

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: A63-00206
Date Received: 8/23/1989
Receipt No: W004856
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: NEW DRY CREEK DITCH CO
Address: C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

2. Date of Priority: JUN 1, 1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	23		NE	SE		ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	15.220		

7. Total Quantity Appropriated is:
15.220 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	01E	7	NE	NE		IRR	25.0
			NW	NE		IRR	36.0
			SW	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01E	7	SE		NE		IRR	39.0
			NE		NW		IRR	38.0
			NW		NW		IRR	39.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	36.0
			SE		SW		IRR	25.0
			NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	39.0
Section Acres								512.0
		8	NW		NE		IRR	1.0
			SW		NE		IRR	17.0
			SE		NE		IRR	5.0
			NW		NW		IRR	2.0
			SW		NW		IRR	37.0
			SE		NW		IRR	20.0
			NE		SW		IRR	31.0
			NW		SW		IRR	39.0
			SW		SW		IRR	36.0
			SE		SW		IRR	36.0
			NE		SE		IRR	28.0
			NW		SE		IRR	31.0
			SW		SE		IRR	38.0
			SE		SE		IRR	32.0
Section Acres								353.0
		9	SW		NW		IRR	5.0
			NW		SW		IRR	8.0
			SW		SW		IRR	6.0
			SE		SW		IRR	7.0
			NE		SE		IRR	18.0
			NW		SE		IRR	25.0
			SW		SE		IRR	24.0
			SE		SE		IRR	37.0
Section Acres								130.0
		10	NW		SW		IRR	8.0
			SW		SW		IRR	39.0
			SE		SW		IRR	27.0
			SW		SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	80.0
		15	NW	NE		IRR	28.0
			SW	NE		IRR	24.0
			NE	NW		IRR	18.0
			NW	NW		IRR	10.0
			SE	NW		IRR	2.0
						Section Acres	82.0
		16	NE	NE		IRR	3.0
						Section Acres	3.0
		17	NE	NE		IRR	9.0
			NW	NE		IRR	8.0
			NE	NW		IRR	10.0
			NW	NW		IRR	5.0
						Section Acres	32.0
01W		1	SW	NE		IRR	18.0
			NE	NW		IRR	27.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	37.0
			NE	SW		IRR	38.0
			NW	SW		IRR	38.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	429.0
		2	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	35.0
			SE	NE		IRR	39.0
			NE	NW		IRR	26.0
			SW	NW		IRR	35.0
			SE	NW		IRR	39.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	2	SE		SW		IRR	16.0
			NE		SE		IRR	39.0
			NW		SE		IRR	38.0
			SW		SE		IRR	39.0
			SE		SE		IRR	40.0
							Section Acres	528.0
		3	NE		NW		IRR	5.0
			SE		NW		IRR	28.0
			NE		SW		IRR	37.0
			SW		SW		IRR	18.0
			SE		SW		IRR	19.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	23.0
			SE		SE		IRR	22.0
							Section Acres	232.0
		4	SE		SE		IRR	17.0
							Section Acres	17.0
		10	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	198.0
		11	NE		NE		IRR	37.0
			NW		NE		IRR	6.0
			NW		NW		IRR	33.0
			SW		NW		IRR	40.0
							Section Acres	116.0
		12	NE		NE		IRR	30.0
			NW		NE		IRR	26.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
							Section Acres	126.0
05N	01W	35	NE		SE		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	35	NW	SE		IRR	1.0
			SW	SE		IRR	11.0
			SE	SE		IRR	30.0
						Section Acres	75.0
		36	SW	SW		IRR	35.0
			SE	SW		IRR	16.0
						Section Acres	51.0
						Total Acres	2964.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WATER RIGHTS USED: 63-00205, 63-00207, 63-00286, 63-00263, 63-00288B, 63-00259, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00261, 63-00260A.
ADDRESS CHANGED PER CLAIMANT REQUEST 6/30/97. LH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

SRBA Case #39576 Subcase #02-10063

Mail this postcard to businesses and people who send you mail.

Please send mail to new address beginning: 05-01-97

Month Day Year

NEW DRY CREEK DITCH CO. / DANA PURDY

My Name (Last name, first name, middle initial)

1200 Hereford Dr.

OLD Complete Street Address or PO Box or Rural Route and RR Box

Apt./Suite #

Eagle,

ID

83616

City or Post Office

State

ZIP or ZIP+4 Code

NEW DRY CREEK DITCH CO. / DANA PURDY

NEW Complete Street Address or PO Box or Rural Route and RR Box

Apt./Suite #

5926 W. FLOATING FEATHER RD.

City or Post Office

State

ZIP or ZIP+4 Code

EAGLE, ID 83616

NEW Telephone Number (Optional)

Account Number (If applicable)

Dana Purdy

Signature

10/5/09
Today's Date: Month Day Year

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: **A63-00206**
Date Received: 8/23/1989
Receipt No: W004856
Received By: _____

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

1. Name: NEW DRY CREEK DITCH CO. 208-939-6219
Address: C/O LYNNE SEDLACEK
1200 HERFORD DR.
EAGLE, ID 83616

2. Date of Priority: JUN 1, 1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	23		NE	SE		ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	15.220		

7. Total Quantity Appropriated is:
15.220 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	01E	7	NE	NE		IRR	25.0
			NW	NE		IRR	36.0
			SW	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01E	7	SE		NE		IRR	39.0
			NE		NW		IRR	38.0
			NW		NW		IRR	39.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	36.0
			SE		SW		IRR	25.0
			NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	39.0
							Section Acres	512.0
		8	NW		NE		IRR	1.0
			SW		NE		IRR	17.0
			SE		NE		IRR	5.0
			NW		NW		IRR	2.0
			SW		NW		IRR	37.0
			SE		NW		IRR	20.0
			NE		SW		IRR	31.0
			NW		SW		IRR	39.0
			SW		SW		IRR	36.0
			SE		SW		IRR	36.0
			NE		SE		IRR	28.0
			NW		SE		IRR	31.0
			SW		SE		IRR	38.0
			SE		SE		IRR	32.0
							Section Acres	353.0
		9	SW		NW		IRR	5.0
			NW		SW		IRR	8.0
			SW		SW		IRR	6.0
			SE		SW		IRR	7.0
			NE		SE		IRR	18.0
			NW		SE		IRR	25.0
			SW		SE		IRR	24.0
			SE		SE		IRR	37.0
							Section Acres	130.0
		10	NW		SW		IRR	8.0
			SW		SW		IRR	39.0
			SE		SW		IRR	27.0
			SW		SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	80.0
		15	NW	NE		IRR	28.0
			SW	NE		IRR	24.0
			NE	NW		IRR	18.0
			NW	NW		IRR	10.0
			SE	NW		IRR	2.0
						Section Acres	82.0
		16	NE	NE		IRR	3.0
						Section Acres	3.0
		17	NE	NE		IRR	9.0
			NW	NE		IRR	8.0
			NE	NW		IRR	10.0
			NW	NW		IRR	5.0
						Section Acres	32.0
01W		1	SW	NE		IRR	18.0
			NE	NW		IRR	27.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	37.0
			NE	SW		IRR	38.0
			NW	SW		IRR	38.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	429.0
		2	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	35.0
			SE	NE		IRR	39.0
			NE	NW		IRR	26.0
			SW	NW		IRR	35.0
			SE	NW		IRR	39.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	26.0
			SE	SW		IRR	16.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	2	NE	SE		IRR	39.0
			NW	SE		IRR	38.0
			SW	SE		IRR	39.0
			SE	SE		IRR	40.0
						Section Acres	528.0
		3	NE	NW		IRR	5.0
			SE	NW		IRR	28.0
			NE	SW		IRR	37.0
			SW	SW		IRR	18.0
			SE	SW		IRR	19.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	23.0
			SE	SE		IRR	22.0
						Section Acres	232.0
		4	SE	SE		IRR	17.0
						Section Acres	17.0
		10	NE	NE		IRR	38.0
			NW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	198.0
		11	NE	NE		IRR	37.0
			NW	NE		IRR	6.0
			NW	NW		IRR	33.0
			SW	NW		IRR	40.0
						Section Acres	116.0
		12	NE	NE		IRR	30.0
			NW	NE		IRR	26.0
			NE	NW		IRR	30.0
			NW	NW		IRR	40.0
						Section Acres	126.0
05N	01W	35	NE	SE		IRR	33.0
			NW	SE		IRR	1.0
			SW	SE		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	35	SE	SE		IRR	30.0
						Section Acres	75.0
		36	SW	SW		IRR	35.0
			SE	SW		IRR	16.0
						Section Acres	51.0
						Total Acres	2964.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WATER RIGHTS USED: 63-00205, 63-00207, 63-00286, 63-00263, 63-00288B, 63-00259, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00261, 63-00260A.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00206
Date Received: ~~6/16/1989~~ 8/23/89
Receipt No: W004856
Received By: [Signature] DE AL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEW DRY CREEK DITCH CO. 208-939-6302
Address: C/O ERMA FULLER
826 W. STATE ST.
EAGLE, ID 83616

2. Date of Priority: JUN 01, 1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	01E	23	NE SE		ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	15.220		

7. Total Quantity Appropriated is:
15.220 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
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

A63-00206

Page 1

Date: 08/23/89

MICROFILMED

AUG 17 1989

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

FOR IRR. OF LANDS UNDER CANAL SYSTEM.

OTHER WATER RIGHTS USED: 63-00205, 63-00207, 63-00286, 63-00288B
63-00263, 63-00259, 63-00261, 63-00258B, 63-00124B, 63-00125B,
63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00260A,
63-00239B, 63-00239C, 63-00161L.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

16. Signature(s)

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

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Pres. of

New Dry Creek Co LTD, that I have signed the foregoing
Organization
document in the space below as Pres. of

New Dry Creek Co LTD and that the statements contained in the
Organization
foregoing document are true and correct.

Paul Hunkeler
Signature of Authorized Agent

Pres New Dry Creek Ditch Co LTD
Title and Organization

Aug 23 1989
Date

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of August 19 89

Seal

Jan Skute
Notary Public

Residing at Meridian ID

My Commission Expires 9-14-94

New Dry Creek Ditch Co., Ltd.

Eagle, Idaho

January 22, 1995

Attn: Shawn Nickel, Planner
Ada County Development Services
650 Main Street
Boise, ID 83702

RECEIVED

JAN 24 1995

WATER RESOURCES
WESTERN REGION

**Re: Lost River Estates
94-73-PDR/94-41-ZC**

Dear Mr. Nickel:

The purpose of the New Dry Creek Ditch Company (NDCDCo.) is to provide the continuing flow of water to our shareholders. New development is in no way to impede this delivery, or add to the expense of providing this service.

The delivery canal and maintenance road easement must be fenced from the development. The fencing must be a minimum of 6 feet high and of a non-burnable material. No bike path, greenbelt, bridle path or other public use will be allowed within the easement. This is to guard against unauthorized tampering with the headgate system and to protect the public from the water velocity associated with the canal and the headgates.

No landscaping will be allowed to infringe upon the canal's easement. Grass will be allowed within a ten foot setback from the outside of the easement road and the opposite canal bank.

Bridges to be constructed across the canal must have the written approval of Ada County Highway District and the NDCDCo. No round culverts are accepted without the written approval of the NDCDCo. NDCDCo feels the two entrances from Park Road are unnecessary and should be abandoned or reduced to one canal crossing with an additional entrance to the development being supplied via Curlew Court being extended to Beacon Light Road.

No storm drain water, heatpump water, or any wastewater will be allowed to be discharged into the delivery canal. Water shares shall be retained for irrigation of the development. The homeowner's association will be responsible for paying the annual water assessment and managing the water delivery within the development's boundaries.

Sincerely,


Lynne Sedlacek, Bookkeeper
1200 Hereford Drive
Eagle, ID 83616

989-6219 between 4:30 and 9:00 P.M. or leave message

c: City of Eagle & Idaho Department of Water Resources

MICROFILMED
OCT 02 1996

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

DISTRICT COURT - 370A
TWIN FALLS CO. IDAHO
FILED
2007 DEC 10 PM 3:00
22

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00206

NAME AND ADDRESS: NEW DRY CREEK DITCH COMPANY
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE, ID 83616

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 15.22 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION: T04N R01E S23 NESE Within Ada County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	15.22 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

2964 ACRES TOTAL
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.
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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

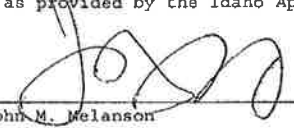
42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

FILED

In Re SRBA

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Case No. 39576

2007 AUG 7 PM 12 28

Water Right 63-00206

NAME AND ADDRESS: NEW DRY CREEK DITCH COMPANY
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE, ID 83616

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 15.22 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1986

POINT OF DIVERSION: T04N R01E S23 NESE Within Ada County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	15.22 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

2964 ACRES TOTAL
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.
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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

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:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG - 7 2007	
By _____	Clerk
Deputy Clerk	

RECEIVED
AUG 02 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 No. 63-206

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached amended recommendation. The parties and IDWR further agree and stipulate that the attached is an accurate digital depiction of the boundary for New Dry Creek Ditch Co produced by IDWR.

CLAIMANT(s)/OBJECTOR(s):

New Dry Creek Ditch Co

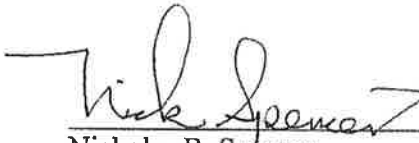
S. Bryce Farris
attorney

Date _____

IDWR Concurrence:

 7-6-07

Jan Shurte Date
Adjudication Supervisor

 7-26-07

Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on July 30, 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, Idaho 83303-2707

2. Copies to:

S. Bryce Farris
455 S Third St
PO Box 2773
Boise, ID 83701-2773

New Dry Creek Ditch Co
c/o Dana Purdy
5926 W Floating Feather Rd
Eagle, ID 83616

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form

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

RIGHT NUMBER: 63-206

NAME AND ADDRESS:

NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE:

Source:

Tributary:

BOISE RIVER

SNAKE RIVER

QUANTITY:

15.220 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T04N R01E S23 NESE
Within ADA CountyPURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

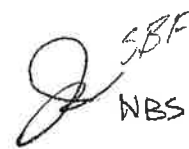
IRRIGATION

03/01 11/15

15.220 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

2964 ACRES TOTAL~~2709.5 ACRES TOTAL~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2709.5 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY~~Handwritten signature and initials SBF and NBS.

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)(b). 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:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH.
THIS RIGHT WAS DESIGNATED AS NO 93 IN THE STEWART DECREE AND THE
BOISE RIVER WATER MASTERS RECORDS.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-31778,
63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937



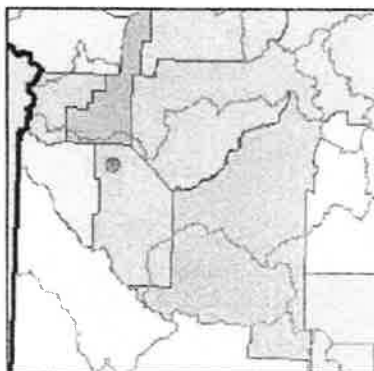
New Dry Creek Ditch Co

SRBA Recommendations: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806

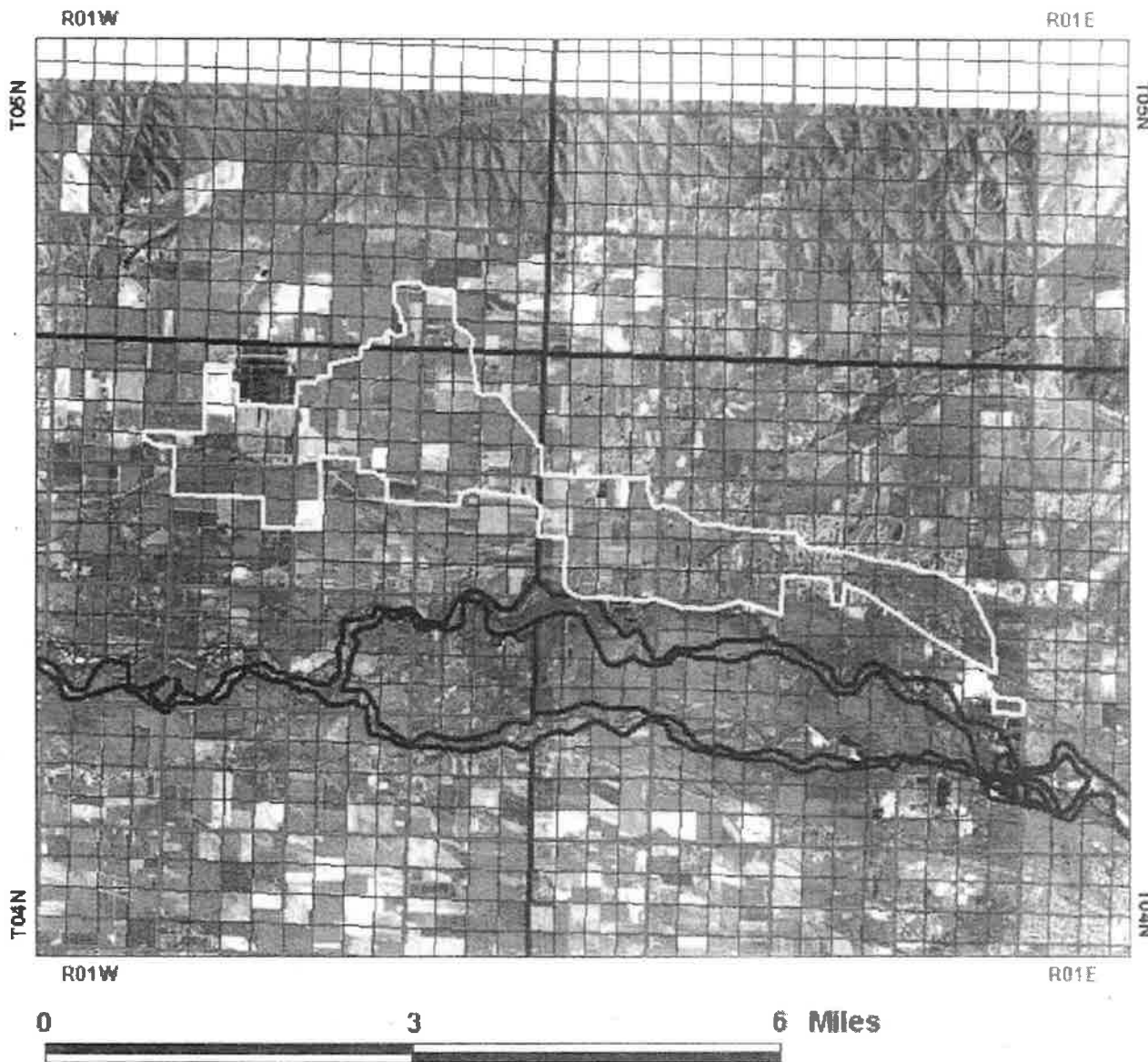
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



Prepared by S. Egbert
On Thursday, June 21, 2007
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

July 6, 2007

S. Bryce Farris
PO Box 2773
455 S Third St
Boise, ID 83701-2773

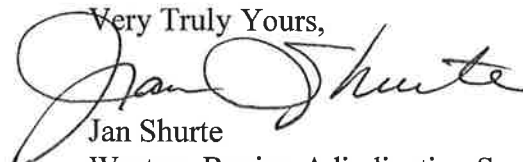
RE: Subcase Nos. 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778 and 63-31806 – New Dry Creek Ditch Co

Dear Bryce:

Enclosed please find Standard Forms 5 (SF5s) for the above-referenced subcases. I have enclosed one CD of the digital boundary for your review

After you have signed and initialed the SF5s, each recommendation page as well as the colored maps, please mail everything to Becky Harvey.

If you have any questions about filing these documents, you can call me at: 208-334-2190 or you may call my paralegal, Becky Harvey, at: 287-4814. Thanks for your assistance and cooperation.

Very Truly Yours,

Jan Shurte
Western Region Adjudication Supervisor

JS/bh

Enclosures

JS5 Mailed
7-6-07

**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

Case No. 39576

) **Subcase No. 63-206**

) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached amended recommendation. The parties and IDWR further agree and stipulate that the attached is an accurate digital depiction of the boundary for New Dry Creek Ditch Co produced by IDWR.

CLAIMANT(s)/OBJECTOR(s):

New Dry Creek Ditch Co

S. Bryce Farris
attorney

Date

Jan Shurte
Adjudication Supervisor

2

CERTIFICATE OF MAILING

I certify that on _____, 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, Idaho 83303-2707

2. Copies to:

S. Bryce Farris
455 S Third St
PO Box 2773
Boise, ID 83701-2773

New Dry Creek Ditch Co
c/o Dana Purdy
5926 W Floating Feather Rd
Eagle, ID 83616

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Signature of person mailing the form

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

RIGHT NUMBER: 63-206

NAME AND ADDRESS:

NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE:

Source:

Tributary:

BOISE RIVER

SNAKE RIVER

QUANTITY:

15.220 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE:

06/01/1886

POINT OF DIVERSION:

T04N R01E S23 NESE
Within ADA CountyPURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/01 11/15

15.220 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

2964 ACRES TOTAL~~2709.5 ACRES TOTAL~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2709.5 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY~~

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:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH.
THIS RIGHT WAS DESIGNATED AS NO 93 IN THE STEWART DECREE AND THE
BOISE RIVER WATER MASTERS RECORDS.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-31778,
63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937

New Dry Creek Ditch Co.

4-12-07

Met with the Board Members of the New Dry Creek Ditch Co. concerning the addition of the acres in the N1/2N1/2 (160), SENE (40), S. 10; NENE (33), SENE (21.5), S. 11, T4N, R1W, for a total of 254.5 acres. This brings the total acres for New Dry Creek Ditch Company to 2964 acres as originally claimed.

I agreed to map out the new acres, show the 75 acres within the City of Eagle and print a new map for the ditch company records and our records. We will do an SF5 on digital boundaries to the SRBA Court along with the CD showing the new boundaries. The City of Eagle's acre have already been counted in per Mel Schulte's memo dated 6-8-2005, however, the acres were not digitized into the pou.

The addition of the 254.5 acres is also substantiated by the 6-8-2005 memo from Mel Schulte concerning his recommendation where he states that the Quarter Circle DJ Ranch lands under the New Dry Creek Ditch Co overlap on New Dry Creek's map and Middleton Mill Ditch Co's map as both ditch company rights are used on these lands. These lands are the same acres omitted from New Dry Creek Ditch Co's boundaries for the Director's Report yet were indicated on several maps leading up to the final. I feel it was an inadvertent omission and should now be corrected. See maps in file #63-125K.

Jan Shurte
Water Rights Supervisor

06/08/2005

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

RIGHT NUMBER: 63-206

NAME AND ADDRESS: NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 15.220 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:
T04N R01E S23 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	15.220 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE:

2709.5 ACRES TOTAL

SCANNED
OCT 10 2006

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 IS LIMITED TO THE IRRIGATION OF 2709.5 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT WAS DESIGNATED AS NO 93 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.

WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937

RECEIVED

JUN 23 2005

WATER RESOURCES
WESTERN REGION

**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: June 24, 2005

Water Right Number: 63-206

See 63-1254

NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE, ID 83616

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
Place of use:
2517.8 ACRES TOTAL
2. Describe the changes you wish to make in the proposed recommendation:
Place of Use: 3104 ACRES TOTAL
3. Give a brief explanation as to why you disagree with these portions:
Based on an application of one inch of water to the acre, the total irrigated acres for any given season should be 3104.

____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 6/22/05

SIGNATURE: _____

Please print your name: _____

S. Bryce Farris

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-206 V1

WATER RIGHT NUMBER: 63-206 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE, ID 83616 (208)286-9701

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

Amended

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	15.220 CFS	
	<u>Total Diversion:</u>	15.220 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

Conditions of Approval:

1. 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.
2. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-206 V1

4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

Remarks:

1. Explanatory THIS RIGHT WAS DESIGNATED AS NO 93 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.
2. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
3. Explanatory WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH.
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-125K, 63-126G, 63-161L, 63-205, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2517.8 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.

Comments:

Water Supply Bank:

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-206Owner: New Dry Creek Ditch Co. Phone No. See 63-1258

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: Dana Pundy, Pres.**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6-1-1886 = same as decreed

(If priority date, based on your exam, seems questionable, explain below.)

Source: Bonne River Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☒ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NE	SE	23	4N	1E	Ada	USGS Topo map

Description of diverting works

See 63-125 BH**OVERLAP REVIEW**

Other water rights with the same point of diversion:

See 63-125 BH

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

New Union Ditch. Co water is diverted at same POP as New Dry Creek.**WATER USES**☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME - Groundwater only NA

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☒ No changeNA☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

2709.5

2517.8 acres within the boundary of New Day Creek Ditch Co.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: See 63-12534

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: See 63-12534

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
<u>N/A</u>					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Designated as No. 93 in the Stewart Decree and the water masters records.

See 63-12534 for additional information.

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

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3-10-2003

FIELD EXAMINER: Mel Schutte

LXI.

That the defendant the NEW DRY CREEK DITCH COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise river, diverted from a point on the north bank of said river in SW 1/4 of SE 1/4 of sec. 24, T. 4 N. R. 1 E. B.M., for use upon the lands lying under its canal system, in the following amounts, from the following dates;

63 0205 1563 inches, from June 1, 1879, and hereby designated as Right No. 72.
 63 0206 731 inches, from June 1, 1886, and hereby designated as Right No. 93.
 63 0207 593 inches, from June 1, 1888, and hereby designated as Right No. 97.
 And be adjudged to pay \$190.40 costs in addition to the costs incurred by it.

LXII.

That the defendant D. HUMFORD be, and he is hereby awarded the use of the waters of Boise River, diverted from a point on said river in NW 1/4 of SE 1/4 of Sec. 12, and in SE 1/4 of Sec. 2, T. 4 N. R. 4 W. B.M., through what is known as the Center Point Ditch, for use upon the SW 1/4 of SE 1/4, NE 1/4 of SE 1/4, SE 1/4 of NE 1/4, and lot 1, Sec. 2, and NW 1/4 of SW 1/4, and lot 8, Sec. 2, all in T. 4 N. R. 4 W. B.M., in the following amount and from the following date;

63 0208 200 inches, from June 1, 1879, and hereby designated as Right No. 73.
 costs
 And be adjudged to pay \$14.00 in addition to the costs incurred by him.

LXIII.

That the defendant SMITH STOCKTON be, and he is hereby awarded the use of the waters of Boise River, diverted from a point on said river in the SE 1/4 of Sec. 13, T. 5 N. R. 5 W. B.M., for use upon the SE 1/4 of NW 1/4, NE 1/4 of SW 1/4, NW 1/4 of SE 1/4 and SW 1/4 of NE 1/4 of Sec. 8, T. 5 N. R. 5 W. B.M., in the following amount from the following date;

63 0209 P.D. 10353 inches, from June 1, 1880; and hereby designated as Right No. 74.
 And be adjudged to pay \$6.16 costs in addition to the costs incurred by him.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-206

WATER RIGHT NUMBER: 63-206

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW DRY CREEK DITCH CO
	, ZZ

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	15.220 CFS	
	<u>Total Diversion:</u>	15.220 CFS	

Location of Point(s) of Diversion

BOISE RIVER	SW1/4SE1/4	Sec. 24, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseConditions of Approval:Remarks:

1. General FOR IRR. OF LANDS UNDER CANAL SYSTEM.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-206

WATER RIGHT NUMBER: 63-206

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE, ID 83616 (208)286-9701

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	15.220 CFS	
	<u>Total Diversion:</u>	15.220 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R01E S07	NENE	25.0	T04N R01E S07	NWNE	36.0
T04N R01E S07	SWNE	39.0	T04N R01E S07	SENE	39.0
T04N R01E S07	NENW	38.0	T04N R01E S07	NWNW	39.0
T04N R01E S07	SWNW	40.0	T04N R01E S07	SENW	40.0
T04N R01E S07	NESW	36.0	T04N R01E S07	SESW	25.0
T04N R01E S07	NESE	38.0	T04N R01E S07	NWSE	40.0
T04N R01E S07	SWSE	38.0	T04N R01E S07	SESE	39.0
T04N R01E S08	NWNE	1.0	T04N R01E S08	SWNE	17.0
T04N R01E S08	SENE	5.0	T04N R01E S08	NWNW	2.0
T04N R01E S08	SWNW	37.0	T04N R01E S08	SENW	20.0
T04N R01E S08	NESW	31.0	T04N R01E S08	NWSW	39.0
T04N R01E S08	SWSW	36.0	T04N R01E S08	SESW	36.0
T04N R01E S08	NESE	28.0	T04N R01E S08	NWSE	31.0
T04N R01E S08	SWSE	38.0	T04N R01E S08	SESE	32.0
T04N R01E S09	SWNW	5.0	T04N R01E S09	NWSW	8.0
T04N R01E S09	SWSW	6.0	T04N R01E S09	SESW	7.0
T04N R01E S09	NESE	18.0	T04N R01E S09	NWSE	25.0
T04N R01E S09	SWSE	24.0	T04N R01E S09	SESE	37.0
T04N R01E S10	NWSW	8.0	T04N R01E S10	SWSW	39.0
T04N R01E S10	SESW	27.0	T04N R01E S10	SWSE	6.0
T04N R01E S15	NWNE	28.0	T04N R01E S15	SWNE	24.0
T04N R01E S15	NENW	18.0	T04N R01E S15	NWNW	10.0
T04N R01E S15	SENW	2.0	T04N R01E S16	NENE	3.0
T04N R01E S17	NENE	9.0	T04N R01E S17	NWNE	8.0
T04N R01E S17	NENW	10.0	T04N R01E S17	NWNW	5.0
T04N R01W S01	SWNE	18.0	T04N R01W S01	NENW	27.0
T04N R01W S01	NWNW	38.0	T04N R01W S01	SWNW	38.0
T04N R01W S01	SENW	37.0	T04N R01W S01	NESW	38.0

T04N R01W S01	NWSW	38.0	T04N R01W S01	SWSW	40.0
T04N R01W S01	SESW	40.0	T04N R01W S01	NWSE	39.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-206

T04N R01W S01	SESW	40.0	T04N R01W S01	NWSE	39.0
T04N R01W S01	SWSE	38.0	T04N R01W S01	SESE	38.0
T04N R01W S02	NENE	38.0	T04N R01W S02	NWNE	38.0
T04N R01W S02	SWNE	35.0	T04N R01W S02	SENE	39.0
T04N R01W S02	NENW	26.0	T04N R01W S02	SWNW	35.0
T04N R01W S02	SESW	39.0	T04N R01W S02	NESW	40.0
T04N R01W S02	NWSW	40.0	T04N R01W S02	SWSW	26.0
T04N R01W S02	SESW	16.0	T04N R01W S02	NESE	39.0
T04N R01W S02	NWSE	38.0	T04N R01W S02	SWSE	39.0
T04N R01W S02	SESE	40.0	T04N R01W S03	NENW	5.0
T04N R01W S03	SESW	28.0	T04N R01W S03	NESW	37.0
T04N R01W S03	SWSW	18.0	T04N R01W S03	SESW	19.0
T04N R01W S03	NESE	40.0	T04N R01W S03	NWSE	40.0
T04N R01W S03	SWSE	23.0	T04N R01W S03	SESE	22.0
T04N R01W S04	SESE	17.0	T04N R01W S10	NENE	38.0
T04N R01W S10	NWNE	40.0	T04N R01W S10	SENE	40.0
T04N R01W S10	NENW	40.0	T04N R01W S10	NWNW	40.0
T04N R01W S11	NENE	37.0	T04N R01W S11	NWNE	6.0
T04N R01W S11	NWNW	33.0	T04N R01W S11	SWNW	40.0
T04N R01W S12	NENE	30.0	T04N R01W S12	NWNE	26.0
T04N R01W S12	NENW	30.0	T04N R01W S12	NWNW	40.0
T05N R01W S35	NESE	33.0	T05N R01W S35	NWSE	1.0
T05N R01W S35	SWSE	11.0	T05N R01W S35	SESE	30.0
T05N R01W S36	SWSW	35.0	T05N R01W S36	SESW	16.0

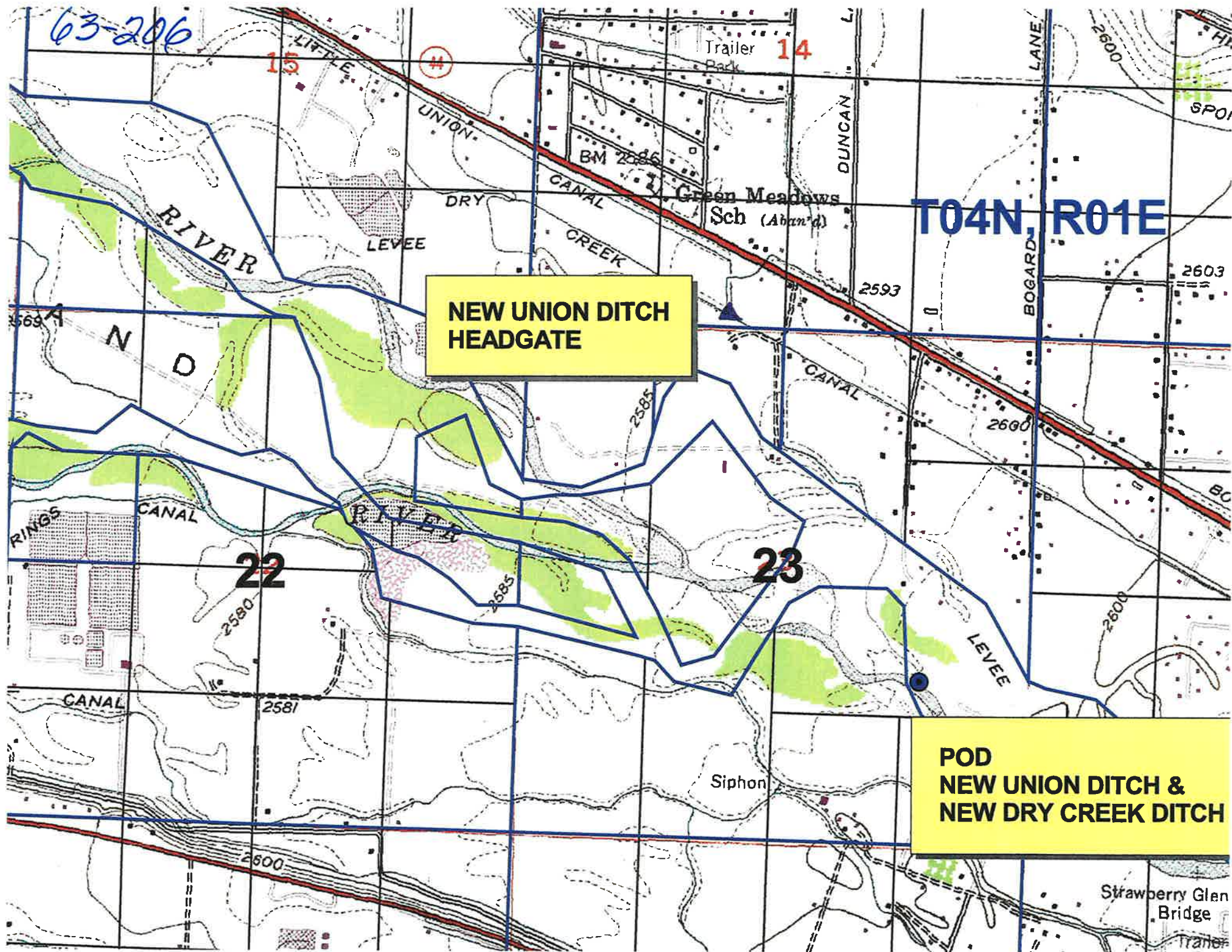
Total Acres: 2964

Conditions of Approval:Remarks:

- General OTHER WATER RIGHTS USED: 63-00205, 63-00207, 63-00286, 63-00263, 63-00288B, 63-00259, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00261, 63-00260A.
ADDRESS CHANGED PER CLAIMANT REQUEST 6/30/97. LH

Comments:Dates and Other Information:

Claim Received Date: 8/23/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False



**NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5**

T05N, R01W

35

36

T04N, R01W

3

2

1

T04N, R01E

11

12

7

8

9

17

16

T04N, R01E

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: JUNE 8, 2005

BY: MEL SCHULTE

The main contact for New Dry Creek Ditch is their president, Dana Purdy (286-9701). He assisted in the review of the boundary and place of use map, the location of their POD and measurements to estimate delivery loss in their canal.

There are no major issues of concern with the New Dry Creek Ditch Company claims except for the number of acres the rights will be limited to in our recommendations as discussed below. They share a POD and canal with New Union Ditch, which might motivate New Union to have an interest in New Dry Creek's recommendations and boundary map. There is an overlap of New Dry Creek's boundary at the extreme West edge with the East boundary of Middleton Irrigation because Circle DJ Ranch is a shareholder of both companies. There is also an overlap with New Union Ditch boundary at the East side of New Dry Creek boundary for the same reason.

The historical boundary and place of use was not easy to ascertain because the historical place of use is an area of rapid residential and commercial development in the Eagle area. A final review of the boundary and place of use was made with Dana Purdy, two board members and Bryce Farris in the offices of Ringert Clark on June 7, 2005.

The acre limitation of 2709.5 acres is less than the 2964 acres claimed and the 3059 acres described in the water master's records. The 2709.5 acre number is based on digitized acres of 2604.5 plus 10 shares allocated to Circle DJ Ranch plus 75 shares within the City of Eagle. Using the 2709.5 acres at an inch per acre makes it necessary to include delivery loss in order to show beneficial use of the companies 62.09 cfs of decreed water. It's interesting to note that the maximum monthly diversions into the New Dry Creek/New Union Ditch canal have shown a continued decline through the years. The declining diversion rates might support what appears to be a reduced number of irrigated acres through the years due to the increased subdivision development in the Eagle area.

New Dry Creeks claim for credited wastewater, 63-17468 was disallowed in favor of Drainage District No 2's right 63-31937. This matter was discussed with New Dry Creek's officers and board by Bryce Farris and does not seem to be a concern for the company.

MTS

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: JUNE 8, 2005

BY: MEL SCHULTE

The main contact for New Dry Creek Ditch is their president, Dana Purdy (286-9701). He assisted in the review of the boundary and place of use map, the location of their POD and measurements to estimate delivery loss in their canal.

There are no major issues of concern with the New Dry Creek Ditch Company claims except for the number of acres the rights will be limited to in our recommendations as discussed below. They share a POD and canal with New Union Ditch, which might motivate New Union to have an interest in New Dry Creek's recommendations and boundary map. There is an overlap of New Dry Creek's boundary at the extreme West edge with the East boundary of Middleton Irrigation because Circle DJ Ranch is a shareholder of both companies. There is also an overlap with New Union Ditch boundary at the East side of New Dry Creek boundary for the same reason.

The historical boundary and place of use was not easy to ascertain because the historical place of use is an area of rapid residential and commercial development in the Eagle area. A final review of the boundary and place of use was made with Dana Purdy, two board members and Bryce Farris in the offices of Ringert Clark on June 7, 2005.

The acre limitation of 2709.5 acres is less than the 2964 acres claimed and the 3059 acres described in the water master's records. The 2709.5 acre number is based on digitized acres of 2604.5 plus 10 shares allocated to Circle DJ Ranch plus 75 shares within the City of Eagle. Using the 2709.5 acres at an inch per acre makes it necessary to include delivery loss in order to show beneficial use of the companies 62.09 cfs of decreed water. It's interesting to note that the maximum monthly diversions into the New Dry Creek/New Union Ditch canal have shown a continued decline through the years. The declining diversion rates might support what appears to be a reduced number of irrigated acres through the years due to the increased subdivision development in the Eagle area.

New Dry Creeks claim for credited wastewater, 63-17468 was disallowed in favor of Drainage District No 2's right 63-31937. This matter was discussed with New Dry Creek's officers and board by Bryce Farris and does not seem to be a concern for the company.

MTS

13206090	HISTORIC DIVERSION OF NEW DRY CREEK AND NEW UNION CANALS										(CFS)		
W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1950	10	0	0	0	0	0	20	81	84	80	65	54	394
1951	18	0	0	0	0	0	44	72	86	88	70	55	432
1952	18	0	0	0	0	0	20	70	67	70	68	50	364
1953	16	0	0	0	0	0	37	75	67	93	72	50	410
1954	16	0	0	0	0	0	39	98	77	83	78	57	448
1955	20	0	0	0	0	0	3	55	96	88	73	55	390
1956	15	0	0	0	0	0	37	68	82	78	80	69	429
1957	21	0	0	0	0	0	7	60	87	86	78	57	397
1958	18	0	0	0	0	0	20	67	67	89	67	49	377
1959	16	0	0	0	0	0	52	81	89	81	88	40	448
1960	8	0	0	0	0	0	24	91	96	91	73	62	445
1961	20	0	0	0	0	0	29	85	69	55	62	47	366
1962	8	0	0	0	0	0	34	72	69	86	75	59	402
1963	13	0	0	0	0	0	89	73	91	80	67	52	464
1964	8	0	0	0	0	0	27	73	74	88	72	54	395
1965	23	0	0	0	0	0	24	86	87	85	72	62	438
1966	29	0	0	0	0	0	54	81	82	70	57	55	429
1967	23	0	0	0	0	0	15	81	69	81	76	55	401
1968	21	0	0	0	0	0	35	81	82	73	60	50	404
1969	34	0	0	0	0	0	27	83	81	78	75	57	435
1970	23	0	0	0	0	0	24	76	76	73	70	44	385
1971	16	0	0	0	0	0	10	83	69	78	85	52	393
1972	21	0	0	0	0	0	20	78	59	78	73	35	365
1973	11	0	0	0	0	0	35	78	76	72	70	30	372
1974	5	0	0	0	0	0	18	76	82	73	76	47	379
1975	21	0	0	0	0	0	0	57	76	72	62	55	343
1976	20	0	0	0	0	0	10	78	62	80	59	44	352
1977	28	0	0	0	0	0	52	57	59	67	63	45	371
1978	0	0	0	0	0	0	7	70	66	65	63	35	306
1979	16	0	0	0	0	0	12	73	72	73	52	39	337
1980	8	0	0	0	0	0	22	60	66	73	65	44	338
1981	13	0	0	0	0	0	13	62	49	75	67	44	322
1982	11	0	0	0	0	0	5	59	64	49	55	37	280
1983	2	0	0	0	0	0	12	50	57	65	59	45	290
1984	11	0	0	0	0	0	8	54	57	65	63	40	299
1985	15	0	0	0	0	0	20	62	60	67	57	32	313
1986	13	0	0	0	0	0	12	54	60	59	46	17	260
1987	2	0	0	0	0	0	32	60	59	54	50	40	297
1988	13	0	0	0	0	0	12	54	62	59	46	32	277
1989	13	0	0	0	0	0	3	65	67	63	55	37	304
1990	11	0	0	0	0	0	32	50	52	60	50	37	293
1991	8	0	0	0	0	0	17	52	57	63	52	30	280
1992	15	0	0	0	0	0	35	62	52	47	42	30	284
1993	13	0	0	0	0	0	5	42	50	50	47	37	245
1994	16	0	0	0	0	0	27	44	49	54	42	37	269
1995	28	0	0	0	0	0	8	39	54	52	44	32	257
1996	18	0	0	0	0	0	5	33	50	47	47	30	230
1997	16	0	0	0	0	0	17	39	47	49	42	34	244
1998	15	0	0	0	0	0	15	29	59	44	42	42	246
1999	13	0	0	0	0	0	20	46	54	57	47	37	274
2000	31	0	0	0	0	0	27	44	49	55	52	34	291
AVERAGE:													
1950-2000	16	0	0	0	0	0	23	65	68	70	62	44	348

**NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5**

Extra

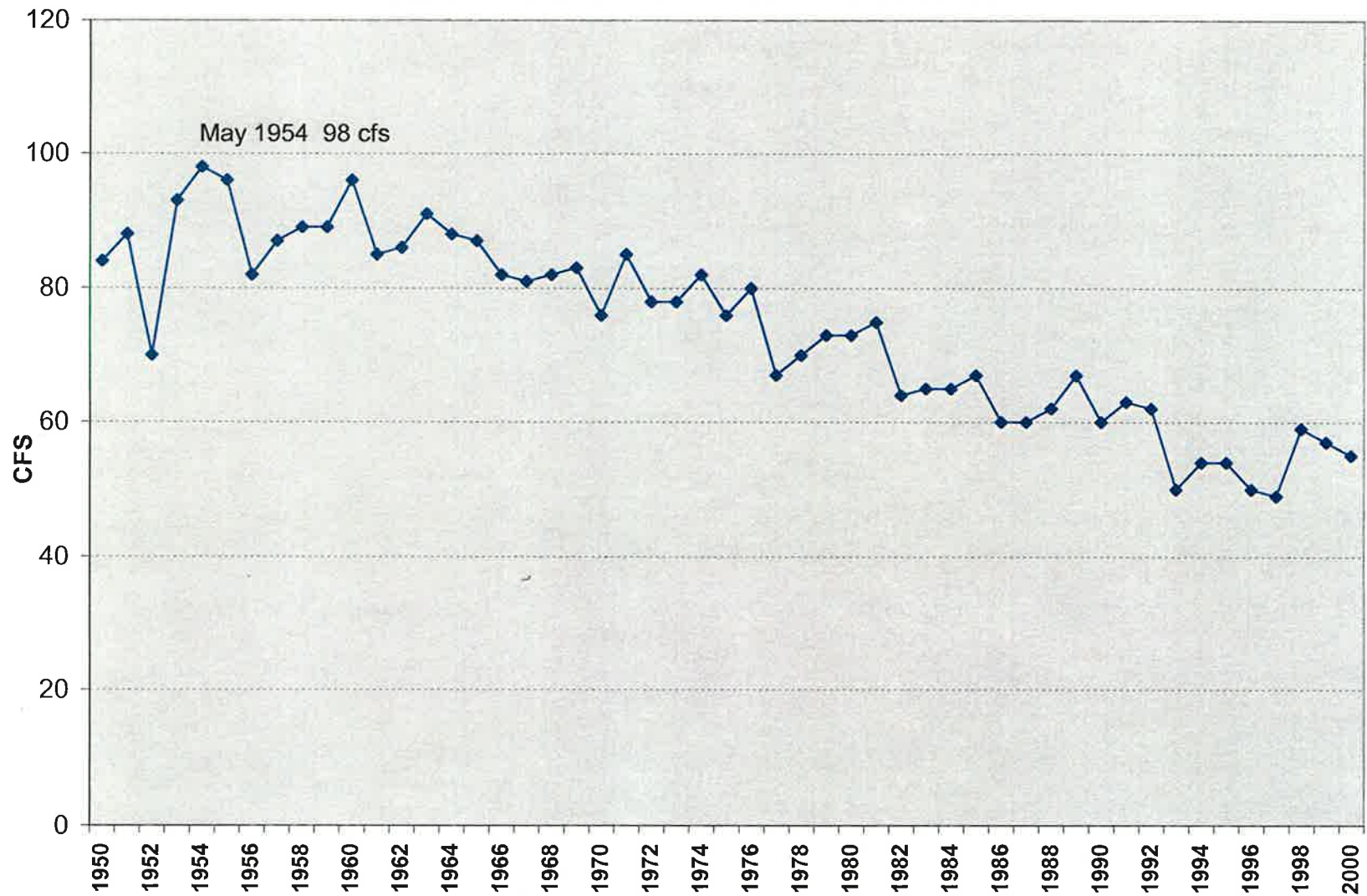
T05N, R01W

T04N, R01W

T04N, R01E

T04N, R01E

MAXIMUM MONTHLY DIVERSION 1950-2000
13206090 NEW DRY CREEK AND NEW UNION CANALS



New Dry Creek = 62.09 cfs
New Union = 13.76 cfs
Total = 75.85 cfs

BOISE VALLEY CANALS AND ACREAGE

CHART NO. 12

AIKEN	236 ACRES	ISLAND HIGH LINE	945 ACRES
ANDREWS	1068 "	LEMP DITCH	300 "
BALLENTYNE	763 "	LITTLE PIONEER	1336 "
BAXTER	200 "	LOWER CENTER POINT.....	880 "
BOISE CITY	1828 "	MACE & CATLIN	536 "
BOISE PROJECT BOARD OF CONTROL		MACE & MACE	80 "
BIG BEND IRRIG. DIST.....	1724 "	MAMMON	468 "
BOISE-KUNA IRRIG. DIST.....	48,629 "	MCCONNEL ISLAND	1600 "
NAMPA & MERIDIAN IRRIG. DIST....	40,304 "	MCMANUS & TEATER	168 "
NEW YORK IRRIG. DIST.....	17,728 "	MIDDLETON MILL	4400 "
WILDER IRRIG. DIST.....	56,535 "	MIDDLETON WATER.....	5180 " } 9560
TOTAL - BOARD OF CONTROL.....	164,920 "	MISCELLANEOUS	838 "
BOISE VALLEY	2729 "	NEW DRY CREEK	3059 "
BOONE	517 "	NEW UNION	688 "
BOWMAN-SWISHER.....	424 "	PARMA DITCH	602 "
BUBB (SOUTH BOISE MUTUAL).....	1057 "	PENITENTIARY	321 "
*CALDWELL HIGH LINE.....	11,917 "	PIONEER IRRIG. DIST.....	23,974 "
CAMPBELL (CANYON DITCH).....	802 "	PIONEER DIXIE.....	3000 "
CANYON COUNTY	3957 "	RIDENBAUGH	26,877 "
CAPITAL VIEW	600 "	RIVERSIDE IRRIG. DIST.....	10,645 "
CONWAY-HAMMING.....	259 "	ROEDEL	160 "
DAVIS & LITTLE DAVIS	634 "	ROSSI MILL	512 "
EUREKA WATER CO. #1	1300 "	SEBREE.....	15,500 "
EUREKA DITCH CO. #2	2625 "	SEVEN SUCKERS	70 "
FARMERS UNION	8372 "	SETTLERS	12,322 "
GRAHAM-GILBERT	200 "	SIEBENBERG	646 "
HAAS.....	367 "	THURMAN MILL	1719 "
HART-DAVIS	453 "	UPPER CENTER POINT.....	641 "
		WARM SPRINGS DITCH	494 "

TOTAL 324,239 ACRES

DRAINAGE WATER (NOT DIVERTED FROM BOISE RIVER)

BLACK CANYON IRRIGATION DISTRICT	6,894 ACRES
CALDWELL IRRIGATION DISTRICT	755 "
MORELAND & VIAL (DIXIE DRAIN)	640 "
	8,289 ACRES

GRAND TOTAL 332,528 ACRES

THIS ACREAGE IS BASED, IN SOME INSTANCES, UPON ACTUAL SURVEYS, AND IN OTHER CASES UPON THE ACREAGE AS DETERMINED AT THE TIME OF THE STEWART DECREE, AND IS THE BEST INFORMATION AVAILABLE AT THE PRESENT TIME. IT WAS ORIGINALLY COMPUTED FEBRUARY 14, 1941, BUT HAS BEEN REVISED SEVERAL TIMES, PARTICULARLY TO REDUCE RIVER BOTTOM ACREAGES TO CONFORM TO STEWART DECREE ACREAGES AS DETERMINED BY SPECIAL COMMITTEE, AND TO ACCOMMODATE TRANSFERS FROM ONE CANAL OR USER TO ANOTHER.

RIDENBAUGH REPRESENTS OLD LANDS WITHIN THE NAMPA & MERIDIAN IRRIGATION DISTRICT THAT ARE WATERED BY THE OLD RIDENBAUGH RIGHTS IN THE STEWART DECREE. THE BALANCE OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT LANDS ARE INCLUDED UNDER THE BOARD OF CONTROL.

*3960 ACRES ARE WATERED WITH LIVE WATER. THE BALANCE OF THE WATER COMES FROM SEVERAL DRAINS.

- 1) More acres or shares? City of Eagle? 76ac
2. Boundary?
3. New acre limit = 2571 + any additions
4. 161L - (Supreme court decision)

DD# ~~4~~
85A - ?



2570.8 acres
without City of Escondido
and other changes by
Dana Purdy

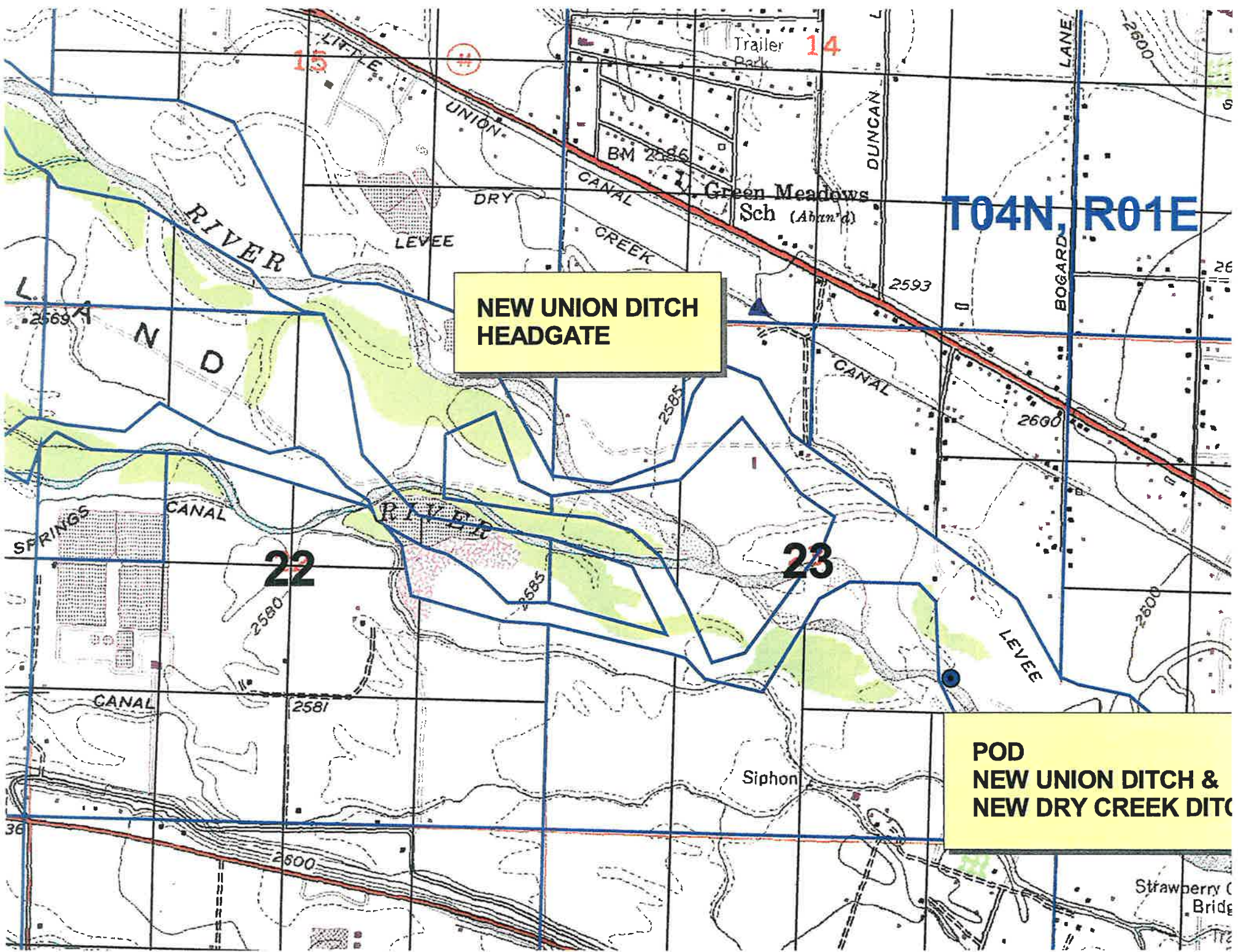
SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE 63-2080

T04N, R01E

Pop search ~~4N~~ 4N, 1E, 23, NESE

Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Source	Water Use(s)	Source Table	Version	Source Table
63	125	K	Decreed	Active	1871-06-01	1.01	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	126	G	Decreed	Active	1891-06-01	0.48	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	146		Decreed	Active	1865-06-01	13.76	BOISE RIVER	GROUND WATER RECHARGE, IRRIGATION	NEW UNION DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	161	L	Decreed	Active	1866-05-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	205		Decreed	Active	1879-06-01	31.32	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	206		Decreed	Active	1886-06-01	15.22	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	207		Decreed	Active	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	252	B	Decreed	Active	1893-05-01	0.69	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	253		Decreed	Active	1890-06-01	1.82	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	283		Decreed	Active	1897-04-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	288	B	Decreed	Active	1880-04-01	0.44	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	10345		License	Active	3/19/1986	5.29	BOISE RIVER	AESTHETIC, AESTHETIC STORAGE, DIVERSION TO STORAGE, RECREATION, RECREATION STORAGE	WOODSS ASSOCIATION (Current Owner)	1	wrAdjudicationRecommendation
63	28977		Decreed	Active	1864-06-01	0.4	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	31775		Decreed	Active	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	31805		Decreed	Active	1883-05-01	0.68	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	31937		Beneficial Use	Active	7/13/1923	100	WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	1	wrAdjudicationRecommendation

Now 63-31778



T04N, R01E

**NEW UNION DITCH
HEADGATE**

**POD
NEW UNION DITCH &
NEW DRY CREEK DITCH**

BasinNumber	SequenceNum	SplitSuffix	OrganizationName	Agent
63	✓ 125	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 126	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 161	L	NEW DRY CREEK DITCH CO	Mel
63	✓ 205		NEW DRY CREEK DITCH CO	Mel
63	✓ 206		NEW DRY CREEK DITCH CO	Mel
63	✓ 207		NEW DRY CREEK DITCH CO	Mel
63	✓ 258	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 259		NEW DRY CREEK DITCH CO	Mel
63	✓ 263		NEW DRY CREEK DITCH CO	Mel
63	✓ 286		NEW DRY CREEK DITCH CO	Mel
63	✓ 288	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 17468		NEW DRY CREEK DITCH CO	Mel
63	✓ 28977	12468-10	NEW DRY CREEK DITCH CO	Mel

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: AUGUST 17, 2004

BY: MEL SCHULTE

The main contact for New Dry Creek Ditch is their president, Dana Purdy (286-9701). He assisted in the review of the boundary and place of use map, the location of their POD and measurements to estimate delivery loss in their canal.

There are no major issues of concern with the New Dry Creek Ditch Co claims except for the number of acres the rights will be limited to in our recommendations as discussed below. They share a POD and canal with New Union Ditch, which might motivate New Union to have an interest in New Dry Creek's recommendations and boundary map. There is an overlap of New Dry Creek's boundary at the extreme West edge with the East boundary of Middleton Irrigation because Circle DJ Ranch is a shareholder of both companies.

The historical boundary and place of use was not easy to ascertain because the historical place of use is an area of rapid residential and commercial development in the Eagle area.

The acre limitation of 2517.8 acres is less than the 2964 acres claimed. The 2517.8 acre number is based on digitized acres and is open for scrutiny. Using the 2517.8 acres at an inch per acre makes it necessary to include delivery loss in order to show beneficial use of the companies 62.09 cfs of decreed water. The water master's records indicate a place of use of 3059 acres. It's interesting to note that the maximum monthly diversions into the New Dry Creek/New Union Ditch canal have shown a continued decline through the years. The declining diversion rates might support what appears to be a reduced number of irrigated acres through the years due to the increased subdivision development in the Eagle area.

New Dry Creeks claim for credited wastewater, 63-17468 was disallowed in favor of Drainage District No 2's right 63-31937. This matter might be of concern to New Dry Creek's officers and board.

MTS

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Source	Water Use(s)	Owner(s)	Source Table
63	17468		Beneficial Use	Active	9/10/1921	9.47	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	125	B	Decreed	Active	1879-06-01	1.01	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	126	B	Decreed	Active	1879-06-01	0.48	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	161	L	Decreed	Active	1866-05-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	205		Decreed	Active	1879-06-01	31.32	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	206		Decreed	Active	1886-06-01	15.22	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	207		Decreed	Active	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	258	B	Decreed	Active	1893-05-01	0.69	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	259		Decreed	Active	1883-05-01	0.68	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	263		Decreed	Active	1880-06-01	1.82	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	286		Decreed	Active	1897-04-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	288	B	Decreed	Active	1880-04-01	0.44	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	28977		Decreed	Active	1864-06-01	0.4	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	~~3614~~ B		~~License~~	Active	~~12/9/1940~~		BOISE RIVER	IRRIGATION FROM	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	~~3618~~ G		~~Permit~~	Active	~~1/1/1955~~		BOISE RIVER	IRRIGATION FROM	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim

62.09 = decreed
9.47 = waste water

71.56 total

2571.8 acres digitized
10.0 = share @ Quarter Acre DJ
2571.8 x .02 = 51.64 cfs
Delivery loss = 10.45 cfs
62.09 cfs

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHART NO. 3

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	AMOUNT DECREED						
			PRIORITY NO.	DATE	STEWART DECREE	INTERVENORS		TOTAL INCHES	TOTAL SEC. FT.
						STEWART DECREE	BRYAN DECREE		
NEW DRY CREEK			72	6-1-1879	31.32			1566	
			93	6-1-1886	15.22			761	
			97	6-1-1888	7.86			393	
			129-A	4-1-1897		.54		27	
			73-A	4-1-1880		.54		27	
			74-A	6-1-1880		1.816		90.8	
			85-C	5-1-1883		.2232		11.16	
			85-E	5-1-1883		.385		19.25	
			124-A	5-1-1893		.825		41.25	
		300	3)	6-1-1864					
		300	54)	6-1-1871	.35			17.5	
		300	120)	6-1-1891					
		301	3)	6-1-1864					
		301	54)	6-1-1871	1.54			77	
		301	120)	6-1-1891					
	64		102	6-1-1888	.20			10	
	140		85-D	5-1-1883		.07		3.5	
	151*		124-A	5-1-1893		.135*		6.75*	
	161		103	6-1-1888	.65			32.5	
	174		103	6-1-1888	.24			12	
		713	30	5-1-1866	.54			27	
1009*			73-A	4-1-1880		.10*		5*	62.0842
NEW UNION			14	6-1-1865	13.76			688	13.76

125~~B~~ K was 125B

126~~B~~ G was 126~~B~~

101L

205

206

258B

263

286

288B

28997

17468

31806 → was 259.

31778 → was 207.

146

18785

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NEN	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 120G	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 123C	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 124Q	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 125J	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 125K	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 126F	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 126G	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 134	HART-DAVIS DITCH CO INC,	BOISE RIVER	04N01E7											8						8
Claim	63 15238	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 161L	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 164E	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 165M	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 17468	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 195	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 198AA	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 198AG	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 205	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 206	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 207	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 234	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 248	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 258A	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 258B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 259	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 260B	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 263	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 264	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 285	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 286	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 288B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 28977	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 297	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 8497	LORICE QUONG, WILLIAM QUONG	GROUND WATER	04N01E7												16			10		26
Claim	63 21729	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E7	15	30															45
Claim	63 21730	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E7	15	30															45
Claim	63 2406	DRAINAGE DIST NO 2,	WASTE WATER	04N01E7	38	39	39	39	39	36	36	40	40	36	19	23	39	39	30	33	565

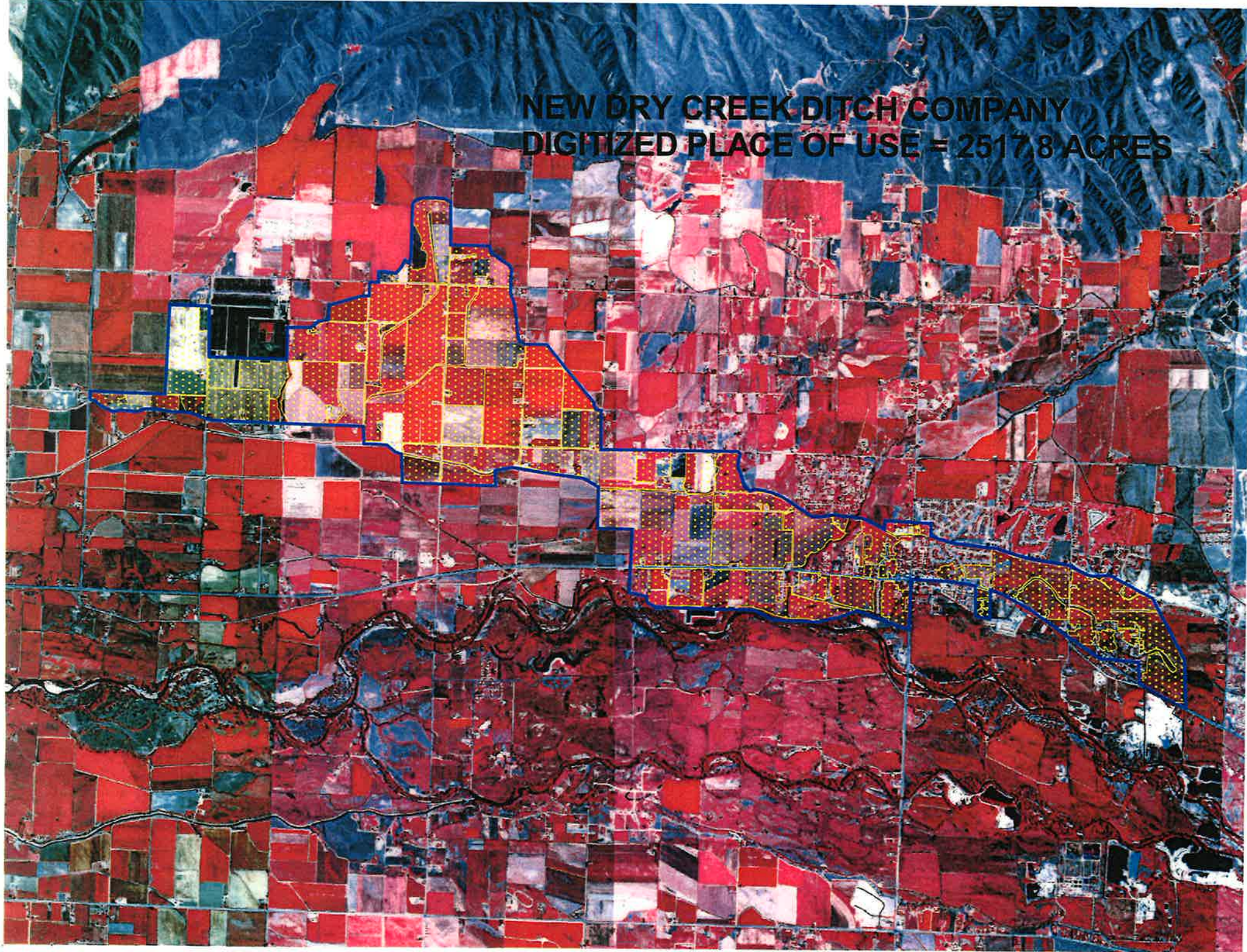
**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 120G	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 123C	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 124Q	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 125B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 125J	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 126B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 126F	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 1523B	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 151L	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 154E	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 155M	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 1746B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 195	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 198AA	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 198AG	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 205	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 206	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 207	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 234	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 248	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 258A	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 258B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 259	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 260B	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 263	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 264	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 285	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 286	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 288B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 28977	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 297	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 10071	DELL SUBDIVISION WATER USERS,	GROUND WATER	04N01E8														7			7
Claim	63 10076	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINT	GROUND WATER	04N01E8														5			5
Claim	63 7908	EAGLE GLEN HOMEOWNERS ASSN INC,	GROUND WATER	04N01E8													3				3
Claim	63 21729	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 21730	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 5048	ROBERT W MORLEY,	UNNAMED SLOUGH	04N01E8												8					8
Claim	63 2406	DRAINAGE DIST NO 2,	WASTE WATER	04N01E8	38	39	40	40	39	39	40	40	40	40	34	40	39	40	31	31	610

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 120G	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 123C	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 124Q	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 125B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 125J	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 126B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 126F	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9																	
Claim	63 146	NEW UNION DITCH CO LTD,	BOISE RIVER	04N01E9																	
Claim	63 15238	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9																2	2
Claim	63 161L	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 17468	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 18785	NEW UNION DITCH CO LTD,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 195	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9																2	2
Claim	63 198AA	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 205	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 206	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 207	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 234	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 258A	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 258B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 259	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 260B	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 263	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 264	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 285	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 286	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 288B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 28977	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 16151	JOSEPH M TOTORA, JOSEPHINE TOTORA, JEANINE L BLAZE	GROUND WATER	04N01E9													4				4
Claim	63 2467	H LA RUE BEVINGTON, BERNICE E BEVINGTON,	GROUND WATER	04N01E9														1	1		2
Claim	63 7398	VIOLA MOHR,	GROUND WATER	04N01E9										0.5							0.5
Claim	63 7405	M GERTRUDE WOODS, WILLIS E WOODS,	GROUND WATER	04N01E9										1							1

**NEW DRY CREEK DITCH COMPANY
DIGITIZED PLACE OF USE = 2517.8 ACRES**





T04N, R01E

T04N, R01W

T04N, R01E

T04N, R01W

T04N, R01W

3W10W

POINT OF DIVERSION
BALLENTYNE DITCH COMPANY

SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE EX-1017



