

02/23/2005

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

RIGHT NUMBER: 37-1175

NAME AND ADDRESS: JUSTICE DITCH CO
C/O TWILA BENDORF
RT 1 BOX 360
HAGERMAN ID 83332

SOURCE: MALAD RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.340 CFS

PRIORITY DATE: 04/01/1906

POINT OF DIVERSION:

T06S R14E S30 SESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.340 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S35	SENE	29.0	T06S R13E S35	NESE	40.0
T06S R13E S35	SESE	40.0	T06S R13E S36	SWSW	17.0
T07S R13E S01 Lot 2 SWNE		33.0	T07S R13E S01 Lot 1 SENE		33.0

192 ACRES TOTAL

Right nos. 37-1160 and 37-1175 are limited to the irrigation of a combined total of 192 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 37-1175

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Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
37-1160	Claim	06S	13E	35	NE	NE		IRRIGATION	19/351.2	JUSTICE DITCH CO
37-4091	Water Right	06S	13E	35	NE	NE		IRRIGATION	19/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	NE	NE	0	IRRIGATION	19/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	NE	NE	0	IRRIGATION	19/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	NE	NE	0	IRRIGATION	19/351.2	JUSTICE DITCH CO
1-6	Claim	06S	13E	35	SW	NE		IRRIGATION	40/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-1160	Claim	06S	13E	35	SW	NE		IRRIGATION	8.2/351.2	JUSTICE DITCH CO
37-797	Water Right	06S	13E	35	SW	NE		IRRIGATION		WILLIAM WOODY
37-1175	Water Right	06S	13E	35	SW	NE		IRRIGATION		WILLIAM WOODY
37-4091	Water Right	06S	13E	35	SW	NE		IRRIGATION	10/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	SW	NE	0	IRRIGATION	8.2/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	SW	NE	0	IRRIGATION	8.2/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	SW	NE	0	IRRIGATION	8.2/351.2	JUSTICE DITCH CO
1-6	Claim	06S	13E	35	SE	NE		IRRIGATION	29/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-1160	Claim	06S	13E	35	SE	NE		IRRIGATION	26.7/351.2	JUSTICE DITCH CO
37-1160A	Water Right	06S	13E	35	SE	NE		IRRIGATION		WILLIAM JUSTICE
37-4091	Water Right	06S	13E	35	SE	NE		IRRIGATION	38/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	SE	NE	0	IRRIGATION	26.7/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	SE	NE	0	IRRIGATION	26.7/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	SE	NE	0	IRRIGATION	26.7/351.2	JUSTICE DITCH CO
1-6	Claim	06S	13E	35	SE	NW		IRRIGATION	33/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-797	Claim	06S	13E	35	SE	NW		IRRIGATION	3/175	CLIFFORD J SIMMS
37-1160	Claim	06S	13E	35	SE	NW		IRRIGATION	8/351.2	JUSTICE DITCH CO

01/22/2004

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 37-1175

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Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
37-1175A	Claim	06S	13E	35	SE	NW		IRRIGATION	3/175	CLIFFORD J SIMMS
37-7116	Claim	06S	13E	35	SE	NW		IRRIGATION	3/175	CLIFFORD J SIMMS
37-797	Water Right	06S	13E	35	SE	NW		IRRIGATION		WILLIAM WOODY
37-1175	Water Right	06S	13E	35	SE	NW		IRRIGATION		WILLIAM WOODY
37-4091	Water Right	06S	13E	35	SE	NW		IRRIGATION	16/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	SE	NW	0	IRRIGATION	8/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	SE	NW	0	IRRIGATION	8/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	SE	NW	0	IRRIGATION	8/351.2	JUSTICE DITCH CO
1-6	Claim	06S	13E	35	NE	SW		IRRIGATION	32/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-797	Claim	06S	13E	35	NE	SW		IRRIGATION	7/175	CLIFFORD J SIMMS
37-1160	Claim	06S	13E	35	NE	SW		IRRIGATION	3/351.2	JUSTICE DITCH CO
37-1175A	Claim	06S	13E	35	NE	SW		IRRIGATION	7/175	CLIFFORD J SIMMS
37-7116	Claim	06S	13E	35	NE	SW		IRRIGATION	7/175	CLIFFORD J SIMMS
37-797	Water Right	06S	13E	35	NE	SW		IRRIGATION		WILLIAM WOODY
37-1175	Water Right	06S	13E	35	NE	SW		IRRIGATION		WILLIAM WOODY
37-4091	Water Right	06S	13E	35	NE	SW		IRRIGATION	30/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	NE	SW	0	IRRIGATION	3/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	NE	SW	0	IRRIGATION	3/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	NE	SW	0	IRRIGATION	3/351.2	JUSTICE DITCH CO
1-6	Claim	06S	13E	35	NE	SE		IRRIGATION	40/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-1160	Claim	06S	13E	35	NE	SE		IRRIGATION	37.3/351.2	JUSTICE DITCH CO
37-1160A	Water Right	06S	13E	35	NE	SE		IRRIGATION		WILLIAM JUSTICE
37-4091	Water Right	06S	13E	35	NE	SE		IRRIGATION	35/349	JUSTICE DITCH CO

01/22/2004

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 37-1175

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Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
37-1175	Claim	06S	13E	35	NE	SE	0	IRRIGATION	37.3/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	NE	SE	0	IRRIGATION	37.3/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	NE	SE	0	IRRIGATION	37.3/351.2	JUSTICE DITCH CO
1-6	Claim	06S	13E	35	NW	SE		IRRIGATION	33/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-1160	Claim	06S	13E	35	NW	SE		IRRIGATION	34.1/351.2	JUSTICE DITCH CO
37-797	Water Right	06S	13E	35	NW	SE		IRRIGATION		WILLIAM WOODY
37-1175	Water Right	06S	13E	35	NW	SE		IRRIGATION		WILLIAM WOODY
37-4091	Water Right	06S	13E	35	NW	SE		IRRIGATION	27/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	NW	SE	0	IRRIGATION	34.1/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	NW	SE	0	IRRIGATION	34.1/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	NW	SE	0	IRRIGATION	34.1/351.2	JUSTICE DITCH CO
37-1160	Claim	06S	13E	35	SW	SE		IRRIGATION	20/351.2	JUSTICE DITCH CO
37-797	Water Right	06S	13E	35	SW	SE		IRRIGATION		WILLIAM WOODY
37-1175	Water Right	06S	13E	35	SW	SE		IRRIGATION		WILLIAM WOODY
37-4091	Water Right	06S	13E	35	SW	SE		IRRIGATION	30/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	SW	SE	0	IRRIGATION	20/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	35	SW	SE	0	IRRIGATION	20/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	SW	SE	0	IRRIGATION	20/351.2	JUSTICE DITCH CO
1-6	Claim	06S	13E	35	SE	SE		IRRIGATION	40/27301.2	AMERICAN FALLS RESERVOIR DIST #2
37-1160	Claim	06S	13E	35	SE	SE		IRRIGATION	37.9/351.2	JUSTICE DITCH CO
37-1160B	Water Right	06S	13E	35	SE	SE		IRRIGATION		JOHN F EDINBOROUGH
37-4091	Water Right	06S	13E	35	SE	SE		IRRIGATION	36/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	35	SE	SE	0	IRRIGATION	37.9/351.2	JUSTICE DITCH CO

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
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Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
37-4091	Claim	06S	13E	35	SE	SE	0	IRRIGATION	37.9/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	35	SE	SE	0	IRRIGATION	37.9/351.2	JUSTICE DITCH CO
37-1160	Claim	06S	13E	36	NW	NE		IRRIGATION	20.9/351.2	JUSTICE DITCH CO
37-1175	Claim	06S	13E	36	NW	NE	0	IRRIGATION	20.9/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	36	NW	NE	0	IRRIGATION	20.9/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	36	NW	NE	0	IRRIGATION	20.9/351.2	JUSTICE DITCH CO
37-1160	Claim	06S	13E	36	NE	NW		IRRIGATION	19.2/351.2	JUSTICE DITCH CO
37-4091	Water Right	06S	13E	36	NE	NW		IRRIGATION	20/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	36	NE	NW	0	IRRIGATION	19.2/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	36	NE	NW	0	IRRIGATION	19.2/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	36	NE	NW	0	IRRIGATION	19.2/351.2	JUSTICE DITCH CO
37-1160	Claim	06S	13E	36	NW	NW		IRRIGATION	39.6/351.2	JUSTICE DITCH CO
37-4091	Water Right	06S	13E	36	NW	NW		IRRIGATION	20/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	36	NW	NW	0	IRRIGATION	39.6/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	36	NW	NW	0	IRRIGATION	39.6/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	36	NW	NW	0	IRRIGATION	39.6/351.2	JUSTICE DITCH CO
37-1160	Claim	06S	13E	36	SW	SW		IRRIGATION	11.3/351.2	JUSTICE DITCH CO
37-1160B	Water Right	06S	13E	36	SW	SW		IRRIGATION		JOHN F EDINBOROUGH
37-4091	Water Right	06S	13E	36	SW	SW		IRRIGATION	10/349	JUSTICE DITCH CO
37-1175	Claim	06S	13E	36	SW	SW	0	IRRIGATION	11.3/351.2	JUSTICE DITCH CO
37-4091	Claim	06S	13E	36	SW	SW	0	IRRIGATION	11.3/351.2	JUSTICE DITCH CO
37-10089	Claim	06S	13E	36	SW	SW	0	IRRIGATION	11.3/351.2	JUSTICE DITCH CO

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: A37-01175
Date Received: 6/07/1988
Receipt No: S000349
Received By: Sc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUSTICE DITCH COMPANY Co.
Address: C/O TWILA BENDORF
RT. 1 BOX 360
HAGERMAN, ID 83332

2. Date of Priority: APR 01, 1906

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	14E	30	NE	NE	SE		GOODING

5. Description of diverting works:
STEEL HEADGATE 76" X 52"

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.340		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is 1053.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC AND STOCKWATER.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	13E	35	NE		NE		IRR	19.0
			SW		NE		IRR	8.2
			SE		NE		IRR	26.7
			SE		NW		IRR	8.0
			NE		SW		IRR	3.0
			NE		SE		IRR	37.3
			NW		SE		IRR	34.1
			SW		SE		IRR	20.0
			SE		SE		IRR	37.9
Section Acres								194.2
	36	NW		NE		IRR	20.9	
		NE		NW		IRR	19.2	
		NW		NW		IRR	39.6	
		SW		SW		IRR	11.3	
		Section Acres						
07S	13E	1				1	IRR	31.3
						2	IRR	34.7
Section Acres								66.0
Total Acres								351.2

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-1175, 37-1160A&B, 37-4091.

14. Remarks:
RT. HAS NOT BEEN USED FOR MANY YEARS; PER WATERMASTER.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date: 3/10/1919

WOODY

Decree Plaintiff

vs

CHAPMAN

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: 2

For Organizations:

I do solemnly swear or affirm that I am Vice President of Justice Ditch Co., that I have signed the foregoing document in the space below as Vice President of Justice Ditch Co. and that the statements contained in the foregoing document are true and correct.

Tony Anderson
Signature of Authorized Agent

V. Pres - Justice Ditch Co
Title and Organization

6-7-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, Id

My Commission Expires 10/16/1992

JUSTICE DITCH ATTACHMENT

ANDERSON, T.E.	7S	13E	SEC. 1	LOT 1	31.33
				LOT 2	6.67
BENDORF, R.K.	6S	13E	SEC. 35	SESE	37.9
			SEC. 36	SWSW	11.3
MARSH, FLOYD	6S	13E	SEC. 35	NESE	37.3
				SENE	26.7
WOODY, L.H.	7S	13E	SEC. 1	LOT 2	28.07

MICROFILMED

FEB 23 1993

MALAD STATE PARK ACRES

6S 13E	SEC. 35	SWSE	20.0
		NWSE	34.1
		NESW	3.0
		SENE	8.0
		SWNE	8.2
		NENE	19.0
	SEC. 36	NWNW	39.6
		NENW	19.2
		NWNE	20.9
	TOTAL		172.0

MICROFILMED

FEB 23 1993