

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 47-2174
Date Received: 7/18/2006
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: 11/23/1925

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	SW NW	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	1.1	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
1.1 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 SE	IRRIGATION	25

09S 14E 11 NW SW

Section Acres 25

IRRIGATION 30

Section Acres 30

Total Acres 55

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:

7-18-06 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 HOMOWNERS WATER SYSTEM, INC.

[] Old Mailing Address: _____

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

Telephone Number: (208) 543 - 9093

[] Signature(s) of Owner(s) Don L. Waffle
PRESIDENT KRR HOMOWNERS 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 47-2174
Date Received: 7/18/2006
Receipt No: 5028803
Received By: *dk*

**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: 11/23/1925

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	SW NW	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	1.1	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
1.1 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 SE	IRRIGATION	25
				Section Acres	25
09S	14E	11	NW SW	IRRIGATION	30
				Section Acres	30
				Total Acres	55

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:

7-18-06 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
KRR WATER BOARD and that the statements contained in the
Organization
foregoing document are true and correct.

Don L. Wainyo
Signature of Authorized Agent

PRESIDENT KAWAKA RAPIOS RANCH WATER BOARD
Title and Organization

7/20/06
Date

State of Idaho)
County of Twin Falls) SS.

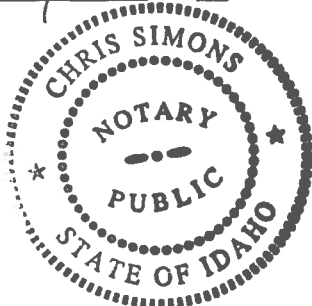
Subscribed and sworn (or affirmed) before me this
of July 21 2006

Chris Simons

Notary Public

Residing at Twin Falls, ID

My commission Expires 4/28/2012



NOTICE OF ERROR
REPLY

10/17/2006
RECEIVED
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: 47-2174

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: 47-2174

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

SOURCE: MUD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.100 CFS

PRIORITY DATE: 11/23/1925

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	1.100 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	SENE	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	SENE	5.70
T09S R14E S11	NWSW	9.80			

185.1 ACRES TOTAL

This right is limited to the irrigation of 55 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

08/16/2006

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

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.



Idaho Department of Water Resources

SRBA Recommendations:

47-7261A

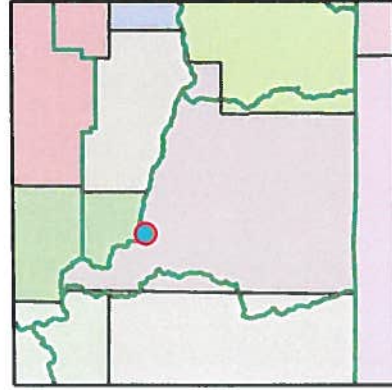
47-2174

47-2175

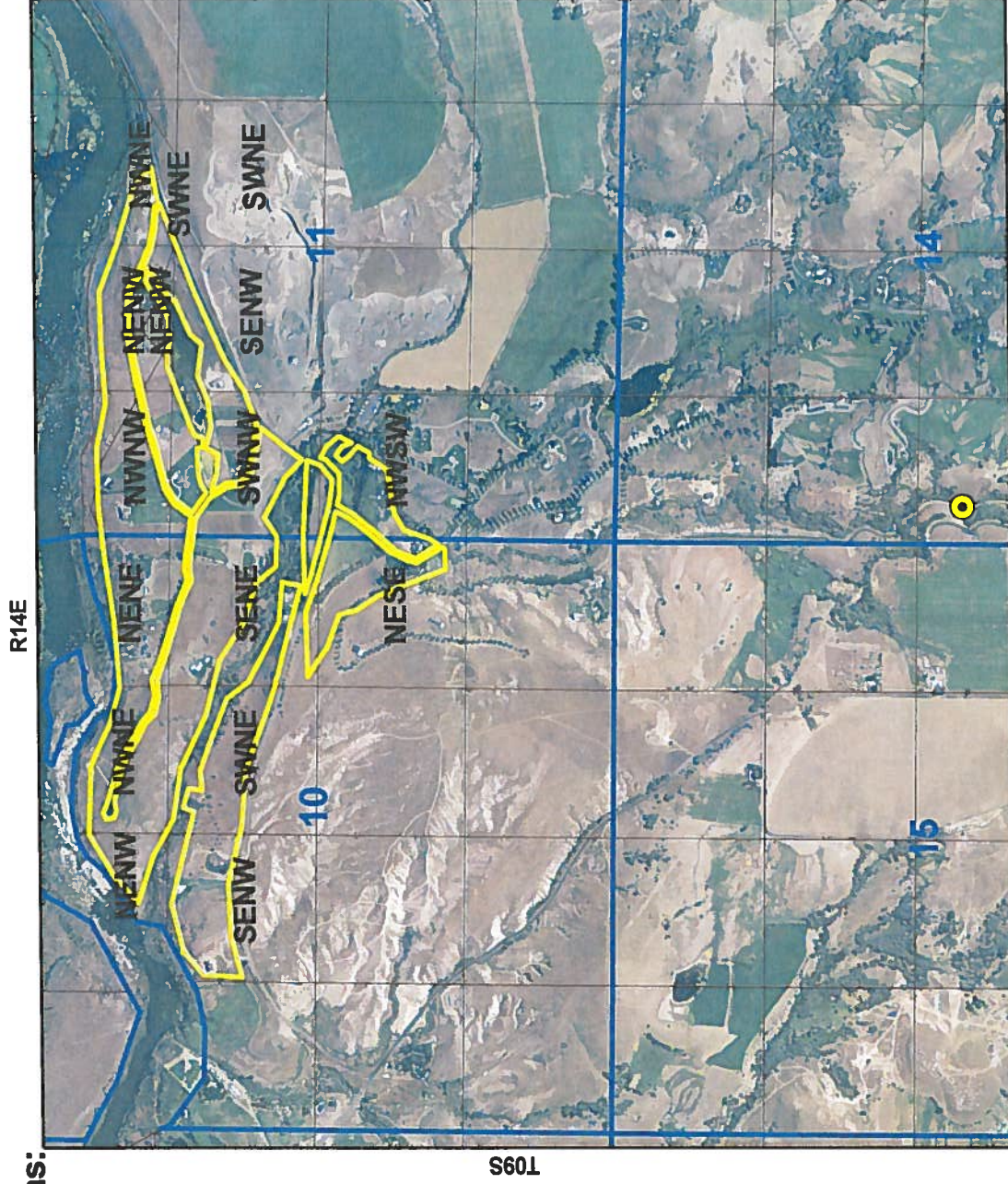
47-2179

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



47-7261A

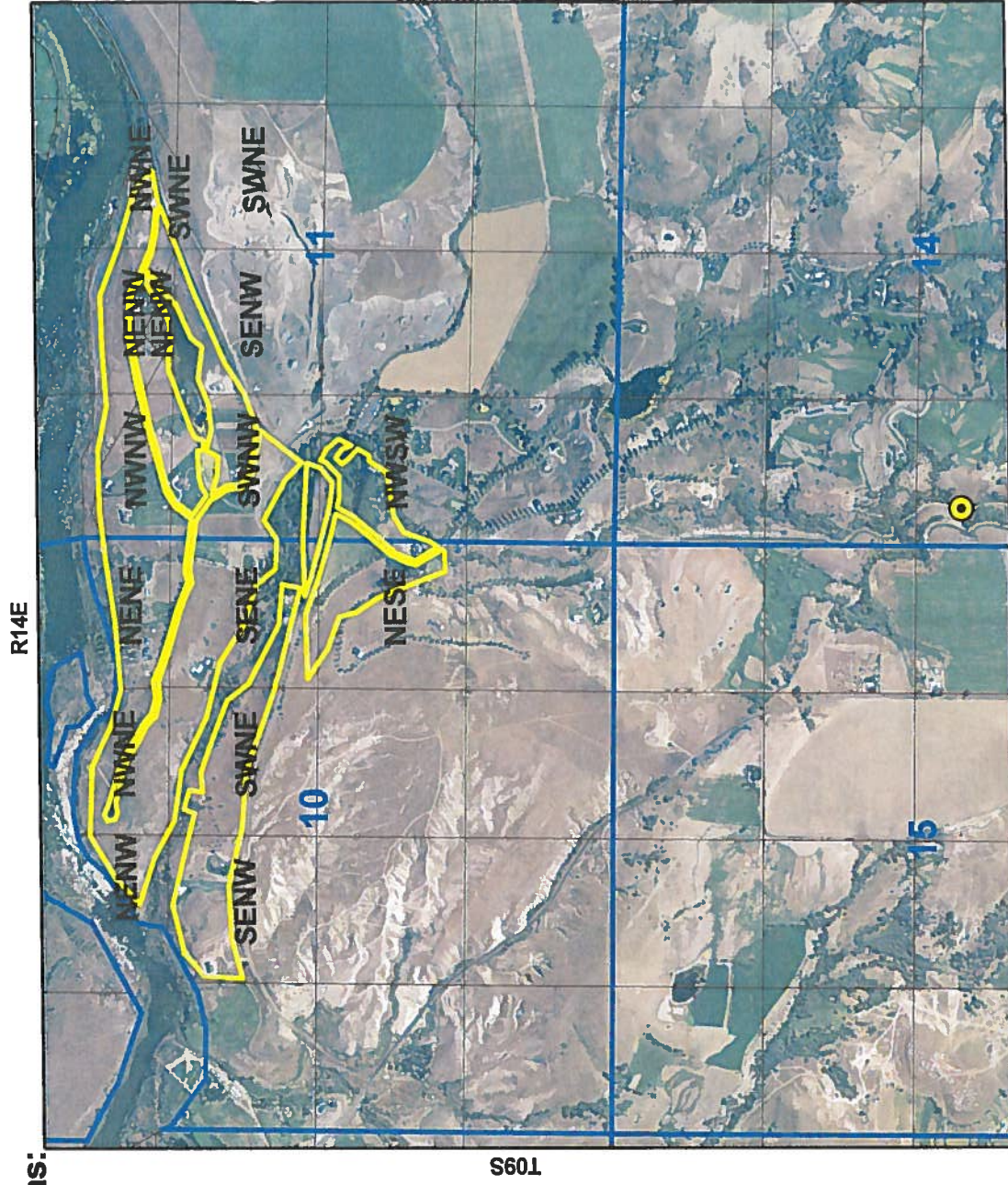
47-2174

47-2175

47-2179



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



1.2 Miles

Owner: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC

State of Idaho
License and Certificate of Water Right

Water License No. 16397

Amount 1.1 sec. ft.

Water District No.

Priority November 23, 1925

THIS IS TO CERTIFY that **ETHER FAIRCHILD**
of **Buhl, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **November 23**, 1925; that Permit No. 16397
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on **October 19**, 1929, showing that said works
were completed on the **18th** day of **October**, 1929; and that on the **23rd**
day of **November**, 1935,

ETHER FAIRCHILD

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. 16397 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 **3853**, on the **10th** day of **February**, 1937;
The right hereby confirmed dates from **November 23**, 1925;

The Point of Diversion is located
in the **SW ¼ NW ¼, Sec. 14**, T^p. **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 **1.1**
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	NE ¼ SE ¼	40	25
		11	NW ¼ SW ¼	40	30
					55

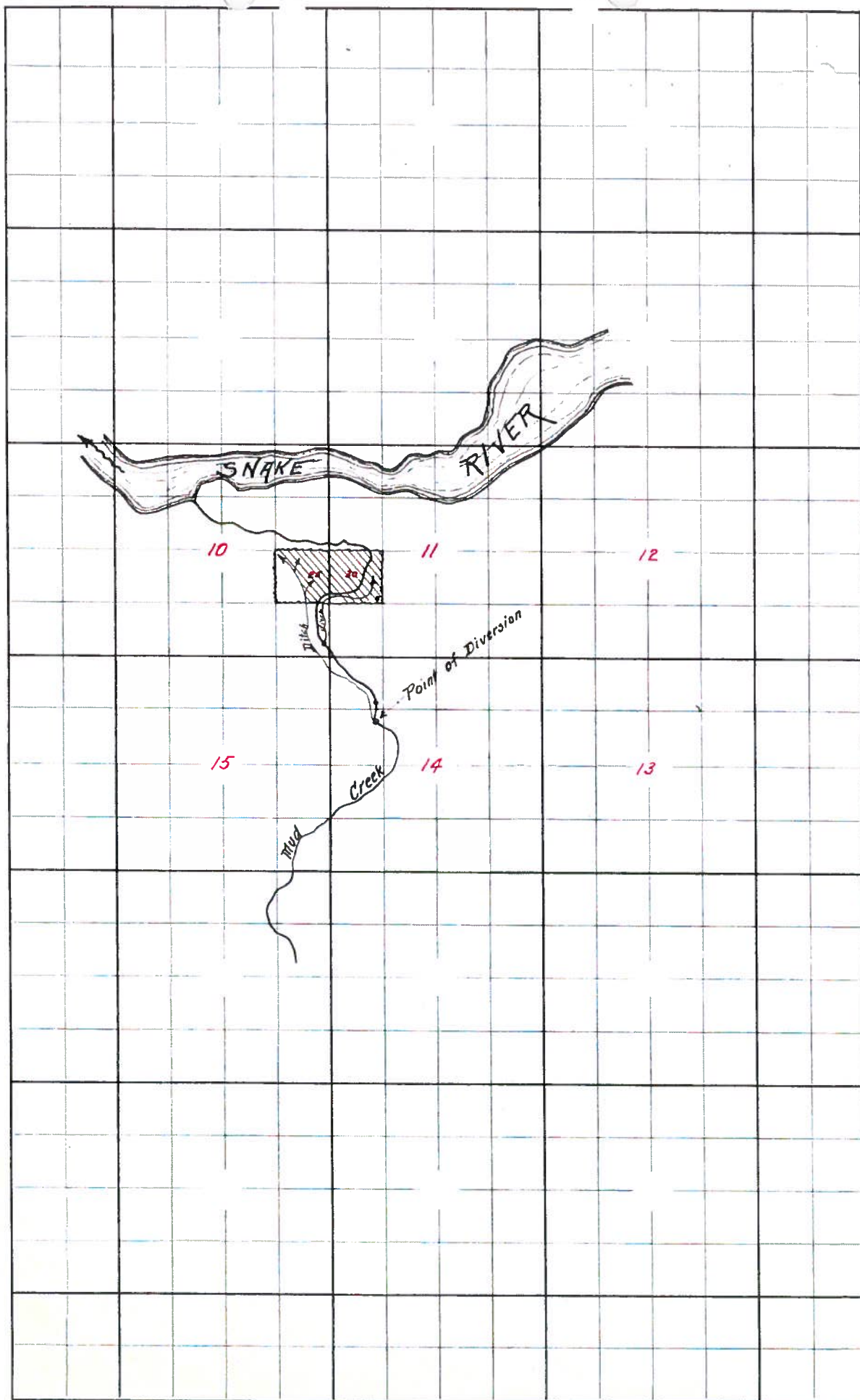
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **10th** day of **February**, 1937

R. W. FARIS
Commissioner of Reclamation

(SEAL)

17 2174

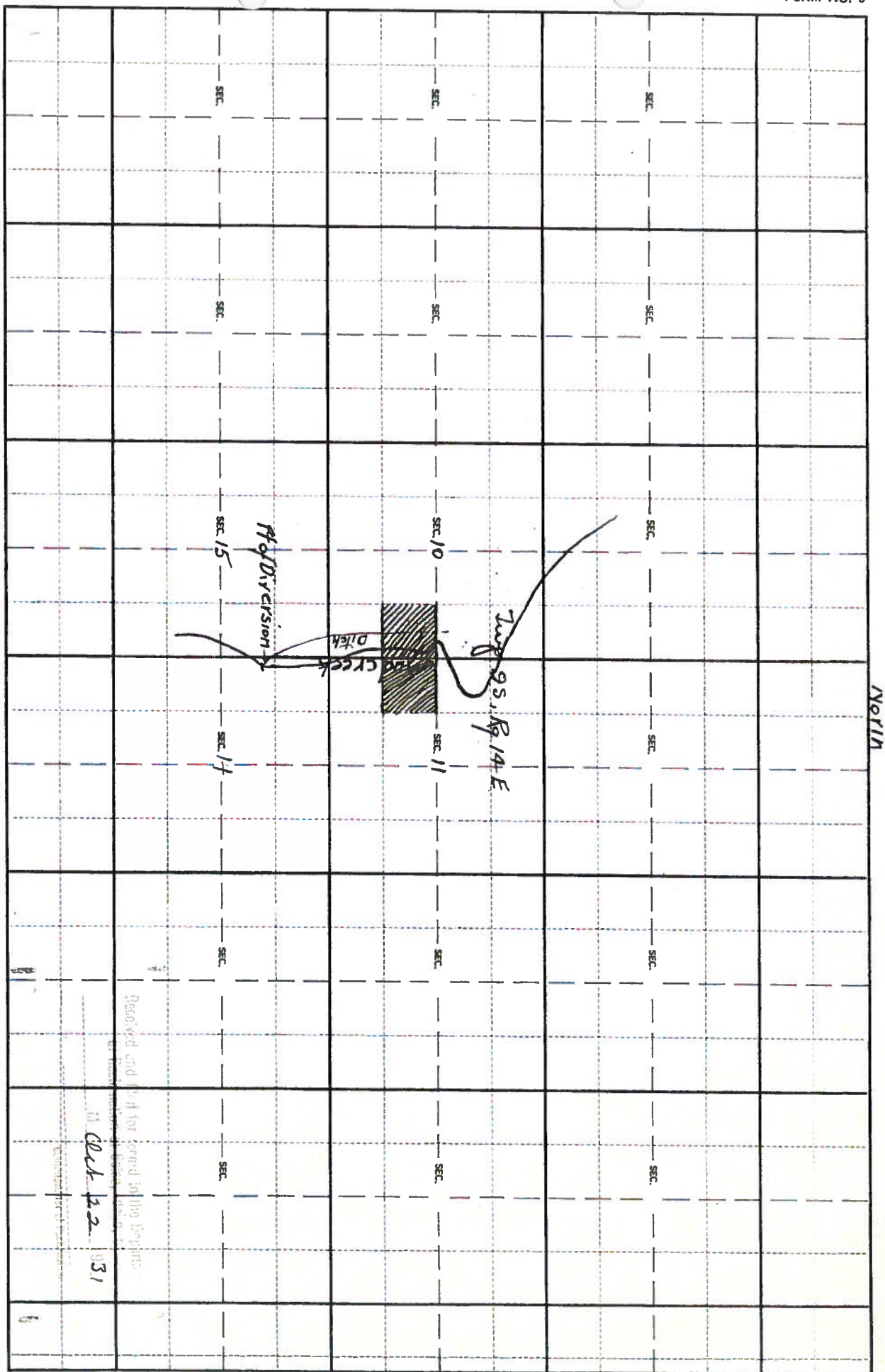


SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16397

NAME OF APPLICANT *Ether 1 Oct '14*

FORM No. 0



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

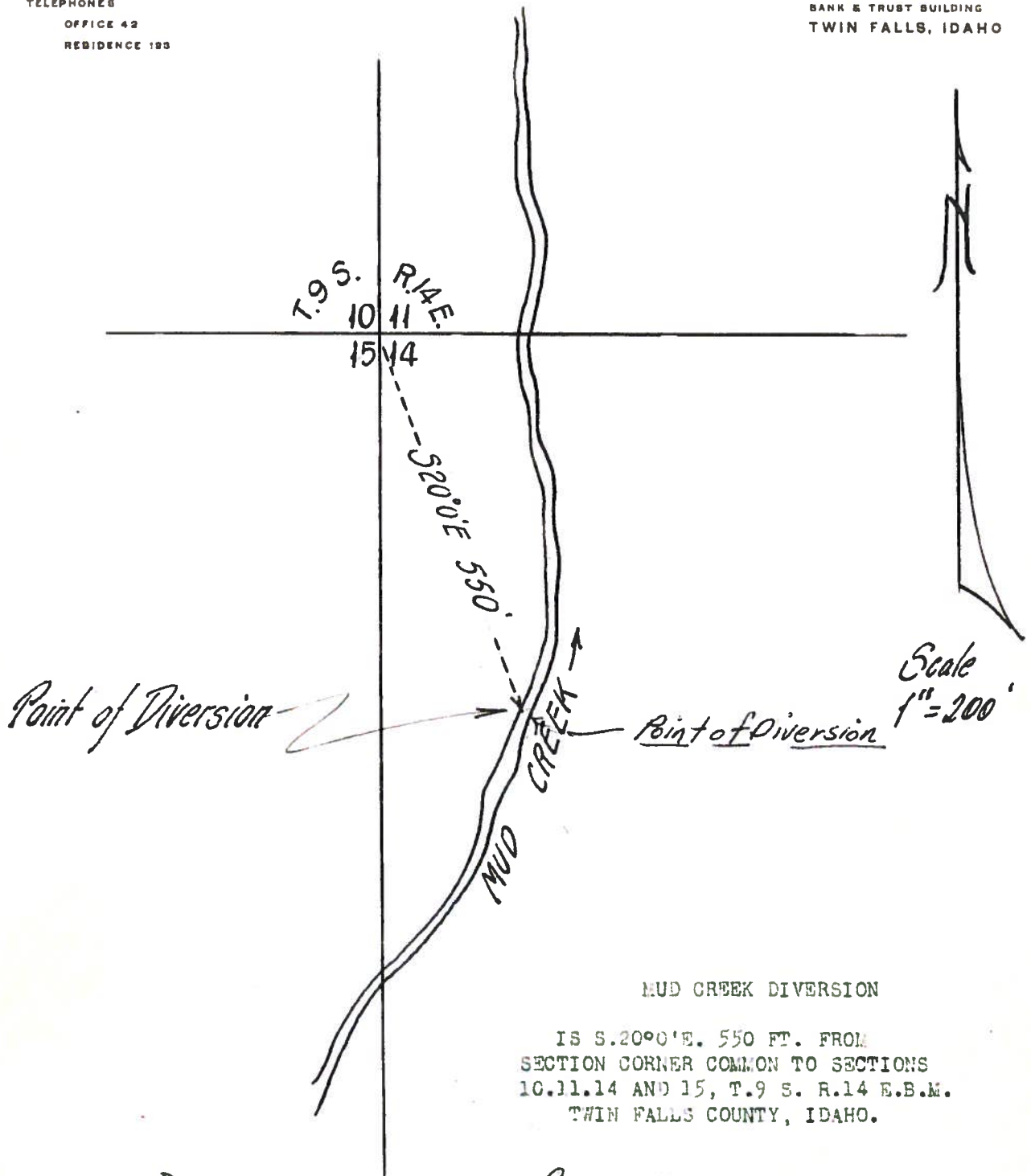
16397

LYONS-YUNK CO., BOSTON, MASS.

HAROLD WM. MERRITT
CIVIL ENGINEER

TELEPHONES
OFFICE 42
RESIDENCE 183

BANK & TRUST BUILDING
TWIN FALLS, IDAHO



Seymour Fairchild
P-15651 C/W.
R-308

Ethel Fairchild
Lic 16397-Lp 3853

16397

next

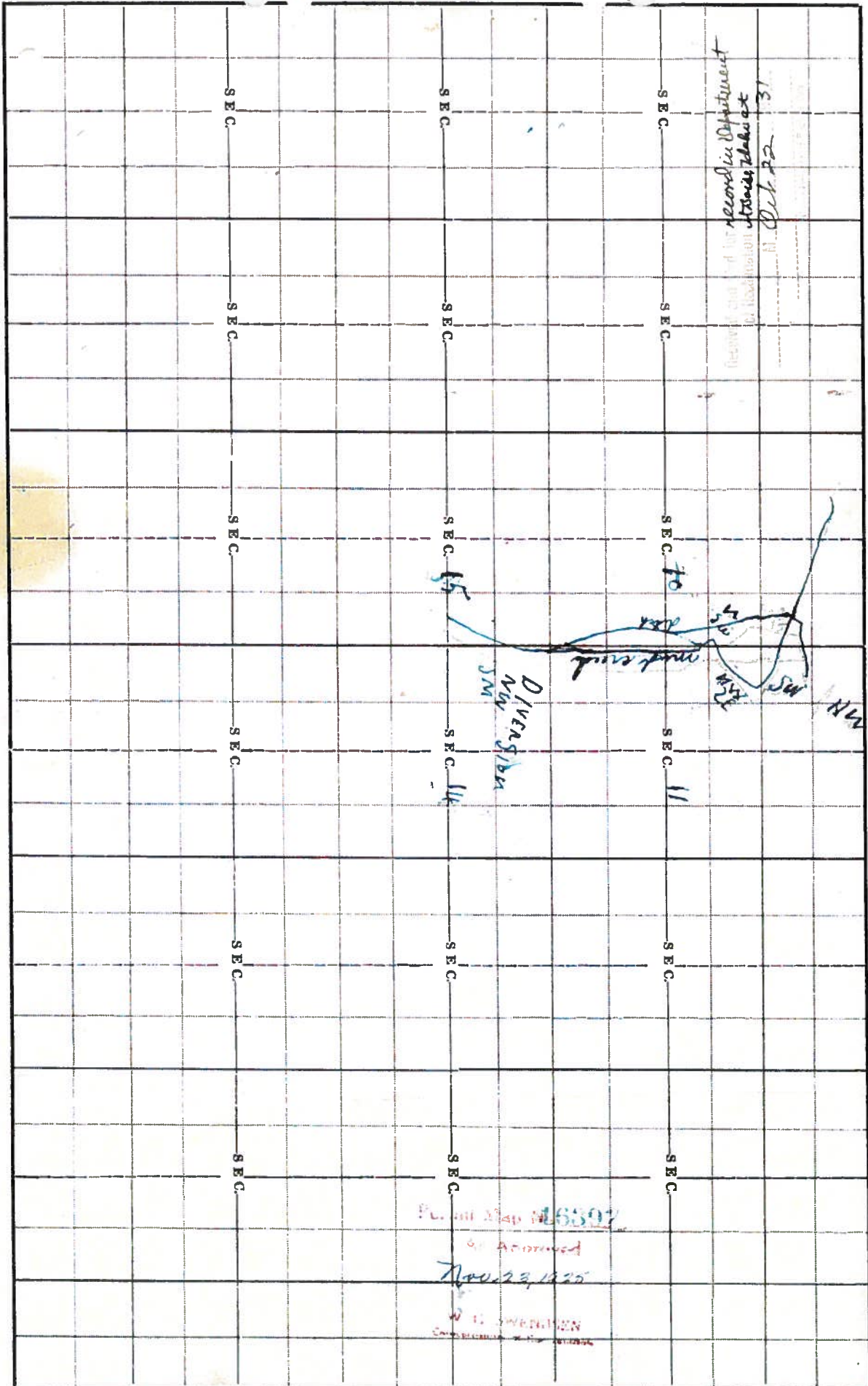


6000

16397

NAME OF APPLICANT

E. H. Fairchild



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

16397

APPLICATION FOR PERMIT 47 - 2174

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23225
Permit No. 16397
District No. 46

1. Name of Applicant: Ether Fairchild
 Postoffice address: Buhl County: Twin Falls State: Idaho
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: 2.2 cubic feet per second.
3. Source of water supply: Mud Creek which is a tributary of Snake River
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
 of Section 14 , T. 9 S. , R. 14 E. , B. M., County of Twin Falls
5. Water is to be used for: Irrigation and domestic purposes
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.
 (b) Amount of power generated: H. P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 2,000.00
8. Kind of works: Dam, ditch and pipe
9. Height of dam 2 feet; length of dam at top 20 feet; length of dam at bottom 20
 feet; material used in dam:
10. Size of headgate: Width 2 feet; height 2 feet
11. Ditch: Width at bottom 3 feet; width at water line 4 feet; depth of water 1
 feet; dimensions of flume
 Diameter of pipe 12 inches; length of conduit 1 $\frac{1}{2}$ miles.
 Average grade per mile 20 feet
12. The time required for the completion of such work is four years.
13. The time required for the complete application of the water to the proposed use is two additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 47-2174

WATER RIGHT NUMBER: 47-2174

Owner Type Name and Address
 Current Owner ETHER FAIRCHILD
 BUHL, ID 83316

Priority Date: 11/23/1925

Basis: License

Status: Active

Source Tributary
 MUD CREEK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.100 CFS	
DOMESTIC	/ to /		
	<u>Total Diversion:</u>	1.100 CFS	

Location of Point(s) of Diversion

MUD CREEK SW1/4NW1/4 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													25.0				25.0
09S	14E	11									30.0								30.0

Total Acres: 55

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 47-2174

Water Supply Bank: