

Williams, Ray

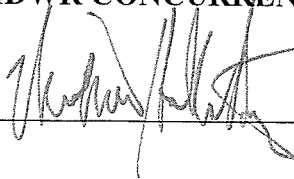
From: Williams, Ray
Sent: Thursday, January 05, 2012 2:13 PM
To: 'Gehlert, David (ENRD)'; 'david.negri@usdoj.gov'
Cc: 'Price, Fredric W'; Beazer, Sherman S; Matt Howard; McGarry, Elizabeth G; Bromley, Chris
Subject: 01-5 et al (North Side Canal Company)

I have SF5s ready for review and signature by the BLM and BOR. I left them in the reception area for pick up. I also included additional colored maps and CDs. If the BLM could coordinate the signatures for the federal agencies and file the SF5s, maps and CDs with the SRBA Court after the SF5s are executed, we should be able to have these resolved well ahead of the trial date scheduled to begin on February 1.

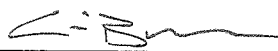
Thanks,

Ray

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 83338

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 300.000 CFS

PRIORITY DATE: 12/23/1915

POINT OF
DIVERSION:

T10S R21E S22 SESE Within JEROME County
T10S R21E S28 SWNW Lot 5 Within JEROME County
T10S R21E S28 SWSWNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	300.000 CFS

PLACE OF USE:

~~154067 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 42-202B(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 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.

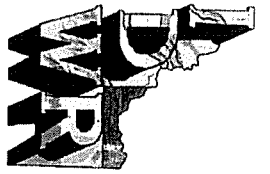
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



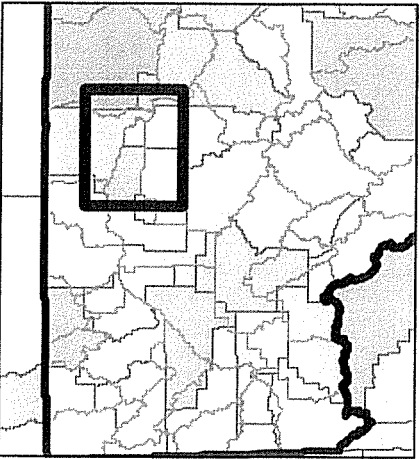
North Side Canal Co Ltd

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
- State Outline
- Townships
- PLS Sections

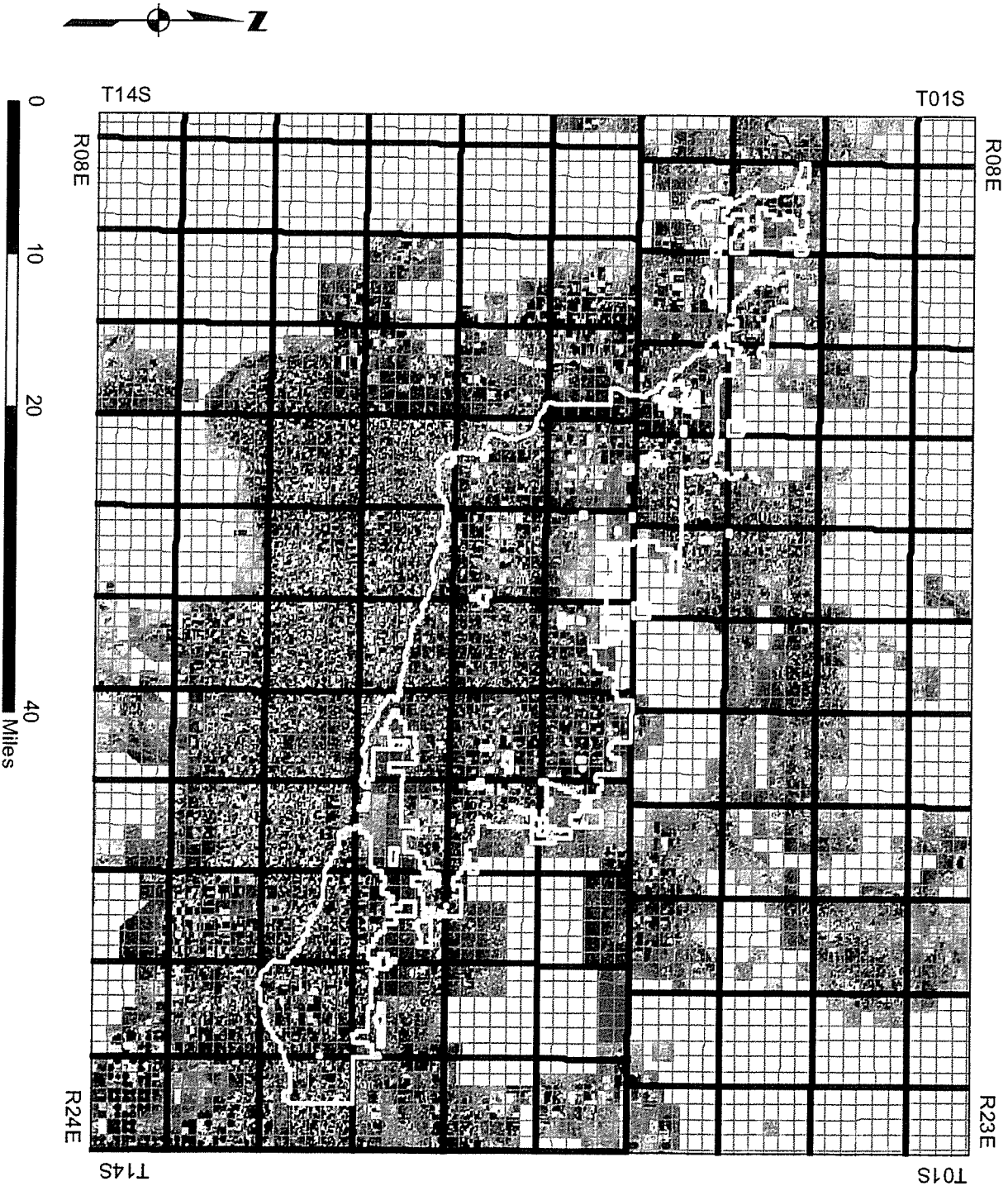


Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
IDWR Basin 1

Prepared by Egbert, Sandy

On December 21, 2011

1987/88 Aerial Photography



CERTIFICATE OF MAILING

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

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

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

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	)	Subcase Nos. 1-16
	)	
Case No. 39576	)	
	)	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:

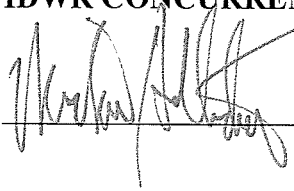
United States of America Bureau of
Land Management



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: 1-16

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 832.000 CFS

PRIORITY DATE: 08/06/1920

POINT OF
DIVERSION:

T10S R21E S22 SESE Within JEROME County
T10S R21E S28 SWNW Lot 5 Within JEROME County
T10S R21E S28 SWSNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

832.000 CFS

PLACE OF USE:

~~154067 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 42-202B(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 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.

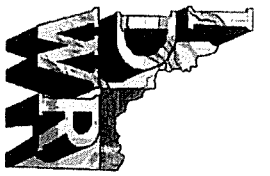
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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.



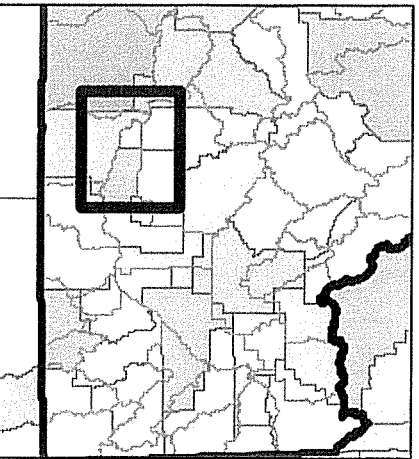
North Side Canal Co Ltd

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

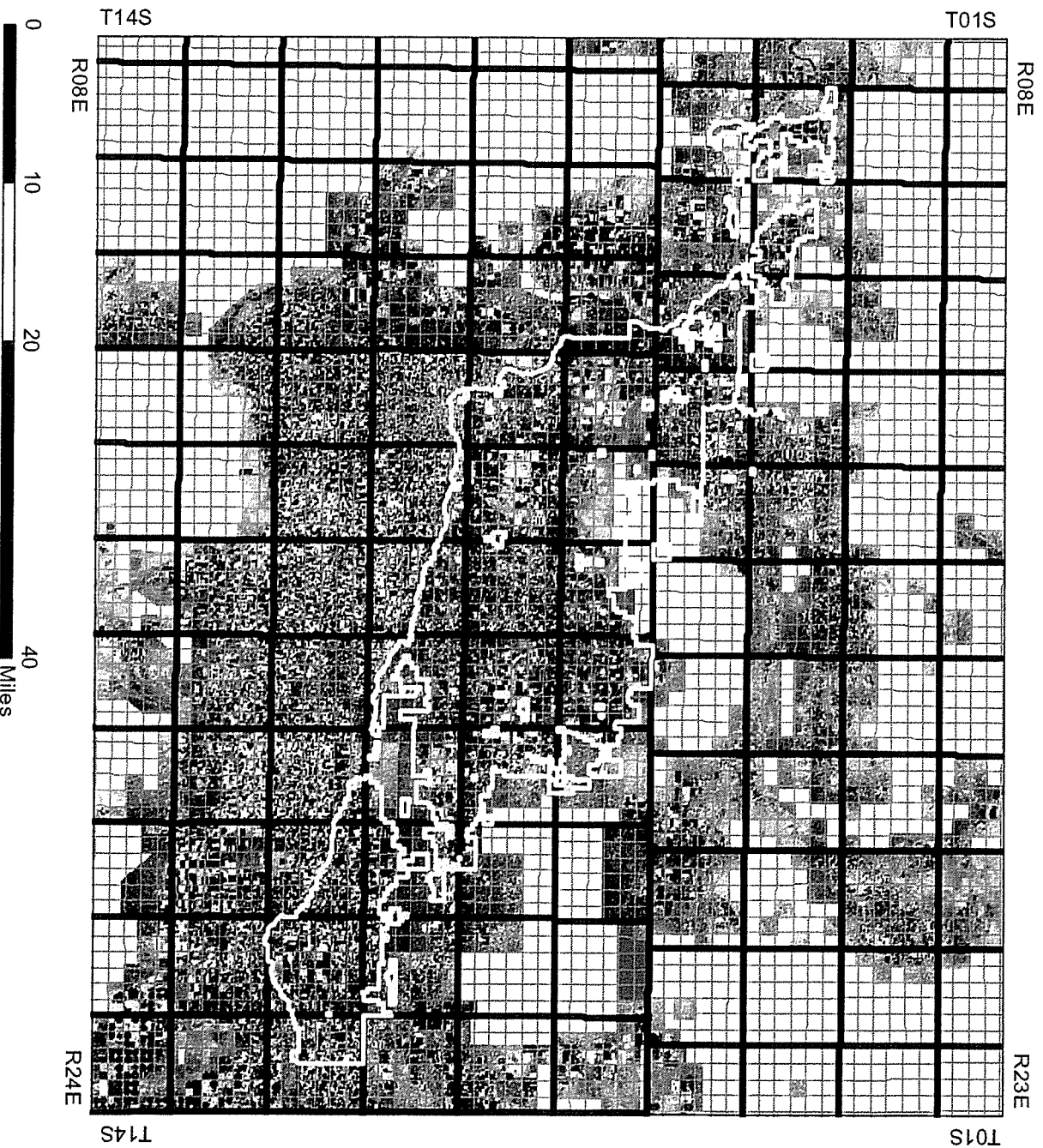
Legend

-  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
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

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

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

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 12/15/11
Attorney for North Side Canal Co., Ltd. Date

David Gehlert Date
Attorney for United States

RESPONDENT:

State of Idaho

OBJECTOR:

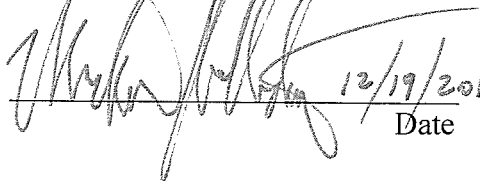
United States of America Bureau of
Land Management



Michael C. Orr 1/3/2012
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: 1-210

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 400.000 CFS

PRIORITY DATE: 10/11/1900

POINT OF
DIVERSION:

T10S R21E S22 SESE Within JEROME County
T10S R21E S28 SWNW Lot 5 Within JEROME County
T10S R21E S28 SWSNW Lot 5 Within JEROME County

MWA
CB

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	400.000 CFS

PLACE OF USE:

~~154067 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 42-202B(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.

707
mco

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 #2.

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 Milner 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 (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
42-1426, 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.

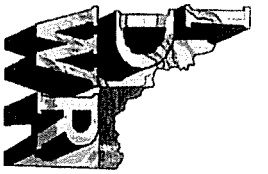
Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

MWB

707

CB

meo



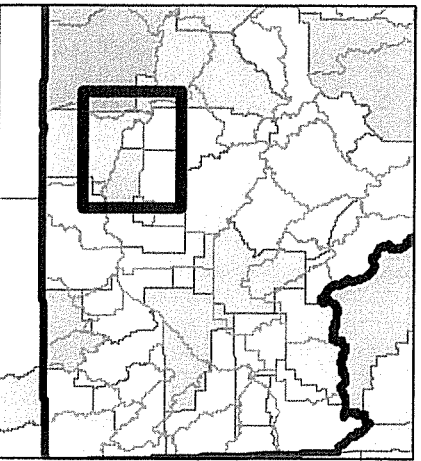
North Side Canal Co Ltd

Adjudication Recommendations: 1-5, 1-16, 1-2-10, 1-2-12, 1-2-13, 1-10-488, 37-507

Irrigation Service Area Boundary
GIS Place of Use Illustration

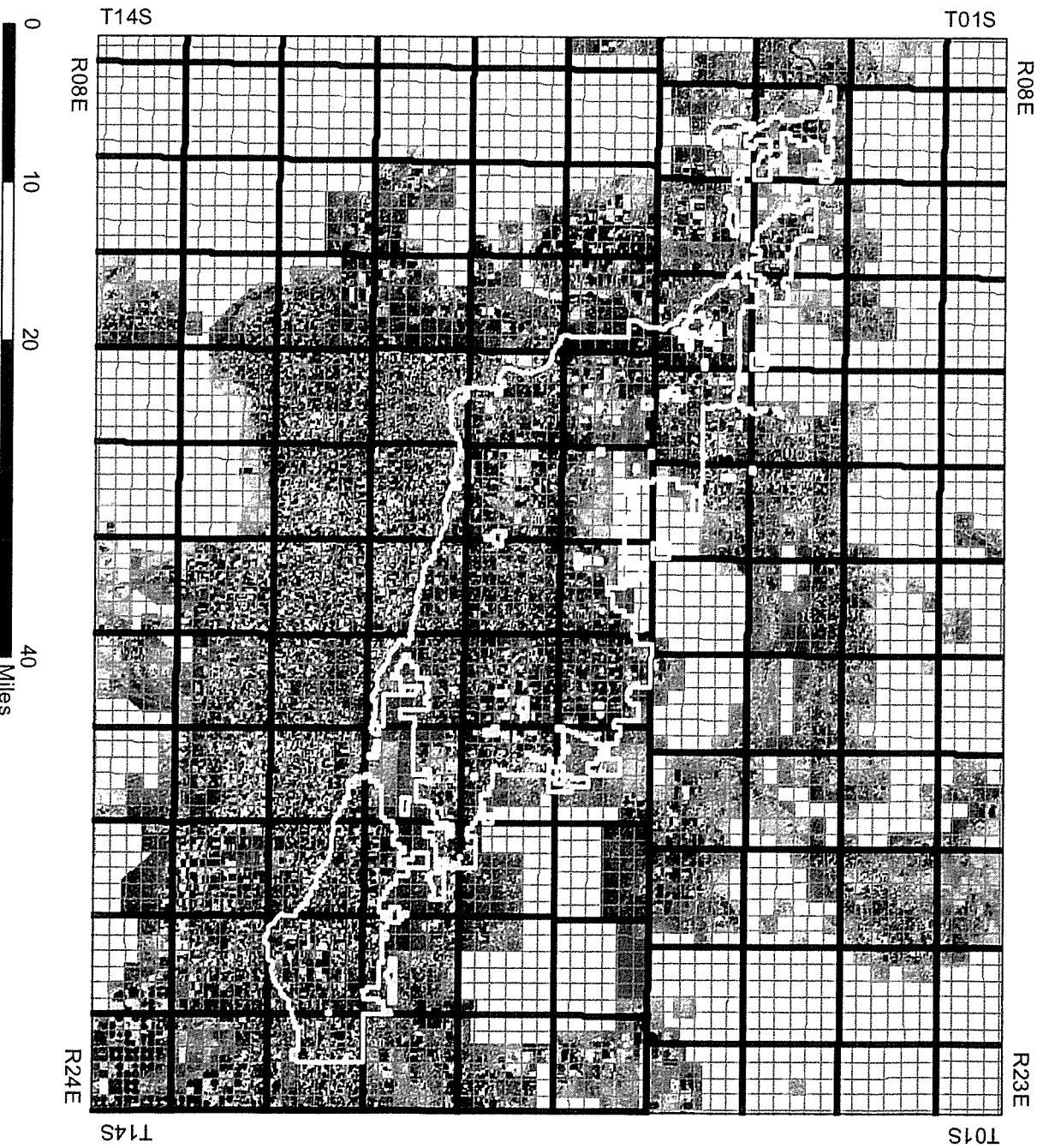
Legend

- Service Area
- Slate 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

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. 1-212

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.

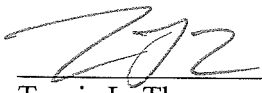
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

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

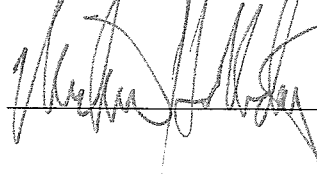
OBJECTOR:

United States of America Bureau of
Land Management

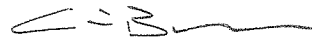

Michael C. Carr 12/13/11
Date
Attorney for State of Idaho

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: 1-212

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2,250.000 CFS

PRIORITY DATE: 10/07/1905

POINT OF
DIVERSION:

T10S R21E S22 SESE Within JEROME County
T10S R21E S28 SWNW Lot 5 Within JEROME County
T10S R21E S28 SWSNW Lot 5 Within JEROME County

MWA CB

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2,250.000 CFS

PLACE OF USE:

~~154067 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 42-202B(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.

med
7D

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 42-1412(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 Minidoka and Milner 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 (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 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.

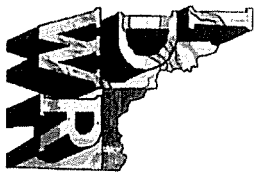
Water is delivered through North Side Main Canal, Milner Gooding Canal, and
P A Lateral.

707

CB

meo

MWH



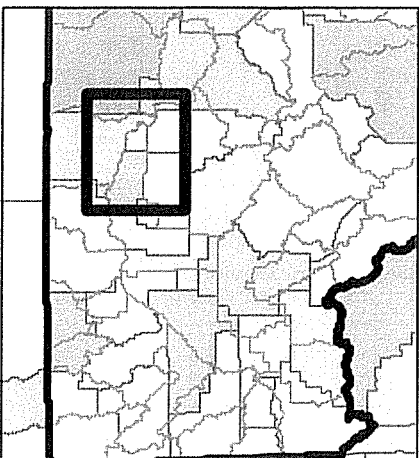
North Side Canal Co Ltd

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

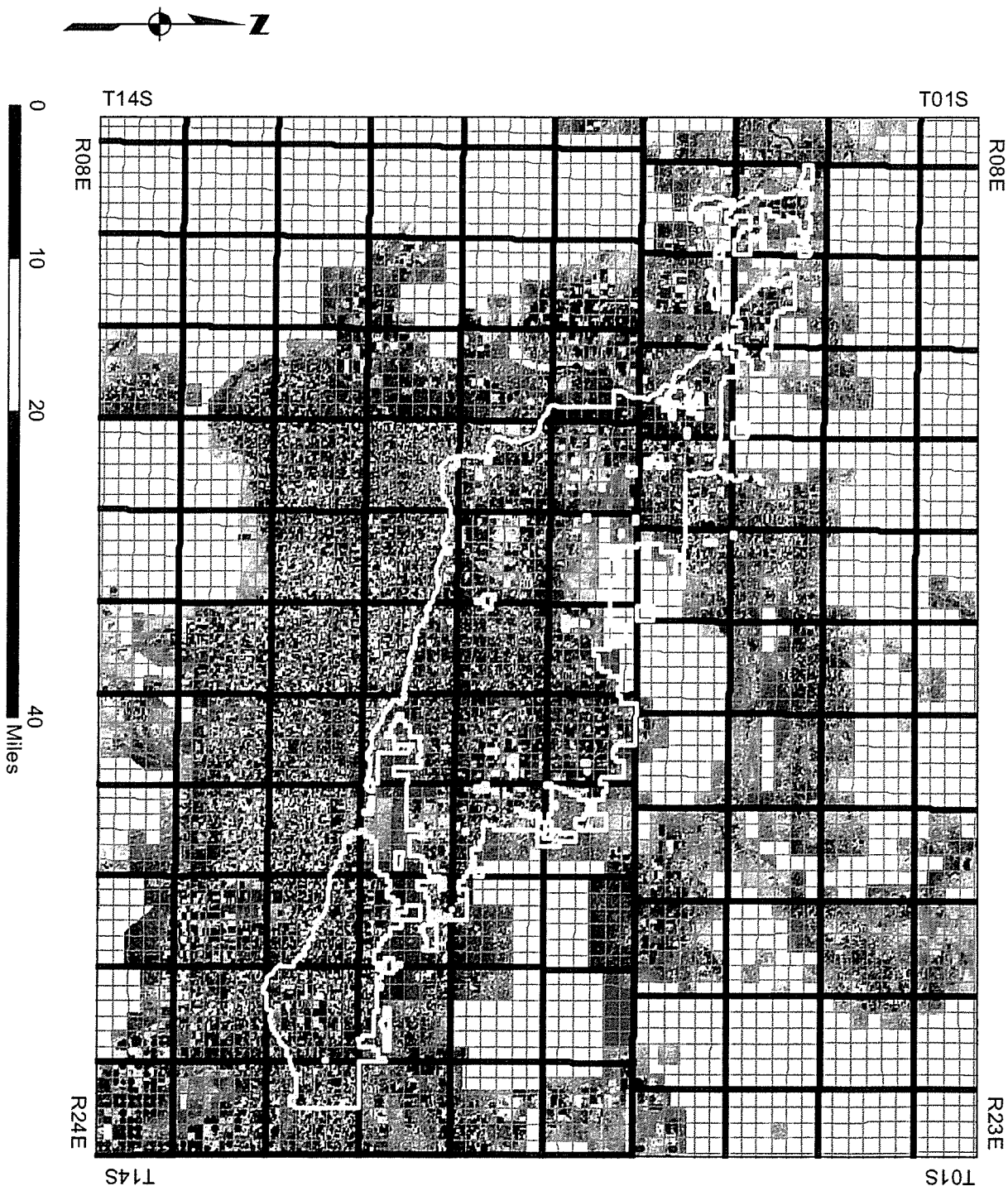


Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
IDWR Basin 1

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. 1-213

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

 12/19/11

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

David Gehlert Date
Attorney for United States

RESPONDENT:

State of Idaho

OBJECTOR:

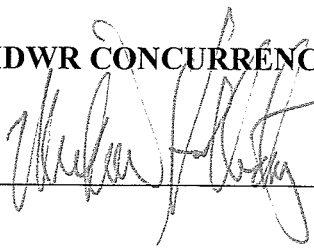
United States of America Bureau of
Land Management

 1/3/2012

Date
Attorney for State of Idaho

David Negri Date
Attorney for United States

IDWR CONCURRENCE:


Date 12/19/2011

ATTORNEY FOR IDWR:


Chris Bromley Date 12/23/11

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: 06/16/1908

POINT OF
DIVERSION:

T10S R21E S22 SESE Within JEROME County
T10S R21E S28 SWNW Lot 5 Within JEROME County
T10S R21E S28 SWSNW Lot 5 Within JEROME County

MNH
CR

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~~ 158200 ACRES TOTAL

meo

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.

700

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)(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.

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 1976 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.

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

~~Minidoka and Milner 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
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 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.

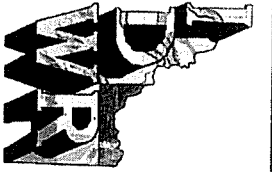
Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

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

705
CB

MWA

M&O



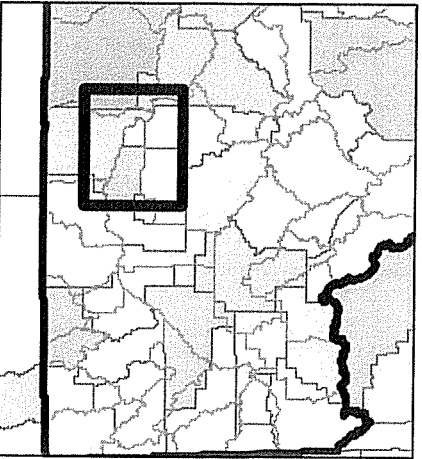
North Side Canal Co Ltd

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

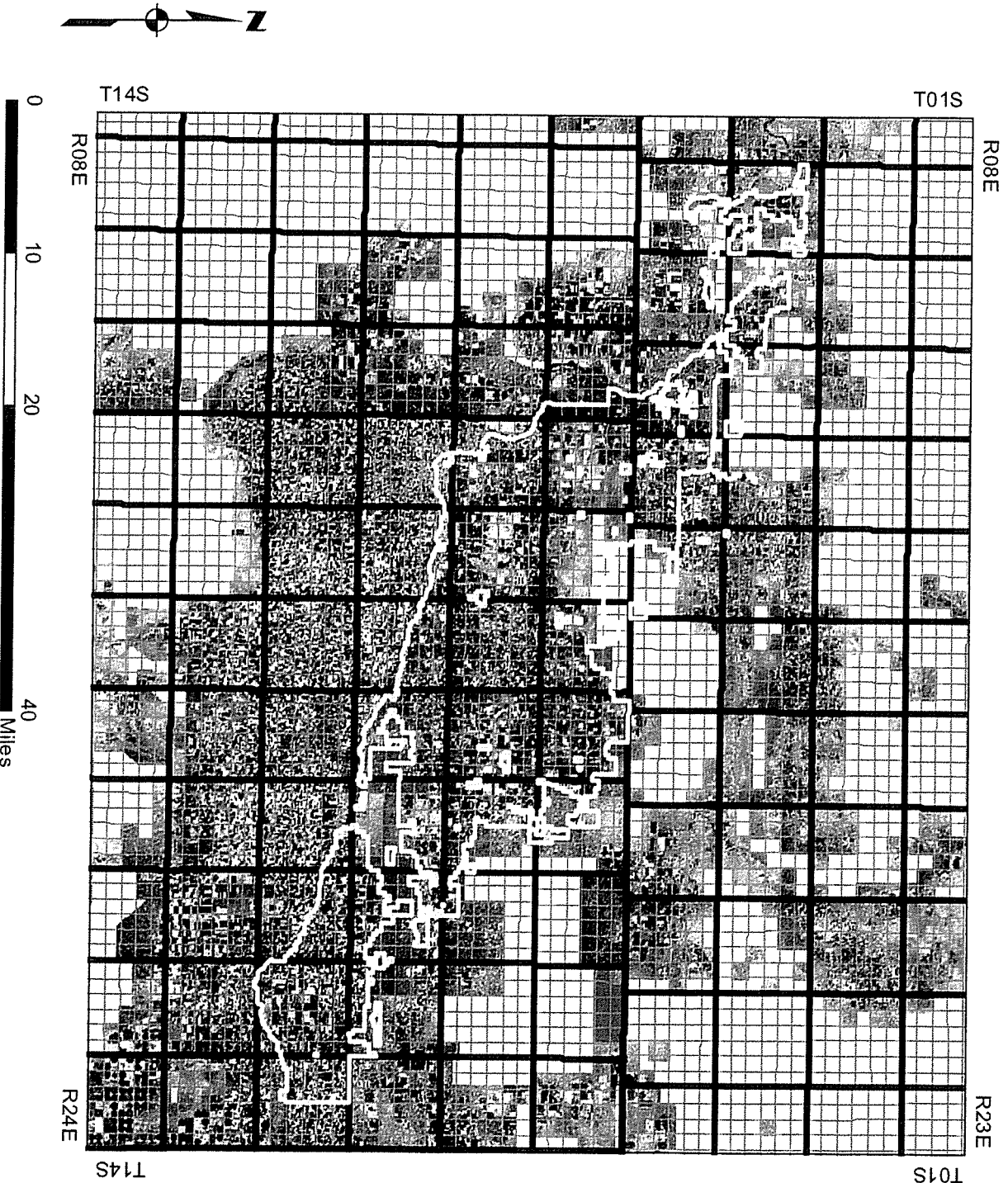


Elmore, Gooding, Lincoln,
Twin Falls, Jerome Counties
IDWR Basin 1

Prepared by Egbert, Sandy

On December 21, 2011

1987/88 Aerial Photography



CERTIFICATE OF MAILING

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

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

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

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