

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: A22-12161  
Date Received: 10/5/88  
Receipt No: 6002927  
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FOX CREEK CANAL COMPANY 208-787-2759  
Address: C/O DAWN STONE, SEC.  
RT. 1, BOX 551  
VICTOR, ID 83455

2. Date of Priority: MAY 15, 1896

3. Source: FOX CREEK Trib. to: TETON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 46E   | 29      | SW     | NW     | NW     |     | TETON  |

5. Description of diverting works:  
HEADWORKS OF FOX CREEK PIPELINE/CANALS FROM OPEN DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 9.800 |      |        |

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

8. Total consumptive use is 7500.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 04N      | 45E   | 23      | NE     | NE     |     | IRR | 40.0  |
|          |       |         | NW     | NE     |     | IRR | 38.0  |

A22-12161

Page 1

Date: 10/05/88

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10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 04N      | 45E   | 23      | SW  |    | NE  |     | IRR           | 38.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 16.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 12.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 39.0  |
|          |       |         |     |    |     |     | Section Acres | 263.0 |
|          |       | 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  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | 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 | 636.0 |
|          |       | 25      | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | 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           | 38.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 478.0 |
|          |       | 26      | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 38.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 04N      | 45E   | 26      | SW  |    | NE  |     | IRR           | 38.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NE  |    | NW  |     | IRR           | 39.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 39.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 38.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 38.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 38.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 38.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 626.0 |
|          |       | 27      | SW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 39.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 39.0  |
|          |       |         | 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           | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 558.0 |
|          |       | 34      | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 80.0  |
|          |       | 36      | NE  |    | NE  |     | IRR           | 38.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 39.0  |
|          |       |         | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 157.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres  |
|----------|-------|---------|-----|----|-----|-----|---------------|--------|
| 04N      | 46E   | 19      | NE  |    | NE  |     | IRR           | 40.0   |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0   |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0   |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0   |
|          |       |         | NE  |    | NW  | 1   | IRR           | 40.0   |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0   |
|          |       |         | SW  |    | NW  | 2   | IRR           | 40.0   |
|          |       |         | SE  |    | NW  |     | IRR           | 40.0   |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0   |
|          |       |         | NW  |    | SW  | 3   | IRR           | 40.0   |
|          |       |         | SW  |    | SW  | 4   | IRR           | 40.0   |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0   |
|          |       |         | NE  |    | SE  |     | IRR           | 33.0   |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0   |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0   |
|          |       |         | SE  |    | SE  |     | IRR           | 27.0   |
|          |       |         |     |    |     |     | Section Acres | 620.0  |
|          |       | 30      | NW  |    | NE  |     | IRR           | 40.0   |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0   |
|          |       |         | NE  |    | NW  |     | IRR           | 40.0   |
|          |       |         | NW  |    | NW  | 1   | IRR           | 40.0   |
|          |       |         | SW  |    | NW  | 2   | IRR           | 40.0   |
|          |       |         | SE  |    | NW  |     | IRR           | 20.0   |
|          |       |         | NE  |    | SW  |     | IRR           | 3.0    |
|          |       |         | NW  |    | SW  | 3   | IRR           | 39.0   |
|          |       |         | SW  |    | SW  | 4   | IRR           | 30.0   |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0   |
|          |       |         |     |    |     |     | Section Acres | 332.0  |
|          |       |         |     |    |     |     | Total Acres   | 3750.0 |

11. Place of use in counties: TETON

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

13. Other Water Rights Used:  
SEVERAL FOX CREEK IRR. RTS.

14. Remarks:  
WATER DELIVERED TO SHARE HOLDERS THROUGH FOX CREEK PIPELINE  
SYSTEM. THIS CLAIM COMBINES RTS. 22-00417, 00108 & 00418.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL

Decree Plaintiff

vs

TETON IRR. CANAL 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   x   wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:       1      

For Organizations:

I do solemnly swear or affirm that I am President of

Fox Creek Canal Comp., that I have signed the foregoing  
Organization

document in the space below as President of

Fox Creek Canal Comp and that the statements contained in the  
Organization

foregoing document are true and correct. Pres. N. Orval Foster  
Signature of Authorized Agent

Pres. Fox Creek Canal Co.  
Title and Organization

10-5-88  
Date

State of Idaho )

County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of October 19 88

[Signature]  
Notary Public

Seal

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994  
5 Date: 10/05/88

A22-12161

Page

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