

05/22/2006

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

RIGHT NUMBER: 2-80

NAME AND ADDRESS: GRAND VIEW MUTUAL CANAL CO
PO BOX 9
GRAND VIEW ID 83624

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 25.000 CFS

PRIORITY DATE: 04/01/1952

POINT OF DIVERSION:

T05S R04E S34 SWNWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 10/31	25.000 CFS

PLACE OF USE:

2914 ACRES TOTAL

Right Nos. 2-80, 2-81 and 2-7336 are limited to the irrigation of a combined total of 2,914 acres in a single irrigation season.

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.

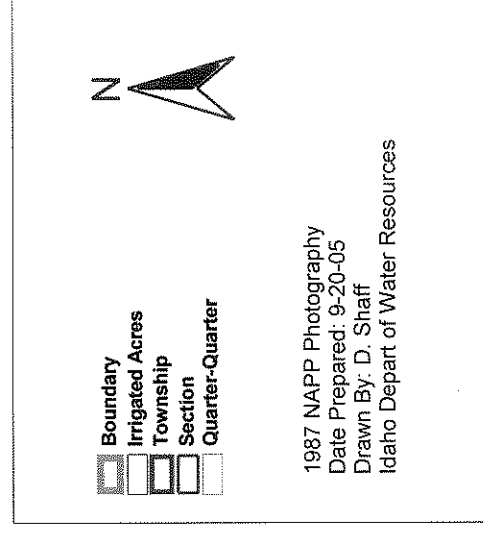
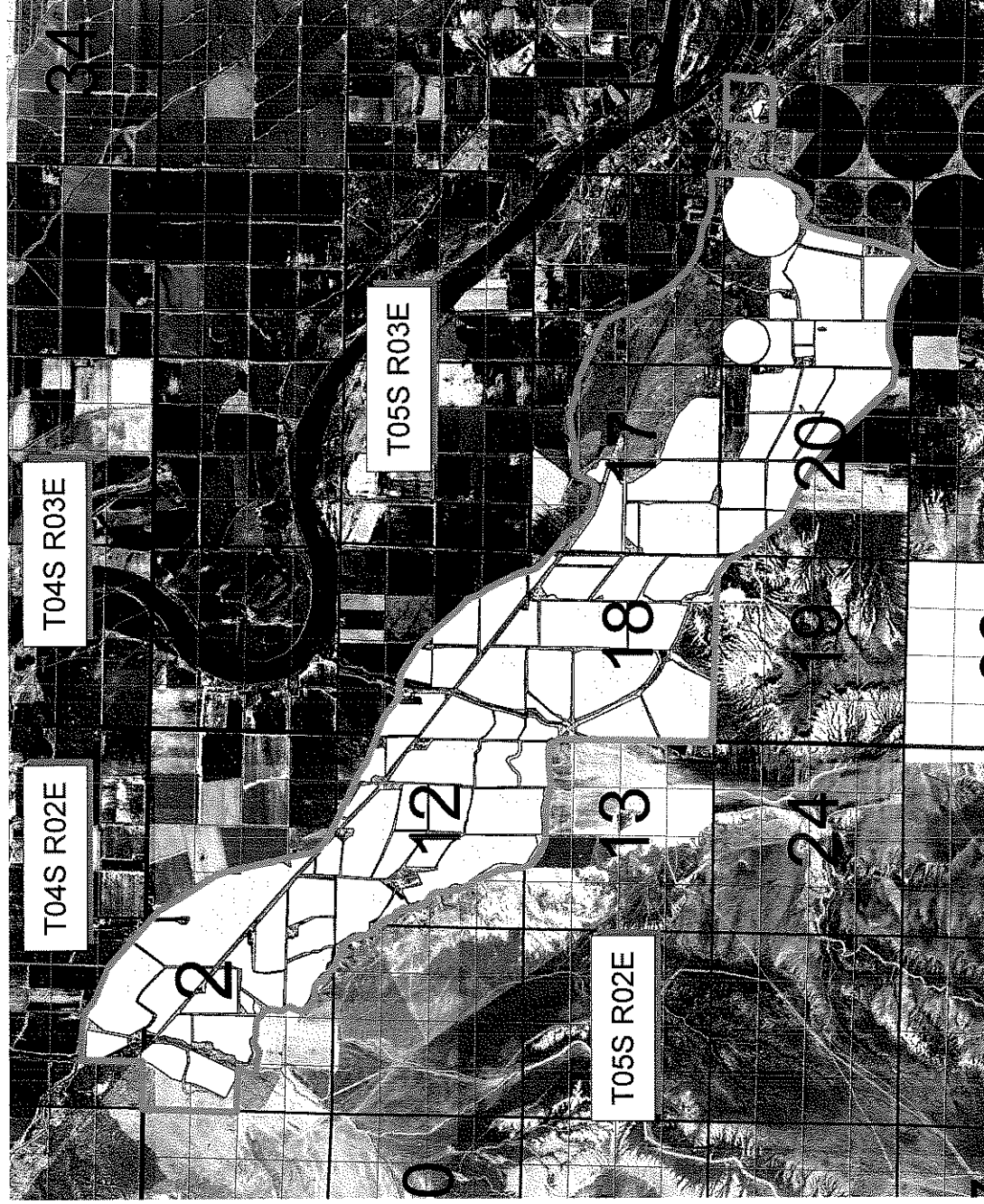
Place of use is within the area served by Grand View Mutual Canal Company.

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 - Beneficial Use

Grand View Mutual Canal Company Service Area Boundary



4 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 13, 2006

CHARLES HONSINGER
RINGERT CLARK
PO BOX 2773
BOISE IDAHO 83701

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #2-80, 2-81 and 2-7336
Your Client: Grand View Mutual Canal Company

Dear Mr. Honsinger:

You will find with this letter a copy of a map that I think is a final product between the Company's directors and IDWR. The map was used to determine the number of irrigated acres for the Company's water rights. I presume the total 2,914 counted acres is acceptable to the Company.

The enclosed revised recommendations should meet with your approval for the errors you identified in the notice submitted to IDWR for rights 2-80 and 2-81. I acknowledge the license upon which right 2-7336 is based had a longer season than the one you see enclosed. Just as the other rights are bound to the Idaho Power Agreement made by the Company in 1952, the diversion of right 2-7336 by the same diversion and conveyance system carries the same limited season that is reflected in the recommendation.

The directors of the Company represented the interests of the Company shareholders very well. I am indebted to the time, effort, and expense these gentlemen expended to get these water rights ready for the Director's Report.

Sincerely,

Donald V. Shaff, MPA
Adjudication Bureau Chief

Enclosures

C: Grand View Mutual Canal Co. with Enclosures

SCANNED

FEB 13 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: December 2, 2005

Water Right Number: 2-80

GRAND VIEW MUTUAL CANAL CO.
P.O. BOX 9
GRAND VIEW, ID 83624

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

Combined Acreage Limitation

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

Combined Acreage should be 2910

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

Water is delivered to 2910 assessed acres.

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

DATE: 12/02/05

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

SCANNED

DEC 08 2005



RECEIVED

DEC 06 2005

DEPARTMENT OF
WATER RESOURCES

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furcy
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Allyn L. Sweeney
Samuel Kaufman (1921-1986)

December 2, 2005

IDWR State Office
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

Re: Grand View Mutual Canal Company Preliminary Recommendations of Water Right
Nos. 2-80, 2-81, 2-7336

Dear Sir or Madam:

Enclosed please find Notices of Error for the above-referenced water rights that I submit on behalf of my client Grand View Mutual Canal Company. We look forward to resolving these issues with you. Please contact me for discussion.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles L. Honsinger".

Charles L. Honsinger

enclosures

cc: Clients

SCANNED

DEC 16 2005

11/16/2005

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

RIGHT NUMBER: 2-80

NAME AND ADDRESS: GRAND VIEW MUTUAL CANAL CO
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SOURCE: SNAKE RIVER

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 10/31	25.000 CFS

PLACE OF USE:

2705 ACRES TOTAL

Right Nos. 2-80 and 2-81 are limited to the irrigation of a combined total of 2,705 acres in a single irrigation season.

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 Grand View Mutual Canal 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 - Beneficial Use

9-21-05

2-80

SOURCE	TOWNSHIP	RANGE	SECTION	QQ	GOVT	TLC AREA	PERIMETER	ACRES	QQ Total
pou-grand	\ 04S	02E	35	NESW	0	6673.796	343.746	1.649	
pou-grand	\ 04S	02E	35	NESW	0	22735.205	653.764	5.618	7.267
pou-grand	\ 04S	02E	35	NWSE	0	4295.505	338.066	1.061	1.061
pou-grand	\ 04S	02E	35	SESE	0	8090.825	435.308	1.999	
pou-grand	\ 04S	02E	35	SESE	0	30172.531	744.771	7.456	9.455
pou-grand	\ 04S	02E	35	SESW	0	1821.501	204.242	0.450	
pou-grand	\ 04S	02E	35	SESW	0	41085.001	851.379	10.152	
pou-grand	\ 04S	02E	35	SESW	0	66611.297	1079.426	16.460	27.062
pou-grand	\ 04S	02E	35	SWSE	0	4629.994	330.249	1.144	
pou-grand	\ 04S	02E	35	SWSE	0	137981.028	1563.249	34.096	35.240
Total									<u>80.085</u>

Overall Total 2,705

<u>SOURCE</u>	<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SEC</u>	<u>QQ</u>	<u>GOVT L</u>	<u>AREA</u>	<u>PERIMETER</u>	<u>ACRES</u>	<u>QQ Total</u>
pou-grand\ 05S	02E	1	NESW	0	28005.239	926.315	6.920	6.920	
pou-grand\ 05S	02E	1	NWNW	4	38867.709	996.273	9.604	9.604	
pou-grand\ 05S	02E	1	NWSW	0	113976.116	1431.167	28.164		
pou-grand\ 05S	02E	1	NWSW	0	32286.830	872.399	7.978	36.142	
pou-grand\ 05S	02E	1	SENW	0	170.222	66.061	0.042	0.042	
pou-grand\ 05S	02E	1	SESW	0	18316.656	665.593	4.526		
pou-grand\ 05S	02E	1	SESW	0	7418.772	423.129	1.833		
pou-grand\ 05S	02E	1	SESW	0	40705.054	887.933	10.058	16.417	
pou-grand\ 05S	02E	1	SWNW	0	142839.442	1508.607	35.296	35.296	
pou-grand\ 05S	02E	1	SWSW	0	1819.395	205.913	0.450		
pou-grand\ 05S	02E	1	SWSW	0	10554.788	578.759	2.608		
pou-grand\ 05S	02E	1	SWSW	0	131934.160	1443.763	32.602	35.660	
pou-grand\ 05S	02E	2	NENE	1	8748.538	448.937	2.162		
pou-grand\ 05S	02E	2	NENE	1	141611.708	1499.419	34.993	37.155	
pou-grand\ 05S	02E	2	NENW	3	6584.707	344.800	1.627		
pou-grand\ 05S	02E	2	NENW	3	19978.905	678.643	4.937		
pou-grand\ 05S	02E	2	NENW	3	44964.932	954.848	11.111		
pou-grand\ 05S	02E	2	NENW	3	49335.510	953.727	12.191		
pou-grand\ 05S	02E	2	NENW	3	1775.520	235.652	0.439	30.305	
pou-grand\ 05S	02E	2	NESE	0	7121.045	408.425	1.760		
pou-grand\ 05S	02E	2	NESE	0	104597.252	1307.533	25.846		
pou-grand\ 05S	02E	2	NESE	0	23624.493	708.715	5.838		
pou-grand\ 05S	02E	2	NESE	0	190.828	111.326	0.047		
pou-grand\ 05S	02E	2	NESE	0	367.974	381.064	0.091	33.582	
pou-grand\ 05S	02E	2	NESW	0	46465.744	1045.285	11.482	11.482	
pou-grand\ 05S	02E	2	NWNE	2	17323.954	765.631	4.281		
pou-grand\ 05S	02E	2	NWNE	2	125347.253	1347.522	30.974		
pou-grand\ 05S	02E	2	NWNE	2	6924.941	401.968	1.711	36.966	
pou-grand\ 05S	02E	2	NWNW	4	34031.236	915.811	8.409		
pou-grand\ 05S	02E	2	NWNW	4	6347.680	417.050	1.569	9.978	
pou-grand\ 05S	02E	2	NWSE	0	5221.029	548.365	1.290		
pou-grand\ 05S	02E	2	NWSE	0	17045.942	579.499	4.212		
pou-grand\ 05S	02E	2	NWSE	0	91112.662	1304.693	22.514		
pou-grand\ 05S	02E	2	NWSE	0	1921.671	628.079	0.475	28.491	
pou-grand\ 05S	02E	2	SENE	0	130471.973	1457.439	32.240		
pou-grand\ 05S	02E	2	SENE	0	19481.451	682.085	4.814	37.054	
pou-grand\ 05S	02E	2	SENW	0	12097.676	591.312	2.989		
pou-grand\ 05S	02E	2	SENW	0	111085.160	1482.479	27.450	30.439	
pou-grand\ 05S	02E	2	SESE	0	48386.147	1039.587	11.956		
pou-grand\ 05S	02E	2	SESE	0	85093.203	1298.393	21.027		
pou-grand\ 05S	02E	2	SESE	0	1650.470	216.539	0.408	33.391	
pou-grand\ 05S	02E	2	SWNE	0	19116.545	667.193	4.724		
pou-grand\ 05S	02E	2	SWNE	0	116273.995	1438.265	28.732		
pou-grand\ 05S	02E	2	SWNE	0	253.250	236.681	0.063		
pou-grand\ 05S	02E	2	SWNE	0	47.822	42.498	0.012	33.531	
pou-grand\ 05S	02E	2	SWNW	0	83744.727	1164.941	20.694	20.694	
pou-grand\ 05S	02E	2	SWSE	0	71366.917	1182.345	17.635	17.635	
pou-grand\ 05S	02E	11	NENE	0	28180.732	830.298	6.964		
Graph1.sh\ 05S	02E	11	NENE	0	2025.005	182.759	0.500		
pou-grand\ 05S	02E	12	NENE	0	35784.459	895.763	8.842		
pou-grand\ 05S	02E	12	NENE	0	921.424	135.910	0.228	16.534	

pou-grand\ 05S	02E	12 NENW	0	13851.711	711.025	3.423	
pou-grand\ 05S	02E	12 NENW	0	122289.968	1372.769	30.218	
pou-grand\ 05S	02E	12 NENW	0	8549.489	485.555	2.113	35.754
pou-grand\ 05S	02E	12 NESE	0	7949.178	849.275	1.964	
pou-grand\ 05S	02E	12 NESE	0	137371.636	1521.165	33.945	
pou-grand\ 05S	02E	12 NESE	0	7162.347	605.035	1.770	37.679
pou-grand\ 05S	02E	12 NESW	0	111265.803	1391.148	27.494	
pou-grand\ 05S	02E	12 NESW	0	37376.519	937.455	9.236	
pou-grand\ 05S	02E	12 NESW	0	199.886	126.872	0.049	
pou-grand\ 05S	02E	12 NESW	0	1293.530	236.605	0.320	37.099
pou-grand\ 05S	02E	12 NWNE	0	65055.562	1181.504	16.076	
pou-grand\ 05S	02E	12 NWNE	0	162.094	120.727	0.040	
pou-grand\ 05S	02E	12 NWNE	0	31911.642	897.509	7.886	24.002
pou-grand\ 05S	02E	12 NWNW	0	146487.260	1508.725	36.198	
pou-grand\ 05S	02E	12 NWNW	0	522.894	288.855	0.129	
pou-grand\ 05S	02E	12 NWNW	0	740.019	204.025	0.183	
Graph1.sh\ 05S	02E	12 NWNW	0	3646.440	333.887	0.901	37.411
pou-grand\ 05S	02E	12 NWSE	0	123569.961	1406.975	30.535	
pou-grand\ 05S	02E	12 NWSE	0	1242.824	222.880	0.307	
pou-grand\ 05S	02E	12 NWSE	0	27257.434	893.322	6.735	
pou-grand\ 05S	02E	12 NWSE	0	443.023	84.274	0.109	37.686
pou-grand\ 05S	02E	12 NWSW	0	21800.323	861.478	5.387	5.387
pou-grand\ 05S	02E	12 SENE	0	1898.996	510.636	0.469	
pou-grand\ 05S	02E	12 SENE	0	40016.335	1002.443	9.888	
pou-grand\ 05S	02E	12 SENE	0	1242.464	570.973	0.307	
pou-grand\ 05S	02E	12 SENE	0	2342.756	262.251	0.579	
pou-grand\ 05S	02E	12 SENE	0	81224.375	1277.377	20.071	31.314
pou-grand\ 05S	02E	12 SENW	0	6849.494	452.447	1.693	
pou-grand\ 05S	02E	12 SENW	0	81111.507	1260.877	20.043	
pou-grand\ 05S	02E	12 SENW	0	6452.812	342.914	1.595	
pou-grand\ 05S	02E	12 SENW	0	36554.343	867.210	9.033	32.364
pou-grand\ 05S	02E	12 SESE	0	196.202	69.612	0.048	
pou-grand\ 05S	02E	12 SESE	0	111198.936	1488.431	27.478	
pou-grand\ 05S	02E	12 SESE	0	27549.977	931.430	6.808	
pou-grand\ 05S	02E	12 SESE	0	4959.628	649.215	1.226	
pou-grand\ 05S	02E	12 SESE	0	1264.607	173.191	0.312	35.872
pou-grand\ 05S	02E	12 SESW	0	104202.986	1420.686	25.749	
pou-grand\ 05S	02E	12 SESW	0	2393.301	815.255	0.591	26.340
pou-grand\ 05S	02E	12 SWNE	0	38607.748	912.115	9.540	
pou-grand\ 05S	02E	12 SWNE	0	95910.824	1280.118	23.700	
pou-grand\ 05S	02E	12 SWNE	0	7675.162	822.756	1.897	35.137
pou-grand\ 05S	02E	12 SWNW	0	12664.019	576.032	3.129	
pou-grand\ 05S	02E	12 SWNW	0	292.418	104.497	0.072	
pou-grand\ 05S	02E	12 SWNW	0	31480.725	796.046	7.779	
Graph1.sh\ 05S	02E	12 SWNW	0	22636.648	795.600	5.594	16.574
pou-grand\ 05S	02E	12 SWSE	0	152774.030	1562.882	37.751	
pou-grand\ 05S	02E	12 SWSE	0	4253.217	694.907	1.051	
pou-grand\ 05S	02E	12 SWSE	0	6.234	104.003	0.002	38.804
pou-grand\ 05S	02E	13 NENE	0	67096.974	1148.101	16.580	
pou-grand\ 05S	02E	13 NENE	0	3109.830	424.345	0.768	17.348
pou-grand\ 05S	02E	13 NENW	0	17605.887	622.104	4.350	
pou-grand\ 05S	02E	13 NENW	0	48.116	179.039	0.012	4.362

pou-grand\ 05S	02E	13 NESE	0	8284.257	733.761	2.047	
pou-grand\ 05S	02E	13 NESE	0	1223.687	146.530	0.302	2.349
pou-grand\ 05S	02E	13 NWNE	0	55292.546	1086.492	13.663	
pou-grand\ 05S	02E	13 NWNE	0	290.707	408.332	0.072	13.735
pou-grand\ 05S	02E	13 SENE	0	4222.463	480.180	1.043	
pou-grand\ 05S	02E	13 SESE	0	4718.698	427.997	1.166	<u>2.209</u>
					Total		988.744

<u>SOURCE</u>	<u>TOWNSHI</u>	<u>RANGE</u>	<u>SEC</u>	<u>QQ</u>	<u>GOVT</u>	<u>AREA</u>	<u>PERIMETE</u>	<u>ACRES</u>	<u>QQ Total</u>
pou-grand\ 05S	03E	7	NESE	0	259.113	66.428	0.064	0.064	
pou-grand\ 05S	03E	7	NESW	0	100802.924	1290.264	24.909		
pou-grand\ 05S	03E	7	NESW	0	30423.297	822.492	7.518		
pou-grand\ 05S	03E	7	NESW	0	2581.195	764.440	0.638		
pou-grand\ 05S	03E	7	NESW	0	554.869	124.961	0.137	33.202	
pou-grand\ 05S	03E	7	NWNW	1	2773.376	300.863	0.685	0.685	
pou-grand\ 05S	03E	7	NWSE	0	95618.215	1348.799	23.628		
pou-grand\ 05S	03E	7	NWSE	0	5604.765	836.609	1.385	25.013	
pou-grand\ 05S	03E	7	NWSW	3	13978.597	548.325	3.454		
pou-grand\ 05S	03E	7	NWSW	3	114611.691	1335.199	28.321		
pou-grand\ 05S	03E	7	NWSW	3	5547.424	403.231	1.371	33.146	
pou-grand\ 05S	03E	7	SENW	0	51427.804	935.612	12.708		
pou-grand\ 05S	03E	7	SENW	0	2645.153	682.617	0.654		
pou-grand\ 05S	03E	7	SENW	0	109.833	42.019	0.027	13.389	
pou-grand\ 05S	03E	7	SESE	0	45381.313	1003.070	11.214		
pou-grand\ 05S	03E	7	SESE	0	1813.527	332.888	0.448	11.662	
pou-grand\ 05S	03E	7	SESW	0	81.688	44.859	0.020		
pou-grand\ 05S	03E	7	SESW	0	141359.413	1483.783	34.931		
pou-grand\ 05S	03E	7	SESW	0	3960.402	721.805	0.979		
pou-grand\ 05S	03E	7	SESW	0	1656.945	187.854	0.409	36.339	
pou-grand\ 05S	03E	7	SWNE	0	928.887	182.259	0.230	0.230	
pou-grand\ 05S	03E	7	SWNW	2	103894.710	1503.712	25.673		
pou-grand\ 05S	03E	7	SWNW	2	6542.471	396.268	1.617	27.290	
pou-grand\ 05S	03E	7	SWSE	0	60996.633	1221.358	15.073		
pou-grand\ 05S	03E	7	SWSE	0	79747.356	1293.798	19.706	34.779	
pou-grand\ 05S	03E	7	SWSW	4	24716.609	673.612	6.108		
pou-grand\ 05S	03E	7	SWSW	4	53771.656	1003.441	13.287		
pou-grand\ 05S	03E	7	SWSW	4	5299.606	457.623	1.310		
pou-grand\ 05S	03E	7	SWSW	4	1802.024	280.861	0.445		
pou-grand\ 05S	03E	7	SWSW	4	43564.283	976.008	10.765	31.915	
pou-grand\ 05S	03E	16	SESE	0	4414.870	479.591	1.091	1.091	
pou-grand\ 05S	03E	16	SWSE	0	102.812	58.708	0.025	0.025	
pou-grand\ 05S	03E	16	SWSW	0	168.738	153.231	0.042	0.042	
pou-grand\ 05S	03E	17	NESW	0	2872.699	265.153	0.710		
pou-grand\ 05S	03E	17	NESW	0	8559.564	636.315	2.115		
pou-grand\ 05S	03E	17	NESW	0	102507.629	1350.034	25.330	28.155	
pou-grand\ 05S	03E	17	NWNW	0	4235.374	316.783	1.047	1.047	
pou-grand\ 05S	03E	17	NWSE	0	19721.629	767.275	4.873	4.873	
pou-grand\ 05S	03E	17	NWSW	0	33118.868	869.228	8.184		
pou-grand\ 05S	03E	17	NWSW	0	111107.926	1347.564	27.455	35.639	
pou-grand\ 05S	03E	17	SENW	0	46887.080	1023.419	11.586		
pou-grand\ 05S	03E	17	SENW	0	20913.919	641.039	5.168	16.754	
pou-grand\ 05S	03E	17	SESE	0	36514.762	874.919	9.023	9.023	
pou-grand\ 05S	03E	17	SESW	0	14573.642	828.282	3.601		
pou-grand\ 05S	03E	17	SESW	0	126506.281	1403.711	31.260		
pou-grand\ 05S	03E	17	SESW	0	183.561	239.087	0.045	34.906	
pou-grand\ 05S	03E	17	SWNW	0	120006.544	1405.152	29.654		
pou-grand\ 05S	03E	17	SWNW	0	156.387	315.838	0.039	29.693	
pou-grand\ 05S	03E	17	SWSE	0	151429.754	1532.485	37.419	37.419	
pou-grand\ 05S	03E	17	SWSW	0	153310.810	1566.551	37.884		
pou-grand\ 05S	03E	17	SWSW	0	2766.689	766.575	0.684		

pou-grand\ 05S	03E	17 SWSW	0	0.985	4.834	0.000	38.568
pou-grand\ 05S	03E	18 NENE	0	20356.077	810.473	5.030	
pou-grand\ 05S	03E	18 NENE	0	70982.379	1062.228	17.540	
pou-grand\ 05S	03E	18 NENE	0	11847.020	483.840	2.927	25.497
pou-grand\ 05S	03E	18 NENW	0	137234.844	1462.066	33.911	
pou-grand\ 05S	03E	18 NENW	0	5133.749	734.864	1.269	35.180
pou-grand\ 05S	03E	18 NESE	0	83079.515	1308.993	20.529	
pou-grand\ 05S	03E	18 NESE	0	59488.103	1054.967	14.700	35.229
pou-grand\ 05S	03E	18 NESW	0	84538.520	1187.568	20.890	
pou-grand\ 05S	03E	18 NESW	0	36048.270	928.462	8.908	
pou-grand\ 05S	03E	18 NESW	0	4436.118	732.648	1.096	
pou-grand\ 05S	03E	18 NESW	0	183.229	82.475	0.045	30.939
pou-grand\ 05S	03E	18 NWNW	0	121810.821	1403.385	30.100	
pou-grand\ 05S	03E	18 NWNW	0	27170.804	903.551	6.714	36.814
pou-grand\ 05S	03E	18 NWNW	1	35395.107	813.597	8.746	
pou-grand\ 05S	03E	18 NWNW	1	22804.922	853.739	5.635	
pou-grand\ 05S	03E	18 NWNW	1	44046.952	962.718	10.884	
pou-grand\ 05S	03E	18 NWNW	1	1856.990	444.873	0.459	25.724
pou-grand\ 05S	03E	18 NWSE	0	138654.672	1492.219	34.262	
pou-grand\ 05S	03E	18 NWSE	0	12139.885	840.013	3.000	37.262
pou-grand\ 05S	03E	18 NWSW	3	597.687	124.401	0.148	
pou-grand\ 05S	03E	18 NWSW	3	86215.835	1228.777	21.304	
pou-grand\ 05S	03E	18 NWSW	3	53467.584	1081.425	13.212	34.664
pou-grand\ 05S	03E	18 SENE	0	53328.386	1014.384	13.178	
pou-grand\ 05S	03E	18 SENE	0	27740.413	860.166	6.855	
pou-grand\ 05S	03E	18 SENE	0	53780.385	1194.696	13.289	33.322
pou-grand\ 05S	03E	18 SENW	0	150933.793	1538.080	37.296	
pou-grand\ 05S	03E	18 SENW	0	290.681	265.657	0.072	37.368
pou-grand\ 05S	03E	18 SESE	0	118410.829	1421.244	29.260	29.260
pou-grand\ 05S	03E	18 SESW	0	82663.889	1235.991	20.427	20.427
pou-grand\ 05S	03E	18 SWNE	0	155842.337	1579.846	38.509	
pou-grand\ 05S	03E	18 SWNE	0	149.309	288.914	0.037	38.546
pou-grand\ 05S	03E	18 SWNW	2	50506.055	1084.006	12.480	
pou-grand\ 05S	03E	18 SWNW	2	73048.960	1171.365	18.051	30.531
pou-grand\ 05S	03E	18 SWSE	0	32127.924	928.091	7.939	7.939
pou-grand\ 05S	03E	18 SWSW	4	140237.715	1487.381	34.653	34.653
pou-grand\ 05S	03E	19 NENE	0	2828.802	257.159	0.699	
pou-grand\ 05S	03E	20 NENE	0	55.375	142.522	0.014	
pou-grand\ 05S	03E	20 NENE	0	53082.108	988.931	13.117	13.830
pou-grand\ 05S	03E	20 NENW	0	151044.669	1558.816	37.324	
pou-grand\ 05S	03E	20 NENW	0	3518.034	826.026	0.869	38.193
pou-grand\ 05S	03E	20 NESE	0	924.686	139.296	0.228	
pou-grand\ 05S	03E	20 NESE	0	122519.860	1486.098	30.275	
pou-grand\ 05S	03E	20 NESE	0	33627.269	899.826	8.309	38.812
pou-grand\ 05S	03E	20 NESW	0	4.377	10.533	0.001	0.001
pou-grand\ 05S	03E	20 NWNW	0	74501.403	1193.916	18.410	
pou-grand\ 05S	03E	20 NWNW	0	10.099	17.299	0.002	
pou-grand\ 05S	03E	20 NWNW	0	0.126	2.855	0.000	18.412
pou-grand\ 05S	03E	20 NWNW	0	122868.622	1414.977	30.361	
pou-grand\ 05S	03E	20 NWNW	0	405.305	346.097	0.100	
pou-grand\ 05S	03E	20 NWNW	0	27.322	208.003	0.007	
pou-grand\ 05S	03E	20 NWNW	0	32.578	38.420	0.008	30.476

pou-grand\ 05S	03E	20 NWSE	0	1424.441	188.643	0.352	
pou-grand\ 05S	03E	20 NWSE	0	65486.389	1199.332	16.182	
05S	03E	20 NWSE	0	4.919	9.415	0.001	16.535
pou-grand\ 05S	03E	20 SENE	0	611.722	356.021	0.151	
pou-grand\ 05S	03E	20 SENE	0	2861.152	444.129	0.707	
pou-grand\ 05S	03E	20 SENE	0	80736.674	1197.388	19.950	
pou-grand\ 05S	03E	20 SENE	0	59062.074	1203.157	14.594	35.402
05S	03E	20 SENW	0	116184.323	1453.673	28.710	28.710
pou-grand\ 05S	03E	20 SESE	0	53791.337	1023.739	13.292	13.292
pou-grand\ 05S	03E	20 SWNE	0	30402.100	902.932	7.512	
pou-grand\ 05S	03E	20 SWNE	0	88493.012	1288.140	21.867	
pou-grand\ 05S	03E	20 SWNE	0	24653.348	769.445	6.092	
05S	03E	20 SWNE	0	623.447	814.419	0.154	35.625
pou-grand\ 05S	03E	20 SWNW	0	19416.741	606.038	4.798	
05S	03E	20 SWNW	0	1116.516	371.249	0.276	5.074
pou-grand\ 05S	03E	21 NENE	0	155365.617	1559.648	38.392	38.392
pou-grand\ 05S	03E	21 NENW	0	1.978	17.195	0.000	
pou-grand\ 05S	03E	21 NENW	0	2676.577	453.205	0.661	
05S	03E	21 NENW	0	2126.661	355.319	0.526	1.187
pou-grand\ 05S	03E	21 NESW	0	147165.147	1538.835	36.365	
05S	03E	21 NESW	0	6385.807	812.994	1.578	37.943
pou-grand\ 05S	03E	21 NWNE	0	90672.872	1235.098	22.406	
05S	03E	21 NWNE	0	1094.945	269.534	0.271	22.677
pou-grand\ 05S	03E	21 NWNW	0	12915.162	930.716	3.191	
pou-grand\ 05S	03E	21 NWNW	0	125198.930	1261.414	30.937	34.128
pou-grand\ 05S	03E	21 NWSE	0	56738.083	1043.632	14.020	
pou-grand\ 05S	03E	21 NWSE	0	46191.892	1016.123	11.414	
05S	03E	21 NWSE	0	2810.720	334.745	0.695	26.129
pou-grand\ 05S	03E	21 NWSW	0	7.071	49.998	0.002	
pou-grand\ 05S	03E	21 NWSW	0	281.872	253.509	0.070	
pou-grand\ 05S	03E	21 NWSW	0	154663.706	1761.646	38.218	38.290
pou-grand\ 05S	03E	21 SENE	0	70842.263	1150.754	17.505	17.505
pou-grand\ 05S	03E	21 SENW	0	44395.099	858.532	10.970	
pou-grand\ 05S	03E	21 SENW	0	75180.112	1278.841	18.577	
05S	03E	21 SENW	0	23516.654	636.430	5.811	35.358
pou-grand\ 05S	03E	21 SESW	0	154.484	260.972	0.038	
05S	03E	21 SESW	0	98935.462	1362.921	24.447	24.485
pou-grand\ 05S	03E	21 SWNE	0	49430.570	915.956	12.215	
pou-grand\ 05S	03E	21 SWNE	0	20186.024	575.874	4.988	
pou-grand\ 05S	03E	21 SWNE	0	51207.904	927.044	12.654	
05S	03E	21 SWNE	0	24991.971	771.895	6.176	36.033
pou-grand\ 05S	03E	21 SWNW	0	6813.111	796.142	1.684	
pou-grand\ 05S	03E	21 SWNW	0	34906.713	749.298	8.626	
pou-grand\ 05S	03E	21 SWNW	0	72699.034	1158.064	17.964	
05S	03E	21 SWNW	0	15293.286	511.120	3.779	32.053
05S	03E	21 SWSE	0	60491.079	1058.494	14.948	14.948
pou-grand\ 05S	03E	21 SWSW	0	775.772	477.112	0.192	
pou-grand\ 05S	03E	21 SWSW	0	78995.045	1209.033	19.520	19.712
pou-grand\ 05S	03E	22 NENW	0	14737.581	760.735	3.642	3.642
pou-grand\ 05S	03E	22 NWNW	0	2009.745	604.181	0.497	0.497
Total							1635.645

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: A02-00080
Date Received: ~~11/02/1988~~
Receipt No: Coag406
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 10 1989

1. Name: GRANDVIEW MUTUAL CANAL CO.
Address: P.O. BOX 9
GRAND VIEW, ID 83624

Department of Water Resources

2. Date of Priority: APR 01, 1952

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	04E	34	SW	NW	SW	10	OWYHEE

5. Description of diverting works:
C. J. STRIKE DAM AND/OR PUMP & CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/31	25.000		

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

8. Total consumptive use is 11147.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER ON COMPANY LANDS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	02E	35	NE	SW		IRR	10.0
			SE	SW		IRR	30.0
			NW	SE		IRR	1.0

A02-00080

Page 1

Date: 06/29/89

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AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	02E	35	SW	SE		IRR	40.0
			SE	SE		IRR	10.0
			Section Acres				91.0
05S	02E	1	NW	NW	4	IRR	13.0
			SW	NW		IRR	35.0
			NE	SW		IRR	8.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	20.0
			Section Acres				156.0
		2	NE	NE	1	IRR	40.0
			NW	NE	2	IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW	3	IRR	40.0
			NW	NW	4	IRR	10.0
			SW	NW		IRR	20.0
			SE	NW		IRR	40.0
			NE	SW		IRR	15.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
			SE	SE		IRR	40.0
			Section Acres				425.0
		11	NE	NE		IRR	10.0
			Section Acres				10.0
		12	NE	NE		IRR	10.0
			NW	NE		IRR	30.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	20.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	5.0
			SE	SW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	02E	12	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 495.0					
		13	NE		NE		IRR	20.0
			NW		NE		IRR	15.0
			NE		NW		IRR	5.0
			Section Acres 40.0					
	03E	7	NW		NW	1	IRR	1.0
			SW		NW	2	IRR	35.0
			SE		NW		IRR	15.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	37.0
			SW		SW	4	IRR	37.0
			SE		SW		IRR	40.0
			NW		SE		IRR	30.0
			SW		SE		IRR	40.0
			SE		SE		IRR	20.0
			Section Acres 295.0					
		17	NW		NW		IRR	5.0
			SW		NW		IRR	40.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	10.0
			SW		SE		IRR	40.0
			SE		SE		IRR	10.0
			Section Acres 285.0					
		18	NE		NE		IRR	29.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
05S	03E	18	SW		NW	2	IRR	40.0		
			SE		NW		IRR	40.0		
			NE		SW		IRR	38.0		
			NW		SW	3	IRR	38.0		
			SW		SW	4	IRR	37.0		
			SE		SW		IRR	13.0		
			NE		SE		IRR	40.0		
			NW		SE		IRR	40.0		
			SW		SE		IRR	10.0		
			SE		SE		IRR	36.0		
			Section Acres							541.0
			19	NE	NE		IRR	1.0		
				Section Acres 1.0						
20	NE	NE		IRR	40.0					
	NW	NE		IRR	40.0					
	SW	NE		IRR	40.0					
	SE	NE		IRR	40.0					
	NE	NW		IRR	40.0					
	NW	NW		IRR	40.0					
	SW	NW		IRR	6.0					
	SE	NW		IRR	30.0					
	NE	SE		IRR	40.0					
	NW	SE		IRR	16.0					
	SE	SE		IRR	15.0					
	Section Acres							347.0		
	21	NE	NE		IRR	40.0				
NW		NE		IRR	40.0					
SW		NE		IRR	40.0					
SE		NE		IRR	33.0					
NE		NW		IRR	40.0					
NW		NW		IRR	40.0					
SW		NW		IRR	40.0					
SE		NW		IRR	40.0					
NE		SW		IRR	40.0					
NW		SW		IRR	40.0					
SW		SW		IRR	21.0					
SE		SW		IRR	30.0					
NW		SE		IRR	34.0					
SW	SE		IRR	20.0						
Section Acres							498.0			

10. Place of Use: Continued

Total Acres 3184.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
02-0081.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 21295

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: 6

For Organizations:

I do solemnly swear or affirm that I am President of
Grand View Mutual Canal Co., that I have signed the foregoing
Organization
document in the space below as President of
Grand View Mutual Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Larry E. Dean
Signature of Authorized Agent

President, Grand View Mutual
Title and Organization

August 9, 1989
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of Aug 19 89

Linda R. Smusak
Notary Public

Seal

Residing at Mt Home, Id
My Commission Expires 4-18-94

TO: 02-0080, 02-0081

FROM: D. SHAFF

DATE: 03/22/84

SUBJ: ACREAGE & AMT. CHANGES

The changes are a result of meeting with the officers of the claimant at the company's office in Grand View on the afternoon of 3/21/84.

The findings were acceptable except for 100 shares of Class B stock for the SW 1/4 of Section 18, T 5S, R 3E. The land above the canal covered by this stock was overlooked by the company officers when they were assisted by the staff in completing the claims in 1981.

Class B stock ^{bearing} ~~with~~ the same privileges as Class A allows the holder to pump water above the canal. The aerial photos indicate this land was irrigated prior to the formation of the Upper Grand View Canal Company whose members pump carried water from the Mutual canal.

The land list should be amended to include this land (100 acres) in the recommended water rights of the Company. The second water right (02-0080) is adjusted for the resulting amount of water. The company has made diversions in excess of the new combination of the rights (674 cfs).

MICROFILMED

AUG 10 1994

J

BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: beehof@micron.net

September 20, 1999

Jan Shurte

Idaho Department of Water Resources

Western Region

2735 Airport Way

Boise, Idaho 83705

RECEIVED

SEP 21 1999

WATER RESOURCES
WESTERN REGION

Re: Grand View Mutual Canal Company
SRBA Claims 02-00080 and 02-00081

Dear Jan:

Thank you for making it possible for me to review the investigative files for the Snake River Basin Adjudication (SRBA) claims (A02-00080 and A02-00081) filed by the Grand View Mutual Canal Company. I reviewed the information with Frances Field and with her son Howard Field to confirm that the acres for the Fields' Home Place were included in both the claims by the Grand View Mutual Canal Company and the subsequent investigation by the Idaho Department of Water Resources (IDWR). There is a small portion in the SENE of Section 1, T05S, R02E, at the Home Place which is not listed in the place of use. Howard Field will work with the Grand View Mutual Canal Company office regarding this acreage.

The IDWR investigative files for these two SRBA claims leave open the question of how the 1947 and 1952 claimed priority dates will be assigned to lands within the service area of the Grand View Mutual Canal Company. Since both claims are based on beneficial use, the Fields are interested in knowing how lands will be identified as being irrigated in 1947 and which lands will be identified for the 1952 priority date.

Please let us know when IDWR begins its review of the Grand View Mutual Canal Company claims and the issue of the priority dates within the irrigated lands under the canal system.

Sincerely,

BEEMAN & HOFSTETTER, P.C.

Jo Beeman

Josephine P. Beeman

JPB:ja

cc: Frances Field

Charlie Honsinger

D:\2114\3147



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 10, 1989

Mrs. Kay Garsja, Secretary
Grand View Mutual Canal Company
Grand View Irrigation District
P. O. Box 9
Grand View, Idaho 83624

Re: Snake River Basin Adjudication SRBA
Claim #A02-00029/#A02-00203/#A02-02034/#A02-00081/
#A51-02250E/#A51-02250F/#A02-00080/#A02-07336
Owyhee County

G.M.

G.M.

G.M.

Dear Kay,

Please find enclosed the adjudication claims requested by the respective board of directors. After reviewing the claims for each company, the signing officer must complete Item #16 on the last page of each claim. The form cited in Item #16(a) is enclosed.

When the claims have been signed and notarized they should be returned to this office at my attention with the appropriate fees. For the District the fees are calculated at \$50.00 per water right, plus \$1.00 for each irrigated acre claimed or \$200.00 plus \$6,863.00 for a total of \$7,113.00. A credit of \$1,252.00 paid with the 1981 action is applied for a current balance due of \$5,861.00. For the Mutual, the fees are calculated in the same manner for \$150.00, plus \$3,226.00 for a total of \$3,376.00. When the credit of \$965.00 is applied from the 1981 fees the current balance due is \$2,411.00.

If the directors have any questions or concerns about these claims, please feel free to contact me.

Yours Truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:mcc:state

Enclosures:

Claims (8) Referenced Above

MICROFILMED

AUG 17 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

A02-00080+81
A02-07336
Permanent file

RECEIVED
FEB 22 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Department of Water Resources
Western Regional Office

January 23, 1989

2-12-91
D. Smith

Corres

Mr. William F. Ringert
Ringert, Clark, Harrington, Reid,
Christenson & Kaufman
P. O. Box 2773
Boise, ID 83701

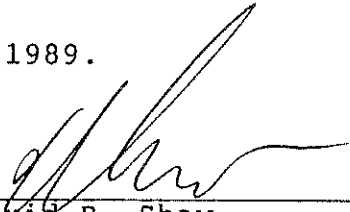
RE: Upper Grandview Canal Co.
Snake River Basin Adjudication
Twin Falls County Case No. 39576

Dear Bill:

This letter is an extension of time for Upper Grandview Canal Company to file their claims to water rights in the above case for diversions directly from the Snake River. The extension is valid until sixty (60) days following the date on which a district court decision is final on the motion to dismiss what was originally Ada County Case No. 73804 or January 1, 1990, whichever is earlier.

This extension is granted under the authority of §42-1409 (10), Idaho Code.

Signed this 23rd day of January, 1989.



David B. Shaw
Adjudication Bureau Chief

DBS:db

MICROFILMED
AUG 07 1992

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
MICHAEL J. GAFFNEY
LAURA E. BURRI
LEA C. ADAMS

SAMUEL KAUFMAN (1921-1986)

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701

TELEPHONE (208) 342-4591
FAX (208) 342-4657

January 17, 1989



Department of Water Resources

Mr. David B. Shaw
Adjudication Bureau Chief
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720

Re: Snake River Basin Adjudication
Twin Falls County Case No. 39576
Upper Grandview Canal Company

Dear Dave:

As I mentioned to you in our telephone conversation last Friday, Upper Grandview Canal Company is in dire need of an extension of time for filing its Notice of Claim to a Water Right in the Snake River Basin Adjudication, Twin Falls County Case No. 39576.

To furnish a brief background of the situation, I believe Upper Grandview Canal Company filed its own claim in the Snake River 02 Adjudication. I do not recall that I represented Upper Grandview Canal Company in any capacity at that time. I have been retained by the company for the past several years.

As you are perhaps aware, Upper Grandview Canal Company shares an office with Grandview Mutual Canal Company, Grandview Irrigation District and Snake River Irrigation District. I represent the latter three entities, also, on essentially the same retainer basis as I represent Upper Grandview.

I think the Board of Directors of Upper Grandview was under the impression that the Objections to dismissal of the Snake River 02 case I filed on behalf of Grandview Mutual and Grandview Irrigation District applied to Upper Grandview, also, and that Upper Grandview was covered by the request for an extension that I submitted earlier on behalf of Grandview Mutual and Grandview Irrigation District.

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AUG 07 1992

Mr. David B. Shaw
January 17, 1989
Page Two

I assume that Upper Grandview will want to join in the Objections filed previously in the Snake River 02 case by Grandview Mutual and Grandview Irrigation, which would put Upper Grandview in the same status as those two entities. For that reason, and because the Board seems to have been laboring under a misapprehension, and for the further reason that the stockholders of Upper Grandview reportedly have had very difficult financial times during the last three or four years, I certainly would appreciate it if you could grant to Upper Grandview Canal Company the same extension that was previously granted to Grandview Mutual and Grandview Irrigation District.

Please call me if you need any additional information in connection with this request, and thank you in advance for your consideration of this matter.

Yours very truly,



W. F. Ringert

WFR:am

cc: Upper Grandview Canal Company

MICROFILMED

AUG 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 6, 1988

Mr. William F. Ringert
Ringert, Clark, Harrington, Reid,
Christenson & Kaufman
P. O. Box 2773
Boise, ID 83701

RE: Snake River Basin Adjudication
Twin Falls County Case No. 39576

Dear Bill:

This letter is an extension of time for Grandview Irrigation District and Grandview Mutual Canal Company to file their claims to water rights in the above case for diversions directly from the Snake River. The extension is valid until sixty (60) days following the date on which a district court decision is final on the motion to dismiss what was originally Ada County Case No. 73804 or January 1, 1990, whichever is earlier.

Filed 6/15/89

This extension is granted under the authority of §42-1409 (10), Idaho Code.

Signed this 6th day of January, 1989.

David B. Shaw, Bureau Chief

DBS:db

MICROFILMED

AUG 07 1992

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
Snake River from base of Milner
Dam to Oregon DRAINAGE BASIN.
Border.

NOTICE OF CLAIM TO A WATER RIGHT

02-00ED
 Map No. 20330
 \$ 10.00
 Fee Paid
 Receipt No. 20313

Notice is hereby given that GRANDVIEW MUTUAL CANAL COMPANY
(Name of Claimant)

P. O. Box 9, Grand View, Idaho 83624 Telephone No. 834-2350
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right)
April 1, 1952

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
 Quantity 25 cfs ~~100~~ Use irrigation Period of Use From March 15 To Nov. 15/03
(CFS, GPD, AFD) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
1787 1562
(Both dates inclusive)

Quantity	Use	Period of Use From	To
(CFS, GPD, AF)	(Domestic, Irrigation, stock, etc.)	(Mo., Day)	(Mo., Day)
(Both dates inclusive)			

Quantity	Use	Period of Use From	To
(CFS, GPD, AF)	(Domestic, irrigation, stock, etc.)	(Mo., Day)	(Mo., Day)
		(Both dates inclusive)	

Quantity 10 Use Domestic, irrigation, stock, etc. Period of Use From 10/18 To 10/18
(CFS, GPD, AF) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 25.0 CFS 1787 1560 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF) 1787

(5) A) Point of Diversion: Give location of point where water is diverted from its source. Lot 10 NW ¼ SW ¼
Sec. 34 Twp. 5S Rge. 4E B.M. 13 Owyhee County

Additional Points: ~~Lot 7 (SE 1/4), S. 15, T. 5S, R. 3E~~ sc1: 2720(1) 492.1

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			<i>see next page (inter) land list again</i> (SEE LAND LIST ATTACHMENT)																

Total no. of acres ~~3,085~~

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 2784 2793
280

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: GRANDVIEW MUTUAL CANAL COMPANY

(18) Remarks (P/O: SEE 02-0081.) - OTHER RJS FOR SAME USE - 02-0081

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. Permits No. 21295 and No. 22595

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

October 27, 1981
(Date)

(Signature of Claimant) NOV 5 1981

State of IDAHO Organization _____
County of ADA SS. _____
Seal _____

Organization GRANDVIEW CANAL COMPANY (Signature of Authorized Agent)
H. Ringert (Signature of Authorized Agent)
 (Signature of Department of Water Resources)
 (Signature of Regional Office)

On this 30th day of October, in the year 1981 before me
a notary public, personally appeared W. F. Ringert

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires lifetime

Notary Public residing at Boise, Idaho

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

_____ DRAINAGE BASIN.

I.D. No.	Map No.
\$	Fee Paid
	Receipt No.

Notice is hereby given that _____

(Name of Claimant)

Telephone No. _____

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) _____
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____
tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | |
|----------------|-------------------------------------|--------------------------|------------|
| Quantity _____ | Use _____ | Period of Use From _____ | To _____ |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
-
- | | | | |
|----------------|-------------------------------------|--------------------------|------------|
| Quantity _____ | Use _____ | Period of Use From _____ | To _____ |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
-
- | | | | |
|----------------|-------------------------------------|--------------------------|------------|
| Quantity _____ | Use _____ | Period of Use From _____ | To _____ |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
-
- | | | | |
|----------------|-------------------------------------|--------------------------|------------|
| Quantity _____ | Use _____ | Period of Use From _____ | To _____ |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |
- (4) _____ TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source _____
Sec. _____, Twp. _____, Rge. _____, B.M., _____ County _____
Additional Points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks _____
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case, _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

Organization

Department of Water Resources
(Signature of Spouse)
Western Regional Office

State of _____ Organization _____

County of _____ ss. _____ Seal _____

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____ before me

a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

12-000

GRAND VIEW MUTUAL CANAL CO.

[illegible]

ENCLOSURE

AUG 10 1994

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by CS

Date 3/31/82; 4/22/84

Right No. 02-0080

Claimant GRANDVIEW MUTUAL

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☐ License

☐ Previous Statutory Claim.

☒ Permits, valid or lapsed. Number(s) if different than above 02-2074 02-2095 02-2062
21295, 22595, 20071

☒ Decree. Name & date G.V.I.D. vs BRUDEAU BUCKAROO (51-A)

☒ Conveyance Loss Calculations. See ~~printout~~ included. IDAHO POWER AGREEMENTS FILE.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

MICROFILMED
AUG 10 1994

50 441
50

02-0080 Grand View Mutual 9/19/85
55 2E 12 NENE Latch 10 acres, not
assessed. ^{additionally} JKN 9/85 talk with
Kaj Sargja & Land Noble, ditch rider.

55 2E 1 Water for this land only bought recently.
~~except 5 acres N of highway~~
12- 02-7336
5- 02-0080 #81
15-6VID
32

55 3E 21 NWNW
155 shares V. Simper
465 shares H. Simper

MICROFILMED

AUG 10 1994

TO: 02-0080, 02-0081

FROM: D. SHAFF

DATE: 03/22/84

SUBJ: ACREAGE & AMT. CHANGES

The changes are a result of meeting with the officers of the claimant at the company's office in Grand View on the afternoon of 3/21/84.

The findings were acceptable except for 100 shares of Class B stock for the SW 1/4 of Section 18, T 5S, R 3E. The land above the canal covered by this stock was overlooked by the company officers when they were assisted by the staff in completing the claims in 1981.

Class B stock ^{bearing} ~~with~~ the same privileges as Class A allows the holder to pump water above the canal. The aerial photos indicate this land was irrigated prior to the formation of the Upper Grand View Canal Company whose members pump carried water from the Mutual canal.

The land list should be amended to include this land (100 acres) in the recommended water rights of the Company. The second water right (02-0080) is adjusted for the resulting amount of water. The company has made diversions in excess of the new combination of the rights (67.4 cfs).

MICROFILMED

AUG 10 1994

M E M O

TO: Files 02-0080, 02-0081, (Grand View Mutual Canal Co. files)

FROM: D. Shaff *DS*

DATE: 4/14/82

SUBJECT:

In light of the 4/14/82 memo to the Idaho Power Canal Agreements file the canal loss has been reduced to 21%. This reduces the amount of water for the second right. The total diversion under both rights is then 2,693 miners inches plus 21% canal loss.

MICROFILMED

AUG 10 1994

M E M O

TO: Grand View Mutual's 02-0080, 02-0081

FROM: D. Shaff *DS*

DATE: 3/31/82

SUBJECT: *REVIEW*

Nothing was found by the investigation of these water rights that would substantiate ^{ly} ~~the~~ *deviate* from those that were claimed. The priority dates seemed legitimate in light of the lapsed permit and the Bruneau River decree both of which were reviewed. The season of use is limited by the 1952 Power Co. agreement.

The amount of water for each of the rights was limited by the extent of beneficial use, number of irrigated acres. The Company claimed over 3,000 acres but this number included every acre of ground between the canal and the Grand View Irrigation District Canal. No reductions were taken for roads or waste areas by the claimant. This fact is known because the adjudication staff assisted the claimants in filing and calculating the number of "irrigated" acres. The diversion rate corresponds to the duty of water for this number of acres plus the conveyance loss in the canal.

Various calculations were made to determine the conveyance loss for the company as accurately as possible. These calculations appear on computer printouts in the Idaho Power Canal agreements filed. The delivery of the Mutual's water from C. J. Strike reservoir is complicated by small deliveries in unequalled distances along the canal before the Mutual's lands. Most of these smaller rights are for less than an inch per acre and are measured at the dam where there is no room for conveyance loss for those rights. This amount of water is added into the water that Mutual appropriates and therefore influences the conveyance loss of Mutual. For calculation purposes the assumption was made that all of the rights were delivered at one inch per acre at the canal tap to those lands. With this assumption a conveyance loss of 21% was determined. Backing this out of the other rights meant that the Mutual's loss would therefore be 25.1%. This figure was used in determining the water right for each of Mutual's two water rights.

MICROFILMED

AUG 10 1984

The number of irrigated acres recommended corresponds very closely to the 2,670 acres filed for each of the three lapsed permits. The 1947 appropriation was measured on 5/13/1952 at 49.49 cfs. This amount is recommended for the 1947 right. The additional appropriation of the remaining one inch per acre plus conveyance loss is recommended under the second water right. The priority date for the second water right needs further investigation. The claimant stated a 4/1/1952 priority date and yet the engineer on 5/13/1952 measured the 49.49 cfs. The additional water must have been appropriated at a later date. The diversion rates at the Idaho Power Canal are measured weekly by the Power Company's staff. The records of the Power Company were reviewed for verification of the Mutual's diversion³.

MICROFILMED
AUG 10 1994

D. SHAFF

GRAND VIEW MUTUAL CANAL CO.
EXPLAINING DIFFERENCES FOR ACREAGE
BETWEEN CLAIM & REVIEW
TRACT - REASON

T R S

5S 3E 21

Part N²N² HIGH, NON-IRRIGATED LAND
SWSE ONLY WEST PART IRRIGATED

20

N²N² HIGH, NON-IRRIGATED LAND.

NWNW CANAL CUTS ACROSS 40

17

S²NW QTR-QTR ACREAGE REVERSED
7 ac. in SENW under 02-7336

N²SW HIGH GROUND CUTS INTO NESW

ADD NW CORNER OF NWSW

HAS BUILDINGS & YARD ON IT.

18

SWNW PART OF ACREAGE CLAIMED IS ABOVE CANAL.

NWSW SHOULD BE NESW

7

L.2(SWNW) } HIGHWAY CUTS THROUGH

NESW, L.3

SWSE, SESE

NWSE CANAL RIGHT-OF-WAY

5S

2E 12

HIGHWAY CUTS THROUGH NE¹/₄

SENE HIGHWAY PLUS FARMSTEAD
7 acres under 02-7336

SENW

SWNW

SENE

FEED LOT & LARGE NON-IRRIGATED AREA.
IRRIGATED BY WASTE WATER, NOT ASSESSED.

2

HIGHWAY CUTS ACROSS NE¹/₄

L.3(SENW)

L.4(NWNW)

SWNW, SENW

LAND WEST OF BIRCH CREEK IS WASTE
WATER RIGHT. WASTE GROUND NEXT
TO CREEK.

4S

2E 35

DIST. CANAL RIGHT-OF-WAY & WASTE GROUND NEXT TO CREEK

MICROFILMED
AUG 10 1994

2/18/82

TO: IDAHO POWER CO. AGREEMENTS FILE

FROM: D. SHAFF

SUBJ: WATER MEASUREMENTS FROM C.J. STRIKE DAM.

THE FOLLOWING TABLE WAS ASSEMBLED BASED ON THE RECORDS AT THE C.J. STRIKE POWER PLANT OFFICE ON 2/17/82.

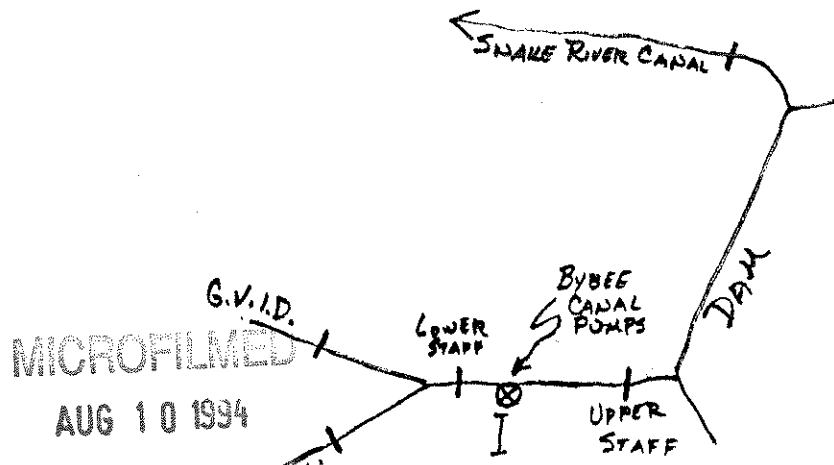
DATE	LOCATION, CFS		MUTUAL SNAKE RIVER CANAL G.V.I.D.
	UPPER STAFF	LOWER STAFF	
7/17/63			168.1
7/18/63			134.4
9/24/73	513	512	158.70
6/29/77			
7/21/81	512	512	158.70
7/28/81			
8/04/81			

PENCIL FIGURES ARE GADGE READINGS.

7/18/82 MYERS WILL CALL BACK IF HE FINDS ANYTHING.

THIS MEASUREMENT FAIRLY CONSISTENT THROUGHOUT SEASON EACH YEAR.

SCHEMATIC OF RECORDERS OR WEIRS (+)



April 22, 1981
ANDERSON, KAUFMAN,
RINGERT & CLARK
599 West Bancroft
P. O. Box 2773
Boise, ID 83701

Dear Bill,

02-2034

I am forwarding copies of the claims Grand View Irrigation District has filed for the Snake River Adjudication. Although a land list is attached to each claim, the land lists are identical.

On April 15, the description of the lands for Snake River Irrigation District and the Grand View Mutual Canal Company were presented to the respective directors for their use in filing claims. The directors of Snake River Irrigation District agreed to file claims on two or three water licenses that are appurtenant to lands within the district. They chose to delay claiming any beneficial use rights until further research of their rights is accomplished. The Mutual also wishes to delay filing their claims for the same reason. At first glance, I would surmise the Mutual has two water rights. The first would be for about 50 cfs with a 1947 priority date; the second for about 25 cfs dating from 1952.

When your calendar comes up on these companies, I will be happy to send you the land lists for the Mutual and Snake River. I will keep you advised of any work we do with your clients in the interim.

Sincerely,

DONALD V. SHAFF
Adjudication Section Supervisor

DVS:aje

Enclosures

MICROFILMED

AUG 10 1994

02-2080 Microfilm prints

Part 1, line 34

Agreements - hand written on delivery
of water. - gist of Mutual Agreement

Part 3, line 1, Mutual Agreement

Copy in Idaho Power Agreements file

On 4/01/1952 three generating units
went into production.

Construction schedule:

Started 12/1950

First generator production 12/51

Second " " "

Third " " 1/52

4/52

3/19/53 notes

Buckaroo Canal Co. & Grand View
get water out of south side canal.
Another canal is being built
on north side.

MICROFILMED

AUG 10 1994

4/15/81

GRAND VIEW MUTUAL CANAL Co.
NOTES ON 20071/02-2062 (LARGED)

TOTAL ACRES: 2,670
PRI. DATE: 12/02/1946
AMT: 50 CFS.
ENG. REPORT ON CAPACITY 5/13/1952: 49.49
DIV. PT.: PUMP ON RIVER

PROOF OF WORKS: WATER TURNED IN 1947, ^{FOR} V.A. ROBERTS BY MORRIS McKEETH
NOTES ON 22595/02-2095 CANCELLED

TOTAL ACRES: 2670
PRI. DATE: 2/08/1952
AMT: 10 CFS.

ENG. REPORT ON CAPACITY: Blank.

21295/02-2074 CANCELLED
3/15/47 50 CFS

TOTAL ACRES: 2670
PRI. DATE 11/03/1949
AMT: 15 CFS
DIV. PT. PUMP ON RIVER

PROOF OF WORKS BY RALPH COLLETT; FULL AMT APPROPRIATED IN 1952.

Notes from Minutes of Co.

Ina. 2/18/1947
Robts to Co 6/27/1947

NENE, S 12, 55 2E 10 acres south of Hiway
is inv by waste water, not assessed.

GRAND VIEW MOUNTAIN OTHER PTS CHECK

4/07/81
J. SHAFF

T	R	S			
12	17	21	NE 1/4 18 SE 1/4 20	02-2306 (F)	A3V. DITCH
12	25	12	SW 1/4 20, NW 1/4 20, SE 1/4 20	02-7212 (F)	<u>fracturing</u> <u>above ditch</u>
		13			
13	35	17	SW 1/4	02-7113 (F)	HEAD OF HILL GCD, CAP 200 AC. DIGITIZED BY HIGHWAY
		18	SW 1/4 20	02-7212 (F)	A3V. DITCH
		20	NE 1/4	07-2231 (L)	fracturing 3/24/1959

CANAL LENGTH FROM TUNNEL EXIT TO BIRCH CREEK

19" = 7.19 mi.

HEAD OF DITCH: .57 mi

DEL. LENGTH: 6.62

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AUG 10 1994

04/07/81 DS

* MACALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE GRAND VIEW MUTUAL IRR. CO. *
* WATER RIGHT NO. 02- - - - *

Q DIVERTED: 72.92
Q DELIVERED: 55.56
PERCENTAGE LOSS: 31.2

TYPE OF SOIL: OTHER SANDY
SOIL CONSTANT= 2.50 (FE
LENGTH OF HEAD OF DITCH:
LENGTH OF DELIVERY SECTION

LOSS TABLE FOR HEAD OF DITCH

MILE	Q	LOSS
	(CFS)	(CFS)
.57	71.16	1.76

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
	(CFS)	(CFS)	(CFS)
1.00	59.70	3.07	8.39
2.00	48.41	2.89	8.39
3.00	37.33	2.69	8.39
4.00	26.50	2.44	8.39
5.00	15.98	2.13	8.39
6.00	5.87	1.71	8.39
6.62	.00	.67	5.20

MICROFILMED

AUG 10 1994

Town-
ship

MICROFILM

15610 0 24



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

(Office at the corner of
Franklin and Cole Roads)

(208) 334-2190

November 9, 1981

Mrs. Kay Garsja, Secretary
Grand View Mutual Canal Company
Snake River Irrigation District
P.O. Box 9
Grand View, Idaho 83624

COPY

Dear Mrs. Garsja,

The claims to water rights for the respective companies have been assigned the file numbers shown on the photocopies of the claims enclosed. The triplicate copies of the claims have been returned to Mr. Ringert.

Receipts for the company's and the district's checks have been returned to your office. The Department takes notice that the filing fees have been paid under protest. Action to resolve the question of the proper fees will be deferred until you have had an opportunity to present the matter to the court for its decision.

Thank you for your assistance and cooperation.

Regards,

Donald V. Shaff
Adjudication Unit Leader

Enclosures

cc: W.F. Ringert
Josephine Beeman

MICROFILMED

AUG 10 1994

STATE OF IDAHO

POOR ORIGINAL

Department of Water Resources

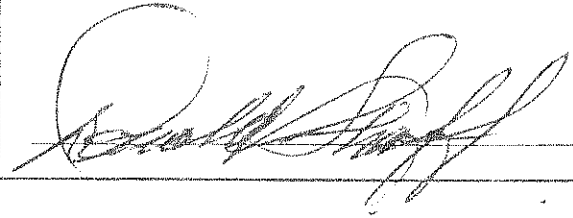
No 20330

Boise, Idaho, Nov 5, 1981

RECEIVED
FROMGRANDVIEW MUTUAL CO. of
NINE HUNDRED FIFTY FIVE \$955.00
DOLLARS

FOR

PART OF FEE FOR	\$	955	
2 ADV. CLAIMS	\$		
	\$		
	\$		
TOTAL - - -	\$	955	



STATE OF IDAHO

Department of Water Resources

No 20331

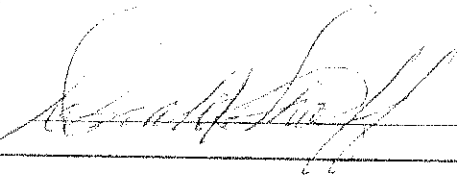
Boise, Idaho, Nov 5, 1981

C. 142

RECEIVED
FROMSnake River Irrigation Dist of GRANDVIEW \$855.00
EIGHT HUNDRED FIFTY FIVE DOLLARS

FOR

PART OF FEE FOR	\$	855	
2 ADV. CLAIMS	\$		
	\$		
	\$		
TOTAL - - -	\$	855	



STATE OF IDAHO

Department of Water Resources

No 20332

Boise, Idaho, Nov 5, 1981

C. 143

RECEIVED
FROMSnake River Irrigation Dist of GRANDVIEW \$10.00
TEN DOLLARS

FOR

PART OF FEE FOR	\$	10	
-----------------	----	----	--

MICROFILMED

AUG 10 1994

ANDERSON, KAUFMAN, RINGERT AND CLARK
CHARTERED
LAWYERS

THE LAW CENTER
599 WEST BANNOCK STREET
P. O. BOX 2773
BOISE, IDAHO 83701

EUGENE H. ANDERSON
(1902-1972)

TELEPHONE (208) 342-4591

RICHARD ANDERSON
SAMUEL KAUFMAN
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN

November 4, 1981

Mr. Donald V. Shaff
Adjudication Section Supervisor
Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83709

Dear Mr. Shaff:

I write with regard to the filing fees of Grandview Mutual Canal Company and Snake River Irrigation District in the Snake River adjudication suit, Ada County Case No. 73804.

I think the question of whether these two defendants are required to pay the fees as stated in your letter of October 30, 1981, to Grandview Mutual Canal Company and Snake River Irrigation District, should be determined by the court. I think a motion to the court for determination of the filing fee requirements would be the proper way to present the issue.

It seems to me that there is no rational basis for the discrimination between water rights acquired through permits under which licenses have been issued, and water rights which were initiated under permits but for which priority was established by beneficial use without relation back to the date of filing the application. There might be some basis for the distinction if the licenses were accepted at face value and no examination of the lands was made as part of these adjudication proceedings. However, as I understand it, a complete examination of all lands covered by all claims is being made by the Department, irrespective of the status of the water right or the method by which it was perfected.

SNAKE RIVER IRRIGATION DISTRICT AND GRANDVIEW MUTUAL CANAL COMPANY, or their respective predecessors in interest, paid the same filing fees when they applied for the permits as did other applicants who filed at approximately the same time and under the same statutory fee schedule. To submit these defendants, and others similarly situated, to the imposition of a fee schedule adopted many years later, as a condition to defending their water

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AUG 10 1984

RECEIVED

NOV 5 1981

Department of Water Resources
Western Regional Office

Mr. Donald V. Shaff

-2-

November 4, 1981

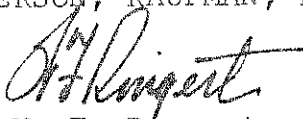
rights in an adjudication suit that they did not initiate, seems to me to be a denial of due process and equal protection, particularly since the result of failing to pay the filing fees and thus become entitled to defend their water rights would lead to forfeiture of those valuable water rights.

We request that further action with respect to the filing fees of Snake River Irrigation District and Grandview Mutual Canal Company be deferred until we have had an opportunity to present this matter to the court for its determination. Because of the rule requiring that a brief be submitted within ten days after the motion is filed, and because of a rather heavy work load that I have scheduled through most of the month of November, I anticipate that it will be the last week in November or the first week in December before I can file a motion and brief on this point. Please let me know if the Department is unable to defer action on the filing fees for that length of time, so that some alternative arrangement can be made.

Yours very truly,

ANDERSON, KAUFMAN, RINGERT & CLARK

By


W. F. Ringert

WFR:am

cc: Hon. Robert Newhouse
Grandview Mutual Canal Company
Snake River Irrigation District
Ms. Josephine Beeman

MICROFILMED

AUG 10 1994

October 30, 1981

Grand View Mutual Canal Company
Snake River Irrigation District
P.O. Box 9
Grand View, Idaho

Dear Mrs. Garsja,

Mr. Ringert delivered the Mutual's and Snake River's adjudication claims to this office today. He paid \$20 in filing fees for the Mutual's two claims presuming these water rights were based on permits or licenses. As we discussed earlier this year in your office, the permits unfortunately either lapsed or were cancelled for failure by the company to submit proof of beneficial use as required by the permits.

As result any water rights the Mutual has prior to 1971 are classified as beneficial use rights. Water rights claimed in the adjudication pay a filing fee based on the amount of water diverted and claimed. The total filing fee for the 75 cfs the company is claiming would be \$995. With the \$20 already paid, the balance due is \$955. Please contact me if payment at this time is difficult so we can follow the procedures I described at one of those earlier meetings. 975

For the 190 cfs claimed by Snake River, the filing fees which a note from Mr. Ringert's office said would be sent by the District, will be \$1675. The same arrangements can also be made in this case.

This matter should be resolved either by full payment or by special arrangements before November 23, 1981, the final date for claiming Snake River water rights. If you have any questions please call me.

Sincerely,

Donald V. Shaff
Adjudication Section Supervisor

cc: Mr. Bill Ringert

MICROFILMED

AUG 10 1994

S.R.I.D

7865 REC'D 11/04/81

CXs #1424/143

1810 REC'D 11/05/81

CK #157

MUTUAL

200 REC'D 11/04/81