

05/09/2006

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

---

RIGHT NUMBER: 1-151A

NAME AND ADDRESS: REID CANAL CO  
C/O RUBY WHITTAKER  
6562 S 2000 W  
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 78.460 CFS

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION:

T04N R40E S6 SWSW Lot 7 Within MADISON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

78.460 CFS

PLACE OF USE:

4377 ACRES TOTAL

Place of use is within the area served by Reid 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.

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 Reid Canal.



# Reid Canal Co

SRBA Recommendations: 1-149A, 1-150A, 1-151A, 1-182C, 1-187C, 1-251A, 1-323A

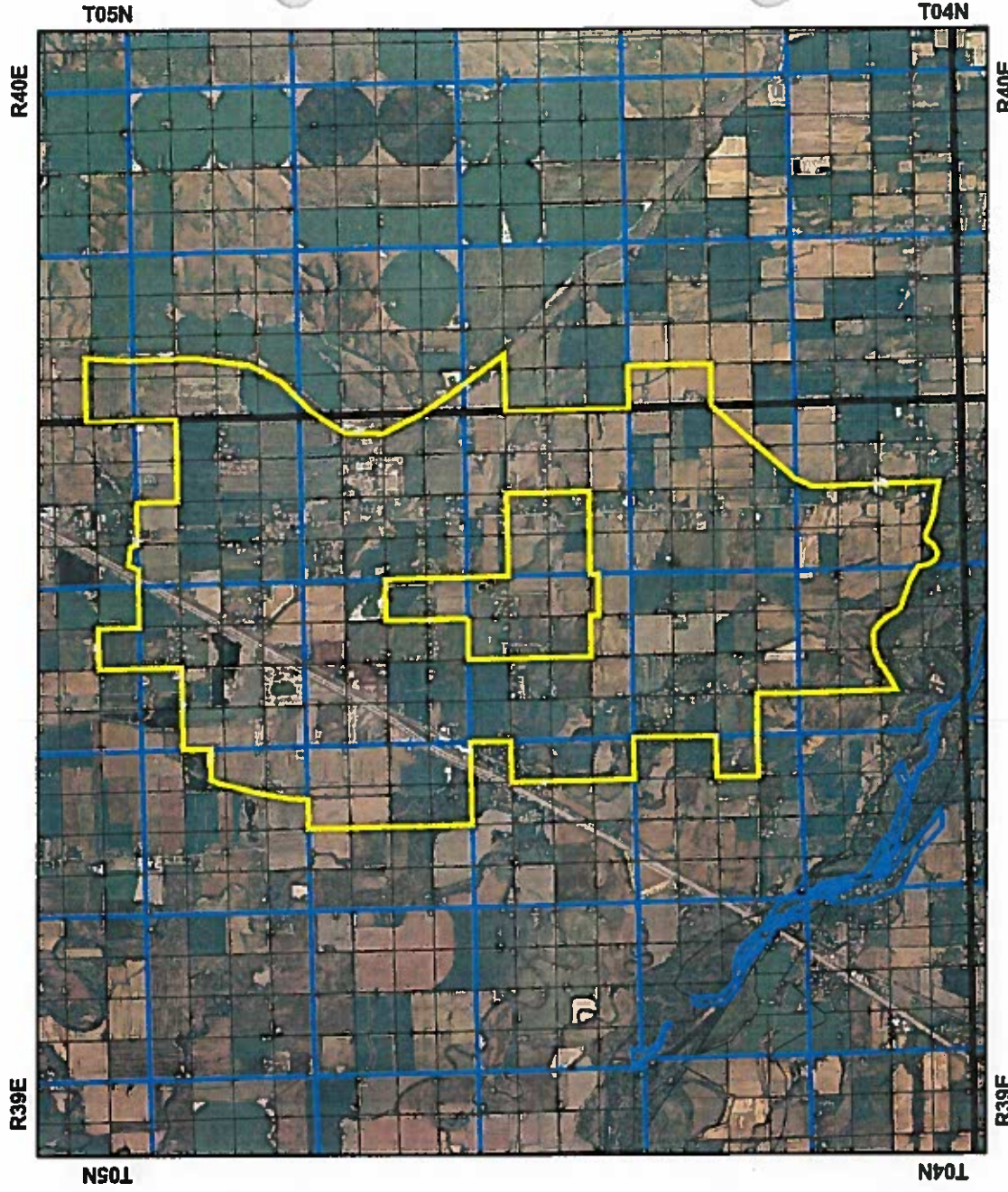
Service Area Boundary  
GIS Place of Use Illustration

## Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Madison County  
IDWR Basin 1



Prepared by M. Holliday  
On Tuesday, December 12, 2006  
2004 Aerial Photography

11/30/2006

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: November 30, 2006**

Water right number: 1-151A

REID CANAL CO  
C/O RUBY WHITTAKER  
6562 S 2000 W

REXBURG ID 83440  
Telephone Number: (208)356-7110

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

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

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:

12/7/06

SIGNATURE:

Rod Robinson

Please print your name:

Rod Robinson

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMD  
117

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: A01-00151A  
Date Received: 8/31/1988  
Receipt No: X777777  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: REID CANAL COMPANY 208-356-5177  
Address: C/O MAURICE C SHARP SEC  
2624 W 6300 S  
REXBURG ID 83440

2. Date of Priority: JUN 1, 1889

3. Source: SNAKE RIVER, SOUTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 04N      | 40E   | 6       | SW     | SW     | SW  | 7   | MADISON |

5. Description of diverting works:  
SEE REMARKS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S.            | (or) | A.F.A. |
|------------|-------|-------|-------------------|------|--------|
| IRRIGATION | 04/01 | 11/01 | <del>80.000</del> |      |        |

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

78.460 10/21/92  
A.F.A. 5

8. Total consumptive use is 14010.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 05N      | 39E   | 2       | SW     | SW  |     | IRR | 40.0  |
|          |       |         | SW     | SE  |     | IRR | 25.0  |

ROUTED

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 65.0  |
|          |       | 10      | NE         | SE  | IRR           | 38.0  |
|          |       |         | NW         | SE  | IRR           | 1.0   |
|          |       |         | SW         | SE  | IRR           | 9.0   |
|          |       |         | SE         | SE  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 88.0  |
|          |       | 11      | NE         | NE  | IRR           | 40.0  |
|          |       |         | NW         | NE  | IRR           | 40.0  |
|          |       |         | SW         | NE  | IRR           | 40.0  |
|          |       |         | SE         | NE  | IRR           | 40.0  |
|          |       |         | SW         | NW  | IRR           | 40.0  |
|          |       |         | SE         | NW  | IRR           | 40.0  |
|          |       |         | 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           | 40.0  |
|          |       |         | SW         | SE  | IRR           | 40.0  |
|          |       |         | SE         | SE  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 560.0 |
|          |       | 12      | SW         | NE  | IRR           | 40.0  |
|          |       |         | SE         | NE  | IRR           | 40.0  |
|          |       |         | NE         | NW  | IRR           | 40.0  |
|          |       |         | NW         | NW  | IRR           | 40.0  |
|          |       |         | SW         | NW  | IRR           | 40.0  |
|          |       |         | SE         | NW  | IRR           | 40.0  |
|          |       |         | 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           | 40.0  |
|          |       |         | SW         | SE  | IRR           | 40.0  |
|          |       |         | SE         | SE  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 560.0 |
|          |       | 13      | NE         | NE  | IRR           | 32.0  |
|          |       |         | NW         | NE  | IRR           | 40.0  |
|          |       |         | SW         | NE  | IRR           | 40.0  |
|          |       |         | SE         | NE  | IRR           | 14.0  |

PROTECTED

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 05N      | 39E   | 13      | NE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 25.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 591.0 |
|          |       | 14      | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | 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  |
|          |       |         | SW  |    | NW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 40.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 560.0 |
|          |       | 15      | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 30.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 14.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 8.0   |
|          |       |         | SE  |    | SE  |     | IRR           | 26.0  |
|          |       |         |     |    |     |     | Section Acres | 238.0 |
|          |       | 22      | SE  |    | NE  |     | IRR           | 3.0   |
|          |       |         | NE  |    | SE  |     | IRR           | 36.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 40.0  |

PROFILED

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 79.0  |
|          |       | 23      | NE         | NW  | IRR           | 40.0  |
|          |       |         | NW         | NW  | IRR           | 40.0  |
|          |       |         | SW         | NW  | IRR           | 39.0  |
|          |       |         | SE         | NW  | IRR           | 40.0  |
|          |       |         | NE         | SW  | IRR           | 40.0  |
|          |       |         | NW         | SW  | IRR           | 40.0  |
|          |       |         | SW         | SW  | IRR           | 40.0  |
|          |       |         | SE         | SW  | IRR           | 40.0  |
|          |       |         | NW         | SE  | IRR           | 40.0  |
|          |       |         | SW         | SE  | IRR           | 40.0  |
|          |       |         | SE         | SE  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 439.0 |
|          |       | 24      | NE         | NE  | IRR           | 40.0  |
|          |       |         | 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  |
|          |       |         | 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           | 40.0  |
|          |       |         |            |     | Section Acres | 480.0 |
|          |       | 25      | NE         | NE  | IRR           | 40.0  |
|          |       |         | 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  |
|          |       |         | SW         | NW  | IRR           | 40.0  |
|          |       |         | SE         | NW  | IRR           | 40.0  |
|          |       |         | NE         | SW  | IRR           | 40.0  |
|          |       |         | NW         | SW  | IRR           | 40.0  |
|          |       |         | SW         | SW  | IRR           | 40.0  |
|          |       |         | SE         | SW  | IRR           | 40.0  |
|          |       |         | NE         | SE  | IRR           | 22.0  |
|          |       |         | NW         | SE  | IRR           | 40.0  |
|          |       |         | SW         | SE  | IRR           | 40.0  |
|          |       |         | SE         | SE  | IRR           | 2.0   |

PORTLAND

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
|          |       |         |        |     |     | Section Acres | 584.0 |
|          |       | 26      | NE     | NE  |     | IRR           | 40.0  |
|          |       |         | 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  |
|          |       |         | SW     | NW  |     | IRR           | 40.0  |
|          |       |         | SE     | NW  |     | IRR           | 40.0  |
|          |       |         | NE     | SW  |     | IRR           | 40.0  |
|          |       |         | NW     | 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           | 40.0  |
|          |       |         |        |     |     | Section Acres | 600.0 |
|          |       | 27      | NE     | SE  |     | IRR           | 27.0  |
|          |       |         |        |     |     | Section Acres | 27.0  |
|          |       | 35      | NE     | NE  |     | IRR           | 40.0  |
|          |       |         | NW     | NE  |     | IRR           | 40.0  |
|          |       |         | SW     | NE  |     | IRR           | 34.0  |
|          |       |         | SE     | NE  |     | IRR           | 40.0  |
|          |       |         | NE     | SE  |     | IRR           | 26.0  |
|          |       |         | NW     | SE  |     | IRR           | 4.0   |
|          |       |         |        |     |     | Section Acres | 184.0 |
|          |       | 36      | NE     | NW  |     | IRR           | 35.0  |
|          |       |         | NW     | NW  |     | IRR           | 40.0  |
|          |       |         | SW     | NW  |     | IRR           | 40.0  |
|          |       |         | SE     | NW  |     | IRR           | 30.0  |
|          |       |         | NE     | SW  |     | IRR           | 25.0  |
|          |       |         | NW     | SW  |     | IRR           | 40.0  |
|          |       |         | SW     | SW  |     | IRR           | 6.0   |
|          |       |         | SE     | SW  |     | IRR           | 7.0   |
|          |       |         |        |     |     | Section Acres | 223.0 |
| 40E      |       | 6       | SW     | SW  |     | IRR           | 40.0  |
|          |       |         | SE     | SW  |     | IRR           | 17.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres  |
|----------|-------|---------|--------|-----|-----|---------------|--------|
|          |       |         |        |     |     | Section Acres | 57.0   |
|          |       | 7       | NE     | NW  |     | IRR           | 17.0   |
|          |       |         | NW     | NW  |     | IRR           | 40.0   |
|          |       |         | SW     | NW  |     | IRR           | 40.0   |
|          |       |         | SE     | NW  |     | IRR           | 18.0   |
|          |       |         | NE     | SW  |     | IRR           | 15.0   |
|          |       |         | NW     | SW  |     | IRR           | 40.0   |
|          |       |         | SW     | SW  |     | IRR           | 28.0   |
|          |       |         | SE     | SW  |     | IRR           | 1.0    |
|          |       |         |        |     |     | Section Acres | 199.0  |
|          |       | 18      | NW     | NW  |     | IRR           | 4.0    |
|          |       |         | SW     | SW  |     | IRR           | 11.0   |
|          |       |         |        |     |     | Section Acres | 15.0   |
|          |       | 19      | NE     | NW  |     | IRR           | 2.0    |
|          |       |         | NW     | NW  |     | IRR           | 30.0   |
|          |       |         |        |     |     | Section Acres | 32.0   |
|          |       | 30      | NW     | NW  |     | IRR           | 10.0   |
|          |       |         | SW     | NW  |     | IRR           | 13.0   |
|          |       |         |        |     |     | Section Acres | 23.0   |
|          |       |         |        |     |     | Total Acres   | 5604.0 |

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:

01-0149, 0182A, 0150, 0187A, 0251, 0284, 0323, 2068, STORAGE.

14. Remarks:

APPLICANT IS A CANAL COMPANY WHICH HOLDS WATER RIGHTS AND OWNS THE DIVERSION AND DELIVERY STRUCTURES. THE LANDS SHOWN AS PLACE OF USE ARE OWNED BY STOCKHOLDERS OF THE COMPANY.

FROM ITEM 5 -

THE DIVERSION STRUCTURE IS A ROCK DAM APPROXIMATELY 200' LONG AND 3-5' HIGH ACROSS THE RIVER CHANNEL. THE HEADGATE IS A CONCRETE STRUCTURE WITH GATES APPROXIMATELY 10' WIDE X 12' HIGH, EACH OPERATED WITH A WINCH BOLTED TO THE DECK ACROSS THE TOP TO THE

SCANNED

14. Remarks: Continued

STRUCTURE. THIS IS THE INTAKE FOR THE BANNOCK FEEDER CANAL. ABOUT 3/4 MILE DOWNSTREAM, THE CANAL SPLITS INTO THE REID CANAL AND THE TEXAS FEEDER CANAL. JUST DOWNSTREAM FROM THE SPLIT THERE IS A RATING FLUME IN THE REID CANAL WHERE THE WATER IS MEASURED. THE REID CANAL COMPANY OWNS AN UNDIVIDED ONE-THIRD INTEREST IN THE ABOVE DESCRIBED STRUCTURES DOWN TO THE SPLIT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. COMP. ET AL  
Decree Plaintiff

TETON IRR. CANAL CO. ET AL  
vs 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  
Organization and that the statements contained in the  
foregoing document are true and correct.

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

SCANNED  
NOV 20 2004

FILED

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 \_\_\_\_\_

PROFILED

SCANNED

NOV 20 2004