

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 01-261

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant THE UNITED CANAL CO
74 N 600 W
BLACKFOOT, ID 83221
(208)684-3809

Priority Date: 01/22/1916
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	20 CFS	
Recharge for Irrigation	04/01	10/31	20 CFS	
Total Diversion			20 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER NENE Sec. 27 Township 02S Range 35E BINGHAM County

All Qualified Wells of the stockholders/electors as described in Remarks below.

Place(s) of use: Within the area served by this irrigation entity

Remarks: Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code.

Qualified Wells are those owned by stockholders/electors within the authorized place of use and which are recovering ground water resulting from recharge for irrigation and/or water resulting from irrigation under this entity's irrigation works for use on lands within this irrigation entity's authorized place of use.

1. C18 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.

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.
- 2.135
- 3.F01 Water is delivered through Danskin Canal.
- 4.129 Place of use is within the area served by Danskin Ditch Company.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed

Signature(s)

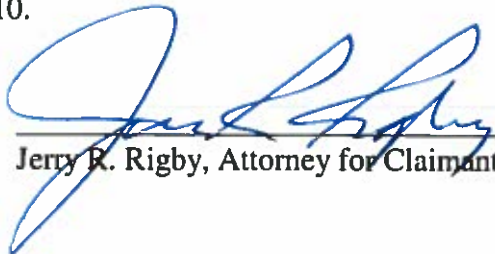
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.

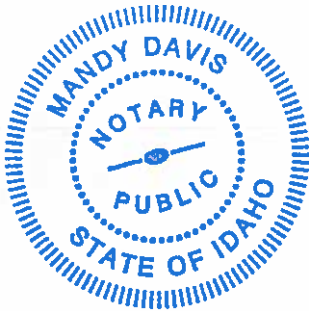


Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO,)
) ss.
County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

DANSKIN DITCH CO

Service Area Boundary

Water Right No.: 1-52A, 1-53A, 1-92B, 1-116BB,
1-157B, 1-158B, 1-261, 1-306,
1-10091 and 1-10092

Boundary

Township/Range

Sections

0 2640 5280 7920 10560 Feet

SCANNED

09 2006

FILED

02S35E

02S34E

03S34E

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: M. Holliday
Date: December 2005



DANSKIN DITCH CO

Service Area Boundary

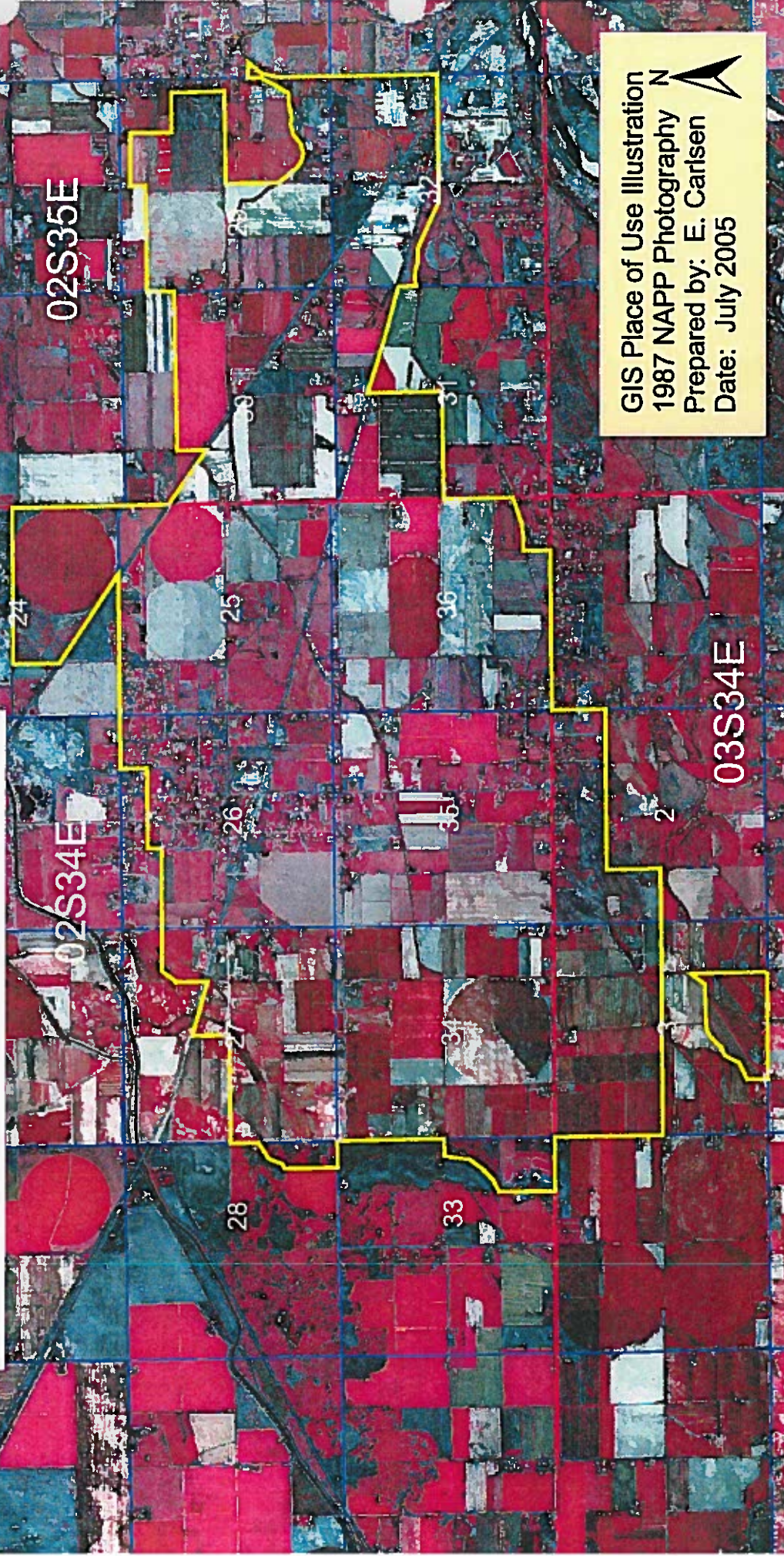
Water Right No.: 1-52A, 1-53A, 1-92B, 1-116BB,
1-157B, 1-158B, 1-261, 1-306,
1-10091 and 1-10092

Boundary

Township/Range

Sections

0 2640 5280 7920 10560 Feet



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: E. Carlsen
Date: July 2005

06/01/2006

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

RIGHT NUMBER: 1-261

NAME AND ADDRESS: THE UNITED CANAL CO
74 N 600 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 20.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF

DIVERSION: T02S R35E S27 NENE Within BINGHAM County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

20.000 CFS

PLACE OF USE:

5158 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 Danskin Ditch 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 Danskin Canal.

SCANNED
OCT 18 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
June 1, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

THE UNITED CANAL CO
74 N 600 W
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 01-52A, 01-53A, 01-92B, 01-116BB, 01-157B, 01-158B, 01-261, 01-306, 01-10091, 01-10092 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On March 17, 2006, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, 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,

Jennifer Crabtree
Technical Records Specialist

SCANNED

JUN 09 2006

Enclosure

cc: Danskin Ditch Co.

PROFILED

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: 01-52A, 01-53A, 01-
92B, 01-116BB, 01-157B, 01-158B,
01-261, 01-306, 01-10091, 01-10092

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party DANSKIN DITCH CO – THE UNITED CANAL CO
- ☐ 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.

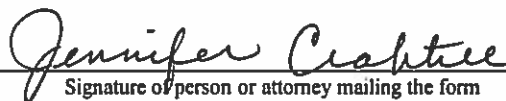
DATED: June 1, 2006

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 9, 2006, 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:
DANSKIN DITCH CO
74 N 600 W
BLACKFOOT ID 83221
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
THE UNITED CANAL CO
74 N 600 W
BLACKFOOT ID 83221
4. One copy to:
Each party in the subcase, or attorney of record
N/A
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

07/14/2005

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: 1-261

DANSKIN DITCH CO
74 N 600 W
BLACKFOOT ID 83221
Telephone Number: (208)684-3809

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

*OBJECT TO Boundary and acreage
must be agreed upon by DANSKIN
BOARD FOR ALL CLAIMS*

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

RECHARGE AS A BENEFICIAL USE

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

*OBJECT TO ALLOW DANSKIN
BOARD & LEGAL COUNCIL
FINAL REVIEW OF ALL DATA*

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

RECEIVED

AUG 12 2005

Department of Water Resources
Eastern Region

PROFILED

SCANNED

AUG 16 2005

*Kuy
8/15*

SCANNED

AUG 22 2001

Ernie

LAW OFFICE

MOFFATT, THOMAS, BARRETT, ROCK & FIELDS
CHARTERED

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
Paul S. Street
Larry C. Hunter
Glenna M. Christensen
Mark S. Prusynski
Morgan W. Richards, Jr.
Michael G. McPeck
Stephen R. Thomas
Jon S. Gorski
Gary T. Dance
Gerald T. Hush
Kirk R. Helvie
Thomas C. Morris

Michael E. Thomas
James C. deGlee
Patricia M. Olsson
Grant T. Burgoyne
Stephen J. Olson
Patrick J. Kole
Andrew P. Doman
David S. Jensen
Ray E. Smith
Allen K. Davis
Bradley J. Williams
Mark A. Ellison
James L. Martin
Josephine P. Beeman
Kelly Greene McConnell
Jacque L. Palmer

FIRST SECURITY BUILDING
911 WEST IDAHO
POST OFFICE BOX 829
BOISE, IDAHO 83701

Telephone (208) 345-2000

Facsimile (208) 385-5384

June 6, 19

Willis C. Moffatt
(1907-1980)

E. Renn Yorgason
Office Administrator

Gary T. Dance
Partner in Charge
Eastern Idaho Offices

IDAHO FALLS, IDAHO
525 Park Avenue, Suite 2D
Post Office Box 1367
83403

Telephone (208) 522-6700
Facsimile (208) 522-5111

POCATELLO, IDAHO
845 West Center, Suite C
Post Office Box 4941
83201

Telephone (208) 233-2001

Idaho WATS: 1 (800) 422-2889
ABA Net 010

Ron Ellis
Danskin Ditch Company
74 North 600 West
Blackfoot, Idaho 83221

RE: Basic American Foods shares in Danskin Ditch Company; SRBA claim 01-00261
MTBR&F File No. 15-865

Dear Mr. Ellis:

I appreciated the opportunity to talk with this morning about the Danskin Ditch Company. As we discussed, Basic American Foods owns 58 shares in the Danskin Ditch and uses this water to irrigate approximately 17 acres located at the Basic American Foods Blackfoot Plant site.

The Snake River Basin Adjudication (SRBA) claim (01-00261) for the Danskin Ditch Company does not include the lands which Basic American Foods irrigates with its Danskin shares.

We enclose an engineering report and maps to assist Danskin Ditch to make the necessary amendments to its SRBA claim. We are also providing a copy of this material to the Danskin Ditch SRBA file 01-00261 at the Idaho Department of Water Resources.

Please let me know if there is anything else we may do to assist you.

Sincerely,

Josephine P. Beeman

Josephine P. Beeman

cc: Steve Gardels
Brent Spronk
Ernest Carlsen, IDWR Idaho Falls (w/enc)

MICROFILMED

NOV 05 1990

RECEIVED

JUN 09 1995

Department of Water Resources
Eastern District Office

RECEIVED

DEC 27 1993

SPRONK WATER ENGINEERS, INC.

Brent E. Spronk
Doug Clements
Greg Sullivan

Dale E. Book
Walid Hajj

MOFFATT, 90 Madison Street • Suite 700
Denver, Colorado 80206
(303) 355-9700
FAX (303) 355-9799

December 23, 1993

Josephine P. Beeman
Moffatt, Thomas, Barrett, Rock and Fields
First Security Building
911 West Idaho
P.O. Box 829
Boise, ID 83701

RE: Basic American Foods Snake River Basin Adjudication Claims; Danskin Ditch Company Claim (SWE Project No. 156.01.BAF)

Dear Jo:

As a result of our discussions with Ray Wallace at Basic American Foods (BAF) and further review of the claim filed by the Danskin Ditch Company, we have determined that the land irrigated with the BAF Danskin shares was not included in the legal description of irrigated lands submitted with the Danskin Ditch Company Snake River Basin Adjudication (SRBA) water rights claim. The review was a followup to our letter of November 18, 1993 concerning the claims filed by the canal companies in which BAF owns shares. BAF owns 58 shares in the Danskin Ditch and uses this water to irrigate approximately 17 acres located at the Blackfoot Plant site. The enclosed map (Figure 1) shows the Blackfoot site and the area irrigated with these 58 Danskin shares. Mr. Wallace is the superintendent at the Blackfoot Plant and is familiar with the use of water on the property. This land is located in the SW 1/4 of the NW 1/4, the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 32, Township 2 South, Range 35 East.

A copy of the Danskin Ditch SRBA claim, along with a portion of the map submitted with the claim is attached. The area included in the Danskin Ditch claim is outlined on Figure 1. The area irrigated with the BAF shares is located between the Union Pacific Railroad tracks on the north and the Trego Canal on the south. We have estimated this area to be approximately 17 acres based upon a map and measurements obtained from the Idaho Department of Water Resources claim file for the BAF Blackfoot Plant claims. This area was not included on the map submitted by the Danskin Ditch Company with their SRBA claim. In order to correct the legal description and map submitted by the Danskin Ditch Company, the following land should be included as lands served by the canal.

MICROFILMED
NOV 15 1994

Josephine P. Beeman

2

December 23, 1993

Section 32, Township 2 South, Range 35 East

SW 1/4 of NW 1/4	7 Acres
SE 1/4 of NW 1/4	8 Acres
SW 1/4 of NE 1/4	2 Acres

Mr. Wallace informed us that the Danskin water is used by a lessee, currently Mr. Rod Williams, on the BAF property for irrigation of pasture. I contacted the secretary of the Danskin Ditch Company and confirmed that BAF owned 58 shares in the ditch, but the secretary was not familiar with BAF's use of the shares.

If you need additional information, please call.

Sincerely,

SPRONK WATER ENGINEERS, INC.



Dale E. Book, P.E.



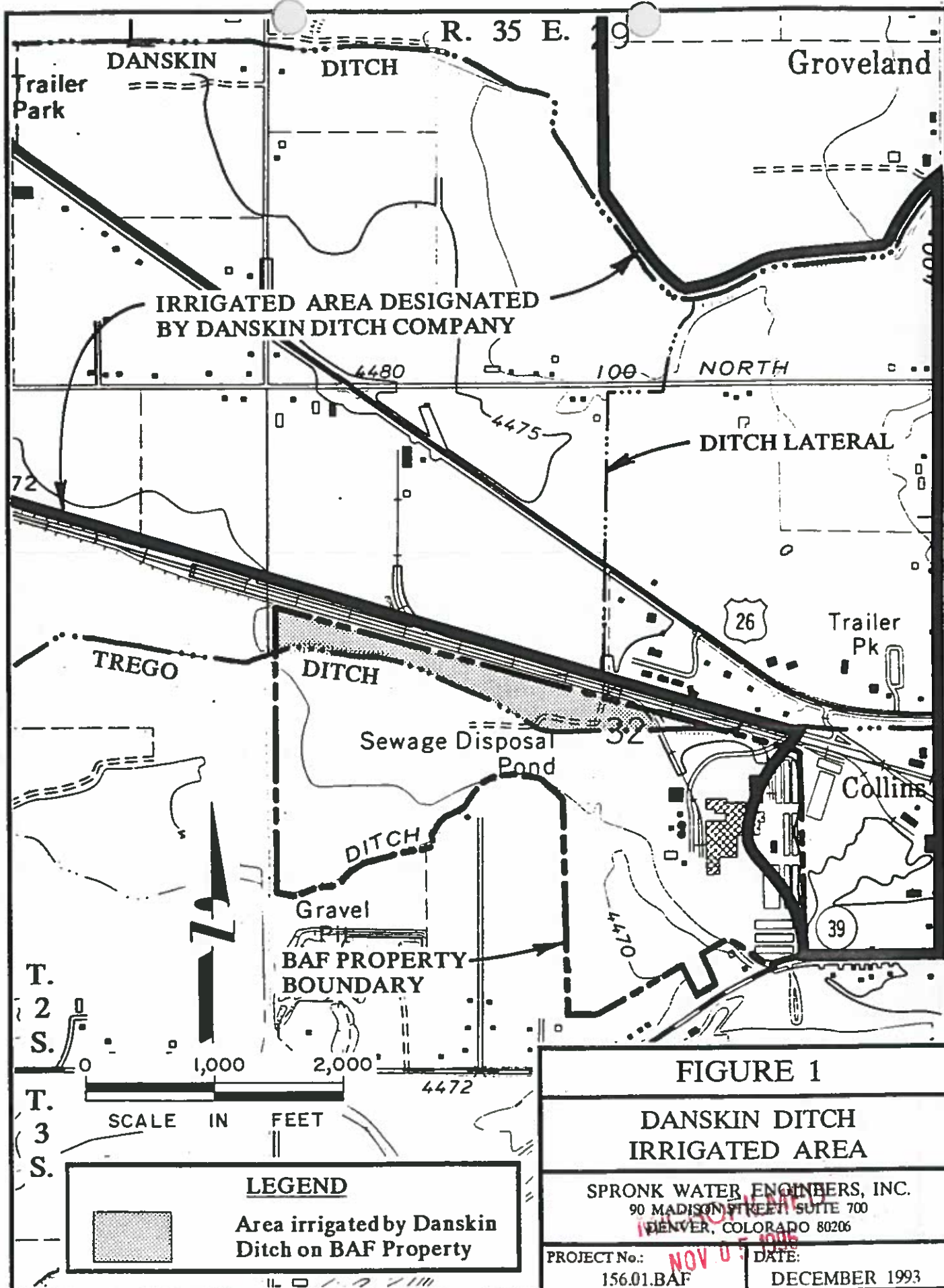
Brent E. Spronk, P.E.

DEB/tns

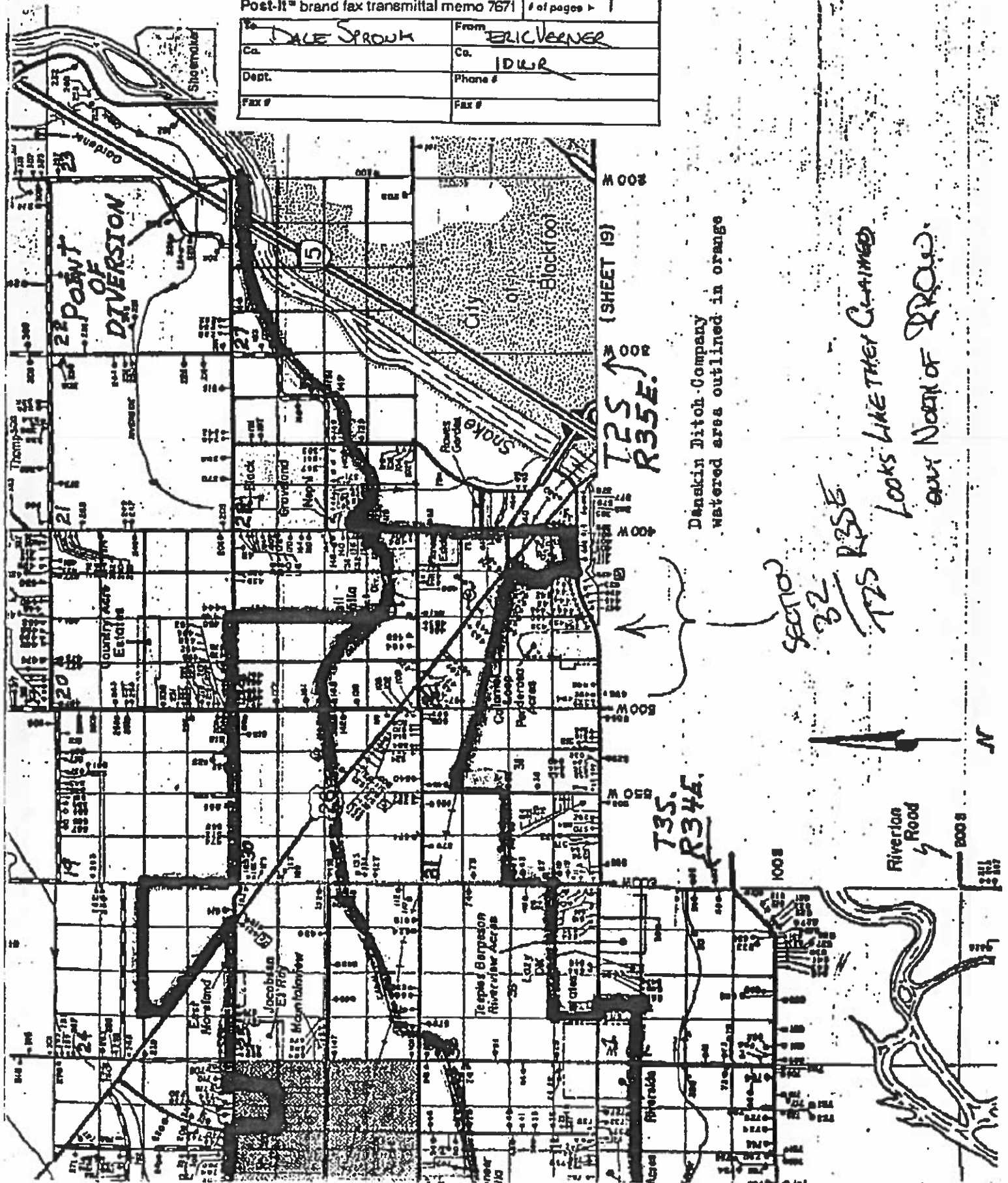
Enclosure

cc (w/enclosure): Steve Gardels
Loren Sayer

MICROFILMED
NOV 05 1995



To: DALE SPROUK	From: ERIC VEEGER
Co.	Co. IDWR
Dept.	Phone #
Fax #	Fax #



DATE RECEIVED 5-12-89 CK # AMOUNT \$

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	*
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: ESJ Date: 6-26-89
Claim must be returned to claimant: (Yes) (No)
Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: Date:
Claim data entered by: Date: Checked by: Date:
Sent to claimant by: Date:

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 1-261
Date Received: 5/12/1989
Receipt No: E007355
Received By: MWH

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

1. Name of Claimant(s)

DANSKIN DITCH CO Phone: (208)684-3809
74 N 600 W
BLACKFOOT ID USA 83221

2. Date of Priority: 01/22/1916

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	Type
02S	35E	27	NE NE NE 1	BINGHAM	

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	20	
GROUND WATER RECHARGE	01/01	12/31	20	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Place of use is 5221 acres within the boundary of Danskin Ditch Co.

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

SCANNED

OCT 18 2006

14. Remarks:

OTHER RIGHTS CONTINUED: 01-00157B & 00092B.

FROM ITEM #5: DIVERSION FOR THE DANSKIN DITCH CONSISTS OF A LAVA ROCK AND CEMENT DAM WHICH EXTENDS FROM THE HEADGATES UPSTREAM AT AN ANGLE COMPLETELY ACROSS THE WIDTH OF THE SNAKE RIVER. EXCESS WATER, WHICH THE CANAL DOES NOT USE, SPILLS OVER THIS DAM. THERE ARE 6 STEEL HEADGATES SET IN CEMENT. EACH HEADGATE MEASURES 4' X 4'.

REMARKS: DANSKIN DITCH COMPANY IS CLAIMING THESE WATER RIGHTS ON BEHALF OF THOSE LAND OWNERS WHO IRRIGATE THEIR PROPERTY WITH WATER DELIVERED THROUGH THE DANSKIN DITCH SYSTEM.

AMENDED CLAIM TO ADD RECHARGE ON 12/22/2005.

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 _____ Title

DANSKIN DITCH CO. Organization, that I have signed the foregoing document in the space below as PRESIDENT of _____ Title

DANSKIN DITCH CO. Organization and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

PRESIDENT, DANSKIN DITCH CO. Title and Organization

12-22-05 Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 22nd of December 2005

Wendy J. Murphy
Notary Public

Residing at Idaho Falls

My commission Expires 6/23/06



SCANNED
OCT 18 2006

06/20/2005

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

RIGHT NUMBER: 1-261

NAME AND ADDRESS: DANSKIN DITCH CO
74 N 600 W
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 20.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T02S R35E S27 NENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

20.000 CFS

PLACE OF USE:

5221 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 Danskin Ditch 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: Decreed

Water is delivered through Danskin Canal.

Water Right 1-261

SCANNED

OCT 18 2006

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: A01-00261
Date Received: 6/26/1989
Receipt No: E007355
Received By: C. Lee E.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANSKIN DITCH COMPANY 208-684-3809
Address: 74 N. 600 W.
BLACKFOOT, ID 83221

2. Date of Priority: JAN 22, 1916

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
02S	35E	27	NE	NE	NE	1	BINGHAM

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	20.000		

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

8. Total consumptive use is 15663.0 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
02S	34E	24	NE	SW		IRR	27.0
			SW	SW		IRR	18.0
			NE	SE		IRR	32.0

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Date: 06/26/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	34E	24	NW	SE	IRR	37.0
			SE	SE	IRR	32.0
					Section Acres	146.0
		25	NE	NE	IRR	32.0
			NW	NE	IRR	35.0
			SW	NE	IRR	36.0
			SE	NE	IRR	35.0
			NE	NW	IRR	35.0
			NW	NW	IRR	32.0
			SW	NW	IRR	35.0
			SE	NW	IRR	36.0
			NE	SW	IRR	35.0
			NW	SW	IRR	35.0
			SW	SW	IRR	35.0
			SE	SW	IRR	35.0
			NE	SE	IRR	35.0
			NW	SE	IRR	35.0
			SW	SE	IRR	34.0
			SE	SE	IRR	34.0
					Section Acres	554.0
		26	NE	NE	IRR	18.0
			NW	NE	IRR	18.0
			SW	NE	IRR	32.0
			SE	NE	IRR	32.0
			NE	NW	IRR	32.0
			NW	NW	IRR	32.0
			SW	NW	IRR	32.0
			SE	NW	IRR	32.0
			NE	SW	IRR	27.0
			NW	SW	IRR	27.0
			SW	SW	IRR	35.0
			SE	SW	IRR	32.0
			NE	SE	IRR	32.0
			NW	SE	IRR	32.0
			SW	SE	IRR	35.0
			SE	SE	IRR	35.0
					Section Acres	483.0
		27	NE	NE	IRR	32.0
			NW	NE	IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	34E	27	SW		NE		IRR	32.0
			SE		NE		IRR	32.0
			NE		SW		IRR	33.0
			NW		SW		IRR	33.0
			SW		SW		IRR	32.0
			SE		SW		IRR	32.0
			NE		SE		IRR	32.0
			NW		SE		IRR	32.0
			SW		SE		IRR	35.0
			SE		SE		IRR	35.0
							Section Acres	392.0
		28	NE		SE		IRR	18.0
			NW		SE		IRR	9.0
			SW		SE		IRR	14.0
			SE		SE		IRR	27.0
							Section Acres	68.0
		33	NE		SE		IRR	23.0
			SE		SE		IRR	23.0
							Section Acres	46.0
		34	NE		NE		IRR	35.0
			SW		NE		IRR	36.0
			SE		NE		IRR	35.0
			NE		NW		IRR	36.0
			NW		NW		IRR	36.0
			SW		NW		IRR	36.0
			SE		NW		IRR	36.0
			NE		SW		IRR	36.0
			NW		SW		IRR	36.0
			SW		SW		IRR	34.0
			SE		SW		IRR	35.0
			NE		SE		IRR	35.0
			NW		SE		IRR	36.0
			NW		SE		IRR	36.0
			SW		SE		IRR	35.0
			SE		SE		IRR	34.0
							Section Acres	567.0
		35	NE		NE		IRR	34.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	34E	35	NW		NE		IRR	34.0
			SW		NE		IRR	35.0
			SE		NE		IRR	34.0
			NE		NW		IRR	36.0
			NW		NW		IRR	34.0
			SW		NW		IRR	34.0
			SE		NW		IRR	35.0
			NE		SW		IRR	36.0
			NW		SW		IRR	36.0
			SW		SW		IRR	35.0
			SE		SW		IRR	35.0
			NE		SE		IRR	35.0
			NW		SE		IRR	36.0
			SW		SE		IRR	34.0
			SE		SE		IRR	34.0
							Section Acres	557.0
		36	NE		NE		IRR	35.0
			NW		NE		IRR	36.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		NW		IRR	36.0
			NW		NW		IRR	35.0
			SW		NW		IRR	36.0
			SE		NW		IRR	36.0
			NE		SW		IRR	36.0
			NW		SW		IRR	35.0
			SW		SW		IRR	34.0
			NE		SE		IRR	35.0
			NW		SE		IRR	36.0
							Section Acres	462.0
	35E	28	NW		SW		IRR	2.0
							Section Acres	2.0
		29	NE		NW		IRR	34.0
			NW		NW		IRR	35.0
			SW		NW		IRR	35.0
			SE		NW		IRR	35.0
			NE		SW		IRR	32.0
			NW		SW		IRR	35.0
			SW		SW		IRR	27.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	35E	29	SE		SW		IRR	35.0
			SW		SE		IRR	18.0
			SE		SE		IRR	18.0
			Section Acres					304.0
		30	NE		NE		IRR	34.0
			NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			SE		NE		IRR	34.0
			NE		NW		IRR	35.0
			NW		NW	1	IRR	18.0
			SW		NW	2	IRR	27.0
			SE		NW		IRR	27.0
			NE		SW		IRR	27.0
			NW		SW	3	IRR	35.0
			SW		SW	4	IRR	34.0
			SE		SW		IRR	35.0
			NE		SE		IRR	32.0
			NW		SE		IRR	27.0
			SW		SE		IRR	32.0
			SE		SE		IRR	27.0
			Section Acres					494.0
		31	NE		NE		IRR	32.0
			NW		NE		IRR	27.0
			SE		NE		IRR	4.0
			NE		NW	1	IRR	26.0
			NW		NW	1	IRR	27.0
			SW		NW	2	IRR	35.0
			SE		NW	2	IRR	35.0
			Section Acres					186.0
		32	NE		NE		IRR	32.0
			NW		NE		IRR	32.0
			SW		NE		IRR	23.0
			SE		NE		IRR	23.0
			NE		NW		IRR	27.0
			NW		NW		IRR	27.0
			SW		NW		IRR	18.0
			SE		NW		IRR	18.0
			NE		SE		IRR	9.0
			NW		SE		IRR	9.0

10. Place of Use: Continued

Township 02S	Range 35E	Section 32	1/4 SE	of 1/4 SE	Lot 1	Use IRR	Acres 9.0
						Section Acres	227.0
03S	34E	1	NE NW	NW NW		IRR IRR	4.0 27.0
						Section Acres	31.0
		2	NE NW NE NW SW NW	NE NE NW NW NW SW		IRR IRR IRR IRR IRR IRR	34.0 35.0 35.0 34.0 17.0 9.0
						Section Acres	164.0
		3	NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE	NE NE NE NE NW NW NW NW SW SW SW SW SE SE SE SE	1 2 3 4 	IRR IRR IRR IRR IRR IRR IRR IRR IRR IRR IRR IRR IRR IRR IRR IRR	33.0 34.0 36.0 35.0 34.0 33.0 35.0 36.0 35.0 35.0 34.0 35.0 35.0 35.0 35.0 35.0 18.0
						Section Acres	538.0
						Total Acres	5221.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

01-00116BB, 00158B, 00053A, 00117BA, 00118AV, 00052A, 00306

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14. Remarks:

OTHER RIGHTS CONTINUED: 01-00157B & 00092B.

FROM ITEM #5: DIVERSION FOR THE DANSKIN DITCH CONSISTS OF A LAVA ROCK AND CEMENT DAM WHICH EXTENDS FROM THE HEADGATES UPSTREAM AT AN ANGLE COMPLETELY ACROSS THE WIDTH OF THE SNAKE RIVER. EXCESS WATER, WHICH THE CANAL DOES NOT USE, SPILLS OVER THIS DAM. THERE ARE 6 STEEL HEADGATES SET IN CEMENT. EACH HEADGATE MEASURES 4' X 4'.

REMARKS: DANSKIN DITCH COMPANY IS CLAIMING THESE WATER RIGHTS ON BEHALF OF THOSE LAND OWNERS WHO IRRIGATE THEIR PROPERTY WITH WATER DELIVERED THROUGH THE DANSKIN DITCH SYSTEM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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 A01-00261
Date Received 5-12-89
Receipt Number E0073 55

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A0100261



Please type or print clearly

- Name of Claimant (s) Danskin Ditch Company Phone (208) 684-3
Mailing Address 74 North 600 West Blackfoot, Idaho Zip 83221
- Date of Priority (Only one (1) per claim) January 22, 1916
- Source of water supply (a) Snake River
which is tributary to (b) Columbia River
- a. Location of existing point of diversion is: Township 2s Range 35E Section 27,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, 1 B.M., County of Bingham
Additional points of diversion if any: none
- b. If instream flow, beginning point of claimed instream flow is: none
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,
Govt. Lot _____ B.M., County of _____
- 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. Diversion for the Danskin Ditch consists
of a lava rock and cement dam which extends from the headgates upstream at an angle
completely across the width of the Snake River. Excess water, which the canal does
not use, spills over this dam. There are 6 steel headgates set in cement. Each
headgate measures 4 ft by 4 ft.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from April 1 to Nov 1 amount 20.000 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 20.000 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 15663 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: See attached form, next page

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.

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 5221

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

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

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.

01-00306 / 01-00157B / 01-00092B / 01-00052A / 01-00116BB / 01-00158B / 01-00053A / 01-00117BA / 01-00118AV or None ()

14. Remarks:

Danskin Ditch Company is claiming these water rights on behalf of those land owners who irrigate their property with water delivered through the Danskin Ditch system.

water right number 01-00261

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Last Name DANSKIN Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XX
If applicable provide IDWR Water Right Number 01-00261
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 XX
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 treasurer Title _____
of Danskin Ditch Company Organization _____, that I have signed the foregoing
document in the space below as treasurer Title _____ of Danskin Ditch Company Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ron T. Ellis
Title and Organization treasurer - Danskin Ditch Company Date May 10, 1989

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

Subscribed and sworn (or affirmed) before me this 10th day of May 19 89

SEAL

Notary Public F. Payne Van Orden

Residing at Blackfoot, Idaho

My Commission Expires Nov 1992

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 _____

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Last Name Danskin Ident. Number _____

Copies White-State, Yellow-Claimant

LAND LIST ATTACHMENT

Description and location of place of use:

Danskin Ditch Company

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
25.	34E	24												27				32	37	18	32	146
		28																18	9	14	27	68
		27	32	32	32	32							33	33	32	32	32	32	32	35	35	392
		26	18	18	32	32	32	32	32	32	27	27	35	32	32	32	35	35	35	35	35	483
		25	32	35	36	35	35	32	35	36	35	35	35	35	35	35	34	34	34	34	34	554
		33															23			23	46	
		34	35	36	36	35	36	36	36	36	36	36	34	35	35	36	35	34	34	34	34	567
		35	34	34	35	34	36	34	34	35	36	36	35	35	35	36	34	34	34	34	34	557
		36	35	36	36	36	36	35	36	36	36	35	34	35	35	36						462
35	34E	3	^{L1} 33	^{L2} 34	36	35	^{L3} 34	^{L4} 33	35	36	35	35	34	35	35	35	18	18	18	18	18	538
		2	34	35			35	34	17			9										164
		1					4	27														31
25	35E	30	34	35	35	34	35	^{L1} 18	^{L2} 27	27	27	^{L3} 35	^{L4} 34	35	32	27	32	27	27	27	27	494
		29					34	35	35	35	32	35	27	35			18	18	18	18	18	304
		28										2										2
		31	32	27		4	^{L1} 26	^{L1} 27	^{L2} 35	^{L2} 35												186
		32	32	32	23	23	27	27	18	18					9	9		4				227

Total number of acres irrigated 5221

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