

08/03/2006

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

RIGHT NUMBER: 1-164E

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
14 N 4100 E
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 12.690 CFS

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T04N R40E S29 NENENW Within JEFFERSON County

T04N R40E S29 NENENW 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	12.690 CFS

PLACE OF USE:

4838 ACRES TOTAL

Place of use is within the area served by Rudy Irrigation 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 Rudy Canal and Rudy (Boomer) Canal.



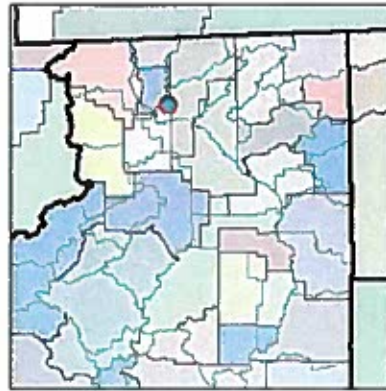
Rudy Irrigation Canal Co Ltd

SRBA Recommendations: 1-35D, 1-82D, 1-83F, 1-162E, 1-164E, 1-165E, 1-243, 1-10492, 1-10500, 1-10501

Service Area Boundary
GIS Place of Use Illustration

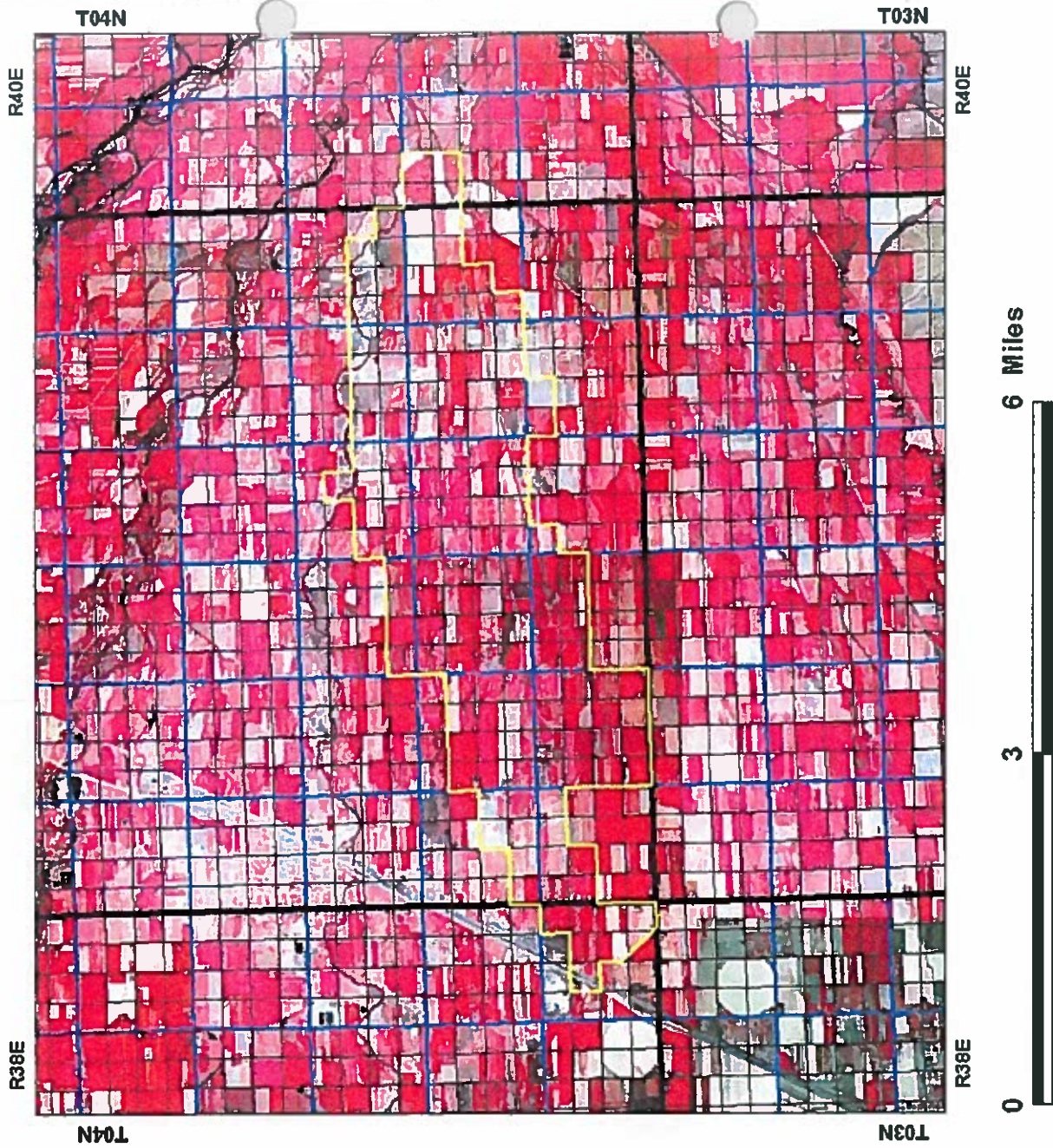
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Bonneville, Jefferson Counties
IDWR Basin 1

Prepared by C. Moore
On Monday, November 27, 2006
1987/88 Aerial Photography



NOTICE OF ERROR
REPLY

12/01/2006
RECEIVED

DEC 07 2006

Department of Water Resources
Eastern Region

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: 1-164E

RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442
Telephone Number: (208)522-3417

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: John M. Price

Please print your name: John M. Price

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

SMO
12/7

SCANNED

A0100164E

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: A01-00164E
Date Received: 11-29-88
Receipt No: 8004818
Received By: EAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUDY IRRIGATION CANAL CO., LTD. 208-745-7711
Address: P.O. BOX 507
RIGBY, ID 83442

2. Date of Priority: JUN 01, 1900

3. Source: SNAKE RIVER, DRY BED Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	40E	29	NE	NE	NW		JEFFERSON

5. Description of diverting works:
RUDY CANAL- TWO ADJACENT HEADINGS (SEE REMARKS FOR DESCRIPTION).

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/20	11/20	12.690		

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

8. Total consumptive use is 13820.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	38E	36	SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			SE	NW		IRR	30.0
			NE	SE		IRR	39.0

A01-00164E

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Date: 11-29-88

A0100164E



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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
04N	38E	36	NW		SE		IRR	40.0	
			SW		SE		IRR	39.0	
			SE		SE		IRR	38.0	
				Section Acres				265.0	
	39E	21	SW		SW		IRR	38.0	
			SE		SW		IRR	39.0	
			SW		SE		IRR	39.0	
			SE		SE		IRR	38.0	
					Section Acres				154.0
		22	SW		NE		IRR	5.0	
NE				SW		IRR	40.0		
NW				SW		IRR	39.0		
SW				SW		IRR	38.0		
SE				SW		IRR	39.0		
NE			SE		IRR	39.0			
NW			SE		IRR	40.0			
SW			SE		IRR	39.0			
SE			SE		IRR	38.0			
				Section Acres				317.0	
23	NE		SW		IRR	40.0			
	NW		SW		IRR	39.0			
	SW		SW		IRR	38.0			
	SE		SW		IRR	39.0			
	NE		SE		IRR	15.0			
	NW		SE		IRR	13.0			
	SW		SE		IRR	39.0			
	SE		SE		IRR	38.0			
				Section Acres				261.0	
	24	NE		SW		IRR	26.0		
NW			SW		IRR	26.0			
SW			SW		IRR	38.0			
SE			SW		IRR	39.0			
NW			SE		IRR	17.0			
SW			SE		IRR	39.0			
SE			SE		IRR	15.0			
				Section Acres				200.0	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	39E	25	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	38.0

Section Acres 429.0

26	NE	NE	IRR	38.0
	NW	NE	IRR	39.0
	SW	NE	IRR	40.0
	SE	NE	IRR	39.0
	NE	NW	IRR	39.0
	NW	NW	IRR	38.0
	SW	NW	IRR	39.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	38.0
	SE	SW	IRR	39.0
	NE	SE	IRR	39.0
	NW	SE	IRR	40.0
	SW	SE	IRR	39.0
	SE	SE	IRR	38.0

Section Acres 624.0

27	NE	NE	IRR	38.0
	NW	NE	IRR	39.0
	SW	NE	IRR	40.0
	SE	NE	IRR	39.0
	NE	NW	IRR	39.0
	NW	NW	IRR	38.0
	SW	NW	IRR	39.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	39E	27	SE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
							Section Acres	624.0
		28	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
							Section Acres	624.0
		29	SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
							Section Acres	470.0
		30	SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			NE		SE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	39E	30	NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
			Section Acres					233.0
		31	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			Section Acres					233.0
		32	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
			Section Acres					624.0
		33	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	20.0
			SE		NE		IRR	20.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	27.0
			SE		NW		IRR	24.0
			Section Acres					245.0
		34	NW		NW		IRR	38.0
			Section Acres					38.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	35	NE	NW		IRR	19.0
			NW	NW		IRR	38.0
					Section Acres		57.0
	40E	19	SW	SW		IRR	5.0
					Section Acres		5.0
		30	NE	NW		IRR	39.0
			NW	NW		IRR	23.0
			SW	NW		IRR	23.0
			SE	NW		IRR	40.0
					Section Acres		125.0
					Total Acres		5528.0

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:

01-00035D/00159/00082D/00160/00163E/00083F/00162E/00165E/002

14. Remarks:

NORTH BRANCH CANAL - CONCRETE HEADING 30' WIDE WITH TWO (5'X5')
METAL SCREW GATES.SOUTH BRANCH CANAL - CONCRETE HEADING 38' WIDE WITH FOUR (4'X8')
METAL SCREW GATES.

PLACE OF USE IS OWNED BY STOCKHOLDERS OF CANAL.

CLAIM IS BASED ON RIGHT REMAINING AFTER TRANSFERS #637, #645,
AND #646.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRR. CO. ET AL

Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL

Decree Defendant

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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: 9 additional claims plus section maps

For Organizations:

I do solemnly swear or affirm that I am President of Rudy Tree Canal Co., LTD. that I have signed the foregoing document in the space below as President of Rudy Tree Canal Co., LTD. and that the statements contained in the foregoing document are true and correct.

Bruce K. Shaw
Signature of Authorized Agent
Pres Rudy Tree Canal
Title and Organization

11-30-88
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of November 1988

Camille Smith
Notary Public

Seal

Residing at Bigby
My Commission Expires 2/6/94