

07/08/2003

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

RIGHT NUMBER: 29-589

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O DERYL PARRIS
18746 S WASHINGTON AVE
DOWNEY ID 83234

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

QUANTITY: 16,410.000 AFY
THIS RIGHT WHEN COMBINED WITH 29-53 IS LIMITED TO A COMBINED TOTAL
OF 16410 AFA.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53,
29-589, AND 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF DIVERSION:

T06S R39E S19 SWSWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 NWNESW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
IRRIGATION FROM STORAGE	04/15 09/15	16,410.00 AFY

PLACE OF USE:

LARGE PLACE OF USE

5103.2 ACRES TOTAL

Place of use is within the area served by the Portneuf Marsh Valley Canal
Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589,
29-4060, 29-13318, 29-13319.

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

07/08/2003

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

THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF DIVERSION LOCATED ON THE PORTNEUF RIVER AT T9S R37E SEC 22 NWNE SW (LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL AND THE PORTNEUF RIVER.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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 SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

06/19/2003

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

RIGHT NUMBER: 29-589

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O DERYL PARRIS
18746 S WASHINGTON AVE
DOWNEY ID 83234

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

QUANTITY: 16,410.000 AFY
THIS RIGHT WHEN COMBINED WITH 29-53 IS LIMITED TO A COMBINED TOTAL
OF 16410 AFA.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53,
29-589, AND 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF DIVERSION:

T06S R39E S19 SWSWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 NWNESW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
IRRIGATION FROM STORAGE	04/15 09/15	16,410.00 AFY

PLACE OF USE:

Large Place of Use

5103.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589,
29-4060, 29-13318, 29-13319.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT #29.

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

06/19/2003

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

02/07/2003

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

RIGHT NUMBER: 29-589
NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O DERYL PARRIS
18746 S WASHINGTON AVE
DOWNEY ID 83234
SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM
PORTNEUF RIVER.
QUANTITY: 16,410.000 AFY
THIS RIGHT WHEN COMBINED WITH 29-53 IS LIMITED TO A COMBINED TOTAL OF
16410 AFA.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53, 29-589, AND
29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF DIVERSION:

T06S R39E S19 SWSWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 NWNESW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
IRRIGATION FROM STORAGE	04/15 09/15	16,410.00 AFY

PLACE OF USE:

4136 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 4136 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589,
29-4060, 29-13318, 29-13319.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT #29.

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

02/07/2003

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

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

1

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

T10S R37E S32	NENE	38.0	T10S R37E S32	NWNE	32.0
T10S R37E S32	SWNE	39.0	T10S R37E S32	SENE	33.0
T10S R37E S32	NENW	22.0	T10S R37E S32	NWNW	0.1
T10S R37E S32	SWNW	35.0	T10S R37E S32	SENW	30.0
T10S R37E S32	NESW	36.0	T10S R37E S32	NWSW	6.0
T10S R37E S32	SWSW	4.4	T10S R37E S32	SESW	32.0
T10S R37E S32	NESE	33.0	T10S R37E S32	NWSE	40.0
T10S R37E S32	SWSE	39.0	T10S R37E S32	SESE	32.0
T10S R37E S33	NENW	11.0	T10S R37E S33	NWNW	39.0
T10S R37E S33	SWNW	0.1	T10S R37E S33	SWSW	0.3
T11S R37E S04 Lot 3	NENW	39.0	T11S R37E S04 Lot 4	NWNW	34.0
T11S R37E S04	SWNW	22.0	T11S R37E S04	SENW	34.0
T11S R37E S04	NESW	35.0	T11S R37E S04	NWSW	28.0
T11S R37E S04	SWSW	29.0	T11S R37E S04	SESW	33.0
T11S R37E S04	SWSE	0.2	T11S R37E S05 Lot 1	NENE	37.0
T11S R37E S05 Lot 2	NWNE	39.0	T11S R37E S05	SWNE	33.0
T11S R37E S05	SENE	34.0	T11S R37E S05 Lot 3	NENW	33.0
T11S R37E S05 Lot 4	NWNW	26.0	T11S R37E S05	SWNW	17.0
T11S R37E S05	SENW	11.0	T11S R37E S05	NESW	15.0
T11S R37E S05	SESW	15.0	T11S R37E S05	NESE	39.0
T11S R37E S05	NWSE	37.0	T11S R37E S05	SWSE	28.0
T11S R37E S05	SESE	30.0	T11S R37E S07	SWSE	35.0
T11S R37E S07	SESE	28.0	T11S R37E S08	NENE	36.0
T11S R37E S08	NWNE	36.0	T11S R37E S08	SWNE	35.0
T11S R37E S08	SENE	36.0	T11S R37E S08	NENW	0.1
T11S R37E S08	SENW	2.0	T11S R37E S08	NESE	30.0
T11S R37E S08	NWSE	21.0	T11S R37E S08	SWSE	4.8
T11S R37E S08	SESE	33.0	T11S R37E S09	NWNE	0.2
T11S R37E S09	NENW	40.0	T11S R37E S09	NWNW	35.0
T11S R37E S09	SWNW	32.0	T11S R37E S09	SENW	36.0
T11S R37E S09	NESW	14.0	T11S R37E S09	NWSW	36.0
T11S R37E S09	SWSW	37.0	T11S R37E S09	SESW	34.0
T11S R37E S15	NESW	0.7	T11S R37E S15	NWSW	0.3
T11S R37E S15	SWSW	36.0	T11S R37E S15	SESW	39.0
T11S R37E S15	NWSE	0.1	T11S R37E S15	SWSE	5.9
T11S R37E S16	NWNE	37.0	T11S R37E S16	SWNE	22.0
T11S R37E S16	SENE	14.0	T11S R37E S16	NENW	36.0
T11S R37E S16	NWNW	40.0	T11S R37E S16	SWNW	40.0
T11S R37E S16	SENW	39.0	T11S R37E S16	NESW	37.0
T11S R37E S16	NWSW	33.0	T11S R37E S16	SWSW	0.2
T11S R37E S16	SESW	26.0	T11S R37E S16	NESE	6.7
T11S R37E S16	NWSE	28.0	T11S R37E S16	SWSE	35.0

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

T11S R37E S16	SESE	30.0	T11S R37E S17	NENE	28.0
T11S R37E S17	SENE	11.0	T11S R37E S17	NESE	0.1
T11S R37E S18	NENE	34.0	T11S R37E S20	NWNE	19.0
T11S R37E S21	NENE	39.0	T11S R37E S21	NWNE	33.0
T11S R37E S21	SWNE	36.0	T11S R37E S21	SENE	38.0
T11S R37E S21	NENW	30.0	T11S R37E S21	SENW	20.0
T11S R37E S21	NESW	5.4	T11S R37E S21	NESE	28.0
T11S R37E S21	NWSE	39.0	T11S R37E S21	SWSE	27.0
T11S R37E S21	SESE	36.0	T11S R37E S22	NENW	24.0
T11S R37E S22	NWNW	33.0	T11S R37E S22	SWNW	40.0
T11S R37E S22	SENW	14.0	T11S R37E S22	NESW	20.0
T11S R37E S22	NWSW	39.0	T11S R37E S22	SWSW	33.0
T11S R37E S22	SESW	35.0	T11S R37E S22	SWSE	5.1
T11S R37E S27	NWNE	29.0	T11S R37E S27	SWNE	29.0
T11S R37E S27	NENW	38.0	T11S R37E S27	NWNW	40.0
T11S R37E S27	SWNW	37.0	T11S R37E S27	SENW	32.0
T11S R37E S27	NESW	23.0	T11S R37E S27	NWSW	39.0
T11S R37E S27	SWSW	11.0	T11S R37E S27	SESW	4.5
T11S R37E S27	NWSE	26.0	T11S R37E S27	SWSE	2.2
T11S R37E S28	NENE	35.0	T11S R37E S28	NWNE	8.6
T11S R37E S28	SWNE	0.1	T11S R37E S28	SENE	32.0
T11S R37E S28	SESW	37.0	T11S R37E S28	NESE	15.0
T11S R37E S28	SESE	24.0	T11S R37E S33	NENE	19.0
T11S R37E S33	NWNE	26.0	T11S R37E S33	NENW	11.0
T11S R37E S34	SENW	0.2	T11S R37E S34	NESW	18.0
T11S R37E S34	NWSW	0.2			

4136 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4136 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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

02/06/2003

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

Portneuf Marsh Valley Canal Co LTD

- Boundary
- Township/Range
- Sections



0 0.5 1 1.5 2 Miles

Prepared by: Ernie Carlsen June 2004

10S37E

11S37E

SCANNED
DEC 09 2005

City of Arimo

City of Virignia

City of Downey

29-52
29-53
29-589
29-4060
29-13318
29-13319

Portneuf Marsh Valley
Canal Co

Boundary

T10S R37E

T11S R37E

SCANNED
DEC 09 2005

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

RIGHT NUMBER: 29-589

NAME AND ADDRESS:

PORTNEUF MARSH VALLEY CANAL CO
LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE:

Source:

PORTNEUF RIVER

Tributary:

SNAKE RIVER

POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM
PORTNEUF RIVER.

QUANTITY:

0.000 CFS 16,410.000 AFY

THIS RIGHT WHEN COMBINED WITH 29-53 IS LIMITED TO A COMBINED TOTAL
OF 16410 AFA.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53,
29-589, AND 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF DIVERSION:

T06S R39E S19 SWSW Lot 4	Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection	Within CARIBOU County
<u>T09S R37E S22 SWSNW Lot 3 Rediversion</u>	<u>Within BANNOCK County</u>
~~T09S R37E S22 NWSEW Lot 3 Rediversion~~	~~Within BANNOCK County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
----------------	----------------	-----------

IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
--------------------	-------------	---------------

IRRIGATION FROM STORAGE	04/15 09/15	16,410.00 AFY
-------------------------	-------------	---------------

PLACE OF USE:

5103.2 ACRES TOTAL

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. 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.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318,
29-13319.

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

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

THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF DIVERSION LOCATED ON THE PORTNEUF RIVER AT T9S R37E SEC 22 NWNESW (LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL AND THE PORTNUEF RIVER.

~~THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.~~
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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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

~~WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.~~



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 25, 2003

PORTNEUF MARSH VALLEY CANAL CO
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

RE: Notice of Change of Address for 29-52, 29-53, 29-589, 29-4060,
29-13318, 29-13319
Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Gilbert:

On July 15, 2003, the Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCA...
DEC 09 2005

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)

Water Rights: 29-52, 29-53, 29-589,
29-4060, 29-13318, 29-13319

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 28, 2003.

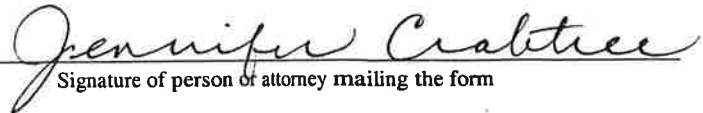
Ernest Carlson
Signature of IDWR Representative

SCANNED
DEC 09 2005

CERTIFICATE OF MAILING

I certify that on July 25, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

07/18/2003

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

RIGHT NUMBER: 29-589
NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

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

QUANTITY: 16,410.00 AFY
THIS RIGHT WHEN COMBINED WITH 29-53 IS LIMITED TO A COMBINED
TOTAL OF 16410 AFA.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.:
29-53, 29-589, AND 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF
DIVERSION: T06S R39E S19 SWSWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 NWNESW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
IRRIGATION FROM STORAGE	04/15 09/15	16,410.00 AFY

PLACE OF USE:

SCANNED
DEC 09 2005

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

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF DIVERSION LOCATED ON THE PORTNEUF RIVER AT T9S R37E SEC 22 NWNESEW (LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL AND THE PORTNEUF RIVER.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

Name(s): Portneuf- MARSH VALLEY CANAL Company
c/o Ellis Gilbert

[] Old Mailing Address: _____

[] New Mailing Address: 2777 E HAWKINS Rd
Downey Idaho
83234

Telephone Number: (208) 897 - 5917
208 681 - 5917

[] Signature(s) _____
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf) Chairman of Board
(include your title if on behalf of company or organization)

Date: 7/14/2003

RECEIVED

When complete, please mail or FAX this form to the IDWR office nearest you: JUL 15 2003

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348
Department of Water Resources
Eastern Region

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

SCANNED
DEC 09 2005

06/27/2003

**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:

Water right number: 29-589

PORTNEUF MARSH VALLEY CANAL CO LTD
C/O DERYL PARRIS
18746 S WASHINGTON AVE
DOWNEY ID 83234
Telephone Number: (208)897-5928

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
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: 7/14/2003 SIGNATURE: *Ellis Gilbert*

Please print your name: Ellis Gilbert

IDWR Regional Office,

PROFILED

SCANNED
DEC 09 2005

OBJECTION ISSUES: 29-00589

#1 & 3. SOU CLAIMED AS:

DRUG STORAGE 1/1 - 12/31

DRUG FM STORAGE 5/1 - 9/15

RECOMM AS:

DRUG STORAGE 1/1 - 12/31

DRUG FM STORAGE 4/15 - 9/15

Actual Storage is year Round - SOU is AS CLAIMED.
DRUG FM STORAGE 4/15 - 9/15 - SOU is PER UNION
GRAN AND ELEVATOR.

PROCEED

SCANNED
DEC 09 2005

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

RECEIVED

MAR 11 2002

Department of Water Resources
Eastern Region

Claim Number(s): A29-52, A29-53, A29-589, A29-4060

Previous Mailing Address: Portneuf Marsh Valley Canal Co. LTD.
C/o Thayne Thompson
18526 S - Olson Rd.
Downey, ID.

New Mailing Address: Portneuf Marsh Valley Canal Co. LTD.
C/o Deryl Parris
18746 S Washington Ave
Downey Idaho 83234

Telephone Number: (208) 897-5928

Signature of Claimant(s): 
Board of Director PMUC

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

correct
Contact id
67937

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: _____

Date: _____

SCANNED
DEC 09 2005

**NOTICE OF ERROR
REPLY**

Water Right No.: 29-589

Portneuf Marsh Valley Canal Co Ltd.
c/o Ellis Gilbert, President
2777 East Hawkins Road
Downey, Idaho 83234

RECEIVED
APR 23 2003
Department of Water Resources
Eastern District Office

Claimant returns this Notice of Error Reply form to IDWR to request IDWR change its Preliminary Recommendation or to let IDWR know that Claimant agrees with its recommendation as indicated below.

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

Place of use.

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

Increase the number of irrigated acres to 5066.8 acres as claimed. Additionally, the irrigated acres should be located within the boundaries of Claimant's Irrigation System. This boundary is described in the December 4, 1922 Decree entered in *Union Grain & Elevator Co. v. McCammon Ditch Company, et al*, Case No. 2205, Right No. 42, page 24. Claimant is in the process of reviewing IDWR maps to identify more accurately a legal description for the current boundary and place of use, and will supply this information to IDWR.

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

The recommended 4136 acres omitted certain acres that have been historically irrigated by Claimant.

_____ **I AGREE with this proposed recommendation: no changes need to be made.**

Portneuf Marsh Valley Canal Company, Ltd.

Date: April 21, 2003

By: _____

ELLIS GILBERT, President

Print: _____

DEC 09 2003

Mailed to: IDWR Regional Office, 900 N. Skyline Drive, Ste A, Idaho Falls, Idaho 83402, 208-525-7161

Please direct any questions and send a copy of all Notices and other communications to Claimant's attorney:

Randall C. Budge
Racine, Olson, Nye, Budge & Bailey,
Chartered
P.O. Box 1391
Pocatello, Idaho 83204-1391
Telephone: 208-232-6101
Fax: 208-232-6109
E-mail: rcb@racinelaw.net

SCANNED

DEC 09 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PORTNEUF MARSH VALLEY CANAL CO LTD
C/O THAYNE THOMPSON
71 HAMPTON PL
LOGAN UT 84341-1748

RE: CHANGE OF ADDRESS FOR A29-00052, A29-00053, A29-00589 AND A29-04060

Dear Sir or Madam:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Portneuf Marsh Valley Canal Co LTD
C/O Thayne Thompson
18526 S Olson Rd
Downey ID 83234

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROTECTED

SCANNED
DEC 09 2005

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): A29-0052, -53, -589 and -4060

(I don't know if the above are
the numbers you asked for, but I
don't know of any others.

[] Old Mailing Address: _____

[] New Mailing Address: _____

71 Hampton Pl
Logan UT 84341-1748

18526 S Olson Rd

Downey Id 83234

[] Telephone Number: 1-435-753-7782

[] Signature of Claimant: Betty M. Thompson

[] Date: 9 May 2001

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

I goofed. The Downey address is the
old one and the Logan one is the new.
I think I already have the new one
though because today's letter came to
my Logan address. I'm enclosing the
address from it.

SCANNED

DEC 09 2005

RECEIVED

MAY 14 2001

Department of Water Resources
Eastern Region

PORTNEUF MARSH VALLEY CANAL CO LTD
C/O THAYNE THOMPSON
71 HAMPTON PL
LOGAN UT 84341-1748

MAY 14, 2001

DEAR SIR OR MADAM:

WATER RIGHT NUMBERS A29-00052, A29-00053, A29-00589 AND
A29-04060 HAVE BEEN CHANGED TO REFLECT THE ADDRESS ON THE
FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



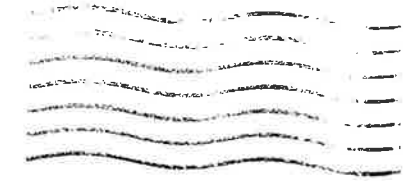
PORTNEUF MARSH VALLEY CANAL CO LTD
C/O THAYNE THOMPSON
71 HAMPTON PL
LOGAN UT 84341-1748

SCANNED
DEC 09 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

29-52
29-53
29-589
29-4060



SCANNED
DEC 09 2005

THOM 526

PORTNEUF MARSH VALLEY CANAL CO
LTD

THOM526 832342006 1900 05 05/03/01
RETURN TO SENDER
THOMPSON
71 HAMPTON PL
LOGAN UT 84341-1748
RETURN TO SENDER

83234+15

Contacts Data Entry Form

29-589

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Portneuf Marsh Valley Canal					
Name connector: and	_____, or _____, and/or _____					
Current Owner	of Ellis Gilbert					
Current Owner	_____					

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

DESCRIBED UNDER UNION GRAIN AND ELEVATOR VS
McCammon Ditch DECREE, 1932. DESCRIBED IN USB
WITH 29-52. 29-589 IS THE STORAGE COMPONENT.
29-52 IS THE NATURAL FLOW.

Reviewer: _____

Date: _____

SCANNED
DEC 09 2005

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 7/06/1912 Claimed Basis: DECREASEDRecommended Priority Date: 7/06/1912 Recommended Basis: "☐ 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:

Matches DECREASE

Reviewer: _____

Date: _____

SCANNED
DEC 09 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 6S, R 39E, Sec. 19, SW, SW, 14. County: CARIBOUSource: TOPONCO CK & Portneuf R. Tributary: Portneuf Riv. & Snake Riv.Recommended Point of Diversion: T 6S, R 39E, Sec. 19, SW, SW, SW. County: CARIBOUSource: Portneuf River Tributary: SNAKE RIVER

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	
<u>6S</u>	<u>39E</u>	<u>19</u>	<u>4</u>	<u>SWSWSW</u>	<u>CARIBOU</u>	<u>Portneuf River</u>	<u>DIV. (DAM)</u>
GPS Coordinates: _____							
<u>9S</u>	<u>39E</u>	<u>22</u>	<u>3</u>	<u>NWNE SW</u>	<u>BANNOCK</u>	<u>Portneuf River</u>	<u>REDIV.</u>
GPS Coordinates: _____							
<u>6S</u>	<u>39E</u>	<u>19</u>	<u>4</u>	<u>SWSWSW</u>	<u>CARIBOU</u>	<u>Portneuf River</u>	<u>POINF.</u>
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:

RECOMMENDED POD IS AT THE DAM. MAPPING SHOWS
DIVERSION TO 'CANAL' BUT IS ACTUALLY PORTNEUF RIVER. (POD/POD)
WATERS ARE THEN CONVEYED 'LOSS FREE - BY DISCHARGE' TO A
POINT OF REDIVERSION AS ABOVE.

TOPONCO CROOK IS DROPPED AS SOURCE IN-LIEU OF 29-53.

Transfers Changing POD _____

Reviewer: _____

Date: _____

CØ2

SCANNED
 DEC 09 2005

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

SEE GPS ILLUSTRATION OF POU AND TABULAR
 INDEX OF RECOMMENDATION OF POU AC.
 CLAIMS 5066 AC
 Limited to 4136 AC BY GPS w/ ALL Rts *romark*
 PERMISSIBLE POU ALL Rts. 52, 53, 589, 4060,
 13318, 13319.

Transfers Changing POU _____

Reviewer: _____

Date: _____

SCANNED

DEC 09 2005

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ 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
Brang Stn	01/01	12/31		16410
Ann From Stn	4/15	9/15		16410

Overall Diversion Rate _____ Overall Diversion Volume _____

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

When combined w/ 29-53 A TOTAL STORAGE OF 16410 ac *from 29-53*

" " 29-53, 589, 4060 & 13318 = 23695 ac

Reviewer: _____

Date: _____

SCANNED

DEC 09 2005

MEMORANDUM

DATE: August 13, 2001

TO: File 29-00589.

FROM: Cindy E. Bird

REF: Portneuf-Marsh Valley Canal Company Diversion Points.

Thursday August 9th, 2001 I met with three representatives from the Portneuf-Marsh Valley Canal Company, Ellis Gilbert, Gordon and Eric Olson. We met at the Majestic Market in Lava Hot Springs at 9:00 A. M. where I outlined that I would need to verify the points of diversion for the system. We also discussed the contact on the claim is now deceased and that the updated contact is now Ellis Gilbert and those changes are noted in the claim file. I also informed them that Allen Ruberry would be doing the final review on the claim and they should direct any specific questions about the claim to him.

First, I followed them from the Majestic Market to Chesterfield Reservoir. Chesterfield Reservoir is used for irrigation storage. The reservoir is located in Caribou County within two adjacent townships; 5 south, range 38 east, sections 11, 13 and 14, township 6 south, range 38 east, section 24 and 6 south, 39 east, section 19, of the Boise Meridian.

The Portneuf-Marsh Valley Canal Company diverts water from Toponce Creek into Chesterfield Reservoir for storage from 9-16 to 4-30. At the reservoir they divert the water into the Portneuf River from 5-1 to 9-15 for irrigation. Where it's delivered free of losses to the head of their system below the steel railroad bridge between McCammon and Lava Hot Springs on state Hwy 30. *Above (upstream of)*

Conveying Toponce Creek:

Toponce Creek is diverted from the SESE of section 33, township 6 south, range 38 east of the Boise Meridian and flows northeasterly into the feeder canal to Chesterfield Reservoir for irrigation storage.

Photo 1 shows the diversion structure from Toponce Creek to the feeder canal. The yellow dot in Figure 1 below graphically shows this same point of diversion. The GPS point was obtained with a Garmin GPS III plus unit on top of



Photo 1. Toponce Creek Diversion

SCANNED

the diversion structure. The background image is the 1987-88 NAPP photography. The figure also shows the Garmin Waypoint file name 589TOP highlighted in yellow. The file name reflects the claim number A29-00589 at Toponce Creek.

Several GPS points were taken for the Portneuf-Marsh Valley Canal Company with the same Garmin GPS unit. All of the points were downloaded using the Garmin Waypoint+ program and then displayed using ArcView.



Photo 2. Feeder Canal at Toponce Creek.

Photo 2 above is looking northeasterly from the Toponce Creek diversion at the feeder canal.

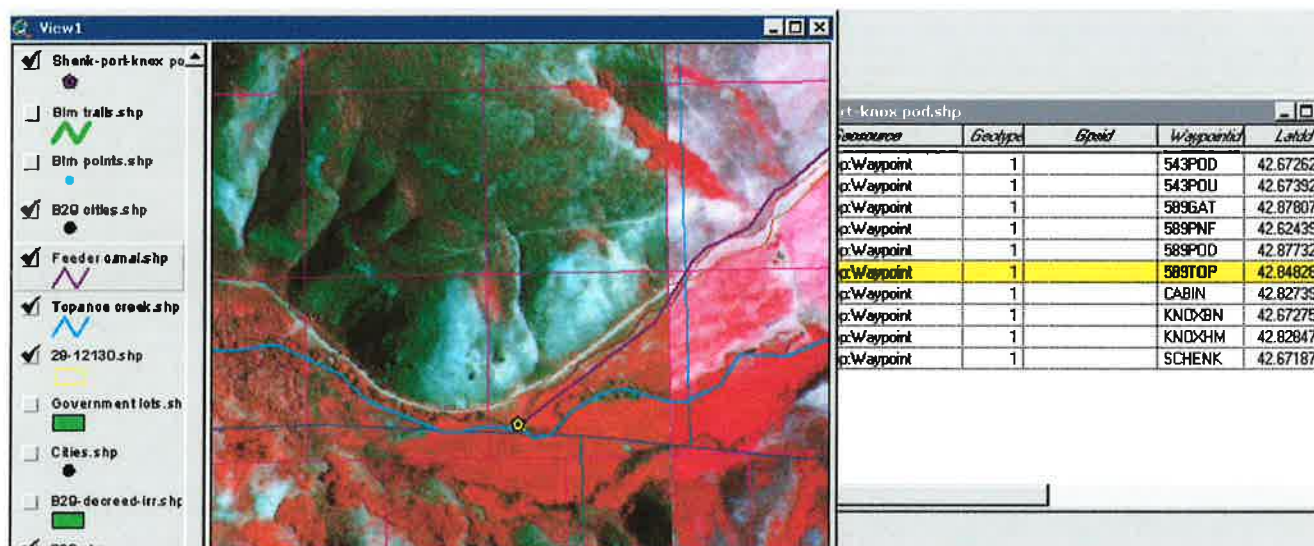


Figure 1. Toponce Creek Diversion. Toponce Creek is the light blue line and the purple line is the Feeder Canal.



Photo 3. Chesterfield Reservoir

Chesterfield Reservoir stores the irrigation water from 1-1 to 12-31.

Photo 3 was taken from the crest of the earth dam looking in a northwesterly direction at the reservoir.

Photo 4 below was also taken from the crest looking at the structure for the manual release gate from the reservoir. Once the water exits the reservoir it's conveyed through an open channel

approximately 212 feet to the Portneuf River. A staff gage (photo 5) was installed approximately 137 feet from the release point (figure 2) in the open channel at the flume. Figure 2 below graphically shows the conveyance from the reservoir to the Portneuf River. The yellow points in figure 2 indicate the location of the manual gate and the flume in the open channel. GPS file 589GAT was acquired at the manual gate shown in photo 4 below.



Photo 4. Release gate at Chesterfield Reservoir.



Photo 5. Staff gage at Chesterfield Reservoir.

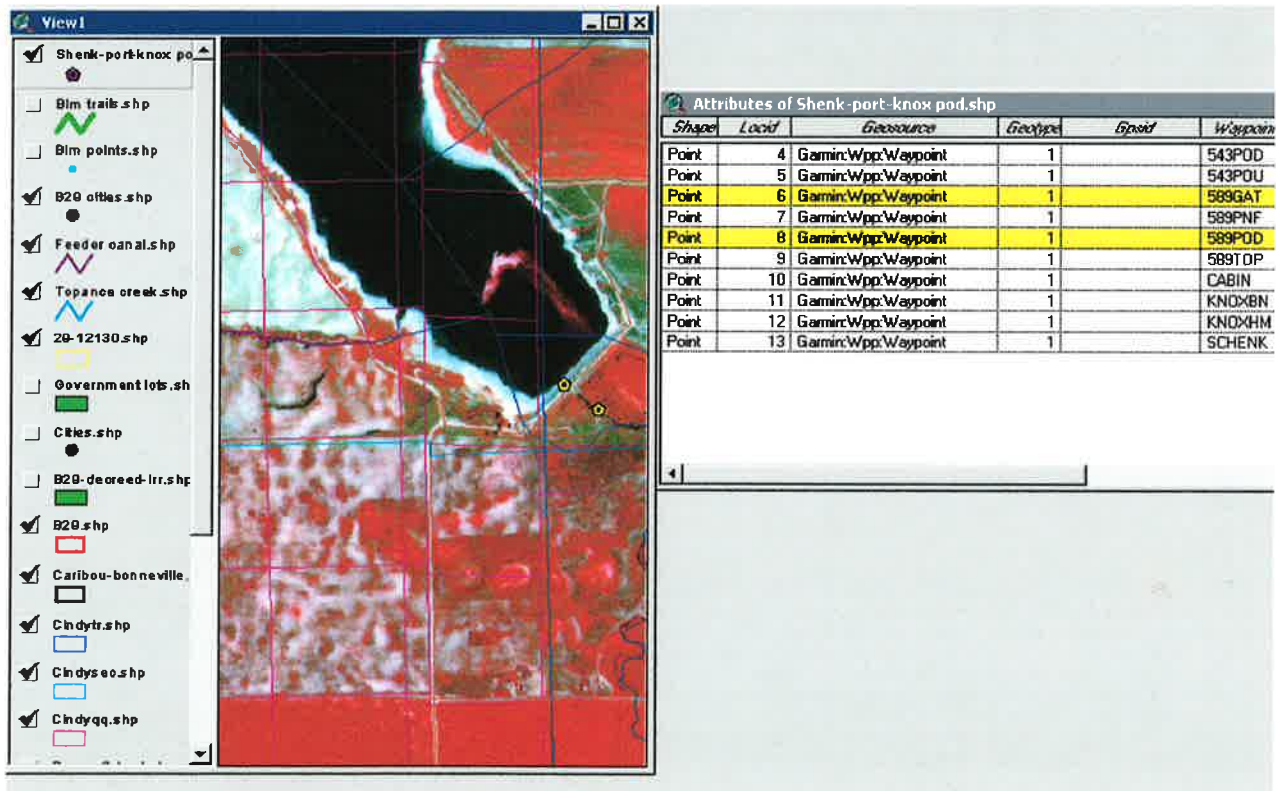


Figure 2. Chesterfield Reservoir



Photo 6. Down stream from the flume at Chesterfield Reservoir.

GPS file 589POD was acquired from the top of the flume structure shown in photo 6.

We finally arrived at the diversion structure below the steel railroad bridge on state Hwy 30 located in the SENW of section 22, township 9 south, range 37 east of the Boise Meridian.

Photo 7 was taken from the upstream side where the water is diverted from the Portneuf River.



Photo 7. Head of the canal system.

Figure 3 below shows the location and relative GPS point to that site. The GPS file for this site is also highlighted in yellow.

The GPS points taken for this claim will be forwarded to Allen Ruberry to use in his final recommendation.

In conclusion, Topance Creek and Portneuf River diversions should be added to the claim as points of diversion as noted in the file.

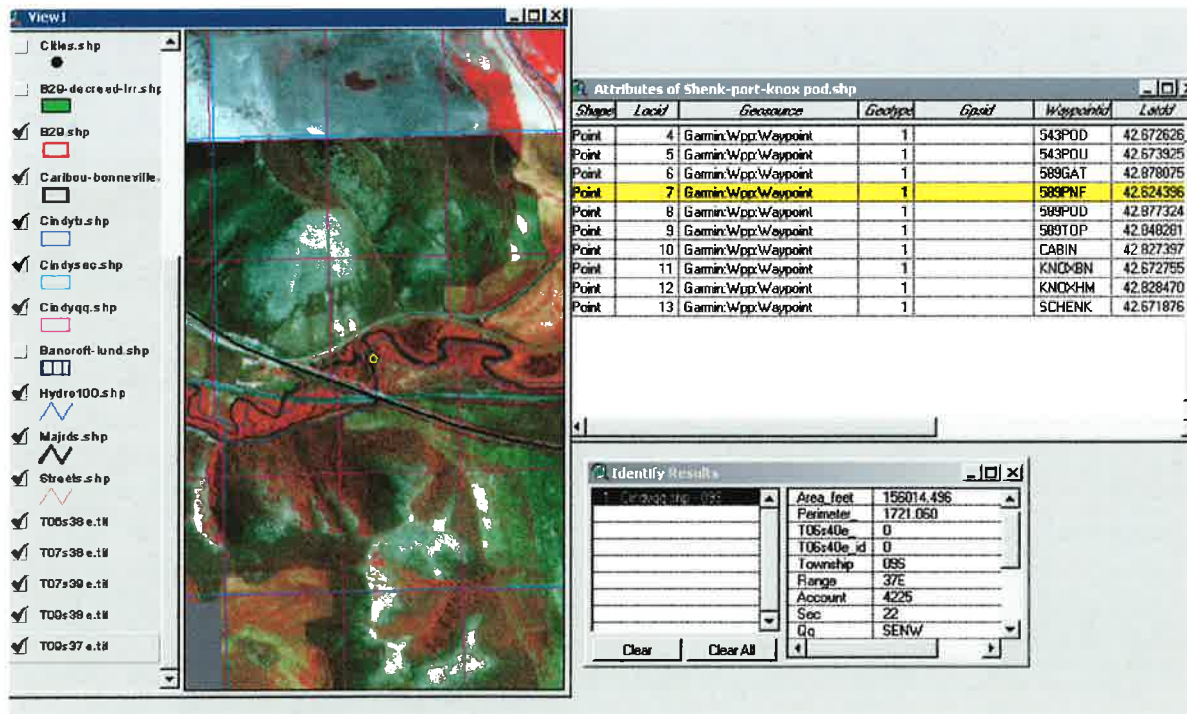


Figure 3. Diversion from the Portneuf River to the head of the canal system.

EXAM INFORMATION

Exam Date

Thursday

8/9/07

Exam Time

9 AM.

CLAIM(S)

A29-589

NAME

Portneuf Marsh Valley Canal Co.

ADDRESS

PHONE ()

HOME

WORK

CELL

DOMESTIC

STOCKWATER

IRRIGATION

X

OTHER

OTHER RIGHTS

DIRECTIONS

- Meeting at the Amco (Majestic Market)
Station in Lava Hot Spring.

DOGS

DATE

8/7/01

APPOINTMENT

Gordon Olson.

SCANNED

DEC 09 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

1. ☒ *New Contact?* ~~No~~ Change NAME: New Contact?
☐ NEW OWNER: Ellis Gilbert. 897-5917.
☐ No Change ADDRESS: 2777 E. Hawkins Rd.
☐ NEW ADDRESS: Downey, Id 83234. cell 681-5917.
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(If the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE:
☐ Source is different than that claimed:
Source found: _____
4. ☒ *cb* No Change - POINT OF DIVERSION:
☒ Point of diversion is different than the claim ADD TOPonce crk's
New P/D: Twp. 6S, Rge. 38E, Sec. 33, SW 1/4 SE 1/4 SE 1/4. POD
ADD Portneuf River diversion. SW SENW Sect 22, T9S, R37E.
Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☒ Incomplete description, complete items missing, IF KNOWN. ADD TOPonce
Additional description in comments. crk 9 Portneuf River
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irrigation _____
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is - _____ cfs _____ af
8. Not applicable
9. ☐ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Other: _____
Stockwater - No. of head and kind _____ (EXP Remark)

10. ☐ No Change - PLACE OF USE: (If changed, list below.)
☐ Place of use is different than the claim
 New P/U:

Twp. Rge. Sec. 1/4, 1/4 Use

Remarks: (Include type and code)

Comments pertinent to field examination:

GPS File Name at the Chesterfield reservoir site:
 589 POD - N 42° 52.634' W. 111° 56.542'

Staff gage at 4.5

9' 11" Flume - Photo 1 Looking NW @ Flume.

Photo 2. Looking Easterly at Staff gage.

Photo 3 Looking NWesterly - at the dam at Chesterfield.

GPS: 589 GAT @ Hadgate valve.

Photo 4 Looking W. @ gate - Chesterfield Res.

S. Looking East at Flume.

Photo 6 Chesterfield Res.

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Claim File.

PHOTOS ☐
 MAP ☐
 SYSTEM DIAGRAM ☐

☒
☒
☐

Topance crk - POP

GPS File 589 TOP.

10:45 AM.

- ☐ Changes found during exam or additional information in the claim file, see claim file.

DATE EXAM CONDUCTED:

8/9/01

FIELD EXAMINER:

Cindy Bird

Signature

Cindy E Bird

Accompanied by:

DEC 09 2005

Ellis Gilbert, Gordon, Eric Olson

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: A29-00589
Date Received: 2/14/1990
Receipt No: E012060
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PORTNEUF MARSH VALLEY CANAL CO., LTD 208-897-5206
Address: C/O THAYNE THOMPSON
18526 S. OLSON RD.
DOWNEY, ID 83234

2. Date of Priority: JUL 06, 1912

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	39E	19	SW	SW		4	CARIBOU

5. Description of diverting works:
EARTH FILLED DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			16410.00
IRRIGATION FROM STORAGE	05/01	09/15			16410.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 16410.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	5	NW	SW		IRR	2.0

A29-00589

Page 1

Date: 02/14/90

PDD@Dam

4136AC@

MICROFILMED

NOV 13 1992

A2900589



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	5	SW	SW		IRR	12.4
			SE	SW		IRR	8.0
			Section Acres				22.4
		8	SW	SE		IRR	38.0
			Section Acres				38.0
		17	NW	NE		IRR	38.0
			SE	NE		IRR	15.0
			NE	SW		IRR	7.0
			NW	SW		IRR	16.0
			SW	SW		IRR	37.0
			SE	SW		IRR	40.0
			NE	SE		IRR	30.0
			NW	SE		IRR	25.0
			SW	SE		IRR	35.0
			SE	SE		IRR	30.0
			Section Acres				273.0
		19	SE	NE		IRR	5.5
			NE	SE		IRR	5.5
			Section Acres				11.0
		20	NW	NE		IRR	40.0
			SW	NE		IRR	23.0
			NE	NW		IRR	20.0
			SW	NW		IRR	15.0
			SE	NW		IRR	21.0
			NE	SW		IRR	2.0
			NW	SW		IRR	25.0
			SE	SW		IRR	14.3
			SW	SE		IRR	27.5
			Section Acres				187.8
		28	SW	SW		IRR	30.0
			SE	SW		IRR	40.0
			Section Acres				70.0
		29	NW	NE		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	37E	29	SW		NE		IRR	25.0
			NE		NW		IRR	30.0
			NW		NW		IRR	8.0
			SW		NW		IRR	11.0
			SE		NW		IRR	24.0
			NE		SW		IRR	40.0
			NW		SW		IRR	16.0
			SE		SW		IRR	30.0
			NW		SE		IRR	24.0
			SW		SE		IRR	38.0
			SE		SE		IRR	40.0
							Section Acres	312.0
		32	NE		NE		IRR	40.0
			NW		NE		IRR	35.0
			SW		NE		IRR	37.5
			SE		NE		IRR	40.0
			NE		NW		IRR	25.0
			SW		NW		IRR	40.0
			SE		NW		IRR	37.5
			NE		SW		IRR	34.2
			NW		SW		IRR	4.0
			SW		SW		IRR	4.0
			SE		SW		IRR	34.2
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	30.0
							Section Acres	481.4
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	80.0
11S	36E	13	SW		NE		IRR	40.0
			SE		NE		IRR	40.0
							Section Acres	80.0
	37E	4	SW		NE		IRR	10.0
			NE		NW		IRR	40.0
			NW		NW		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	37E	4	SW		NW		IRR	25.0
			SE		NW		IRR	38.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	38.0
			SE		SW		IRR	38.0
			NW		SE		IRR	10.0
			SW		SE		IRR	5.0
							Section Acres	320.0
		5	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SW		NE		IRR	36.0
			SE		NE		IRR	40.0
			NE		NW		IRR	30.0
			NW		NW		IRR	15.0
			SW		NW		IRR	30.0
			SE		NW		IRR	15.0
			NE		SW		IRR	20.0
			SW		SW		IRR	27.0
			SE		SW		IRR	27.0
			NE		SE		IRR	40.0
			NW		SE		IRR	30.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	468.0
		7	SW		SE		IRR	40.0
			SE		SE		IRR	32.0
							Section Acres	72.0
		8	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	35.8
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	24.0
			SW		SE		IRR	21.0
			SE		SE		IRR	40.0
							Section Acres	320.8

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	37E	9	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	26.0
			NW		SW		IRR	39.0
			SW		SW		IRR	34.0
			SE		SW		IRR	30.0
							Section Acres	289.0
		15	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	10.0
							Section Acres	90.0
		16	NW		NE		IRR	40.0
			SW		NE		IRR	20.0
			SE		NE		IRR	20.0
			NE		NW		IRR	38.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	33.0
			SE		SW		IRR	28.0
			NE		SE		IRR	10.0
			NW		SE		IRR	30.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	459.0
		18	NE		NE		IRR	33.0
							Section Acres	33.0
		19	SW		NW		IRR	40.0
			NW		SW		IRR	32.5
			SW		SW		IRR	32.5
							Section Acres	105.0
		20	NW		NE		IRR	18.0
							Section Acres	18.0

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	37E	21	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	41.5
			NE		NW		IRR	38.0
			SE		NW		IRR	22.6
			NE		SW		IRR	5.7
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	35.0
			SE		SE		IRR	38.0
							Section Acres	380.8
		22	SW		NE		IRR	16.0
			NE		NW		IRR	40.0
			NW		NW		IRR	39.0
			SW		NW		IRR	10.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	15.0
			SW		SE		IRR	8.0
							Section Acres	308.0
		27	NW		NE		IRR	26.0
			SW		NE		IRR	28.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	28.6
			NW		SW		IRR	39.0
			SW		SW		IRR	10.0
			SE		SW		IRR	10.0
			NW		SE		IRR	7.0
			SW		SE		IRR	17.0
							Section Acres	325.6
		28	NE		NE		IRR	40.0

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	28	NW	NE		IRR	15.0
			SE	NE		IRR	35.0
			NW	SW		IRR	20.0
			SW	SW		IRR	20.0
			NE	SE		IRR	20.0
						Section Acres	150.0
		33	NE	NE		IRR	13.0
			NW	NE		IRR	30.0
			NW	NW		IRR	10.0
						Section Acres	53.0
		34	NE	NW		IRR	10.0
			NW	NW		IRR	10.0
			SW	NW		IRR	10.0
			SE	NW		IRR	10.0
			NE	SW		IRR	31.0
			NW	SW		IRR	10.0
			SW	SW		IRR	10.0
			SE	SW		IRR	10.0
			NW	SE		IRR	8.0
			SW	SE		IRR	10.0
						Section Acres	119.0
						Total Acres	5066.8

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
A29-00052/00053/04060

14. Remarks:

PLACE OF USE IS OWNED BY THE SHARE HOLDERS OF PORTNEUF MARSH VALLEY CANAL CO.
THIS STORAGE WATER IS TO BE DELIVERED FREE FROM LOSS, FROM THE RESERVOIR TO THE HEAD OF THE PORTNEUF MARSH VALLEY CANAL CO. IN LOT 7, SECTION 22, TWP 09S, RGE 37E.

15. Basis of Claim: DECREED
Case Number:

Court :
Decree date: 12/04/1922

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 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 President of
Title
Portneuf Marsh Valley Canal Co., that I have signed the foregoing
Organization
document in the space below as President of
Title
Portneuf Marsh Valley Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.

D. Wayne Thompson
Signature of Authorized Agent

Pres. Portneuf Marsh Valley Canal Co.
Title and Organization

Feb. 14, 1990
Date

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Feb 19 90

Ernest Carlson
Notary Public

Residing at McHo Falls, ID.

My Commission Expires 6-14-1994



A29-00589

Page

8

Date: 02/14/90

MICROFILMED
NOV 13 1992

