

07/25/2006

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

RIGHT NUMBER: 1-234

NAME AND ADDRESS: CLARK & EDWARDS CANAL CO
275 N 4500 E
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 30.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T04N R40E S20 SESESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

30.000 CFS

PLACE OF USE:

1441 ACRES TOTAL

Place of use is within the area served by Clark & Edwards 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

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

Water is delivered through Clark & Edwards Canal.

NOTICE OF ERROR
REPLY

12/01/2006
RECEIVED
DEC 26 2006
DEPARTMENT OF
WATER RESOURCES

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: 1-234

OK
CLARK & EDWARDS CANAL CO
~~275-N-4500-E~~ 4485 E 250 N
RIGBY ID 83442
Telephone Number: (208)538-7117

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: 12-21-2006 SIGNATURE: Dale Mortimer
Please print your name: DALE MORTIMER

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

RECEIVED
DEC 29 2006
Department of Water Resources
Eastern Region

QC

Received Time Dec. 26, 3:59PM

12/01/2006

RECEIVED

DEC 26 2006

DEPARTMENT OF
WATER RESOURCES

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: 1-234

CLARK & EDWARDS CANAL CO
~~275 N 4500 E~~ 4481 E 220N
RIGBY ID 83442
Telephone Number: (208) 538-7117

Done

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: 12-21-2006 SIGNATURE: Dale Mortimer
Please print your name: DALE MORTIMER

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



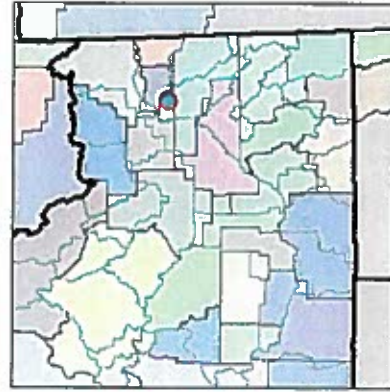
Clark & Edwards Canal Co

SRBA Recommendations: 1-42, 1-234, 1-303

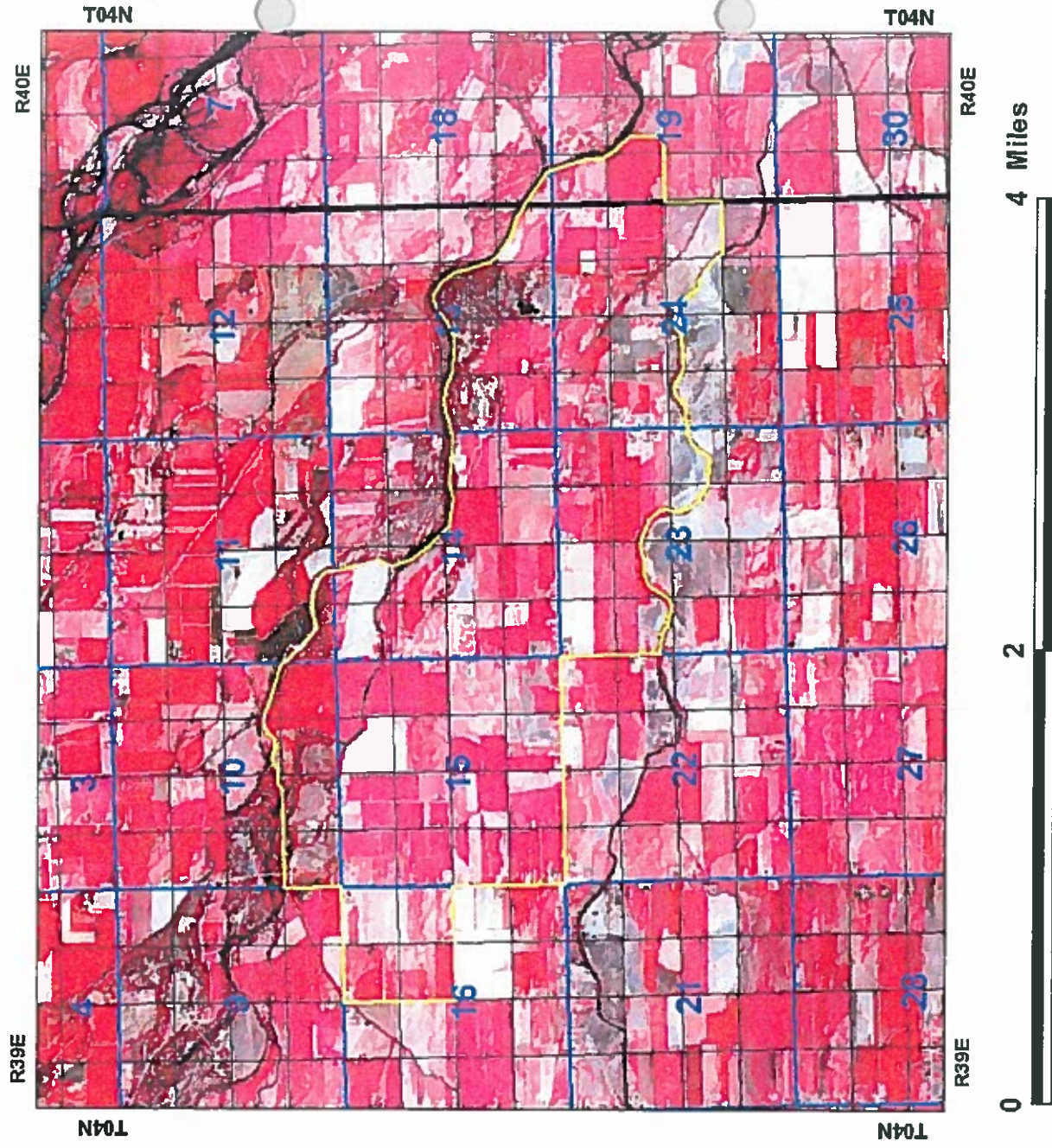
Service Area Boundary
GIS Place of Use Illustration

Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Jefferson County
IDWR Basin 1



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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 01-234 01-303 01-42

[] Name(s): CLARK & EDWARDS CANAL CO.
Kristi Rodford Sec.

[] Old Mailing Address: 275 N 4500 E
Rigby Id 83442

[] New Mailing Address: 4485 East 250 North
Rigby Id 83442

Telephone Number: (208) 538 - 7117

[] Signature(s) of Owner(s) Kristi Rodford Sec.
Clark & Edwards Canal
(Include your title if on behalf of company or organization)

Date: 12-8-06

Complete

December 7, 2006

CLARK & EDWARDS CANAL CO
4485 E 250 N
RIGBY ID 83442

RE: CHANGE OF ADDRESS FOR 01-234, 01-303, 01-42

Dear Claimant:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

CLARK & EDWARDS CANAL CO
275 N 4500 E
RIGBY ID 83442

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SEN
U.S.P.S. Form 3547
fee due 75

U.S. POSTAL SERVICE
FORM 3547

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SEN
U.S.P.S. Form 3547
fee due 7

U.S. POSTAL SERVICE
FORM 3547

ADDRESS SERVICE
REQUESTED

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. BAYLINE DR
IDAHO FALLS, IDAHO 83402

DEBRA PATLA
PO BOX 230
VICTOR ID 83455

PATLA230 834552026 1B06 16 12/01/06
FORM 3547
PATLA DEBRA A
PO BOX 420
MORAN WY 83013-0420



1151
8932800.870 NOV 28 200
5984 MAILED FROM ZIP CODE 83400
U.S. POSTAGE
PB352390
NOV 28 200
83400

22-127A
22-12347
22-11480

SCANNED

AUG 22 2001

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: A01-00234
Date Received: 1/13/1989
Receipt No: E004599
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARK & EDWARDS CANAL COMPANY 208-745-7567
Address: 4378 E. 300 N.
RIGBY, ID 83442

2. Date of Priority: JAN 22, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	20	SW	SW	SW		JEFFERSON

5. Description of diverting works:
CHECK DAM TO DOUBLE HEADGATE TO DELIVERY CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	30.000		

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

8. Total consumptive use is 4337.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	10	SW	SW		IRR	37.0
			SE	SW		IRR	39.0
			SW	SE		IRR	23.0

A01-00234

Page 1

Date: 01/13/89

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OCT 19 1992

10. Place of Use: Continued

Township 04N	Range 39E	Section 10	1/4 SE	of 1/4 SE	Lot	Use IRR	Acres 6.0
Section Acres							105.0
		13	NE	SW		IRR	10.0
			SW	SW		IRR	39.0
			SE	SW		IRR	38.0
			SW	SE		IRR	9.0
			SE	SE		IRR	23.5
Section Acres							119.5
		14	NW	NW		IRR	6.0
			SW	NW		IRR	26.5
			SE	NW		IRR	20.5
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	34.0
			SE	SW		IRR	37.0
			NE	SE		IRR	29.0
			NW	SE		IRR	35.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.5
Section Acres							345.5
		15	NE	NE		IRR	36.0
			NW	NE		IRR	35.5
			SW	NE		IRR	40.0
			SE	NE		IRR	39.5
			NE	NW		IRR	39.5
			NW	NW		IRR	39.0
			SW	NW		IRR	39.5
			SE	NW		IRR	40.0
			NE	SE		IRR	39.5
			NW	SE		IRR	40.0
			SW	SE		IRR	39.5
			SE	SE		IRR	39.0
Section Acres							467.0
		16	NE	NE		IRR	39.0
			NW	NE		IRR	39.5
			SW	NE		IRR	40.0
			SE	NE		IRR	39.5
Section Acres							158.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	39E	23	NE		NE		IRR	38.5
			NW		NE		IRR	39.5
			NE		NW		IRR	3.0
					Section Acres			81.0
		24	NE		NE		IRR	38.5
			NW		NE		IRR	39.5
			SW		NE		IRR	39.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	38.5
			SW		NW		IRR	39.0
			SE		NW		IRR	39.5
			NE		SW		IRR	9.0
			NW		SW		IRR	5.5
			NE		SE		IRR	38.5
NW			SE		IRR	39.0		
			Section Acres			404.0		
40E	19	NW		NW		IRR	5.0	
		SW		NW		IRR	37.0	
		SE		NW		IRR	13.5	
			Section Acres			55.5		
			Total Acres			1735.5		

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A01-00303 AND A0100042

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number: 010234
Case Number:
Court :
Decree date: 6/25/1929

WOODVILLE CANAL CO.
Decree Plaintiff
A01-00234

Page

CLARK & EDWARDS CANAL & IRR. C
Decree Defendant
Date: 01/13/89

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OCT 19 1992

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary of _____

Title

Clark + Edward Canal Co., that I have signed the foregoing
Organization

document in the space below as _____ of

Title

Clark + Edward Canal Co. and that the statements contained in the
Organization

foregoing document are true and correct.

Robert Chase
Signature of Authorized Agent

Secretary of C + E Canal
Title and Organization

1/17/89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of January 19 89

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires MY COMMISSION EXPIRES: 6-30-94

VOID

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 A01-00234Date Received 11-29-88Receipt Number E004599

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

A0100234



Please type or print clearly

1. Name of Claimant (s) CLARK & Edwards Canal Co. Phone (208) 745-1201Mailing Address 4378 E. 300N. Rigby, Idaho Zip 834422. Date of Priority (Only one (1) per claim) Jan. 27, 19163. Source of water supply (a) Drybed
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 4N Range 39E Section 20,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Jefferson

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. check to doubleheadgate set in concrete to delivery canal.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 11-1 amount 30.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 30.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 4337.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

See Attached

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 1735

11. In which county (ies) are lands listed above as place of use located? Jefferson

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

A01-00303 & A01-00042

or None ()

14. Remarks: Secretary for Canal Co.

Map is attached to claim # A01-00042

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OCT 19 1992

Last Name _____ Ident No. _____

Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile

map is attached to # A01-00042

A 16x16 grid of 256 squares. Each square contains a small crosshair pattern, which is a central point with four short lines extending horizontally and vertically to the edges of the square. The grid is composed of 16 columns and 16 rows of these squares.

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OCT 19 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date 6-25-1929

Plaintiff vs Defendant Woodville Canal vs Clark + Edwards Canal

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary
_____ Title

of Clark + Edwards Canal Co.
_____ Organization

document in the space below as Secretary of Clark + Edwards Canal Co.
_____ Title _____ Organization

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

Signature of Authorized Agent Debra Chase

Title and Organization Secretary of Clark + Edwards Canal Co. Date 11/29/88

State of Idaho/or _____)
County of Donnerville) SS.

Subscribed and sworn (or affirmed) before me this 29th day of Nov. 19 88

SEAL

Notary Public Calvin Wray

Residing at Idaho Falls

My Commission Expires 5/29/99

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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OCT 19 1992

Copies White-State, Yellow-Claimant

LAND LIST ATTACHMENT

[illegible]

OCT 19 1992