

02/19/2003

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

RIGHT NUMBER: 29-94B

NAME AND ADDRESS: ERMA M BANKS
3229 BANKS RD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER
POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM
PORTNEUF RIVER.

QUANTITY: 1.160 CFS

PRIORITY DATE: 06/02/1905

POINT OF DIVERSION:

T06S R38E S24 NESWSE Injection Within CARIBOU County
T06S R38E S33 SWSESE Within CARIBOU County
T06S R39E S19 NWSWSW Rediversion Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	1.160 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R39E S19	SESE	22.0	T06S R39E S30	NENE	36.0
---------------	------	------	---------------	------	------

58 ACRES TOTAL

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: Decreed

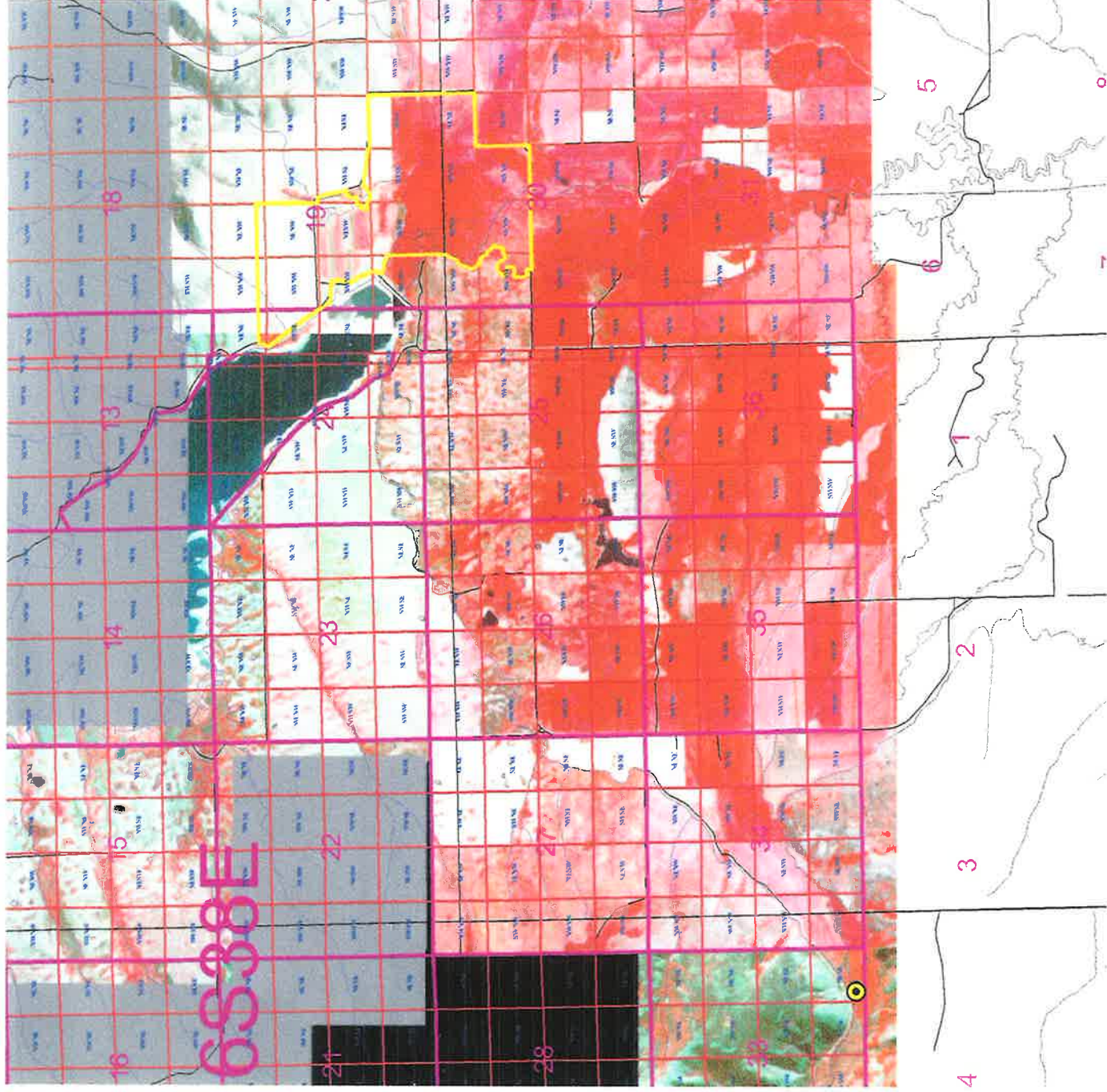
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RECEIVED
NOV - 6 2003
Department of Water Resources

SEARCHED
M/

Water Right Claim Number A29-00094B
Townships , 6S39E, 6S38E

09/08/2000



2000 0 2000 4000 Feet

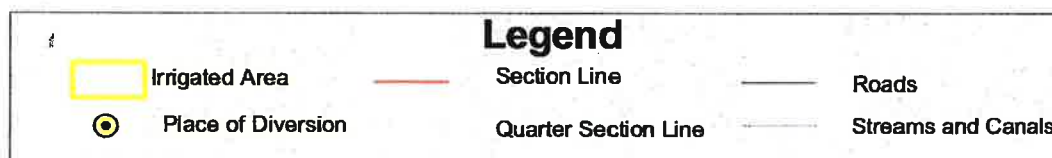
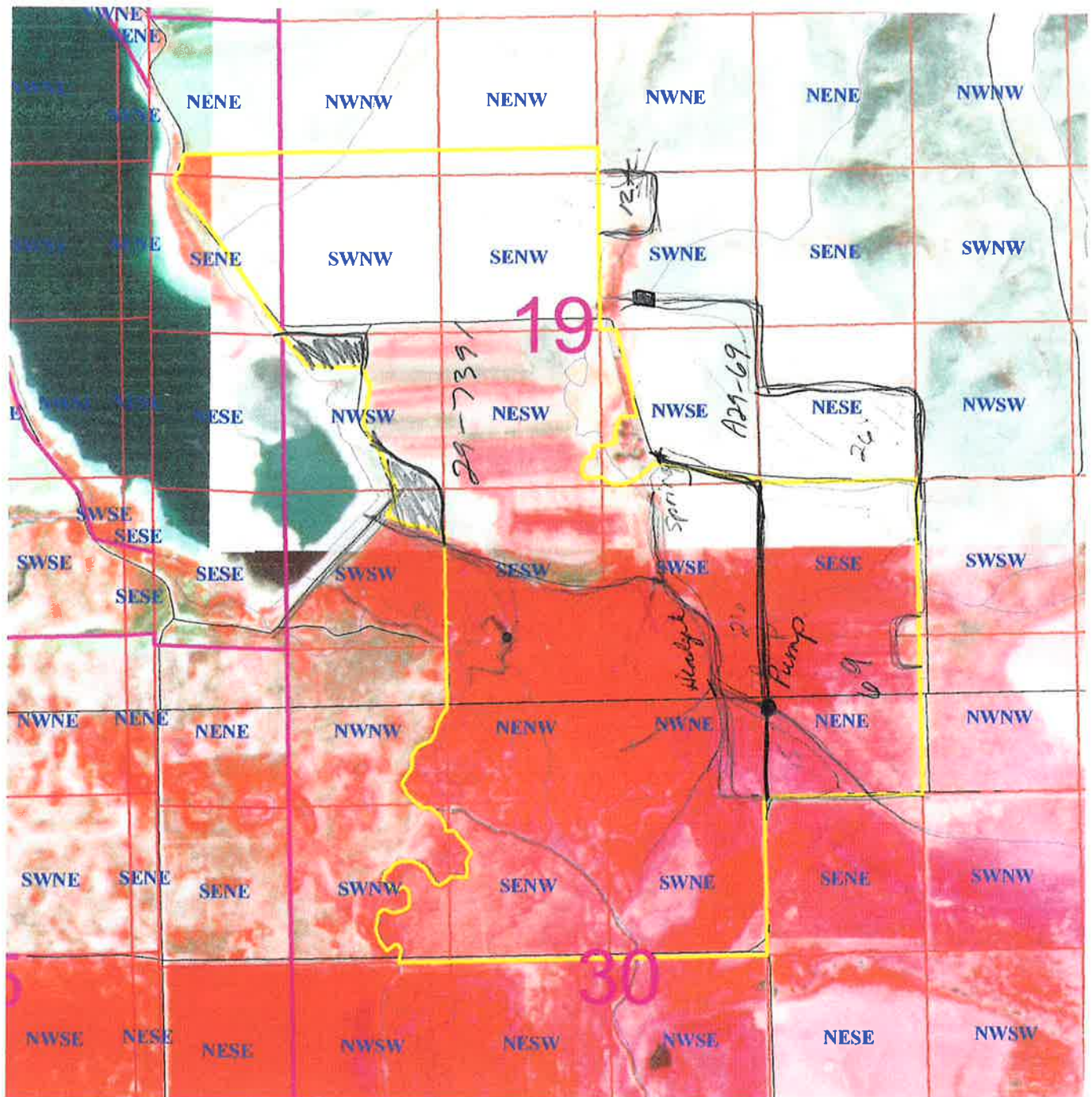


SCANNED

MAY 18 2014

Water Right Claim Number A29-00094B
Townships , 6S39E, 6S38E

09/08/2000



800 0 800 1600 Feet



SCANNED

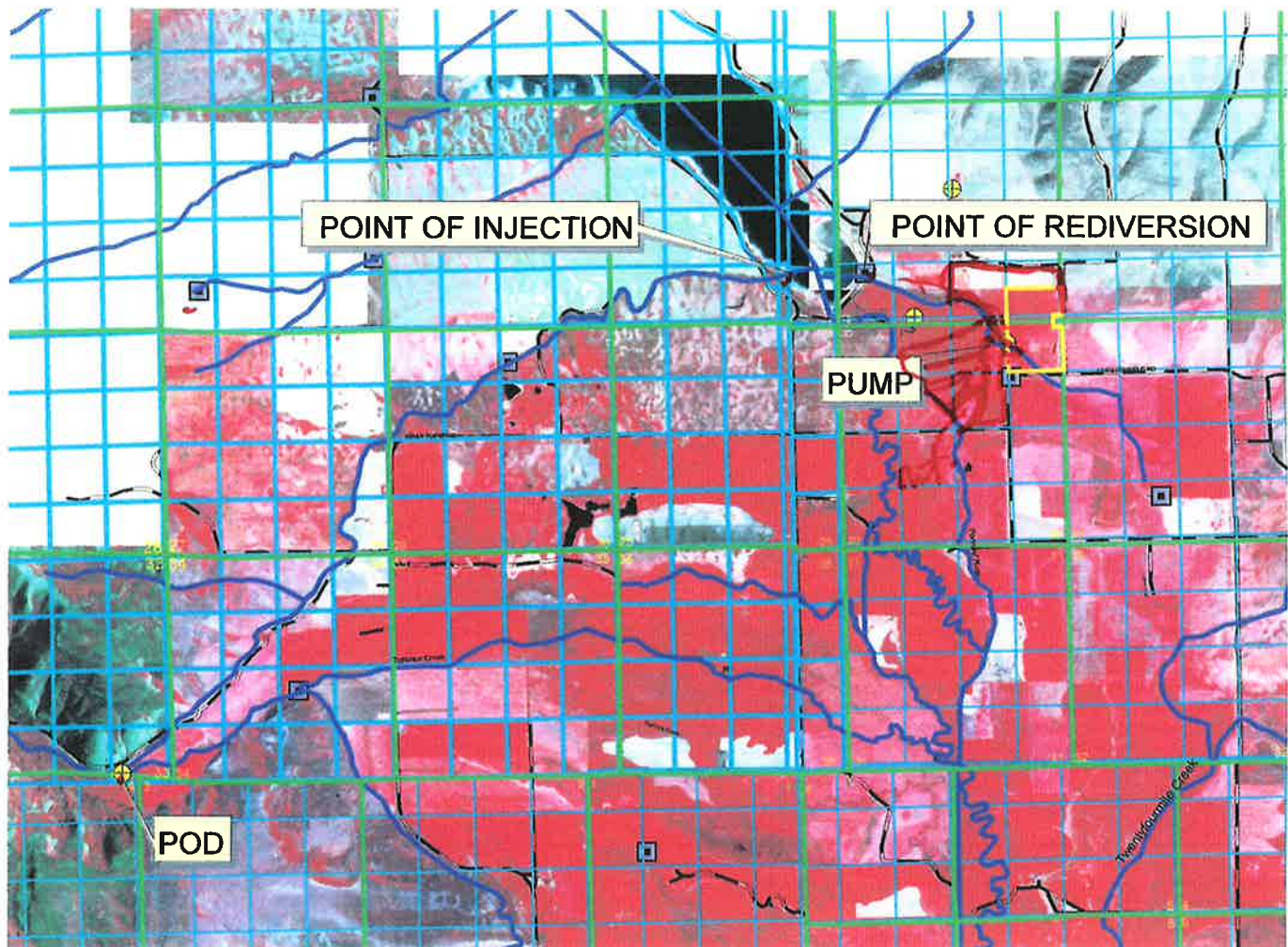
MAY 18 2014



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Rights: 29-94B



0.8 0 0.8 1.6 Miles

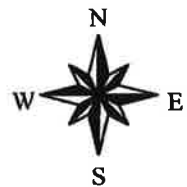
IRRIGATED ACRES 58

LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T6S, R39E,
(part of) Sections 19 & 30

Points of Diversion: T6S, R38E,
Sec. 33 SWSESE



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: FEBRUARY 2003

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MAY 18 2014

Summary Data Entry Form

Claim No.:

29-94B

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

G02 Source Remark Portneuf River

C03.

7/22/03 mail new shape to I.F.

Split or Combined Right Analysis:

Perkins

29-94

B

Banks

1.16

Holbrook

Attached Field Notes or Other Documents:

Claim No.:

29-94B

Reviewer

CB

Date

2/10/03

SCANNED

MAY 18 2014

Notes

file contains stock shares but I don't know how many shares are needed per acres.

Recommending decreed POD of 58 ac.
in the SESE Sec 19 & NENE of Sec. 30
T6S R39E.

Decreed diversion rate $0.02 \text{ cfs/ac} = 1.16 \text{ cfs}$

POD: head of feeder canal
injection POD: Chesterfield Reservoir.
Redivert at Syphon.

Source for POD, injection and Rediversion
is Toponce Creek.

Priority date: 6-2-1905

Themes used for POD: 29-88-93-podwp.shp.
Pt of injection: 29-94b-INT.shp.
Pt of rediversion: more chesterfield theme.

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: David Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 10/30/01 Time: _____

Directions to Property (if different from above) and/or update owner information:

[illegible]

Reviewer: _____

Date: _____

SCANNED

MAY 18 2014

Priority Date Data Entry Form

Claim Number:

29-94B

Water Right Priority Date:

Water Right Basis:

Claimed Priority Date:

Claimed Basis:

Recommended Priority Date:

6/2/1905

Recommended Basis

Decree☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

UG & E decree

Reviewer:

CB

Date:

2/12/03

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MAY 18 2014

Point of Diversion and Source Data Entry Form

Claim Number: 29-94BWater Right Point of Diversion: T 65, R 34E, Sec. 33, SE, SE, County: Carleton

Source: _____ Tributary: _____

Claimed Point of Diversion: T _____, R _____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary: _____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

field examVUG - E decreeWest Bringham ditches no longer exist.
The water is now diverted through the Fuder
Canal into the system.→ POD, Point of injection, Pt of redirection.

Transfers Changing POD _____

Reviewer: LBDate: 2/12/03

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MAY 18 2014

Place Of Use Data Entry Form

Claim Number: 29-94B☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6S	39E	30	NENE		Caribou		58	Irrigation
		19	SESE		"			

Total Acres 58

Document how the POU was verified:

58 acres in decreed POU.

Transfers Changing POU _____

Reviewer: LBDate: 2/12/03

SCANNED

MAY 18 2014

Purpose of Use Data Entry Form

Claim Number: 29-94B☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			58	

Document how the Purpose of Use was verified:

Deer
field exam.

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 2/18/03

SCANNED

MAY 18 2014

Period of Use and Quantity Data Entry Form

Claim Number: 29-94B☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	9/15	1.16	

Overall Diversion Rate 1.16 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

deed
field exam

Reviewer: CBDate: 2/18/03

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MAY 18 2014

8/23/01 - A29-94B. only 80 acres of this was
listed in the original 29-94 decreed
Poll. $58 + \cancel{22} = 58$ acres.

Therefore, the division rate should only
be 1.6665. (1.6665)

The original 29-94 decree was decreed
to ~~29~~-West Side Canal Co, which is
now defunct.

- Document that you own this portion of
right.

1426.

- Genealogy of the.

Claimant need to provide a chain of title that
they own this portion of the water right.

Query the place-of-use?

- Have Boise (Vault) re

Priority date should be 6-2-1905

77. WEST SIDE CANAL
COMPANY.
9 0094 1905. June 2.
29 0095 1913. April 1.

13.14 c.f.s.
3.48 c.f.s.

58 acres. NENE Sec. 30
SESE Sec. 19
98 acres for Brandy
98 acres @ 0.02 cfs/acre
1.96 cfs.

Said water to be diverted through the West Side Canal, a continuation of the West and Brangham Ditch, Point of diversion, see West and Brangham Ditch, for the irrigation of 692.6 acres of land described as follows: 32.6 acres in the Southwest quarter of the Northeast quarter, Section 26, Township 6 South, Range 38 East; 58 acres in the Northeast quarter of the Northeast quarter, Section 30; the Southeast quarter of the Southeast quarter, Section 19, Township 6 South, Range 39 East; 25 acres in the Northwest quarter of the Northwest quarter, Section 29; 30 acres in the Southwest quarter of the Northwest quarter, Section 29; the Southeast quarter of the Northeast quarter, Section 30; 60 acres in the West half of the Northeast quarter, the East half of the Northwest quarter, Section 32; 50 acres in the Northeast quarter of the Southwest quarter, the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter, Section 32; 40 acres in the Southeast quarter of the Northwest quarter, 32 acres in the Southwest quarter of the Northeast quarter, 30 acres in the East half of the Southwest quarter, 80 acres in the West half of the Southeast quarter, 15 acres in the Southwest quarter of the Southwest quarter in Section 29, Township 6 South, Range 39 East. 40 acres in the South half of the Southwest quarter, Section 3, 35 acres in the West half of the Northwest quarter, Section 10; 15 acres in the Northeast quarter of Northeast quarter; 60 acres in the South half of the Northeast quarter, 40 acres in the Southeast quarter of the Northwest quarter, Section 9, Township 7 South, range 39 East.

T6S, R38E.

6S, 39E

T7S, R39E

78. JENSEN, PARLEY P.
29 0096 1905. May 19. .05 c.f.s.
(2.72 inches)

Said water to be diverted through said Jensen Ditch No. 1, which diverts from Toponce Creek, in the Southeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East. From the Southwest corner of Section 34, the Point of diversion bears north, 31 degrees and 40 minutes west, 1504 feet, for the irrigation of 2.72 acres of land, in the Northeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East.

79. JENSEN, PARLEY P.
29 0097 1905. May 19. .27 c.f.s.
(13.4 inches)

Said water to be diverted through Jensen Ditch No. 2, which diverts from Toponce Creek, in the Northeast quarter of the Southwest quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the point of diversion bears North, 3 degrees and 15 minutes West, 1350 feet, for the irrigation of 13.4 acres of land in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 36 East.

BRANDY

SCANNED

MAY 18 2014

WR5809NP
No. 29-00094

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WEST SIDE CANAL CO.	06/02/1905	IRRIGATION	04/15 09/15	13.140 CFS	
TOTAL DIVERSION:					13.140 CFS	

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T06S R38E S33 SESE

CARIBOU County

Place of use Legal Description for: IRRIGATION

T	R	S	NENE				NENE				NENE				NENE				SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
06S	38E	26																	
06S	39E	19																	
06S	39E	29																	
06S	39E	30																	
06S	39E	32																	
07S	39E	3																	
07S	39E	9																	
07S	39E	10																	

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-00053	29-00082	29-00083	29-00084	29-00085	29-00086	29-00087	29-00088	29-00089	29-00090
29-00091	29-00092	29-00093	29-00095	29-00107A	29-02027	29-02032A	29-02032B	29-04346	29-04347

Other Water Rights Listing Overlapping Place(s) of use:

29-00011	29-00012B	29-00071	29-00095	29-02008	29-02027	29-02415	29-02435	29-02558	29-04347
29-04488									

Remarks: GEN P/U INCOMPLETE - ACRES IRR. 692.6.

Dates:	App. Received:	Priority Date:	06/02/1905
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 29 Field Exam Fee:

Audit: 08/18/86 05/22/88 CONVERT 02/06/98 CLEARFLD

SCANNED
MAY 18 2014

95

35

43

43

66

23

12/18/01 3pm David
Banks came by the office.
This is the number of
original shares from the
shares book.



FEDERAL LAND BANK ASSOCIATION OF PRESTON

P.O. BOX 386 102 NORTH STATE PRESTON, IDAHO 83263

TELEPHONE: 852-2145

J. P. GARNER, MANAGER

April 4, 1975

Re: Loan # 159631-1

Mr. Floyd J. Banks
Bancroft,
Idaho 83217

Dear Mr. Banks,

Enclosed is water stock certificate No. 38 for 150 shares in West Side Canal Company we received from the bank in the pay-off of the Call escrow. We are not able to locate a secretary for this canal company. Will you please see what you can find out and have this certificate re-issued in your name and return it to us.

Thank you.

Yours truly,

Gayle C. Burton
Ass't to Manager

gcb
enclosure



SCANNED

MAY 18 2014

INCORPORATED UNDER THE LAWS OF
THE STATE OF IDAHO



West Side Canal Company

CAPITAL STOCK, \$10,000.00 SHARES, PAR VALUE \$10.00 EACH

WILLIAM H. CHILDS

One Hundred Fifty

is the owner of
Shares of Capital Stock of

West Side Canal Company

transferable only on the Books of the Company in person or by
Attorney in person or by

To Whom: Where: the President and Secretary have hereto subscribed
their names and affixed the seal of said Company at Chesterfield, Idaho,

this 23 day of Jan 17 1936

William H. Childs

William H. Childs

President



SCANNED

MAY 18 2014

MAY 18 2014

INCORPORATED UNDER THE LAWS OF
THE STATE OF IDAHO

NUMBER

40

SHARES

74

West Side Canal Company

CAPITAL STOCK \$10,000.00

SHARES, PAR VALUE \$10.00 EACH

THE CHIEF CLERK

Security Trust

Charles C. Coel

is the owner of

West Side Canal Company

transferee and on the books of the Company, in person, or by

attorney-in-fact, of this Certificate, properly endorsed.

To Witness: We, of the Board of Directors, have hereunto subscribed

our names and affixed the seal of said Company, at

Chesterfield, Idaho,

the 23 - day of Jan - 1936

Charles C. Coel

President



MAY 4 2001

Log for claim A29-00094B

Spatial Dynamics LTD

9/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s38e	24	NENE	4	3.8	
06s38e	24	SENE	20	13	
06s39e	19	NENW	5	6.6	
06s39e	19	NWNW	5	6.6	
06s39e	19	SWNW	40	40	
06s39e	19	SENW	40	40	
06s39e	19	NESW	40	39	
06s39e	19	NWSW	26	21	
06s39e	19	SWSW	4	3	
06s39e	19	SESW	40	40	
06s39e	19	NWSE	14	7.1	
06s39e	19	SWSE	40	40	
06s39e	19	SESE	40	40	
06s39e	30	NENE	40	40	
06s39e	30	NWNE	40	40	
06s39e	30	SWNE	40	40	
06s39e	30	NENW	40	40	
06s39e	30	NWNW	5	4.2	
06s39e	30	SWNW	4	9.2	
06s39e	30	SENW	37	39	
Totals:			524	512.5	

 SPATIAL
DYNAMICS
SCANNED

MAY 18 2014

AJ5809NP
No. A29-000948

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/28/00
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERMA M BANKS 3229 BANKS RD BANCROFT ID 83217 (208) 648-7856	05/02/1905	IRRIGATION	04-15 09-15	2.000 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					2.000 CFS	1312.50 AFA

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T06S R38E S33 SWSSE

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	38E	24	:	04			20	:					:					:					:	24.0
06S	39E	19	:					:	05	05	40	40	:	40	26	04	40	:		14	40	40	:	294.0
06S	39E	30	:	40	40	40		:	40	05	04	37	:					:					:	207.0
TOTAL ACRES																							525.0	

POU County: CARIBOU

Other Rights: A29-10246, -00010, -07391, 24 MILE CREEK CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00090A A29-00091A A29-00092A A29-00093A A29-00094A A29-10248

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00010 A29-00013 A29-00015 A29-00018 A29-00069 A29-00071 A29-00094 A29-02558 A29-07391 A29-10246

Remarks: GEN PLACE OF USE INCOMPLETE.

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 29-00094.
THIS RIGHT BELONGED TO THE WESTSIDE CANAL CO. WHICH IS DEFUNCT,
WE HAVE MAINTAIN THE USE OF OUR PORTION OF THIS WATER INITIALLY
UTILIZING A DITCH WHICH RAN AROUND AND UNDER THE DAM AND WHEN THE
DAM WAS RAISED A SIPHON WAS PUT ON THE DAM FOR OUR DIVERSION.
THE WATER WAS BROUGHT INTO THE RESERVOIR BY THE FEEDER CANAL
WHICH THE INITIAL CANAL(WESTSIDES) JOINS ALMOST IMMEDIATELY AFTER
DIVERTING FROM TOPONCE CREEK, SEE ATTACHED MAP OF INITIAL POINT
OF DIVERSION.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 01/26/90 BAUMHOFF 04/04/94 THOMPSON 03/29/95 POST-STD

SCANNED
MAY 18 2014

01/25/90
15:50:03

BANKS, ERMA OR DAVID

ADJUDICATION FEE

0410162 9337 6490

\$873.00

\$873.00

CHECK 123

WR/NO: A29-10246
A29-10256

A29-00069

A29-07391

A29-00010

A29-00094B

Idaho Department of Water Resources

Region: MOBILE I

Signature: _____

Corrected Receipt 1/26/90 AB
A29-00094A → A29-00094B

MICROFILMED

NOV 12 1990

SCANNED

MAY 18 2014

MAY 4 2001

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: A29-00094B
Date Received: 1/25/1990
Receipt No: M005594
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERMA M.. BANKS 208-648-7856
Address: 3229 BANKS RD.
BANCROFT, ID 83217

2. Date of Priority: MAY 02, 1905

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	38E	33	SW	SE	SE		CARIBOU

5. Description of diverting works:
CARRIED TO PORT. RES. BY FEEDER CANAL, SIPHON ON DAM, 40HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. 1/16 (or)	A.F.A.
IRRIGATION	04/15	09/15	2.000	

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

8. Total consumptive use is 1312.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	38E	24	NE	NE		IRR	4.0
			SE	NE		IRR	20.0

Section Acres 24.0

MICROFILMED

SCANNED

NOV 13 1992

MAY 18 2014

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	39E	19	NE	NW		IRR	5.0
			NW	NW		IRR	5.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	26.0
			SW	SW		IRR	4.0
			SE	SW		IRR	40.0
			NW	SE		IRR	14.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 294.0

30

NE	NE	IRR	40.0
NW	NE	IRR	40.0
SW	NE	IRR	40.0
NE	NW	IRR	40.0
NW	NW	IRR	5.0
SW	NW	IRR	4.5
SE	NW	IRR	37.5

Section Acres 207.0

Total Acres 525.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

A29-10246, -00010, -07391, 24 MILE CREEK CANAL CO.

14. Remarks:

PLACE OF USE INCOMPLETE.

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 29-00094. THIS RIGHT BELONGED TO THE WESTSIDE CANAL CO. WHICH IS DEFUNCT, WE HAVE MAINTAIN THE USE OF OUR PORTION OF THIS WATER INITIALLY UTILIZING A DITCH WHICH RAN AROUND AND UNDER THE DAM AND WHEN THE DAM WAS RAISED A SIPHON WAS PUT ON THE DAM FOR OUR DIVERSION. THE WATER WAS BROUGHT INTO THE RESERVOIR BY THE FEEDER CANAL WHICH THE INITIAL CANAL(WESTSIDES) JOINS ALMOST IMMEDIATELY AFTER DIVERTING FROM TOPONCE CREEK, SEE ATTACHED MAP OF INITIAL POINT

14. Remarks: Continued
OF DIVERSION.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MC CAMMON DITCH CO., ET. AL.
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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ 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 _____

MICROFILMED

SCANNED

MAY 18 2014

MAY 4 2001

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: A29-00094B
Date Received: 1/25/1990
Receipt No: M005594
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERMA M.. BANKS
Address: 3229 BANKS RD.
BANCROFT, ID 83217 208-648-7856

2. Date of Priority: MAY 02, 1905

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	38E	33	SW	SE	SE		CARIBOU

5. Description of diverting works:
CARRIED TO PORT. RES. BY FEEDER CANAL, SIPHON ON DAM, 40HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	2.000	1.16	

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

8. Total consumptive use is 1312.5 Acre Feet Per Annum.

9. Non irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	38E	24	NE	NE		IRR	4.0
			SE	NE		IRR	20.0

Section Acres 24.0

A29-00094B

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Date: 01/26/90

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MAY 18 2014

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	39E	19	NE	NW		IRR	5.0
			NW	NW		IRR	5.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	26.0
			SW	SW		IRR	4.0
			SE	SW		IRR	40.0
			NW	SE		IRR	14.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 294.0

30

NE	NE	IRR	40.0
NW	NE	IRR	40.0
SW	NE	IRR	40.0
NE	NW	IRR	40.0
NW	NW	IRR	5.0
SW	NW	IRR	4.5
SE	NW	IRR	37.5

Section Acres 207.0

Total Acres 525.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

A29-10246, -00010, -07391, 24 MILE CREEK CANAL CO.

14. Remarks:

PLACE OF USE INCOMPLETE.

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 29-00094. THIS RIGHT BELONGED TO THE WESTSIDE CANAL CO. WHICH IS DEFUNCT, WE HAVE MAINTAIN THE USE OF OUR PORTION OF THIS WATER INITIALLY UTILIZING A DITCH WHICH RAN AROUND AND UNDER THE DAM AND WHEN THE DAM WAS RAISED A SIPHON WAS PUT ON THE DAM FOR OUR DIVERSION. THE WATER WAS BROUGHT INTO THE RESERVOIR BY THE FEEDER CANAL WHICH THE INITIAL CANAL(WESTSIDES) JOINS ALMOST IMMEDIATELY AFTER DIVERTING FROM TOPONCE CREEK, SEE ATTACHED MAP OF INITIAL POINT

A29-00094B

Page

2

Date: 01/26/90

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NOV 13 1992

SCANNED

MAY 18 2014

14. Remarks: Continued
OF DIVERSION.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MC CAMMON DITCH CO., ET. AL.
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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

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MAY 18 2014