

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: A63-00293
Date Received: 7/7/1992
Receipt No: W015028
Received By: _____

*Rec'd from SO
7/28/92*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ISLAND HIGHLINE DITCH CO.
Address: ART FOSS
28749 HEXON RD
PARMA ID

83660

2. Date of Priority: APR 1, 1915

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
05N	05W	16	NE SW		CANYON

5. Description of diverting works:
GRAVITY FLOW DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	10.000		

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

A.F.A.

8. Total consumptive use is 3255.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	05W	6	SW SW		IRR	
		7	SE SW		IRR	
		17	NW NW		IRR	

A63-00293

Page 1

Date: 07/27/92

MICROFILMED

AUG 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	05W	17	SW	NW	IRR	
			SE	NW	IRR	
			NE	SW	IRR	
		18	NW	SW	IRR	
			NE	NE	IRR	
			SE	NE	IRR	
	06W	12	NE	NE	IRR	
			SE	NE	IRR	
			NE	SW	IRR	
			NE	SE	IRR	
			NW	SE	IRR	
			SW	SE	IRR	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-00291, A63-00292

14. Remarks:

ALL OF SECTION SEVEN SOUTH AND WEST OF THE BOISE RIVER.
THE ACREAGES LISTED PER QUARTER, QUARTER ARE INCORRECT,
THEREFORE A FIELD EXAM HAS BEEN CHECKED.
THE ACREAGES ARE THE SAME AS THOSE LISTED ON A63-00291. (630AC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree Defendant

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: A63-00293
Date Received: 2/15/1990
Receipt No: CO 16585 12015088
Received By: LL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ISLAND HIGHLINE DITCH CO. 208-722-5581
Address: C/O JAMES KLAHR
28503 FT. BOISE RD.
PARMA, ID 83660

2. Date of Priority: APR 01, 1915

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
05N	05W	16	NE	SW			CANYON

5. Description of diverting works:
GRAVITY FLOW DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	10.000		

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

8. Total consumptive use is 3255.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	6	SW	SW		IRR	
		7	SE	SW		IRR	
						IRR	

A63-00293

Page 1

Date: 02/15/90

MICROFILMED

AUG 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	17	NW	NW		IRR	
			SW	NW		IRR	
			SE	NW		IRR	
			NE	SW		IRR	
		18	NW	SW		IRR	
			NE	NE		IRR	
			SE	NE		IRR	
			NE	NE		IRR	
	06W	12	NE	NE		IRR	
			SE	NE		IRR	
			NE	SW		IRR	
			NE	SE		IRR	
			NW	SE		IRR	
			SW	SE		IRR	
			SE	SE		IRR	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-00291, A63-00292

14. Remarks:

ALL OF SECTION SEVEN SOUTH AND WEST OF THE BOISE RIVER.

THE ACREAGES LISTED PER QUARTER, QUARTER ARE INCORRECT,
THEREFORE A FIELD EXAM HAS BEEN CHECKED.

THE ACREAGES ARE THE SAME AS THOSE LISTED ON A63-00291.

g. a. v. a. v.
630AC

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: _____

For Organizations:

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

James Klehr
Signature of Authorized Agent
Island Hi Line Canal
Title and Organization
Feb 15 - 1990
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Feb 19 90

Linda Werner
Notary Public

Seal

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

08/17/2006

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

RIGHT NUMBER: 63-293

NAME AND ADDRESS: ISLAND HIGHLINE DITCH CO
JEANNE HARROLD
27922 PET LN
PARMA ID 83660

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 10.000 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. 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 proceeding 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 proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 04/01/1915

Pursuant to a call in times of scarcity, this right is senior to: 63-297, 63-372, 63-301, 63-294, 63-296, 63-298, 63-295, 63-302, 63-367, 63-373, 63-299, 63-304, 63-303, 63-300 and 63-374 and any future splits of these rights.

POINT OF DIVERSION:

T05N R05W S16 NESW Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

10.000 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, 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:

813 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right when combined with Right Nos. 63-291 and 63-292 can be used to irrigate up to 813 acres within the boundary of the Island Highline 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 is designated as No. 139 in the Stewart Decree and the Boise Water Distribution Report.



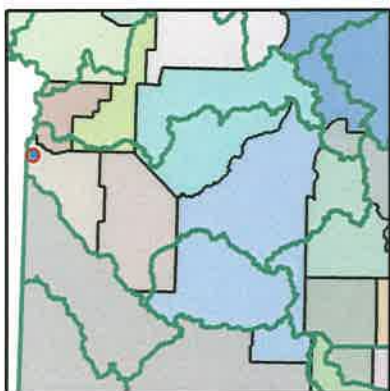
Idaho Department of Water Resources

Adjudication Claim:

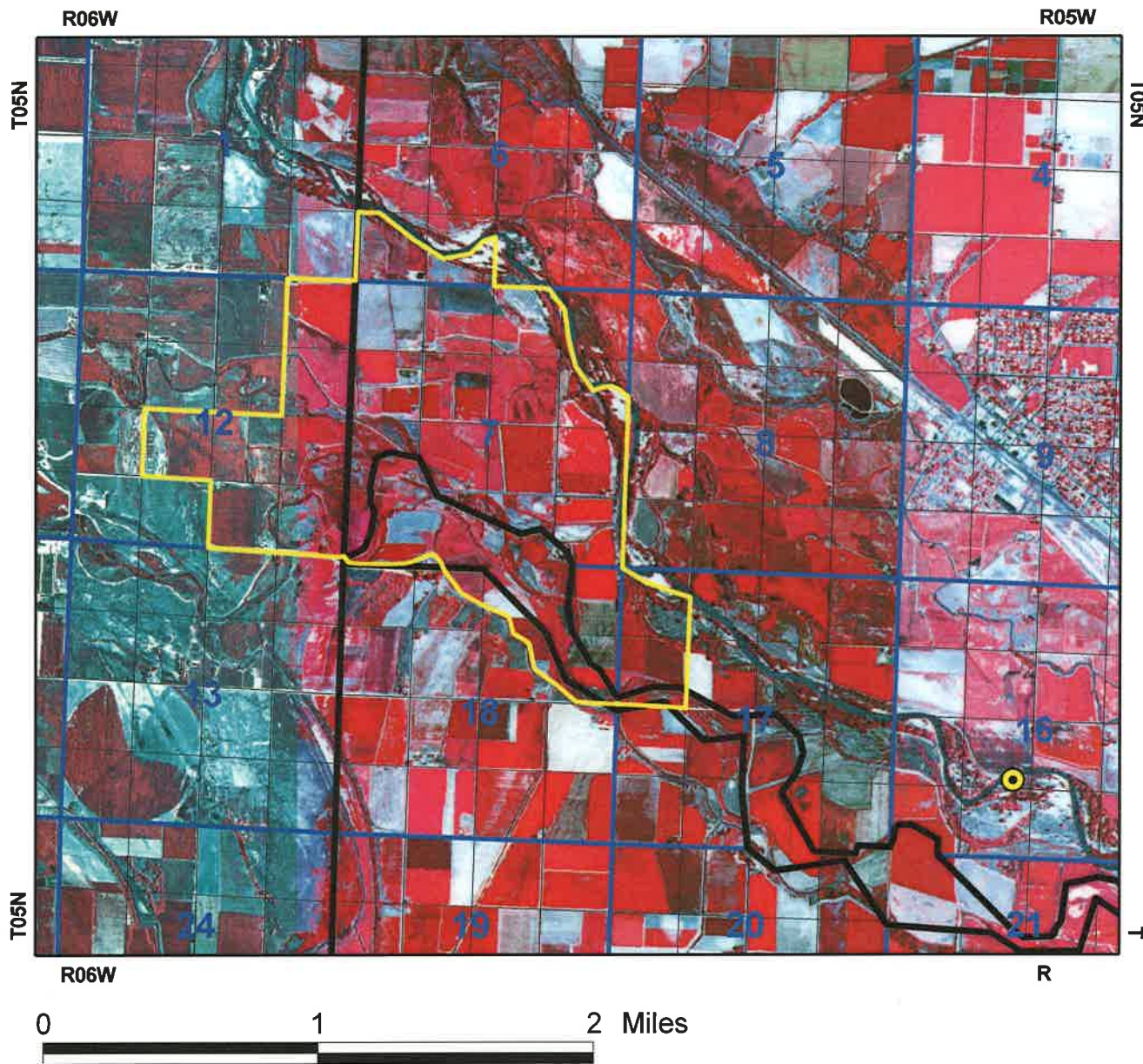
63-293

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by A. Warntjes
On Tuesday, April 4, 2006
1987/88 Aerial Photography

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

FARMERS CO-OPERATIVE DITCH COMPANY,
a corporation,

Plaintiff

DECREE

-vs-

RIVERSIDE IRRIGATION DISTRICT, Ltd.,
a corporation, et al.,

Defendants

Filed 10:45 A.M.
Nov. 18, 1930.
Myrtle Bernard, Clerk,
C. D. Rush, Deputy.

ISLAND HIGHLINE DITCH COMPANY, a
corporation,

Intervener.

This matter came on regularly to be heard the 12th day of November, 1930, upon the complaint in intervention of Island Highline Ditch Company, the said intervener appearing by its attorney, John C. Rice, and defendants Neil O'Donnell, Pat O'Donnell, Guss A. Barth, Lester J. Shippy, Charles Jurries and James Finlay appeared by their attorney, Thos. E. Buckner, and defendants Farmers' Union Ditch Company, Ltd., and Middleton Water Company appeared in said action by their attorney, T. L. Martin, and the other defendants and cross-complainants in said action not appearing by attorney or otherwise. The default of such non-appearing defendants were duly entered according to law. Evidence was introduced on behalf of the plaintiff and the cause submitted to the Court, and the Court after due consideration filed its Findings of Fact and Conclusions of Law and directed judgment to be entered for the intervener in accordance therewith.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, That the intervener, Island Highline Ditch Company, be and it is hereby awarded the use of water of the Boise River and the tributaries thereof, to be carried through its ditch or canal having its head in Boise River at a point near the

JUN 21 1996

Southeast corner of the Northeast quarter (NE $\frac{1}{4}$)
of the Southwest Quarter (SW $\frac{1}{4}$) of Section Sixteen (16),
in Township Five (5) North, of Range Five (5) West of the
Boise Meridian, in Canyon County, Idaho;

through a ditch described in the complaint in intervention, to-wit:
Running in a westerly and northwesterly direction for a distance of
about four miles, for use upon the lands hereinafter described, the
following amounts of water, measured under a four-inch pressure,
as follows:

63 0291

One hundred fifty (150) inches of water, with date of
priority as of April 1, 1879;

63 0292

Three Hundred fifty (350) inches of water, with date of
priority as of April 1, 1910;

63 0293

Five Hundred (500) inches of water, with date of priority
as of April 1, 1915.

The lands upon which the same is to be used and to which it
is appurtenant are the lands lying under the level of the said
canal and on the northerly and easterly sides thereof, and more
particularly described as follows:

All that portion of the North Half ($N\frac{1}{2}$) of the
Southwest Quarter ($SW\frac{1}{4}$) of Section Seventeen (17),
lying north of and below the Bluff running through
the same; also the South Half ($S\frac{1}{2}$) of the Northwest
Quarter ($NW\frac{1}{4}$) and that portion of the Northwest
Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of
Section Seventeen (17), lying South and west of Boise
River; the East Half ($E\frac{1}{2}$) of the Northeast Quarter
($NE\frac{1}{4}$) of Section Eighteen (18); all of Section Seven
(7) lying south and west of Boise River; and all that
portion of the South Half ($S\frac{1}{2}$) of the Southwest Quarter
($SW\frac{1}{4}$) of Section Six (6) lying South and West of Boise
River; all the above described lands being in Township
Five (5) North, of Range Five (5) West of the Boise
Meridian, all of said lands being situated in the County
of Canyon, State of Idaho.

Also, the East Half ($E\frac{1}{2}$) of the Northeast Quarter
($NE\frac{1}{4}$), the Southeast Quarter ($SE\frac{1}{4}$), and the Northeast
Quarter ($NE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section
Twelve (12), in Township Five (5) North, of Range Six (6)
West of the Boise Meridian, all of said lands being
situated in the County of Canyon, State of Idaho.

Done in open Court this 18 day of November, 1930.

Ed L. Bryan
District Judge.

JUN 21 1996

MEMORANDUM

TO: Island Highline Ditch Files 63-291 & 63-293
FROM: Anita Warntjes
DATE: January 6, 2006
RE: Change in Contact

Lee Sisco, Boise River Watermaster, called to tell me the contact for the Island Highline Ditch Company is the following name & address:

Jeanne Harrold
27922 Pet Lane
Parma, ID 83660-6569

MEMO TO THE FILE

File Numbers: A63-00291, A63-00292, A63-00293
For: Island Highline Ditch Company
James Klahr, President
From: Linda Werner
Date: 2/26/1990

RE: Irrigated acreages

On 2/15/90 Mr. James Klahr came to the Mobile Unit to file the claims for the Island Highline Ditch Company. He had an appointment set up from 8:30 to 2:30. I took his claims.

The ditch company has three water rights which were adjudicated in the Stewart decree. These rights did not indicate the number of acres per quarter, quarter section.

Mr. Klahr came to this appointment with no information except legal descriptions of his property. I talked with the claimant for 2 hours explaining to him the different options available for filing a claim which would reflect accurate places of use and number of acres. As filing as president of the ditch company he represents approximately 15 individuals who are receiving water out of the ditch.

The suggestions I gave him were as follows:

1. Suggestion-Make another appointment with me in Boise and in the meantime have a meeting of the water users asking them to indicate on a map where they are irrigating and the number of acres.
Response-He indicated he did not have time to put this off to come to Boise as he had too many other commitments.
2. Suggestion-Have him make the filing as of 2/15/90 and I would assist him in determining the number of acres and locations.
Response-He was not sure where these people were located and how many acres they were irrigating.
3. Suggestion-Have each individual user file a separate Notice of Claim thereby yielding the responsibility for accuracy to each individual user. I explained to the claimant the difference in flat fees between three claims vs fifteen or more claims.
Response-He did not respond to this suggestion in a direct manner but opted to go for suggestion number five. He did tell me, however, that what was most important to the other users was that the claims be filed to reflect 930 irrigated acres.
4. He indicated that the secretary of the ditch company had a listing of the users and the number of acres they were

MICROFILMED

AUG 17 1992

irrigating. I suggested that he get in touch with her that day, get the information, and then come back to the mobile unit with that information.

Response-He did not know where she was that day as she did work for other individuals. Also, the land description did not indicate locations only user names and number of acres.

5. Suggestion-The claim be filed showing a total of 930 irrigated acres although the irrigated acres per quarter, quarter would not be accurate. I indicated I would flag the claims for a field exam so the correct acreages could be determined.

Response-He opted to go with this method.

At this point I went over the map and put in acreages. He tried to assist me in doing this but had no idea what was where. He showed no interest whatsoever in where these acreages were located. He assisted me in the data entering process by reading off the locations and irrigated acres.

He also filed on two domestic wells. At this point he took a copy of the claims with him and told me he would have the secretary send us a check.

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Linda A. Werner
2-16-90

MICROFILMED

AUG 17 1992