

07/14/2006

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

RIGHT NUMBER: 1-238

NAME AND ADDRESS: NORTH RIGBY IRRIGATION & CANAL CO INC
C/O JESSE BYRAM
454 N 3900 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 R39E S9 SWNW 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	30.000 CFS

PLACE OF USE:

853 ACRES TOTAL

Place of use is within the area served by North Rigby 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 North Rigby Canal.



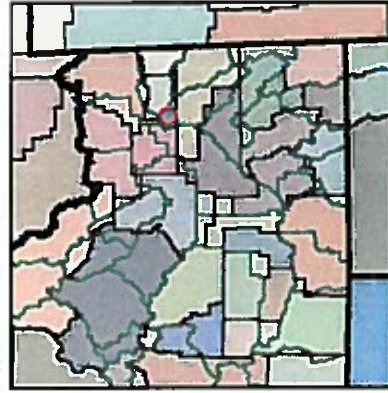
North Rigby Irrigation & Canal Co Inc

SRBA Recommendations: 1-138, 1-238

Service Area Boundary
GIS Place of Use Illustration

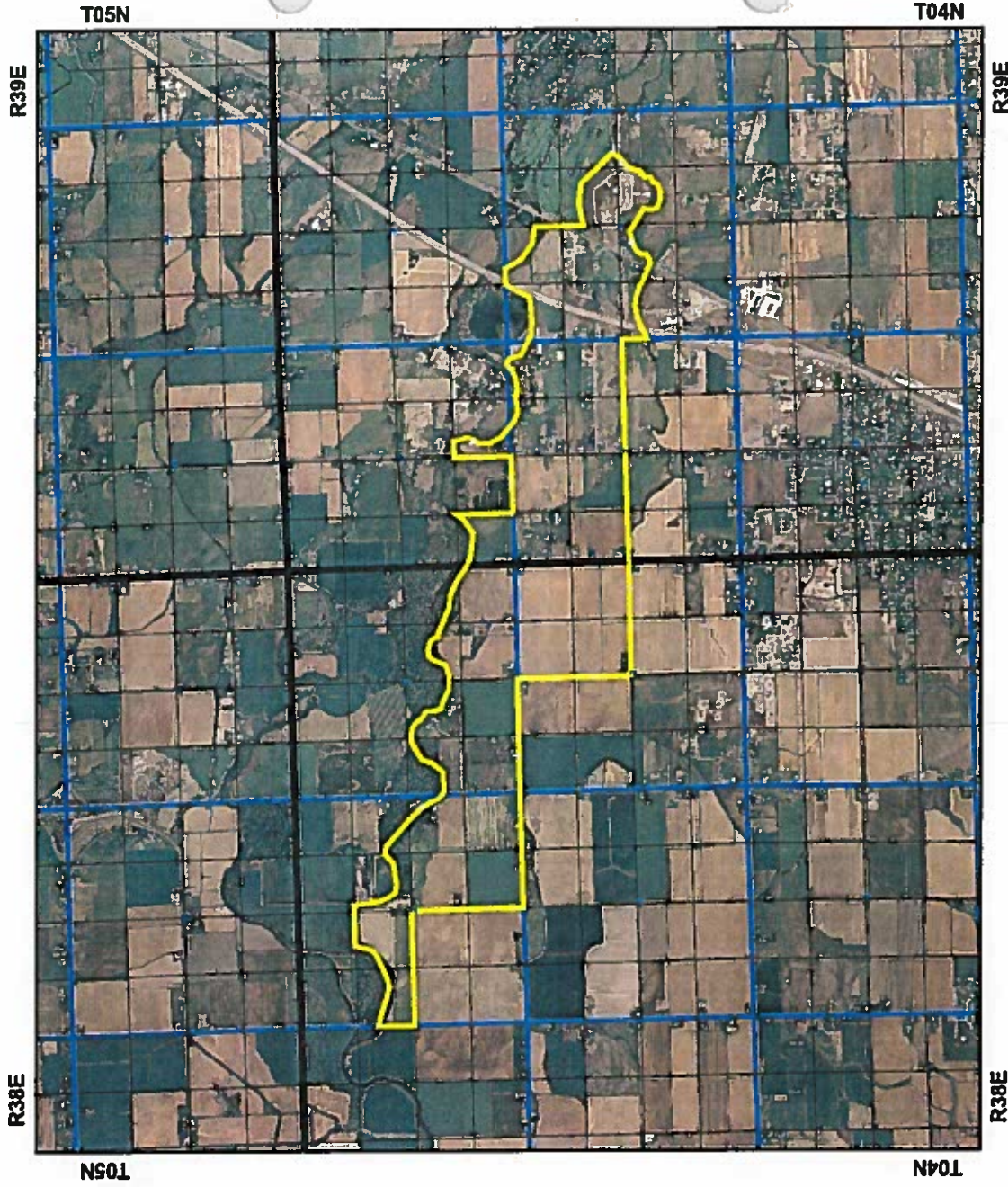
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Jefferson County
IDWR Basin 1

Prepared by M. Holliday
On Tuesday, December 12, 2006
2004 Aerial Photography



0 2

RECEIVED

NOV 27 2006

11/21/2006

Department of Water Resources
Eastern Region

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: 1-238

NORTH RIGBY IRRIGATION & CANAL CO INC
C/O CALVIN KINGHORN
426 N 3700 E
RIGBY ID 83442

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:

11/28/06

SIGNATURE:

Calvin Kinghorn

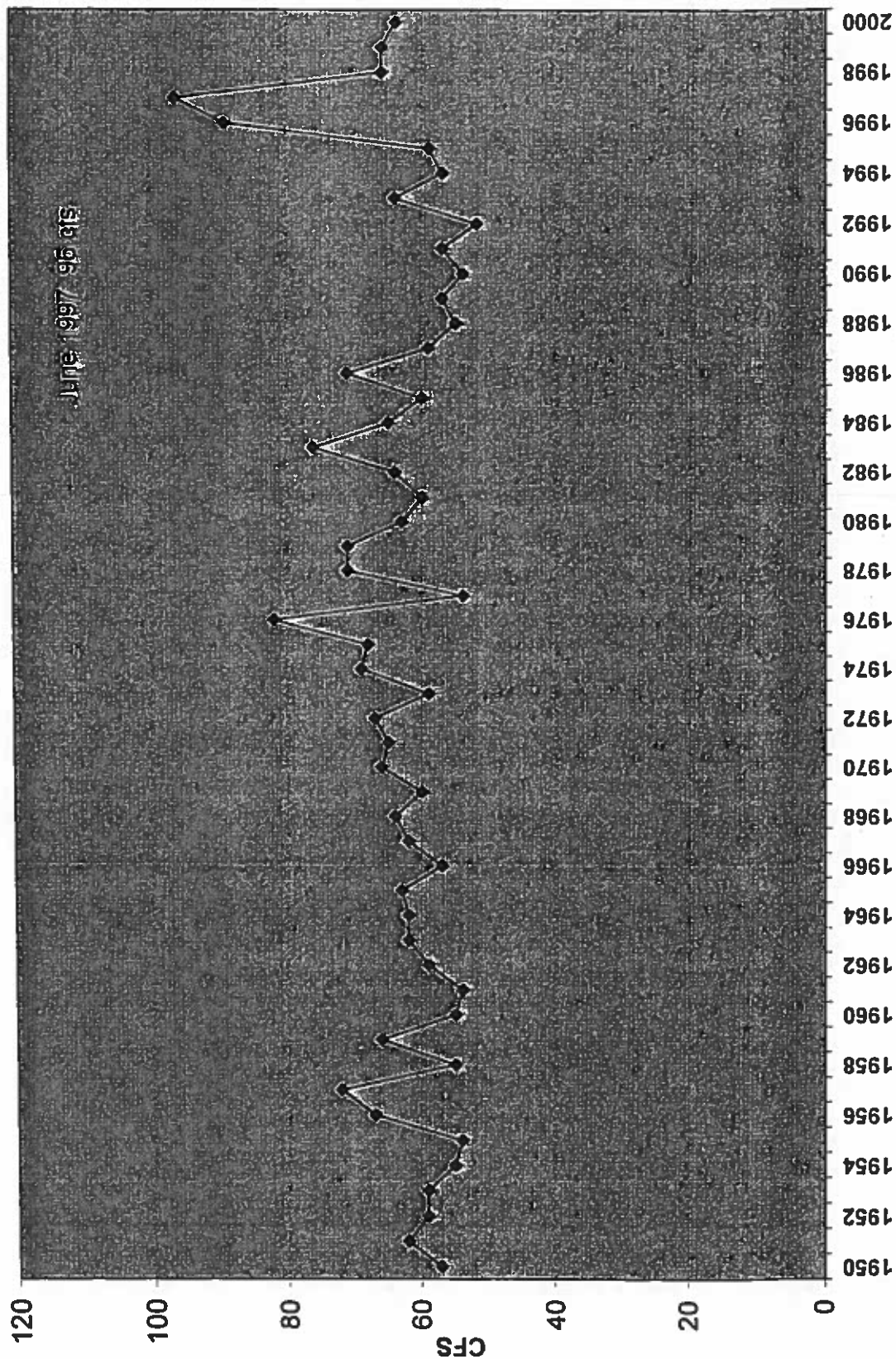
Please print your name:

Calvin Kinghorn

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

KMT
11/30

MAXIMUM MONTHLY DIVERSION 1950-2000
13038315 NORTH RIGBY CANAL



13038315 HISTORIC DIVERSION NORTH RIGBY CANAL (~~1000 AC FT~~)

W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1950	33	17	13	3	2	5	13	34	50	57	50	50	328
1951	33	17	13	3	2	5	13	31	62	57	42	37	315
1952	33	17	13	3	2	5	13	41	59	55	49	42	331
1953	33	17	13	3	2	5	13	37	57	59	46	50	335
1954	33	17	13	3	2	5	13	37	55	54	49	40	321
1955	33	17	13	3	2	5	13	21	54	50	52	45	308
1956	33	17	13	3	2	5	13	50	67	55	49	45	353
1957	33	17	13	3	2	5	13	23	72	59	49	40	328
1958	33	17	13	3	2	5	13	44	55	52	42	35	315
1959	33	17	13	3	2	5	13	57	66	55	44	40	348
1960	33	17	13	3	2	5	13	42	52	55	49	42	326
1961	29	18	13	3	2	0	2	42	50	54	46	39	285
1962	29	18	5	0	0	0	2	47	59	54	46	30	290
1963	29	18	5	0	0	0	2	31	52	62	49	42	290
1964	29	18	5	0	0	0	2	26	50	62	52	45	290
1965	29	18	5	0	0	0	2	31	60	63	52	47	308
1966	29	18	5	0	0	0	2	49	57	55	47	37	300
1967	29	18	5	0	0	0	2	28	57	62	52	45	298
1968	29	18	5	0	0	0	2	46	64	62	42	44	311
1969	29	18	5	0	0	0	2	50	60	59	47	42	313
1970	29	18	5	0	0	0	2	26	66	57	55	40	298
1971	33	18	7	0	0	0	0	24	57	65	57	47	308
1972	24	20	2	0	0	0	2	62	67	62	49	50	338
1973	31	12	0	0	0	0	0	36	59	59	50	34	280
1974	21	0	0	0	0	0	0	52	69	67	44	50	303
1975	47	0	0	0	0	0	0	15	60	68	50	45	286
1976	39	12	0	0	0	0	0	36	82	73	50	55	348
1977	41	25	0	0	0	0	2	47	54	50	46	44	308
1978	36	17	0	0	0	0	0	52	71	68	46	35	324
1979	31	15	0	0	0	0	0	46	71	59	46	49	319
1980	41	22	0	0	0	0	0	52	47	63	50	44	306
1981	33	20	2	0	0	0	0	44	54	60	49	47	302
1982	24	12	0	0	0	0	0	64	64	62	47	49	302
1983	29	20	0	0	0	0	0	76	62	62	47	47	312
1984	39	30	0	0	0	0	0	31	59	65	46	42	269
1985	26	12	0	0	0	0	0	36	60	52	44	39	279
1986	26	3	0	0	0	0	0	29	71	57	47	45	306
1987	31	13	2	0	0	0	10	59	52	55	44	40	283
1988	31	0	0	0	0	0	0	55	55	49	46	47	282
1989	26	0	0	0	0	0	0	55	57	52	42	49	287
1990	31	22	0	0	0	0	0	47	54	47	39	47	287
1991	34	0	0	0	0	0	0	50	50	57	42	47	244
1992	36	0	0	0	0	0	2	52	52	49	42	44	276
1993	11	0	0	0	0	0	0	64	64	63	46	47	256
1994	39	5	0	0	0	0	0	24	50	52	42	45	291
1995	16	0	0	0	0	0	0	50	57	52	42	45	291
1996	16	0	0	0	0	0	0	34	59	57	39	34	290
1997	18	5	0	0	0	0	0	47	89	62	39	37	318
1998	31	3	0	0	0	0	0	52	96	63	46	39	278
1999	18	0	0	0	0	0	0	33	66	63	44	39	277
2000	39	0	0	0	0	0	0	36	66	63	49	45	304
...								63	64	54	52	32	303
2000	30	13	4	1	0	1	4	40	61	58	47	43	303



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

February 15, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

NORTH RIGBY IRRIGATION & CANAL
C/O CALVIN KINGHORN
3791 E 500 N
RIGBY ID 83442

RE: Notice of Change of Address for 1-138, 1-238 & 1-4021 and
Notice of Completed Administrative Proceeding (NCAP)

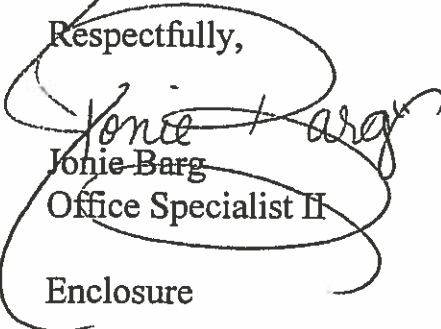
Dear Mr. Sullivan:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

SCANNED

FEB 22 2008

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

In Re SRBA

Water Rights: 1-138, 1-238 & 1-4021

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Feb 20, 2008

Ernest M. Carlson

Signature of IDWR Representative

SCANNED

FEB 22 2008

CERTIFICATE OF MAILING

I certify that on February 21, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
North Rigby Irrigation & Canal
C/O Calvin Kinghorn
3791 E 500 N
Rigby ID 83442

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

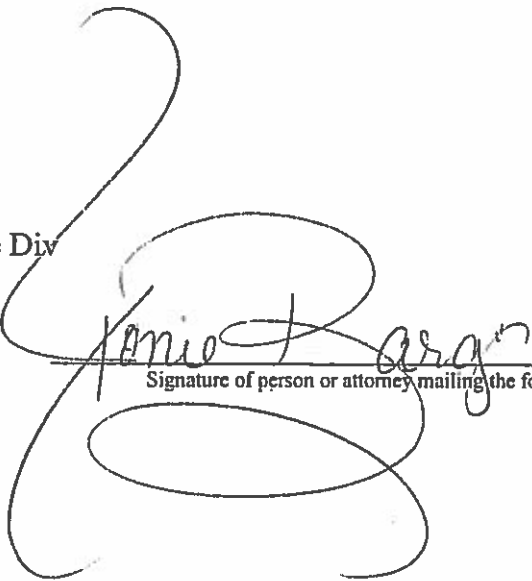
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

02/15/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-138
NAME AND ADDRESS: NORTH RIGBY IRRIGATION & CANAL CO INC
C/O ROBERT GOODY
3791 E 500 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 50.000 CFS

PRIORITY DATE: 06/10/1883

POINT OF
DIVERSION: T04N R39E S9 SWNW 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	50.000 CFS
STOCKWATER	01/01 12/31	13.000 CFS

PLACE OF USE:

1005 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 Rigby Irrigation & Canal Company.

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

Diversion of this right for stockwater purposes between November 1 and April 30 is subject to the provisions for saving winter water as recognized in the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969).

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 North Rigby Canal.

SCANNED

FEB 22 2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

FEB 22 2003

02/15/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-4021

NAME AND ADDRESS: NORTH RIGBY IRRIGATION & CANAL CO INC
C/O ROBERT GOODY
3791 E 500 N
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.230 CFS

PRIORITY DATE: 06/10/1883

POINT OF

DIVERSION: T04N R39E S9 SNNW Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

11/01 11/30

0.230 CFS

PLACE OF USE:

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

SCANNED

FEB 22 2003

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 1-238
Date Received: 11/15/1988
Receipt No: E004042
Received By: MWH

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

1. Name of Claimant(s)

NORTH RIGBY IRRIGATION & CANAL CO INC Phone: (208)745-7722
C/O JESSE BYRAM
454 N 3900 E
RIGBY ID USA 83442

2. Date of Priority: 01/22/1916

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	Type
04N	39E	9	SE SW NW	JEFFERSON	

5. Description of diverting works:

CONCRETE W/METAL GATE FROM DRY BED INTO CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	30	

7. Total Quantity Appropriated is:
30 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	38E	1	NE SW	IRRIGATION	15
			NW SW	IRRIGATION	30
			SW SW	IRRIGATION	40

			SE	SW	IRRIGATION	40	
			NE	SE	IRRIGATION	20	
			NW	SE	IRRIGATION	25	
			SW	SE	IRRIGATION	40	
			SE	SE	IRRIGATION	40	
					Section Acres	250	
04N	38E	2	SW	NE	IRRIGATION	10	
			SE	NE	IRRIGATION	5	
			SW	NW	IRRIGATION	20	
			SE	NW	IRRIGATION	35	
			NE	SE	IRRIGATION	30	
			NW	SE	IRRIGATION	40	
			SW	SE	IRRIGATION	40	
			SE	SE	IRRIGATION	40	
					Section Acres	220	
04N	38E	12	NE	NE	IRRIGATION	40	
			NW	NE	IRRIGATION	40	
			SW	NE	IRRIGATION	40	
					IRRIGATION		
			SE	NE	IRRIGATION	40	
					Section Acres	160	
04N	39E	6	SW	SW	7	IRRIGATION	38
			SW	SE		IRRIGATION	15
						Section Acres	53
04N	39E	7	NE	NE		IRRIGATION	38
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NW	NW	1	IRRIGATION	40
			NE	NW		IRRIGATION	40
			SW	NW	2	IRRIGATION	40
			SE	NW		IRRIGATION	40
						Section Acres	318
04N	39E	8	SW	NE		IRRIGATION	18
			SE	NE		IRRIGATION	1
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	29
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	12
			NW	SW		IRRIGATION	10
			NE	SE		IRRIGATION	1
			NW	SE		IRRIGATION	20
						Section Acres	211
						Total Acres	1212

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:

14. Remarks:

P/U INCOMPLETE IN DECREE.
P/D INCOMPLETE IN DECREE.

15. Basis of Claim: Decreed

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 President of
North Rocky Trestle & Canal Co. Title
Organization that I have signed the foregoing
document in the space below as President of

North Rocky Trestle & Canal Co. Title
Organization and that the statements contained in the
foregoing document are true and correct.

James L. Egan
Signature of Authorized Agent

President North Rocky Trestle & Canal Co.
Title and Organization

7-14-06

Date

State of Idaho)
County of Bonneville) SS.

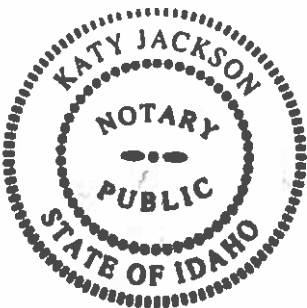
Subscribed and sworn (or affirmed) before me this 14th day
of July 2006

Kathy Jackson

Notary Public

Residing at Idaho Falls

My commission Expires March 31, 2011



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: A01-00238
Date Received: 11/15/1988
Receipt No: E004042
Received By: ESV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORTH RIGBY IRRIGATION & CANAL CO., INC. 208-745-6471
Address: C/O CALVIN F. REED, PRES.
455 N. 3950 E.
RIGBY, ID 83442

2. Date of Priority: JUN 22, 1916

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	Lot	County
04N	39E	9	SE	SW	NW		JEFFERSON

5. Description of diverting works:
CONCRETE W/METAL GATE FROM DRY BED INTO CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	50.000		

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

A.F.A.

8. Total consumptive use is 3030.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	1	NE	SW		IRR	15.0
			NW	SW		IRR	30.0

A01-00238

Page

1

Date: 11/15/88

A0100238



MICROFILMED

OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	38E	1	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	25.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					250.0
		2	SW		NE		IRR	10.0
			SE		NE		IRR	5.0
			SW		NW		IRR	20.0
			SE		NW		IRR	35.0
			NE		SE		IRR	30.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					220.0
		12					IRR	
			NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			Section Acres					160.0
	39E	6	SW		SW	7	IRR	38.0
			SW		SE		IRR	15.0
			Section Acres					53.0
		7	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	40.0
			SW		NW	2	IRR	40.0
			SE		NW		IRR	40.0
			Section Acres					318.0
		8	SW		NE		IRR	18.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	39E	8	SE	NE		IRR	1.0
			NE	NW		IRR	40.0
			NW	NW		IRR	29.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	12.0
			NW	SW		IRR	10.0
			NE	SE		IRR	1.0
			NW	SE		IRR	20.0
						Section Acres	211.0
						Total Acres	1212.0

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:
01-00138 AND PALISADES STORAGE RIGHTS.

14. Remarks:
P/U INCOMPLETE IN DECREE.
P/D INCOMPLETE IN DECREE.

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

WOODVILLE CANAL CO.
Decree Plaintiff

vs

CLARK & EDWARDS CANA & IRR. CO
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of

North Right Dring Canal Co, that I have signed the foregoing
Organization

document in the space below as President of

North Right Dring Canal Co and that the statements contained in the
Organization

foregoing document are true and correct.

Erwin J. Reed
Signature of Authorized Agent

President - North Right Dring Canal Co
Title and Organization

11-15-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of November 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994

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