

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 63-125K
Date Received: 8/23/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NEW DRY CREEK DITCH CO Phone: (208)286-9701
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID USA 83616

2. Date of Priority: 06/01/1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	23	NE SE	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.01	

7. Total Quantity Appropriated is:
1.01 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	7	SW	NE	IRRIGATION	39
			SE	NE	IRRIGATION	39
			NE	NW	IRRIGATION	38
			NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	40
			SE	SE	IRRIGATION	39
			SE	NW	IRRIGATION	40
			NE	NE	IRRIGATION	25
			NW	NE	IRRIGATION	36
			NE	SW	IRRIGATION	36
			SE	SW	IRRIGATION	25
			NE	SE	IRRIGATION	38
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	38
					Section Acres	512
04N	01E	8	SW	SE	IRRIGATION	38
			NW	NE	IRRIGATION	1
			SW	NE	IRRIGATION	17
			SE	NE	IRRIGATION	5
			NW	NW	IRRIGATION	2
			SW	NW	IRRIGATION	37
			SE	NW	IRRIGATION	20
			NE	SW	IRRIGATION	31
			NW	SW	IRRIGATION	39
			SW	SW	IRRIGATION	36
			SE	SW	IRRIGATION	36
			NE	SE	IRRIGATION	28
			NW	SE	IRRIGATION	31
			SE	SE	IRRIGATION	32
					Section Acres	353
04N	01E	9	SW	NW	IRRIGATION	5
			NW	SW	IRRIGATION	8
			SW	SW	IRRIGATION	6
			SE	SW	IRRIGATION	7
			NE	SE	IRRIGATION	18
			NW	SE	IRRIGATION	25
			SW	SE	IRRIGATION	24
			SE	SE	IRRIGATION	37
					Section Acres	130
04N	01E	10	NW	SW	IRRIGATION	8
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	27
			SW	SE	IRRIGATION	6
					Section Acres	80
04N	01E	15	NW	NE	IRRIGATION	28
			SW	NE	IRRIGATION	24
			NE	NW	IRRIGATION	18

			NW	NW	IRRIGATION	10
			SE	NW	IRRIGATION	2
					Section Acres	82
04N	01E	16	NE	NE	IRRIGATION	3
					Section Acres	3
04N	01E	17	NE	NE	IRRIGATION	9
			NW	NE	IRRIGATION	8
			NE	NW	IRRIGATION	10
			NW	NW	IRRIGATION	5
					Section Acres	32
04N	01W	1	SW	NE	IRRIGATION	18
			NE	NW	IRRIGATION	27
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	38
			SE	NW	IRRIGATION	37
			NE	SW	IRRIGATION	38
			NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NW	SE	IRRIGATION	39
			SW	SE	IRRIGATION	38
			SE	SE	IRRIGATION	38
					Section Acres	429
04N	01W	2	NE	NW	IRRIGATION	26
			NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	38
			SW	NE	IRRIGATION	35
			SE	NE	IRRIGATION	39
			SW	NW	IRRIGATION	35
			SE	NW	IRRIGATION	39
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	26
			SE	SW	IRRIGATION	16
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	38
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	40
					Section Acres	528
04N	01W	3	SE	NW	IRRIGATION	28
			NE	SW	IRRIGATION	37
			SW	SW	IRRIGATION	18
			SE	SW	IRRIGATION	19
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	23
			SE	SE	IRRIGATION	22

			NE	NW	IRRIGATION	5
					Section Acres	232
04N	01W	4	SE	SE	IRRIGATION	17
					Section Acres	17
04N	01W	10	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
					Section Acres	198
04N	01W	11	NE	NE	IRRIGATION	37
			NW	NE	IRRIGATION	6
			NW	NW	IRRIGATION	33
			SW	NW	IRRIGATION	40
					Section Acres	116
04N	01W	12	NE	NE	IRRIGATION	30
			NW	NE	IRRIGATION	26
			NE	NW	IRRIGATION	30
			NW	NW	IRRIGATION	40
					Section Acres	126
05N	01W	35	NE	SE	IRRIGATION	33
			NW	SE	IRRIGATION	1
			SW	SE	IRRIGATION	11
			SE	SE	IRRIGATION	30
					Section Acres	75
05N	01W	36	SW	SW	IRRIGATION	35
			SE	SW	IRRIGATION	16
					Section Acres	51
					Total Acres	2964

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.63-125B & 63-125D.

OTHER WATER RIGHTS USED: 63-00206, 63-00207, 63-00286, 63-00259, 63-00288B, 63-00263, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00205, 63-00261.

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-125D

WATER RIGHT NUMBER: 63-125D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NEW DRY CREEK DITCH CO C/O ERMA FULLER 826 W STATE ST EAGLE, ID 83616 (208)939-6302

Priority Date: 06/01/1879

Basis: Decreed

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
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<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	31.320 CFS	
	<u>Total Diversion:</u>	31.320 CFS	

Location of Point(s) of DiversionPlace of UseConditions of Approval:Remarks:

1. General THIS RIGHT AND RIGHT NO. 63-00125B WERE COMBINED INTO ONE CLAIM SINCE THEY BOTH HAVE THE SAME PRIORITY AND SOURCE. THIS CLAIM IS NUMBERED A63-00125B IN THE ADJUDICATION.
2. General SEE NO. 63-125K.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-125D

Dates and Other Information:

Claim Received Date: 6/16/1989
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

Element Reviewed/Verified Dates:

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

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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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: A63-00125B
Date Received: 8/23/1989
Receipt No: W004856
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: NEW DRY CREEK DITCH CO
Address: C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

2. Date of Priority: JUN 1, 1879

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	01E	23		NE	SE		ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	01E	7	NE	NE		IRR	25.0
			NW	NE		IRR	36.0
			SW	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01E	7	SE		NE		IRR	39.0
			NE		NW		IRR	38.0
			NW		NW		IRR	39.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	36.0
			SE		SW		IRR	25.0
			NE		SE		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	38.0
			SE		SE		IRR	39.0
							Section Acres	512.0
		8	NW		NE		IRR	1.0
			SW		NE		IRR	17.0
			SE		NE		IRR	5.0
			NW		NW		IRR	2.0
			SW		NW		IRR	37.0
			SE		NW		IRR	20.0
			NE		SW		IRR	31.0
			NW		SW		IRR	39.0
			SW		SW		IRR	36.0
			SE		SW		IRR	36.0
			NE		SE		IRR	28.0
			NW		SE		IRR	31.0
			SW		SE		IRR	38.0
			SE		SE		IRR	32.0
							Section Acres	353.0
		9	SW		NW		IRR	5.0
			NW		SW		IRR	8.0
			SW		SW		IRR	6.0
			SE		SW		IRR	7.0
			NE		SE		IRR	18.0
			NW		SE		IRR	25.0
			SW		SE		IRR	24.0
			SE		SE		IRR	37.0
							Section Acres	130.0
		10	NW		SW		IRR	8.0
			SW		SW		IRR	39.0
			SE		SW		IRR	27.0
			SW		SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	80.0
		15	NW	NE		IRR	28.0
			SW	NE		IRR	24.0
			NE	NW		IRR	18.0
			NW	NW		IRR	10.0
			SE	NW		IRR	2.0
						Section Acres	82.0
		16	NE	NE		IRR	3.0
						Section Acres	3.0
		17	NE	NE		IRR	9.0
			NW	NE		IRR	8.0
			NE	NW		IRR	10.0
			NW	NW		IRR	5.0
						Section Acres	32.0
01W		1	SW	NE		IRR	18.0
			NE	NW		IRR	27.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	37.0
			NE	SW		IRR	38.0
			NW	SW		IRR	38.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	429.0
		2	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	35.0
			SE	NE		IRR	39.0
			NE	NW		IRR	26.0
			SW	NW		IRR	35.0
			SE	NW		IRR	39.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	2	SE		SW		IRR	16.0
			NE		SE		IRR	39.0
			NW		SE		IRR	38.0
			SW		SE		IRR	39.0
			SE		SE		IRR	40.0
							Section Acres	528.0
		3	NE		NW		IRR	5.0
			SE		NW		IRR	28.0
			NE		SW		IRR	37.0
			SW		SW		IRR	18.0
			SE		SW		IRR	19.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	23.0
			SE		SE		IRR	22.0
							Section Acres	232.0
		4	SE		SE		IRR	17.0
							Section Acres	17.0
		10	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
							Section Acres	198.0
		11	NE		NE		IRR	37.0
			NW		NE		IRR	6.0
			NW		NW		IRR	33.0
			SW		NW		IRR	40.0
							Section Acres	116.0
		12	NE		NE		IRR	30.0
			NW		NE		IRR	26.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
							Section Acres	126.0
05N	01W	35	NE		SE		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	35	NW	SE		IRR	1.0
			SW	SE		IRR	11.0
			SE	SE		IRR	30.0
						Section Acres	75.0
		36	SW	SW		IRR	35.0
			SE	SW		IRR	16.0
						Section Acres	51.0
						Total Acres	2964.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WATER RIGHTS USED: 63-00206, 63-00207, 63-00286, 63-00259, 63-00288B, 63-00263, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00205, 63-00261.

NOTE: THIS CLAIM IS A COMBINATION OF WATER RIGHT NO'S 63-00125B (.19 CFS), 63-00125D (.82 CFS) SINCE BOTH HAVE THE SAME DATE OF PRIORITY.

ADDRESS CHANGED PER CLAIMANT REQUEST 6/30/97. LH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

SRBA Case #39576 Subcase #02-10063

Mail this postcard to businesses and people who send you mail.

Please send mail to new address beginning: 05-01-97, Month Day Year

NEW DRY CREEK DITCH CO. / DANA PURDY

My Name (Last name, first name, middle initial)

1200 Hereford Dr.

OLD Complete Street Address or PO Box or Rural Route and RR Box

Apt./Suite #

Eagle,

ID

83616

City or Post Office

State

ZIP or ZIP+4 Code

NEW DRY CREEK DITCH CO. / DANA PURDY

NEW Complete Street Address or PO Box or Rural Route and RR Box

Apt./Suite #

5926 W. FLOATING FEATHER RD.

City or Post Office

State

ZIP or ZIP+4 Code

EAGLE, ID 83616

NEW Telephone Number (Optional)

Account Number (If applicable)

Signature

Dana Purdy

Today's Date: 10-51-97 Month Day Year

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

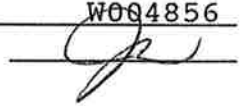
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00125B

Date Received: 8/23/1989

Receipt No: W084856

Received By: 

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

1. Name: NEW DRY CREEK DITCH CO. 208-939-6219
Address: C/O LYNNE SEDLACEK
1200 HEREFORD DR.
EAGLE, ID 83616

2. Date of Priority: JUN 1, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	23		NE	SE		ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	7	NE	NE		IRR	25.0
			NW	NE		IRR	36.0
			SW	NE		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	7	SE	NE		IRR	39.0
			NE	NW		IRR	38.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	36.0
			SE	SW		IRR	25.0
			NE	SE		IRR	38.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			SE	SE		IRR	39.0
						Section Acres	512.0
		8	NW	NE		IRR	1.0
			SW	NE		IRR	17.0
			SE	NE		IRR	5.0
			NW	NW		IRR	2.0
			SW	NW		IRR	37.0
			SE	NW		IRR	20.0
			NE	SW		IRR	31.0
			NW	SW		IRR	39.0
			SW	SW		IRR	36.0
			SE	SW		IRR	36.0
			NE	SE		IRR	28.0
			NW	SE		IRR	31.0
			SW	SE		IRR	38.0
			SE	SE		IRR	32.0
						Section Acres	353.0
		9	SW	NW		IRR	5.0
			NW	SW		IRR	8.0
			SW	SW		IRR	6.0
			SE	SW		IRR	7.0
			NE	SE		IRR	18.0
			NW	SE		IRR	25.0
			SW	SE		IRR	24.0
			SE	SE		IRR	37.0
						Section Acres	130.0
		10	NW	SW		IRR	8.0
			SW	SW		IRR	39.0
			SE	SW		IRR	27.0
			SW	SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
		15	NW	NE	IRR	28.0
			SW	NE	IRR	24.0
			NE	NW	IRR	18.0
			NW	NW	IRR	10.0
			SE	NW	IRR	2.0
					Section Acres	82.0
		16	NE	NE	IRR	3.0
					Section Acres	3.0
		17	NE	NE	IRR	9.0
			NW	NE	IRR	8.0
			NE	NW	IRR	10.0
			NW	NW	IRR	5.0
					Section Acres	32.0
01W		1	SW	NE	IRR	18.0
			NE	NW	IRR	27.0
			NW	NW	IRR	38.0
			SW	NW	IRR	38.0
			SE	NW	IRR	37.0
			NE	SW	IRR	38.0
			NW	SW	IRR	38.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NW	SE	IRR	39.0
			SW	SE	IRR	38.0
			SE	SE	IRR	38.0
					Section Acres	429.0
		2	NE	NE	IRR	38.0
			NW	NE	IRR	38.0
			SW	NE	IRR	35.0
			SE	NE	IRR	39.0
			NE	NW	IRR	26.0
			SW	NW	IRR	35.0
			SE	NW	IRR	39.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	26.0
			SE	SW	IRR	16.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	2	NE		SE		IRR	39.0
			NW		SE		IRR	38.0
			SW		SE		IRR	39.0
			SE		SE		IRR	40.0
			Section Acres					528.0
		3	NE		NW		IRR	5.0
			SE		NW		IRR	28.0
			NE		SW		IRR	37.0
			SW		SW		IRR	18.0
			SE		SW		IRR	19.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	23.0
			SE		SE		IRR	22.0
			Section Acres					232.0
		4	SE		SE		IRR	17.0
			Section Acres					17.0
		10	NE		NE		IRR	38.0
			NW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			Section Acres					198.0
		11	NE		NE		IRR	37.0
			NW		NE		IRR	6.0
			NW		NW		IRR	33.0
			SW		NW		IRR	40.0
			Section Acres					116.0
		12	NE		NE		IRR	30.0
			NW		NE		IRR	26.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
			Section Acres					126.0
05N	01W	35	NE		SE		IRR	33.0
			NW		SE		IRR	1.0
			SW		SE		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	35	SE	SE		IRR	30.0
						Section Acres	75.0
		36	SW	SW		IRR	35.0
			SE	SW		IRR	16.0
						Section Acres	51.0
						Total Acres	2964.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

OTHER WATER RIGHTS USED: 63-00206, 63-00207, 63-00286, 63-00259, 63-00288B, 63-00263, 63-00258B, 63-00124B, 63-00125B, 63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00239B, 63-00239C, 63-00161L, 63-00205, 63-00261.

NOTE: THIS CLAIM IS A COMBINATION OF WATER RIGHT NO'S 63-00125B (.19 CFS), 63-00125D (.82 CFS) SINCE BOTH HAVE THE SAME DATE OF PRIORITY.

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 _____

MICROFILMED
AUG 14 1992

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: A63-00125B
Date Received: ~~6/16/1989~~ 8/23/8
Receipt No: 1004856
Received By: [Signature] DE ZH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEW DRY CREEK DITCH CO. 208-939-6302
Address: C/O ERMA FULLER
826 W. STATE ST.
EAGLE, ID 83616

2. Date of Priority: JUN 01, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	23	NE	SE			ADA

5. Description of diverting works:
CONCRETE DIVERSION STRUCTURE IN RIVER, CANAL, HEADGATES, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

OTHER WATER RIGHTS USED: 63-00206, 63-00207, 63-00286, 63-00288B
63-00263, 63-00259, 63-00261, 63-00258B, 63-00124B, 63-00205,
63-00126B, 63-00124D, 63-00125D, 63-00126D, 63-00238, 63-00260A,
63-00239B, 63-00239C, 63-00161L.

NOTE: THIS CLAIM IS A COMBINATION OF RIGHT NO.'S 63-00125B (.19
CFS) AND 63-00125D (.82 CFS) SINCE BOTH HAVE THE SAME DATE OF
PRIORITY AND SOURCE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

(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.

100-443887-100
 100-443887-100
 100-443887-100
 100-443887-100

RECEIVED

DEC 11 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - IDAHO
TWIN FALLS CO. IDAHO
FILED
2007 DEC 18 PM 3 22

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

Case No. 39576

) ORDER OF PARTIAL DECREES FOR
) IRRIGATION DELIVERY ENTITY
) USING DIGITAL BOUNDARY
) DESCRIPTION; I.C. §§ 42-202B(2), 42-
) 219(2), 42-1411(2)(h)
)
) Subcases: See Attached Exhibit A
) (New Dry Creek Ditch Co.)
)
)

I.
FINDINGS AND CONCLUSIONS

1. On August 7, 2007, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.
2. The above-captioned water right is for an irrigation purpose of use and satisfy one of the following statutory criteria: (1) used in conjunction with an irrigation project where the canals constructed cover an area of twenty-five thousand (25,000) acres or more; (2) the place of use for the water rights is located within an irrigation district organized pursuant to the laws of the state of Idaho; or (3) the water rights are for an irrigation project developed by an association, company, corporation or the United States to divert and deliver or distribute surface water under any annual charge or rental for beneficial use by more than five (5) water users in an area less than twenty-five thousand (25,000) acres.
3. Effective July 1, 2002, the Idaho Legislature approved the use of a Geographic Information System (GIS) for describing the place of use (digital boundary) for water rights meeting the above-stated criteria. See I.C. §§ 42-219(2)(2003) and 42-1411(2)(h)(2003). The GIS mapping technology allows the geographic area encompassing the place of use for a

water right to be particularly identified and visually displayed in a map overlay format through the aid of computer technology. In incorporating a digital boundary into a partial decree, the electronic or digital data is what is actually decreed as opposed to the visually displayed map ultimately generated from the data. The data is stored on a CD-ROM. The Court finds that the GIS mapping technology maintained by IDWR complies with the standards for spatial accuracy set forth in I.C. § 42-202B (2)(2003). *See Notice of Filing Affidavit of Michael Ciscell Re: Digital Boundary, filed October 17, 2003.*

II. ORDER

1. Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.
2. IT IS FURTHER HEREBY ORDERED that the data comprising the digital boundary shall be stored on a CD-ROM medium, which shall be issued in duplicate original. The SRBA District Court will retain one original together with the original *Partial Decrees*, and IDWR will retain the other original. The map depicting the place of use attached to the *Partial Decrees* is intended for illustrative purposes only.
3. IT IS FURTHER HEREBY ORDERED that upon request, the claimant can obtain a copy of the CD-ROM from IDWR at no cost, although GIS software will still be required to access the data. Subsequent administrative changes to the place of use shall also be stored in a digital format and kept on file and maintained by IDWR. IDWR shall maintain all computer software and/or hardware necessary for reducing the data to a usable format that is accessible to the general public, including access through the IDWR Internet website (www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).

DATED October 10, 2007.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (NEW DRY CREEK DITCH COMPANY)

Subcase Nos:

63-00125K
63-00126G
63-00161L
63-00205
63-00206
63-00258B
63-00263
63-00286
63-00288B
63-28977
63-31778
63-31806

(Subcase list: NEWDRY)
8/07/07

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

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-00125K

THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
FILED
2007 DEC 10 PM 3 22

NAME AND ADDRESS:

NEW DRY CREEK DITCH COMPANY
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE, ID 83616

SOURCE:

BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY:

1.01 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE:

06/01/1971

POINT OF DIVERSION:

T04N R01E S23 NESE Within Ada County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	1.01 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 Reservoir 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:

2964 ACRES TOTAL
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.
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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

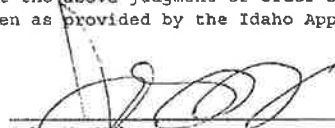
42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

AUG 08 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 AUG 7 PM 12 28

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

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) (Digital Boundary)
)
) FOR WATER RIGHTS 63-00125K,
) 63-00126G, 63-00161L, 63-00205, 63-00206,
) 63-00258B, 63-00263, 63-00286, 63-00288B,
) 63-28977, 63-31778, and 63-31806
) (New Dry Creek Ditch Company)

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

On April 21, 2006, the claimant of the water rights, the New Dry Creek Ditch Company, filed objections to the *Director's Report*, asserting that the number of irrigated acres should be 3104, rather than the 2709.5 as listed in the *Director's Report*. On August 1, 2007, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in each of the subcases, which resolved the objections by specifying a place of use of 2964 acres. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-00125K, 63-00126G, 63-00161L, 63-00205, 63-

00206, 63-00258B, 63-00263, 63-00286, 63-00288B, 63-28977, 63-31778, and 63-31806 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated August 7, 2007



Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

DISTRICT COURT - CREA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

2007 AUG 7 PM 12 28

Water Right 63-00125K

NAME AND ADDRESS: NEW DRY CREEK DITCH COMPANY
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE, ID 83616

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.01 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1871

POINT OF DIVERSION: T04N R01E S23 NESE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.01 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 Reservoir 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:

2964 ACRES TOTAL
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF THE NEW DRY CREEK DITCH COMPANY.
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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

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.

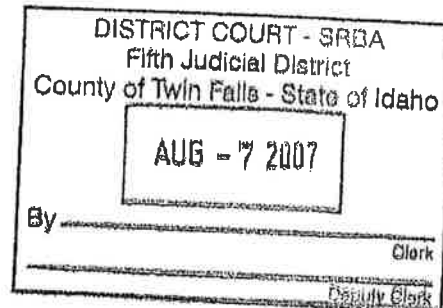
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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 Kaulman (1921-1986)

July 18, 2007

Becky Harvey
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

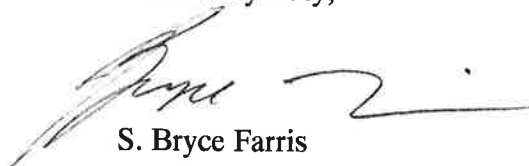
Re: New Dry Creek Ditch Company - Standard Form 5's

Dear Ms. Harvey:

Enclosed please find originals of the Standard Form 5 (SF5) Stipulated Elements of a Water Right for each of the following water rights: 63-125K; 63-126G; 63-161L; 63-205; 63-206; 63-258B; 63-263; 63-286; 63-288B; 63-28977; 63-31778; and 63-31806. Each SF5 has been signed by both Jan Shurte and myself and now requires signature for filing with the Court. Please provide me with filed copies.

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

Yours very truly,



S. Bryce Farris

SBF:kw
Enclosures

cc: client
Jan Shurte (w/o enclosures)

RECEIVED

JUL 19 2007

WATER RESOURCES
WESTERN REGION

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2007 AUG 1 AM 11 07

RECEIVED

AUG 02 2007

DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

Subcase No. 63-125K

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

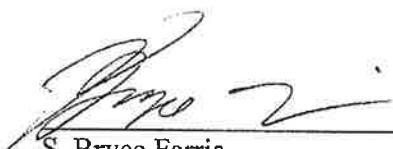
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached amended recommendation. The parties and IDWR further agree and stipulate that the attached is an accurate digital depiction of the boundary for New Dry Creek Ditch Co produced by IDWR.

CLAIMANT(s)/OBJECTOR(s):

New Dry Creek Ditch Co

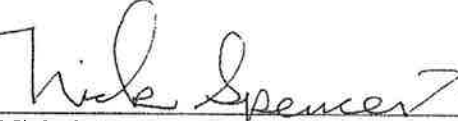

S. Bryce Farris
attorney

7/17/07
Date

STANDARD FORM 5 - 63-125K

IDWR Concurrence:


Jan Shurte
Adjudication Supervisor
Date


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR
Date

CERTIFICATE OF MAILING

I certify that on July 30, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

S. Bryce Farris
455 S Third St
PO Box 2773
Boise, ID 83701-2773

New Dry Creek Ditch Co
c/o Dana Purdy
5926 W Floating Feather Rd
Eagle, ID 83616

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form

SF5 Right No. 63-125K

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

RIGHT NUMBER: 63-125K

NAME AND ADDRESS:

NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE:

Source:

Tributary:

BOISE RIVER

SNAKE RIVER

QUANTITY:

1.010 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1871

POINT OF DIVERSION:

T04N R01E S23 NESE
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/01 11/15

1.010 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 Reservoir 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:

2964 ACRES TOTAL

~~2709.5 ACRES TOTAL~~

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF NEW DRY CREEK DITCH COMPANY.

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2709.5 ACRES WITHIN THE BOUNDARY OF NEW DRY CREEK DITCH COMPANY.~~

SBF
J
NBS

SF5 Right No. 63-125K

SF5 Right No. 63-125K

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 63-126G, 63-161L, 63-205, 63-206, 63-31778,
63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-125B & 63-125D
THIS RIGHT IS DESIGNATED AS NO 54 IN THE STEWART DECREE AND THE
BOISE RIVER WATER MASTERS RECORDS.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-125.



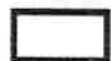
New Dry Creek Ditch Co

SRBA Recommendations: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806

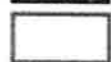
Service Area Boundary
GIS Place of Use Illustration

Legend

Service Area



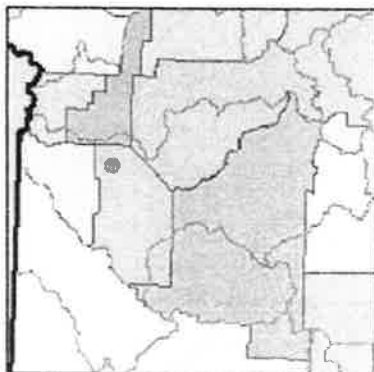
Townships



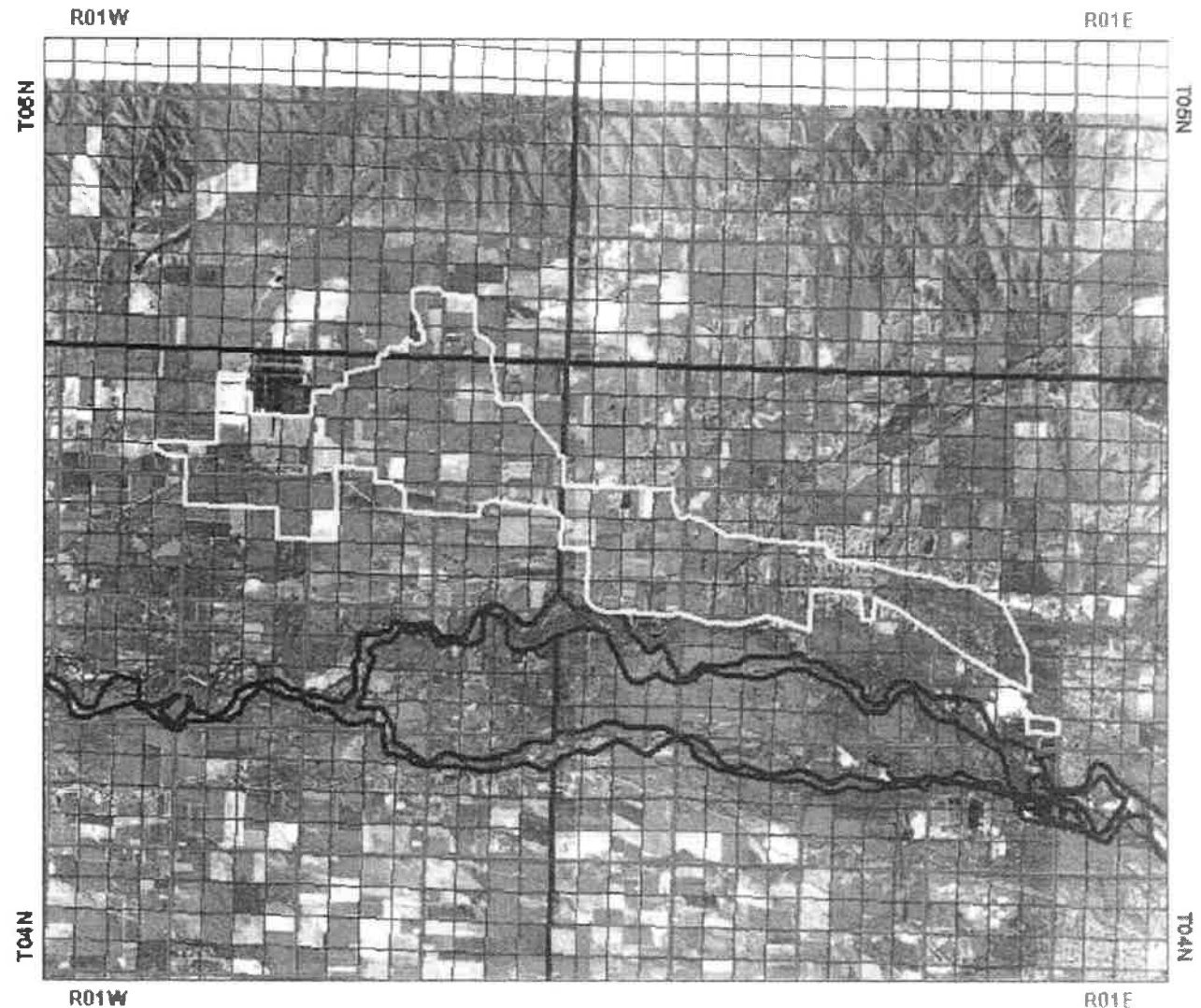
PLS Sections



Quarter Quarters



Ada County
IDWR Basin 63



Prepared by S. Egbert
On Thursday, June 21, 2007
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

July 6, 2007

S. Bryce Farris
PO Box 2773
455 S Third St
Boise, ID 83701-2773

RE: Subcase Nos. 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778 and 63-31806 – New Dry Creek Ditch Co

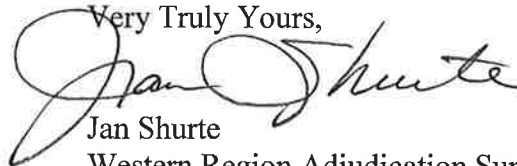
Dear Bryce:

Enclosed please find Standard Forms 5 (SF5s) for the above-referenced subcases. I have enclosed one CD of the digital boundary for your review

After you have signed and initialed the SF5s, each recommendation page as well as the colored maps, please mail everything to Becky Harvey.

If you have any questions about filing these documents, you can call me at: 208-334-2190 or you may call my paralegal, Becky Harvey, at: 287-4814. Thanks for your assistance and cooperation.

Very Truly Yours,



Jan Shurte

Western Region Adjudication Supervisor

JS/bh

Enclosures

IDWR Concurrency:

Jan Shurte
Adjudication Supervisor

Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on _____, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

S. Bryce Farris
455 S Third St
PO Box 2773
Boise, ID 83701-2773

New Dry Creek Ditch Co
c/o Dana Purdy
5926 W Floating Feather Rd
Eagle, ID 83616

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Signature of person mailing the form

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

RIGHT NUMBER: 63-125K

NAME AND ADDRESS:

NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE:

Source:
BOISE RIVER

Tributary:

SNAKE RIVER

QUANTITY:

1.010 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1871

POINT OF DIVERSION:

T04N R01E S23 NESE
Within ADA CountyPURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/01 11/15

1.010 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 Reservoir 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:

2964 ACRES TOTAL~~2709.5 ACRES TOTAL~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE
BOUNDARY OF NEW DRY CREEK DITCH COMPANY.~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2709.5 ACRES WITHIN THE
BOUNDARY OF NEW DRY CREEK DITCH COMPANY.~~

SF5 Right No. 63-125K

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 63-126G, 63-161L, 63-205, 63-206, 63-31778,
63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-125B & 63-125D
THIS RIGHT IS DESIGNATED AS NO 54 IN THE STEWART DECREE AND THE
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THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-125.



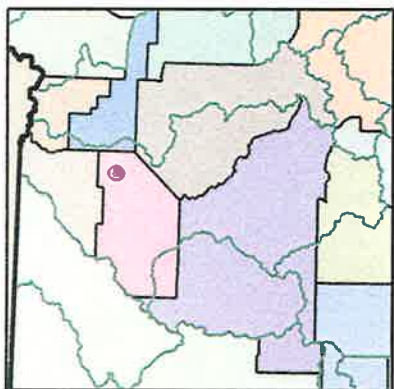
New Dry Creek Ditch Co

SRBA Recommendations: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806

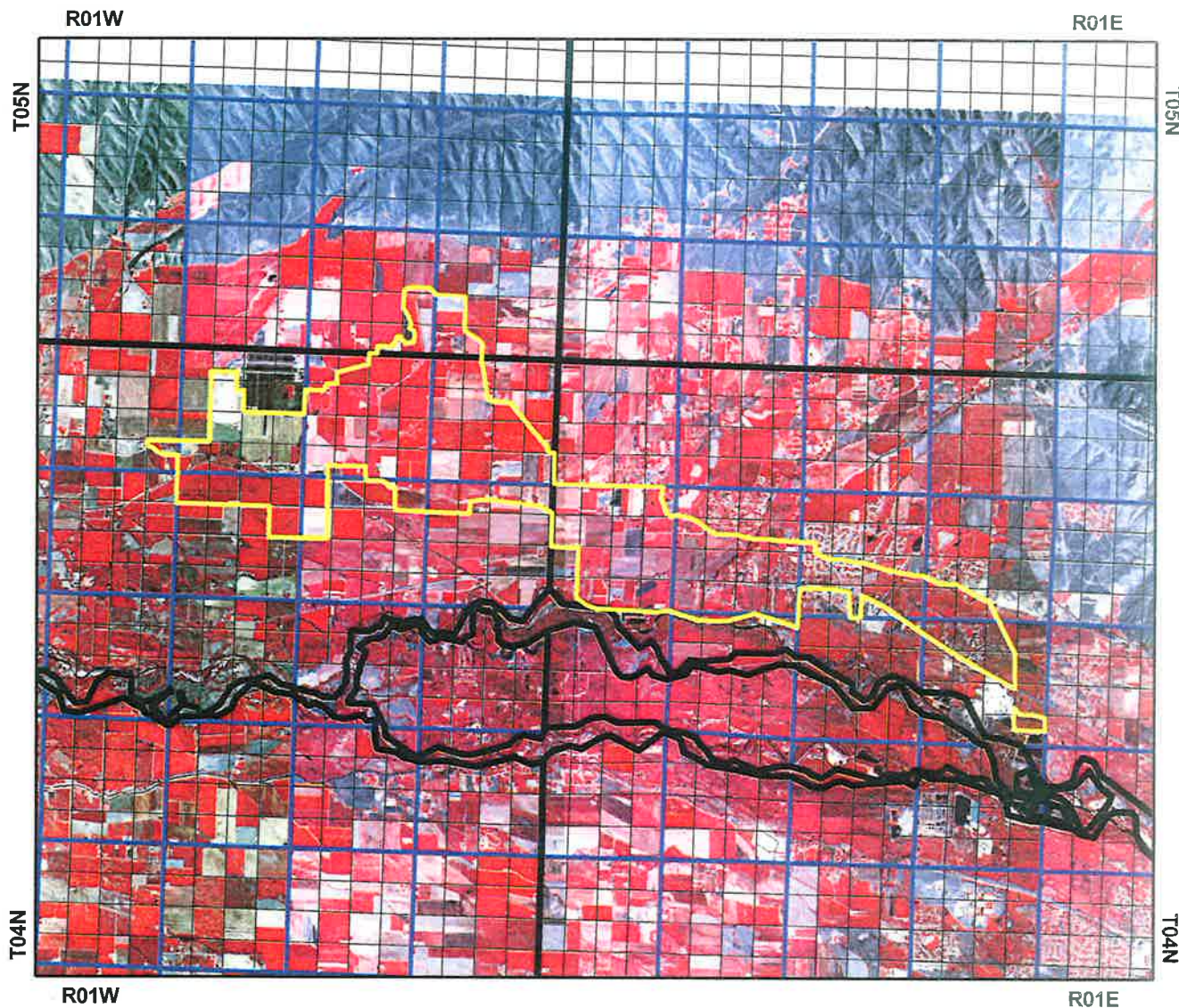
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



0 3 6 Miles

Prepared by S. Egbert
On Thursday, June 21, 2007
1987/88 Aerial Photography

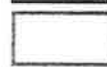
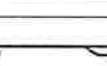


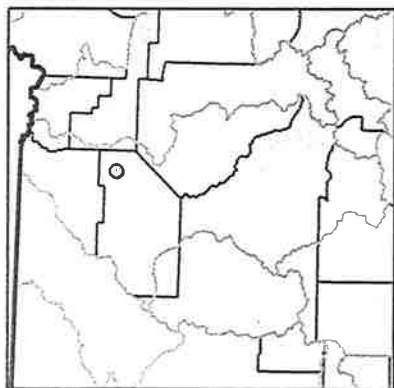
New Dry Creek Ditch Co

SRBA Recommendations: 63-125K, 63-126G, 63-161L, 63-205, 63-206, 63-258B, 63-263, 63-286, 63-288B, 63-28977, 63-31778, 63-31806

Service Area Boundary
GIS Place of Use Illustration

Legend

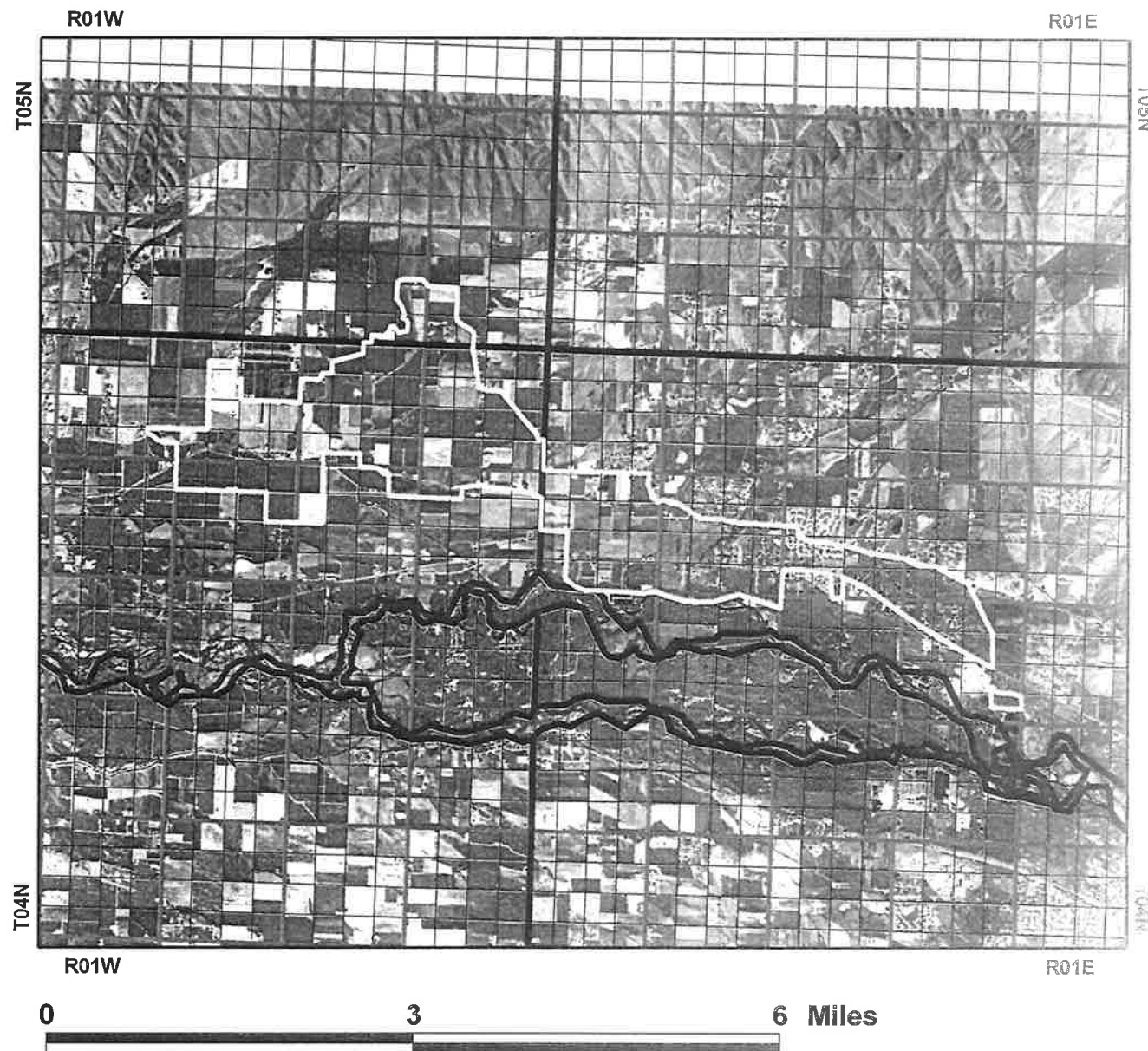
-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



Prepared by S. Egbert
On Thursday, June 21, 2007
1987/88 Aerial Photography



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-125K V2

WATER RIGHT NUMBER: 63-125K V2

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	RINGERT CLARK CHARTERED 455 S 3RD ST PO BOX 2773 BOISE, ID 83701 (208)342-4591
Current Owner	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE, ID 83616 (208)286-9701

Priority Date: 06/01/1871

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	03/01 to 11/15	1.010 CFS	
	<u>Total Diversion:</u>	1.010 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseConditions of Approval:

1. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
2. 155 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. F01 WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
4. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.63-125B & 63-125D
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2964 ACRES WITHIN THE BOUNDARY OF NEW DRY CREEK DITCH COMPANY.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-125K V2

6. THIS RIGHT IS DESIGNATED AS NO 54 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.
7. S45 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 Reservoir 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.
8. C18 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.
9. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-125.
10. 135 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.

Remarks:Comments:

1. jshurte 5/14/2007 Objection Resolution

Comment: Per objection the boundaries of this irrigation district were increased from 2709.5 to 2964 acres per addition of the lands in the N1/2N1/2 (160), SENE (40), S. 10; NENE (33), SENE (21.5) S.11, T4N, R1W, for a total of 254.5 acres. This is substantiated by a memo Mel Schulte wrote concerning his recommendation where he stated that the Quarter Circle DJ Ranch lands under the New Dry Creek Ditch Co overlap on New Dry Creeks map and Middleton Mill Ditch Cos map as both ditch company rights are used on these lands. These lands are the same ones omitted from New Dry Creek Ditch Cos boundaries and are indicated on several maps leading up to the final map. New Dry Creek Ditch Co states that Quarter Circle DJ used their shares on these lands when the Foothills ditch (Middleton Mill) could not deliver water. The mapping over the years and Mel Schultes memo substantiate the addition of these acres.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-125K V2

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/25/2007	jshurte	Active
POU	4/25/2007 3:25:05 PM	jshurte			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	5/1/2007 10:21:02 AM	dfavreau	Updated PLS for Active POU
POU	4/25/2007 3:03:02 PM	jshurte	Updated shape for Active POU
POU	4/25/2007 3:25:05 PM	jshurte	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required?
Summary	4/25/2007 8:30:51 AM	jshurte	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?
POD	4/25/2007 3:01:00 PM	jshurte	Updated shape
POU	4/25/2007 3:05:10 PM	jshurte	Updated PLS for Active POU
POU	5/1/2007 10:17:26 AM	dfavreau	Updated shape for Active POU
POU	5/1/2007 10:18:02 AM	dfavreau	Updated shape for Active POU

Water Supply Bank:

New Dry Creek Ditch Co.

4-12-07

Met with the Board Members of the New Dry Creek Ditch Co. concerning the addition of the acres in the N1/2N1/2 (160), SENE (40), S. 10; NENE (33), SENE (21.5), S. 11, T4N, R1W, for a total of 254.5 acres. This brings the total acres for New Dry Creek Ditch Company to 2964 acres as originally claimed.

I agreed to map out the new acres, show the 75 acres within the City of Eagle and print a new map for the ditch company records and our records. We will do an SF5 on digital boundaries to the SRBA Court along with the CD showing the new boundaries. The City of Eagle's acre have already been counted in per Mel Schulte's memo dated 6-8-2005, however, the acres were not digitized into the pou.

The addition of the 254.5 acres is also substantiated by the 6-8-2005 memo from Mel Schulte concerning his recommendation where he states that the Quarter Circle DJ Ranch lands under the New Dry Creek Ditch Co overlap on New Dry Creek's map and Middleton Mill Ditch Co's map as both ditch company rights are used on these lands. These lands are the same acres omitted from New Dry Creek Ditch Co's boundaries for the Director's Report yet were indicated on several maps leading up to the final. I feel it was an inadvertent omission and should now be corrected. See maps in file #63-125K.

Jan Shurte
Water Rights Supervisor

06/08/2005

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

RIGHT NUMBER: 63-125K

NAME AND ADDRESS: NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.010 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1871

POINT OF DIVERSION:
T04N R01E S23 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.010 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 Reservoir 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:

2709.5 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 IS LIMITED TO THE IRRIGATION OF 2709.5 ACRES WITHIN THE BOUNDARY OF NEW DRY CREEK DITCH COMPANY.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-125B & 63-125D

WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH

THIS RIGHT IS DESIGNATED AS NO 54 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-125.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937

RECEIVED

JUN 23 2005

WATER RESOURCES
WESTERN REGION

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: June 24, 2005

Water Right Number: 63-125K

NEW DRY CREEK DITCH CO
C/O DANA PURDY
5926 W FLOATING FEATHER RD
EAGLE, ID 83616

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

Place of use:

2517.8 ACRES TOTAL

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

Place of Use: 3104 ACRES TOTAL

No, there is only 3087 acres within the boundary including roads, highways, canals, etc. the water master shows 3059 acres.

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

Based on an application of one inch of water to the acre, the total irrigated acres for any given season should be 3104.

The total diversions reflect one inch per acre plus 7.9 cfs for delivery loss in the system.

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

DATE: 6/22/05

SIGNATURE: *[Signature]*

Please print your name: S. Bryce Farritz

New Dry Creek

Source	Date	Status	Acres
	0		3066.4
	0		20.6

3087 acres total

AIKEN	236 ACRES	ISLAND HIGH LINE	945 ACRES
ANDREWS	1068 "	LEMP DITCH	300 "
BALLENTYNE	763 "	LITTLE PIONEER	1336 "
BAXTER	200 "	LOWER CENTER POINT.....	880 "
BOISE CITY	1828 "	MACE & CATLIN	536 "
BOISE PROJECT BOARD OF CONTROL		MACE & MACE	80 "
BIG BEND IRRIG. DIST.....	1724 "	MAMMON	468 "
BOISE-KUNA IRRIG. DIST.....	48,629 "	McCONNEL ISLAND	1600 "
NAMPA & MERIDIAN IRRIG. DIST....	40,304 "	McMANUS & TEATER	168 "
NEW YORK IRRIG. DIST.....	17,728 "	MIDDLETON MILL	4400 "
WILDER IRRIG. DIST.....	56,535 "	MIDDLETON WATER.....	5180 }
TOTAL - BOARD OF CONTROL.....	164,920 "	MISCELLANEOUS	838 "
BOISE VALLEY	2729 "	NEW DRY CREEK	3059 "
BOONE	517 "	NEW UNION	688 "
BOWMAN-SWISHER.....	424 "	PARMA DITCH	602 "
BUBB (SOUTH BOISE MUTUAL).....	1057 "	PENITENTIARY	321 "
*CALDWELL HIGH LINE.....	11,917 "	PIONEER IRRIG. DIST.....	23,974 "
CAMPBELL (CANYON DITCH).....	802 "	PIONEER DIXIE.....	3000 "
CANYON COUNTY	3957 "	RIDENBAUGH	26,877 "
CAPITAL VIEW	600 "	RIVERSIDE IRRIG. DIST.....	10,645 "
CONWAY-HAMMING.....	259 "	ROEDEL	160 "
DAVIS & LITTLE DAVIS	634 "	ROSSI MILL	512 "
EUREKA WATER CO. #1	1300 "	SEBREE.....	15,500 "
EUREKA DITCH CO. #2	2625 "	SEVEN SUCKERS	70 "
FARMERS UNION	8372 "	SETTLERS	12,322 "
GRAHAM-GILBERT	200 "	SIEBENBERG	646 "
HAAS.....	367 "	THURMAN MILL	1719 "
HART-DAVIS	453 "	UPPER CENTER POINT.....	641 "
		WARM SPRINGS DITCH	454 "

TOTAL 324,239 ACRES

DRAINAGE WATER (NOT DIVERTED FROM BOISE RIVER)

BLACK CANYON IRRIGATION DISTRICT	6,894 ACRES
CALDWELL IRRIGATION DISTRICT	755 "
MORELAND & VIAL (DIXIE DRAIN)	640 "
	8,289 ACRES

GRAND TOTAL 332,528 ACRES

THIS ACREAGE IS BASED, IN SOME INSTANCES, UPON ACTUAL SURVEYS, AND IN OTHER CASES UPON THE ACREAGE AS DETERMINED AT THE TIME OF THE STEWART DECREE, AND IS THE BEST INFORMATION AVAILABLE AT THE PRESENT TIME. IT WAS ORIGINALLY COMPUTED FEBRUARY 14, 1941, BUT HAS BEEN REVISED SEVERAL TIMES, PARTICULARLY TO REDUCE RIVER BOTTOM ACREAGES TO CONFORM TO STEWART DECREE ACREAGES AS DETERMINED BY SPECIAL COMMITTEE, AND TO ACCOMMODATE TRANSFERS FROM ONE CANAL OR USER TO ANOTHER.

RIDENBAUGH REPRESENTS OLD LANDS WITHIN THE NAMPA & MERIDIAN IRRIGATION DISTRICT THAT ARE WATERED BY THE OLD RIDENBAUGH RIGHTS IN THE STEWART DECREE. THE BALANCE OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT LANDS ARE INCLUDED UNDER THE BOARD OF CONTROL.

*3960 ACRES ARE WATERED WITH LIVE WATER. THE BALANCE OF THE WATER COMES FROM SEVERAL DRAINS.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-125K V1

WATER RIGHT NUMBER: 63-125K V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW DRY CREEK DITCH CO C/O DANA PURDY 5926 W FLOATING FEATHER RD EAGLE, ID 83616 (208)286-9701

Priority Date: 06/01/1871

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	03/01 to 11/15	1.010 CFS	
	<u>Total Diversion:</u>	1.010 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4	Sec. 23, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseConditions of Approval:

1. 135 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.
2. 155 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 preceding 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 preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-125K V1

4. S45 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 Reservoir 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.

Remarks:

1. Explanatory THIS RIGHT IS DESIGNATED AS NO 54 IN THE STEWART DECREE AND THE BOISE RIVER WATER MASTERS RECORDS.
2. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
3. Explanatory WATER IS DELIVERED THROUGH THE NEW DRY CREEK DITCH
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-126G, 63-161L, 63-205, 63-206, 63-31778, 63-258B, 63-31806, 63-263, 63-286, 63-288B, 63-28977, 63-146, 63-31937
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2517.8 ACRES WITHIN THE BOUNDARY OF NEW DRY CREEK DITCH COMPANY.
6. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 63-125B & 63-125D
7. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-125.

Comments:

Water Supply Bank:

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-125KOwner: New Dry Creek Ditch Co. Phone No. 286-9701 = Dana PurdyCurrent Address: 3926 W. Floating Feather Rd., Eagle, ID 83616

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: Dana Purdy, President**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6-1-1879 = error

(If priority date, based on your exam, seems questionable, explain below.)

There is a date entry error in the claim. The decreed priority date is 8-1-1871Source: Boise River Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NE	SE	23	4N	1E	Ada	USGS topo map.

Description of diverting works

A concrete dam in the river diverts water to a headgate and canal. About one mile downstream, a second headgate diverts the New Union Ditch Co's water into their ditch.

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

The New Dry Creek and New Union ditch Companies share the same POD and the first mile of canal.

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME - Groundwater only *NA*

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____
☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

2709.5 2517.8 Acres within the New Dry Creek Ditch Co. Boundary.			NE				NW				SW				SE				Totals
Place of Use																			
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						</													

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

No the companies decreased water totals 62.09 cfs which includes ~~that~~ 7.9 cfs for delivery loss (See file 63-205)

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
NA					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

See 63-205 for delivery loss estimates and information
 This right combines 63-125B & 125D.
 The 2709.5 acre place of use is made up of 2624.5 acres digitized and 10 shares (acres) owned by the Circle D Cattle company plus 7.5 acres within the City of Eagle
 The delivery loss measurements were made on 3-10-2003 with the assistance of Dana Purdy, the company president.

There is a partial overlap of shoreholders in 4N, 1E, S15 with
New Union Ditch according to George Hanson, New Union Ditch

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3-10-2003

FIELD EXAMINER: Mel Schulte

63-125K

(7)

III.

That the defendant THE MIDDLETON MILL DITCH COMPANY, a corporation, be and it is hereby awarded the use of the waters of Boise River, diverted from said river at a point near the farm of Davis & Hart, Sec 13, T. 4 N. R. 1 W. B.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

83 0128 ^{T 300, 301, 349, 349, 350, 391, 393} 1840 inches, from June 1, 1864; and hereby designated as Right No. 3
 63 0125 ^{T 300, 301, 391, 393} 1865 inches, from June 1, 1871; and hereby designated as Right No. 54.
 83 0126 ^{300, 301, 393} 350 inches, from June 1, 1891; and hereby designated as Right No. 120.

And adjudged to pay \$222.25 costs, in addition to the costs incurred by it.

IV.

That the defendant THOMAS ANDREWS be and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in SE $\frac{1}{4}$ of Sec. 25 and in SW $\frac{1}{4}$ of Sec. 30, T. 5 N. R. 5 W. B.M., for use upon the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 23, E. $\frac{1}{2}$ of SE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, E. $\frac{1}{2}$ of NW $\frac{1}{4}$, and lot 2, Sec. 22, all in T. 5 N. R. 5 W. B.M., in the following amounts from the following

83 0127 ^{pp. 32, 33} 135 inches, from June 1, 1864; and hereby designated as Right No. 4.
 83 0128 300 inches, from June 1, 1865; and hereby designated as Right No. 29.
 83 0129 85 inches, from June 1, 1870; and hereby designated as Right No. 51.
 83 0130 45 inches, from June 1, 1888; and hereby designated as Right No. 104.
 83 0131 175 inches, from June 1, 1891; and hereby designated as Right No. 121.

And adjudged to pay \$52.50 costs, in addition to the costs incurred by him.

V.

That the defendants T. C. CATLIN and POLETTE MACE be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south bank of said river, on Lot 3, Sec. 17, T. 4 N. R. 1 E. B.M., for use on their lands on Eagle Island, Ada County, Idaho, in the following amounts from the following dates;

83 0132 ^{pp. 179} 143 inches, from June 1, 1864; and hereby designated as Right No. 5.
 83 0133 50 inches, from June 1, 1871; and hereby designated as Right No. 52.
 83 And adjudged to pay \$37.52 costs, in addition to the costs incurred by them.

VI.

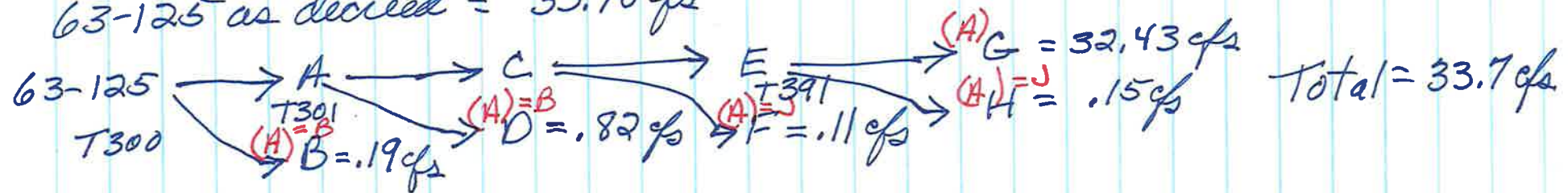
That the defendant T. C. CATLIN be and he is hereby awarded the use of the waters of Boise River, diverted near the center of the NE $\frac{1}{4}$ of Sec. 13, T. 4 N. R. 1 E. B.M., through what is known as the Davis & Hart ditch, for use upon lands lying under said ditch on Eagle Island, Ada County, Idaho, in the following amount from the following date;

83 0134 165 inches, from June 1, 1864.

And adjudged to pay \$11.55 costs, in addition to the costs incurred by him.

Split Tree 63-125

63-125 as decreed = 33.70 cfs



$$A_{63-125} B = 1.01 \text{ cfs } (A + D)$$

$$-125 J = .26 \text{ cfs } (F + H)$$

$$\text{Totals} = 33.7 \text{ cfs}$$

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-125D

WATER RIGHT NUMBER: 63-125D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MIDDLETON MILL DITCH CO
	, ZZ
Current Owner	JOHN F GROOME
	, ZZ

Priority Date: 06/01/1871

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	/ to /	0.820 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		0.820 CFS	

Location of Point(s) of Diversion

BOISE RIVER	SW1/4SE1/4	Sec. 24, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R01W S01	SWSW	40.0	T04N R01W S01	SESW	40.0
---------------	------	------	---------------	------	------

Total Acres: 80

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General TRANS. 301 NOT TO EXCEED 1.54 CFS WHEN COMBINED WITH 63-0126D & 63-0124D.

Comments:Dates and Other Information:

New Dry Creek Ditch Co., Ltd.

Eagle, Idaho

January 22, 1995

Attn: Shawn Nickel, Planner
Ada County Development Services
650 Main Street
Boise, ID 83702

RECEIVED

JAN 24 1995

WATER RESOURCES
WESTERN REGION

**Re: Lost River Estates
94-73-PDR/94-41-ZC**

Dear Mr. Nickel:

The purpose of the New Dry Creek Ditch Company (NDCDCo.) is to provide the continuing flow of water to our shareholders. New development is in no way to impede this delivery, or add to the expense of providing this service.

The delivery canal and maintenance road easement must be fenced from the development. The fencing must be a minimum of 6 feet high and of a non-burnable material. No bike path, greenbelt, bridle path or other public use will be allowed within the easement. This is to guard against unauthorized tampering with the headgate system and to protect the public from the water velocity associated with the canal and the headgates.

No landscaping will be allowed to infringe upon the canal's easement. Grass will be allowed within a ten foot setback from the outside of the easement road and the opposite canal bank.

Bridges to be constructed across the canal must have the written approval of Ada County Highway District and the NDCDCo. No round culverts are accepted without the written approval of the NDCDCo. NDCDCo feels the two entrances from Park Road are unnecessary and should be abandoned or reduced to one canal crossing with an additional entrance to the development being supplied via Curlew Court being extended to Beacon Light Road.

No storm drain water, heatpump water, or any wastewater will be allowed to be discharged into the delivery canal. Water shares shall be retained for irrigation of the development. The homeowner's association will be responsible for paying the annual water assessment and managing the water delivery within the development's boundaries.

Sincerely,


Lynne Sedlacek, Bookkeeper
1200 Hereford Drive
Eagle, ID 83616

938-6219 between 4:30 and 9:00 P.M. or leave message

c: City of Eagle & Idaho Department of Water Resources

MICROFILMED
SEP 27 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-125B

WATER RIGHT NUMBER: 63-125B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MIDDLETON MILL DITCH CO
	, ZZ
Current Owner	EMMA M FOWLER
	, ZZ

Priority Date: 06/01/1871
 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>
DOMESTIC	/	to /		
IRRIGATION	/	to /		

Total Diversion: 0.190 CFS

Location of Point(s) of Diversion

BOISE RIVER	SW1/4SE1/4	Sec. 24, Twp 04N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

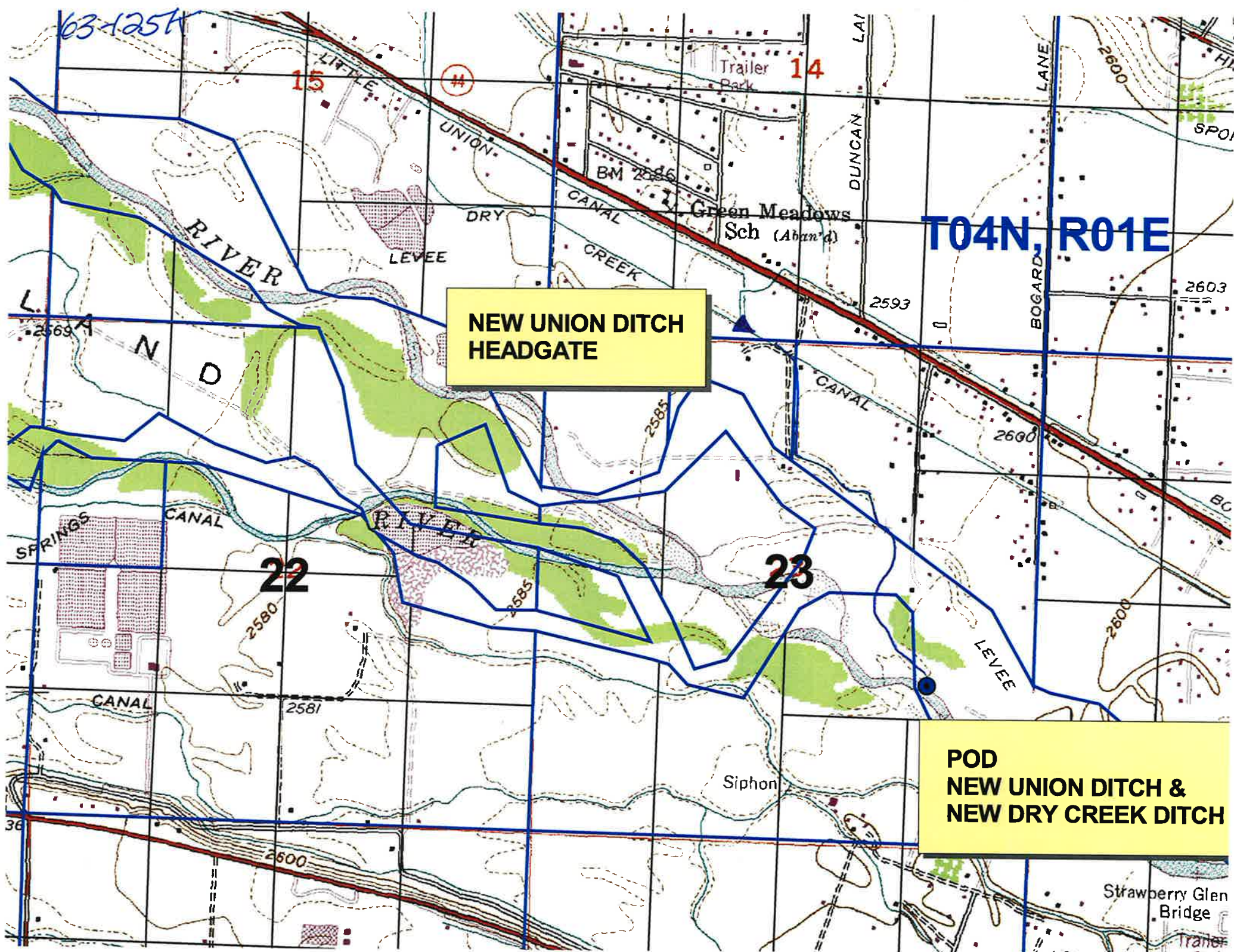
T04N R01W S01	SWSW	40.0	T04N R01W S01	SESW	40.0
---------------	------	------	---------------	------	------

Total Acres: 80

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General DIV. RATE=.1895 CFS.
NOT TO EXCEED .35 WHEN COMBINED WITH 63-0124B & 63-0126B.
TRANS. 300.

Comments:Dates and Other Information:



**NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5**

T05N, R01W

35

36

T04N, R01W

2

1

T04N, R01E

11

12

7

8

9

17

16

T04N, R01E

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NEN	NWN	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESW	NWSE	SWSE	SESE	Total
Claim	63-120G	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-123C	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-124Q	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-125J	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-125K	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-126F	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-126G	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-146	NEW UNION DITCH CO LTD.	BOISE RIVER	04N01E15		6	37	30	10	26	39	36	40	34	1		36	39	12	40	386
Claim	63-161L	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-164E	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-165M	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-17468	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-18785	NEW UNION DITCH CO LTD.	BOISE RIVER	04N01E15		6	37	30	10	26	39	36	40	34	1		36	39	12	40	386
Claim	63-198AG	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-205	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-206	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-207	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-248	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-258B	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-259	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-263	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-286	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-288B	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-28977	NEW DRY CREEK DITCH CO.	BOISE RIVER	04N01E15		28	24		18	10		2									82
Claim	63-297	FARMERS UNION DITCH CO LTD.	BOISE RIVER	04N01E15	35	12	1	12													60
Claim	63-31496	BARBARA A WILLIAMSON, SYLVAN D WILLIAMSON	BOISE RIVER	04N01E15										4	35	10					49
Claim	63-16655	MERLE W ROUNDY, WAYNE W ROUNDY,	GROUND WATER	04N01E15						1	3										4
Claim	63-17624	BETH M THOMSEN, RONALD M THOMSEN,	GROUND WATER	04N01E15	10																10
Claim	63-5349	MARY ANN DALTON, GEORGE E DALTON,	GROUND WATER	04N01E15					5												5
Claim	63-21729	FARMERS UNION DITCH CO LTD.	UNNAMED DRAINS	04N01E15	35	12	1	12													60
Claim	63-21730	FARMERS UNION DITCH CO LTD.	UNNAMED DRAINS	04N01E15	35	12	1	12													60
Claim	63-2406	DRAINAGE DIST NO 2,	WASTE WATER	04N01E15	38	40	38	38	40	33	38	37	20	14			37	30	8	35	446

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JUN 23 2005

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)

June 22, 2005

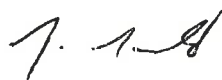
Mel Shulte
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Re: IDWR Preliminary Recommendations for New Dry Creek Ditch Company

Dear Mr. Schulte:

Please find the enclosed Notice of Error Reply forms in response to your preliminary recommendations for the water rights owned by New Dry Creek Ditch Company. Please contact me if you wish to discuss the proposed corrections to the preliminary recommendations.

Yours very truly,



Jon C. Gould

JCG:kw
Enclosures

cc: client

Shurte, Jan

From: T B Eschen, MD [teschen@anotterpress.com]
Sent: Sunday, July 01, 2007 8:56 AM
To: 'Matt Howard'; mwilde@cityofboise.org; Shurte, Jan
Cc: Courtney, Andrea; Harvey, Becky; Spencer, Nick; emmettbrollier@hotmail.com
Subject: RE: Round Draft Recommendation 63-149A

Jan:

South Boise Water Co. has no objection to your language or to splitting the one remark into two as Matt Howard has requested.

Thank you all for your contributions to resolving the issues concerning this right.

Barry

-----Original Message-----

From: Matt Howard [mailto:mhoward@pn.usbr.gov]
Sent: Tuesday, June 26, 2007 10:11 AM
To: teschen@anotterpress.com; mwilde@cityofboise.org; Jan Shurte
Cc: Andrea Courtney; Becky Harvey; Nick Spencer
Subject: Re: Round Draft Recommendation 63-149A

Jan * The draft recommendation combines the two remarks Barry and I agreed to into one remark. While technically there is no problem with doing it that way, it struck me as a little confusing. If neither you nor Barry have any strong objections, I would prefer that the two remarks Barry and I agreed to be separated into separate paragraphs as follows:

THIS RIGHT IS SUBORDINATE TO THE STORAGE OF WATER IN
ARROWROCK RESERVOIR, ANDERSON RANCH RESERVOIR, LUCKY
PEAK RESERVOIR AND LAKE LOWELL AND IS ALSO SUBORDINATE TO
UPSTREAM IRRIGATION DIVERSIONS FROM THE BOISE RIVER.

IF MEASURED OR CALCULATED BOISE RIVER FLOWS AT THE POINT OF
DIVERSION ARE LESS THAN 240 CFS DURING NOVEMBER 15 TO MARCH
1, THE DIVERSION OF WATER UNDER THIS RIGHT SHALL BE LIMITED TO
10 CFS. MEASURED OR CALCULATED BOISE RIVER FLOWS AT THE
POINT OF DIVERSION SHALL BE BASED ON GAUGED LUCKY PEAK DAM
DISCHARGE MINUS THE GAUGED DIVERSION TO THE NEW YORK CANAL.

Other than the above-noted change, the draft recommendation looks fine. If you want to email me the SF5, I can print it out at this end and forward it to DOJ for signature. Thanks for preparing the SF5, Jan.

Matt.

>>> "Shurte, Jan" <Jan.Shurte@idwr.idaho.gov> 06/22/07 12:18 PM >>>
Hi Matt, Barry & Matt,

Would you look over the language I added to this recommendation to make sure it is what you wanted. Let me know any changes. I added the subordination clause with the changes as agreed in Other Provisions and added the language concerning the settlement agreement between the City and South Boise Water Company in explanatory. A copy of that agreement will then be placed in the file. I also removed the entire existing season of use remark originally recommended as it is basically being replaced by the subordination remark.

Let me know if you need any changes, otherwise I will forward this for signatures.

Thanks,
Jan

Shurte, Jan

From: Matt Howard [mhoward@pn.usbr.gov]
Sent: Tuesday, June 26, 2007 10:11 AM
To: teschen@anotterpress.com; mwilde@cityofboise.org; Shurte, Jan
Cc: Courtney, Andrea; Harvey, Becky; Spencer, Nick
Subject: Re: Round Draft Recommendation 63-149A

Jan * The draft recommendation combines the two remarks Barry and I agreed to into one remark. While technically there is no problem with doing it that way, it struck me as a little confusing. If neither you nor Barry have any strong objections, I would prefer that the two remarks Barry and I agreed to be separated into separate paragraphs as follows:

THIS RIGHT IS SUBORDINATE TO THE STORAGE OF WATER IN
ARROWROCK RESERVOIR, ANDERSON RANCH RESERVOIR, LUCKY
PEAK RESERVOIR AND LAKE LOWELL AND IS ALSO SUBORDINATE TO
UPSTREAM IRRIGATION DIVERSIONS FROM THE BOISE RIVER.

IF MEASURED OR CALCULATED BOISE RIVER FLOWS AT THE POINT OF
DIVERSION ARE LESS THAN 240 CFS DURING NOVEMBER 15 TO MARCH
1, THE DIVERSION OF WATER UNDER THIS RIGHT SHALL BE LIMITED TO
10 CFS. MEASURED OR CALCULATED BOISE RIVER FLOWS AT THE
POINT OF DIVERSION SHALL BE BASED ON GAUGED LUCKY PEAK DAM
DISCHARGE MINUS THE GAUGED DIVERSION TO THE NEW YORK CANAL.

Other than the above-noted change, the draft recommendation looks fine. If you want to email me the SF5, I can print it out at this end and forward it to DOJ for signature. Thanks for preparing the SF5, Jan.

Matt.

>>> "Shurte, Jan" <Jan.Shurte@idwr.idaho.gov> 06/22/07 12:18 PM >>>
Hi Matt, Barry & Matt,

Would you look over the language I added to this recommendation to make sure it is what you wanted. Let me know any changes. I added the subordination clause with the changes as agreed in Other Provisions and added the language concerning the settlement agreement between the City and South Boise Water Company in explanatory. A copy of that agreement will then be placed in the file. I also removed the entire existing season of use remark originally recommended as it is basically being replaced by the subordination remark.

Let me know if you need any changes, otherwise I will forward this for signatures.

Thanks,
Jan

<<Recommendation 63-149A.doc>>

Shurte, Jan

From: Matt Wilde [MWILDE@cityofboise.org]
Sent: Tuesday, June 26, 2007 1:36 PM
To: teschen@anotterpress.com; Shurte, Jan; mhoward@pn.usbr.gov
Cc: Courtney, Andrea; Harvey, Becky; Spencer, Nick
Subject: Re: Round Draft Recommendation 63-149A

Looks good, thanks Jan.

>>> "Shurte, Jan" <Jan.Shurte@idwr.idaho.gov> 6/22/2007 12:18 PM >>>
Hi Matt, Barry & Matt,

Would you look over the language I added to this recommendation to make sure it is what you wanted. Let me know any changes. I added the subordination clause with the changes as agreed in Other Provisions and added the language concerning the settlement agreement between the City and South Boise Water Company in explanatory. A copy of that agreement will then be placed in the file. I also removed the entire existing season of use remark originally recommended as it is basically being replaced by the subordination remark.

Let me know if you need any changes, otherwise I will forward this for signatures.

Thanks,
Jan

<<Recommendation 63-149A.doc>>

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: JUNE 8, 2005

BY: MEL SCHULTE

The main contact for New Dry Creek Ditch is their president, Dana Purdy (286-9701). He assisted in the review of the boundary and place of use map, the location of their POD and measurements to estimate delivery loss in their canal.

There are no major issues of concern with the New Dry Creek Ditch Company claims except for the number of acres the rights will be limited to in our recommendations as discussed below. They share a POD and canal with New Union Ditch, which might motivate New Union to have an interest in New Dry Creek's recommendations and boundary map. There is an overlap of New Dry Creek's boundary at the extreme West edge with the East boundary of Middleton Irrigation because Circle DJ Ranch is a shareholder of both companies. There is also an overlap with New Union Ditch boundary at the East side of New Dry Creek boundary for the same reason.

The historical boundary and place of use was not easy to ascertain because the historical place of use is an area of rapid residential and commercial development in the Eagle area. A final review of the boundary and place of use was made with Dana Purdy, two board members and Bryce Farris in the offices of Ringert Clark on June 7, 2005.

The acre limitation of 2709.5 acres is less than the 2964 acres claimed and the 3059 acres described in the water master's records. The 2709.5 acre number is based on digitized acres of 2604.5 plus 10 shares allocated to Circle DJ Ranch plus 75 shares within the City of Eagle. Using the 2709.5 acres at an inch per acre makes it necessary to include delivery loss in order to show beneficial use of the companies 62.09 cfs of decreed water. It's interesting to note that the maximum monthly diversions into the New Dry Creek/New Union Ditch canal have shown a continued decline through the years. The declining diversion rates might support what appears to be a reduced number of irrigated acres through the years due to the increased subdivision development in the Eagle area.

New Dry Creeks claim for credited wastewater, 63-17468 was disallowed in favor of Drainage District No 2's right 63-31937. This matter was discussed with New Dry Creek's officers and board by Bryce Farris and does not seem to be a concern for the company.

MTS

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MTS

13206090	HISTORIC DIVERSION OF NEW DRY CREEK AND NEW UNION CANALS										(CFS)			
W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN	
1950	10	0	0	0	0	0	20	81	84	80	65	54	394	
1951	18	0	0	0	0	0	44	72	86	88	70	55	432	
1952	18	0	0	0	0	0	20	70	67	70	68	50	364	
1953	16	0	0	0	0	0	37	75	67	93	72	50	410	
1954	16	0	0	0	0	0	39	98	77	83	78	57	448	
1955	20	0	0	0	0	0	3	55	96	88	73	55	390	
1956	15	0	0	0	0	0	37	68	82	78	80	69	429	
1957	21	0	0	0	0	0	7	60	87	86	78	57	397	
1958	18	0	0	0	0	0	20	67	67	89	67	49	377	
1959	16	0	0	0	0	0	52	81	89	81	88	40	448	
1960	8	0	0	0	0	0	24	91	96	91	73	62	445	
1961	20	0	0	0	0	0	29	85	69	55	62	47	366	
1962	8	0	0	0	0	0	34	72	69	86	75	59	402	
1963	13	0	0	0	0	0	89	73	91	80	67	52	464	
1964	8	0	0	0	0	0	27	73	74	88	72	54	395	
1965	23	0	0	0	0	0	24	86	87	85	72	62	438	
1966	29	0	0	0	0	0	54	81	82	70	57	55	429	
1967	23	0	0	0	0	0	15	81	69	81	76	55	401	
1968	21	0	0	0	0	0	35	81	82	73	60	50	404	
1969	34	0	0	0	0	0	27	83	81	78	75	57	435	
1970	23	0	0	0	0	0	24	76	76	73	70	44	385	
1971	16	0	0	0	0	0	10	83	69	78	85	52	393	
1972	21	0	0	0	0	0	20	78	59	78	73	35	365	
1973	11	0	0	0	0	0	35	78	76	72	70	30	372	
1974	5	0	0	0	0	0	18	76	82	73	76	47	379	
1975	21	0	0	0	0	0	0	57	76	72	62	55	343	
1976	20	0	0	0	0	0	10	78	62	80	59	44	352	
1977	28	0	0	0	0	0	52	57	59	67	63	45	371	
1978	0	0	0	0	0	0	7	70	66	65	63	35	306	
1979	16	0	0	0	0	0	12	73	72	73	52	39	337	
1980	8	0	0	0	0	0	22	60	66	73	65	44	338	
1981	13	0	0	0	0	0	13	62	49	75	67	44	322	
1982	11	0	0	0	0	0	5	59	64	49	55	37	280	
1983	2	0	0	0	0	0	12	50	57	65	59	45	290	
1984	11	0	0	0	0	0	8	54	57	65	63	40	299	
1985	15	0	0	0	0	0	20	62	60	67	57	32	313	
1986	13	0	0	0	0	0	12	54	60	59	46	17	260	
1987	2	0	0	0	0	0	32	60	59	54	50	40	297	
1988	13	0	0	0	0	0	12	54	62	59	46	32	277	
1989	13	0	0	0	0	0	3	65	67	63	55	37	304	
1990	11	0	0	0	0	0	32	50	52	60	50	37	293	
1991	8	0	0	0	0	0	17	52	57	63	52	30	280	
1992	15	0	0	0	0	0	35	62	52	47	42	30	284	
1993	13	0	0	0	0	0	5	42	50	50	47	37	245	
1994	16	0	0	0	0	0	27	44	49	54	42	37	269	
1995	28	0	0	0	0	0	8	39	54	52	44	32	257	
1996	18	0	0	0	0	0	5	33	50	47	47	30	230	
1997	16	0	0	0	0	0	17	39	47	49	42	34	244	
1998	15	0	0	0	0	0	15	29	59	44	42	42	246	
1999	13	0	0	0	0	0	20	46	54	57	47	37	274	
2000	31	0	0	0	0	0	27	44	49	55	52	34	291	
AVERAGE: 1950-2000	16	0	0	0	0	0	23	65	68	70	62	44	348	

**NEW DRY CREEK DITCH COMPANY
AMENDED BOUNDARY AND PLACE OF USE
DIGITIZED ACRES = 2624.5 + 85 = 2709.5**

T05N, R01W

35

36

T04N, R01W

2

1

T04N, R01E

11

12

7

8

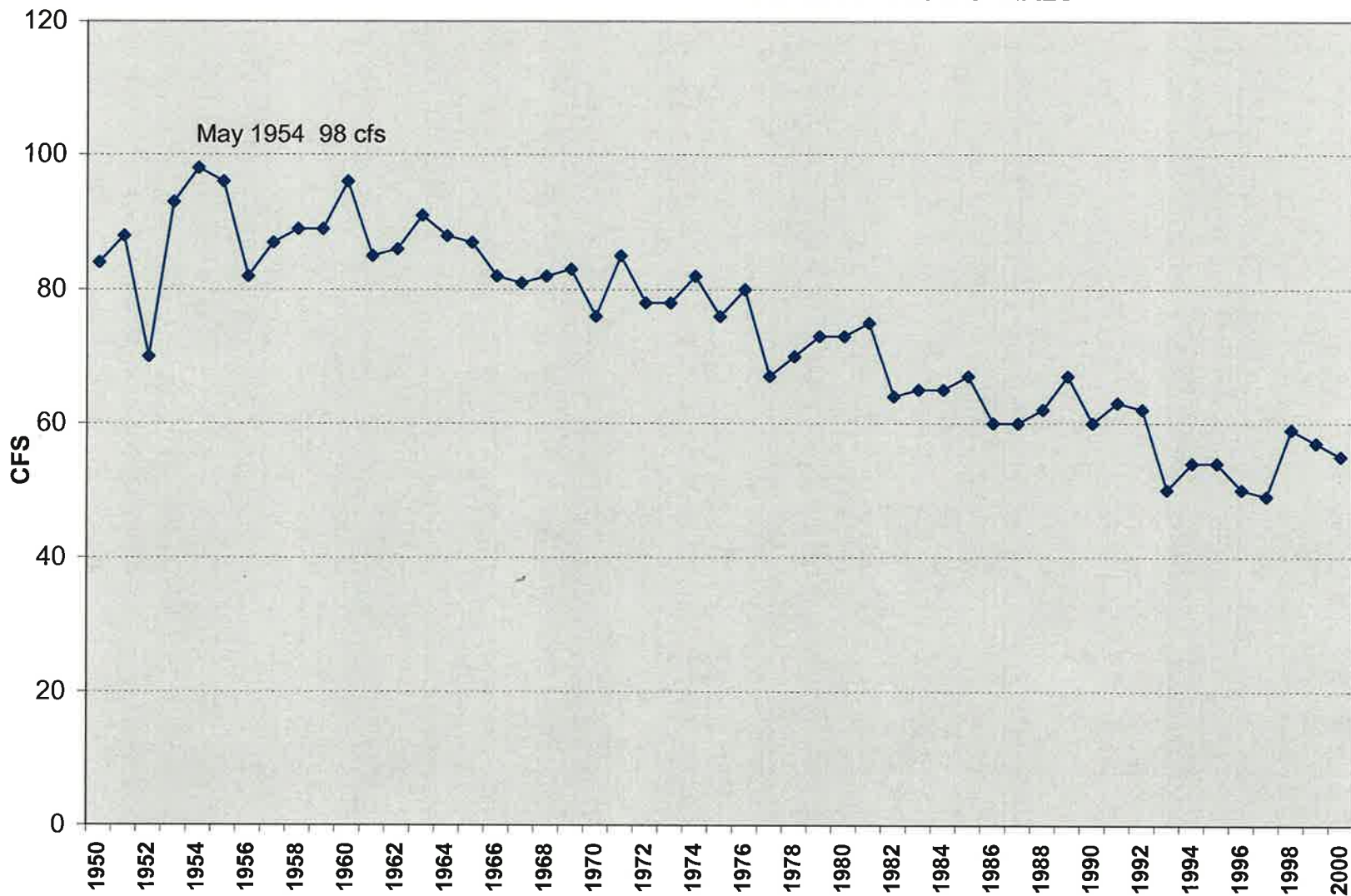
9

17

16

T04N, R01E

MAXIMUM MONTHLY DIVERSION 1950-2000
13206090 NEW DRY CREEK AND NEW UNION CANALS



New Dry Creek = 62.09 cfs
New Union = 13.76 cfs
Total = 75.85 cfs

BOISE VALLEY CANALS AND ACREAGE

CHART NO. 12

AIKEN	236 ACRES	ISLAND HIGH LINE	945 ACRES
ANDREWS	1068 "	LEMP DITCH	300 "
BALLENTYNE	763 "	LITTLE PIONEER	1336 "
BAXTER	200 "	LOWER CENTER POINT.....	880 "
BOISE CITY	1828 "	MACE & CATLIN	536 "
BOISE PROJECT BOARD OF CONTROL		MACE & MACE	80 "
BIG BEND IRRIG. DIST.....	1724 "	MAMMON	468 "
BOISE-KUNA IRRIG. DIST.....	48,629 "	MCCONNEL ISLAND	1600 "
NAMPA & MERIDIAN IRRIG. DIST....	40,304 "	MCMAHUS & TEATER	168 "
NEW YORK IRRIG. DIST.....	17,728 "	MIDDLETON MILL	4400 "
WILDER IRRIG. DIST.....	56,535 "	MIDDLETON WATER.....	5180 }
TOTAL - BOARD OF CONTROL.....	164,920 "	MISCELLANEOUS	838 "
BOISE VALLEY	2729 "	NEW DRY CREEK	3059 "
BOONE	517 "	NEW UNION	688 "
BOWMAN-SWISHER.....	424 "	PARMA DITCH	602 "
BUBB (SOUTH BOISE MUTUAL).....	1057 "	PENITENTIARY	321 "
*CALDWELL HIGH LINE.....	11,917 "	PIONEER IRRIG. DIST.....	23,974 "
CAMPBELL (CANYON DITCH).....	802 "	PIONEER DIXIE.....	3000 "
CANYON COUNTY	3957 "	RIDENBAUGH	26,877 "
CAPITAL VIEW	600 "	RIVERSIDE IRRIG. DIST.....	10,645 "
CONWAY-HAMMING	259 "	ROEDEL	160 "
DAVIS & LITTLE DAVIS	634 "	ROSSI MILL	512 "
EUREKA WATER CO. #1	1300 "	SEBREE.....	15,500 "
EUREKA DITCH CO. #2	2625 "	SEVEN SUCKERS	70 "
FARMERS UNION	8372 "	SETTLERS	12,322 "
GRAHAM-GILBERT	200 "	SIEBENBERG	646 "
HAAS.....	367 "	THURMAN MILL	1719 "
HART-DAVIS	453 "	UPPER CENTER POINT.....	641 "
		WARM SPRINGS DITCH	454 "
		TOTAL	324,239 ACRES

DRAINAGE WATER (NOT DIVERTED FROM BOISE RIVER)

BLACK CANYON IRRIGATION DISTRICT	6,894 ACRES
CALDWELL IRRIGATION DISTRICT	755 "
MORELAND & VIAL (DIXIE DRAIN)	640 "
	8,289 ACRES

GRAND TOTAL 332,528 ACRES

THIS ACREAGE IS BASED, IN SOME INSTANCES, UPON ACTUAL SURVEYS, AND IN OTHER CASES UPON THE ACREAGE AS DETERMINED AT THE TIME OF THE STEWART DECREE, AND IS THE BEST INFORMATION AVAILABLE AT THE PRESENT TIME. IT WAS ORIGINALLY COMPUTED FEBRUARY 14, 1941, BUT HAS BEEN REVISED SEVERAL TIMES, PARTICULARLY TO REDUCE RIVER BOTTOM ACREAGES TO CONFORM TO STEWART DECREE ACREAGES AS DETERMINED BY SPECIAL COMMITTEE, AND TO ACCOMMODATE TRANSFERS FROM ONE CANAL OR USER TO ANOTHER.

RIDENBAUGH REPRESENTS OLD LANDS WITHIN THE NAMPA & MERIDIAN IRRIGATION DISTRICT THAT ARE WATERED BY THE OLD RIDENBAUGH RIGHTS IN THE STEWART DECREE. THE BALANCE OF THE NAMPA & MERIDIAN IRRIGATION DISTRICT LANDS ARE INCLUDED UNDER THE BOARD OF CONTROL.

*3960 ACRES ARE WATERED WITH LIVE WATER. THE BALANCE OF THE WATER COMES FROM SEVERAL DRAINS.

- 1) More acres or shares? City of Eagle? 75 ac.
2. Boundary?
3. New acre limit = 2571 + any additions
4. 161L - (Supreme court decision)

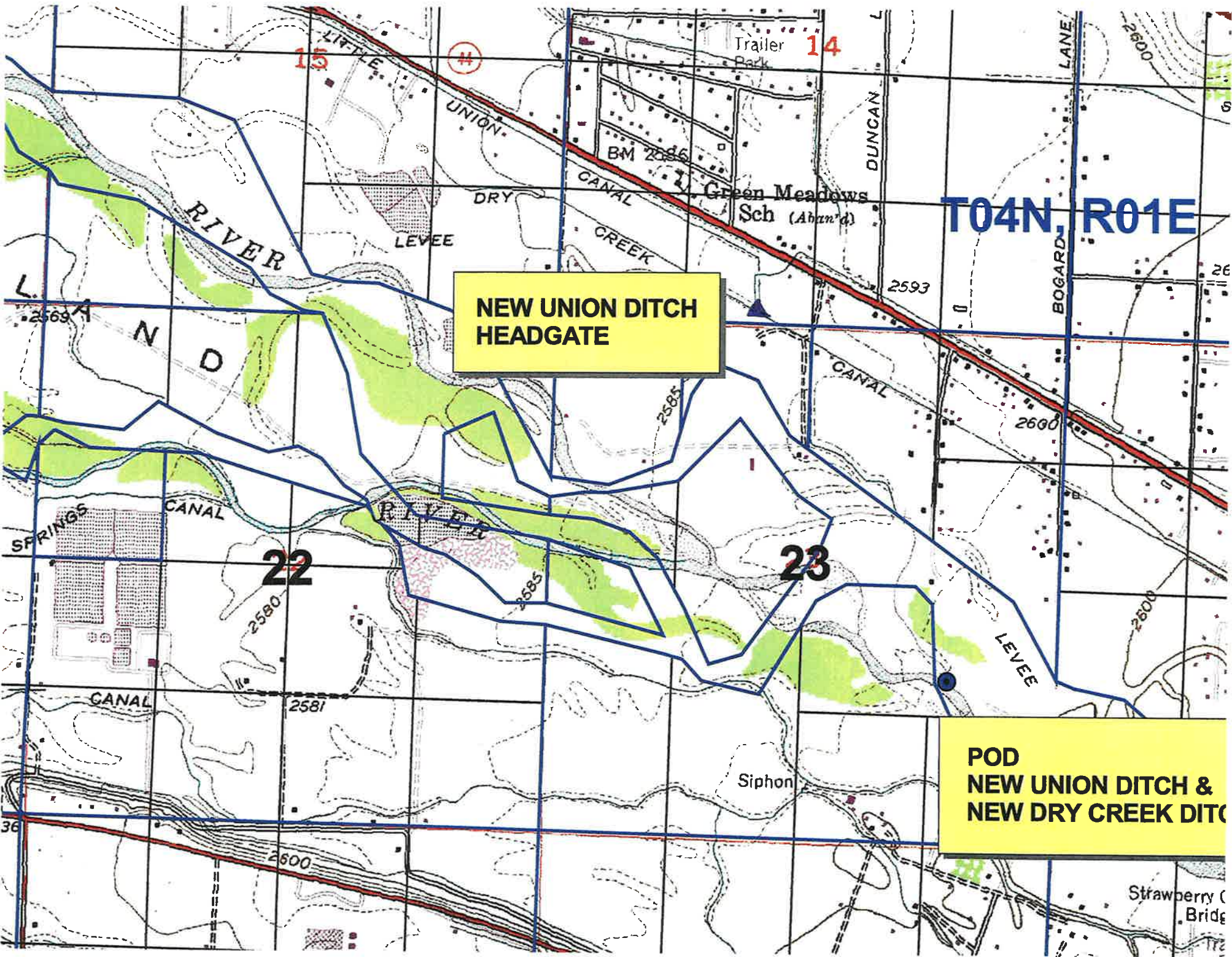
DD# ~~4~~
85A - ?



PAD search #4N, 1E, 23, NESE

Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Source	Water Use(s)	Source Table	Version	Source Table
63	125	K	Decreed	Active	1871-06-01	1.01	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	126	G	Decreed	Active	1891-06-01	0.48	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	146		Decreed	Active	1865-06-01	13.76	BOISE RIVER	GROUND WATER RECHARGE, IRRIGATION	NEW UNION DITCH CO LTD (Current)	1	wrAdjudicationRecommendation
63	161	L	Decreed	Active	1866-05-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	205		Decreed	Active	1879-06-01	31.32	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	206		Decreed	Active	1886-06-01	15.22	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
~~63~~	~~207~~		~~Decreed~~	~~Active~~	~~1888-06-01~~	~~8.95~~	~~BOISE RIVER~~	~~IRRIGATION~~	~~NEW DRY CREEK DITCH CO (Current)~~	~~1~~	~~wrAdjudicationRecommendation~~
63	258	B	Decreed	Active	1893-05-01	0.69	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	263		Decreed	Active	1880-06-01	1.82	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	286		Decreed	Active	1897-04-01	0.54	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	288	B	Decreed	Active	1880-04-01	0.44	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	10348		License	Active	3/19/1986	5.29	BOISE RIVER	AESTHETIC, AESTHETIC STORAGE, DIVERSION TO STORAGE, RECREATION, RECREATION STORAGE	WOODSS ASSOCIATION (Current Owner)	1	wrAdjudicationRecommendation
63	28977		Decreed	Active	1864-06-01	0.4	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	31776		Decreed	Active	1888-06-01	8.95	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	31806		Decreed	Active	1883-05-01	0.68	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	1	wrAdjudicationRecommendation
63	31937		Beneficial Use	Active	7/13/1923	100	WASTE WATER	IRRIGATION	DRAINAGE DIST NO 2 (Current)	1	wrAdjudicationRecommendation

Now 63-31778



**NEW UNION DITCH
HEADGATE**

T04N R01E

**POD
NEW UNION DITCH &
NEW DRY CREEK DITCH**

BasinNumber	SequenceNum	SplitSuffix	OrganizationName	Agent
63	✓ 125	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 126	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 161	L	NEW DRY CREEK DITCH CO	Mel
63	✓ 205		NEW DRY CREEK DITCH CO	Mel
63	✓ 206		NEW DRY CREEK DITCH CO	Mel
63	✓ 207		NEW DRY CREEK DITCH CO	Mel
63	✓ 258	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 259		NEW DRY CREEK DITCH CO	Mel
63	✓ 263		NEW DRY CREEK DITCH CO	Mel
63	✓ 286		NEW DRY CREEK DITCH CO	Mel
63	✓ 288	B	NEW DRY CREEK DITCH CO	Mel
63	✓ 17468		NEW DRY CREEK DITCH CO	Mel
63	✓ 28977	12468-10	NEW DRY CREEK DITCH CO	Mel

NEW DRY CREEK DITCH COMPANY

ADDITIONAL INFORMATION

DATE: AUGUST 17, 2004

BY: MEL SCHULTE

The main contact for New Dry Creek Ditch is their president, Dana Purdy (286-9701). He assisted in the review of the boundary and place of use map, the location of their POD and measurements to estimate delivery loss in their canal.

There are no major issues of concern with the New Dry Creek Ditch Co claims except for the number of acres the rights will be limited to in our recommendations as discussed below. They share a POD and canal with New Union Ditch, which might motivate New Union to have an interest in New Dry Creek's recommendations and boundary map. There is an overlap of New Dry Creek's boundary at the extreme West edge with the East boundary of Middleton Irrigation because Circle DJ Ranch is a shareholder of both companies.

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The acre limitation of 2517.8 acres is less than the 2964 acres claimed. The 2517.8 acre number is based on digitized acres and is open for scrutiny. Using the 2517.8 acres at an inch per acre makes it necessary to include delivery loss in order to show beneficial use of the companies 62.09 cfs of decreed water. The water master's records indicate a place of use of 3059 acres. It's interesting to note that the maximum monthly diversions into the New Dry Creek/New Union Ditch canal have shown a continued decline through the years. The declining diversion rates might support what appears to be a reduced number of irrigated acres through the years due to the increased subdivision development in the Eagle area.

New Dry Creeks claim for credited wastewater, 63-17468 was disallowed in favor of Drainage District No 2's right 63-31937. This matter might be of concern to New Dry Creek's officers and board.

MTS

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Source	Water Use(s)	Owner(s)	Source Table
63	17468		Beneficial Use	Active	9/10/1921	9.47	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	125	B	Decreed	Active	1879-06-01	1.01	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	126	B	Decreed	Active	1879-06-01	0.48	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
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63	205		Decreed	Active	1879-06-01	31.32	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
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63	28977		Decreed	Active	1864-06-01	0.4	BOISE RIVER	IRRIGATION	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	~~3614-B~~		~~License~~	Active	~~12/9/1940~~		BOISE RIVER	IRRIGATION FROM	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim
63	~~3618-G~~		~~Permit~~	Active	~~1/1/1955~~		BOISE RIVER	IRRIGATION FROM	NEW DRY CREEK DITCH CO (Current)	wrAdjudicationClaim

62.09 = decreed
9.47 = waste water

71.56 total

2571.8 acres digitized
10.0 = share @ Quarter Acre DJ
2581.8 x .02 = 51.64 cfs
Delivery loss = 10.45 cfs
62.09 cfs

62.09 = decreed

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHART NO. 9

NAME OF CANAL	CHANGE IN P. OF D.	TRANSFER	PRIORITY		AMOUNT DECREED			TOTAL	
			NO.	DATE	STEWART DECREE	INTERVENORS STEWART DECREE	BRYAN DECREE	INCHES	SEC. FT.
NEW DRY CREEK			72	6-1-1879	31.32			1566	
			93	6-1-1886	15.22			761	
			97	6-1-1888	7.86			393	
			129-A	4-1-1897		.54		27	
			73-A	4-1-1880		.54		27	
			74-A	6-1-1880		1.816		90.8	
			85-C	5-1-1883		.2232		11.16	
			85-E	5-1-1883		.385		19.25	
			124-A	5-1-1893		.825		41.25	
		300	3)	6-1-1864					
		300	54)	6-1-1871	.35			17.5	
		300	120)	6-1-1891					
		301	3)	6-1-1864					
		301	54)	6-1-1871	1.54			77	
		301	120)	6-1-1891					
	64		102	6-1-1888	.20			10	
	140		85-D	5-1-1883		.07		3.5	
	151*		124-A	5-1-1893		.135*		6.75*	
	161		103	6-1-1888	.65			32.5	
	174		109	6-1-1888	.24			12	
		713	90	5-1-1866	.54			27	
	1009*		73-A	4-1-1880		.10*		5*	62.0842
NEW UNION			14	6-1-1865	13.76			688	13.76

125~~B~~ K was 125 B

126~~B~~ G was 126 B

101 L

205

206

258 B

263

286

288 B

28977

17468

31806 → was 259.

31778 → was 207.

146

18785

Building 4 (MK Plaza, easternmost building), Room B3 (7th floor).
Contact: Christian Petrich (cpetrich@uidaho.edu)

Christian R. Petrich, Ph.D., P.E.
Idaho Water Resources Research Institute
University of Idaho - Boise
800 Park Blvd., Suite 200
Boise, Idaho 83712
Tel: 208-327-5409
Fax: 208-327-7866
Email: cpetrich@uidaho.edu

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NEN	NWN	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NENE	NWSE	SWSE	SESE	Total
Claim	63 120G	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 123C	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 124Q	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 125J	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 125K	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 126F	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 126G	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 134	HART-DAVIS DITCH CO INC,	BOISE RIVER	04N01E7											8						8
Claim	63 15238	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 161L	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 164E	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 165M	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 17468	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 195	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 198AA	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 198AG	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 205	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 206	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 207	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 234	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 248	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 258A	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 258B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 259	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 260B	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 263	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 264	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 285	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E7							40		40	40	20	25					165
Claim	63 286	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 288B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 28977	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E7	25	36	39	39	38	39	40	40	36			25	38	40	38	39	512
Claim	63 297	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E7	15	30															45
Claim	63 8497	LORICE QUONG, WILLIAM QUONG	GROUND WATER	04N01E7												16			10		26
Claim	63 21729	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E7	15	30															45
Claim	63 21730	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E7	15	30															45
Claim	63 2406	DRAINAGE DIST NO 2,	WASTE WATER	04N01E7	38	39	39	39	39	36	36	40	40	36	19	23	39	39	30	33	565

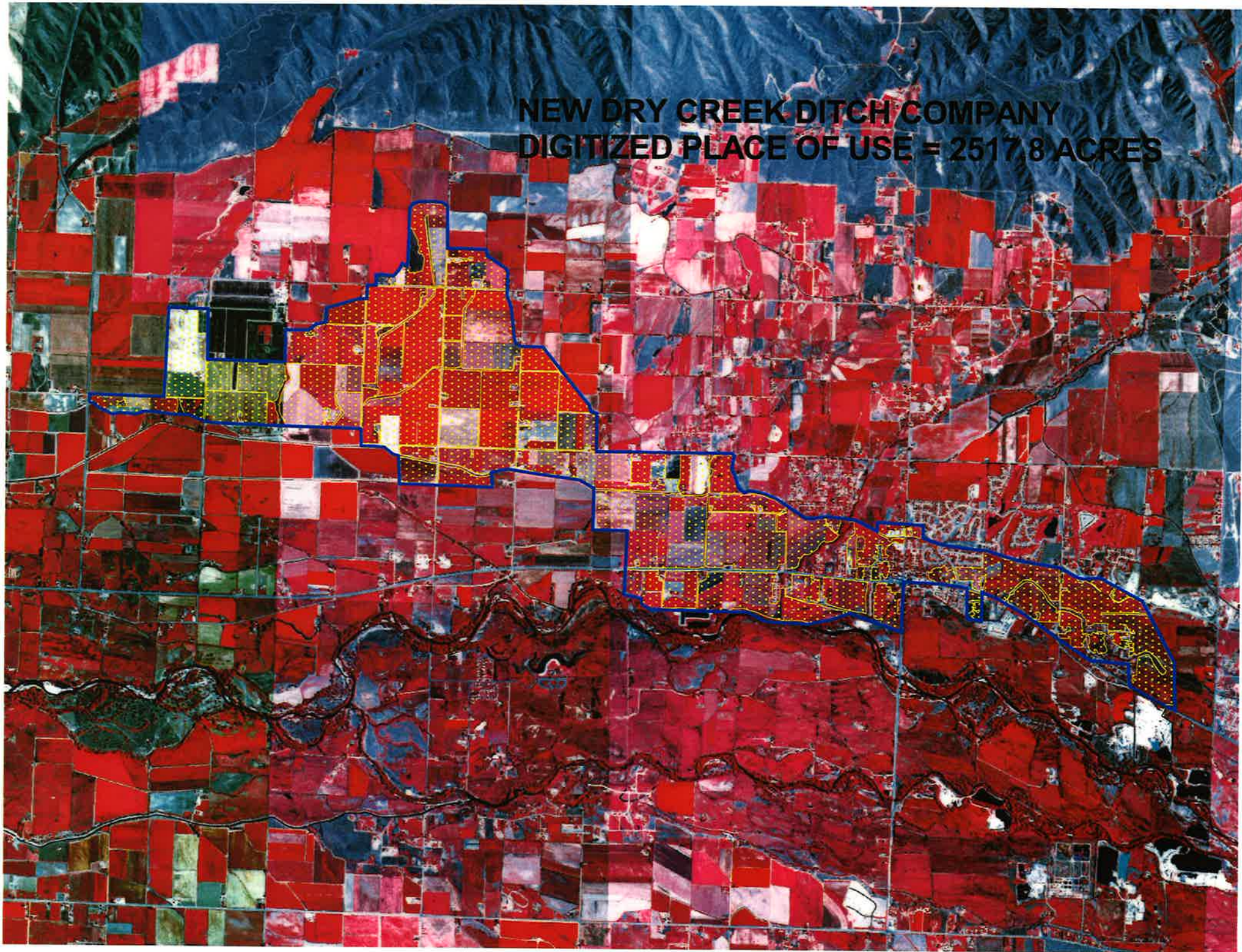
**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENN	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 120G	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 123C	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 124Q	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 125B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 125J	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 126B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 126F	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 15238	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 161L	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 164E	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 165M	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 17468	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 195	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 198AA	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 198AG	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 205	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 206	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 207	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 234	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 248	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 258A	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 258B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 259	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 260B	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 263	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 264	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 285	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E8																	3.8 3.8
Claim	63 286	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 288B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 28977	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E8		1	17	5		2	37	20	31	39	36	36	28	31	38	32	353
Claim	63 297	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 10071	DELL SUBDIVISION WATER USERS,	GROUND WATER	04N01E8														7			7
Claim	63 10076	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINT	GROUND WATER	04N01E8														5			5
Claim	63 7908	EAGLE GLEN HOMEOWNERS ASSN INC,	GROUND WATER	04N01E8													3				3
Claim	63 21729	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 21730	FARMERS UNION DITCH CO LTD,	UNNAMED DRAINS	04N01E8	34	25	15	30	20	37	4	12									177
Claim	63 5048	ROBERT W MORLEY,	UNNAMED SLOUGH	04N01E8												8					8
Claim	63 2406	DRAINAGE DIST NO 2,	WASTE WATER	04N01E8	38	39	40	40	39	39	40	40	40	40	34	40	39	40	31	31	610

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 120G	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 123C	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 124Q	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 125B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 125J	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9	38	12	24	15	35	38							4	8			174
Claim	63 126B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 126F	FARMERS UNION DITCH CO LTD,	BOISE RIVER	04N01E9																	
Claim	63 146	NEW UNION DITCH CO LTD,	BOISE RIVER	04N01E9																	2
Claim	63 15238	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 161L	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 17468	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 18785	NEW UNION DITCH CO LTD,	BOISE RIVER	04N01E9																	2
Claim	63 195	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 198AA	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 205	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 206	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 207	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 234	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 258A	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 258B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 259	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 260B	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 263	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 264	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 285	BALLENTYNE DITCH CO LTD,	BOISE RIVER	04N01E9											9.5						9.5
Claim	63 286	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 288B	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 28977	NEW DRY CREEK DITCH CO,	BOISE RIVER	04N01E9							5			8	6	7	18	25	24	37	130
Claim	63 16151	JOSEPH M TOTORA, JOSEPHINE TOTORA, JEANINE L BLAZE	GROUND WATER	04N01E9													4				4
Claim	63 2467	H LA RUE BEVINGTON, BERNICE E BEVINGTON,	GROUND WATER	04N01E9														1	1		2
Claim	63 7398	VIOLA MOHR,	GROUND WATER	04N01E9										0.5							0.5
Claim	63 7405	M GERTRUDE WOODS, WILLIS E WOODS,	GROUND WATER	04N01E9										1							1

**NEW DRY CREEK DITCH COMPANY
DIGITIZED PLACE OF USE = 2517.8 ACRES**





T04N, R01E

T04N, R01W

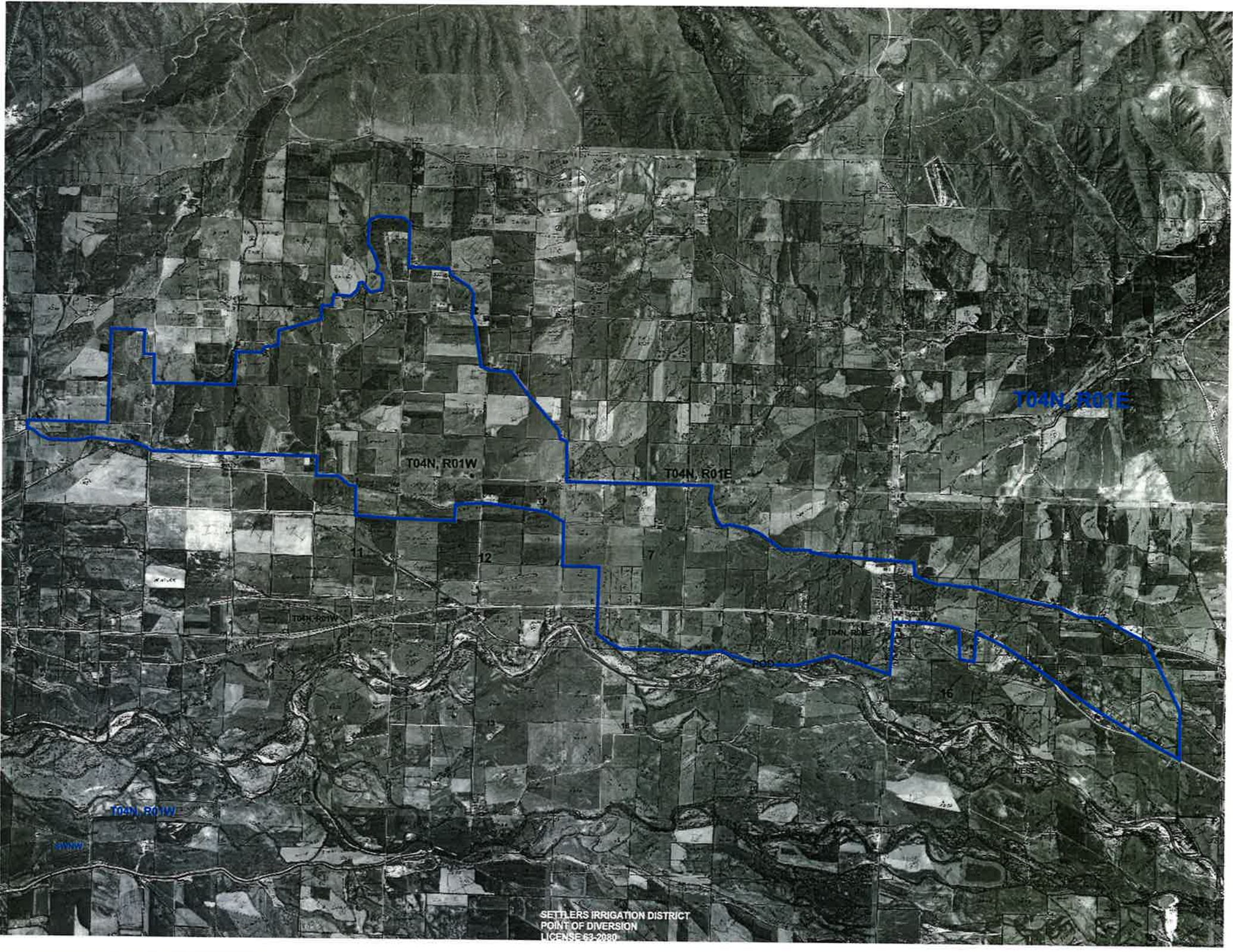
T04N, R01E

T04N, R01W

T04N, R01W

POINT OF DIVERSION
BALLENTYNE DITCH COMPANY

SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE 632000



T04N, R01E

T04N, R01W

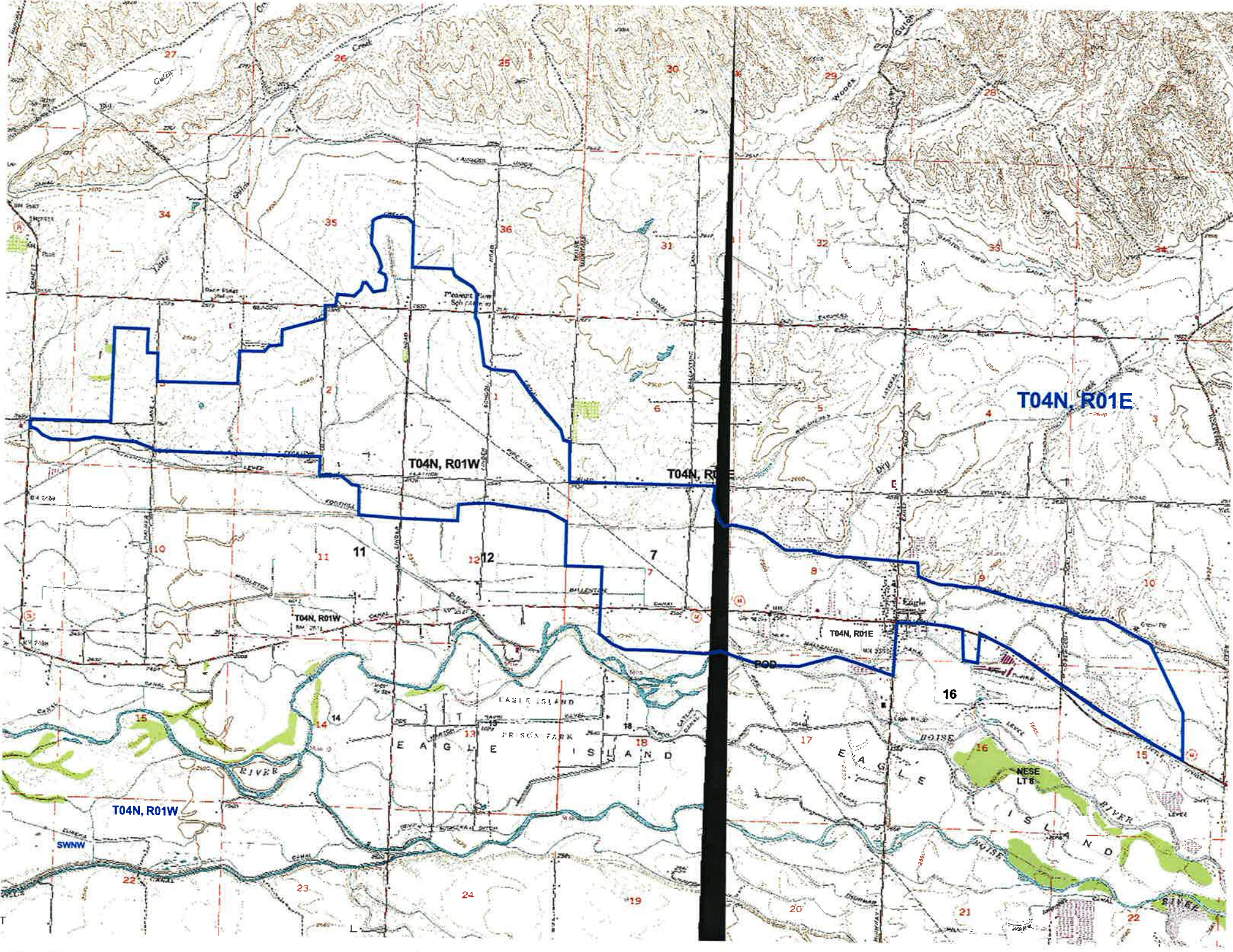
T04N, R01E

T04N, R01W

T04N, R01E

T04N, R01W

SETTLERS IRRIGATION DISTRICT
POINT OF DIVERSION
LICENSE #3-2080



RECEIVED

APR 21 2006

DEPARTMENT OF
WATER RESOURCES

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

)

A.

Subcase 63-125K

Case No. 39576

)

(Insert water right no.)

)

)

STANDARD FORM 1
OBJECTION

)

)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: NEW DRY CREEK DITCH COMPANY
c/o Dana Purdy
Address: 5926 W. Floating Feather Rd.
Eagle, Idaho 83616

Daytime Phone: 208-286-9701

Name & Address of Attorney, if any:
S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: New Dry Creek Ditch Company
c/o Dana Purdy
Address: 5926 W. Floating Feather Rd.
Eagle, Idaho 83616

SCANNED
OCT 10 2006

COPY

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: N/A
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: The place of use lists a total of 2709.5 acres and should be a total of 3104 acres.
10. ☐ **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** The place of use should be 3104 total acres within the boundaries of New Dry Creek Ditch Company, which is consistent with the acres and quantity of water that has been previously decreed and historically irrigated.

VERIFICATION (must be completed)

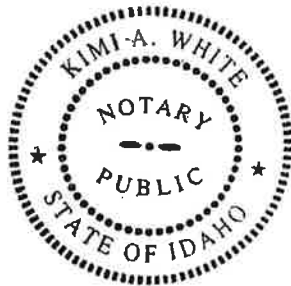
State of Idaho)
) ss.
County of Ada)

S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

S. Bryce Farris

Subscribed and sworn to before me on:



Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 04/01/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 20th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

Name: New Dry Creek Ditch Company
c/o Dana Purdy
Address: 5926 W. Floating Feather Road
Eagle, Idaho 83616

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

MAY 16 2005

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)

May 13, 2005

Mel Schulte
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705

Re: New Dry Creek Ditch Company

Dear Mel:

This letter is to inform you that Ringert Clark Chartered is law firm that is representing the New Dry Creek Ditch Company with regards to its claims in the Snake River Basin Adjudication.

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

Yours very truly,



S. Bryce Farris

SBF:kw

cc: NDCDC