

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: **A63-00138E**
Date Received: 3/12/1990
Receipt No: C015502
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CANYON DITCH CO
Address: MARJORIE MAXWELL
PO BOX 1437
CALDWELL ID

208-459-3915

83606-1437

2. Date of Priority: JUN 1, 1865

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	03W	15	SW	NE	NW		CANYON

5. Description of diverting works:

DIVERSION DAM IN RIVER, HEADGATE, GRAVITY DITCH TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

7. Total Quantity Appropriated is:

0.500 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

242.6 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	8	NW	NE		IRR	24.0
			SW	NE		IRR	40.0
			SE	NE		IRR	25.0

RECEIVED

JUN 06 1996

**WATER RESOURCES
WESTERN REGION**

**MICROFILMED
SEP 27 1996**

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	03W	8	NE		NW		IRR	38.0
			NW		NW		IRR	40.0
			SE		NW		IRR	35.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	17.0
			SE		SE		IRR	27.0
							Section Acres	326.0
		9	SW		NW		IRR	11.0
			NE		SW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	5.0
			SW		SE		IRR	40.0
			SE		SE		IRR	10.0
							Section Acres	216.0
		15	SW		NW		IRR	2.0
			SE		NW		IRR	11.0
			NE		SW		IRR	1.0
			NW		SW		IRR	1.0
							Section Acres	15.0
		16	NE		NE		IRR	22.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	30.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	38.0
			SE		NW		IRR	40.0
			NE		SW		IRR	38.0
			NW		SW		IRR	10.0
			SE		SW		IRR	7.0
			NE		SE		IRR	25.0
			NW		SE		IRR	32.0
			SW		SE		IRR	5.0
							Section Acres	407.0
							Total Acres	964.0

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:
63-00252, 63-00369, 63-00233

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER.

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
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THE SNAKE RIVER BASIN WATER SYSTEM.

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

**COPY FOR
YOUR FILES**

1. Name: CANYON DITCH CO
Address: MARJORIE MAXWELL
22122 KENT RANCH RD
CALDWELL ID 83605
208-459-3915

2. Date of Priority: JUN 1, 1865

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	03W	15	SW	NE	NW		CANYON

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Purpose	From	To	C.F.S	(or)	A.F.A.
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8. Total consumptive use is 242.6 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER

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JUL 22 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	03W	8	NW	NE		IRR	24.0
			SW	NE		IRR	40.0
			SE	NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	03W	8	NE		NW		IRR	38.0
			NW		NW		IRR	40.0
			SE		NW		IRR	35.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	17.0
			SE		SE		IRR	27.0
			Section Acres					326.0
		9	SW		NW		IRR	11.0
			NE		SW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	5.0
			SW		SE		IRR	40.0
			SE		SE		IRR	10.0
			Section Acres					216.0
		15	SW		NW		IRR	2.0
			SE		NW		IRR	11.0
			NE		SW		IRR	1.0
			NW		SW		IRR	1.0
			Section Acres					15.0
		16	NE		NE		IRR	22.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	30.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	38.0
			SE		NW		IRR	40.0
			NE		SW		IRR	38.0
			NW		SW		IRR	10.0
			SE		SW		IRR	7.0
			NE		SE		IRR	25.0
			NW		SE		IRR	32.0
			SW		SE		IRR	5.0
			Section Acres					407.0

Total Acres 964.0

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JUL 22 1994

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:
63-00252, 63-00369, 63-00233

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree Defendant

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JUL 22 1994

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

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

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

A63-00138 (SPLIT)

03/12/1990

C015502

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CANYON DITCH CO. Phone (208) 459-3915

Mailing Address

C/O MARJORIE MAYWELL
22122 KENT RANCH RD. CALDWELL

Zip

836052. Date of Priority (Only one (1) per claim) 06/01/18653. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 04N Range 03W Section 15,
SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CANYON

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.DIVERSION IN RIVER WITH HEADGATE
& GRAVITY DITCH TO P/U.

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JUL 22 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

(ma2) All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

21 By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 03/15 to 11/15 amount 0.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.50 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 242.6 acre feet per annum.

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

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
			SEE ATTACHED LAND LIST.																

Total number of acres irrigated 964

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

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

A63-00252, A63-00369, A63-00233 (SPLIT) or None ()

14. Remarks:

THIS RT WAS ORIGINALLY DECREED TO SIEBENBERG COOP DITCH CO, & THRU TRER. A PORTION WAS ACQUIRED BY CANYON DITCH CO. A SPLIT SUFFIX WILL NEED TO BE ASSIGNED. THE LANDS DESCRIBED ARE SERVICED BY THE RIGHTS CARRIED IN THE CO. DITCH.

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JUL 22 1994

Last Name CANYON DITCH CO Ident No. A63-00138 (SPLIT)

Copies: White -State, Yellow-Claimant

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

100

Total number of acres irrigated

Copy no. 2

X 011

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

() and/or

(U) EES 00- EJA, PDE 00- EJA, SPS 00- EJA

Created in the Co. Ditch.
Went West to Be Assured, the lands became the property of the right
of three trees. A portion was acquired by Canyon Ditch Co. A split fork
This is was originally located to the west of Canyon Ditch Co.

Information Sheet No. 42-1400 a 2/88

Page 2

(7692) 881477-54A

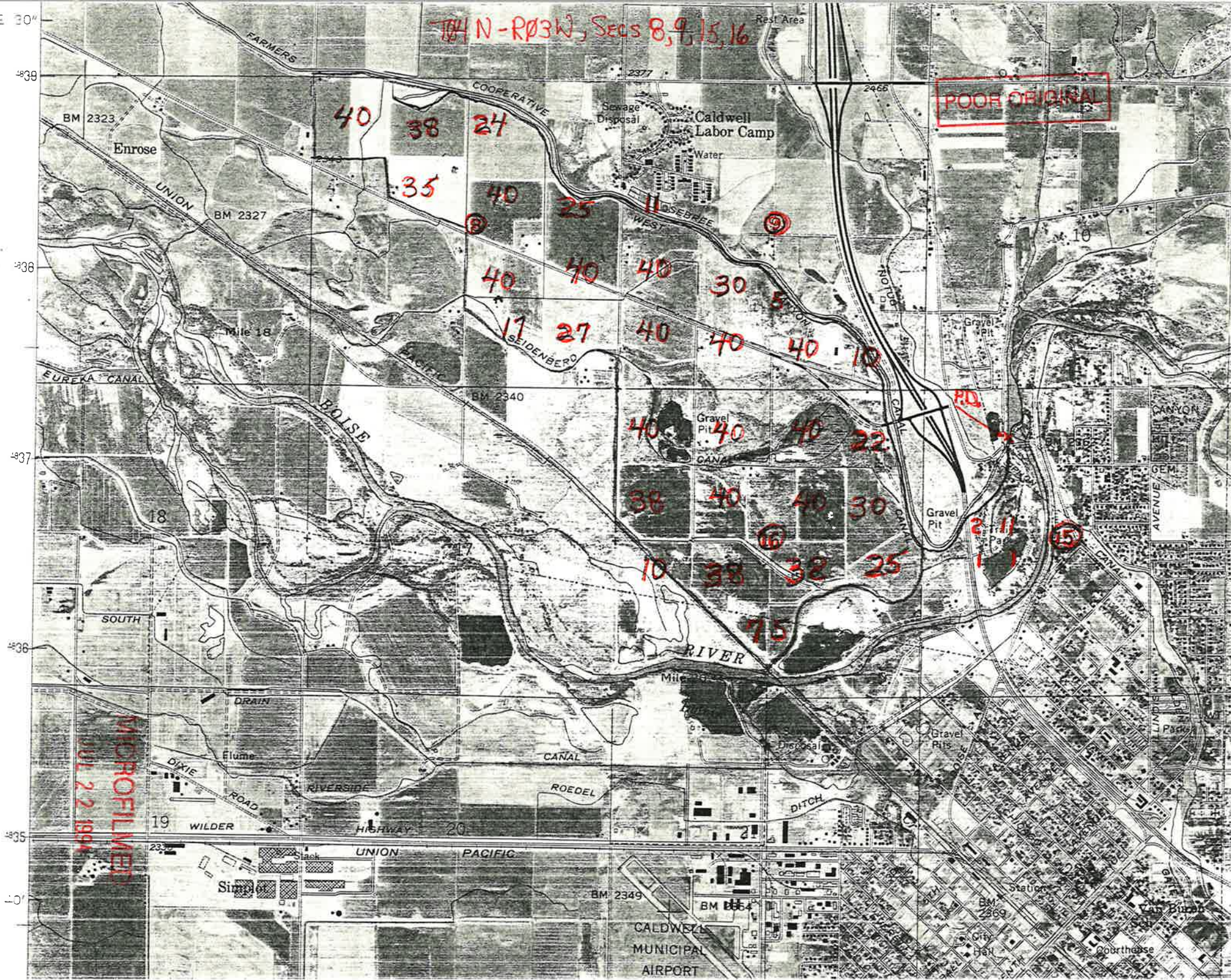
CALDWELL, ID 83605

MICROFILMED
JUL 22 1994

14 N-R03W, Secs 8, 9, 15, 16

POOR ORIGINAL

MICROFILMED
JUL 22 1994



STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHART NO. 3

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	PRIORITY NO.	DATE	AMOUNT DECREED			TOTAL SEC. FT.
					STEWART DECREE	INTERVENORS STEWART DECREE	BRYAN DECREE	
CALDWELL HIGH LINE			34	6-1-1866	15.40			770
			46	6-1-1869	37.20			1860
			77	10-29-1880	27.60			1380
	29*		46	6-1-1869	1.00*			50*
								79.20
CAMPBELL (CANYON DITCH CO.)			132	5-17-1900	10.00			500
			134	10-25-1901	5.54			277
		38	96	10-1-1887	12.10			605
		105	9	6-1-1865	.50			25
								28.14
CANYON COUNTY			35	6-1-1867	75.80			3790
			35-A	6-1-1867		1.76		88
	29		46	6-1-1869	1.00			50
	36*		35	6-1-1867	.38*			19*
	54*		35	6-1-1867	1.11*			55.5*
	59		31	6-1-1866	2.60			130
	75		35	6-1-1867	.50			25
	147		35	6-1-1867	.20			10
								80.37
CONWAY & HAMMING			48	6-1-1870	2.60			130
			64	6-1-1877	.90			45
			118	6-1-1891	2.20			110
								5.70
DAVIS (LITTLE DAVIS)			94	6-1-1886	13.40			670
			119	6-1-1891	.54			27
								13.94
EUREKA NO. 1			13	6-1-1865	33.32			1666
								33.32

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JUL 22 1994

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

Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 4

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Sec. - Treas.

Title

of Canyon Ditch Co. _____, that I have signed the foregoing

Organization

document in the space below as Sec. - Treas. of Canyon Ditch Co.

Title

Organization

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

Signature of Authorized Agent Marjorie C. Maxwell

Title and Organization Sec. - Treas. Canyon Ditch Co. Date 03-12-90

State of Idaho/or _____)

County of AOA)

SS.

Subscribed and sworn (or affirmed) before me this 12th day of MARCH 1990

SEAL

Notary Public Shirley C. Lull

Residing at BOISE, ID

My Commission Expires 11/08/1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

JUL 22 1994

Last Name CANYON DITCH CO Ident. Number A63-00138 (SP417)

Copies White-State, Yellow-Claimant

08/17/2006

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

RIGHT NUMBER: 63-138E

NAME AND ADDRESS: CANYON DITCH CO
C/O MARJORIE MAXWELL
PO BOX 1437
CALDWELL ID 83606-1437

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 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: 06/01/1865

POINT OF DIVERSION:

T04N R03W S15 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.500 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:

800 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.

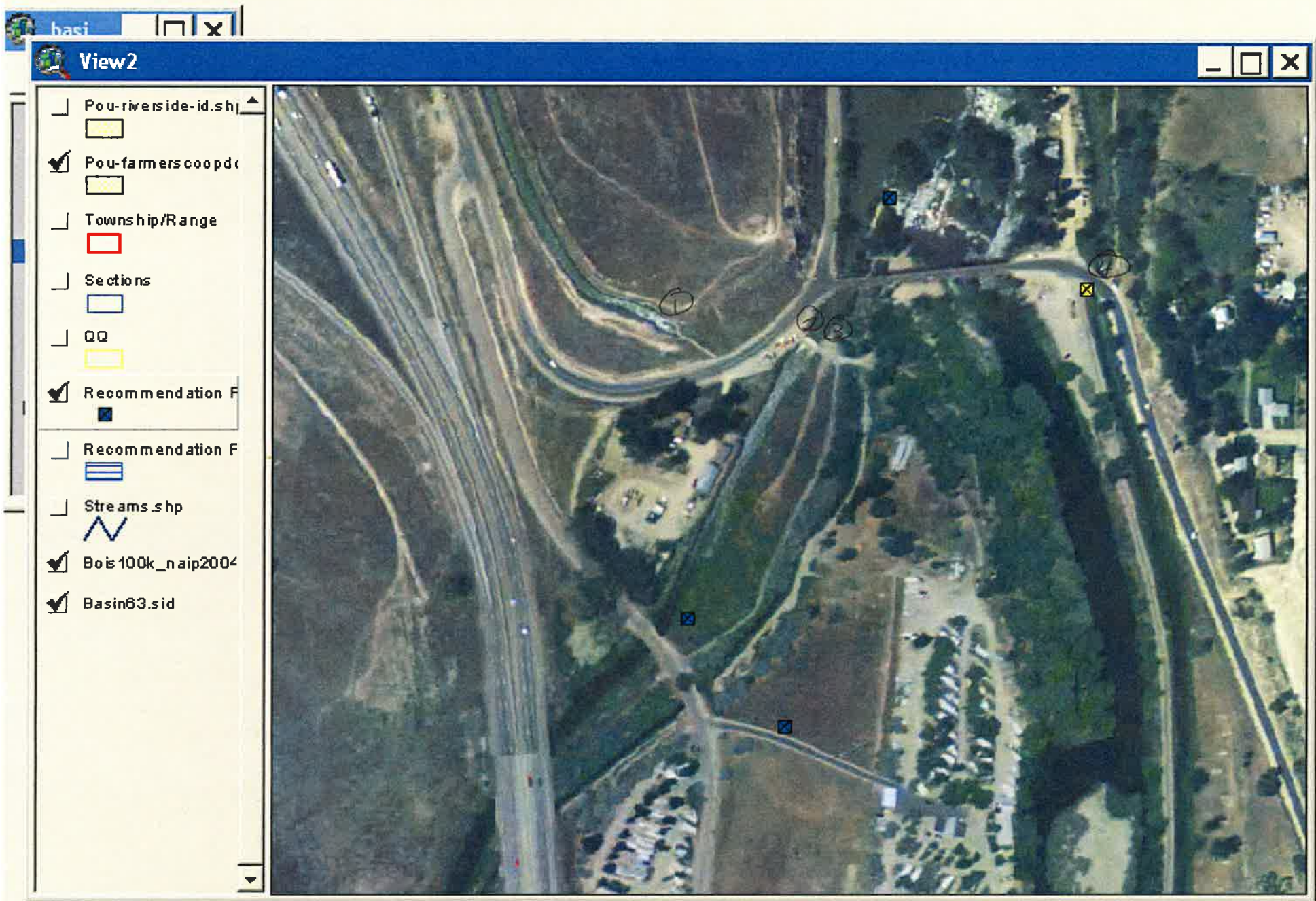
This right when combined with Right Nos. 63-233E, 63-252 and 63-369 can be used to irrigate up to 800 acres within the boundary of the Canyon Ditch Company.

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. 9 in the Stewart Decree and the Boise Water Distribution Report.



① Block Canyon
- piped under
River and Sebree
and Campbell Canal

② Sebree Canal
(Farmer's Coop, D.C.)

③ Campbell Canal
(Canyon Ditch Co.)

④ Riverside Canal
- not a diversion



Campbell
canal
diversion →



The Sebree Canal
diversion.
43°41.310', NAD83
-116°41.272'

6/16/06 D. Favre
A. Warrtjes





← Seabee
canal diversion



The Campbell Canal
diversion.

$43^{\circ}41.311'$ NAD83
 $-116^{\circ}41.264'$

6/16/06

D. Fawcett
A. Warntjes



The Riverside canal (as
identified by the ditch
rider) as it passes
near the point of diversion
of the Campbell and
Sabree Ditches.
(Hwy I-84 notes/farm exit 20/26)

Taken 6/16/06 D. Farrean
A. Warrtjes



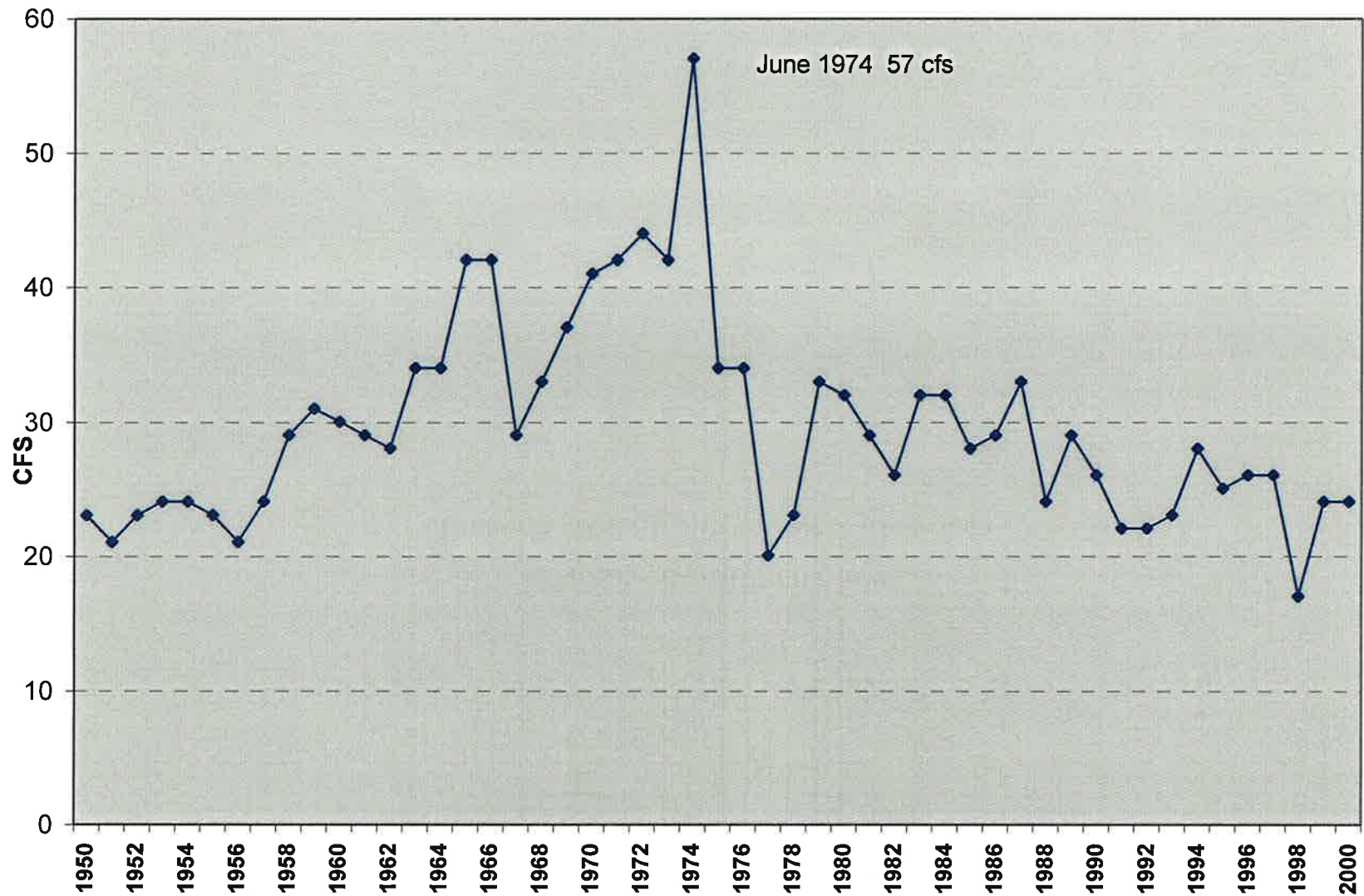
The "River splitter" for the Sebree and Campbell canals. Used in low water to "Split" the river to allow for the Sebree and Campbell canal diversions.

$43^{\circ}41.361'$
 $-116^{\circ}41.241'$ NAD83

6/16/06 D. Favreau
A. Warntjes

MAXIMUM MONTHLY DIVERSION 1950-2000

13210993 CAMPBELL CANAL



Question of Lee Sisco:

The Canyon Ditch Co has a ditch that is separate from Farmers Coop.

The Canyon Ditch Co canal does not appear in the water district records as a separate canal. Where do the Canyon Ditch Co rights appear as canal diversions?

(Rts 63-138C, 252, 369)

Answer: This is the Campbell Canal

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Vol</u>	<u>Sour W</u>	<u>Owner(s)</u>
63	138	C	Decreed	Active	309377	1865-06-01	0.64		BOIS IR FARMERS COOPERATIVE DITCH CO	(Current)
63	138	D	Decreed	Active	302107	1865-06-01	12.28		BOIS IR SIEBENBERG COOPERATIVE DITCH CO LTD	(Current)
63	138	E	Decreed	Active	200461	1865-06-01	0.5		BOIS IR CANYON DITCH CO	(Current)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-233E

WATER RIGHT NUMBER: 63-233E

*Cannot locate
this claim as of
1/2006
Will continue
to look.*

01/18/2006

Owner Type Name and Address
Current Owner CANYON DITCH CO
 C/O MARJORIE MAXWELL
 PO BOX 1437
 CALDWELL, ID 83606-1437
 (208)459-3915
Original Owner AMERICAN DITCH CO

, ID

Priority Date: 10/08/1887

Basis: Decreed

Status: Active

Source Tributary
BOISE RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	12.100 CFS	
	<u>Total Diversion:</u>	12.100 CFS	

Location of Point(s) of Diversion

BOISE RIVER SW1/4NW1/4 Sec. 15, Twp 04N, Rge 03W, B.M.
CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	8		X	X	X	X	X										X	
04N	03W	9						X	X	X									
04N	03W	16		X	X	X				X	X	X		X	X		X	X	

Conditions of Approval:

1. TRANS. 38.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-233E

Comments:Dates and Other Information:

Claim Received Date: 1/10/2006
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

(28)

LXXII.

That the defendant JAMES L. GRAHAM be, and he is hereby awarded the use of the waters of Boise River, diverted from a point on said river on Lot 6, Sec. 22, T. 4 N. R. 1 E. B.M., for use upon the S. 1/2 of NW 1/4 and lot 5 of Sec. 20, T. 4 N. R. 1 E. B.M., in the following amount and from the following date;

63 0220
110 inches, from June 1, 1882; and hereby designated as Right No. 85. And be adjudged to pay \$7.70 costs in addition to the costs incurred by him.

LXXIII.

That the defendant FRANCIS M. JOPLIN be, and she is hereby awarded the use of the waters of Boise River, diverted from a point on said river in SE 1/4 of NE 1/4 of Sec. 5, T. 3 N. R. 2 E. B.M., through what is known as the Thurman Mill Slough, for use upon the SE 1/4 of SW 1/4 of Sec. 22, T. 4 N. R. 1 E. B.M., in the following amount from the following date;

63 0221
45 inches, from June 1, 1883; and hereby designated as Right No. 87. And be adjudged to pay \$3.15 costs in addition to the costs incurred by her.

LXXIV.

That the defendant W. A. BLACK be, and he is hereby awarded the use of the waters of Boise River, diverted from said river through the canal now owned by the Riverside Irrigation District, Limited, Canyon County, Idaho, for use upon the E. 1/2 of Sec. 8 and all of Sec. 9, T. 4 N. R. 4 W. B.M., in the following amount and from the following date; and hereby designated as Right No. 88.

63 0222
600 inches, from June 1, 1883. And be adjudged to pay \$42.00 costs in addition to the costs incurred by him.

LXXV.

That the defendant the EUREKA DITCH COMPANY NO. 2 be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south bank of said river near the SE corner of Sec. 12, T. 4 N. R. 4 W. B.M., for use upon the lands lying under its canal system, in the following amount and from the following date;

63 0223
1085 inches, from Nov. 9, 1883; and hereby designated as Right No. 89. And be adjudged to pay \$75.95 costs in addition to the costs incurred by it.

P.D. 85

P.D. 131

P.D. 171

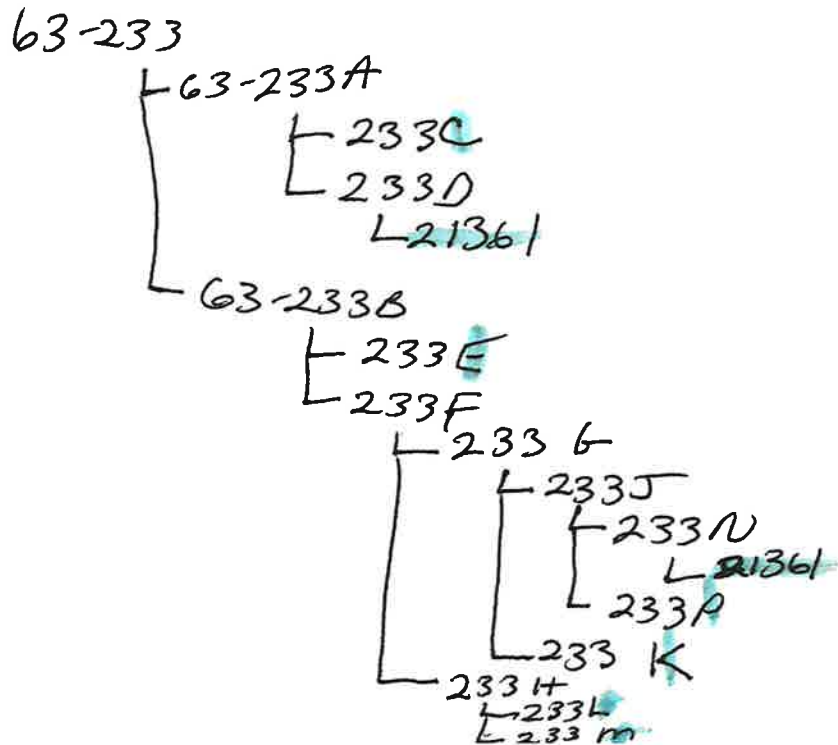
P.D. 224

P.D. 245

P.D. 287

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Vc</u>	<u>So W</u>	<u>Owner(s)</u>
63	233	C	Decreed	Active	217984	1887-10-01	1	BC IR	PIONEER DIXIE DITCH CO (Current)	
63	233	E	Decreed	Active	596625	1887-10-08	12.1	BC IR	CANYON DITCH CO (Current)	
63	233	K	Decreed	Active	279338	1887-10-01	1.2	BC IR	BOISE PROJECT BOARD OF CONTROL (Current)	
63	233	L	Decreed	Active	217985	1887-10-01	1.2	BC IR	PIONEER DIXIE DITCH CO (Current)	
63	233	M	Decreed	Active	293768	1887-10-01	3	BC IR	UPPER CENTER POINT DITCH CO (Current)	
63	233	P	Decreed	Active	300865	1887-10-01	0.7	BC IR	HOUSTON, MILTON (Current)	

63 21361 Decreed Active 1887-10-01 28.60 Eureka Ditch Co #2
301483





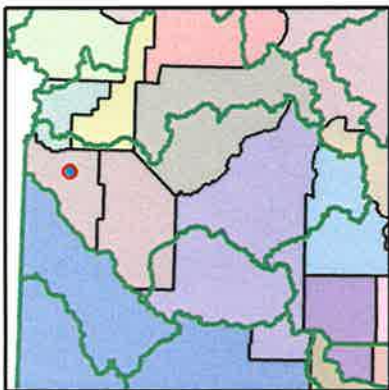
Idaho Department of Water Resources

Adjudication Claim:

63-138E

Legend

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



Canyon County
IDWR Basin 63



Prepared by A. Warntjes
On Wednesday, April 5, 2006
1987/88 Aerial Photography

COMMUNICATION MEMORADUM

IDWR Employee: Danielle Favreau

Date: 1-18-06

Claim No(s)/Company Name: Canyon Ditch Co., Siedenburg Ditch Co. Pioneer Dixie Ditch Co.

Contact: Margie Maxwell

Details:

Spoke to Margie. She claims to have originally filed claims and maps for all 3 companies. Very concerned that Vic at Simplot was to be happy with the boundaries especially of Pioneer Dixie D.C. She mentioned that Simplot also made private claims within the boundary. She also mentioned that she did tell users that they may "lose" water during this process. I mentioned although her statement was not false, we do look at ditch loss and other things. I scheduled an appointment for Feb. 9, 2006 for Dave T., myself, and her. I will send her copies of Canyon Ditch Co. and Siedenburg D.C. She is aware that Ken Bruch, Dave, and I are going to met on Feb. 3.

(8)

VII.

That the defendant C. C. HAVIRD be, and he is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river in SE 1/4 of NE 1/4 of Sec. 5, T. 3 N. R. 2 E., B.M., through the Thurman Mill Slough or ditch, for use upon 160 acres of land situated in sections 23 and 26, T. 4 N. R. 1 E. B.M., in the following amount from the following date;

63 8 0135165 inches, from June 1, 1864. and hereby designated as Right No. 7. And be adjudged to pay \$11.55 costs, in addition to the costs incurred by him

VIII.

That the defendant, the PIONEER DIXIE DITCH COMPANY, a corporation be, and it is hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river near the center of NE 1/4 of NW 1/4 of Sec. 20, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

63 8 01361000 inches, from Sept. 1, 1864. And hereby designated as Right No. 8. T-116, 792 P.D. 9, P.D. 35

63 8 01371772 inches, from June 1, 1869. And hereby designated as Right No. 45. T-116, 792 P.D. 9, P.D. 35 And be adjudged to pay \$194.04 costs in addition to the costs incurred by it

VIII. IX

That the defendant the SIEBENBERG COOPERATIVE DITCH COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the north bank of said river near the center of the NW 1/4 of Sec. 15, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amount from the following date;

63 8 0138671 inches, from June 1, 1865. And hereby designated as Right No. 9. T-105, 717 P.D. 12

And be adjudged to pay \$46.97 costs, in addition to the costs incurred by it.

Water Right Report 63-138A

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-138A

Licensed Date:
Decreed Date: 1/18/1906
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Riverside Irrigation District, Ltd, et al
Decree Plaintiff: Farmers Cooperative Ditch Co
Civil Case Number:
Judicial District: Seventh District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

VII

That the defendant C. C. HAVIRD be, and he is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river in SE 1/4 of NE 1/4 of Sec. 5, T. 3 N. R. 2 E., B.M., through the Thurman Mill Slough or ditch, for use upon 160 acres of land situated in sections 23 and 26, T. 4 N. R. 1 E. B.M., in the following amount from the following date;

63. 8 0135 165 inches, from June 1, 1864. and hereby designated as Right No. 7. And be adjudged to pay \$11.55 costs, in addition to the costs incurred by him

VIII

That the defendant, the PIONEER DIXIE DITCH COMPANY, a corporation be, and it is hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river near the center of NE 1/4 of NW 1/4 of Sec. 20, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

63. 8 0136 1000 inches, from Sept. 1, 1864. And hereby designated as Right No. 8. T-116,773 P.D. 9, P.D. 35

63. 8 0137 1772 inches, from June 1, 1869. And hereby designated as Right No. 45. T-116,773 P.D. 9, P.D. 35
And be adjudged to pay \$194.04 costs in addition to the costs incurred by it

VIII. IX

That the defendant the SIEBENBERG COOPERATIVE DITCH COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the north bank of said river near the center of the NW 1/4 of Sec. 15, T. 4 N. R. 3 W. B.M., for use upon the lands lying under its canal system, in the following amount from the following date;

63. 8 0138 671 inches, from June 1, 1865. And hereby designated as Right No. 9. T-105,719 P.D. 12
And be adjudged to pay \$46.97 costs, in addition to the costs incurred

by it.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 29, 1996

KARL J. DREHER
DIRECTOR

RECEIVED

JUN 04 1996

CANYON DITCH CO
C/O MARJORIE MAXWELL
PO BOX 1437
CALDWELL ID 83606-1437

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim No. A63-00138E, A63-00252 & A63-00369
Change of Address *A records modified. O R Records.*

Dear Claimant,

as 06-06-96

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim(s) or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Marjorie Maxwell
Claimant Signature

RECEIVED

JUN 06 1996

WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 27 1996

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

**In Re Snake River Basin Adjudication Case
No. 39576**

**) Notice of Filing Director's Report and Supplemental
) Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.**

**TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:**

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

40441
Idaho Department of water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

MAXWELL 836052022 1394 04/19/95
FORWARDING TIME EXPIRED
MAXWELL 1437
PO BOX 1437
CALDWELL ID 83605-1437
RETURN TO SENDER

CANYON DITCH CO
C/O MARJORIE MAXWELL
22122 KENT RANCH ROAD
CALDWELL ID 83605

Ab3-00138E ✓
Ab3-00252 ✓
Ab3-00369 ✓

RECEIVED
APR 20 1995

Department of Water Resources

RECEIVED
MAY 29 1996

WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 27 1996