

02/01/2005

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

RIGHT NUMBER: 37-507
NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83338
SOURCE: BIG WOOD RIVER
MALAD RIVER
QUANTITY: 15.000 CFS
PRIORITY DATE: 06/15/1890
POINT OF DIVERSION:
T05S R14E S22 SESW Within GOODING County
T06S R14E S16 SESW Within GOODING County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	15.000 CFS

PLACE OF USE:

Place of use is within the area served by North Side Canal Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

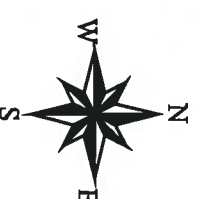
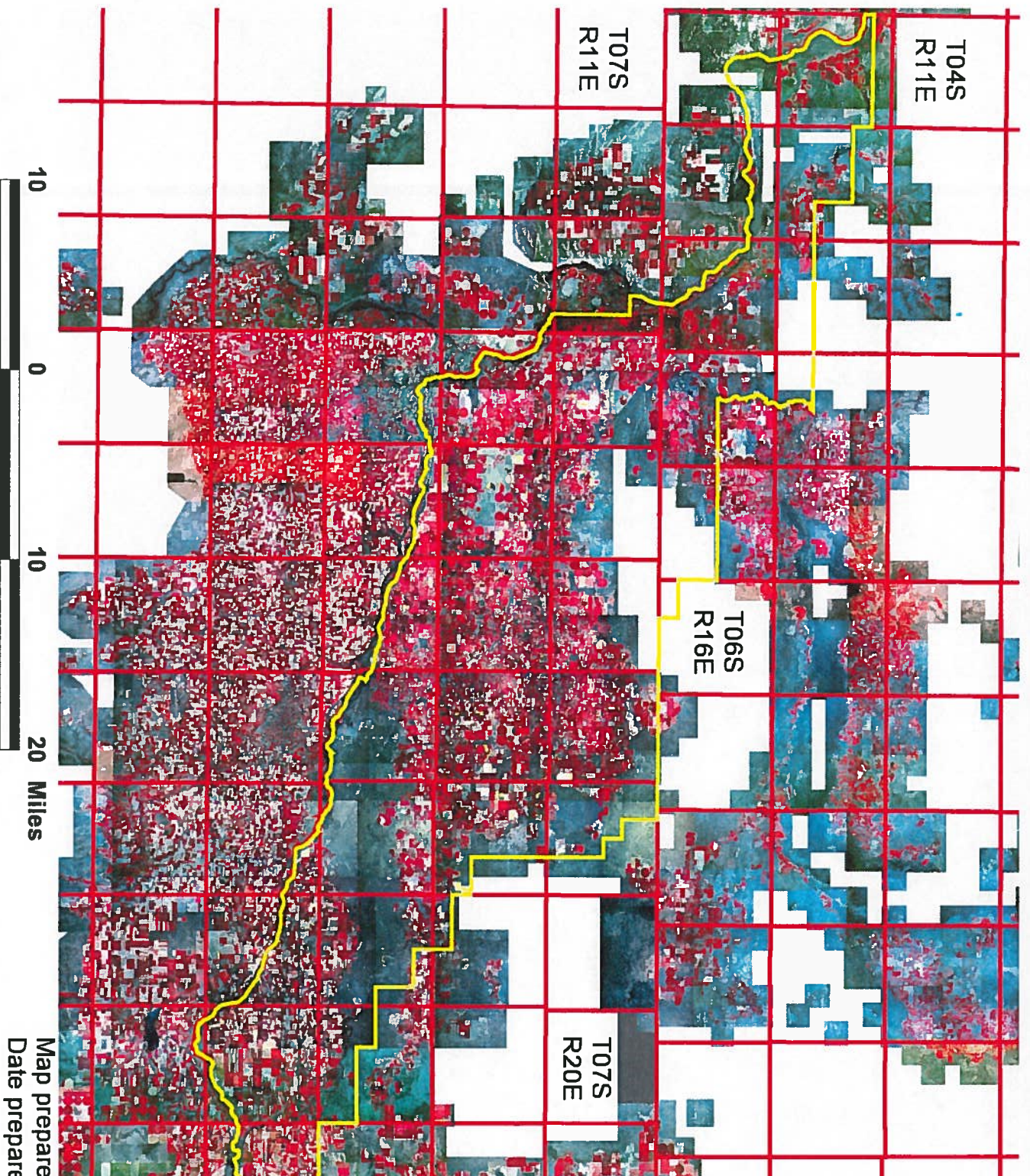
This right is limited to the irrigation of 3300 acres within the service area of the North Side Canal Company in a single irrigation season.

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

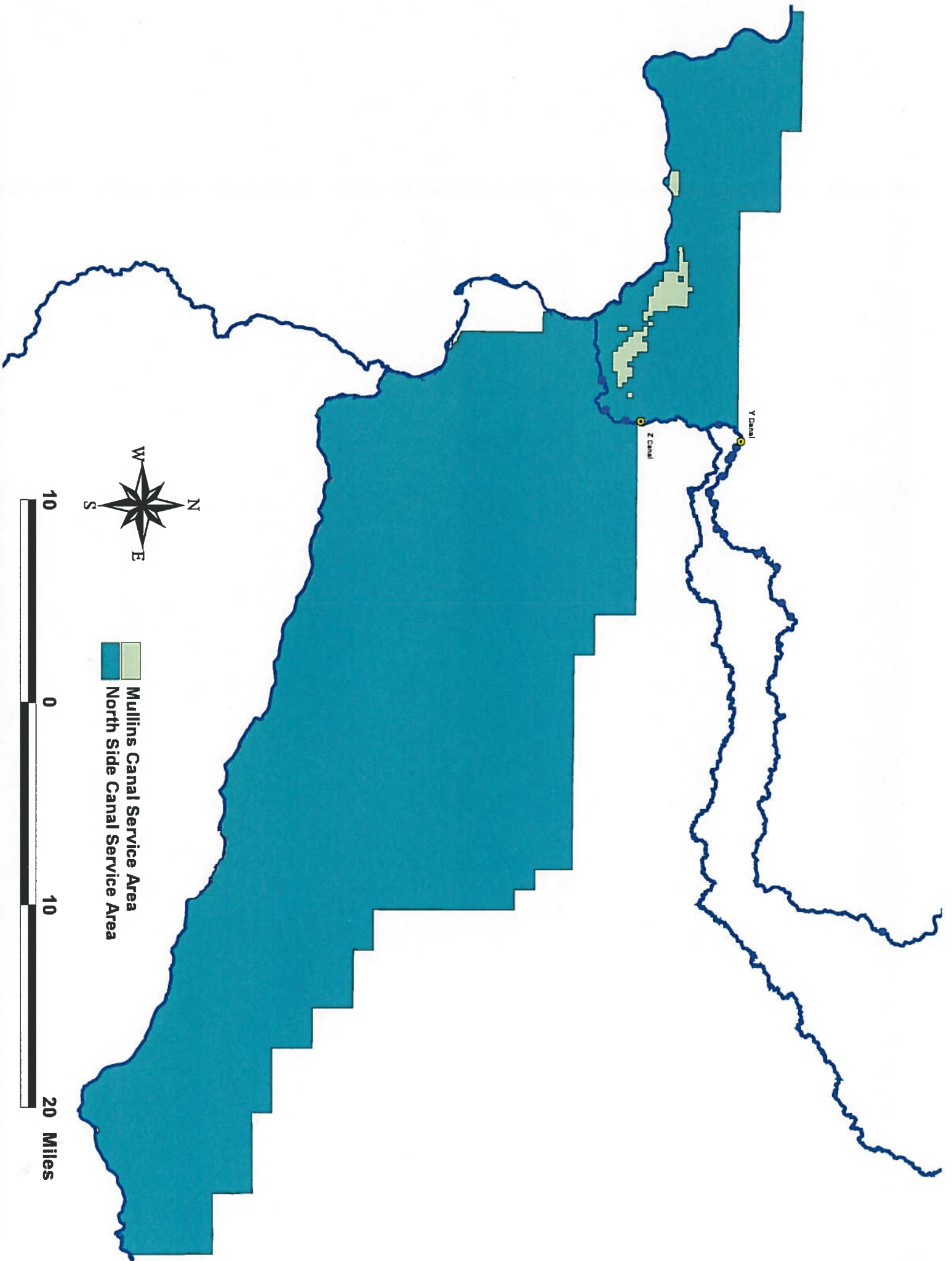
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

37-507 - Used Within the Service Area of the North Side Canal Company



Map prepared by: Carter Fritschle
Date prepared: 02/01/05
1987-1988 NAPP photography
Idaho Department of Water Resources



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00507
Date Received: 4/12/1990
Receipt No: S012011
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORTH SIDE CANAL COMPANY LTD. 208-324-2319
Address: 921 NORTH LINCOLN
JEROME, ID 83338

2. Date of Priority: JUN 15, 1890

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	14E	22		SE	SW		GOODING
06S	14E	16		SE	SW		GOODING

5. Description of diverting works:
VIA Y CANAL #36 & Z CANAL #37

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	15.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	12E	1	SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		9	NE	NE	IRR	20.0
			NW	NE	IRR	20.0
			SW	NE	IRR	20.0
			SE	NE	IRR	20.0
			NE	NW	IRR	20.0
			NW	NW	IRR	20.0
			SW	NW	IRR	20.0
			SE	NW	IRR	20.0
					Section Acres	160.0
		10	NW	NW	IRR	40.0
					Section Acres	40.0
13E		4	NE	SW	IRR	15.0
			NW	SW	IRR	25.0
			SW	SW	IRR	35.6
			SE	SW	IRR	35.5
			NW	SE	IRR	15.0
			SW	SE	IRR	30.0
					Section Acres	156.1
		5	SE	NE	IRR	5.0
			NE	SW	IRR	39.2
			NW	SW	IRR	6.0
			SW	SW	IRR	30.0
			NE	SE	IRR	40.0
			NW	SE	IRR	34.0
			SW	SE	IRR	1.0
			SE	SE	IRR	17.6
					Section Acres	172.8
		6	SW	SW	IRR	17.0
			SE	SW	IRR	17.0
			NE	SE	IRR	5.0
			NW	SE	IRR	30.0
			SW	SE	IRR	20.0
			SE	SE	IRR	5.0
					Section Acres	94.0
		8	NE	NE	IRR	13.4

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	8	NW		NE		IRR	38.4
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	32.3
			NW		NW		IRR	5.0
			SW		NW		IRR	27.0
			SE		NW		IRR	40.0
			NE		SW		IRR	26.0
			NW		SW		IRR	2.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	424.1
		9	NW		NE		IRR	35.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	20.0
			SW		NW		IRR	35.0
			SE		NW		IRR	30.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	36.0
			SW		SE		IRR	40.0
			SE		SE		IRR	36.0
							Section Acres	512.0
		14	NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	36.0
							Section Acres	276.0
		15	SW		NE		IRR	40.0
			SW		NW		IRR	28.8
			NE		SW		IRR	35.0
			NW		SW		IRR	10.0
			NE		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	153.8
		16	NE	NE	IRR	33.3
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SE	NW	IRR	10.0
					Section Acres	243.3
		17	NE	NE	IRR	40.0
					Section Acres	40.0
		22	NE	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	80.0
		23	NE	NE	IRR	38.2
			NW	NE	IRR	40.0
			SW	NE	IRR	38.2
			SE	NE	IRR	39.2
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SE	NW	IRR	3.2
			NE	SE	IRR	27.2
			NW	SE	IRR	3.2
			SE	SE	IRR	3.2
					Section Acres	272.4
		24	SE	NE	IRR	15.0
			NW	NW	IRR	20.0
			SW	NW	IRR	5.0
			SE	NW	IRR	5.0
			NE	SW	IRR	25.0
			NW	SW	IRR	25.0
			SW	SW	IRR	35.0
			SE	SW	IRR	35.0
			NE	SE	IRR	40.0
			NW	SE	IRR	30.0
			SW	SE	IRR	30.0
			SE	SE	IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	295.0
		25	NE	NE	IRR	22.6
			NW	NE	IRR	11.3
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
					Section Acres	113.9
14E	19		SW	NW	IRR	40.0
			NE	SW	IRR	15.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			SW	SE	IRR	40.0
					Section Acres	215.0
		20	SW	NW	IRR	16.5
					Section Acres	16.5
					Total Acres	3304.9

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

ALL THE WATER OF THIS RIGHT GOES ON ALL THE LAND SOUTH OF
Z CANAL.

OTHER WATER RIGHTS USED ARE A01-00210Z0 & Z1, A01-00212Z0, Z1,
Z2, Z3, Z4 & Z5, -00213, -00215, -00220, -00005, -00016 AND
A37-04240, -04241.

P/U WITHIN NORTH SIDE CANAL COMPANY SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY Title
of NORTH SIDE CANAL COMPANY, LTD. Organization, that I have signed the foregoing
document in the space below as SECRETARY Title of NORTH SIDE CANAL COMPANY, LTD. Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ed Diehl

Title and Organization SECRETARY, NORTH SIDE CANAL COMPANY, LTD. Date 4-5-90

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

Subscribed and sworn (or affirmed) before me this 5th day of April 19 90

SEAL

Notary Public Sherry L. Cael

Residing at Twin Falls, Idaho

My Commission Expires 3/19/92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, JOHN A. ROSHOLT 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 John A. Rosholt

Address P.O. BOX 1906, TWIN FALLS ID 83303-1906

Date 4/9/90

Last Name NORTH SIDE CANAL Ident. Number _____
COMPANY, LTD.

MICROFILMED
Copies Made State, Follow Claimant

MAR 20 1993

A37-00507

P/4

NORTH SIDE CANAL COMPANY, LTD.

IDENT NO.

NOTICE OF A CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

DESCRIPTION OF PLACE OF USE

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5	12	1																40.00	40.00
5	12	9	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00									160.00
5	12	10							40.00										40.00
																			240.00

240

MULLINS RIGHTS

GOODING COUNTY

MICROFILMED

MAR 20 1993

NORTH SIDE CANAL COMPANY, LTD.

IDENT NO.

NOTICE OF A CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW
DESCRIPTION OF PLACE OF USE

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6	13	4									15.00	25.00	35.56	35.47		15.00	30.00		156.03
6	13	5				5.00					39.15	6.00	30.00		40.00	34.00	1.00	17.59	172.74
6	13	6											17.00	17.00	5.00	30.00	20.00	5.00	94.00
6	13	8	13.40	38.37	40.00	40.00	32.28	5.00	27.00	40.00	26.00	2.00			40.00	40.00	40.00	40.00	424.50
6	13	9		35.00	40.00		40.00	20.00	35.00	30.00	40.00	40.00	40.00	40.00	40.00	36.00	40.00	35.00	512.00
6	13	14										40.00	40.00	40.00	40.00	40.00	40.00	35.00	276.00
6	13	15			40.00				28.82		35.00	10.00			40.00				153.82
6	13	16	33.27	40.00	40.00	40.00	40.00	40.00		10.00									243.27
6	13	17	40.00																40.00
6	13	22													40.00			40.00	80.00
6	13	23	38.22	40.00	38.21	39.21	40.00	40.00		3.21					27.22	3.21		3.21	272.49
6	13	24				15.00			20.00	5.00	5.00	25.00	25.00	35.00	35.00	40.00	30.00	30.00	295.00
6	13	25	22.60	11.30			40.00	40.00											113.90

2,833.75

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MULLINS RIGHTS

GOODING COUNTY

MICROFILMED

MAR 20 1993

NORTH SIDE CANAL COMPANY, LTD.
IDENT NO.
NOTICE OF A CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW
DESCRIPTION OF PLACE OF USE

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6	14	19							40.00		15.00	40.00	40.00	40.00			40.00		215.00
6	14	20							16.50										16.50
																			231.50

OKAB

231.5

MULLINS RIGHTS

GOODING COUNTY

MICROFILMED

MAR 20 1993

437-00507

ady

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cc

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MICROFILMED
MICROFILMED
MAR 20 1993

SD-0691-2 Last Name: NORTH SIDE CANAL

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
—	NORTH SIDE CANAL COMPANY LTD.						
—		C A01-00213		06/16/1908	SNAKE RIVER	890.000	01 IRR
—		C A01-00220		06/29/1910	SNAKE RIVER	3000.000	01 IRR
—		C A01-02064C		03/30/1921	SNAKE RIVER	387814.000	02 IRR S
—							03 IRR FS
—		C A01-10042B		03/29/1921	SNAKE RIVER	9400.000	02 IRR S
—							03 IRR FS
—		C A01-10045B		05/24/1913	SNAKE RIVER	312007.000	02 IRR S
—							03 IRR FS
—		C A37-13378		03/20/1948	GROUNDWATER	0.040	43 DOMEST
—							04 STOCK
—		C A37-13379		05/12/1956	GROUNDWATER	0.040	43 DOMEST
—							04 STOCK
—		C A37-13380		06/02/1955	GROUNDWATER	0.040	43 DOMEST
—							04 STOCK
—		C A37-00507		06/15/1890	BIG WOOD RI	15.000	01 IRR

(Enter=Continue)

(GOLD7=This Query)

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SD-0601-2 Last Name: NORTH SIDE CANAL

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
—	NORTH SIDE CANAL COMPANY LTD	—	—	—	—	—	—
—		C	A36-14904	03/15/1950	GROUNDWATER	0.040	43 DOMEST 04 STOCK
—		C	A36-14900	03/02/1949	GROUNDWATER	0.040	43 DOMEST 04 STOCK
—		C	A36-14901	01/30/1943	GROUNDWATER	0.040	43 DOMEST 04 STOCK
—		C	A36-14902	11/11/1957	GROUNDWATER	0.040	43 DOMEST 04 STOCK
—		C	A36-14903	10/20/1948	GROUNDWATER	0.040	43 DOMEST 04 STOCK
—		C	A36-14905	03/20/1948	GROUNDWATER	0.040	43 DOMEST 04 STOCK
—		C	36-14900	03/02/1949	GROUNDWATER	0.040	43 DOMEST 04 STOCK
—		C	36-14904	03/15/1950	GROUNDWATER	0.040	43 DOMEST

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NOV 2 1994

1 John A. Rosholt
2 Gary D. Slette
3 ROSHOLT, ROBERTSON & TUCKER
4 P. O. Box 1906
5 Twin Falls, Idaho 83303-1906
6 Telephone: (208) 734-0700
7 4742p/shs/1-2-92

8 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
9 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

10 * * * * *

11 In Re the General Adjudication)
12 of Rights to the Use of Water)
13 from the Snake River Basin)
14 Water System.)

CASE NO: 39576

15 The State of Idaho, ex rel.)
16 A. Kenneth Dunn in his official)
17 capacity as director of the)
18 Idaho Department of Water)
19 Resources,)

NOTICE OF
APPEARANCE

20 Petitioner,)

21 vs.)

22 The United States; the State)
23 of Idaho; and all claimants)
24 to the use of water from the)
25 Snake River Basin Water System,)

26 Defendants.)

27 * * * * *

28 COME NOW, TWIN FALLS CANAL COMPANY, NORTH SIDE CANAL
COMPANY, LTD. and AMERICAN FALLS RESERVOIR DISTRICT, by and
through their attorneys, John A. Rosholt and Gary D. Slette of

MICROFILMED
NOV 02 1994

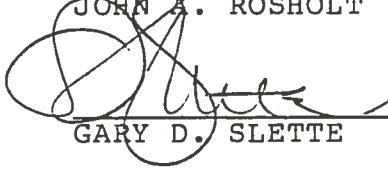
1 the firm of ROSHOLT, ROBERTSON & TUCKER, and, pursuant to Order
2 of this Court entered December 17, 1991, enter their appearance
3 in the above-captioned case.

4 DATED this 2nd day of January, 1992.

5 ROSHOLT, ROBERTSON & TUCKER
6 P. O. Box 1906
7 Twin Falls, ID 83303-1906

8 

9 JOHN A. ROSHOLT

10 
11 GARY D. SLETTE

12 CERTIFICATE OF MAILING

13 I hereby certify that on this 2nd day of January,
14 1992, I caused to be served a true copy of the foregoing NOTICE
15 OF APPEARANCE by the method indicated below, and addressed to
16 each of the following:

16 Larry Echohawk
17 Attorney General
18 State of Idaho
19 Statehouse, Room 210
20 Boise, Idaho 83720

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

19 David Shaw
20 Adjudication Bureau Chief
21 Idaho Department of Water
22 Resources
23 1301 North Orchard
24 Statehouse Mail
25 Boise, Idaho 83720 (6 copies)

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NOV 12 1994

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Peter C. Monson, Esq.
Assistant Attorney General
U.S. Department of Justice
Land and Natural Resources
Division
Indian Resources Section,
Rm. 6317
P. O. Box 44378
Washington, D.C. 20026-4378

✓

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& HAWLEY
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Boise, Idaho 83701

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John A. Rosholt
JOHN A. ROSHOLT

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