

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 1-23A
Date Received: 1/31/2002
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

SOUTHWEST IRRIGATION DISTRICT Phone: (208) 878-8382
PO BOX 668
BURLEY ID USA 83318

2. Date of Priority: 02/06/1895

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	25E	1	SE SW 7	CASSIA	
10S	21E	28	SW NW 5	TWIN FALLS	
10S	21E	29	SE SE	TWIN FALLS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	04/01	10/31	77.9	177,540

7. Total Quantity Appropriated is:
77.9 C.F.S. and/or 177,540 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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11. Place of use in counties:

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

A0100023A



13. Other Water Rights Used:

14. Remarks:

USE OF WATER RIGHT NO. 01-00023 PURSUANT TO APPROVED TRANSFER NO. 4859 SHALL BE SUBORDINATE TO ALL EXISTING WATER RIGHTS DIVERTING FROM SNAKE RIVER IN THE AMERICAN FALLS TO MILNER REACH EXCEPT TO THE EXTENT THAT WATER AVAILABLE UNDER THIS RIGHT AT THE ABERDEEN SPRINGFIELD CANAL DIVERSION IS SPECIFICALLY IDENTIFIED AND SHOWN TO BE DELIVERED IN THE AMERICAN FALLS-MILNER REACH.

THE ANNUAL VOLUME DIVERTED UNDER THIS RIGHT IS LIMITED TO 6725 ACRE FEET AT THE POINTS OF DIVERSION APPROVED UNDER TRANSFER NO. 4859 EXCEPT THAT ANY WATER DIVERTED DURING FLOOD CONTROL OPERATIONS THAT RESULT IN A RELEASE OF WATER PAST MILNER DAM SHALL NOT BE CHARGED AGAINST THE SEASONAL VOLUME LIMITATION.

DIVERSION AND USE OF WATER UNDER RIGHT NO. 01-00023 SHALL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT 01 (UPPER SNAKE RIVER).

APPROVAL OF TRANSFER NO. 4859 DOES NOT GRANT ANY EASEMENT OR RIGHT-OF-WAY TO USE DIVERSION AND DELIVERY FACILITIES OWNED BY PERSONS OTHER THAN THE RIGHT OWNER.

WATER DIVERTED UNDER THIS RIGHT SHALL BE USED WITHIN THE BOUNDARIES OF AND APPLIED TO THE LANDS OF THE SOUTHWEST IRRIGATION DISTRICT.

THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES RETAINS JURISDICTION TO DETERMINE AND ASSESS A DELIVERY LOSS TO PREVENT INJURY TO EXISTING WATER RIGHTS IN WATER DISTRICT 01.

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED AND TO TAKE SUCH OTHER ACTION AS AUTHORIZED BY LAW TO PREVENT UNAUTHORIZED USE OF WATER.

WATER USED UNDER THIS TRANSFER WHEN COMBINED WITH ALL OTHER RIGHT SHALL PROVIDE NO MORE THAN 0.02 CUBIC FEET PER SECOND PER ACRE

NO MORE THAN 4.0 ACRE FEET PER ACRE PER YEAR FOR THE LANDS HEREIN AUTHORIZED TO BE IRRIGATED.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 01.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 1-23.

15. Basis of Claim: Decreed