

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

RIGHT NUMBER: 63-21761

NAME AND ADDRESS: CANYON COUNTY WATER CO LTD
C/O BETHA FOSTER
PO BOX 11
STAR ID 83669

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 76.770 CFS

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: 06/01/1867

POINT OF DIVERSION:

T04N R01W S17 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	76.180 CFS
GROUND WATER RECHARGE	03/01 11/15	0.590 CFS 87.90 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; 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: GROUND WATER RECHARGE in CANYON County

T04N R02W S13	SWNE	T04N R02W S13	SENW
T04N R02W S13	NESW	T04N R02W S13	NWSE

3986 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. 63-163 and 63-179B can be used to irrigate up to 3839 acres within the boundary of the Canyon County Water Co Ltd.

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.

Transfer 72109 authorizes the diversion of water for ground water recharge in the amount of 50.4 af to be used for replacement of losses caused by evaporation from the 16.8 acre total surface area of three (3) aesthetic ponds and the diversion of an additional 37.5 af of water for ground water recharge to mitigate for the diversion and use of 37.5 af of water for supplemental irrigation on 75 acres authorized for irrigation use under Right 63-32142.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Whenever requested by the Department, the right holder shall report the total volume of water diverted into the pond for ground water recharge purposes during the year.

This right is designated as No. 35 and a portion of No. 35-A in the Stewart Decree and the Water Distribution of Boise River Report.

This right is a combination of old Right Nos. 63-0168 and 63-0277.

UNCONTESTED OVERLAP
W/179P

08/17/2006

**NOTICE OF ERROR
REPLY**

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: 63-21761

CANYON COUNTY WATER COMPANY LTD
c/o Betha Foster
P.O. Box 11
Star, Idaho 83669
Telephone Number: (208)455-1735

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

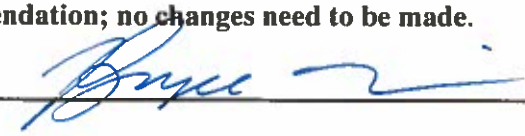
The place of use and total acres authorized by this water right should be 4018.5 acres total. The amount for irrigation has been reduced by 29.3 acres per Transfer 72109 to a total of 3986.2 acres.

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

See above.

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: September 29, 2006 SIGNATURE: 

Please print your name: S. Bryce Farris

IDWR Regional Office, 322 E. Front St
P.O. Box 83720, Boise, Idaho 83720-0098, 2082874800

SCANNED
OCT 16 2006

08/17/2006

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

RIGHT NUMBER: 63-21761

NAME AND ADDRESS: CANYON COUNTY WATER CO LTD
C/O BETHA FOSTER
PO BOX 11
STAR ID 83669

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 76.770 CFS

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: 06/01/1867

POINT OF DIVERSION:
T04N R01W S17 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	76.180 CFS
GROUND WATER RECHARGE	03/01 11/15	0.590 CFS 87.90 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; 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.

The period of use for the irrigation and ground water recharge described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: GROUND WATER RECHARGE Within CANYON County

T04N R02W S13	SWNE	T04N R02W S13	SENE
T04N R02W S13	NESW	T04N R02W S13	NWSE

(3839) ACRES TOTAL

3986.2

X

*delete
renew
per lead
Booth
10/16/08
redundant*

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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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.

Transfer 72109 authorizes the diversion of water for ground water recharge in the amount of 50.4 af to be used for replacement of losses caused by evaporation from the 16.8 acre total surface area of three (3) aesthetic ponds and the diversion of an additional 37.5 af of water for groundwater recharge to mitigate for the diversion and use of 37.5 af of water for supplemental irrigation on 75 acres authorized for irrigation use under Right 63-32142.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Whenever requested by the Department, the right holder shall report the total volume of water diverted into the pond for ground water recharge purposes during the year.

This right is designated as No. 35 and a portion of No. 35-A in the Stewart Decree and the Water Distribution of Boise River Report.

This right is a combination of old Right Nos. 63-0168 and 63-0277.



Idaho Department of Water Resources

Adjudication Claim:

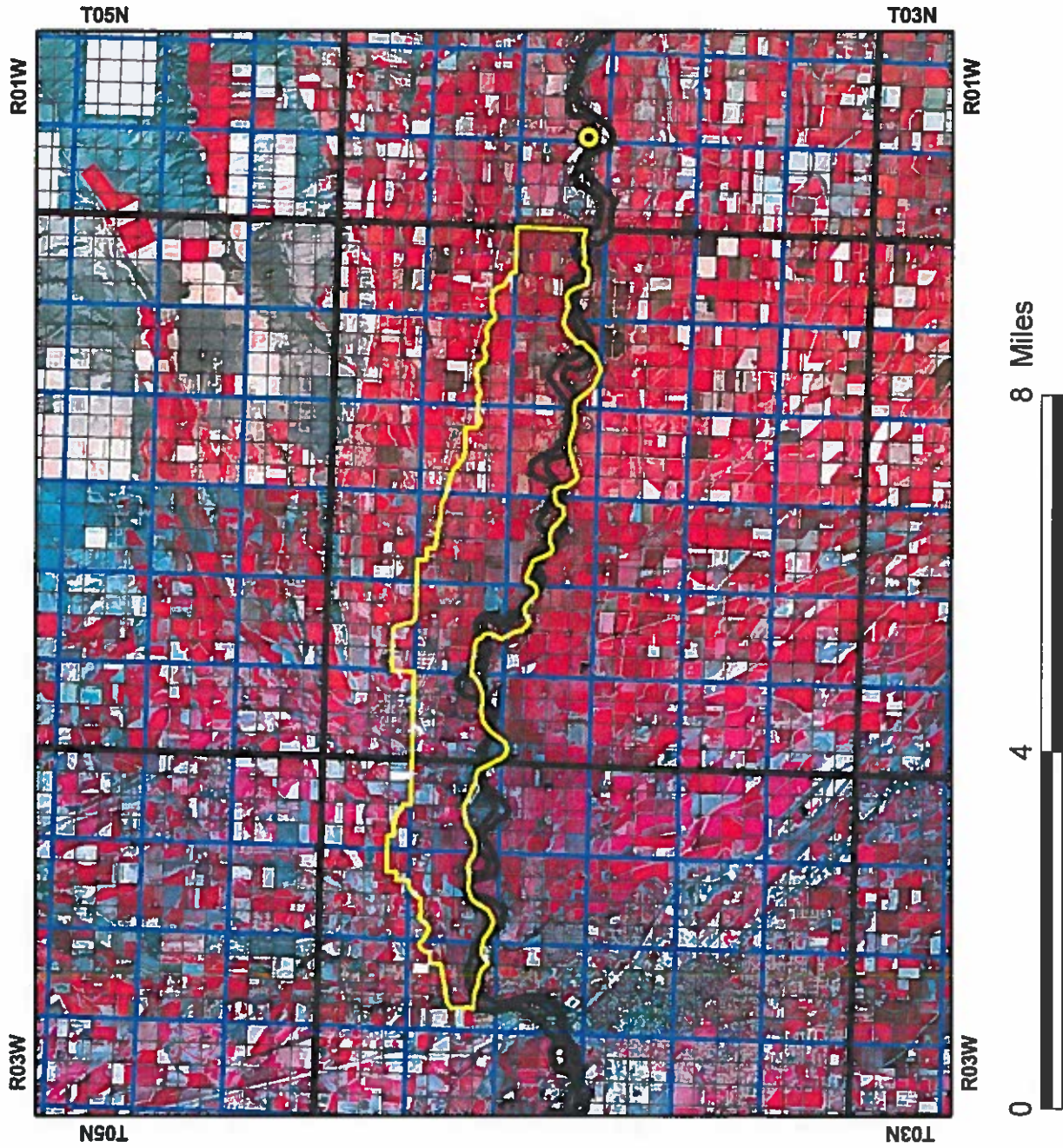
63-21761

Legend

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



Canyon County
IDWR Basin 63



Prepared by A. Warntjes
On Wednesday, April 5, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

T4N, R3W
T4N, R2W
T4N, R1W

Adjudication Claim Number:

63-21761

Legend

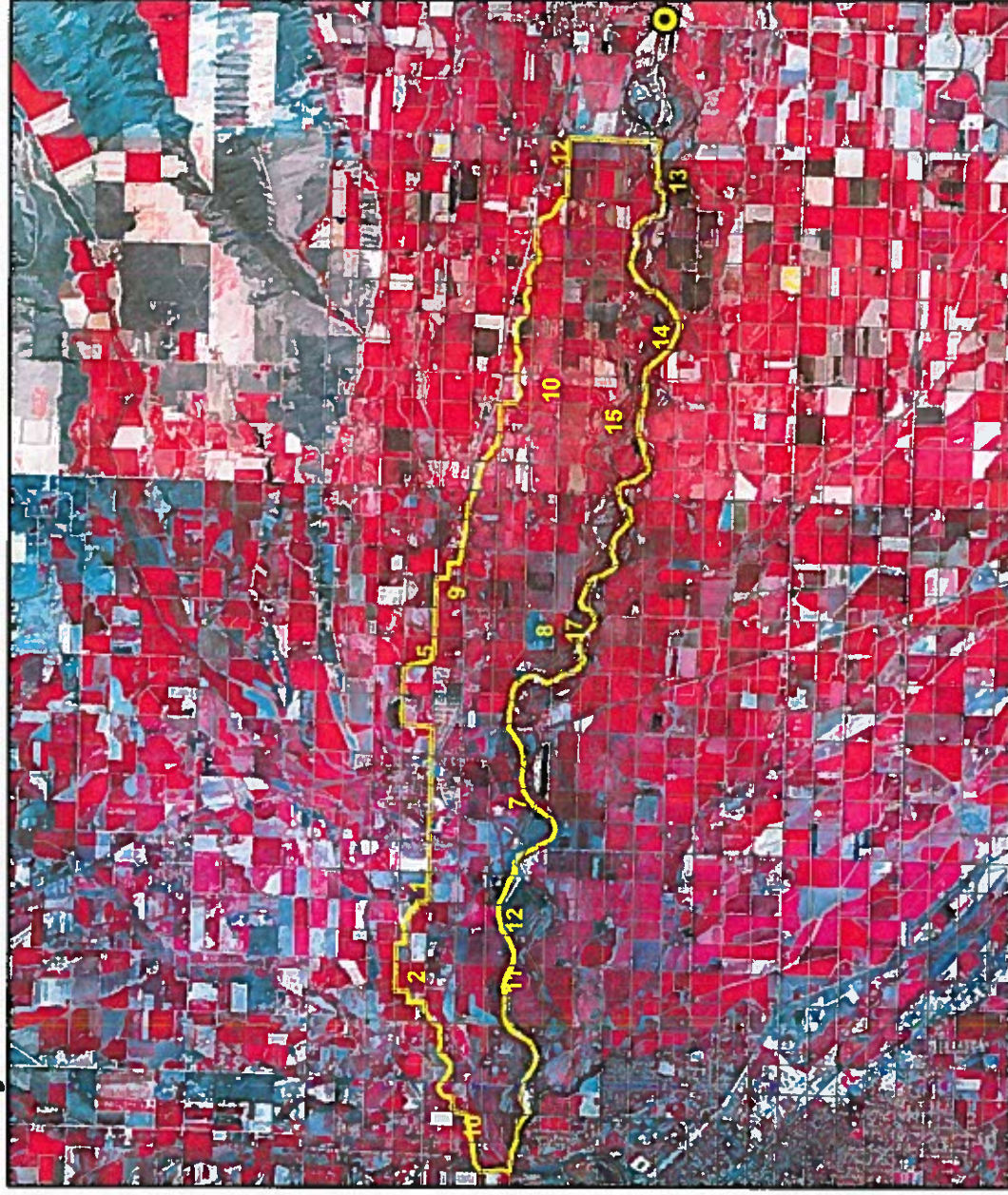
Recommended POD



Recommended POU



Canyon County
IDWR Basin 63



Prepared by A. Warntjes
On Wednesday, December 21, 2005
1987/88 Aerial Photography

WATER RIGHT NO. 63-21761
As Modified by Transfer No. 72109

RECEIVED

OCT 19 2005

DEPARTMENT OF
WATER RESOURCES

In accordance with the approval of Transfer No. 72109, Water Right No. 63-21761 is now described as follows.

Right Holder: CANYON COUNTY WATER CO LTD
 PO BOX 11
 STAR ID 83669

Priority Date: June 01, 1867

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	76.18 CFS	
GROUND WATER RECHARGE	03/15 to	11/15	0.59 CFS	87.9 AF
			76.77 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER NWSWSW Sec. 17 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION, see conditions

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	13			X					X							X		
										L3							L2		

CONDITIONS OF APPROVAL

- Exp 1. Total acres authorized for irrigation under this right are reduced by 29.3 acres per approval of Transfer 72109 to a total of 3986.2 acres based on the acres claimed under this right in the Snake River Basin Adjudication. Approval of this transfer does not preclude the opportunity for review of the total acres authorized under this right in the ongoing Snake River Basin Adjudication.
2. Transfer 72109 authorizes the diversion of water for ground water recharge in the amount of 50.4 af to be used for replacement of losses caused by evaporation from the 16.8 acre total surface area of three (3) aesthetic ponds and the diversion of an additional 37.5 af of water for groundwater recharge to mitigate for the diversion and use of 37.5 af of water for supplemental irrigation on 75 acres authorized for irrigation use under Right 63-32142.
- EXP 3. At the point where water is diverted from the Canyon County Water Company lateral into the pond for groundwater recharge purposes, the right holder shall install and maintain a measuring and recording device that records the total volume of water diverted into the pond annually. The right holder shall make the device and /or records available to the Department for inspection at any time.
- EXP 4. Whenever requested by the Department, the right holder shall report the total volume of water diverted into the pond for ground water recharge purposes during the year.

WATER RIGHT NO. 63-21761
As Modified by Transfer No. 72109

CONDITIONS OF APPROVAL

- EXP 8* Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
- EXP 8* The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The period of use for the irrigation and ground water recharge described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- EXP* 9. The right holder shall accomplish the change authorized by ~~this~~ ⁷²¹⁰⁹ transfer within one year of the date of ~~this~~ ^{the} approval.
- EXP* 10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 11* Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 12th day of September, 2005


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72109

This is to certify that: CANYON COUNTY WATER CO LTD
PO BOX 11
STAR ID 83669
(208)455-1735

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-21761	AJC/Decreed	06/01/1867	76.77 cfs	N/A	N/A	4,015.5	BOISE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-21761	NO	NO	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-21761	63-21761	76.77cfs	N/A	N/A	3,986.2		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		76.77cfs	N/A	N/A	3986.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of September, 2005



Chief, Water Allocation Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Transfer No. 72109
Revisions Approved
by: [Signature]
date: 4-28-05

Name of Applicant Canyon County Water Company, LTD Phone 455-1735

Post Office address P.O. Box 11, Star, ID 83669

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant proposes changing the nature of use of 0.59 cfs from irrigation to mitigation. The mitigation use will be associated with a new water right permit for aesthetic ponds and supplemental irrigation uses of groundwater within the Canyon County Water Company service area.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>63-21761</u>	<u>6/1/1867</u>	<u>76.18 cfs</u>	<u>irrigation</u>	<u>Mar. 15</u> to <u>Nov. 15</u>
<u> </u>	<u> </u>	<u>0.59 cfs</u>	<u>~~mitigation~~</u>	<u>Mar. 15</u> to <u>Nov. 15</u>
<u> </u>	<u> </u>	<u> </u>	<u>ground water recharge MM</u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 76.77 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Boise River tributary to Snake River

- 4. Point(s) of Diversion:**

[illegible]

5. Lands irrigated or place of use: **Canyon County Water Company Service Area**

[illegible]

~~RECEIVED~~

RECEIVED

FEB 28 2005

WATER RESOURCES

MAY 02 2005

WATER RESOURCES
WESTERN REGION

Total Acres 3986.2

PART 1

6. General Information:

- a. Description of diversion system Existing diversion dam, with canal and laterals to place of use. Mitigation water will be diverted into ponds.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. _____
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change in place of use of the transferred water; irrigated place of use for water right 63-21761 (in Section 13, T4N, R2W) will be reduced by 29.3 acres.
- d. Remarks:
See companion Amended Application for Permit submitted by Jevin Investments, Inc. for 16.8 acres of aesthetic ponds and supplemental irrigation on 75 acres at 0.5 af/ac (37.5 af). The new permit will be mitigated by the 0.59 cfs/29.3 acres proposed to be transferred herein: 16.8 acres for ponds (1:1 pond to irrigated area) and 12.5 acres for supplemental irrigation (3 af/ac x 12.5 acres = 37.5 af).

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. 35 Decreed to Canyon County Water Company
in case of Farmers Cooperative Ditch Company vs. Riverside Irrigation District
dated 1/18/1906 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-21761 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Copy of Ditch Share Certificates

3. Source of water Boise River tributary to Snake River4. Date or priority 6/1/1867

5. Water is used for the following purposes:

amount 76.77 cfs for irrigation purposes from Mar. 15 to Nov. 15
(cfs/ac-ft)

6. Total amount of water under right 76.77 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	SW	SW	17	4N	1W	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	5											7				40.5		47.5
		7	29	6	35	38	11		37	38	38	31			36	32			331
		8	40	40	32	38	35	10	25	35	4	15			38	36	22	21	391
		9			30	31	20	26	35	32	40	30	36	40	35	37	38	33	463
		10							25	19	30	34	32	32	14	25	35	38	284
		11				3				4		15	36	38		14	31	40	181
		12										2	40	38					78
		13	40	40	40	39	38	40	36	35	25	30			28	28			419
		14	36	37	30	24	36	40	37	36	10	10		6	7	10			319
		15	38	40	17	36	39	37	33	18		5		28			24	35	350
		16	35	38	19	33	38	25		8									196
		17	9																9
4N	3W	1											35	15					50

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		2													15		9	38	62
		10		20	25	38				28	7	8			8	9			141
		11	36	35	38	37			14	36	34	38	15	4	10	8			303
		12	37	38	34	35	35	35	38	34	27	30			34	18			391

Total Acres 4015.5

9. Describe any other water rights used for the same purpose as described above 63-163, 63-179B, 63-3618C, 63-21762

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.59 for irrigation purposes from Mar. 15 to Nov. 15
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	SW	SW	17	4N	1W	Ada	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	13			8.5					7.5	11.5					1.8			29.3

Total Acres 29.3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 76.18 for irrigation purposes from Mar. 15 to Nov. 15
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

3. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	SW	SW	17	4N	1W	Ada	

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	5											7				40.5		47.5
		7	29	6	35	38	11		37	38	38	31			36	32			331
		8	40	40	32	38	36	10	25	35	4	15			38	36	22	21	391
		9			30	31	20	26	35	32	40	30	36	40	35	37	38	33	463
		10							25	19	30	34	32	32	14	25	35	38	284
		11				3				4		15	36	38		14	31	40	181
		12										2	40	36					78
		13	40	40	31.5	39	38	40	36	27.5	13.5	30			28	26.2			389.7
		14	36	37	30	24	36	40	37	36	10	10		6	7	10			319
		15	38	40	17	36	39	37	33	18		5		28			24	35	350
		16	35	38	19	33	38	25		8									196
		17	9																9
4N	3W	1											35	15					50
		2													15		9	38	62
		10		20	25	36				28	7	8			8	9			141
		11	38	35	38	37			14	36	34	36	15	4	10	8			303
		12	37	36	34	35	35	35	36	34	27	30			34	18			391

Total Acres 3986.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

The grid is composed of solid lines forming a 10x10 square pattern. Overlaid on this are dashed lines that create a larger grid, with major dashed lines every 2 units and minor dashed lines every 1 unit. In the center of the grid, there is a rectangular box with a solid border containing the text "See Attached Maps".

Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
mitigation 0.59 cfs 245 day/yr 3/15 to 11/15
2. Quantity and quality of return flows and location of discharge: No change in quantity. Discharge will be to ponds within canal company service area, resulting in groundwater recharge and resultant river gains. Quality of return flow may improve due to reduced overland flow to drains (with resultant reduction in sediment load).

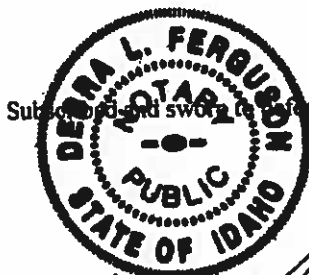
3. Describe effects on other water uses resulting from the proposed change:

This transfer will allow Canyon County Canal Company and the proposed River Ranch development to continue the beneficial use of water right 63-21761 on appurtenant lands within the Canal Company's service area. The transfer also will facilitate the use of ground water without depleting the resource or reducing the amount of water available to fill other water rights.

This transfer will not result in an enlargement of the water right or cause injury to other water rights because the acres to which the water will be applied and the consumptive use of water will not increase. The irrigated area for water right 63-21761 will be reduced by 29.3 acres.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Frank W. Phillips
 (Signature of Applicant)

Subscribed and sworn to before me this 17th day of January, 20 05.

Debra L. Ferguson
 (Notary Public)

My commission expires 10-31-07

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments

Received by DB Date 2-28-05 Protest filed by _____

Prelim. Check by g Fee \$250- W032639

Receipted by DB Date 2-28-05

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

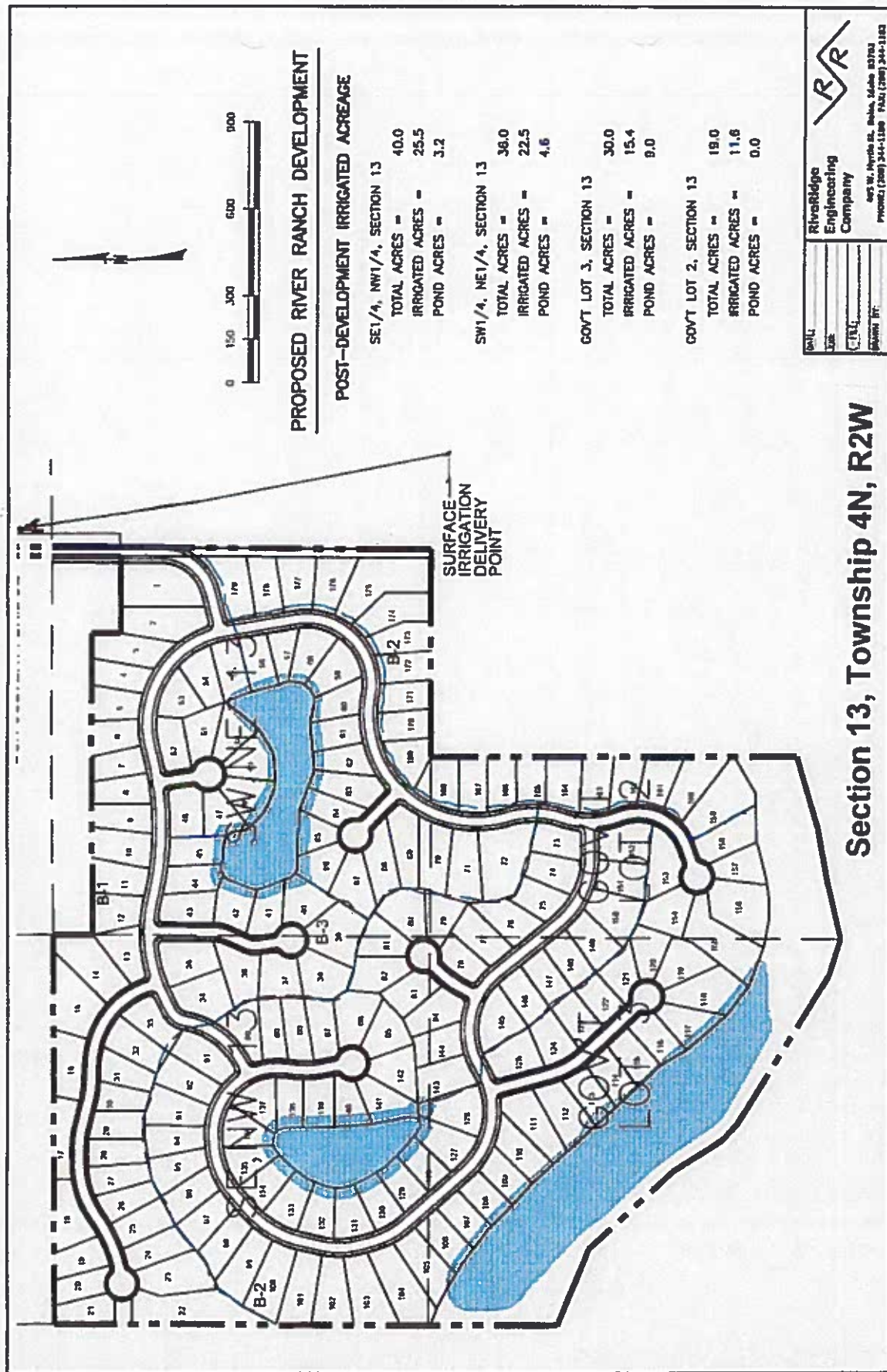
Page 8 of 8

Transfer No. _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____



RiverRidge Engineering Company
 405 W. 10th St., Suite 100, Fargo, ND 58103
 PHONE: (701) 244-1100 FAX: (701) 244-1102

Copy

STOCK CERTIFICATE

Canyon County Water Company, Limited

INCORPORATED UNDER THE LAWS OF THE STATE OF IDAHO

Cert. No. 1655 Total Number of Shares, 4000
TOTAL PAR VALUE OF CAPITAL STOCK, \$40,000 65 shares

This Certifier, That James H. Evans
is the owner of 65 shares
of the Capital Stock of the CANYON COUNTY WATER COMPANY, Ltd., for and appurtenant to
21433 Point Street - Boise - ID

transferable on the books of the Company upon surrender of this Certificate properly endorsed and cancelled in compliance with the By-Laws of the Company.

IN WITNESS WHEREOF, The President and Secretary have hereunto subscribed their names and affixed the seal of the Company at its office this 11 day of

[SEAL]

Subscribed, A. D., 2005.

James H. Evans Secretary.

Frank W. Phillips President.

STOCK CERTIFICATE

Canyon County Water Company, Limited

INCORPORATED UNDER THE LAWS OF THE STATE OF IDAHO

Cert. No 1516 Total Number of Shares, 4000 40 Shares

TOTAL PAR VALUE OF CAPITAL STOCK, \$40,000

This Certifier, that Stephen J. Madhill & Linda A. Turner
 is the owner of forty shares

of the Capital Stock of the CANYON COUNTY WATER COMPANY, Ltd., for and appurtenant to a portion
 of the W¹/₂ of the NE ¹/₄ of sec. 13 Township 4 N Range 2 W. Boise Meridian
 Canyon Co. Idaho

transferable on the books of the Company upon surrender of this Certificate properly endorsed and cancelled in compliance with the By-Laws of the Company.

IN WITNESS WHEREOF, The President and Secretary have hereunto subscribed their names and affixed the seal of the Company at its office this 14 day of

[SEAL]

Steunke, A. D., 1929

Audrey M. M. M.

Frank W. Dill

Secretary.

President.

CANYON COUNTY WATER COMPANY, a corporation. (35)

That the grantors and predecessors in interest of the defendant the Canyon County Water Company did actually divert and apply to a beneficial use 3790 inches of the waters of Boise river on the 1st day of June, 1867, at a point on the north bank of said river near where the east line of Canyon County intersects said north bank, to and upon the agricultural lands lying under their canal system, and there used the same in the irrigation of said lands, and that ever since said date said defendant and its predecessors in interest have continued to so use said quantity of water upon said lands.

MARTHA E. McCARTHY (36)

That the grantors and predecessors in interest of the defendant Martha E. McCarthy did actually divert and apply to a beneficial use 70 5 inches of the waters of Boise River, ^{on the 1st day of June, 1868,} diverting the same on the south side of said river at the upper end of what is known as Governor's Island, about 2 miles below Boise City, on the SE 1/4 of NE 1/4, Sec. 5, T. 3 N. R. 2 E. B.M. through what is known as the Thurman Mill Slough or ditch, to and upon the agricultural lands lying under said ditch, and there used the same in the irrigation of said lands, and that ever since said date said defendant and her predecessors in interest have continued to so use said quantity of water upon said lands.

H. D. GOODMAN AND DORA GOODMAN. (37)

That the grantors and predecessors in interest of the defendants H. D. Goodman and Dora Goodman did actually divert and apply to a beneficial use 185 inches of the waters of Boise River on the 1st day of June, 1868, diverting the same at a point opposite what is known as Governor's Island on SE 1/4 of NE 1/4 Sec. 5, T. 3 N. R. 2 E. B.M. through what is known as the Thurman Mill Slough to and upon 371 acres of agricultural lands undersaid ditch situate in sections 31 and 32, T. 4 N. R. 2 E. B.M., and there

STOPPELLO & KISER
ATTORNEYS AND COUNSELORS AT LAW
620 WEST HAYS STREET
BOISE, IDAHO 83702

FRANK W. STOPPELLO
JERRY A. KISER

TELEPHONE (208) 336-1020
FACSIMILE (208) 336-1027

March 13, 2003

RECEIVED

AUG 15 2005

Department of Water Resources

RECEIVED

MAR 14 2003

WATER RESOURCES
WESTERN REGION

Jan Shurte
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Canyon County Water Company, Ltd.
Claims in Snake River Basin Adjudication

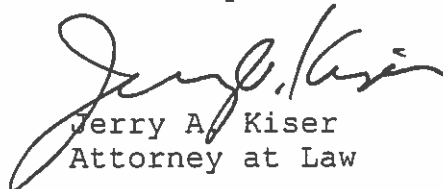
Dear Jan:

Pursuant to our telephone conversation on March 12, 2003, please have the Department's records changed to reflect the correct mailing address for Canyon County Water Company. The correct address to use is Canyon County Water Company, Attn: Judy Mautz, Secretary, P.O. Box 11, Star, Idaho, 83669. In addition, kindly have your records reflect that I am representing Canyon County Water Company in the Adjudication process. The claim numbers for Canyon County Water Company are as follows:

A63-0163
A63-0179
A63-21761
A63-21762

If you have any questions regarding the foregoing, please feel free to contact me.

Sincerely,


Jerry A. Kiser
Attorney at Law

JAK:aw

cc: Canyon County

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21761

WATER RIGHT NUMBER: 63-21761

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JERRY A KISER 620 W HAYS ST BOISE, ID 83702 (208)336-1020
Current Owner	CANYON COUNTY WATER CO LTD C/O JUDY MAUTZ, SECRETARY PO BOX 11 STAR, ID 83669

Priority Date: 06/01/1867

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	76.770 CFS	
	<u>Total Diversion:</u>	76.770 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4SW1/4SW1/4	Sec. 17, Twp 04N, Rge 01W, B.M.
ADA 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	
04N	02W	5											7.0				40.5		47.5
													LO				LO		
04N	02W	7	29.0	6.0	35.0	38.0	11.0		37.0	38.0	38.0	31.0			36.0	32.0			331.0
			LO	LO	LO	LO	LO		LO	LO	LO	LO			LO	LO			
04N	02W	8	40.0	40.0	32.0	38.0	35.0	10.0	25.0	35.0	4.0	15.0			38.0	36.0	22.0	21.0	391.0
			LO	LO	LO	LO	LO	LO	LO	LO	LO	LO			LO	LO	LO	LO	
04N	02W	9			30.0	31.0	20.0	26.0	35.0	32.0	40.0	30.0	36.0	40.0	35.0	37.0	38.0	33.0	463.0
					LO	LO	LO	LO	LO	LO	LO	LO	LO	LO	LO	LO	LO	LO	
04N	02W	10						25.0	19.0	30.0	34.0	32.0	32.0	14.0	25.0	35.0	38.0	284.0	
								LO	LO	LO	LO	LO	LO	LO	LO	LO	LO		
04N	02W	11			3.0				4.0		15.0	36.0	38.0		14.0	31.0	40.0	181.0	
					LO				LO		LO	LO	LO		LO	LO	LO		
04N	02W	12									2.0	40.0	36.0					78.0	
											LO	LO	LO						

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21761

04N 02W 13	40.0 L0	40.0 L0	40.0 L0	39.0 L0	38.0 L0	40.0 L0	36.0 L0	35.0 L0	25.0 L0	30.0 L0		28.0 L0	28.0 L0		419.0		
04N 02W 14	36.0 L0	37.0 L0	30.0 L0	24.0 L0	36.0 L0	40.0 L0	37.0 L0	36.0 L0	10.0 L0	10.0 L0		6.0 L0	7.0 L0	10.0 L0	319.0		
04N 02W 15	38.0 L0	40.0 L0	17.0 L0	36.0 L0	39.0 L0	37.0 L0	33.0 L0	18.0 L0		5.0 L0		28.0 L0		24.0 L0	35.0 L0	350.0	
04N 02W 16	35.0 L0	38.0 L0	19.0 L0	33.0 L0	38.0 L0	25.0 L0		8.0 L0								196.0	
04N 02W 17	9.0 L0															9.0	
04N 03W 1											35.0 L0	15.0 L0				50.0	
04N 03W 2													15.0 L0		9.0 L0	38.0 L0	62.0
04N 03W 10		20.0 L0	25.0 L0	36.0 L0				28.0 L0	7.0 L0	8.0 L0		8.0 L0	9.0 L0			141.0	
04N 03W 11	36.0 L0	35.0 L0	38.0 L0	37.0 L0			14.0 L0	36.0 L0	34.0 L0	36.0 L0	15.0 L0	4.0 L0	10.0 L0	8.0 L0		303.0	
04N 03W 12	37.0 L0	36.0 L0	34.0 L0	35.0 L0	35.0 L0	35.0 L0	36.0 L0	34.0 L0	27.0 L0	30.0 L0		34.0 L0	18.0 L0			391.0	

Total Acres: 4015.5

Conditions of Approval:Remarks:

1. General

THIS RIGHT IS CLAIMED FOR THE AMOUNT OF FLOW WHICH IS A COMBIN - ATION OF FLOWS DELIVERED BY THE BOISE RIVER WATERMASTER AT THE HEADGATE OF THE COMPANY CANAL FOR THE PRIORITY OF 06/01/1867 FOR RIVER RIGHTS #35 (63-0168) AND #35-A (63-0277), WHICH AT ONE TIME OR ANOTHER HAVE BEEN SUBJECT TO TRANSFERS # 36, 54, 75, AND 147. THE LANDS FOR THE PLACE OF USE ARE THE LANDS OWNED BY VAR- IOUS OWNERS AND ARE THOSE SERVICED BY THE COMPANY DITCHES.

***** NOTE: THIS CLAIM IS A COMBINATION OF A PORTION OF 63-00168, 63-00168A, 63-00168C & 63-00277. IN THE WATER RIGHTS DATABASE, 63-00168 HAS BEEN SPLIT OFF FROM, HOWEVER, IT STIL L SHOWS THE REMAINING BALANCE AFTER THE SPLITS (A, B & C) BACK ON 6 3-00168. SO, THIS CLAIM IS A COMBINATION OF 72.21 CFS OF THE REMAINING 72.62 CFS SHOWN UNDER 63-00168 IN THE DATABASE WITH 63-00168A(.20 CFS), 63-00168C(2.6 CFS) & 63-00277(1.76 CFS) FOR A TOTAL OF 76.77 CFS. THE OTHER .41 CFS FROM 63-00168 IN THE W.R. DATABASE HAS BEEN CLAIMED UNDER A63-00168D. JS

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21761

Dates and Other Information:

Claim Received Date: 3/21/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED

MAY 10 2005

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
David P. Clalborne
D. Blair Clark
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

May 9, 2005

Lori Graves
Idaho Department of Water Resources
Western Regional Offices
2735 Airport Way
Boise, Idaho 83705

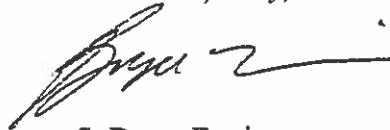
Re: Canyon County Ditch Company

Dear Lori:

This letter is to inform you that Ringert Clark Chartered is law firm that is representing the Canyon County Ditch Company with regards to its natural flow water rights within the Snake River Basin Adjudication. Enclosed please find a copy of a letter from the Canyon County Ditch Company regarding the same.

Please feel free to contact me if you have any questions or comments regarding this matter.

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosure

cc: CCDC

RECEIVED

MAY 10 2005

WATER RESOURCES
WESTERN REGION

Canyon County Water Company

Box 11
Star, Idaho 83669

March 5, 2004

Mr. Bryce Farris,

The Board of Directors of Canyon County Water Company would like you to represent Canyon County Water Company on adjudication of natural flow water rights.

Thank you

Betha Foster

secretary

per 286-7364

RECEIVED

MAR 08 2004

RINGERT CLARK

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21761

WATER RIGHT NUMBER: 63-21761

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JERRY A KISER 620 W HAYS ST BOISE, ID 83702 (208)336-1020
Current Owner	CANYON COUNTY WATER CO LTD C/O JUDY MAUTZ, SECRETARY PO BOX 11 STAR, ID 83669

Priority Date: 06/01/1867

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	76.770 CFS	
	<u>Total Diversion:</u>	76.770 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4SW1/4SW1/4	Sec. 17, Twp 04N, Rge 01W, B.M.
ADA 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	
04N	02W	5																	47.5
04N	02W	7	29.0	6.0	35.0	38.0	11.0		37.0	38.0	38.0	31.0			36.0	32.0			331.0
04N	02W	8	40.0	40.0	32.0	38.0	35.0	10.0	25.0	35.0	4.0	15.0			38.0	36.0	22.0	21.0	391.0
04N	02W	9			30.0	31.0	20.0	26.0	35.0	32.0	40.0	30.0	36.0	40.0	35.0	37.0	38.0	33.0	463.0
04N	02W	10							25.0	19.0	30.0	34.0	32.0	32.0	14.0	25.0	35.0	38.0	284.0
04N	02W	11			3.0					4.0	15.0	36.0	38.0		14.0	31.0	40.0		181.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21761

04N 02W 12									2.0	40.0	36.0						78.0
04N 02W 13	40.0	40.0	40.0	39.0	38.0	40.0	36.0	35.0	25.0	30.0			28.0	28.0			419.0
04N 02W 14	36.0	37.0	30.0	24.0	36.0	40.0	37.0	36.0	10.0	10.0		6.0	7.0	10.0			319.0
04N 02W 15	38.0	40.0	17.0	36.0	39.0	37.0	33.0	18.0	5.0		28.0			24.0	35.0		350.0
04N 02W 16	35.0	38.0	19.0	33.0	38.0	25.0		8.0									196.0
04N 02W 17	9.0																9.0
04N 03W 1										35.0	15.0						50.0
04N 03W 2												15.0		9.0	38.0		62.0
04N 03W 10		20.0	25.0	36.0				28.0	7.0	8.0		8.0	9.0				141.0
04N 03W 11	36.0	35.0	38.0	37.0			14.0	36.0	34.0	36.0	15.0	4.0	10.0	8.0			303.0
04N 03W 12	37.0	38.0	34.0	35.0	35.0	35.0	36.0	34.0	27.0	30.0		34.0	18.0				391.0

Total Acres: 4015.5

Conditions of Approval:Remarks:

1. General THIS RIGHT IS CLAIMED FOR THE AMOUNT OF FLOW WHICH IS A COMBIN- ATION OF FLOWS DELIVERED BY THE BOISE RIVER WATERMASTER AT THE HEADGATE OF THE COMPANY CANAL FOR THE PRIORITY OF 06/01/1867 FOR RIVER RIGHTS #35 (63-0168) AND #35-A (63-0277), WHICH AT ONE TIME OR ANOTHER HAVE BEEN SUBJECT TO TRANSFERS # 36, 54, 75, AND 147. THE LANDS FOR THE PLACE OF USE ARE THE LANDS OWNED BY VAR- IOUS OWNERS AND ARE THOSE SERVICED BY THE COMPANY DITCHES.
- NOTE: THIS CLAIM IS A COMBINATION OF A PORTION OF 63-00168, 63-00168A, 63-00168C & 63-00277. IN THE WATER RIGHTS DATABASE, 63-00168 HAS BEEN SPLIT OFF FROM, HOWEVER, IT STILL SHOWS THE REMAINING BALANCE AFTER THE SPLITS (A, B & C) BACK ON 63-00168. SO, THIS CLAIM IS A COMBINATION OF 72.21 CFS OF THE REMAINING 72.62 CFS SHOWN UNDER 63-00168 IN THE DATABASE WITH 63-00168A(.20 CFS), 63-00168C(2.6 CFS) & 63-00277(1.76 CFS) FOR A TOTAL OF 76.77 CFS. THE OTHER .41 CFS FROM 63-00168 IN THE W.R. DATABASE HAS BEEN CLAIMED UNDER A63-00168D. JS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21761

Comments:

Dates and Other Information:

Claim Received Date: 3/21/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

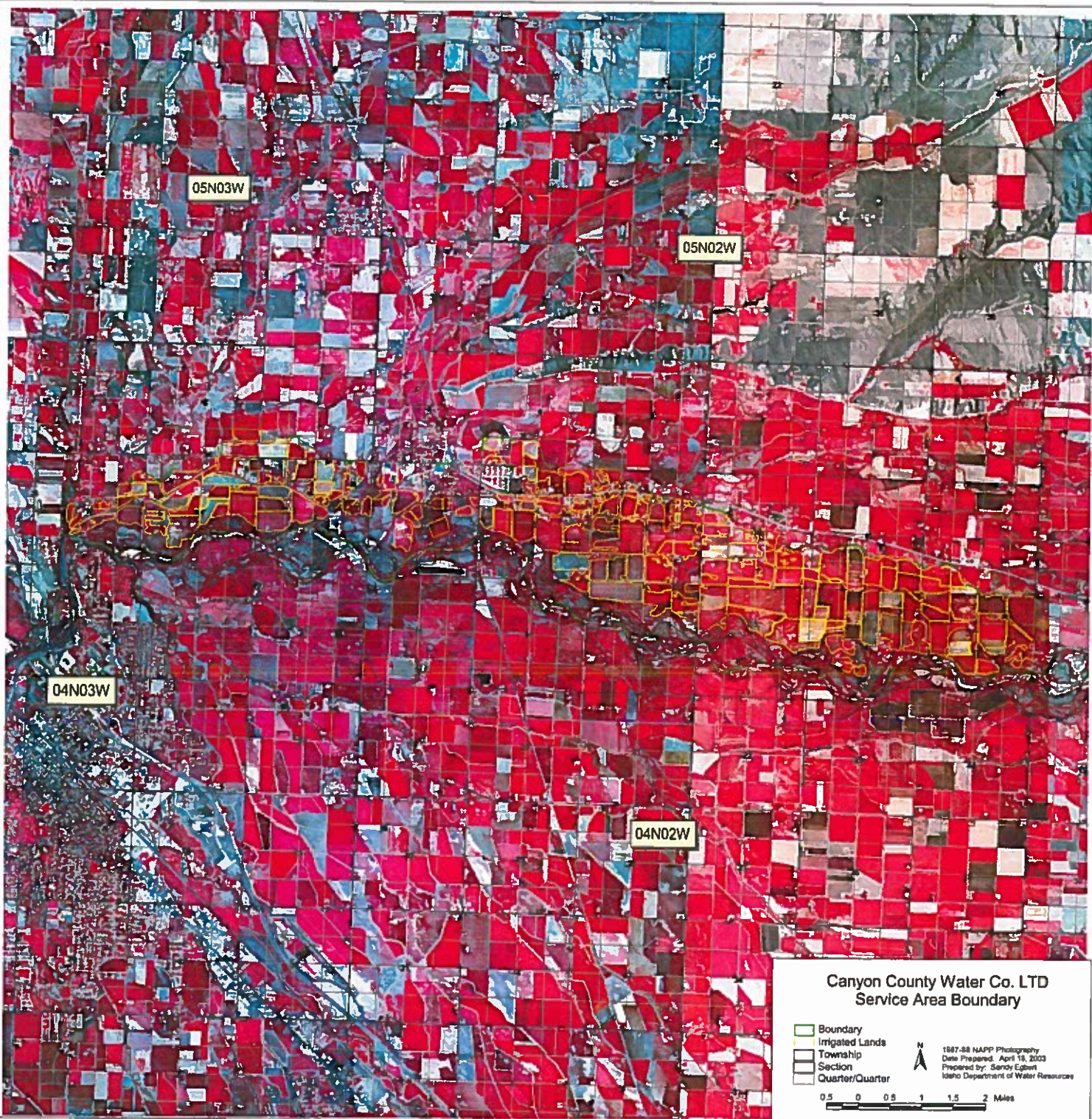
DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:



State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-32142

Priority: February 28, 2005

Maximum Diversion Volume: 235.0 AF

This is to certify, that JEVIN INVESTMENTS INC
5532 MILL CREEK RD
SAN DIEGO CA 92130

has applied for a permit to appropriate water from:

Source: GROUND WATER

Tributary: BOISE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	235.0 AF
AESTHETIC FROM STORAGE	01/01 to 12/31	235.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15	37.5 AF
IRRIGATION STORAGE	01/01 to 12/31	37.5 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 13, Twp 04N, Rge 02W, B.M., CANYON County
GROUND WATER	L3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)	Sec. 13, Twp 04N, Rge 02W, B.M., CANYON County
GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 04N, Rge 02W, B.M., CANYON County

PLACE OF USE: AESTHETIC STORAGE, AESTHETIC FROM STORAGE AND IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 13			X				X				X						L3

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 13			22.5				25.5				15.4				11.6		75.0
							L3								L2		
Total Acres: 75																	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2010**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-32142

4. This right does not grant any right-of-way or easement across the land of another.
5. Mitigation for consumptive use of water under this right shall be provided by Right 63-21761 as approved by Transfer 72109.
6. Water shall not be diverted under this right until the right holder notifies the Department that it has abandoned the use of water under Right 63-12551. The abandonment notice must include proof of ownership of the water right and a notarized affidavit by the right holder attesting to the permanent abandonment of the water right.
7. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cause 87.9 AF of water to be used for ground water recharge purposes in accordance with Water Right 63-21761 each year.
8. If the specified mitigation right is sold, transferred, leased, used for another purpose, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for use under this right shall be reduced by the same proportion as the reduction to the mitigation right.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
10. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
11. Water bearing zone to be appropriated is from 0 to 40 feet.
12. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
13. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of September, 2005.


FOR KARL J DREHER, Director

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-32142

Priority: February 28, 2005

Maximum Diversion Volume: 235.0 AF

This is to certify, that JEVIN INVESTMENTS INC
5532 MILL CREEK RD
SAN DIEGO CA 92130

has applied for a permit to appropriate water from:

Source: GROUND WATER Tributary: BOISE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	235.0 AF
AESTHETIC FROM STORAGE	01/01 to 12/31	235.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15	37.5 AF
IRRIGATION STORAGE	01/01 to 12/31	37.5 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 13, Twp 04N, Rge 02W, B.M., CANYON County
GROUND WATER	L3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)	Sec. 13, Twp 04N, Rge 02W, B.M., CANYON County
GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 13, Twp 04N, Rge 02W, B.M., CANYON County

PLACE OF USE: AESTHETIC STORAGE, AESTHETIC FROM STORAGE AND IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 13			X				X		X								

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 02W 13			22.5				25.5	15.4					11.6				75.0

Total Acres: 75

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before September 01, 2010.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

INTER-DEPARTMENT MEMO

TO: JAN - WESTERN

SUBJECT: CYN CO. MTA. CO. RTs

FROM: FOREST

DATE: 02/27/1991

H. JAN: JUST A SHORT NOTE TO INFORM YOU WHAT I HAVE DONE IN REGARD TO THESE CLAIMS. I SENT COPIES OF THE 4, A63-00163, A63-00179B, A63-21761 & A63-21762 ALONG WITH THEIR COPY OF REPT. C015826 & A NOTE TO THE COMPANY SECY. SHERILL GOULD. WHILE EVERYTHING SHOULD BE AS ORIGINALLY DISCUSSED WHEN PUTTING THE CLAIMS TOGETHER AT FIRST, THE NOTE TO MRS GOULD INSTRUCTED HER TO CONTACT YOU AT WESTERN IF SHE DISCOVERED ANYTHING WRONG WITH THE CLAIMS. I HAVE ALSO ATTACHED A COPY OF THE 09/17/90 MEMO TO YOU & LINDA TO MAYBE HELP REFRESH THE MEMORY OF WHAT WAS GOING ON WITH 63-0168, PART OF WHICH IS BEING CLAIMED IN A63-21761.

(X) For your information

PH:

SHERILL GOULD

Signature

() Response required

585-3768

MICROFILMED

JUL 28 1994

FEB 27 1991

RECEIVED

DATE 09/17/1990

MEMO TO: LINDA & JAN (WESTERN)

FROM: FORREST

SUBJECT: CANYON CO. WATER CO., LTD.; MIDDLETON MILL DITCH CO.;
MIDDLETON IRRIGATION; MIDDLETON IRRIGATION ASSOCIATION;
MIDDLETON MILL IRRIGATION CO. (AND ANY OTHERS ANYBODY
CAN THINK UP.) REGARDING 63-00168.

ORIGINALLY CANYON COUNTY WATER COMPANY (A CORPORATION) WAS
DECEDED 3790 INCHES FROM THE BOISE RIVER, PRIORITY 06/01/1867,
DESIGNATED AS RIVER RIGHT #35 (63-00168).

LATER, TRANSFER #54 TOOK 55.5 INCHES TO MIDDLETON MILL DITCH
COMPANY AND TRANSFER #36 TOOK 19 INCHES TO MIDDLETON IRRIGATION.

SUBSEQUENTLY, TRANSFER #75 TOOK 25 INCHES AND TRANSFER #147 TOOK
10 INCHES BACK AWAY FROM MIDDLETON MILL DITCH COMPANY AND
RETURNED THEM TO CANYON COUNTY WATER COMPANY, LTD. THIS LEFT
MIDDLETON MILL DITCH COMPANY WITH A PORTION OF 63-00168 OR 20.5
INCHES AND MIDDLETON IRRIGATION THE ORIGINAL TRANSFERRED 19
INCHES.

THESE ARE BEING CLAIMED AS SPLITS OF 63-00168, EACH WITH ITS OWN
SPLIT SUFFIX LETTER, ONE BY MIDDLETON MILL DITCH COMPANY AND ONE
BY MIDDLETON IRRIGATION ASSOCIATION. TO FURTHER CONFUSE THE
ISSUE, THE RECEIPT FOR THESE AND OTHER CLAIMS IS IN THE NAME OF
MIDDLETON MILL IRRIGATION COMPANY. ALTHOUGH CLAIMED BY THE
SEPARATE ENTITIES, THE WATER ONCE CO-MINGLED IN THE CANAL, HAS
FOR MANY YEARS BEEN DISTRIBUTED UNDER THE DITCHES AND LATERALS
MORE OR LESS AS A COMBINED UNIT OF SOME 9159 ACRES.

NOW, BACK TO CANYON COUNTY WATER COMPANY, LTD. THE COMPANY'S
PORTION OF 63-00168, PLUS THE 25 AND 10 INCHES TRANSFERRED BACK,
PLUS BRYAN DECREE RIVER RIGHT #35-A (63-00277), ARE BEING
CLAIMED AS A COMBINED RIGHT, A BENEFICIAL USE RIGHT, A63-21761.
THUS A PART OF THE ORIGINAL -00168 WILL APPEAR UNDER THAT
NUMBER. THE EXCEPTION TO THIS, OF COURSE, WILL BE IF SOMEONE
LATER DECIDES THAT FOUR SPLITS AND THEIR SUFFIXES IS A BETTER
MEANS OF DESCRIBING EVERYTHING INSTEAD OF ONE BENEFICIAL USE
RIGHT.

CLEAR AS MUD?? WILL BE GLAD TO HAVE ANY SUGGESTIONS AS TO OTHER
ALTERNATIVES.



MICROFILMED

JUL 28 1994

Old (D) Number -

State- ID Zip- X

1 - C/O MELBA L. TORRANCE
2 - 21835 BLESSINGER LN.

State- ID Zip- 83669

Town	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
+	+	+	+	+	+	+

01 - IRRIGATION	03/15	11/15	72.620	
+ - Total Div. Rate - +	+ - Total Div. Volume - +		+ - Total Consumptive Use - +	+ - KW Usage - +
72.620			0.0	

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
65N	36E	36				01	IRRIGATION	(99) SUBSCRIPTION

+ . . Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - N/A

	Remarks
	THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS A63-001680 FOR .41 CFS AND AS A63-21761 FOR THE REMAINING 72.21 CFS. NOTE: A63-21761

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JUL 28 1994

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filled Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/21/1990	Last Amended Date	- 00/00/0000	Temporary Right	- p
		Receipt Number	- X777777	Water District	- 63
		POU Ownership Flag	- Y	Federal/State Indicator	- s
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JUL 28 1994

Water Right Number - 63-00168 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - - +

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1867 14 WESTERN D - DECREED

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

+ - - - - Description Period from Water Use Diversion Rate Diversion Volume
Code Period To

01 - IRRIGATION 72.620

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
72.620

+ - - - - TwN Rng Sec Tract Lot Acres Code Description County

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - CHANGE IN POINT OF DIVERSION ONLY.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - - - +
FARMERS CO-OP DITCH CO. RIVERSIDE IRR. DIST. 01/18/1906

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 04/22/80 05/01/88 CONVERT 06/20/89 06/20/89 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P

MICROFILMED
JUL 28 1994

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0743NP
(00-26)

Water right number - 63-00168

Prefix Translation: WATER RIGHT

+ - - - - - Water Rights Dates and Flags Area - - - - - +
Exam to S.O. Date- 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District - 63
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended - P
Decree Date - 01/18/1906 Name Connector - POU Ownership Flag -
Presumption Flag -

MICROFILMED
JUL 28 1994

Old (D) Number -

+ Address

1.

State- ID Zip- X

Phone - 208-000-0000

CANYON COUNTY WATER CO.

state- ID Zip- X

City- X

CORA H.

State- ID Zip- X

City- MIDDLETON

	+ +	- -	- +	+ -
Stage	- -	- +	+ -	+ +

+ - - - Region + - - +

Priority Date - - +

+ Tributary

BOISE RIVER
COMBINED RIGHT

----- Point of Diversion

RFlg

(27) CANYON

- - - - - **Water Use**

Diversion Rate Diversion Volume

01 - IRRIGATION

0.200

Total Div. Rate - + - - Total Div. Volume - +

0.05

+ - Total Consumptive Use - + + - KW Usage - +

Place of Use

County

(99) SUBSCRIPTION

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

MICROFILMED
JUL 28 1994

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/21/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X77777	Water District	- 63
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JUL 28 1994

WATER RIGHT

- - Conditions of Approval - -
No Conditions of Approval found.

+ - - - - Decree Defendant
RIVERSIDE IRR. DIST.

- - -Comments-
No Comments Fou

CURTIS

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 63
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 01/18/1906	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

MICROFILMED
JUL 28 1994

Water Right Number - A63-00168C Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COMBINED RIGHT

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

KENNEDY DANIEL W.

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1867 14 WESTERN Z - SEE REMARKS

+ - - Source - - - - - + + - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER
COMBINED RIGHT SEE REMARKS

+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

04N 01W 17 SW SW (1) ADA

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 2.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.600 2.600 0.0

+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

65N 46E 36 01 IRRIGATION (99) SUBSCRIPTION

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -

MICROFILMED
JUL 28 1994

MICROFILMED
JUL 28 1994

Water Right Number - 63-00168C Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
KENNEDY DANIEL W.

1 -
2 -
3 -
City- State- Zip-
Phone -

1 -
2 -
3 -
City- State- Zip-
Phone -

*** O - ORIGINAL OWNER ***
CANYON COUNTY WATER CO.

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1867 14 WESTERN D - DECREED

+ - - Source - - - - - + + - - - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - - - - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.

04N 01W 17 SW SW (1) ADA

+ - - - - - - - - - - - Water Use - - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 2.600

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
2.600

+ - - - - - - - - - - - Place of Use - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

04N 02W 13 NE NE 01 IRRIGATION (1) ADA
04N 02W 13 SE NE 01 IRRIGATION (1) ADA
04N 02W 13 NE SE 01 IRRIGATION (1) ADA

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - - - - - - - +
CHANGE IN POINT OF DIVERSION ONLY.

+ - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

MICROFILMED
JUL 28 1994

| | | | | | |
|-------------------|--------------|-----------------|--------------|--------------------|------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 63 |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - P |
| Decree Date | - 01/18/1906 | Name Connector | - | POU Ownership Flag | - |
| Presumption Flag | - | | | | |

MICROFILMED
JUL 28 1994

Old (D) Number -

+ - - - - Address

0 0 0
F N M

RALPH T.

City- X State- ID Zip- X
Phone - 208-000-0000

State- ID Zip- X

ORA K.

Phone - 208-000-0000

State- ID Zip- X

Phone - 208-000-0000

| + | - | - | - | Status |
|---|---|---|---|-------------|
| Z | - | - | - | SEE REMARKS |

- - Tributary
SNAKE RIVER
SEE REMARKS

Diversion

(99) SUBSCRIPTION

----- Diversion Rate ----- Diversion Volume -----

1.760

ive Use - + + - KW Usage - + +

County

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ " - Other Rights for Same Use -

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JUL 28 1994

Water right number - A63-00277

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Remarks - - - - - +
THIS RIGHT HAS BEEN COMBINED WITH 63-00168(PART-72.21 CFS),
63-00168A(.20 CFS) & 63-00168C(2.6 CFS) AND CLAIMED UNDER
A63-21671 FOR 76.77 CFS.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - +
FARMERS CO-OP DITCH CO. + - - - - Decree Defendant - - - +
+ - - - - - RIVERSIDE IRR. DIST. + - - Decree Date - - +
00/00/0000

+ - - - - - Comments - - - - - +
No Comments Found

+ - - - - - Audit Fields - - +
06/16/94 SHURTE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 03/21/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - X777777 | Water District | - 63 |
| | | PQU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

MICROFILMED
JUL 28 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 20, 1989

Ms. Melba L. Torrence, Secretary
Canyon County Water Company
Route 1
Star, ID 83669

Re: Snake River Basin Adjudication
Notice of Claim #A63-00168, Ada County

RECEIVED
MAR 21 1991

Department of Water Resources
Western Regional Office

Dear Ms. Torrence:

At Norm Young's request, I am providing information for filing a claim in the Snake River Basin Adjudication. Enclosed is a draft Notice of Claim to a Water Right, which was generated using data from the previous Boise River decree. This draft is supplied to let you know the data the Department of Water Resources has about this water right. The information presented in this draft is not sufficient for an acceptable claim in the SRBA. Additional information for the following items is necessary to complete the claim.

A blank Notice of Claim form and instructions are enclosed to guide you in completing the Company's claim. If the instructions and this letter are not sufficient to allow you to complete your claim, I invite you to make an appointment with our Western Region staff at 2735 Airport Way, Boise, Idaho 83705 (telephone: 334-2190), for further assistance if necessary.

Item #1, please complete the address and zip code.

Item #4 of the claim form requires a description of the Point(s) of Diversion to the nearest 40 acre parcel, or preferably to the nearest 10 acre parcel. Looking at the attached map, a diversion labeled "Canyon Canal" is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 4 North, Range 1 West. If the Canyon Canal is not your canal, please review the map to properly locate your diversion. I have highlighted the section listed on the draft claim as the point of diversion on the attached map. There is no apparent diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ as shown on the draft claim, so please review the attached map to make your decision on the proper ten acre legal description.

Description of the diverting works, Item #5 needs to be completed. This refers to the means; diversion dam, pumping station, etc.; by which the water is conveyed from the Boise River to the Canyon Canal.

MICROFILMED

JUL 28 1994

Ms. Melba L. Torrence
April 20, 1989
Page 2

The period of use at Item #6, on this form refers to the period, specified as month and day, of the beginning and ending time within the calendar year when you actually use the water. If your use of the water is seasonal irrigation, specify the dates that apply to your particular situation. The last page of the instructions may be useful as a guide for the the appropriate period of use.

At Item #8, please indicate the amount of consumptive use for your property. For your legal description the Department suggests 3.5 acre feet per annum. Multiply the total number of acres you will claim for the water right by the acre feet per annum to arrive at a total.

Item #9, if there are other uses of the water besides irrigation, please list them here.

Item #10, please fill in the required information. For an irrigation right, the number of irrigated acres per 40 acre tract must be supplied along with a map showing those acres. You may want to list the land on separate sheets to make this part easier. Please reference any attached list in Item #10 of the claim. We have additional maps, similar to the copy enclosed, at our offices that may be useful when preparing the map of your water system. Maps are also available from Bonneville Blue Print in Boise.

Please provide the information for Item #11, Place of Use in Counties.

At Item #12, the answer "Yes" has been entered in our data base to the question, "Do you own the property listed as place of use?". If your organization is a canal company, then the proper answer would be "No". You also should reference your status as a delivery organization in Item #14, Remarks, as being the basis on which you are authorized to file this claim.

Item #13, if you do not have other water rights used at this location for irrigation, please enter "none". If other water rights are used, please enter the water right numbers or description of the water rights, here.

The correct filing fee for this claim would be based upon a flat fee of \$50.00, plus \$1.00 per acre of irrigated land. If there are other uses the fee may be more. Please refer to the enclosed instructions if other uses of the water are incorporated.

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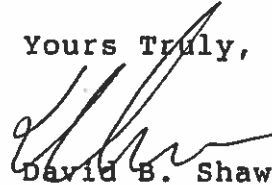
JUL 28 1994

Ms. Melba L. Torrence
April 20, 1989
Page 3

Lastly, a notary public's verification of the signature(s) of the individual(s) authorized to sign the claim is a required element of the claim form. After you have obtained the notary public's verification of your signature(s) and after all other items are completed and the fees paid, we will be able to process this claim. The filing deadline for this claim is September 8, 1989. Any claims postmarked after that date are subject to a late filing penalty of \$50.00 or 15 per cent of the original fee, whichever is greater.

If you have any questions, please do not hesitate to contact any office of the department.

Yours Truly,



David B. Shaw
Adjudication Bureau Chief

DBS:DVS:JDC:mcc
Enclosures
Claim #A63-00168
Long Claim w/Instructions
Orthophoto Quad Map

MICROFILMED

JUL 28 1994

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 06/16/9
Time: 10:38:3

Rec/No - C015826 AR/No -
From: - CANYON CO.WATER CO.,LTD.

Receipt Type - CK Doc/No - 5894
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 03/21/1990

Type Of Payment
ADJUDICATION FEE

| Fund | FD | PCA | Obj | Subsid | Fee |
|------|----|--------|------|--------|--------|
| 9337 | | 410162 | 6490 | | 4216.0 |

Total Due - 4216.0

| WR/No | WR Fee | WR/No | WR Fee | WR/No | WR Fee |
|-----------|---------|----------|--------|----------|--------|
| A6321761 | 4066.00 | A6300163 | 50.00 | A6321762 | 50.00 |
| A6300179B | 50.00 | | | | |

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

MICROFILMED
JUL 28 1994

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: A63-21761
Date Received: 3/21/1990
Receipt No: 2015826
Received By: *[Signature]*

(SEE REMARKS)

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CANYON COUNTY WATER COMPANY, LTD. 208-585-3768
Address: 10081 LILAC PLACE
MIDDLETON ID 83644

2. Date of Priority: JUN 1, 1867

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N | 01W | 17 | NW | SW | SW | | ADA |

5. Description of diverting works:
DIVERSION IN RIVER, HEADGATE, GRAVITY DITCHES, LATERALS.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 76.770 | | |

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

8. Total consumptive use is 14056.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 04N | 02W | 5 | SW | SW | | IRR | 7.0 |
| | | | SW | SE | | IRR | 40-5 |

MICROFILMED

JUL 28 1994

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| Section Acres | | | | | | 47.5 |
| 7 | | | | | | |
| | | NE | NE | | IRR | 29.0 |
| | | NW | NE | | IRR | 6.0 |
| | | SW | NE | | IRR | 35.0 |
| | | SE | NE | | IRR | 38.0 |
| | | NE | NW | | IRR | 11.0 |
| | | SW | NW | | IRR | 37.0 |
| | | SE | NW | | IRR | 38.0 |
| | | NE | SW | | IRR | 38.0 |
| | | NW | SW | | IRR | 31.0 |
| | | NE | SE | | IRR | 36.0 |
| | | NW | SE | | IRR | 32.0 |
| Section Acres | | | | | | 331.0 |
| 8 | | | | | | |
| | | NE | NE | | IRR | 40.0 |
| | | NW | NE | | IRR | 40.0 |
| | | SW | NE | | IRR | 32.0 |
| | | SE | NE | | IRR | 38.0 |
| | | NE | NW | | IRR | 35.0 |
| | | NW | NW | | IRR | 10.0 |
| | | SW | NW | | IRR | 25.0 |
| | | SE | NW | | IRR | 35.0 |
| | | NE | SW | | IRR | 4.0 |
| | | NW | SW | | IRR | 15.0 |
| | | NE | SE | | IRR | 38.0 |
| | | NW | SE | | IRR | 36.0 |
| | | SW | SE | | IRR | 22.0 |
| | | SE | SE | | IRR | 21.0 |
| Section Acres | | | | | | 391.0 |
| 9 | | | | | | |
| | | SW | NE | | IRR | 30.0 |
| | | SE | NE | | IRR | 31.0 |
| | | NE | NW | | IRR | 20.0 |
| | | NW | NW | | IRR | 26.0 |
| | | SW | NW | | IRR | 35.0 |
| | | SE | NW | | IRR | 32.0 |
| | | NE | SW | | IRR | 40.0 |
| | | NW | SW | | IRR | 30.0 |
| | | SW | SW | | IRR | 36.0 |
| | | SE | SW | | IRR | 40.0 |
| | | NE | SE | | IRR | 35.0 |
| | | NW | SE | | IRR | 37.0 |
| | | SW | SE | | IRR | 38.0 |
| | | SE | SE | | IRR | 33.0 |

MICROFILMED

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| | | | | | Section Acres | 463.0 |
| | | 10 | SW | NW | IRR | 25.0 |
| | | | SE | NW | IRR | 19.0 |
| | | | NE | SW | IRR | 30.0 |
| | | | NW | SW | IRR | 34.0 |
| | | | SW | SW | IRR | 32.0 |
| | | | SE | SW | IRR | 32.0 |
| | | | NE | SE | IRR | 14.0 |
| | | | NW | SE | IRR | 25.0 |
| | | | SW | SE | IRR | 35.0 |
| | | | SE | SE | IRR | 38.0 |
| | | | | | Section Acres | 284.0 |
| | | 11 | SE | NE | IRR | 3.0 |
| | | | SE | NW | IRR | 4.0 |
| | | | NW | SW | IRR | 15.0 |
| | | | SW | SW | IRR | 36.0 |
| | | | SE | SW | IRR | 38.0 |
| | | | NW | SE | IRR | 14.0 |
| | | | SW | SE | IRR | 31.0 |
| | | | SE | SE | IRR | 40.0 |
| | | | | | Section Acres | 181.0 |
| | | 12 | NW | SW | IRR | 2.0 |
| | | | SW | SW | IRR | 40.0 |
| | | | SE | SW | IRR | 36.0 |
| | | | | | Section Acres | 78.0 |
| | | 13 | NE | NE | IRR | 40.0 |
| | | | NW | NE | IRR | 40.0 |
| | | | SW | NE | IRR | 40.0 |
| | | | SE | NE | IRR | 39.0 |
| | | | NE | NW | IRR | 38.0 |
| | | | NW | NW | IRR | 40.0 |
| | | | SW | NW | IRR | 36.0 |
| | | | SE | NW | IRR | 35.0 |
| | | | NE | SW | IRR | 25.0 |
| | | | NW | SW | IRR | 30.0 |
| | | | NE | SE | IRR | 28.0 |
| | | | NW | SE | IRR | 28.0 |

MICROFILMED

JUL 28 1994

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| | | | | | | Section Acres | 419.0 |
| | | 14 | NE | NE | | IRR | 36.0 |
| | | | NW | NE | | IRR | 37.0 |
| | | | SW | NE | | IRR | 30.0 |
| | | | SE | NE | | IRR | 24.0 |
| | | | NE | NW | | IRR | 36.0 |
| | | | NW | NW | | IRR | 40.0 |
| | | | SW | NW | | IRR | 37.0 |
| | | | SE | NW | | IRR | 36.0 |
| | | | NE | SW | | IRR | 10.0 |
| | | | NW | SW | | IRR | 10.0 |
| | | | SE | SW | | IRR | 6.0 |
| | | | NE | SE | | IRR | 7.0 |
| | | | NW | SE | | IRR | 10.0 |
| | | | | | | Section Acres | 319.0 |
| | | 15 | NE | NE | | IRR | 38.0 |
| | | | NW | NE | | IRR | 40.0 |
| | | | SW | NE | | IRR | 17.0 |
| | | | SE | NE | | IRR | 36.0 |
| | | | NE | NW | | IRR | 39.0 |
| | | | NW | NW | | IRR | 37.0 |
| | | | SW | NW | | IRR | 33.0 |
| | | | SE | NW | | IRR | 18.0 |
| | | | NW | SW | | IRR | 5.0 |
| | | | SE | SW | | IRR | 28.0 |
| | | | SW | SE | | IRR | 24.0 |
| | | | SE | SE | | IRR | 35.0 |
| | | | | | | Section Acres | 350.0 |
| | | 16 | NE | NE | | IRR | 35.0 |
| | | | NW | NE | | IRR | 38.0 |
| | | | SW | NE | | IRR | 19.0 |
| | | | SE | NE | | IRR | 33.0 |
| | | | NE | NW | | IRR | 38.0 |
| | | | NW | NW | | IRR | 25.0 |
| | | | SE | NW | | IRR | 8.0 |
| | | | | | | Section Acres | 196.0 |
| | | 17 | NE | NE | | IRR | 9.0 |

MICROFILMED
JUL 28 1994

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| | | | | | | Section Acres | 9.0 |
| | 03W | 1 | SW | SW | | IRR | 35.0 |
| | | | SE | SW | | IRR | 15.0 |
| | | | | | | Section Acres | 50.0 |
| | | 2 | NE | SE | | IRR | 15.0 |
| | | | SW | SE | | IRR | 9.0 |
| | | | SE | SE | | IRR | 38.0 |
| | | | | | | Section Acres | 62.0 |
| | | 10 | NW | NE | | IRR | 20.0 |
| | | | SW | NE | | IRR | 25.0 |
| | | | SE | NE | | IRR | 36.0 |
| | | | SE | NW | | IRR | 28.0 |
| | | | NE | SW | | IRR | 7.0 |
| | | | NW | SW | | IRR | 8.0 |
| | | | NE | SE | | IRR | 8.0 |
| | | | NW | SE | | IRR | 9.0 |
| | | | | | | Section Acres | 141.0 |
| | | 11 | NE | NE | | IRR | 36.0 |
| | | | NW | NE | | IRR | 35.0 |
| | | | SW | NE | | IRR | 38.0 |
| | | | SE | NE | | IRR | 37.0 |
| | | | SW | NW | | IRR | 14.0 |
| | | | SE | NW | | IRR | 36.0 |
| | | | NE | SW | | IRR | 34.0 |
| | | | NW | SW | | IRR | 36.0 |
| | | | SW | SW | | IRR | 15.0 |
| | | | SE | SW | | IRR | 4.0 |
| | | | NE | SE | | IRR | 10.0 |
| | | | NW | SE | | IRR | 8.0 |
| | | | | | | Section Acres | 303.0 |
| | | 12 | NE | NE | | IRR | 37.0 |
| | | | NW | NE | | IRR | 36.0 |
| | | | SW | NE | | IRR | 34.0 |
| | | | SE | NE | | IRR | 35.0 |
| | | | NE | NW | | IRR | 35.0 |
| | | | NW | NW | | IRR | 35.0 |
| | | | SW | NW | | IRR | 36.0 |
| | | | SE | NW | | IRR | 34.0 |

MICROFILMED

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04N | 03W | 12 | NE | SW | | IRR | 27.0 |
| | | | NW | SW | | IRR | 30.0 |
| | | | NE | SE | | IRR | 34.0 |
| | | | NW | SE | | IRR | 18.0 |

Section Acres 391.0

Total Acres 4015.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-21762, A63-00179B & A63-00163.

14. Remarks:

THIS RIGHT IS CLAIMED FOR THE AMOUNT OF FLOW WHICH IS A COMBINATION OF FLOWS DELIVERED BY THE BOISE RIVER WATERMASTER AT THE HEADGATE OF THE COMPANY CANAL FOR THE PRIORITY OF 06/01/1867 FOR RIVER RIGHTS #35 (63-0168) AND #35-A (63-0277), WHICH AT ONE TIME OR ANOTHER HAVE BEEN SUBJECT TO TRANSFERS # 36, 54, 75, AND 147. THE LANDS FOR THE PLACE OF USE ARE THE LANDS OWNED BY VARIOUS OWNERS AND ARE THOSE SERVICED BY THE COMPANY DITCHES.

NOTE: THIS CLAIM IS A COMBINATION OF A PORTION OF 63-00168, 63-00168A, 63-00168C & 63-00277. IN THE WATER RIGHTS DATABASE, 63-00168 HAS BEEN SPLIT OFF FROM, HOWEVER, IT STILL SHOWS THE REMAINING BALANCE AFTER THE SPLITS (A, B & C) BACK ON 63-00168. SO, THIS CLAIM IS A COMBINATION OF 72.21 CFS OF THE REMAINING 72.62 CFS SHOWN UNDER 63-00168 IN THE DATABASE WITH 63-00168A(.20 CFS), 63-00168C(2.6 CFS) & 63-00277(1.76 CFS) FOR A TOTAL OF 76.77 CFS. THE OTHER .41 CFS FROM 63-00168 IN THE W.R. DATABASE HAS BEEN CLAIMED UNDER A63-00168D. JS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs Decree Defendant

MICROFILMED

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ 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 _____

MICROFILMED
JUL 28 1994

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: A63-21761
Date Received: 3/21/1990
Receipt No: C015826
Received By: SPR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CANYON COUNTY WATER COMPANY, LTD. 208-585-3768
Address: 10081 LILAC PLACE
MIDDLETON, ID 83644
2. Date of Priority: JUN 1, 1867
3. Source: BOISE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N | 01W | 17 | NW | SW | SW | | ADA |
5. Description of diverting works:
DIVERSION IN RIVER, HEADGATE, GRAVITY DITCHES, LATERALS.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 76.770 | | |
7. Total Quantity Appropriated is:
76.770 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 14056.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION
10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 04N | 02W | 5 | SW | SW | | IRR | 7.0 |
| | | | SW | SE | | IRR | 40.5 |

A63-21761

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Date: 02/22/91

MICROFILMED

JUL 28 1994

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| | | | Section Acres | | | | 47.5 |
| | | 7 | NE | NE | | IRR | 29.0 |
| | | | NW | NE | | IRR | 6.0 |
| | | | SW | NE | | IRR | 35.0 |
| | | | SE | NE | | IRR | 38.0 |
| | | | NE | NW | | IRR | 11.0 |
| | | | SW | NW | | IRR | 37.0 |
| | | | SE | NW | | IRR | 38.0 |
| | | | NE | SW | | IRR | 38.0 |
| | | | NW | SW | | IRR | 31.0 |
| | | | NE | SE | | IRR | 36.0 |
| | | | NW | SE | | IRR | 32.0 |
| | | | Section Acres | | | | 331.0 |
| | | 8 | NE | NE | | IRR | 40.0 |
| | | | NW | NE | | IRR | 40.0 |
| | | | SW | NE | | IRR | 32.0 |
| | | | SE | NE | | IRR | 38.0 |
| | | | NE | NW | | IRR | 35.0 |
| | | | NW | NW | | IRR | 10.0 |
| | | | SW | NW | | IRR | 25.0 |
| | | | SE | NW | | IRR | 35.0 |
| | | | NE | SW | | IRR | 4.0 |
| | | | NW | SW | | IRR | 15.0 |
| | | | NE | SE | | IRR | 38.0 |
| | | | NW | SE | | IRR | 36.0 |
| | | | SW | SE | | IRR | 22.0 |
| | | | SE | SE | | IRR | 21.0 |
| | | | Section Acres | | | | 391.0 |
| | | 9 | SW | NE | | IRR | 30.0 |
| | | | SE | NE | | IRR | 31.0 |
| | | | NE | NW | | IRR | 20.0 |
| | | | NW | NW | | IRR | 26.0 |
| | | | SW | NW | | IRR | 35.0 |
| | | | SE | NW | | IRR | 32.0 |
| | | | NE | SW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 30.0 |
| | | | SW | SW | | IRR | 36.0 |
| | | | SE | SW | | IRR | 40.0 |
| | | | NE | SE | | IRR | 35.0 |
| | | | NW | SE | | IRR | 37.0 |
| | | | SW | SE | | IRR | 38.0 |
| | | | SE | SE | | IRR | 33.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| | | | | | Section Acres | 463.0 |
| | | 10 | SW | NW | IRR | 25.0 |
| | | | SE | NW | IRR | 19.0 |
| | | | NE | SW | IRR | 30.0 |
| | | | NW | SW | IRR | 34.0 |
| | | | SW | SW | IRR | 32.0 |
| | | | SE | SW | IRR | 32.0 |
| | | | NE | SE | IRR | 14.0 |
| | | | NW | SE | IRR | 25.0 |
| | | | SW | SE | IRR | 35.0 |
| | | | SE | SE | IRR | 38.0 |
| | | | | | Section Acres | 284.0 |
| | | 11 | SE | NE | IRR | 3.0 |
| | | | SE | NW | IRR | 4.0 |
| | | | NW | SW | IRR | 15.0 |
| | | | SW | SW | IRR | 36.0 |
| | | | SE | SW | IRR | 38.0 |
| | | | NW | SE | IRR | 14.0 |
| | | | SW | SE | IRR | 31.0 |
| | | | SE | SE | IRR | 40.0 |
| | | | | | Section Acres | 181.0 |
| | | 12 | NW | SW | IRR | 2.0 |
| | | | SW | SW | IRR | 40.0 |
| | | | SE | SW | IRR | 36.0 |
| | | | | | Section Acres | 78.0 |
| | | 13 | NE | NE | IRR | 40.0 |
| | | | NW | NE | IRR | 40.0 |
| | | | SW | NE | IRR | 40.0 |
| | | | SE | NE | IRR | 39.0 |
| | | | NE | NW | IRR | 38.0 |
| | | | NW | NW | IRR | 40.0 |
| | | | SW | NW | IRR | 36.0 |
| | | | SE | NW | IRR | 35.0 |
| | | | NE | SW | IRR | 25.0 |
| | | | NW | SW | IRR | 30.0 |
| | | | NE | SE | IRR | 28.0 |
| | | | NW | SE | IRR | 28.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| | | | | | | Section Acres | 419.0 |
| | | 14 | NE | NE | | IRR | 36.0 |
| | | | NW | NE | | IRR | 37.0 |
| | | | SW | NE | | IRR | 30.0 |
| | | | SE | NE | | IRR | 24.0 |
| | | | NE | NW | | IRR | 36.0 |
| | | | NW | NW | | IRR | 40.0 |
| | | | SW | NW | | IRR | 37.0 |
| | | | SE | NW | | IRR | 36.0 |
| | | | NE | SW | | IRR | 10.0 |
| | | | NW | SW | | IRR | 10.0 |
| | | | SE | SW | | IRR | 6.0 |
| | | | NE | SE | | IRR | 7.0 |
| | | | NW | SE | | IRR | 10.0 |
| | | | | | | Section Acres | 319.0 |
| | | 15 | NE | NE | | IRR | 38.0 |
| | | | NW | NE | | IRR | 40.0 |
| | | | SW | NE | | IRR | 17.0 |
| | | | SE | NE | | IRR | 36.0 |
| | | | NE | NW | | IRR | 39.0 |
| | | | NW | NW | | IRR | 37.0 |
| | | | SW | NW | | IRR | 33.0 |
| | | | SE | NW | | IRR | 18.0 |
| | | | NW | SW | | IRR | 5.0 |
| | | | SE | SW | | IRR | 28.0 |
| | | | SW | SE | | IRR | 24.0 |
| | | | SE | SE | | IRR | 35.0 |
| | | | | | | Section Acres | 350.0 |
| | | 16 | NE | NE | | IRR | 35.0 |
| | | | NW | NE | | IRR | 38.0 |
| | | | SW | NE | | IRR | 19.0 |
| | | | SE | NE | | IRR | 33.0 |
| | | | NE | NW | | IRR | 38.0 |
| | | | NW | NW | | IRR | 25.0 |
| | | | SE | NW | | IRR | 8.0 |
| | | | | | | Section Acres | 196.0 |
| | | 17 | NE | NE | | IRR | 9.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| | | | | | | Section Acres | 9.0 |
| | 03W | 1 | SW | SW | | IRR | 35.0 |
| | | | SE | SW | | IRR | 15.0 |
| | | | | | | Section Acres | 50.0 |
| | | 2 | NE | SE | | IRR | 15.0 |
| | | | SW | SE | | IRR | 9.0 |
| | | | SE | SE | | IRR | 38.0 |
| | | | | | | Section Acres | 62.0 |
| | | 10 | NW | NE | | IRR | 20.0 |
| | | | SW | NE | | IRR | 25.0 |
| | | | SE | NE | | IRR | 36.0 |
| | | | SE | NW | | IRR | 28.0 |
| | | | NE | SW | | IRR | 7.0 |
| | | | NW | SW | | IRR | 8.0 |
| | | | NE | SE | | IRR | 8.0 |
| | | | NW | SE | | IRR | 9.0 |
| | | | | | | Section Acres | 141.0 |
| | | 11 | NE | NE | | IRR | 36.0 |
| | | | NW | NE | | IRR | 35.0 |
| | | | SW | NE | | IRR | 38.0 |
| | | | SE | NE | | IRR | 37.0 |
| | | | SW | NW | | IRR | 14.0 |
| | | | SE | NW | | IRR | 36.0 |
| | | | NE | SW | | IRR | 34.0 |
| | | | NW | SW | | IRR | 36.0 |
| | | | SW | SW | | IRR | 15.0 |
| | | | SE | SW | | IRR | 4.0 |
| | | | NE | SE | | IRR | 10.0 |
| | | | NW | SE | | IRR | 8.0 |
| | | | | | | Section Acres | 303.0 |
| | | 12 | NE | NE | | IRR | 37.0 |
| | | | NW | NE | | IRR | 36.0 |
| | | | SW | NE | | IRR | 34.0 |
| | | | SE | NE | | IRR | 35.0 |
| | | | NE | NW | | IRR | 35.0 |
| | | | NW | NW | | IRR | 35.0 |
| | | | SW | NW | | IRR | 36.0 |
| | | | SE | NW | | IRR | 34.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|--------|
| 04N | 03W | 12 | NE | SW | | IRR | 27.0 |
| | | | NW | SW | | IRR | 30.0 |
| | | | NE | SE | | IRR | 34.0 |
| | | | NW | SE | | IRR | 18.0 |
| Section Acres | | | | | | | 391.0 |
| Total Acres | | | | | | | 4015.5 |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

A63-21762, PORTION 63-0179, DEC. RT. A63-00163.

14. Remarks:

THIS RIGHT IS CLAIMED FOR THE AMOUNT OF FLOW WHICH IS A COMBINATION OF FLOWS DELIVERED BY THE BOISE RIVER WATERMASTER AT THE HEADGATE OF THE COMPANY CANAL FOR THE PRIORITY OF 06/01/1867 FOR RIVER RIGHTS #35 (63-0168) AND #35-A (63-0277), WHICH AT ONE TIME OR ANOTHER HAVE BEEN SUBJECT TO TRANSFERS # 36, 54, 75, AND 147. THE LANDS FOR THE PLACE OF USE ARE THE LANDS OWNED BY VARIOUS OWNERS AND ARE THOSE SERVICED BY THE COMPANY DITCHES.

15. Basis of Claim: BENEFICIAL USE

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
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ 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

A63-21761

Date Received

3/21/1990

Receipt Number

C015826

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CANYON COUNTY WATER COMPANY, LTD Phone (208) 585-3768Mailing Address 10081 LILAC PLACE, MIDDLETON, ID Zip 836442. Date of Priority (Only one (1) per claim) 06/01/18673. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 04N Range 01W Section 17,
Nw 1/4 of Sw 1/4 of Sw 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: _____

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.DIVERSION IN RIVER WITH HEADGATE AND
GRAVITY DITCHES AND LATERALS TO IRRIGATE 4000 PLUS ACRES IN SECTIONS 03, 07,
08, 09, 10, 11, 12, 13, 14, 15, 16, AND 17 IN TWP. 04N, R02W AND SECTIONS 01, 02, 10,
11, AND 12 IN TWP. 04N, R03W.

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JUL 28 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 03/15 to 11/15 amount 76.77 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 76.77 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 14056.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER INCIDENTAL TO IRRIGATION

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.

| 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 | |
| | | | SEE ATTACHED LAND LIST | | | | | | | | | | | | | | | | 4016 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 4016

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

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.
B/U RT FROM DRAINAGE WATERS A63-21762, A PART OF DECRET RT 63-0179, + DEC A63-00163 None ()

14. Remarks:
THIS RT IS CLAIMED FOR THE AMOUNT OF FLOW WHICH IS A COMBINATION OF FLOWS DELIVERED BY THE BOISE RIVER WATERMASTER AT THE HEADGATE OF THE COMPANY CANAL FOR THE PRIORITY OF 06/01/1867 FOR RIVER RTS.: 35(63-0168), 35-A (63-0277), WHICH AT ONE TIME OR ANOTHER HAVE BEEN SUBJECT TO TRANSFERS #36, 54, 75, & 147. THE LANDS FOR THE PLACE OF USE ARE THE LANDS OWNED BY VARIOUS OWNERS SERVICED BY THE COMPANY DITCHES.

Last Name CYN. CO. WTR. CO., LTD Ident No. A63-21761

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Copies: White-State Yellow-Claimant
JUL 28 1994

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 21

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 Secretary-Treasurer
of Canyon County Water Co. Ltd. Title _____, that I have signed the foregoing
document in the space below as Secretary-Treasurer of Canyon County Water Co. Ltd.
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Sherrill M. Gould
Title and Organization Secretary-Treasurer Canyon County Water Co. Ltd. Date Mar. 19-1994

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 19th day of MARCH 19 90

SEAL

Notary Public James E. Luthy

Residing at BOISE, ID

My Commission Expires 11/08/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

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JUL 28 1994

Last Name CYN CO. WTR CO., LTD Ident. Number A63-21761

Copies White-State, Yellow-Claimant

RDIW

GENERAL SYSTEM
CYN COUNTY
WTR. CO. LTD
P.D.
NW 50SW
SEC 17.
T 04N, R 01W

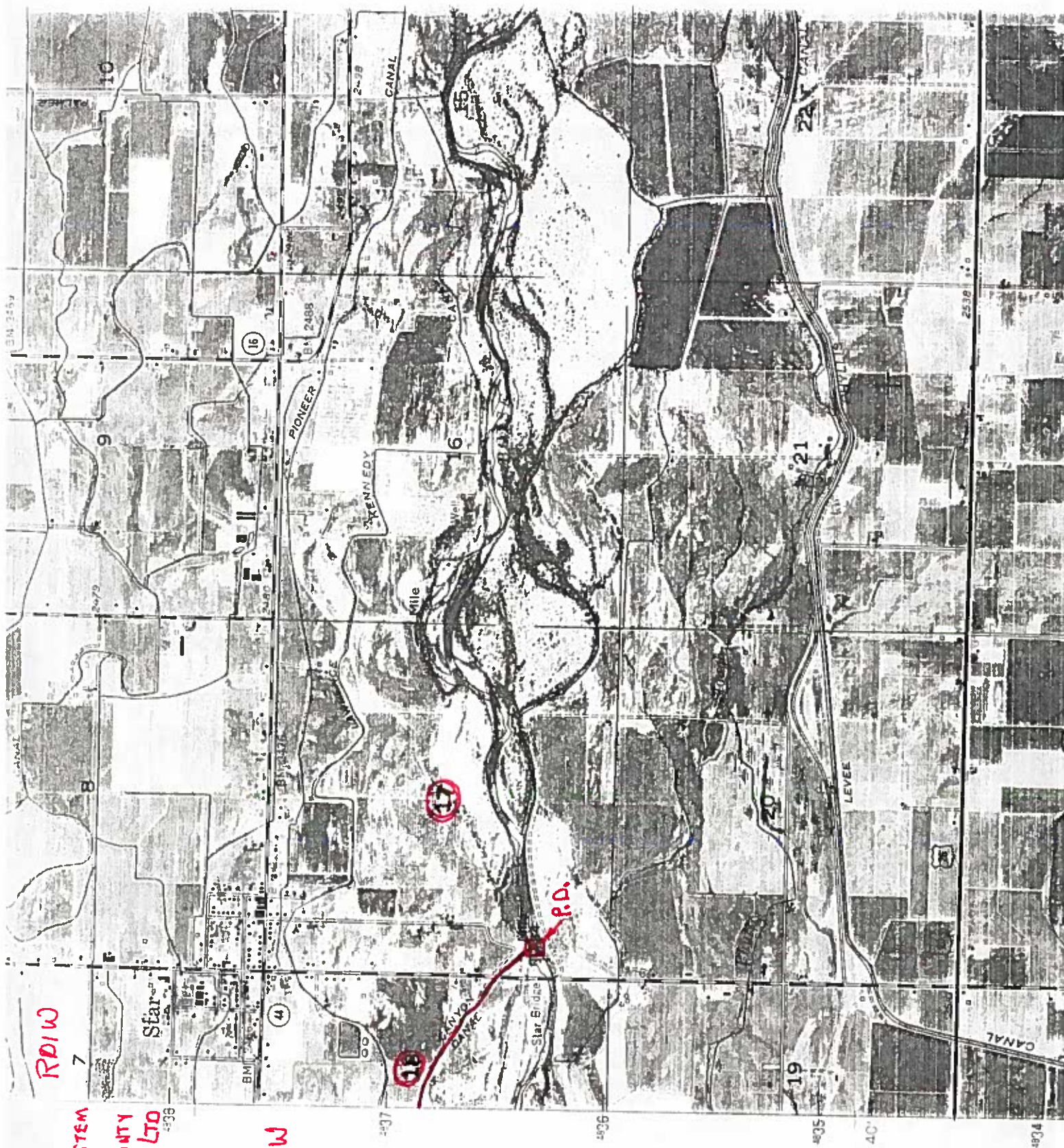
T 04N

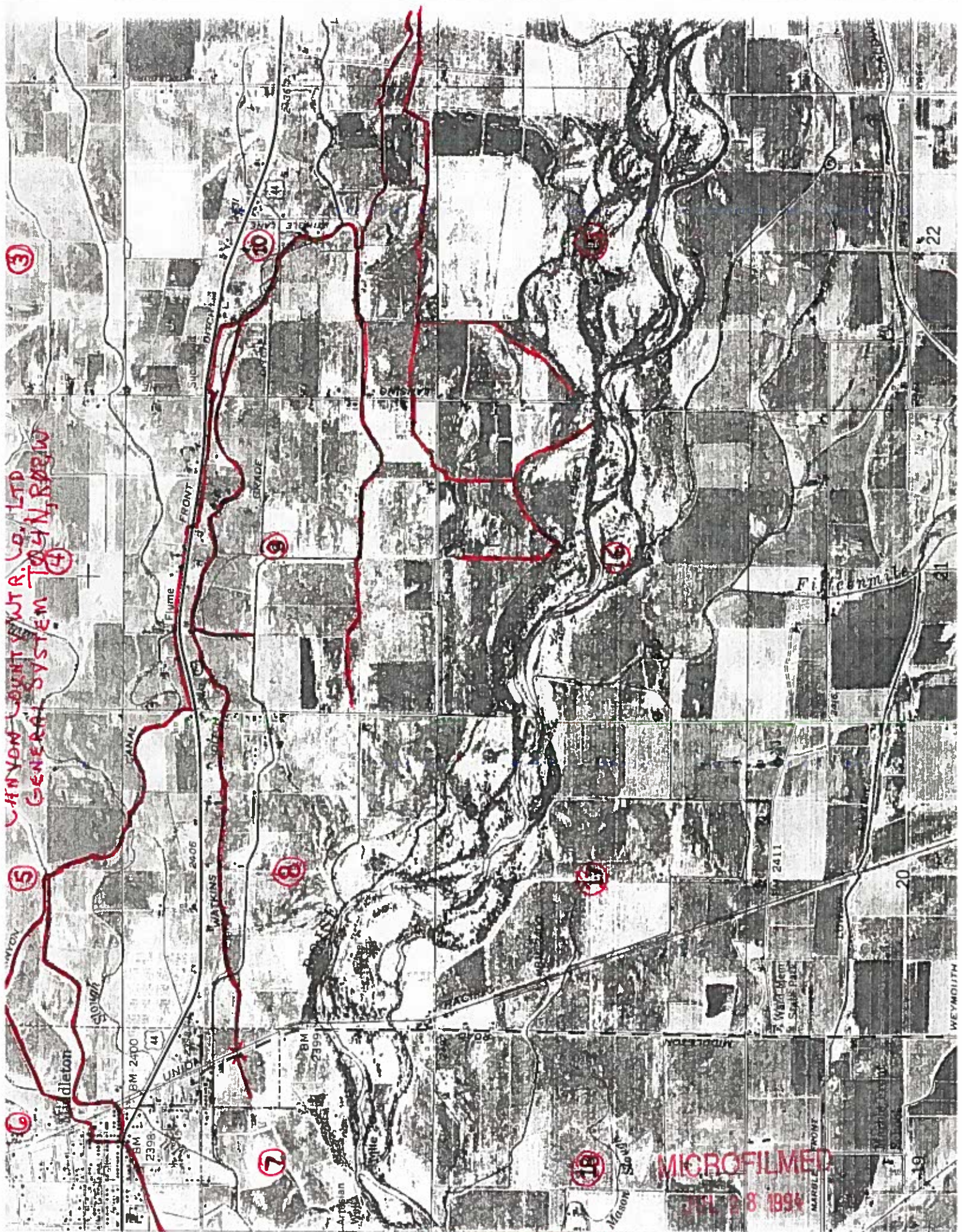
P.D.

MICROFILMED

JUL 28 1994

POOR ORIGINAL





CANYON COUNTY WATER CO. LTD.
GENERAL SYSTEM
TO 4 N. R. 28 W.

POOR ORIGINAL

MICROFILMED
JUL 28 1984

POOR ORIGINAL

 $\Gamma \not\vdash Z$

Regulierung

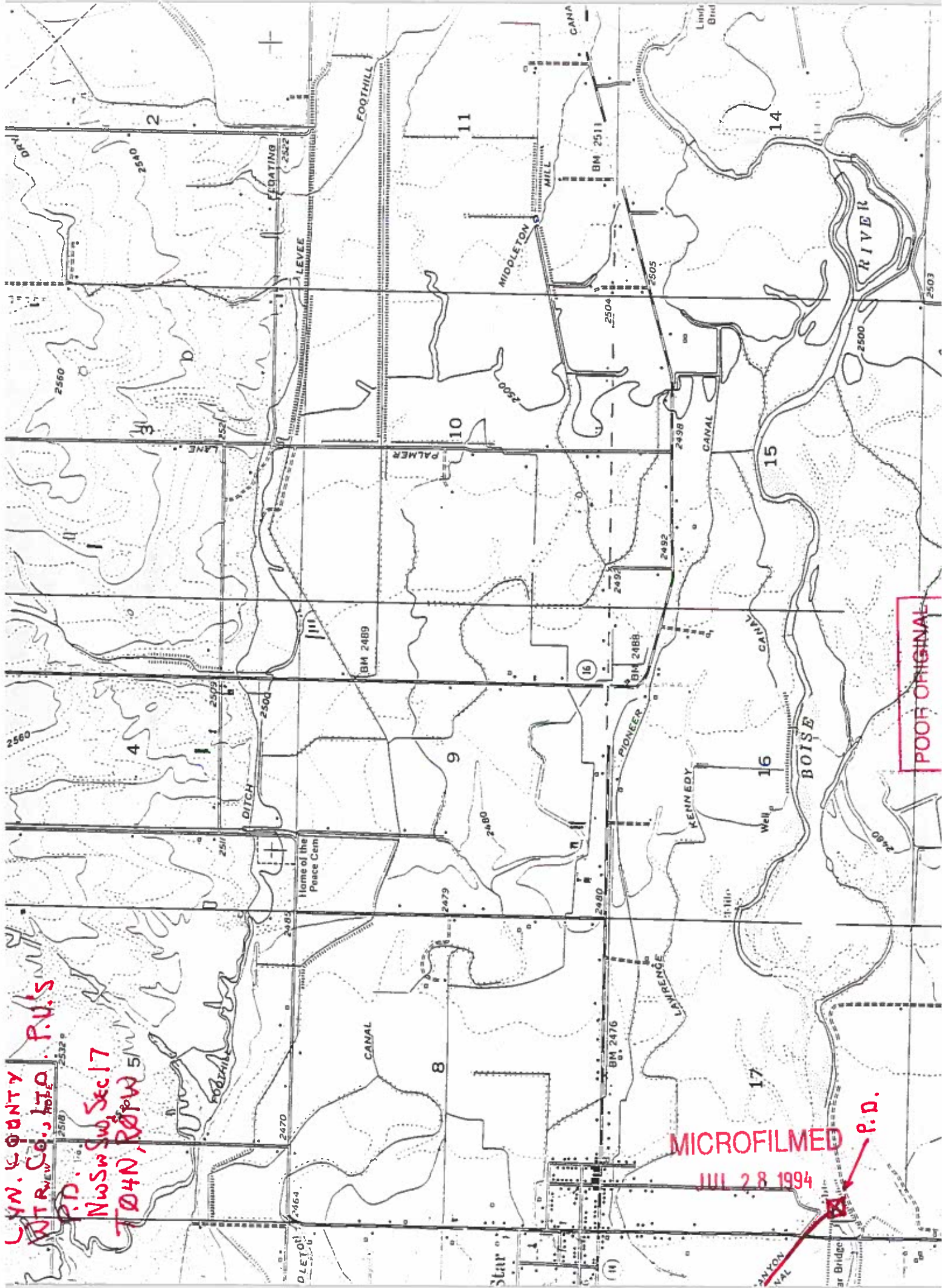
RAYON COUNTY WTR WORKS
GENERAL SYSTEM T04 N-
R02 & R03 W

⑤

CANYON CO. WATER CO. LTD. SHEARILL GOULD 585-3768.

| Town-
ship | Ran-
ge | Sec | NE½ | | | NW½ | | | SW½ | | | SE½ | | | TOTALS |
|---------------|------------|-----|------|------|------|------|-----|------|------|-----|-----|-----|------|------|--------|
| | | | NE½ | NW½ | SE½ | NE½ | NW½ | SE½ | NE½ | NW½ | SE½ | NE½ | NW½ | SE½ | |
| | | | | | | | | | | | | | | | |
| 04N | 02W | 05 | | | | | | | | | | | | | 47.5 |
| 04N | 02W | 07 | 29.0 | 6.0 | 35.0 | 38.0 | | 37.0 | 38.0 | 7.0 | | | 36.0 | 32.0 | 331.0 |
| 04N | 02W | 08 | 40.0 | 40.0 | 32.0 | 38.0 | | 25.0 | 35.0 | | | | 38.0 | 36.0 | 391.0 |
| 04N | 02W | 09 | | | 30.0 | 31.0 | | 26.0 | 35.0 | | | | 40.0 | 37.0 | 463.0 |
| 04N | 02W | 10 | | | | | | 25.0 | 19.0 | | | | 30.0 | 25.0 | 284.0 |
| 04N | 02W | 11 | | | | 3.0 | | | 4.0 | | | | | | 181.0 |
| 04N | 02W | 12 | | | | | | | | | | | | | 78.0 |
| 04N | 02W | 13 | 40.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 36.0 | | | | 25.0 | 28.0 | 419.0 |
| 04N | 02W | 14 | 36.0 | 37.0 | 30.0 | 24.0 | | 40.0 | 37.0 | | | | 10.0 | 10.0 | 319.0 |
| 04N | 02W | 15 | 38.0 | 40.0 | 17.0 | 36.0 | | 37.0 | 33.0 | | | | | | 350.0 |
| 04N | 02W | 16 | 35.0 | 38.0 | 19.0 | 33.0 | | 25.0 | 8.0 | | | | | | 196.0 |
| 04N | 02W | 17 | 9.0 | | | | | | | | | | | | 9.0 |
| 04N | 03W | 01 | | | | | | | | | | | | | 50.0 |
| 04N | 03W | 02 | | | | | | | | | | | 15.0 | | 62.0 |
| 04N | 03W | 10 | | | | | | | | | | | 15.0 | | 141.0 |
| 04N | 03W | 11 | 36.0 | 35.0 | 38.0 | 37.0 | | 14.0 | 36.0 | | | | 34.0 | 8.0 | 303.0 |
| 04N | 03W | 12 | 37.0 | 36.0 | 34.0 | 35.0 | | 36.0 | 34.0 | | | | 27.0 | 18.0 | 291.0 |

LYNN COUNTY
WATER CO. 3 lots
P.D.
NW 1/4 Sec 17
T4N, R4W 5



POOF ORIGINAL

MICROFILMED

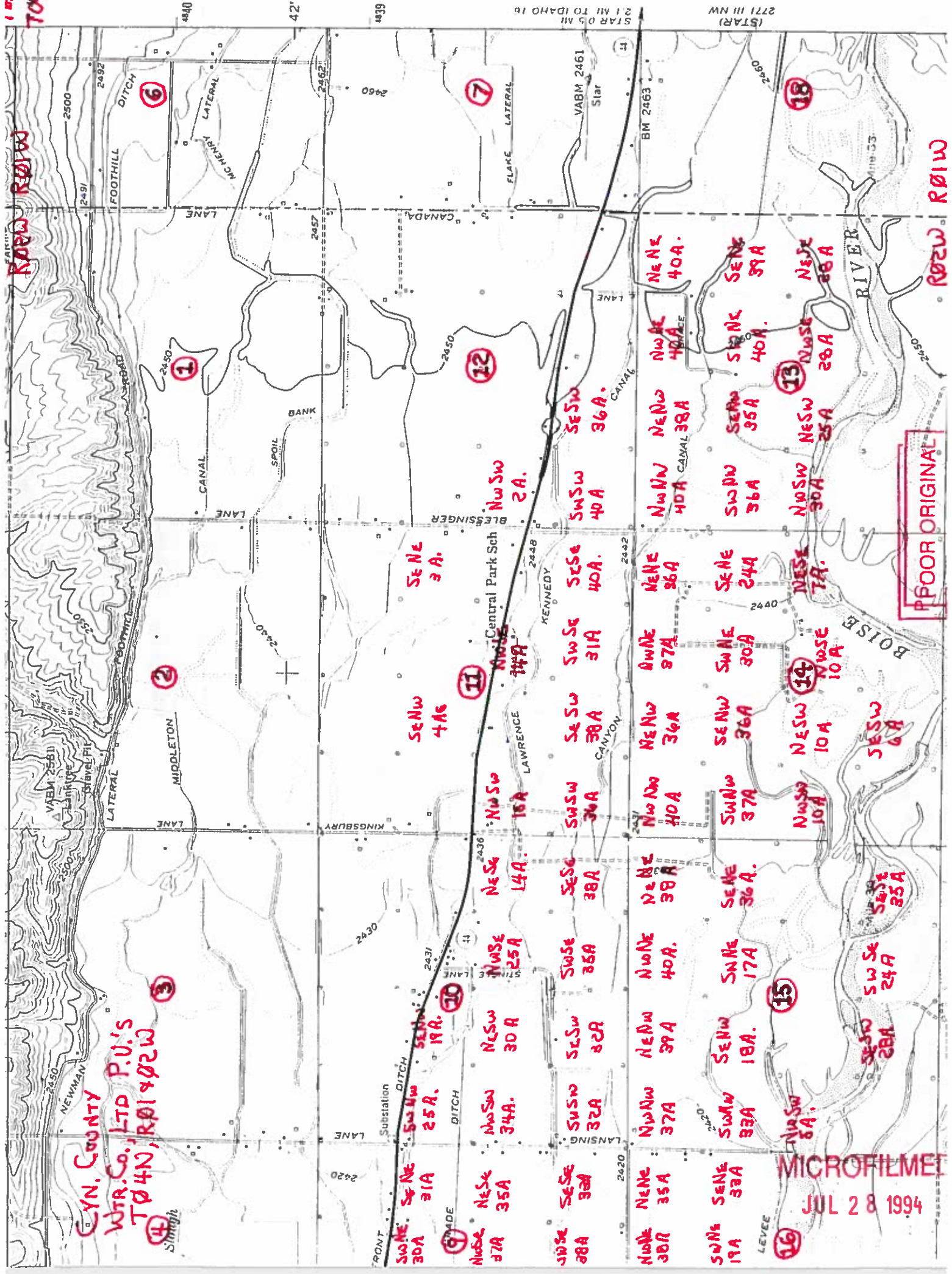
JUL 28 1994

P.D.

104N

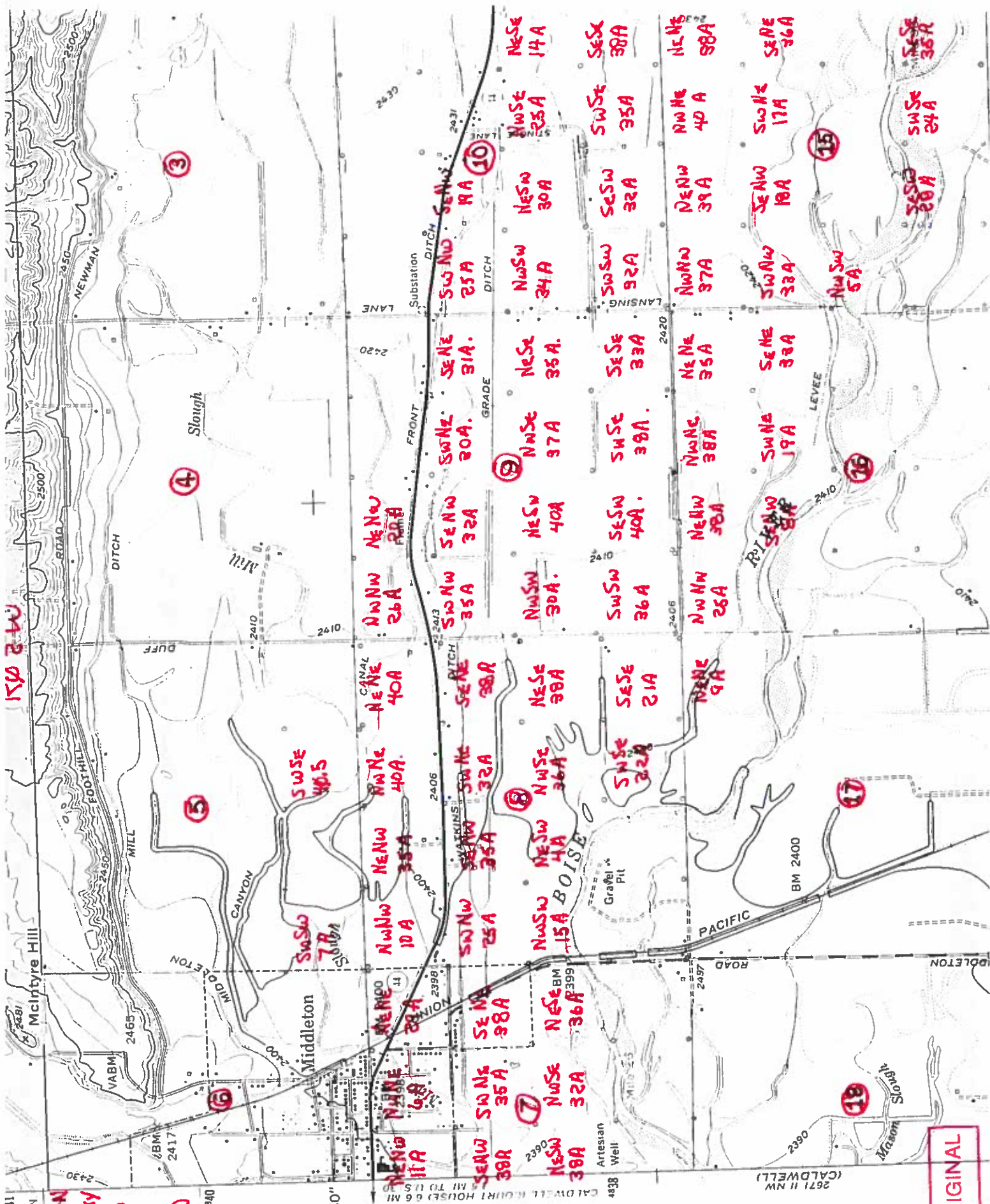
R02W R01W

CYN. COUNTY
WTR. CO., LTD P.U.'S
T04N, R01W02W



POOR ORIGINAL

MICROFILMED
JUL 28 1994

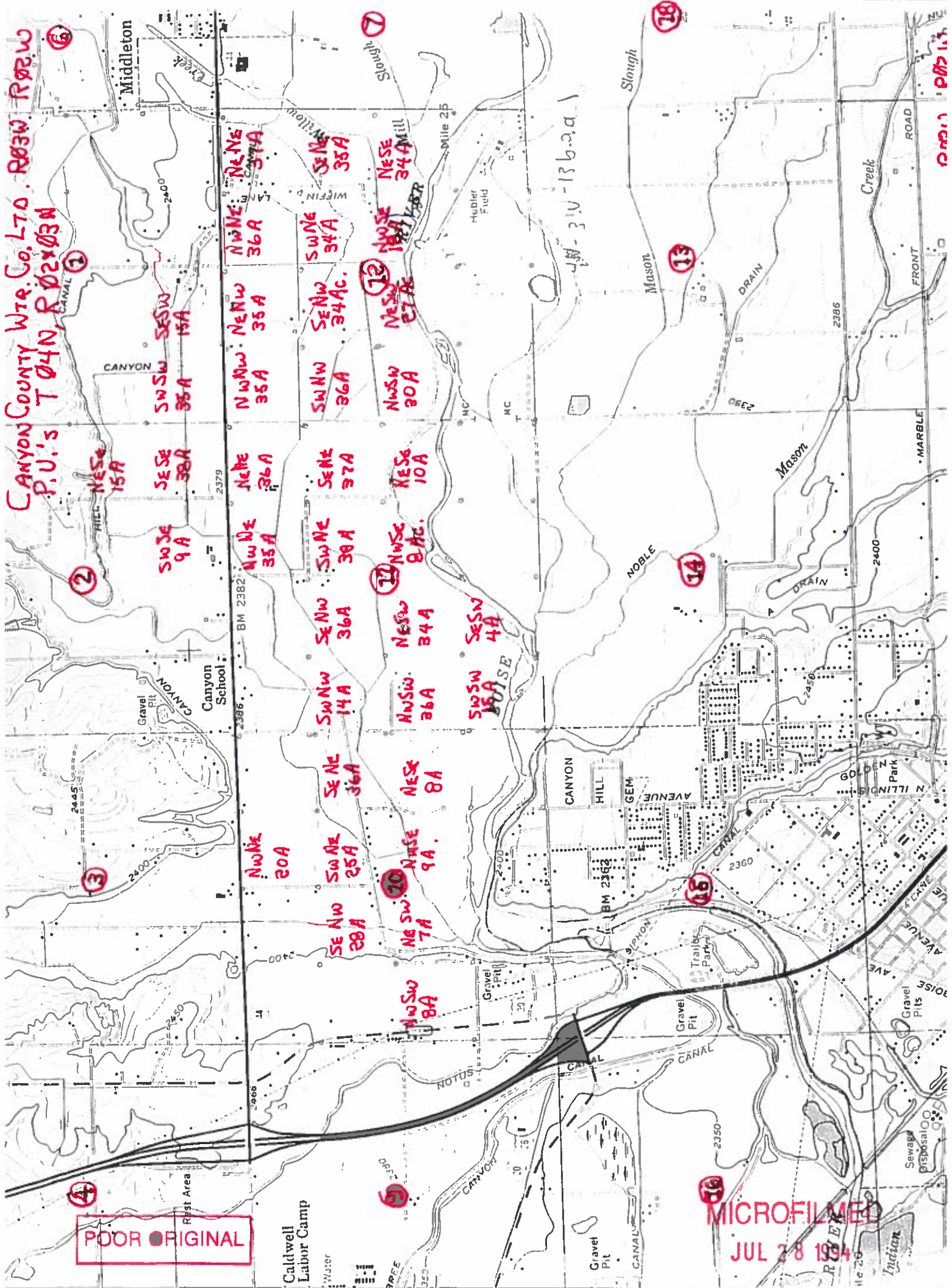


4841
T 5 N
CANYON COUNTY
Wtr. Co., LTD
P.U.'S
T04N, R02W

MICROFILMED
JUL 28 1994

POOR ORIGINAL

CANYON COUNTY WTR. CO. LTD. R03W R02W
P.U.'s T04N R02W03W



POOR ORIGINAL

MICROFILMED
JUL 28 1964

XXXI.

That the defendant, THE BOISE CITY CANAL COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on said river above the city of Boise for use on the lands lying under its canal system, in the following amount from the following date;
 63 0165 T 320, 373, 1048, 1059
 1905 inches, from June 1, 1866; and hereby designated as Right No. 35.
 And be adjudged to pay \$153.21 costs in addition to the costs incurred by it.

XXXII

That the defendant THE FRANKLIN DITCH COMPANY, a corporation, be and it is hereby awarded the use of the waters of Boise River, diverted at a point on the William Frost farm in Sec. 18, T. 4 N. R. 1 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;
 63 0166
 770 inches, from July 3, 1866; and hereby designated as Right No. 34.
 63 0167
 1380 inches, from Oct. 29, 1880; and hereby designated as Right No. 77.
 And be adjudged to pay \$150.50 costs in addition to the costs incurred by it.

XXXIII.

That the defendant THE CANYON COUNTY WATER COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the north bank of said river near where the east line of Canyon County intersects said north bank, for use upon the lands lying under its canal system, in the following amount from the following date;
 63 0168
 3790 inches, from June 1, 1867; and hereby designated as Right No. 55.
 And be adjudged to pay \$265.30 costs in addition to the costs incurred by it.

XXXIV.

That the defendant MARTHA E. MCCARTHY be, and she is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river on SE 1/4 of NE 1/4, Sec. 5, T. 3 N. R. 2 E. B.M., through what is known as the Thurman Hill Slough or ditch, for use upon lands lying under said ditch, in the following amount from the following date;
 63 0169
 705 inches, from June 1, 1868; and hereby designated as Right No. 36.
 And be adjudged to pay \$49.55 costs in addition to the costs incurred by her.

T 871
 872

MICROFILMED

JUL 28 1994 POOR ORIGINAL

venors have a priority of right to the use of the water of the Boise River from June 1, 1867, and the Court having been fully advised in the premises, it is

ORDERED, ADJUDGED AND DECREED, That the quantity of water required for the successful cultivation and irrigation of said lands, measured at the intake of the Canyon County Water Company canal, is one inch per acre; that said one inch per acre is understood to be in the same status as the one inch per acre in the judgment entered in the above entitled action on January 19, 1906, and is subject to such modification and temporary orders as this Court may make for the above entitled cause; it is further

63 0277

ORDERED, ADJUDGED AND DECREED, That the intervenors, Ralph T. Knight and Ora E. Tiller, be and they are hereby awarded the use of the water of the Boise River and the tributaries thereof, subject to the above modifications, from June 1, 1867, to be carried through the canal of the Canyon County Water Company, and diverted from Boise River at the point of intake of said canal, in the quantity of 88 inches measured under a four inch pressure, in addition to the 40 inches represented by stock certificate No. 171, issued by Middleton Water Company, a corporation, the 230 inches of water evidenced by stock certificates No. 390 for 170 inches of water and No. 391 for 60 inches of water, issued by Canyon County Water Company, Ltd., a corporation, the same and the whole thereof being appurtenant to and to be used upon the following described lands, situate in the County of Canyon, State of Idaho, to-wit:

The Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), Section Ten (10), Township Four (4) North, Range Two (2) West of the Boise Meridian, containing approximately eighty (80) acres, also

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JUL 28 1994

POOR ORIGINAL

63-0277

The East Thirteen (13) acres of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), and the East Thirteen (13) acres of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$). Section Ten (10), Township Four (4) North, Range two (2) West of the Boise Meridian, the said Two (2) thirteen (13) acre tracts being more particularly described by metes and bounds in one contiguous tract as follows, to-wit: Beginning at the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section ten (10), thence West twenty-six (26) rods; thence south one hundred sixty (160) rods, thence east twenty-six (26) rods to the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section ten (10); thence North along the West line of the said Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) and the said Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section ten (10), to the place of beginning, containing approximately twenty-six (26) acres, also

That part of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section ten (10), Township Four (4) North, Range two (2) West of the Boise Meridian, lying south of the County Road and East of the platted Perkel Acreage, as appears by the official plat of said Perkel Acreage now on file in the office of the County Recorder of Canyon County, Idaho, containing approximately Five (5) acres, also

That part of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Ten (10), Township Four (4) North, Range Two (2) West of the Boise Meridian, lying South of the County Road, containing approximately three (3) acres, also

A tract of land described as follows, to-wit: commencing at the Southwest corner of Section Eleven (11), Township Four (4) North, Range Two (2) West, Boise Meridian, running thence East Seventeen (17) rods; thence North One hundred sixty (160) rods, to a point thirty-one (31) rods East of the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$), of said Section eleven (11); thence West thirty-one (31) rods to the west section line of said Section Eleven (11), thence South on said section line to the place of beginning, containing approximately Twenty-four (24) acres, also

The Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section fifteen (15), Township four (4) North, Range two (2) West of the Boise Meridian, containing approximately forty (40) acres, also

Lots two (2) and Three (3), Section Fifteen (15) Township Four (4) North, Range Two (2) West Boise Meridian, containing approximately one hundred nine (109) acres, also

-3-

By *V*

MICROFILMED

JUL 28 1994

Deputy

POOR ORIGINAL

Carleton
Smith

63-0277

A tract of land described as follows, to-wit: The East One-half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$), and Lot one (1), Section Fifteen (15), Township Four (4) North, Range Two (2) West of the Boise Meridian, excepting therefrom, the following described property: Commencing at the Northeast corner of said Section fifteen (15), and running twenty-two (22) rods West; thence South two hundred five (205) rods; thence East twenty-six (26) rods to the East section line of said section fifteen (15); thence North along the said section line to the place of beginning, said tract of land, after deducting therefrom said excepted portion of thirty-one and sixty-one hundredths (31.61) acres, containing approximately seventy-one (71) acres;

and it is further

ORDERED, ADJUDGED AND DECREED, That the Complaint, Cross-Complaint, and all pleadings filed in this case be and the same are hereby amended to conform to the facts as herein found by the Court.

Done in open court this 27th day of March, A.D., 1922.

ED L. BRYAN
Judge of District Court.

FILED
A.M. P.M.
APR. 3, 1922

CLERK
STATE OF IDAHO, } ss.
County of Canyon, }

I, A. Dunbar Clerk of the District Court and Ex-officio Recorder of the County of Canyon, State of Idaho, do hereby certify that the foregoing copy of Judgment and Decree has been compared by me with the original, and that it is a correct transcript therefrom, and of the whole of such original Judgment and Decree as the same appears on record in my office.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal this 27th day of July 19 25.

A. Dunbar
Clerk of the District Court and Ex-Officio Recorder
By Deputy.

MICROFILMED
JUL 28 1994
POOR ORIGINAL

*Certifying
Dunbar*

From 1988
River Book

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHART NO. 3

| NAME OF CANAL | CHANGE IN
P. OF D. | TRANSFER NO. | PRIORITY
DATE | AMOUNT DECREED | | | INCHES | TOTAL
SEC. FT. |
|-----------------------------|-----------------------|----------------|------------------|-------------------|----------------------------------|-----------------|--------|-------------------|
| | | | | STEWART
DECREE | INTERVENORS
STEWART
DECREE | BRYAN
DECREE | | |
| CALDWELL HIGH LINE | | 34 | 6-1-1866 | 15.40 | | | 770 | |
| | | 46 | 6-1-1869 | 37.20 | | | 1860 | |
| | | 77 | 10-29-1880 | 27.60 | | | 1380 | |
| | 29* | 46 | 6-1-1869 | 1.00* | | | 50* | 79.20 |
| CAMPBELL (CANYON DITCH CO.) | | 132 | 5-17-1900 | 10.00 | | | 500 | |
| | | 134 | 10-25-1901 | 5.54 | | | 277 | |
| | | 38 96 | 10-1-1887 | 12.10 | | | 605 | |
| | | 105 9 | 6-1-1865 | .50 | | | 25 | 28.14 |
| CANYON COUNTY | | (63-0168) 35 | 6-1-1867 | 75.80 | | | 3790 | 75.80 |
| | | (63-0277) 35-A | 6-1-1867 | | 1.76 | | 88 | + 1.76 |
| | 29 | 46 | 6-1-1869 | 1.00 | | | 50 | |
| | 36* | (63-0168) 35 | 6-1-1867 | .38* | | | 19* | - 0.38 |
| | 54* | " " 35 | 6-1-1867 | 1.11* | | | 55.5* | - 1.11 |
| | 59 | 31 | 6-1-1866 | 2.60 | | | 130 | |
| | 75 (63-0168) | 35 | 6-1-1867 | .50 | | | 25 | + 0.50 |
| | 147 " " | 35 | 6-1-1867 | .20 | | | 10 | 80.57 0.20 |
| | | | | | | | TOTAL | 76.77 |
| CONWAY & HAMMING | | 48 | 6-1-1870 | 2.60 | | | 130 | |
| | | 64 | 6-1-1877 | .90 | | | 45 | |
| | | 118 | 6-1-1891 | 2.20 | | | 110 | 5.70 |
| DAVIS
(LITTLE DAVIS) | | 94 | 6-1-1886 | 13.40 | | | 670 | |
| | | 119 | 6-1-1891 | .54 | | | 27 | 13.94 |
| EUREKA NO. 1 | | 13 | 6-1-1865 | 33.32 | | | 1666 | 33.32 |

*SUBTRACT

MICROFILMED
JUL 28 1994