

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: A63-00163
Date Received: 3/21/1990
Receipt No: C015826
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CANYON COUNTY WATER COMPANY, LTD. 208-585-3768
Address: 10081 LILAC PLACE
MIDDLETON, ID 83644

2. Date of Priority: JUN 1, 1866

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	01W	17	NW	SW	SW		ADA

5. Description of diverting works:
DIVERSION IN RIVER, HEADGATE, GRAVITY DITCHES, LATERALS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.600		

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

8. Total consumptive use is 1261.3 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	02W	5	SW	SW		IRR	7.0
			SW	SE		IRR	40.5

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
Section Acres						47.5
7						
		NE	NE		IRR	29.0
		NW	NE		IRR	6.0
		SW	NE		IRR	35.0
		SE	NE		IRR	38.0
		NE	NW		IRR	11.0
		SW	NW		IRR	37.0
		SE	NW		IRR	38.0
		NE	SW		IRR	38.0
		NW	SW		IRR	31.0
		NE	SE		IRR	36.0
		NW	SE		IRR	32.0
Section Acres						331.0
8						
		NE	NE		IRR	40.0
		NW	NE		IRR	40.0
		SW	NE		IRR	32.0
		SE	NE		IRR	38.0
		NE	NW		IRR	35.0
		NW	NW		IRR	10.0
		SW	NW		IRR	25.0
		SE	NW		IRR	35.0
		NE	SW		IRR	4.0
		NW	SW		IRR	15.0
		NE	SE		IRR	38.0
		NW	SE		IRR	36.0
		SW	SE		IRR	22.0
		SE	SE		IRR	21.0
Section Acres						391.0
9						
		SW	NE		IRR	30.0
		SE	NE		IRR	31.0
		NE	NW		IRR	20.0
		NW	NW		IRR	26.0
		SW	NW		IRR	35.0
		SE	NW		IRR	32.0
		NE	SW		IRR	40.0
		NW	SW		IRR	30.0
		SW	SW		IRR	36.0
		SE	SW		IRR	40.0
		NE	SE		IRR	35.0
		NW	SE		IRR	37.0
		SW	SE		IRR	38.0
		SE	SE		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
Section Acres						463.0
10						
		SW	NW		IRR	25.0
		SE	NW		IRR	19.0
		NE	SW		IRR	30.0
		NW	SW		IRR	34.0
		SW	SW		IRR	32.0
		SE	SW		IRR	32.0
		NE	SE		IRR	14.0
		NW	SE		IRR	25.0
		SW	SE		IRR	35.0
		SE	SE		IRR	38.0
Section Acres						284.0
11						
		SE	NE		IRR	3.0
		SE	NW		IRR	4.0
		NW	SW		IRR	15.0
		SW	SW		IRR	36.0
		SE	SW		IRR	38.0
		NW	SE		IRR	14.0
		SW	SE		IRR	31.0
		SE	SE		IRR	40.0
Section Acres						181.0
12						
		NW	SW		IRR	2.0
		SW	SW		IRR	40.0
		SE	SW		IRR	36.0
Section Acres						78.0
13						
		NE	NE		IRR	40.0
		NW	NE		IRR	40.0
		SW	NE		IRR	40.0
		SE	NE		IRR	39.0
		NE	NW		IRR	38.0
		NW	NW		IRR	40.0
		SW	NW		IRR	36.0
		SE	NW		IRR	35.0
		NE	SW		IRR	25.0
		NW	SW		IRR	30.0
		NE	SE		IRR	28.0
		NW	SE		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	419.0
		14	NE	NE	IRR	36.0
			NW	NE	IRR	37.0
			SW	NE	IRR	30.0
			SE	NE	IRR	24.0
			NE	NW	IRR	36.0
			NW	NW	IRR	40.0
			SW	NW	IRR	37.0
			SE	NW	IRR	36.0
			NE	SW	IRR	10.0
			NW	SW	IRR	10.0
			SE	SW	IRR	6.0
			NE	SE	IRR	7.0
			NW	SE	IRR	10.0
					Section Acres	319.0
		15	NE	NE	IRR	38.0
			NW	NE	IRR	40.0
			SW	NE	IRR	17.0
			SE	NE	IRR	36.0
			NE	NW	IRR	39.0
			NW	NW	IRR	37.0
			SW	NW	IRR	33.0
			SE	NW	IRR	18.0
			NW	SW	IRR	5.0
			SE	SW	IRR	28.0
			SW	SE	IRR	24.0
			SE	SE	IRR	35.0
					Section Acres	350.0
		16	NE	NE	IRR	35.0
			NW	NE	IRR	38.0
			SW	NE	IRR	19.0
			SE	NE	IRR	33.0
			NE	NW	IRR	38.0
			NW	NW	IRR	25.0
			SE	NW	IRR	8.0
					Section Acres	196.0
		17	NE	NE	IRR	9.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	9.0
	03W	1	SW	SW	IRR	35.0
			SE	SW	IRR	15.0
					Section Acres	50.0
		2	NE	SE	IRR	15.0
			SW	SE	IRR	9.0
			SE	SE	IRR	38.0
					Section Acres	62.0
		10	NW	NE	IRR	20.0
			SW	NE	IRR	25.0
			SE	NE	IRR	36.0
			SE	NW	IRR	28.0
			NE	SW	IRR	7.0
			NW	SW	IRR	8.0
			NE	SE	IRR	8.0
			NW	SE	IRR	9.0
					Section Acres	141.0
		11	NE	NE	IRR	36.0
			NW	NE	IRR	35.0
			SW	NE	IRR	38.0
			SE	NE	IRR	37.0
			SW	NW	IRR	14.0
			SE	NW	IRR	36.0
			NE	SW	IRR	34.0
			NW	SW	IRR	36.0
			SW	SW	IRR	15.0
			SE	SW	IRR	4.0
			NE	SE	IRR	10.0
			NW	SE	IRR	8.0
					Section Acres	303.0
		12	NE	NE	IRR	37.0
			NW	NE	IRR	36.0
			SW	NE	IRR	34.0
			SE	NE	IRR	35.0
			NE	NW	IRR	35.0
			NW	NW	IRR	35.0
			SW	NW	IRR	36.0
			SE	NW	IRR	34.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	12	NE	SW		IRR	27.0
			NW	SW		IRR	30.0
			NE	SE		IRR	34.0
			NW	SE		IRR	18.0

Section Acres 391.0

Total Acres 4015.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used: ^(B)
A63-21761, PORTION 63-0179, A63-21762

14. Remarks:
CHANGED FR.DECREED P/D TO CYN.CO'S P/D BY TFR.#59,3/18/1921.LANDS
FOR P/U ARE LANDS OWNED BY VARIOUS OWNERS SERVICED BY COMPANY.

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
_____, 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 _____

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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 A63-00163Date Received 3/21/1990Receipt Number CØ 15826

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CANYON COUNTY WATER COMPANY, LTD. Phone (208) 585-3768Mailing Address 10081 LILAC PLACE, MIDDLETON, ID Zip 836442. Date of Priority (Only one (1) per claim) 06/01/18663. 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 01W Section 17,
Nw 1/4 of Sw 1/4 of Sw 1/4, Govt. Lot, _____ B.M., County of Ada

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, HEADGATE,GRAVITY DITCHES, LATERALS.

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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.

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 3/15 to 11/15 amount 2.60 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.60 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1261.3 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER 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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			SEE ACCOMPANYING LAND LIST																4016

Total number of acres irrigated 4016

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.

A63-21761, PORTION 63-0179, A63-21762 or None ()

14. Remarks:

CHANGED FROM DECREED P/D TO CANYON COUNTY'S P/D NEAR STAR BRIDGE
BY TRANSFER #59, 3/18/1921 AND HAS SINCE BEEN USED CO-MINGLED WITH
COMPANY'S OTHER RIGHTS. THE LANDS FOR THE PLACE OF USE ARE THE LANDS
OWNED BY VARIOUS OWNERS AND ARE THOSE SERVICED BY THE COMPANY DITCHES.

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Last Name CANYON COUNTY WTR CO., LTD Ident No. A63-00163

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.

104 Total number of acres irrigated

APR 3 - 51 APR 3 - 51 APR 3 - 51

Owned by Various Owners And Are These Services By The Company Dishes
Company's Other Rights. The Land For The Part Of The Land
By Transfer #51 3/8/1951 And Has Since Been Used Co-Mineral With
Changed From Decree 1/10 To Canyon County's 1/10 Near Star Bridge

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 63-0163
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 19

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of Canyon County Water Co. Ltd., that I have signed the foregoing

Organization

document in the space below as Secretary-Treasurer of Canyon County Water Co. Ltd.

Title

Organization

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

Signature of Authorized Agent Sherrill M. Gould

Title and Organization Secretary-Treasurer Canyon County Water Co. Ltd. Date 3-19-90

State of Idaho/or _____)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 19th day of MARCH 19 90

SEAL

Notary Public James C. Fisher

Residing at Boise, ID

My Commission Expires 11/00/1994

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 _____

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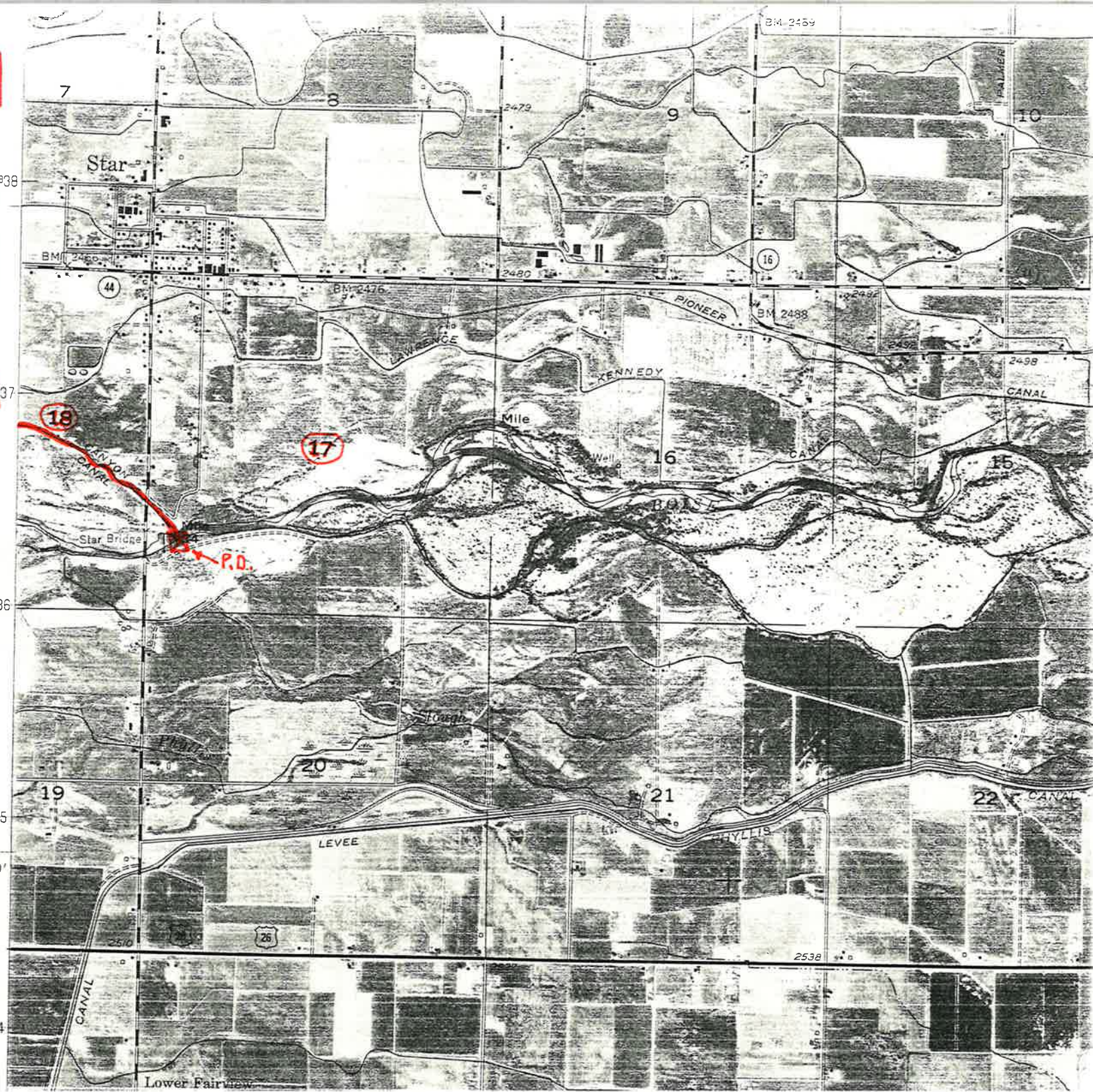
JUL 22 1994

Last Name CYN. CO. WTR. CO. LTD Ident. Number 63-00163

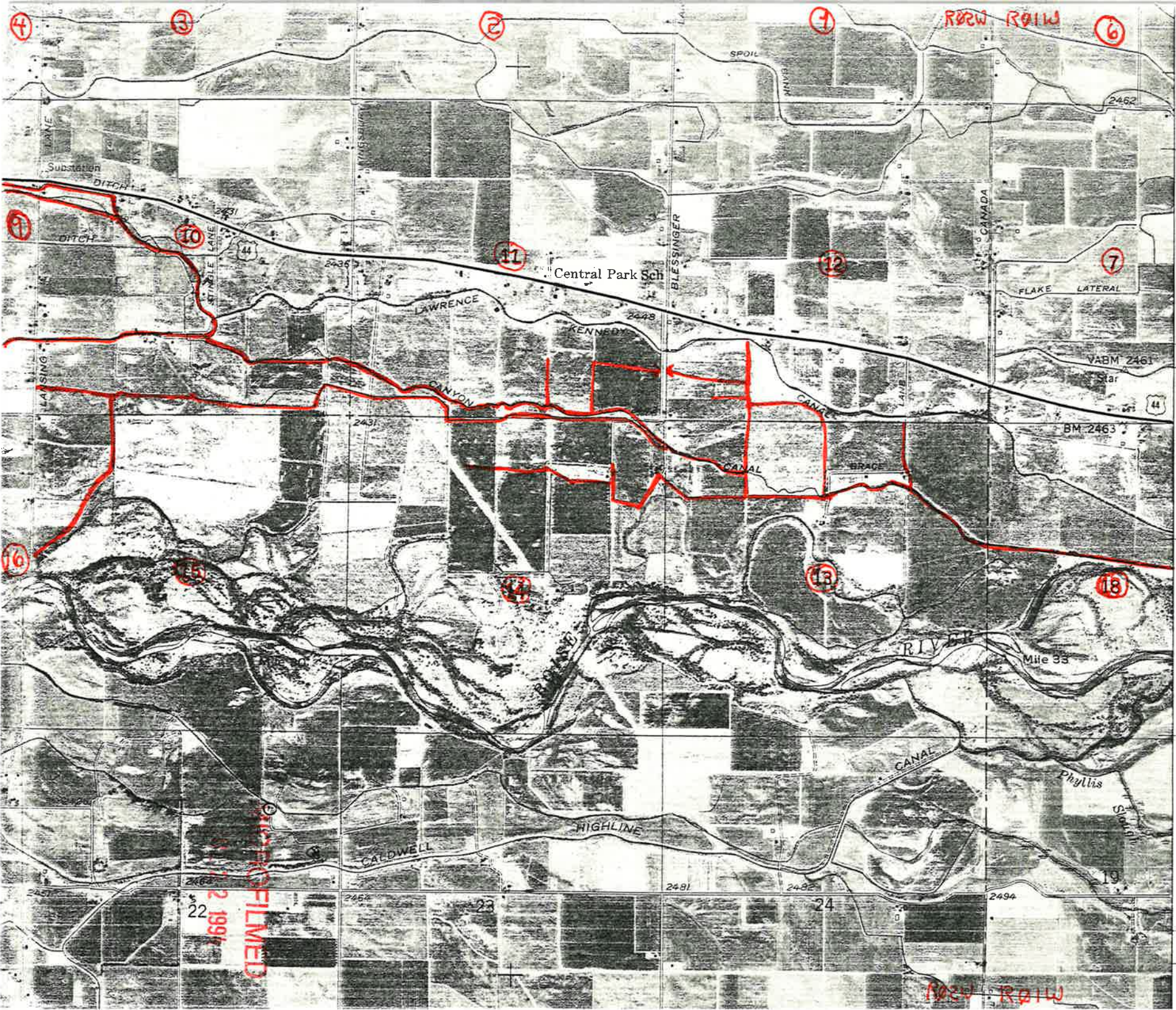
Copies White-State, Yellow-Claimant

POOR ORIGINAL

GENERAL SYSTEM
CYN. COUNTY
WTR. CO. LTD
P.D.
NW SW SW
SEC 17
T04N, R01W



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JUL 22 1994



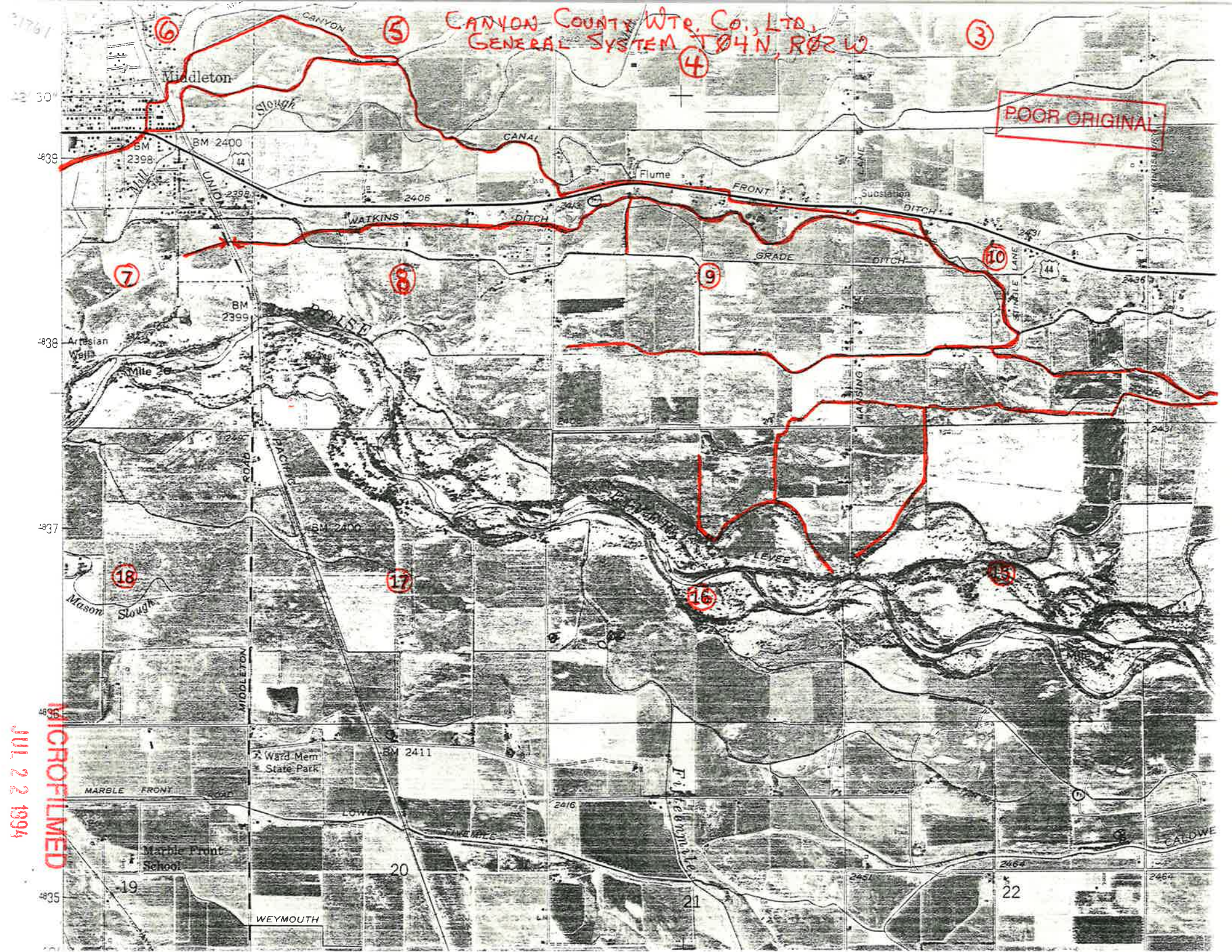
CANYON COUNTY
WTR. CO., LTD.
GENERAL SYSTEM
T04N
R01 & 02W

POOR ORIGINAL

REPROFILMED
5/17/2 1991

CANYON COUNTY WTR. CO., LTD.
GENERAL SYSTEM TOWN, R02 W

POOR ORIGINAL



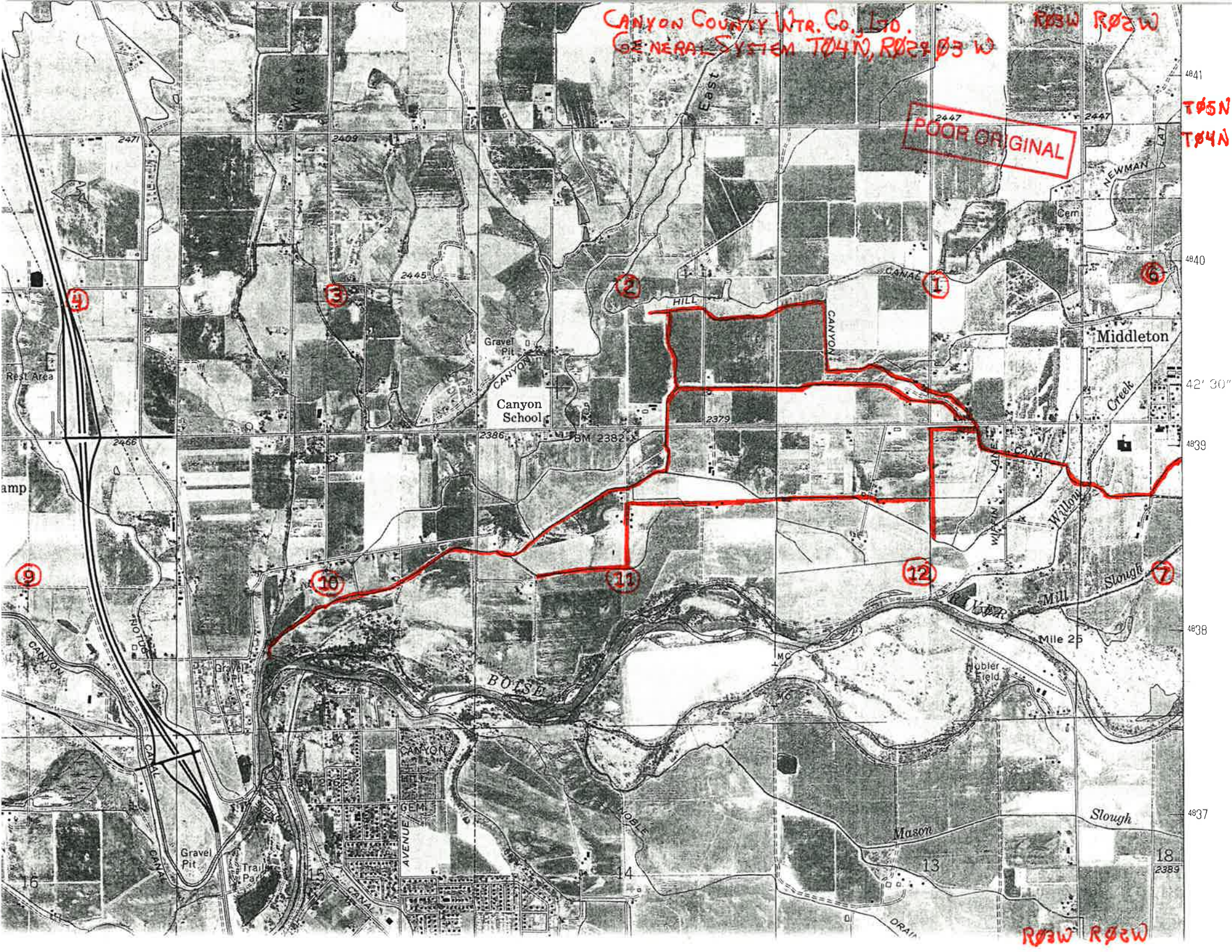
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JUL 22 1994

CANYON COUNTY WTR. CO., LTD.
GENERAL SYSTEM T04N, R02E, S03 W

R03W R02W

2447
POOR ORIGINAL

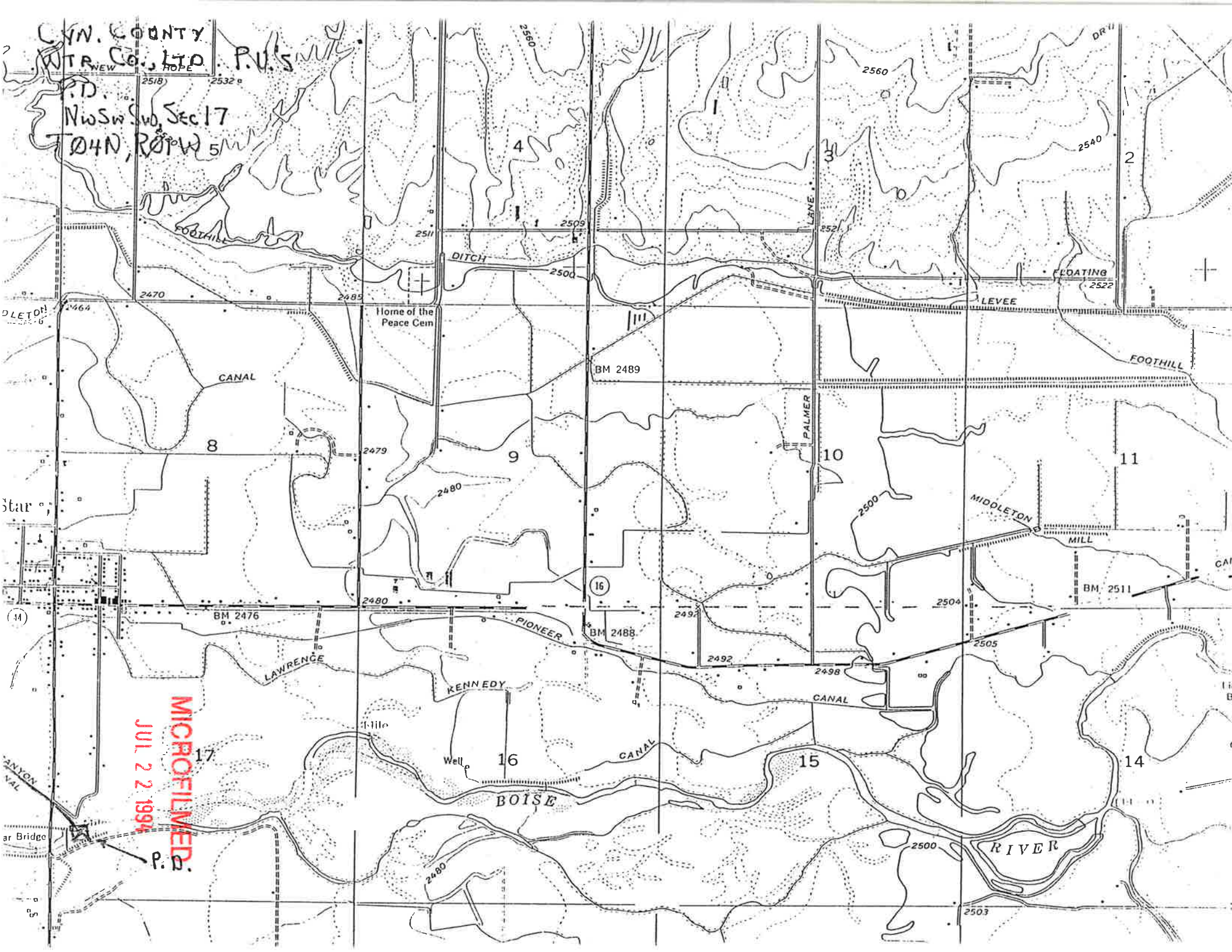
T05N
T04N



R03W R02W

CANYON CO. WATER CO. LTD. SHERRILL GOULD 585-3768

Town- ship	Ran- ge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
04N	02W	05											7.0				40.5		47.5
04N	02W	07	29.0	6.0	35.0	38.0	11.0		37.0	38.0	38.0	31.0			36.0	32.0			331.0
04N	02W	08	40.0	40.0	32.0	38.0	35.0	10.0	25.0	35.0	4.0	15.0			38.0	36.0	22.0	21.0	391.0
04N	02W	09			30.0	31.0	20.0	26.0	35.0	32.0	40.0	30.0	36.0	40.0	35.0	37.0	38.0	33.0	463.0
04N	02W	10							25.0	19.0	30.0	34.0	32.0	32.0	14.0	25.0	35.0	38.0	284.0
04N	02W	11				3.0				4.0		15.0	36.0	38.0		14.0	31.0	40.0	181.0
04N	02W	12										2.0	40.0	36.0					78.0
04N	02W	13	40.0	40.0	40.0	39.0	38.0	40.0	36.0	35.0	25.0	30.0			28.0	28.0			419.0
04N	02W	14	36.0	37.0	30.0	24.0	36.0	40.0	37.0	36.0	10.0	10.0		6.0	7.0	10.0			319.0
04N	02W	15	38.0	40.0	17.0	36.0	31.0	37.0	33.0	18.0		5.0		28.0			24.0	35.0	350.0
04N	02W	16	35.0	38.0	19.0	33.0	38.0	25.0		8.0									196.0
04N	02W	17	9.0																9.0
04N	03W	01											35.0	15.0					50.0
04N	03W	02													15.0		9.0	38.0	62.0
04N	03W	10		20.0	25.0	36.0				28.0	7.0	8.0			8.0	9.0			141.0
04N	03W	11	36.0	35.0	38.0	37.0			14.0	36.0	34.0	36.0	15.0	4.0	10.0	8.0			303.0
04N	03W	12	37.0	36.0	34.0	35.0	35.0	35.0	36.0	34.0	27.0	30.0			34.0	18.0			391.0
TOTALS			300.0	292.0	300.0	350.0	252.0	213.0	278.0	323.0	215.0	246.0	201.0	199.0	225.0	217.0	199.5	205.0	4016.0



CANYON COUNTY
IDAHO, P.U.S.
N.W. 1/4, Sec 17
T4N, R1W, S5W

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JUL 22 1994
P.D.

CYN. COUNTY
WTR. CO. LTD P.U.'S
T04N, R01402W

④
Slough

③

②

①

⑥

4840

42'30"

4839

PONT

SW 1/4 Sec 10A
SE 1/4 Sec 31A
SW 1/4 Sec 25A
SE 1/4 Sec 19A

⑨

SW 1/4 Sec 31A
NE 1/4 Sec 35A
NW 1/4 Sec 34A
NE 1/4 Sec 30A

⑩

SW 1/4 Sec 38A
SE 1/4 Sec 32A
SW 1/4 Sec 32A
SE 1/4 Sec 32A

SW 1/4 Sec 38A
NE 1/4 Sec 35A
NW 1/4 Sec 37A
NE 1/4 Sec 39A

SW 1/4 Sec 19A
SE 1/4 Sec 33A
SW 1/4 Sec 33A
SE 1/4 Sec 18A

⑬

SW 1/4 Sec 34A
NE 1/4 Sec 34A
SW 1/4 Sec 37A
SE 1/4 Sec 17A

⑮

SW 1/4 Sec 28A
SW 1/4 Sec 24A
SE 1/4 Sec 35A

SW 1/4 Sec 28A
SW 1/4 Sec 24A
SE 1/4 Sec 35A

SW 1/4 Sec 28A
SW 1/4 Sec 24A
SE 1/4 Sec 35A

VABM 2581
Lanktree
Gravel Pit

LATERAL
MIDDLETON
LANE

FOOTHILL

CANAL

SPOIL
BANK

FOOTHILL
DITCH

MC HENRY
LATERAL

FLAKE
LATERAL

VABM 2461
Star

BM 2463

Central Park Sch

LAWRENCE

KENNEDY

CANYON

CANAL

LANE

RIVER

R02W. R01W

STAR 05 MI
2.1 MI. TO IDAHO 16

(STAR)
2771 III NW

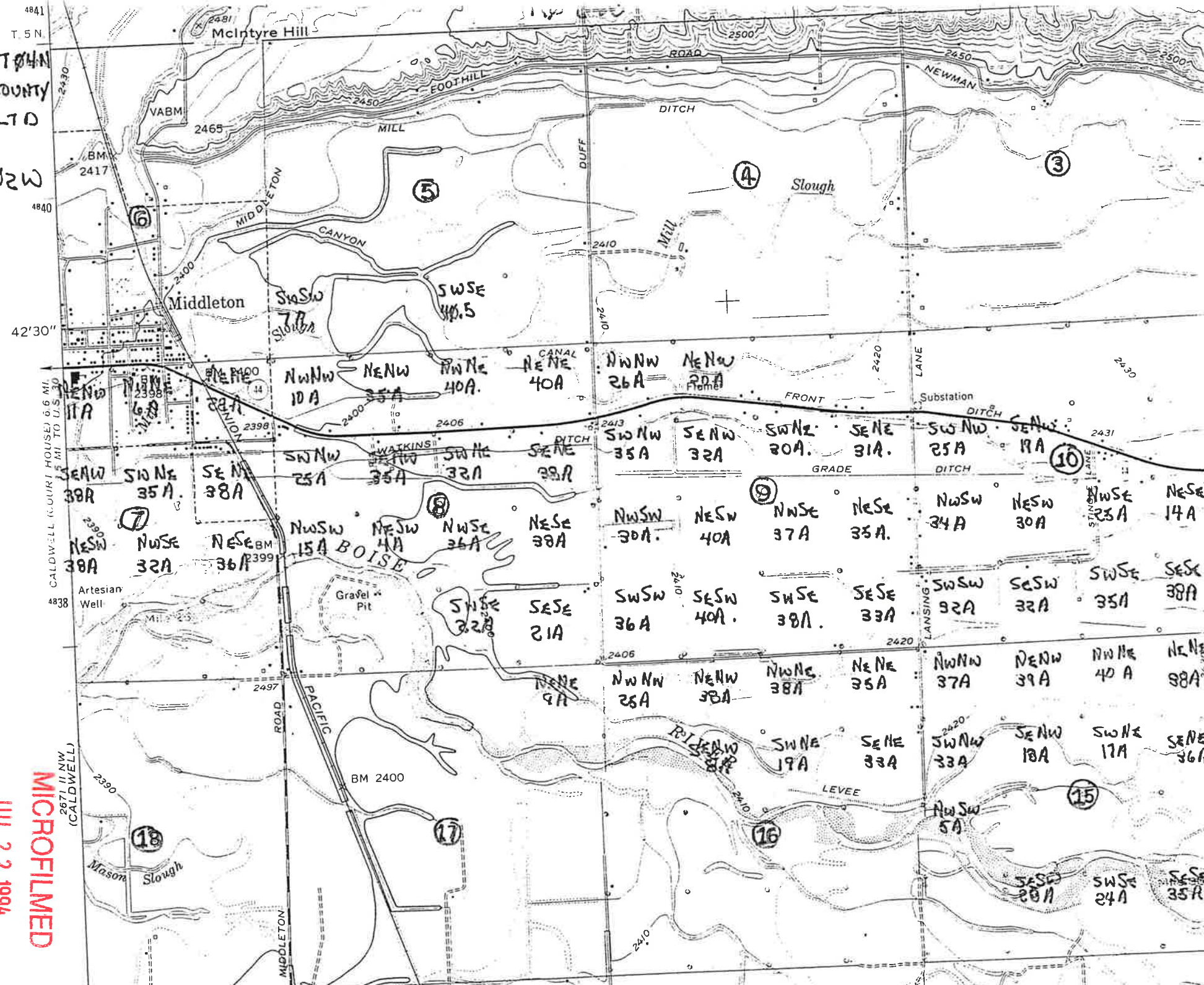
4836

NOT FILMED
JUL 22 1994

T04N
CANYON COUNTY
WTR. CO., LTD
P.O.'S
T04N, R02W

JUL 22 1994

MICROFILMED



That the defendants JOSEPH PERRAULT and RICHARD Z. JOHNSON be, and they are hereby awarded the use of the waters of Boise River, diverted from a point on the north bank of said river about four miles above Boise City, through what is known as the Walling, or Boise Valley Water Ditch, for use upon the town lots and lands lying under said ditch for irrigating and domestic purposes, in the following amount and from the following date;

63. 0161 3500 inches, from May 1, 1866; and hereby designated as Right No 30.

T 654
694
701
702
712
713
720
737
739
753
754
783
849

873
890
906
917
918
940
976
977
979
980
989

990
991
1010
1011
1012
1017
1035
1038
1071

And that said defendants be awarded, for power purposes only, the use of said waters in the following amount from the following date, and it is hereby ordered that the quantity of water so awarded for power purposes shall be used for such purposes only, and after such use shall be returned to Boise River;

63. 0162 10000 inches, from July 1, 1877; and hereby designated as Right No 66. And be adjudged to pay \$378.00 costs in addition to the costs incurred by them.

XXXX. XXXX.

That the defendant VILLIAM P. KENNEDY be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in the SE 1/4 of Sec. 17, T. 4 N. R. 1 W. B.M., for use upon the E. 1/2 of NE 1/4 and lot 1 of Sec. 13, and SE 1/4 of SE 1/4 of Sec. 13, T. 4 N. R. 2 W. B.M., in the following amount and from the following date;

63. 0163 130 inches, from June 1, 1866; and hereby designated as Right No 31. And be adjudged to pay \$0.10 costs in addition to the costs incurred by him.

XXXX. XXXX.

That the defendants FRANK L. LEONARD, EDNA E. LEONARD, J. S. D. MARVIN and ESTATE OF ALBERT STEPHEN, be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river in Sec. 15, T. 3 N. R. 2 W. B.M., at a point a short distance east of the NW corner of said section; also at a point on Sec. 9, a short distance west of said section corner, and also a short distance below on said Section 9, all in T. 3 N. R. 2 W. B.M., for use upon an irregular shaped tract of land in Lot G, and E. 1/2 of SE 1/4 of Sec. 9, T. 3 N. R. 2 W. B.M., and an irregular tract in the N. 1/2 and the SE 1/4 of Sec. 9, T. 3 N. R. 1 E. B.M., in the following amount and from the following date;

63. 0164 175 inches, from June 1, 1866. and hereby designated as Right No 39.

T-1879 relinquished
1906
1855

And be adjudged to pay \$12.25 costs in addition to the costs incurred by them.

MICROFILMED

JUL 22 1994

STATE OF IDAHO,

County of

Canyon

} ss.

Daniel W. Kennedy being first duly sworn, upon his oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:

East 1/2 of the NE 1/4 and the NE 1/4 of SE 1/4 of Sec. 13, T. 4 N., R. 2 W., B. 1 M.

as evidenced by the decree dated Eighteenth (18th) day of January, 1906 in the cause entitled Hammers Corporation, Utah Company, Plaintiff, vs. Riverside Irrigation District, Ltd. et al, Defendant, brought in the district court of the 7th Judicial District of the State of Idaho, or

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No.

That he intends to change the point of diversion, as described in said decree or permit, to the following point:

Canyon County Water Company's Heading at North end of Star bridge across the Boise River in SW 1/4 of SE 1/4 of SEC 17, T. 4 N., R. 1 W. at point 25 rods East of the NW corner of the SW 1/4 of the SW 1/4 of SEC 17 in Ada County.

That such change will be made for the following reasons, to-wit: The present or old point of diversion from the Boise River is expensive, unsatisfactory and inconvenient. A large portion of the water is furthermore lost by seepage in its long passage through the sloughs. The amount of decreed water which deponent wishes to take through the new or proposed point of diversion, as stated above, is 130 inches.

That no one will be injured by such change and that deponent will make such change at his own risk. And further deponent saith not.

Subscribed and sworn to before me this

18th day of March - 1924

My commission expires

May 25 - 1924

Daniel W. Kennedy

H. G. Pariser

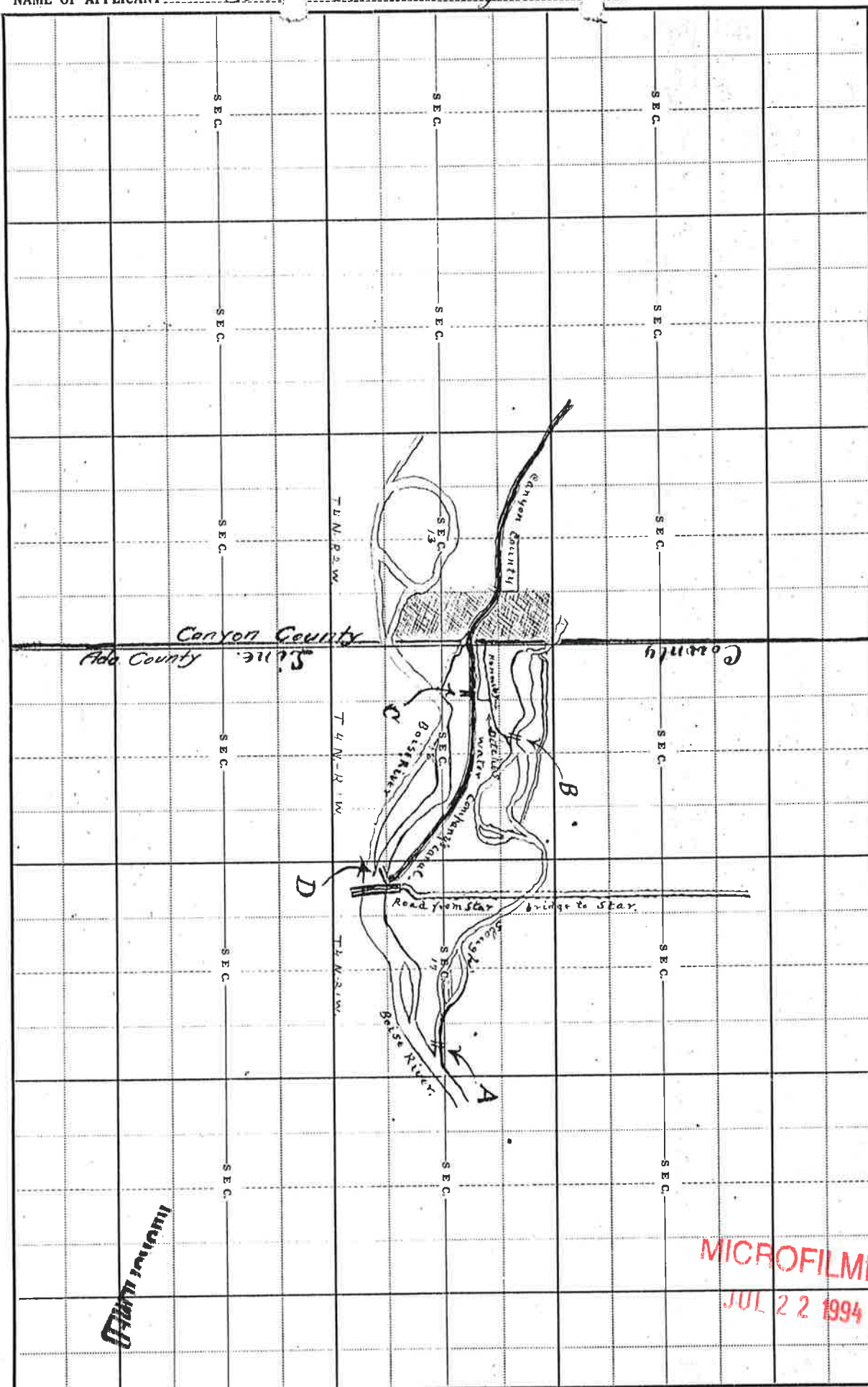
Notary Public.

State of Idaho
Residing at Middleton, Idaho

MICROFILMED

JUL 22 1994

63-0163



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

A - Kennedy's present point of diversion at Boise River
B - " " " " from slough.
C - Kennedy's proposed point of diversion from the
D - Kennedy's proposed point of diversion at Boise River, c/o Col. H. A. ...

UNCONTESTED OVERLAP
RECEIVED TO OBJECTION

MAY 26 2008
DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 03:07
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	ORDER SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
		SUBCASE NOS: 63-00163	63-00179B
		63-21761	63-21762 63-32523

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

FRIDAY, JUNE 20, 2008 at 11:30 AM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 16, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

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

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008,
with sufficient first-class postage to the following:

CANYON COUNTY WATER CO
CANYON COUNTY WATER COMPANY

Represented by:
S. BRYCE FARRIS
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

PIONEER IRRIGATION DISTRICT
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

CANYON COUNTY WATER CO LTD
C/O BETHA FOSTER
PO BOX 11
STAR, ID 83669
Phone: 208-455-1735

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

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 03:07
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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IT IS SO ORDERED.

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

Page 1 5/22/08

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH

Special Master

Snake River Basin Adjudication

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PO BOX 83720
BOISE, ID 83720-0098

08/17/2006

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

RIGHT NUMBER: 63-163

NAME AND ADDRESS: CANYON COUNTY WATER CO LTD
C/O BETHA FOSTER
PO BOX 11
STAR ID 83669

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.600 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 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: 06/01/1866

POINT OF DIVERSION:
T04N R01W S17 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.600 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 Reservoirs 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:

~~3982.6~~ 3986.2
3839 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. 63-179B, & 63-21761 can be used to irrigate up to 3839 acres within the boundary of the Canyon County Water Company, LTD.

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. 31 in the Stewart Decree and the Boise Water distribution Report.

10/26/2006

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

RIGHT NUMBER: 63-163
NAME AND ADDRESS: CANYON COUNTY WATER CO LTD
C/O BETHA FOSTER
PO BOX 11
STAR ID 83669

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 2.600 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 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: 06/01/1866

POINT OF DIVERSION:

T04N R01W S17 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.600 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 Reservoirs 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:

3986 ACRES TOTAL

10/26/2006

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

This right when combined with Right Nos. 63-179B, & 63-21761 can be used to irrigate up to 3839 acres within the boundary of the Canyon County Water Company, LTD.

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

This right is designated as No. 31 in the Stewart Decree and the Boise Water distribution Report.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72109

This is to certify that: CANYON COUNTY WATER CO LTD
PO BOX 11
STAR ID 83669
(208)455-1735

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-21761	AJC/Decreed	06/01/1867	76.77 cfs	N/A	N/A	4,015.5	BOISE RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-21761	NO	NO	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-21761	63-21761	76.77cfs	N/A	N/A	3,986.2		N/A	N/A	N/A	N/A
COMBINED TOTALS		76.77cfs	N/A	N/A	3986.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of September, 2005



Chief, Water Allocation Bureau

SCANNED
SEP 15 2005

WATER RIGHT NO. 63-21761
As Modified by Transfer No. 72109

In accordance with the approval of Transfer No. 72109, Water Right No. 63-21761 is now described as follows.

Right Holder: CANYON COUNTY WATER CO LTD
 PO BOX 11
 STAR ID 83669

Priority Date: June 01, 1867

Source: BOISE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	76.18 CFS	
GROUND WATER RECHARGE	03/15 to	11/15	0.59 CFS	87.9 AF
			76.77 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER NWSWSW Sec. 17 Twp 04N Rge 01W ADA County

PLACE OF USE: IRRIGATION, see conditions

PLACE OF USE: GROUND WATER RECHARGE

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 02W 13			X					X		X					X		L 2
								X		L 3							

CONDITIONS OF APPROVAL

1. Total acres authorized for irrigation under this right are reduced by 29.3 acres per approval of Transfer 72109 to a total of 3986.2 acres based on the acres claimed under this right in the Snake River Basin Adjudication. Approval of this transfer does not preclude the opportunity for review of the total acres authorized under this right in the ongoing Snake River Basin Adjudication.
2. Transfer 72109 authorizes the diversion of water for ground water recharge in the amount of 50.4 af to be used for replacement of losses caused by evaporation from the 16.8 acre total surface area of three (3) aesthetic ponds and the diversion of an additional 37.5 af of water for groundwater recharge to mitigate for the diversion and use of 37.5 af of water for supplemental irrigation on 75 acres authorized for irrigation use under Right 63-32142.
3. At the point where water is diverted from the Canyon County Water Company lateral into the pond for groundwater recharge purposes, the right holder shall install and maintain a measuring and recording device that records the total volume of water diverted into the pond annually. The right holder shall make the device and /or records available to the Department for inspection at any time.
4. Whenever requested by the Department, the right holder shall report the total volume of water diverted into the pond for ground water recharge purposes during the year.

SCANNED
 SEP 15 2006

WATER RIGHT NO. 63-21761
As Modified by Transfer No. 72109

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The period of use for the irrigation and ground water recharge described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 12th day of September, 2005



Chief, Water Allocation Bureau

SCANNED
SEP 15 2005

08/17/2006

**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: September 29, 2006

Water Right Number: 63-163

CANYON COUNTY WATER COMPANY LTD
c/o Betha Foster
P.O. Box 11
Star, Idaho 83669
Telephone Number: (208)455-1735

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The place of use and total acres authorized by this water right should be 4018.5 acres total. The amount for irrigation has been reduced by 29.3 acres per Transfer 72109 to a total of 3986.2 acres.

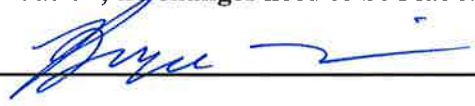
2. Describe the changes you wish to make in the proposed recommendation:

See above.

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: September 29, 2006

SIGNATURE: 

Please print your name: S. Bryce Farris

IDWR Regional Office, 322 E. Front St
P.O. Box 83720, Boise, Idaho 83720-0098, 2082874800

SCANNED
OCT 11 2006

RECEIVED
SEP 29 2006
DEPARTMENT OF
WATER RESOURCES

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
Jon C. Gould
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson

William F. Ringert, of Counsel
Allyn L. Sweeney of Counsel
Samuel Kaufman (1921-1986)

September 29, 2006

BY HAND DELIVERY

Mr. David R. Tuthill, Jr., P.E.
Division Administration
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702

Re: Canyon County Water Company

Dear Mr. Tuthill:

Enclosed please find Canyon County Water Company's Notice of Error/Reply's (Notice) to the Idaho Department of Water Resources' (IDWR) Preliminary Recommendations for water right nos. 63-163, 63-21761, and 63-179B. A copy of each Notice to be conformed is enclosed, along with a pre-paid self addressed envelope.

Please contact me if you have any questions or comments regarding this matter.

Yours very truly,



S. Bryce Farris

SBF:kw
enclosures

cc: client

SCANNED
OCT 05 2006



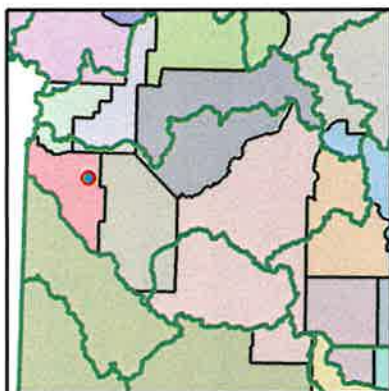
Idaho Department of Water Resources

T4N, R2W
T4N, R3W

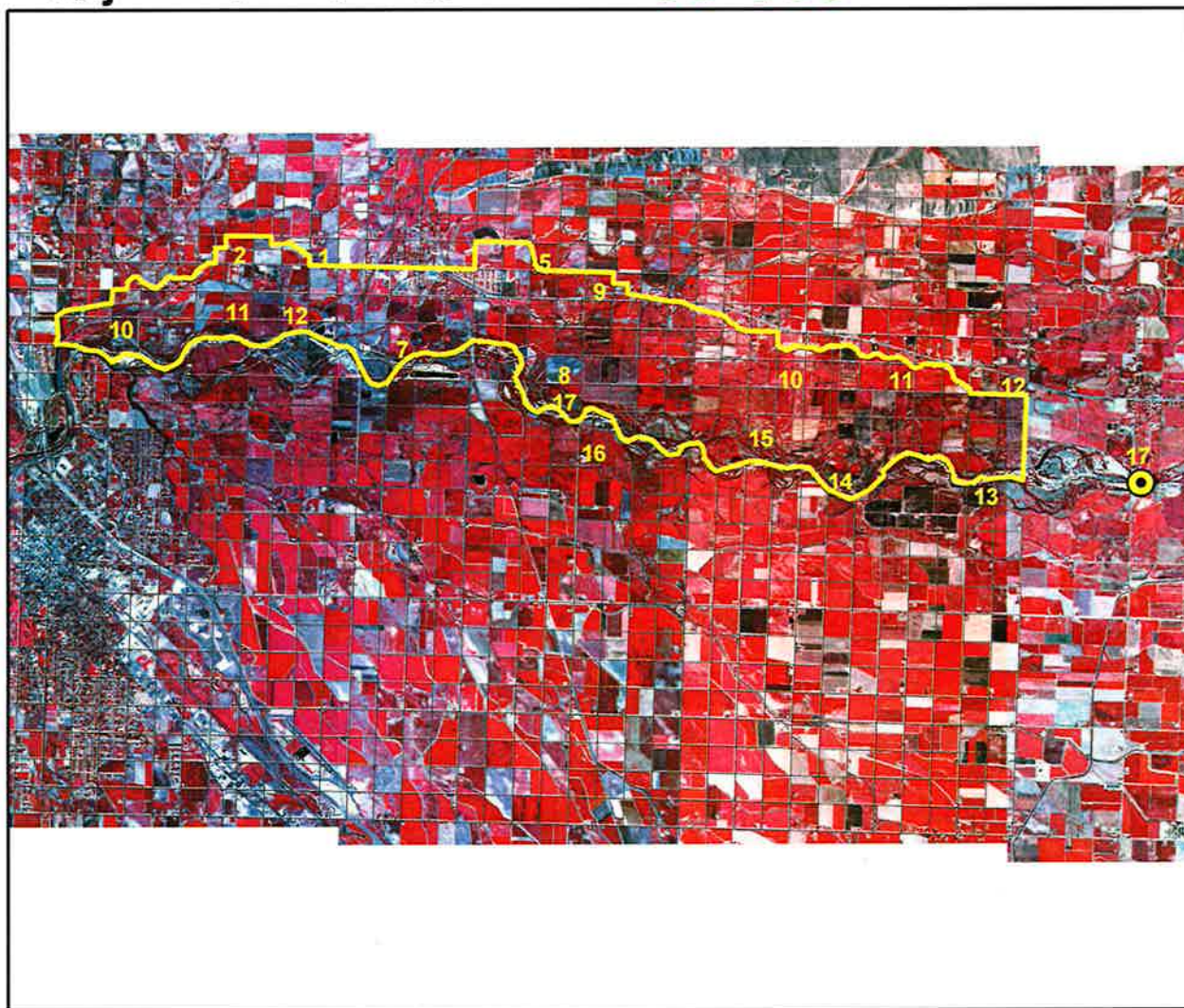
Adjudication Claim Number: **63-163**

Legend

- POD Recommended
- Canyon county water.shp
- GCDB04N03W GCDB
- GCDB04N02W GCDB



Ada County
IDWR Basin 63

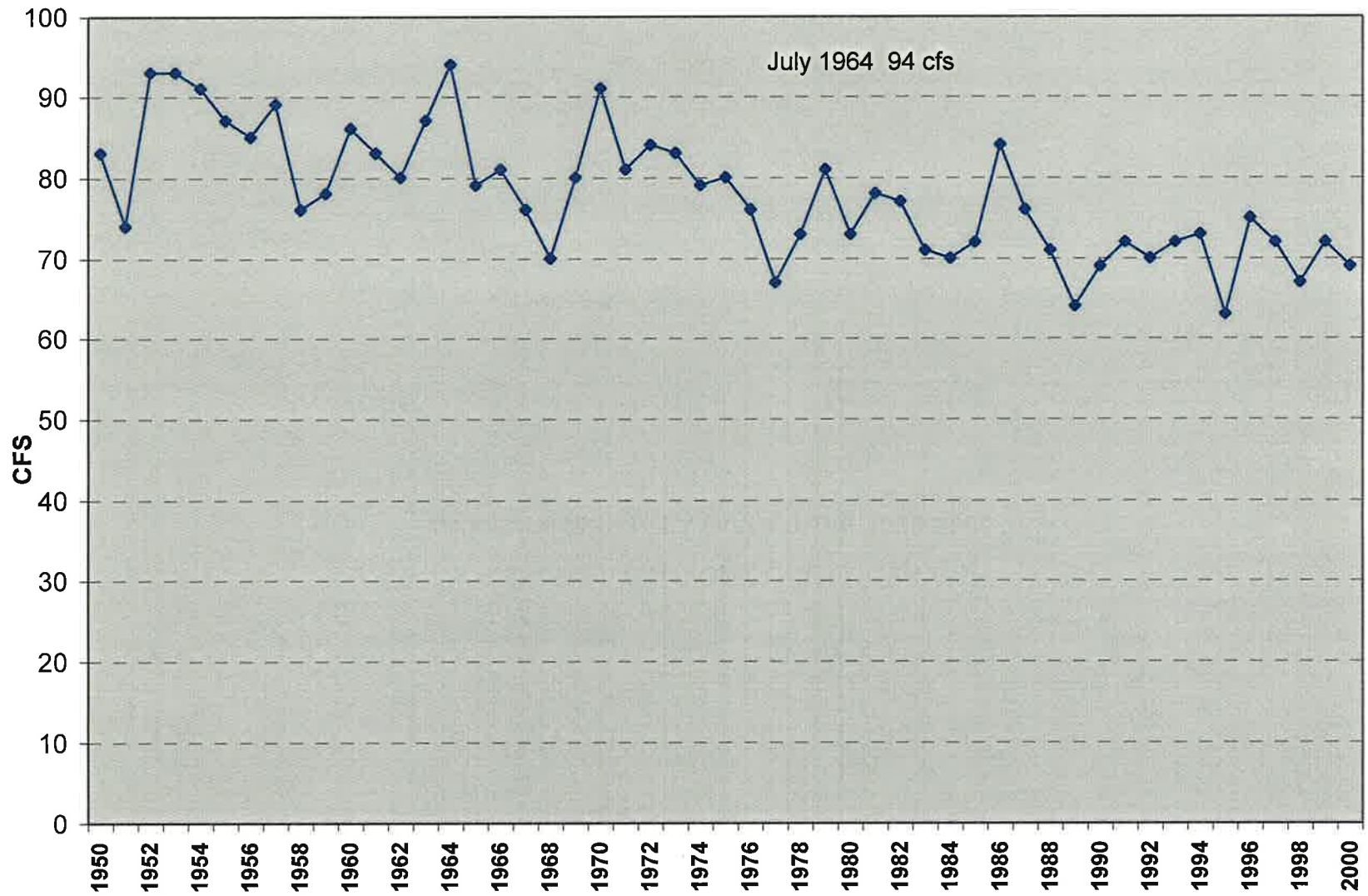


0 4 8 Miles

Prepared by A. Warntjes
On Tuesday, January 24, 2006
2003 Aerial Photography

MAXIMUM MONTHLY DIVERSION 1950-2000

13209990 CANYON COUNTY CANAL





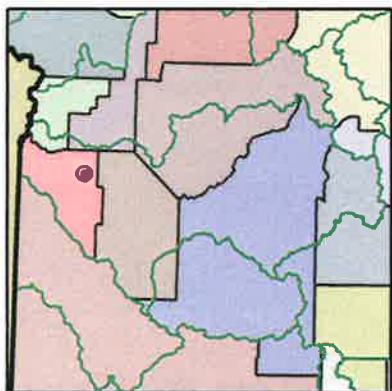
Canyon County Water Co Ltd

SRBA Recommendations: 63-163, 63-179B, 63-21761

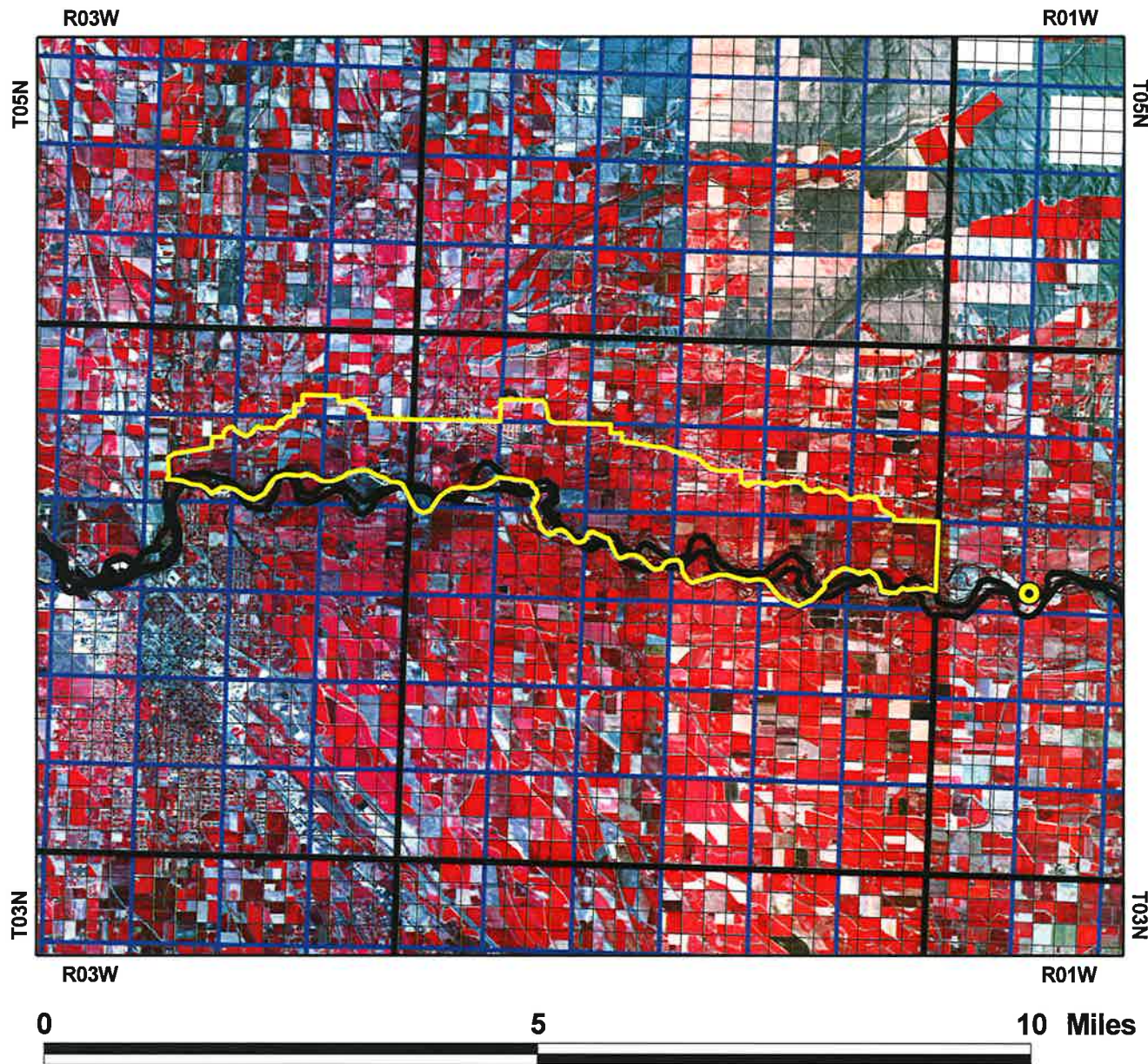
Service Area Boundary
GIS Place of Use Illustration

Legend

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



Canyon County
IDWR Basin 63



Prepared by A. Warntjes
On Tuesday, September 5, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

Canyon County Water Company Ltd

Legend

-  Service Area
-  PLSS Sections



Ada County
IDWR Basin Ca



0 4 8 Miles

A horizontal scale bar with markings at 0, 4, and 8 miles.

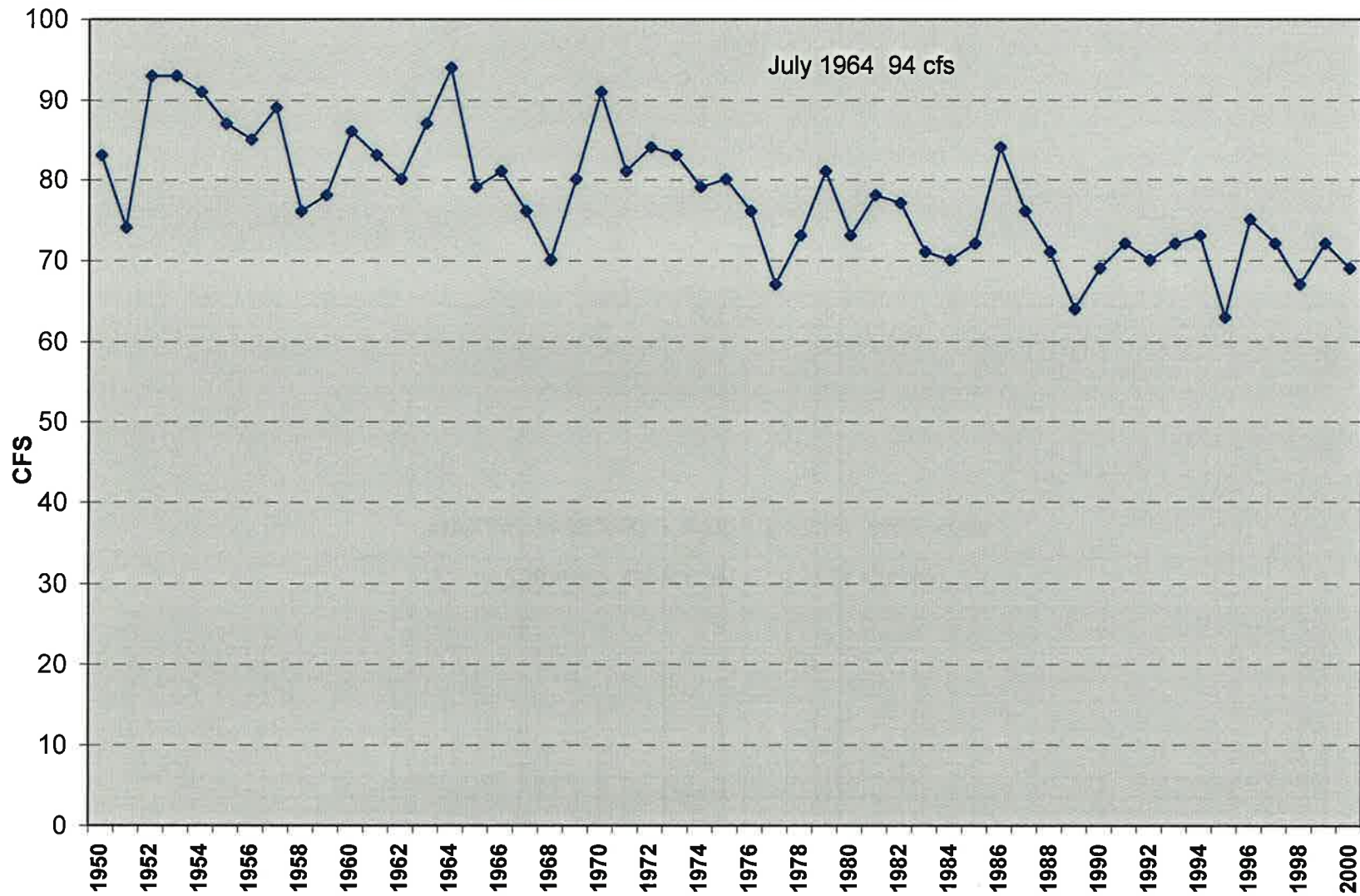
Prepared by D. Narsavage
On Tuesday, July 12, 2005
1987/88 Aerial Photography

Canyon County Water Company Ltd Basin 63 Water Rights

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(ac)	Source	Water Use(s)	Owner(s)	Source Table
63	163		Decreed	1866-06-01	2.6		BOISE RIVER	IRRIGATION	CANYON COUNTY WATER CO LTD (Current); KISER, JERRY A (A	wrAdjudicationClaim
63	168	B	Decreed	1867-06-01	0.38		BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current); BORTLE, J (O	wrAdjudicationClaim
63	179	B	Decreed	1869-06-01	1		BOISE RIVER	IRRIGATION	CANYON COUNTY WATER CO LTD (Current); KISER, JERRY A (A	wrAdjudicationClaim
63	3618	C	Permit	1/1/1955		6000	BOISE RIVER	IRRIGATION FROM ST	CANYON COUNTY WATER CO LTD (Current); KISER, JERRY A (A	wrAdjudicationClaim
63	21761		Decreed	1867-06-01	76.77		BOISE RIVER	IRRIGATION	CANYON COUNTY WATER CO LTD (Current); KISER, JERRY A (A	wrAdjudicationClaim
63	21762		Beneficial Us	9/10/1921	19.02		WASTE WATER	IRRIGATION	CANYON COUNTY WATER CO LTD (Current); KISER, JERRY A (A	wrAdjudicationClaim
63	168	B	Decreed	1867-06-01	0.38		BOISE RIVER	IRRIGATION	MIDDLETON IRRIGATION ASSOCIATION (Current); BORTLE, J (O	wrAdjudicationRecom
63	168	A	Decreed	1867-06-01	0.2		BOISE RIVER	IRRIGATION	CLIFTON, CORA M (Current); CANYON COUNTY WATER CO LTD	wrWaterRight
63	168	B	Decreed	1867-06-01	0.38		BOISE RIVER	IRRIGATION	BORTLE, J (Current); DRAPER, W E (Current); SPURGEON, S L (O	wrWaterRight
63	168	C	Decreed	1867-06-01	2.6		BOISE RIVER	IRRIGATION	KENNEDY, DANIEL W (Current); CANYON COUNTY WATER CO L	wrWaterRight
63	31307			7/16/2001	0.04		GROUND WAT	DOMESTIC	UNITED STATES OF AMERICA ACTING THROUGH (Current); CAN	wrWaterPermit

MAXIMUM MONTHLY DIVERSION 1950-2000

13209990 CANYON COUNTY CANAL



XXVIII.

That the defendants JOSEPH PENNAULT and RICHARD Z. JOHNSON be, and they are hereby awarded the use of the waters of Boise River, diverted from a point on the north bank of said river about four miles above Boise City, through what is known as the Walling, or Boise Valley Water Ditch, for use upon the town lots and lands lying under said ditch for irrigating and domestic purposes, in the following amount and from the following date;

63. 0161 2500 inches, from May 1, 1866; and hereby designated as Right No 30.

T 654 873
694 890
701 906
702 917
712 918
713 940
720 976
737 977
739 979
753 980
754 989
823 989
829

And that said defendants be awarded, for power purposes only,

the use of said waters in the following amount from the following date, and it is hereby ordered that the quantity of water so

awarded for power purposes shall be used for such purposes only,

and after such use shall be returned to Boise River;

63. 0162 10000 inches, from July 1, 1877; and hereby designated as Right No 66

And be adjudged to pay \$875.00 costs in addition to the costs incurred by them.

XXXX. XXXX.

That the defendant WILLIAM P. KENNEDY be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in the SW 1/4 of Sec. 17, T. 4 N. R. 1 W. B.M., for use upon the E. 1/2 of NE 1/4 and lot 1 of Sec. 13, and SE 1/4 of SE 1/4 of Sec. 13, T. 4 N. R. 2 W. B.M., in the following amount and from the following date;

63. 0163 130 inches, from June 1, 1866; and hereby designated as Right No 31

T 705 59 And be adjudged to pay \$9.10 costs in addition to the costs incurred by him.

XXXX. XXXX.

That the defendants FRANK L. LEONARD, EDNA E. LEONARD, J. S. D. MANVILLE and ESTATE OF ALBERT SMITH, be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river in Sec. 15, T. 3 N. R. 2 E. B.M., at a point a short distance east of the NW corner of said section; also at a point on Sec. 9, a short distance west of said section corner, and also a short distance below on said Section 9, all in T. 3 N. R. 2 E. B.M., for use upon an irregular shaped tract of land in Lot G, and W. 1/2 of SE 1/4 of Sec. 9, T. 3 N. R. 2 E. B.M., and an irregular tract in the N. 1/2 and the SE 1/4 of Sec. 9, T. 3 N. R. 1 E. B.M., in the following amount and from the following date;

63. 0164 175 inches, from June 1, 1866. and hereby designated as Right No 38.

T-1879. 1906
1865

And be adjudged to pay \$13.25 costs in addition to the costs incurred by them.

JAN 10 2006

WATER RESOURCES
WESTERN REGION

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Allyn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

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MAY 10 2005

WATER RESOURCES
WESTERN REGION

May 9, 2005

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JAN 12 2006

DEPARTMENT OF
WATER RESOURCES

Lori Graves
Idaho Department of Water Resources
Western Regional Offices
2735 Airport Way
Boise, Idaho 83705

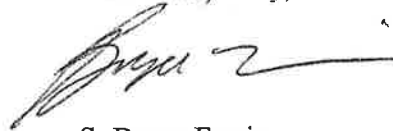
Re: Canyon County Ditch Company

Dear Lori:

This letter is to inform you that Ringert Clark Chartered is law firm that is representing the Canyon County Ditch Company with regards to its natural flow water rights within the Snake River Basin Adjudication. Enclosed please find a copy of a letter from the Canyon County Ditch Company regarding the same.

Please feel free to contact me if you have any questions or comments regarding this matter.

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosure

cc: CCDC

Did you
1-3-06 Called Bryce - name
change? No! Canyon County
Water Co. Ltd., not CC Ditch Company.
Betha Foster's # is 455-1735.
Records updated 1-4-06.
-JP

SCANNED

JAN - 4 2006

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MAY 10 2005

WATER RESOURCES
WESTERN REGION

Canyon County Water Company

Box 11
Star, Idaho 83669

March 5, 2004

Mr. Bryce Farris,

The Board of Directors of Canyon County Water Company would like you to represent Canyon County Water Company on adjudication of natural flow water rights.

Thank you

Rutha Foster

secretary

ph 286-7364

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MAR 08 2004

RINGERT CLARK

SCANNED

JAN - 4 2006

RECEIVED

AUG 15 2005

Department of Water Resources

STOPPELLO & KISER
ATTORNEYS AND COUNSELORS AT LAW
620 WEST HAYS STREET
BOISE, IDAHO 83702

FRANK W. STOPPELLO
JERRY A. KISER

TELEPHONE (208) 336-1020
FACSIMILE (208) 336-1027

March 13, 2003

Jan Shurte
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

MAR 14 2003

WATER RESOURCES
WESTERN REGION

Re: Canyon County Water Company, Ltd.
Claims in Snake River Basin Adjudication

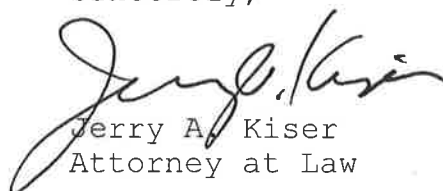
Dear Jan:

Pursuant to our telephone conversation on March 12, 2003, please have the Department's records changed to reflect the correct mailing address for Canyon County Water Company. The correct address to use is Canyon County Water Company, Attn: Judy Mautz, Secretary, P.O. Box 11, Star, Idaho, 83669. In addition, kindly have your records reflect that I am representing Canyon County Water Company in the Adjudication process. The claim numbers for Canyon County Water Company are as follows:

A63-0163
A63-0179
A63-21761
A63-21762

If you have any questions regarding the foregoing, please feel free to contact me.

Sincerely,


Jerry A. Kiser
Attorney at Law

JAK:aw

cc: Canyon County

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-163

WATER RIGHT NUMBER: 63-163

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CANYON COUNTY WATER CO LTD C/O JUDY MAUTZ, SECRETARY PO BOX 11 STAR, ID 83669
Attorney	JERRY A KISER 620 W HAYS ST BOISE, ID 83702 (208)336-1020

Priority Date: 06/01/1866

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	2.600 CFS	
<u>Total Diversion:</u>		2.600 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4SW1/4SW1/4	Sec. 17, Twp 04N, Rge 01W, B.M.
ADA 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	02W	5											7.0				40.5		47.5
													L 0				L 0		
04N	02W	7	29.0	6.0	35.0	38.0	11.0		37.0	38.0	38.0	31.0			36.0	32.0			331.0
			L 0	L 0	L 0	L 0	L 0		L 0	L 0	L 0	L 0			L 0	L 0			
04N	02W	8	40.0	40.0	32.0	38.0	35.0	10.0	25.0	35.0	4.0	15.0			38.0	36.0	22.0	21.0	391.0
			L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0			L 0	L 0	L 0	L 0	
04N	02W	9			30.0	31.0	20.0	26.0	35.0	32.0	40.0	30.0	36.0	40.0	35.0	37.0	38.0	33.0	463.0
					L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
04N	02W	10						25.0	19.0	30.0	34.0	32.0	32.0	14.0	25.0	35.0	38.0	284.0	
								L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
04N	02W	11			3.0				4.0		15.0	36.0	38.0		14.0	31.0	40.0		181.0
					L 0				L 0		L 0	L 0	L 0		L 0	L 0	L 0		
04N	02W	12									2.0	40.0	36.0						78.0
											L 0	L 0	L 0						

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-163

04N 02W 13	40.0 L 0	40.0 L 0	40.0 L 0	39.0 L 0	38.0 L 0	40.0 L 0	36.0 L 0	35.0 L 0	25.0 L 0	30.0 L 0		28.0 L 0	28.0 L 0		419.0	
04N 02W 14	36.0 L 0	37.0 L 0	30.0 L 0	24.0 L 0	36.0 L 0	40.0 L 0	37.0 L 0	36.0 L 0	10.0 L 0	10.0 L 0		6.0 L 0	7.0 L 0	10.0 L 0	319.0	
04N 02W 15	38.0 L 0	40.0 L 0	17.0 L 0	36.0 L 0	39.0 L 0	37.0 L 0	33.0 L 0	18.0 L 0		5.0 L 0		28.0 L 0		24.0 L 0	35.0 L 0	350.0
04N 02W 16	35.0 L 0	38.0 L 0	19.0 L 0	33.0 L 0	38.0 L 0	25.0 L 0		8.0 L 0								196.0
04N 02W 17	9.0 L 0															9.0
04N 03W 1											35.0 L 0	15.0 L 0				50.0
04N 03W 2												15.0 L 0		9.0 L 0	38.0 L 0	62.0
04N 03W 10		20.0 L 0	25.0 L 0	36.0 L 0				28.0 L 0	7.0 L 0	8.0 L 0		8.0 L 0	9.0 L 0			141.0
04N 03W 11	36.0 L 0	35.0 L 0	38.0 L 0	37.0 L 0			14.0 L 0	36.0 L 0	34.0 L 0	36.0 L 0	15.0 L 0	4.0 L 0	10.0 L 0	8.0 L 0		303.0
04N 03W 12	37.0 L 0	36.0 L 0	34.0 L 0	35.0 L 0	35.0 L 0	35.0 L 0	36.0 L 0	34.0 L 0	27.0 L 0	30.0 L 0		34.0 L 0	18.0 L 0			391.0

Total Acres: 4015.5

Conditions of Approval:Remarks:

- General CHANGED FR.DECREED P/D TO CYN.CO'S P/D BY TFR.#59,3/18/1921.LANDS FOR P/U ARE LANDS OWNED BY VARIOUS OWNERS SERVICED BY COMPANY.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-163

Dates and Other Information:

Claim Received Date: 3/21/1990

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

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JUL 01 2005

WATER RESOURCES
WESTERN REGION

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William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

June 28, 2005

Lori Graves
Idaho Department of Water Resources
Western Regional Offices
2735 Airport Way
Boise, Idaho 83705

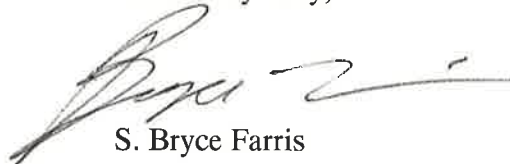
Re: Canyon County Water Company

Dear Lori:

Enclosed please find color copies of the Canyon County Water Company Draft Service Area Boundary and Irrigation Acres map which you had provided to them. Please note that the color copies have been enlarged and marked with changes and corrections.

Please feel free to contact me if you have any questions or comments.

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosures

cc: CCWC

**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED

MAY 10 2005

WATER RESOURCES
WESTERN REGION

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May 9, 2005

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Idaho Department of Water Resources
Western Regional Offices
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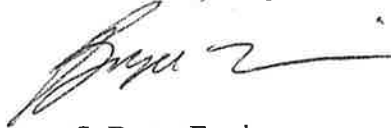
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Please feel free to contact me if you have any questions or comments regarding this matter.

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosure

cc: CCDC

RECEIVED

MAY 10 2005

WATER RESOURCES
WESTERN REGION

Canyon County Water Company

Box 11
Star, Idaho 83669

March 5, 2004

Mr. Bryce Farris,

The Board of Directors of Canyon County Water Company would like you to represent Canyon County Water Company on adjudication of natural flow water rights.

Thank you

Betha Foster

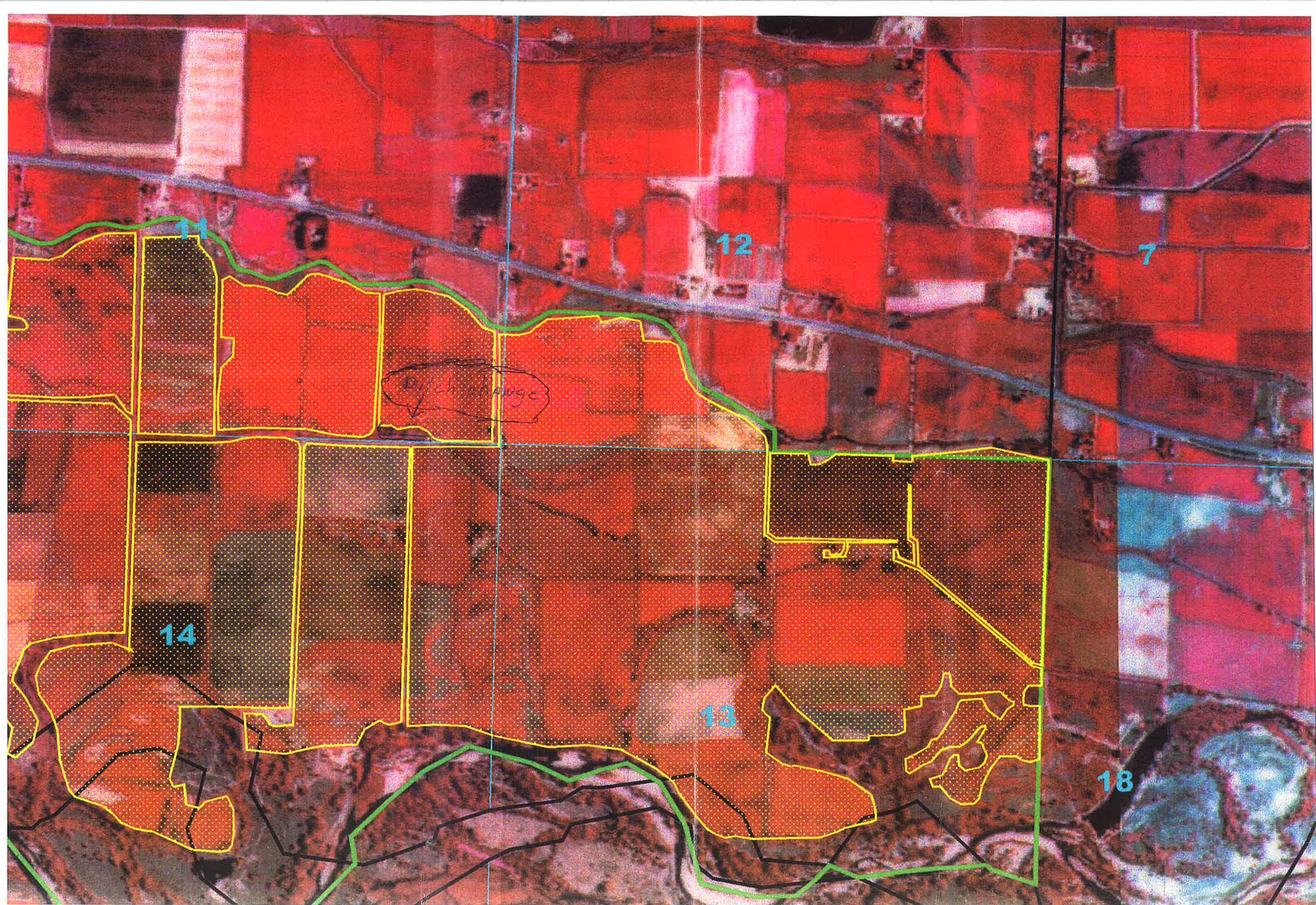
secretary

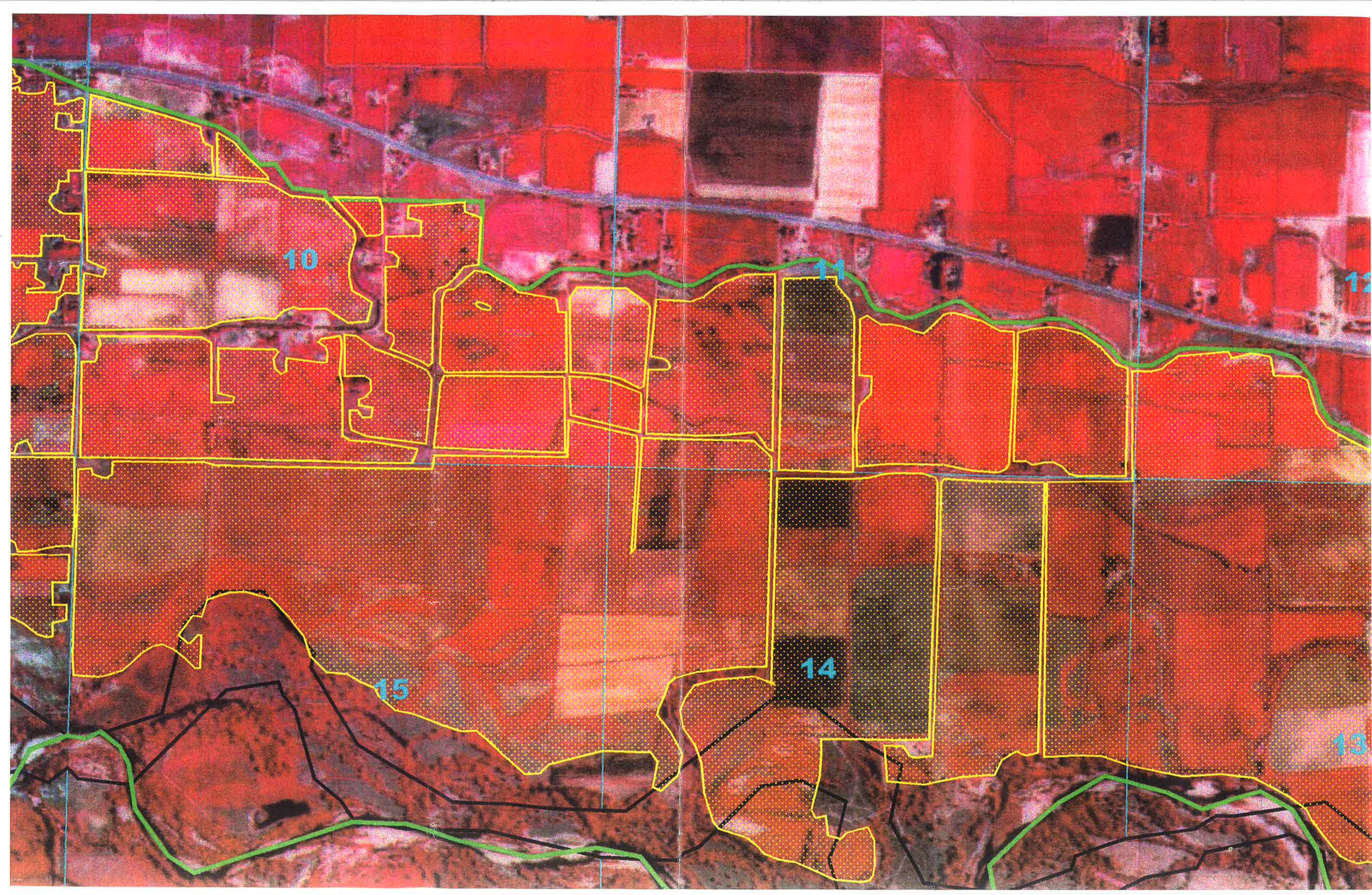
ph 286-7364

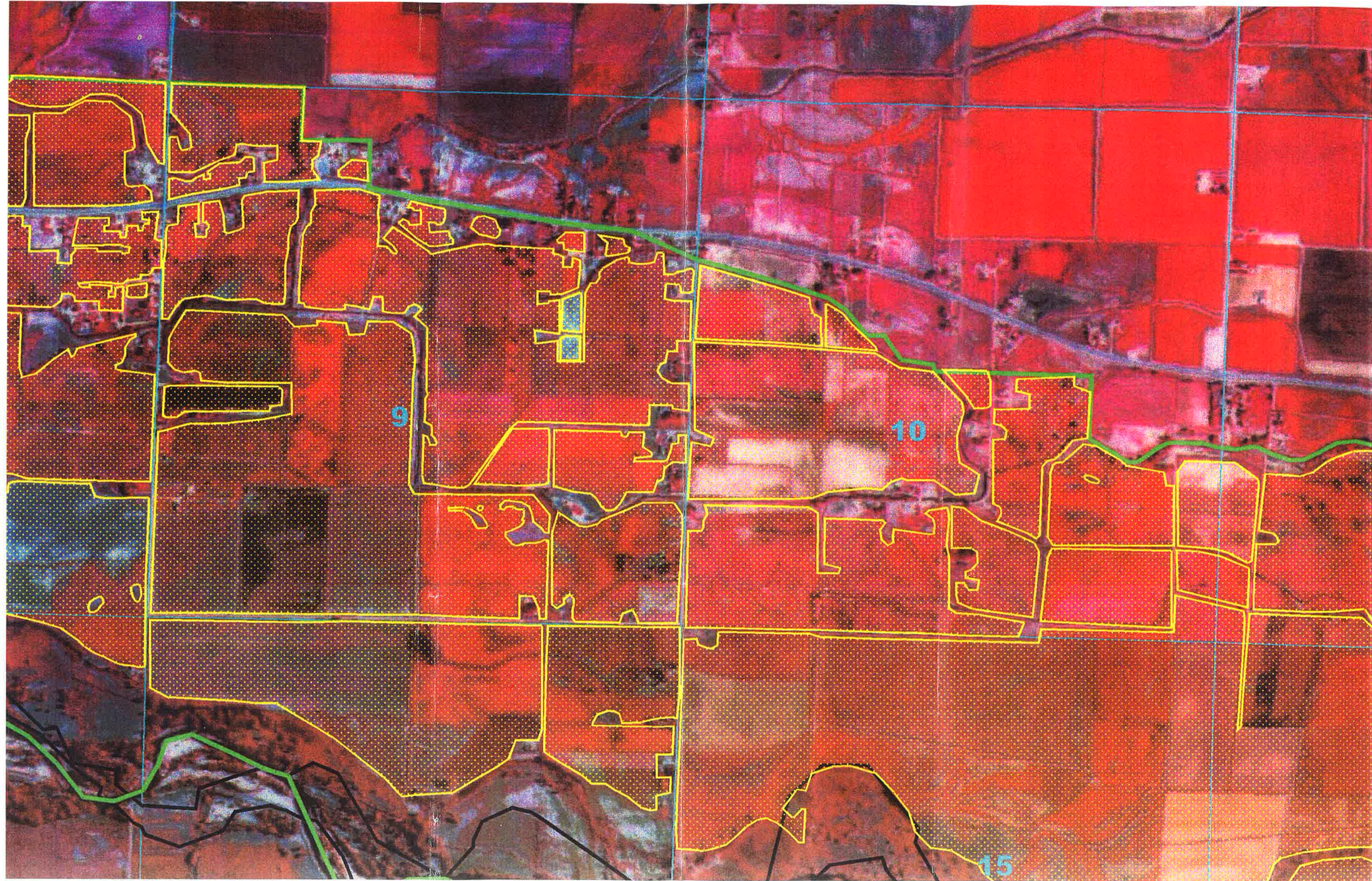
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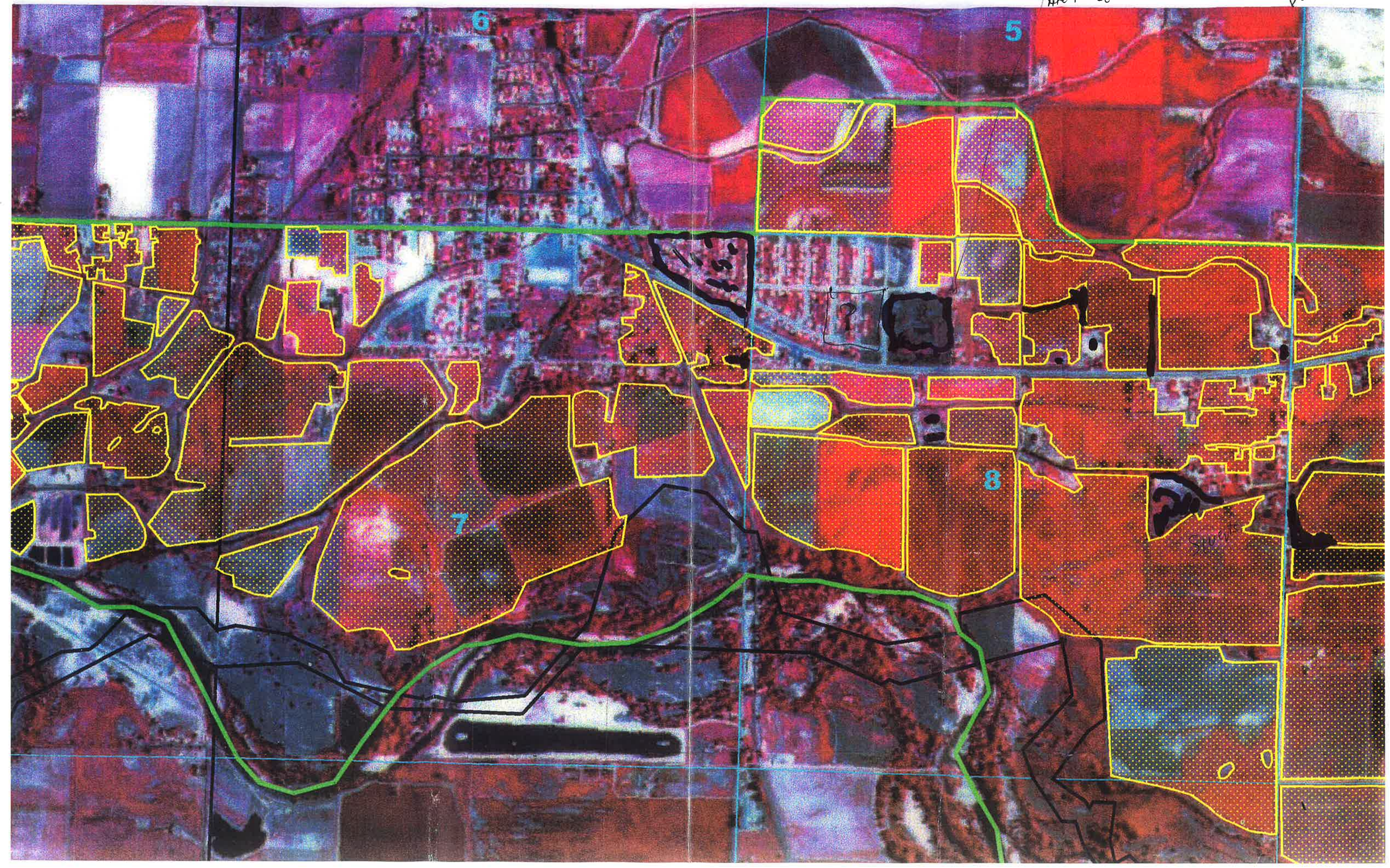
MAR 08 2004

RINGERT CLARK









River
Road

Channel

Ball Road

Samner

Hartley
↓

