

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: A37-13113
Date Received: 8/10/1989
Receipt No: S010205
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BIG WOOD CANAL COMPANY 208-886-2331
Address: P.O. BOX C
SHOSHONE, ID 83352

2. Date of Priority: MAY 27, 1899

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER
LITTLE WOOD RIVER MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	19E	25	SE	NW	NE		LINCOLN
05S	16E	29	SW	SE	SE		GOODING

5. Description of diverting works:
CONCRETE CHECK DAMS WITH SLIDE GATES; SOUTH GOODING CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	150.000		

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

8. Total consumptive use is 73863.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	16E	24	NE	SW		IRR	9.0
Section Acres							9.0

A37-13113

Page 1

Date: 10/27/89

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10. Place of Use: Continued

Total Acres 9.0

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A37-00867Z0, Z1, Z2, A01-00006, A37-13043.

14. Remarks:

PROPERTY IS OWNED BY THE STOCKHOLDERS OF THE BIG WOOD CANAL CO.
P/U LISTED IS INCOMPLETE; SEE REFERENCE RIGHT A37-13043.
OTHER WR'S LISTED ARE REFERENCE RIGHTS TO ADDITIONAL RIGHTS.
TOTAL ACRES = 24,621 AC.

THIS CLAIM IS A COMBINATION OF THE FOLLOWING WR'S:

37-00059	131.7	CFS
37-00121	2.3	
37-00133	0.8	
37-00294	3.2	
37-00641	3.2	
37-00642	1.6	
37-00672	5.6	
37-00675	1.6	

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TOTAL	150.0	CFS
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15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

A37-13113

Page 2

Date: 10/27/89

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16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Manager of Big Wood Canal Co., that I have signed the foregoing document in the space below as Manager of Big Wood Canal Co. and that the statements contained in the foregoing document are true and correct.

Richard McQuade
Signature of Authorized Agent

Manager
Title and Organization

1/25/90
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of January 19 90

Steve Callahan
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

17. Notice of Appearance:

Notice is hereby given that I, Cecil D. Hobday will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

(SEE ATTACHED)

Court
Plaintiff vs Defendant

Case Number

Deed Date

11-15-1989

16. Signature (s)

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

Number of attachments _____

For 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 _____

Manager

Title

of Big Wood Canal Co.

Organization

, that I have signed the foregoing

document in the space below as _____

Manager

Title

of Big Wood Canal Co.

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Richard McNeils

Title and Organization

Manager Big Wood Canal Co.

Date

8/9/89

State of Idaho/or

Idaho

County of

Lincoln

SS.

Subscribed and sworn (or affirmed) before me this

9th

day of

August

19 89

SEAL

Notary Public

Calleen Bralove

Residing at

Gooding, Idaho

My Commission Expires

Life

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, CECIL D. HOBDEY 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

Cecil D. Hobdey

Address

P.O. Box 176, Gooding, Id 83330

Date

8/14/89

Last Name

Ident. Number

A37-13113

Copies White-State, Yellow-Claimant

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37-0499

James Monroe

37-0531

Charles M. D.

5-1-1989 20 1993 25.0

A37-13113

MEMO TO FILE

THIS IS A LISTING OF THE DISCREPANCIES FOUND IN THE CLAIMS SUBMITTED BY BIG WOOD CANAL CO. AND THE WATER RIGHT RECORDS REFERENCED. THE CLAIMS GIVEN HAVE COMBINED SEVERAL SMALLER RIGHTS TOGETHER.

CLAIM A37-13116

	CLAIMED	WATER RIGHT
37-00164	4.4 CFS	2.9 CFS
37-00288	3.0	3.2
37-00384	1.4	1.8
37-00393	4.8	1.2
37-00607E	0.0774	0.81

37-00614	3.1	0.8
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THIS WR WAS CLAIMED BY DON WILLIAMS FOR 0.8 CFS; THE ORIGINAL DECREE OWNER LISTED BY BIG WOOD CANAL IS NOT THAT LISTED ON THE WR PROOF.

37-00621	4.8	"DO NOT ISSUE"
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RECORDS INDICATE THIS WATER RIGHT NUMBER WAS NEVER ISSUED AND THE NOTE 'DO NOT ISSUE'.

=====

CLAIM A37-13113

37-00059 PART 'F' CLAIMED...OKAY.

PART 'E' NOT CLAIMED BUT LISTED

IN THE NAME OF BIG WOOD CANAL CO. SHOULD THIS BE PART OF ONE OF THE BIG WOOD CLAIMS?

=====

CLAIM A37-13112

	CLAIMED	WATER RIGHT
A37-00058	2.8 CFS	3.2 CFS
A37-00170	6.4	1.62

THIS WR IS CLAIMED UNDER THIS CLAIM FOR THE 6.4 CFS BUT IS ALSO CLAIMED UNDER A37-13114 FOR 1.6 CFS.

37-00674	8-14-1906	NO PRIORITY DATE
37-00710	6.4 CFS	3.2 CFS
37-00870		

THIS WR IS CLAIMED SEPARATELY SEE A37-00870.

=====

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CLAIM A37-13043

37-00506

NO CFS GIVEN IN CLAIM; WATER RIGHT LISTS 1.6 CFS.

=====

CLAIM A37-13114

37-00170

CLAIMED
1.6 CFS

WATER RIGHT
1.6 CFS

CLAIMED TWICE. SEE ALSO A37-13112.

37-00867

CLAIMED AS A SEPARATE CLAIM BY BIG WOOD CANAL CO. THIS
CLAIM, A37-00867 IS THE MAIN REFERENCE RIGHT FOR THE CANAL CO.

37-01166

3.2 CFS

"DO NOT ISSUE"

RECORDS INDICATE THIS WATER RIGHT NUMBER WAS NEVER
ISSUED AND THE NOTE 'DO NOT ISSUE'.

37-00167

4.3 CFS

2.9 CFS

=====

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MAR 20 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

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

RECEIVED

AUG 10 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Big Wood Canal Company Phone (208) 886-2331
Mailing Address P. O. Box C, Shoshone, Idaho Zip 83352

2. Date of Priority (Only one (1) per claim) 5-27-1899

3. Source of water supply (a) Silver Creek to Little Wood River
which is tributary to (b) Malad to Snake River

4. a. Location of existing point of diversion is: Township 4S Range 19E Section 25,
SE 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lincoln

Additional points of diversion if any: South Gooding Canal T5S R16E Sec 29 SW1/4SE1/4 Gooding County

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.

Concrete check dams with slide gates

COPY**MICROFILMED****MAR 20 1993**

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr. 1 to Oct. 1 amount 150 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 150 (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 instructions for standard symbols.

See attached exhibit A

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 23,952

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

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.
See contract 14-06-W-73 article 28 attached exhibit B or None ()

14. Remarks:
We wish to combine a number of small decreed rights into one. attached is a list of
these rights see exhibit D

COPY

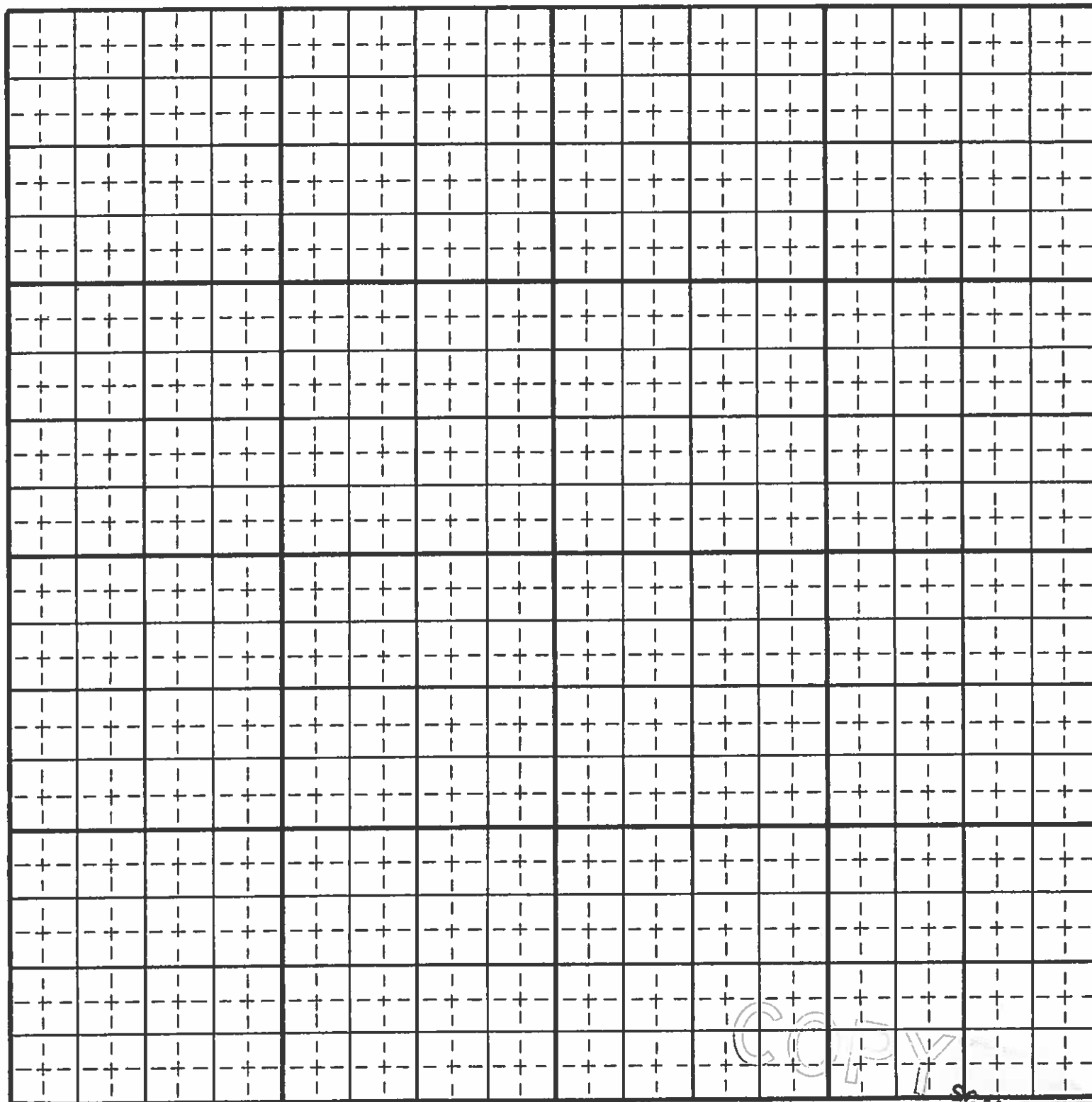
Last Name _____ Ident No. _____

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

see attached map exhibit C



Last Name _____ Ident No. _____

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Copies: White-State, Yellow-Claimant
MAR 20 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree x
If applicable provide IDWR Water Right Number see remarks
Court _____ Case Number _____ Decree Date 5-27-1899
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
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 Manager Title
of Big Wood Canal Co. Organization, that I have signed the foregoing
document in the space below as Manager Title of Big Wood Canal Co. Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Richard McQuide
Title and Organization Manager Big Wood Canal Co. Date 8/9/89

State of Idaho/or Idaho)
County of Lincoln) SS.

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

SEAL

Notary Public Colleen Bishop

Residing at Gardiner, Idaho

My Commission Expires Life

Please Print Name

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

COPY

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X

At 10#	Orig Recd to
37-0675	L Walter
37-0294	Frank P Linn
37-0672	W. J. Hallace
37-0641	J. P. Stevenson
37-0121	Alvin Butler
37-0642	J. P. Stevenson
37-0133	Salem Carpenter
37-0059	Customwood Hite

Priority	Date	Inches
5	20-1897	80.0
11	15-1897	160.0
11	15-1897	280.0
5	1-1898	160.0
5	31-1898	115.0
5	1-1899	80.0
5	15-1899	40.0
5	27-1899	6585.6

CFS
150

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MAR 20 1993

DRAFT

LWR

1.	A37-13111	\$ 50
2.	A37-13112	50
3.	A37-13043 (Ref. Rt.)	50
4.	A37-13113	50
5.	A3-13114	<u>50</u>
		\$250

REC.
S010205
A/R S000046

* all acres covered by Big Wood claim
A37-00867 Z0, Z1, Z2

Amer. Falls

A01-00006

\$ 50

REC. S010207
~~S010206~~ VOID
AR S000047

$$27,058.8 - 2105.9 = \frac{\$24,952.9}{\$25,003.0} \text{ (Rounded)}$$

paid on BWR
overlap Acres.

$$\times 20\% = \$5000.60$$

BWR

REC.
S010205

1.	A37-13115	50	
2.	A37-00867 Z0, Z1, Z2	50	86,662 Ac.
3.	A37-00870	50	
4.	A37-13116	<u>50</u>	
		\$200	= \$86,862 total

$$\text{TOTAL BW + LW} = \$87,112$$

$$20\% = 17,422.40$$

Power Plants

REC. S010207
~~S010206~~ VOID

A37-08169	50	1102 <u>50</u>
A37-08166	<u>50</u>	<u>1032 <u>50</u></u>
	100	+ 2135 <u>00</u>
		<u>\$2235 <u>00</u></u>

Little Wood Decree

DRAFT

A37-13111 1) 12-24-1906 75 cfs Sept.-May Stock.

A37-13112

* part claimed
on BWR
claim #3
37-0870

6-1-1920

3078.9 cfs

IRR

Apr. - Oct

(combined small rights)

A37-13043 3)

11-13-1907

3048.7 cfs

IRR

Apr. - Oct.

(348.7) ?

(combined small rights)

A37-13113 4)

proof - 0059F

5-27-1899

150 cfs

IRR

A - O.

(combined small rights)

A37-13114 5)

* part claimed
on BWR
#2
37-0867

11-6-1905

3091.6 cfs

IRR

(combined small rights)

Little Wood Decree

DRAFT

1	66	4	26	407	"	51	129	5
2	149	8	27	39	1	52	37	1
3	31	1	28	154	4	53	176	4
4	11	1	29	160	5	54	262	7
5	53	2	30	487	14	55	259	8
6	32	1	31	439	11	56	64	2
7	17	1	32	550	14	57	135	4
8	14 (20)	2	33	562	14	58	24	2
9	47	2	34	527	16	59	414	12
10	132	9	35	487	13	60	440	12
11	230	9	36	618	16	61	316	12
12	224	4	37	460	13	62	167	5
13	622	16	38	582	15	63	394	11
14	542	15	39	296	11	64	464	12
15	528	15	40	224	7	65	468	13
16	315	8	41	441	13	66	148	6
17	162	5	42	318	9	67	70	4
18	316	8	43	550	14	68	32	8
19	150	4	44	450	13	69	384	12
20	358	10	45	287	7	70	169	6
21	339	10	46	64	2	71	118	6
22	292	8	47	394	10	72	174	5
23	36	1	48	97	4	73	174	6
24	364	10	49	437	16	74	492	16
25	499	13	50	164	8	75	317	12
5535		169	9194		261	5827		191

76	457	13	101	126
77	172	5	102	127
78	354	10	103	128
79	61	2	104	129
80	204	5	105	130
81	305	8	106	131
82	483	12	107	132
83	615	16	108	133
84	179	7	109	134
85	293	8	110	135
86	99	4	111	136
87	190	6	112	137
88	AGREEMENT		113	138
89			114	139
90	3412	96	115	140
91			116	141
92			117	142
93			118	143
94			119	144
95	TOTALS	717	120	145
96	23,968		121	146
97			122	147
98			123	148
99			124	149
100			125	150

DRAFT

Little Wood Lands

				Computer Totals	LWR Totals
Page 1	T 6	R 19	S-2	345	317
Page 3	+5	R 17	S 32	20	+4
Page 10	T 6	R 15	S 5	~~532~~ 480	527
Page 13	T 6	R 15	S 18	~~485~~	450
Page 14	T 6	R 16	S 6	364	~~394~~
Page 15	T 6	R 18	S 3	153	129
Page 15	T 6	R 18	S 6	286	~~262~~
Page 16	T 6	R 18	S 12	384	414
Page 18	T 6	R 19	S 7	320	~~32~~
Page 19	T 6	R 19	S 10	458	~~384~~

(?)

add. 6-15 S17

560

(?)

RECEIVED

OCT 03 1989

DRAFT

Department of Water Resources
Southern Region Office