

09/26/2006

**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:

Water right number: 22-163A

CANYON CREEK LATERAL DITCH ASSN

12241 E 3749 N

NEWDALE ID 83436

Telephone Number: (208)458-4269

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/26/06 SIGNATURE: Stan Schwendiman, Sec.

Please print your name: Stan Schwendiman

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMJ
10/27

08/30/2006

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

RIGHT NUMBER: 22-163A

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

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 1.330 CFS
160.000 AFY

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

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T07N R42E S30 NESENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.330 CFS 160.00 AFY

PLACE OF USE:

3052 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 3052 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation.

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 80 acres within the place of use described above in a single irrigation season.

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

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

Totalizing measuring devices shall be maintained at all points of diversion.

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.

08/30/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 22-163A, 22-7253, and 22-7276 are also (re)diverted through point of diversion described above.

Six pumps are located at the point of diversion described above.

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

Renumbered from 22-163D.