

12/15/2006

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

RIGHT NUMBER: 1-10022

NAME AND ADDRESS: KITE-NORD CANAL CO
C/O VERDALE HILL
4572 E 250 N
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 7.200 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:

T04N R40E S29 NENENW 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	7.200 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE:

166 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 Kite-Nord 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Stockwater use is for 300 range cattle.

This right is a combination of old Right Nos. 1-71B, 1-226A, 1-226B, and 1-137.

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

Water is delivered through Kite-Nord Canal.

SCANNED
MAR 14 2007

PROTECTED



Kite-Nord Canal Co

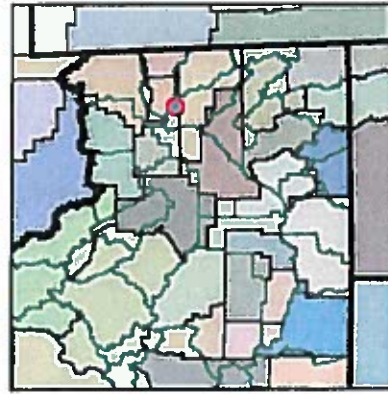
SRBA Recommendations: 1-242, 1-299, 1-10022

SCANNED
MAR 15 2007
PROFILED

Service Area Boundary
GIS Place of Use Illustration

Legend

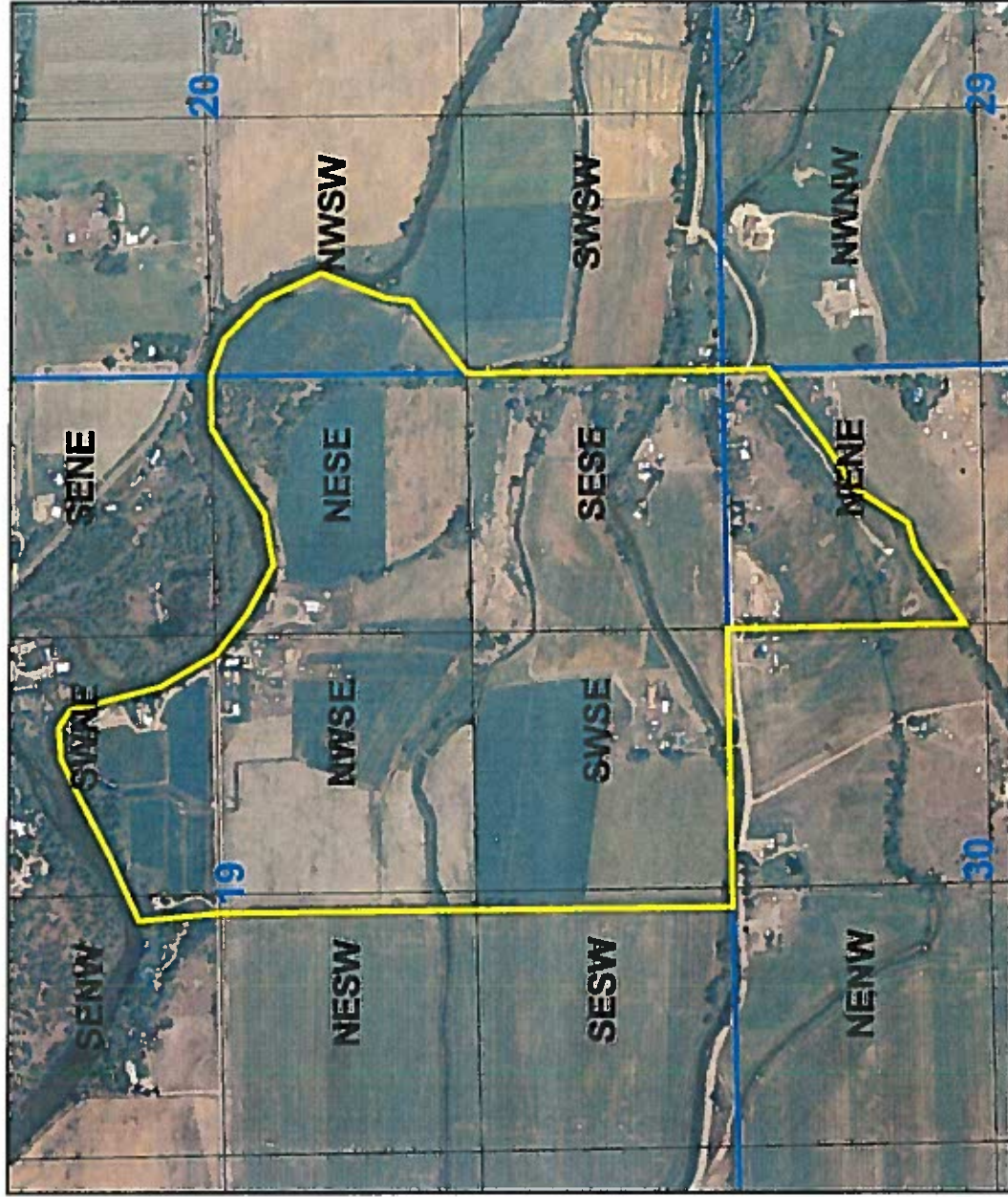
- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Jefferson County
IDWR Basin 1

Prepared by M. Holliday
On Friday, December 15, 2006
2004 Aerial Photography

R40E



T04N

0.8 Miles

0.4

0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-137

WATER RIGHT NUMBER: 1-137

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O NORD
	, ZZ

Priority Date: 06/01/1890

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>Annual Volume</u>
IRRIGATION	4/01 to 11/01	4.800 CFS	
	<u>Total Diversion:</u>	4.800 CFS	

Location of Point(s) of Diversion
SNAKE RIVER

Place of Use
IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 40E 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X	X	X	

Conditions of Approval:

1. PLACE OF USE FOR 120 AC.

Remarks:Comments:Dates and Other Information:

SCANNED

MAR 19 2007

PROFILED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-226A

WATER RIGHT NUMBER: 1-226A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OSCAR J NORD RT 2 RIGBY, ID 83442

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
DRY BED	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.400 CFS	
	<u>Total Diversion:</u>	1.400 CFS	

Location of Point(s) of Diversion

DRY BED	NW1/4NE1/4	Sec. 29, Twp 04N, Rge 40E, B.M.
JEFFERSON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	40E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	35.0
																			35.0

KOL

Total Acres: 35

Conditions of Approval:

1.

~~TRANS 912~~P/D INCOMPLETE. KITE & NORD DITCH.
P/U INCOMPLETE.Remarks:Comments:Dates and Other Information:

OJ NORD VS CRANDALL 8/31/1945

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT

TRANSFERRED RIGHT NO. 912.

THIS IS TO CERTIFY, That Oscar J. Nord, of Rt. # 2, Rigby, Idaho, is the owner of and using a certain water right bearing date of priority of June 1, 1890, for 1.6 cubic feet per second of the waters of the South Fork of Snake River, County of Jefferson, State of Idaho, decreed to Oscar J. Nord by decree of C. J. Taylor of the Ninth Judicial District of the State of Idaho, in and for the County of Jefferson, in the case of

Oscar J. Nord

vs.

Lynn Grandall,

said decree bearing date of August 31, 1945, District No. 36, and in the County of Jefferson, State of Idaho, and being appurtenant to the following described lands, to-wit:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Township
4 North, Range 40 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 6 of Decrees, at Page 1121.

That said Oscar J. Nord has become the owner of said water right by mesne conveyance.

And, that now upon the application of Oscar J. Nord, of Rt. # 2, Rigby, Idaho, for the transfer of 0.2 cubic feet per second (10 miner's inches) of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted the right to the use of 0.2 cubic feet per second (10 miner's inches) of the waters of the South Fork of the Snake River upon the above described lands is hereby abandoned, and the lands under such right, and to which the water right HEREBY CONFIRMED, shall become appurtenant, by this certificate, for irrigation purposes are described as follows, to-wit:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, Township
4 North, Range 40 East, B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount, to-wit:

0.2 cubic feet per second, bearing
date of priority of June 1, 1890.

1-226B

1-226A is the remaining 1.4 cfs not included in XFR

SCANNED
MAR 19 2007
PROFILED

That the water right hereby transferred has heretofore been conducted from the South Fork of the Snake River with the point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 4 North, Range 40 East, B.M., through the Kite and Nord ditch.

That the water right hereby transferred will hereafter be conducted to the last above described lands with no change in point of diversion through the Kite and Nord ditch.

That the right to the use of the aforesaid hereby confirmed is restricted to the land or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 25th day of September, 1958.

GEO. N. CARTER

GEO. N. CARTER
State Reclamation Engineer

SCANNED
MAR 19 2007

FILED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 1-71B

WATER RIGHT NUMBER: 1-71B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FREDERICK HATFIELD
	, ZZ
Current Owner	CHENEY DITCH
	, ZZ

Priority Date: 06/01/1890

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>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

SNAKE RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	40E	30	X	X															

Conditions of Approval:

1. YDELL JOHNSON OF RIRIE SAYS THIS RT. IS ON HIS GROUND AND COMES THRU KITE & NORD DITCH NOW. HE SAYS HIS DAD ARRANGED THIS.

Remarks:Comments:Dates and Other Information:

SCANNED
MAR 14 2007
PROFILED

CLAIMS

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Rec cfs	Source	Water Use(s)	Owner(s)
1	71 B		Decreed	1890-06-01	0.65	0.56	DRY BED	IRRIGATION	TABLE ROCK IRRIGATION ASSOC INC (Current)
1	71 C		Decreed	1890-06-01	0.15	0.15	DRY BED	IRRIGATION	SCOTT, R GENE (Current)
1	71 D		Decreed	1890-06-01	1.44	1.44	SNAKE RIVER	IRRIGATION	NEW SWEDEN IRRIGATION DIST (Current)
1	71 E		Decreed	1890-06-01	0.09	0.09	DRY BED	IRRIGATION	TABLE ROCK DEVELOPMENT LLC (Current)
1	10022		Decreed	1890-06-01	7.2	0.8	SNAKE RIVER	IRRIGATION, S' KITE AND NORD DITCH (Current)	
					9.53	3.2			

WATER RIGHTS

1	71 B		Decreed	1890-06-01	0.8		SNAKE RIVER	IRRIGATION	CHENEY DITCH (Current)
1	71 C		Decreed	1890-06-01	0.8		SNAKE RIVER	IRRIGATION	JOHNSON, WYDELL (Current)
1	71 D		Decreed	1890-06-01	1.6		SNAKE RIVER	IRRIGATION	BURKE, W G (Current), PICKERING, W W (Current)
					3.2				

1-71 3.2 cfs originally decreed to 80 acres

SCANNED
MAR 14 2007

PROFILED

(3.20 cfs)

unnumbered Tr. / 01-0071

See Watermaster

Blue books back to 1942

01-0071 A
2.40 cfs

01-0071 B

0.80 cfs

to Cheney Ditch & prob. on to Kilt-Nord thru agreement

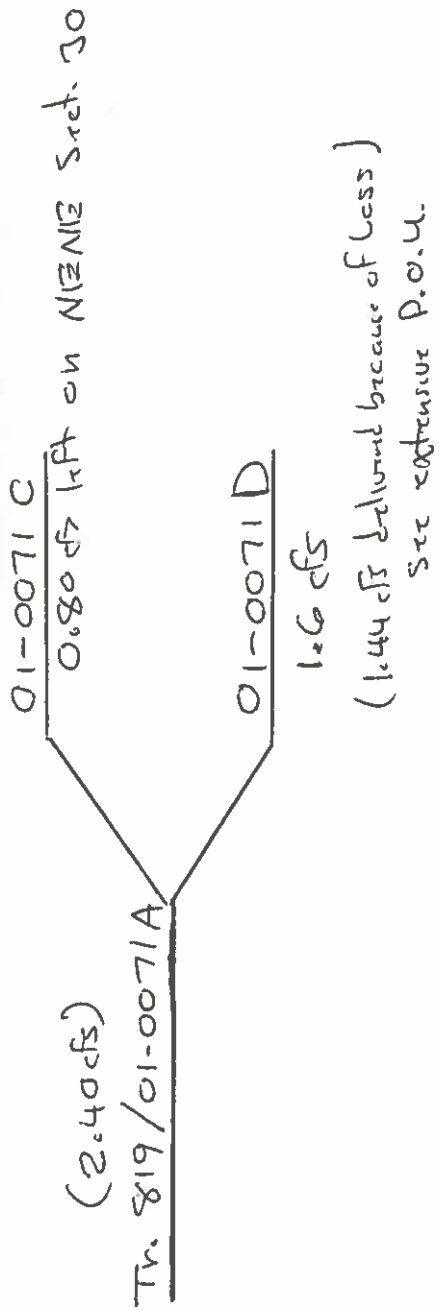
Per according to W. L. Johnson

IS NENE + NW NE Sect. 30

T4N R40E

SCANNED
MAR 19 2007

PROFILED



SCANNED
MAR 15 2007

PROFILED

AUG 24 2 31

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: A01-10022
Date Received: 10/17/1988
Receipt No: E003201
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KITE AND NORD DITCH
Address: C/O VERDALE HILL
4572 EAST 250 NORTH
RIGBY, ID

208-538-7127

83442

2. Date of Priority: JUN 01, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	36	NW	SE			JEFFERSON

5. Description of diverting works:

HEADGATE TO DRY BED SNAKE RIVER TO HEADGATE ON KITE & NORD DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.200		
STOCKWATER	04/01	11/01	0.070		

7. Total Quantity Appropriated is:

7.200 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

532.5 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER - 300 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	19	SW	NE		IRR	15.0

A01-10022

Page

1

Date: 10/17/88

COPY

MICROFILMED

OCT 20 1992

A0110022



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	40E	19	SW		NE		STOCK	
			NE		SW		IRR	4.0
			NE		SW		STOCK	
			NE		SE		IRR	35.0
			NE		SE		STOCK	
			NW		SE		IRR	40.0
			NW		SE		STOCK	
			SW		SE		IRR	38.0
			SW		SE		STOCK	
			SE		SE		IRR	37.0
			SE		SE		STOCK	
			Section Acres					169.0
		20	NW		SW		IRR	10.0
			NW		SW		STOCK	
			SW		SW		IRR	10.0
			SW		SW		STOCK	
			Section Acres					20.0
		30	NE		NE		IRR	20.0
			NE		NE		STOCK	
			Section Acres					20.0
			Total Acres					209.0

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:
A01-00299/00242

14. Remarks:

THIS CLAIM COMBINES THE FOLLOWING WATER RIGHTS: 01-00071/01-00226
A & B/01-00137.
RGT NO. 01-0226A & B WERE DECREED IN THE SUIT OF OSCAR J. NORD
VS. LYNN CRANDALL, W.M. DATED AUG 31,1945.

15. Basis of Claim: DECREED

Case Number:

Court : SIXTH

Decree date: 12/16/1910

A01-10022

Page

2

Date: 10/17/88

COPY

MICROFILMED
OCT 20 1992

REXBURG IRRIGATION CO.
Decree Plaintiff

vs

TETON IRRIGATION CANAL 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
Kite & Nord Ditch that I have signed the foregoing
Organization Title
document in the space below as President of
Kite & Nord Ditch and that the statements contained in the
Organization Title
foregoing document are true and correct.

Verdoh E. Rice
Signature of Authorized Agent
Pres Kite & Nord Ditch
Title and Organization

10-17-88
Date

State of Idaho)
County of Bonneville) SS.

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

Betty Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94

COPY

MICROFILMED
OCT 20 1992



COPY

A01-100212
A01-00292
A01-00299

MICROFILMED

OCT 20 1992