

06/19/2003

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

RIGHT NUMBER: 29-13318

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

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 176.850 CFS
USE OF THIS RIGHT WITH RIGHT NO. 29-52 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 176.85 CFS.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:
T09S R37E S22 NWNESEW Lot 3 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	176.850 CFS

PLACE OF USE:

Large Place of Use

5103.2 ACRES TOTAL

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

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

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

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

EXPLANATORY MATERIAL: Beneficial Use

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

02/11/2003

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

RIGHT NUMBER: 29-13318
NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O DERYL PARRIS
18746 S WASHINGTON AVE
DOWNEY ID 83234
SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 176.850 CFS
USE OF THIS RIGHT WITH RIGHT NO. 29-52 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 176.85 CFS.
PRIORITY DATE: 08/07/1932
POINT OF DIVERSION:

T09S R37E S22 NWNESW Lot 3 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
176.850 CFS

PLACE OF USE:

Large Place of Use

4136 ACRES TOTAL

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

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

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TO SECTION 42-1425, IDAHO CODE.

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02/06/2003

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

RIGHT NUMBER: 29-13318

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

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 176.850 CFS

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S22 NWNE Lot 3 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
176.850 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T10S R37E S08	SWSE	30.0	T10S R37E S08	SESE	8.3
T10S R37E S17	NENE	11.0	T10S R37E S17	NWNE	30.0
T10S R37E S17	SWNE	30.0	T10S R37E S17	SENE	31.0
T10S R37E S17	NESE	30.0	T10S R37E S17	NWSE	30.0
T10S R37E S17	SWSE	36.0	T10S R37E S17	SESE	3.0
T10S R37E S20	NENE	3.3	T10S R37E S20	NWNE	38.0
T10S R37E S20	SWNE	22.0	T10S R37E S20	NENW	17.0
T10S R37E S20	SWNW	24.0	T10S R37E S20	SENW	13.0
T10S R37E S20	NESW	3.3	T10S R37E S20	SWSW	0.1
T10S R37E S20	SESW	23.0	T10S R37E S20	NWSE	0.5
T10S R37E S20	SWSE	16.0	T10S R37E S28	SWSW	38.0
T10S R37E S28	SESW	40.0	T10S R37E S29	NWNE	15.0
T10S R37E S29	SWNE	0.1	T10S R37E S29	NENW	20.0
T10S R37E S29	NWNW	11.0	T10S R37E S29	SWNW	21.0
T10S R37E S29	SENW	29.0	T10S R37E S29	NESW	24.0
T10S R37E S29	NWSW	15.0	T10S R37E S29	SESW	26.0
T10S R37E S29	NESE	0.9	T10S R37E S29	NWSE	2.8
T10S R37E S29	SWSE	32.0	T10S R37E S29	SESE	38.0
T10S R37E S31	NENE	0.1	T10S R37E S31	SENE	3.1
T10S R37E S32	NENE	38.0	T10S R37E S32	NWNE	32.0
T10S R37E S32	SWNE	39.0	T10S R37E S32	SENE	33.0
T10S R37E S32	NENW	22.0	T10S R37E S32	NWNW	0.1
T10S R37E S32	SWNW	35.0	T10S R37E S32	SENW	30.0
T10S R37E S32	NESW	36.0	T10S R37E S32	NWSW	6.0
T10S R37E S32	SWSW	4.4	T10S R37E S32	SESW	32.0
T10S R37E S32	NESE	33.0	T10S R37E S32	NWSE	40.0
T10S R37E S32	SWSE	39.0	T10S R37E S32	SESE	32.0
T10S R37E S33	NENW	11.0	T10S R37E S33	NWNW	39.0
T10S R37E S33	SWNW	0.1	T10S R37E S33	SWSW	0.3

Water Right 29-13318

1

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

T11S R37E S04 Lot 3	NENW	39.0	T11S R37E S04 Lot 4	NWNW	34.0
T11S R37E S04	SWNW	22.0	T11S R37E S04	SENW	34.0
T11S R37E S04	NESW	35.0	T11S R37E S04	NWSW	28.0
T11S R37E S04	SWSW	29.0	T11S R37E S04	SESW	33.0
T11S R37E S04	SWSE	0.2	T11S R37E S05 Lot 1	NENE	37.0
T11S R37E S05 Lot 2	NWNE	39.0	T11S R37E S05	SWNE	33.0
T11S R37E S05	SENE	34.0	T11S R37E S05 Lot 3	NENW	33.0
T11S R37E S05 Lot 4	NWNW	26.0	T11S R37E S05	SWNW	17.0
T11S R37E S05	SENW	11.0	T11S R37E S05	NESW	15.0
T11S R37E S05	SESW	15.0	T11S R37E S05	NESE	39.0
T11S R37E S05	NWSE	37.0	T11S R37E S05	SWSE	28.0
T11S R37E S05	SESE	30.0	T11S R37E S07	SWSE	35.0
T11S R37E S07	SESE	28.0	T11S R37E S08	NENE	36.0
T11S R37E S08	NWNE	36.0	T11S R37E S08	SWNE	35.0
T11S R37E S08	SENE	36.0	T11S R37E S08	NENW	0.1
T11S R37E S08	SENW	2.0	T11S R37E S08	NESE	30.0
T11S R37E S08	NWSE	21.0	T11S R37E S08	SWSE	4.8
T11S R37E S08	SESE	33.0	T11S R37E S09	NWNE	0.2
T11S R37E S09	NENW	40.0	T11S R37E S09	NWNW	35.0
T11S R37E S09	SWNW	32.0	T11S R37E S09	SENW	36.0
T11S R37E S09	NESW	14.0	T11S R37E S09	NWSW	36.0
T11S R37E S09	SWSW	37.0	T11S R37E S09	SESW	34.0
T11S R37E S15	NESW	0.7	T11S R37E S15	NWSW	0.3
T11S R37E S15	SWSW	36.0	T11S R37E S15	SESW	39.0
T11S R37E S15	NWSE	0.1	T11S R37E S15	SWSE	5.9
T11S R37E S16	NWNE	37.0	T11S R37E S16	SWNE	22.0
T11S R37E S16	SENE	14.0	T11S R37E S16	NENW	36.0
T11S R37E S16	NWNW	40.0	T11S R37E S16	SWNW	40.0
T11S R37E S16	SENW	39.0	T11S R37E S16	NESW	37.0
T11S R37E S16	NWSW	33.0	T11S R37E S16	SWSW	0.2
T11S R37E S16	SESW	26.0	T11S R37E S16	NESE	6.7
T11S R37E S16	NWSE	28.0	T11S R37E S16	SWSE	35.0
T11S R37E S16	SESE	30.0	T11S R37E S17	NENE	28.0
T11S R37E S17	SENE	11.0	T11S R37E S17	NESE	0.1
T11S R37E S18	NENE	34.0	T11S R37E S20	NWNE	19.0
T11S R37E S21	NENE	39.0	T11S R37E S21	NWNE	33.0
T11S R37E S21	SWNE	36.0	T11S R37E S21	SENE	38.0
T11S R37E S21	NENW	30.0	T11S R37E S21	SENW	20.0
T11S R37E S21	NESW	5.4	T11S R37E S21	NESE	28.0
T11S R37E S21	NWSE	39.0	T11S R37E S21	SWSE	27.0
T11S R37E S21	SESE	36.0	T11S R37E S22	NENW	24.0
T11S R37E S22	NWNW	33.0	T11S R37E S22	SWNW	40.0

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

T11S R37E S22	SESW	14.0	T11S R37E S22	NESW	20.0
T11S R37E S22	NWSW	39.0	T11S R37E S22	SWSW	33.0
T11S R37E S22	SESW	35.0	T11S R37E S22	SWSE	5.1
T11S R37E S27	NWNE	29.0	T11S R37E S27	SWNE	29.0
T11S R37E S27	NENW	38.0	T11S R37E S27	NWNW	40.0
T11S R37E S27	SWNW	37.0	T11S R37E S27	SESW	32.0
T11S R37E S27	NESW	23.0	T11S R37E S27	NWSW	39.0
T11S R37E S27	SWSW	11.0	T11S R37E S27	SESW	4.5
T11S R37E S27	NWSE	26.0	T11S R37E S27	SWSE	2.2
T11S R37E S28	NENE	35.0	T11S R37E S28	NWNE	8.6
T11S R37E S28	SWNE	0.1	T11S R37E S28	SENE	32.0
T11S R37E S28	SESW	37.0	T11S R37E S28	NESE	15.0
T11S R37E S28	SESE	24.0	T11S R37E S33	NENE	19.0
T11S R37E S33	NWNE	26.0	T11S R37E S33	NENW	11.0
T11S R37E S34	SESW	0.2	T11S R37E S34	NESW	18.0
T11S R37E S34	NWSW	0.2			

4136 ACRES TOTAL

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

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

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EXPLANATORY MATERIAL: Beneficial Use

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

Portneuf Marsh Valley Canal Co LTD

Boundary
Township/Range
Sections

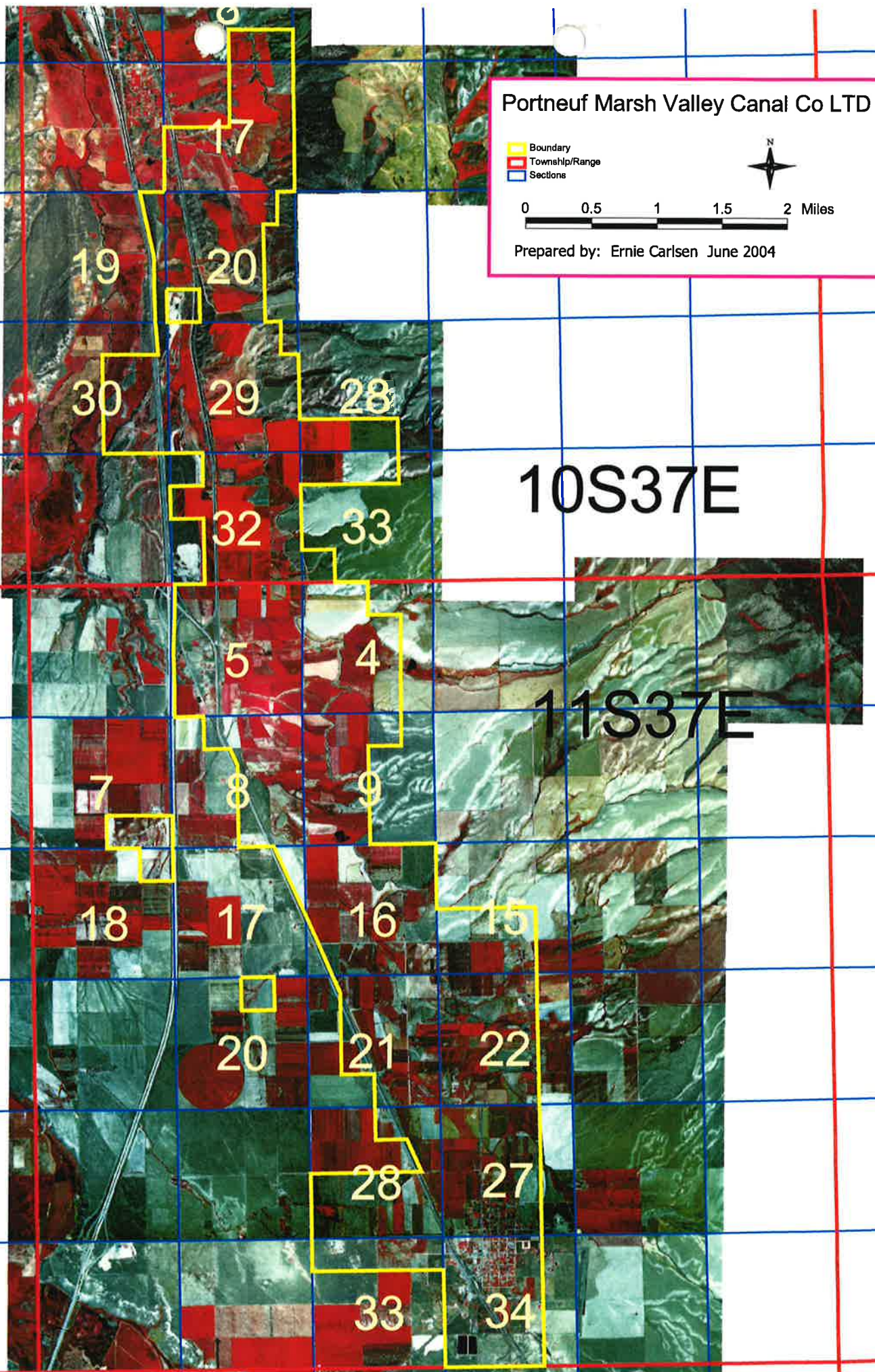


0 0.5 1 1.5 2 Miles

Prepared by: Ernie Carlsen June 2004

10S37E

11S37E



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

RIGHT NUMBER: 29-13318

NAME AND ADDRESS:

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

SOURCE:

Source: Tributary:
PORTNEUF RIVER SNAKE RIVER

QUANTITY:

176.850 CFS 0.000 AFY
USE OF THIS RIGHT WITH RIGHT NO. 29-52 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 176.85 CFS.

PRIORITY DATE:

08/07/1932

POINT OF DIVERSION:

T09S R37E S22 SWSNW Lot 3 Within BANNOCK County
~~T09S R37E S22 NWNESEW Lot 3 Within BANNOCK County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	176.850 CFS

PLACE OF USE:

5103.2 ACRES TOTAL

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.
The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

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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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13318

WATER RIGHT NUMBER: 29-13318

Owner Type Name and Address
 Current Owner PORTNEUF MARSH VALLEY CANAL CO LTD
 C/O DERYL PARRIS
 18746 S WASHINGTON AVE
 DOWNEY, ID 83234
 (208)897-5928

Priority Date: 12/18/1907
 Basis: Beneficial Use
 Status: Active

Aug 7 1932 at best.

Source Tributary
 PORTNEUF RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 04/14	176.850 CFS	
IRRIGATION	09/16 to 10/31	176.850 CFS	
	<u>Total Diversion:</u>	176.850 CFS	

Location of Point(s) of Diversion

PORTNEUF RIVER
 BANNOCK County

L7

@ Steel Bridge

Sec. 22, Twp 09S, Rge 37E, B.M.

Place of Use

IRRIGATION

*See notes in 29-52
 NATURAL FLOW*

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	37E	5									2.0	12.4	8.0						22.4
10S	37E	8															38.0		38.0
10S	37E	17			38.0	15.0				7.0	16.0	37.0	40.0	30.0	25.0	35.0	30.0		273.0
10S	37E	19				5.5									5.5				11.0
10S	37E	20			40.0	23.0		20.0	15.0	21.0	2.0	25.0		14.3			27.5		187.8
10S	37E	28										30.0	40.0						70.0
10S	37E	29			26.0	25.0		30.0	8.0	11.0	24.0	40.0	16.0	30.0		24.0	38.0	40.0	312.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13318

10S 37E 32	40.0	35.0	37.5	40.0	25.0		40.0	37.5	34.2	4.0	4.0	34.2	40.0	40.0	40.0	30.0	481.4
10S 37E 33					40.0	40.0											80.0
11S 36E 13			40.0	40.0													80.0
11S 37E 4			10.0		40.0	38.0	25.0	38.0	40.0	38.0	38.0	38.0		10.0	5.0		320.0
11S 37E 5	38.0	40.0	36.0	40.0	30.0	15.0	30.0	15.0	20.0		27.0	27.0	40.0	30.0	40.0	40.0	468.0
11S 37E 7															40.0	32.0	72.0
11S 37E 8	40.0	40.0	35.8	40.0	40.0								40.0	24.0	21.0	40.0	320.8
11S 37E 9					40.0	40.0	40.0	40.0	26.0	39.0	34.0	30.0					289.0
11S 37E 15											40.0	40.0		10.0			90.0
11S 37E 16		40.0	20.0	20.0	38.0	40.0	40.0	40.0	40.0	33.0		28.0	10.0	30.0	40.0	40.0	459.0
11S 37E 18	33.0																33.0
11S 37E 19							40.0			32.5	32.5						105.0
11S 37E 20		18.0															18.0
11S 37E 21	40.0	40.0	40.0	41.5	38.0			22.6	5.7				40.0	40.0	35.0	38.0	380.8
11S 37E 22			16.0		40.0	39.0	10.0	20.0	40.0	40.0	40.0	40.0		15.0	8.0		308.0
11S 37E 27		26.0	28.0		40.0	40.0	40.0	40.0	28.6	39.0	10.0	10.0		7.0	17.0		325.6
11S 37E 28	40.0	15.0		35.0						20.0	20.0		20.0				150.0
11S 37E 33	13.0	30.0				10.0											53.0
11S 37E 34					10.0	10.0	10.0	10.0	31.0	10.0	10.0	10.0		8.0	10.0		119.0

Total Acres: 5066.8

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-13318

Conditions of Approval:

Remarks:

1. General OTHER WATER RIGHTS USED: 29-52, 29-53, 29-589, 29-4060
2. General THIS CLAIM EXTENDS THE SEASON OF USE ON 29-52

Dates and Other Information:

Claim Received Date: 3/11/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 25, 2003

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

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

Dear Mr. Gilbert:

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

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

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

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

In Re SRBA

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

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☒ Address change
- ☐ Substitution of Party
- ☐ I.C. § 42-222 transfer
- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

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

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

DATED: July 28, 2003.

Ernest Calver
Signature of IDWR Representative

CERTIFICATE OF MAILING

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

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

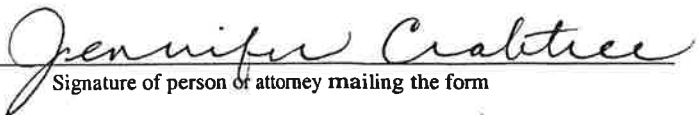
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

07/18/2003

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

RIGHT NUMBER: 29-13318

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

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 176.850 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-52 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 176.85 CFS.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S22 NWNESW Lot 3 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
176.850 CFS

PLACE OF USE:

07/18/2003

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

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

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

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

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

Name(s): Portneuf- MARSH VALLEY CANAL COMPANY
C/O Ellis Gilbert

[] Old Mailing Address:

[] New Mailing Address:

2777 E HAWKINS RD
Downey Idaho
83234

Telephone Number:

(208) 897 - 5917
208 681 - 5917

[] Signature(s)
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Ellis Gilbert
Chairman of Board
(include your title if on behalf of company or organization)

Date:

7/14/2003

RECEIVED

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

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

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

Department of Water Resources
Eastern Region

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

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

06/27/2003

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 29-13318

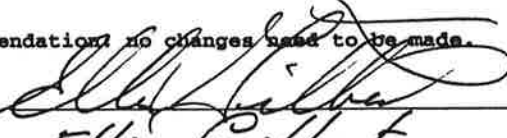
PORTNEUF MARSH VALLEY CANAL CO LTD
C/O DERYL PARRIS
18746 S WASHINGTON AVE
DOWNEY ID 83234
Telephone Number: (208)897-5928

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

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

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

☒ I AGREE with this proposed recommendation. No changes need to be made.

DATE: 7/4/2003 SIGNATURE: 

Please print your name: Ellis Gilbert

IDWR Regional Office,

**NOTICE OF ERROR
REPLY**

RECEIVED

APR 23 2003

Department of Water Resources
Eastern District Office

Water Right No.: 29-13318

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

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

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

Place of use.

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

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

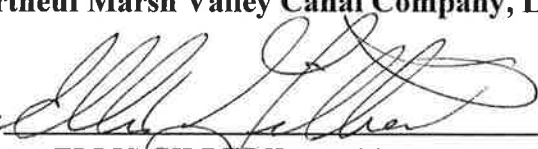
3. Give a brief explanation as to why you disagree with these portions:

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

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

Portneuf Marsh Valley Canal Company, Ltd.

Date: April 21, 2003

By: 
ELLIS GILBERT, President

Print: _____

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

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

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

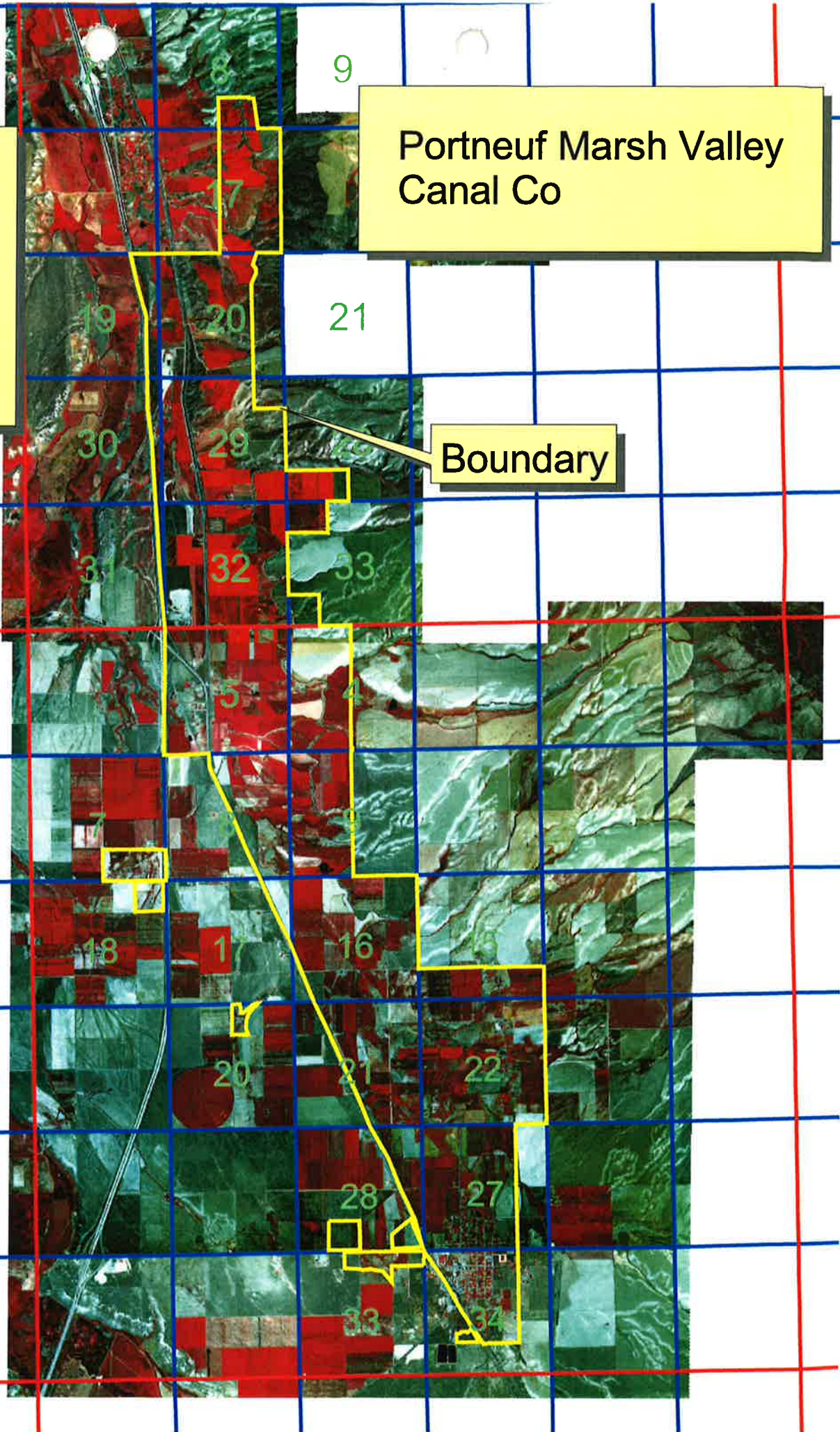
29-52
29-53
29-589
29-4060
29-13318
29-13319

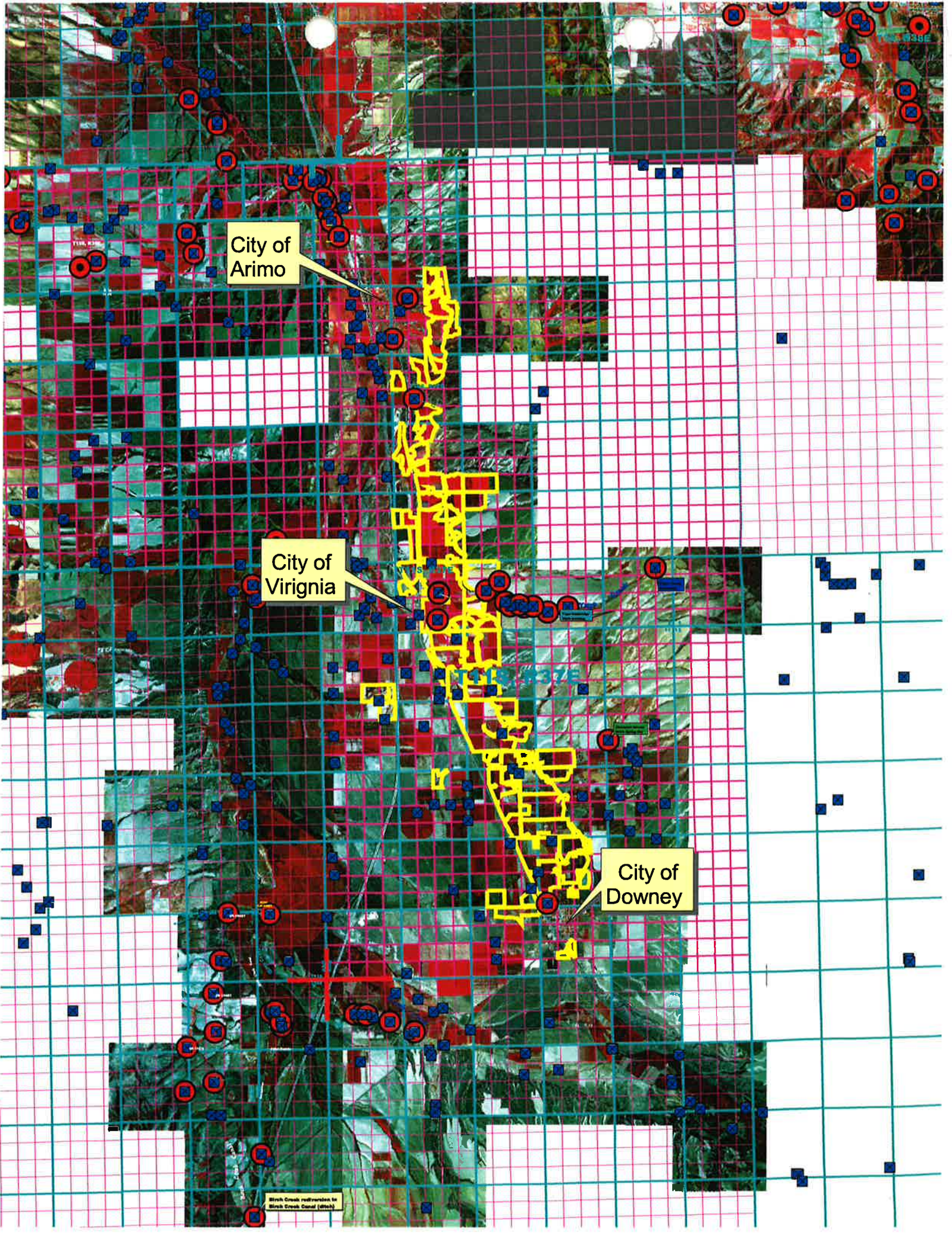
Portneuf Marsh Valley
Canal Co

Boundary

T10S R37E

T11S R37E





City of
Arimo

City of
Virginia

City of
Downey

Black Creek redimension to
Black Creek Canal (black)

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: 29-13318 39576

Ident. Number

Date Received 3-11-02

Receipt Number E027525

3/8/02 pd \$100.00 CK# 2801

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly Portneuf Marsh Valley Canal Co.

1. Name of Claimant (s) 40 Deryl Parris Phone (208) 897-5928
Mailing Address 18746 S. Washington Ave. Downey Zip 83234

2. Date of Priority (Only one (1) per claim) 12-18-1907.

3. Source of water supply (a) Portneuf River
which is tributary to (b) Snake River.

4. a. Location of existing point of diversion is: Township 9S Range 37E Section 22,
1/4 of 1/4 of 1/4, Govt. Lot, 7 B.M., County of Bannock.

Additional points of diversion if any:

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

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

Govt. Lot B.M., County of

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Heading for the Portneuf-
Marsh Valley Canal Co.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 4/14 amount 176.85 or _____

For Irrigation purposes from 9/16 to 10/31 amount 176.85 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 176.85 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 12667.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use: See attached description for 29-52.

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 5066.8

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
A29-52, 53, 4060, 589. or None ()

14. Remarks: This is to extend the season of use on
decree 29-52.

Last Name Portneuf-Mand Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

See claim 29-52

A 16x16 grid of squares, each containing a small crosshair pattern. The grid is composed of 16 columns and 16 rows, totaling 256 squares. Each square contains a small crosshair pattern, which is a central point with four lines extending outwards to the edges of the square, forming a cross shape. The lines are thin and black, and the background of each square is white. The grid is bounded by a thick black border.

Last Name

Portneuf-Marsh
valley.

Ident No.

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 7

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

➔ **For Organizations:** I do solemnly swear or affirm that I am Chairman of the board of directors
of Portneuf-Marsh Valley Canal Co. LTD, that I have signed the foregoing
document in the space below as Chairman of Portneuf-Marsh Valley Canal Co.
and that the statements contained in the foregoing document are true and correct.

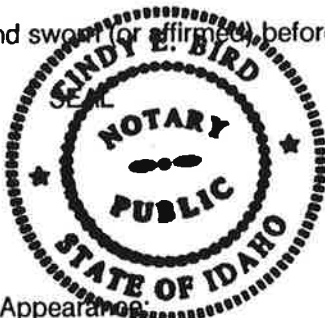
_____ Title
_____ Organization
_____ Title
_____ Organization

Signature of Authorized Agent [Signature]

Title and Organization Chairman - Portneuf-Marsh Valley Canal Co. Date 3/8-02

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 8th day of March 19 2002.



Notary Public Cindy E Bird

Residing at Lava Hot Springs.

My Commission Expires May 1, 2007.

Please Print Name

17. Notice of Appearance

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

Signature _____

Address _____

Date _____

Last Name Portneuf-Marsh
Valley Canal Ident. Number _____