

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 47-2175
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: 03/27/1925

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	0.58	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.58 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	NE NE 4	IRRIGATION	5

09S	14E	11	NW	NW	3	IRRIGATION	12
			SE	NW		IRRIGATION	9
			SW	NE	4	IRRIGATION	3
			NW	NW		DOMESTIC	
						Section Acres	5
						Section Acres	24
						Total Acres	29

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
BOHL, ID. 83316

Telephone Number: (208) 543 - 9093

[] Signature(s) of Owner(s) Don L. Wampler
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 47-2175
Date Received: 7/19/2006
Receipt No: 5028803
Received By: *gk*

**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: 03/27/1925

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	TETON WY	

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	0.58	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.58 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	NE	NE	4	IRRIGATION	5
						Section Acres	5

09S	14E	11	NW	NW	3	IRRIGATION	12
			SE	NW		IRRIGATION	9
			SW	NE	4	IRRIGATION	3
			NW	NW		DOMESTIC	
Section Acres							24
Total Acres							29

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.

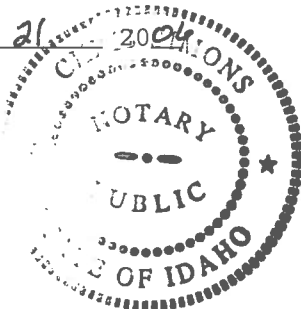
Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of
KRR WATER BOARD Title
 Organization, that I have signed the foregoing
 document in the space below as PRESIDENT of
KRR WATER BOARD Title
 Organization and that the statements contained in the
 foregoing document are true and correct. Dan L. Waugh
 Signature of Authorized Agent
PRESIDENT KRR WATER BOARD
 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: 47-2175

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: 47-2175

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

SOURCE: MUD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.580 CFS

PRIORITY DATE: 03/27/1925

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	0.580 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

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.

This right is limited to the irrigation of 29 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



Idaho Department of Water Resources

SRBA Recommendations:

47-7261A

47-2174

47-2175

47-2179

Legend

Point of Diversion

Place of Use



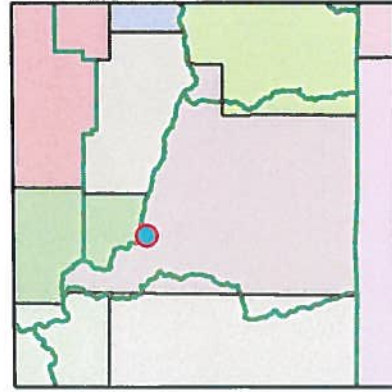
Townships



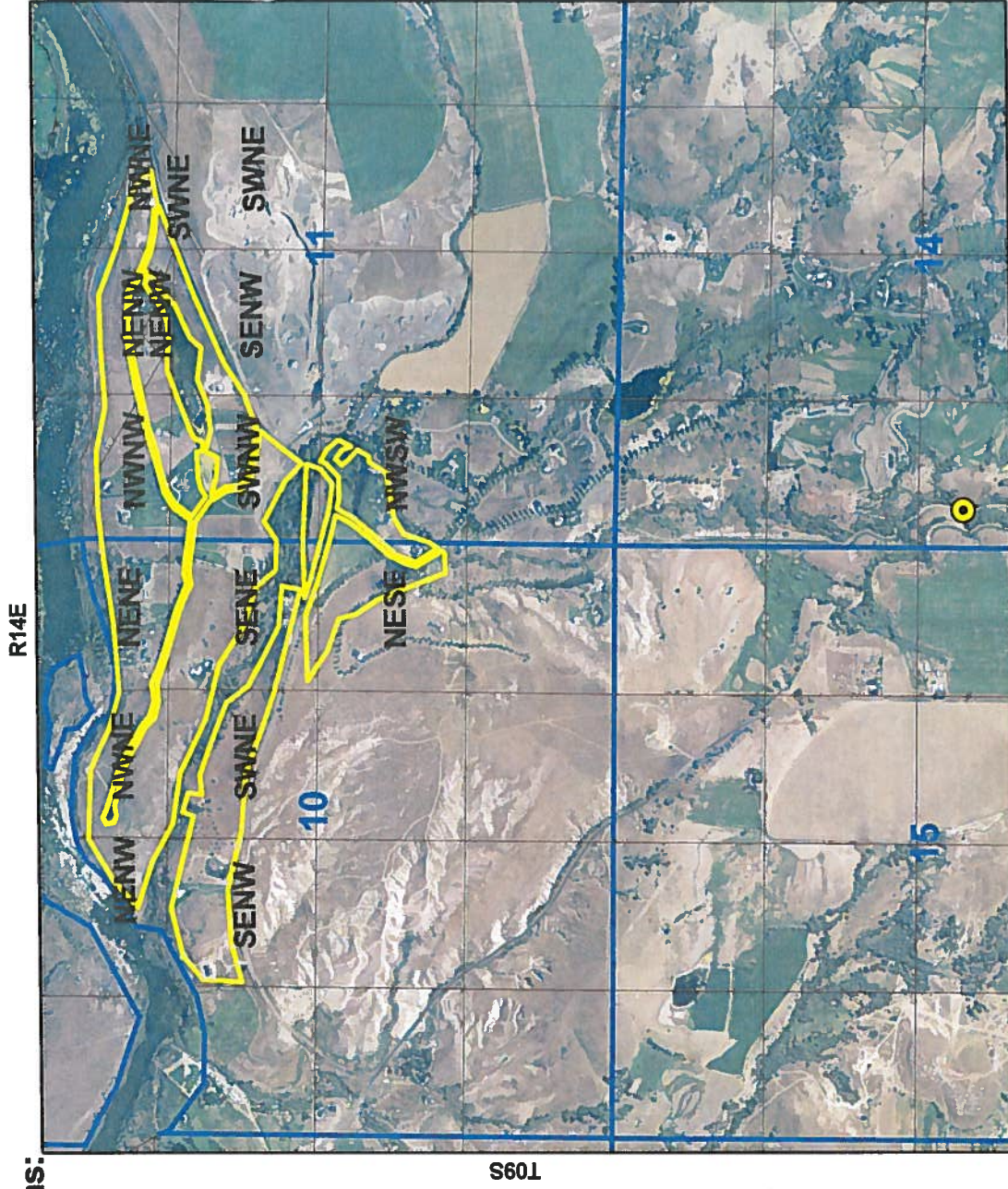
PLS Sections



Quarter Quarters



Twin Falls County
IDWR Basin 47



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

Owner: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC



Idaho Department of Water Resources

SRBA Recommendations:

47-7261A

47-2174

47-2175

47-2179

Legend

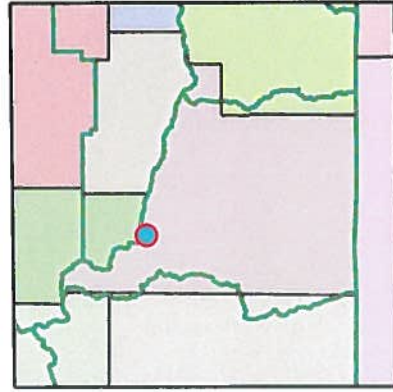
Point of Diversion

Place of Use

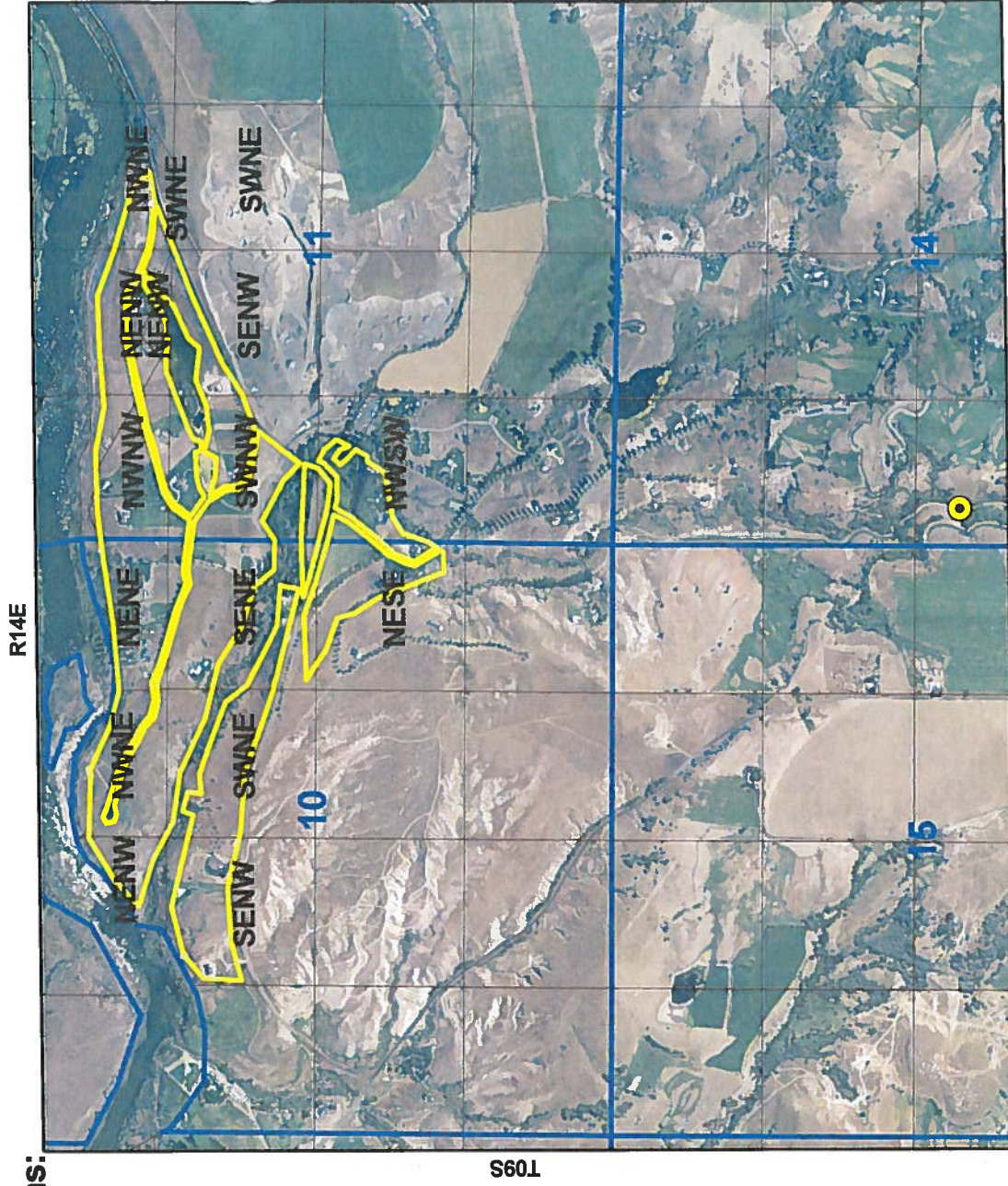
Townships

PLS Sections

Quarter Quarters



Twin Falls County
IDWR Basin 47

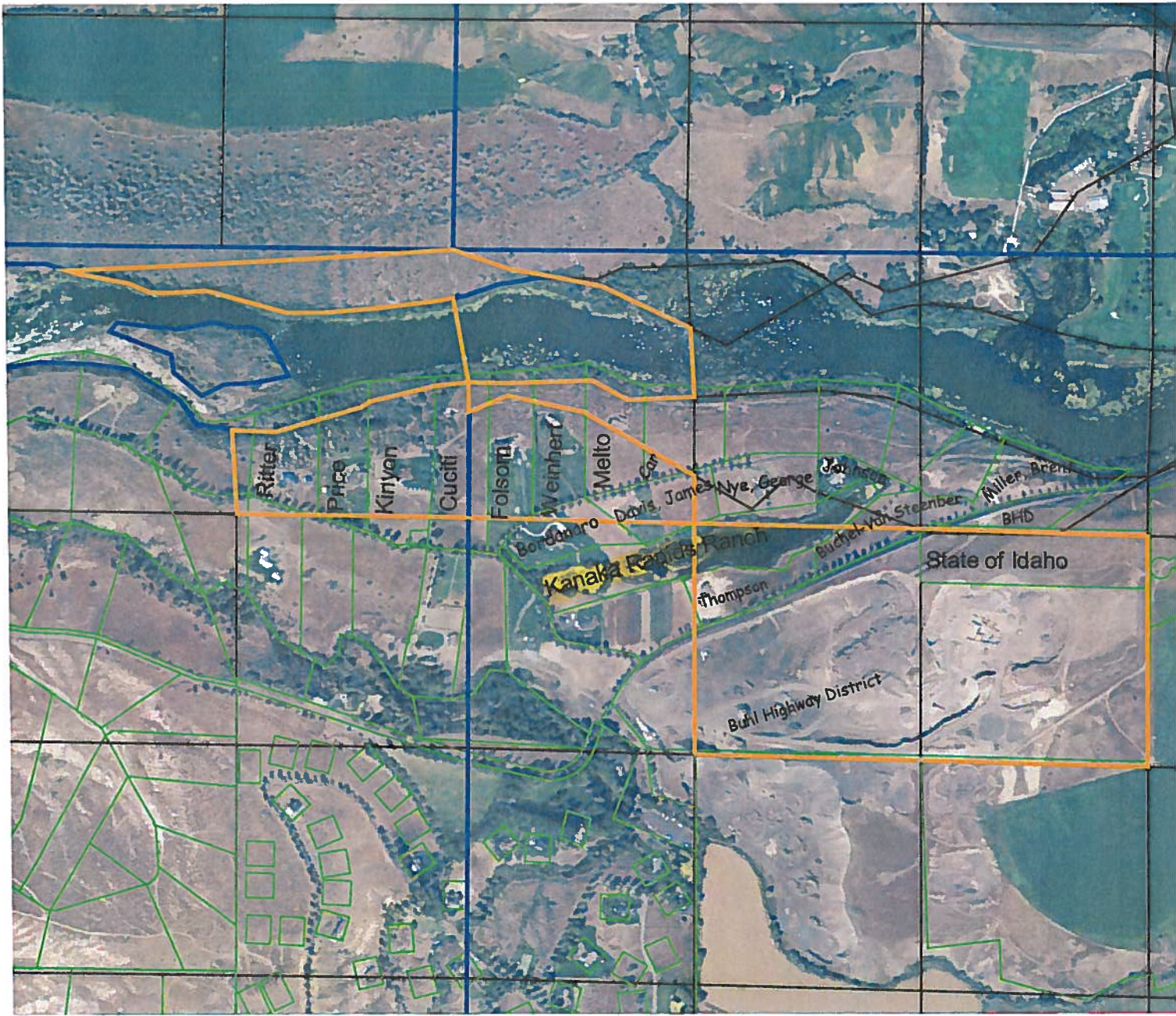


0 0.6 1.2 Miles

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

Owner: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC

47-2175 Licensed POU



2004 imager

Kanaka Rapids R. H. doesn't own entire licensed POU.

State of Idaho
License and Certificate of Water Right

Water License No. **16399**

Amount **0.58 Sec.Ft.**

Water District No. _____

Priority **November 27, 1925**

THIS IS TO CERTIFY that **Otis E. Syster** of **R 4 Buhl, Idaho** made application for a permit to appropriate the public waters of the State of Idaho, dated **November 27**, 19**25**; that Permit No. **16399** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2.68** second feet, was issued thereunder on **September 17**, 19**28**, showing that said works were completed on the **15th** day of **September**, 19**28**; and that on the **2nd** day of **December**, 19**31**,

Otis E. Syster

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 **Mad Creek**, a tributary of **Snake River**, for the purpose of **irrigation and domestic use**, under Use Permit No. **16399** 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 **3725**, on the **16th** day of **February**, 19**33**;

The right hereby confirmed dates from **November 27**, 19**25**;

The Point of Diversion is located in the **NW 1/4 SW 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 **0.58** 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	Lot 4	33.05	5
		11	Lot 4	40.7	3
		11	Lot 3	20.85	12
		11	SE 1/4 NW 1/4	40.0	9
					total: 29

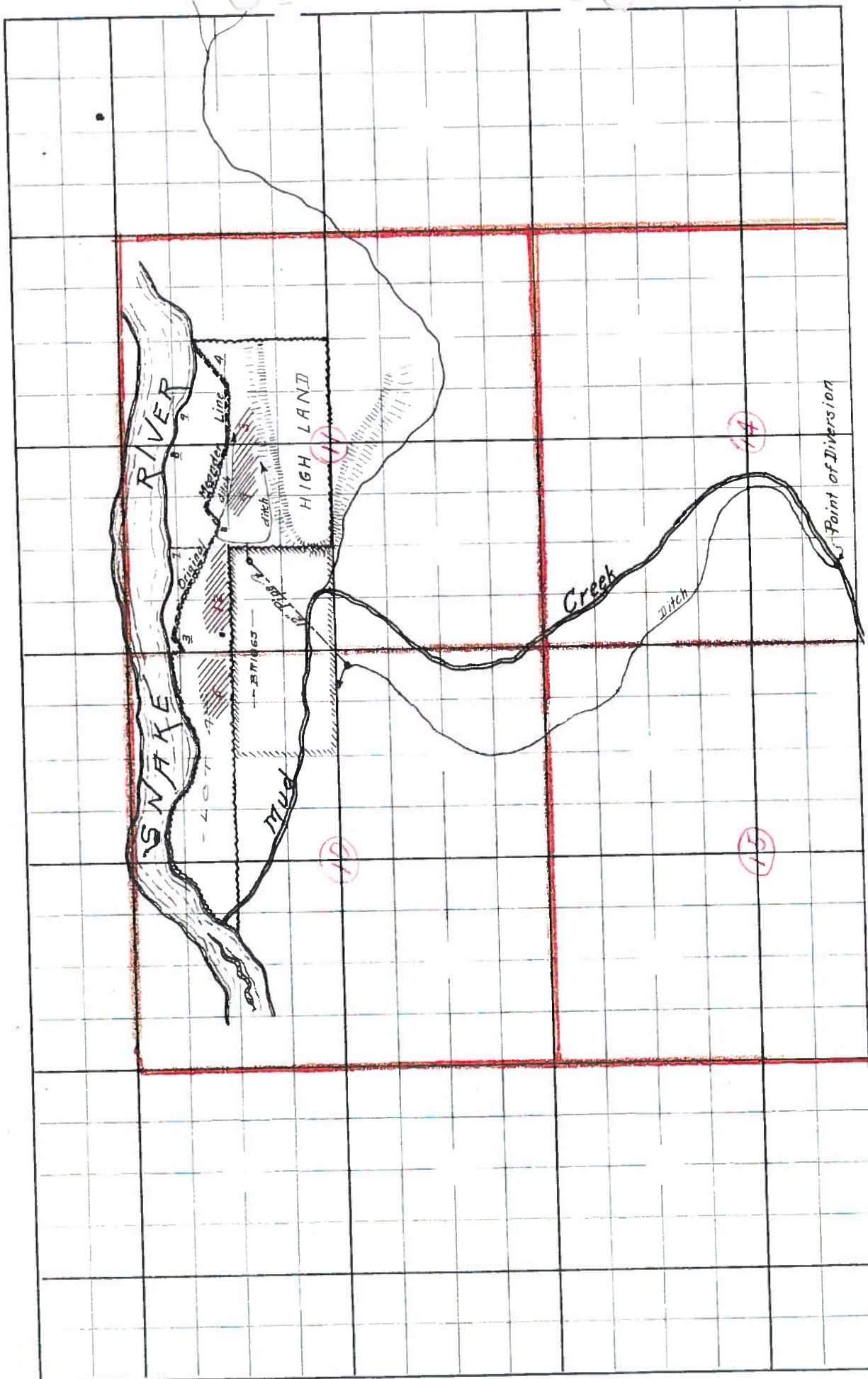
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this **16th** day of **February**, 19**33**

(SEAL)

R. W. PARIS
Commissioner of Reclamation

17 2175

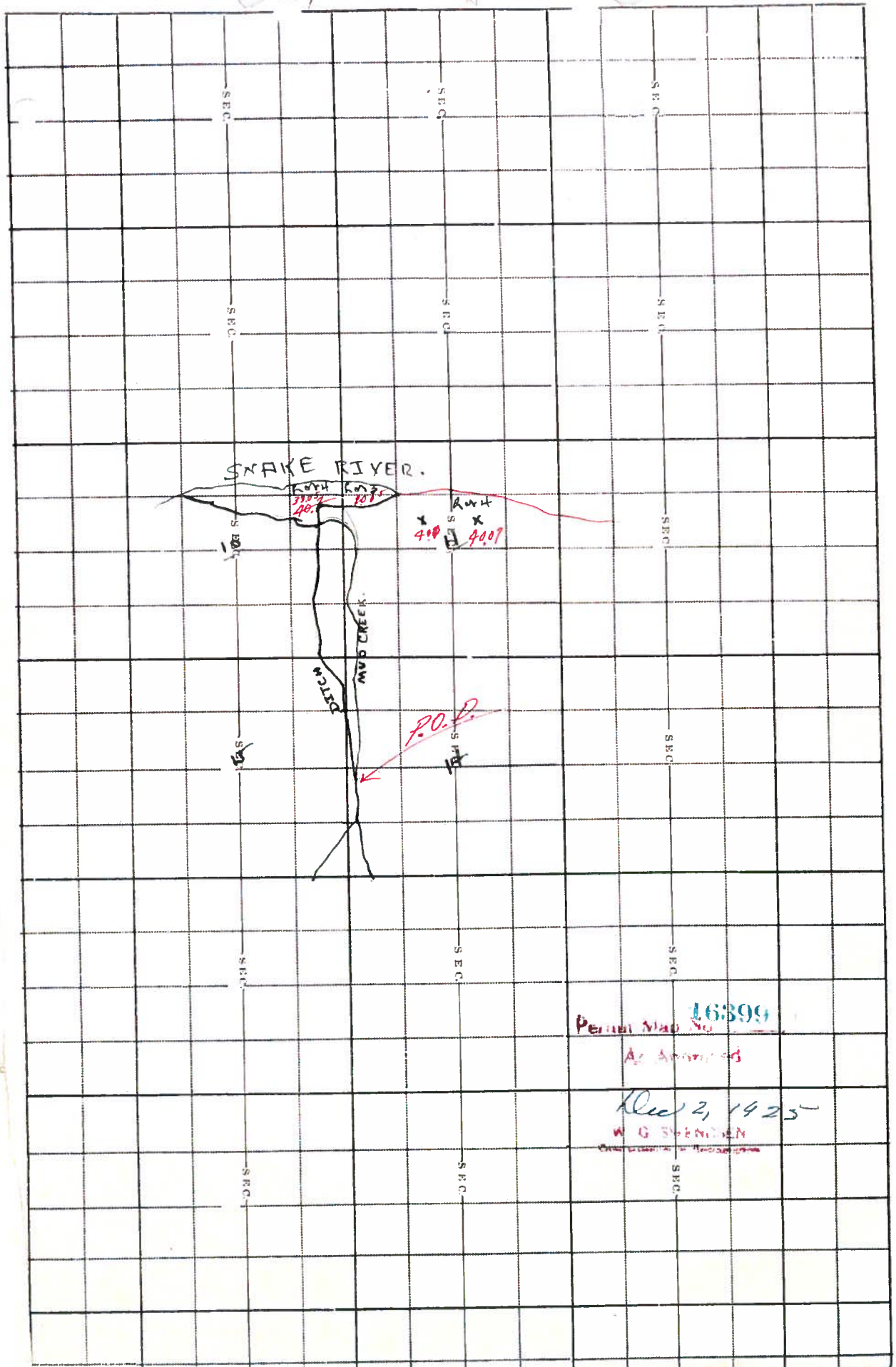


SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16399

NAME OF APPLICANT Oliver System

Form No. 0



Permit Map No. **16399**

As Amended

Dec 2, 1925

W. G. SWENSON

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

TWP 9S - R 14 E DM.

16399

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 47-2175

WATER RIGHT NUMBER: 47-2175

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OTIS E SYSTER RT 4 BUHL, ID 83316

Priority Date: 11/27/1925

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 /	0.580 CFS	
	<u>Total Diversion:</u>	0.580 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	5.0																5.0
09S	14E	11			3.0			12.0	9.0										24.0
					L 4			L 3											

Total Acres: 29

DOMESTIC same as IRRIGATIONConditions of Approval:

1. P/U T9S, R14E, S11, LOT 4 DIVIDED INTO LOTS 9 & 10.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 47-2175

Water Supply Bank: