

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

RIGHT NUMBER: 22-7253

NAME AND ADDRESS:

CANYON CREEK LATERAL DITCH ASSN
12241 E 3749 N
NEWDALE ID 83436

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

14.000 CFS
5,109.500 AFY

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.

Right Nos. 22-7253 and 22-13738 are limited to a total combined diversion rate of 14 cfs.

~~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: 07/29/1977

POINT OF DIVERSION:

T07N R40E S36 NENESE
Within FREMONT County

T07N R40E S36 NWNWSE Injection
Within FREMONT County

T07N R40E S36 NENESE Injection
Within FREMONT County

T07N R42E S30 NENESE Rediversion
Within MADISON County

Water diverted under this right is exchanged by injecting water diverted under this right into Teton River at the point of injection described above, and diverting an equal amount from Teton River at the point of rediversion described above.

~~Water diverted under this right is exchanged by injecting water diverted under this right into Teton Canal at the point of injection described above, and diverting an equal amount from Teton River at the point of rediversion described above.~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 10/15

14.000 CFS 5,109.50 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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

PLACE OF USE: IRRIGATION within FREMONT County

T06N R41E S01 NESE 6.4
T06N R41E S01 NWSE 0.4
T06N R41E S01 SWSE 28.0
T06N R41E S01 SESE 36.0
T06N R41E S12 NENE 40.0
T06N R41E S12 NWNE 40.0
T06N R41E S12 SWNE 40.0
T06N R41E S12 SENE 40.0
T06N R41E S12 NESE 40.0
T06N R41E S12 SESE 40.0
T06N R42E S05 SWNE 39.0
T06N R42E S05 SENE 39.0
T06N R42E S05 Lot 4 NWNW 37.0
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 38.0
T06N R42E S06 SWNE 40.0
T06N R42E S06 SENE 39.0
T06N R42E S06 Lot 3 NENW 39.0
T06N R42E S06 Lot 5 SWNW 29.0
T06N R42E S06 SENW 39.0
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

Mult
Dwz
at
JPR
DL

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

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 40.0
T06N R42E S07 NESE 40.0
T06N R42E S07 NWSE 40.0
T06N R42E S07 SWSE 40.0
T06N R42E S07 SESE 39.0
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 40.0
T06N R42E S08 SESW 40.0
T06N R42E S08 NWSE 14.0
T06N R42E S08 SWSE 13.0
T07N R41E S26 NESW 39.0
T07N R41E S26 NWSW 13.0
T07N R41E S26 SWSW 35.0
T07N R41E S26 SESW 39.0
T07N R41E S27 SESE 5.0
T07N R41E S35 NENE 39.0
T07N R41E S35 NWNE 39.0
T07N R41E S35 SWNE 40.0
T07N R41E S35 SENE 40.0
T07N R41E S35 NENW 39.0
T07N R41E S35 NWNW 39.0
T07N R41E S35 SWNW 40.0
T07N R41E S35 SENW 40.0
T07N R41E S35 NESE 40.0
T07N R41E S35 NWSE 40.0
T07N R41E S35 SWSE 33.0
T07N R41E S35 SESE 37.0
T07N R42E S30 Lot 4 SWSW 17.0
T07N R42E S30 SESW 40.0
T07N R42E S30 NESE 9.1
T07N R42E S30 SWSE 40.0
T07N R42E S30 SESE 40.0
T07N R42E S31 SWNE 40.0
T07N R42E S31 SENE 38.0
T07N R42E S31 Lot 2 SWNW 39.0
T07N R42E S31 SENW 40.0

MWA

ATL

JR

DWL

DL

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

T07N R42E S31 NESW 40.0
T07N R42E S31 SESW 38.0
T07N R42E S31 NESE 37.0
T07N R42E S31 NWSE 40.0
T07N R42E S31 SWSE 39.0
T07N R42E S31 SESE 38.0
T07N R42E S32 NESW 40.0
T07N R42E S32 NWSW 39.0
T07N R42E S32 SWSW 37.0
T07N R42E S32 NWSE 36.0

MWA
DWZ
AK
JR

3667.9 ACRES TOTAL

3060 ACRES TOTAL

This right is limited to the irrigation of 1720 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 does not include federal public lands.

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.

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:

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton Canal.

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the point of injection will be allowed even if the exchange well is pumping water into the Teton Irrigation Canal.

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

The exchange well must inject water into the Teton Irrigation Canal under this right, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

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

~~The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.~~

~~Totalizing measuring devices shall be maintained at the exchange well and redirection pumps from the Teton River.~~ AK

~~The rate of diversion from the Teton River shall not exceed the rate of injection into the Teton Canal from the exchange well.~~

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Right No. 22-163A, 22-7253, and 22-7276 are also diverted through point of redirection described above. JWZ

Use of water under this water right will be regulated by the watermaster of State Water District No. 1. DK

Right No. 22-13738 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.

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

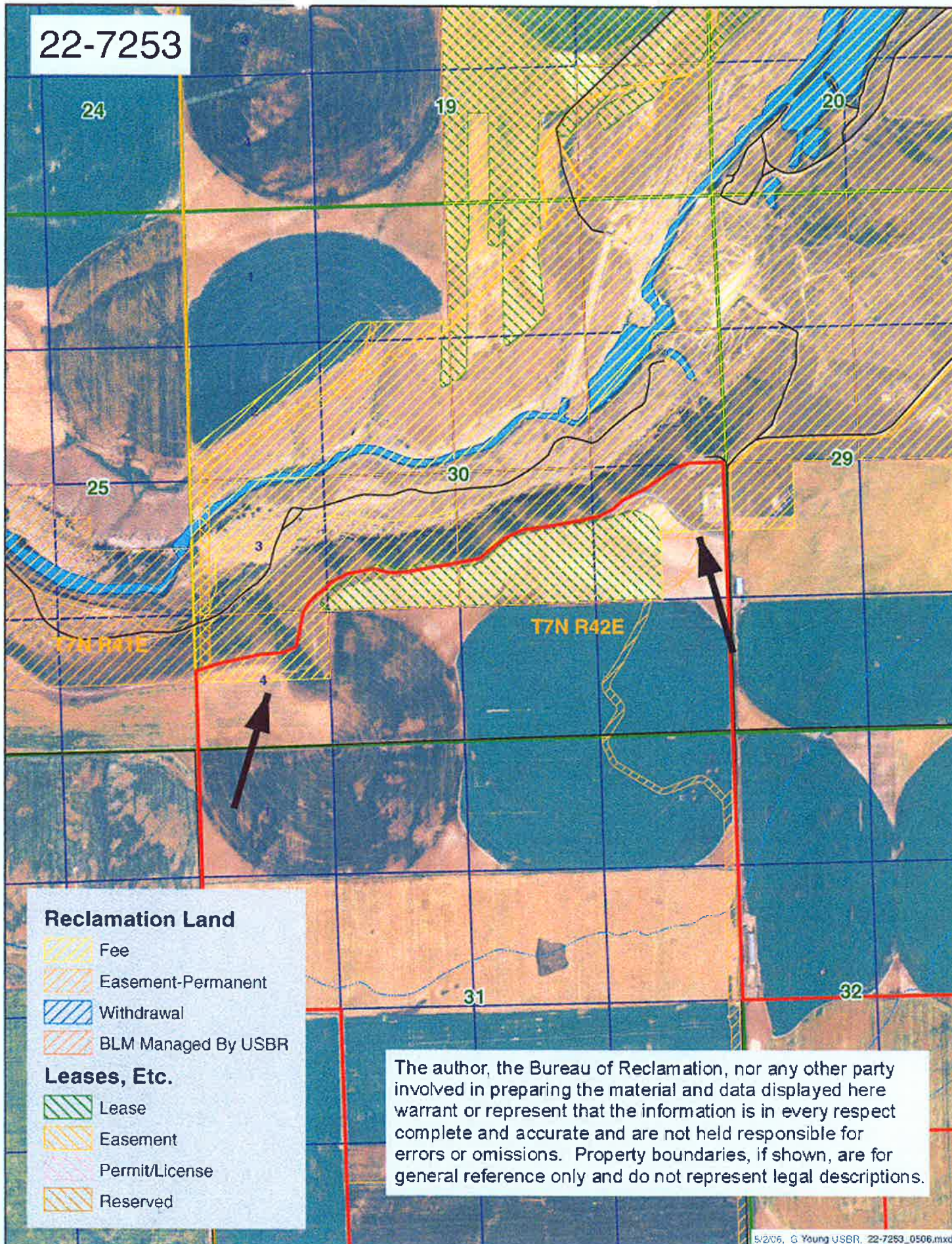
Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

Totalizing measuring devices shall be maintained at the exchange well and redirection pumps from the Teton River.

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

Right No. 22-13738 is also diverted through point of diversion described above.

22-7253



Department of Water Resources

Canyon Creek Lateral Ditch Assn.

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



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: January 2006

01/17/2006

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

RIGHT NUMBER: 22-7253
NAME AND ADDRESS: CANYON CREEK LATERAL DITCH ASSN
12241 E 3749 N
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 14.000 CFS
5,109.50 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: 07/29/1977

POINT OF DIVERSION:

T07N R40E S36 NENESE Injection Within FREMONT County
T07N R40E S36 NENESE Within FREMONT County
T07N R42E S30 NESENE Rediversion Within MADISON County

Water diverted under this right is exchanged by injecting water diverted under this right into Teton Canal at the point of injection described above, and diverting an equal amount from Teton River at the point of rediversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

14.000 CFS
5,109.50 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Large Place of Use

3052 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 1720 acres within the place of use described above in a single irrigation season.

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

Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River.

The rate of diversion from the Teton River shall not exceed the rate of injection into the Teton Canal from the exchange well.

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.

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton Canal.

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

The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Right No. 22-163A, 22-7253, and 22-7276 are also diverted through point of rediversion described above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07253

Priority: July 29, 1977

Maximum Diversion Rate: 14.00 CFS
Maximum Diversion Volume: 5109.5 AF

This is to certify, that CANYON CREEK LATERAL DITCH WATER USERS

C/O GRANT KLINGLER
PO BOX 116
NEWDALE ID 83436

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 29, 1977; and has submitted Proof of Beneficial Use on January 7, 1980. An examination indicates that the works have a diversion capacity of 14.520 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	14.00 CFS	5109.5 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion

NESE, Sec. 36, Township 07N, Range 40E
FREMONT County
SENE, Sec. 30, Township 07N, Range 42E
MADISON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
06N	41E	1	NESE 8	NWSE 1	SWSE 27	70
			SESE 34			
		12	NENE 39	NWNE 40	SWNE 39	
			SENE 38	NESE 38	SESE 39	233
42E	5		SWNE 40	SENE 40	Lot 4(NWNW) 38	
			SWNW 34	SENE 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	502
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			
	6	Lot 1(NENE)	35	Lot 2(NWNE) 37	SWNE 38	541
			SENE 38	Lot 3(NENW) 32	Lot 5(SWNW) 29	
			SENE 38	NESW 40	Lot 6(NWSW) 20	
		Lot 7(SWSW)	38	SESE 36	NESE 40	541
			NWSE 40	SWSE 40	SESE 40	
	7		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	Lot 1(NWNW) 38	629
		Lot 2(SWNW)	38	SENE 40	NESW 40	
		Lot 3(NWSW)	38	Lot 4(SWSW) 38	SESE 39	
			NESE 40	NWSE 40	SWSE 39	629
			SESE 39			
	8		NWNE 40	SWNE 13	NENW 40	
			NWNW 40	SWNW 40	SENE 40	395
			NESW 40	NWSW 40	SWSW 39	
			SESE 39	NWSE 12	SWSE 12	

AUG 09 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. **22-07253**

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 42E 30	NESW 5	SESW 39	NESE 17	
	NWSE 16	SWSE 39	SESE 38	154
31	SWNE 40	SENE 37	Lot 2 (SNNW) 39	
	SENE 40	NESW 40	SESW 38	
	NESE 36	NWSE 40	SWSE 37	
	SESE 37			384
32	NESW 40	NWSW 39	SWSW 39	
	NWSE 34			152

Total number of acres irrigated:

3060

1720

1340

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. ~~This water right is appurtenant to the described place of use.~~
3. ~~This right is subject to all prior water rights and may be forfeited by five years of non-use.~~
4. ~~Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.~~
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01. *done*
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
7. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river. *done*
8. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton River. *done*
9. Totalizing measuring devices shall be maintained at the exchange well and the redirection pumps from the Teton River. *done*

RECEIVED

AUG 09 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07253

CONDITIONS/REMARKS:

10. The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. *done*
11. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated.
12. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
13. This right is limited to the irrigation of 1720 acres in the place of use described above in a single irrigation season. *add ✓*
14. The director retains jurisdiction of this right to adjust the terms of the exchange if necessary to prevent injury to prior rights.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22nd day of July, 19 94.

Revised
Acting for R. Keith Higginson, Director

Actual volume 5943

✓ + C03
+ H44
✓ + E51 GW
✓ + E52 ALL RIGHTS
✓ + G03
✓ + S38
+ E55 GW
✓ + E56 ALL RIGHTS
✓ + F06
✓ + K06

ENL
+ K01
+ C05

AUG 09 1994

ryan crapo 313 6314

20080226

13054801 CANYON CREEK LATERAL PUMP
FLOW, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 1976 TO OCTOBER 1977
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	---	---	---	9.0	9.0	---	---
2	---	---	---	---	---	---	---	---	11	10	---	---
3	---	---	---	---	---	---	---	---	11	10	---	---
4	---	---	---	---	---	---	---	---	15	13	---	---
5	---	---	---	---	---	---	---	---	15	12	---	---
6	---	---	---	---	---	---	---	---	19	12	---	---
7	---	---	---	---	---	---	---	---	19	21	---	---
8	---	---	---	---	---	---	---	---	18	11	---	---
9	---	---	---	---	---	---	---	---	21	17	---	---
10	---	---	---	---	---	---	---	---	4.0	10	---	---
11	---	---	---	---	---	---	---	---	10	3.0	---	---
12	---	---	---	---	---	---	---	---	15	4.0	---	---
13	---	---	---	---	---	---	---	---	18	7.0	---	---
14	---	---	---	---	---	---	---	---	19	6.0	---	---
15	---	---	---	---	---	---	---	---	18	5.0	---	---
16	---	---	---	---	---	---	---	---	19	13	---	---
17	---	---	---	---	---	---	---	---	14	13	---	---
18	---	---	---	---	---	---	---	---	14	13	---	---
19	---	---	---	---	---	---	---	---	20	13	---	---
20	---	---	---	---	---	---	---	---	20	13	---	---
21	---	---	---	---	---	---	---	---	20	13	---	---
22	---	---	---	---	---	---	---	---	20	0.0	---	---
23	---	---	---	---	---	---	---	---	20	10	---	---
24	---	---	---	---	---	---	---	---	12	9.0	---	---
25	---	---	---	---	---	---	---	---	2.0	11	---	---
26	---	---	---	---	---	---	---	---	0.0	11	---	---
27	---	---	---	---	---	---	---	---	3.0	11	---	---
28	---	---	---	---	---	---	---	---	13	11	---	---
29	---	---	---	---	---	---	---	---	13	11	---	---
30	---	---	---	---	---	---	---	---	10	11	---	---
31	---	---	---	---	---	---	---	---	12	---	---	---
TOTAL									434	313		
MEAN									14	10		
MAX									21	21		
MIN									0.0	0.0		
AC-FT									861	621		

IRRIGATION YEAR 1977

TOTAL 747

MEAN 2.0

AC-FT 1482

*drought
little*

*grant
spring 77 pumps
spring 78 (well) rented in 77*

01/17/2006

**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: 22-7253

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: _____ SIGNATURE: _____

Please print your name: _____

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

**NOT MAILED!
MISTAKENLY WITHELD
FROM ESPA MAILING.
DO NOT MAIL PER ERNIE.
KMJ 02/24/2005**

PROFILED

SCANNED

JUN 29 2006

01/17/2006

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

RIGHT NUMBER: 22-7253

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 14.000 CFS
5,109.50 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: 07/29/1977

POINT OF DIVERSION:

T07N R40E S36 NENESE Injection Within FREMONT County

T07N R40E S36 NENESE Within FREMONT County

T07N R42E S30 NESENE Rediversion Within MADISON County

Water diverted under this right is exchanged by injecting water diverted under this right into Teton Canal at the point of injection described above, and diverting an equal amount from Teton River at the point of rediversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

14.000 CFS
5,109.50 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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 1720 acres within the place of use described above in a single irrigation season.

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

Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River.

The rate of diversion from the Teton River shall not exceed the rate of injection into the Teton Canal from the exchange well.

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.

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton Canal.

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

The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

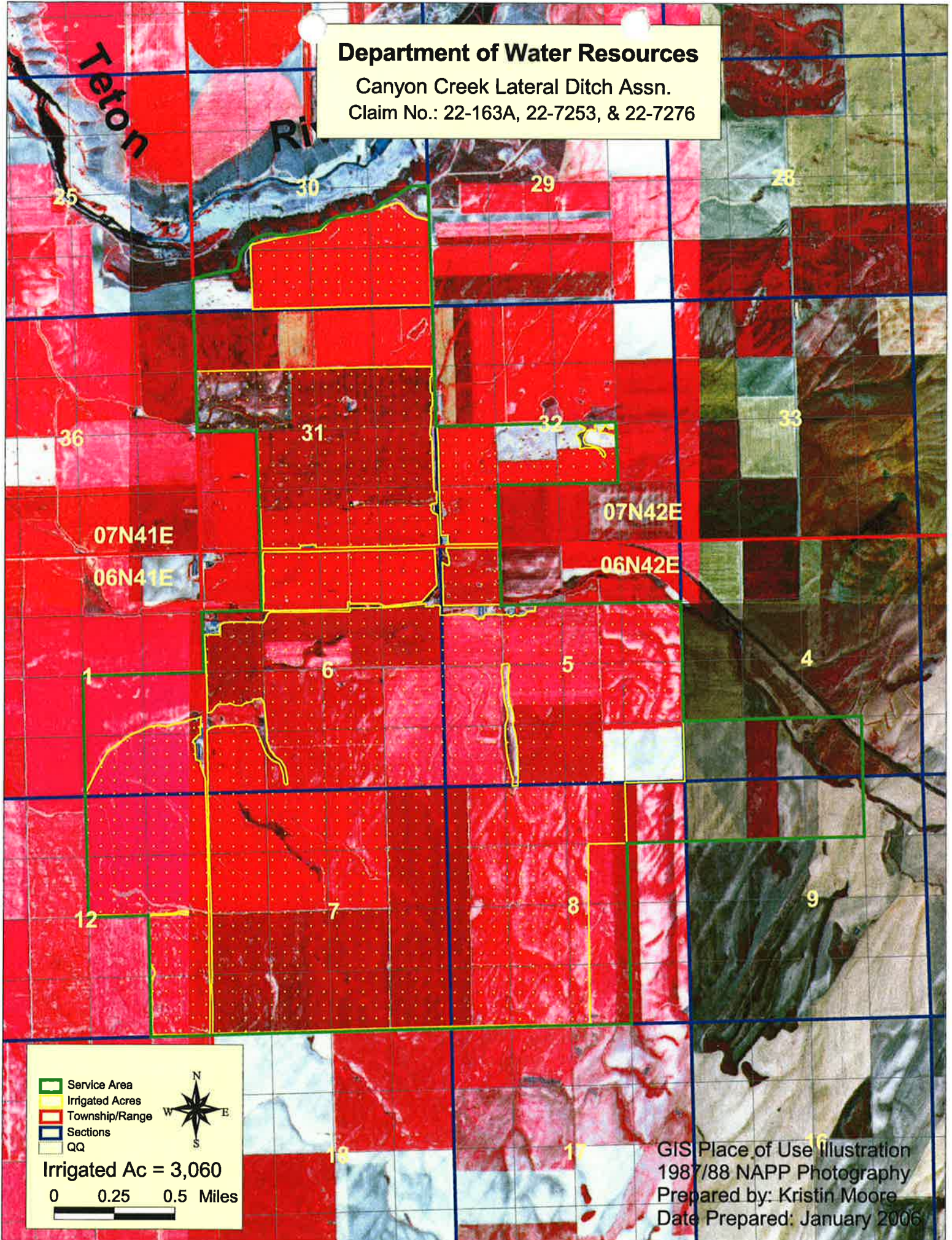
Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.

Right No. 22-163A, 22-7253, and 22-7276 are also diverted through point of rediversion described above.

Department of Water Resources

Canyon Creek Lateral Ditch Assn.

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



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: January 2006

RE: 22-163A, 22-7253 & 22-7276.

Pre 1987 water from the canyon creek lateral ditch was pumped south through the system into canyon creek canal. then diverted two miles down stream to the Little home town. this was done from when the pipeline system was constructed until my retirement in 2001.

water manager for Klingler Bros Farms
Bill Klingler 3/17/06

NOTES

12-7-05

22-7253 - exchange well and redirection 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 BU 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-SRBA permits appl. in 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

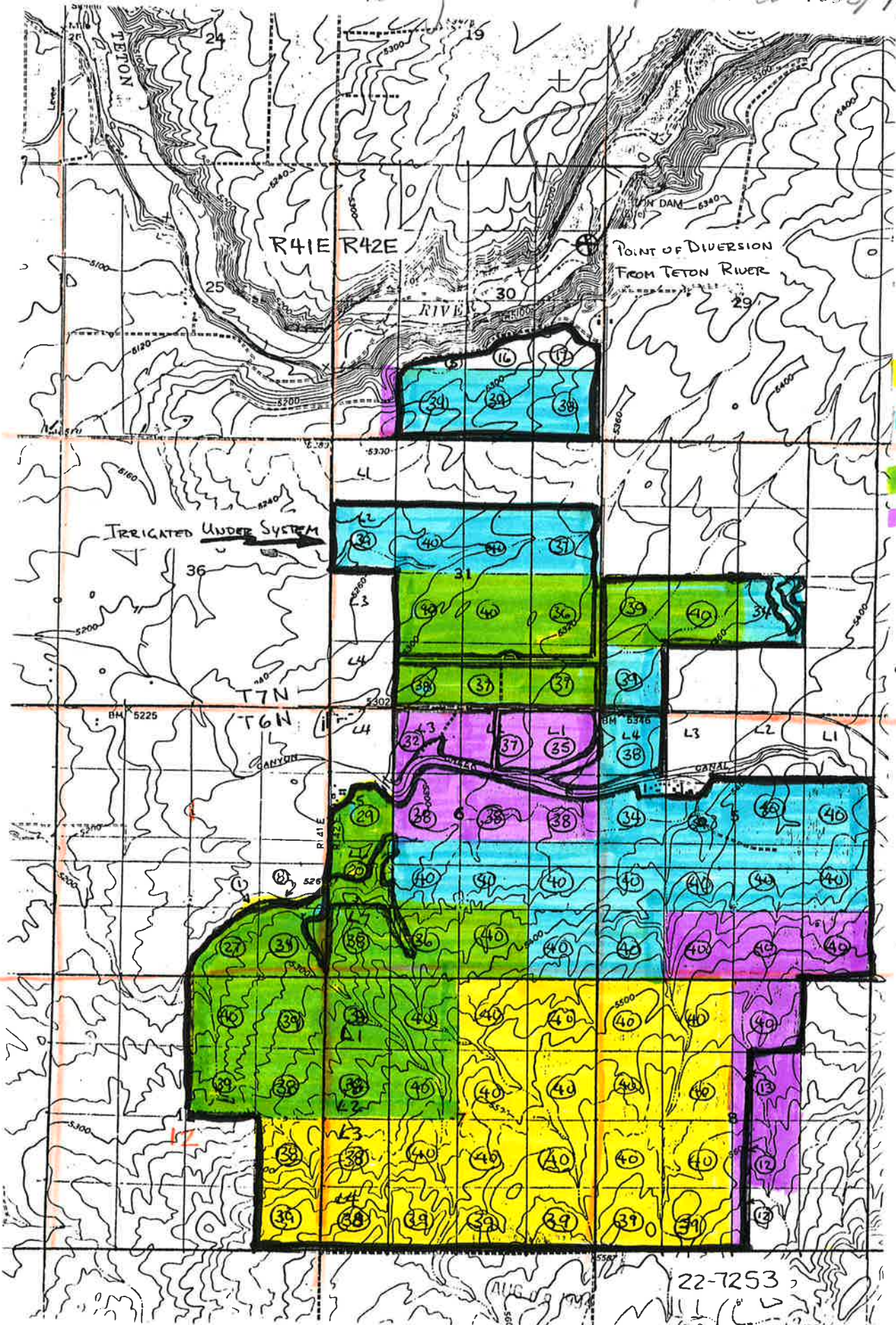
22-1163
├─ A 1.33 cfs
└─ B 2.67 cfs
Tx 1260 80 ac
160 ac

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/in 3060 ac and 1.33 cfs/160 AF.

The two non-SRBA 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.

According to BU Field Reports for 22-7253/7276



22-7253

Water Right No(s). A22-7253

See Attached sheet for Re-diversion Pump data!

GPS data - 2686466
1412493

GPS File# - 227253

GPS DATA:

Tag # A0015984 Location: on power pole

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: Westinghouse Model: _____ Hp: 250
SN: 7705

PUMP

Make: Johnston Model: _____ Disch: _____
SN: N.A.

NOTES:

Ryan Crapo Farms this ground now for Klingler. His cell phone is 313-6314.
Well pumps into Enterprise canal. Re-diversion is upstream on the
Teton River at the Teton Dam site. This is a series of 6 pumps.
See Keith Galsons field exam. A 3000 acre map will have to be
created for P.P.U.

Field Exam Date: 12-5-2005 Agent: W. Jensen

EXCHANGE Well



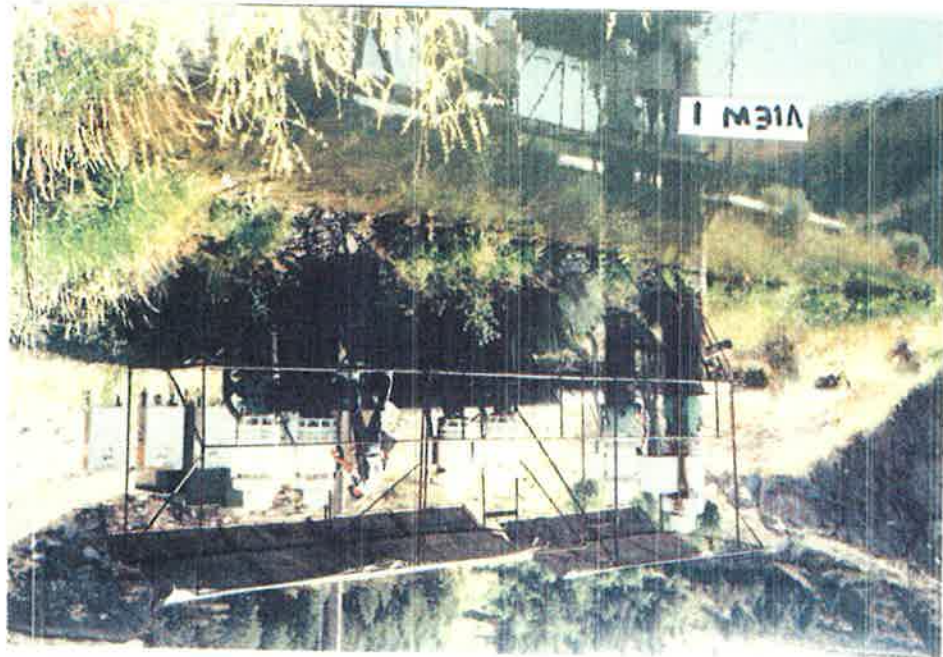
A22-7253, Looking North

A22-07253
Re-Diversion

Two Views
of Point of
Diversion
from

Teton River
(Total 6 Pumps)

Note: Re-Diversion
under 22-07508
* 22-07253



FLOW METER
ON MAINLINE
FROM TETON
RIVER

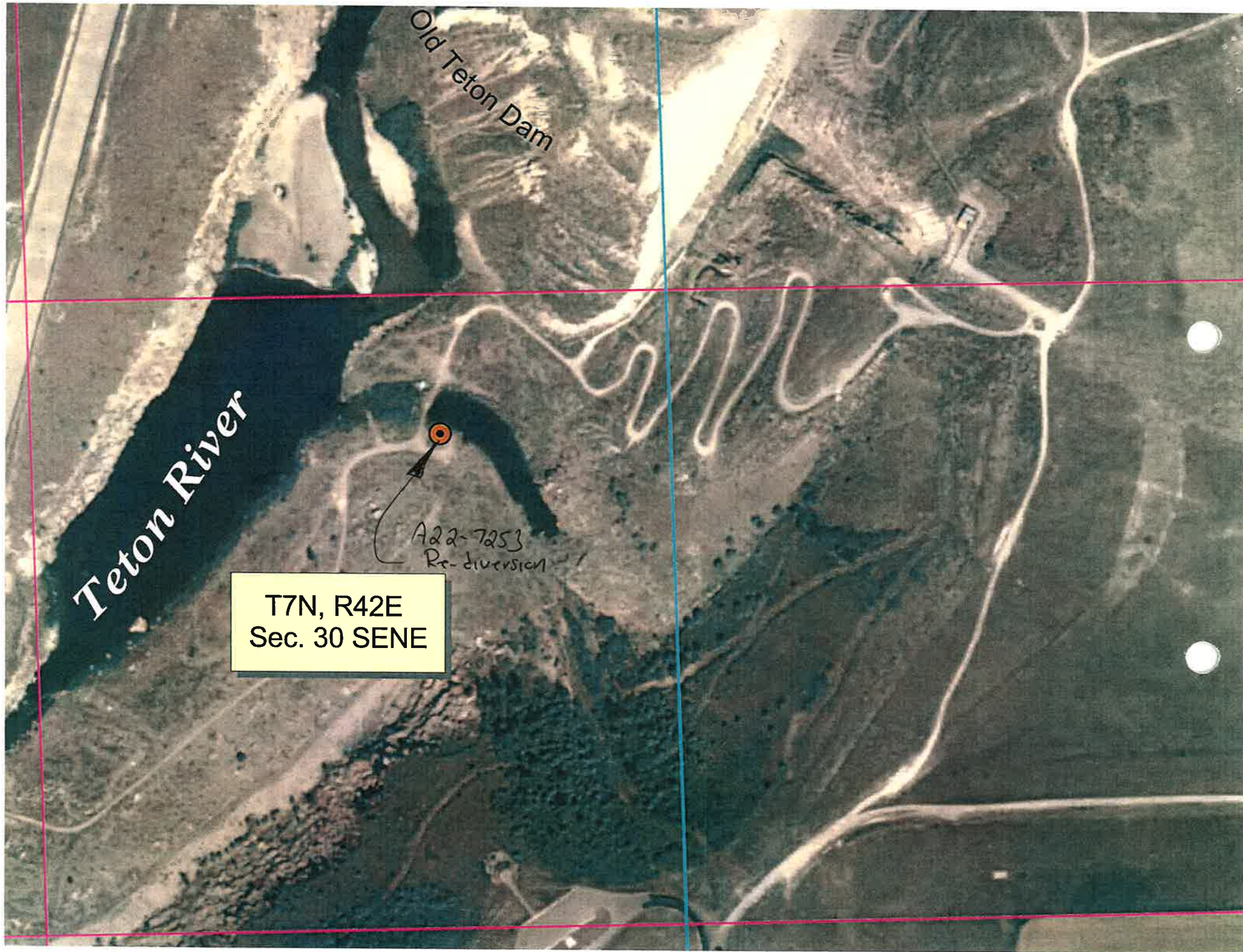
RE-DIVERSION
22-07508

Enterprise Canal

T7N, R41E
SECTION 26

22-7219

on



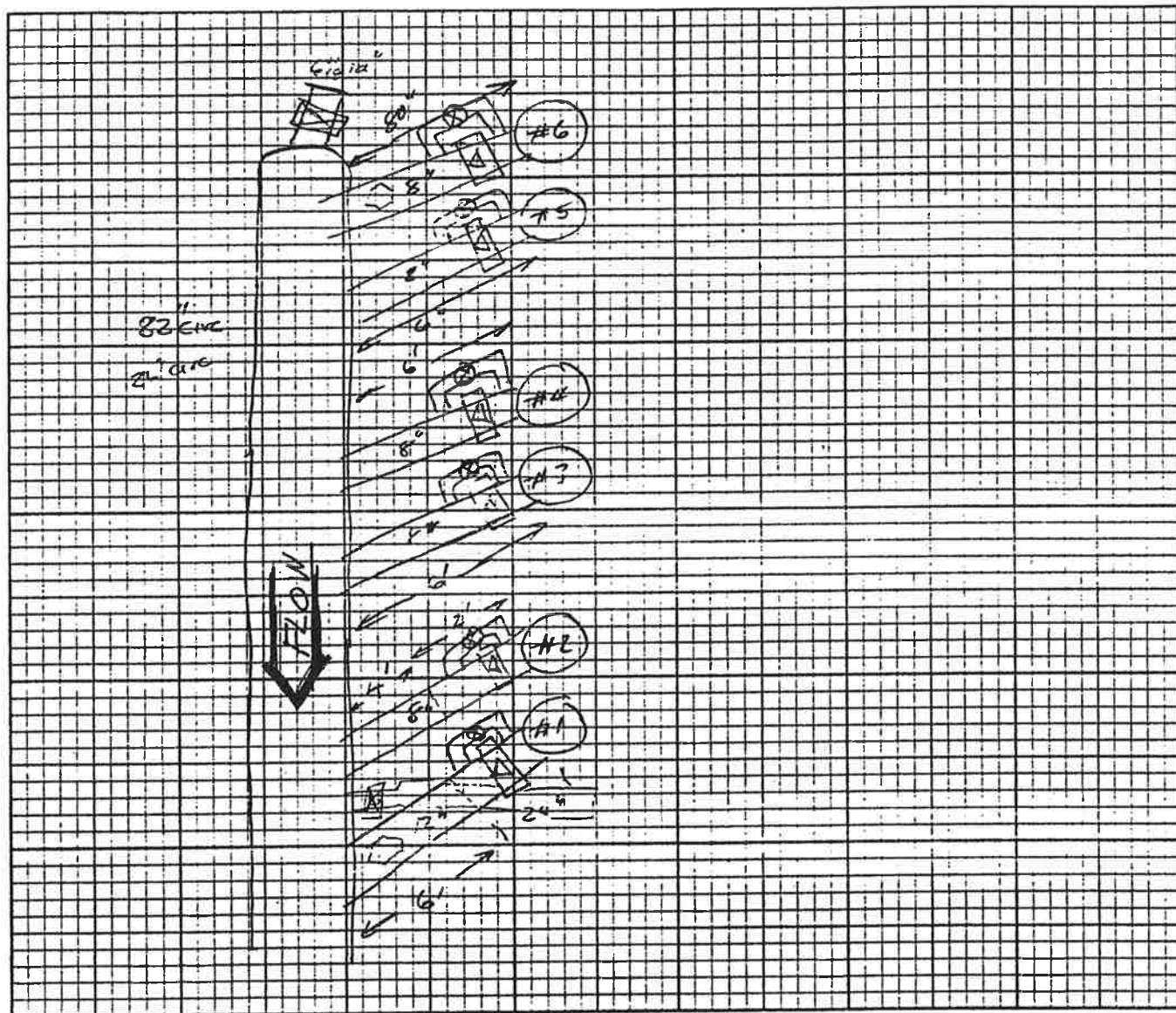
Old Teton Dam

Teton River

A22-7253
Re-diversion

T7N, R42E
Sec. 30 SENE

TETON RIVER REDIVERSION



TETON RIVER REDIVERSION

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	GE 1770	600	RBJ23006	Johnston	BK-24223
#2	U.S. Motors 1770	250	R-155-00-109 R2125434	Johnston	JP 38805 (8")
#3	GE 1770	200	CNJ316152	Johnston	TK-14375
#4	GE 1770	200	FMT623126	Johnston	TK-14348
#5	GE 1770	200	FMT623125	Johnston	TK-247
#6	GE 1770	200	CNJ316151	Johnston	TK-347

AUG 09 1994

22-7253

12-7-88

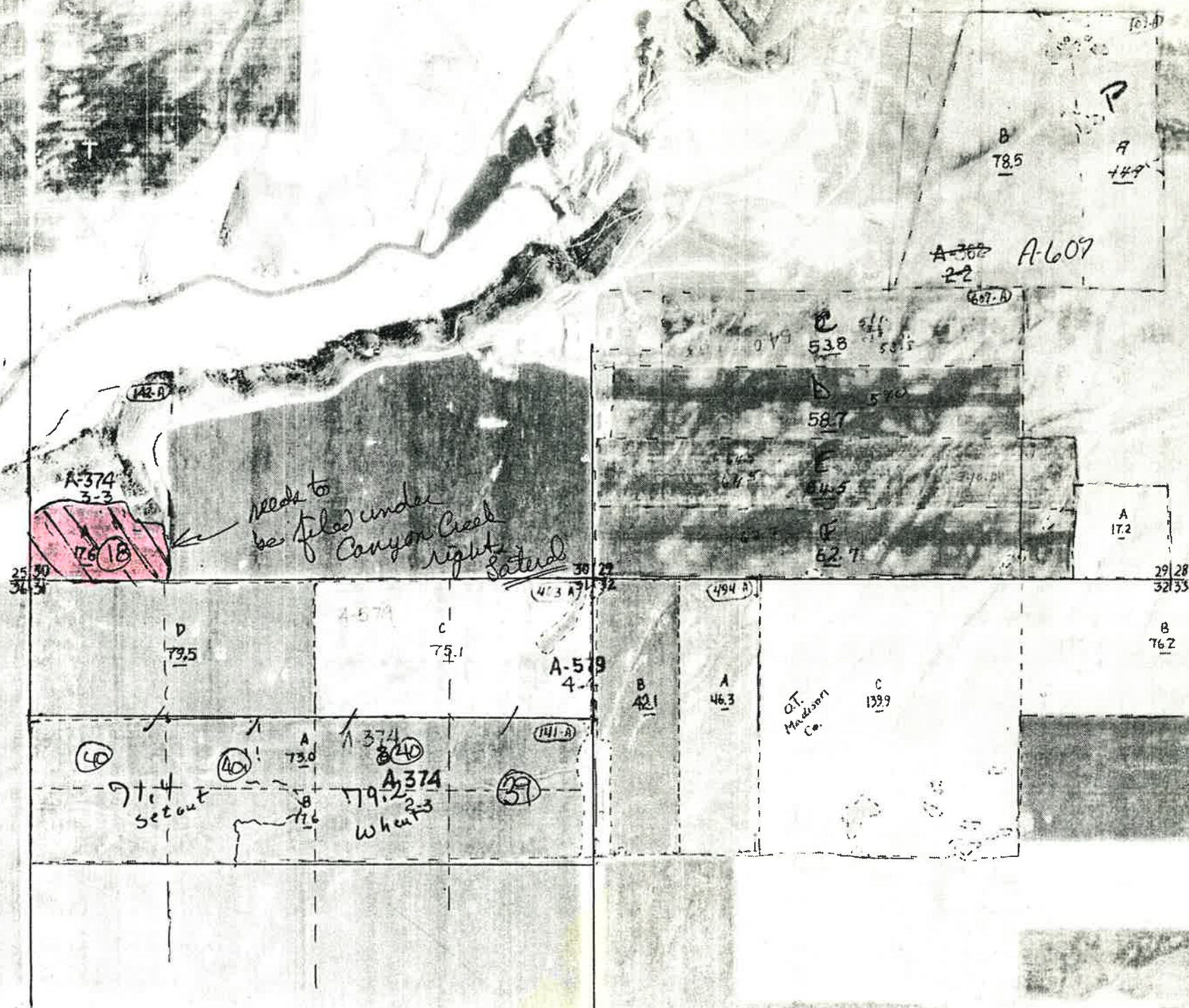
ACTION REQUIRED

FROM: Em

TO: Cumie

When you finish Canyon Creek Lateral Assoc. rights, they need to amend Land List to include 18 acres indicated on attached photo - Was not included by oversight on original Land List - Property owned by Little -

de



APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07253

RECEIVED
SEP 19 1990

Date of Priority: July 29, 1977

Department of Water Resources
Maximum Diversion Rate: 14.00 CFS
Maximum Diversion Volume:¹ 5942.6 AF

Comes now
C/O GRANT KLINGLER
P.O. BOX 116
NEWDALE, ID 83436

CANYON CREEK LATERAL DITCH WATER USERS

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 22-07253, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	14.00 CFS	5942.6 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SENE , Sec. 30, Township 07N, Range 42E
NESE , Sec. 36, Township 07N, Range 40E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
06N	41E	1	NESE	8	NWSE	1	SWSE	27	
			SESE	34					70
		12	NENE	39	NWNE	40	SWNE	39	
			SENE	38	NESE	38	SESE	39	233
42E	6	LOT 5(SWNW)	29	LOT 6 NWSW	20	LOT 7 SWSW	38		
			SESW	36	SWSE	40			163
		7	NENE	40	NWNE	40	SWNE	40	
			(SENE)	40	NENW	40	LOT 1 NWNW	38	
		LOT 2(SWNW)	38	SENW	40	NESW	40		
		LOT 3(NWSW)	38	LOT 4 SWSW	38	SESW	39		
			NESE	40	NWSE	40	SWSE	39	

AUG 09 1994

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		8	SESE 39 NENW 40 SENW 40 SWSW 39	NWNW 40 NESW 40 SESW 39	SWNW 40 NWSW 40	629
07N	42E	31	NESW 40 NWSE 40	SESW 38 SWSE 37	NESE 36 SESE 37	318
		32	NESW 40	NWSW 39		228 79

Total number of acres irrigated: 1720

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Newdale, this 14 day of Sept., 19 90.

Grant Klingler
(Signature)

AUG 09 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07253

FOR DEPARTMENT USE ONLY

Preliminary check by SW Fee = $\checkmark$ \$20.00 Receipted by 12 Date 9/19/90 #C018360

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07253 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 01
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
7. A totalizing measuring device of a type approved by this Department shall be maintained at the point of diversion and at the point of re-diversion.
8. Point of re-diversion is from the Teton River.

Witness my hand this 22nd day of July, 1984.


Acting for R. Keith Higginson, Director

AUG 08 1990

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: A22-07253
Date Received: 8/02/1988
Receipt No: E001023
Received By: EMC

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: JUL 29, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	40E	36	NE	SE			FREMONT
	42E	30	SW	NE		R	MADISON

5. Description of diverting works:
WELL, PUMP, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	14.000		

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

8. Total consumptive use is 6444.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	1	NE	SE		IRR	8.0
			NW	SE		IRR	1.0

A22-07253

Page 1

Date: 08/02/88

A2207253



MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	41E	1	SW	SE	IRR	27.0
			SE	SE	IRR	34.0

Section Acres 70.0

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

Section Acres 233.0

42E	4	SW	SW	IRR	40.0 36.0
		SE	SW	IRR	40.0 28.0

Section Acres 80.0

5	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NW	NW	4 IRR	38.0
	SW	NW	IRR	34.0
	SE	NW	IRR	30.0
	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 502.0

6	NE	NE	1	IRR	35.0
	NW	NE	2	IRR	37.0
	SW	NE		IRR	38.0
	SE	NE		IRR	38.0
	NE	NW	3	IRR	32.0
	SW	NW	5	IRR	29.0
	SE	NW		IRR	38.0
	NE	SW		IRR	40.0
	NW	SW	6	IRR	20.0
	SW	SW	7	IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	42E	6	SE		SW		IRR	36.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								541.0
		7	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	1	IRR	38.0
			SW		NW	2	IRR	38.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	38.0
			SW		SW	4	IRR	38.0
			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								629.0
		8	NW		NE		IRR	13.0
			SW		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
			NW		SE		IRR	13.0
			SW		SE		IRR	13.0
Section Acres								397.0
		9	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
Section Acres								80.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	30	NE	SW		IRR	5.0
			SE	SW		IRR	39.0
			NE	SE		IRR	17.0
			NW	SE		IRR	16.0
			SW	SE		IRR	39.0
			SE	SE		IRR	38.0

Section Acres 154.0

31	SW	NE		IRR	40.0
	SE	NE		IRR	37.0
	SW	NW	2	IRR	39.0
	SE	NW		IRR	40.0
	NE	SW		IRR	40.0
	SE	SW		IRR	38.0
	NE	SE		IRR	36.0
	NW	SE		IRR	40.0
	SW	SE		IRR	37.0
	SE	SE		IRR	37.0

Section Acres 384.0

32	NE	SW		IRR	40.0
	NW	SW		IRR	39.0
	SW	SW		IRR	39.0
	NW	SE		IRR	34.0

Section Acres 152.0

Total Acres ~~3222.0~~ 3206.0 *YK.*

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

22-07276, 22-07490, 22-07508, 22-00163

14. Remarks:

PT. OF INJECTION INTO TETON R., S. FORK: NESE, S36, T7N, R40E.

PT. OF EXCHANGE FROM TETON R.: SWNE, S30, T7N, R42E.

15. Basis of Claim: PERMIT

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 Canyon Creek lateral Ditch asso. that I have signed the foregoing document in the space below as President of Canyon Creek lateral Ditch asso. and that the statements contained in the foregoing document are true and correct.

Shant Klygler
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

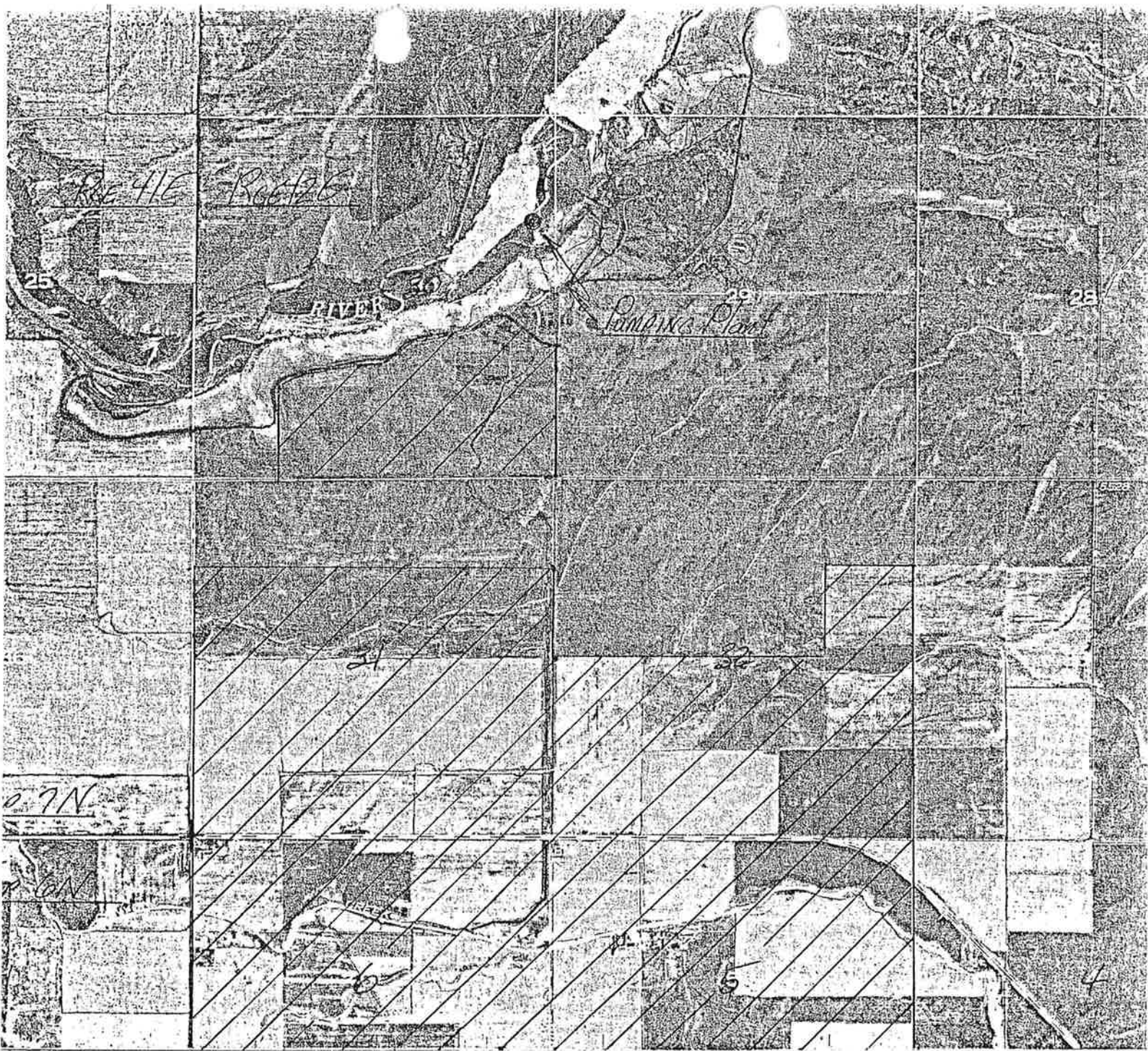
of Aug 19 88

Ernest Calver
Notary Public

Seal

Residing at Glade Falls, MO

My Commission Expires 14 June 1994



MICROFILMED

OCT 29 1992