

05/30/2006

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

RIGHT NUMBER: 1-83A

NAME AND ADDRESS: SUNNYDELL IRRIGATION DIST
C/O GARY HILL
9298 S 600 E
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 30.000 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T04N R40E S25 SWSWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

30.000 CFS

PLACE OF USE:

3383.1 ACRES TOTAL

Place of use is within the boundary of Sunnydell Irrigation District pursuant to Section 43-323, Idaho Code.

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.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Sunnydell Canal.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

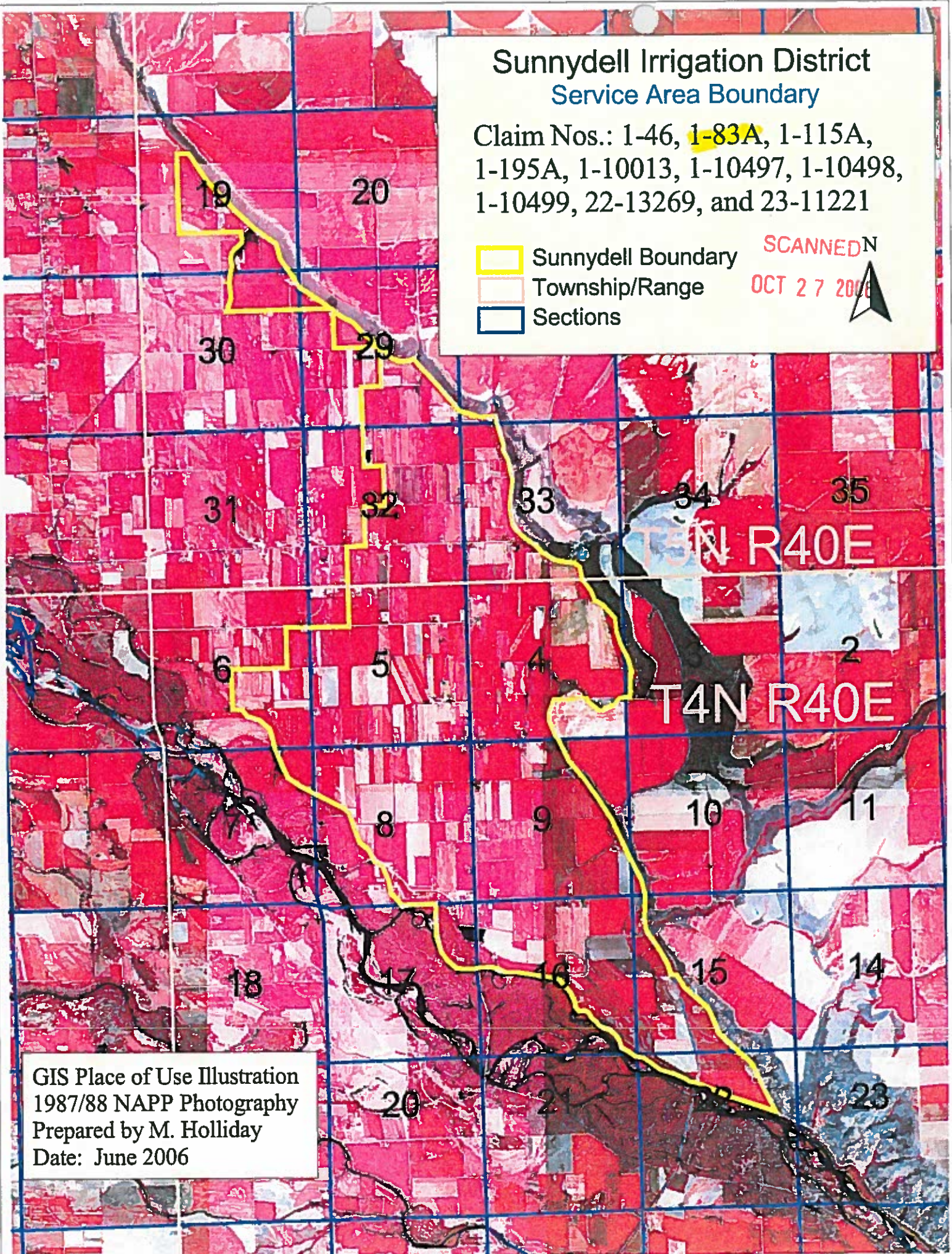
This right is old Right No. 1-83D.

Sunnydell Irrigation District Service Area Boundary

Claim Nos.: 1-46, 1-83A, 1-115A,
1-195A, 1-10013, 1-10497, 1-10498,
1-10499, 22-13269, and 23-11221

-  Sunnydell Boundary
-  Township/Range
-  Sections

SCANNED
OCT 27 2006



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: June 2006

COPY

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 494

THIS IS TO CERTIFY That the Island Irrigation Company, of Lorenzo, County of Jefferson, State of Idaho, has a right to the use of the waters of Snake River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of "Rexburg Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants", J. M. Stevens, District Judge, wherein 63 second feet of the waters of Snake River were dedicated to lands lying under the canal system of the Island Irrigation Company, said right bearing date of priority of June 1, 1891; that said decree has been entered in the records of the Department of Reclamation, of Idaho, in Book 3 of Decrees, at page 450:

THAT, Upon the application of the Island Irrigation Company for a transfer of water right, made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of 30 second feet, of the waters of Snake River upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is given below, said water to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

30 sec. ft., dated June 1, 1891 01-00830

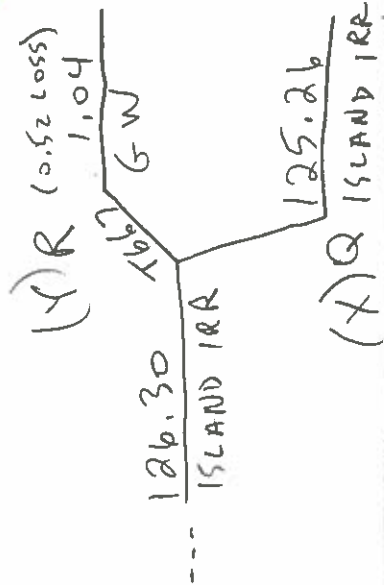
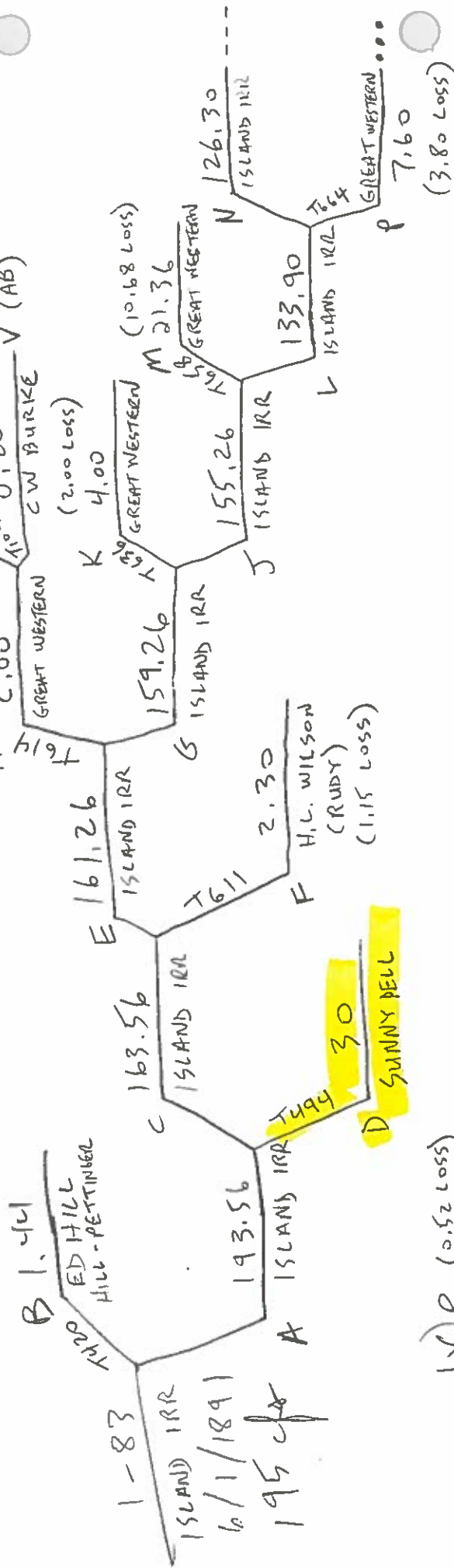
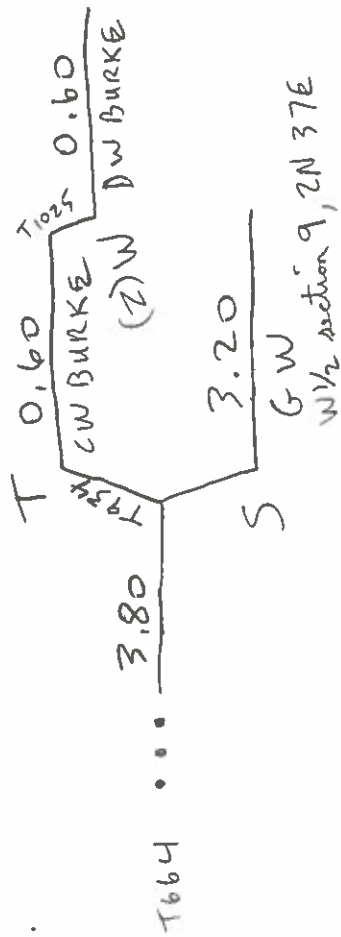
Lands lying within the Sunnydell Irrigation District.

That the water to be transferred has heretofore been diverted at a point in the SW $\frac{1}{4}$ of Sec. 34, Twp. 5 N., R. 39 E., B.M. and carried through the Island Canal, but will hereafter by virtue of this certificate be diverted at a point in the NE $\frac{1}{4}$ of Sec. 22, Twp. 4 N., R. 40 E., B.M., and carried through the Consolidated Feeder Canal.

THAT the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 25th day of July, 1930.

GEO. N. CARTER
Commissioner of Reclamation.



SCANNED

A01-00083A

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: A01-00083A
Date Received: 8/17/1988
Receipt No: 6001368
Received By: SEY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUNNYDELL IRRIGATION DISTRICT 208-356-3562
Address: C/O STANLEY SUTTON
578 E. 7000 S.
REXBURG, ID 83440

2. Date of Priority: JUN 01, 1891

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	25	NW	NW	SW		JEFFERSON

5. Description of diverting works:
HEADWORKS OF SUNNYDELL CANAL. CONCRETE DIVERSION STRUCTURE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	30.000		

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

8. Total consumptive use is 9650.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	7	NE	NE	1	IRR	7.0
Section Acres							7.0

A01-00083A

Page 1

Date: 08/17/88

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OCT 19 1992

A0100083A



10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
SEE A01-10013

14. Remarks:
COMPLETE POU IN A01-10013 ***** POU OWNED BY SHAREHOLDERS IN
SUNNYDELL IRRIGATION DISTRICT. BILLS 3900 ACRES / SEASON.
THIS CLIAM COVERS RIGHT 01-0083D (T 464).

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CANAL
Decree Plaintiff

vs

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

Number of attachments: 2

For Organizations:

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

Stanley Sutton
Signature of Authorized Agent
See Sunnidell Irr. Dist.
Title and Organization
8-17-88
Date

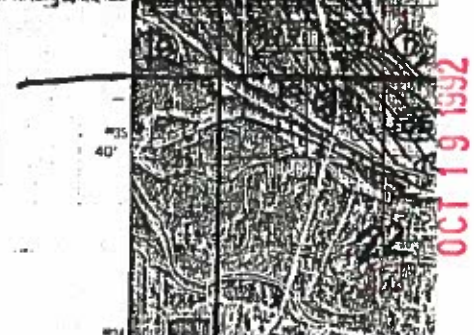
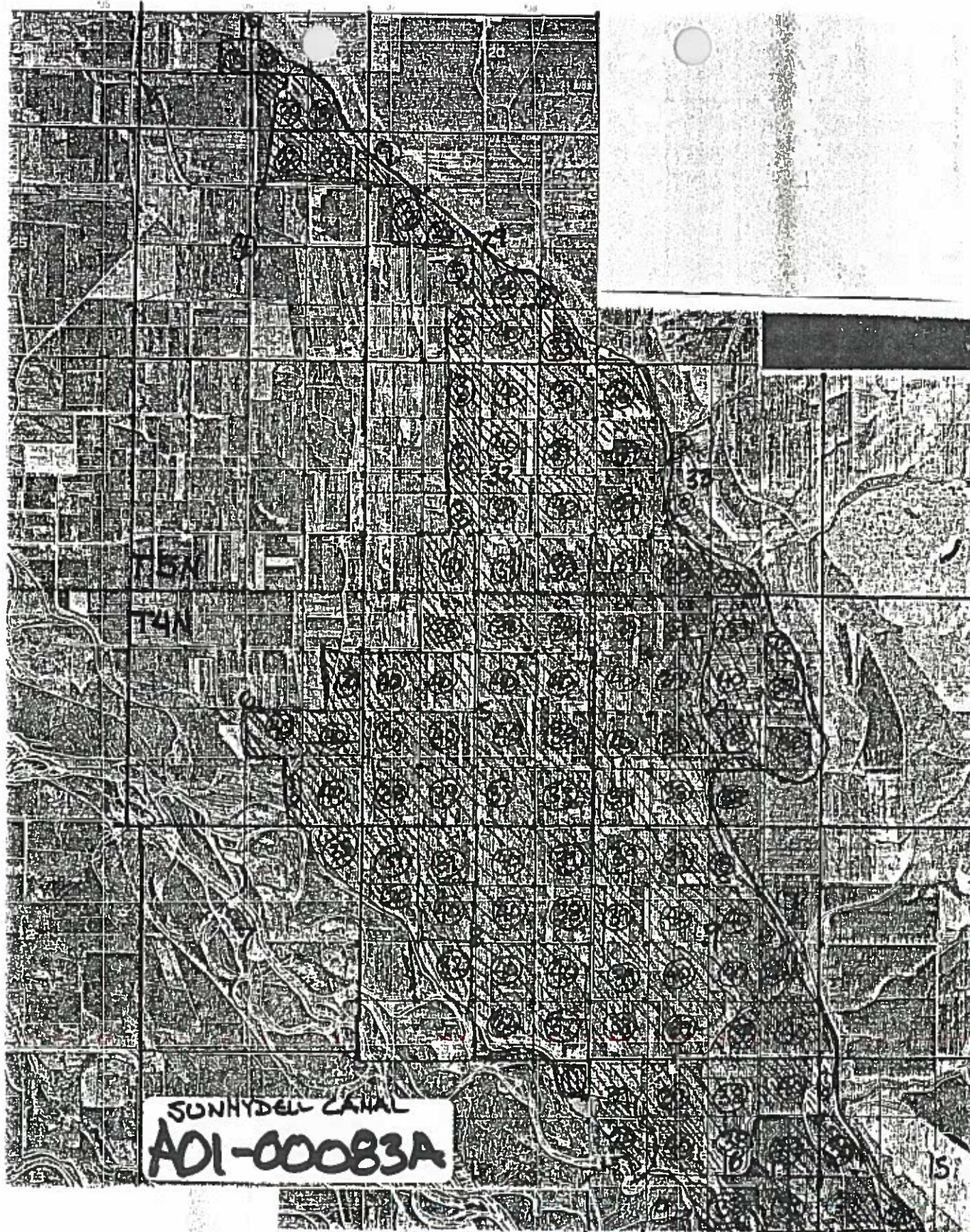
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of Aug 19 88
Calvin Wray
Notary Public

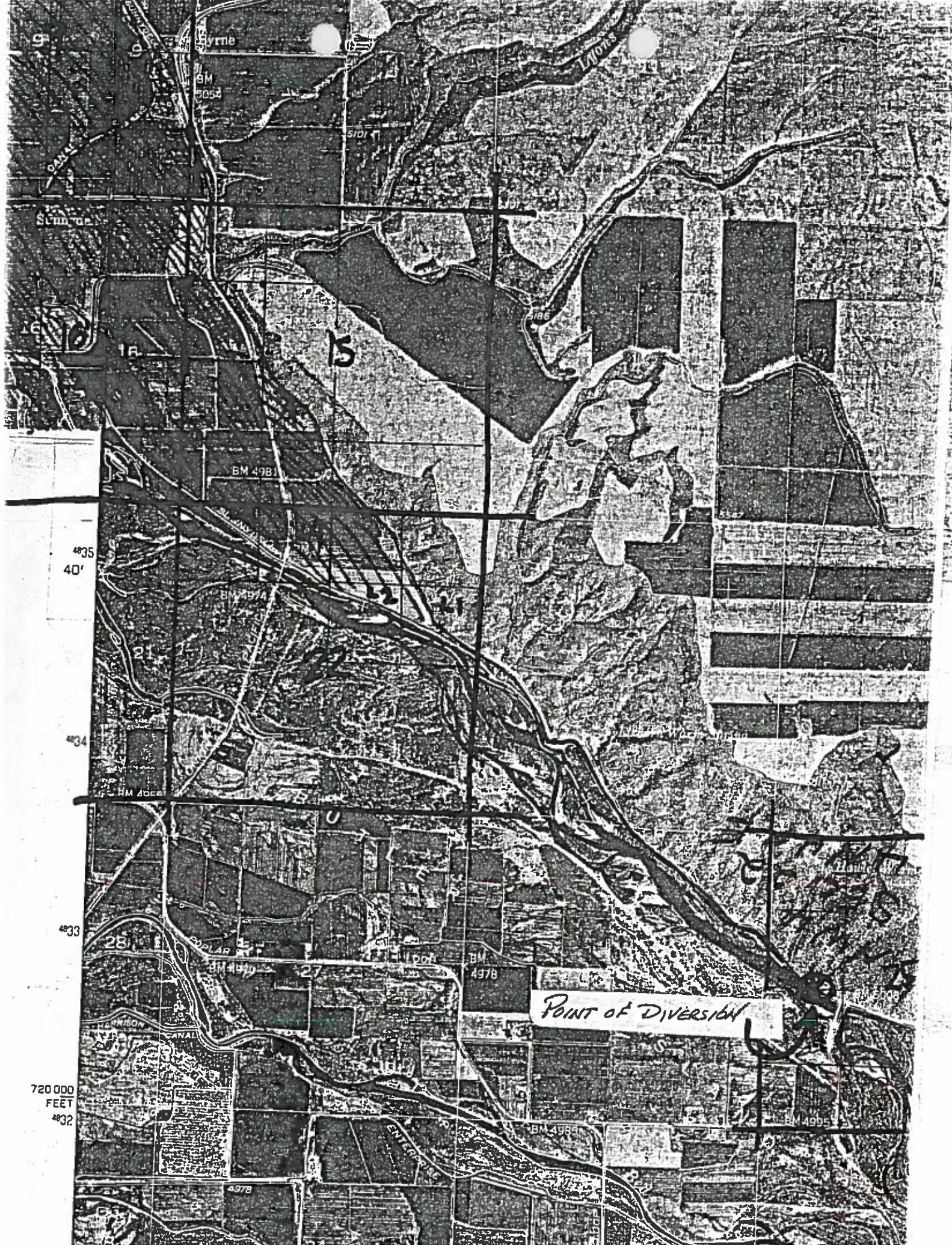
Residing at Idaho Falls
My Commission Expires 5/29/99



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OCT 19 1992



OCT 19 1992



POINT OF DIVERSION

720 000
FEET
40'