

RECEIVED
NOV 23 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 21 2007

By _____ Clerk
Deputy Clerk

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

Case No. 39576

Subcases: 22-13738 & 22-13739

ORDER GRANTING MOTIONS TO FILE
LATE NOTICES OF CLAIM

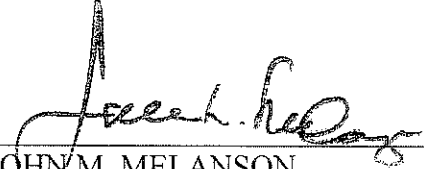
On July 30, 2007, Canyon Creek Lateral Ditch Association filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on November 20, 2007. These *Motions* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated November 21, 2007.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on November
21, 2007, with sufficient first-class postage to the following:

CANYON CREEK LATERAL
DITCH ASSN
C/O STAN SCHWENDIMAN
12241 E 3749 N
NEWDALE, ID 83436
Phone: 208-458-9807

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

(Internet)

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

Ident. Number

Date Received

Receipt Number

22-13738-39576
11/23/07
C085379

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

2007 JUL 30 PM 4:56
FILED
DISTRICT COURT - SNEA
TWIN FALLS CO., IDAHO

Please type or print clearly

1. Name of Claimant (s) Canyon Creek Lateral Ditch Assn. C/O Stan Schwendiman Phone (208) 458-9807

Mailing Address 12241 E 3749 N Newdale, ID Zip 83436

2. Date of Priority (Only one (1) per claim) 07/29/1977

3. Source of water supply (a) Groundwater

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 07N Range R42E Section 30

NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Madison

Additional points of diversion If any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____ 1/4 Of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),

Including the dates of any changes or enlargements in use, the dimensions of the diversion works as

constructed and as enlarged and the depth of each well. Pumping plant with six pumps totaling 1650 HP, as re-diverted

through a system of ditches to the enlarged acreage.

6. Water is claimed for the following purposes-

(both dates are inclusive)

(Cfs)

(acre feet)

For Irrigation purposes from 04/15 to 10/15 amount 14 or 5109.5

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 14 (cfs) and/or (b) 5109.5 (acre feet)

8. Total consumptive use claimed is 5109.5 acre feet per annum.

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

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
07N	41E	26									39	13	35	39					126
07N	41E	27																5	5
07N	41E	35	39	39	40	40	39	39	40	40					40	40	33	37	466

Total number of acres irrigated 597

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

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

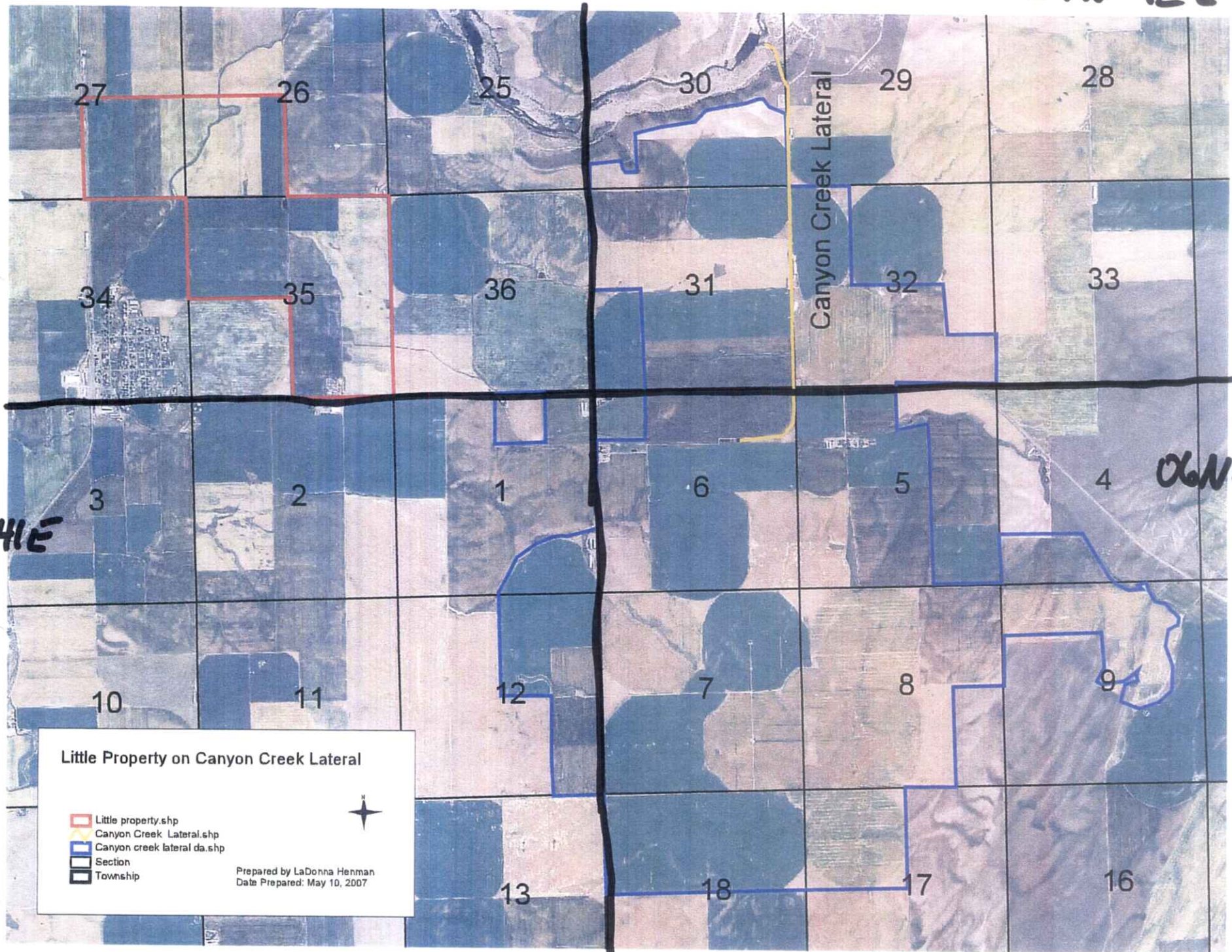
13. Describe any other water rights used at the same place and for the same purposes as described above.
22-2150, 22-7204, 22-12786 or None ()

14. Remarks: This land is owned by Little Farms, who is a member of Canyon Creek Lateral Canal Company. This is an enlargement claim to enlarge the acres allowed by water right # 22-07253. These lands have been watered by said water right since its beginning on 07/29/1977.

Last Name Canyon Creek Lateral Ditch Assn Ident No.

07N 41E

07N 42E



15. Basis of Claim (check one) Beneficial Use, X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-13738, enlarged from 22-07253
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

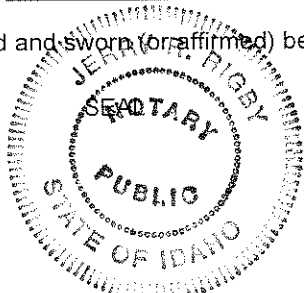
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Secretary _____
Title _____
of _____, that I have signed the foregoing
Organization _____
document in the space below as _____ Secretary _____ or _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jerry R. Rigby
Title and Organization Secretary, Canyon Creek Lateral Ditch Association Date 07/26/07

State of Idaho/or _____)
County of Madison _____) ss.

Subscribed and sworn (or affirmed) before me this _____ 26th _____ day of _____ July _____ 20 07



Notary Public Jerry R. Rigby
Residing at Rexburg
My Commission Expires 11/09/11

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below

Signature Jerry R. Rigby
Address P.O. Box 250, Rexburg, Idaho 83440
Date July 26, 2007

Last Name Canyon Creek Lateral Ditch Assn Ident. Number _____

(Internet)

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

Date Received

Receipt Number

NUMBER: 39576
22-13739
11/23/07
C085380

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

FILED
DISTRICT COURT - SABA
TWIN FALLS CO., IDAHO
2007 JUL 30 AM 4 59
3-9807

Please type or print clearly

1. Name of Claimant (s) Canyon Creek Lateral Ditch Assn. C/O Stan Schwendiman Phone (208) 458-9807

Mailing Address 12241 E 3749 N Newdale, ID Zip 83436

2. Date of Priority (Only one (1) per claim) 04/21/1978

3. Source of water supply (a) Teton River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 07N Range R42E Section 30,
NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Madison

Additional points of diversion If any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 Of _____ 1/4 of _____

1/4, Govt. Lot B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pumping plant with six pumps totaling 1650 HP, as re-diverted through a system of ditches to the enlarged acreage.

6. Water is claimed for the following purposes-

(both dates are inclusive)

(Cfs)

(acre feet)

For Irrigation purposes from 04/15 to 10/15 amount 22.7 or 6020

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 22.7 (cfs) and/or (b) 6020 (acre feet)

8. Total consumptive use claimed is 6020 acre feet per annum.

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

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
07N	41E	26									39	13	35	39					126
07N	41E	27																5	5
07N	41E	35	39	39	40	40	39	39	40	40					40	40	33	37	466

Total number of acres irrigated 597

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

12. Do you own the property listed above as place of use? Yes No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
22-2150, 22-7204, 22-12786 or None ()

14. Remarks: This land is owned by Little Farms, who is a member of Canyon Creek Lateral Canal Company. This is an enlargement claim to enlarge the acres allowed by water right # 22-07276. These lands have been watered by said water right since its beginning on 04/21/1978.

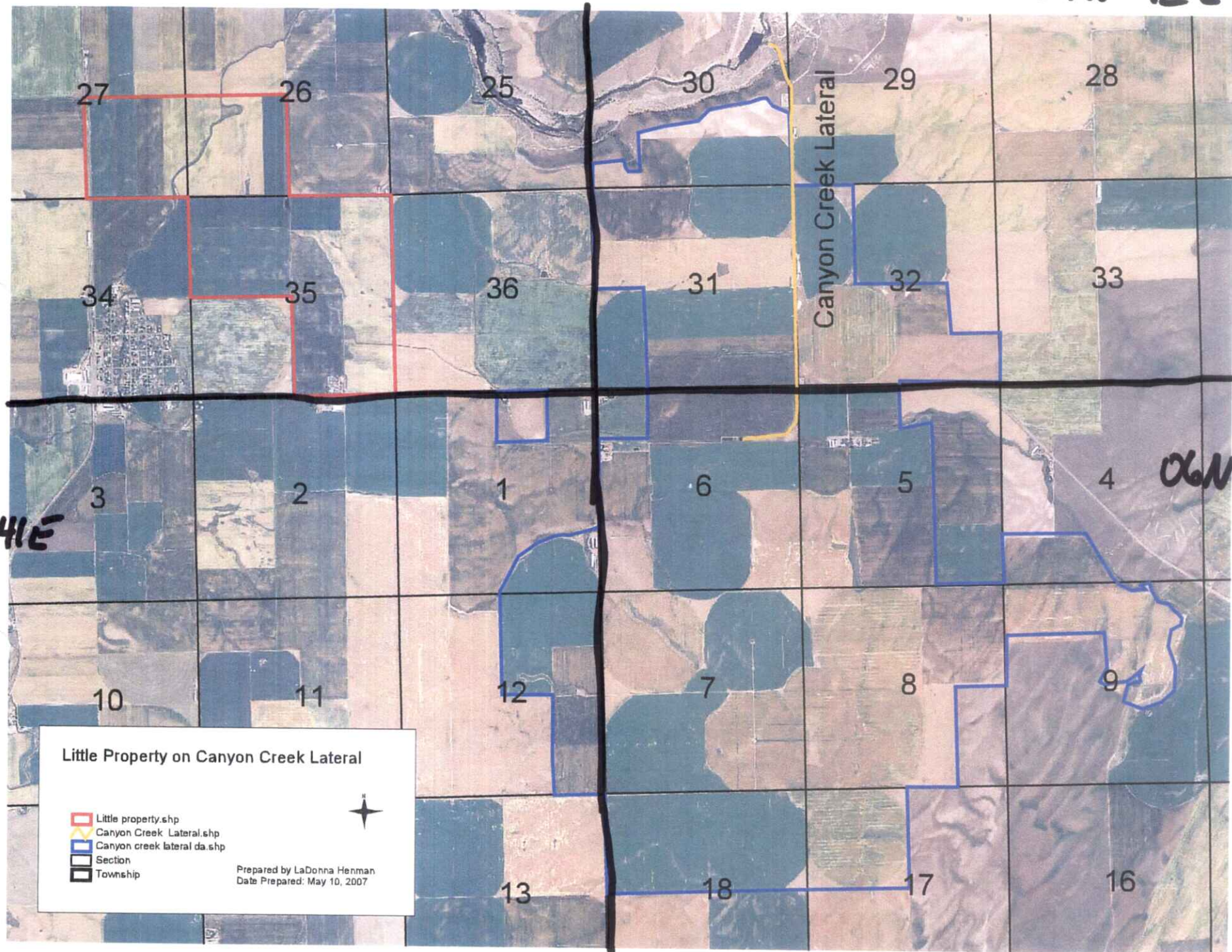
Last Name Canyon Creek Lateral Ditch Assn Ident No.

07N 41E

07N 42E

06N 41E

06N 42E



Little Property on Canyon Creek Lateral

- Little property.shp
- Canyon Creek Lateral.shp
- Canyon creek lateral da.shp
- Section
- Township

Prepared by LaDonna Henman
Date Prepared: May 10, 2007

15. Basis of Claim (check one) Beneficial Use, X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-13739, enlarged from 22-07276
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Secretary
Title
of _____ Canyon Creek Lateral Ditch Association _____, that I have signed the foregoing
Organization
document in the space below as _____ Secretary _____ of Canyon Creek Lateral Ditch Association
Title Organization
and that the statements contained in the foregoing document are true and correct.

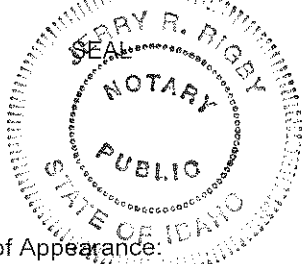
Signature of Authorized Agent _____

Title and Organization Secretary, Canyon Creek Lateral Ditch Association

Date 07/26/07

State of Idaho/or _____)
County of Madison _____) ss.

Subscribed and sworn (or affirmed) before me this _____ 26th _____ day of July _____ 20 07



Notary Public _____

Residing at Rexburg _____

My Commission Expires 11/09/11

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address P.O. Box 250, Rexburg, Idaho 83440

Date July 26, 2007

Last Name Canyon Creek Lateral Ditch Assn Ident. Number _____