

#3 BWR

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: A37-00870
Date Received: 8/10/1989
Receipt No: S010205
Received By: SSC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BIG WOOD CANAL COMPANY
Address: P.O. BOX C
SHOSHONE, ID 83352
208-886-2331
2. Date of Priority: MAY 11, 1908
3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
02S	18E	18	NE NE		BLAINE
5. Description of diverting works:
RICHFIELD CANAL, NORTH GOODING CANAL, DIETRICH CANAL, SOUTH GOODI
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	3000.000		
7. Total Quantity Appropriated is:
3000.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 259986.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER & DOMESTIC USES DURING NON-IRRIGATION SEASON.
10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	18E	32	NW NE		IRR	32.0
Section Acres						32.0

A37-00870

Page 1

Date: 10/27/89

MICROFILMED

MAR 20 1993

10. Place of Use: Continued

Total Acres 32.0

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A37-00867Z0, Z1, Z2, A01-00006, A37-13043.

14. Remarks:

PROPERTY IS OWNED BY THE STOCKHOLDERS OF THE BIG WOOD CANAL CO.
P/U LISTED IS INCOMPLETE; SEE REFERENCE RIGHT A37-00867Z0,Z1,Z2.
OTHER WR'S LISTED ARE REFERENCE RIGHTS TO ADDITIONAL RIGHTS.
WATER STORED IN MAGIC RESERVOIR.
TOTAL ACRES IRRIGATED = 86,662 AC.
SEE REF. RT. FOR COMPLETE P/U DESCRIPTIONS & ACRES.

*

*

DWR NOTE

THIS WR IS ALSO CLAIMED UNDER LWR CLAIM #2 A37-13112.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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 Manager of

Big Wood Canal Co, that I have signed the foregoing
Organization

document in the space below as Manager of

Big Wood Canal Co and that the statements contained in the
Organization

foregoing document are true and correct.

Richard McDevide
Signature of Authorized Agent

Manager Big Wood Canal Co
Title and Organization

1/25/90
Date

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of January 19 90

Shirley C. Call
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

17. Notice of Appearance:

Notice is hereby given that I, Cecil D. Hobday will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

(SEE ATTACHED)

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____

Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am Manager

of Big Wood Canal Co.

Title

, that I have signed the foregoing

document in the space below as Manager

Title

of Big Wood Canal Co.

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Richard McNeideTitle and Organization Manager Big Wood Canal Co.Date 8/9/89State of Idaho/or Idaho)County of Lincoln)

SS.

Subscribed and sworn (or affirmed) before me this

9th

day of

August19 89

SEAL

Notary Public Calleen BishopResiding at Gooding, IdahoMy Commission Expires Life

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, CECIL D. HOBDEY will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Cecil D. HobdeyAddress P.O. Box 176, Gooding, Id 83330Date 8/14/89

Last Name _____

Ident. Number

A37-00870

Copies White-State, Yellow-Claimant

MICROFILMED

37-0499

James Monroe

37-0531

Charles M. D.

5-11-1993 25.0

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 A37-00870

Date Received _____

Receipt Number 5010205

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 10 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Big Wood Canal Company Phone (208) 886-2331Mailing Address P. O. Box C, Shoshone, Idaho Zip 833522. Date of Priority (Only one (1) per claim) 5-11-19083. Source of water supply (a) Big Wood and Malad Rivers
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 2S Range 18E Section 18,
1/4 of NE 1/4 1/4 of NE 1/4, Govt. Lot, B.M., County of BlaineAdditional points of diversion if any: Richfield and North Gooding diversions, Dietrich and S. Gooding Canals in Lincoln & Gooding Counties

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Richfield Canal SE 1/4 NE 1/4 Sec 30 T2S R18E
North Gooding Canal T3S R18 Sec 9 NE 1/4 NE 1/4 SE 1/4 Dietrich Main Canal T4S Sec 25
SE 1/4 NW 1/4 NE 1/4 South Gooding Main Canal T5S R16E Sec 29 SW 1/4 SE 1/4 SE 1/4

Concrete slide check dams with slide gates

COPY

MICROFILMED

MAR 20 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Oct 1 amount 3,000 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stock and domestic for all lands on Big Wood Tract

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

See attached Exhibit A

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 73,904.1

11. In which county (ies) are lands listed above as place of use located? Lincoln and Gooding

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

See Contract # 14-06-W-73 article 28 attached exhibit B or None ()

14. Remarks:

Water stored in Magic Reservoir

COPY

Last Name _____ Ident No. _____

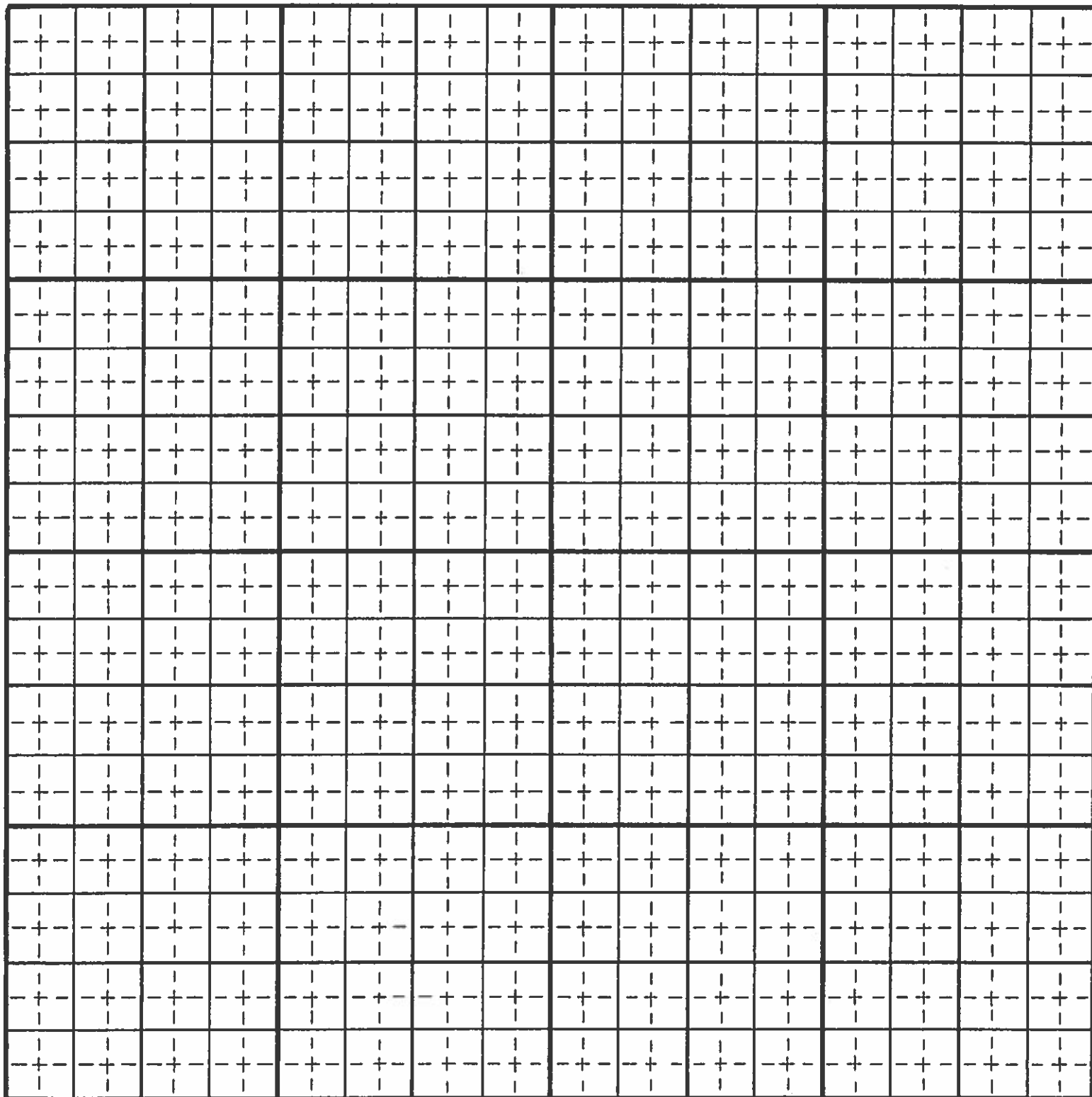
MICROFILMED
Copies: Water Right, Yellow-Claimant

MAR 20 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See attached map Exhibit C



COPY

Last Name _____

Ident No. _____

MICROFILMED
Copy of the State of New York - Claimant

MAR 20 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒ _____

If applicable provide IDWR Water Right Number 37-0870

Court _____ Case Number _____ Decree Date 5-11-08

Plaintiff vs Defendant _____

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Manager _____

Title

of Big Wood Canal Co. _____, that I have signed the foregoing

Organization

document in the space below as Manager _____ of Big Wood Canal Co. _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Richard McNeada _____

Title and Organization Manager Big Wood Canal Co _____ Date 8/9/89

State of Idaho/or Idaho)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 9th day of August 19 89

SEAL

Notary Public Coleen Bishop _____

Residing at Gooding, Idaho _____

My Commission Expires Life _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Cecil D. Hobdey will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Cecil D. Hobdey _____

Address P.O. Box 176, Gooding, Id 83330

Date 8/14/89

COPY

Last Name _____ Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
MAR 20 1993

DRAFT

LWR

1.	A37-13111	\$ 50
2.	A37-13112	50
3.	A37-13043 (Ref. Rt.)	50
4.	A37-13113	50
5.	A3-13114	<u>50</u>
		\$250

REC.
S010205
A/R S000046

* all acres covered by Big Wood claim
A37-00867 Z0, Z1, Z2

Amer. Falls

A01-00006

\$ 50

REC. S010207
~~S010206~~ VOID
AR S000047

$$27,058.8 - 2105.9 = \frac{\$24,952.9}{\$25,003.0} \text{ (Rounded)}$$

paid on BWR
overlap Acres.

$$\times 20\% = \$5000.60$$

BWR

REC.
S010205

1.	A37-13115	50	
2.	A37-00867 Z0, Z1, Z2	50	86,662 AC.
3.	A37-00870	50	
4.	A37-13116	<u>50</u>	
		\$200	= \$86,862 total

$$\text{TOTAL BW + LW} = \$87,112$$

$$20\% = 17,422.40$$

Power Plants

REC. S010207
~~S010206~~ VOID

A37-08169	50	1102 <u>50</u>
A37-08166	<u>50</u>	<u>1032</u> <u>50</u>
	100	+ 2135 <u>00</u>
		<u>\$2235 <u>00</u></u>

Little Wood Decree

DRAFT

A37-13111 1) 12-24-1906 75 cfs Sept.-May Stock.

A37-13112

* part claimed
on BWR
claim #3
37-0870

6-1-1920 3078.7 cfs IRR Apr. - Oct.
(combined small rights)

A37-13043 3)

11-13-1907 3048.7 cfs IRR Apr. - Oct.
(348.7) ? (combined small rights)

A37-13113 4)

proof - 0059F

5-27-1899 150 cfs IRR A - O.
(combined small rights)

A37-13114 5)

* part claimed
on BWR
#2
37-0867

11-6-1905 3091.6 cfs IRR
(combined small rights)

Little Wood Decree

DRAFT

1	66	4	26	407	"	51	129	5
2	149	8	27	39	1	52	37	1
3	31	1	28	154	4	53	176	4
4	11	1	29	160	5	54	262	7
5	53	2	30	487	14	55	259	8
6	32	1	31	439	11	56	64	2
7	17	1	32	550	14	57	135	4
8	14 (20)	2	33	562	14	58	24	2
9	47	2	34	527	16	59	414	12
10	132	9	35	487	13	60	440	12
11	230	9	36	618	16	61	316	12
12	224	4	37	460	13	62	167	5
13	622	16	38	582	15	63	394	11
14	542	15	39	296	11	64	464	12
15	528	15	40	224	7	65	468	13
16	315	8	41	441	13	66	148	6
17	162	5	42	318	9	67	70	4
18	316	8	43	550	14	68	32	8
19	150	4	44	450	13	69	384	12
20	358	10	45	287	7	70	169	6
21	339	10	46	64	2	71	118	6
22	292	8	47	394	10	72	174	5
23	36	1	48	97	4	73	174	6
24	364	10	49	437	16	74	492	16
25	499	13	50	164	8	75	317	12
5535		169	9194		261	5827		191

76	457	13	101	126
77	172	5	102	127
78	354	10	103	128
79	61	2	104	129
80	204	5	105	130
81	305	8	106	131
82	483	12	107	132
83	615	16	108	133
84	179	7	109	134
85	293	8	110	135
86	99	4	111	136
87	190	6	112	137
88	AGREEMENT		113	138
89			114	139
90	3412	96	115	140
91			116	141
92			117	142
93			118	143
94			119	144
95	TOTALS	717	120	145
96	23,968		121	146
97			122	147
98			123	148
99			124	149
100			125	150

DRAFT

Little Wood Lands

				Computer Totals	LWR Totals
Page 1	T 6	R 19	S-2	345	317
Page 3	+5	R 17	S 32	20	+4
Page 10	T 6	R 15	S 5	~~532~~ 480	527
Page 13	T 6	R 15	S 18	~~485~~	450
Page 14	T 6	R 16	S 6	364	~~394~~
Page 15	T 6	R 18	S 3	153	129
Page 15	T 6	R 18	S 6	286	~~262~~
Page 16	T 6	R 18	S 12	384	414
Page 18	T 6	R 19	S 7	320	~~32~~
Page 19	T 6	R 19	S 10	458	~~384~~

(?)

add. 6-15 S17

560

(?)

RECEIVED

OCT 03 1989

DRAFT

Department of Water Resources
Southern Region Office

02/24/2012

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

RIGHT NUMBER: 37-870

NAME AND ADDRESS: BIG WOOD CANAL COMPANY
C/O LYNN HARMON
MANAGER
409 N APPLE ST
SHOSHONE ID 83352

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3,000.000 CFS

Right numbers 37-867, 37-870, 37-20733 and 37-895 are limited to a total storage of 191,500 acre feet.

PRIORITY DATE: 05/11/1908

POINT OF
DIVERSION:

<u>T02S R18E S18 NENE Within BLAINE County</u>	Magic Dam
<u>T02S R18E S30 SWSENE Within BLAINE County</u>	Richfield Canal
<u>T03S R18E S9 SENESE Within LINCOLN County</u>	Lincoln Bypass
<u>T04S R18E S15 SWNWSE Within LINCOLN County</u>	North Shoshone
<u>T04S R19E S25 SENWSE Injection Within LINCOLN County</u>	Jim Byrnes Inj.
<u>T04S R19E S25 NESWSE Rediversion Within LINCOLN County</u>	Richfield Canal
<u>T05S R14E S33 NWNESE Injection Within GOODING County</u>	Inj. to Malad
<u>T05S R14E S35 NESENE Rediversion Within GOODING County</u>	Carpenter
<u>T05S R15E S12 NESESW Within LINCOLN County</u>	Union
<u>T05S R16E S29 SWSSEW Rediversion Within LINCOLN County</u>	South Gooding
<u>T05S R19E S5 SWNWSE Rediversion Within LINCOLN County</u>	Pump
<u>T06S R14E S30 SENESW Rediversion Within GOODING County</u>	Justice
<u>T06S R14E S30 NESESW Rediversion Within GOODING County</u>	Thorpe

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3,000.000 CFS

PLACE OF USE:

~~39683-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.

~~This right is limited to the irrigation of 39683 acres within the place of use described above in a single irrigation season.~~

Place of use does not include Federal public lands.

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

The source of water for this right is the Big Wood River and tributaries including, but not limited to, Camas Creek.

01/04/2007

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

RIGHT NUMBER: 37-870

NAME AND ADDRESS: BIG WOOD CANAL CO
PO BOX C
SHOSHONE ID 83352

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3,000.000 CFS

PRIORITY DATE: 05/11/1908

POINT OF DIVERSION:

T02S R18E S18 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

3,000.000 CFS

PLACE OF USE:

39683 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.

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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 Right Report 37-870

WATER RIGHT NUMBER: 37-870

Status: Active Transferred

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3,000.000 CFS	
	<u>Total Diversion:</u>	3,000.000 CFS	

BIG WOOD RIVER B.M.	SE1/4SW1/4	Sec. 12,	Twp 05S,	Rge 15E,
GOODING County				
BIG WOOD RIVER B.M.	NW1/4SE1/4	Sec. 15,	Twp 04S,	Rge 18E,
LINCOLN County				
BIG WOOD RIVER B.M.	NE1/4SE1/4	Sec. 30,	Twp 02S,	Rge 18E,
BLAINE County				
BIG WOOD RIVER B.M.	NW1/4NE1/4	Sec. 15,	Twp 05S,	Rge 15E,
GOODING County				
BIG WOOD RIVER B.M.	NE1/4SE1/4	Sec. 9,	Twp 03S,	Rge 18E,
LINCOLN County				

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
Totals																		
02S	18E	32																

Conditions of Approval:

1. ACRES IRRIG. = 75,494 P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

Remarks:

Comments:

1. pskaggs 4/8/2004 Transfer 70728

Comment: Transfer 70728 was Approved by Order on 04-08-2004 changing the service area for Big Wood Canal Company.

Dates and Other Information:

Licensed Date:
Decreed Date: 6/27/1925
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: S H Chapman
Decree Plaintiff: Big Wood Canal Co
Civil Case Number: 2184
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------