

05/25/2005

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

RIGHT NUMBER: 1-213

NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83338

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 350.000 CFS

PRIORITY DATE: 06/16/1908

POINT OF DIVERSION:

T10S R21E S22 SESE Within JEROME County

T10S R21E S28 SWNW Lot 5 Within JEROME County

T10S R21E S28 SWSWNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	350.000 CFS

PLACE OF USE:

155787 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 North Side Canal Company.

Use of the rights listed below is limited to the irrigation of a combined total of 155,787 acres in a single irrigation season. Combined Right Nos.: 1-5, 1-16, 1-210, 1-212, and 1-213.

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

The remainder of this right was forfeited for non-use from 1976 to 1990.

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: Decreed

Water is delivered through North Side Main Canal, Milner Gooding Canal, and P A Lateral.

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

Water Right 1-213

SCANNED
MAY 22 2007

04/04/2005

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

RIGHT NUMBER: 1-213

NAME AND ADDRESS: NORTH SIDE CANAL CO LTD
921 N LINCOLN AVE
JEROME ID 83338

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 890.000 CFS

Use of the rights listed below is limited to a total combined diversion rate of 3000 cfs. Combined Right Nos.: 1-210, 1-212, 1-213, 1-215, and 1-220.

PRIORITY DATE: 06/16/1908

POINT OF DIVERSION:

T10S R21E S22 SESE Within JEROME County

T10S R21E S28 SWNW Lot 5 Within JEROME County

T10S R21E S28 SWSNW Lot 5 Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	890.000 CFS

PLACE OF USE:

155787 ACRES TOTAL

Place of use is within the area served by North Side 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.

Use of the rights listed below is limited to the irrigation of a combined total of 155,787 acres in a single irrigation season. Combined Right Nos.: 1-5, 1-16, 1-210, 1-212, 1-213, 1-215, and 1-220.

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: Decreed

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

Water is delivered through North Side Main Canal, Milner Gooding Canal, and P A Lateral.

Water Right 1-213

SCANNED

MAY 22 2007

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: 1-213

NORTH SIDE CANAL COMPANY
921 NORTH LINCOLN AVENUE
JEROME ID 83338
(208) 324-2319

RECEIVED
JUN 01 2005

Department of Water Resources
Eastern Region

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

NSCC disagrees with the number of irrigated acres identified in the proposed recommendation.

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

The number of irrigated acres should be recommended as claimed 161,369.61 until NSCC provides IDWR with an updated ArcView shapefile. NSCC is currently in the process of modifying IDWR's initial ArcView shapefile to accurately reflect the total number of irrigated acres within the project. NSCC expects to forward this information to IDWR within the next few weeks.

In addition, the following remark should be added to accurately describe NSCC's water delivery system:

Water is diverted, incidentally stored, and conveyed through the Main Canal, the Milner-Gooding Canal, the P A Lateral, Wilson Lake, numerous canals, laterals, coulees, and regulating ponds located throughout the project.

3. Give a brief explanation as to why you disagree with these portions:

The preliminary recommendation incorrectly identifies 155,787 total acres within the place of use.

I AGREE with this proposed recommendation: no changes need to be made.

DATE: May 26, 2005 SIGNATURE: Ted Diehl
Please print your name: Ted Diehl

SCANNED
JUN 02 2005

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

PROFILED

MJ
6/2

North Side Canal Co LTD

Service Area Boundary

Water Right No.:

- 01-5
- 01-16
- 01-210
- 01-212
- 01-213
- 01-215
- 01-220

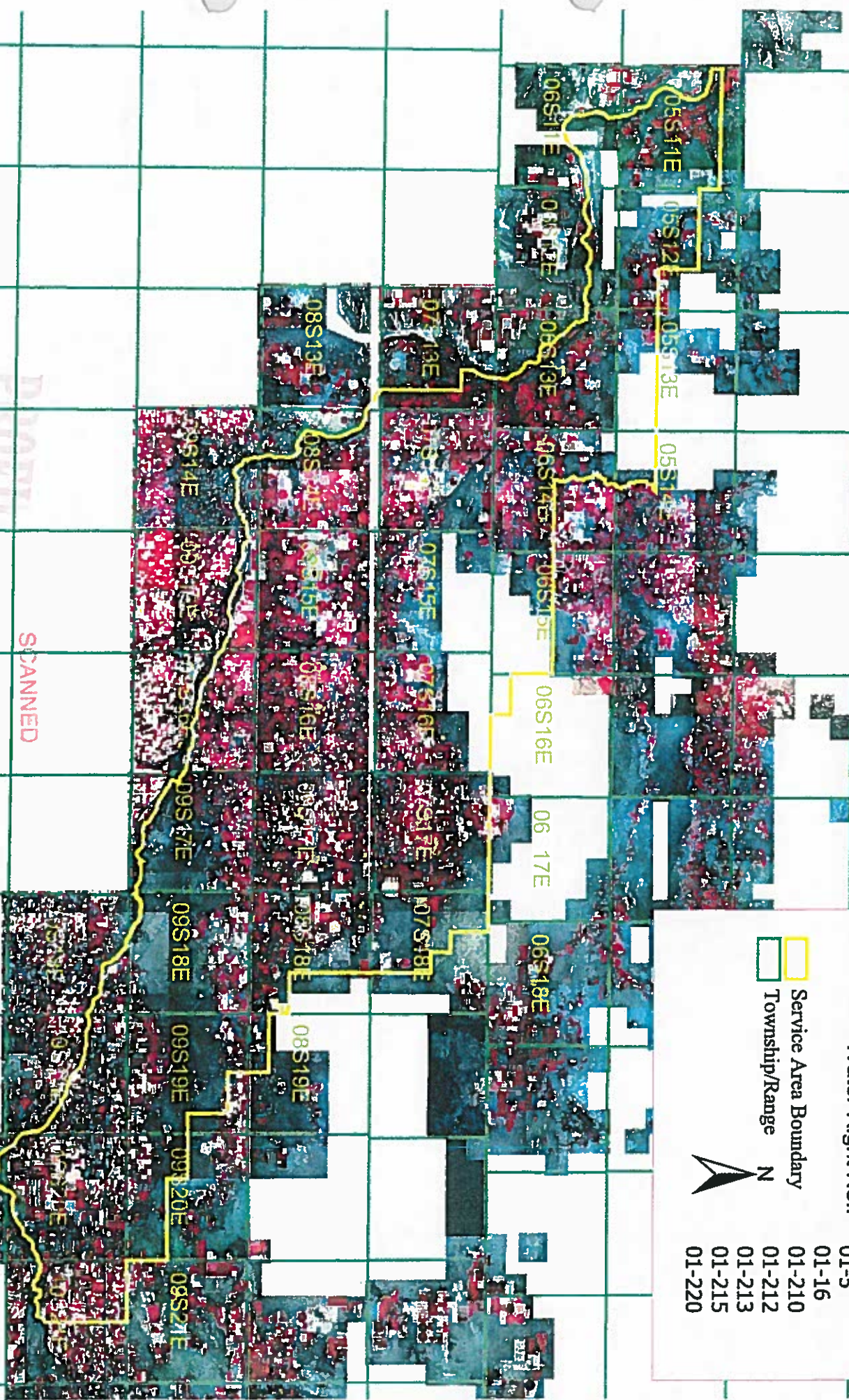
-  Service Area Boundary
-  Township/Range



SCANNED
NOV 25 2005



GIS Place of Use Illustration
1987 NAAPP Photography
Prepared by: E. Carlsen
Date: April 2005



SD-70	Last Name: NO	SIDE CANAL	STATE
S	O		
E	First	W Water	Priority
L	Name	N Right No.	Date
		Source	Total
			Diversion
			Use
			Code Desc
NORTH SIDE CANAL COMPANY LTD.			
C A01-00213	06/16/1908	SNAKE RIVER	890.000
C A01-00220	06/29/1910	SNAKE RIVER	3000.000
C A01-02064C	03/30/1921	SNAKE RIVER	387814.000
			01 IRR
			01 IRR
			02 IRR S
			03 IRR FS
C A01-10042B	03/29/1921	SNAKE RIVER	9400.000
			02 IRR S
			03 IRR FS
C A01-10045B	05/24/1913	SNAKE RIVER	312007.000
			02 IRR S
			03 IRR FS
C A37-13378	03/20/1948	GROUNDWATER	0.040
			43 DOMEST
			04 STOCK
C A37-13379	05/12/1956	GROUNDWATER	0.040
			43 DOMEST
			04 STOCK
C A37-13380	06/02/1955	GROUNDWATER	0.040
			43 DOMEST
			04 STOCK
C A37-00507	06/15/1890	BIG WOOD RI	15.000
			01 IRR

(Enter=Continue) (GOLD7=This Query) (Menu _____)

PROFILED

SCANNED
NOV 25 2005

MICROFILMED
NOV 22 1994

1 John A. Rosholt
2 Gary D. Slette
3 ROSHOLT, ROBERTSON & TUCKER
4 P. O. Box 1906
5 Twin Falls, Idaho 83303-1906
6 Telephone: (208) 734-0700
7 4742p/shs/1-2-92

8 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
9 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

10 * * * * *

11 In Re the General Adjudication)
12 of Rights to the Use of Water)
13 from the Snake River Basin)
14 Water System.)

CASE NO: 39576

15 The State of Idaho, ex rel.)
16 A. Kenneth Dunn in his official)
17 capacity as director of the)
18 Idaho Department of Water)
19 Resources,)

NOTICE OF
APPEARANCE

20 Petitioner,)

21 vs.)

22 The United States; the State)
23 of Idaho; and all claimants)
24 to the use of water from the)
25 Snake River Basin Water System,)

26 Defendants.)

27 * * * * *

28 COME NOW, TWIN FALLS CANAL COMPANY, NORTH SIDE CANAL
COMPANY, LTD. and AMERICAN FALLS RESERVOIR DISTRICT, by and
through their attorneys, John A. Rosholt and Gary D. Slette of

SCANNED

NOV 25 2005

MICROFILMED
NOV 27 1994

1 the firm of ROSHOLT, ROBERTSON & TUCKER, and, pursuant to Order
2 of this Court entered December 17, 1991, enter their appearance
3 in the above-captioned case.

4 DATED this 2nd day of January, 1992.

5 ROSHOLT, ROBERTSON & TUCKER
6 P. O. Box 1906
Twin Falls, ID 83303-1906

7 *John A. Rosholt*

8 JOHN A. ROSHOLT

9 *Gary D. Slette*
10 GARY D. SLETTE

11 CERTIFICATE OF MAILING

12 I hereby certify that on this 2nd day of January,
13 1992, I caused to be served a true copy of the foregoing NOTICE
14 OF APPEARANCE by the method indicated below, and addressed to
15 each of the following:

16 Larry Echohawk
17 Attorney General
18 State of Idaho
Statehouse, Room 210
Boise, Idaho 83720

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

19 David Shaw
20 Adjudication Bureau Chief
Idaho Department of Water
Resources
21 1301 North Orchard
Statehouse Mail
22 Boise, Idaho 83720 (6 copies)

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

23
24
25
26 MICROFILMED
NOV 17 1994

27
28 SCANNED

NOV 25 2005

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Peter C. Monson, Esq.
Assistant Attorney General
U.S. Department of Justice
Land and Natural Resources
Division
Indian Resources Section,
Rm. 6317
P. O. Box 44378
Washington, D.C. 20026-4378

Don A. Olowinski
HAWLEY, TROXELL, ENNIS
& HAWLEY
P. O. Box 1617
Boise, Idaho 83701

✓

U.S. Mail, Postage Prepaid
Hand Delivered
Overnight Mail
Telecopy (Fax)

✓

U.S. Mail, Postage Prepaid
Hand Delivered
Overnight Mail
Telecopy (Fax)



JOHN A. ROSHOLT

MICROFILMED
NOV 12 1994
SCANNED
NOV 25 2005

1-213

April 5, 1922

1-213 1-215
Re: Permits 3752, 4489, 5665.

Twón Falls North Side Land and Water Company,
Jerome, Idaho

Gentlemen:

In connection with the examination for proof of beneficial use under permits Numbers 3752, 4489 and 5665, the following information is desirable.

Permit No. 3752 as originally filed and approved June 17, 1908 covered 44,555.95 acres. The land list appended to this permit was amended February 23, 1914 to include 28,474.02 acres, as shown on map and list of same to-date. This permit was again amended April 6, 1914 to include 49,989.80 acres. Certificate of completion of works was issued April 10, 1914. Proof of beneficial use was made during November, 1921.

Before a license can be issued under the terms of this permit it will be necessary to have a map upon which there should be shown the 40-acre subdivisions to which you wish the water to be dedicated under the terms of the license.

1-215
Permit No. 4489 as originally filed and approved March 31, 1909 covered approximately 48,000 acres. The land list attached to this permit was amended February 23, 1914 to include 37,051.04 acres definitely described plus 3,000 acres on Clover Creek not described by legal subdivisions. Proof of completion of works was made February 20, 1921, with apparently the same land list as the amended list mentioned above. I would like to have a map such as requested under permit No. 3752 giving the same information for this permit.

Permit No. 5665 was filed November 29, 1909 and approved January 13, 1910. The land list as originally filed with this permit covered 57,339.01 acres. Certificate of completion of works was given March 17, 1919 for 450 second foot including the same land list as original permit. Could we also be furnished with a map for this permit giving the same information as requested in the others.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation

By

SCANNED 3752

NOV 25 2005

GLC:P

Assistant

PERMIT NO. 3752

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. R. Shephard, age 60, Residence Jerome Idaho.
Occupation General Manager of Twin Falls North Side Land
and Water Company and associated companies, Residence, Jerome, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Twin Falls North Side Land and Water Company, Jerome, Idaho.
General Manager, in charge of interests of above company, in Idaho.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit 3752, Dated June 16, 1908, Priority to be established June 16, 1908.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Snake River, Point of Diversion, Sec. 28-10-21, from which M.C.
on N. side of River between Sec. 28 and 29 bear S. 58° 42' W. 530'

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Diversion made from Snake River at Milner Dam into
main canal, concrete lined for a distance of 1 1/2 miles, and with
a capacity at the head of approximately 3200 second feet. Water
is diverted from main canal to lateral system which
conveys the water to place of use.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic on lands within the Twin Falls North
Side Land and Water Company's irrigation project situated in Jerome
Good and Elmore Counties as shown by maps on file in the Department
of Reclamation of Idaho, and as set out in what is known as the
of the District Court of the Fourth Judicial District of the State of Idaho
in and for the County of Good and Elmore, in the case entitled Twin Falls
Canal Company vs. Charles H. Water, et al. together with a mandate
therein. The lands in said project are being cultivated and approximately
60% of the total acreage is actually in crop at present. The acreage certified by this
blank in the case of the above.

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. ✓

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. Not yet determined but use has been made up to full capacity
of 535 acres per under this permit.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. ✓

SCANNED

3752

NOV 25 2005

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The total amount claimed herein has been diverted and used for irrigation (to wit: 535 acres feet under the permit) during practically every year beginning with 1911 and continuing down to the present time.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. Additional waters out of the normal flow of Snake River by Little Wood River, and Jackson Lake storage have been used upon said lands at different times since 1909 in varying amounts. Other permits under which we are claiming are as follows:
Water permit 1603 2250 S.F.
4489 150 S.F.
5665 450 S.F.
(Sign) X H.E. Shepherd
Interest in Jackson Lake Storage Appx. 375,000 A.F.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my

office in Jerome County of Jerome State of Idaho, on this 12th day of November A. D. 1931.

Edward D. Reynolds
Notary Public, residing in Jerome, Idaho
My Comm. expires June 22, 1932

3752

SCANNED

NOV 25 2005

REPORT OF ENGINEER

1-213

1. State name of applicant and number of permit: The Twin Falls North Side Land & Water Co. #3752
2. State source of water supply: Snake River
3. Location of point of diversion: At 1/2 cor. between Sec. 28 & 29, T. 10 S. R. 21 E.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: See table of elements attached.
- (b) Width at water line: _____
- (c) Depth of water: _____
- (d) Grade per mile: _____
- (e) Capacity of ditch: 3000 cusec Main Canal. Main Lt. 626 down second feet to 535 where it empties into Big Wood River.

6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes. Up to 3000 cusec in Main Canal.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: See last amended list recorded under Permit 3752.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: Snake River Decree, entitled "Twin Falls Canal Co. Vs. Chas. J. Foster et al Defendants" grants 400 cusec, designated as Right #2 B. Also 2250 cusec designated Right #4, also that portion of Permit #3752, designated as Right #5, necessary to make up a river capacity of canal of 3000 cusec. 400 cusec + 2250, leaves an available capacity for this permit of 350 cusec.

I find the main canal diverting from the Snake River as described above, capable of conveying approximately 3000 cusec as named in the decree; also that the main lateral diverting from this main canal known as B5 and conveying water to the third segregation the place of use and further described in the land list referred to, capable of diverting 626 cusec from Main canal and delivering 535 cusec into Big Wood River.

J. M. Burkett

June 24, 1914.

STATE OF IDAHO,

County of _____

} ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

SCANNED

3752

Notary Public.

NOV 25 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 1-2015

WATER RIGHT NUMBER: 1-2015

Owner Type Name and Address
Current Owner TWIN FALLS NORTH SIDE LAND & WATER CO
TWIN FALLS, ID 83301

Priority Date: 06/16/1908

Basis:

Status: See Remarks

Source Tributary
SNAKE RIVER COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	890.000 CFS	
<u>Total Diversion:</u>		890.000 CFS	

Location of Point(s) of Diversion

SNAKE RIVER SW1/4NW1/4 Sec. 28, Twp 10S, Rge 21E, B.M.
TWIN FALLS County

Place of UseConditions of Approval:Remarks:

1. General P/D INCOMPLETE. SEE FILE.
P/U WITHIN LANDS OF TWIN FALLS N. SIDE LAND & WTR. CO.
AC. IRR.=44555.95.

Comments:

1. skeen 2/16/2005 11:57:39 AM Explanatory Comment
Comment: This permit was superseded by Right 01-213, which was decreed in Twin Falls Canal Co. v. Charles N. Foster, et. al. There is no need to conduct a field examination or to issue a license.

SCANNED

NOV 25 2005

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: A01-00213
Date Received: 4/12/1990
Receipt No: S012011
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: NORTH SIDE CANAL COMPANY LTD. 208-324-2319
Address: 921 NORTH LINCOLN
JEROME ID 83338

2. Date of Priority: JUN 16, 1908

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
10S	21E	22	SE	SE			JEROME
		28	SW	NW			JEROME

5. Description of diverting works:
MILNER DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	890.000		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

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

A01-00213

Page

SCANNED

NOV 25 2005

MICROFILMED

Date: 06/09/92

MAR 20 1993

RECEIVED

AUG 14 1992
Department of Water Resources
Southern Region Office

SCANNED

MAY 22 2007

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

P/U WITHIN NORTH SIDE CANAL COMPANY SERVICE AREA.
ALL THE WATER GOES ON A TOTAL OF 155,787 ACRES AS IDENTIFIED ON
CLAIM A01-00212.
OTHER WATER RIGHTS USED ARE A01-00210, -00212, -00005, -00215,
-00220, -00016 AND A37-00507, -04240, -04241.
STORAGE RIGHTS A01-10042B, -10045B, -10053A, -10043A, -02064C &
-02064D.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

TWIN FALLS CANAL CO.
Decree Plaintiff

CHARLES N FOSTER.
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 _____ Secretary _____ of
_____ Title

North Side Canal Company, that I have signed the foregoing
Organization

document in the space below as _____ Secretary _____ of
_____ Title

North Side Canal Company and that the statements contained in the
Organization
foregoing document are true and correct.

Ed Dehl
Signature of Authorized Agent

Secretary, North Side Canal Company
Title and Organization

August 11, 1992

Date **SCANNED**

A01-00213

SCANNED
Page 2
NOV 2 2005

MICROFILMED
MAY 22 2007
MAR 20 1993

State of Idaho

County of

Twin Falls

)
) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of

August

19

92

Seal D. Eck
Notary Public

Seal

Residing at

Twin Falls, Idaho

My Commission Expires

6-18-98

SCANNED

NOV-25 2005

Page

3

A01-00213

SCANNED

MAY 22 2007

MICROFILMED

MAR 20 1993

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: A01-00213
Date Received: 4/12/1990
Receipt No: S012011
Received By: _____

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

AMENDED

1. Name: NORTH SIDE CANAL COMPANY LTD. 208-324-2319
Address: 921 NORTH LINCOLN
JEROME ID 83338

2. Date of Priority: JUN 16, 1908

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
10S	21E	28		SW	NW		JEROME

5. Description of diverting works:
MILNER DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	890.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

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

A01-00213

SCANNED
Page
NOV 25 2005

1

NOT RECORDED

MAR 22 2007

SCANNED
MAY 22 2007

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

ALL THE WATER GOES ON A TOTAL OF 155,787 ACRES AS IDENTIFIED ON
CLAIM SUFFIXES A01-00212Z0, Z1, Z2, Z3, Z4 & Z5.
OTHER WATER RIGHTS USED ARE A01-00210Z0 & Z1, -00215, -00220,
-00005, -00016 AND A37-00507, -04240, -04241.
P/U WITHIN NORTH SIDE CANAL COMPANY SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

TWIN FALLS CANAL CO.
Decree Plaintiff

CHARLES N FOSTER.
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 _____ General Manager _____ of
Title

North Side Canal Company, Limited, that I have signed the foregoing
Organization

document in the space below as _____ General Manager _____ of

Title
North Side Canal Company, Limited and that the statements contained in the
Organization

foregoing document are true and correct.

John Deehl
Signature of Authorized Agent

General Manager

North Side Canal Company, Limited

Title and Organization

2/27/92
Date

A01-00213

SCANNED
Page
NOV 25 2005

SCANNED
MICROFILMED
Date: 01/24/92

MAR 20 1993

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of January 19 92

Sherry L. Case
Notary Public

Seal

Residing at Twin Falls, Id

My Commission Expires 3/19/92

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: A01-00213
Date Received: 4/12/1990
Receipt No: S012011
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORTH SIDE CANAL COMPANY LTD. 208-324-2319
Address: 921 NORTH LINCOLN
JEROME, ID 83338

2. Date of Priority: JUN 16, 1908

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
10S	21E	(29) 28	SE	NE			JEROME

5. Description of diverting works:
MILNER DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	890.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	11E	8	SW	NE		IRR	40.0

Section Acres 40.0

Total Acres 40.0

A01-00213

Page 1

Date: 04/27/90

SCANNED

MAY 22 2007

SCANNED

NOV 25 2005

MICROFILMED

MAR 20 1993

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

ALL THE WATER GOES ON A TOTAL OF 155,787 ACRES AS IDENTIFIED ON
CLAIM SUFFIXES A01-0021220, Z1, Z2, Z3, Z4 & Z5.

OTHER WATER RIGHTS USED ARE A01-0021020 & Z1, -00215, -00220,
-00005, -00016 AND A37-00507, -04240, -04241.

P/U WITHIN NORTH SIDE CANAL COMPANY SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

TWIN FALLS CANAL CO.
Decree Plaintiff

vs

CHARLES N FOSTER.
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
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

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 _____

For Organizations: I do solemnly swear or affirm that I am SECRETARY Title
of NORTH SIDE CANAL COMPANY, LTD. Organization, that I have signed the foregoing
document in the space below as SECRETARY of NORTH SIDE CANAL COMPANY, LTD.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Reed Deehl*
Title and Organization SECRETARY, NORTH SIDE CANAL COMPANY, LTD. Date 4-5-90

State of Idaho/or Idaho)
County of Jerome) SS.

Subscribed and sworn (or affirmed) before me this 5th day of April 19 90

SEAL

Notary Public *Henry D. Carr*

Residing at *Twin Falls, Idaho*

My Commission Expires *3/19/92*

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, JOHN A. ROSHOLT will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature *John A. Rosholt*

Address P.O. BOX 1906, TWIN FALLS ID 83303-1906

Date *4/9/90*

SCANNED

Last Name NORTH SIDE CANAL Ident. Number 2-2005
COMPANY, LTD.

Copies: White-State, Yellow-Claimant
MICROFILMED