

05/05/2006

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

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RIGHT NUMBER: 1-182A

NAME AND ADDRESS: TEXAS SLOUGH IRRIGATING CANAL CO  
1463 S 4000 W  
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 39.600 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T04N R40E S6 SWSW Lot 7 Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 39.600 CFS      |

PLACE OF USE:

3149 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 Texas Slough Irrigating Canal Company.

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 Texas Slough Canal.



# Texas Slough Irrigating Canal Co

SRBA Recommendations: 1-182A, 1-183, 1-184, 1-185, 1-186, 1-187A, 1-188, 1-254, 1-329

Service Area Boundary  
GIS Place of Use Illustration

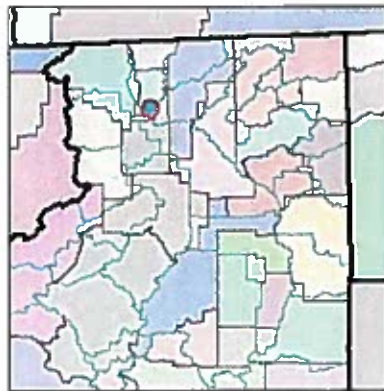
Legend

Service Area

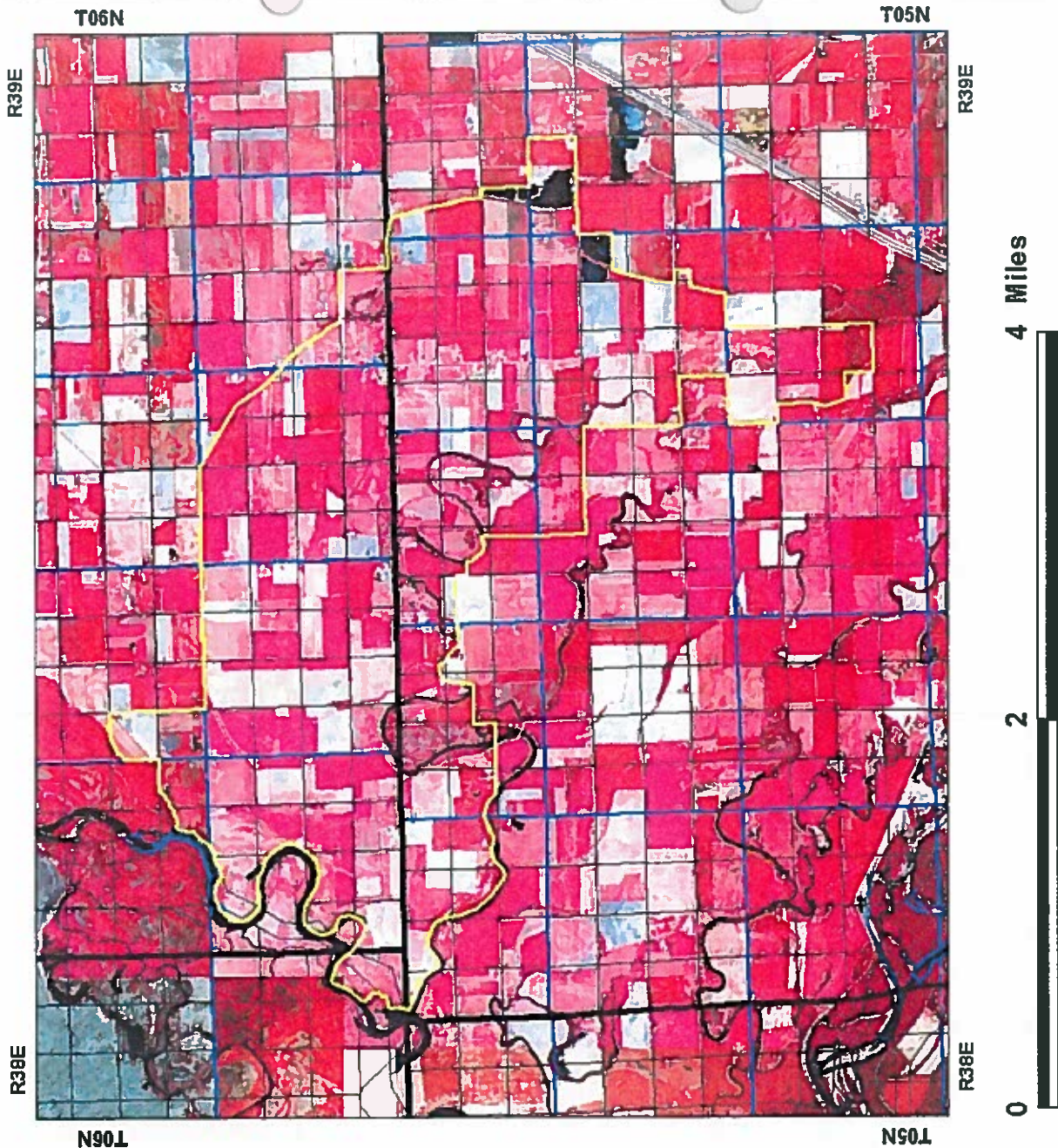
Townships

PLS Sections

Quarter Quarters



Madison County  
IDWR Basin 1



Prepared by C. Moore  
On Monday, November 20, 2006  
1987/88 Aerial Photography

11/21/2006

**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:**

Water right number: 1-182A

TEXAS SLOUGH IRRIGATING CANAL CO  
1463 S 4000 W  
REXBURG ID 83440  
Telephone Number: (208)356-6330

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: 11-30-06 SIGNATURE: Weldon J. Neff

Please print your name: Weldon J. Neff

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

KMT  
6264

Texas Slough Irrigating Canal Co.

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 Texas Slough Irrigating Canal Co. has deemed that the service area boundary of the Texas Slough Irrigating Canal Co. is illustrated accurately, without modifications, and in its entirety on the map(s) created by Danielle Favreau on June 6, 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.

Weldon J. Nelson  
Signature

16 June 2006  
Date

Weldon J. Nelson  
Printed Name

Sec. Treasurer  
Title

RECEIVED

JUN 20 2006

Department of Water Resources  
Eastern Region

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: A01-00182A  
Date Received: 9/01/1988  
Receipt No: E001687  
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: TEXAS SLOUGH IRRIGATING CANAL CO. 208-356-5312  
Address: 1128 SOUTH 5000 WEST  
REXBURG, ID 83440

2. Date of Priority: JUN 01, 1885

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

4. Point of Diversion:

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

5. Description of diverting works:  
HEADGATE TO BANNOCK FEEDER TO TEXAS FEEDER TO TEXAS SLOUGH CANALS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 40.000 |      |        |

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

8. Total consumptive use is 10082.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 05N      | 39E   | 2       | NW     | NW     | 4   | IRR | 20.0  |
|          |       |         | SW     | NW     |     | IRR | 30.0  |
|          |       |         | SW     | SW     |     | IRR | 40.0  |

Section Acres 90.0

A01-00182A

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Date: 09/01/88

A0100182A



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10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 05N      | 39E   | 3       | SW  |    | NE  | 2   | IRR           | 40.0  |
|          |       |         | SE  |    | NE  | 1   | IRR           | 40.0  |
|          |       |         | SW  |    | NW  | 4   | IRR           | 40.0  |
|          |       |         | SE  |    | NW  | 3   | IRR           | 38.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 38.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 39.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 38.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 473.0 |
|          |       | 4       | SW  |    | NE  | 2   | IRR           | 39.0  |
|          |       |         | SE  |    | NE  | 1   | IRR           | 39.0  |
|          |       |         | SW  |    | NW  | 4   | IRR           | 38.0  |
|          |       |         | SE  |    | NW  | 3   | IRR           | 34.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 18.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 38.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 39.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 39.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 38.0  |
|          |       |         |     |    |     |     | Section Acres | 322.0 |
|          |       | 5       | SW  |    | NE  | 2   | IRR           | 36.0  |
|          |       |         | SE  |    | NE  | 1   | IRR           | 37.0  |
|          |       |         | SW  |    | NW  | 4   | IRR           | 35.0  |
|          |       |         | SE  |    | NW  | 3   | IRR           | 34.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 30.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 38.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 8.0   |
|          |       |         | NW  |    | SE  |     | IRR           | 20.0  |
|          |       |         |     |    |     |     | Section Acres | 238.0 |
|          |       | 6       | SW  |    | NE  | 2   | IRR           | 40.0  |
|          |       |         | SE  |    | NE  | 1   | IRR           | 40.0  |
|          |       |         | SW  |    | NW  | 4   | IRR           | 15.0  |
|          |       |         | SE  |    | NW  | 3   | IRR           | 21.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 32.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 30.0  |
|          |       |         |     |    |     |     | Section Acres | 178.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 05N      | 39E   | 9       | NE  |    | NE  |     | IRR           | 39.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 79.0  |
|          |       | 10      | NE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 5.0   |
|          |       |         | NE  |    | NW  |     | IRR           | 38.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 39.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 39.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 38.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 38.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 38.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 38.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 1.0   |
|          |       |         | NW  |    | SE  |     | IRR           | 39.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 35.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 4.0   |
|          |       |         |     |    |     |     | Section Acres | 472.0 |
|          |       | 11      | NE  |    | NW  |     | IRR           | 35.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 75.0  |
|          |       | 15      | NE  |    | NW  |     | IRR           | 39.0  |
|          |       |         | NW  |    | NW  |     | IRR           | 38.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 39.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 35.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 12.0  |
|          |       |         |     |    |     |     | Section Acres | 183.0 |
| 06N      | 38E   | 36      | SE  |    | SE  |     | IRR           | 28.0  |
|          |       |         |     |    |     |     | Section Acres | 28.0  |
|          | 39E   | 29      | NW  |    | SW  |     | IRR           | 37.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 37.0  |
|          |       |         |     |    |     |     | Section Acres | 74.0  |

# 10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 06N      | 39E   | 30      | SW            | SE  | 12  | IRR | 14.0  |
|          |       |         | SE            | SE  |     | IRR | 38.0  |
|          |       |         | Section Acres |     |     |     | 52.0  |
|          |       | 31      | NE            | NE  |     | IRR | 40.0  |
|          |       |         | NW            | NE  | 7   | IRR | 38.0  |
|          |       |         | SW            | NE  |     | IRR | 30.0  |
|          |       |         | SE            | NE  |     | IRR | 36.0  |
|          |       |         | NE            | NW  | 6   | IRR | 25.0  |
|          |       |         | NW            | NW  | 9   | IRR | 5.0   |
|          |       |         | NE            | SW  |     | IRR | 35.0  |
|          |       |         | NW            | SW  | 3   | IRR | 18.0  |
|          |       |         | SW            | SW  | 4   | IRR | 33.0  |
|          |       |         | SE            | SW  |     | IRR | 38.0  |
|          |       |         | NE            | SE  |     | IRR | 37.0  |
|          |       |         | NW            | SE  |     | IRR | 38.0  |
|          |       |         | SW            | SE  |     | IRR | 35.0  |
|          |       |         | SE            | SE  |     | IRR | 34.0  |
|          |       |         | Section Acres |     |     |     | 442.0 |
|          |       | 32      | NE            | NE  |     | IRR | 40.0  |
|          |       |         | NW            | NE  |     | IRR | 40.0  |
|          |       |         | SW            | NE  |     | IRR | 40.0  |
|          |       |         | SE            | NE  |     | IRR | 40.0  |
|          |       |         | NE            | NW  |     | IRR | 38.0  |
|          |       |         | NW            | NW  |     | IRR | 38.0  |
|          |       |         | SW            | NW  |     | IRR | 40.0  |
|          |       |         | SE            | NW  |     | IRR | 40.0  |
|          |       |         | NE            | SW  |     | IRR | 38.0  |
|          |       |         | NW            | SW  |     | IRR | 40.0  |
|          |       |         | SW            | SW  |     | IRR | 23.0  |
|          |       |         | SE            | SW  |     | IRR | 38.0  |
|          |       |         | NE            | SE  |     | IRR | 38.0  |
|          |       |         | NW            | SE  |     | IRR | 38.0  |
|          |       |         | SW            | SE  |     | IRR | 38.0  |
|          |       |         | SE            | SE  |     | IRR | 36.0  |
|          |       |         | Section Acres |     |     |     | 605.0 |
|          |       | 33      | NE            | NE  |     | IRR | 40.0  |
|          |       |         | NW            | NE  |     | IRR | 40.0  |
|          |       |         | SW            | NE  |     | IRR | 38.0  |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of        | 1/4 | Lot  | Use    | Acres |      |       |
|---------------|-------|---------|---------------|-----|------|--------|-------|------|-------|
| 06N           | 39E   | 33      | SE            | NE  |      | IRR    | 39.0  |      |       |
|               |       |         | 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    | 39.0  |      |       |
|               |       |         | SE            | SW  |      | IRR    | 40.0  |      |       |
|               |       |         | NE            | SE  |      | IRR    | 40.0  |      |       |
|               |       |         | NW            | SE  |      | IRR    | 40.0  |      |       |
|               |       |         | SW            | SE  |      | IRR    | 39.0  |      |       |
|               |       |         | SE            | SE  |      | IRR    | 36.0  |      |       |
|               |       |         | Section Acres |     |      |        |       |      | 630.0 |
|               |       |         | 34            | NW  | SW   |        | IRR   | 19.0 |       |
|               |       |         |               | SW  | SW   |        | IRR   | 35.0 |       |
| SE            | SW    |         |               | IRR | 38.0 |        |       |      |       |
| Section Acres |       |         |               |     |      | 92.0   |       |      |       |
| Total Acres   |       |         |               |     |      | 4033.0 |       |      |       |

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

01-0183/0184/0185/0186/0187A/0188/0254/0329

14. Remarks:

TRANSFER 588 TRANSFERING 0.40 CFS FROM THE TEXAS SLOUGH IRR. CANAL CO. GOES AGAINST COMPANY POLICY AND BYLAWS THAT DO NOT ALLOW WATER TO BE TRANSFERED OUT OF THEIR SYSTEM. THE PORTION TRANSFERED WAS IN THE NAME OF H.W. HALL. HIS PREDECESSORS HAVE SUBSEQUENTLY SIGNED DOCUMENTATION STATING THAT HIS CERTIFICATE WITHIN THE COMPANY WAS LOST BUT THAT THE LAND HAS BEEN IRRIGATED CONTINUOUSLY FROM THE TEXAS SLOUGH IRRIGATING CANAL CO.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO.

Decree Plaintiff

A01-00182A

Page

vs

5

TETON IRRIGATION CANAL CO. ET

Decree Defendant

Date: 09/01/88

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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 ☒ 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 Secretary of Texas Slough Irrigating Canal Co. that I have signed the foregoing document in the space below as Secretary of Texas Slough Irr. Canal Co. and that the statements contained in the foregoing document are true and correct.

Ralph W. Kauer  
Signature of Authorized Agent  
Sec. Texas Slough  
Title and Organization  
Sept. 1, 1988  
Date

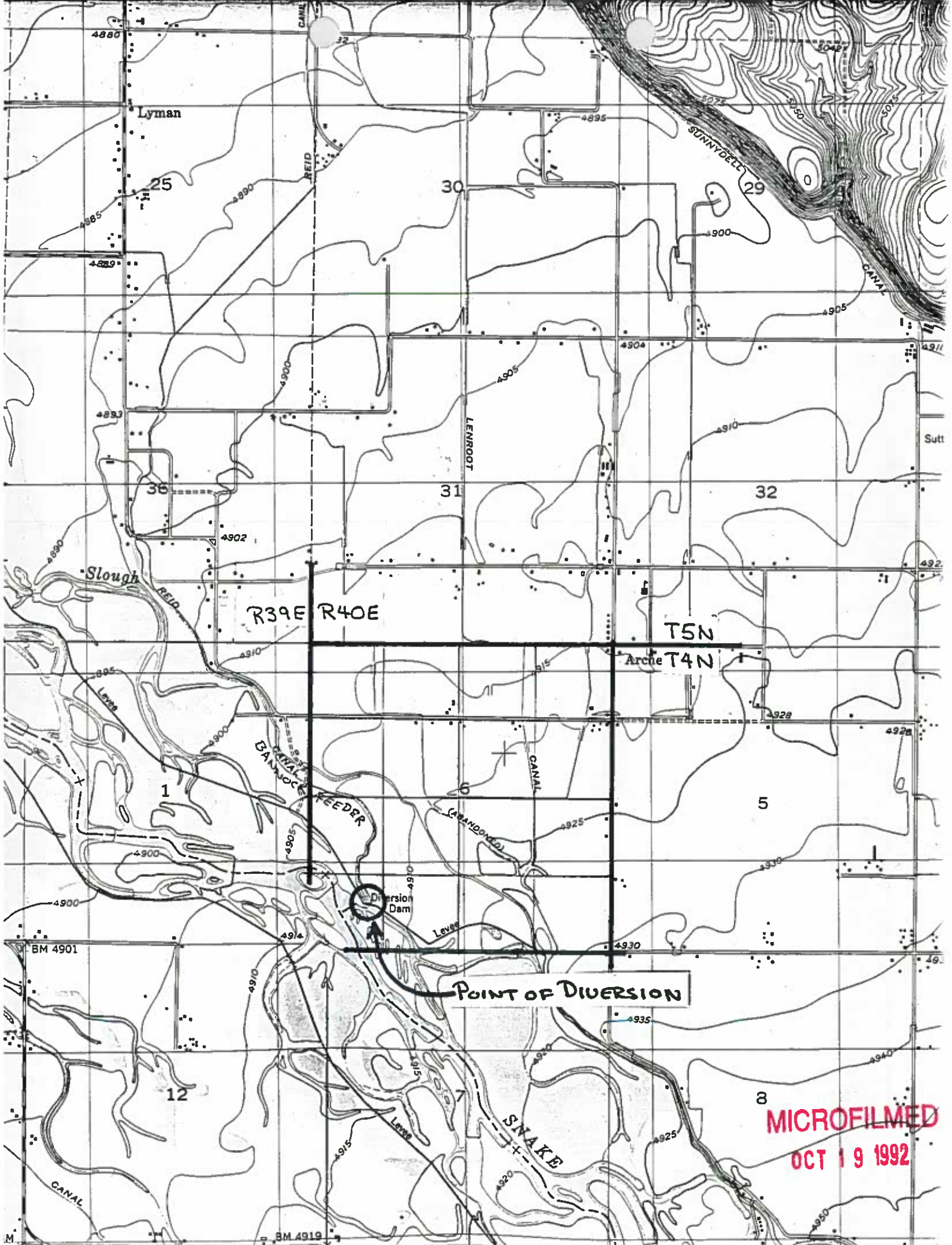
State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 1<sup>st</sup> day  
of September 19 88

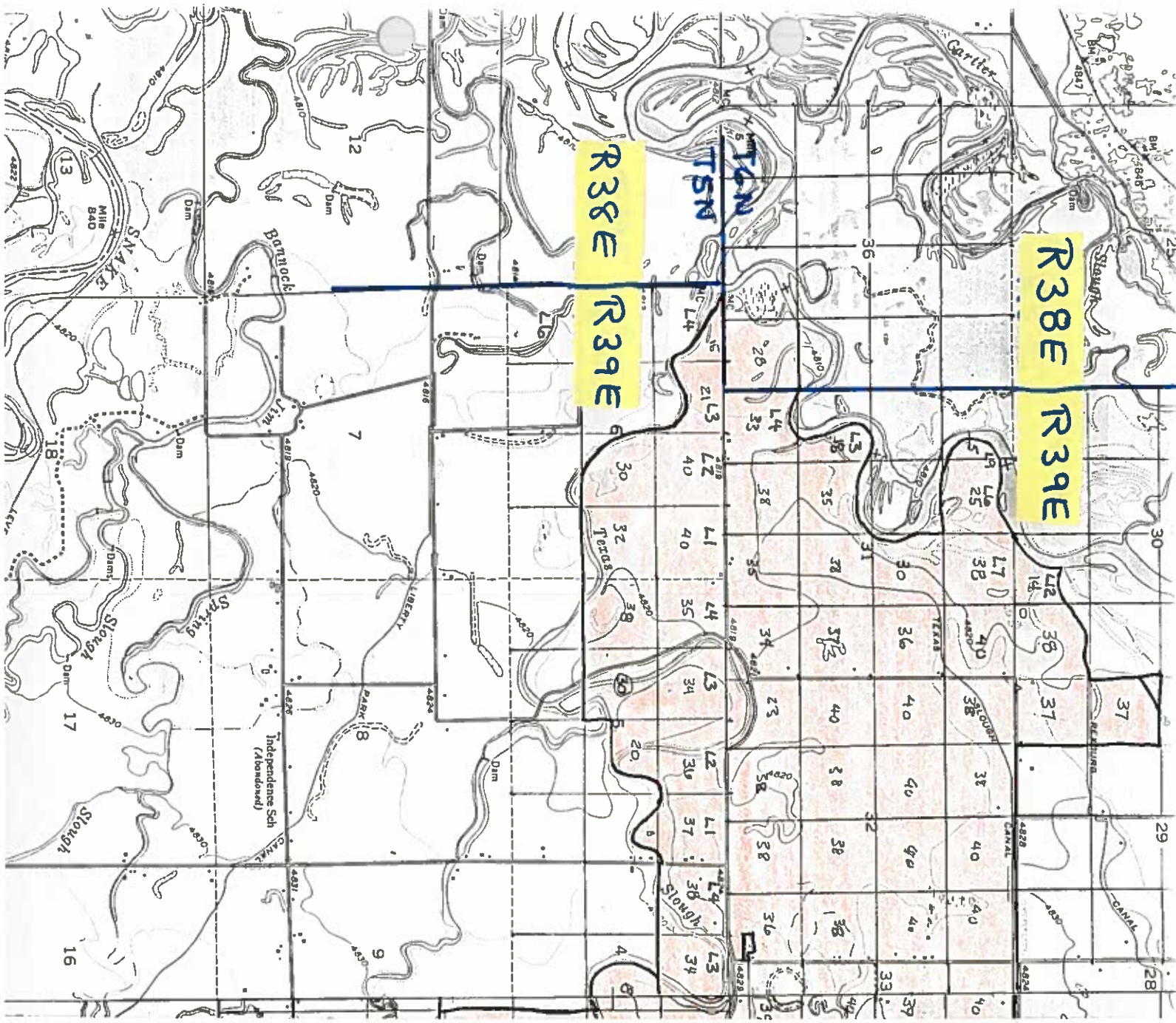
Betty J. Thompson  
Notary Public

Seal

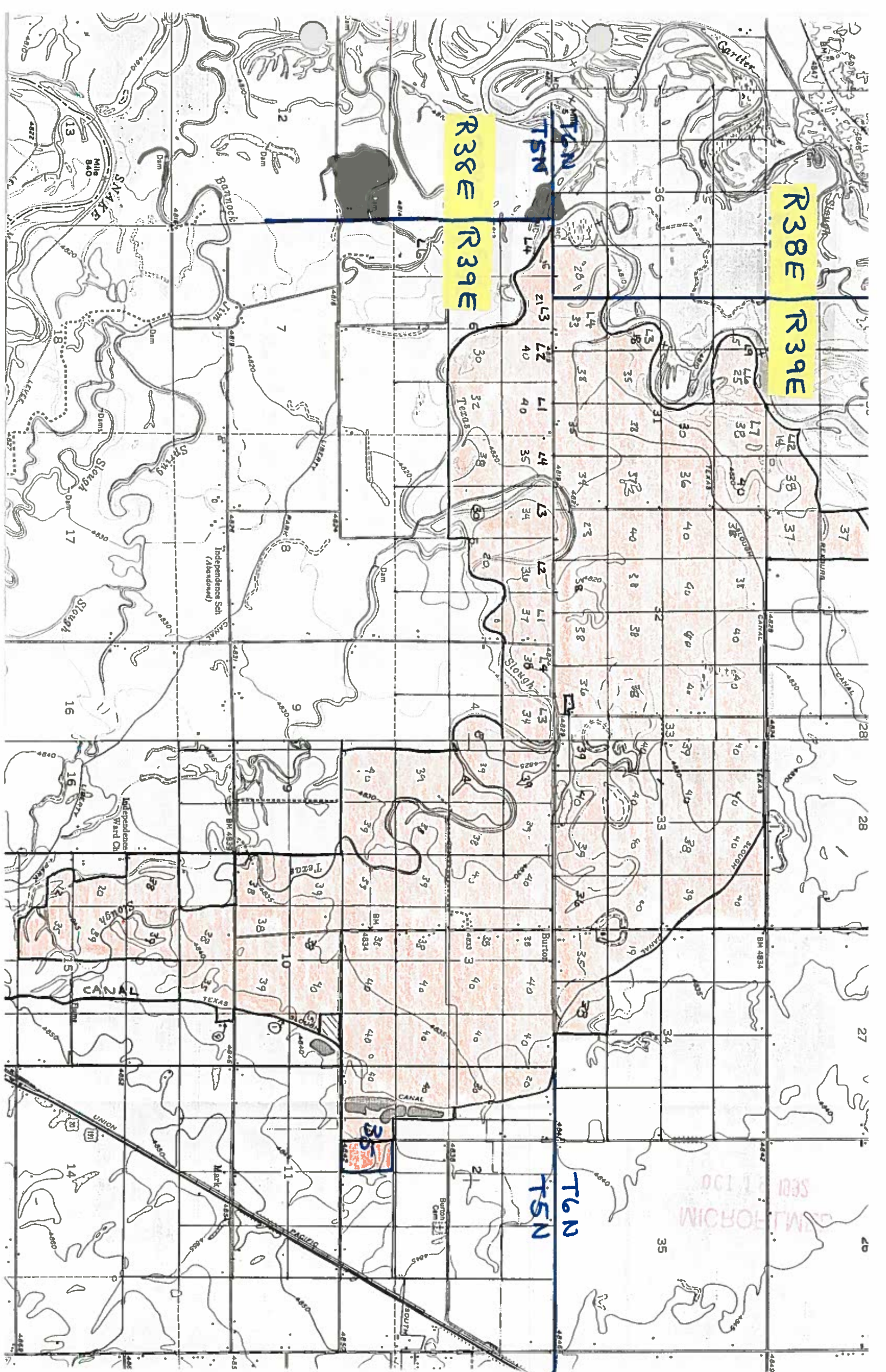
Residing at Idaho Falls  
My Commission Expires 6-94



**MICROFILMED**  
**OCT 19 1992**



MICROFILMED  
OCT 19 1992



R38E R39E

R38E R39E

TSN

T6N

35