

12/15/2011

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

RIGHT NUMBER: 22-7276

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

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 22.700 CFS
6,020.000 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. 22-163A, 22-7276, and 22-13739 are limited to a total combined diversion rate of 24.03 cfs.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 04/21/1978

POINT OF DIVERSION:

T07N R42E S30 SENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

22.700 CFS
6,020.00 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:

3667.9 ACRES TOTAL

12/15/2011

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

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 Canyon Creek Lateral Ditch Association.

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.

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:

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 - License

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

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.

This right does not grant any right-of-way or easement across the land of another.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

Right No. 22-13739 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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.

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

09/18/2006

**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: 22-7276

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:

X 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 08 2007

KWJ
10/27

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 or appl. for 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
 80 ac
└─ B 2.67 cfs
 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.

SCANNED

AUG 08 2007

In 1987, water from the canyon creek
lateral ditch was pumped south through
the system into canyon creek canal. Then
diverted two mile down stream to the
ditch here from, this was done from
when the piping system was constructed
under my supervision in 2001.
water manager for Shingler Bend from
Chris Shingler
3/17/06

SCANNED
AUG 08 2007

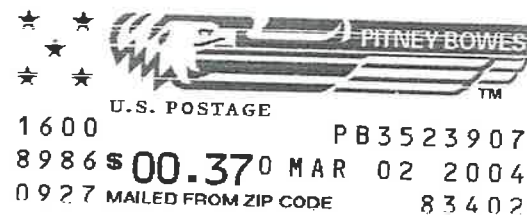
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

22-7508
22-7276
22-11082
22-7253

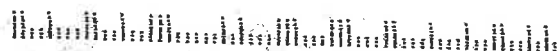
~~CANYON CREEK LATERAL DITCH~~
~~ASSN~~
C/O GRANT KLINGLER
PO BOX 215
NEWDALE ID 83436

KLIN215

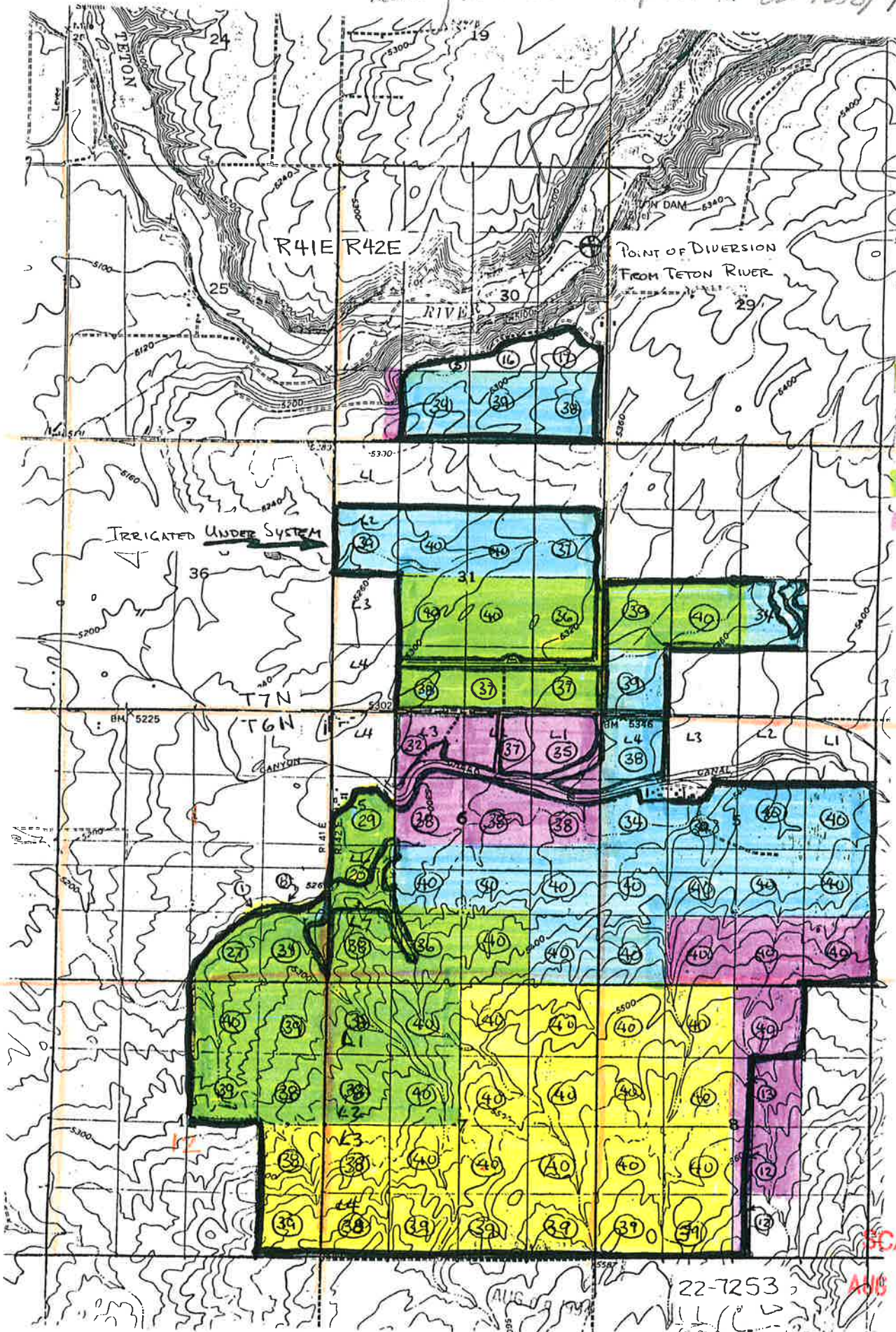


KLIN215 T834362004 1104 05 03/04/04
RETURN TO SENDER
KLINGLER
TEMPORARILY AWAY
RETURN TO SENDER

834362004 1104 05 03/04/04



According to BU Field Reports for 22-7253/7276



- 7253
- 7276
- overlap 7253 + 7276
- other portions covered by non SREA 7499, 7508
- licensed boundary 3060ac

SCANNED

22-7253

AUG 08 2007

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

Treat this as a Notice of Error
(per Dan Shatt) JC 4/24/06

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)

A. Subcase 22-7276

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

RECEIVED

APR 24 2006

Department of Water Resources
Eastern Region

Please fill in the following information:

Notice of Error

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Little Farms

Address: % Dwight Little

2869 East Highway 33, Newdale, Idaho 83436

Daytime Phone (208) 390-0678

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Canyon Lateral Ditch Company

Address: % Stan Schwendiman, 12241 East 3749 North

Newdale, Idaho 83436

SCANNED

APR 06 2006

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: Should include the following: SW4 Section 26; SE4 Section 27; N2, SE4 Section 35 Township 7 North, Range 41 East, Fremont County
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Since 1977 water was pumped through the Canyon Creek Lateral system, dumped into Canyon Creek Canal and diverted onto the above described land.

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 3, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons.

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

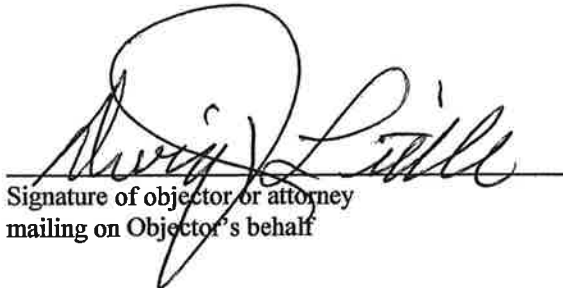
Name: Canyon Creek Lateral Ditch Co.
Address: % Stan Schwendiman, 12241 East 3749 North
Newdale, Idaho 83436

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, ID 83711-4449


Signature of objector or attorney
mailing on Objector's behalf

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Fremont)

Dwight Little, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1404A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Dwight Little
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 3, 2006
Ladonna Henman
Notary Public for State of Idaho
Residing at: Highway 70
My Commission Expires: 6-1-2011



SCANNED

APR 06 2006

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. **22-07276**

Priority: April 21, 1978

Maximum Diversion Rate: 22.70 CFS

Maximum Diversion Volume: 6020.0 AF

This is to certify, that CANYON CREEK LATERAL DITCH WATER USERS
C/O GRANT KLINGLER
PO BOX 215
NEWDALE ID 83436

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 10, 1978; and has submitted Proof of Beneficial Use on April 24, 1985. An examination indicates that the works have a diversion capacity of 29.040 cfs of water from:

TETON RIVER

tributary to **HENRYS FORK**

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	22.70 CFS	6020.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 30, Township 07N, Range 42E
MADISON 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	5		SWNE 40	SENE 40	Lot 4 (NWNW) 38	
			SWNW 34	SENW 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			502
	6	Lot 1 (NENE)	35	Lot 2 (NWNE)	37	SWNE 38
		SENE	38	Lot 3 (NENW)	32	Lot 5 (SWNW) 29
		SENW	38	NESW 40	Lot 6 (NWSW) 20	
		Lot 7 (SWSW)	38	SESW 36	NESE 40	
		NWSE	40	SWSE 40	SESE 40	541
	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	
		SESE	39			629
	8	NWNE	40	SWNE 13	NENW 40	
		NWNW	40	SWNW 40	SENW 40	
		NESW	40	NWSW 40	SWSW 39	
		SESW	39	NWSE 12	SWSE 12	395

AUG 1984

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07276

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07N	42E	30	NESW 5	SESW 39	NESE 17	
			NWSE 16	SWSE 39	SESE 38	154
		31	SWNE 40	SENE 37	Lot 2 (SWNW) 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

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.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.
7. 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.
8. Totalizing measuring devices shall be maintained at all points of diversion.
9. This right is limited to the irrigation of 1720 acres in the place of use described above in a single irrigation season.
10. Six points of diversion located in SENE, S30, T7N, R42E.

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, 1994.

Acting for R. Keith Higginson, Director

AUG 09 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
AUG 1 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07276

Department of Water Resources

Date of Priority: April 21, 1978

Maximum Diversion Rate: 22.70 CFS
Maximum Diversion Volume:¹ 6020.0 AF

Comes now

C/O GRANT KLINGLER
P.O. BOX 315
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. 22-07276, and requests that the permit be changed as follows:

Source: TETON RIVER

tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	22.70 CFS	6020.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 30, Township 07N, Range 42E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	41E	1	SWSE 17	SESE 34			51
		12	NENE 39	NWNE 40		SWNE 39	
			SENE 38				156
	42E	5	(SWNE) 40	SENE 40	LOT 4 NWNW 38		
			SWNW 34	SENW 30	NESW 40		
			NWSW 40	SWSW 40	NESE 40		
			NWSE 40				382
		6	LOT 5 (SWNW) 29	NESW 40	LOT 6 NWSW 20		
			LOT 7 SWSW 38	SESW 36	NESE 40		
			NWSE 40	SWSE 40	SESE 40		323
		7	(NENW) 40	LOT 1 NWNW 38	LOT 2 SWNW 38		
			SENW 40				156
07N	42E	30	SESW 39	SWSE 39	SESE 38		116

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>
07N 42E 31	(SWNE) 40	SENE 37	LOT 2 SWNW 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:		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 30th day of July 19 .
Grant H. Klingler
(Signature)

AUG 09 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07276

FOR DEPARTMENT USE ONLY

#C017884

Preliminary check by SC Fee = \$20.00 Received by 12 Date 8/1/90

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. 22-07276 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 3.5 afa per acre for the lands above.
7. 6 points of diversion located in SENE, S30, T7N, R42E.

Witness my hand this 22ND day of July, 1994.

Acting for

R. Keith Higginson, Director

1994

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 22-7276

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: 04/21/1978
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	04/15	10/15	22.7 CFS	
Recharge for Irrigation	04/15	10/15	22.7 CFS	
Total Diversion			22.7 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.

- 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.
1. S38 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.
2. Totalizing measuring devices shall be maintained at all points of diversion.
3. K06 This right is limited to the irrigation of 1720 acres within the place of use described above in a single irrigation season.
4. 135 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.
5. C18 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.
6. Six pumps are located at the point of diversion described above.
7. Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. E56 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.

10 R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.

11 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.

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

13 K01 Right No. 22-13739 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

14 F06 The following rights are (re)diverted through point of diversion described above: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

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

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 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

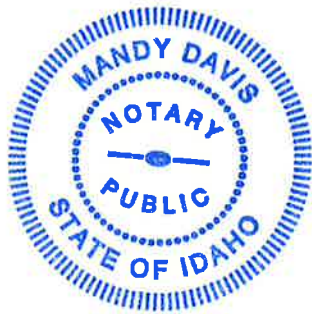
STATE OF IDAHO,)

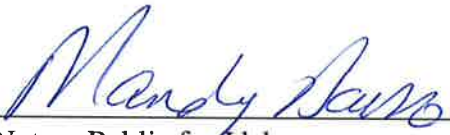
SS.

County of Madison.)

On this 17th 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.





Notary Public for Idaho

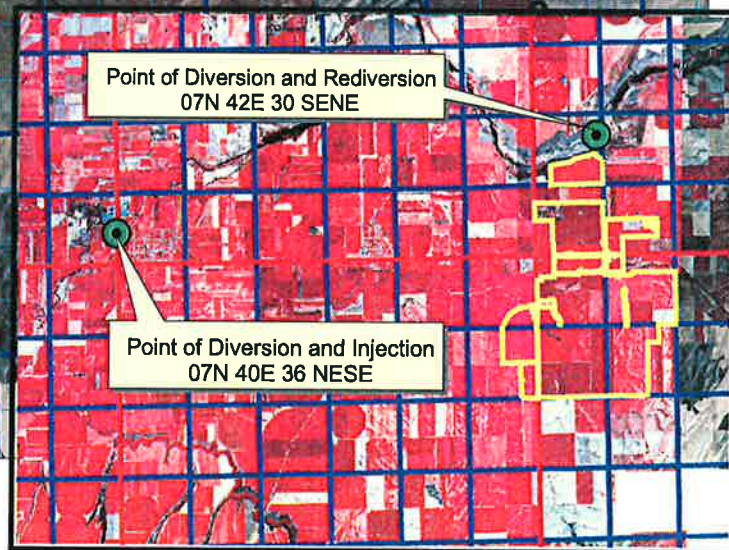
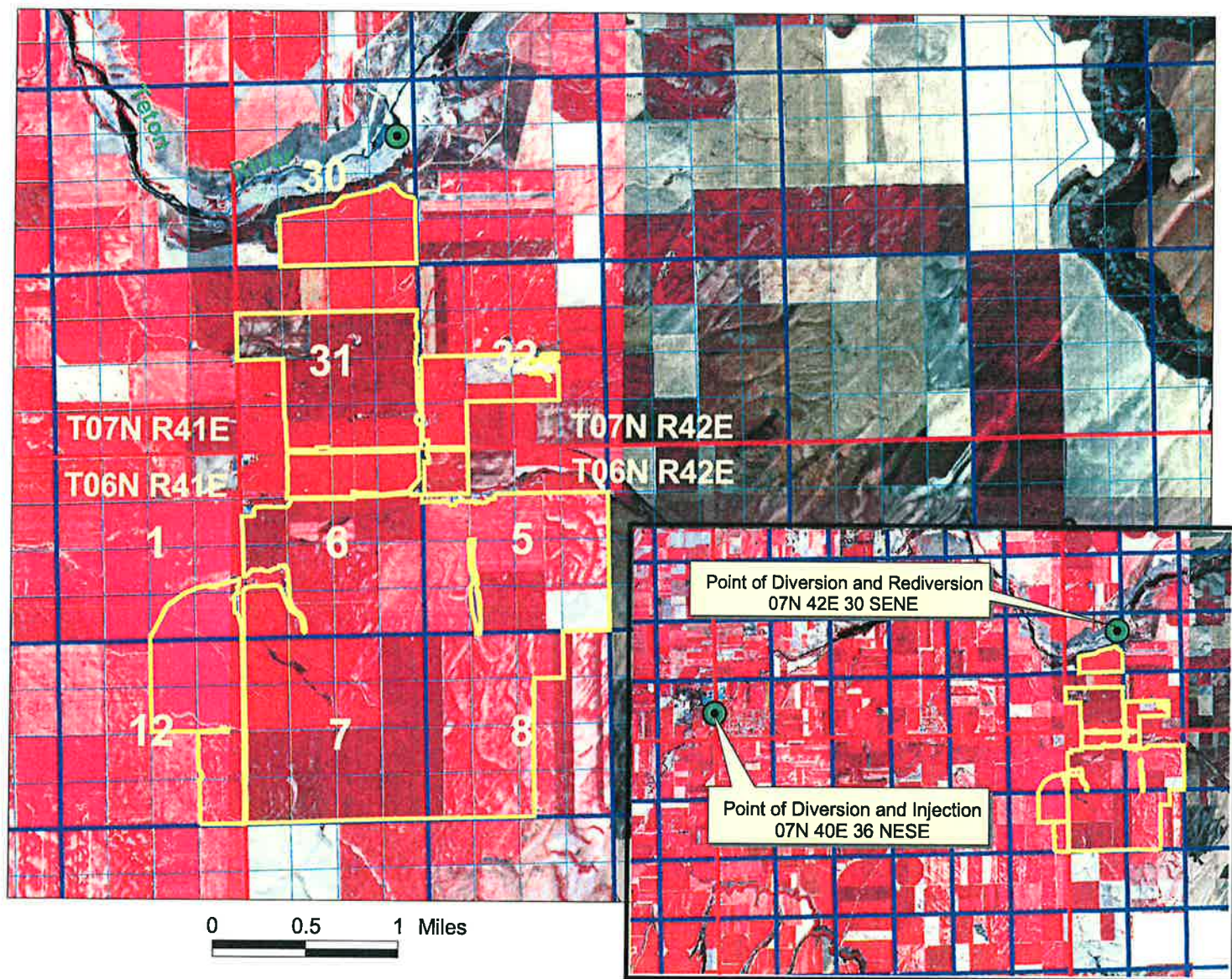
Residing at: St. Anthony

My Commission Expires: 6/24/2011

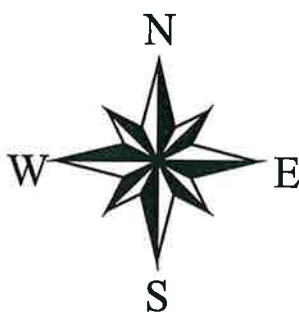


Department of Water Resources Eastern Region

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



- 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 08 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: A22-07276

Date Received: 7/27/1988

Receipt No: 8001023

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: APR 21, 1978

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 HAS SIX PUMPS TOTALING 1650 HP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/01	22.700		

7. Total Quantity Appropriated is:
22.700 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 of	Lot	Use	Acres
06N	41E	1	NE	SE		IRR	8.0
			NW	SE		IRR	1.0
			SW	SE		IRR	27.0

A22-07276

Page 1

Date: 08/02/88

MICROFILMED

SCANNED

OCT 29 1992

AUG 08 2007

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	1	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 <i>SLK</i>
			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		IRR	35.0
			NW	NE		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
			SE	SW		IRR	36.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	42E	6	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
	SW	NW	2	IRR
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	3	IRR
	SW	SW	4	IRR
	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 <i>SLK</i>

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:
22-0163, 22-0195, 22-0196, 22-07253

14. Remarks:
USE OF WATER SUBJECT TO CONTROL BY WATER MASTER W.D. 1.

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 _____ Title

Canyon Creek Lateral Ditch Assoc. that I have signed the foregoing Organization document in the space below as President of Title

Canyon Creek Lateral Ditch Assoc. and that the statements contained in the Organization 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

