

SCANNED

AUG 16 2001

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: **A21-02035**
Date Received: 3/23/1989
Receipt No: E006437
Received By: _____

AMENDED

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

AMENDED

1. Name: CONANT CREEK CANAL CO., AN IDAHO CORP. 208-652-3538
Address: C/O ROGER BRATT, SECRETARY
630 NORTH 6TH WEST
ST. ANTHONY ID 83445
2. Date of Priority: FEB 15, 1909
3. Source: CONANT CREEK Trib. to: FALLS RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08N	43E	15	SE SW		FREMONT
		17	NE SW		FREMONT
		18	SW NE		FREMONT
	44E	28	SE NW		FREMONT

5. Description of diverting works:
DAM, GATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	25.000		

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

8. Total consumptive use is 9989.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	42E	13	SE SE		IRR	37.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
			Section Acres			37.0
		23	SE	NW	IRR	11.0
			NE	SE	IRR	38.0
			NW	SE	IRR	37.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			166.0
		24	NE	NE	IRR	40.0
			NW	NE	IRR	18.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			Section Acres			138.0
		25	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			NE	SE	IRR	40.0
			Section Acres			240.0
		26	NE	NE	IRR	19.0
			NW	NE	IRR	19.0
			NE	NW	IRR	17.5
			NW	NW	IRR	17.5
			Section Acres			73.0
43E		15	SW	SW	IRR	12.0
			SE	SW	IRR	20.0
			Section Acres			32.0
		17	SW	NW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			Section Acres			120.0
		18	SW	NE	IRR	20.0
			SE	NE	IRR	40.0
			NE	SW	IRR	20.0

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Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	43E	18	SW	SW	IRR	40.0
			SE	SW	IRR	35.0
			NE	SE	IRR	40.0
			NW	SE	IRR	30.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0

19	NE	NE	IRR	40.0	305.0
	NW	NE	IRR	40.0	
	SW	NE	IRR	38.0	
	NE	NW	IRR	40.0	
	NW	NW	IRR	40.0	
	SW	NW	IRR	40.0	
	SE	NW	IRR	38.0	
	NE	SW	IRR	38.0	
	NW	SW	IRR	35.0	
	SW	SW	IRR	40.0	
	SE	SW	IRR	38.0	
	NW	SE	IRR	38.0	
	SW	SE	IRR	38.0	
	SE	SE	IRR	30.6	

NE	NE	IRR	40.0
NW	NE	IRR	40.0
SW	NE	IRR	30.0
SE	NE	IRR	40.0
NE	NW	IRR	30.0
NW	NW	IRR	40.0
SW	NW	IRR	40.0
SE	NW	IRR	10.0
NE	SW	IRR	40.0
NW	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

21	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	43E	21	NE	NW	IRR	27.0
			NW	NW	IRR	21.0
			SW	NW	IRR	40.0
			SE	NW	IRR	27.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	20.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	20.0

Section Acres 555.0

22	NW	NE	IRR	38.0
	SW	NE	IRR	40.0
	SE	NE	IRR	13.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	38.0
	NE	SW	IRR	37.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	38.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	38.0
	SE	SE	IRR	1.0

Section Acres 523.0

23	SW	NW	IRR	13.0
	SE	NW	IRR	4.0
	NE	SE	IRR	20.0
	NW	SE	IRR	20.0
	SE	SE	IRR	35.0

Section Acres 92.0

24	NW	NW	IRR	5.0
	SW	NW	IRR	5.0
	NW	SW	IRR	5.0
	SW	SW	IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
			Section Acres			20.0
		25	SW	NE	IRR	40.0
			SE	NE	IRR	28.0
			NE	NW	IRR	25.0
			SW	NW	IRR	35.0
			SE	NW	IRR	40.0
			NW	SW	IRR	30.0
			SW	SW	IRR	40.0
			NE	SE	IRR	32.0
			NW	SE	IRR	31.0
			SW	SE	IRR	35.0
			Section Acres			336.0
		27	NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			NE	NW	IRR	38.0
			SE	NW	IRR	37.0
			NW	SE	IRR	20.0
			Section Acres			175.0
		29	NW	NE	IRR	40.0
			SW	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	20.0
			Section Acres			260.0
		30	NE	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	40.0
			SE	SE	IRR	40.0
			Section Acres			360.0
		Total Acres				4515.6

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

TR 21041, LICS. 21-02037, 5803 AND HAWKES CLAIM ATTACHED.

14. Remarks:

THIS RIGHT WAS INVOLVED IN A TRANSFER, AS REFERENCED ABOVE. THE LANDS TO BE IRRIGATED ARE OWNED BY APPLICANT'S STOCKHOLDERS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CO.
Decree Plaintiff

TETON IRRIGATION CANAL CO. ET
vs 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 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 President of _____
Title

Smart Creek Canal Co., that I have signed the foregoing
Organization

document in the space below as President of _____
Title

Smart Creek Canal Co and that the statements contained in the
Organization

foregoing document are true and correct.

Melissa Zimmey
Signature of Authorized Agent

President Smart Creek Canal
Title and Organization

8-14-92
Date

State of Idaho)
County of Bonerville) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of August 19 92

Gregory J. Taylor
Notary Public

Seal



Residing at Idaho Falls Id.

My Commission Expires 3/3/98

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: A21-02035
Date Received: 3/23/1989
Receipt No: E006437
Received By:

data entry Oct 4-12-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CONANT CREEK CANAL CO., AN IDAHO CORP. 208-652-3538
Address: C/O ROGER BRATT, SECRETARY
630 NORTH 6TH WEST
ST. ANTHONY, ID 83445

2. Date of Priority: FEB 15, 1909

3. Source: CONANT CREEK Trib. to: FALLS RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of	1/4 Lot	County
08N	43E	15	SE	SW	FREMONT
		17	NE	SW	FREMONT
		18	SW	NE	FREMONT
	44E	28	SE	NW	FREMONT

5. Description of diverting works:
DAM, GATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	25.000		

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

8. Total consumptive use is 9989.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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Date: 04/12/89

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10. Place of Use:

Township 08N	Range 42E	Section 13	1/4 of SE	1/4 of SE	Lot	Use	Acres
					Section Acres		37.0
		23	SE	NW		IRR	11.0
			NE	SE		IRR	38.0
			NW	SE		IRR	37.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		166.0
		24	NE	NE		IRR	40.0
			NW	NE		IRR	18.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
					Section Acres		138.0
		26	NE	NE		IRR	19.0
			NW	NE		IRR	19.0
			NE	NW		IRR	17.5
			NW	NW		IRR	17.5
					Section Acres		73.0
43E		15	SW	SW		IRR	12.0
			SE	SW		IRR	20.0
					Section Acres		32.0
		17	SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
					Section Acres		120.0
		18	SW	NE		IRR	20.0
			SE	NE		IRR	40.0
			NE	SW		IRR	20.0
			SW	SW		IRR	40.0
			SE	SW		IRR	35.0
			NE	SE		IRR	40.0
			NW	SE		IRR	30.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		305.0

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Date:

04/12/89

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Township 08N
Range 43E
Section 19

Section Acres 533.6Section Acres 550.0Date: 04/12/89

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10. Place of Use: Continued

Township 08N	Range 43E	Section 21	1/4 of 1/4	Lot	Use	Acres
			NW SW		IRR	40.0
			SW SW		IRR	40.0
			SE SW		IRR	40.0
			NE SE		IRR	20.0
			NW SE		IRR	40.0
			SW SE		IRR	40.0
			SE SE		IRR	20.0
			Section Acres			555.0
22			NW NE		IRR	38.0
			SW NE		IRR	40.0
			SE NE		IRR	13.0
			NE NW		IRR	40.0
			NW NW		IRR	40.0
			SW NW		IRR	40.0
			SE NW		IRR	38.0
			NE SW		IRR	37.0
			NW SW		IRR	40.0
			SW SW		IRR	40.0
			SE SW		IRR	38.0
			NE SE		IRR	40.0
			NW SE		IRR	40.0
			SW SE		IRR	38.0
			SE SE		IRR	1.0
			Section Acres			523.0
23			SW NW		IRR	13.0
			SE NW		IRR	4.0
			NE SE		IRR	20.0
			NW SE		IRR	20.0
			SE SE		IRR	35.0
			Section Acres			92.0
24			NW NW		IRR	5.0
			SW NW		IRR	5.0
			NW SW		IRR	5.0
			SW SW		IRR	5.0
			Section Acres			20.0
25			SW NE		IRR	40.0
			SE NE		IRR	28.0

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10. Place of Use: Continued

Township 08N	Range 43E	Section 25	1/4 of 1/4	Lot	Use	Acres
			NE NW		IRR	25.0
			SW NW		IRR	35.0
			SE NW		IRR	40.0
			NW SW		IRR	30.0
			SW SW		IRR	40.0
			NE SE		IRR	32.0
			NW SE		IRR	31.0
			SW SE		IRR	35.0
			Section Acres			336.0
27			NW NE		IRR	40.0
			SW NE		IRR	40.0
			NE NW		IRR	38.0
			SE NW		IRR	37.0
			NW SE		IRR	20.0
			Section Acres			175.0
29			NW NE		IRR	40.0
			SW 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	20.0
			Section Acres			260.0
30			NE NE		IRR	40.0
			SE NE		IRR	40.0
			Section Acres			80.0
			Total Acres			3995.6

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

TR 21041, LICS. 21-02037, 5803 AND HAWKES CLAIM ATTACHED.

14. Remarks:

THIS RIGHT WAS INVOLVED IN A TRANSFER, AS REFERENCED ABOVE. THE

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Date: 04/12/89

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14. Remarks: Continued

LANDS TO BE IRRIGATED ARE OWNED BY APPLICANT'S STOCKHOLDERS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO.

Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET

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 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

_____, that I have signed the foregoing

Organization _____ of
document in the space below as _____ Title

_____ and that the statements contained in the
Organization _____
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

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OCT 20 1992

State of Idaho)
) ss.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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Date: 04/12/89

MICROFILMED

OCT 20 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: 39576
Ident. Number A21-02035
Date Received 3-23-89
Receipt Number E006437

**NOTICE OF CLAIM
TO A**

**WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Conant Creek Canal Company, an
Idaho corporation Phone (208) 652-3538
c/o Roger Bratt, Secretary
Mailing Address 630 North 6th West, St. Anthony, Idaho Zip 83445

2. Date of Priority (Only one (1) per claim) February 15, 1909

3. Source of water supply (a) Conant Creek
which is tributary to (b) Fall River, tributary to Henry's Fork - Snake River
4. a. Location of existing point of diversion is: Township 8N Range 44E Section 28,
1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of Fremont

Additional points of diversion if any: All the following points are in Twp. 8N, Rge. 43EBM: SE1/4SW1/4, Sec. 15; SW1/4NE1/4, Sec. 18; and NE1/4SW1/4, Sec. 17.

b. If instream flow, beginning point of claimed instream flow is:

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 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 diversion dam and gate at the head of the

Conant Creek Canal through a lateral ditch to the Shareholders who either take the water through lateral ditches to their farms or pump with electrical pumps, except for one diesel pump, from the canal itself or from the lateral ditches or from Conant Creek or from Fall River.

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15. Basis of Claim (check one) Beneficial Use ☒ Decree ☐ Posted Notice ☐ License ☐ Permit ☐
If applicable provide IDWR Water Right Number _____
Court 6th now 7th Judicial Dist Case Number _____ Decree Date 12-16-10
Plaintiff vs Defendant Rexburg Irrigation Company v. Teton Irrigation Canal Company

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 3

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

of Conant Creek Canal Company _____, that I have signed the foregoing
document in the space below as _____ of _____
Organization Title Conant Creek Canal Company

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Walter Jones
Walter Jones
President

Title and Organization

Date 3-22-89

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

Subscribed and sworn (or affirmed) before me this _____

22nd

day of _____

March

1989

SEAL

Notary Public

Dale L. Swenson

Residing at

St. Anthony, ID

My Commission Expires

May 18, 1993

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

25 N. 2 E., POB 250, Rexburg, ID 83440

Date

3-22-89

Last Name CONANT CREEK CANAL Ident. Number _____

MICROFILMED

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Copies White-State, Yellow-Claimant

TWP	RNG	SEC	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Totals
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
8N	42E	13													37
8N	42E	23										38	37	40	166
8N	42E	24	40	18	40	40									138
8N	42E	26	19	19		175	175								73
8N	43E	15									12	20			32
8N	43E	17					40			40	40				120
8N	43E	18			20	40			20		40	35	40	30	305
8N	43E	19	40	40	38		40	40	38	38	35	40	38	38	533.6
8N	43E	20	40	40	30	40	30	40	40	40	40		40	40	550
8N	43E	21	40	40	40	40	27	21	40	27	40	40	40	40	555
8N	43E	22		38	40	13	40	40	38	37	40	40	38	40	523
8N	43E	23						13	4				20	20	92
8N	43E	24					5	5		5	5				20
8N	43E	25			40	28	25	35	40		30	40	32	31	336
8N	43E	27		40	40	38			37				20		175
8N	43E	29		40	40		40	40	40	20					260
8N	43E	30	40		40										80

3995.6

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OCT 20 1992

Rgc. 44E.

Rgc 43E.

Rgc 42E

