

12/15/2011

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

RIGHT NUMBER: 22-163A

NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN  
12241 E 3749 N  
NEWDALE ID 83436

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 1.330 CFS  
160.000 AFY

Right Nos. 22-163A, 22-7276, and 22-13739 are limited to a total combined diversion rate of 24.03 cfs.

The rights listed below are limited to a total combined diversion rate of 29.04 cfs. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T07N R42E S30 SENE Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 1.330 CFS<br>160.00 AFY |

PLACE OF USE:

3667.9 ACRES TOTAL

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 3667.9 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

Place of use is within the area served by Canyon Creek Lateral Ditch Association.

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

The following rights are (re)diverted through point of diversion described above: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 1.

Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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

Six pumps are located at the point of diversion described above.

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

RIGHT NUMBER: 22-163A

NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN  
12241 E 3749 N  
NEWDALE ID 83436

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 1.330 CFS  
160.00 AFY

The rights listed below are limited to a total combined diversion rate of 29.04 cfs and to a total combined annual diversion volume of 10,710 AF. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION: T07N R42E S30 NESENE Within MADISON County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 1.330 CFS<br>160.00 AFY |

PLACE OF USE:

3060 ACRES TOTAL

Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation.

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.

The rights listed below are limited to the irrigation of a combined total of 3052 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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

This right is subject to regulation by the watermaster of Water District No 01.

Totalizing measuring devices shall be maintained at all points of diversion.

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 No. 22-163A, 22-7253, and 22-7276 are also (re)diverted through point of diversion described above.

Six pumps are located at the point of diversion described above.

Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

Renumbered from 22-163D.

09/26/2006

**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:**

Water right number: 22-163A

CANYON CREEK LATERAL DITCH ASSN

12241 E 3749 N

NEWDALE ID 83436

Telephone Number: (208)458-4269

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:

10/26/06

SIGNATURE:

Stan Schwendiman, Sec.

Please print your name:

Stan Schwendiman

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

SCANNED

AUG 06 2007

KMJ  
10/27

08/30/2006

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

RIGHT NUMBER: 22-163A  
NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN  
12241 E 3749 N  
NEWDALE ID 83436  
SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK  
QUANTITY: 1.330 CFS  
160.000 AFY

The rights listed below are limited to a total combined diversion rate of 29.04 cfs and to a total combined annual diversion volume of 10,710 AF.  
Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T07N R42E S30 NESENE Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 1.330 CFS<br>160.00 AFY |

PLACE OF USE:

3052 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 3052 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

Place of use does not include federal public lands unless authorized in writing by the United States Bureau of Reclamation.

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.

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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

This right is subject to regulation by the watermaster of Water District No 01.

Totalizing measuring devices shall be maintained at all points of diversion.

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.

SCANNED

AUG 06 2007

08/30/2006

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 22-163A, 22-7253, and 22-7276 are also (re)diverted through point of diversion described above.

Six pumps are located at the point of diversion described above.

Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

Renumbered from 22-163D.

SCANNED

AUG 22 2007

## NOTES

12-7-05

22-7253 - exchange well and redemption from Teton River

22-7276 - river right. POD is same as POR for 22-7253

Both of these rights were licensed to the same 3060 ac. Each right is limited to 1720 ac within the 3060 ac, but not the same 1720 ac. According to the BIA field report, each right is a different 1720, but they overlap. See colored map attached. There are some acres within the 3060 not covered by these two rights, but they are covered by one of two non-SRISA permits or appl. or permit 22-7490 and 22-7508. Because 22-7253 and 22-7276 were licensed to 3060 ac, recommending according to licenses. Not including the remark that the two together are limited to 1720 ac, because that is not what the field exam suggests.

22-1163A - RIVER water  
22-1163  $\begin{cases} \text{A } 1.33 \text{ cfs} \\ \text{Tx 2260 } 80 \text{ ac} \\ \text{B } 2.67 \text{ cfs} \\ \text{160 ac} \end{cases}$

This right was transferred to the same POD as the two rights listed above (Transfer 3146). And to the same POU as the rights above through another transfer, Transfer 3146 limits this right to a max. of 160 AF. Recommending as 80 ac. w/m 3060 ac and 1.33 cfs/160 AF.

The two non-SRISA rights are not included in the POU and quantity of water. However, they do overlap the POU recommended. 22-7490 previously had a claim, but it was withdrawn.

Claims mention other water from 22-195 and 22-196 (Canyon Creek Canal Co.)  
Not clear as to the relationship.

SCANNED

AUG 16 2007

Water Right No(s). A22-163A + A22-7276

6 pump diversion area not GPS, but  
located via Keith Wilson field exam  
maps & photos (A22-7253).

**GPS DATA:**

Tag # NA. Location: \_\_\_\_\_

**Diversion Data:**

Source: Teton River Trib to: Snake River

**MOTOR** See attached sheet - Keith's field exam  
Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

**PUMP**  
Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: \_\_\_\_\_

**NOTES:**

Ryan Craps Farms ground. Cell phone 15 313-6314

Same 6 pumps are also re-diversion point for A22-7253  
A22-7253, A22-7276 + A22-163A share P.P.G.

Field Exam Date: 12-5-05 Agent: J. L. Jones **SCANNED**

**AUG 06 2007**

*Renumbered from 22-163D.*

22-163A

Claim No. ~~22-1630~~

Document Checklist

☒ Copy License/Decree

Hexora V Teton

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☐ Generate Arcview Map

Cannot pull up claim in  
database or generate map

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AUG 06 2007

**Contacts Data Entry Form**Claim Number: 22-0123A

| Owner Type | Full Name | Address | City | State | Zip |
|------------|-----------|---------|------|-------|-----|
|------------|-----------|---------|------|-------|-----|

Current Owner: CANYON CREEK LATERAL DITCH ASSN Phone No.: \_\_\_\_\_

Current Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Current Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_.

Representing Attorney: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_ Date of Field Exam: \_\_\_\_\_

**Discussion of right origin and split history. Questions and problems.**DA RISK11

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

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AUG 06 2007

## Priority Date Data Entry Form

Claim Number: \_\_\_\_\_

Water Right Priority Date: April 1, 1896 Water Right Basis: Dacree d.Claimed Priority Date: \_\_\_\_\_ Claimed Basis: Dacree

Recommended Priority Date: \_\_\_\_\_ Recommended Basis: \_\_\_\_\_

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Matches Dacree

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

SCANNED  
AUG 06 2007

**Claim Number:** \_\_\_\_\_

Water Right Point of Diversion: T \_\_\_\_\_, R \_\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary to : \_\_\_\_\_

Water Right Point of Diversion: T \_\_\_\_\_, R \_\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary to: \_\_\_\_\_

| Tw | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source | Tributary to |
|----|-----|-----|---------|----------------|--------|--------|--------------|
|    |     |     |         |                |        |        |              |
|    |     |     |         |                |        |        |              |
|    |     |     |         |                |        |        |              |

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source | Tributary to |
|-----|-----|-----|---------|----------------|--------|--------|--------------|
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |

Other rights from this POD? 22-7253, 2276, 7490, 7508, 0195, 0196  
Transfers Pending or approved: \_\_\_\_\_

**Document how the POD and Source were verified:**

[illegible]

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

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AUG 06 2007

**Season of Use and Quantity Data Entry Form**

Claim Number: \_\_\_\_\_

**Water Right Period of Use and Diversion Rate**

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

**Claimed Period of Use and Diversion Rate**

| Water Use  | Start | End  | Rate     | Volume |
|------------|-------|------|----------|--------|
| Irrigation | 4/1   | 11/1 | 1.33 CFS |        |
|            |       |      |          |        |
|            |       |      |          |        |

Overall Diversion Rate 1.33 CFSOverall Diversion Volume 1.33**Recommended Period of Use and Diversion Rate**

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

**Document how the Period of Use and/or Diversion Rate were verified:**

EDWR STD SDU. 4/1 10/31

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

SCANNED

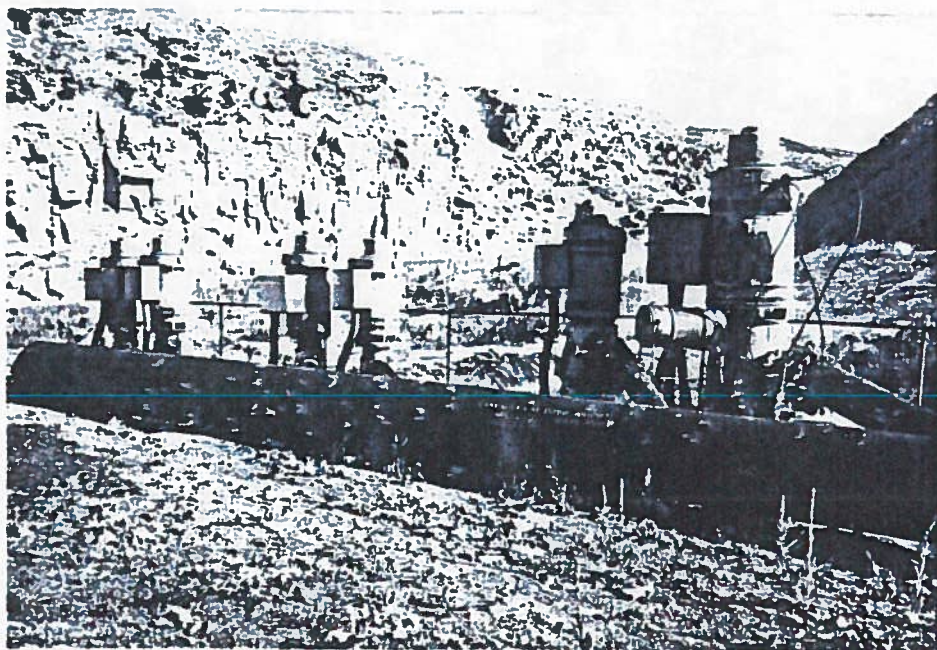
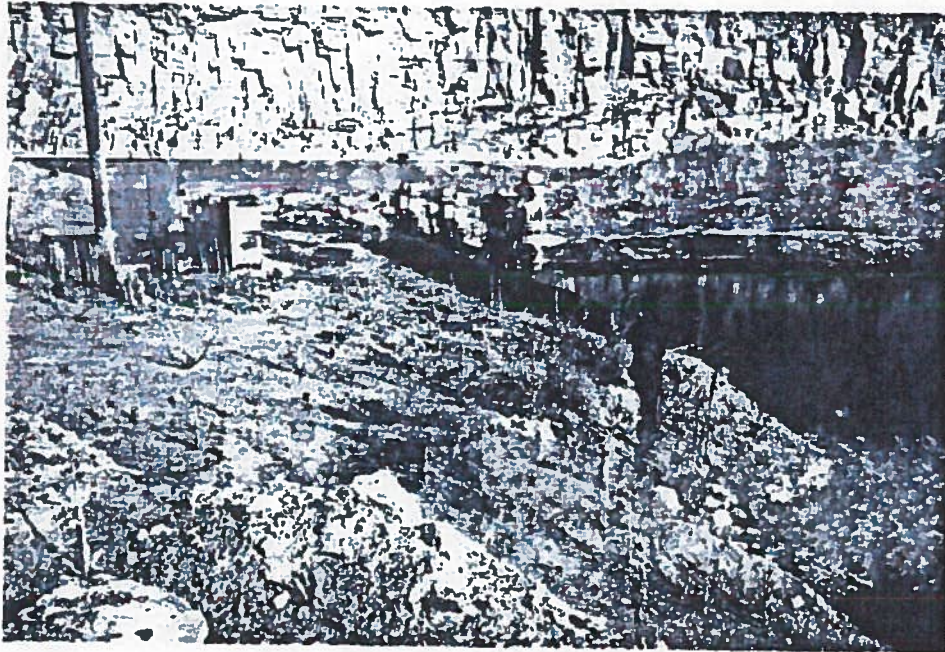
AUG 06 2007

|                                                                                                |       |
|------------------------------------------------------------------------------------------------|-------|
| 101 Waddell, Mrs. L. E.; Sept. 1, 1891; Teton Creek.....                                       | 200   |
| 104 Grand Teton Canal Co.; May 1, 1892; Teton Creek (Diverted in Wyoming).....                 | 6,360 |
| 105 Edlertson, Noah C.; June 1, 1892; Leigh Creek.....                                         | 120   |
| 105 Walton, George; June 1, 1892; Paradise Creek.....                                          | 100   |
| 105 Gellrup, Carl; June 1, 1892; Darby Creek.....                                              | 160   |
| 105 Gilbert, Albert; June 1, 1892; Horse Shoe Creek.....                                       | 120   |
| 105 Ricks, Josiah; June 1, 1892; North Leigh Creek.....                                        | 160   |
| 105 Sldoway Irrigation & Manufacturing Co.; June 1, 1892; Teton River.....                     | 384   |
| From July 1st of each year for the balance of the irrigation season.....                       |       |
| 105 Todd, John; June 1, 1892; Darby Creek.....                                                 | 160   |
| 105 Todd, Henry M.; June 1, 1892; Darby Creek.....                                             | 200   |
| 107 Davidson, L. S.; July 26, 1892; Darby Creek.....                                           | 135   |
| 111 Betts, Alice, and Joseph; May 1, 1893; Trail Creek.....                                    | 80    |
| 111 Bigler, Jesse E.; May 1, 1893; Moody Creek.....                                            | 320   |
| To be reduced to 160 inches after June 20th in each year.....                                  |       |
| 112 Jones, Benjamin; June 1, 1893; Trail Creek.....                                            | 160   |
| 112 Thomas, Henry E.; June 1, 1893; no stream proved.....                                      | 140   |
| 112 Wood, Samuel L.; June 1, 1893; Mahogany Creek.....                                         | 160   |
| 112 Young, Eva H., widow of Eugene H. Young (deceased); June 1, 1893; Warm Creek.....          | 100   |
| 112 Gale, Joseph; June 1, 1893; South Leigh and Swamp Creek.....                               | 40    |
| 112 Gordon, S. A.; June 1, 1893; South Leigh Creek.....                                        | 160   |
| 112 Eddington, George; June 1, 1893; Teton Creek.....                                          | 160   |
| 116 Stephens, N. H.; May 1, 1894; Trail Creek.....                                             | 130   |
| 117 Sinclair, D. R.; June 1, 1894; Trail Creek.....                                            | 160   |
| 117 Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); June 1, 1894; Warm Creek..... | 15    |
| 117 Ricks, Alfred; June 1, 1894; Moody Creek.....                                              | 200   |
| To be reduced to 100 inches after June 20th of each year.....                                  |       |
| 117 Ricks, John; June 1, 1894; Trail Creek.....                                                | 100   |
| 117 Ricks, Alfred; June 1, 1894; Teton River.....                                              | 51    |
| 117 Hetch, Hyrum; June 1, 1894; Trail Creek.....                                               | 10    |
| 117 Moffat, John P.; June 1, 1894; Swamps.....                                                 | 160   |
| 117 Gale, Joseph; June 1, 1894; South Leigh and Swamp Creek.....                               | 40    |
| Christensen, Niels C.; June 1, 1894; Fox Creek.....                                            | 80    |
| Blattner, Rudolph; June 1, 1894; Darby Creek.....                                              | 160   |
| 117 Ellis, A. J.; June 1, 1894; Darby Creek.....                                               | 160   |
| 118 Eynon, L. L.; June 15, 1894; Spring Creek, a tributary of Pine Creek.....                  | 40    |
| 119 Kirsley, Richard; June 30, 1894; Trail Creek.....                                          | 160   |
| 120 Frye, John; July 1, 1894; Trail Creek.....                                                 | 20    |
| 128 Dunney, P. S.; May 15, 1895; Little Warm Creek.....                                        | 60    |
| 129 Adams, E. G.; June 1, 1895; no stream proved.....                                          | 150   |
| 129 Ashmead, Charles; June 1, 1895; Teton Creek.....                                           | 100   |
| 129 Bush, Sarah M.; June 1, 1895; Teton Creek.....                                             | 150   |
| 129 Caldwell, Moroni; June 1, 1895; Pack Saddle Creek.....                                     | 160   |
| 129 Hermann, C. M.; June 1, 1895; Teton Creek.....                                             | 80    |
| 129 Moffat, Mary A.; June 1, 1895; Leigh Creek.....                                            | 80    |
| 129 Moffat, Andrew; June 1, 1895; South Leigh Creek and Swamps.....                            | 20    |
| 129 Ingram, Thomas H.; June 1, 1895; Darby Creek.....                                          | 160   |
| 129 Lauritzen, John; June 1, 1895; Spring Creek.....                                           | 80    |
| 129 Kimball, Archie R.; June 1, 1895; Trail Creek.....                                         | 160   |

|                                                                                               |     |
|-----------------------------------------------------------------------------------------------|-----|
| 129 Kay, James; June 1, 1895; Trail Creek.....                                                | 140 |
| 129 Parker, B. F.; June 1, 1895; Fox Creek.....                                               | 15  |
| 129 Nordval, C.; June 1, 1895; Darby Creek.....                                               | 50  |
| 131 Spencer, Charles; June 15, 1895; Trail Creek.....                                         | 40  |
| 131 Costello, C. A.; June 15, 1895; Pine Creek.....                                           | 120 |
| 131 Costello, C. A.; June 15, 1895; Spring Creek.....                                         | 160 |
| 132 Tonks, George M.; July 15, 1895; Trail Creek.....                                         | 200 |
| 138 Beard, James T.; Apr. 1, 1896; Teton River.....                                           | 20  |
| 138 Hunkinson, William J.; Apr. 1, 1896; Teton River.....                                     | 120 |
| 138 Smith, Albert; Apr. 1, 1896; Trail Creek.....                                             | 40  |
| 138 Smith, Albert; Apr. 1, 1896; Little Warm Creek.....                                       | 120 |
| 140 Blair, J. J.; May 1, 1896; Spring Creek.....                                              | 130 |
| 142 Stann, Emil A.; May 15, 1896; Spring Creek.....                                           | 100 |
| 142 Moulton, Charles; May 15, 1896; Fox Creek.....                                            | 100 |
| 142 Moulton, George F.; May 15, 1896; Fox Creek.....                                          | 40  |
| 143 Edwards, Andrew; June 1, 1896; Trail Creek.....                                           | 160 |
| 143 Blair, Ed. F.; June 1, 1896; Trail Creek.....                                             | 160 |
| 143 Avery, Talitha C.; June 1, 1896; Trail Creek.....                                         | 160 |
| 143 Allen, Charles A.; June 1, 1896; Trail Creek.....                                         | 160 |
| 143 Barnes, Charles W.; June 1, 1896; Trail Creek.....                                        | 100 |
| 143 Bush, George W.; June 1, 1896; Fox Creek.....                                             | 40  |
| 143 Buxton, John; June 1, 1896; Mahogany Creek.....                                           | 160 |
| 143 Buxton, Lucy, Adminr. Estate of Joseph Buxton (deceased); June 1, 1896; Spring Creek..... | 100 |
| 143 Crandall, Ira; June 1, 1896; Darby Creek.....                                             | 100 |
| 143 Hamblin, Kate; June 1, 1896; Trail Creek.....                                             | 115 |
| 143 Hamblin, Joseph R.; June 1, 1896; Trail Creek.....                                        | 80  |
| 143 Griegith, Henry; June 1, 1896; Trail Creek.....                                           | 160 |
| 143 Hendrickson, Alvira E.; June 1, 1896; South Leigh Creek.....                              | 80  |
| 143 Hansen, Andrew C.; June 1, 1896; Teton Creek.....                                         | 10  |
| 143 Hanks, Harriet A.; June 1, 1896; North Leigh Creek.....                                   | 50  |
| 143 Robertson, A. I.; June 1, 1896; Swamps.....                                               | 80  |
| 143 Moffat, John P.; June 1, 1896; Trail Creek.....                                           | 160 |
| 143 Lauritzen, John; June 1, 1896; Pine Creek.....                                            | 160 |
| 143 Ricks, Effie E.; June 1, 1896; Trail Creek.....                                           | 160 |
| 143 Rice, A. L.; June 1, 1896; Patterson Creek.....                                           | 160 |
| 143 Rice, A. L.; June 1, 1896; Patterson Creek.....                                           | 160 |
| 143 Peterson, A. L.; June 1, 1896; Darby Creek.....                                           | 160 |
| 143 Peterson, Chris; June 1, 1896; Trail Creek.....                                           | 150 |
| 143 Humbull, Olive A.; June 1, 1896; Trail Creek.....                                         | 160 |
| 143 Stone, Henry J.; June 1, 1896; Fox Creek.....                                             | 160 |
| 143 Sherman, William D.; June 1, 1896; Trail Creek.....                                       | 120 |
| 143 Walton, Dania; June 1, 1896; Darby Creek.....                                             | 320 |
| 143 Victor Town Site; June 1, 1896; Trail Creek.....                                          | 160 |
| 143 Taylor, Jackson C.; June 1, 1896; South Leigh Creek.....                                  | 90  |
| 143 Lehem, John; June 1, 1896; North Leigh Creek.....                                         | 155 |
| 143 Murphy, Thomas E.; June 1, 1896; Darby Creek.....                                         | 160 |
| 143 Larson, Peter; June 1, 1896; Darby Creek.....                                             | 40  |
| 143 Larsen, K. M.; June 1, 1896; Darby Creek.....                                             | 20  |
| 143 Larsen, A. C.; June 1, 1896; Darby Creek.....                                             | 80  |
| 143 Kimball, R. C., and A. L.; June 1, 1896; Fox Creek.....                                   | 90  |
| 143 Johnson, W. R.; June 1, 1896; Trail Creek.....                                            | 20  |
| 143 Penfold, Farley; June 1, 1896; Fox Creek.....                                             | 160 |
| 143 Pascoe, F.; June 1, 1896; Darby Creek.....                                                | 160 |
| 144 Pascoe, W. R.; June 15, 1896; Darby Creek.....                                            | 160 |
| 145 Larson, Andrew; July 1, 1896; Lauritzen Spring.....                                       | 140 |
| 145 Frye, John; July 1, 1896; Trail Creek.....                                                | 40  |
| 147 Eames, John S.; July 15, 1896; Teton River.....                                           | 85  |

SCANNED

AUG 06 2007



TETON RIVER  
DIVERSION

A22-7276'  
A22-163A

RECEIVED

AUG 09 1994

SCANNED

AUG 06 2007

Transfer No. #2260Application No. 22 0163

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

To Change the Point of Diversion and/or the Place of Use

**APPROVED**

splits right  
into A & B

Name of applicant Siddoway Sheep Co., Inc. Phone 624-7534Post office address c/o R. K. Siddoway, Box 39, St. Anthony, Idaho 83445**A. DESCRIPTION OF RIGHT AS RECORDED**

## 1. Right evidenced by:

- a. Decree to James T. Beard (Name)  
in case of Rexburg Irrigation Co. et al vs Teton Irrigation Co. et al  
dated 12-16-1910 in Sixth Dist. county of Fremont  
(Name of court)
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant \_\_\_\_\_

3. Source of water Teton River tributary to Snake River

4. Date of priority 4-01-1896

5. Water is used for the following purposes:

amount 4.00 for Irrigation purposes from Apr. 1 to Nov. 1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.00 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is \_\_\_\_\_ % of \_\_\_\_\_ % of Section \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_, B.M., in \_\_\_\_\_ County  
Additional points of diversion, if any Not given in decree

## 8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7N   | 41E   | 22   |        |        |        |        |        | 40     | 40     |        |        |        |        |        |        |        |        |        | 80     |
|      |       | 14   |        |        |        |        |        |        |        |        |        | 40     | 40     |        |        |        |        |        | 80     |
|      |       | 15   |        |        |        |        |        |        |        |        |        |        |        | 40     |        |        |        | 40     | 80     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 240

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B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 2.67 cubic feet per second &/or  
b. \_\_\_\_\_ acre feet per annum
2. Point of diversion \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ County  
Additional points \_\_\_\_\_ (not given in decree)
3. Place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7N   | 41E   | 14   |        |        |        |        |        |        |        |        |        |        | 40     | 40     |        |        |        |        | 80     |
|      |       | 15   |        |        |        |        |        |        |        |        |        |        |        |        | 40     |        |        | 40     | 80     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
  - a. Amount of water to be diverted 2.67 c.f.s. &/or \_\_\_\_\_ acre feet
  - b. Point(s) of diversion SE 1/4 SW 1/4, Section 14 Township 7N  
Range 41E, B.M., Fremont County  
Additional points \_\_\_\_\_
  - c. Description of diverting works 50 hp diesel
  - d. Describe the reasons for applying for a change in the point(s) of diversion  
Land has been leased for hay, grain and potatoes

2. Change in place of use

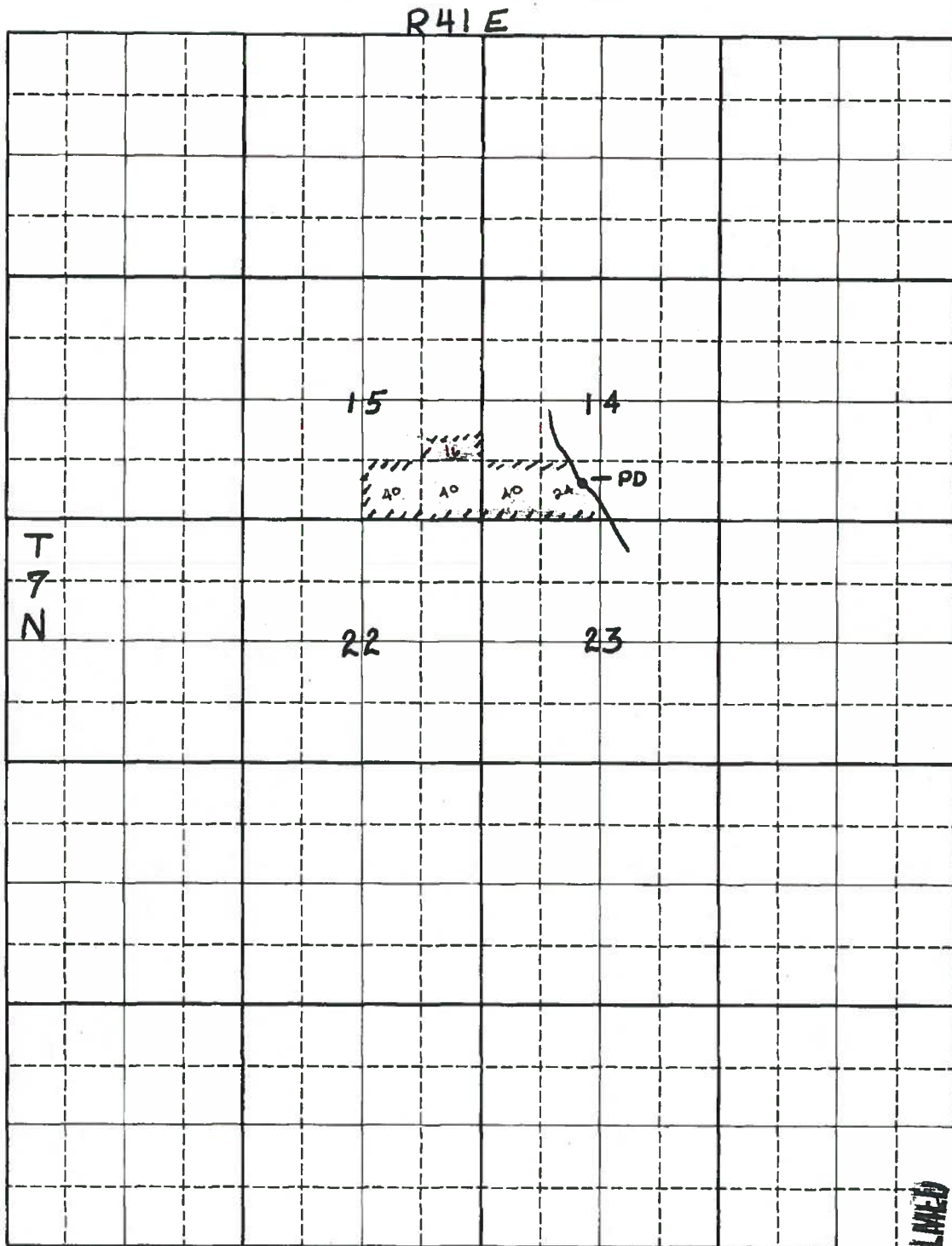
- a. Describe the lands or place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7N   | 41E   | 14   |        |        |        |        |        |        |        |        |        |        | 40     | 24     |        |        |        |        | 64     |
|      |       | 15   |        |        |        |        |        |        |        |        |        |        |        |        | 16     |        | 40     | 40     | 96     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 160

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- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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3. Remarks \_\_\_\_\_

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

*Siddoway Sheep Co., Inc.*  
*By R. K. Siddoway - Pres.*  
(Signature of applicant)

Subscribed and sworn to before me this 13<sup>th</sup> day of June, 1978.

*Randall D. Carson*  
(Notary public)

My commission expires 2/14/82

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0163 and said application is hereby APPROVED, subject to the following limitations and conditions:  
A measuring device of a type approved by this Department shall be installed and maintained as part of the diverting works.  
Use of water under this transfer is subject to control by the watermaster of State Water District No. 01, Snake River.  
The maximum rate of diversion shall not exceed 2.67 cubic feet per second or 560 acre feet per year.

Witness my hand this \_\_\_\_\_ day of August, 19 78.

*Norman C. Young*  
Administrator

#### FOR DEPARTMENT USE ONLY

|                                                        |                     |                                        |
|--------------------------------------------------------|---------------------|----------------------------------------|
| Received by <u>TL</u>                                  | Date <u>6-13-78</u> | Protest filed by _____                 |
| Prelim. check by <u>RDC</u>                            | Fee <u>\$-7.00</u>  | _____                                  |
| Receipted by <u>TL</u>                                 | Date <u>6-13-78</u> | _____                                  |
| Published in <u>Journal of the Snake River</u>         |                     | Copies of protest forwarded by _____   |
| Pub. dates <u>June 24 July 6-1978</u>                  |                     | Hearing held by _____ Date _____       |
| Watermaster recommendation requested on <u>6-23-78</u> |                     | Recommended for <u>approval</u> denial |
| <u>W.D. #41</u> rec'd. <u>6-30-78</u>                  |                     | by <u>Ernest Calhoun</u> <u>SS</u>     |

*R. Carson*

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AUG 06 2007

Transfer No. 3146Water Right No. 22-0163B

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**To Change the Point of Diversion and/or the Place of Use**

Name of applicant CANYON CREEK LATERAL DITCH WATER USERS ASSOCIATION  
C/O Leigh Chantrill Phone 458-4496

Post Office address Newdale, ID 83436

**A. DESCRIPTION OF RIGHT AS RECORDED**

**1. Right evidenced by:**

a. Decree No. 22-0163 B <sup>(T2241)</sup> Decreed to \_\_\_\_\_  
 (Name)

in case of \_\_\_\_\_ vs \_\_\_\_\_

dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
 (Name of court)

b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

**2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired** Purchased from right holder.

**3. Source of water** Teton River tributary to Henrys Fork Snake River

**4. Date of priority** 4-1-1896

**5. Water is used for the following purposes:**

amount 1.33 cfs for Irrigation purposes from 4-1 to 11-1

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (month/day — both dates inclusive)

**6. Total amount of water under right:** a. 1.33 cubic feet per second  
 &/or  
 b. 160 acre feet per annum

**7. Location of original point of diversion is** NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 30

Township 7N Range 41E, B.M., in Fremont County

Additional points of diversion, if any \_\_\_\_\_

**8. Lands irrigated or place of use:** SEE REMARKS.

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 6N   | 42E   | 5    |                  |                  |                  |                  | 40               | 40               |                  |                  | 40               | 40               |                  |                  |                  |                  |                  |                  | 160    |
|      |       | 6    |                  |                  |                  |                  |                  |                  |                  |                  | 40               |                  |                  | 40               | 40               | 40               | 40               | 40               | 240    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated 400\*

\*No more than 160 af will be pumped under this right

**9. Describe any other water rights used for the same purpose as described above** 22-0195/0196

22-7213/7253/7276

**10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?** No If yes, describe in item D. REMARKS.

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

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1. Amount of water: a. \_\_\_\_\_ cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum
2. Point of diversion \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ County  
Additional points \_\_\_\_\_
3. Place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

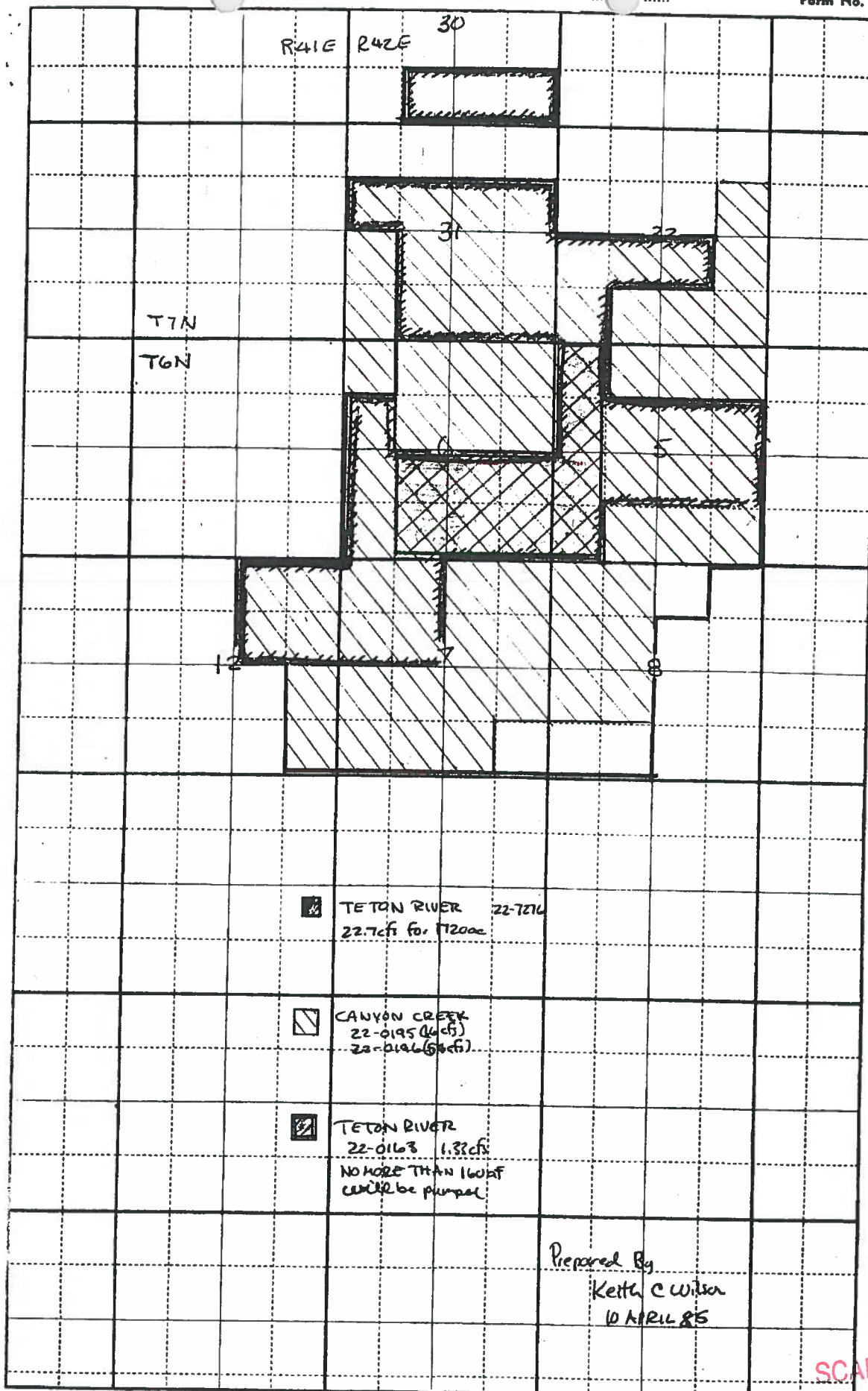
Total number of acres to be irrigated \_\_\_\_\_

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information Only 160 af./yr. will be diverted.
  - a. Amount of water to be diverted 1.33 c.f.s. &/or 160 acre feet
  - b. Description of diverting works Pump & pipeline into Canyon Creek lateral Water users system
  - c. Describe the reasons for the proposed changes Correct P/D legal to actual location and include purchase agreement with transfer.
2. Change in point of diversion
 

Point of diversion SE 1/4 NE 1/4, Section 30 Township 7N  
Range 42E, B.M., Madison County  
Additional points \_\_\_\_\_
3. Change in place of use NO CHANGE
  - a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
  - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer  
None.

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SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

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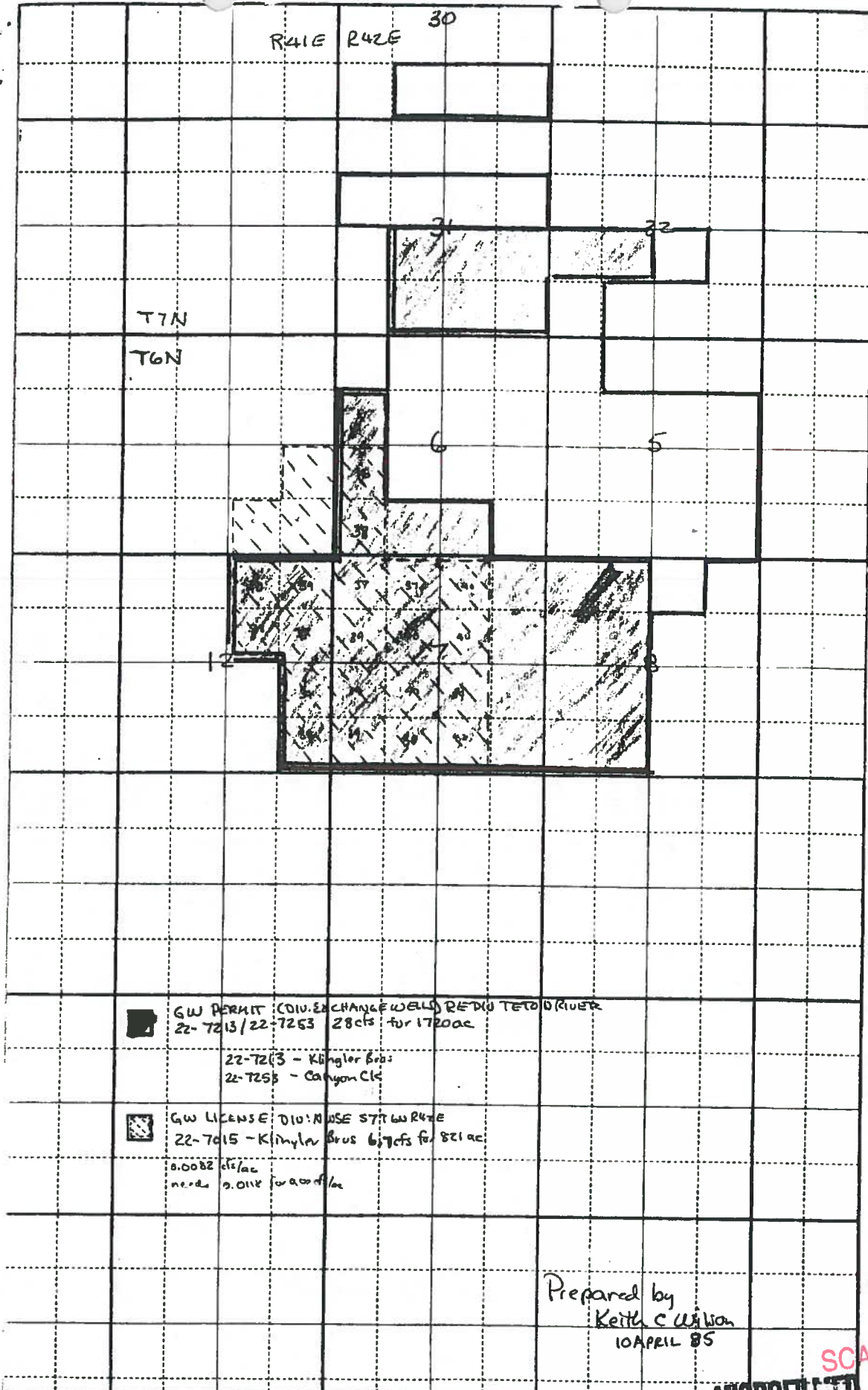
AUG 06 2007

NAME OF APPLICANT

Gr and water

12 APR 1985

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

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AUG 06 2007

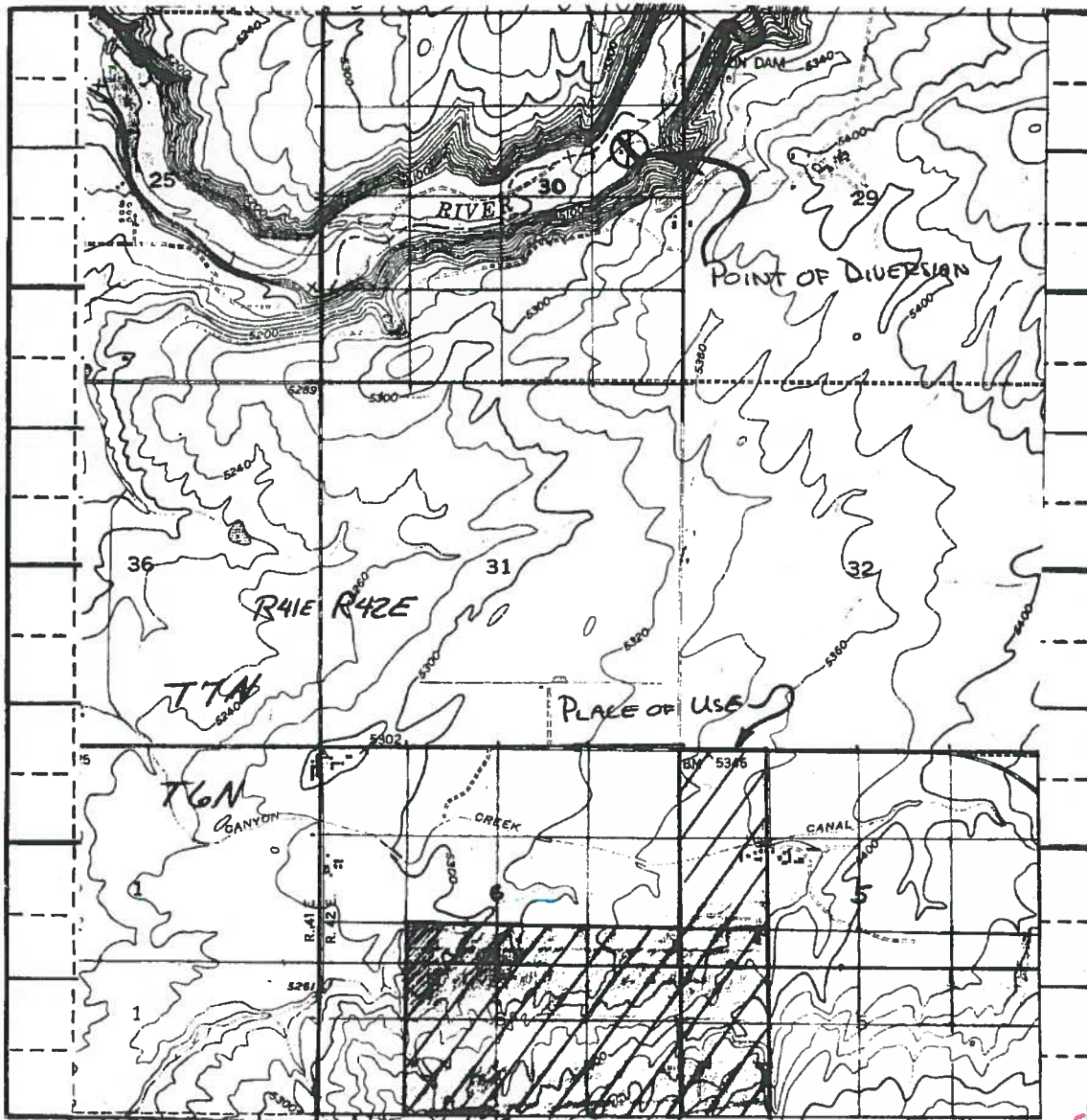
c. Describe lands or place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 6N   | 42E   | 5    |     |     |     |     |     | 40  | 40  |     |     | 40  | 40  |     |     |     |     |     | 160    |
|      |       | 6    |     |     |     |     |     |     |     |     | 40  |     |     | 40  | 40  | 40  | 40  | 40  | 240    |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 400\*

No more than 160 af. will be diverted in any given year.

- Describe any other water rights used for the same purpose as described above. 22-0195/0196  
22-7213/7253/7276
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equal 1 mile Draw plan in ink

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## D. REMARKS

No more than 160 af. may be diverted in any one year. This portion (1.33 cfs) of the decreed right was for irrigation of 80 acres under the original right.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 22<sup>nd</sup> day of April, 1985

J. Liff Chantrell  
(Signature of Applicant)

Marsha L. Mahoney  
(Notary Public)

My commission expires Life

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0163B

and said application is hereby APPROVED, subject to the following limitations and conditions:

- EXP 1. A measuring device of a type approved by this Department shall be permanently  
EXP installed and maintained as part of the diverting works. 2. Use of water under  
this right is subject to control by the watermaster of State Water District  
No. 01, Snake River. 3. No more than 160 acre feet of water may be diverted  
in any one year.

Witness my hand this 13<sup>th</sup> day of August, 1985

J. Men Saylor  
Chief, Operations Bureau

## FOR DEPARTMENT USE ONLY

QUICKTEST BY KCW 19 April 1985

Received by 711 Date 4-23-85 Protest filed by \_\_\_\_\_

Prelim. check by HWS Fee \$500 #83268

Received by LN Date 5-1-85

Published in Standard & Mercantile Copies of protest forwarded by \_\_\_\_\_

Pub. dates 5-7 & 5-16-85 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for approval denial  
WD #1 rec'd. ✓ by RL Sim

SCANNED

AUG 06 2007

CONTRACT OF SALE

THIS AGREEMENT, Made and entered this 31st day of January, 1985, by and between WRIGHT R. NOEL and DEANN B. NOEL, husband and wife, and ARNOLD R. BINGHAM and SARAH BINGHAM, husband and wife, all of Newdale, Idaho 83426, hereinafter called "Seller" and CANYON CREEK LATERAL DITCH WATER USERS ASSOCIATION, an Idaho corporation with its principal place of business at Newdale, Idaho, hereinafter called "Buyer,"

WITNESSETH:

1. Purchase of Water Rights.

Seller agrees to sell to Buyer, and Buyer agrees to buy from Seller, on the terms and conditions herein specified, the following described water rights, 66 2/3 inches of the 1896 decreed water in the name of James T. Beard Division of the Teton River, originally decreed to the following described real property situated in Fremont County, Idaho to-wit:

The North Half of the Northwest Quarter of Section 22; the South Half of the Southwest Quarter of Section 14; and the East Half of the Southeast Quarter of Section 15, all in Township 7 North, Range 41 East, Boise Meridian.

2. Price.

Buyer shall pay Seller for said property a purchase price of \$3,500.00, payable as follows:

The entire sum of \$3,500.00 cash paid on execution hereof, receipt of which is hereby acknowledged.

3. Possession.

Buyer is granted possession of the water rights on the date of this contract.

4. Water Assessments.

Seller shall pay all of the 1984 water assessments levied and assessed against the decreed water rights, and Buyer shall pay all of the 1985 and all subsequent water assessments levied and assessed against the decreed water rights when the same are due and payable and before the same shall become delinquent.

5. Assignment of Water Decree.

Seller agrees that he will execute and deliver to Buyer a good and sufficient assignment of water decree to the above-described decreed water, free from all encumbrances except any placed thereon by Buyer.

6. Attorneys' Fees.

In the event either party hereto shall be required to employ an attorney for the enforcement of this contract, with or without suit, the defaulting party agrees to pay the prevailing party's reasonable attorneys' fees. In the event of default by Buyer, Buyer agrees to pay attorneys' fees of Seller in issuing notice of default, or otherwise enforcing the contract, without suit.

7. Binding Effect.

This agreement is not only binding upon the parties hereto, but upon their respective successors, heirs, administrators and assigns.

The terms "Seller" and "Buyer" shall be construed, as used herein, to include the actual parties hereto.

IN WITNESS WHEREOF, the parties have executed this contract.

"SELLER"

Wright R. Noel  
Wright R. Noel

DeAnn B. Noel  
DeAnn B. Noel

Arnold R. Bingham  
Arnold R. Bingham

Sarah Bingham  
Sarah Bingham

"BUYER"

CANYON CREEK LATERAL DITCH  
WATER USERS ASSOCIATION,

By: Grant Klingler  
President

ATTEST:

Mark Scherndlin  
Secretary

STATE OF IDAHO )  
County of Madison. ) ss.

On this 31<sup>st</sup> day of January, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared WRIGHT R. NOEL, DEANN B. NOEL, ARNOLD R. BINGHAM and SARAH BINGHAM, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.

Marsha L. Mahoney  
Notary Public for Idaho  
Residing at: Rexburg, Idaho  
My Commission expires: Life

Teton River

T7N, R42E  
Sec. 30 SENE

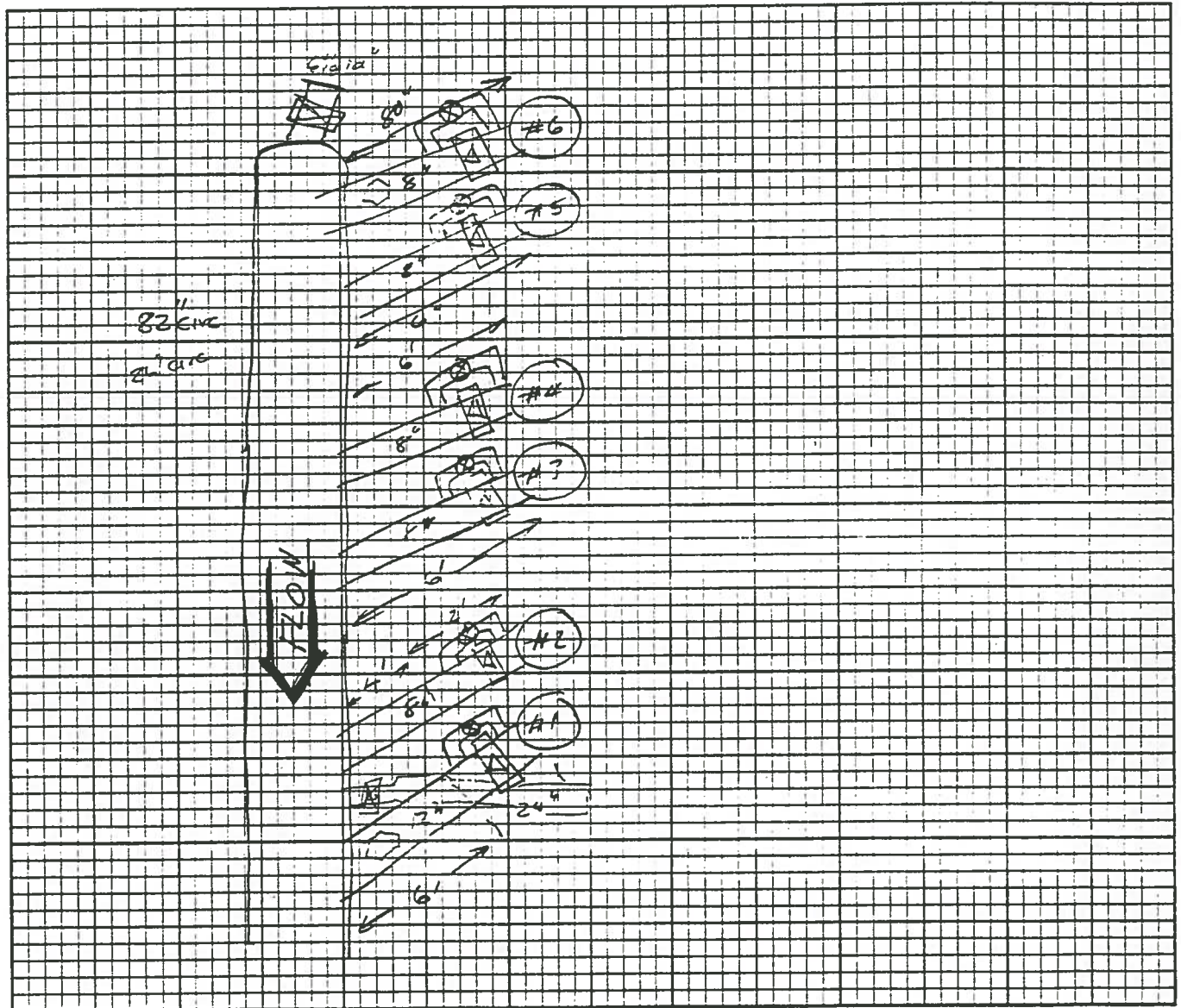
Discussion  
422-163 + 422-7276

Old Teton Dam

SCANNED  
AUG 06 2007

# TETON RIVER DIVERSION

A22-163A + A22-7276



TETON RIVER REDIVERSION

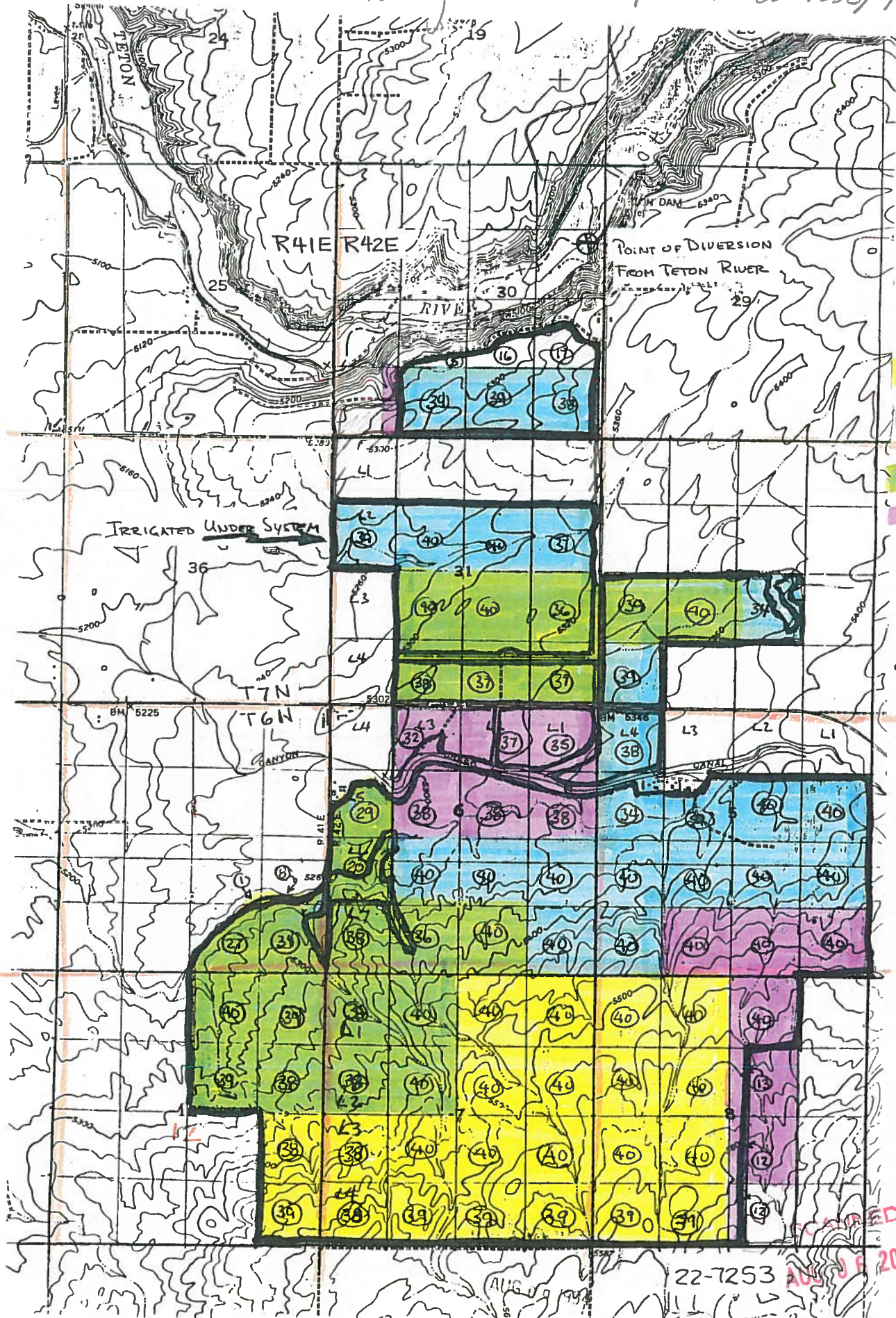
| Well/Diversion*<br>No. | Motor<br>Make    | HP  | Motor<br>Serial No.       | Pump<br>Make | Pump Serial No. or<br>Discharge Size |
|------------------------|------------------|-----|---------------------------|--------------|--------------------------------------|
| #1                     | GE 1770          | 600 | BBJ223006                 | Johnston     | BK-24223                             |
| #2                     | U.S. Motors 1770 | 250 | R-1253-00-109<br>R2125834 | Johnston     | JP 38805 (8")                        |
| #3                     | GE 1770          | 200 | CNJ316152                 | Johnston     | TK-14375                             |
| #4                     | GE 1770          | 200 | FMS623126                 | Johnston     | TK-14348                             |
| #5                     | GE 1770          | 200 | FMS623125                 | Johnston     | TK-14348                             |
| #6                     | GE 1770          | 200 | CNJ316151                 | Johnston     | TK-347                               |

AUG 09 1994

AUG 06 2007

22-7253

According to BU Field Reports for 22-7253/7276



- 7253
- 7276
- overlap 7253 & 7276
- other portions covered by non SREA 7490, 7508
- license boundary 3060ac

not shown  
4 x 6 x 4  
include

22-7253

AUG 5 2007

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 22-163A

Date Received:  
Receipt Nos:  
Received By:

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

Name of Claimant CANYON CREEK LATERAL DITCH ASSN  
12241 E 3749 N  
NEWDALE, ID 83436  
(208)458-4269

Priority Date: 04/01/1896  
Basis: Decreed  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| TETON RIVER   | HENRYS FORK      |

| <u>Beneficial Use</u>   | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-------------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION              | 04/01       | 10/31     | 1.33 CFS              | 160 AFA       |
| Recharge for Irrigation | 04/01       | 10/31     | 1.33 CFS              |               |
| Total Diversion         |             |           | 1.33 CFS              |               |

Location of Point(s) of Diversion:

TETON RIVER NESENE Sec. 30 Township 07N Range 42E MADISON 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. K06 This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
2. Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.  
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.
3. C18 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.
4. 135 The rights listed below are limited to the irrigation of a combined total of 3650.9 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.
5. E56 The following rights are (re)diverted through point of diversion described above: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.
6. F06 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.
7. R04
8. E52 The rights listed below are limited to a total combined diversion rate of 29.04 cfs.

Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

9. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

10E51 Right Nos. 22-163A, 22-7276, and 22-13739 are limited to a total combined diversion rate of 24.03 cfs.

11 Totalizing measuring devices shall be maintained at all points of diversion.

12 Six pumps are located at the point of diversion described above.

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)

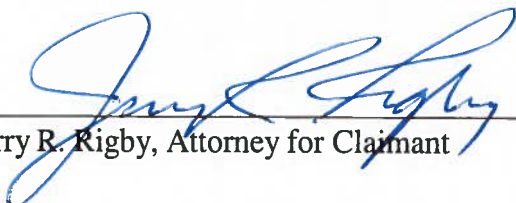
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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 17<sup>th</sup> day of August, 2010.

  
\_\_\_\_\_  
Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO, )

County of Madison. )

On this 17<sup>th</sup> 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.



Mandy Russo

Notary Public for Idaho

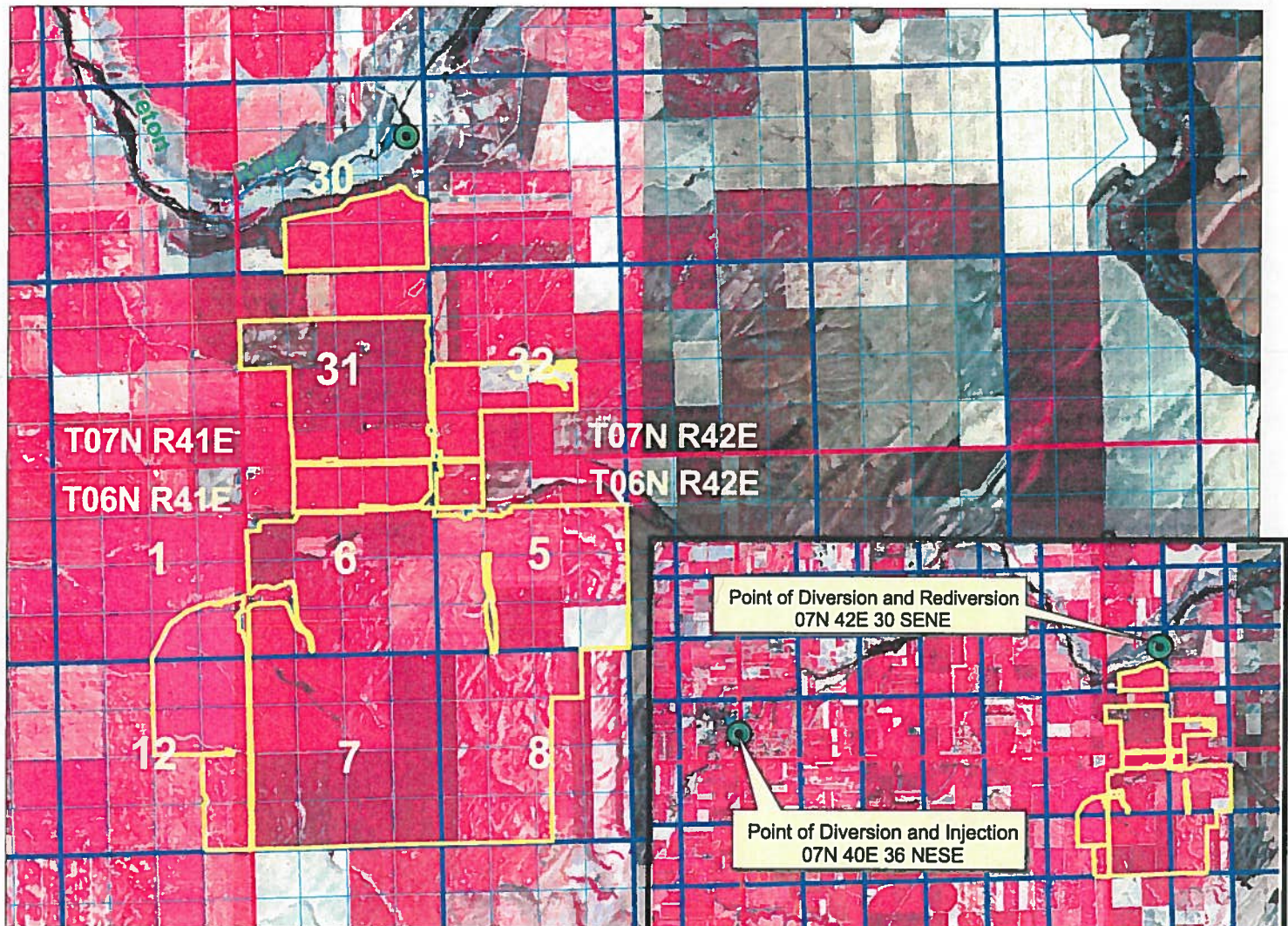
Residing at: St. Anthony

My Commission Expires: 6/24/2011

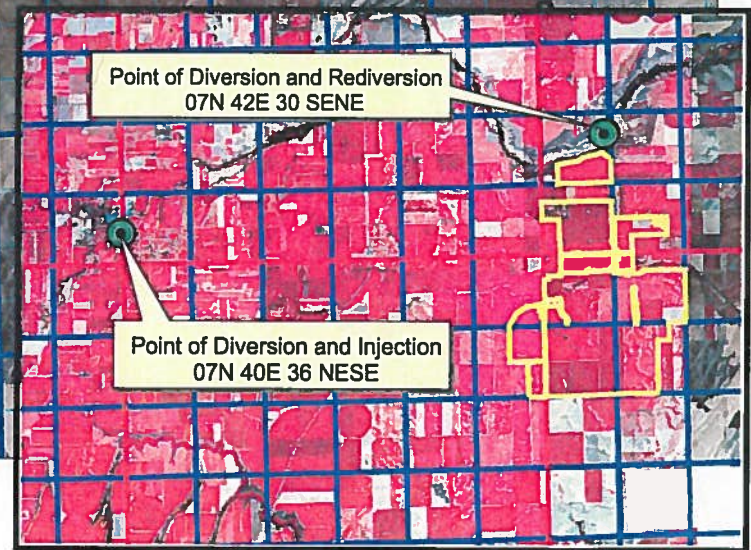


# Department of Water Resources Eastern Region

Claim No.: 22-163A, 22-7253,  
& 22-7276

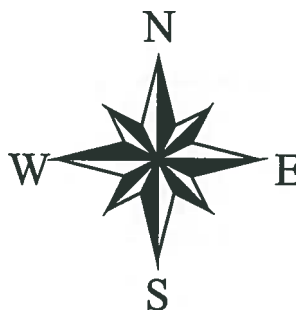


0 0.5 1 Miles



0 1 2 Miles

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration  
1987/88 NAPP Photography  
Prepared by: Kristin Moore  
Date Prepared: December 2005

SCANNED

AUG 06 2007

01/17/2006

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

RIGHT NUMBER: 22-163A

NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN  
12241 E 3749 N  
NEWDALE ID 83436

SOURCE: TETON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.330 CFS  
160.00 AFY

The rights listed below are limited to a total combined diversion rate of 29.04 cfs and to a total combined annual diversion volume of 10,710 AF. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION: T07N R42E S30 NESENE Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 1.330 CFS<br>160.00 AFY |

PLACE OF USE:

### Large Place of Use

3060 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.

The rights listed below are limited to the irrigation of a combined total of 3060 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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

This right is subject to regulation by the watermaster of Water District No 01.

Totalizing measuring devices shall be maintained at all points of diversion. ✓

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 No. 22-163A, 22-7253, and 22-7276 are also (re)diverted through point of diversion described above.

Six pumps are located at the point of diversion described above. ✓

Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

Renumbered from 22-163D.

12/07/2005

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

RIGHT NUMBER: 22-163A

NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN  
12241 E 3749 N  
NEWDALE ID 83436

SOURCE: TETON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.330 CFS  
160.00 AFY

The rights listed below are limited to a total combined diversion rate of 29.04 cfs and to a total combined annual diversion volume of 10,710 AF. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:  
T07N R42E S30 NESENE Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 1.330 CFS<br>160.00 AFY |

PLACE OF USE: IRRIGATION Within MADISON County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T06N R41E S01       | NESE | 6.0  | T06N R41E S01       | NWSE | 0.5  |
| T06N R41E S01       | SWSE | 28.0 | T06N R41E S01       | SESE | 36.0 |
| T06N R41E S12       | NENE | 39.0 | T06N R41E S12       | NWNE | 40.0 |
| T06N R41E S12       | SWNE | 39.0 | T06N R41E S12       | SENE | 39.0 |
| T06N R41E S12       | NESE | 38.0 | T06N R41E S12       | SESE | 37.0 |
| T06N R42E S05       | SWNE | 39.0 | T06N R42E S05       | SENE | 39.0 |
| T06N R42E S05 Lot 4 | NWNW | 35.0 | T06N R42E S05       | SWNW | 33.0 |
| T06N R42E S05       | SENW | 36.0 | T06N R42E S05       | NESW | 36.0 |
| T06N R42E S05       | NWSW | 39.0 | T06N R42E S05       | SWSW | 40.0 |
| T06N R42E S05       | SESW | 34.0 | T06N R42E S05       | NESE | 39.0 |
| T06N R42E S05       | NWSE | 39.0 | T06N R42E S05       | SWSE | 39.0 |
| T06N R42E S05       | SESE | 39.0 | T06N R42E S06 Lot 1 | NENE | 32.0 |
| T06N R42E S06 Lot 2 | NWNE | 36.0 | T06N R42E S06       | SWNE | 39.0 |
| T06N R42E S06       | SENE | 39.0 | T06N R42E S06 Lot 3 | NENW | 37.0 |
| T06N R42E S06 Lot 5 | SWNW | 29.0 | T06N R42E S06       | SENW | 38.0 |
| T06N R42E S06       | NESW | 39.0 | T06N R42E S06 Lot 6 | NWSW | 24.0 |
| T06N R42E S06 Lot 7 | SWSW | 37.0 | T06N R42E S06       | SESW | 37.0 |
| T06N R42E S06       | NESE | 40.0 | T06N R42E S06       | NWSE | 40.0 |
| T06N R42E S06       | SWSE | 40.0 | T06N R42E S06       | SESE | 40.0 |
| T06N R42E S07       | NENE | 39.0 | T06N R42E S07       | NWNE | 40.0 |
| T06N R42E S07       | SWNE | 40.0 | T06N R42E S07       | SENE | 40.0 |
| T06N R42E S07       | NENW | 40.0 | T06N R42E S07 Lot 1 | NWNW | 38.0 |
| T06N R42E S07 Lot 2 | SWNW | 38.0 | T06N R42E S07       | SENW | 40.0 |
| T06N R42E S07       | NESW | 40.0 | T06N R42E S07 Lot 3 | NWSW | 38.0 |
| T06N R42E S07 Lot 4 | SWSW | 38.0 | T06N R42E S07       | SESW | 39.0 |

|                     |      |      |               |      |      |
|---------------------|------|------|---------------|------|------|
| T06N R42E S07       | NESE | 40.0 | T06N R42E S07 | NWSE | 40.0 |
| T06N R42E S07       | SWSE | 38.0 | T06N R42E S07 | SESE | 38.0 |
| T06N R42E S08       | NWNE | 40.0 | T06N R42E S08 | SWNE | 14.0 |
| T06N R42E S08       | NENW | 40.0 | T06N R42E S08 | NWNW | 40.0 |
| T06N R42E S08       | SWNW | 40.0 | T06N R42E S08 | SENW | 40.0 |
| T06N R42E S08       | NESW | 40.0 | T06N R42E S08 | NWSW | 40.0 |
| T06N R42E S08       | SWSW | 38.0 | T06N R42E S08 | SESW | 39.0 |
| T06N R42E S08       | NWSE | 13.0 | T06N R42E S08 | SWSE | 12.0 |
| T07N R42E S30       | NESW | 7.5  | T07N R42E S30 | SESW | 39.0 |
| T07N R42E S30       | NESE | 23.0 | T07N R42E S30 | NWSE | 18.0 |
| T07N R42E S30       | SWSE | 39.0 | T07N R42E S30 | SESE | 38.0 |
| T07N R42E S31       | SWNE | 40.0 | T07N R42E S31 | SENE | 37.0 |
| T07N R42E S31 Lot 2 | SWNW | 39.0 | T07N R42E S31 | SENW | 40.0 |
| T07N R42E S31       | NESW | 40.0 | T07N R42E S31 | SESW | 37.0 |
| T07N R42E S31       | NESE | 36.0 | T07N R42E S31 | NWSE | 40.0 |
| T07N R42E S31       | SWSE | 39.0 | T07N R42E S31 | SESE | 37.0 |
| T07N R42E S32       | NESW | 40.0 | T07N R42E S32 | NWSW | 39.0 |
| T07N R42E S32       | SWSW | 37.0 | T07N R42E S32 | NWSE | 36.0 |

3060 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 3060 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, and 22-7276.

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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

This right is subject to regulation by the watermaster of Water District No 01.

Totalizing measuring devices shall be maintained at all points of diversion.

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 No. 22-163A, 22-7253, and 22-7276 are also (re)diverted through point of diversion described above.

Six pumps are located at the point of diversion described above.

Place of use is overlapped by non-SRBA water permit 22-7490 and application for permit 22-7508.

Renumbered from 22-163D.

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 22-163A  
Date Received: 9/22/2004  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CANYON CREEK LATERAL DITCH ASSN Phone: (208)458-4231  
C/O GRANT KLINGLER  
PO BOX 215  
NEWDALE ID USA 83436

2. Date of Priority: 04/01/1896

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 07N      | 42E   | 30      | SW NE                 | MADISON |      |

5. Description of diverting works:

PUMPING PLANT WITH SIX PUMPS TOTALING 1650 HP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 1.33   |            |

7. Total Quantity Appropriated is:  
1.33 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 |
|----------|-------|---------|----------------|------------|-------|
| 06N      | 41E   | 1       | NE SE          | IRRIGATION | 8     |
|          |       |         | NW SE          | IRRIGATION | 1     |
|          |       |         | SW SE          | IRRIGATION | 27    |

SCANNED

AUG 06 2007

|     |     |    |    |    |   |               |     |
|-----|-----|----|----|----|---|---------------|-----|
|     |     |    | SE | SE |   | IRRIGATION    | 34  |
|     |     |    |    |    |   | Section Acres | 70  |
| 06N | 41E | 12 | NE | NE |   | IRRIGATION    | 39  |
|     |     |    | NW | NE |   | IRRIGATION    | 40  |
|     |     |    | SW | NE |   | IRRIGATION    | 39  |
|     |     |    | SE | NE |   | IRRIGATION    | 38  |
|     |     |    | NE | SE |   | IRRIGATION    | 38  |
|     |     |    | SE | SE |   | IRRIGATION    | 39  |
|     |     |    |    |    |   | Section Acres | 233 |
| 06N | 42E | 4  | SW | SW |   | IRRIGATION    | 36  |
|     |     |    | SE | SW |   | IRRIGATION    | 28  |
|     |     |    |    |    |   | Section Acres | 64  |
| 06N | 42E | 5  | SW | NE |   | IRRIGATION    | 40  |
|     |     |    | SE | NE |   | IRRIGATION    | 40  |
|     |     |    | NW | NW | 4 | IRRIGATION    | 38  |
|     |     |    | SW | NW |   | IRRIGATION    | 34  |
|     |     |    | SE | NW |   | IRRIGATION    | 30  |
|     |     |    | NE | SW |   | IRRIGATION    | 40  |
|     |     |    | NW | SW |   | IRRIGATION    | 40  |
|     |     |    | SW | SW |   | IRRIGATION    | 40  |
|     |     |    | SE | SW |   | IRRIGATION    | 40  |
|     |     |    | NE | SE |   | IRRIGATION    | 40  |
|     |     |    | NW | SE |   | IRRIGATION    | 40  |
|     |     |    | SW | SE |   | IRRIGATION    | 40  |
|     |     |    | SE | SE |   | IRRIGATION    | 40  |
|     |     |    |    |    |   | Section Acres | 502 |
| 06N | 42E | 6  | NE | NE | 1 | IRRIGATION    | 35  |
|     |     |    | NW | NE | 2 | IRRIGATION    | 37  |
|     |     |    | SW | NE |   | IRRIGATION    | 38  |
|     |     |    | SE | NE |   | IRRIGATION    | 38  |
|     |     |    | NE | NW | 3 | IRRIGATION    | 32  |
|     |     |    | SW | NW | 5 | IRRIGATION    | 29  |
|     |     |    | SE | NW |   | IRRIGATION    | 38  |
|     |     |    | NE | SW |   | IRRIGATION    | 40  |
|     |     |    | NW | SW | 6 | IRRIGATION    | 20  |
|     |     |    | SW | SW | 7 | IRRIGATION    | 38  |
|     |     |    | SE | SW |   | IRRIGATION    | 36  |
|     |     |    | NE | SE |   | IRRIGATION    | 40  |
|     |     |    | NW | SE |   | IRRIGATION    | 40  |
|     |     |    | SW | SE |   | IRRIGATION    | 40  |
|     |     |    | SE | SE |   | IRRIGATION    | 40  |
|     |     |    |    |    |   | Section Acres | 541 |
| 06N | 42E | 7  | NE | NE |   | IRRIGATION    | 40  |
|     |     |    | NW | NE |   | IRRIGATION    | 40  |
|     |     |    | SW | NE |   | IRRIGATION    | 40  |
|     |     |    | SE | NE |   | IRRIGATION    | 40  |
|     |     |    | NE | NW |   | IRRIGATION    | 40  |
|     |     |    | NW | NW | 1 | IRRIGATION    | 38  |
|     |     |    | SW | NW | 2 | IRRIGATION    | 38  |
|     |     |    | SE | NW |   | IRRIGATION    | 40  |
|     |     |    | NE | SW |   | IRRIGATION    | 40  |
|     |     |    | NW | SW | 3 | IRRIGATION    | 38  |
|     |     |    | SW | SW | 4 | IRRIGATION    | 38  |
|     |     |    | SE | SW |   | IRRIGATION    | 39  |

SCANNED  
AUG 06 2007

|     |     |    |    |    |               |      |
|-----|-----|----|----|----|---------------|------|
|     |     |    | NE | SE | IRRIGATION    | 40   |
|     |     |    | NW | SE | IRRIGATION    | 40   |
|     |     |    | SW | SE | IRRIGATION    | 39   |
|     |     |    | SE | SE | IRRIGATION    | 39   |
|     |     |    |    |    | Section Acres | 629  |
| 06N | 42E | 8  | NW | NE | IRRIGATION    | 13   |
|     |     |    | SW | NE | IRRIGATION    | 40   |
|     |     |    | NE | NW | IRRIGATION    | 40   |
|     |     |    | NW | NW | IRRIGATION    | 40   |
|     |     |    | SW | NW | IRRIGATION    | 40   |
|     |     |    | SE | NW | IRRIGATION    | 40   |
|     |     |    | NE | SW | IRRIGATION    | 40   |
|     |     |    | NW | SW | IRRIGATION    | 40   |
|     |     |    | SW | SW | IRRIGATION    | 39   |
|     |     |    | SE | SW | IRRIGATION    | 39   |
|     |     |    | NW | SE | IRRIGATION    | 13   |
|     |     |    | SW | SE | IRRIGATION    | 13   |
|     |     |    |    |    | Section Acres | 397  |
| 06N | 42E | 9  | NE | NW | IRRIGATION    | 40   |
|     |     |    | NW | NW | IRRIGATION    | 40   |
|     |     |    |    |    | Section Acres | 80   |
| 07N | 42E | 30 | NE | SW | IRRIGATION    | 5    |
|     |     |    | SE | SW | IRRIGATION    | 39   |
|     |     |    | NE | SE | IRRIGATION    | 17   |
|     |     |    | NW | SE | IRRIGATION    | 16   |
|     |     |    | SW | SE | IRRIGATION    | 39   |
|     |     |    | SE | SE | IRRIGATION    | 38   |
|     |     |    |    |    | Section Acres | 154  |
| 07N | 42E | 31 | SW | NE | IRRIGATION    | 40   |
|     |     |    | SE | NE | IRRIGATION    | 37   |
|     |     |    | SW | NW | IRRIGATION    | 39   |
|     |     |    | SE | NW | IRRIGATION    | 40   |
|     |     |    | NE | SW | IRRIGATION    | 40   |
|     |     |    | SE | SW | IRRIGATION    | 38   |
|     |     |    | NE | SE | IRRIGATION    | 36   |
|     |     |    | NW | SE | IRRIGATION    | 40   |
|     |     |    | SW | SE | IRRIGATION    | 37   |
|     |     |    | SE | SE | IRRIGATION    | 37   |
|     |     |    |    |    | Section Acres | 384  |
| 07N | 42E | 32 | NE | SW | IRRIGATION    | 40   |
|     |     |    | NW | SW | IRRIGATION    | 39   |
|     |     |    | SW | SW | IRRIGATION    | 39   |
|     |     |    | NW | SE | IRRIGATION    | 34   |
|     |     |    |    |    | Section Acres | 152  |
|     |     |    |    |    | Total Acres   | 3206 |

11. Place of use in counties: MADISON

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

SCANNED  
AUG 06 2007

13. Other Water Rights Used:

22-7253, 22-7276, 22-7490, 22-7508, 22-195, 22-196

14. Remarks:

CANYON CREEK LATERAL DITCH ASSN. CONSISTS OF KLINGLER BROTHERS, CHANTRILL INC., WALLACE LITTLE, REESE GODFREY, AND MARK SCHWENDIMAN. THE PLACE OF USE IS THE SAME AS 22-7253, 22-7276, 22-7490, AND 22-7508.

RENUMBERED FROM 22-163D

15. Basis of Claim: Decreed

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

*Renumbered to*  
22-163A JC 9/22/84

Ident. Number: A22-00163D

Date Received: 8/02/1988

Receipt No: 8001023

Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CANYON CREEK LATERAL DITCH ASSN. 208-458-4231  
Address: C/O GRANT KLINGLER  
P.O. BOX 215  
NEWDALE, ID 83436

2. Date of Priority: APR 01, 1896

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 07N      | 42E   | 30      | SW     | NE     |        |     | MADISON |

5. Description of diverting works:  
PUMPING PLANT WITH SIX PUMPS TOTALING 1650 HP.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.330  |      |        |

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

8. Total consumptive use is 564.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
|----------|-------|---------|--------|--------|-----|-----|-------|

11. Place of use in counties:

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

A22-00163D

Page

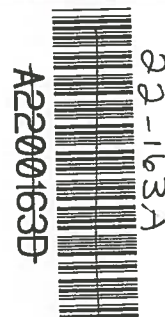
1

Date: 08/02/88

SCANNED

MICROFILMED

NOV 04 1992



13. Other Water Rights Used:

22-07253, 22-07276, 22-07490, 22-07508, 22-00195, 22-00196

14. Remarks:

CANYON CREEK LATERAL DITCH ASSN. CONSISTS OF:

KLINGLER BROTHERS

REESE GODFREY

CHANTRILL INC.

MARK SCHWENDIMAN

WALLACE LITTLE

THE PLACE OF USE IS THE SAME AS FOR A22-07253, A22-07276,  
A22-07490, A22-07508.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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Decree Plaintiff

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 President of \_\_\_\_\_ Title

Canyon Creek lateral Ditch assn.  
Organization

that I have signed the foregoing document in the space below as President of \_\_\_\_\_ Title

Canyon Creek lateral Ditch assn.  
Organization

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

Grant H. Kuyler  
Signature of Authorized Agent

President  
Title and Organization

8/2/88  
Date

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of Aug 19 88

Ernest Carlson  
Notary Public

Seal

Residing at Idaho Falls, ID

My Commission Expires 14 June 1994