

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: A63-03572
Date Received: 3/02/1990
Receipt No: W010350
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EUREKA DITCH CO. NO. 2 208-459-4798
Address: C/O ROBERT T. ROBERTSON
23483 CENTER POINT RD.
CALDWELL, ID 83605

2. Date of Priority: JAN 09, 1967

3. Source: UNNAMED DRAIN Trib. to: DIXIE DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	10	NW	SE			CANYON

5. Description of diverting works:
HEADGATE, DITCHES, GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.600		

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

8. Total consumptive use is 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	04W	6	NE	NW		IRR	32.0
			NW	NW		IRR	14.0

Section Acres 46.0

A63-03572

Page 1

Date: 03/02/90

MICROFILMED
AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04W	31	SW	SW		IRR	25.0
			SE	SW		IRR	26.0
						Section Acres	51.0
	05W	36	SE	SW		IRR	14.0
			SW	SE		IRR	19.0
						Section Acres	33.0
						Total Acres	130.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

A63-00223K,-21361,-21362,-21363,-00222D

14. Remarks:

P/U WITHIN LANDS OF EUREKA DITCH CO.
SOURCE IS KNOWN AS "SOUTH DRAIN"

15. Basis of Claim: LICENSE

Water Right Number: 33372

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: _____

For Organizations:

I do solemnly swear or affirm that I am Secy Treas. of
Eureka Ditch Co #2 that I have signed the foregoing
Organization Title
document in the space below as Secy Treas. of
Eureka Ditch Co #2 and that the statements contained in the
Organization Title
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secy Treas.
Title and Organization

March 2nd 1990
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of MAR 19 90

[Signature]
Notary Public

Seal

Residing at Ron Hewerton

My Commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 1994

Water Right Number - 63-03572

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 33372

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
EUREKA DITCH CO.

1 - RT. 2

2 -

3 -

City- CALDWELL

State- ID Zip- 83605

Phone -

+ - - Priority Date - - +
01/09/1967

+ - - Region - - - +

+ - - Stage - - - +

+ - - Status - - - +

L - LICENSE

+ - - Source - - - +

UNNAMED DRAIN

+ - - Tributary - - - +

DIXIE DRAIN

+ - - - - Point of Diversion - - - - - +

+ - - - - Stream Index (Blank if no Index Code) - - - - - +

+ - - - - - +

+ - - - - - +

01 - IRRIGATION

2.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

+ - - - - - +

+ - - - - - +

+ - - - - - +

+ - - - - - +

+ - - - - - +

+ - - - - - +

+ - - - - - +

+ - - - - - +

Total Acres: 130.0

ALL OVERLAPS DECREED WATER RIGHTS

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - +

P/U WITHIN LANDS OF EUREKA DITCH CO.

+ - - - - - +

No Conditions of Approval found.

MICROFILMED
AUG 19 1992

Water right number - 63-03572

Adj. flag translation: Standard Water Right Number

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/23/85

05/01/88 CONVERT

[illegible]

Proof Due Date	-	00/00/0000
Approved/Denied	-	00/00/0000
Proof Made Date	-	00/00/0000
Start Work Date	-	00/00/0000
Order Show Cause	-	00/00/0000
Licensed Date	-	09/12/1979
Decree Date	-	00/00/0000

Field Exam Made - 00/00/0000
 Protested Date - 00/00/0000
 Hearing Date - 00/00/0000
 Verified Date - 04/23/1985
 Receipt Number -
 Appl Received - 00/00/0000

Field Exam Fee	-
Swan Falls	-
Temporary Right	- P
DLE/Carey Act	-
Water District	-
Transfer/Amended	-

MICROFILMED

AUG 19 1992

08/17/2006

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

RIGHT NUMBER: 63-3572

NAME AND ADDRESS: EUREKA DITCH CO NO 2
C/O BILL DORAMUS
21766 HOWE RD
CALDWELL ID 83607

SOURCE: UNNAMED DRAIN

TRIBUTARY: DIXIE DRAIN

QUANTITY: 2.600 CFS

PRIORITY DATE: 01/09/1967

POINT OF DIVERSION: T04N R04W S10 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

2.600 CFS

PLACE OF USE:

2990 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.

This right when combined with Rights No. 63-222D, 63-223K, 63-21361, 621362, 63-21363 and 63-32241 can be used to irrigate up to 2990 acres within the boundary of the Eureka Ditch Company No. 2.

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

State of Idaho

License and Certificate of Water Right

Water License No. 33372 Priority January 9, 1967 Amount 2.60 c.f.s.

THIS IS TO CERTIFY that Eureka Ditch Company

of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 9, 1967; that Permit No. 33372 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.60 second feet, was issued thereunder on May 9, 1968, showing that said works were completed on the 13 day of March, 1967; and that on the 13 day of March, 1967 Eureka Ditch Company by Ray Austin,

Director of Caldwell, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Drain Ditch, Drainage Dist. # 6

a tributary of Dixie Drain to Boise River for the purpose of irrigation under Use Permit No. 33372 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in the books of the State Reclamation Engineer of Idaho, on the 9 day of May, 1968.

The right hereby confirmed dates from January 9, 1967.

The Point of Diversion is located

in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 4 N, R. 4 W, B.M. Canyon County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.60 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	5 W	36	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	14
5 N	4 W	31	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	19
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	26
4 N	4 W	6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	32
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	14
Total number of acres irrigated:					130

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 9 day of May, 1968.

R. Keith Higgins
State Reclamation Engineer.

33372

63 33372