

REFUND REQUEST

01-149A

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: S. Sherman
 SUBJ: Receipt No. E001979 (Please attach ARQ2 Receipt copy immediately behind blue form) Date: 5-14-04

RE: PayOR Reid Canal Co.
 Address do Ruby Whittaker
6562 S. 2000 W.
Rexburg ID 83440

Claimant(s) if NOT Payor -

Refund Amount \$ 50.- Claim Location (Region/Claimant)

Extension Filed? Y/N NA Copy Attached? Y/N NA

Late Fees Paid? Y/N NA Late Fee Receipt # E001979

S.O. Verified Ext. by n/a on - D.B. Query by n/a

Refund Generated By (☒) Agent () Claimant

Refund Category:
 insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached) unknown

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>none</u>	<u>-</u>	\$ <u>50.-</u>	<u>0</u>	<u>E001979</u>
		\$		
		\$		
		\$		
		\$		
		\$		
Total		\$	\$	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N

Region AJ Spvsr. Approval - S.O. AJ Spvsr. Approval -
 Don Shaff Approval - Hold - To Fiscal 5-14-04

Data Base Modified? Y/N NA A &/or R Records By - on -
 Logged 5-14-04

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RECEIVED
 MAY 19 2004

SCANNED

Department of Water Resources
 Eastern Region

05/19/94

NOV 10 2004

RECEIVED

MAY 12 2004

Department of Water Resources

REQUEST FOR WITHDRAWAL OF CLAIM

Name of Claimant:
(Please Print)

The Reid Canal Company

Mailing Address:

C/O Ruby Whittaker
6562 S. 2000 W. Rexburg 83440

Amount:

\$ 50 -

Receipt No.: E001979

County of Water Right:

Teton County, Wyoming

Claim No(s).:

no number - please see attached
explanation

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do /do not request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

(please see attachment)

(Signature of Claimant)

(Date)

(Signature of Claimant)

(Date)

(Signature of Claimant)

(Date)

Return to:

Idaho Department of Water Resources
Adjudication Section

For IDWR Use

Approval Region
Approval State Office
Data Entry
Claim File

Initials

[Signature]
[Signature]
[Signature]

Date

05/06/04
5/12/04

-5-

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NOV 10 2004

RECEIVED

MAY 19 2004

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 14, 2004

THE REID CANAL CO
C/O RUBY WHITTAKER
6562 S 2000 W
REXBURG ID 83440

RE: Snake River Basin Adjudication (SRBA)
Unnumbered, Withdrawn Notice of Claim to a Water Right

Dear Claimant:

Your request for withdrawal of the unnumbered Notice of Claim to a Water Right has been approved.

The refund process has been initiated with the State Auditor's Office for the fees you paid on receipt #E001979. You should receive a check in the near future.

Sincerely,

Donald V. Shaff
Manager
Adjudication Technical Section

DVS:ss:ref

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MAY 19 2004

Department of Water Resources
Eastern Region

MEMO

Date: July 17, 1992

To: Application for Transfer
01-00149B, etc.
Reid Canal

From: Ernie Carlsen

326-6379

FINDINGS

On July 10 and 15, 1992, I met with: Delas Munns, president for Lenroot canal; Robert Hansen, president for Reid canal; Loran Mortinsen and Roddy Robison, board members of Lenroot canal. Statements from these gentlemen indicated originally the lands in question were served by the Reid canal. But because of continued problems with maintenance of a ditch levee in the S1/2NW, Section 30, Twp 5N, Rge 40E, intended to move water east, it was decided to abandon the levee and have the Lenroot canal serve the lands. This occurred about 40 years ago, however, the records for the Water District 01 and IDWR were not changed.

The place of use (POU) described in Section B of Part 2 and carried forward to Part 1 was checked in the field. This inspection revealed the POU has been served by the Lenroot canal and no new lands will be put under irrigation as a result of this change. Also found were discrepancies in the land list on the Notices of Claim for both canal companies. The transfer application contains some of these discrepancies since the POU listed on Reid canal's Notices was in preparation of the application.

RECOMMENDATION

Because of discrepancies in the POU on the Notices for both canals the POU for each canal should not be modified exactly as listed on the transfer application. The 9 acres in the SESW and the 14 acres in the SWSE are not shown on the Notices of Claim for Reid canal, and were only partially claimed by the Lenroot canal. Consequently with approval of this application the 102 acres in the S1/2NW and NWSW (as shown on the Notices of Claim) should not be in the POU for the split Notices of Claim of Reid canal. This acreage should be applied to the service area for the Lenroot canal along with 11 acres in the SWSE, bringing the total for that tract to 16 acres. For the purposes of data entry pursuant to this transfer the land list on Notices for Reid canal and Lenroot canal should correspond to Attachment A and Attachment B, respectively.

Conditions placed on the transfer should include:

1. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. Use of water under this water right will be regulated by the

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watermaster of State Water District No. 01.

ADJUDICATION REVIEW

The field investigation also determined that further changes to the land list will be required via amendments to each canal's Notices. In Sec 19 the Reid canal only serves 32 acres in the W1/2NW. While in Sec 19 the Lenroot canal serves the following: 40 ac in SWNW; 22 ac in SENW; 26 ac in NESW; 40 ac in NWSW; 80 ac in S1/2SW; 9 ac in NWSE; and 16 ac SWSE totaling 233 acres. See Attachments C and D respectively. The north 12 acres in the NESW is served by the Sunnydell canal.

The quantity of water listed on each split notice for the two canal companies is shown on Attachment E.

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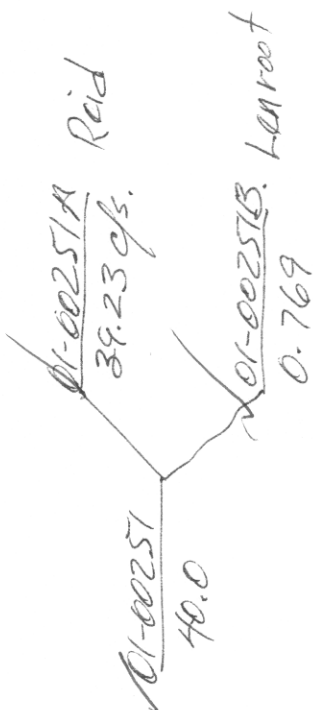
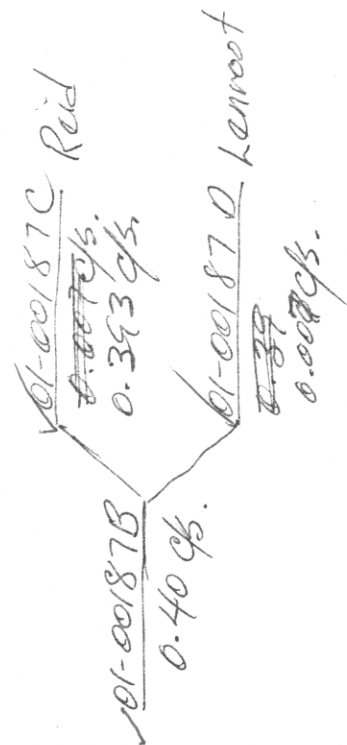
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NOV 10 2004

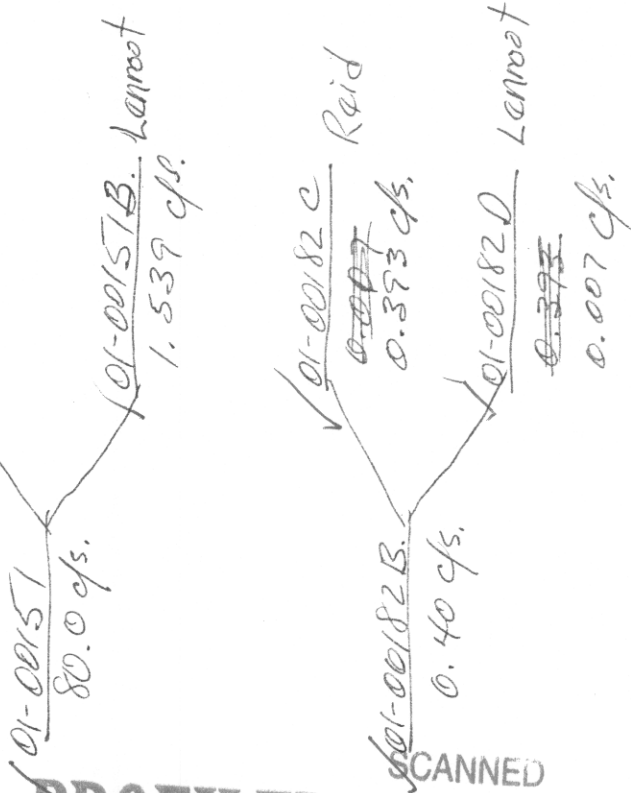
ATTACHMENT E

15715
1401910

15715
1494
1494
15715



original (and best)
Lanroot



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