

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

NEW CLAIM

Ident. Number
Date Received:
Receipt No:
Received By:

63- 32580
11/20/2006

C# 82713

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

MASON CREEK DITCH CO Phone: (208)459-0428

C/O RICHARD BICANDI
1905 MASON
CALDWELL ID USA 83605

2. Date of Priority: 06/01/1869

3. Source: MASON CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02W	19	NW NW	CANYON	
04N	02W	19	SE NW	CANYON	

5. Description of diverting works:

DIV. DAM IN MASON CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	17	

7. Total Quantity Appropriated is:
17 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	02W	7	SE	SE		IRRIGATION	11
			SW	SE		IRRIGATION	10
						Section Acres	21
04N	02W	8	SW	SW		IRRIGATION	9
						Section Acres	9
04N	02W	17	SW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
			NE	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
						Section Acres	480
04N	02W	18	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			NE	SE		IRRIGATION	13
			NE	NW		IRRIGATION	37
			NW	NW		IRRIGATION	30
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
						Section Acres	400
04N	02W	19	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
						Section Acres	160
04N	03W	11	SE	SE		IRRIGATION	21
			SW	SE		IRRIGATION	22
						Section Acres	43
04N	03W	12	SE	SE		IRRIGATION	12

					Section Acres	12
04N	03W	13	NE	NW	IRRIGATION	26
			NW	NW	IRRIGATION	25
			NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	26
			SW	NE	IRRIGATION	25
			SE	NE	IRRIGATION	40
			SW	NW	IRRIGATION	26
			SE	NW	IRRIGATION	25
			NE	SW	IRRIGATION	26
			NW	SW	IRRIGATION	25
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	26
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	25
			SW	SE	IRRIGATION	25
			SE	SE	IRRIGATION	37

Section Acres 477

04N	03W	14	NE	NE	IRRIGATION	22
			NW	NE	IRRIGATION	22
			SW	NE	IRRIGATION	22
			SE	NE	IRRIGATION	21
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	20
			NE	SW	IRRIGATION	29
			SE	SW	IRRIGATION	16
			NE	SE	IRRIGATION	22
			NW	SE	IRRIGATION	21
			SE	NW	IRRIGATION	40

Section Acres 315

04N	03W	24	NE	NE	IRRIGATION	20
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Section Acres 20

Total Acres 1937

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

POU is west of Wells Road.

15. Basis of Claim: Beneficial Use

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: _____

For Organizations:

I do solemnly swear or affirm that I am SECRETARY R.L.B. of
RICHARD BICANDI
Title

Mason Creek Ditch Co., that I have signed the foregoing
Organization

document in the space below as SECRETARY of
Title

Mason Creek Ditch Co and that the statements contained in the
Organization

foregoing document are true and correct. Richard L. Bicandi
Signature of Authorized Agent

Secretary of Mason Creek Ditch Co.
Title and Organization

11-28-06
Date

State of Idaho)
County of CANYON) SS.

Subscribed and sworn (or affirmed) before me this

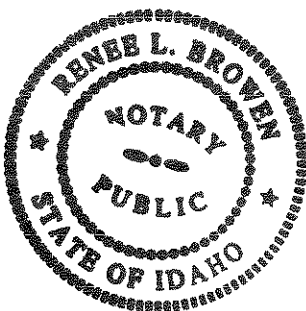
28 of November 2006

Renée L. Browen

Notary Public

Residing at WILDER ID

My commission Expires 04/27/10



Dorothy Bicandi
1905 Mason Rd.
Caldwell, Idaho 83605

NOV 29 2006
DEPARTMENT OF
WATER RESOURCES

Danielle Favereau
IDWR
State House Mail
Boise, Idaho 83702-9000

Danielle,

I took the measurements of the 2 diversions for Mason Creek Ditch Company.

Diversion 1- 1- 19 feet wide
2- 5 feet wide
3- 4ft. 7 inches wide

Diversion 2- 1- 10 feet wide
2- 6 feet wide

There are 540 acres irrigated out of Diversion 1 (known as Mason Lateral) and 310 acres irrigated out of Diversion 2. Diversion 2 sends water down the delivery ditches and is then pumped, so the amount of water that is sent down the ditch is greater than the amount used. The unused water then flows back into the Boise River. The unused water from Mason Lateral also flows back into the river.

David Tuthill said he would calculate the amount of water if we gave him the dimensions of the checks.

I discovered a mistake on the affidavit from June Vassar. Diversion 2 is West of Well's Road or East of KCID Road, not West of KCID Road , however, that is obvious on the map.

If you need any more information call me at 208-459-0428 or my husband Dick Bicandi at 208-941-0960.

Sincerely,



Dorothy Bicandi

SCANNED
DEC 13 2006

Charles Paynter Jr.
2911 Lincoln St.
Caldwell, Idaho 83605
November 26, 2006

IDWR
Adjudication Bureau
Statehouse Mail
Boise, Idaho 83702-9000

To Whom It May Concern:

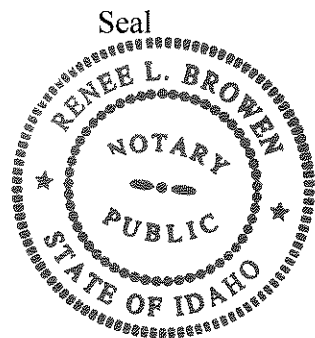
I have lived on our family farm all of my 90 years. Mason Creek runs through our property and Mason Creek Ditch Company has used the water out of Mason Creek for irrigation for as for as long as I can remember. The diversion of this water is South of Marble Front Rd. on Mason Creek and just North of Marble Front Rd., West of Well's Rd.

I affirm that these statements are true to the best of my memory.

Signature of Claimant Charles L. Paynter Jr. Date 11-28-06

State of Idaho _____ SS.
County of CANYON

Subscribed and sworn (or affirmed) before me this 28 day of NOVEMBER 2006



Notary Public Renee L. Browen
Residing at WILDER, ID
My Commission Expires 04/27/10