

12/13/2006

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

RIGHT NUMBER: 22-188

NAME AND ADDRESS: FOX CREEK CANAL CO
C/O RANDALL FOSTER PRES
402 S 200 E
DRIGGS ID 83422

FOX CREEK CANAL CO
C/O DAWN STONE SEC
494 S 50 W
VICTOR ID 83455

SOURCE: FOX CREEK TRIBUTARY: TETON RIVER

QUANTITY: 2.400 CFS

PRIORITY DATE: 06/01/1900

POINT OF
DIVERSION:

T04N R45E S25 SESWNE Within TETON County
T04N R46E S29 SWSWNE Lot 4 Within TETON County
T04N R46E S30 NENWNE Lot 6 Within TETON County
T04N R46E S30 NWSENW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.400 CFS

PLACE OF USE:

3496.3 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 Fox Creek Canal Company.

This right is limited to the irrigation of 280 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 3455.4 acres in a single irrigation season. Combined Right Nos.: 22-107, 22-188, 22-202, 22-432, 22-2027, 22-2037, 22-12156, 22-12159, 22-12161, 22-12164, 22-12165, 22-12166.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Fox Creek Canal.

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

In Re SRBA)

Water Rights: 22-107, 22-188, 22-
202, 22-432, 22-2027, 22-2037, 22-
12156, 22-12159, 22-12161, 22-12164

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ I.C. § 42-222 transfer

- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

☒ Other - REMARKS

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

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

DATED: Aug 12, 2008

Ernest Carlson
Signature of IDWR Representative

SCANNED
AUG 20 2008

CERTIFICATE OF MAILING

I certify that on Aug 13, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

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

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:

Fox Creek Canal Co	Fox Creek Canal Co
C/O Dawn Stone Sec	C/O Randall Foster Pres
494 S 50 W	402 S 200 E
Victor ID 83455	Driggs ID 83422

3. One copy to:

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

4. One copy to:

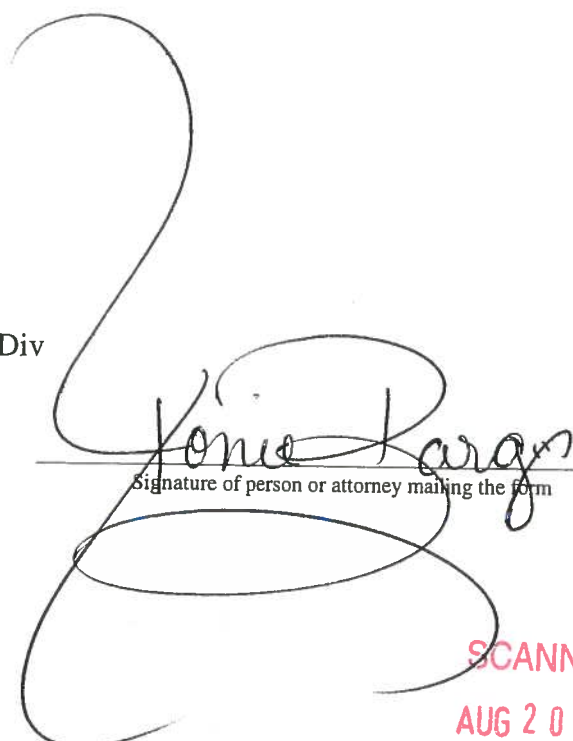
Each party in the subcase, or attorney of record

5. One copy each to:

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

6. One Copy to:

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


Signature of person or attorney mailing the form

SCANNED

AUG 20 2008

08/12/2008

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

RIGHT NUMBER: 22-188

NAME AND ADDRESS: FOX CREEK CANAL CO
C/O RANDALL FOSTER PRES
402 S 200 E
DRIGGS ID 83422

FOX CREEK CANAL CO
C/O DAWN STONE SEC
494 S 50 W
VICTOR ID 83455

SOURCE: FOX CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 2.400 CFS

PRIORITY DATE: 06/01/1900

POINT OF
DIVERSION:

T04N R45E S25 SESWNE Within TETON County
T04N R46E S29 SWSWNE Lot 4 Within TETON County
T04N R46E S30 NENWNE Lot 6 Within TETON County
T04N R46E S30 NWSNW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.400 CFS

PLACE OF USE:

3377.7 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 Fox Creek Canal Company.

This right is limited to the irrigation of 280 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 3377.7 acres in a single irrigation season. Combined Right Nos.: 22-107, 22-188, 22-202, 22-432, 22-2027, 22-2037, 22-12156, 22-12159, 22-12161, 22-12164, 22-13872, 22-13874.

SCANNED

AUG 20 2008

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Fox Creek Canal.

SCANNED

AUG 20 2008

11/18/2006

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: 22-188

FOX CREEK CANAL CO
C/O RANDALL FOSTER PRES
402 S 200 E
DAIGGS ID 83422
Telephone Number: (208)354-8463

FOX CREEK CANAL CO
C/O DAWN STONE SEC
494 S 50 W
VICTOR ID 83455
Telephone Number: (208)787-2759

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

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

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

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

DATE: 12-9-06

SIGNATURE:

Randall J. Foster

Please print your name:

Randall J. Foster

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

Received Time Dec. 11. 11:20AM

CMT
12/13

Fox Creek C.C. Analysis

Rights	CFS To Fox Creek CC	Decreed Cfs	Priority	Claim File	Decreed to:	Acres Decreed	Acres to Fox Creek
107	83.2	83.2	1/22/1916	107	Fox Creek	4160	4160
188	2.4	2.4	6/1/1900	188	George W. Bush	280	280
202	3.2	3.2	6/1/1894	202	Nels Christensen	160	160
432	0.3	0.3	6/1/1895	432	B. F. Parker	280	280
2027	2	2	10/11/1907	2027	William Nickell	120	120
2037	1.2	1.2	7/20/1908	2037	N. P. Hansen	80	80
165	0	1.6	6/1/1889	12156	Ebenezer and J. Beezley	160	80
558	1.1	1.1	7/15/1889	12156	George M. Tonks	320	320
Total	1.1		7/15/1889	12156			320
166	0.1	1.6	6/1/1890	12159	Ebenezer and J. Beezley	80	5
360	0.73	2.2	6/1/1890	12159	Kimbal	240	80
350	0	1.6	6/1/1890	12159	William Jenkins	80	0
674	0.8	1.6	6/1/1890	12159	Steven Crow	160	80
Total	1.63		6/1/1890	12159			165
108	1.6	1.6	5/15/1896	12161	Hal Rasmussen	80	80
417	2	2	5/15/1896	12161	Charles Moulton	160	160
418	1.88	2	5/15/1896	12161	George F. Moulton	160	150.4
Total	5.48		5/15/1896	12161			390.4
185	2	2	6/1/1896	12164	George W. Bush	280	280
187	0.8	0.8	6/1/1896	12164	George W. Bush	280	No Additional
361	0.4	1.6	6/1/1896	12164	R. C. Kimbal	240	60
445	0.4	0.4	6/1/1896	12164	Farley Penfold	120	120
540	1.6	3.2	6/1/1896	12164	Henry J. Stone	160	0
562	2.74	3.2	6/1/1896	12164	J. R. Vail	160	137

Total	7.94		6/1/1896	12164			597
211	0.2	0.2	6/1/1897	12165	Charles Cluff	160	160
433	2.4	2.4	6/1/1897	12165	B. F. Parker	280	280
444	1.84	2	6/1/1897	12165	Algeroy Penfold	160	147.2
446	2	2	6/1/1897	12165	Farley Penfold	120	120
563	2.4	2.4	6/1/1897	12165	W. C. Vail	160	160
564	2	2	6/1/1897	12165	W. C. Vail	160	160
Total	10.84		6/1/1897	12165			1027.2
149	0	1	6/1/1898	12166	Amos Allen	160	
212	3	3	6/1/1898	12166	Charles Cluff	160	160
434	1.5	1.5	6/1/1899	12166	B. F. Parker	280	280
Total	4.5		6/1/1899	12166			440
Grand Total	123.79						8019.6

Claims competing with Fox Creek C.C.

Right	Right CFS	Split	Split CFS	CFS to Fox Creek CC
149	1	149	1	0
165	1.6	165	1.6	0
166	1.6	13543	0.52	0.1
166		13614	0.23	
166		13615	0.74	
228	3.2	228	3.2	0
350	1.6	13540	1.56	0
350		13357	0.04	
360	2.2	13152	0.23	0.73
360		13151	0.31	
360		13606	0.29	
360		13607	Disallowed	
361	1.6	13154	0.17	0.4
361		13153	0.23	
361		13608	0.23	
361		13609	0.57	
418	2	418A	0.12	1.88
444	2	444A	0.16	1.84
540	3.2	11415	1.6	1.6
562	3.2	13411	0.04	0
562		562B	0.1	2.74
562		562A	0.32	
674	1.6	674E	0.2	0.8
674		674D	0.2	
674		674C	0.2	
674		674B	0.2	



Idaho Department of Water Resources

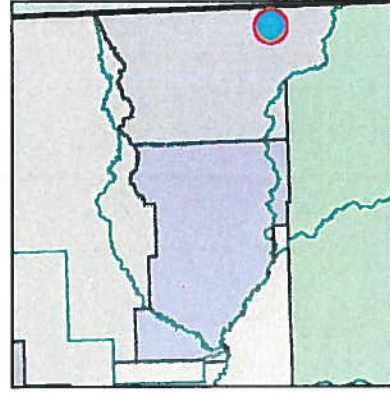
Fox Creek Canal Co

Service Area Boundary
Irrigated Acres = 3496.3

GIS Place of Use Illustration

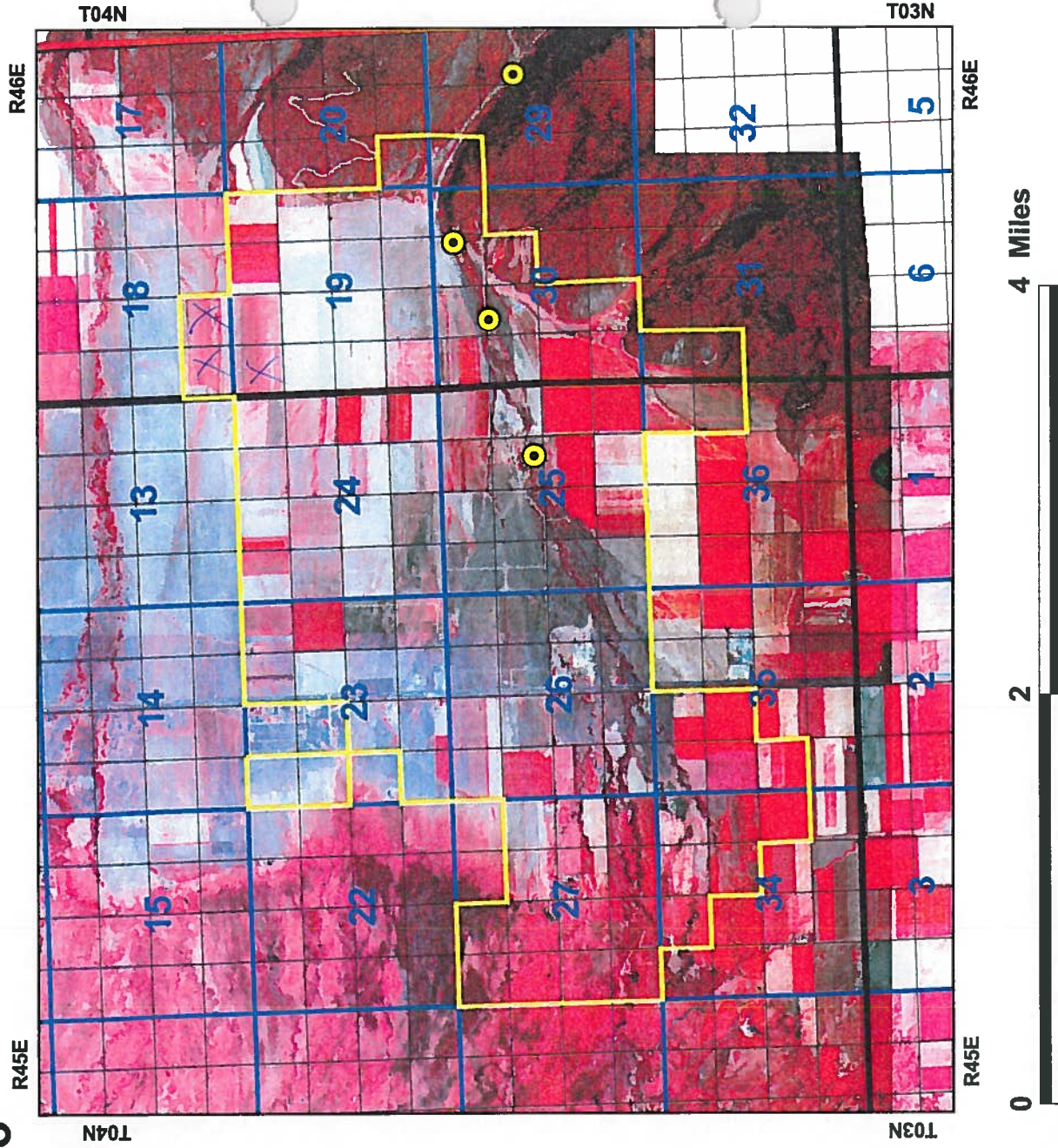
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Wednesday, December 13, 2006
1987/88 Aerial Photography



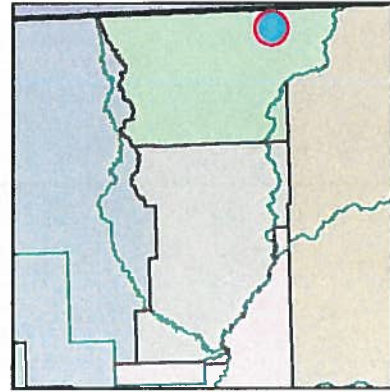
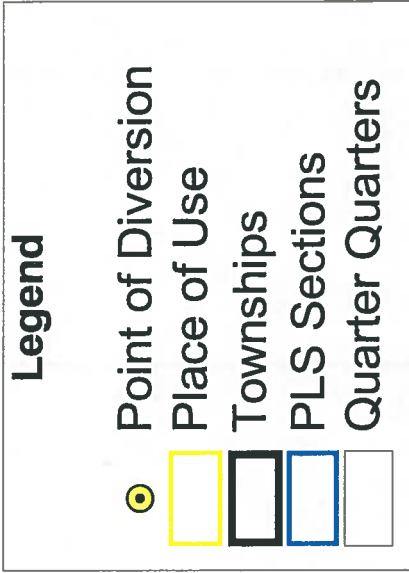


Idaho Department of Water Resources

Fox Creek Canal Co

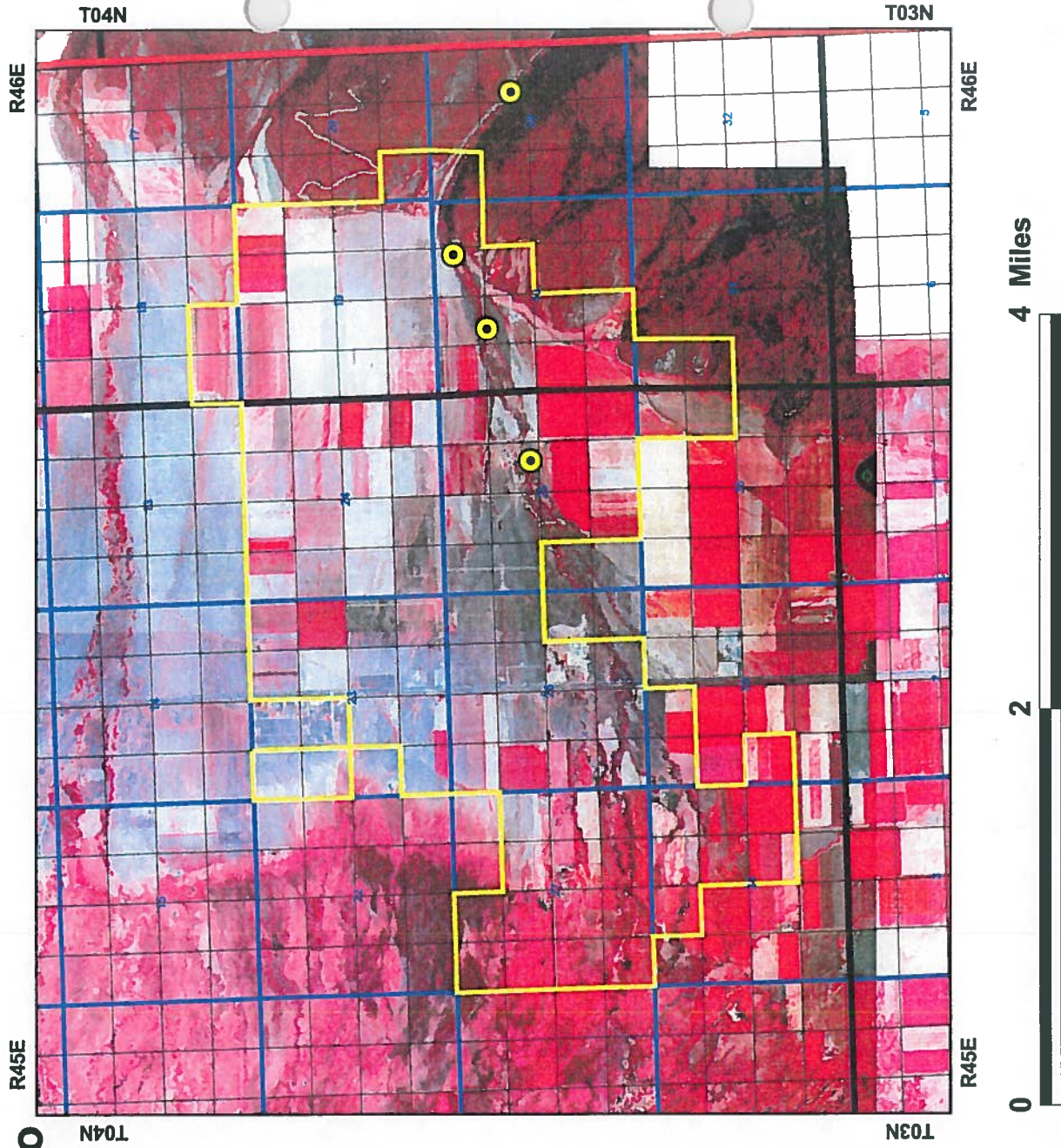
Service Area Boundary
Irrigated Acres = 3455.4

GIS Place of Use Illustration



Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Saturday, November 18, 2006
1987/88 Aerial Photography



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

~~ADD CONTACT~~
CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s):

Fox Creek Canal Water Rts.

22-188

202

432

2027

2037

12156

12159

12161

12164

12165

12166

12168

[] Name(s):

[] Old Mailing Address:

[] New Mailing Address:

Fox Creek Canal Co.

RANDALL FOSTER - Pres

402 S 200E

Driggs ID 83422

Telephone Number:

(208) 354-8463 HM
351-4919 CAL

[] Signature(s) of Owner(s)

Randall J. Foster

Pres. Fox Creek Canal Co.
(Include your title if on behalf of company or organization)

Date:

7-19-05

Claim Number: 22-00168

[illegible]

Current Owner: 707 Creek Canal Co 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.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: NACRED

Claimed Priority Date: _____ Claimed Basis: DACRAG

Recommended Priority Date: _____ Recommended Basis: _____

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

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

NAME AS: DABBERD JUNE 1 1900

11

Reviewer: _____

Date: _____

FOX CREEK CANAL
UPPER DIVERSION
FOX CREEK
ABR 10/5/04

GPS TAG # A0012258

GPS TAG

GPS TAG

FOX CREEK CANAL
WANLAS DITCH DIV.
FOX CREEK
ABR 10/5/04

GPS TAG # A0012260

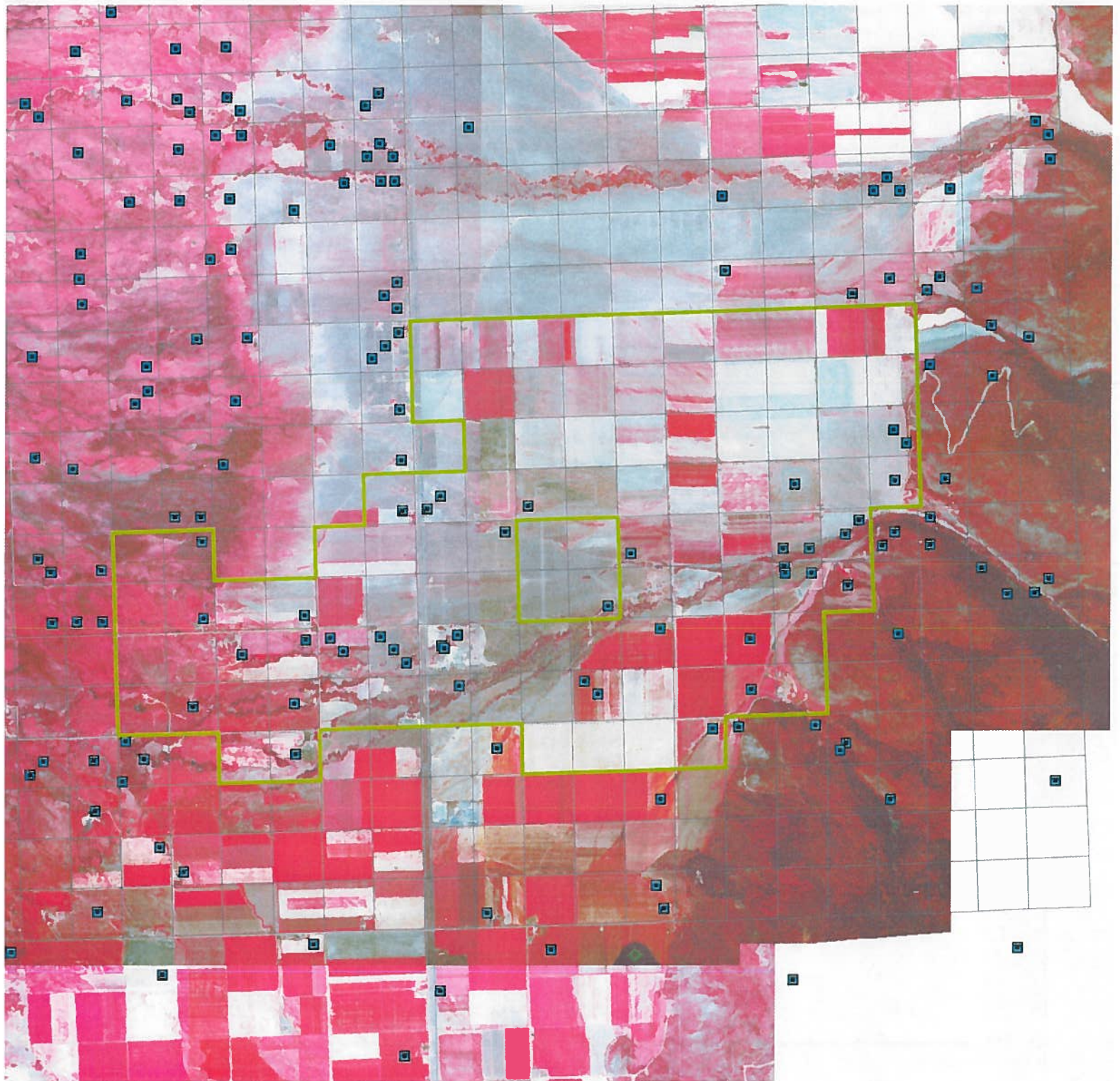
GPS TAG

FOX CREEK CANAL
LOWER DIVERSION
FOX CREEK

ABR 10/5/04

GPS TAG # A00122.

22-188
4N 45E



169 Wilson, William; June 1, 1898; Trail Creek	160
169 Larsen, A. C.; June 1, 1898; Darby Creek	40
169 Leigh Creek Canal Co.; June 1, 1898; South Leigh Creek	400
169 Jones, Edward L.; June 1, 1898; Canyon Creek	140
169 Johnson, Joseph A.; June 1, 1898; Trail Creek	135
170 Hill, Hyrum S.; June 2, 1898; North Leigh Creek	100
170 Hill, D. B.; June 2, 1898; Wyoming & Darby Bench Canal Co.	160
170 Hill, Joseph Y.; June 2, 1898; North Leigh Creek	160
171 Dakin, G. A.; June 15, 1898; Badger Creek	150
172 Hendrickson, Cornelius; June 30, 1898; Badger Creek	130
173 Tarbet, Albert; July 7, 1898; Darby Creek	160
173 Tarbet, Willard; July 7, 1898; Darby Creek	160
174 Kirsley, Edwin N.; July 15, 1898; Pine Creek	60
175 Hanson, Alfred; Sept. 1, 1898; North Leigh Creek	120
180 Lamoreaux, Francis A., and Ann; May 1, 1898; South Leigh Creek	75
182 Hendrickson, G. W.; May 15, 1899; South Leigh Creek	100
183 Nordval, C.; May 26, 1899; Darby Creek	110
184 Pherson, Nells; June 1, 1899; South Leigh Creek	30
184 Borrowman, John; June 1, 1899; Wood Creek and Springs	80
184 Parker, B. F.; June 1, 1899; Fox Creek	75
184 Pendleton, Abraham; June 1, 1899; North Leigh Creek	80
184 Simmons, John; June 1, 1899; North Leigh Creek	60
184 Soule, C. V.; June 1, 1899; Darby Creek	60
184 Smith, Ellington; June 1, 1899; Spring Creek, Darby Creek and Crandall Springs	80
184 Sheser, William; June 1, 1899; Badger Creek	10
184 Stewart, Thompson; June 1, 1899; Badger Creek	50
184 Williams, Charles; June 1, 1899; South Leigh Creek	100
184 Hochstrasser, N. W.; June 1, 1899; Badger Creek	110
184 Price, J. W.; June 1, 1899; Teton Creek	80
184 Rouch, Jacob; June 1, 1899; North Leigh Creek	35
184 Priestly, W. W.; June 1, 1899; Badger Creek	60
184 Rouch, Jacob; June 1, 1899; North Leigh Creek	160
184 Hendrickson, Milton; June 1, 1899; Badger Creek	100
184 Fullmer, Buckley; June 1, 1899; North Leigh or Spring Creek	75
184 Beasley, Joseph; June 1, 1899; Teton River; also Springs on Ranch	70
184 Bernston, Richard; June 1, 1899; Badger Creek	160
184 Anderson, Charles; June 1, 1899; Teton Creek	40
184 Fairbanks, D. M.; June 1, 1899; Teton Creek	160
185 Hendrickson, William; June 15, 1899; Badger Creek	120
187 Letham, P. D.; July 15, 1899; Swamp	140
191 Randolph, Frantz; Mar. 15, 1900; Pack Saddle Creek; also a sufficient amount of the high water of said creek to fill reservoir	160
192 Eynon, Rufus; Apr. 1, 1900; Trail Creek	80
195 Barrett, Nathan A.; May 11, 1900; Driggs Springs and water from swamps	160
199 Allen, George W.; May 26, 1900; Mahogany Creek	220
199 Carrington, Enock; May 26, 1900; Mahogany Creek	160
200 Bush, George W.; June 1, 1900; Fox Creek	120
200 Hegsted, Victor; June 1, 1900; Horse Shoe Creek	160
200 Canyon Creek Canal & Irrigation Co.; June 1, 1900; Canyon Creek	800

200 Herendeen, W. K.; June 1, 1900; Darby Creek	80
200 Henrie, Joseph O.; June 1, 1900; North Leigh Creek	40
200 Henrie, John; June 1, 1900; North Leigh Creek	10
200 Ricks, Wallace; June 1, 1900; North Leigh Creek	110
200 Rammell, George; June 1, 1900; Badger Creek	40
200 Hubbard, Susan; June 1, 1900; North Leigh Creek and Middle Leigh Creek	60
200 Homer, Benjamin F.; June 1, 1900; Mahogany Creek	200
200 Hochstrasser, R. H.; June 1, 1900; Badger Creek	20
200 Sautter, John G.; June 1, 1900; North Leigh Creek	50
200 Simmons, John; June 1, 1900; North Leigh Creek	40
200 Morris, William L.; June 1, 1900; Garner Creek and Trail Creek	110
201 Leighs Creek Canal Co.; June 16, 1900; South Leigh Creek	2,900
203 Hendrickson, Adolphus; July 5, 1900; Badger Creek	10
204 Letham, P. D.; July 15, 1900; Swamp	10
206 Bagshaw, Ellen; Aug. 15, 1900; Pine Creek	10
208 Hill, John W.; Oct. 1, 1900; Pack Saddle Creek	5,000
211 Island Ward Canal Co., Ltd.; Jan. 23, 1901; North Fork of Teton River	100
212 Hague, William A.; Mar. 25, 1901; Teton River	80
213 Bevan, Maria; Apr. 6, 1901; Swamp Creek	60
215 Hendrickson, G. W.; June 1, 1901; North Leigh Creek	160
215 Priestly, W. W.; June 1, 1901; Little Badger Creek	140
215 Mickelson, Peter; June 1, 1901; South Leigh Creek	20
215 Smith, D. G. S.; June 1, 1901; Spring	40
215 Waterman, L. C.; June 1, 1901; Little Dry Creek	60
215 Simmons, John; June 1, 1901; North Leigh Creek	40
215 Johnson, James W.; June 1, 1901; Moody Creek	20
To be reduced to 20 inches after June 20th of each year	
215 Jarman, Arthur; June 1, 1901; South Leigh Creek	20
215 Hill J. Joseph S.; June 1, 1901; Pack Saddle Creek	160
218 Hatch, Lamoine; Sept. 1, 1901; Spring Creek	40
218 Phillips, L. A.; Sept. 1, 1901; Spring Creek	20
228 Shirts, Wallace; May 15, 1902; Trail Creek	40
229 Canyon Creek Canal & Irrigation Co.; June 1, 1902; Canyon Creek	2,700
229 Haden Canal Co.; June 1, 1902; Badger Creek	10
229 Rammell, George; June 1, 1902; Badger Creek	120
229 Rammell, C. H.; June 1, 1902; Badger Creek	60
229 Phillips, Thomas A.; June 1, 1902; Badger Creek	30
229 Wood, Frank; June 1, 1902; Badger Creek	80
229 Hubbard, Susan; June 1, 1902; North Leigh Creek and Middle Leigh Creek	60
229 Morris, Samuel; June 1, 1902; Trail Creek	150
229 Larsen, A. C.; June 1, 1902; Darby Creek	40
229 Kirsley, Edwin N.; June 1, 1902; Spring Creek	30
229 Jarman, Arthur; June 1, 1902; South Leigh Creek	80
229 Sheser, William; June 1, 1902; seepage water in springs on place	60
229 Gilbert, Albert; June 1, 1902; Horse Shoe Creek	150
231 Eynon, L. L.; June 15, 1902; Spring Creek, a tributary of Pine Creek	40
241 McNally, Gilbert; May 1, 1903; Trail Creek	120
242 Webster, James W., and Charles H. Woodmansee; May 25, 1903; Moody Creek	40
For reservoir purposes between the 15th day of March until the 15th day of June of each year	

MARCH 14, 1996

FOX CREEK CANAL COMPANY
C/O DAWN STONE SEC
RT 1 BOX 551
VICTOR ID 83455

RE: AMENDED NOTICES OF CLAIM A22-00188 AND A22-12164

Dear Ms. Stone:

After much research on these claims it is apparent that June 1, 1896 is incorrect for A22-00188 (documentation taken from the decree book is enclosed). The correct date for this particular claim is June 1, 1900 and a copy for your company to sign, have notarized and return to me is enclosed. The documentation for A22-12164 is also enclosed and the date on this notice is correct, so just sign it and have it notarized too.

The copies of the decrees that are enclosed are taken directly from the Rexburg Decree Book so there are no changes that can be made to the priority dates.

Please return the claims promptly.

Sincerely,

Jo Thompson
Adjudication Secretary

Enclosures

MICROFILMED
NOV 01 1990

EXPENDITURE VOUCHER

AUDITOR USE *E005220*

STATE OF IDAHO Office of State Auditor

AGENCY USE

6201
Date
07/31/89
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY

TO

FOX CREEK CANAL CO.
C/O DAWN STONE, SEC.
RT 1, BOX 551
VICTOR, ID 83455

CHECK ONE:

- (1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

- () PURCHASE ORDER
() MISCELLANEOUS ENCUMBRANCE REQUISITION

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REF. E005220 PER DON SHAFF 7/13/89 4.06	4.06	
<i>A22-12156 plus several others. See attached. -af</i> <i>A22-00188</i> <i>POWER</i> MICROFILMED NOV 04 1992							
TOTAL						4.06	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No E005220

FOX CREEK CANAL COMPANY
C/O DAWN STONE, SEC.
RT. 1, BOX 551
VICTOR ID 83455

Date: 12/14/88
Time: 5:15:38

*Done
7/13/89*

ON 10/5/88 E002927/ARE000010 - PAID \$3500⁰⁰ OF \$4300⁰⁰ BILL (11 claims @ \$50⁰⁰ plus \$3750⁰⁰ average feet. SEE ATTACHED CLAIM.

12/14/88 E005220/ARE000010 - PAID BALANCE OF ACCOUNT - \$4300 - \$3500 = \$800⁰⁰ plus \$15⁹⁴ INTEREST CHARGE. THEY SENT ME CK. NO. 243 IN THE AMOUNT OF \$820⁰⁰ LEAVING \$4⁰⁶ AS AN OVERPAYMENT.

Received
From: FOX CREEK CANAL COMPANY

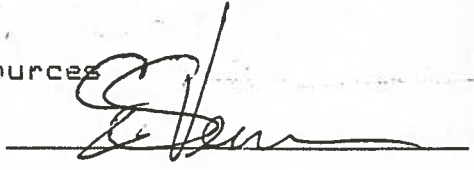
Type of Payment	Program A cct	Amount
ADJUDICATION CLAIM	0410162 9337 7190	\$800.00
INTEREST	0410162 9337 6890	\$15.94
OVER PAYMENT	0410162 9337 7190	\$4.06
Total		\$820.00

AR/NO E000010 Total Claim Fee \$4,300.00 Current Bal. ~~\$796.00~~
CHECK 0243 0⁰⁰

WR/NO: A22-12156^{3800⁰⁰} A22-12159^{50⁰⁰} A22-00202^{50⁰⁰} A22-00432^{50⁰⁰} A22-12161^{50⁰⁰}
A22-12164^{50⁰⁰} A22-12165^{50⁰⁰} A22-12166^{50⁰⁰} A22-00188^{50⁰⁰} A22-02027^{50⁰⁰}
A22-12168^{50⁰⁰}

Idaho Department of Water Resources

Region: Eastern

Signature: 

FOX CREEK CANAL Co.
C/O DAWN STONE, SEC.
494 S. 50 W.
VICTOR, ID. 83455

MICROFILMED
NOV 04 1992

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NOV 04 1992

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

RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

All other claims use same card

Ident. Number: A22-12156 *list*

Date Received: 10/05/1988

Receipt No: 6002927

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: A22-00188

Date Received: 10/ 5/1988

Receipt No: _____

Received By: _____

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

1. Name: FOX CREEK CANAL COMPANY 208-787-2759
Address: C/O DAWN STONE SEC
RT 1 BOX 551
VICTOR ID 83455

2. Date of Priority: JUN 1, 1900

3. Source: FOX CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	46E	29	SW	NW	NW		TETON

5. Description of diverting works:
HEADWORKS OF FOX CREEK PIPELINE/CANALS FROM OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.400		

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

8. Total consumptive use is 7500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	23	NE	NE		IRR	40.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	23	SE	NE		IRR	40.0
			SE	SW		IRR	16.0
			NE	SE		IRR	40.0
			SW	SE		IRR	12.0
			SE	SE		IRR	39.0

Section Acres 263.0

24	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	39.0
	SE	SW	IRR	39.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	39.0
	SE	SE	IRR	39.0

Section Acres 636.0

25	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	38.0
	SW	SE	IRR	40.0
	SE	SE	IRR	40.0

Section Acres 478.0

26	NE	NE	IRR	40.0
	NW	NE	IRR	38.0
	SW	NE	IRR	38.0
	SE	NE	IRR	40.0
	NE	NW	IRR	39.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	45E	26	NW		NW		IRR	39.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	38.0
			NW		SW		IRR	38.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
								Section Acres
								626.0
		27	SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	39.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
								Section Acres
								558.0
		34	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
								Section Acres
								80.0
		36	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
								Section Acres
								157.0
	46E	19	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	46E	19	NE	NW	1	IRR	40.0
			NW	NW		IRR	40.0
			SW	NW	2	IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	40.0
			SW	SW	4	IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	33.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	27.0

Section Acres 620.0

30	NW	NE		IRR	40.0
	SW	NE		IRR	40.0
	NE	NW		IRR	40.0
	NW	NW	1	IRR	40.0
	SW	NW	2	IRR	40.0
	SE	NW		IRR	20.0
	NE	SW		IRR	3.0
	NW	SW	3	IRR	39.0
	SW	SW	4	IRR	30.0
	SE	SW		IRR	40.0

Section Acres 332.0

Total Acres 3750.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
SEVERAL FOX CREEK IRR. RTS.

14. Remarks:
WATER DELIVERED TO SHARE HOLDERS THROUGH FOX CREEK PIPELINE SYSTEM.

PRIORITY DATE CHANGED TO REFLECT DECREED PD 2/1/96/EC/JT

15. Basis of Claim: DECREED

Case Number:

MICROFILMED
NOV 07 1996

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL

Decree Plaintiff

TETON IRR. CANAL CO. ET AL

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title

_____, that I have signed the foregoing

Organization

document in the space below as _____ of

Title

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A22-00188
Date Received: 10/05/1988
Receipt No: 6002927
Received By: SEA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FOX CREEK CANAL COMPANY 208-787-2759
Address: C/O DAWN STONE, SEC.
RT. 1, BOX 551
VICTOR, ID 83455

2. Date of Priority: JUN 01, 1889

3. Source: FOX CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	46E	29	SW	NW	NW		TETON

5. Description of diverting works:
HEADWORKS OF FOX CREEK PIPELINE/CANALS FROM OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.400		

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

8. Total consumptive use is 7500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	23	NE	NE		IRR	40.0
			NW	NE		IRR	38.0

A22-00188

Page 1

Date: 10/05/88

A2200188



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NOV 04 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	23	SW	NE		IRR	38.0
			SE	NE		IRR	40.0
			SE	SW		IRR	16.0
			NE	SE		IRR	40.0
			SW	SE		IRR	12.0
			SE	SE		IRR	39.0
						Section Acres	263.0
		24	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
						Section Acres	636.0
		25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	38.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	478.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	45E	26	SW		NE		IRR	38.0
			SE		NE		IRR	40.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	38.0
			NW		SW		IRR	38.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	626.0
		27	SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	39.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	558.0
		34	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
							Section Acres	80.0
		36	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	157.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	46E	19	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW	1	IRR	40.0
			NW	NW		IRR	40.0
			SW	NW	2	IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	40.0
			SW	SW	4	IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	33.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	27.0
						Section Acres	620.0
		30	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW	1	IRR	40.0
			SW	NW	2	IRR	40.0
			SE	NW		IRR	20.0
			NE	SW		IRR	3.0
			NW	SW	3	IRR	39.0
			SW	SW	4	IRR	30.0
			SE	SW		IRR	40.0
						Section Acres	332.0
						Total Acres	3750.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
SEVERAL FOX CREEK IRR. RTS.

14. Remarks:
WATER DELIVERED TO SHARE HOLDERS THROUGH FOX CREEK PIPELINE SYSTEM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL

Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL

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
Fox Creek Canal Co., that I have signed the foregoing
Organization
document in the space below as President of
Title
Fox Creek Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Bess Vernon Foster
Signature of Authorized Agent

Pres. Fox Creek Canal Co.
Title and Organization

10-5-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of October 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id

My Commission Expires 22 Aug 1994
5 Date: 10/05/88

A22-00188

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NOV 04 1992

