

01/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7253

NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN
12241 E 3749 N
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 14.000 CFS
5,109.50 AFY

The rights listed below are limited to a total combined diversion rate of 29.04 cfs and to a total combined annual diversion volume of 10,710 AF. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

PRIORITY DATE: 07/29/1977

POINT OF DIVERSION:

T07N R40E S36 NENESE Injection Within FREMONT County
T07N R40E S36 NENESE Within FREMONT County
T07N R42E S30 NESENE Rediversion Within MADISON County

Water diverted under this right is exchanged by injecting water diverted under this right into Teton Canal at the point of injection described above, and diverting an equal amount from Teton River at the point of rediversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

14.000 CFS
5,109.50 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Large Place of Use

3060 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 3060 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

This right is limited to the irrigation of 1720 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River.

The rate of diversion from the Teton River shall not exceed the rate of injection into the Teton Canal from the exchange well.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton Canal.

This right is subject to regulation by the watermaster of Water District No 01.

The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

Right No. 22-163A, 22-7253, and 22-7276 are also diverted through point of rediversion described above.