



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

December 27, 2011

Michael C. Orr
Deputy Attorney General
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

Sent via Statehouse Mail

*RE: SRBA Subcase Nos. 01-5, 01-16, 01-210, 01-212 & 01-213
(North Side Canal Company, Ltd.)*

Dear Michael:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. Please review the documents, and if they are acceptable to you, please sign on the indicated signature lines, initial the revised recommendations and return the originals to me. I will circulate the SF5s for the remaining signatures and subsequent filing with the SRBA Court.

If you should have any questions or comments, please feel free to contact me at 287-4815.

Sincerely,

A handwritten signature in blue ink that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

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

In Re SRBA

Case No. 39576

Subcase Nos. 1-5

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

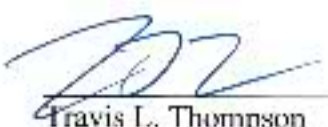
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

North Side Canal Company, Ltd.

OBJECTOR:

United States of America Bureau of
Reclamation


Travis L. Thompson

12/19/11
Date

Attorney for North Side Canal Co., Ltd.

David Gehlert

Date

Attorney for United States

RESPONDENT:

State of Idaho

OBJECTOR:

United States of America Bureau of
Land Management

Date

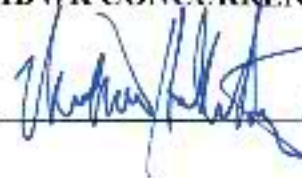
Attorney for State of Idaho

David Negri

Date

Attorney for United States

IDWR CONCURRENCE:

 12/19/2011
Date

ATTORNEY FOR IDWR:

 12/23/11
Chris Bromley Date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-5

NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83333

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 300,000 CFS

PRIORITY DATE: 12/23/1915

POINT OF
DIVERSION:

T103 R21E S22 EISE Within JEROME County
T103 R21E S28 SWNW Lot 5 Within JEROME County
T103 R21E S28 SWSNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	1/15 11/15	300,000 CFS

PLACE OF USE:

~~154367 ACRES TOTAL~~ 158230 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-2023(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 990A 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 does not include federal public lands unless authorized in writing by the United States Bureau of Land Management or Bureau of Reclamation.

Place of use is within the area served by North Side Canal Company.

Use of the rights listed below is limited to the irrigation of a combined total of 154,067 acres in a single irrigation season. Combined Right Nos.: 1-5, 1-16, 1-210, 1-212, and 1-213.

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 - Decreed

Water is delivered through North Side Main Canal, Milner Gooding Canal, and P & Lateral.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 1-10488 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

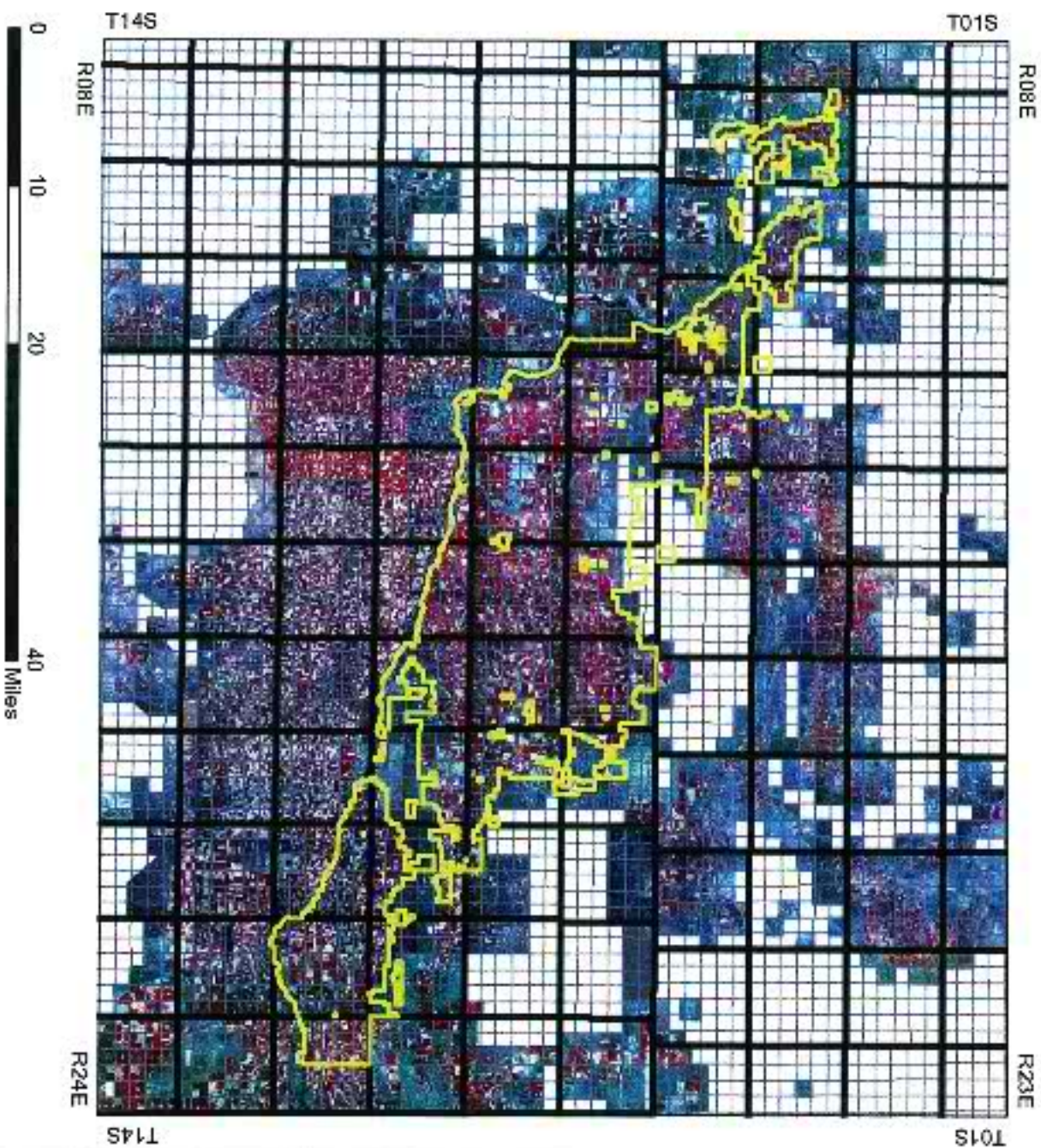
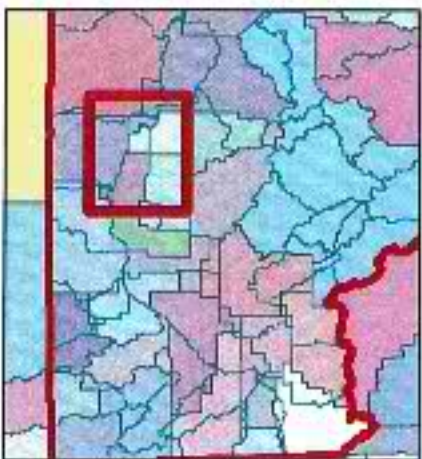


North Side Canal Co Ltd

Adjudication Recommendations: 1-5, 1-16, 1-210, 1-212, 1-213, 1-10488, 37-507

Irrigation Service Area Boundary
GIS Place of Use Illustration

- Legend**
- Service Area (Yellow outline)
 - State Outline (Red outline)
 - Townships (Black outline)
 - PLS Sections (White fill)



Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
DWR Basin 1
Prepared by Egbert, Sandy
On December 21, 2011
1987/88 Aerial Photography

CERTIFICATE OF MAILING

I certify that on _____, 20____, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Natural Resources Division Chief
State of Idaho Attorney General's
Office
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street MSC 033
Boise, Idaho 83724

E. Gail McGarry
United States, Department of Interior
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, Idaho 83706-1234

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

In Re SRBA

Case No. 39576

Subcase Nos. 1-16

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

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The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

North Side Canal Company, Ltd.

OBJECTOR:

United States of America Bureau of
Reclamation


Travis L. Thompson
Attorney for North Side Canal Co., Ltd.

12/19/11
Date

David Gehlert
Attorney for United States

Date

RESPONDENT:

State of Idaho

OBJECTOR:

United States of America Bureau of
Land Management

Attorney for State of Idaho

Date

David Negri
Attorney for United States

Date

IDWR CONCURRENCE:

 12/19/2011
Date

ATTORNEY FOR IDWR:

 12/23/11
Chris Bromley Date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-16

NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83336

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 832,000 CFS

PRIORITY DATE: 03/06/1923

POINT OF
DIVERSION:

TIOS R21E S22 S8SE Within JEROME County
TIOS R21E S28 SWNW Lot 5 Within JEROME County
TIOS R21E S29 SWWNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	832,000 CFS

PLACE OF USE:

154967 ACRES TOTAL 158200 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-2328(2) and authorized pursuant to I.C. Section 42-1411(2)(b). 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 89A 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 does not include federal public lands unless authorized in writing by the United States Bureau of Land Management or Bureau of Reclamation.

Place of use is within the area served by North Side Canal Company.

Use of the rights listed below is limited to the irrigation of a combined total of 154,067 acres in a single irrigation season. Combined Right Nos.: 1-5, 1-16, 1-210, 1-212, and 1-213.

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

The remainder of this right was forfeited for non-use from 1950 to 1990.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 1-10488 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through North Side Main Canal, Milner Gooding Canal, and P & A Lateral.

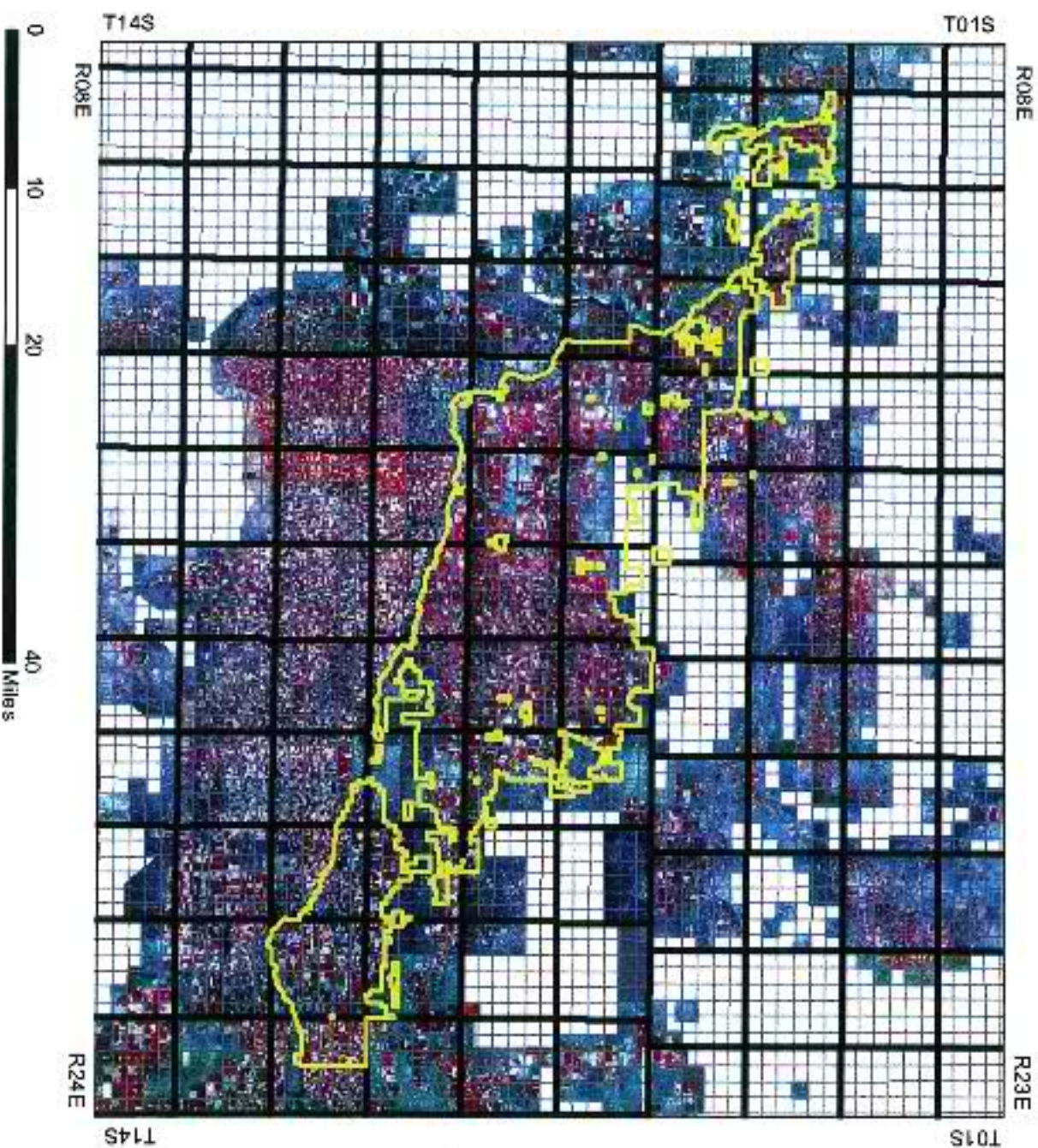
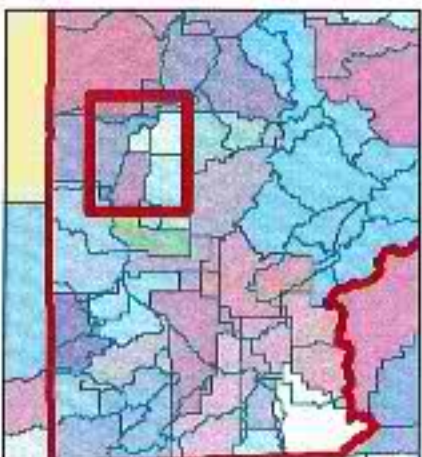


North Side Canal Co Ltd

Adjudication Recommendations: 1-5, 1-16, 1-210, 1-212, 1-213, 1-10488, 37-507

Irrigation Service Area Boundary
GIS Place of Use Illustration

- Legend**
- Service Area
 - State Outline
 - Townships
 - PLS Sections



Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
IDWR Basin 1
Prepared by Egbert, Sandy
On December 21, 2011
1967/86 Aerial Photography

CERTIFICATE OF MAILING

I certify that on _____, 20____, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

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Snake River Basin Adjudication
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Twin Falls, ID 83303-2707

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P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Depository
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United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street MSC 033
Boise, Idaho 83724

E. Gail McGarry
United States, Department of Interior
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, Idaho 83706-1234

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

In Re SRBA

Case No. 39576

Subcase Nos. 1-210

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

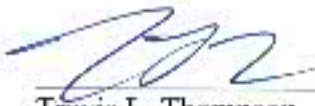
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

North Side Canal Company, Ltd.

OBJECTOR:

United States of America Bureau of
Reclamation


Travis L. Thompson Date
Attorney for North Side Canal Co., Ltd.

David Gehlert Date
Attorney for United States

RESPONDENT:

State of Idaho

OBJECTOR:

United States of America Bureau of
Land Management

Attorney for State of Idaho Date

David Negri Date
Attorney for United States

IDWR CONCURRENCE:

 12/19/2011
Date

ATTORNEY FOR IDWR:

 12/22/11
Chris Bromley Date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-210

NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83309

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 400,000 CFS

PRIORITY DATE: 10/11/1900

POINT OF
DIVERSION:

T10S R21E S22 S4SW Within JEROME County
T10S R21E S26 S4NW Lot 5 Within JEROME County
T10S R21E S18 S4SWNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

400,000 CFS

PLACE OF USE:

104067 ACRES TOTAL

158230 ACRES TOTAL

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)(b). 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 SREA 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 North Side Canal Company.

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

This right is limited to the irrigation of 31,843 acres within the place of use described above in a single irrigation season.

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

The operation, use and administration of this water right is subject to the terms and conditions of the Settlement Agreement signed on February 14, 2006 with Minidoka Irrigation District, Burley Irrigation District, Twin Falls Canal Company, North Side Canal Company and American Falls Reservoir District 42.

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.

The Director of the Idaho Department of Water Resources shall determine what part of the water flowing in the Snake River at the Minidoka and Miller Dam is storage waters and what part is natural flow. The amount of natural flow shall be determined as such natural flow would be, if unaffected by the diversions or acts of the parties to

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

~~Twin Falls Canal Co. v. Foster, Decree (4th Jud. Dist., Twin Falls Co., June 20, 1913), the natural flow to which the Twin Falls Canal Company and the Northside Canal Company are entitled shall be measured at the Milner Dam.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 1-10488 is an enlargement of this right pursuant to Section 42-1425, Idaho Code.

Water is delivered through North Side Main Canal, Milner Gooding Canal, and P A Lateral.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a combination of old right nos. 1-210A and 1-210B.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

MWJ

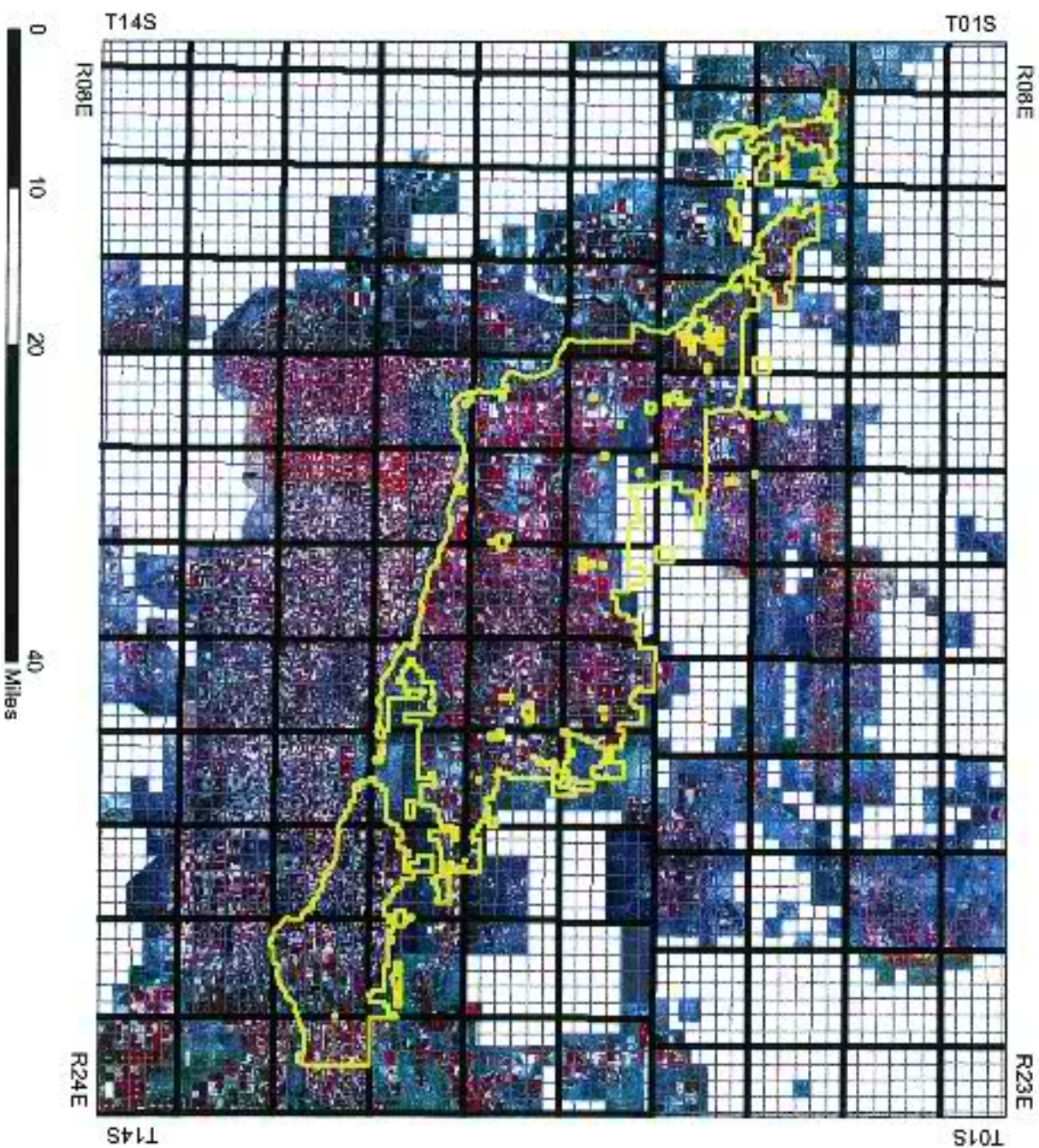
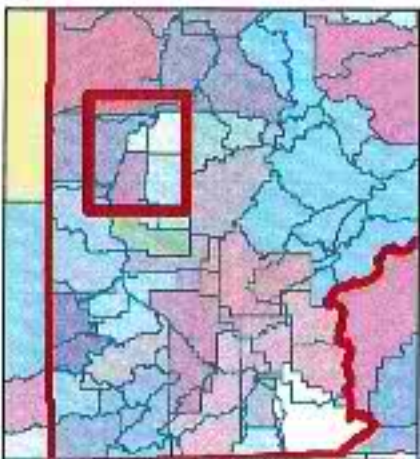


North Side Canal Co Ltd

Adjudication Recommendations: 1-5, 1-16, 1-210, 1-212, 1-213, 1-10488, 37-507

Irrigation Service Area Boundary
GIS Place of Use Illustration

- Legend**
- Service Area
 - State Outline
 - Townships
 - PLS Sections



Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
IDWR Basin 1
Prepared by Egbert, Sandy
On December 21, 2011
1987/88 Aerial Photography

CERTIFICATE OF MAILING

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Boise, Idaho 83711-4449

IDWR Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street MSC 033
Boise, Idaho 83724

E. Gail McGarry
United States, Department of Interior
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, Idaho 83706-1234

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

In Re SRBA

Case No. 39576

Subcase Nos. 1-212

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

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The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

North Side Canal Company, Ltd.

OBJECTOR:

United States of America Bureau of
Reclamation

 12/15/11

Travis L. Thompson Date
Attorney for North Side Canal Co., Ltd.

David Gehlert Date
Attorney for United States

RESPONDENT:

State of Idaho

OBJECTOR:

United States of America Bureau of
Land Management

Attorney for State of Idaho Date

David Negri Date
Attorney for United States

IDWR CONCURRENCE:

 12/19/2011
Date

ATTORNEY FOR IDWR:

 12/23/11
Chris Bromley Date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-212

NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83328

SOURCE: SNARE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2,250,000 CFS

PRIORITY DATE: 10/07/1905

POINT OF
DIVERSION:

T108 R21E S22 SESE Within JEROME County
T108 R21E S20 ESWW Lot 5 Within JEROME County
T108 R21E S28 ESWW Lot 5 Within JEROME County

MNA CB

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

2,250,000 CFS

PLACE OF USE:

154867 ACRES TOTAL

156200 ACRES TOTAL

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.

MD

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

Place of use is within the area served by North Side Canal Company.

This right is limited to the irrigation of 120,000 acres within the place of use described above in a single irrigation season.

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

This 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 42-1612(6), Idaho Code.

The operation, use and administration of this water right is subject to the terms and conditions of the Settlement Agreement signed on February 18, 2006 with Minnoka Irrigation District, Burley Irrigation District, Twin Falls Canal Company, North Side Canal Company and American Falls Reservoir District #2.

~~The Director of the Idaho Department of Water Resources shall determine what part of the water flowing in the Snake River at the Minnoka and Hilmer Dams is storage waters and what part is natural flow. The amount of natural flow shall be determined as such natural flow would be, if unaffected by the diversions or acts of the parties to~~

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

~~Twin Falls Canal Co v Foster, Decree (6th Jud. Dist., Twin Falls Co., June
23, 1913). The natural flow to which the Twin Falls Canal Company and
The Northside Canal Company are entitled shall be measured at the Milner
Dam.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decree

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

Right No. 1-10488 is an enlargement of this right pursuant to Section
42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

Water is delivered through North Side Main Canal, Milner Gooding Canal, and
P & Lateral.

707

CB

MWH



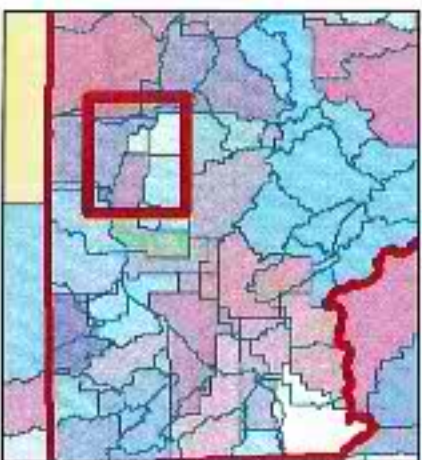
North Side Canal Co Ltd

Adjudication Recommendations: 1-5, 1-16, 1-210, 1-212, 1-213, 1-10488, 37-507

Irrigation Service Area Boundary
GIS Place of Use Illustration

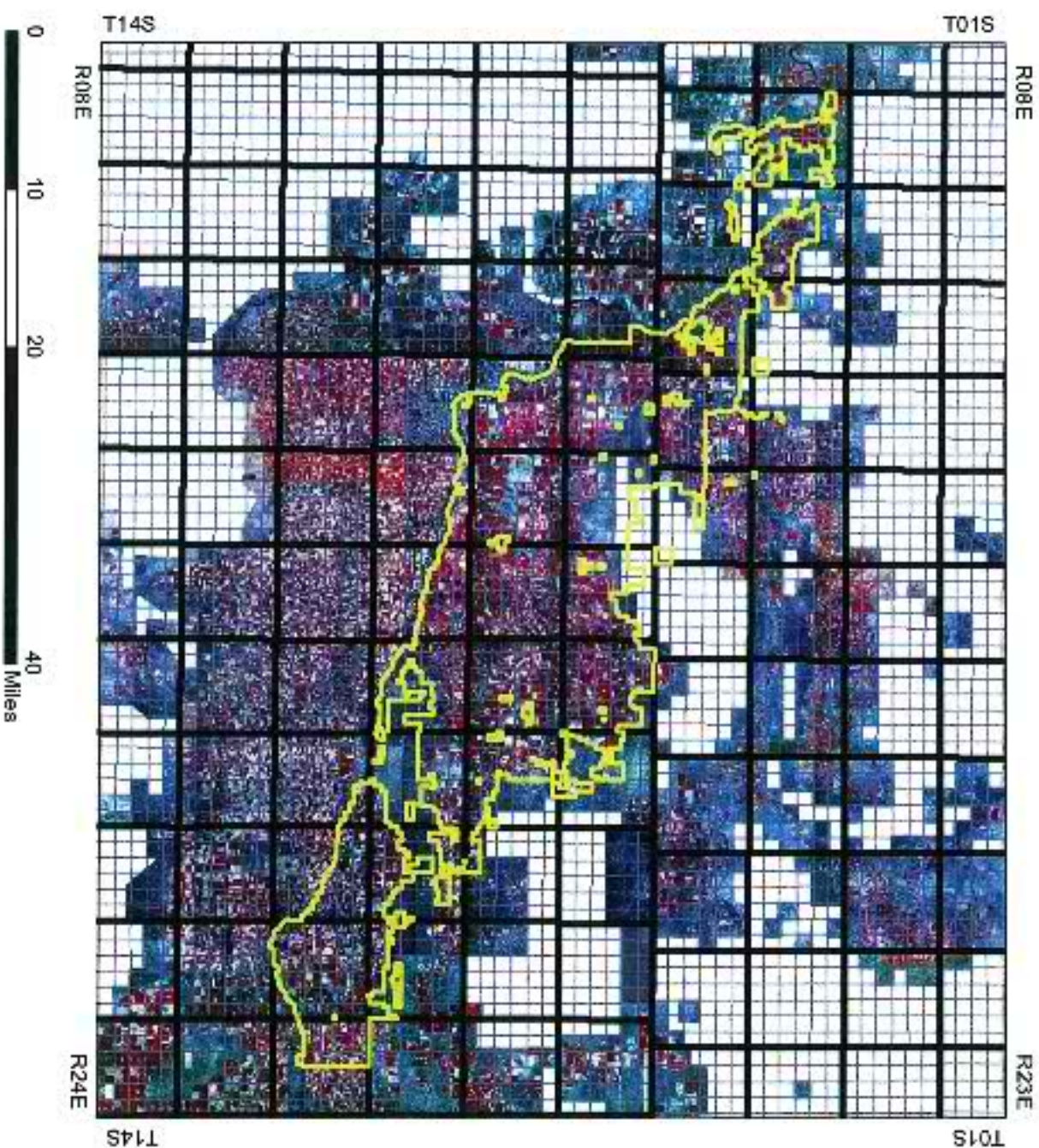
Legend

- Service Area
- State Outline
- Townships
- PLS Sections



Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
DWR Basin 1

Prepared by Egbert, Sandy
On December 21, 2011
1987/88 Aerial Photography



CERTIFICATE OF MAILING

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P.O. Box 83720
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United States Department of Justice
Environment & Natural Resources Division
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United States, Department of Interior
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Subcase Nos. 1-213

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North Side Canal Company, Ltd.

OBJECTOR:

United States of America Bureau of
Reclamation


Travis L. Thompson Date
Attorney for North Side Canal Co., Ltd.

David Gehlert Date
Attorney for United States

RESPONDENT:

State of Idaho

OBJECTOR:

United States of America Bureau of
Land Management

Date
Attorney for State of Idaho

David Negri Date
Attorney for United States

IDWR CONCURRENCE:


Date 12/19/2011

ATTORNEY FOR IDWR:


Date 12/23/11
Chris Bromley

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-213

NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83338

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 350,000 CFS

PRIORITY DATE: 05/16/1908

POINT OF
DIVERSION:

PIOS R21E S22 SESE Within JEROME County
PIOS R21E S20 SSWW Lot 5 Within JEROME County
PIOS R21E S28 SSWNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	350,000 CFS

PLACE OF USE:

154067 ACRES TOTAL 156200 ACRES TOTAL

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

Place of use is within the area served by North Side Canal Company.

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)(b). 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 8th 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.

Use of the rights listed below is limited to the irrigation of a combined total of 154,067 acres in a single irrigation season. Combined Right Nos.: 1-5, 1-16, 1-210, 1-212, and 1-213.

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

The remainder of this right was forfeited for non-use from 1876 to 1890.

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.

The operation, use and administration of this water right is subject to the terms and conditions of the Settlement Agreement signed on February 14, 2006 with Minidoka Irrigation District, Burley Irrigation District, Twin Falls Canal Company, North Side Canal Company and American Falls Reservoir District #2.

The Director of the Idaho Department of Water Resources shall determine what part of the water flowing in the Snake River at the

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

~~Milner and Milner Dams is storage waters and what part is natural
flow. The amount of natural flow shall be determined as each natural
flow would be, if unaffected by the diversions or uses of the parties to
Twin Falls Canal Co v Foster, Decree 14th Fed. Dist., Twin Falls 86, June
23, 1913. The natural flow to which the Twin Falls Canal Company and
the Northside Canal Company are entitled shall be measured at the Milner
Dam.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

Right No. 1-10493 is an enlargement of this right pursuant to Section
42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

Water is delivered through North Side Main Canal, Milner Gooding Canal, and
P A Lateral.

MWA

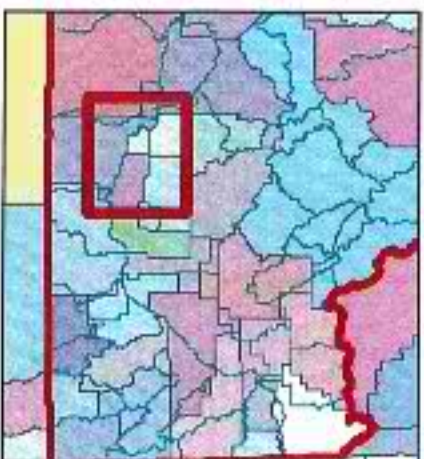


North Side Canal Co Ltd

Adjudication Recommendations: 1-5, 1-16, 1-210, 1-212, 1-213, 1-10488, 37-507

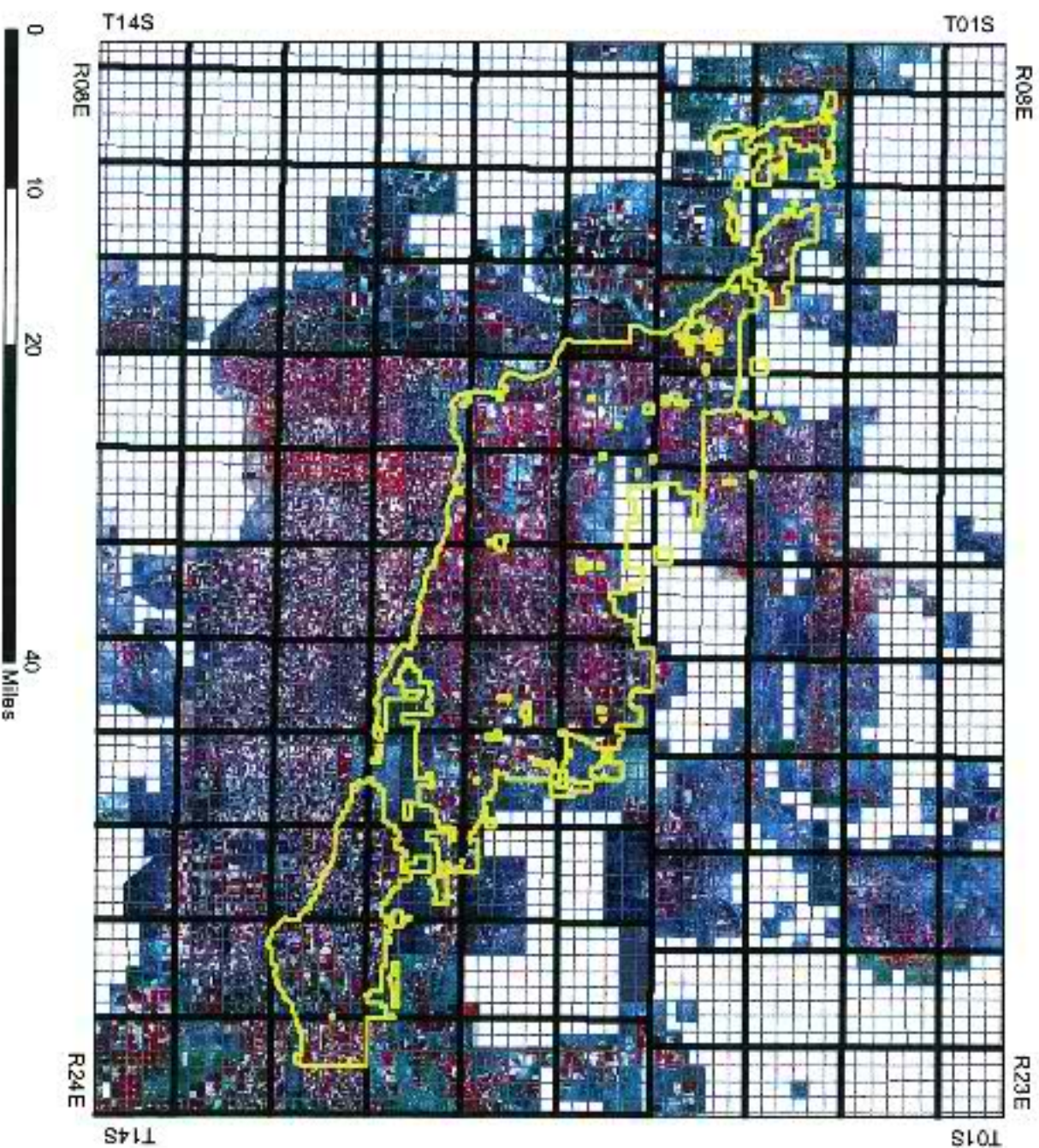
Irrigation Service Area Boundary
GIS Place of Use Illustration

- Legend**
- Service Area
 - State Outline
 - Townships
 - PLS Sections



Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
IDWR Basin 1

Prepared by Egbert, Sandy
On December 21, 2011
1967/88 Aerial Photography



CERTIFICATE OF MAILING

I certify that on _____, 20__, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Natural Resources Division Chief
State of Idaho Attorney General's
Office
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street MSC 033
Boise, Idaho 83724

E. Gail McGarry
United States, Department of Interior
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, Idaho 83706-1234
