

05/09/2006

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

RIGHT NUMBER: 1-187C

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.393 CFS

PRIORITY DATE: 06/01/1894

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

0.393 CFS

PLACE OF USE:

4377 ACRES TOTAL

Place of use is within the area served by Reid Canal Company.

This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.

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.

Right Nos. 1-182C and 1-187C are limited to the irrigation of a combined total of 58 acres in a single irrigation season.

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.



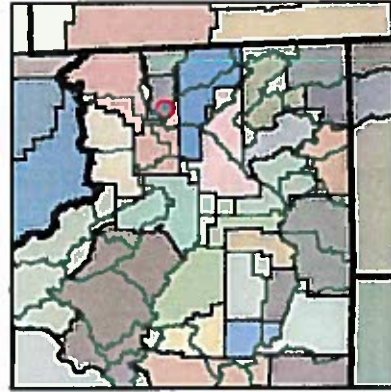
Reid Canal Co

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

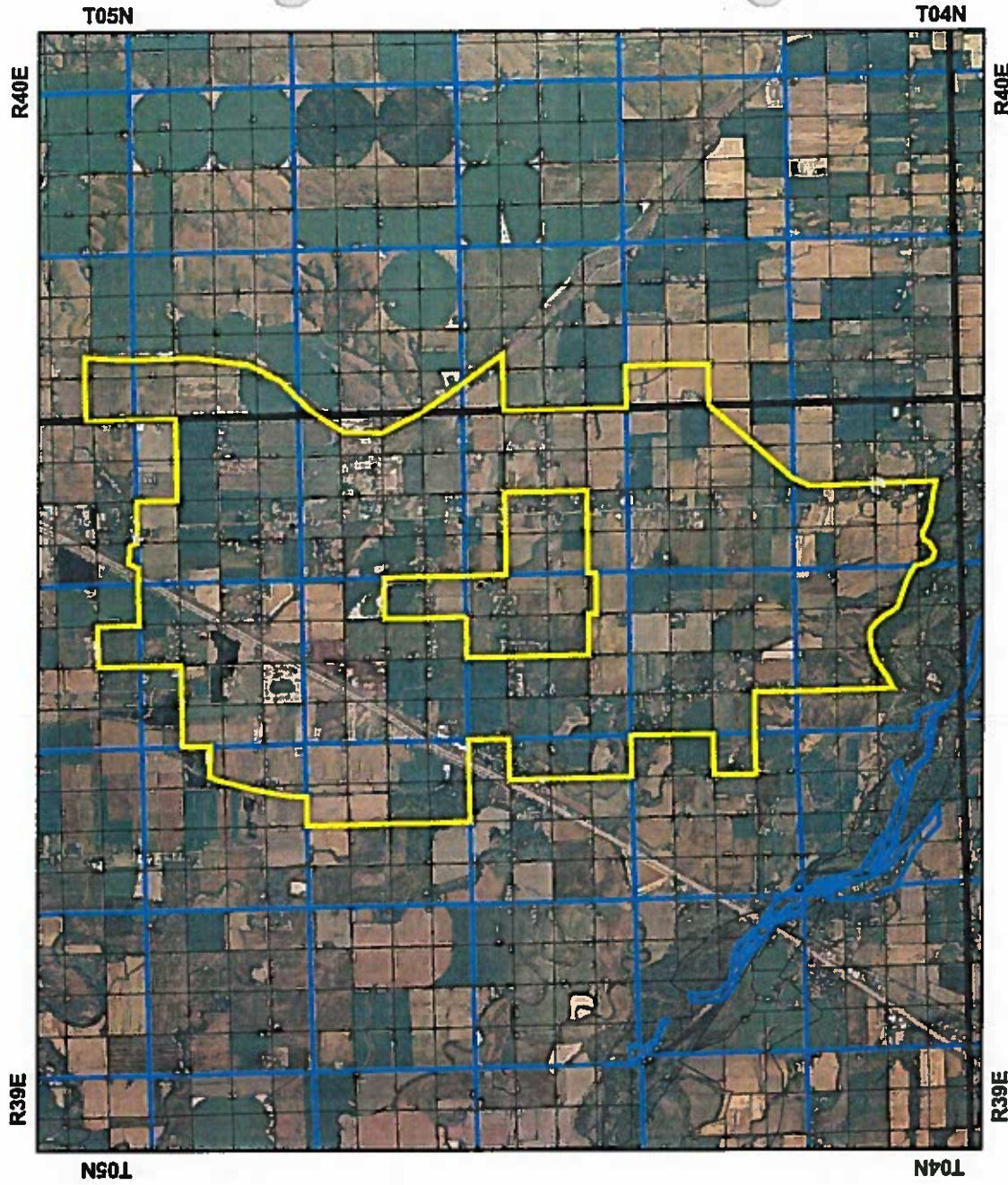
Service Area Boundary
GIS Place of Use Illustration

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: 1-187C

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: 12/2/06

SIGNATURE: Rod Robison

Please print your name: Rod Robison

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

KMD
17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 588

THIS IS TO Certify that H. W. Hall, of Rexburg, Idaho, is the owner of and using a certain water right, bearing date of priority of June 1, 1885, for 0.4 second feet and of June 1, 1894 for 0.4 second feet of the waters of SNAKE RIVER, in the County of Madison, State of Idaho, said water being decreed to Texas Slough Irrigating Canal Company, by decree of Judge Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

REXBURG IRRIGATING COMPANY vs. TETON CANAL COMPANY

said decree bearing date of December 16, 1910, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 36, in the County of Madison and State of Idaho, to-wit:

Lot 4, Section 2, Township 5 North, Range 39 East, Boise Meridian, and East Half (E $\frac{1}{2}$) Lot 1, Section 3, Township 5 North, Range 39 East, Boise Meridian;

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 3 of Decrees, at Page 450

THAT THE SAID Applicant has become the owner of the said land and water right by ownership of stock in Texas Slough Irrigating Canal Company, 4 shares of stock, each share representing 10 inches of water.

THAT NOW, UPON THE Application of H. W. HALL, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.8 cubic feet per second of the waters of SNAKE RIVER, upon the lands above described, is HEREBY ABANDONED, and the lands to be irrigated under each right and to which the water right hereby confirmed shall become appurtenant, by this Certificate, for irrigation and domestic purposes, are described as follows:

Beginning at a point 53 rods South from the Northwest Corner of the Northwest Quarter (NW $\frac{1}{4}$), Section 12, Township 5 North, Range 39 East, Boise Meridian, thence East 108 rods, thence South 26 rods, thence West 108 rods, thence North 26 rods to beginning; also beginning 112 rods East from the Northwest corner of the Northwest Quarter of Section 12, Township 5 North, Range 39 East, Boise Meridian, thence East 48 rods, thence South 80 rods, thence West 48 rods, thence North 80 rods to beginning, total amounting to about 41.5 acres.

situate, lying and being in the County of Madison, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

0.8 cubic feet per second of the waters of Snake River, with date of priority of June 1, 1885 for 0.4 second feet and of June 1, 1894 for 0.4 second feet.

THAT THE WATER RIGHT, Hereby transferred has been diverted from the said SNAKE RIVER at a point in the

Southeast Quarter (SE $\frac{1}{4}$), Section 35, Township 5 North
Range 39 East, Boise Meridian,

and conducted to the first above described lands through the Texas Slough Ditch, and will hereafter be diverted from the Snake River at a point in the

Southwest Quarter (SW $\frac{1}{4}$), Section 6, Township 4 North,
Range 40 East, Boise Meridian,

and conducted to the first above described lands through the Reid Canal.

THAT THE RIGHT To the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the Laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho, to be affixed at Boise, Idaho, this 11th day of May, 1938.

R. W. FARIS,
Commissioner of Reclamation



By, Supervisor of Water Distribution

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: A01-00187C
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, 1894

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	~~0.400~~		

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

0.393 12/21/92
A.F.A. SC

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

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A01-00187C

Page

1

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Date: 12/16/92

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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

PROMISED

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NOV 22 2004

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

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BOUND

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

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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

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PROTECTED
SCANNED

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, 0151, 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

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

Signature of Authorized Agent

Title and Organization

Date

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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 _____

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