

05/09/2006

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

RIGHT NUMBER: 1-323A

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 34.326 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

T04N R40E S6 SWSW Lot 7 Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

34.326 CFS

PLACE OF USE:

4377 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 Reid Canal 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 Reid Canal.



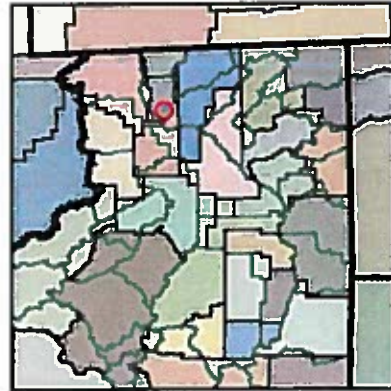
Reid Canal Co

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

Service Area Boundary
GIS Place of Use Illustration

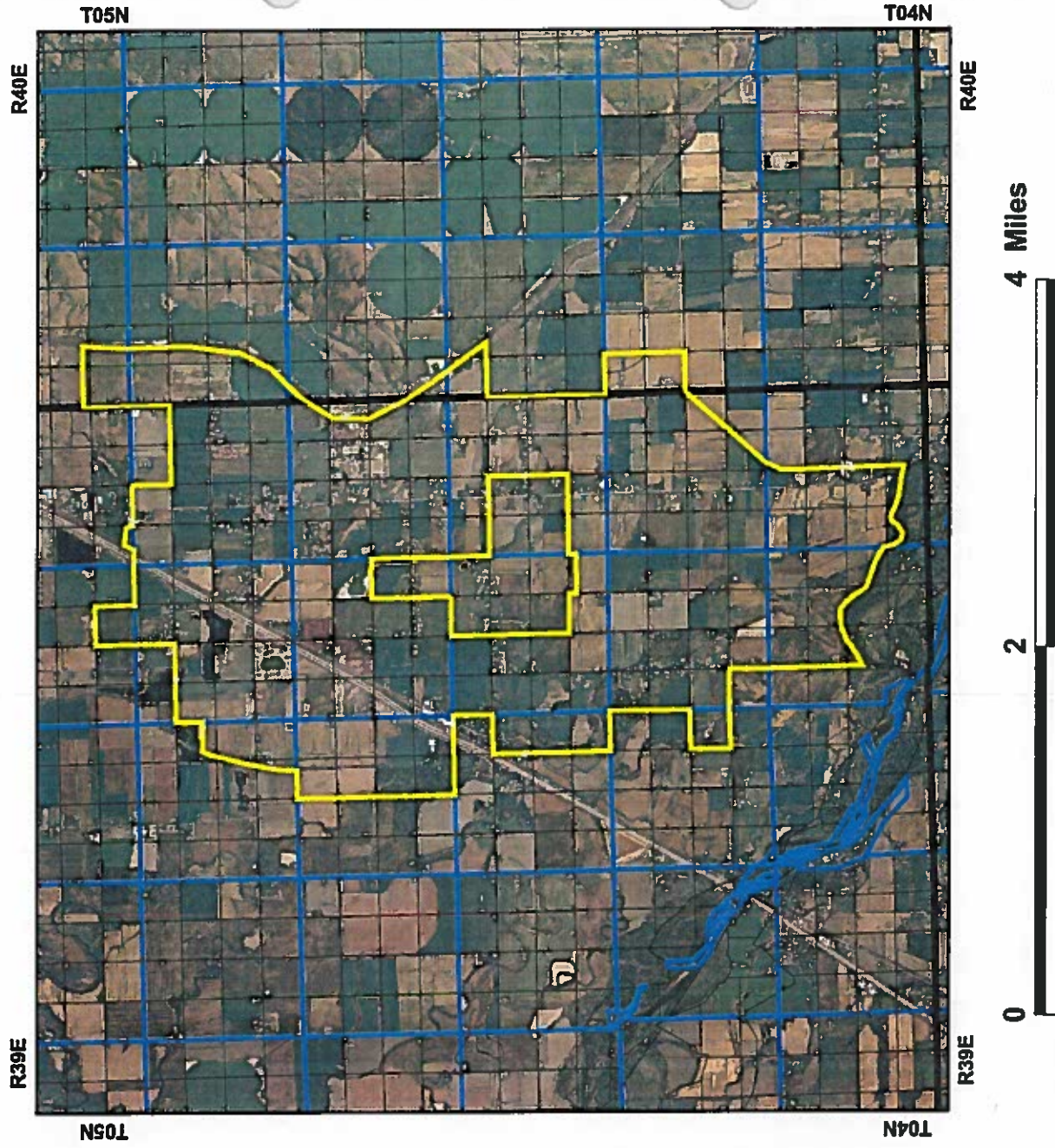
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Madison County
IDWR Basin 1

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



11/30/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 30, 2006

Water right number: 1-323A

REID CANAL CO
C/O RUBY WHITTAKER
6562 S 2000 W

REXBURG ID 83440
Telephone Number: (208)356-7110

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

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

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

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

DATE:

12/7/06

SIGNATURE:

Red Robinson

Please print your name:

Red Robinson

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

KMD
12/17

Lands to Which Appurtenant

Sections 1 and 12, Township 2 North, Range 37 E.B.M.

Sections 1, 2, 3, 10, 11, 12, 14, 15 16 and 22 Township 1 North Range 38 E.B.M.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 21, 22, 23, 24, 25, 26, 27, 34 35 and 36 Township 2 North Range 38 E.B.M.

Section 36, Township 3 North, Range 37 E.B.M.

Sections 19, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 20, 21 and 22, Township 3 North Range 38 E.B.M.

Sections 6, 7, 17, 18, 19, 20, 30, and 31, Township 2 North, Range 39 E.B.M.

Sections 16, 18, 19, 20, 29, 30 and 31, Township 3 North, Range 39 E.B.M.

Sections 1, 2 and 3, Township 3 North, Range 40 E.B.M.

All in Bonneville County, Idaho.

Sections 34, 35 and 36, Township 4 North, Range 40 E.B.M., Jefferson County, Idaho.

AA. REID CANAL CO 1 0323

That Reid Canal Co. shall have the right to divert and use 35.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Southwest Quarter of the Southwest Quarter of Section 6, Township 4 N. Range 40 E.B.M.

Lands to Which Appurtenant

Commencing at the diversion works from the South Fork of the Snake River in Section 6, Township 4 North, Range 40 E.B.M. The service area is bounded thusly; (1) on the East by the main canal from the division point in the Texas Slough Section 1, Township 4 North, Range 39 E.B.M., northly to the place of diversion of the Gilbert Ditch, thence on the east by that ditch and by the abrupt rise in the land, continuing to the point of intersection of the hills with the north line of Section 5 North, Range 40 E.B.M. (2) on the north by the north line of Section 6, Township 5 North, Range 39 E.B.M., to its point of intersection with the south branch of the Rexburg Canal, thence

3 1996

westerly along this branch to the point of intersection of that branch with the Texas Slough Canal in Section 2, Township 5 North, Range 39 E.B.M.; (3) thence southerly to the intersection of the Texas Slough Canal with the road that is about one-quarter mile north of the south line of Section 10, Township 5 North, Range 39 E.B.M.; (4) thence Westerly along that road to its point of intersection with the Texas Slough; (5) thence southerly along Texas Slough to the point of intersection of the east line of Section 22, Township 5 North, Range 39 E.B.M.; (6) thence south along the east lines of Sections 22 and 27 to the point of intersection with Bannock Jim Slough and thence easterly and southerly along that slough to its intersection with the Lorenzo Road; (7) thence easterly along Lorenzo Road to the road intersection in the Southwest Quarter of Section 26, thence south about one-quarter mile to the south line of said Section 26, thence easterly about one-quarter mile along a private road and continuing along this private road easterly and southerly to a point due west of the diversion of the Liberty Park Canal from Texas Slough... (8) thence easterly along Texas Slough to its point of intersection with the west line of the East Half of the East Half of Section 35, Township 5 North, Range 39 E.B.M.; (9) thence south along this west line to the point of contact with the levee, thence easterly along the levee and along Texas Slough to the point of beginning, Madison County, Idaho.

BB. RIVERSIDE DITCH CO. 1 0324

That Riverside Ditch Co. shall have the right to divert and use 50.0 cubic feet of water per second at the following point of diversion and upon the following described lands;

Point of Diversion

Southeast Quarter of the Southeast Quarter of Section 12, Township 2 South, Range 35 E.B.M.

Lands to Which Appurtenant

Sections 13, 24, 23, 22, 21, 20, 19, 30, 29, 28, 27, 33 and 32, Township 2 South, Range 35 E.B.M.

Sections 24 and 25, Township 2 South Range 34 E.B.M.

All in Bingham County, Idaho.

CC. SAM SAKAGUCHI

1 0325

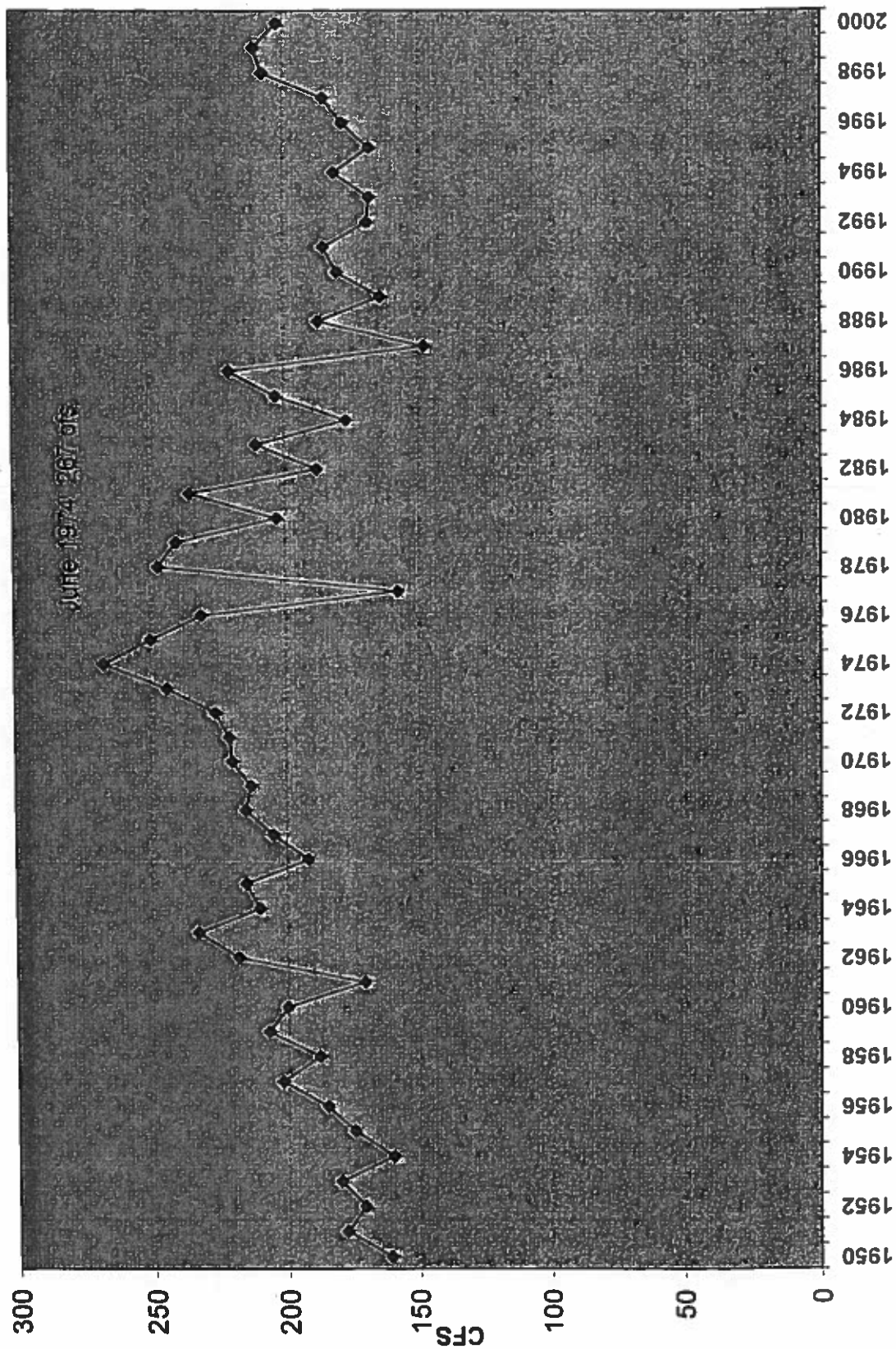
That Sam Sakaguchi shall have the right to divert and use 2.0 cubic feet of water per second at the following point of diversion and upon the following described lands:

Point of Diversion

Northwest Quarter of the Northeast Quarter of Section 2, Township 3 North, Range 37 E.B.M.

MAY 13 1996

MAXIMUM MONTHLY DIVERSION 1950-2000
13038431 REID CANAL



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: A01-00323A
Date Received: 8/31/1988
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REID CANAL COMPANY 208-356-5177
Address: C/O MAURICE C SHARP SEC
2624 W 6300 S
REXBURG ID 83440

2. Date of Priority: APR 1, 1939

3. Source: SNAKE RIVER, SOUTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	6	SW	SW	SW	7	MADISON

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	35.000		

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

34.326 12/21/92
A.F.A. 5

8. Total consumptive use is 14010.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	2	SW	SW		IRR	40.0
			SW	SE		IRR	25.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	65.0
		10	NE	SE	IRR	38.0
			NW	SE	IRR	1.0
			SW	SE	IRR	9.0
			SE	SE	IRR	40.0
					Section Acres	88.0
		11	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	560.0
		12	SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	560.0
		13	NE	NE	IRR	32.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	14.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	39E	13	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	25.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	591.0
		14	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	560.0
		15	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	30.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	14.0
			SW		SE		IRR	8.0
			SE		SE		IRR	26.0
							Section Acres	238.0
		22	SE		NE		IRR	3.0
			NE		SE		IRR	36.0
			SE		SE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
Section Acres						79.0
		23	NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	39.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
Section Acres						439.0
		24	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
Section Acres						480.0
		25	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	22.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	2.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
Section Acres							584.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							600.0
		27	NE	SE		IRR	27.0
Section Acres							27.0
		35	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	34.0
			SE	NE		IRR	40.0
			NE	SE		IRR	26.0
			NW	SE		IRR	4.0
Section Acres							184.0
		36	NE	NW		IRR	35.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	30.0
			NE	SW		IRR	25.0
			NW	SW		IRR	40.0
			SW	SW		IRR	6.0
			SE	SW		IRR	7.0
Section Acres							223.0
	40E	6	SW	SW		IRR	40.0
			SE	SW		IRR	17.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	57.0
		7	NE	NW	IRR	17.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	18.0
			NE	SW	IRR	15.0
			NW	SW	IRR	40.0
			SW	SW	IRR	28.0
			SE	SW	IRR	1.0
					Section Acres	199.0
		18	NW	NW	IRR	4.0
			SW	SW	IRR	11.0
					Section Acres	15.0
		19	NE	NW	IRR	2.0
			NW	NW	IRR	30.0
					Section Acres	32.0
		30	NW	NW	IRR	10.0
			SW	NW	IRR	13.0
					Section Acres	23.0
					Total Acres	5604.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

01-0149, 0182A, 0150, 0187A, 0251, 0284, 0151, 2068, STORAGE

14. Remarks:

APPLICANT IS A CANAL COMPANY WHICH HOLDS WATER RIGHTS AND OWNS THE DIVERSION AND DELIVERY STRUCTURES. THE LANDS SHOWN AS PLACE OF USE ARE OWNED BY STOCKHOLDERS OF THE COMPANY.

FROM ITEM 5 -

THE DIVERSION STRUCTURE IS A ROCK DAM APPROXIMATELY 200' LONG AND 3-5' HIGH ACROSS THE RIVER CHANNEL. THE HEADGATE IS A CONCRETE STRUCTURE WITH GATES APPROXIMATELY 10' WIDE X 12' HIGH, EACH OPERATED WITH A WINCH BOLTED TO THE DECK ACROSS THE TOP TO THE

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14. Remarks: Continued

STRUCTURE. THIS IS THE INTAKE FOR THE BANNOCK FEEDER CANAL. ABOUT 3/4 MILE DOWNSTREAM, THE CANAL SPLITS INTO THE REID CANAL AND THE TEXAS FEEDER CANAL. JUST DOWNSTREAM FROM THE SPLIT THERE IS A RATING FLUME IN THE REID CANAL WHERE THE WATER IS MEASURED. THE REID CANAL COMPANY OWNS AN UNDIVIDED ONE-THIRD INTEREST IN THE ABOVE DESCRIBED STRUCTURES DOWN TO THE SPLIT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. COMP. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

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State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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