

11/04/2006

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

RIGHT NUMBER: 1-138

NAME AND ADDRESS: NORTH RIGBY IRRIGATION & CANAL CO INC
C/O CALVIN KINGHORN
426 N 3700 E
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 50.000 CFS

PRIORITY DATE: 06/10/1883

POINT OF DIVERSION:
T04N R39E S9 SWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	50.000 CFS
STOCKWATER	01/01 12/31	13.000 CFS

PLACE OF USE:

1005 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.

Place of use is within the area served by North Rigby Irrigation & Canal Company.

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

Diversion of this right for stockwater purposes between November 1 and April 30 is subject to the provisions for saving winter water as recognized in the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969).

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 North Rigby Canal.

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 1-138
Date Received: 11/15/1988
Receipt No: E004042 & E032297
Received By: MWH

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

1. Name of Claimant(s)

NORTH RIGBY IRRIGATION & CANAL CO INC Phone:
C/O CALVIN KINGHORN
426 N 3700 E
RIGBY ID USA 83442

2. Date of Priority: 06/10/1883

3. Source: DRY BED Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	39E	9	SE SW NW	JEFFERSON	

5. Description of diverting works:

CONCRET W/ METAL GATE FROM DRY BED INTO CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	50	
STOCKWATER	01/01	12/31	13	

7. Total Quantity Appropriated is:
50 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	38E	1	NE SW	IRRIGATION	15
			NW SW	IRRIGATION	30

			SW	SW	IRRIGATION	40	
			SE	SW	IRRIGATION	40	
			NE	SE	IRRIGATION	20	
			NW	SE	IRRIGATION	25	
			SW	SE	IRRIGATION	40	
			SE	SE	IRRIGATION	40	
					Section Acres	250	
04N	38E	2	SW	NE	IRRIGATION	10	
			SE	NE	IRRIGATION	5	
			SW	NW	IRRIGATION	20	
			SE	NW	IRRIGATION	35	
			NE	SE	IRRIGATION	30	
			NW	SE	IRRIGATION	40	
			SW	SE	IRRIGATION	40	
			SE	SE	IRRIGATION	40	
					Section Acres	220	
04N	38E	12	NE	NE	IRRIGATION	40	
			NW	NE	IRRIGATION	40	
			SW	NE	IRRIGATION	40	
					IRRIGATION		
			SE	NE	IRRIGATION	40	
					Section Acres	160	
04N	39E	6	SW	SW	7	IRRIGATION	38
			SW	SE		IRRIGATION	15
					Section Acres	53	
04N	39E	7	NE	NE		IRRIGATION	38
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NW	NW	1	IRRIGATION	40
			NE	NW		IRRIGATION	40
			SW	NW	2	IRRIGATION	40
			SE	NW		IRRIGATION	40
					Section Acres	318	
04N	39E	8	SE	NE		IRRIGATION	1
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	29
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	12
			NW	SW		IRRIGATION	10
			NE	SE		IRRIGATION	1
			NW	SE		IRRIGATION	20
			SW	NE		IRRIGATION	18
					Section Acres	211	
					Total Acres	1212	

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

P/U INCOMPLETE IN DECREE.
P/D INCOMPLETE IN DECREE.

Amended claim on 10/11/2006 to add stockwater.

15. Basis of Claim: Decreed

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:

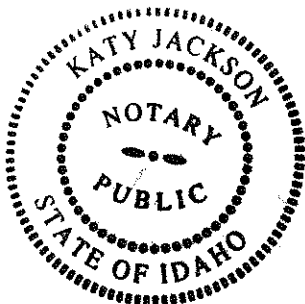
I do solemnly swear or affirm that I am Director of
Title
North Rigby Irrigation CO., that I have signed the foregoing
Organization
document in the space below as Director of
Title
North Rigby Irrigation CO. and that the statements contained in the
Organization
foregoing document are true and correct. Cabrin J. Hinghorn
Signature of Authorized Agent
Director North Rigby Irrigation CO.
Title and Organization
10-11-06
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11 Day
of October 2006

Katy Jackson
Notary Public

Residing at Idaho Falls
My commission Expires 3/31/2011



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: A01-00138
Date Received: 11/15/1988
Receipt No: E004042
Received By: SAI

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORTH RIGBY IRRIGATION & CANAL CO., INC. 208-745-6471
Address: C/O CALVIN F. REED, PRES.
455 N. 3950 E.
RIGBY, ID 83442

2. Date of Priority: JUN 10, 1883

3. Source: SNAKE RIVER, DRY BED Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	39E	9	SE	SW	NW		JEFFERSON

5. Description of diverting works:
CONCRET W/ METAL GATE FROM DRY BED INTO CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	50.000		

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

8. Total consumptive use is 3030.0 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	38E	1	NE	SW		IRR	15.0
			NW	SW		IRR	30.0

A01-00138

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Date: 11/15/88

A0100138



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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
04N	38E	1	SW		SW		IRR	40.0	
			SE		SW		IRR	40.0	
			NE		SE		IRR	20.0	
			NW		SE		IRR	25.0	
			SW		SE		IRR	40.0	
			SE		SE		IRR	40.0	
					Section Acres			250.0	
		2	SW		NE		IRR	10.0	
			SE		NE		IRR	5.0	
			SW		NW		IRR	20.0	
			SE		NW		IRR	35.0	
			NE		SE		IRR	30.0	
			NW		SE		IRR	40.0	
			SW		SE		IRR	40.0	
SE			SE		IRR	40.0			
			Section Acres			220.0			
12					IRR				
	NE		NE		IRR	40.0			
	NW		NE		IRR	40.0			
	SW		NE		IRR	40.0			
	SE		NE		IRR	40.0			
			Section Acres			160.0			
39E	6	SW		SW	7	IRR	38.0		
		SW		SE		IRR	15.0		
			Section Acres			53.0			
7		NE		NE		IRR	38.0		
		NW		NE		IRR	40.0		
		SW		NE		IRR	40.0		
		SE		NE		IRR	40.0		
		NE		NW		IRR	40.0		
		NW		NW	1	IRR	40.0		
		SW		NW	2	IRR	40.0		
		SE		NW		IRR	40.0		
					Section Acres			318.0	
8	SW		NE		IRR	18.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	39E	8	SE		NE		IRR	1.0
			NE		NW		IRR	40.0
			NW		NW		IRR	29.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	12.0
			NW		SW		IRR	10.0
			NE		SE		IRR	1.0
			NW		SE		IRR	20.0
							Section Acres	211.0
							Total Acres	1212.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
01-00238 AND PALISADES STORAGE RIGHTS.

14. Remarks:
P/U INCOMPLETE IN DECREE.
P/D INCOMPLETE IN DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION CO.
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of _____
Title

North Righy Irrig Canal Co, that I have signed the foregoing
Organization

document in the space below as President of _____
Title

North Righy Irrig Canal Co and that the statements contained in the
Organization

foregoing document are true and correct.

Calvin F. Reed
Signature of Authorized Agent

President - North Righy Irrig Canal Co
Title and Organization

11-15-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15 day

of November 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID

My Commission Expires 27 Aug 1994