4.2	
06s39e	30	SWNW	4	9.2	
06s39e	30	SENW	37	39	
Totals:			524	512.5	

Water Right Claim Number A29-00094B

09/08/2000

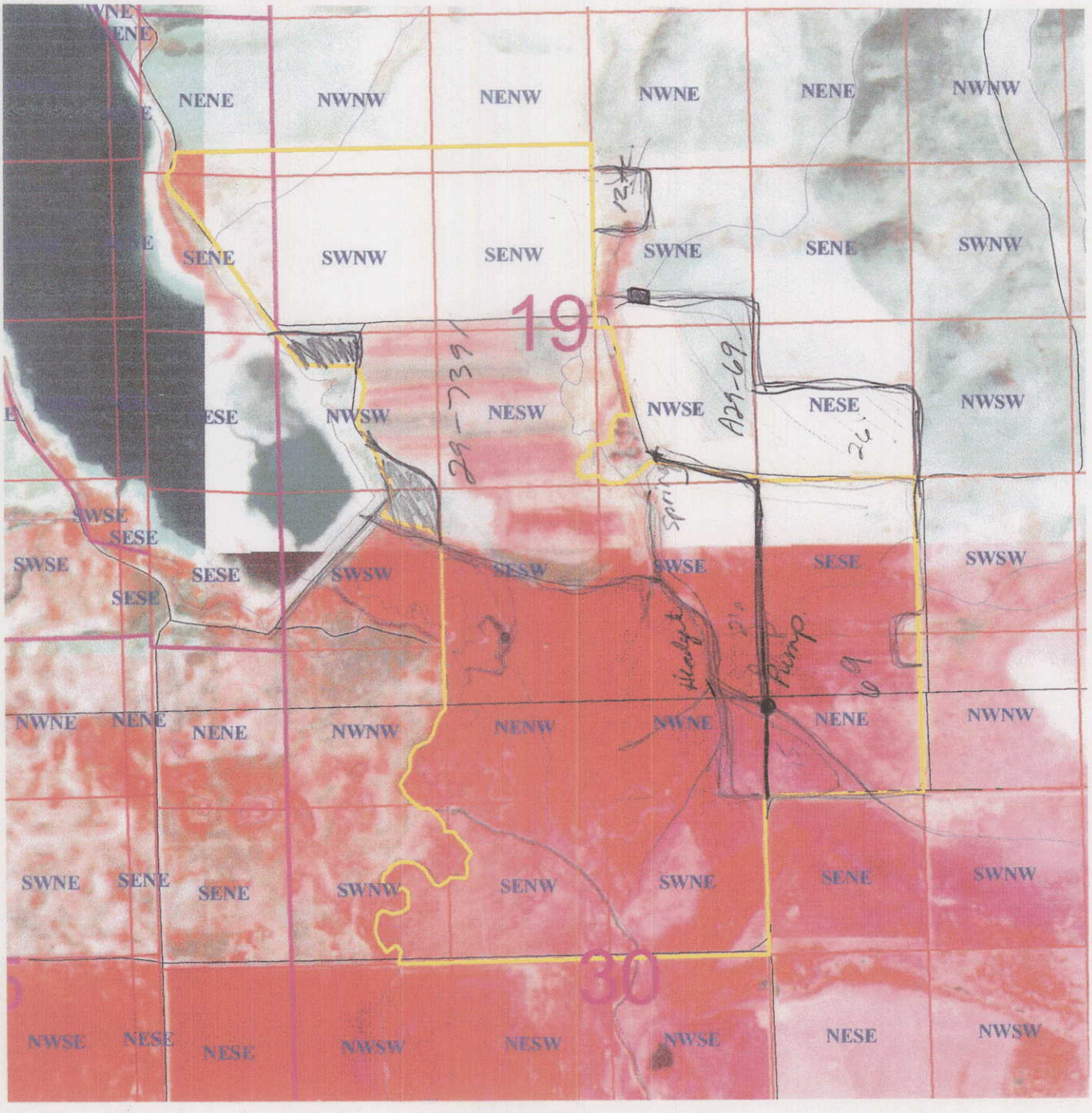
Townships , 6S39E, 6S38E



Water Right Claim Number A29-00094B

09/08/2000

Townships , 6S39E, 6S38E



Legend

- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

N

800 0 800 1600 Feet

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	ERMA M BANKS 3229 BANKS RD BANCROFT ID 83217 (208) 648-7856	05/02/1905	IRRIGATION	04-15	09-15	2.000 CFS	
					TOTAL DIVERSION:	2.000 CFS	
					CONSUMPTIVE USE:		1312.50 AFA

Water Source: TOPONCE CREEK Tributary to: PORTNEUF RIVER Stage: DECREED

Point(s) of Diversion: T06S R38E S33 SWSESE CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
06S	38E	24	04			20													24.0
06S	39E	19					05	05	40	40	40	26	04	40		14	40	40	294.0
06S	39E	30	40	40	40		40	05	04	37									207.0
																TOTAL ACRES			525.0

POU County: CARIBOU

Other Rights: A29-10246, -00010, -07391, 24 MILE CREEK CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00090A A29-00091A A29-00092A A29-00093A A29-00094A A29-10248

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00010 A29-00013 A29-00015 A29-00018 A29-00069 A29-00071 A29-00094 A29-02558 A29-07391 A29-10246

Remarks: GEN PLACE OF USE INCOMPLETE.

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 29-00094.
THIS RIGHT BELONGED TO THE WESTSIDE CANAL CO. WHICH IS DEFUNCT,
WE HAVE MAINTAIN THE USE OF OUR PORTION OF THIS WATER INITIALLY
UTILIZING A DITCH WHICH RAN AROUND AND UNDER THE DAM AND WHEN THE
DAM WAS RAISED A SIPHON WAS PUT ON THE DAM FOR OUR DIVERSION.
THE WATER WAS BROUGHT INTO THE RESERVOIR BY THE FEEDER CANAL
WHICH THE INITIAL CANAL(WESTSIDES) JOINS ALMOST IMMEDIATELY AFTER
DIVERTING FROM TOPONCE CREEK, SEE ATTACHED MAP OF INITIAL POINT
OF DIVERSION.

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

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 01/26/90 BAUMHOFF 04/04/94 THOMPSON 03/29/95 POST-STD

M005594

01/25/90
15:50:03

BANKS, ERMA OR DAVID

ADJUDICATION FEE	0410162 9337 6490	$873.00

$873.00

CHECK 123

WR/NO: A29-10246 A29-00069 A29-07391 A29-00010 A29-00094B
A29-10256

Idaho Department of Water Resources

Region: MOBILE I Signature: _____

MICROFILMED
NOV 1 2

02/19/2003

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RECEIVED
NOV - 6 200
Department of Water Resources

RIGHT NUMBER: 29-94B

NAME AND ADDRESS: ERMA M BANKS
3229 BANKS RD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM PORTNEUF RIVER.

QUANTITY: 1.160 CFS

PRIORITY DATE: 06/02/1905

POINT OF DIVERSION:

T06S R38E S24 NESWSE Injection Within CARIBOU County

T06S R38E S33 SWSESE Within CARIBOU County

T06S R39E S19 NWSWSW Rediversion Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 09/15	1.160 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R39E S19	SESE	22.0	T06S R39E S30	NENE	36.0

58 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

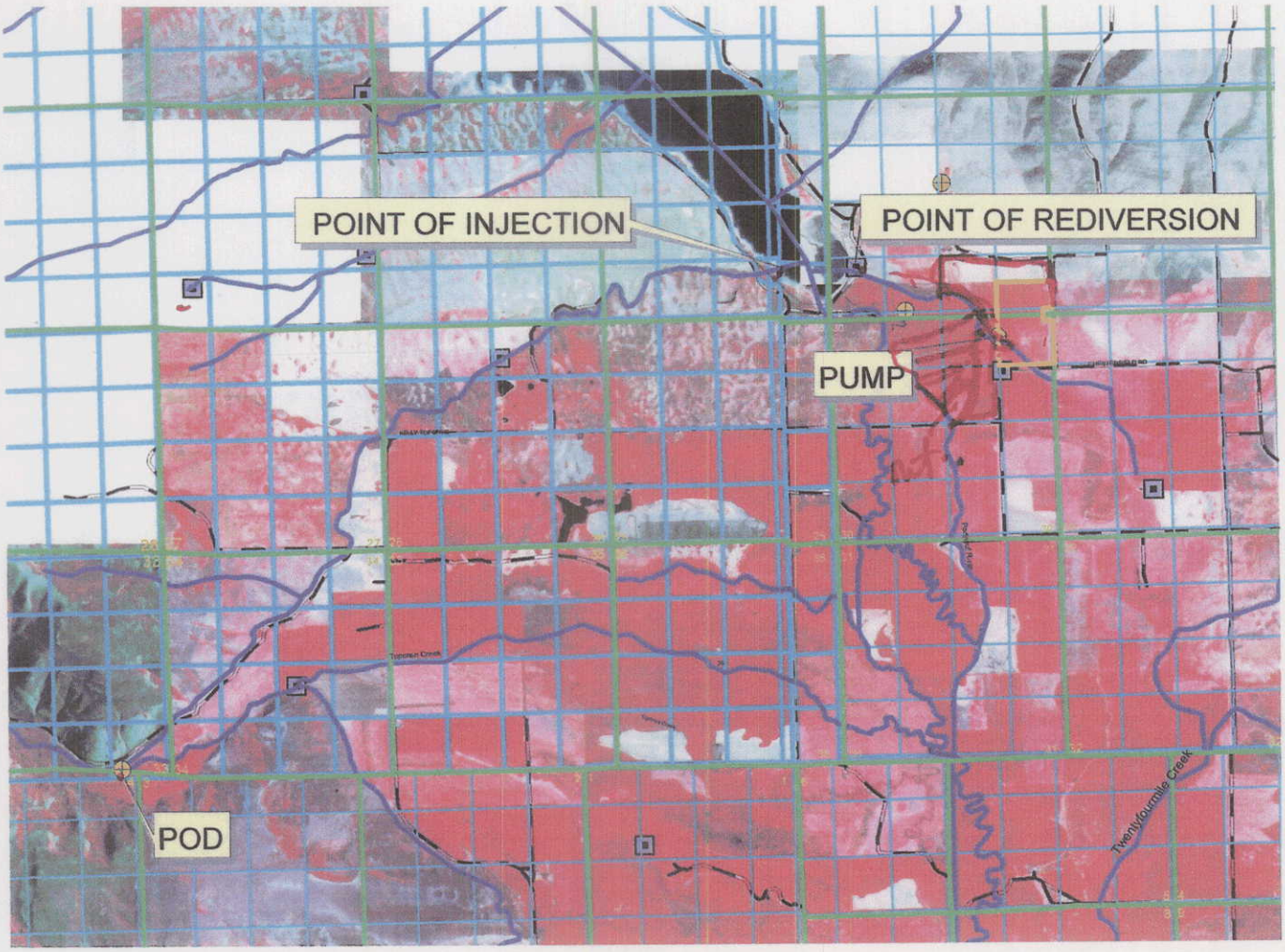
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Rights: 29-94B



0.8 0 0.8 1.6 Miles

IRRIGATED ACRES 58

N
W E
S

LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T6S, R39E,
(part of) Sections 19 & 30

Points of Diversion: T6S, R38E,
Sec. 33 SWSESE

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: FEBRUARY 2003

SCANNED

MAY 4 2001

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: A29-00094B
Date Received: 1/25/1990
Receipt No: M005594
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: ERMA M.. BANKS 208-648-7856
   Address: 3229 BANKS RD.
   BANCROFT, ID 83217

6-2-05

2. Date of Priority: MAY 02,,1905

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06S	38E	33	SW SE SE		CARIBOU

5. Description of diverting works:
   CARRIED TO PORT. RES. BY FEEDER CANAL, SIPHON ON DAM, 40HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S 1.16 (or)	A.F.A.
IRRIGATION	04/15	09/15	~~2.000~~	

7. Total Quantity Appropriated is:
   ~~2.000~~ 1.16 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1312.5 Acre Feet Per Annum.

9. Non irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	38E	24	NE NE		IRR	4.0
			SE NE		IRR	20.0
				Section Acres		24.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
06S	39E	19	NE	NW		IRR	5.0
			NW	NW		IRR	5.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	26.0
			SW	SW		IRR	4.0
			SE	SW		IRR	40.0
			NW	SE		IRR	14.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		294.0
		30	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	5.0
			SW	NW		IRR	4.5
			SE	NW		IRR	37.5
					Section Acres		207.0
					Total Acres		525.0

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A29-10246, -00010, -07391, 24 MILE CREEK CANAL CO.

14. Remarks:
PLACE OF USE INCOMPLETE.

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 29-00094.
THIS RIGHT BELONGED TO THE WESTSIDE CANAL CO. WHICH IS DEFUNCT,
WE HAVE MAINTAIN THE USE OF OUR PORTION OF THIS WATER INITIALLY
UTILIZING A DITCH WHICH RAN AROUND AND UNDER THE DAM AND WHEN THE
DAM WAS RAISED A SIPHON WAS PUT ON THE DAM FOR OUR DIVERSION.
THE WATER WAS BROUGHT INTO THE RESERVOIR BY THE FEEDER CANAL
WHICH THE INITIAL CANAL(WESTSIDES) JOINS ALMOST IMMEDIATELY AFTER
DIVERTING FROM TOPONCE CREEK, SEE ATTACHED MAP OF INITIAL POINT

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14. Remarks: Continued
OF DIVERSION.

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

UNION GRAIN & ELEVATOR CO. (Decree Plaintiff) vs MC CAMMON DITCH CO., 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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

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