

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 47-2179
Date Received: 7/19/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC Phone: (208)543-9093
PO BOX 508
BUHL ID 83316

2. Date of Priority: 08/10/1929

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	14	NW SW	TWIN FALLS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.22	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
1.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S	14E	10	SE NE	IRRIGATION	20
			SW NE	IRRIGATION	26

47-2179 07/24/2006

09S 14E 11 SW NW

Section Acres	46
IRRIGATION	15
Section Acres	15
Total Acres	61

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

7-19-06 Data Entered AJK

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 47-2175, 47-2177, 47-2174
47-2179, 47-2180.

[] Name(s): KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM, INC.

[] Old Mailing Address: _____

[] New Mailing Address: KRR WATER BOARD
P.O. Box 508
BUHL, ID. 83316

Telephone Number: (208) 543 - 9093

[] Signature(s) of Owner(s) Donna L. Wainwright
PRESIDENT KRR HOMEOWNERS WATER SYS., INC.
(Include your title if on behalf of company or organization)

Date: 7/20/06

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 47-2179
Date Received: 7/19/2006
Receipt No: 5028803
Received By: OK

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

1. Name of Claimant(s)

KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC Phone: (208)543-6767

PO BOX 201
BUHL ID USA 83316

2. Date of Priority: 08/10/1929

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	14	NW SW	TWIN FALLS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.22	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
1.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	10	SE	NE	IRRIGATION	20
			SW	NE	IRRIGATION	26
Section Acres						46
09S	14E	11	SW	NW	IRRIGATION	15
			Section Acres			
Total Acres						61

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

7-19-06 Data Entered AJK

15. Basis of Claim: License

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 PRESIDENT of _____ Title

KRR WATER BOARD, that I have signed the foregoing Organization

document in the space below as PRESIDENT of _____ Title

KANAKA RAPIDS RANCH WATER BOARD and that the statements contained in the Organization

foregoing document are true and correct.

Don L. Wainwright
Signature of Authorized Agent

PRESIDENT KRR WATER BOARD (co.)
Title and Organization

7/20/06
Date

State of Idaho)
County of Twin Falls) SS.

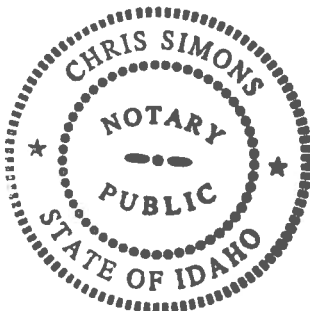
Subscribed and sworn (or affirmed) before me this
of July 21 2006

Chris Simons

Notary Public

Residing at Twin Falls, Id

My commission Expires 4/28/2012



NOTICE OF ERROR
REPLY

RECEIVED
10/17/2006

NOV 09 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

Water right number: 47-2179

KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC

PO BOX 508

BUHL ID 83316

Telephone Number: (208)543-9093

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

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

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

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/9/2006

SIGNATURE:

Mary Rosen

Please print your name:

Mary Rosen

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

08/16/2006

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

RIGHT NUMBER: 47-2179

NAME AND ADDRESS: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC
PO BOX 508
BUHL ID 83316

SOURCE: MUD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.220 CFS

PRIORITY DATE: 08/10/1929

POINT OF DIVERSION:

T09S R14E S14 NWNWSW Within TWIN FALLS County

Rights 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7551A are all diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.220 CFS

PLACE OF USE:

IRRIGATION Within TWIN FALLS County

T09S R14E S10 Lot 4 NENE	15.00	T09S R14E S10	NWNE	17.00	
T09S R14E S10	SWNE	18.00	T09S R14E S10	SENE	26.00
T09S R14E S10 Lot 6 NENW	5.10	T09S R14E S10 Lot 3	SENW	13.00	
T09S R14E S10	NESE	13.00	T09S R14E S11 Lot 7	2.70	
T09S R14E S11 Lot 9	NWNE	4.30	T09S R14E S11	NENW	3.50
T09S R14E S11 Lot 8	NENW	13.00	T09S R14E S11 Lot 3	NWNW	15.00
T09S R14E S11	SWNW	24.00	T09S R14E S11	SENW	5.70
T09S R14E S11	NWSW	9.80			

185.1 ACRES TOTAL

This right is limited to the irrigation of 61 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 232.6 acres in a single irrigation season. Combined Right Nos.: 47-7680, 47-7261A, 47-2174, 47-2175, 47-2179 and 47-7261B.

Right 47-7680 overlaps 37.3 acres on lands irrigated from Mud Creek and 1.7 acres on lands irrigated from Unnamed Stream (Silver Creek) while providing primary irrigation water to 31.5 acres.

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 - License

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



47-7261A

47-2175

47-2179

Point of Diversion



Place of Use



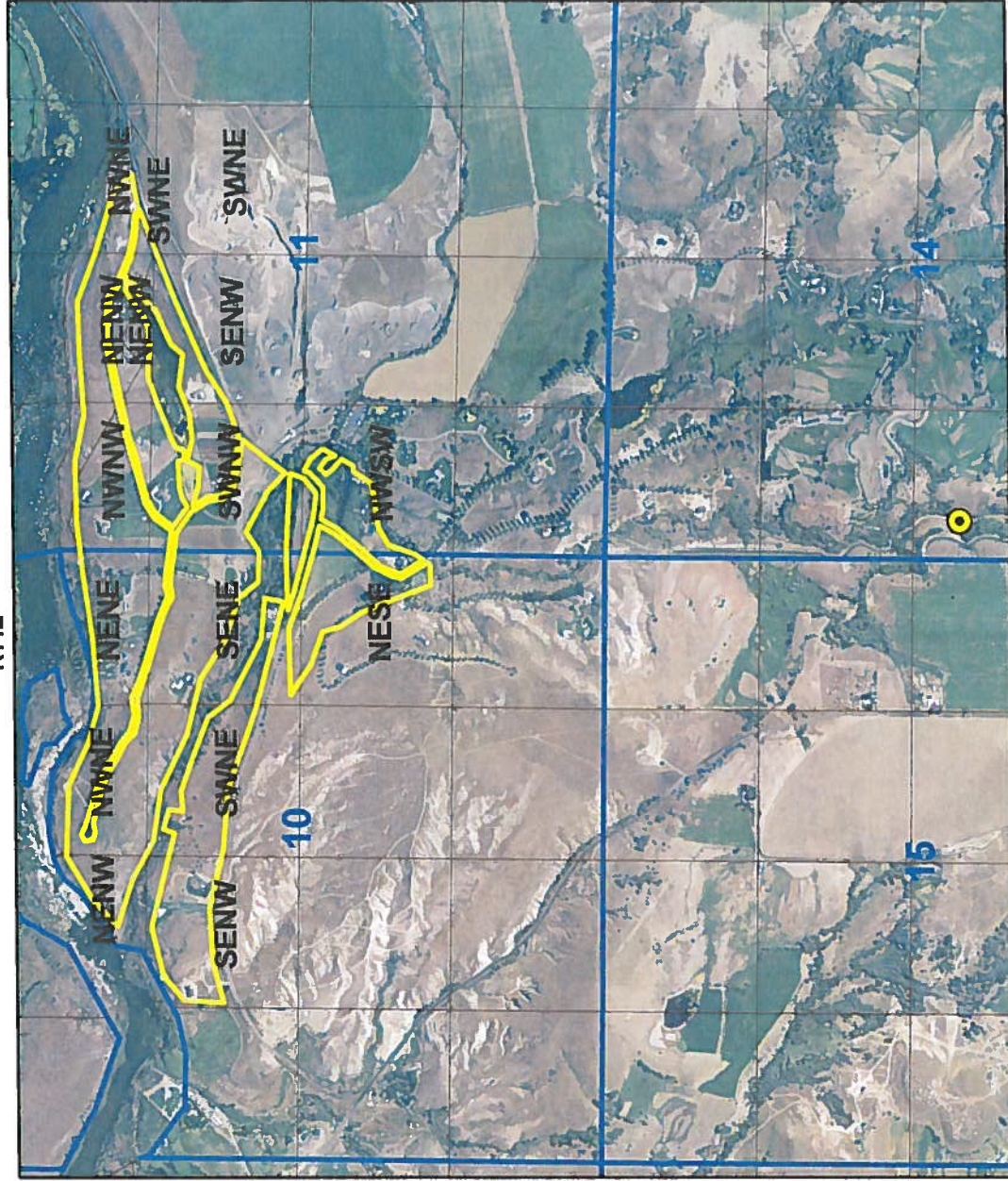
PLS Sections



Quarter Quarters



R14E



S60L

1.2 Miles

9.0

0

Prepared by A. Merritt
On Wednesday, August 16, 2006
2004 Aerial Photography

Owner: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC

State of Idaho
License and Certificate of Water Right

Water License No. 16949
Water District No.

Amount 1.22 second feet
Priority August 10, 1928

THIS IS TO CERTIFY that SAMUEL M. BRIGGS of Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 10, 1928, 19 ; that Permit No. 16949 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.4 second feet, was issued thereunder on December 10, 1931, showing that said works were completed on the 25th day of November, 1931; and that on the 10th day of August, 1937,

SAMUEL M. BRIGGS

of Buhl, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Mud Creek, a tributary of Snake River, for the purpose of irrigation and domestic use under Use Permit No. 16949 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3938, on the 10th day of March, 1939;

The right hereby confirmed dates from August 10, 1928;

The Point of Diversion is located in the NW 1/4 Sec. 14, Tp. 9 S., R. 14 E., B. M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.22 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	10	SW 1/4 NE 1/4	40	26
			SE 1/4 NE 1/4	40	20
		11	SW 1/4 NW 1/4	40	15
			Total number of acres irrigated		61

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

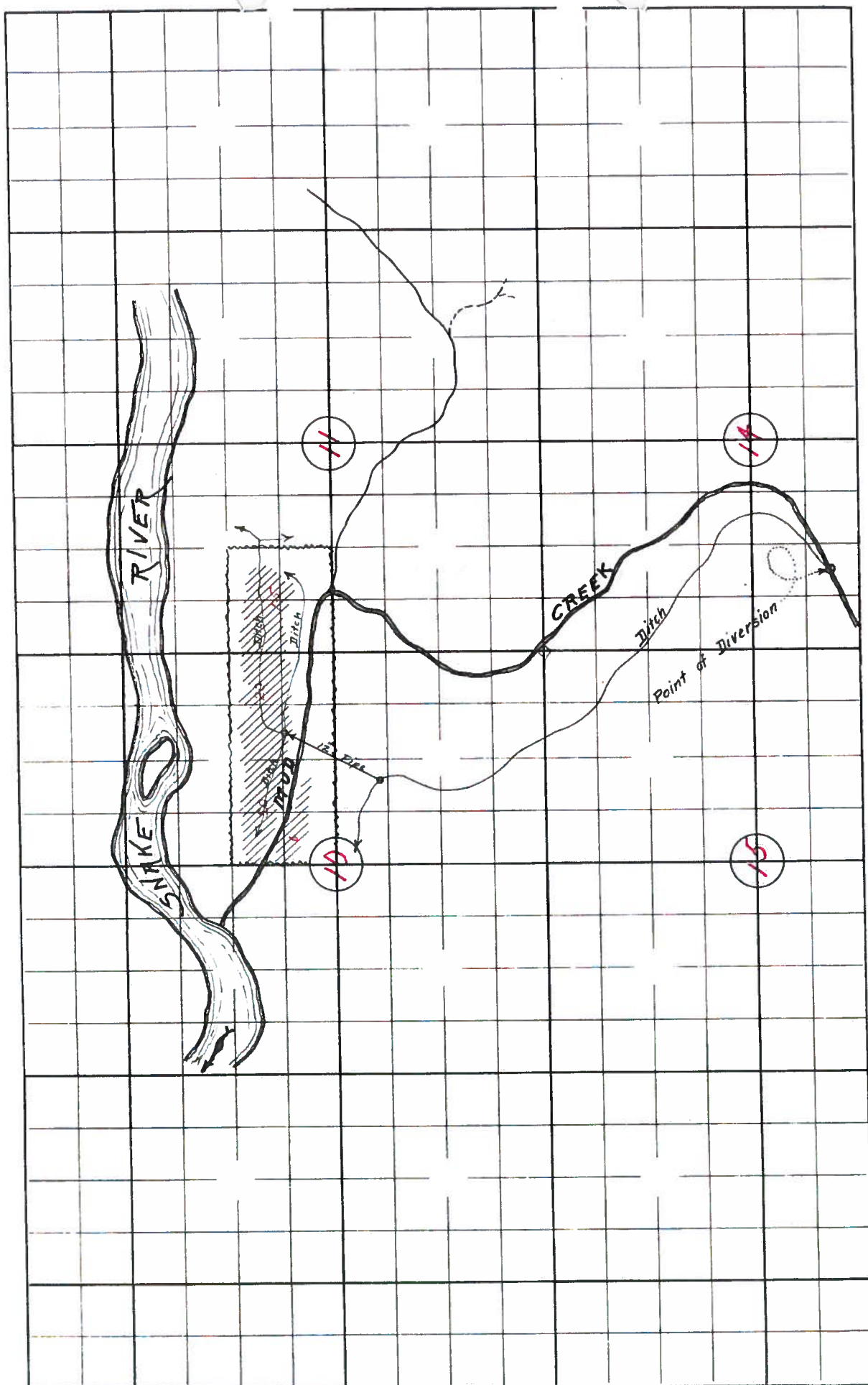
WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of March, 1939

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

47 219

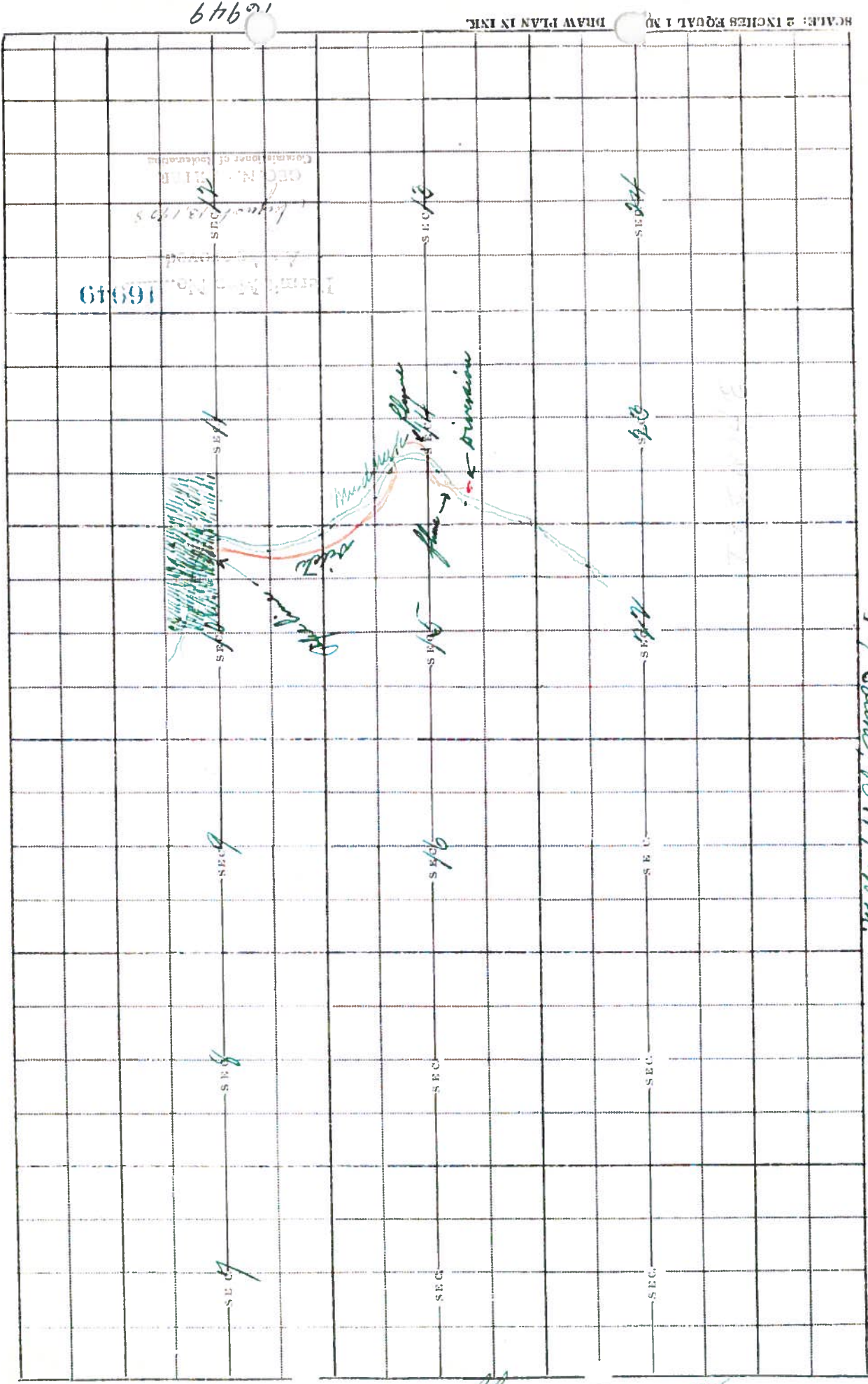


SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16949

James D. King

19 South, B. 14 E. 14 N.



DRAW PLAN IN INK

SCALE: 2 INCHES EQUAL 1 MILE

6769

6769

Commissioner of Agriculture
GEORGE W. MERRILL
August 13, 1905

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 47-2179

WATER RIGHT NUMBER: 47-2179

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAMUEL D BRIGGS PO BOX 354 BUHL, ID 83316

Priority Date: 08/10/1929

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
MUD CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	1.220 CFS	
	<u>Total Diversion:</u>	1.220 CFS	

Location of Point(s) of Diversion

MUD CREEK	NW1/4SW1/4	Sec. 14, Twp 09S, Rge 14E, B.M.
TWIN FALLS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	10			26.0	20.0													46.0
09S	14E	11							15.0										15.0

Total Acres: 61

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 47-2179

Water Supply Bank: