

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

RIGHT NUMBER:

22-13739

NAME AND ADDRESS:

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

SOURCE:

TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY:

8.020 CFS

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

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

PRIORITY DATE:

05/03/1978

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T07N R42E S30 SENE Within MADISON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	8.020 CFS

PLACE OF USE:

3667.9 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 3667.9 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

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

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

This right is based upon an enlargement of Right No. 22-7276 pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

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.

This right is for an enlargement of 607.9 acres within the place of use described for this right.

Hearing 10-16-2007
Hearing 11-20-2007

RECEIVED

JUL 30 2007

DEPARTMENT OF
WATER RESOURCES

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	)	Subcase: 22-13739/22-07276
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE
	)	X LATE NOTICE OF CLAIM
	)	☐ AMENDED NOTICE OF CLAIM
	)	

X I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Stan Schwendiman, Secretary of Canyon Creek Lateral Ditch Association.

My address is: 12241 E 3749 N Newdale, ID 83436

My phone number is: Work_(208) 458-9807 Home _____

I am an attorney representing _____

My name is _____

My address is: _____

My phone number is: _____

SCANNED

JUL 30 2007

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of Claim to the use of the water in the SRBA because:

At the time the claims were filed on behalf of Canyon Creek Lateral for water right 22-07276, we were not aware of the need to file an enlargement claim for this right. The enlargement exists by virtue of one of our members using water which was pumped through the Canyon Creek Lateral system, then dumped into Canyon Creek Canal and diverted onto his land, which is not included in the prescribed place of use. He has been doing this since 04/21/1978. Once we became aware of the need to file the enlargement, we contacted an attorney and the Department of Water Resources and began investigating the necessary evidence to prove that the said water user has indeed irrigated his lands with our water since prior to 1987.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must described these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

An affidavit of Dwight Little describing the history of use of unused water from Canyon Creek Lateral Ditch Association on Little Farms.

☒ A fully completed Notice of Claim (available from IDWR).

☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$_____.

☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$100.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.

SCANNED

JUL 3 0 2007

2. Fill in the following information:

This motion will be heard on: Tuesday, October 16, 2007 at 1:30 P.M.

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File and Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☐ I must amend my Notice of Claim to the use of the water in the SRBA because:

☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

☐ An Amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

SCANNED

JUL 30 2007

VERIFICATION

STATE OF IDAHO,)
 ss
County of Madison.)

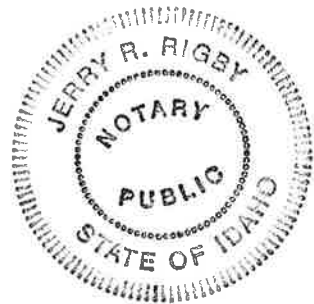
Stan Schwendiman, being first duly sworn, upon oath, deposes and says:

That I am the Secretary of party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 4204101A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Stan Schwendiman, Sec.
Signature of person filing motion

Attorney signing in representative capacity.

Subscribed and sworn to before me on July 26, 2007.



Notary Public for Idaho
Residing at Rexburg
My Commission Expires: 11/09/11

SCANNED

JUL 30 2007

CERTIFICATE OF MAILING

I certify that on July 26, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

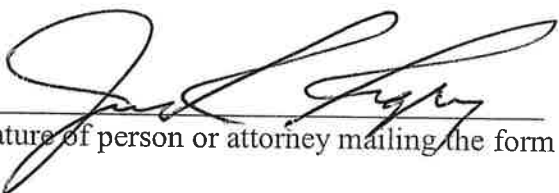
2. Copies to:

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

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

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or Special Master, you must serve a copy on all parties in that subcase.


Signature of person or attorney mailing the form

SCANNED

JUL 30 2007

In Re SRBA) Subcase:22-07276 / 22-13739
)
)
)
Case 39576)
) **AFFIDAVIT OF DWIGHT LITTLE**
)
)
)
_____)

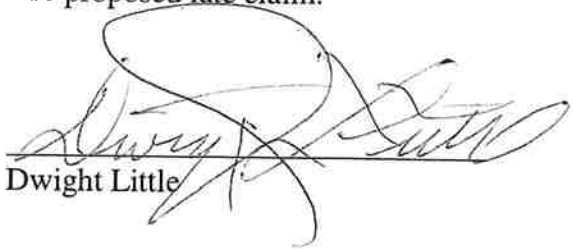
Dwight Little, being first duly sworn, deposes and states as follows:

- 126 acres of the SW1/4 of Section 26, Township 07N, Range 41E.
5 acres of the SE1/4 of the SE1/4 of Section 27, Township 07N, Range 41E.
466 acres in the NE1/4, NW1/4, and SE1/4 of Section 35, Township 07N, Range 41E.

SCANNED
JUL 3 8 2007

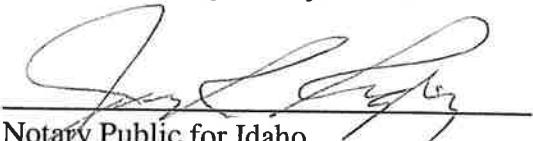
Claimant understood that the law allowed for enlarged acres, especially following an objection filed by me to one of Claimant's water rights which raised the issue of the enlarged acres, it authorized seeking out legal help to accomplish the filing of the proposed late claim.

DATED this 2 day of July, 2007.


Dwight Little

SUBSCRIBED AND SWORN to before me this 2nd day of July, 2007.




Notary Public for Idaho
Residing at: Rexburg
My Commission Expires: 11-09-11

In 1981 water from the canyon creek
natural ditch was pumped south through
the system into canyon creek canal. Then
diverted two mile down stream to the
ditch here farm. This was done from
when the piping system was constructed
and my achievement in 2001.
Water manager for Angler Road Farm
Chris Rinkler 3/17/06

SCANNED

JUL 9 8 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 _____
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Canyon Creek Lateral Ditch Assn. C/O Stan Schwendiman Phone (208) 458-9807
Mailing Address 12241 E 3749 N Newdale, ID Zip 83436

2. Date of Priority (Only one (1) per claim) 04/21/1978

3. Source of water supply (a) Teton River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 07N Range R42E Section 30,
NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Madison

Additional points of diversion If any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____ 1/4 Of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pumping plant with six pumps totaling 1650 HP, as re-diverted
through a system of ditches to the enlarged acreage.

6. Water is claimed for the following purposes-

(both dates are inclusive) (Cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/15 amount 22.7 or 6020

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 22.7 (cfs) and/or (b) 6020 (acre feet)

8. Total consumptive use claimed is 6020 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
07N	41E	26									39	13	35	39					126
07N	41E	27															5		5
07N	41E	35	39	39	40	40	39	39	40	40					40	40	33	37	466

Total number of acres irrigated 597

11. In which county (ies) are lands listed above as place of use located? Madison

12. Do you own the property listed above as place of use? Yes No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
22-2150, 22-7204, 22-12786 or None ()

14. Remarks: This land is owned by Little Farms, who is a member of Canyon Creek Lateral Canal Company. This is an enlargement claim to enlarge the acres allowed by water right # 22-07276. These lands have been watered by said water right since its beginning on 04/21/1978.

Last Name Canyon Creek Lateral Ditch Assn Ident No.

07N 41E

07N 42E

06N 41E

06N 42E



SCANNED
MAY 30 2007

Little Property on Canyon Creek Lateral

Little property.shp
Canyon Creek Lateral.shp
Canyon creek lateral da.shp
Section
Township

Prepared by LaDonna Henman
Date Prepared: May 10, 2007

15. Basis of Claim (check one) Beneficial Use, ☒ X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 22-13739, enlarged from 22-07276

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Secretary _____

of _____ Canyon Creek Lateral Ditch Association _____, that I have signed the foregoing
Organization

document in the space below as _____ Secretary _____ of Canyon Creek Lateral Ditch Association _____
Title Organization

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

Signature of Authorized Agent Stan Schneiderman

Title and Organization Secretary, Canyon Creek Lateral Ditch Association Date 07/26/07

State of Idaho/or _____)
County of Madison) ss.

Subscribed and sworn (or affirmed) before me this _____ 26th _____ day of July _____ 20 07



Notary Public Jerry R. Rigby

Residing at Rexburg

My Commission Expires 11/09/11

Please Print Name

17. Notice of Appearance.

Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Jerry R. Rigby

Address P.O. Box 250, Rexburg, Idaho 83440

Date July 26, 2007

Last Name Canyon Creek Lateral Ditch Assn Ident. Number _____

SCANNED
JUL 30 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 10, 2007

JERRY R RIGBY
PO BOX 250
REXBURG ID 83440

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #22-13738 and 22-13739
Your Client: Canyon Creek Lateral Ditch Assn.

Dear Mr. Rigby:

Thank you for paying the additional fees on your client's late Notices of Claim so promptly. I have enclosed receipt #C085478 which you may retain for your records.

Your client's Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4922 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Receipt Referenced Above

SCANNED

DEC 10 2007

RECEIVED

DEC 06 2007

DEPARTMENT OF
WATER RESOURCES

Law Offices

RIGBY, ANDRUS & MOELLER

Chartered

*Ray W. Rigby
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller
Reed E. Andrus*

*P.O. Box 250
25 North Second East
Rexburg, ID 83440*

*Telephone: (208) 356-3633
Fax: (208) 356-0768*

December 4, 2007

Craig L. Saxton
Water Rights Supervisor
P.O. Box 83720
Boise, ID 83720

**Re: Canyon Creek Lateral
Water Rights 22-13738 and 22-13739**

Dear Craig:

Per your instruction I am enclosing a check in the amount of \$200.00 to cover the late fees for the above referenced water rights.

If you have any questions, please give our office a call. Thanks.

Sincerely yours,



Mandy Davis
Assistant to Jerry R. Rigby

/md
Enclosure

F:\WP6\SB\CANYONCR.LTR

SCANNED
DEC 10 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 29, 2007

RECEIVED

DEC 06 2007

DEPARTMENT OF
WATER RESOURCES

JERRY R RIGBY
PO BOX 250
REXBURG ID 83440

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #22-13738 and 22-13739
Your Client: Canyon Creek Lateral Ditch Assn.

Dear Mr. Rigby:

Due to an oversight, we did not notice late fees in the amount of \$100.00 per claim are due on your client's claims referenced above.

You paid claim filing fees of \$100.00 on receipt #C085379 for claim #22-13738 and \$100.00 on receipt #C085380 for claim #22-13739, but no late fee. According to SRBA Court Administrative Order 1, Rules of Procedure, (Page 3 of the Standard Form 4 you filed), "A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed."

Upon receipt of the balance of the filing fees (\$200.00) your client's Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report.

Please contact me at 208/287-4916 if you have any questions.

Sincerely,

Craig L. Saxton
Water Rights Supervisor
Adjudication Bureau

CLS:ss:region

SCANNED

DEC 10 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 29, 2007

JERRY R RIGBY
PO BOX 250
REXBURG ID 83440

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #22-13738 and 22-13739
Your Client: Canyon Creek Lateral Ditch Assn.

Dear Mr. Rigby:

Due to an oversight, we did not notice late fees in the amount of \$100.00 per claim are due on your client's claims referenced above.

You paid claim filing fees of \$100.00 on receipt #C085379 for claim #22-13738 and \$100.00 on receipt #C085380 for claim #22-13739, but no late fee. According to SRBA Court Administrative Order 1, Rules of Procedure, (Page 3 of the Standard Form 4 you filed), "A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed."

Upon receipt of the balance of the filing fees (\$200.00) your client's Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report.

Please contact me at 208/287-4916 if you have any questions.

Sincerely,

Craig L. Saxton
Water Rights Supervisor
Adjudication Bureau

CLS:ss:region

SCANNED
NOV 30 2007

Total Records Found: 227

	<u>Receipt Payer</u>	<u>Date Received</u>	<u>Amount</u>	<u>Status</u>	<u>Comments</u>
Select C085380	RIGBY, THATCHER, ANDRUS, RIGBY & MOELLER	11/23/2007 12:08:53 PM	\$100.00		22-13739
Select C085379	RIGBY, THATCHER, ANDRUS, RIGBY & MOELLER	11/23/2007 12:06:45 PM	\$100.00		22-13738
Select C085277	RIGBY THATCHER ANDRUS RIGBY AND MOELLER CHARTERED	11/7/2007 12:12:47 PM	\$100.00		27-13739
Select C085180	RIGBY THATCHER ANDRUS RIGBY AND MOELLER CHARTERED	10/23/2007 1:21:18 PM	\$200.00		27-13739
Select E033419	RIGBY, THATCHER, ANDRUS, RIGBY & MOELLER	9/24/2007 3:50:25 PM	\$75.00		22-13689, 22-13690 & 22-13691
Select E033416	RIGBY, THATCHER, ANDRUS, RIGBY & MOELLER	9/24/2007 3:46:39 PM	\$75.00		22-13689, 22-13690 & 22-13691
Select C084965	RIGBY THATCHER ANDRUS RIGBY MOELLER CHARTERED	9/21/2007 11:38:12 AM	\$100.00		22-13505
Select E033141	KENNETH H RIGBY	7/23/2007 4:30:36 PM	\$75.00		D0048703 Driller - 495
Select E033064	RIGBY, STEVEN & ANN	7/3/2007 11:58:12 AM	\$25.00		43-4106A
Select C084193	RIGBY THATCHER ANDRUS RIGBY AND MOELLER	5/25/2007 11:19:53 AM	\$252.00		22-00628A filing fee

1 2 3 4 5 6 7 8 9 10 ...

DO NOT
SCAN





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 27, 2007

JERRY R RIGBY
PO BOX 250
REXBURG ID 83440

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #22-13738 and 22-13739
Your Client: Canyon Creek Lateral Ditch Assn.

Dear Mr. Rigby:

The Notices of Claim to a Water Right you filed for your client referenced above were received from the SRBA Court recently. I have enclosed receipts #C085379 and C085380 for the filing fees your firm paid.

Your client's Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4916 if you have any questions.

Please notify us in writing if your client's address changes or if there is a change in ownership of their property and water rights.

Sincerely,

Craig L. Saxton
Water Rights Supervisor
Adjudication Bureau

CLS:ss:region

Enclosures:

Receipts Referenced Above

SCANNED

NOV 28 2007

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

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

CIVIL CASE NUMBER: 39576

Ident. Number
22-13739

Date Received:
7/3/2007
Receipt Nos:
C085478 & C085380
Received By: MWH

RECEIVED
MAY 14 2008
Department of Water Resources
Eastern Region

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

1. Name of Claimant(s)

CANYON CREEK LATERAL DITCH ASSN Phone: (208)458-4269
12241 E 3749 N
NEWDALE ID USA 83436

2. Date of Priority: 04/21/1978

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

4. Point of Diversion:

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

5. Description of diverting works:

PUMPING PLANT WITH SIX PUMPS TOTALING 1650 HP, AS RE-DIVERTED THROUGH A
SYSTEM OF DITCHES TO THE ENLARGED ACREAGE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	22.7	6020

7. Total Quantity Appropriated is:
22.7 C.F.S. and/or 6020 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township Acres	Range	Section	1/4 of 1/4	Lot	Use
07N 39	41E	26	NE	SW	IRRIGATION
13			NW	SW	IRRIGATION
35			SW	SW	IRRIGATION
39			SE	SW	IRRIGATION
					Section Acres 126
07N 5	41E	27	SE	SE	IRRIGATION
					Section Acres 5
07N 39	41E	35	NE	NE	IRRIGATION
39			NW	NE	IRRIGATION
40			SW	NE	IRRIGATION
40			SE	NE	IRRIGATION
39			NE	NW	IRRIGATION
39			NW	NW	IRRIGATION
40			SW	NW	IRRIGATION
40			SE	NW	IRRIGATION
40			NE	SE	IRRIGATION
40			NW	SE	IRRIGATION
33			SW	SE	IRRIGATION

37		SE	SE		IRRIGATION
					Section Acres 466
07N 17	42E 30	SW	SW	4	IRRIGATION
					Section Acres 17
					Total Acres 614

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

This land is owned by Helen Little and Little Farms, who are a members of Canyon Creek Lateral Ditch Assn. This is an enlargement claim to enlarge the acres allowed by water right #22-07276. These lands have been watered by said water right since its beginning on 04/21/1978.

Pumping plan with six pumps totaling 1650 HP, as re-diverted through a system of ditches to the enlarged acreage.

15. Basis of Claim: Beneficial Use

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 the attorney for Canyon Creek Lateral Ditch Assn., that I have signed the foregoing document in the space below as attorney for Canyon Creek Lateral Ditch Assn., and that the statements contained in the

foregoing document are true and correct.

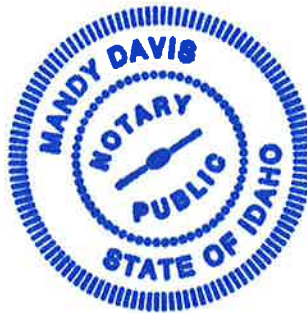
DATED this 12th day of May, 2008.


Jerry R. Rigby

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 12th day of May, 2008, 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, ID
My Commission Expires: 6/24/2011

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

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

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Canyon Creek Lateral Ditch Assn. C/O Stan Schwendiman Phone (208) 458-9807

Mailing Address	12241 E 3749 N Newdale, ID	Zip	83436
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2. Date of Priority (Only one (1) per claim) 04/21/1978

3. Source of water supply (a) Teton River

which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 07N Range R42E Section 30

NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Madison

Additional points of diversion If any:

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4, _____

Govt. Lot B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 Of _____ 1/4 of _____

1/4, Govt. Lot B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),

Including the dates of any changes or enlargements in use, the dimensions of the diversion works as

constructed and as enlarged and the depth of each well. Pumping plant with six pumps totaling 1650 HP, as re-diverted

through a system of ditches to the enlarged acreage.

SCANNED

NOV 26 2007

6. Water is claimed for the following purposes-
(both dates are inclusive) (Cfs) (acre feet)
For Irrigation purposes from 04/15 to 10/15 amount 22.7 or 6020
For purposes from to amount or
For purposes from to amount or
For purposes from to amount or

7. Total quantity claimed (a) 22.7 (cfs) and/or (b) 6020 (acre feet)

8. Total consumptive use claimed is 6020 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation Wow.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
07N	41E	26									39	13	35	39					126
07N	41E	27																5	5
07N	41E	35	39	39	40	40	39	39	40	40					40	40	33	37	466

Total number of acres irrigated 597

11. In which county (ies) are lands listed above as place of use located? Madison

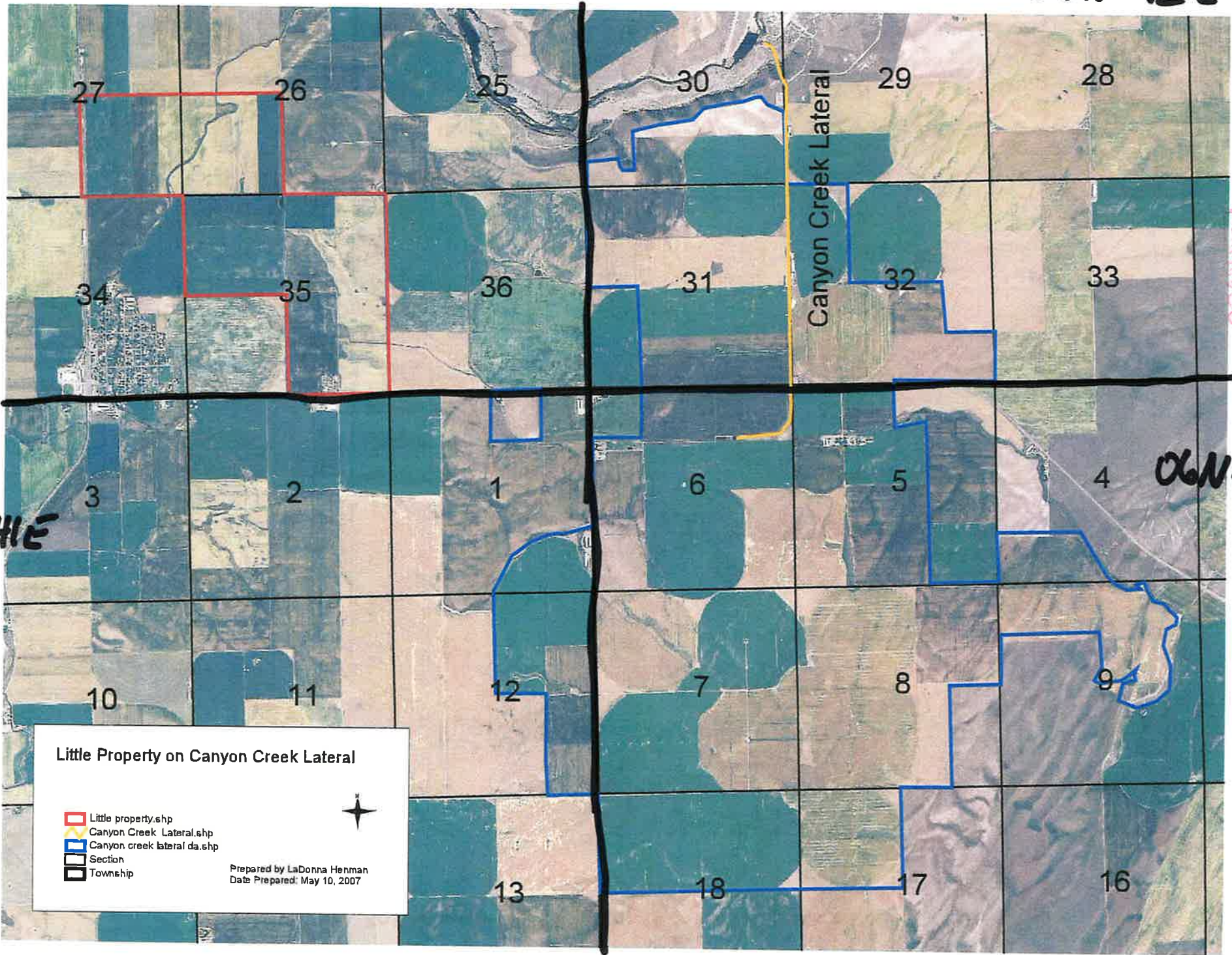
12. Do you own the property listed above as place of use? Yes No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
22-2150, 22-7204, 22-12786 or None ()

14. Remarks: This land is owned by Little Farms, who is a member of Canyon Creek Lateral Canal Company. This is an enlargement claim to enlarge the acres allowed by water right # 22-07276. These lands have been watered by said water right since its beginning on 04/21/1978.

07N 41E

07N 42E



15. Basis of Claim (check one) Beneficial Use, X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-13739, enlarged from 22-07276
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

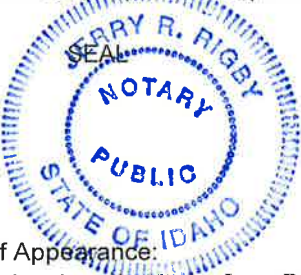
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Secretary
of _____ Canyon Creek Lateral Ditch Association _____, that I have signed the foregoing
Organization
document in the space below as _____ Secretary _____ of Canyon Creek Lateral Ditch Association
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Stan Schneiderman
Title and Organization Secretary, Canyon Creek Lateral Ditch Association Date 07/26/07

State of Idaho/or _____)
County of Madison) ss.

Subscribed and sworn (or affirmed) before me this _____ 26th _____ day of July 20 07
Notary Public Jerry R. Rigby
Residing at Rexburg
My Commission Expires 11/09/11



17. Notice of Appearance.
Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.
Signature Jerry R. Rigby
Address P.O. Box 250, Rexburg, Idaho 83440
Date July 26, 2007

Last Name Canyon Creek Lateral Ditch Assn Ident. Number _____

SCANNED
NOV 26 2007

RECEIVED
NOV 23 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 21 2007

By _____
Clerk
Deputy Clerk

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)
Subcases: 22-13738 & 22-13739)
Case No. 39576)
ORDER GRANTING MOTIONS TO FILE)
LATE NOTICES OF CLAIM)
_____)

On July 30, 2007, Canyon Creek Lateral Ditch Association filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on November 20, 2007. These *Motions* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated November 21, 2007.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on November
21, 2007, with sufficient first-class postage to the following:

CANYON CREEK LATERAL
DITCH ASSN
C/O STAN SCHWENDIMAN
12241 E 3749 N
NEWDALE, ID 83436
Phone: 208-458-9807

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 11/21/07

FILE COPY FOR 00636

Deputy Clerk

Julia Murphy
SCANNED