

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 A21-00141

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
Mailing Address c/o Roger Bratt, Secretary
630 North 6th West, St. Anthony, ID Zip 83445

2. Date of Priority (Only one (1) per claim) May 1, 1901

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 NE 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/
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 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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Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For	Irrigation	purposes from	4-1	to	11-1	amount	25	(cfs)	or	(acre feet)
For		purposes from		to		amount			or	
For		purposes from		to		amount			or	
For		purposes from		to		amount			or	
For		purposes from		to		amount			or	
7. Total quantity claimed			25						or	

7. Total quantity claimed (a) 25 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.000 (acre feet)

8. Total consumptive use claimed is 9,989 acre feet per annum, for all claims of the Claimant.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

[illegible]

SEE ATTACHED DESCRIPTION OF PLACE OF USE

[illegible]

Total number of acres irrigated 3,995.6

11. In which county (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 TR 21041, Lics. 4357, TR 21-2037, Lics. 5803. Hawkes claim.
 Also Perry, McBain & ...

Also Perry, McBain & Dunlop right (see attached) or None ()

14. Remarks: This right was involved in a transfer, as referenced above. The lands to be irrigated
are owned by applicant's stockholders. or None ()

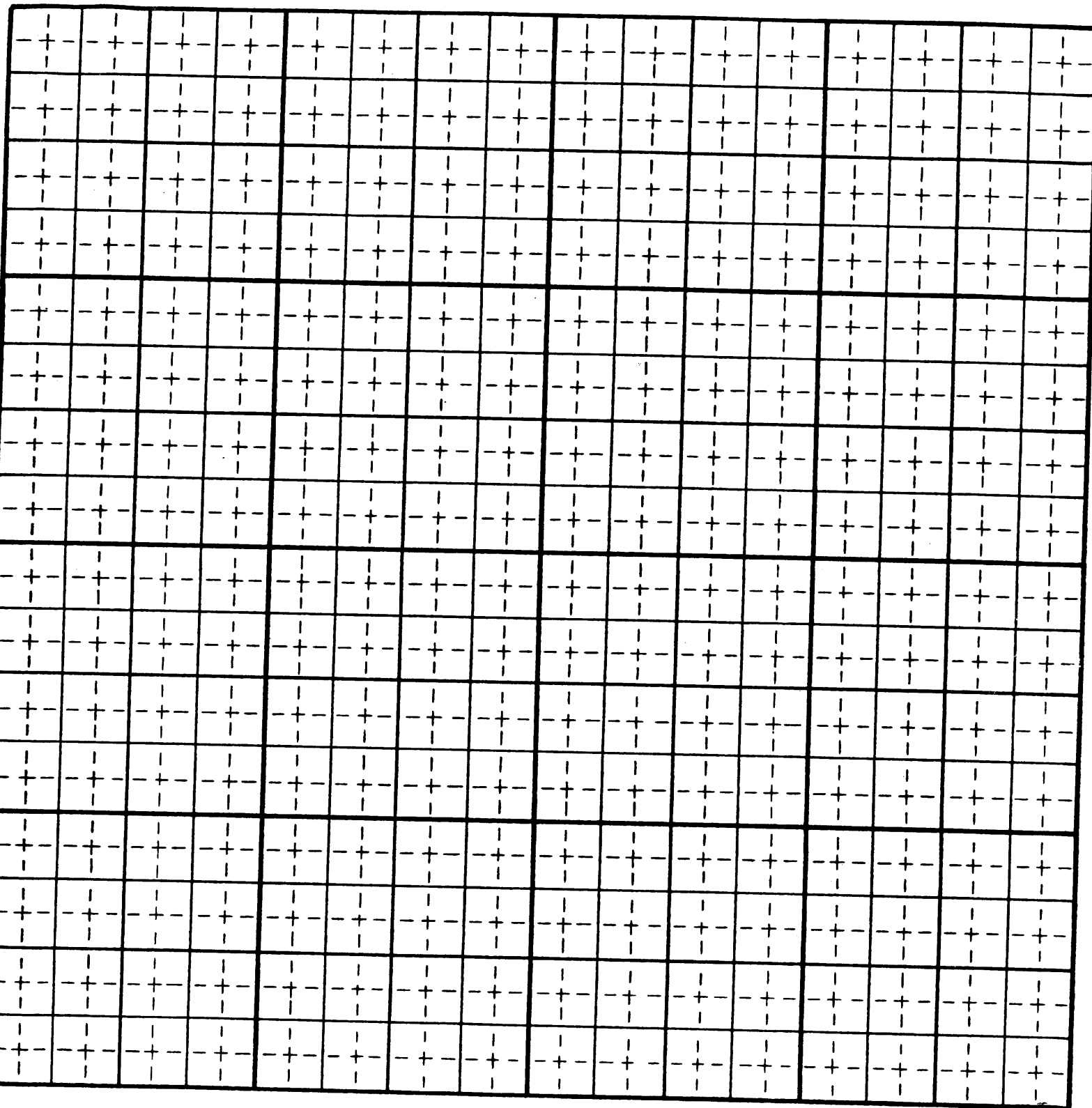
Last Name CONANT CREEK CANAL Ident No. _____

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Copies: White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name CONANT CREEK CANAL Ident No. _____

Copies: White-State, Yellow-Claimant

*Cat
Squire*

MINOR TRIBUTARIES TO HENRYS FORK BELOW WARM RIVER

Listed in Downstream Order

BO
U
JAME
G

<u>Party or Canal</u>	<u>Date</u>	<u>Decreed Amount in Sec.-ft.</u>	<u>Accumulated Total</u>
<u>CONANT CREEK</u>			
<i>Nyborg</i> <u>T. C. Smith</u>	June 1, 1893	2.0	
<u>Nyborg (S. O. Peterson)</u>	June 1, 1893	2.4	4.4
<u>Nyborg (S. O. Peterson)</u>	June 1, 1899	0.8	5.2
<u>Conant Creek Canal Co.</u> (TR 21041)	May 1, 1901	18.25	
(TR 21041)	May 1, 1901	1.75*	25.2
<i>X</i> <u>Perry, McBain & Dunlop ?</u>	May 1, 1904	14.2	39.4
<i>C</i> <u>Conant Creek Canal Co.</u> (Lic. 4357)	Feb. 15, 1909	22.81	
(TR 21-2037)	Feb. 15, 1909	2.19*	64.4
(Lic. 5803)	Feb. 25, 1910	22.81	
(TR 21-2037)	Feb. 25, 1910	2.19*	89.4
<i>*Pump diversion</i> <i>Hawkes Claim</i> <i>attached</i>		30*	
<u>SQUIRREL CREEK</u>			
<u>A. C. Langley</u>	Aug. 1, 1899	0.4	0.4
<u>Squirrel Creek Irrig. & Canal Co.</u>	Sept 1, 1901	20.0	20.4
<i>Larry</i> <u>A. C. Langley</u>	June 24, 1902	2.5	22.9
<u>Yellowstone Land & Cattle Co.</u>	June 24, 1902	3.0	25.9
	June 1, 1903	5.0	30.9
<u>Merle Harshberger & Son</u> (Permit 21-7052)	Aug. 7, 1974	5.0	35.9
<u>Don Harshberger & Gene Dickson</u> (Permit 21-7056) (Storage)	Oct. 7, 1974	20.0	55.9

[illegible]

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
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 X
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

Title

of Conant Creek Canal Company

Organization

, that I have signed the foregoing

document in the space below as _____ President

Title

of Conant Creek Canal Company

Organization

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

Signature of Authorized Agent Walter Jones

Title and Organization _____

President

Date 3-22-89

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

Subscribed and sworn (or affirmed) before me this 22nd day of March 19 89

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. 2nd E., POB 250, Rexburg, ID 83440

Date 3-22-89

Last Name CONANT CREEK CANAL Ident. Number _____

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