

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: A22-00196
Date Received: 8/22/1988
Receipt No: E101519
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CANYON CREEK CANAL CO., INC. 208-458-4231
Address: AN IDAHO CORPORATION
-O. BOX 215
NEWDALE, ID 83436

2. Date of Priority: JUN 01, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	43E	6				4	MADISON
06N	42E	13		NW	SE		MADISON
		24		NE	NE		MADISON
	43E	19		NW	SW		MADISON
07N	42E	30		SE	NE		MADISON

5. Description of diverting works:
A DAM WITH CANAL AND DITCHES FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	54.000		

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

8. Total consumptive use is 26537.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00196

Page 1

Date: 02/01/89

NOV 04 1992

A2200196



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:

A22-00195, SEVERAL PRIVATE CLAIMS FILED BY SHAREHOLDERS.

14. Remarks:

TRANS. #1985.

A DAM ON CANYON CREEK DIVERTS WATER INTO THE COMPANY'S CANAL, WHICH TRAVERSES THE SERVICE AREA WHERE WATER IS TAKEN INTO LATERAL DITCHES OF THE STOCKHOLDERS, OR PUMPED FROM THE CANAL OR DITCHES; OR WATER WILL BE PUMPED FROM CANYON CREEK ITSELF OR TETON RIVER INTO PIPELINES LEADING TO THE STOCKHOLDERS' LANDS. SEE DETAILED DESCRIPTIONS OF THE MAJOR PUMPING SYSTEMS IN CLAIMS OF STEVECO FARMS, INC., AND CANYON CREEK LATERAL DITCH WATER ASSOCIATION, ALSO FILED IN THE ADJUDICATION.

*** SEE A22-00195 FOR COMPLETE PLACE OF USE LISTING.--PRM

*** ALSO PAID FOR UNDER RECEIPTS E001520, E001521, E001522.

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.

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
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 _____

NOV 04 1992

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: 39356
Ident. Number 22-0196
Date Received 8-22-88
Receipt Number E001519, E001520
E001521, E001522

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Canyon Creek Canal Co., Inc., an Idaho
corporation, with its principal office at Phone (208) 458-4231
Mailing Address Newdale, Idaho Zip 83436

2. Date of Priority (Only one (1) per claim) June 1, 1902

3. Source of water supply (a) Canyon Creek
which is tributary to (b) Teton River

4. a. Location of existing point of diversion is: Township 5N Range 43E Section 6,
1/4 of 1/4 of 1/4, Govt. Lot, 4 B.M., County of Madison

Additional points of diversion if any: NW1/4 SW1/4, Sec. 19, T. 6N, R. 43 E.B.M.; NE1/4 NE1/4, Sec. 24,
T. 6N, R. 42 E.B.M.; NW1/4 SE1/4, Sec. 13, T. 6N, R. 42 E.B.M.; SE1/4 NE1/4, Sec. 30, T. 7N,
b. If instream flow, beginning point of claimed instream flow is: R. 42 E.B.M.

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. A dam on Canyon Creek diverts the water
into the company's canal, which canal traverses the service area where water is taken
therefrom into lateral ditches of the stockholders, or pumped from the canal or ditches;
or water will be pumped from Canyon Creek itself or Teton River into pipelines leading
to the stockholders' lands. See detailed descriptions of the major pumping systems in
claims of Steveco Farms, Inc., and Canyon Creek lateral ditch water association,
also filed in the adjudication.

NOV 04 1992
Copies: White-State, Yellow-Claimant

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 54.0 or 31,845*

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

*Which includes the water claimed on #22-0195

7. Total quantity claimed (a) 54.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 26,537** acre feet per annum.

**Which includes the water claimed on #22-0195

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	
			SEE ATTACHMENT NO. 1																

Total number of acres irrigated _____

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

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.

Most of the stockholders have other rights held in their individual names, or None ()
and are filing their individual claims. Also see #22-0195.

14. Remarks:

NOV 04 1992

Last Name Canyon Creek Canal Co. Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

See Attachment No. 2

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

NOV 04 1992

Last Name Canyon Creek Canal Co. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____
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 2

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 _____ Canyon Creek Canal Co., Inc. _____, that I have signed the foregoing
Organization _____
document in the space below as _____ President _____ of _____ Canyon Creek Canal Co., Inc. _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Grant Klingler
Canyon Creek Canal Co., Inc.
Title and Organization By: Its President Date 8/19/88

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

Subscribed and sworn (or affirmed) before me this 19th day of August 19 88

SEAL

Notary Public Ray W. Rigby

Residing at Rexburg, Idaho

My Commission Expires 3-12-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby 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 Ray W. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date 8/19/88

Last Name Canyon Creek Canal Co Ident. Number _____

Copies White-State, Yellow-Claimant

NOV 04 1992

10. Description of place of use:

- a. If water is for irrigation, indicate page in each subdivision in the tabulation below.
 b. 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.

Attachment 1

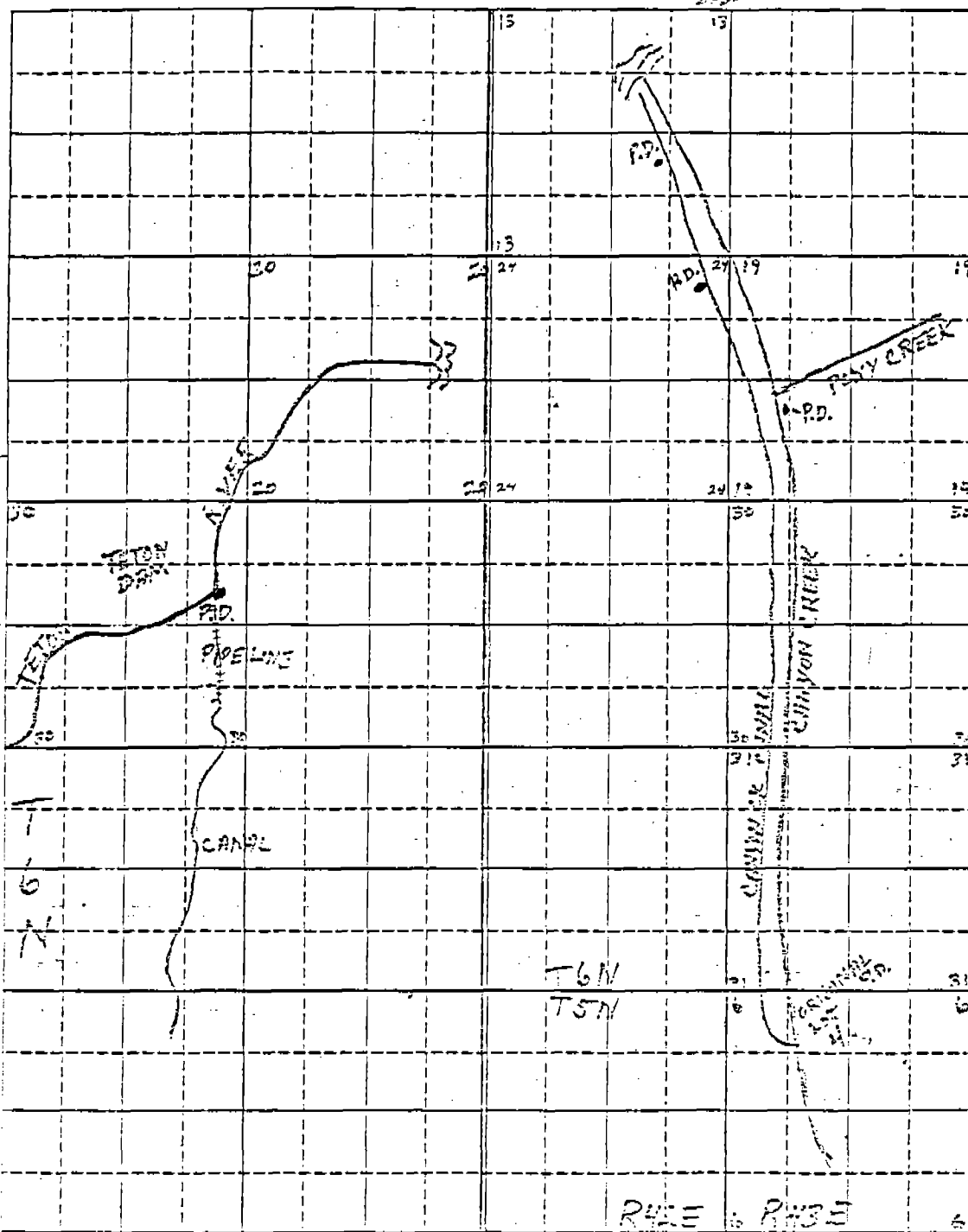
TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	41E	26	0	0	0	0	0	0	0	0	40	0	0	40	0	0	0	0	80
		34	0	0	0	40	0	0	0	0	0	0	0	0	40	0	0	40	120
		35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		36	40	40	40	40	40	40	40	40	40	40	0	0	40	40	40	40	560
7N	42E	30	0	0	0	0	0	0	0	0	9	0	40	40	21	12	40	40	202
		31	0	0	40	40	0	0	40	40	40	40	40	40	40	40	40	40	480
		32	0	0	0	40	0	0	0	0	40	40	40	40	40	40	40	40	360
		33	0	0	0	0	40	0	40	40	40	40	40	40	40	40	40	40	440
		34	0	0	0	0	0	0	0	0	40	40	40	40	0	0	0	0	160
		26	0	0	0	0	0	40	40	40	40	40	40	40	0	0	0	0	280
		35	0	30	40	21	40	40	40	40	40	40	40	40	40	40	40	40	571
		36	0	0	0	0	0	0	0	0	0	13	40	0	0	0	0	0	53
6N	41E	1	40	40	0	0	0	0	0	0	0	0	0	0	0	0	40	40	160
		3	0	27	27	0	0	0	0	0	0	0	0	0	0	26	0	0	80
		12	40	40	40	40	0	0	0	0	0	0	0	0	40	0	0	40	240
6N	42E	1	0	0	0	0	0	0	0	0	40	40	40	40	0	0	0	0	160
		2	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		3	0	0	0	0	0	0	0	0	0	0	0	0	25	0	0	40	65
		4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		6	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		8	0	40	10	0	40	40	40	40	40	40	40	40	0	10	10	0	390
		9	40	40	40	40	40	40	40	40	0	0	0	0	0	0	0	0	320
		10	40	40	40	40	0	0	0	25	40	40	40	40	40	40	40	40	505
		11	40	40	40	40	40	40	40	40	40	40	10	35	40	0	30	40	555
		12	0	0	0	0	40	40	40	30	10	40	35	5	30	30	30	30	360
		13	30	12	10	30	0	0	0	0	10	0	0	10	30	10	10	0	152
		14	25	15	40	40	30	30	30	30	0	0	0	0	30	30	30	0	330
		15	30	30	30	30	0	0	0	0	0	0	0	0	30	30	30	30	240
		24	12	39	40	32	39	0	0	40	0	0	0	0	0	0	0	0	202
6N	43E	7	0	0	0	0	0	0	0	0	30	30	30	30	0	0	35	35	190
		18	30	30	0	0	30	30	0	0	0	0	0	0	0	0	0	0	120

Total number of acres irrigated

11,215*

*After deducting for highways, etc., the total irrigated acres does not exceed 10,615

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

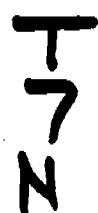


Attachment 2

SCALE: 2 inches equal 1 mile. Draw plan in ink.

NOV 04 1992

0-3



NOT TO SCALE

NOV 04 1952

ACTION REQUIRED

12-88

FROM:

Eric Venn

TO:

File

Canyon Creek needs to amend land list to include 15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26 T7N R41E. Code w/ this land list and send to them for signature and additional acreage for -

EGV

NOV 04 1988

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Canyon Creek Assn Co. CLAIM NO. 22-60196

DATE RECEIVED 8-22-88 CK # AMOUNT \$ 8109

	YES	NO
1. Is the name and address complete with zip code?	<u>X</u>	<u> </u>
2. Is a priority date entered?	<u>X</u>	<u> </u>
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	<u>X</u>	<u> </u>
(b) Is a tributary to entered? (if required)	<u>X</u>	<u> </u>
4. Is the legal description of the p.d. sufficient?	<u>X</u>	<u> </u>
5. Is there a description of the diverting works?	<u>X</u>	<u> </u>
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>	<u> </u>
Is the period of use included?	<u>X</u>	<u> </u>
Is a quantity claimed for each use?	<u>X</u>	<u> </u>
7. Is a total quantity claimed entered?	<u>X</u>	<u> </u>
8. If required is a consumptive use entered?	<u>X</u>	<u> </u>
Is the consumptive use correct?	<u>X</u>	<u> </u>
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	<u>X</u>	<u> </u>
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	<u> </u>
11. Is (are) the county(ies) entered?	<u>X</u>	<u> </u>
12. Is the ownership of p.u. checked?	<u>X</u>	<u> </u>
13. Are other water rights listed or "none" indicated?	<u>X</u>	<u> </u>
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	<u>X</u>	<u> </u>
15. Is the basis of the claim indicated?	<u>X</u>	<u> </u>
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	<u>X</u>	<u> </u>
Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	<u> </u>
Was this claim filed on time, or was an extension granted?	<u>X</u>	<u> </u>
Is the fee enclosed correct?	<u>X</u>	<u> </u>
If this claim is based on an existing water right, has the identification number been entered?	<u>X</u>	<u> </u>
Should this claim be receipted and data entered?	<u>X</u>	<u> </u>

Claim checked by: [Signature]

Comments:

NOV 04 1992

EO 01519 TREC 1522

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Canyon Creek Canal Co.	54.0 cfs		22-0196
1985	Canyon Creek Canal Co.	54.0 cfs	n/a	22-0196

T
 R
 A
 N
 S
 F
 E

7N	41E	25						40	40	40	40	40	40	40	40	40	40	40	40
"	"	26										40			40				
"	"	27												10	10		40		40
"	"	35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	36	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7N	42E	31			40	40			40	40	40	40	40	40	40	40	40	40	480
"	"	32				40					40	40	40	40	40	40	40	40	360
"	"	33						40		40	40	40	40	40	40	40	40	40	440
"	"	34									40	40	40	40					160
6N	41E	1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	2	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	3	40		30	40										40	40		190
"	"	11						40											40
"	"	12	40	40	40	40									40			40	240
6N	42E	1									40	40	40	40					160
"	"	2									40	40	40	40					160
"	"	3													25			40	65
"	"	4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	6	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600
"	"	8						40	40	40	40	40	40						340
"	"	9	40	40	40	40	40	40	40	40									320
"	"	10	40	40	40	40				25	40	40	40	40	40	40	40	40	505
"	"	11				40	40	40	40	40	40	40	40	40	40	40	40	40	425
"	"	12					40	40	40	30		40	40		30	30	30	30	320
"	"	13	30			30					10			10	30	10	10	*	120
"	"	14	25	15			30	30	30	30					30	30	30		180
"	"	15	30	30	30	30									30	30	30	30	240
6N	43E	7									30	30	30	30					120
																Total's			10615

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

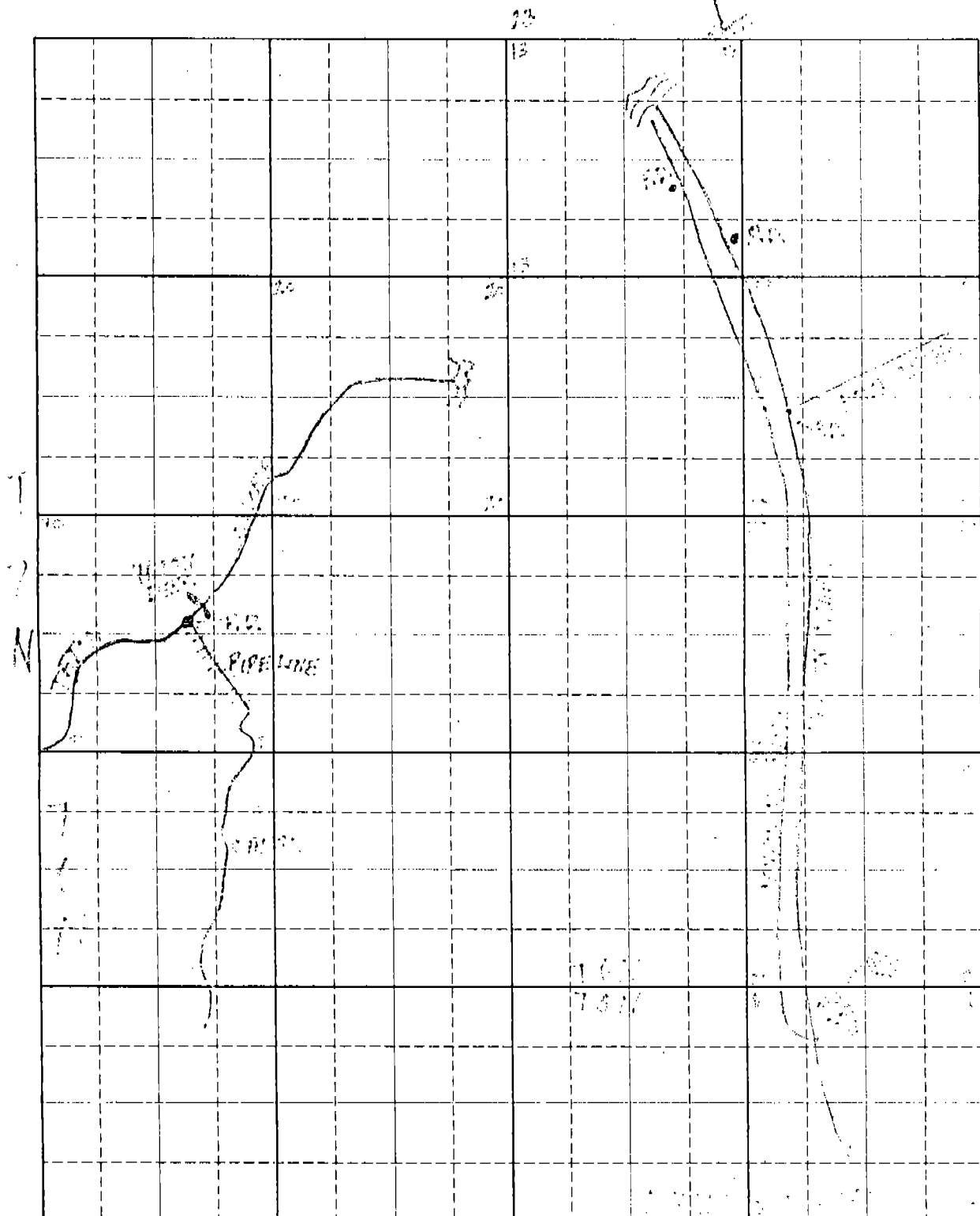
C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 70.0 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion Lot 4 ¼ _____ ¼, Section 6 Township 5N
Range 43 E., B.M., Madison County _____
Additional points NW¼SE¼, Sec. 13, T. 6N, R. 42E; SE¼SE¼, Sec. 13, T. 6N,
R. 42E; SW¼NE¼, Sec. 30, Twp. 7 N, R. 42 E; NW¼SW¼, Sec. 19, T. 6N,
R. 43E:
 - c. Description of diverting works New points of diversion will be pumps &
motors and pipelines and new canals and ditches.
 - d. Describe the reasons for applying for a change in the point(s) of diversion As the spring river
flows decrease, the head reduces and it becomes difficult to fill
our decreed right at the original point of diversion. The new point
of diversion will pump water from Canyon Creek into our canal and/or
directly onto lands of stockholders of the corporation.
2. Change in place of use
 - a. Describe the lands or place of use to which the right will be transferred: NO CHANGE

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Camison Creek Canal Co.
Blair Robinson Sec.
(Signature of applicant)

Subscribed and sworn to before me this 30th day of April, 19 76

My commission expires Life

Lay W. Rugh
(Notary public)
Reynolds, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0195/22-0196, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

PURSUANT TO MEMORANDUM DECISION AND ORDER OF THIS DATE

2. Denial of said application is for the following reasons: _____

Witness my hand this 30th day of December, 19 76

R. Keith Higginson
R. KEITH HIGGINSON, Director

FOR DEPARTMENT USE ONLY

Received by RD Date 5-24-76

Prelim. check by RD Fee 20.00

Receipted by RD Date 5-26-76

Published in Idaho Falls Journal

Pub. dates May 24, 25, 26, 1976

Watermaster recommendation requested on 5-22-76

6.0.1 rec'd.

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for _____ approval _____ denial
by _____