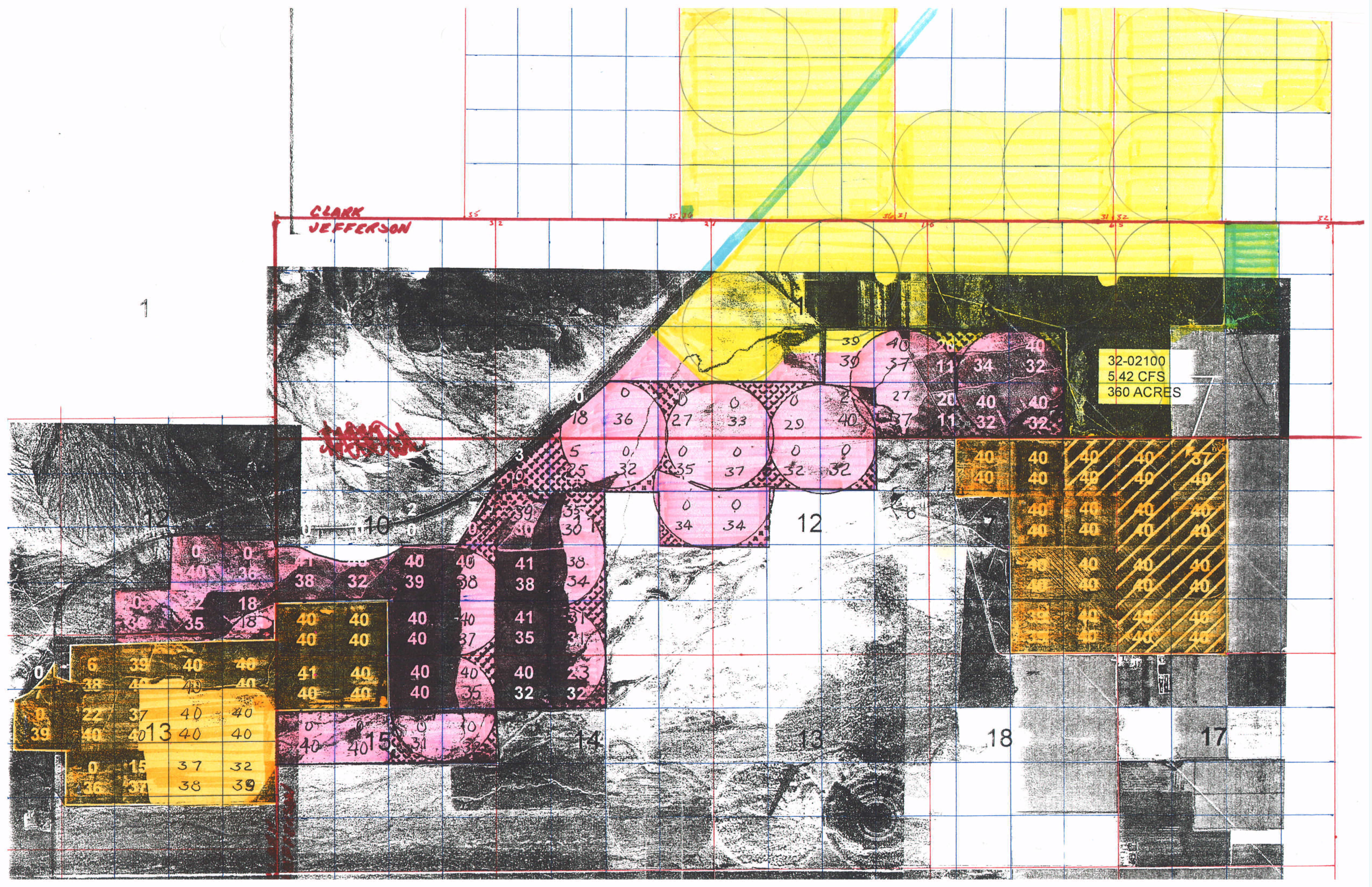
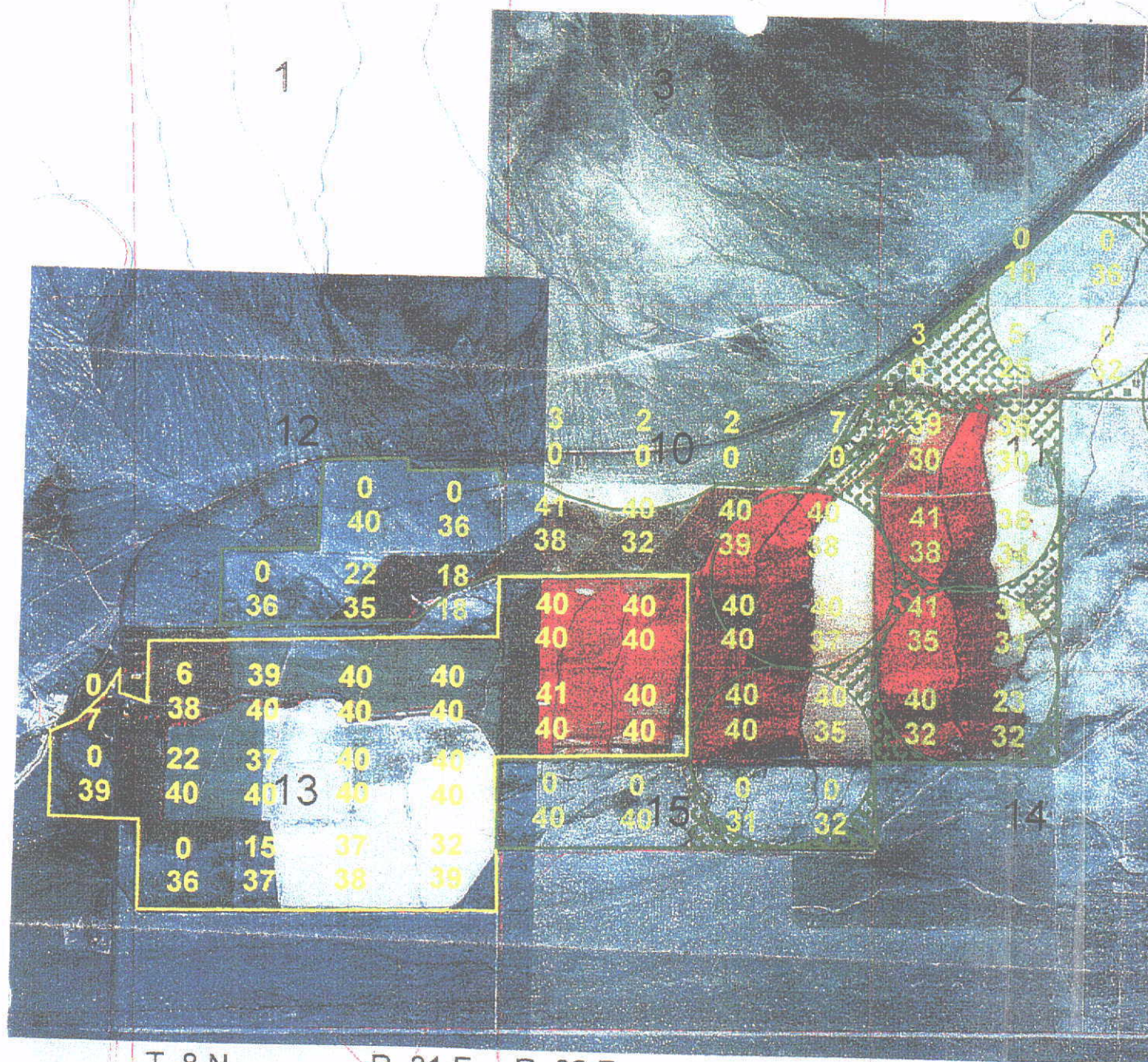


CLARK
JEFFERSON

32-02100
5.42 CFS
360 ACRES





T. 8 N.

R. 31 E. R. 32 E.

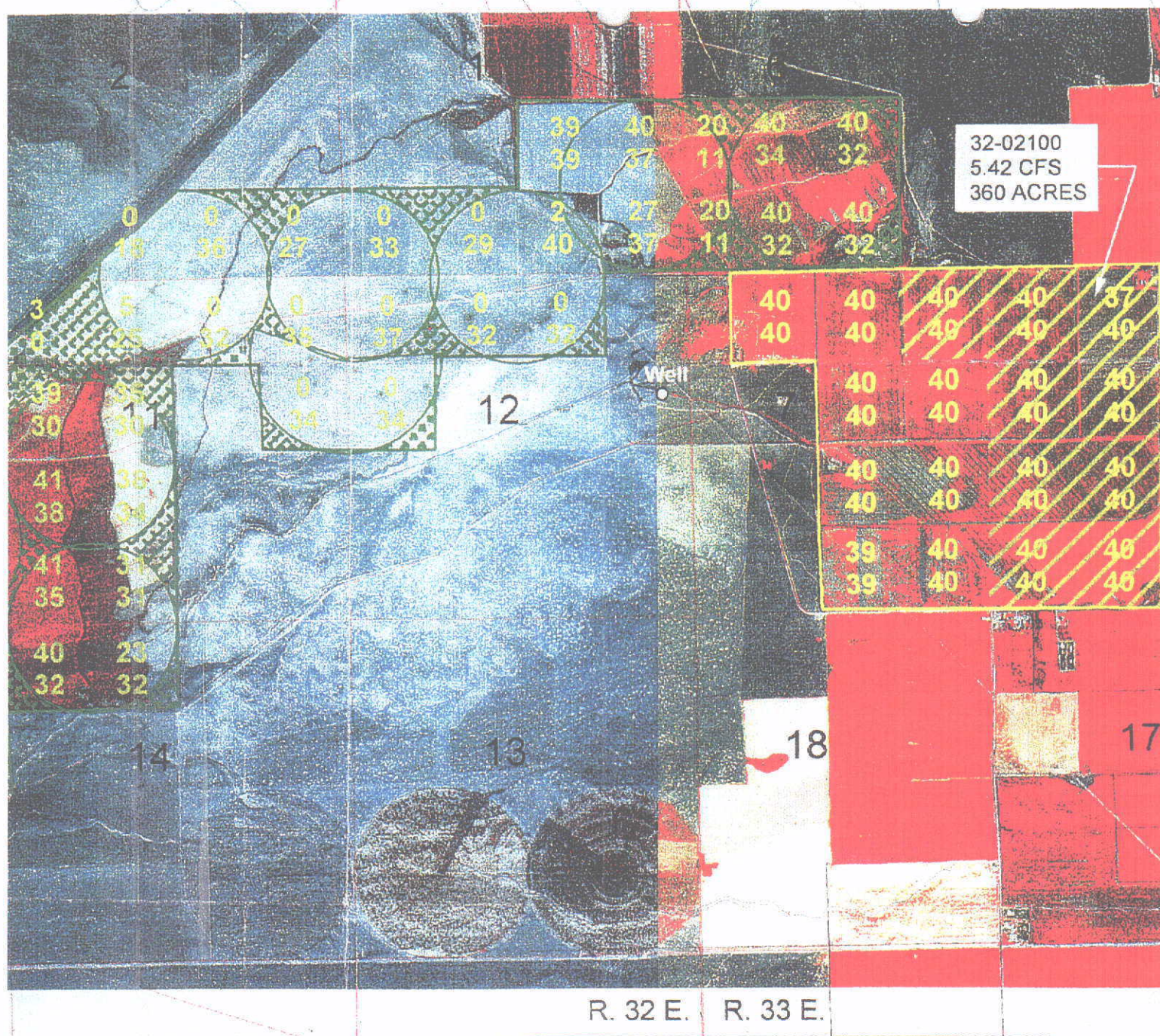
24

1997 Irrigation on Newman Farms and D

- General boundary of 1997 irrigation - Newman
- General boundary of 1997 irrigation - D-D
- Areas not irrigated in 1997

BROCKWAY ENGINEERING 3/6/98

SCALE: 1 INCH = 2000 FT



Newman Farms and D-D Farms

Irrigation - Newman

Irrigation - D-D

Explanation

Areas irrigated during 1997 are overlain on a 1987 aerial photo. 1997 irrigation determined from aerial photos taken July 15, 1997. 1987 irrigation determined from Spatial Dynamics analysis of landsat photograph. Top number is 1987; bottom number is 1997.

Acreage Summary

	1987	1997	Chg
D-D	979	1578	+599
Newman	1185	1353	+168
TOTAL	2164	2931	+767

1 INCH = 2000 FT



rms

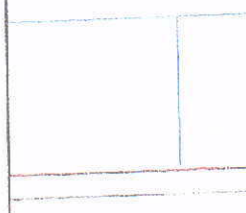
ion

ted during 1997 are overlain
erial photo. 1997 irrigation
from aerial photos taken July
987 irrigation determined
Dynamics analysis of landsat
Top number is 1987;
ber is 1997.

Acreage Summary

	1987	1997	Chg
D-D	979	1578	+599
Newman	1185	1353	+168
TOTAL	2164	2931	+767

20



JUN 19 2000

Department of Water Resources

2000 JUN 15 PM 02:33
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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) NOTICE SETTING SUBCASE(S)
Case No. 39576) FOR INITIAL HEARING
_____) SUBCASE NO: 32-11224

The Initial Hearing for this subcase will be held before
Special Master BRIGETTE BILYEU

WEDNESDAY, JULY 19, 2000 at 02:30 PM
MADISON COUNTY COURTHOUSE
134 EAST MAIN
REXBURG, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JULY 12, 2000 or hearing will not be vacated.

Dated: JUNE 15, 2000

/S/ TERI HRANAC
Deputy Clerk
Snake River Basin Adjudication

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on JUNE 15, 2000,
with sufficient first-class postage to the following:

RENO DITCH COMPANY INC

Represented by:

KENT W FOSTER

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

AFFIDAVIT OF CLEO WILDING

STATE OF IDAHO)
)ss
County of)

RECEIVED

JUL 19 1999

Department of Water Resources
Eastern Region

CLEO WILDING, being first duly sworn deposes and states:

1. He is the son of Ben Wilding, the prior owner of the Reno Ranch, now owned by Lavar Newman (Newman). The ranch was generally referred to by the Wilding family as the Upper Reno consisting of approximately 585 acres and the Lower Reno consisting of approximately 670 acres.

2. Affiant began helping on the farm when he was a boy in the mid-1950s and continued until the farm was sold to Newman in 1991.

3. Ditches carried waters of Birch Creek to all of the acres in both the Upper and Lower Ranch. All of the acres were irrigated, but sometimes when there was inadequate water, different fields would have to go without water. Consequently, a license for ground water was obtained to supplement the Birch Creek water on the Lower Reno Ranch. However, Birch Creek water continued to be used and the well was used as supplemental water usually later in the season. It simply pumped water into one of the existing irrigation ditches.

It was a common practice for many years to use bentonite in Birch Creek. Whenever that was done, it would make a difference in the flows. There was more water either for more acres or to irrigate more often. Moreover, some years there was more water in the creek and some years more rain, all of which affected the irrigation practices.

4. After the property was sold to Newman in 1991, the following changes occurred:

A. Newman began irrigating approximately 27 acres on the west side of the highway.

B. Newman purchased approximately 100 acres from D&D which he now irrigates.

C. There was an old stack yard covering approximately 5 acres which Newman now irrigates.

5. Most of the ranch was irrigated in most years.

6. The irrigation season was generally April through October, although some years it started in March and ended in November.

7. During the years the land was owned by Wildings, they grew hay, grain and potatoes.

8. There was never any attempt or plan to use specific Birch Creek decrees on specific parcels as may be set forth in the Reno Decree. Rather, all of the Birch Creek waters were simply used on Upper and/or Lower Reno where needed most to provide the greatest benefit. Affiant never even knew which parcels of the Reno Ranch were earlier decrees and/or the amount of those decrees. After the water went through the Splitter Gate, it was used as indicated.

9. The practices described herein existed from the mid-1950s until 1991 when the properties were sold to Newman.

DATED this 17 day of July, 1999.

Cleo Wilding
CLEO WILDING

STATE OF IDAHO)
) ss
County of Jefferson)

CLEO WILDING, being first duly sworn on oath, deposes and says that he is the above named Affiant, has read the foregoing Affidavit, knows the contents thereof, and verily believes the same to be true.

Cleo Wilding
CLEO WILDING

Subscribed and sworn to before me this 19th day of July, 1999.

Karin Christensen
Notary Public for Idaho
Residing at Rigby Terretom, Idaho 83450
Commission Expires: 1-5-2000

(Seal)

To:
Fr:
Date:

11224 11225
File A32-11244, A32-11245
Bryce A. Contor
10/29/1999

Bryce

Re: Objeciton

Today I reviewed the Reno Ditch claims and enlargement claims with Lavar, Lewis, and Lane Newman. Of concern to Newmans was the limitation of 3427 acres irrigated in a single season, and especially the allocation of those acres among the shareholders of Reno Ditch, contained in a letter from Kent Foster. A copy is attached to the 9/10/1999 memo from me to Ernie Carlsen, filed in A32-11245 file.

Newman is also concerned about how the 3427 acre limitation will be administered in light of his 680 acre place of use under 32-02100 and 32-~~10127~~, which is also part of the PPU of Reno Ditch. Will he get his portion of 3427 plus 680, or will the 680 be part of his portion of 3427 acres? 10154

I tried to explain to Newman that once the water is delivered to the Reno Ditch, distribution within the authorized service area is an internal affair.

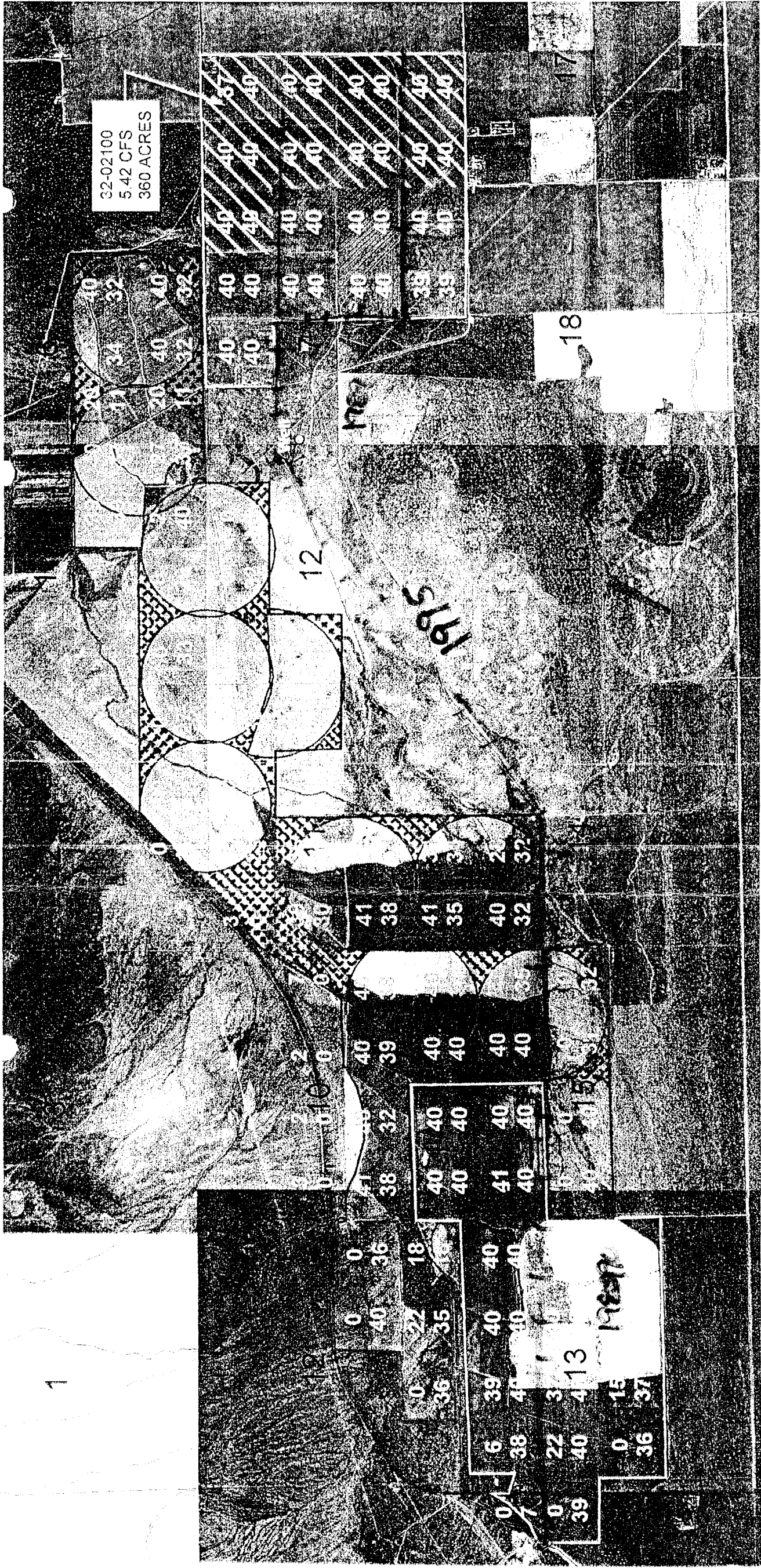
We also spent a good deal of time reviewing original decreed acreage, pre-transfer WR database acreage, transfer acreage, and recommended acreage on Reno Ditch claims which had initially been Newmans. We were unable to come to any certain conclusions, but it appears that the portion of the 3427 acres which was allocated based on Newman lands considered only decreed and transferred acres, and not any acres representing pre-87 enlargements.

I supplied Newman with a copy of the complete transfer record from the transfer drawer, along with Eric Verner's overlap analysis from file A32-00058. I suggested that his best approach would be to identify the pre-1987 actual place of use on ALL the rights in the transfer, not just those that were originally claimed by him, and compare it against Verner's overlap review. Armed with this data he could consider filing an objection to the recommended disallowal of A32-11224 and A32-11245.

32-02100
542 CFS
360 ACRES

12 13 14 17 18

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



T. 8 N. R. 31 E. R. 32 E.

R. 32 E. R. 33 E.

1997 Irrigation on Newman Farms and D-D Farms

- General boundary of 1997 irrigation - Newman
- General boundary of 1997 irrigation - D-D
- Areas not irrigated in 1997

Explanation

Areas irrigated during 1997 are overlain on a 1987 aerial photo. 1997 irrigation determined from aerial photos taken July 15, 1997. 1987 irrigation determined from Spatial Dynamics analysis of landsat photograph. Top number is 1987; bottom number is 1997.

BROCKWAY ENGINEERING 3/6/98

SCALE: 1 INCH = 2000 FT

Acreage Summary

	1987	1997	Chg
D-D	979	1578	+599
Newman	1185	1353	+168
TOTAL	2164	2931	+767

54
189

Garner Simmons
trans. to Clark Co.

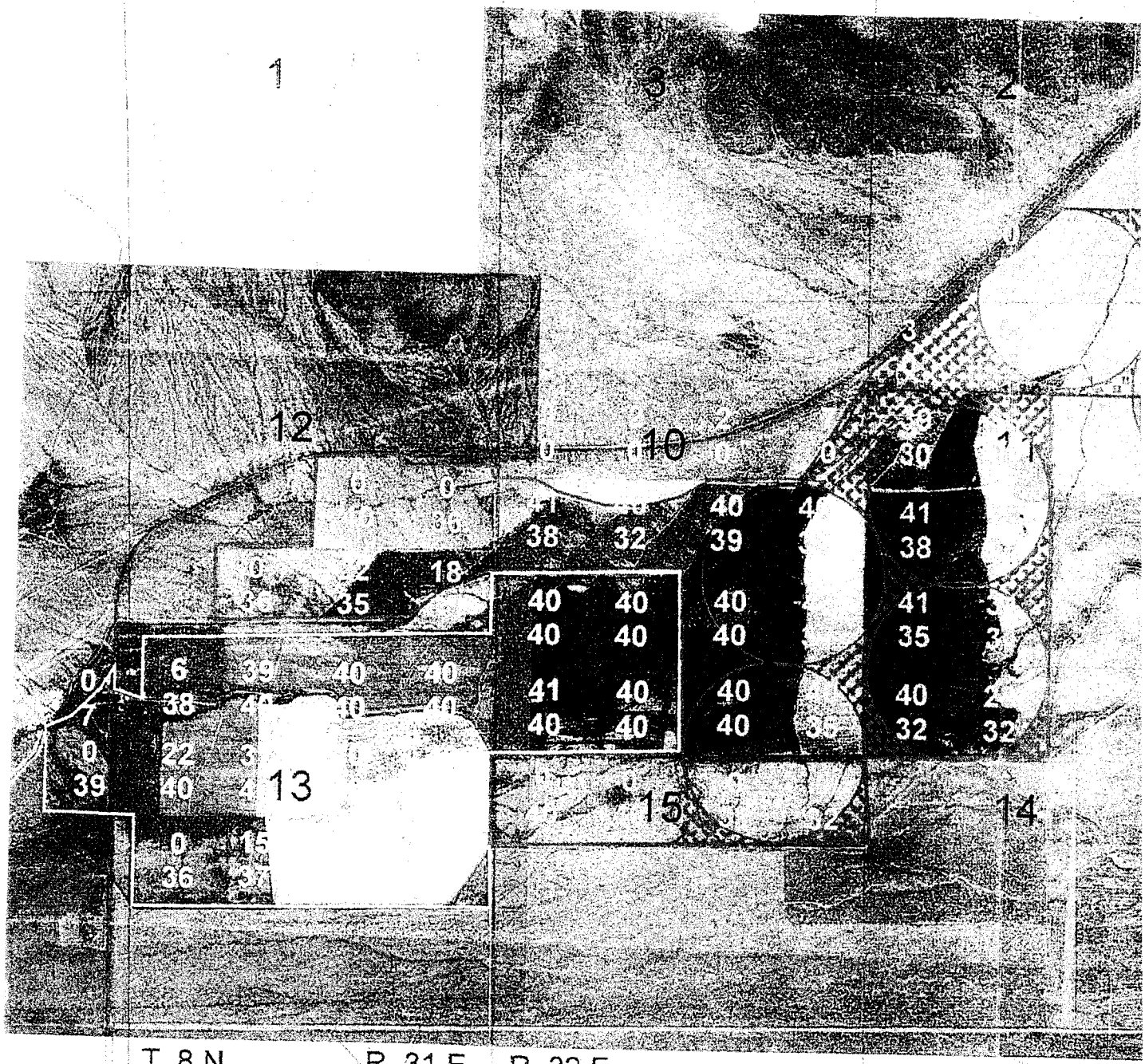
→ D-2

89
1716

65
718
Lyle Park
trans. to Clark Co.

718
1817

Garner Simmons
trans. to Clark Co.



T. 8 N.

R. 31 E. R. 32 E.

24

1997 Irrigation on Newman Farms and D

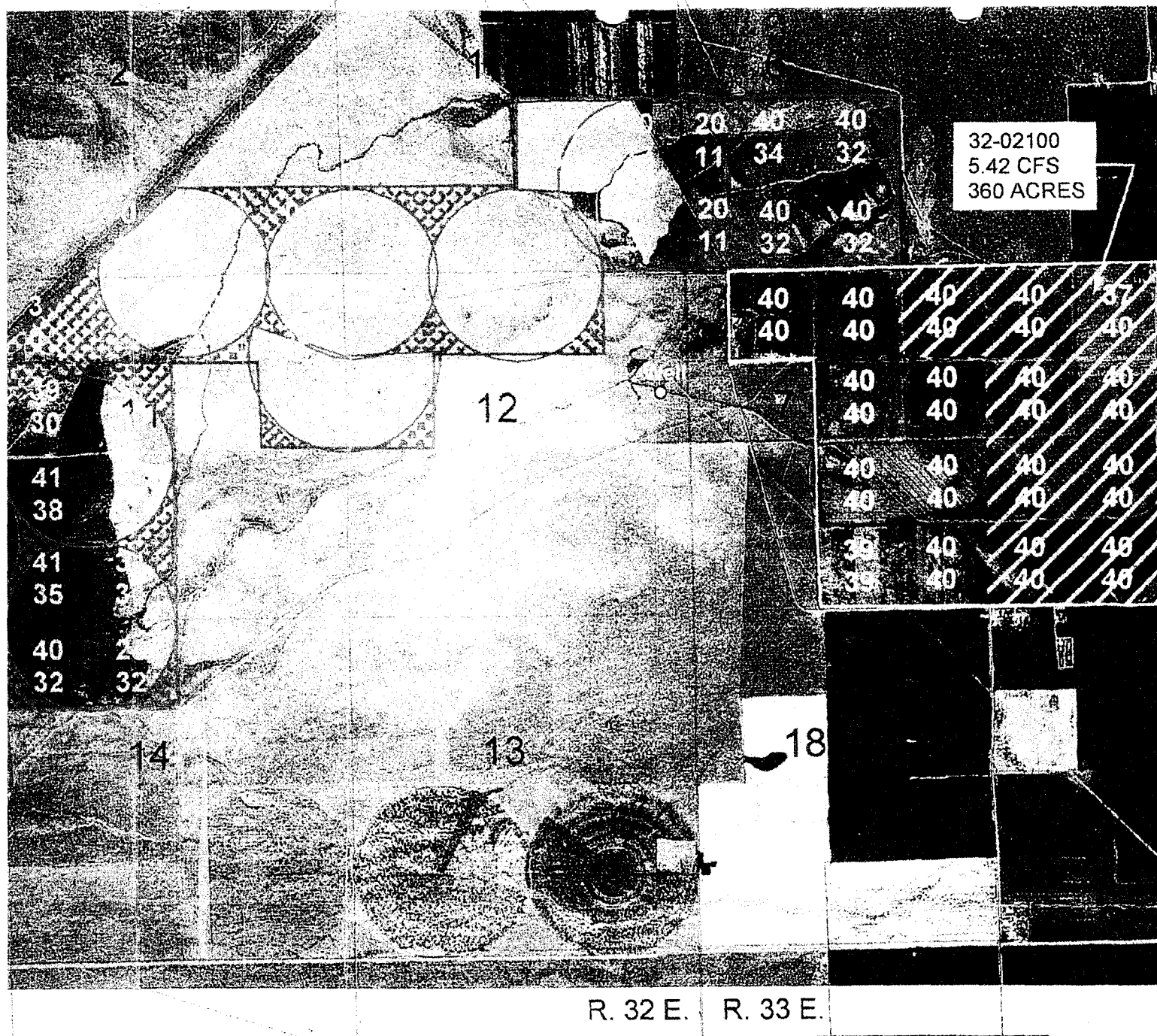
General boundary of 1997 irrigation - Newman

General boundary of 1997 irrigation - D-D

Areas not irrigated in 1997

BROCKWAY ENGINEERING 3/6/98

SCALE: 1 INCH = 2000 FT



Newman Farms and D-D Farms

Irrigation - Newman

Irrigation - D-D

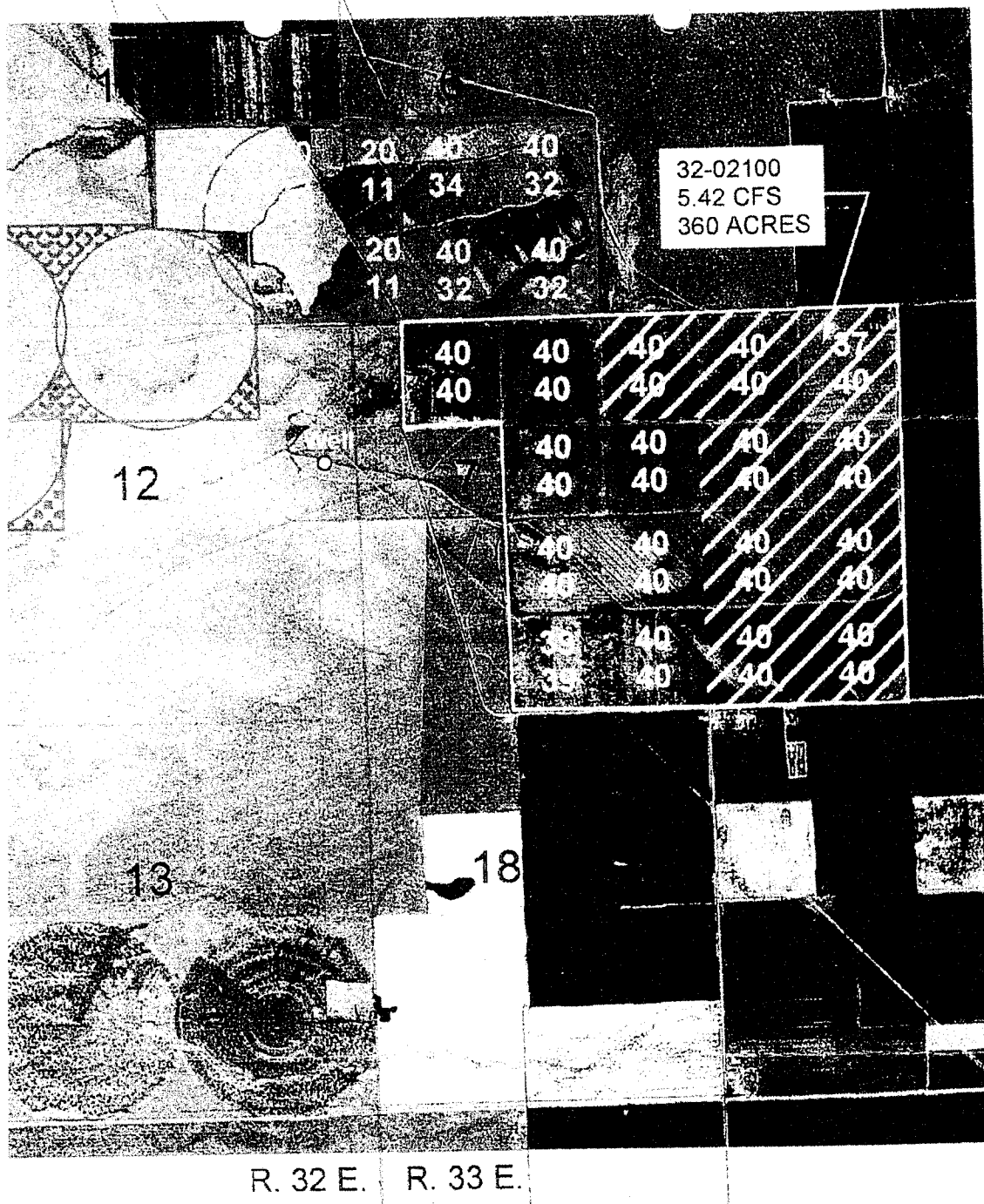
Explanation

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Acreage Summary

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1 INCH = 2000 FT



rms

ion

ted during 1997 are overlain
erial photo. 1997 irrigation
from aerial photos taken July
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Dynamics analysis of landsat
Top number is 1987;
ber is 1997.

Acreage Summary

	<u>1987</u>	<u>1997</u>	<u>Chg</u>
D-D	979	1578	+599
Newman	1185	1353	+168
TOTAL	2164	2931	+767

20

11/17/2000

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

RIGHT NUMBER: 32-11224

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 7.76 CFS
1358 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 12,937.2 AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, 32-02045 & 32-11224

PRIORITY DATE: 04/01/1987

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	7.76 CFS 1,358.0 AFY

PLACE OF USE:

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3,815 ACRES IN A SINGLE IRRIGATION SEASON

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
TOTAL IRRIGATED ACRES: 5,740

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 32-00059 & 32-00062 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 388 ACRES WITHIN THE ~~PLACE~~
~~OF USE DESCRIBED ABOVE~~ BOUNDARY OF THE RENO DITCH COMPANY.

10/10/2000

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

RIGHT NUMBER: 32-11224

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 7.76 CFS
1358 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 12,937.2 AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, 32-02045 & 32-11224

PRIORITY DATE: 04/01/1987

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	7.76 CFS 1,358.0 AFY

PLACE OF USE:

USE OF THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3,815 ACRES IN A SINGLE IRRIGATION SEASON.

PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY.
TOTAL IRRIGATED ACRES: 5,740

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.

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00059 & 32-00062 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 388 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

10/10/2000

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

RIGHT NUMBER: 32-11224

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 7.76 CFS
~~1183~~ AFY

1358

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POINT OF DIVERSION: T09N R30E S34 SESESW Within CLARK County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-01 11-01QUANTITY
7.76 CFS
~~1183.0~~ AFY

1358

PLACE OF USE:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 77.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF ~~11,579.2~~ AF. RIGHTS OF THE RENO DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C, 32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043, 32-02045, ~~32-11224~~

12,937.2

THIS RIGHT IS LIMITED TO THE IRRIGATION OF ~~67.0~~ ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS OF THE RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3,427~~ ACRES IN A SINGLE IRRIGATION SEASON

3815

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 32-
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

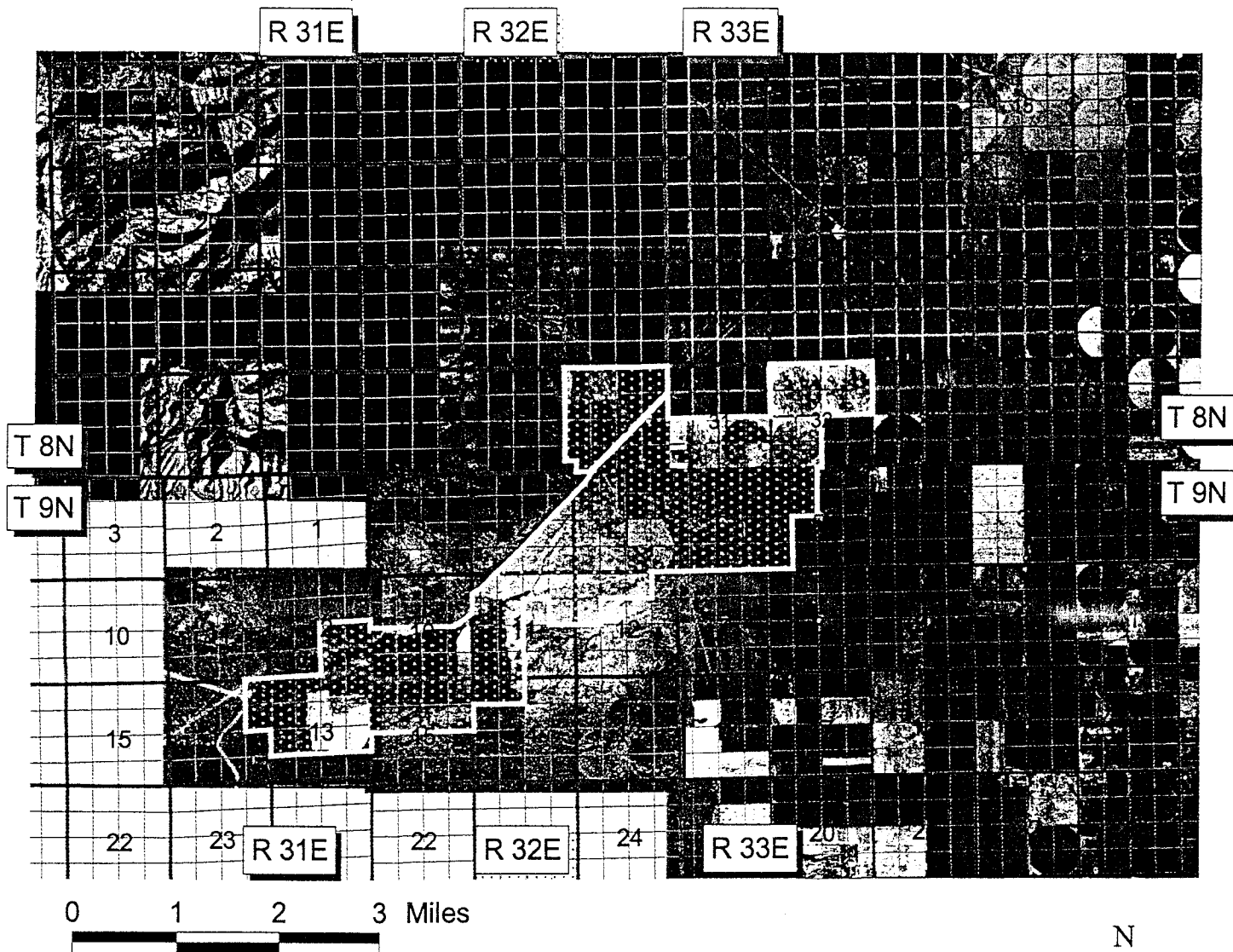
PLACE OF USE WITHIN THE BOUNDARY OF THE RENO DITCH COMPANY
TOTAL IRRIGATED ACRES: ~~5798~~ 5740

WATER IS DELIVERED THROUGH RENO DITCH.
THIS RIGHT IS FOR AN ENLARGEMENT OF ~~388~~ ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT. 388.

IDAHO DEPARTMENT OF WATER RESOURCES

The Reno Ditch Company, Inc

Water Right Numbers: 32-00058, 32-00059, 32-00060, 32-00061C,
32-00061D, 32-00062, 32-00063, 32-00064, 32-00065,
32-00066, 32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073,
32-00074, 32-00075, 32-00076, 32-00077, 32-00078, 32-00079,
32-00080, 32-00083, 32-00085, 32-00086, 32-00087, 32-00089,
32-00090A, 32-00091, 32-00092, 32-00093, 32-00101, 32-00102,
32-02043, 32-02045



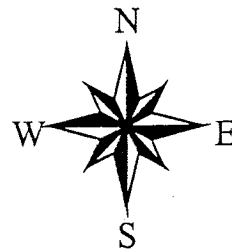
1/4 1/4 Section Lines



Section Lines

Place of Use Boundary

Townships 8N and 9N
Ranges 31E, 32E and 33E



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: August, 1999

Copy of enlargement
to Deena Ted

1 - PO BOX 5
2 -
3 -
City- REXBURG
State- ID Zip- 83440
Phone - 208-000-0000

Twp	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
08N	31E	13	NE NE		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	NW NE		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	SW NE		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	SE NE		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	NE NW		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	NW NW		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	SW NW		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	SE NW		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	NE SW		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	NW SW		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	NE SE		40.0		01 IRRIGATION	(33) CLARK
08N	31E	13	NW SE		40.0		01 IRRIGATION	(33) CLARK
08N	31E	14	SE NE		38.0		01 IRRIGATION	(33) CLARK
08N	32E	10	SW SW		40.0		01 IRRIGATION	(33) CLARK
08N	32E	10	SE SW		40.0		01 IRRIGATION	(33) CLARK
08N	32E	15	NE NW		40.0		01 IRRIGATION	(33) CLARK
08N	32E	15	NW NW		40.0		01 IRRIGATION	(33) CLARK
08N	33E	7	NE NE		40.0		01 IRRIGATION	(33) CLARK
08N	33E	7	NW NE		40.0		01 IRRIGATION	(33) CLARK
08N	33E	7	SW NE		40.0		01 IRRIGATION	(33) CLARK
08N	33E	7	SE NE		40.0		01 IRRIGATION	(33) CLARK
08N	33E	7	NE NW		40.0		01 IRRIGATION	(33) CLARK
08N	33E	7	NE SE		40.0		01 IRRIGATION	(33) CLARK

Prefix Translation: RESEARCH

Total Acres: 1358.0

Adjudication Rights Dates and Flags Area	
Court Report Filing	- 00/00/0000
Objection Filed Date	- 00/00/0000
Response Filed Date	- 00/00/0000
Field Inspection Made	- 00/00/0000
Field Inspection Flag	-
Verified Date	- 00/00/0000
Civil Case Number	-
Old Case Number	-
Old Judicial District	-
	39576

Water right number - R32-11224

Prefix Translation: RESEARCH

+ - - - - - Claim Received Date - 06/21/1999 - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Last Amended Date - 00/00/0000 - P
Receipt Number - E025075 - 32D
POU Ownership Flag - Y - Federal/State Indicator - S
Name Connector - - Presumption Flag -
Notice of Error Flag -

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: A32-11224
Date Received: 6/21/1999
Receipt No: E025075
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RENO DITCH COMPANY INC
Address: PO BOX 5
REXBURG ID 83440
2. Date of Priority: APR 1, 1987
3. Source: BIRCH CREEK Trib. to: SINKS
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	30E	3	NE	NE	NW		CLARK

5. Description of diverting works:
HEADWORKS OF SORENSEN HYDROELECTRIC POWER PLANT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	27.200		

7. Total Quantity Appropriated is:
27.200 C.F.S. (and/or) 4753.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	31E	13	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	31E	13	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
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	480.0
		14	SE		NE		IRR	38.0
							Section Acres	38.0
	32E	10	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	80.0
		15	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	80.0
	33E	7	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
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	360.0
		8	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	40.0
			SE		SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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					Section Acres	320.0
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					Total Acres	1358.0
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11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
SEE ATTACHED LIST

14. Remarks:
THIS CLAIM IS BASED ON ENLARGMENT OF THE ATTACHED LIST OF WATER
RIGHTS FROM BIRCH CREEK.

15. Basis of Claim: BENEFICIAL USE

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 A32-11224Date Received 6/21/99 SSReceipt Number 6025075

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Reno Ditch Company, Inc. Phone (208) _____
Mailing Address P.O. Box 5, Rexburg, Idaho Zip 83440
2. Date of Priority (Only (1) per claim) April 1, 1987
3. Source of water supply (a) Birch Creek
which is tributary to (b) sinks
- 4.a. Location of existing point of diversion is:
Township 8N Range 30E Section 3, NW 1/4 of SE 1/4, County of Clark
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. Headgates and old Reno Ditch.
6. Water is claimed for the following purposes:
(Both dates are inclusive) (cfs) (acre feet)
For irrigation purposes from April 1 to November 1 amount 27.2
27.08 or _____
7. Total quantity claimed (a) 27.20 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is _____ 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 instruction for standard symbols.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	31E	13	40	40	40	40	40	40	40	40	40	40			40	40			480
		14				38													38
8N	32E	10											40	40					80
		15					40	40											80
8N	33E	7	40	40	40	40	40								40	40	40	40	360
		8					40	40	40	40	40	40	40						320

Total number of acres irrigated 1358

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

Clark

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.

32-00060B, 32-00059B, 32-00080B, 32-00070B, 32-00062, 32-02045 and 32-02100

14. Remarks:

All of the above water rights, except 32-02100, have recently been deeded by Newmans to the Reno Ditch Company in connection with the formation of the company. This claim is filed to claim an enlargement in the place of use of the water rights formerly held by Newmans because even though the rights were made appurtenant by decree and licenses to 1000 acres of land, it appears that prior to November 19, 1987 there were some 1358 acres actually being irrigated.

15. Basis of Claim (Check one) Beneficial Use ___ Posted Notice ___ Permit ___ Decree ___ License ___
Idaho Code §42-1426 x

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

Last Name Reno Ditch Company, Inc.

Ident. Number _____

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 _____

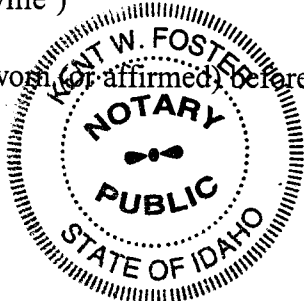
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

For Organizations: I do solemnly swear or affirm that I am the President of RENO DITCH COMPANY, INC., that I have signed the foregoing document in the space below as President of RENO DITCH COMPANY, INC. and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent LaVar Newman
Title and Organization LaVar Newman, President, Reno Ditch Company Date June 18, 1999
State of Idaho _____)
_____) ss.
County of Bonneville)

Subscribed and sworn to (or affirmed) before me this 18th day of June, 1999.



Notary Public Kent W. Foster
Residing at Idaho Falls
My Commission Expires 11/20/2004

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster 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 Kent W. Foster
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date June 18, 1999