

SD-0601-2		Last Name: NORTH SIDE CANAL					STATE	
S		O						
E	First	W	Water	Priority		Total	Use	
L	Name	N	Right No.	Date	Source	Diversion	Code Desc	

	NORTH SIDE CANAL COMPANY LTD.							
		C	A37-04240	03/01/1910	BIG WOOD RI	25.000	04	STOCK
					SILVER CREE			
		C	A37-04241	03/01/1910	LITTLE WOOD	10.000	04	STOCK
					SILVER CREE			
		C	A01-00212Z0	10/07/1905	SNAKE RIVER	2250.000	01	IRR
							02	IRR S
							03	IRR FS
		C	A01-00215	06/02/1909	SNAKE RIVER	500.000	01	IRR
		C	A01-10043A	03/29/1921	SNAKE RIVER	116600.000	02	IRR S
							03	IRR FS
		C	A01-10053A	03/30/1921	SNAKE RIVER	108980.000	02	IRR S
							03	IRR FS

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SD-0601-2	Last Name: NORTH SIDE CANAL					STATE	
S	O						
E	W	Water	Priority		Total	Use	
L	N	Right No.	Date	Source	Diversion	Code	Desc
NORTH SIDE CANAL COMPANY LTD.							
	C	A01-00213	06/16/1908	SNAKE RIVER	890.000	01	IRR
	C	A01-00220	06/29/1910	SNAKE RIVER	3000.000	01	IRR
	C	A01-02064C	03/30/1921	SNAKE RIVER	387814.000	02	IRR S
						03	IRR FS
	C	A01-10042B	03/29/1921	SNAKE RIVER	9400.000	02	IRR S
						03	IRR FS
	C	A01-10045B	05/24/1913	SNAKE RIVER	312007.000	02	IRR S
						03	IRR FS
	C	A37-13378	03/20/1948	GROUNDWATER	0.040	43	DOMEST
						04	STOCK
	C	A37-13379	05/12/1956	GROUNDWATER	0.040	43	DOMEST
						04	STOCK
	C	A37-13380	06/02/1955	GROUNDWATER	0.040	43	DOMEST
						04	STOCK
	C	A37-00507	06/15/1890	BIG WOOD RI	15.000	01	IRR

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SD-0601-2		Last Name: NORTH SIDE CANAL				STATE	
S	First	O	Water	Priority	Total	Use	
E	Name	W	Right	Date	Diversion	Code	Desc
L		N	No.				

NORTH SIDE CANAL COMPANY LTD							
		C	A36-14904	03/15/1950	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	A36-14900	03/02/1949	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	A36-14901	01/30/1943	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	A36-14902	11/11/1957	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	A36-14903	10/20/1948	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	A36-14905	03/20/1948	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	36-14900	03/02/1949	GROUNDWATER	0.040	43 DOMEST
							04 STOCK
		C	36-14904	03/15/1950	GROUNDWATER	0.040	43 DOMEST

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1 John A. Rosholt
Gary D. Slette
2 ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
3 Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
4 4742p/shs/1-2-92

5
6
7
8 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
9 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

10 * * * * *

11 In Re the General Adjudication)
12 of Rights to the Use of Water)
from the Snake River Basin)
13 Water System.)

CASE NO: 39576

14 The State of Idaho, ex rel.)
15 A. Kenneth Dunn in his official)
capacity as director of the)
16 Idaho Department of Water)
Resources,)

NOTICE OF
APPEARANCE

17 Petitioner,)

18 vs.)

19 The United States; the State)
20 of Idaho; and all claimants)
to the use of water from the)
21 Snake River Basin Water System,)

22 Defendants.)

23 * * * * *

24 COME NOW, TWIN FALLS CANAL COMPANY, NORTH SIDE CANAL
25 COMPANY, LTD. and AMERICAN FALLS RESERVOIR DISTRICT, by and
26 through their attorneys, John A. Rosholt and Gary D. Slette of

MICROFILMED
NOV 17 1994

1 the firm of ROSHOLT, ROBERTSON & TUCKER, and, pursuant to Order
2 of this Court entered December 17, 1991, enter their appearance
3 in the above-captioned case.

4 DATED this 2nd day of January, 1992.

5 ROSHOLT, ROBERTSON & TUCKER
6 P. O. Box 1906
7 Twin Falls, ID 83303-1906

8 *John A. Rosholt*

JOHN A. ROSHOLT

9 *Gary D. Slette*
10 GARY D. SLETTE

11 CERTIFICATE OF MAILING

12 I hereby certify that on this 2nd day of January,
13 1992, I caused to be served a true copy of the foregoing NOTICE
14 OF APPEARANCE by the method indicated below, and addressed to
15 each of the following:

16 Larry Echohawk
17 Attorney General
18 State of Idaho
Statehouse, Room 210
Boise, Idaho 83720

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

19 David Shaw
20 Adjudication Bureau Chief
Idaho Department of Water
Resources
21 1301 North Orchard
Statehouse Mail
22 Boise, Idaho 83720 (6 copies)

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

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NOV 17 1994

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Peter C. Monson, Esq.
Assistant Attorney General
U.S. Department of Justice
Land and Natural Resources
Division
Indian Resources Section,
Rm. 6317
P. O. Box 44378
Washington, D.C. 20026-4378

Don A. Olowinski
HAWLEY, TROXELL, ENNIS
& HAWLEY
P. O. Box 1617
Boise, Idaho 83701

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Telecopy (Fax)

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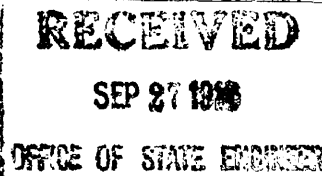
John A. Rosholt

JOHN A. ROSHOLT

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NOV 17 1994

1-210

STATE OF IDAHO,)
County of TWIN FALLS SS.



D. C. MAC WATERS, being first duly sworn upon his oath says, that he is President of the North Side Canal Company, Limited, a corporation, and as such is duly authorized to make this affidavit for and on behalf of said corporation.

That said North Side Canal Company, Limited, is joint owner together with Twin Falls North Side Land and Water Company, of a decreed water right appurtenant to the following described lands, to-wit:

Commencing at a point where the west line of Section three (3), Township Ten (10) South, Range Eighteen (18), E. B. M., intersects with Snake River, running thence north to the Northwest corner of Section Twenty-seven (27), in Township Nine (9), South, Range Eighteen (18), E. B. M.; thence East to the Northeast corner of Section Twenty-five (25), in Township Nine (9), South of Range Twenty (20), E. B. M.; thence South to the Southeast corner of Section Thirty-six (36), in Township Nine (9), South, Range Twenty (20), E. B. M.; thence East to the Northeast corner of Section Four (4), in Township Ten (10) South, Range Twenty-one (21), E. B. M.; thence South along Section lines to the North bank of Snake River; thence in a general westerly direction along the North bank of Snake River to the place of beginning; all of said lands being now in Minidoka County, and formerly in Lincoln County, Idaho, including within the above area all the lands included within List Six (6), being a Carey Act Segregation List filed in the United States Land Office at Hailey, Idaho, and comprising the lands commonly known as the First Segregation under the canal system of the Twin Falls North Side

Land and Water Company, in the following amount from the following date: 400 second feet from October 11, 1900, as evidenced by the decree dated the 30th day of June, 1913, in the cause entitled Twin Falls Canal Company, a corporation, Plaintiff, vs. Charles M. Foster, et al., Defendants, brought in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, and as subsequently corrected and amended by said District Court by decree in said cause dated the 12th day of September, 1916.

That by said decree the point of diversion of said 400 second feet of water therein awarded is at the Milner Dam on the North Side of the Snake River.

That said corporation intends to change the point of diversion of 54 second feet of said water, as described in said decree, to the following described point, to-wit: *#2 Pumping Plant* at a point from which the quarter corner of Sections 21 and 22, Township 10 South, Range 21, E. B. M.; Minidoka County, Idaho, bears North 65° 18' West 5534 feet, on the North bank of Snake River.

That such change will be made for the following reasons to-wit: that certain of the lands embraced in said decree, and as shown by maps accompanying this affidavit, can be more effectively and conveniently irrigated from the proposed new point of diversion than that established and fixed by said decree; that there are no intervening users of the waters of said Snake River between the point of diversion fixed by said decree and said proposed new point of diversion.

That no one will be injured by such change and that

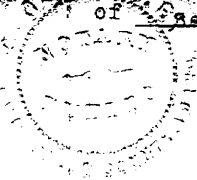
said corporation will make such change at its own risk.

And further deponent saith not.

A. C. MacMatters

SUBSCRIBED and SWORN to before me this 22nd day

of September, A. D. 1916.



C. C. Longley
Notary Public.

Notary Public, Twin Falls County, Idaho
My Commission Expires June 3rd, 1917.

My Commission Expires _____

01-0210

September 29, 1916.

Re Change Pt. Div.

Mr. D. C. MacWatters,
Jerome, Idaho.

Sir:--

Duplicate copy of your affidavit for change of point of diversion of decreed water right, held by the Twin Falls North Side Land & Water Co., is herewith returned to you, the original having been placed on file in this office. No certificate is issued for such transfers. One copy of the map is also returned to you.

Very truly yours,

J. R. SMITH,

State Engineer.

APD-M

By _____

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