

NOTICE OF ERROR
REPLY

08/12/2006
RECEIVED
SEP 27 2006
Department of Water Resources
Adjudication Bureau

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: September 29, 2006

Water right number: 63-20566

LOWER CENTERPOINT DITCH CO

C/O DARELL CHRISTENSEN

22273 BOISE RIVER RD

CALDWELL ID 83607

Telephone Number: (208)459-7126

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

Place of use

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

acres -- see map to Danielk Favreau.

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: 9-25-06

SIGNATURE: *Darell D. Christensen*

Please print your name: Darell D. Christensen

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
SEP 27 2006

08/17/2006

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

RIGHT NUMBER: 63-20566

NAME AND ADDRESS: LOWER CENTERPOINT DITCH CO
C/O DARELL CHRISTENSEN
22273 BOISE RIVER RD
CALDWELL ID 83607

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.700 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 11/09/1883

POINT OF DIVERSION:
T04N R04W S12 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.700 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

965
923 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 when combined with Right Nos. 63-171, 63-177, 63-208, 63-5022, and 63-20563 can be used to irrigate up to 923 acres within the boundary of the Lower Centerpoint Ditch Company.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is designated as No. 89 in the Stewart Decree and the Boise Water Distribution Report.

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

This right is a combination of old Right Nos. 63-223A, 63-223B, and 63-223J.



Idaho Department of Water Resources

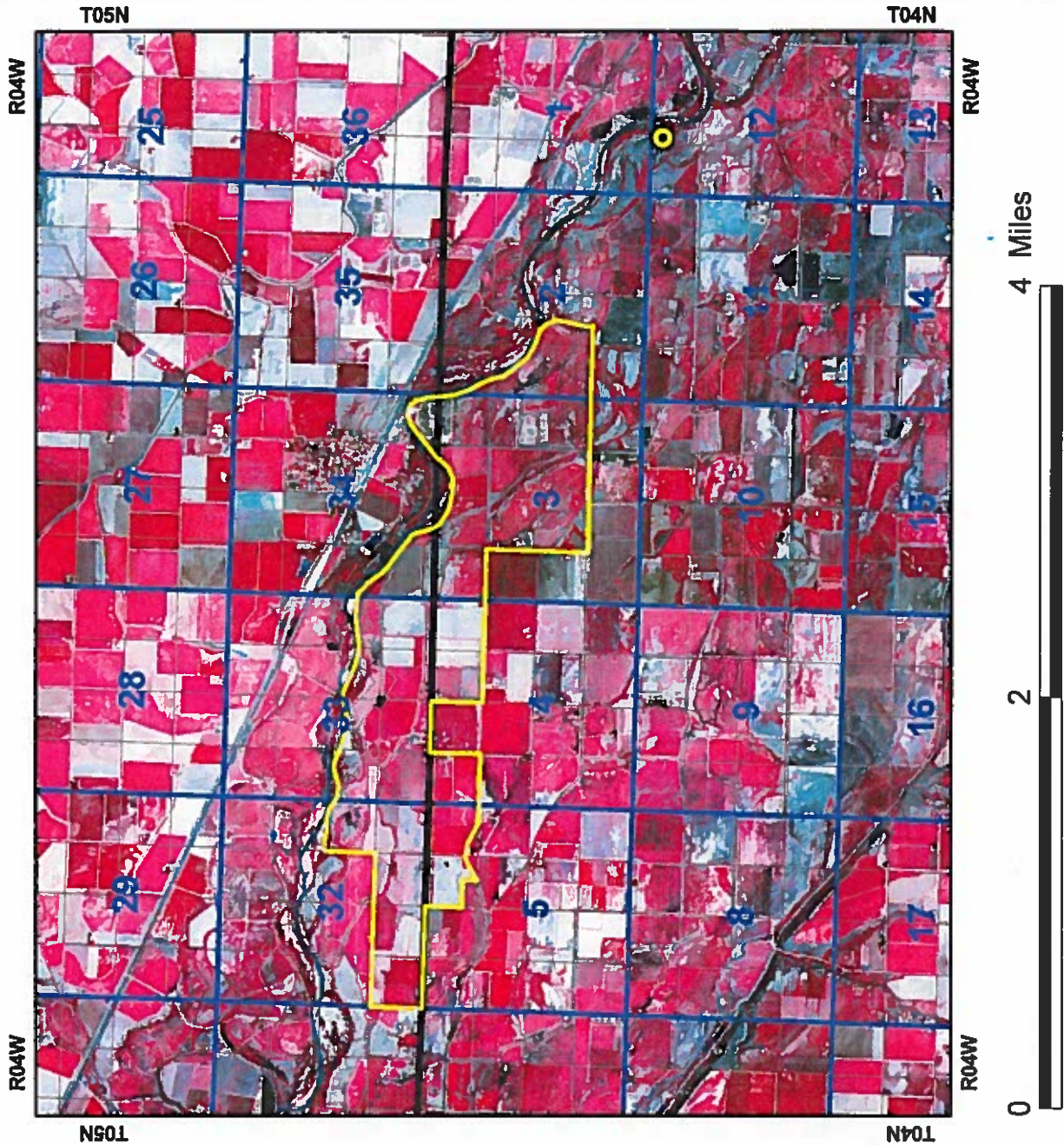
Adjudication Claim:
63-20566

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by A. Warntjes
On Monday, March 6, 2006
1987/88 Aerial Photography

Water Right No. 63-223 Stewart Decree for 1085 inches (21.7 cfs) priority 11-9-1883
to Eureka Ditch Co No. 2

Suffix Transfers

85	May 7, 1926	J. C. Bruce changed POD to at NENE Sec 12, T4N, R4W to Eureka Ditch	(25 inches) .5 cfs
J 131	Feb 19, 1921 Jan 16, 1932	R. E. McGuire changed POD to Lower Center Point Ditch Company for at SE, Sec 2, T4N, R4W	(35 inches) .7 cfs
K 171	Feb 26, 1943	Raymond Breshears, President of Eureka Ditch Co. Changed POD to SESW Sec 7 T4N, R3W for on 63-233.	(1085 inches) 21.7 cfs (17.1 cfs)
C 224	Sept. 3, 1954	J. E. Houston changed POD to SWSW, Sec 34, T4N, R4W into natural slough into Bowman-Swisher Ditch	(45 inches) .9 cfs
B 245	June 30, 1958	J. E. Ekberg changed POD to SE, Sec 12, T4N, R4W through Lower Center Point Ditch	.6 cfs
A 287	Jan 18, 1966	J. E. Ekberg changed POD to SE, Sec 12, T4N, R4W through Lower Center Point Ditch	1.4 cfs
G 289	Mar 18, 1966	Earl Giles changed POD to SE, Sec 12, T4, R4W through Upper Center Point Ditch.	.5 cfs

63-233-- SPLIT INTO 63-0223A & 63-0223D BY TRANS. 287.

63-223A--COMBINED RIGHT - THIS RIGHT AND RIGHT NO.'S 63-00223B AND 63-00223J HAVE BEEN
COMBINED UNDER CLAIM NO. ~~A63-20566~~ SINCE ALL HAVE THE SAME PRIORITY DATE AND
PLACES OF USE.

63-223D-- SPLIT INTO 63-0223B & 63-0223E BY TRANS. 245.

63-223E-- SPLIT INTO 63-0223C & 63-0223F BY TRANS. 224.

63-223F-- SPLIT INTO 63-0223G & 63-0223H BY TRANS. 289.

63-223H-- SPLIT INTO 63-0223J & 63-0223K BY TRANS. 131.

Rita Warrington
1-19-06

(282)

LXXII.

That the defendant JAMES L. GRAHAM be, and he is hereby awarded the use of the waters of Boise River, diverted from a point on said river on Lot 6, Sec. 22, T. 4 N. R. 1 E. B.M., for use upon the S. 1/2 of NW 1/4 and lot 5 of Sec. 20, T. 4 N. R. 1 E. B.M., in the following amount and from the following date;

63 0220
110 inches, from June 1, 1882, and hereby designated as Right No. 85. And be adjudged to pay \$7.70 costs in addition to the costs incurred by him.

LXXIII.

That the defendant FRANCIS M. JOPLIN be, and she is hereby awarded the use of the waters of Boise River, diverted from a point on said river in SE 1/4 of NE 1/4 of Sec. 5, T. 3 N. R. 2 E. B.M., through what is known as the Thurman Mill Slough, for use upon the SE 1/4 of SW 1/4 of Sec. 22, T. 4 N. R. 1 E. B.M., in the following amount from the following date;

63 0221
45 inches, from June 1, 1883, and hereby designated as Right No. 87. And be adjudged to pay \$3.15 costs in addition to the costs incurred by her.

LXXIV.

That the defendant W. A. BLACK be, and he is hereby awarded the use of the waters of Boise River, diverted from said river through the canal now owned by the Riverside Irrigation District, Limited, Canyon County, Idaho, for use upon the E. 1/2 of Sec. 8 and all of Sec. 9, T. 4 N. R. 4 W. B.M., in the following amount and from the following date; and hereby designated as Right No. 88.

63 0222
600 inches, from June 1, 1883. And be adjudged to pay \$42.00 costs in addition to the costs incurred by him.

LXXV.

That the defendant the EUREKA DITCH COMPANY NO. 2 be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river near the SE corner of Sec. 12, T. 4 N. R. 4 W. B.M., for use upon the lands lying under its canal system, in the following amount and from the following date;

63 0223
1085 inches, from Nov. 9, 1883.; and hereby designated as Right No. 89. And be adjudged to pay \$75.95 costs in addition to the costs incurred by it.

T. A.D. 25

P.D. 134

P.D. 171

P.D. 224

P.D. 245

P.D. 287

LXXVI.

That the defendant the PIONEER IRRIGATION DISTRICT, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted from said river at a point on the farm known as the William, Frost farm in Sec. 18, T. 4 N. R. 1 W. B.M., through what is known as the Caldwell canal, for use upon the lands lying under its canal system, in the following amount and from the following date;

63-0371 2655 inches, from June 1, 1884. and hereby designated as Right No. 90.

Also, diverted at a point on the south bank of said river opposite the lower part of Eagle Island, in Sec. 24, T. 4 N. R. 1 W. B.M., through what is known as the Phyllis canal, for use upon the lands lying under its canal system, in the following amounts, from the following dates;

63 0224 10000 inches, from Sept. 1, 1890.; and hereby designated as Right No. 117.

63 0225 2817 inches, from April 1, 1904.; and hereby designated as Right No. 135.
(And be adjudged to pay \$1063.04 costs in addition to the costs incurred by it.)

LXXVII.

That the defendant the RIVERSIDE IRRIGATION DISTRICT, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river near the center line of Sec. 20, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amounts, from the following dates;

63 0226 1000 inches, from June 1, 1884. and hereby designated as Right No. 91.

63 0227 4000 inches, from May 1, 1893. and hereby designated as Right No. 124.

63 0228 1000 inches, from Oct. 1, 1899. and hereby designated as Right No. 130.

63 0229 3500 inches, from June 1, 1901. and hereby designated as Right No. 133.

And be adjudged to pay \$665.00 costs in addition to the costs incurred by it.

Transfer 13)

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Canyon } ss.

R. E. McGuire, being first duly sworn, deposes and says: That his postoffice address is P.O. # 2 Caldwell Idaho, That he is the owner of and using a certain water right, bearing date of priority of November 9 - 1883, for 170 cubic feet per second of the waters of Boise River County of Canyon, State of Idaho, decreed to Eureka Ditch Company No 2 by decree of Judge Geo. H. Stewart, of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers Cooperative Ditch Co. vs. Riverside Irrigation Dist. Ltd. said decree bearing date of January 18, 1906, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 12A, in the County of Canyon, and State of Idaho, to-wit: Lot 2 Section 5 T 4 N R 4 W

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: stock certificate)

That said waters are now diverted from said stream in the near S.E. corner of 1/4 of Sec. 12 Twp. 4 N, Range 4 W, and conducted to the above described lands through the canal of The Eureka Ditch Co. No 2, which, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in S.E. 1/4 of 1/4, Sec. 2, Twp. 4 N, Range 4 W, and thereafter conduct same to the above described land through the Lower Center Point Ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: In order to more efficiently irrigate the land as described above.

That no one will be injured by such change and that such change will be made at affiant's own risk.

R. E. McGuire
Affiant.

Subscribed and sworn to before me this 16 day of January, 1932

R. O. Flepper
Notary Public

NOTE: If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and such consent with this affidavit.

RECORDED

That the said land as hereinbefore described as being a portion of the land covered by the Eureka Ditch Company, is owned by R. E. McGuire and he desires that the said water be delivered to him through what is known as the Lower Center Point Ditch Company, Ltd..

THIS CONVEYANCE is made under and by virtue of the authority of a resolution passed by the stockholders of the said party of the first part at a meeting thereof held on the 5th day of February, 1921, and a resolution of the Board of Directors passed at a meeting thereof held on the 19th day of February, 1921, which resolutions direct the President and Secretary of said party of the first part to convey all and singular the above described property to the said party of the second part.

TOGETHER with all right, title and interest in and to the said property as well in law as in equity of the said party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned described water right unto the said party of the second part and to its successors and assigns forever.

And the said party of the first part, for itself and its successors and assigns, covenant with the said party of the second part, its successors and assigns, that the said party of the first part is lawfully seized of said water right, and that it has a good right to sell and convey the same as aforesaid.

IN WITNESS WHEREOF, The said Company has caused these presents to be signed in its name by its President and sealed

RECORDED

THIS INSTRUMENT, made this 3rd day of December, 1928,
by and between the EUREKA DITCH COMPANY, a corporation, duly
incorporated under the laws of the State of Idaho with its
principal place of business at Caldwell, Canyon County, State
of Idaho, party of the first part, and LOWER CENTER POINT
DITCH COMPANY, Ltd., a corporation, duly incorporated under
the laws of the State of Idaho with its principal place of
business at Caldwell, Canyon County, State of Idaho, party
of the second part,

WITNESSETH: That the said party of the first part
for and in consideration of the sum of One Dollar, lawful
money of the United States of America and other valuable
considerations to it in hand paid by the said party of the
second part, receipt whereof is hereby acknowledged, has
granted, bargained and sold, and by these presents, does
grant, bargain, sell, convey and confirm unto the said par-
ty of the second part, its successors and assigns forever,
all the following described property situated in the County
of Canyon, State of Idaho, to-wit:

Thirty-five inches of water decreed to the Eureka
Ditch Company by the Judge of the District Court of the
Seventh Judicial District of the State of Idaho, in and
for the County of Canyon, in that certain decree or
judgment which is of record in book 2 of Judgments at
pages 276 to 308 thereof, records of Canyon County,
Idaho, designated in said decree as Right number 89,
under which said decree the said Eureka Ditch Company
was given the right to divert from the Boise River near
the Southeast corner of Section 12, Township 4 North
of Range 4 West of the Boise Meridian, for use upon
the lands under its canal system, 1085 inches of water,
a portion of which said water was used upon Lot 2 of
Section 5, Township 4 North of Range 4 West of the Boise
Meridian.

with its corporate seal, attested by its Secretary this 4th
day of January, 1929.

EUREKA DITCH COMPANY

By

A. B. Alexanderson
President.

ATTEST:

M. A. Powell
Secretary.

STATE OF IDAHO)
 : ss.
County of Canyon)

On this 4th day of January in the
year one thousand nine hundred and Twenty Nine,
before me, T. L. Jackson, Notary Public,
personally appeared A. B. Alexanderson and
M. A. Powell, known to me to be the President
and Secretary respectively of the Corporation that executed
the foregoing instrument and acknowledged to me that such
Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
above written.

T. L. Jackson
Notary Public,
Residing at Caldwell, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

63-0223

In the Matter of the Application of

J. E. EKBERG,
of Rt. 1,
Parma, Idaho

For a Change of Point of Diversion
From the Boise River, Canyon County,
in Water District No. 12-A.

ORDER GRANTING CHANGE OF
POINT OF DIVERSION
NO. 245

WHEREAS, on the 24th day of April, 1958, at the Department of Reclamation of the State of Idaho, in Boise, Idaho, this matter of the application of J. E. Ekberg, Rt. 1, Parma, Idaho, for a change of point of diversion, came on regularly for hearing pursuant to the publication notice in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that a consolidation of water rights is more practical to the applicant, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED that the said application be, and the same is HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 30 day of June, 1958.

E. N. Humphrey

E. N. HUMPHREY
Deputy State Reclamation Engineer

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE FOR CHANGE OF POINT OF DIVERSION
OF DECREED WATER RIGHT NO. 245

THIS IS TO CERTIFY, That J. E. Ekberg, of Rt. 1, Parma, Idaho, is the owner of and using a certain water right for .60 cubic feet per second from the waters of Boise River, with priority of November 9, 1883, decreed to the Eureka Ditch Company No. 2, by Judge George H. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers' Co-op Ditch Company, a Corporation, Plaintiffs, vs. Riverside Irrigation District, Ltd., et al., Defendants.

Said decree bearing date of January 18, 1906 and being appurtenant to the following described lands, to-wit:

Lot 8 and W. 316 Feet of Lot 9, Section 33,
Township 5 North, Range 4 West; Lot 2 and the
W. 316 Feet of Lot 1, Section 4, Township 4
North, Range 4 West.

And that now, upon the application of J. E. Ekberg, of Rt. 1, Parma, Idaho, for Certificate of Change of Point of Diversion, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change the point of diversion of .60 cubic feet per second of the waters of Boise River is HEREBY GRANTED.

That said change of point of diversion shall not modify in effect said water right or place of use.

That said water is to be limited at any given time to an amount actually needed and beneficially used and shall not exceed the following amount to-wit;

.60 cubic feet per second with priority of November 9, 1883.

That the water right hereby transferred has heretofore been diverted from the Boise River to the above described lands through the Eureka Ditch Company No. 2, with point of diversion in the,

SE $\frac{1}{4}$ of Section 12, Township 4 North,
Range 4 West, B. M.

That the water right hereby transferred will be hereafter diverted from the Boise River to the same lands by delivery through the Lower Center Point Ditch Company, with point of diversion in the,

SE $\frac{1}{4}$ of Section 2, Township 4 North, Range 4 West, B. M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 17 day of June, 1958.

E. N. Humphrey

E. N. HUMPHREY
Deputy State Reclamation Engineer

63-0223

63-0145

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Earl Giles)
of)
Caldwell, Idaho)

ORDER GRANTING CHANGE
OF POINT OF DIVERSION
NO. 289

For A Change of Point of Diversion)
Canyon County, Idaho,)
Water District No. 12-A)

WHEREAS, On the 10th day of March, 1966, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of an application of Earl Giles of Route #5, Caldwell, Idaho, for a change in point of diversion on Boise River, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Change of Point of Diversion be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of March, 1966.

(SEAL)

CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

C E R T I F I C A T E F O R C H A N G E O F P O I N T O F D I V E R S I O N
O F D E C R E E D W A T E R R I G H T N O . 2 8 9

THIS IS TO CERTIFY , That Earl Giles of Route #5, Caldwell, Idaho, is the owner of and using a certain water right of 0.5 cubic feet per second of the waters of Boise River, with priority of November 9, 1883, said water being decreed to Eureka Ditch Company (Right No. 89), by decree of Judge Geo. H. Stewart, of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of

FARMERS COOPERATIVE DITCH COMPANY

Plaintiffs

vs.

RIVERSIDE IRRIGATION DISTRICT, Ltd.,

Defendants

said decree bearing date of January 18, 1906, and being appurtenant to the following described lands, to-wit:

Lands served under canal system

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho at Boise, Idaho, in Volume 5 of Decrees, at Page 410;

And that now, upon the application of Earl Giles, made before the State Reclamation Engineer of the State of Idaho, for a Certificate of Change of Point of Diversion, and the said application having been granted, the right to change the point of diversion of 0.5 cubic feet per second of the waters of Boise River is HEREBY GRANTED;

That said change of point of diversion shall not modify in effect said decreed water right or place of use;

Said water is to be limited at any given time to an amount actually needed and beneficially used, and shall not exceed the following amount, to-wit:

0.5 cubic feet per second of the
waters of Boise River, with priority
of November 9, 1883;

That the water right hereby transferred has heretofore been conducted from Boise River through the Eureka Ditch Company ditch, with point of diversion in the SE $\frac{1}{4}$, Section 12, Township 4 North, Range 4 W. B. M.,

That the water right hereby transferred will hereafter be conducted to said land through Upper Center Point Ditch Company ditch, with point of diversion being in the SE $\frac{1}{4}$, Section 12, Township 4 North, Range 4 W. B. M.,

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of March, 1966.

(SEAL)

s/

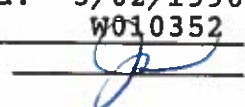
CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

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: A63-20566
Date Received: 3/02/1990
Receipt No: W010352
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER CENTERPOINT DITCH CO. 208-459-4579
Address: C/O FRAN EBBERS, SECRETARY
21990 BOISE RIVER RD.
CALDWELL, ID 83605

2. Date of Priority: NOV 09, 1883

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	12	NW	NE	NW		CANYON

5. Description of diverting works:
DIV. DAM IN RIVER W/HEADGATE & CANAL, DIV. VIA LATERALS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.700		

7. Total Quantity Appropriated is:
2.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	2	NW	NW		IRR	6.0
			SW	NW		IRR	27.0

A63-20566

Page 1

Date: 03/02/90

MICROFILMED
SEP 03 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04N	04W	2	SE	NW	IRR	2.0	
			NE	SW	IRR	18.0	
			NW	SW	IRR	39.0	
		Section Acres					92.0
		3	NE	NE	IRR	19.0	
			NW	NE	IRR	24.0	
			SW	NE	IRR	39.0	
			SE	NE	IRR	39.0	
			NE	NW	IRR	28.0	
			NW	NW	IRR	32.0	
SE	NW		IRR	39.0			
NE	SW		IRR	39.0			
NE	SE		IRR	38.0			
NW	SE		IRR	39.0			
Section Acres					336.0		
4	NE	NE	IRR	27.0			
	NW	NE	IRR	30.0			
	NW	NW	IRR	31.0			
Section Acres					88.0		
5	NE	NE	IRR	30.0			
	NW	NE	IRR	32.0			
	SW	NE	IRR	3.0			
Section Acres					65.0		
05N	04W	32	SE	NE	IRR	10.0	
			SW	SW	IRR	40.0	
			SE	SW	IRR	40.0	
			NE	SE	IRR	32.0	
			SW	SE	IRR	40.0	
			SE	SE	IRR	40.0	
		Section Acres					202.0
		33	NE	SW	IRR	20.0	
			NW	SW	IRR	28.0	
			SW	SW	IRR	40.0	
SE	SW		IRR	40.0			
NE	SE		IRR	20.0			

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04W	33	NW	SE		IRR	20.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	248.0
		34	NW	SW		IRR	10.0
			SW	SW		IRR	34.0
			SE	SW		IRR	8.0
						Section Acres	52.0
						Total Acres	1083.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

NO.'S A63-20563, A63-00171, A63-00177, A63-00208, A63-05022.

14. Remarks:

THIS CLAIM IS A COMBINATION OF WATER RIGHT NO.'S 63-00223J - AKA TRANSFER NO. 131, 63-00223B - AKA TRANSFER NO. 245, 63-00223A - AKA TRANSFER NO. 287 SINCE ALL HAVE THE SAME PRIORITY DATES. IN THE BOISE RIVER WATER DELIVERY SYSTEM ALL THREE RIGHTS ARE KNOWN AS WATER RIGHT NO. 89.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-20566
Date Received: 2/02/1990 3-2-90
Receipt No: W010352
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER CENTERPOINT DITCH CO. 208-459-4579
Address: C/O FRAN EBBERS, SECRETARY
21990 BOISE RIVER RD.
CALDWELL, ID 83605

2. Date of Priority: NOV 09, 1883

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	12	NW	NE	NW		CANYON

5. Description of diverting works:
DIV. DAM IN RIVER W/HEADGATE & CANAL, DIV. VIA LATERALS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.700		

7. Total Quantity Appropriated is:
2.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use: SAME AS A63-05022.

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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11. Place of use in counties:

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

13. Other Water Rights Used:

NO.'S A63-20563, A63-00171, A63-00177, A63-00208, A63-05022.

14. Remarks:

THIS CLAIM IS A COMBINATION OF WATER RIGHT NO.'S 63-00223J - AKA
TRANSFER NO. 131, 63-00223B - AKA TRANSFER NO. 245, 63-00223A -
AKA TRANSFER NO. 287 SINCE ALL HAVE THE SAME PRIORITY DATES. IN
THE BOISE RIVER WATER DELIVERY SYSTEM ALL THREE RIGHTS ARE KNOWN
AS WATER RIGHT NO. 89.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED
SEP 03 1992