

08/24/2006

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

RIGHT NUMBER: 1-55

NAME AND ADDRESS: DILTS IRRIGATION CO LTD
504 N 4200 E
RIGBY ID 83402

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 28.000 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1894

POINT OF DIVERSION:
T04N R39E S10 SWNESE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	28.000 CFS
STOCKWATER	04/01 11/30	0.020 CFS

PLACE OF USE:

507 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.

Place of use is within the area served by Dilts Irrigation Company.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
Water is delivered through Dilts Canal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 23, 2006

Re: Supporting documentation for Stock Water or Ground Water Recharge

Dear Claimant:

Over the past several months, numerous meetings have taken place with individuals and representatives of water delivery organizations in the upper Snake River Valley and the Idaho Department of Water Resources (IDWR) concerning claims for the non-irrigation season diversion of stock water and ground water recharge. In response to these meetings the following criteria were identified for evaluating and recommending these two uses.

- The claimant will have to provide documentation that verifies a historical practice of diverting water during the non-irrigation season for the purpose of providing stock water and ground water recharge. An example would be copies of the minutes for a water delivery organization referencing the diversion of water for these two uses. This information also will be used to help establish the priority date of the use.
- The claimant needs to provide copies of records showing the quantity of water historically diverted during the non-irrigation season. These records will be used as a basis for recommending the diversion rates for these two uses.
- The claimant will have to provide documents, written statements and/or affidavits from individuals who have witnessed the non-irrigation season diversion of water. These individuals need to provide a historical perspective based on actual observation.

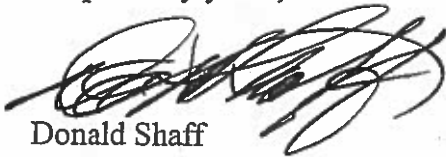
Claimants need to assess their historic diversion requirements for stock water and ground water recharge. The quantity of water claimed for non-irrigation season stock water should be the amount needed to reach the end of the delivery system plus provide drinking water for stock. Claimants should not rely upon ground water recharge as a use to supplement the stock water in order for water to reach the end of the delivery system. *Claimants holding Winter Water Savings contracts may have lost their right to divert water for 150 days between November 1 and April 30 through either abandonment or forfeiture or may have a modified season of use depending on a case-by-case review of the facts.*

For some claimants, amending claims, or filing new claims, to reflect the historic quantity for stock water will result in a substantial filing fee (\$200 per cfs). This fee is not refundable, which emphasizes the importance of providing documentation that supports the claimed uses.

If you or the organization you represent have already amended one or more claims and provided the documentation identified above, you may disregard this letter. Individuals or organizations

wishing assistance in amending their claims or filing additional claims should call the Eastern Region office at (208) 525-7161 by September 1, 2006 to make an appointment.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Donald Shaff', written over a horizontal line.

Donald Shaff
Adjudication Bureau Chief, IDWR

Enclosure: SRBA claim proof report

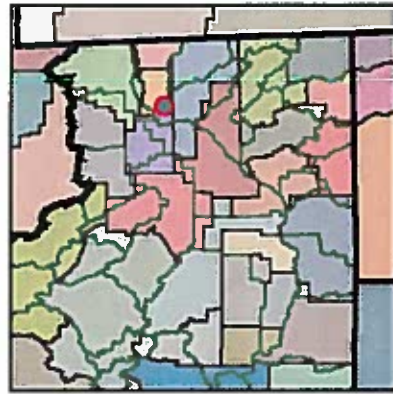
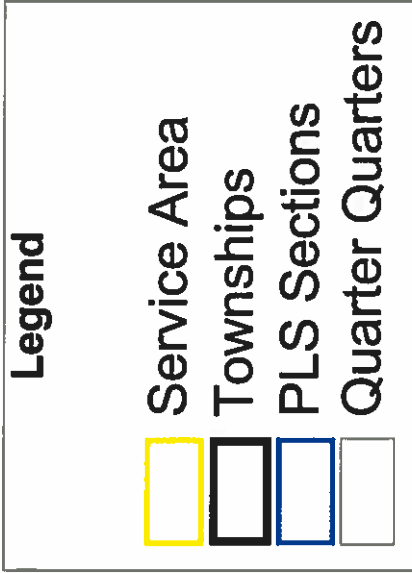
cc: Ernest Carlsen, IDWR



Dilts Irrigation Co Ltd

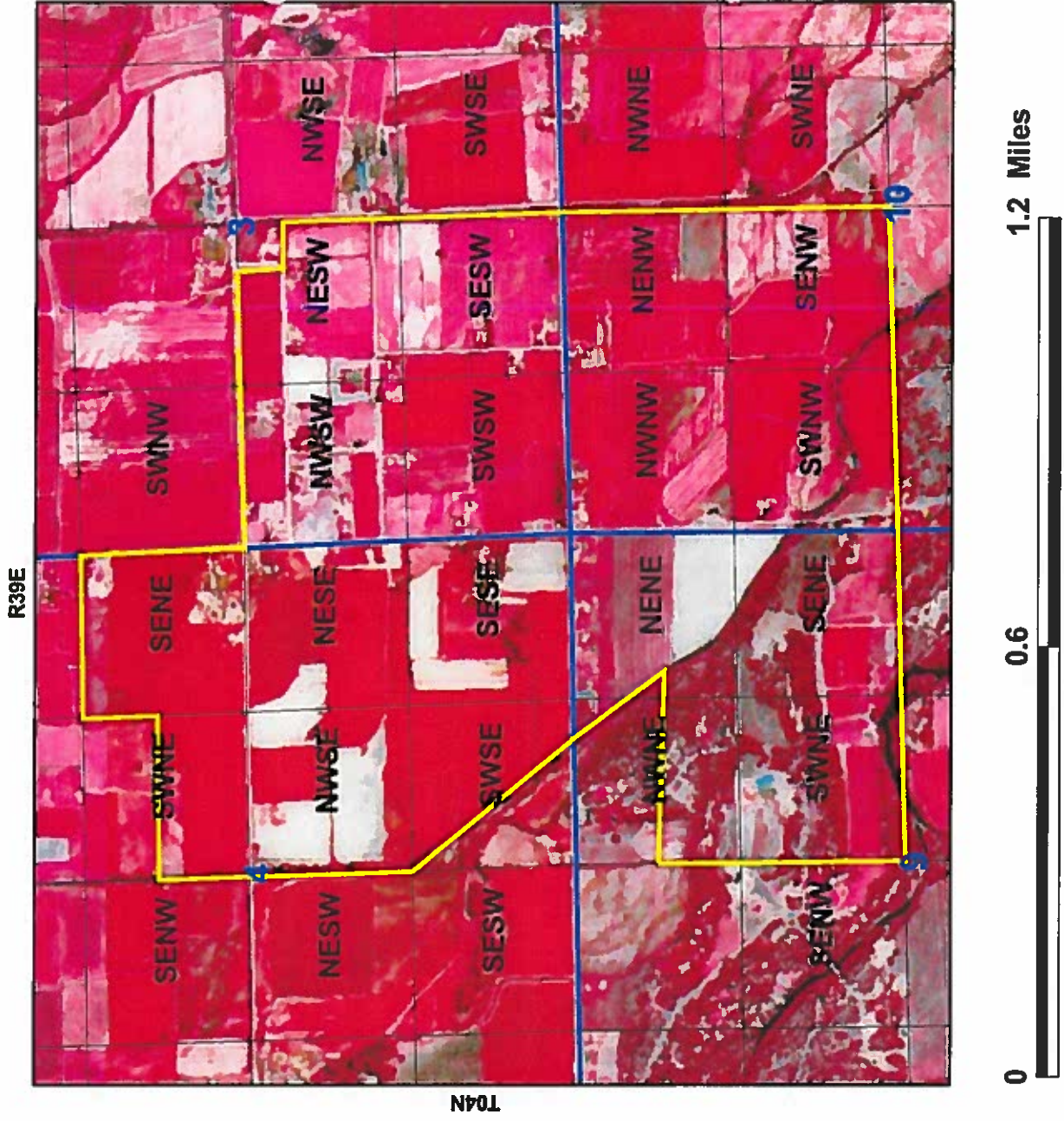
SRBA Recommendations: 1-55, 1-236, 1-307

Service Area Boundary
GIS Place of Use Illustration



Jefferson County
IDWR Basin 1

Prepared by M. Holliday
On Monday, December 11, 2006
1987/88 Aerial Photography





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

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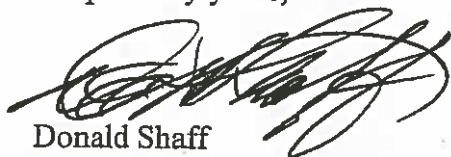
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Respectfully yours,



Donald Shaff
Adjudication Bureau Chief, IDWR

Enclosure: SRBA claim proof report

cc: Ernest Carlsen, IDWR

Dilts Irrigation Co.
4158 E 500 N
Rigby, ID 83442

RECEIVED
AUG 29 2006
Department of Water Resources
Eastern Region

Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

To Whom It May Concern:

The Board of Directors of the Dilts Irrigation Co. has deemed that the service area boundary of the Dilts Irrigation Co. is illustrated accurately, without modifications, and in its entirety on the map(s) created by Danielle Favreau on August 24, 2006. Additionally, the previously identified map(s) accurately illustrate the location of land serviced by the company as of 1987. We understand that in the process of finalizing the SRBA recommendations, these maps may be adjusted.

Charles Roy Ellis
Signature

8-29-06
Date

Charles Roy Ellis
Printed Name

Pres.
Title

DILTS

YR	MAX CFS	LATEST USE
'78	20	11/15
'79	8	11/23
'80	4	11/13
'81	—	—
'82	2	11/26
'83	4	11/28
'84	12	11/30
'85	10	11/18
'86	6	11/20
'87	—	—

7/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME DILTS IRRIGATIONCLAIM ID# NO. A01-00055DATE RECEIVED 11-21-88CK # 534 ~~SCAN~~ AMOUNT \$ 780

Is the name and address complete with zip code? ☒ YES ☐ NO

Is a priority date entered? ☒ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
 A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

(a) Is a source entered? ☒ YES ☐ NO

(b) Is a tributary to entered? (if required) ☒ YES ☐ NO

Is the legal description of the p.d. sufficient? ☒ YES ☐ NO

Is there a description of the diverting works? ☒ YES ☐ NO

Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO

Is the period of use included? ☒ YES ☐ NO

Is a quantity claimed for each use? ☒ YES ☐ NO

Is a total quantity claimed entered? ☒ YES ☐ NO

If required is a consumptive use entered? ☒ YES ☐ NO

Is the consumptive use correct? ☒ YES ☐ NO

Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO

Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO

Is (are) the county(ies) entered? ☒ YES ☐ NO

Is the ownership of p.u. checked? ☒ YES ☐ NO

Are other water rights listed or "none" indicated? ☒ YES ☐ NO

If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO

Is the basis of the claim indicated? ☒ YES ☐ NO

Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO

Is the claim signed, sealed, and dated by a notary? ☒ YES ☐ NO

Is this claim filed on time, or was an extension granted? ☒ YES ☐ NO

Is the fee enclosed correct? ☒ YES ☐ NO

Is this claim based on an existing water right, has the identification number been entered? ☒ YES ☐ NO

Would this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by: JRM

MICROFILMED

OCT 19 1988

E0004299

Comments: Revised in Consumptive useJust Dates & Amounts for other rights

SCANNED

AUG 17 2001

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: A01-00055
Date Received: 11/21/1988
Receipt No: E004299
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DILTS IRRIGATION CO. 208-745-6266
Address: 4221 E.540 N.
RIGBY, ID 83442

2. Date of Priority: JUN 01, 1894

3. Source: GREAT FEEDER CANAL Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	39E	10	SE	NE	SE		JEFFERSON

5. Description of diverting works:
CONCRETE HEADGATES W/STEEL SLIDES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	28.000		
STOCKWATER	11/01	04/01	0.230		
GROUNDWATER RECHARGE	11/01	04/01	9.770		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
GROUNDWATER RECHARGE, STOCKWATER-1000 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	3	NE	SW		IRR	35.0

A01-00055

Page 1

Date: 12/21/88

MICROFILMED
OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	39E	3	NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres					155.0
		4	SW		NE		IRR	20.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	25.0
			SE		SE		IRR	40.0
			Section Acres					205.0
		9	NW		NE		IRR	30.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			Section Acres					110.0
		10	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			Section Acres					160.0
			Total Acres					630.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

01/22/1916 FLOODWATER 10.0SECOND FT.04/01/1939 FLOODWATER 6 C.F.S

14. Remarks:

.LAND WITHIN THE SERVICE AREA OF AN IRRIGATION COMPANY

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 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 _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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Date Received

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Receipt Number

E00 4299

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A0100055



Please type or print clearly

1. Name of Claimant (s) Dilts Irrigation Company, Ltd. Phone (208) 745-6Mailing Address 4221 E. 540 N., Rigby, Idaho. Zip 834422. Date of Priority (Only one (1) per claim) June 1 18943. Source of water supply (a) Great Feeder Canal
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 4 Range 39N Section 10,
SE. 1/4 of NE. 1/4 of SE. 1/4, Govt. Lot, B.M., County of Jefferson

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.Concrete Headgates with steel slides.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov 1 amount 28 or 28.2 second feet
0.23 ^{UH}

For Stockwater purposes from Nov 1 to April 1 amount 10 cfs or 10.0 ^{UH}

For Groundwater Recharge purposes from Nov 1 to April 1 amount 9.77 or 9.77 ^{UH}

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 38 cfs (cfs) and/or (b) 28.2 second feet (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served Stockwater Type and number of livestock Etc.) Groundwater recharge - 901-1000 Other cattle & horses

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	
4	39N	10					40	40	40	40									
4	39N	9	0	30	40	40													
4	39N	4	0	0	20	40									40	40	25	40	
4	39N	3									35	40	40	40					

Total number of acres irrigated 630

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

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

Jan. 22, 1916 Flood Water 10.0 Second Feet or None ()

14. Remarks: April 1, 1939 Flood Water 6 cfs.

land within the service area of
an Irrigation Company.

MICROFILMED

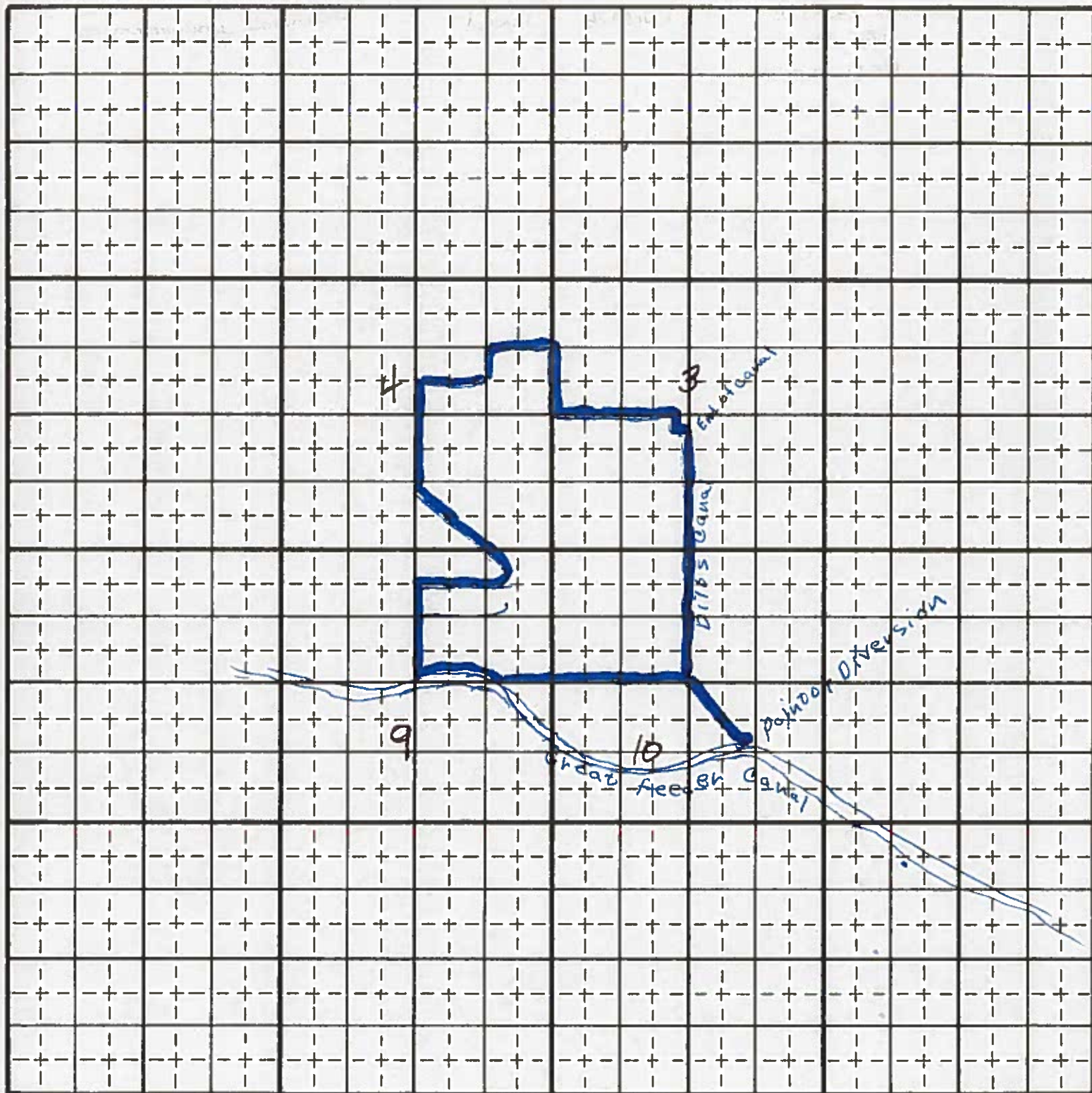
OCT 19 1992

Last Name Dilts Irrigation Co. Agent No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



MICROFILMED

Last Name Dilts Irrigation Co. Patent No. _____

Copies: White-State, Yellow-Claimant
OCT 19 1992

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date June 1, 1894

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 4

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 _____
Title

of Silt Irrigation Co. Ltd. _____, that I have signed the foregoing
Organization

document in the space below as Secretary _____ of Silt Irrigation Co. Ltd. _____
Title Organization

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

Signature of Authorized Agent L. LaVerne Eddins _____

Title and Organization Sec - Silt Irrigation Co. Ltd. _____ Date 11-19-88

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

Subscribed and sworn (or affirmed) before me this 19th day of November 1988

SEAL

Notary Public Golden V. Peterson _____

Residing at 538 N 4210 E Rigby, Id 83442

My Commission Expires 8th day of Feb. 1991

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 _____

MICROFILMED
OCT 19 1992

Last Name Silt Irrigation Co. Ltd. Ident. Number _____

Copies White-State, Yellow-Claimant