

Split tree 63-239 reconciliation

63-239 as decreed = 1.40 cfs

(A) = New Dry Creek as 63-207

→ C = .24 cfs

→ T174 A = See 63-234

→ D = .51 cfs

T161

(A) - 239B = .65 cfs.

New Dry Creek.
See 63-207

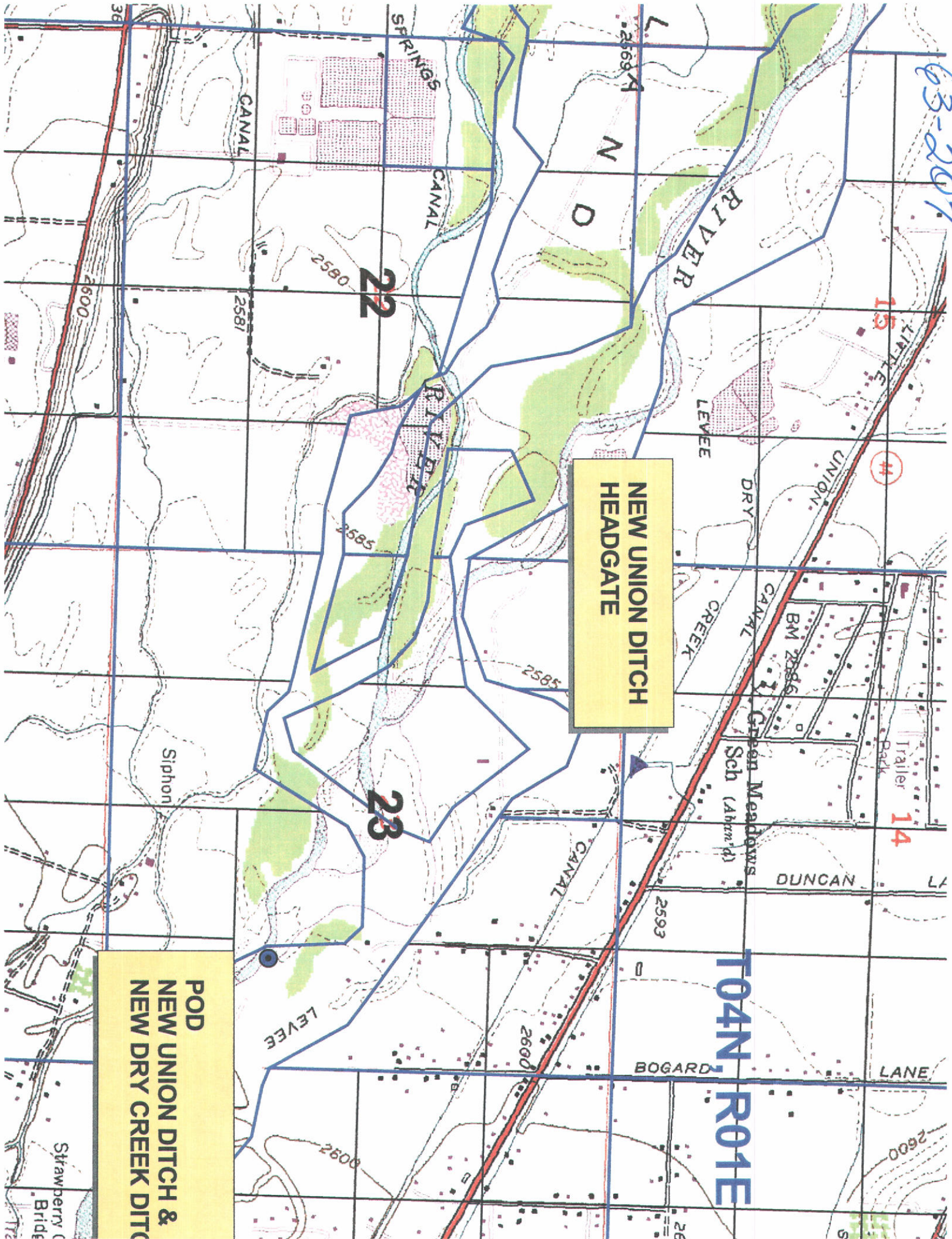
63-239B (See 63-207) - .65 cfs
63-239C (See 63-207) - .24 cfs
63-239D (See 63-234) - .51 cfs

1.40 cfs

63-238 = 1.20 cfs as decreed

- .20 cfs claimed by New Dry Creek Ditch as 63-207
- 1.0 cfs claimed by Ballentyne as 63-234

63-207

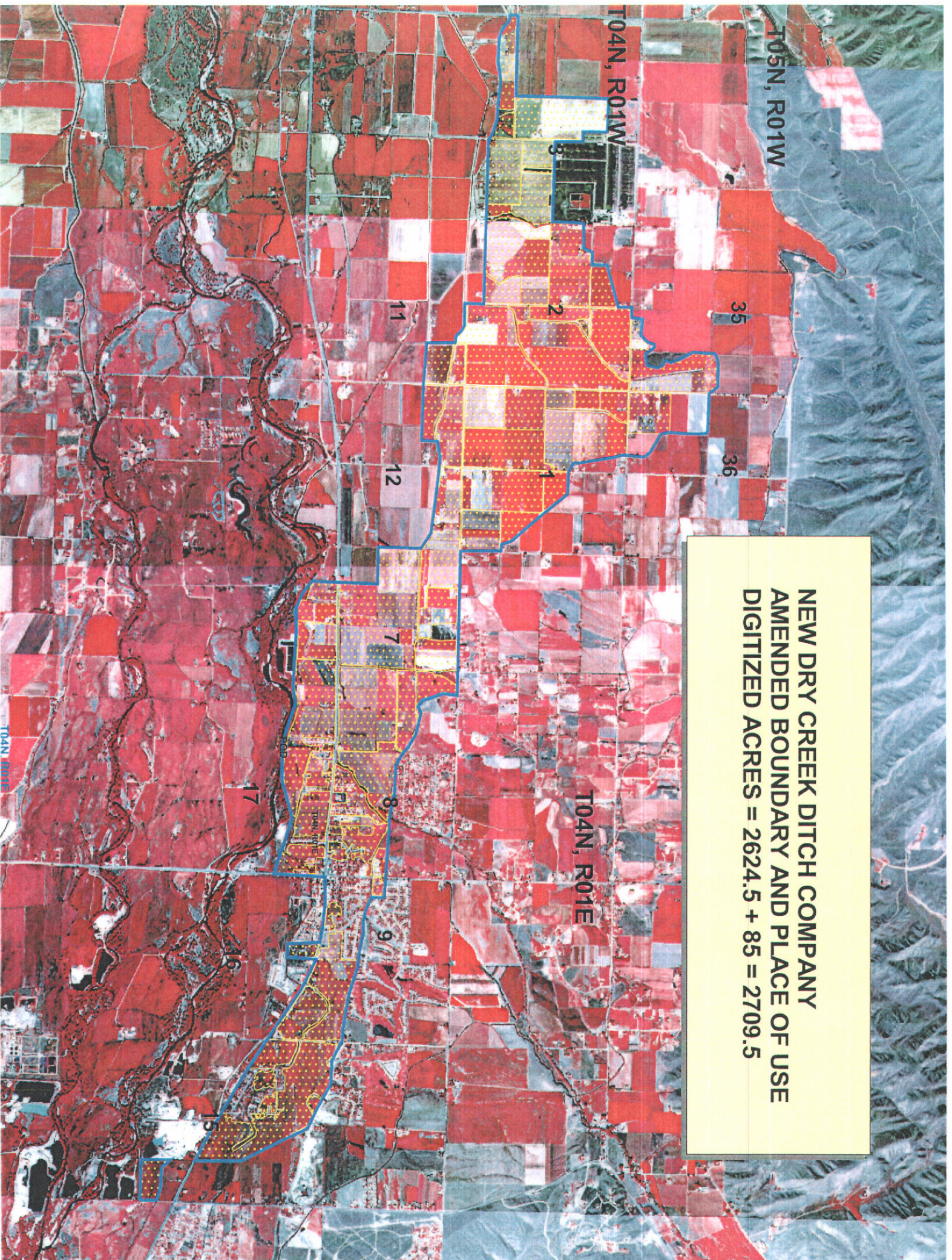


NEW UNION DITCH
HEADGATE

POD
NEW UNION DITCH &
NEW DRY CREEK DITCH

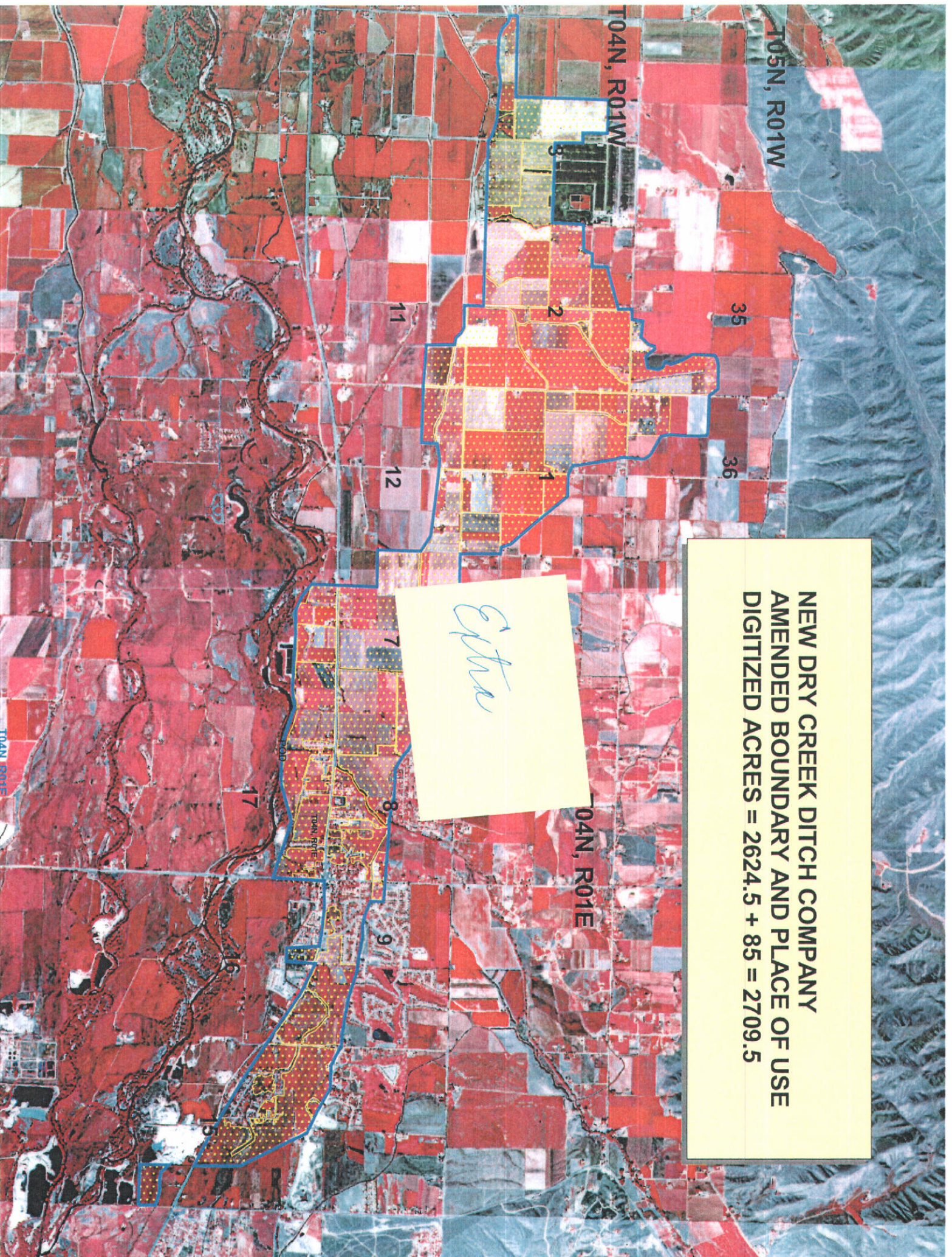
T04N R01E

**NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5**



NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5

Citra





2570, 80000
without City of Co
and other changes by
Don Puddy

SETTLERS IRRIGATION DISTRICT

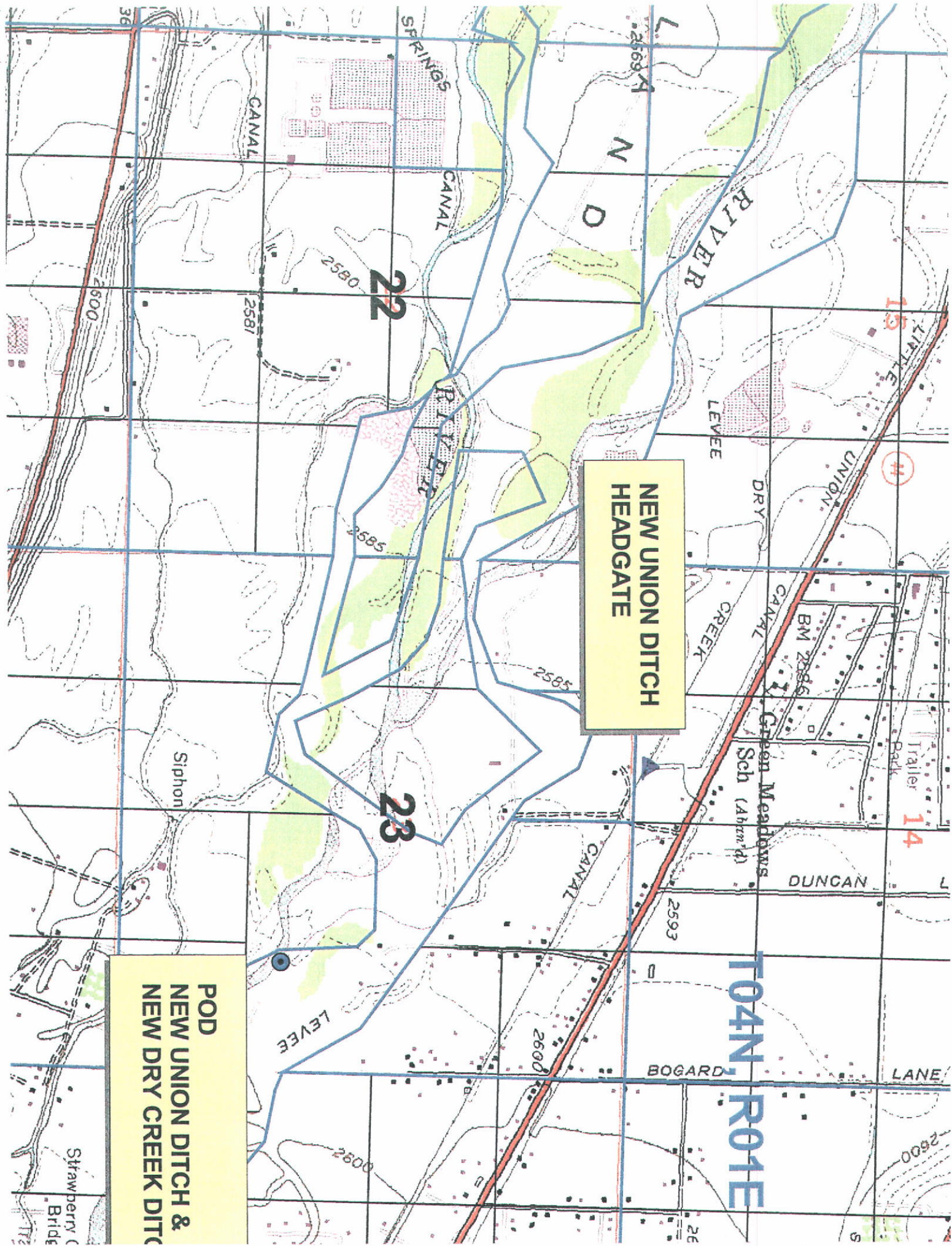
SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE 63-2000

T04N, R01E

T04N, R01W

T04N, R01E

HEAT



NEW UNION DITCH
HEADGATE

POD
NEW UNION DITCH &
NEW DRY CREEK DITCH

T04N R01E

BasinNumber	SequenceNum	Spillsuffix	OrganizationName	Agent
63	✓ 125B		NEW DRY CREEK DITCH CO	MeI
63	✓ 126B		NEW DRY CREEK DITCH CO	MeI
63	✓ 161L		NEW DRY CREEK DITCH CO	MeI
63	✓ 205		NEW DRY CREEK DITCH CO	MeI
63	✓ 206		NEW DRY CREEK DITCH CO	MeI
63	✓ 207		NEW DRY CREEK DITCH CO	MeI
63	✓ 258B		NEW DRY CREEK DITCH CO	MeI
63	✓ 259		NEW DRY CREEK DITCH CO	MeI
63	✓ 263		NEW DRY CREEK DITCH CO	MeI
63	✓ 286		NEW DRY CREEK DITCH CO	MeI
63	✓ 288B		NEW DRY CREEK DITCH CO	MeI
63	✓ 17468		NEW DRY CREEK DITCH CO	MeI
63	✓ 28977	1348010	NEW DRY CREEK DITCH CO	MeI

**NEW DRY CREEK DITCH COMPANY
DIGITIZED PLACE OF USE = 2517.8 ACRES**







TO4N, R01W

TO4N, R01W

TO4N, R01E

TO4N, R01E

POD

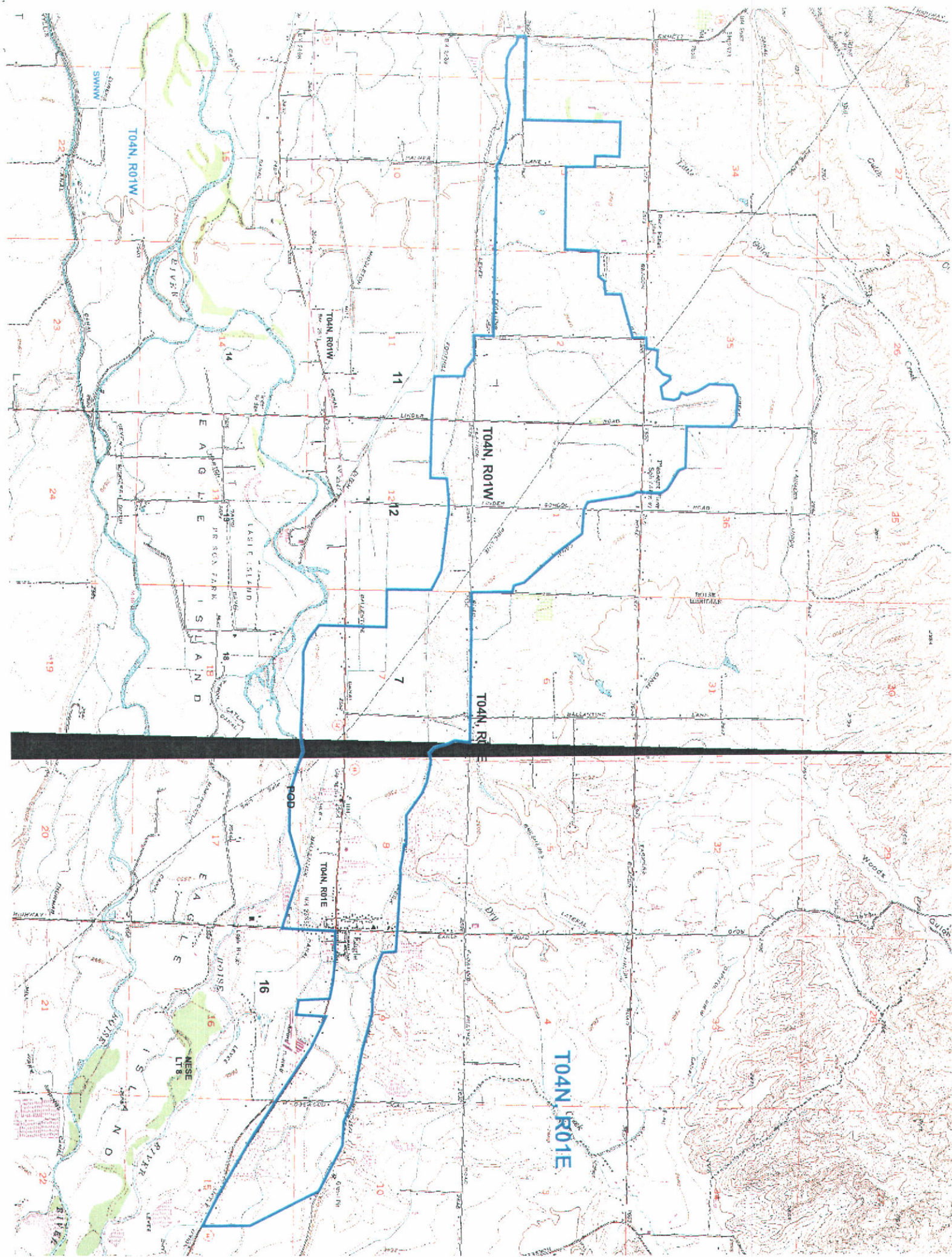
TO4N, R01E

MEST L 9

SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE #32080

16

12



06/08/2005

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

RIGHT NUMBER: 63-31778

NAME AND ADDRESS: NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 8.950 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:
T04N R01E S23 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	8.950 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE:

2709.5 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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2709.5 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-207, 63-238A, 63-239B & 63-239C.

THIS RIGHT WAS DESIGNATED AS NO 97, 102 & 103 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS

RECEIVED

APR 21 2006

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) A. Subcase 63-31778
) (Insert water right no.)
Case No. 39576)
)
) **STANDARD FORM 1**
) **OBJECTION**
)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: NEW DRY CREEK DITCH COMPANY
c/o Dana Purdy
Address: 5926 W. Floating Feather Rd.
Eagle, Idaho 83616

Daytime Phone: 208-286-9701

Name & Address of Attorney, if any:
S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: New Dry Creek Ditch Company
c/o Dana Purdy
Address: 5926 W. Floating Feather Rd.
Eagle, Idaho 83616

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____.
2. ☐ **Source**
Should be: _____.
3. ☐ **Quantity**
Should be: _____.
4. ☐ **Priority Date**
Should be: _____.
5. ☐ **Point(s) of Diversion**
Should be: _____.
6. ☐ **Instream Flow Description**
Should be: N/A
7. ☐ **Purpose(s) of Use**
Should be: _____.
8. ☐ **Period of Year**
Should be: _____.
9. ☒ **Place of Use**
Should be: The place of use lists a total of 2709.5 acres and should be a total of 3104 acres.
10. ☐ **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION (S): The place of use should be 3104 total acres within the boundaries of New Dry Creek Ditch Company, which is consistent with the acres and quantity of water that has been previously decreed and historically irrigated.

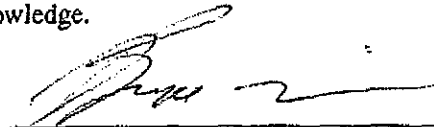
F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

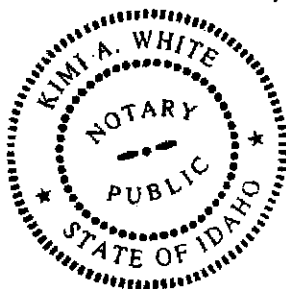
S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



S. Bryce Farris

Subscribed and sworn to before me on: April 20, 2020





Notary Public for Idaho
Residing at: Bix, Idaho
My Commission Expires: 24/01/20

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 20th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

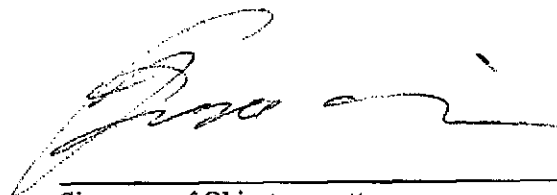
Name: New Dry Creek Ditch Company
c/o Dana Purdy
Address: 5926 W. Floating Feather Road
Eagle, Idaho 83616

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED
JUN 23 2005
WATER RESOURCES
WESTERN REGION

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 24, 2005

Water Right Number: 63-31778

See 63-125K

NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE, ID 83616

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
Place of use:
2517.8 ACRES TOTAL
2. Describe the changes you wish to make in the proposed recommendation:
Place of Use: 3104 ACRES TOTAL
3. Give a brief explanation as to why you disagree with these portions:
Based on an application of one inch of water to the acre, the total irrigated acres for any given season should be 3104.

_____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 6/22/05

SIGNATURE: *Bryce Farris*

Please print your name: S. Bryce Farris

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31778 V1

WATER RIGHT NUMBER: 63-31778 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE, ID 83616 (208)286-9701

Priority Date: 06/01/1888
Basis: Decreed
Status: Active



<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	8.950 CFS	
	<u>Total Diversion:</u>	8.950 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

Conditions of Approval:

1. 135 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.
2. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31778 V1

4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Remarks:

1. Explanatory THIS RIGHT WAS DESIGNATED AS NO 97, 102 & 103 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS
2. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
3. Explanatory WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF ^{2709.5}~~2517.8~~ ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY
6. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-207, 63-238A, 63-239B & 63-239C.

Comments:

1. Iharris 11/26/2003 Renumbered Right

Comment: This right was originally numbered as 63-207 as a combination of several rights, but was renumbered to reflect a new number as the combined rights.

Water Supply Bank:

11/10/2003

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

RIGHT NUMBER: 63-207 *Now 63-31778*
NAME AND ADDRESS: NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616
SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 8.950 CFS
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.
PRIORITY DATE: 06/01/1888
POINT OF DIVERSION:
T04N R01E S23 NESE Within ADA County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	8.950 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2517 .8 ACRES WITHIN THE
BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY

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

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.

EXPLANATORY MATERIAL: Decreed

THIS RIGHT WAS DESIGNATED AS NOS 97, 102 & 103 IN THE STEWART
DECREE AND THE BOISE RIVER WATER MASTERS RECORDS

WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 63-125B, 63-126B, 63-161L, 63-205,
63-206, 63-258B, 63-259, 63-263, 63-286, 63-288B, 63-28977, 63-17468,
63-146 & 63-18785.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-207, 63-238,
63-239B, 63-239C.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-207Owner: New Dry Creek Ditch Co. Phone No. See 63-1250 K

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: Dana Purdy, Pres.**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6-1-1888 = same as decreed

(If priority date, based on your exam, seems questionable, explain below.)

Source: Bowen River Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NE	SE	23	4N	1E	Ada	USGS map

Description of diverting works

See 03-125 K**OVERLAP REVIEW**

Other water rights with the same point of diversion:

See 03-125 K

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

New Union Ditch Co water is also diverted at POD described above.**WATER USES**☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only NA☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change NA☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

2709.5

2577.8 acres within the boundary of New Dry Creek Ditch Co.			NE				NW				SW				SE				Totals
Place of Use																			
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: See 63-125 BK

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: See 63-125 BK

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
N/A					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Designated as No. 97 in the Stewart Decree and the water masters records.
See 63-125 BK for more information

LXI.

That the defendant the NEW DRY CREEK DITCH COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise river, diverted from a point on the north bank of said river in SW 1/4 of SE 1/4 of sec. 24, T. 4 N. R. 1 E. B.M., for use upon the lands lying under its canal system, in the following amounts, from the following dates;

63 0205

1563 inches, from June 1, 1879, and hereby designated as Right No. 72.

63 0206

731 inches, from June 1, 1886, and hereby designated as Right No. 93.

63 0207

593 inches, from June 1, 1888, and hereby designated as Right No. 97.

And be adjudged to pay \$120.40 costs in addition to the costs incurred by it.

LXII.

That the defendant D. HUMFORD be, and he is hereby awarded the use of the waters of Boise River, diverted from a point on said river in NW 1/4 of SE 1/4 of Sec. 12, and in SE 1/4 of Sec. 2, T. 4 N. R. 4 W. B.M., through what is known as the Center Point Ditch, for use upon the SW 1/4 of SE 1/4, NE 1/4 of SE 1/4, SE 1/4 of NE 1/4, and lot 1, Sec. 3, and NW 1/4 of SW 1/4, and lot 8, Sec. 2, all in T. 4 N. R. 4 W. B.M., in the following amount and from the following date;

63 0208

200 inches, from June 1, 1879, and hereby designated as Right No. 73.

costs
And be adjudged to pay \$14.00 in addition to the costs incurred by him.

LXIII.

That the defendant SMITH STOCKTON be, and he is hereby awarded the use of the waters of Boise River, diverted from a point on said river in the SE 1/4 of Sec. 13, T. 5 N. R. 5 W. B.M., for use upon the SE 1/4 of NW 1/4, NE 1/4 of SW 1/4, NW 1/4 of SE 1/4 and SW 1/4 of NE 1/4 of Sec. 8, T. 5 N. R. 5 W. B.M., in the following amount from the following

date:
63 0209

P.D. 103 38 inches, from June 1, 1880; and hereby designated as Right No. 74.

And be adjudged to pay \$3.13 costs in addition to the costs incurred by him.

63-207

LXXX 34

LXXXIV.

That the defendant LIZZIE EVERETT be, and she is hereby awarded the use of the waters of Boise River, diverted from said river at a point near the center of the SW 1/4 of SE 1/4 of Sec. 15, T. 4 N. R. 1 E. B.M. for use upon the ^{E. 1/2 of} NE 1/4 of Sec. 12, T. 4 N. R. 1 W. B.M., in the following amount and from the following date;

63 0238

T.P.D. 64

60 inches, from June 1, 1888. hereby designated as Right No. 102. And be adjudged to pay \$4.20 costs in addition to the costs incurred by her.

LXXXVI.

That the defendant JESSE WILSON be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point near the center of Sec. 15, T. 4 N. R. 1 E. B.M., for use upon the N. 1/2 of NW 1/4 and NW 1/4 of NE 1/4 of sec. 12, T. 4 N. R. 1 W. B.M., in the following amount and from the following date;

63 0239

T.P.D. 71, P.D. 161, P.D. 174

70 inches, from June 1, 1888. hereby designated as Right No. 103. And be adjudged to pay \$4.90 costs in addition to the costs incurred by him.

LXXXVII.

That the defendant CHARLES H. MILLER be, and he is hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river near where such bank is intersected by the line between township 3 north, range 2 east and township 3 north, range 3 east, through what is known as the Bubb canal, for use upon three acres of land situated in the NW 1/4 of sec. 23, T. 3 N. R. 2 E. B.M., in the following amount and from the following date;

63 0240

3 inches, from May 1, 1889. hereby designated as Right No. 107. And be adjudged to pay \$0.21 costs in addition to the costs incurred by him.

RECORDED
JUN 21 1996

Split the 63-239 reconciliation

63-239 as decreed = 1.40 cfs

- 239A $\xrightarrow{(A) = \text{New Dry Creek Dec 63-207}}$ = .24 cfs

7161 $\xrightarrow{7174 A = \text{Dec 63-234}}$ D = .51 cfs

(A) - 239B = .65 cfs.

New Dry Creek.
Dec 63-207

63-239B (Dec 63-207) - .65 cfs
63-239C (Dec 63-207) - .24 cfs
63-239D (Dec 63-234) - .51 cfs

1.40 cfs

63-238 = 1.20 cfs as decreed

- .20 cfs claimed by New Dry Creek Ditch as 63-207
- 1.0 cfs claimed by Ballentine as 63-234

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-207

WATER RIGHT NUMBER: 63-207

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW DRY CREEK DITCH CO
	, ZZ

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	7.860 CFS	
	<u>Total Diversion:</u>	7.860 CFS	

Location of Point(s) of Diversion

BOISE RIVER	SW1/4SE1/4	Sec. 24, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseConditions of Approval:Remarks:

1. General FOR IRR. OF LANDS UNDER DITCH SYSTEM.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-207

WATER RIGHT NUMBER: 63-207

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE, ID 83616 (208)286-9701

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	8.950 CFS	
	<u>Total Diversion:</u>	8.950 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R01E S07	NENE 25.0	T04N R01E S07	NWNE 36.0
T04N R01E S07	SWNE 39.0	T04N R01E S07	SENE 39.0
T04N R01E S07	NENW 38.0	T04N R01E S07	NWNW 39.0
T04N R01E S07	SWNW 40.0	T04N R01E S07	SENE 40.0
T04N R01E S07	NESW 36.0	T04N R01E S07	SESW 25.0
T04N R01E S07	NESE 38.0	T04N R01E S07	NWSE 40.0
T04N R01E S07	SWSE 38.0	T04N R01E S07	SESE 39.0
T04N R01E S08	NWNE 1.0	T04N R01E S08	SWNE 17.0
T04N R01E S08	SENE 5.0	T04N R01E S08	NWNW 2.0
T04N R01E S08	SWNW 37.0	T04N R01E S08	SENE 20.0
T04N R01E S08	NESW 31.0	T04N R01E S08	NWSW 39.0
T04N R01E S08	SWSW 36.0	T04N R01E S08	SESW 36.0
T04N R01E S08	NESE 28.0	T04N R01E S08	NWSE 31.0
T04N R01E S08	SWSE 38.0	T04N R01E S08	SESE 32.0
T04N R01E S09	SWNW 5.0	T04N R01E S09	NWSW 8.0
T04N R01E S09	SWSW 6.0	T04N R01E S09	SESW 7.0
T04N R01E S09	NESE 18.0	T04N R01E S09	NWSE 25.0
T04N R01E S09	SWSE 24.0	T04N R01E S09	SESE 37.0
T04N R01E S10	NWSW 8.0	T04N R01E S10	SWSW 39.0
T04N R01E S10	SESW 27.0	T04N R01E S10	SWSE 6.0
T04N R01E S15	NWNE 28.0	T04N R01E S15	SWNE 24.0
T04N R01E S15	NENW 18.0	T04N R01E S15	NWNW 10.0
T04N R01E S15	SENE 2.0	T04N R01E S16	NENE 3.0
T04N R01E S17	NENE 9.0	T04N R01E S17	NWNE 8.0
T04N R01E S17	NENW 10.0	T04N R01E S17	NWNW 5.0
T04N R01W S01	SWNE 18.0	T04N R01W S01	NENW 27.0
T04N R01W S01	NWNW 38.0	T04N R01W S01	SWNW 38.0
T04N R01W S01	SENE 37.0	T04N R01W S01	NESW 38.0

T04N R01W S01	NWSW	38.0	T04N R01W S01	SWSW	40.0
T04N R01W S01	SESW	40.0	T04N R01W S01	NWSE	39.0

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-207

T04N R01W S01	SESW	40.0	T04N R01W S01	NWSE	39.0
T04N R01W S01	SWSE	38.0	T04N R01W S01	SESE	38.0
T04N R01W S02	NENE	38.0	T04N R01W S02	NWNE	38.0
T04N R01W S02	SWNE	35.0	T04N R01W S02	SENE	39.0
T04N R01W S02	NENW	26.0	T04N R01W S02	SWNW	35.0
T04N R01W S02	SENW	39.0	T04N R01W S02	NESW	40.0
T04N R01W S02	NWSW	40.0	T04N R01W S02	SWSW	26.0
T04N R01W S02	SESW	16.0	T04N R01W S02	NESE	39.0
T04N R01W S02	NWSE	38.0	T04N R01W S02	SWSE	39.0
T04N R01W S02	SESE	40.0	T04N R01W S03	NENW	5.0
T04N R01W S03	SENW	28.0	T04N R01W S03	NESW	37.0
T04N R01W S03	SWSW	18.0	T04N R01W S03	SESW	19.0
T04N R01W S03	NESE	40.0	T04N R01W S03	NWSE	40.0
T04N R01W S03	SWSE	23.0	T04N R01W S03	SESE	22.0
T04N R01W S04	SESE	17.0	T04N R01W S10	NENE	38.0
T04N R01W S10	NWNE	40.0	T04N R01W S10	SENE	40.0
T04N R01W S10	NENW	40.0	T04N R01W S10	NWNW	40.0
T04N R01W S11	NENE	37.0	T04N R01W S11	NWNE	6.0
T04N R01W S11	NWNW	33.0	T04N R01W S11	SWNW	40.0
T04N R01W S12	NENE	30.0	T04N R01W S12	NWNE	26.0
T04N R01W S12	NENW	30.0	T04N R01W S12	NWNW	40.0
T05N R01W S35	NESE	33.0	T05N R01W S35	NWSE	1.0
T05N R01W S35	SWSE	11.0	T05N R01W S35	SESE	30.0
T05N R01W S36	SWSW	35.0	T05N R01W S36	SESW	16.0

Total Acres: 2964

Conditions of Approval:Remarks:

1. General OTHER WATER RIGHTS USED: 63-00205, 63-00206, 63-00286, 63-00263, 63-00288B, 63-00259, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00261, 63-00260A.
NOTE: THIS CLAIM IS A COMBINATION OF RIGHT NO.'S 63-00207 (7.86 CFS), 63-00238 (.20 CFS), 63-00239B (.65 CFS), & 63-00239C (.24 CFS) SINCE ALL RIGHTS HAVE THE SAME PRIORITY DATE AND SOURCE ADDRESS CHANGED PER CLAIMANT REQUEST 6/30/97. LH

Comments:Dates and Other Information:

Claim Received Date: 8/23/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-239B

WATER RIGHT NUMBER: 63-239B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SIDMAN I BARBER
Original Owner	, ID JESS WILSON 5110 W BAINBRIDGE CT BOISE, ID 83703 (208)336-7008

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.650 CFS	
	<u>Total Diversion:</u>	0.650 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4SE1/4	Sec. 24, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	12					X	X											

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-239B

WATER RIGHT NUMBER: 63-239B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NEW DRY CREEK DITCH CO C/O ERMA FULLER 826 W STATE ST EAGLE, ID 83616 (208)939-6302

Priority Date: 06/01/1888

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
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<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.650 CFS	
	<u>Total Diversion:</u>	0.650 CFS	

Location of Point(s) of DiversionPlace of UseConditions of Approval:Remarks:

1. General NOTE: THIS RIGHT AND RIGHT NO.'S 63-00207, 63-00238, AND 63-00239C HAVE BEEN COMBINED AND ARE BEING CLAIMED UNDER CLAIM NO A63-00207 SINCE ALL RIGHTS HAVE THE SAME PRIORITY AND SOURCE.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-239C

WATER RIGHT NUMBER: 63-239C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK M RAY
Original Owner	EAGLE, ID JESS WILSON 5110 W BAINBRIDGE CT BOISE, ID 83703 (208)336-7008

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.240 CFS	
	<u>Total Diversion:</u>	0.240 CFS	

Location of Point(s) of Diversion

BOISE RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	12		X				X	X										

Conditions of Approval:Remarks:

- General THIS WATER WILL BE CONDUCTED TO THE P/U IN THE NEW DRY CREEK DITCH FROM BALLENTYNE DITCH. CHANGE IN P/D ONLY. P/D IN NE, S23, T4N, R1E.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-239C

WATER RIGHT NUMBER: 63-239C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NEW DRY CREEK DITCH CO C/O ERMA FULLER 826 W STATE ST EAGLE, ID 83616 (208)939-6302

Priority Date: 06/01/1888

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
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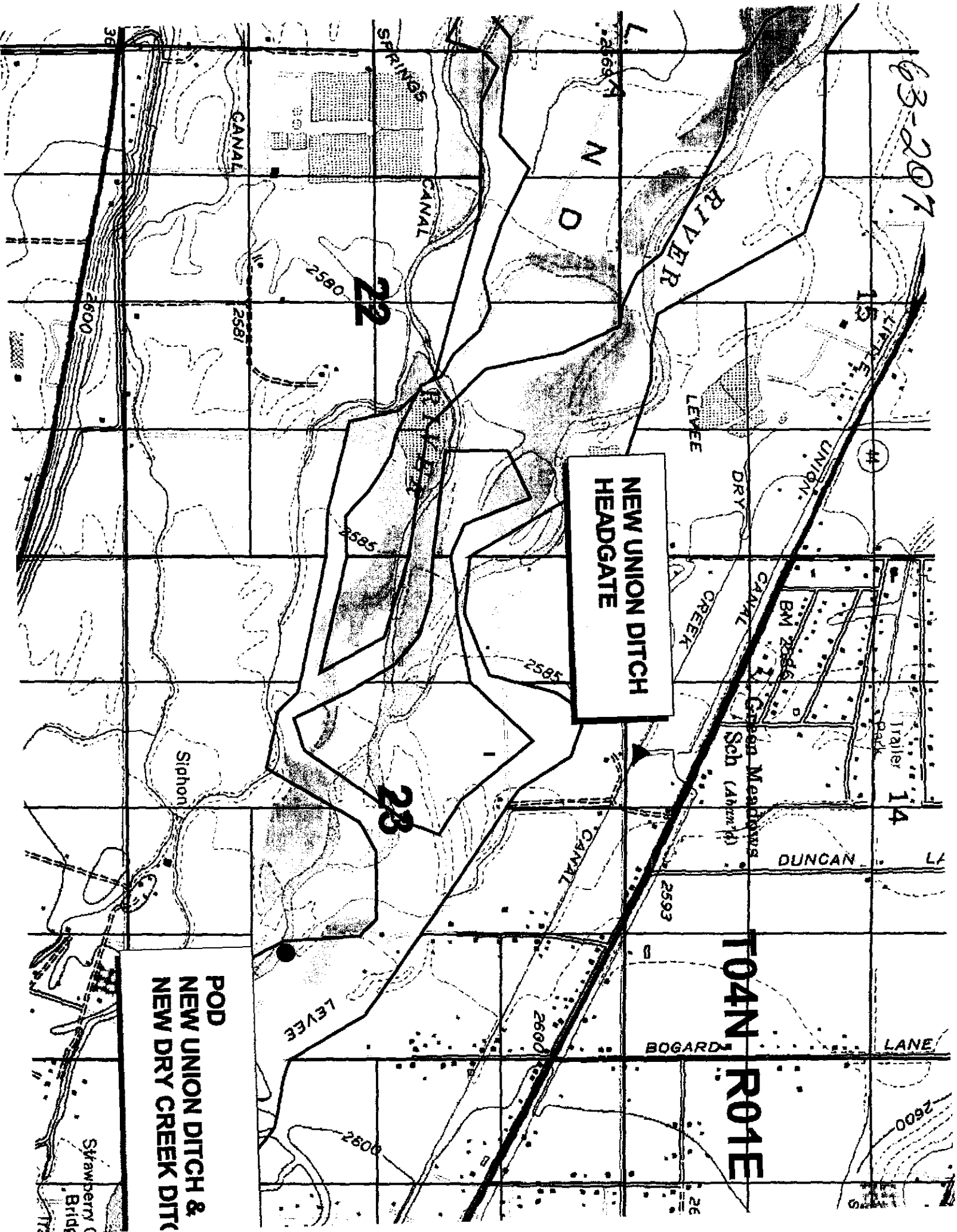
<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.240 CFS	
	<u>Total Diversion:</u>	0.240 CFS	

Location of Point(s) of DiversionPlace of UseConditions of Approval:Remarks:

1. General NOTE: THIS RIGHT HAS BEEN COMBINED WITH RIGHT NO.'S 63-00207, 63-00238, AND 63-00239B AND IS FILED IN THE ADJUDICATION UNDER CLAIM NO. A63-00207 SINCE ALL RIGHTS HAVE THE SAME DATE OF PRIORITY AND SOURCE.

Comments:Dates and Other Information:

63-207



NEW UNION DITCH
HEADGATE

T04N R01E

POD
NEW UNION DITCH &
NEW DRY CREEK DIT



NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: JUNE 8, 2005

BY: MEL SCHULTE

The main contact for New Dry Creek Ditch is their president, Dana Purdy (286-9701). He assisted in the review of the boundary and place of use map, the location of their POD and measurements to estimate delivery loss in their canal.

There are no major issues of concern with the New Dry Creek Ditch Company claims except for the number of acres the rights will be limited to in our recommendations as discussed below. They share a POD and canal with New Union Ditch, which might motivate New Union to have an interest in New Dry Creek's recommendations and boundary map. There is an overlap of New Dry Creek's boundary at the extreme West edge with the East boundary of Middleton Irrigation because Circle DJ Ranch is a shareholder of both companies. There is also an overlap with New Union Ditch boundary at the East side of New Dry Creek boundary for the same reason.

The historical boundary and place of use was not easy to ascertain because the historical place of use is an area of rapid residential and commercial development in the Eagle area. A final review of the boundary and place of use was made with Dana Purdy, two board members and Bryce Farris in the offices of Ringert Clark on June 7, 2005.

The acre limitation of 2709.5 acres is less than the 2964 acres claimed and the 3059 acres described in the water master's records. The 2709.5 acre number is based on digitized acres of 2604.5 plus 10 shares allocated to Circle DJ Ranch plus 75 shares within the City of Eagle. Using the 2709.5 acres at an inch per acre makes it necessary to include delivery loss in order to show beneficial use of the companies 62.09 cfs of decreed water. It's interesting to note that the maximum monthly diversions into the New Dry Creek/New Union Ditch canal have shown a continued decline through the years. The declining diversion rates might support what appears to be a reduced number of irrigated acres through the years due to the increased subdivision development in the Eagle area.

New Dry Creeks claim for credited wastewater, 63-17468 was disallowed in favor of Drainage District No 2's right 63-31937. This matter was discussed with New Dry Creek's officers and board by Bryce Farris and does not seem to be a concern for the company.

MTS

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: JUNE 8, 2005

BY: MEL SCHULTE

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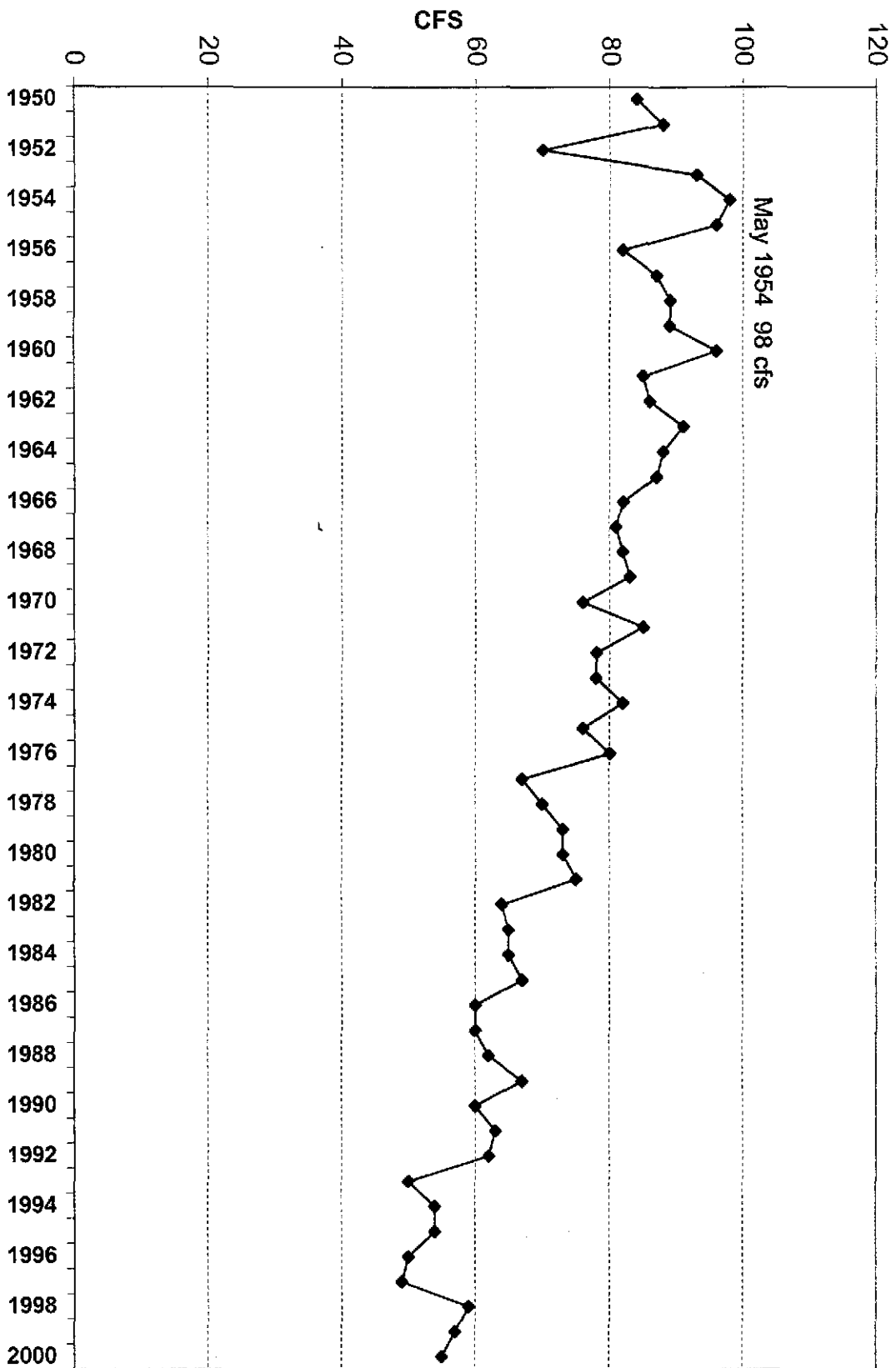
MTS

13206090 HISTORIC DIVERSION OF NEW DRY CREEK AND NEW UNION CANALS														(CFS)
W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN	
1950	10	0	0	0	0	0	20	81	84	80	65	54	394	
1951	18	0	0	0	0	0	44	72	86	88	70	55	432	
1952	18	0	0	0	0	0	20	67	67	78	68	50	364	
1953	16	0	0	0	0	0	37	75	67	93	72	50	410	
1954	16	0	0	0	0	0	39	98	77	83	78	57	448	
1955	20	0	0	0	0	0	3	55	96	88	73	55	390	
1956	15	0	0	0	0	0	37	68	82	78	80	69	429	
1957	21	0	0	0	0	0	7	60	87	86	78	57	397	
1958	18	0	0	0	0	0	20	67	67	89	87	49	377	
1959	16	0	0	0	0	0	52	81	89	81	88	40	448	
1960	8	0	0	0	0	0	24	91	96	91	73	62	445	
1961	20	0	0	0	0	0	29	85	69	55	62	47	366	
1962	8	0	0	0	0	0	34	72	69	86	75	59	464	
1963	13	0	0	0	0	0	89	73	91	80	67	52	462	
1964	8	0	0	0	0	0	27	73	74	88	72	54	395	
1965	23	0	0	0	0	0	24	86	87	85	72	62	438	
1966	29	0	0	0	0	0	54	81	82	70	57	55	429	
1967	23	0	0	0	0	0	15	81	69	81	76	55	401	
1968	21	0	0	0	0	0	35	81	81	73	60	50	404	
1969	34	0	0	0	0	0	27	83	81	78	75	57	435	
1970	23	0	0	0	0	0	24	76	76	73	70	44	385	
1971	16	0	0	0	0	0	10	83	69	78	85	52	393	
1972	21	0	0	0	0	0	20	78	59	73	73	35	365	
1973	11	0	0	0	0	0	35	78	76	72	70	30	372	
1974	5	0	0	0	0	0	18	57	82	73	76	47	343	
1975	21	0	0	0	0	0	0	78	76	72	62	55	379	
1976	20	0	0	0	0	0	10	78	62	80	59	44	352	
1977	28	0	0	0	0	0	52	57	59	67	63	45	371	
1978	0	0	0	0	0	0	7	70	66	65	63	35	306	
1979	16	0	0	0	0	0	12	60	72	73	52	39	337	
1980	8	0	0	0	0	0	22	66	66	73	65	44	338	
1981	13	0	0	0	0	0	13	62	49	75	67	44	322	
1982	11	0	0	0	0	0	5	59	64	49	55	37	290	
1983	2	0	0	0	0	0	12	50	57	65	63	45	299	
1984	11	0	0	0	0	0	8	54	57	65	57	40	313	
1985	15	0	0	0	0	0	20	62	60	67	46	17	260	
1986	13	0	0	0	0	0	12	54	60	59	50	30	284	
1987	2	0	0	0	0	0	32	60	59	54	46	40	297	
1988	13	0	0	0	0	0	12	54	62	59	32	37	277	
1989	13	0	0	0	0	0	3	65	67	63	55	37	304	
1990	11	0	0	0	0	0	32	50	52	60	50	37	293	
1991	8	0	0	0	0	0	17	52	57	63	52	30	284	
1992	15	0	0	0	0	0	35	62	50	50	47	37	245	
1993	13	0	0	0	0	0	5	42	50	50	42	30	284	
1994	16	0	0	0	0	0	27	44	49	54	42	37	269	
1995	28	0	0	0	0	0	8	39	54	52	44	32	257	
1996	18	0	0	0	0	0	5	33	50	47	47	30	230	
1997	16	0	0	0	0	0	17	39	47	49	42	34	244	
1998	15	0	0	0	0	0	15	29	59	44	42	42	246	
1999	13	0	0	0	0	0	20	46	54	57	47	37	274	
2000	31	0	0	0	0	0	27	44	49	55	52	34	291	
AVERAGE: 1950-2000	16	0	0	0	0	0	23	65	68	70	62	44	348	

NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5

Extra

MAXIMUM MONTHLY DIVERSION 1950-2000
13206090 NEW DRY CREEK AND NEW UNION CANALS



New Dry Creek = 62.09 cfs
New Union = 13.76 cfs
Total = 75.85 cfs

BOISE VALLEY CANALS AND ACREAGE

CHART NO. 12

AIKEN	236 ACRES	ISLAND HIGH LINE	945 ACRES
ANDREWS	1068 "	LEMP DITCH	300 "
BALLENTYNE	763 "	LITTLE PIONEER	1336 "
BAXTER	200 "	LOWER CENTER POINT.....	880 "
BOISE CITY	1828 "	MACE & CATLIN	536 "
BOISE PROJECT BOARD OF CONTROL		MACE & MACE	80 "
BIG BEND IRRIG. DIST.....	1724 "	MAMMON	468 "
BOISE-KUNA IRRIG. DIST.....	48,629 "	MCCONNEL ISLAND	1600 "
NAMPA & MERIDIAN IRRIG. DIST.....	40,304 "	MCMAHUS & TEATER	168 "
NEW YORK IRRIG. DIST.....	17,728 "	MIDDLETON MILL	4400 "
WILDER IRRIG. DIST.....	56,535 "	MIDDLETON WATER.....	5180 " } 7580
TOTAL - BOARD OF CONTROL.....	164,920 "	MISCELLANEOUS	838 "
BOISE VALLEY	2729 "	NEW DRY CREEK	3059 "
BOONE	517 "	NEW UNION	688 "
BOWMAN-SWISHER.....	424 "	PARMA DITCH	602 "
BUBB (SOUTH BOISE MUTUAL).....	1057 "	PENITENTIARY	321 "
*CALDWELL HIGH LINE.....	11,917 "	PIONEER IRRIG. DIST.....	23,974 "
CAMPBELL (CANYON DITCH).....	802 "	PIONEER DIXIE.....	3000 "
CANYON COUNTY	3957 "	RIDENBAUGH	26,877 "
CAPITAL VIEW	600 "	RIVERSIDE IRRIG. DIST.....	10,645 "
CONWAY-HAMMING	259 "	ROEDEL	160 "
DAVIS & LITTLE DAVIS	634 "	ROSSI MILL	512 "
EUREKA WATER CO. #1	1300 "	SEBREE.....	15,500 "
EUREKA DITCH CO. #2	2625 "	SEVEN SUCKERS	70 "
FARMERS UNION	8372 "	SETTLERS	12,322 "
GRAHAM-GILBERT	200 "	SIEBENBERG	646 "
HAAS.....	367 "	THURMAN MILL	1719 "
HART-DAVIS	453 "	UPPER CENTER POINT.....	641 "
		WARM SPRINGS DITCH	454 "
		TOTAL	324,239 ACRES

DRAINAGE WATER (NOT DIVERTED FROM BOISE RIVER)

BLACK CANYON IRRIGATION DISTRICT	6,894 ACRES
CALDWELL IRRIGATION DISTRICT	755 "
MORELAND & VIAL (DIXIE DRAIN)	640 "
	8,289 ACRES

GRAND TOTAL 332,528 ACRES

THIS ACREAGE IS BASED, IN SOME INSTANCES, UPON ACTUAL SURVEYS, AND IN OTHER CASES UPON THE ACREAGE AS DETERMINED AT THE TIME OF THE STEWART DECREE, AND IS THE BEST INFORMATION AVAILABLE AT THE PRESENT TIME. IT WAS ORIGINALLY COMPUTED FEBRUARY 14, 1941, BUT HAS BEEN REVISED SEVERAL TIMES, PARTICULARLY TO REDUCE RIVER BOTTOM ACREAGES TO CONFORM TO STEWART DECREE ACREAGES AS DETERMINED BY SPECIAL COMMITTEE, AND TO ACCOMMODATE TRANSFERS FROM ONE CANAL OR USER TO ANOTHER.

RIDENBAUGH REPRESENTS OLD LANDS WITHIN THE NAMPA & MERIDIAN IRRIGATION DISTRICT THAT ARE WATERED BY THE OLD RIDENBAUGH RIGHTS IN THE STEWART DECREE. THE BALANCE OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT LANDS ARE INCLUDED UNDER THE BOARD OF CONTROL.

*3960 ACRES ARE WATERED WITH LIVE WATER. THE BALANCE OF THE WATER COMES FROM SEVERAL DRAINS.

- 1) More acres or shares? City of Engle? 75ac
2. Boundary?
3. New-acre limit = 2571 + any additions
4. 161L - (Supreme court decision

DD# ~~4~~
85A - ?

2570.80000
with 10% of 2.00
and 10% of 2.00
Bona Fide

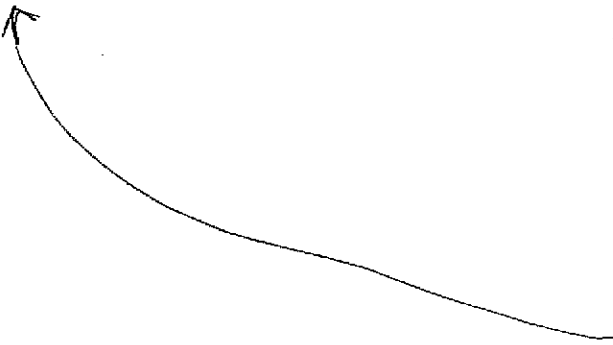
SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE 63-2000

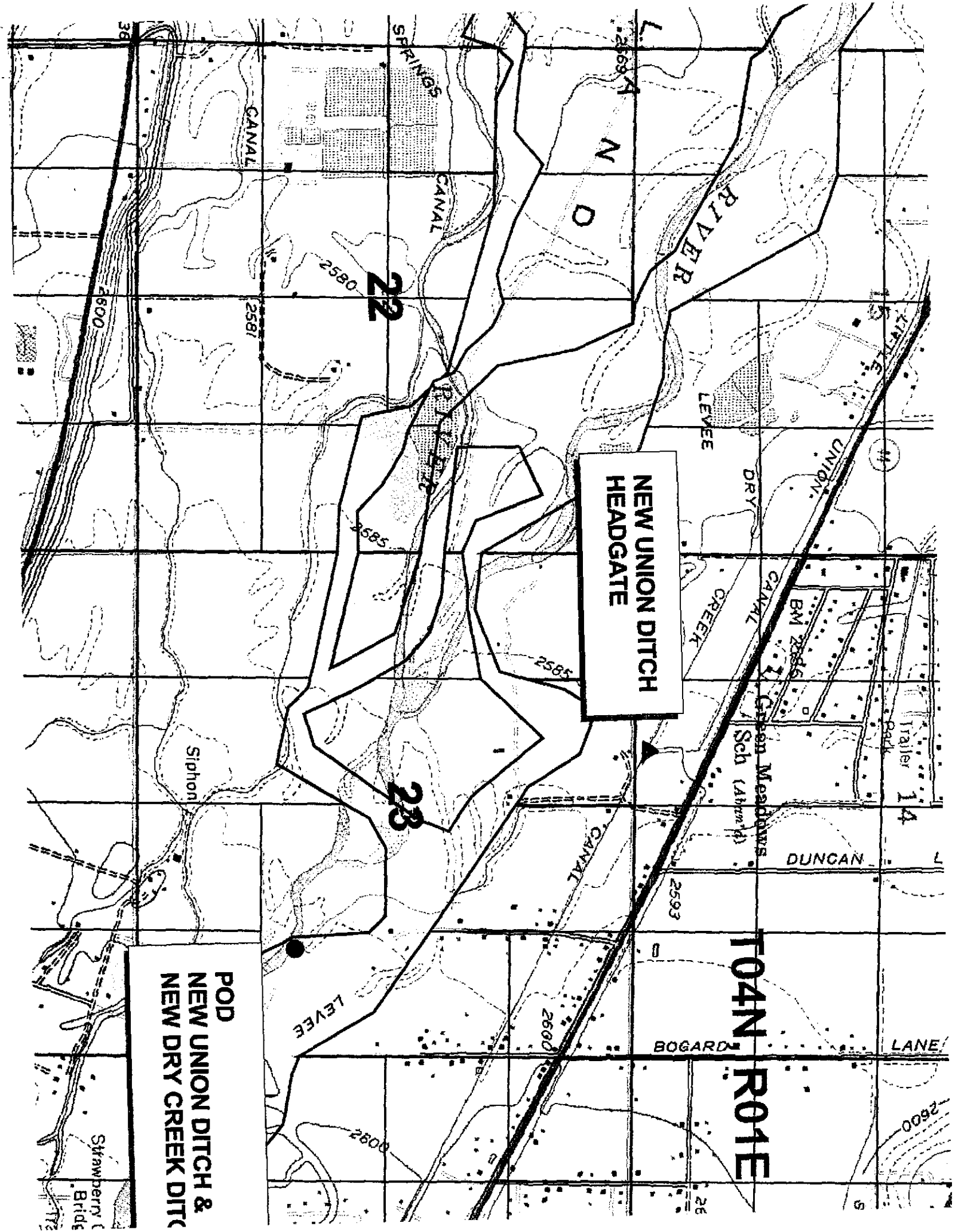
104N

POD record #4N, 1E, 23, NESE

Batch	Sequence	Summary	Batch	Status	Priority	Reference	Source	Water Use(s)	Source Table	Version	Source Table
63	125K	Decreed	Active	1871-06-01	1.01	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	126G	Decreed	Active	1891-06-01	0.48	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	146	Decreed	Active	1865-06-01	13.76	BOISE RIVER	GROUND WATER RECHARGE, IRRIGATION	NEW UNION DITCH CO LTD (Current)	1	1	1
63	161L	Decreed	Active	1866-05-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	205	Decreed	Active	1879-06-01	31.32	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	206	Decreed	Active	1886-06-01	15.22	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	207	Decreed	Active	1888-06-01	3.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	258B	Decreed	Active	1893-05-01	0.69	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	263	Decreed	Active	1880-06-01	1.82	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	286	Decreed	Active	1897-04-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	289B	Decreed	Active	1880-04-01	0.44	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	1024B	License	Active	3/19/1986	5.29	BOISE RIVER	AESTHETIC, AESTHETIC STORAGE, DIVERSION TO STORAGE, RECREATION, WOODS ASSOCIATION (Current Owner)	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	28977	Decreed	Active	1964-06-01	0.4	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	31778	Decreed	Active	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	31806	Decreed	Active	1883-05-01	0.69	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	1	1
63	31937	Beneficial Use	Active	7/13/1923	100	WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	1	1	1

Now 63-31778





NEW UNION DITCH
HEADGATE

POD
NEW UNION DITCH &
NEW DRY CREEK DITC

TO4N R01E

63	✓	125B	NEW DRY CREEK DITCH CO	Mel
63	✓	126B	NEW DRY CREEK DITCH CO	Mel
63	✓	161L	NEW DRY CREEK DITCH CO	Mel
63	✓	205	NEW DRY CREEK DITCH CO	Mel
63	✓	206	NEW DRY CREEK DITCH CO	Mel
63	✓	207	NEW DRY CREEK DITCH CO	Mel
63	✓	258B	NEW DRY CREEK DITCH CO	Mel
63	✓	259	NEW DRY CREEK DITCH CO	Mel
63	✓	263	NEW DRY CREEK DITCH CO	Mel
63	✓	286	NEW DRY CREEK DITCH CO	Mel
63	✓	288B	NEW DRY CREEK DITCH CO	Mel
63	✓	17468	NEW DRY CREEK DITCH CO	Mel
63	✓	28977	1248000 NEW DRY CREEK DITCH CO	Mel

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: AUGUST 17, 2004

BY: MEL SCHULTE

The main contact for New Dry Creek Ditch is their president, Dana Purdy (286-9701). He assisted in the review of the boundary and place of use map, the location of their POD and measurements to estimate delivery loss in their canal.

There are no major issues of concern with the New Dry Creek Ditch Co claims except for the number of acres the rights will be limited to in our recommendations as discussed below. They share a POD and canal with New Union Ditch, which might motivate New Union to have an interest in New Dry Creek's recommendations and boundary map. There is an overlap of New Dry Creek's boundary at the extreme West edge with the East boundary of Middleton Irrigation because Circle DJ Ranch is a shareholder of both companies.

The historical boundary and place of use was not easy to ascertain because the historical place of use is an area of rapid residential and commercial development in the Eagle area.

The acre limitation of 2517.8 acres is less than the 2964 acres claimed. The 2517.8 acre number is based on digitized acres and is open for scrutiny. Using the 2517.8 acres at an inch per acre makes it necessary to include delivery loss in order to show beneficial use of the companies 62.09 cfs of decreed water. The water master's records indicate a place of use of 3059 acres. It's interesting to note that the maximum monthly diversions into the New Dry Creek/New Union Ditch canal have shown a continued decline through the years. The declining diversion rates might support what appears to be a reduced number of irrigated acres through the years due to the increased subdivision development in the Eagle area.

New Dry Creeks claim for credited wastewater, 63-17468 was disallowed in favor of Drainage District No 2's right 63-31937. This matter might be of concern to New Dry Creek's officers and board.

MTS

Idaho Dept. of Water Resources
Place of Use Comparison Report

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Source	Water Use(s)	Owner(s)	Source Table
63	17468		Beneficial Use	Active	9/10/1921	9.47	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	125 B		Decreed	Active	1879-06-01	1.01	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	126 B		Decreed	Active	1879-06-01	0.48	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	161 L		Decreed	Active	1866-05-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	205		Decreed	Active	1879-06-01	31.32	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	206		Decreed	Active	1886-06-01	15.22	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	207		Decreed	Active	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	258 B		Decreed	Active	1893-05-01	0.69	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	259		Decreed	Active	1883-05-01	0.88	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	263		Decreed	Active	1880-06-01	1.82	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	286		Decreed	Active	1897-04-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	288 B		Decreed	Active	1880-04-01	0.44	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	28977		Decreed	Active	1864-06-01	0.4	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	~~2614 B~~		~~Decreed~~	Active	~~12979401~~		BOISE RIVER	IRRIGATION FROM	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim
63	~~2614 B~~		~~Permit~~	Active	~~144955~~		BOISE RIVER	IRRIGATION FROM	NEW DRY CREEK DITCH CO (Current)	wrAdjJudicationClaim

62.09 = decreed
9.47 = water use

71.56 total

2571.80000 decreed
10.0 = decreed @ Quantity Dec 03
2581.8 X .02 = 51.64 cfs
10.46 cfs
10.46 cfs
62.09 cfs

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHART NO. 3

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	PRIORITY		AMOUNT DECREED				TOTAL SEC. FT.
			NO.	DATE	STEWART DECREE	INTERVENORS		INCHES	
						STEWART DECREE	BRYAN DECREE		
NEW DRY CREEK			72	6-1-1879	31.32			1566	
			93	6-1-1886	15.22			761	
			97	6-1-1888	7.86			393	
			129-A	4-1-1897		.54		27	
			73-A	4-1-1880		.54		27	
			74-A	6-1-1880		1.816		90.8	
			85-C	5-1-1883		.2232		11.16	
			85-E	5-1-1883		.385		19.25	
			124-A	5-1-1893		.825		41.25	
		300	3)	6-1-1864					
		300	54)	6-1-1871	.35			17.5	
		300	120)	6-1-1891					
		301	3)	6-1-1864					
		301	54)	6-1-1871	1.54			77	
		301	120)	6-1-1891					
	64		102	6-1-1888	.20			10	
	140		85-D	5-1-1883		.07		3.5	
	151*		124-A	5-1-1893		.135*		6.75*	
	161		103	6-1-1888	.65			32.5	
	174		103	6-1-1888	.24			12	
		713	30	5-1-1866	.54			27	
	1009*		73-A	4-1-1880		.10*		5*	62.0842
NEW UNION			14	6-1-1865	13.76			688	13.76

125~~B~~ K was 125 B

126~~B~~ G was 126 B

101 L

205

206

258 B

263

286

288 B

28977

17468

31806 → was 259.

31778 → was 207.

146

18785

Idaho Dept. of Water Resources
Place of Use Comparison Report

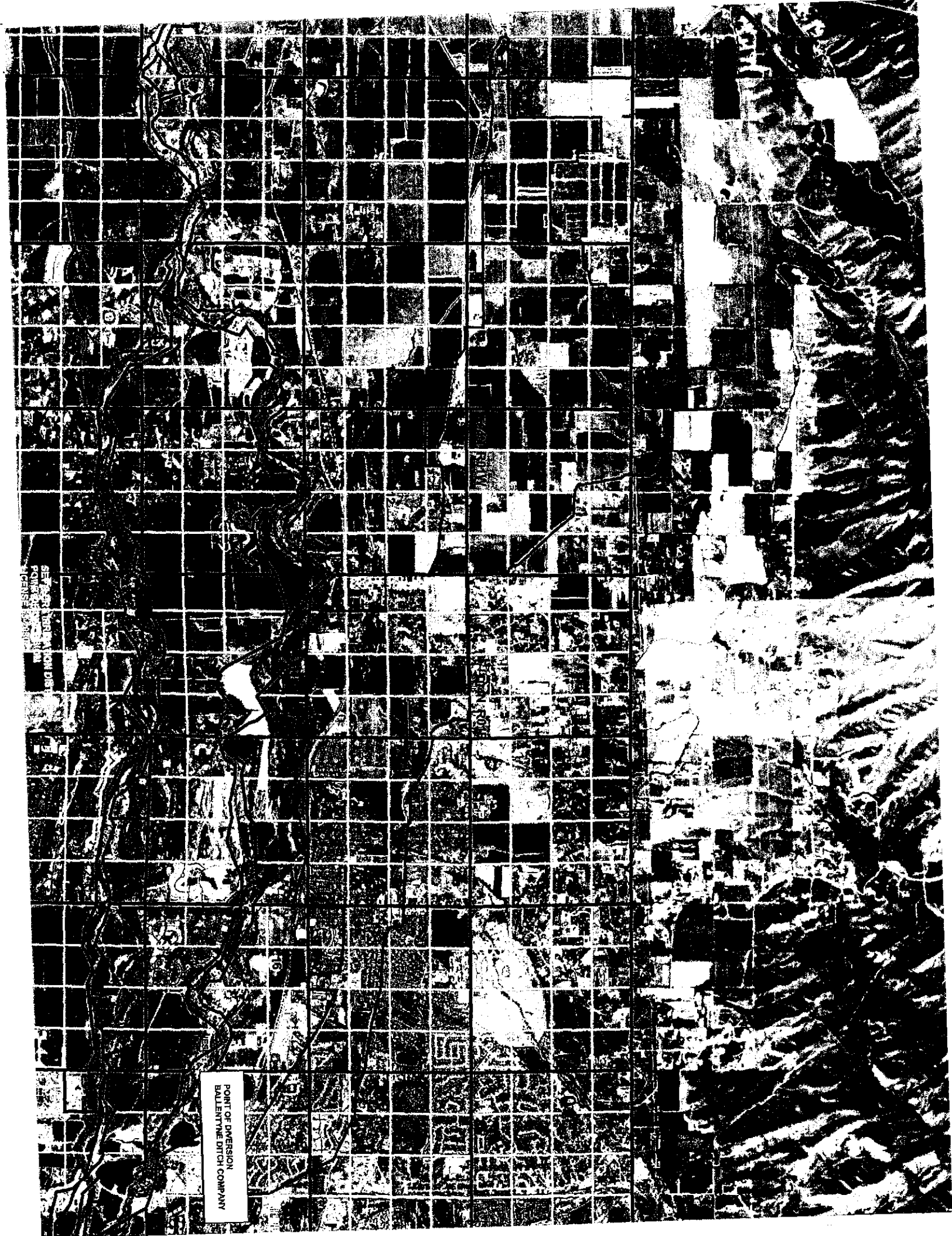
Type	WR #	Owner	Source	THS	NEN	NWN	SWNE	SENE	NEN	NWN	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESW	NWSE	SWSE	SESE	Total
Claim 63 120G		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 123C		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 124Q		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 125J		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 125K		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 126F		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30										25	38	40	38	39	45
Claim 63 126G		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36		8	25	38	40	38	39	512
Claim 63 134		HART-DAVIS DITCH CO INC.	BOISE RIVER	04N01E7																	8
Claim 63 15238		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7							40		40		20	25					165
Claim 63 161L		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 164E		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 165M		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 17468		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 195		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7							40		40		20	25					165
Claim 63 198A		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7							40		40		20	25					165
Claim 63 198A		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 205		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 206		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 207		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 234		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7							40		40		20	25					165
Claim 63 248		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 258A		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7							40		40		20	25					165
Claim 63 258B		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 259		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 260B		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7							40		40		20	25					165
Claim 63 263		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 264		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7							40		40		20	25					165
Claim 63 286		BALLENTYNE DITCH CO LTD.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36		20	25					165
Claim 63 286		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 288B		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 28977		NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim 63 297		FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E7	15	30															45
Claim 63 8497		LORICE QUONG, WILLIAM QUONG	GROUND WATER	04N01E7												16			10		26
Claim 63 21729		FARMERS UNION DITCH CO LTD.	UNNAMED DRAINS	04N01E7	15	30															45
Claim 63 21730		FARMERS UNION DITCH CO LTD.	UNNAMED DRAINS	04N01E7	15	30															45
Claim 63 2406		DRAINAGE DIST NO 2.	WASTE WATER	04N01E7	38	39	39	39	39	36	36	40	40			19	23	39	30	33	565

Type	W/R #	Owner	Source	TRS	NEW	NW	NE	SW	SE	NW	NW	SW	SE	NW	NW	SW	SE	NW	NW	SW	SE	NW	SW	SE	Totals
Claim 63 120G		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 123C		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 124Q		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 125B		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 125J		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	17	5	2	37	20	31	39	36	36	28	31	38	32	353					177
Claim 63 126B		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 126F		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 1523B		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 161L		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 164E		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 165M		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 1746B		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 195		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 198AA		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 198AG		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 205		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 206		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 207		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 234		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 248		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 258A		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 258B		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 259		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 260B		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 263		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 264		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 285		BALLENTYNE DITCH CO LTD,	BOISE RIVER	04NOV18																					3.8
Claim 63 286		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 288B		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 28977		NEW DRY CREEK DITCH CO,	BOISE RIVER	04NOV18		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353				3.8
Claim 63 297		FARMERS UNION DITCH CO LTD,	BOISE RIVER	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 10071		DELL SUBDIVISION WATER USERS,	GROUND WATER	04NOV18																					7
Claim 63 10076		CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINT	GROUND WATER	04NOV18																					5
Claim 63 7908		EAGLE GLEN HOMEOWNERS ASSN INC,	GROUND WATER	04NOV18																					3
Claim 63 21729		FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 21730		FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04NOV18	34	25	15	30	20	37	4	12													177
Claim 63 5048		ROBERT W MORLEY,	UNNAMED SLOUGH	04NOV18																					8
Claim 63 2406		DRAINAGE DIST NO 2,	WASTE WATER	04NOV18	38	39	40	40	39	39	40	40	40	40	34	40	39	40	31	31	610				8

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WFR #	Owner	Source	TRS	NENE	NWNW	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESW	NWSE	SWSE	SESE	Total
Claim	63 120G	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 123C	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 124C	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 125B	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5						7	18	25	24	37
Claim	63 125J	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 126B	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5						7	18	25	24	37
Claim	63 126F	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E9													7	18	25	24	37
Claim	63 146	NEW UNION DITCH CO LTD.	BOISE RIVER	04N01E9																	2
Claim	63 15238	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 161L	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 17488	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 18785	NEW UNION DITCH CO LTD.	BOISE RIVER	04N01E9																	2
Claim	63 195	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 1984A	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 205	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 206	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 207	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 224	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 258A	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 258B	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 259	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 260B	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 263	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 264	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 285	BALLETYNNE DITCH CO LTD.	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 286	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 288B	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 28977	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E9							5				8	6	7	18	25	24	37
Claim	63 16151	JOSEPH M TOTORA, JOSEPHINE TOTORA, JEANINE L BLAZE	GROUND WATER	04N01E9																	4
Claim	63 2467	H. A. RUE BEVINGTON, BERNICE E BEVINGTON,	GROUND WATER	04N01E9																1	1
Claim	63 7398	VIOLA MOHR,	GROUND WATER	04N01E9										0.5							0.5
Claim	63 7405	M GERTRUDE WOODS, WILLIS E WOODS,	GROUND WATER	04N01E9										1							1

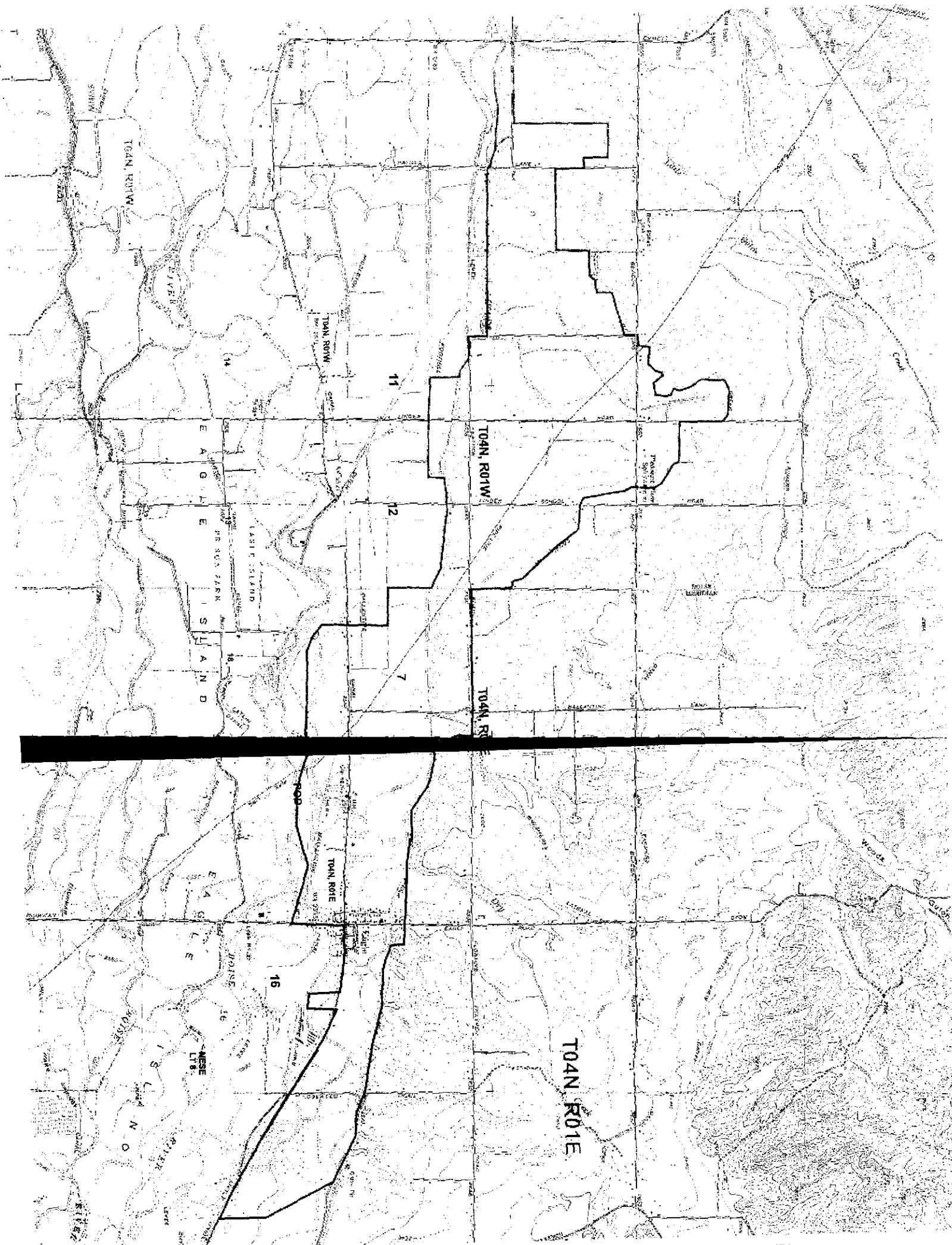




POINT OF DIVERSION
BALENTINE DITCH COMPANY



SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
1105-15-53-2080



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 63-31778
Date Received: 8/23/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NEW DRY CREEK DITCH CO Phone: (208)286-9701
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID USA 83616

2. Date of Priority: 06/01/1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	23	NE SE	ADA	

5. Description of diverting works:

Concrete diversion structure in river, canal, headgates, ditches.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	8.95	

7. Total Quantity Appropriated is:
8.95 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	01E	7	SW	NE		IRRIGATION	39
			SE	NE		IRRIGATION	39
			NE	NW		IRRIGATION	38
			NW	NW		IRRIGATION	39
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	NE		IRRIGATION	25
			NW	NE		IRRIGATION	36
			NE	SW		IRRIGATION	36
			SE	SW		IRRIGATION	25
			NE	SE		IRRIGATION	38
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	38
			SE	SE		IRRIGATION	39
						Section Acres	512
04N	01E	8	SW	SE		IRRIGATION	38
			NW	NE		IRRIGATION	1
			SW	NE		IRRIGATION	17
			SE	NE		IRRIGATION	5
			NW	NW		IRRIGATION	2
			SW	NW		IRRIGATION	37
			SE	NW		IRRIGATION	20
			NE	SW		IRRIGATION	31
			NW	SW		IRRIGATION	39
			SW	SW		IRRIGATION	36
			SE	SW		IRRIGATION	36
			NE	SE		IRRIGATION	28
			NW	SE		IRRIGATION	31
			SE	SE		IRRIGATION	32
						Section Acres	353
04N	01E	9	SW	NW		IRRIGATION	5
			NW	SW		IRRIGATION	8
			SW	SW		IRRIGATION	6
			SE	SW		IRRIGATION	7
			NE	SE		IRRIGATION	18
			NW	SE		IRRIGATION	25
			SW	SE		IRRIGATION	24
			SE	SE		IRRIGATION	37
						Section Acres	130
04N	01E	10	NW	SW		IRRIGATION	8
			SW	SW		IRRIGATION	39
			SE	SW		IRRIGATION	27
			SW	SE		IRRIGATION	6
						Section Acres	80
04N	01E	15	NW	NE		IRRIGATION	28

			SW	NE	IRRIGATION	24
			NE	NW	IRRIGATION	18
			NW	NW	IRRIGATION	10
			SE	NW	IRRIGATION	2
					Section Acres	82
04N	01E	16	NE	NE	IRRIGATION	3
					Section Acres	3
04N	01E	17	NE	NE	IRRIGATION	9
			NW	NE	IRRIGATION	8
			NE	NW	IRRIGATION	10
			NW	NW	IRRIGATION	5
					Section Acres	32
04N	01W	1	SW	NE	IRRIGATION	18
			NE	NW	IRRIGATION	27
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	38
			SE	NW	IRRIGATION	37
			NE	SW	IRRIGATION	38
			NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NW	SE	IRRIGATION	39
			SW	SE	IRRIGATION	38
			SE	SE	IRRIGATION	38
					Section Acres	429
04N	01W	2	NE	NW	IRRIGATION	26
			NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	38
			SW	NE	IRRIGATION	35
			SE	NE	IRRIGATION	39
			SW	NW	IRRIGATION	35
			SE	NW	IRRIGATION	39
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	26
			SE	SW	IRRIGATION	16
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	38
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	40
					Section Acres	528
04N	01W	3	NE	NW	IRRIGATION	5
			SE	NW	IRRIGATION	28
			NE	SW	IRRIGATION	37
			SW	SW	IRRIGATION	18
			SE	SW	IRRIGATION	19
			NE	SE	IRRIGATION	40

			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	23
			SE	SE	IRRIGATION	22
					Section Acres	232
04N	01W	4	SE	SE	IRRIGATION	17
					Section Acres	17
04N	01W	10	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
					Section Acres	198
04N	01W	11	NE	NE	IRRIGATION	37
			NW	NE	IRRIGATION	6
			NW	NW	IRRIGATION	33
			SW	NW	IRRIGATION	40
					Section Acres	116
04N	01W	12	NE	NE	IRRIGATION	30
			NW	NE	IRRIGATION	26
			NE	NW	IRRIGATION	30
			NW	NW	IRRIGATION	40
					Section Acres	126
05N	01W	35	NE	SE	IRRIGATION	33
			NW	SE	IRRIGATION	1
			SW	SE	IRRIGATION	11
			SE	SE	IRRIGATION	30
					Section Acres	75
05N	01W	36	SW	SW	IRRIGATION	35
			SE	SW	IRRIGATION	16
					Section Acres	51
					Total Acres	2964

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.63-207, 63-238A, 63-239B, & 63-239C.

OTHER WATER RIGHTS USED: 63-00205, 63-00206, 63-00286, 63-00263, 63-00288B, 63-00259, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00161L, 63-00261, 63-00260A.

SOURCE ADDRESS CHANGED PER CLAIMANT REQUEST 6/30/97. LH

15. Basis of Claim: Decreed

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: A63-00207
Date Received: 8/23/1989
Receipt No: W004856
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: NEW DRY CREEK DITCH CO
Address: C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

2. Date of Priority: JUN 1, 1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	23	NE	SE			ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	8.950		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	7	NE	NE		IRR	25.0
			NW	NE		IRR	36.0
			SW	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01E	7	SE		NE		IRR	39.0
			NE		NW		IRR	38.0
			NW		NW		IRR	39.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	36.0
			SE		SW		IRR	25.0
			NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	39.0
							Section Acres	512.0
		8	NW		NE		IRR	1.0
			SW		NE		IRR	17.0
			SE		NE		IRR	5.0
			NW		NW		IRR	2.0
			SW		NW		IRR	37.0
			SE		NW		IRR	20.0
			NE		SW		IRR	31.0
			NW		SW		IRR	39.0
			SW		SW		IRR	36.0
			SE		SW		IRR	36.0
			NE		SE		IRR	28.0
			NW		SE		IRR	31.0
			SW		SE		IRR	38.0
			SE		SE		IRR	32.0
							Section Acres	353.0
		9	SW		NW		IRR	5.0
			NW		SW		IRR	8.0
			SW		SW		IRR	6.0
			SE		SW		IRR	7.0
			NE		SE		IRR	18.0
			NW		SE		IRR	25.0
			SW		SE		IRR	24.0
			SE		SE		IRR	37.0
							Section Acres	130.0
		10	NW		SW		IRR	8.0
			SW		SW		IRR	39.0
			SE		SW		IRR	27.0
			SW		SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	80.0
		15	NW	NE		IRR	28.0
			SW	NE		IRR	24.0
			NE	NW		IRR	18.0
			NW	NW		IRR	10.0
			SE	NW		IRR	2.0
						Section Acres	82.0
		16	NE	NE		IRR	3.0
						Section Acres	3.0
		17	NE	NE		IRR	9.0
			NW	NE		IRR	8.0
			NE	NW		IRR	10.0
			NW	NW		IRR	5.0
						Section Acres	32.0
01W		1	SW	NE		IRR	18.0
			NE	NW		IRR	27.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	37.0
			NE	SW		IRR	38.0
			NW	SW		IRR	38.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	429.0
		2	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	35.0
			SE	NE		IRR	39.0
			NE	NW		IRR	26.0
			SW	NW		IRR	35.0
			SE	NW		IRR	39.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	2	SE		SW		IRR	16.0
			NE		SE		IRR	39.0
			NW		SE		IRR	38.0
			SW		SE		IRR	39.0
			SE		SE		IRR	40.0
			Section Acres 528.0					
		3	NE		NW		IRR	5.0
			SE		NW		IRR	28.0
			NE		SW		IRR	37.0
			SW		SW		IRR	18.0
			SE		SW		IRR	19.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	23.0
			SE		SE		IRR	22.0
			Section Acres 232.0					
		4	SE		SE		IRR	17.0
			Section Acres 17.0					
		10	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres 198.0					
		11	NE		NE		IRR	37.0
			NW		NE		IRR	6.0
			NW		NW		IRR	33.0
			SW		NW		IRR	40.0
			Section Acres 116.0					
		12	NE		NE		IRR	30.0
			NW		NE		IRR	26.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
			Section Acres 126.0					
05N	01W	35	NE		SE		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	35	NW	SE		IRR	1.0
			SW	SE		IRR	11.0
			SE	SE		IRR	30.0
						Section Acres	75.0
		36	SW	SW		IRR	35.0
			SE	SW		IRR	16.0
						Section Acres	51.0
						Total Acres	2964.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WATER RIGHTS USED: 63-00205, 63-00206, 63-00286, 63-00263, 63-00288B, 63-00259, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00261, 63-00260A.
NOTE: THIS CLAIM IS A COMBINATION OF RIGHT NO.'S 63-00207 (7.86 CFS), 63-00238 (.20 CFS), 63-00239B (.65 CFS), & 63-00239C (.24 CFS) SINCE ALL RIGHTS HAVE THE SAME PRIORITY DATE AND SOURCE ADDRESS CHANGED PER CLAIMANT REQUEST 6/30/97. LH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

SRBA Case #39576 Subcase #02-10063

Mail this postcard to businesses and people who send you mail.

Please send mail to new address beginning: 05-01-97, Month Day Year

NEW DRY CREEK DITCH CO. / DANA PURDY

My Name (Last name, first name, middle initial)

1200 Hereford Dr.

OLD Complete Street Address or PO Box or Rural Route and RR Box

Apt./Suite #

Eagle, ID

ID

83616

City or Post Office

State

ZIP or ZIP+4 Code

NEW DRY CREEK DITCH CO. / DANA PURDY

NEW Complete Street Address or PO Box or Rural Route and RR Box

Apt./Suite #

5926 W. FLOATING FEATHER RD.

City or Post Office

State

ZIP or ZIP+4 Code

EAGLE, ID 83616

NEW Telephone Number (Optional)

Account Number (if applicable)

Dana Purdy

Signature

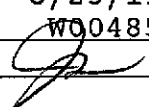
10/5/01/9/7/

Today's Date: Month Day Year

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: A63-00207
Date Received: 8/23/1989
Receipt No: W004856
Received By: 

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

1. Name: NEW DRY CREEK DITCH CO. 208-939-6219
Address: C/O LYNNE SEDLACEK
1200 HEREFORD DR.
EAGLE, ID 83616

2. Date of Priority: JUN 1, 1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	23	NE	SE			ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	8.950		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	7	NE	NE		IRR	25.0
			NW	NE		IRR	36.0
			SW	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01E	7	SE		NE		IRR	39.0
			NE		NW		IRR	38.0
			NW		NW		IRR	39.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	36.0
			SE		SW		IRR	25.0
			NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	39.0
							Section Acres	512.0
		8	NW		NE		IRR	1.0
			SW		NE		IRR	17.0
			SE		NE		IRR	5.0
			NW		NW		IRR	2.0
			SW		NW		IRR	37.0
			SE		NW		IRR	20.0
			NE		SW		IRR	31.0
			NW		SW		IRR	39.0
			SW		SW		IRR	36.0
			SE		SW		IRR	36.0
			NE		SE		IRR	28.0
			NW		SE		IRR	31.0
			SW		SE		IRR	38.0
			SE		SE		IRR	32.0
							Section Acres	353.0
		9	SW		NW		IRR	5.0
			NW		SW		IRR	8.0
			SW		SW		IRR	6.0
			SE		SW		IRR	7.0
			NE		SE		IRR	18.0
			NW		SE		IRR	25.0
			SW		SE		IRR	24.0
			SE		SE		IRR	37.0
							Section Acres	130.0
		10	NW		SW		IRR	8.0
			SW		SW		IRR	39.0
			SE		SW		IRR	27.0
			SW		SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
			Section Acres				80.0
		15	NW	NE		IRR	28.0
			SW	NE		IRR	24.0
			NE	NW		IRR	18.0
			NW	NW		IRR	10.0
			SE	NW		IRR	2.0
			Section Acres				82.0
		16	NE	NE		IRR	3.0
			Section Acres				3.0
		17	NE	NE		IRR	9.0
			NW	NE		IRR	8.0
			NE	NW		IRR	10.0
			NW	NW		IRR	5.0
			Section Acres				32.0
	01W	1	SW	NE		IRR	18.0
			NE	NW		IRR	27.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	37.0
			NE	SW		IRR	38.0
			NW	SW		IRR	38.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
			Section Acres				429.0
		2	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	35.0
			SE	NE		IRR	39.0
			NE	NW		IRR	26.0
			SW	NW		IRR	35.0
			SE	NW		IRR	39.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	26.0
			SE	SW		IRR	16.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	2	NE		SE		IRR	39.0
			NW		SE		IRR	38.0
			SW		SE		IRR	39.0
			SE		SE		IRR	40.0
							Section Acres	528.0
		3	NE		NW		IRR	5.0
			SE		NW		IRR	28.0
			NE		SW		IRR	37.0
			SW		SW		IRR	18.0
			SE		SW		IRR	19.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	23.0
			SE		SE		IRR	22.0
							Section Acres	232.0
		4	SE		SE		IRR	17.0
							Section Acres	17.0
		10	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	198.0
		11	NE		NE		IRR	37.0
			NW		NE		IRR	6.0
			NW		NW		IRR	33.0
			SW		NW		IRR	40.0
							Section Acres	116.0
		12	NE		NE		IRR	30.0
			NW		NE		IRR	26.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
							Section Acres	126.0
05N	01W	35	NE		SE		IRR	33.0
			NW		SE		IRR	1.0
			SW		SE		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	35	SE	SE		IRR	30.0
						Section Acres	75.0
		36	SW	SW		IRR	35.0
			SE	SW		IRR	16.0
						Section Acres	51.0
						Total Acres	2964.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WATER RIGHTS USED: 63-00205, 63-00206, 63-00286, 63-00263, 63-00288B, 63-00259, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00261, 63-00260A.

NOTE: THIS CLAIM IS A COMBINATION OF RIGHT NO.'S 63-00207 (7.86 CFS), 63-00238 (.20 CFS), 63-00239B (.65 CFS), & 63-00239C (.24 CFS) SINCE ALL RIGHTS HAVE THE SAME PRIORITY DATE AND SOURCE

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

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 _____ 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
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) ss.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-00207
Date Received: ~~6/16/1989~~ 8/23/89
Receipt No: 2007856
Received By: [Signature] DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEW DRY CREEK DITCH CO. 208-939-6302
Address: C/O ERMA FULLER
826 W. STATE ST.
EAGLE, ID 83616

2. Date of Priority: JUN 01, 1888

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	23	NE	SE			ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	8.950		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
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11. Place of use in counties:

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

OTHER WATER RIGHTS USED: 63-00205, 63-00206, 63-00286, 63-00288B
63-00263, 63-00259, 63-00261, 63-00258B, 63-00124B, 63-00125B,
63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00260A,
63-00239B, 63-00239C, 63-00161L.

NOTE: THIS CLAIM IS A COMBINATION OF RIGHT NO.'S 63-00207
(7.86 CFS), 63-00238 (.20 CFS), 63-00239B (.65 CFS), & 63-00239C
(.24 CFS) SINCE ALL RIGHTS HAVE THE SAME PRIORITY DATE AND SOURCE

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

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 _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am PRES. of

NEW DRY CREEK DITCH CO. that I have signed the foregoing
Organization

document in the space below as PRES. of

NEW DRY CREEK DITCH CO. and that the statements contained in the
Organization
foregoing document are true and correct.

Fred Kunkle
Signature of Authorized Agent

PRES. NEW DRY CREEK DITCH CO.
Title and Organization

8/23/89
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of August 19 89

Seal

Jan Shute
Notary Public

Residing at Meridian ID

My Commission Expires 9-14-94

New Dry Creek Ditch Co., Ltd.

Eagle, Idaho

January 22, 1995

Attn: Shawn Nickel, Planner
Ada County Development Services
650 Main Street
Boise, ID 83702

RECEIVED

JAN 24 1995

WATER RESOURCES
WESTERN REGION

**Re: Lost River Estates
94-73-PDR/94-41-2C**

Dear Mr. Nickel:

The purpose of the New Dry Creek Ditch Company (NDCDCo.) is to provide the continuing flow of water to our shareholders. New development is in no way to impede this delivery, or add to the expense of providing this service.

The delivery canal and maintenance road easement must be fenced from the development. The fencing must be a minimum of 6 feet high and of a non-burnable material. No bike path, greenbelt, bridle path or other public use will be allowed within the easement. This is to guard against unauthorized tampering with the headgate system and to protect the public from the water velocity associated with the canal and the headgates.

No landscaping will be allowed to infringe upon the canal's easement. Grass will be allowed within a ten foot setback from the outside of the easement road and the opposite canal bank.

Bridges to be constructed across the canal must have the written approval of Ada County Highway District and the NDCDCo. No round culverts are accepted without the written approval of the NDCDCo. NDCDCo feels the two entrances from Park Road are unnecessary and should be abandoned or reduced to one canal crossing with an additional entrance to the development being supplied via Curlew Court being extended to Beacon Light Road.

No storm drain water, heatpump water, or any wastewater will be allowed to be discharged into the delivery canal. Water shares shall be retained for irrigation of the development. The homeowner's association will be responsible for paying the annual water assessment and managing the water delivery within the development's boundaries.

Sincerely,


Lynne Sedlacek, Bookkeeper
1200 Hereford Drive
Eagle, ID 83616

939-6219 between 4:30 and 9:00 P.M. or leave message

c: City of Eagle & Idaho Department of Water Resources

MICROFILMED
OCT 02 1996