



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

July 31, 2007

Clerk of the District Court
SRBA District Court
253 3rd Ave. N.
PO Box 2707
Twin Falls, ID 83303-2707

Re: Amended Claims/Director's Reports in Accordance with Rule 10.f

Dear Clerk:

Please find attached Amended Director's Reports for water right nos. 67-14283, 67-14448, 67-14449, 67-14450, 67-14593 and 67-14594. As the initial hearings for Basin 67 have not already occurred, amended claims were filed by the claimant in accordance with Rule 10.f of Administrative Order 1. The attached Amended Director's Reports takes into consideration the amended claims.

If possible, please ensure that the objection and response deadlines for the attached Amended Director's Reports have already been established prior to the scheduling of the initial hearings for Basin 67. It is anticipated that the initial hearings will be held in March of 2008.

If you have any questions regarding the Amended Director's Reports, do not hesitate to contact me at 287-4921.

Sincerely,

Donald V. Shaff
Adjudication Bureau Chief

Encl.

ccs: Claimants

SCANNED
AUG - 1 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

July 31, 2007

Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

RE: Amendment of Snake River Basin Adjudication Recommendations 67-14283, 67-14448, 67-14449, 67-14450, 67-14593 and 67-14594.

The purpose of this letter is to describe the amendments of claim nos. 67-14283, 67-14448, 67-14449, 67-14450, and 67-14593.

Bacon Valley Ditch Co. delivers *Muir v. Allison* decreed water (67-80B), flood water and storage water from the Lost Valley Reservoir to approximately 11 individual users. Once the water is diverted into the Bacon Valley Ditch system, decreed, flood, and storage water is co-mingled. Each of the users has shares with Bacon Valley Ditch Co. and receive irrigation water based on those shares. All shares have the same priority within the Company; thus, the Company does not distinguish the difference between decreed, flood, and storage water.

SRBA claims for 67-80B, were filed by the individual users as well as Bacon Valley Ditch Co. All individual storage water rights were disallowed and recommended in the name of Lost Valley Reservoir Company. The individual claims and Bacon Valley Ditch Co. claims for flood water were competing claims. Based on the information gathered, all private flood water claims were disallowed and recommended in the name of Bacon Valley Ditch Co (67-14594).

However, the claims filed for the water described in water right record 67-80B were not competing claims. Bacon Valley Ditch Co. claimed 1.82 cfs of the original 2.04 cfs (67-14593), while the remaining portion was claimed by 4 individual users (67-14448, 67-14449, 67-14450, and 67-14283). Because of this, the Company and the private individual claims were recommended in order to preserve the 2.04 cfs of water described in water right record 67-80B.

On April 11, 2007, I met with Lon Schultz and Gary Gallant. They are members of the Bacon Valley Ditch Co. board, as well as two of the four individuals that claimed portions of 67-80B privately. After discussing the situation, Bacon Valley Ditch Co. claim no. 67-14593 was amended to claim the entire 2.04 cfs described 67-80B.

SCANNED

AUG - 1 2007

Individual claim nos. 67-14448, 67-14449, 67-14450, and 67-14283 are now recommended disallowed. The diversion rate recommended for overlapping flood water right 67-14594 was reduced in accordance with the increase in recommended diversion rate for 67-14593 in order to keep the duty of water at one inch per acre when both 67-14593 and 67-14594 are used in combination.

The result is the recommendation of all *Muir v. Allison* decreed water and all the flood water diverted into the Bacon Valley Ditch Co. system be in the name of Bacon Valley Ditch Co.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Craig L. Saxton", with a stylized flourish at the end.

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

07/31/2007

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

RIGHT NUMBER: 67-14593

NAME AND ADDRESS: BACON VALLEY DITCH CO
C/O CHARLES CARUSO
3100 EASTON AVE
BOISE ID 83726-4864

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.040 CFS

PRIORITY DATE: 09/11/1909

POINT OF DIVERSION:

T15N R02W S11 NENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	2.040 CFS

PLACE OF USE:

203 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 301.3 acres in a single irrigation season. Combined Right Nos.: 67-14593 and 67-14594

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 102.0 acres within the place of use described above 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: BASIS OF CLAIM - Decreed

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

SCANNED
AUG - 1 2007

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 67-14593
Date Received: 7/6/2005
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BACON VALLEY DITCH CO Phone: (208)336-4309

C/O CHARLES CARUSO
3100 EASTON AVE
BOISE ID USA 83726-4864

2. Date of Priority: 09/11/1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	02W	11	SE NE NW	ADAMS	

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	10/31	2.04	

7. Total Quantity Appropriated is:

~~1.12~~ C.F.S. *B.H.*
2.04
C. S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

RECEIVED

APR 11 2007

Department of Water Resources
Adjudication Bureau

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AUG - 1 2007

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	02W	10	SE	SW	IRRIGATION	8.6
			NE	SE	IRRIGATION	5.1
			NW	SE	IRRIGATION	3.6
			SW	SE	IRRIGATION	36
			SE	SE	IRRIGATION	4.6
Section Acres						57.9
15N	02W	11	SW	NW	IRRIGATION	9.2
			SE	NW	IRRIGATION	10
Section Acres						19.2
15N	02W	15	NW	NE	IRRIGATION	16
			SW	NE	IRRIGATION	25
			NE	NW	IRRIGATION	12
			NW	NW	IRRIGATION	10
			SW	NW	IRRIGATION	14
			SE	NW	IRRIGATION	13
			NE	SW	IRRIGATION	14
			NW	SW	IRRIGATION	17
			NW	SE	IRRIGATION	29
Section Acres						150
15N	02W	16	NE	NE	IRRIGATION	6.3
			SE	NE	IRRIGATION	22
			NE	SE	IRRIGATION	28
			SW	SE	IRRIGATION	6
			SE	SE	IRRIGATION	9.3
Section Acres						71.6
15N	02W	21	NW	NE	IRRIGATION	2.6
Section Acres						2.6
Total Acres						301.3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

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APR 11 2007

Department of Water Resources
Adjudication Bureau

SCANNED

AUG - 1 2007

This claim represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05).

15. Basis of Claim: Decreed

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 PRESIDENT of _____ Title

BACON VALLEY DITCH CO. that I have signed the foregoing Organization

document in the space below as PRESIDENT of Title

BACON VALLEY DITCH CO. and that the statements contained in the Organization

foregoing document are true and correct.

Louise Schultz
Signature of Authorized Agent

PRESIDENT - BACON VALLEY DITCH CO.
Title and Organization

4/11/07
Date

State of Idaho)

County of Ada) SS.

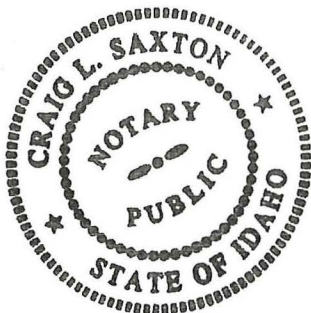
Subscribed and sworn (or affirmed) before me this 11th

of April 2007

Craig T. Gunder
Notary Public

Residing at Boise ID

My commission Expires 8/14/07



RECEIVED

APR 11 2007

Department of Water Resources
Adjudication Bureau

SCANNED

AUG - 1 2007

This claim represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05).

15. Basis of Claim: Decreed

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 Director of _____ Title

Bacon Valley Ditch Co. that I have signed the foregoing Organization

document in the space below as Director of Title

BACON VALLEY DITCH CO. and that the statements contained in the Organization

foregoing document are true and correct. Ray H. Haller Signature of Authorized Agent

Title and Organization

4-11-07
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this April 11th
of April 20 07 Ray H. Haller
Notary Public

Residing at Boise ID

My commission Expires 8-14-07

SCANNED
AUG - 1 2007

RECEIVED

APR 11 2007

Department of Water Resources
Adjudication Bureau

04/12/2007

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

RIGHT NUMBER: 67-14593

NAME AND ADDRESS: BACON VALLEY DITCH CO
C/O CHARLES CARUSO
3100 EASTON AVE
BOISE ID 83726-4864

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.040 CFS

PRIORITY DATE: 09/11/1909

POINT OF DIVERSION:

T15N R02W S11 NENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	2.040 CFS

PLACE OF USE:

203 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 301.3 acres in a single irrigation season. Combined Right Nos.: 67-14593 and 67-14594

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 102.0 acres within the place of use described above 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: BASIS OF CLAIM - Decreed

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14593 V1

WATER RIGHT NUMBER: 67-14593 V1

Owner Type Name and Address
 Current Owner BACON VALLEY DITCH CO
 C/O CHARLES CARUSO
 3100 EASTON AVE
 BOISE, ID 83726-4864
 (208)336-4309

Priority Date: 09/11/1909

Basis: Decreed

Status: Active

Source Tributary
 WEISER RIVER SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 03/15 to 10/31 2.040 CFS
 Total Diversion: 2.040 CFS

Location of Point(s) of Diversion

WEISER RIVER NE1/4NW1/4 Sec. 11, Twp 15N, Rge 02W, B.M.
 ADAMS County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N 02W 10												X	X	X	X		
15N 02W 11							X	X									
15N 02W 15		X	X		X	X	X	X	X	X				X	X		
15N 02W 16	X			X									X		X	X	
15N 02W 21		X															

Total Acres: 203

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 301.3 acres in a single irrigation season. Combined Right Nos.: 67-14593 and 67-14594

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14593 V1

2. 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.
3. K06 This right is limited to the irrigation of 102.0 acres within the place of use described above in a single irrigation season.
4. C02 Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
5. 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.

Remarks:Comments:

1. csaxton 11/8/2006 Copied From Claim (1)

Comment: This claim represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05).

2. csaxton 11/8/2006 Acre Limit

Comment: TR 2076 was approved at one inch per acre. Despite Muir V. Allison having a duty of 5/8 inches per acre, recommending the acre limit to one inch per acre as TR 2076 set a new duty of water.

3. csaxton 4/12/2007 Recommendation Amended

Comment: The recommendation was change after the submittal of the B67 Directors Report because claim 67-14593 was amended and allowed IDWR to recommend a greater diversion rate. This was done due to the decision to recommend all decreed water in the name of Bacon Valley Ditch Co. and not the individual users.

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

April 11, 2007

Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

RE: Amendment of Snake River Basin Adjudication Recommendations 67-14283, 67-14448, 67-14449, 67-14450, 67-14593 and 67-14594.

The purpose of this letter is to describe the amendments of claim nos. 67-14283, 67-14448, 67-14449, 67-14450, and 67-14593.

Bacon Valley Ditch Co. delivers *Muir v. Allison* decreed water (67-80B), flood water and storage water from the Lost Valley Reservoir to approximately 11 individual users. Once the water is diverted into the Bacon Valley Ditch system, decreed, flood, and storage water is co-mingled. Each of the users has shares with Bacon Valley Ditch Co. and receive irrigation water based on those shares. All shares have the same priority within the Company; thus, the Company does not distinguish the difference between decreed, flood, and storage water.

SRBA claims for 67-80B, were filed by the individual users as well as Bacon Valley Ditch Co. All individual storage water rights were disallowed and recommended in the name of Lost Valley Reservoir Company. The individual claims and Bacon Valley Ditch Co. claims for flood water were competing claims. Based on the information gathered, all private flood water claims were disallowed and recommended in the name of Bacon Valley Ditch Co (67-14594).

However, the claims filed for the water described in water right record 67-80B were not competing claims. Bacon Valley Ditch Co. claimed 1.82 cfs of the original 2.04 cfs (67-14593), while the remaining portion was claimed by 4 individual users (67-14448, 67-14449, 67-14450, and 67-14283). Because of this, the Company and the private individual claims were recommended in order to preserve the 2.04 cfs of water described in water right record 67-80B.

On April 11, 2007, I met with Lon Schultz and Gary Gallant. They are members of the Bacon Valley Ditch Co. board, as well as two of the four individuals that claimed portions of 67-80B privately. After discussing the situation, Bacon Valley Ditch Co. claim no. 67-14593 was amended to claim the entire 2.04 cfs described 67-80B.

Individual claim nos. 67-14448, 67-14449, 67-14450, and 67-14283 are now recommended disallowed. The diversion rate recommended for overlapping flood water right 67-14594 was reduced in accordance with the increase in recommended diversion rate for 67-14593 in order to keep the duty of water at one inch per acre when both 67-14593 and 67-14594 are used in combination.

The result is the recommendation of all *Muir v. Allison* decreed water and all the flood water diverted into the Bacon Valley Ditch Co. system be in the name of Bacon Valley Ditch Co.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Saxton, Craig

From: Saxton, Craig
Sent: Friday, January 12, 2007 9:31 AM
To: Charles Caruso (E-mail)
Subject: Bacon Valley Ditch Co

Hello Charles,

I was just thinking about Bacon Valley and had some information to pass onto you. When we last left off, we were waiting for the opportunity to file an objection for 67-14593, this is assuming everyone agreed to file the amended claim and recommend all the decreed water in the name of the company.

What I didn't know at that time was we don't have to wait for the objection process to amend the claim. You do however have to file a motion with the court to request amendment of the claim.

So what I thought I would do while it was on my mind was send you an amended claim and a copy of the forms that you need to fill out to file the motion requesting approval to amend your claim. You can do this now if you would like.

On the section that tells you that you need to call the court and request a hearing date, make sure to ask them if you can attend the hearing remotely by telephone other wise you have to drive to Twin Falls. And make sure they give you the phone number to call in and a participant code. Then what you do is listen for them to call your name. They will ask you why you want to amend the claim, you tell them and then they will approve it and you are done. It isn't a hard process.

Hope you had a good Christmas and New Year. Talk to you later,

Craig



Motion Amend-File 57-14593 Amended
Late Claim.p... (1-12-07).doc...

Conversation Memorandum

Date: December 19, 2006

To: File 67-14593

RE: Amended claim for 67-14593: Private rights v. Bacon Valley Ditch Co. Rights

On Dec 7, 2006, I met with Charles Caruso and Creed Noah to discuss the water rights held by Bacon Valley Ditch Company. The issue is that Bacon Valley Ditch Company is an entity which delivers water to the users in the form of shares. The Ditch Company claimed flood water for all its share holders, but only decreed water for part of the share holders.

Meanwhile, several of the shareholder claimed the flood water and private water individually.

The purpose of the meeting was to discuss amending Bacon Valley Ditch Company claim 67-14593 to claim all the decreed water as that is how the system works. Then we would disallow the individual claims for the decreed water. It was agreed in the meeting that Mr. Caruso would speak with the individuals that filed on the decreed water separately and see if they agreed with this. Meanwhile, I was to prepare an amended claim and get it to Charles.

Today I realized that I didn't send Charles an amended claim. I called him and told him I was sorry and he needs to object to the recommendations for the company rights, and at that time, we could amend the claim and take care of things. He said that is ok as Schultz wasn't in agreement at this time.

For now, I will leave the preliminary recommendations as they are which is giving decreed water to both Bacon Valley Ditch Co and the private individuals and the flood water all to Bacon Valley Ditch Co. The hope is they will file an objection so we can fix the recommendation.

11/08/2006

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

RIGHT NUMBER: 67-14593

NAME AND ADDRESS: BACON VALLEY DITCH CO
C/O CHARLES CARUSO
3100 EASTON AVE
BOISE ID 83726-4864

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.120 CFS

PRIORITY DATE: 09/11/1909

POINT OF DIVERSION:

T15N R02W S11 NENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	1.120 CFS

PLACE OF USE:

203 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 203.0 acres in a single irrigation season. Combined Right Nos.: 67-14593 and 67-14594

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.

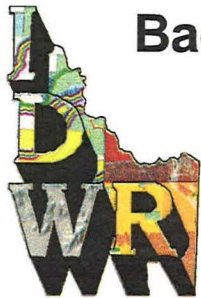
This right is limited to the irrigation of 56.0 acres within the place of use described above in a single irrigation season.

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: BASIS OF CLAIM - Decreed

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

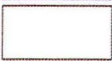


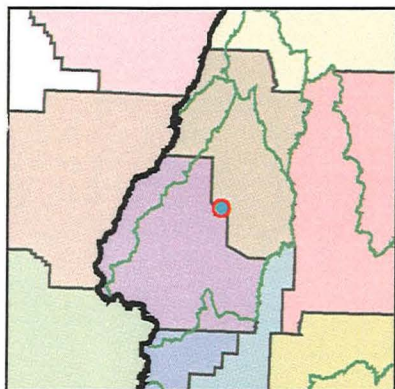
Bacon Valley Ditch Co

SRBA Recommendation: 67-14593

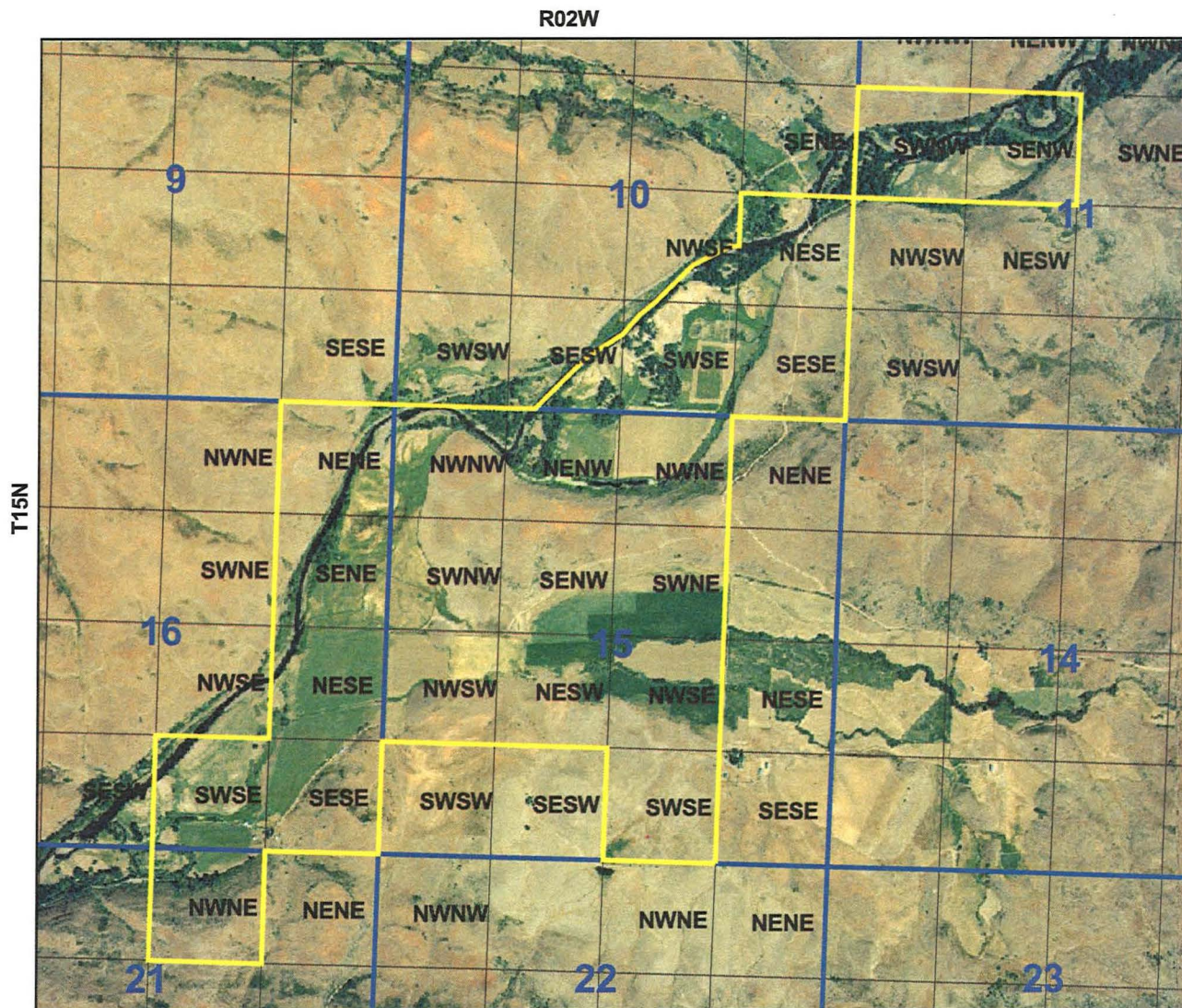
Service Area Boundary
GIS Place of Use Illustration

Legend

-  **Service Area**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Adams County
IDWR Basin 67



0

0.9

1.8 Miles



Prepared by C. Saxton
On Wednesday, November 8, 2006
1987/88 Aerial Photography

MEMORANDUM

Date: November 9, 2006
To: File 67-14593 and 67-14594
From: Craig L. Saxton

Re: Meeting with Charles Caruso – Secretary for Bacon Valley Ditch Co

I met with Charles Caruso in my office today at about 9:30 am to discuss the Bacon Valley Ditch Co SRBA claims and how they relate to some individual claims filed within the Bacon Valley Ditch Co service area.

The discussion resulted in the following information.

Everyone utilizing the Bacon Valley Ditch Co delivery system have shares in the company including persons filing on the water individually. So as far as I can tell, the way it is set up is that the name of the water rights should be in the name of the company and not the individuals. Mr. Caruso was not sure about that.

History:

In 1979, Approved transfer 2076 resulted in 2.04 cfs of water to be diverted from the Weiser River and to be used in section 15 on 102 acres. This transfer placed the 2.04 cfs and 102 acres within what is now the Bacon Valley Ditch Co service area.

Statutory claim 67-4258 was filed in 1978 claiming irrigation of the current Bacon Valley Ditch Co service area and is supported with a 1961 priority date.

Now:

Bacon Valley Ditch Co claimed 1.12 cfs of the original 2.04 and did not claim the remaining diversion rate as it was claimed by 4 individuals. These 4 land owners are on the Bacon Valley Ditch Co irrigation system, but to get their water, it has to be pumped up to them where it enters a ditch system and is used. Everyone else gets their water thorough flood irrigation. Mr. Caruso didn't know if that is why the 4 filed on their decreed water individually.

Since all the decreed water wasn't claimed by the company, I will recommend the 4 private claims for decreed water in the name of the individual despite that I think it should be in the name of the company. The remaining decreed water will be recommended in the name of the company as claimed.

The company claimed flood water on their entire service are which included the 4 users that claimed flood water individually to. I am disallowing all private claims to the flood water and recommending all flood water in the name of the company.

Summary:

It appears that all flood water and 2.04 cfs of decreed water should be recommended in the name of Bacon Valley Ditch Co since all users have shares with the ditch company. However, since the company didn't claim all the decreed water, I will recommend the remaining decreed water in the name of the individuals to preserve the water right.

Mr. Caruso is going to speak with the board members and Creed Noah and tell them what that I plan to recommend the following and see what they have to say.

Side notes:

Mr Caruso did not have delivery records, but said that the ditch is restricted by an 18 culvert which would carry the diversion rate I am recommending.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14593 V1

WATER RIGHT NUMBER: 67-14593 V1

Owner Type Name and Address
 Current Owner BACON VALLEY DITCH CO
 C/O CHARLES CARUSO
 3100 EASTON AVE
 BOISE, ID 83726-4864
 (208)336-4309

Priority Date: 09/11/1909

Basis: Decreed

Status: Active

Source Tributary
 WEISER RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	1.120 CFS	
	<u>Total Diversion:</u>	1.120 CFS	

Location of Point(s) of Diversion

WEISER RIVER NE1/4NW1/4 Sec. 11, Twp 15N, Rge 02W, B.M.
 ADAMS County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N 02W 10												X	X	X	X	X	
15N 02W 11							X	X									
15N 02W 15		X	X		X	X	X	X	X	X				X	X		
15N 02W 16	X			X									X		X	X	
15N 02W 21		X															

Total Acres: 203

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 203.0 acres in a single irrigation season. Combined Right Nos.: 67-14593 and 67-14594

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14593 V1

2. 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.
3. K06 This right is limited to the irrigation of 56.0 acres within the place of use described above in a single irrigation season.
4. C02 Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
5. 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.

Remarks:Comments:

1. csaxton 11/8/2006 Copied From Claim (1)

Comment: This claim represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05).

2. csaxton 11/8/2006 Acre Limit

Comment: TR 2076 was approved at one inch per acre. Despite Muir V. Allison having a duty of 5/8 inches per acre, recommending the acre limit to one inch per acre as TR 2076 set a new duty of water.

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: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>
Contacts	9/13/2006 8:12:50 AM	awarntje			Active
Priority Date	9/13/2006 8:32:28 AM	awarntje			Active
Source	9/13/2006 8:41:21 AM	awarntje			Active
POU	9/13/2006 8:49:42 AM	awarntje			Active
Use	9/13/2006 8:50:01 AM	awarntje			Active
Season	9/13/2006 8:52:02 AM	awarntje			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14593 V1

Quantity	9/13/2006 8:52:53 AM	awarntje	Active
Summary		09/13/2006	awarntje Active
POD	9/13/2006 8:55:22 AM	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/13/2006 8:12:51 AM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
POU	9/13/2006 8:47:36 AM	awarntje	Updated shape for Active POU
Source	9/13/2006 8:41:22 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (No) 5. Can the claimed source be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the source? (Yes) 8. Can the change be verified as an accomplished transfer? (Yes) 10. Does the file contain all the necessary information to verify the source? (Yes) 11. Is a Source remark and/or condition required?
Season	9/13/2006 8:52:03 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14593 V1

Quantity	9/13/2006 8:52:53 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POD	9/13/2006 8:55:23 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	11/8/2006 3:40:09 PM	csaxton	Updated PLS for Active POU
POU	11/8/2006 3:39:54 PM	csaxton	Updated shape for Active POU
Summary	9/13/2006 8:54:25 AM	awarntje	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
General	9/13/2006 8:32:28 AM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14593 V1

POU	9/13/2006 8:49:42 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
POD	9/13/2006 8:34:54 AM	awarntje	Updated shape
Use	9/13/2006 8:50:02 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	9/13/2006 8:45:04 AM	awarntje	Updated shape for Active POU

Water Supply Bank:



Idaho Department of Water Resources

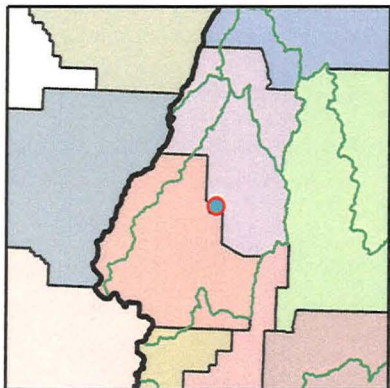
SRBA Recommendation:

67-14593

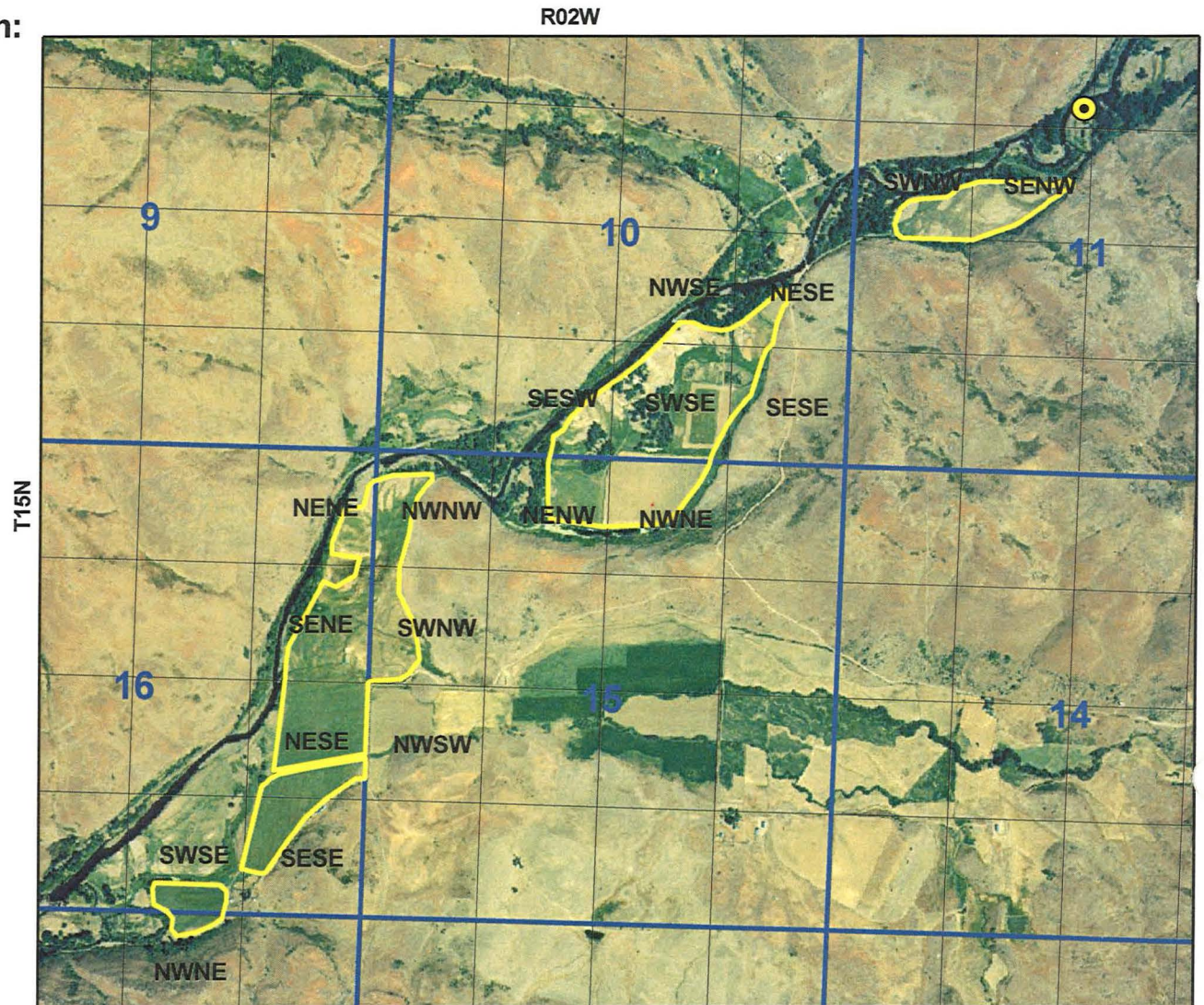
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



0 0.8 1.6 Miles

Prepared by A. Warntjes
On Wednesday, September 13, 2006
1987/88 Aerial Photography

This is 203 ac



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for BACON VALLEY DITCH COMPANY](#)]

BACON VALLEY DITCH COMPANY

1591 GOODRICH RD
COUNCIL, ID 83612

Type of Business: CORPORATION, WATER USERS ASSOCIATION

Status: GOODSTANDING, NOTDET SENT 01 Jun 2006

State of Origin: IDAHO

Date of 09 May 1997

Origination/Authorization:

Current Registered Agent: WENDY SCHVTZ
1591 GOODRICH RD
COUNCIL, ID 83612

Organizational ID / Filing C119447
Number:

Number of Authorized Stock 10000
Shares:

Date of Last Annual Report: 12 Jun 2006

Amendments:

Amendment filed 09 May 1997 INCORPORATION

[View Document Online](#)
[Download \(TIFF format\)](#)

Amendment filed 10 May 2005 REINSTATEMENT

[View Document Online](#)
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Annual Reports:

Report for year 2006 ANNUAL REPORT

[View Document Online](#)
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Report for year 2005 REINSTATEMENT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1998 ANNUAL REPORT

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Report for year 1997 ANNUAL REPORT

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Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

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

*sent to
Charles Callender
3100 Eastern Ave
Boise ID 83706
9-22-06*

Water Right Number(s): 67-14593 & 67-14594

Previous Mailing Address: BACON VALLEY DITCH COMPANY
C/O WENDY SCHULTZ

1591 GOODRICH RD

COUNCIL ID 83612

New Mailing Address: _____

Telephone Number: () _____

Signature of all Claimant(s): _____

Please print your name below your signature.

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Al
Ph. 208/769
FAX 208/769

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St.
Twin Falls, ID 83421
Ph. 208/525
FAX 208/525

Adjudication Bureau
Idaho Dept. of Water Resources
322 E. Front Street
P.O. Box 83
Boise, ID 83720
Ph 208/287-48
FAX 208/287-48

*Please fill out the enclosed
change in address & return to me.
My name & address are on the
attached card.*

Thank you

Anita Warntjes



Idaho Department of Water Resources

322 East Front Street, PO Box 83720, Boise, Idaho 83720-0098
www.idwr.idaho.gov

SS
ADDRESS FM.d
Revised 12/3/04

ANITA L. WARNTJES
GRANTS/CONTRACT SPECIALIST
ADJUDICATION BUREAU
PHONE (208) 287-4912
FAX (208) 287-6700
anita.warntjes@idwr.idaho.gov

Date: _____

Transfer No. 2076Water Right No. 67-0080AMENDED

STATE OF IDAHO

Amended

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT**To Change the Point of Diversion and/or the Place of Use APPROVED**Name of applicant Bacon Valley Ranches, Inc. Phone 253-4770Post office address Goodrich Route, Council, Idaho 83612**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**a. Decree to Orchards Water Co. (Name)in case of Wm. Allison et. al. vs John T. Muir et aldated 6-20-21 in 7th Judicial Court county of Adams & Washington
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Acquired with the land

3. Source of water Middle Fork Weiser R. tributary to Weiser River

4. Date of priority 9-11-1909

5. Water is used for the following purposes:

amount 70 cfs for irrigation purposes from April 1 to October 31

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 70 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9
Township 15N Range 1E, B.M., in Adams County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15N	2W	14									X	X	X	X					
		15		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
		22	X	X	X		X												

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purposes as described above _____

 RECEIVED
 DEPT. OF WATER RESOURCES
 BOISE, IDAHO

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 2.04 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11 Township 15N
Range 2W, B.M., Adams County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	INE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15N	2W	15			25		13	7	12	10	15					20			102

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 2.04 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11 Township 15N
Range 2W, B.M., Adams County
Additional points _____

- c. Description of diverting works Existing gravity ditch system and by PTO tractor pump sprinkler system.
- d. Describe the reasons for applying for a change in the point(s) of diversion Old mesa system deteriorated and will not convey water to place of use. Part of this diversion has been used since 1961 and then in 1969 all of the water was diverted through the new diversion.

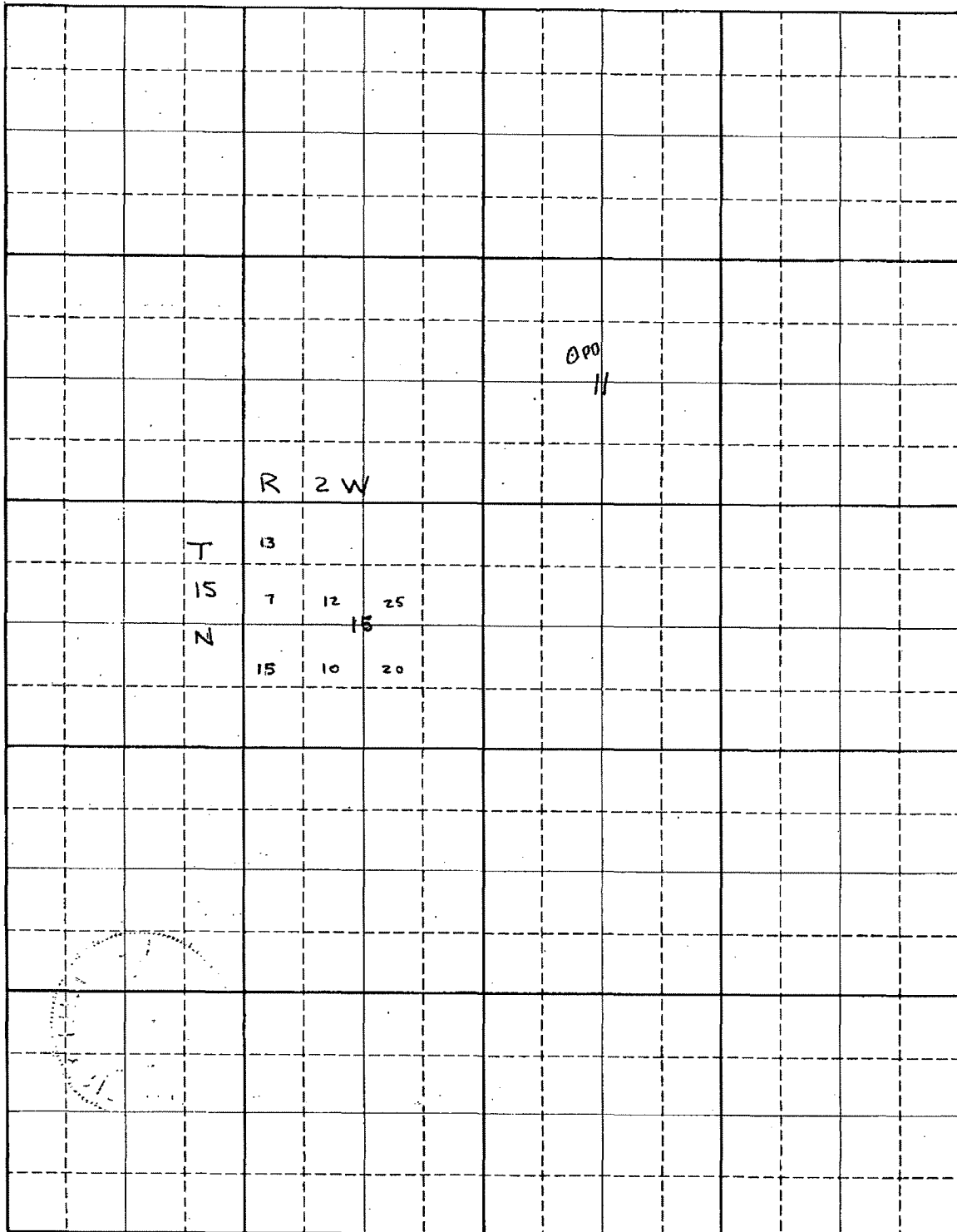
2. Change in place of use No change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

RECEIVED
MAY 11 1960

4. Remarks By prior trans. 1077 filed by Emma Ball, the place of use of 66.6 cfs
was changed.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Bacon Valley Ranches Inc
Samuel Crossley - Pres.
(Signature of applicant)

Subscribed and sworn to before me this 7th day of February, 19 79.

Rita Bendale
(Notary public)

My commission expires March 8, 1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 67-0080
and said application is hereby APPROVED, subject to the following limitations and conditions:
(1) Use of water under this Right is subject to control by the watermaster of State Water
District No. 67, Weiser River. (2) A measuring device of a type approved by this Depart-
ment shall be permanently installed and maintained as part of the diverting works. (3)
0.02 c.f.s. of the 2.04 c.f.s. shall be charged to stream channel conveyance loss. (4)
The rate of diversion under this right shall not exceed 2.02 c.f.s.

Witness my hand this 11th day of May, 19 79.

Norman C. Young

FOR DEPARTMENT USE ONLY

APPROVED

Received by J.S. Date 2/7/79

Protest filed by _____

Prelim. check by J.S. Fee N/A

Receipted by N/A Date _____

Published in (Original 4-13-77)

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

rec'd. 4/26/77

by JBS J.S.

Robertson Seavey Ditch.

George Robertson

Lester I McMahan

Samuel E McMahan

Rollie A McMahan

Isaac McMahan

Lillian G Spofford

Fruitvale Townsite Company and its grantees

Phillip Walston

C E Cox

A L Freehafer and Margaret E Pike

Lost Creek Res.

S D Goshert

G T Hamill

E R Windes

First Bank of Council

J. J. Jones

Biggerstaff Ditches.

T B Biggerstaff

Middle Fork Weiser River.

Orochards Water Company

Lost Creek Storage

A L Freehafer Lost Creek Storage

J A Carr Lost Creek Storage

W M Baccus

Catherine Austin

Ben Wooden

Henry Heimsöth

George Shaw

William B Shaw

John Sweringen

Dave Durse

C E Roper

Fall Creek.

James Harrell (Steward Ditch)

Jacob Cornett (Steward Ditch)

John Cornett

Oscar Gilbert (Steward Ditch)

5'

30'

18'

1'

22'

10'

4'

4'

45'

30'

4'

4'

24'

35'

40 A Ft

38'

25'

5'

135'

20'

5'

8'

45'

3500' T 1077

6250' T 1077

360 A Ft

300 A Ft

14'

24'

24'

30'

13'

21'

44'

6'

5'

74'

120' T 1764

90'

58'

40'

June 1, 1884 67 0057

June 1, 1887 67 0058

April 1, 1901 67 0059

April 1, 1901 67 0060

April 1, 1901 67 0061

April 1, 1901 67 0062

April 1, 1901 67 0063

April 1, 1905 67 0064

April 25, 1901 67 0065

Sept 23, 1901 67 0066

May 1, 1906 67 0067

May 1, 1901 67 0068

Sept 23, 1901 67 0069

June 1, 1902 67 0070

May 27, 1910 67 0071

May 1, 1906 67 0072

May 1, 1906 67 0073

May 1, 1916 67 0074

May 1, 1908 67 0075

May 18, 1910 67 0076

May 18, 1910 67 0077

May 25, 1910 67 0078

June 1, 1890 67 0079

Sept 11, 1905 67 0080

May 27, 1910 67 0081

May 27, 1910 67 0082

May 27, 1910 67 0083

May 1, 1891 67 0084

May 1, 1891 67 0085

May 1, 1901 67 0086

May 1, 1894 67 0087

May 1, 1900 67 0088

May 1, 1900 67 0089

May 1, 1903 67 0090

May 1, 1903 67 0091

May 1, 1905 67 0092

May 1, 1911 67 0093

July 1, 1883 67 0094

July 1, 1883 67 0095

Dec 30, 1907 67 0096

May 1, 1899 67 0097

JUL 24 1996

LESTER I McMAHAN: The Southeast Quarter of the Northeast Quarter of Section 15, Township 17 North, Range 1 West Boise Meridian.

GEORGE ROBERTSON: The East half of the Southwest Quarter, the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 10, Township 17 North, Range 1 West Boise Meridian.

LILLIAN G SPOFFORD: The North half of the Northwest Quarter of Section 23 and the Southeast Quarter of the Southwest Quarter of Section 14, Township 17 North, Range 1 West Boise Meridian.

FRUITVALE TOWNSITE COMPANY: The North half of the Northeast Quarter of Section 15, Township 17 North, Range 1 West Boise Meridian.

PHILIP WALSTON: The Southwest Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 1 West Boise Meridian.

G E COX: A tract of four acres in the Northeast corner of the Fruitvale townsite, in Section 15, Township 17 North, Range 1 West Boise Meridian.

A L FREEHAVER and MARGARET E PIKE: The West half of the Southeast Quarter and a strip of land in the West half of the Southwest Quarter adjoining lands above described, all in Section 23, Township 17 North, Range 1 West Boise Meridian.

S D GOSHERT: The West half of the Southwest Quarter of Section 23, and the Northwest Quarter of the Northwest Quarter of Section 26, Township 17 North, Range 1 West.

G T HAMILL: The South half of the Northwest Quarter of Section 23, Township 17 North, Range 1 West Boise Meridian.

E R WINDES: The West half of the Northeast quarter, the East half of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the North half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 26, Township 17 North, Range 1 West Boise Meridian.

FIRST BANK OF COUNCIL: The East half of the West half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 17 North, Range 1 West Boise Meridian.

J J JONES: The East half of the Southwest Quarter of Section 22 and the Northeast Quarter of the Northeast Quarter of Section 27, Township 17 North, Range 1 West Boise Meridian.

T B BIGGERSTAFF: The Southwest Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter of Section 1, the South half of the Southeast Quarter of Section 2, Township 17 North, Range 1 West Boise Meridian.

ORCHARDS WATER COMPANY: The East half of the Southwest Quarter of Section 14, the Northwest Quarter of the Northwest Quarter of Section (23) and 20 acres in the West half of the Southwest Quarter of the Northwest Quarter of Section (23); all Sec. 22; the South half the North half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 15; the South half of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 10; the North half, and the East half of the Northeast Quarter of the Southeast quarter of Section 21, the South half the North half of the Northeast Quarter and the North half of the Northwest Quarter of Section 16, the Southwest Quarter, the South half and the West half of the Northwest Quarter of Section 9; the East half; the North half of the Southwest Quarter of Section 8; the east half of the Southwest Quarter, the South half of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of Section 17; all of Section 20; the West half of the Southeast Quarter and the West half of the Northeast Quarter of Section 19; all in Township 17 North, Range 1 West Boise Meridian. *Handwritten: 11077*

JUL 24 1996

West Boise Meridian, the West half of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the West half of the Southeast Quarter of the Southwest Quarter of Section 14; the Northwest Quarter of the Northwest Quarter of Section 23; the North half of the Northeast Quarter, the North half of the Southwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 22; the South half, the Northwest Quarter, the South half of the Northeast Quarter, and the South half of the Northwest Quarter of the Northeast Quarter of Section 15, all in Township 15 North, Range 2 West Boise Meridian.

W M BACCHUS: The South half of the Southeast quarter of Section 4, Township 15 North, Range 1 West Boise Meridian,

CATHERINE AUSTIN: The Southwest Quarter of Section 4, and the Northeast Quarter of the Southeast Quarter of Section 5, Township 15 North, Range 1 West Boise Meridian.

BEN WOODIN: The Northeast Quarter of Section Thirteen, the North half of the Northwest Quarter of Section 13, the Northeast Quarter of the Northeast Quarter of Section 14, and the Northwest Quarter of the Northeast Quarter of Section 14, Township 15 North, Range 1 West Boise Meridian.

HENRY HEIMBOTH: The North half of the Northwest Quarter of Section 14, the South half of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 11, Township 15 North, Range 1 West Boise Meridian.

GEORGE SHAW: The Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 10 and the East half of the Southwest Quarter of Section 3, all in Township 15 North, Range 1 West Boise Meridian.

WILLIAM B SHAW: The Northwest Quarter of the Northwest Quarter of Section 11, the Southwest Quarter of the Southwest Quarter of Section 2, the North half of the Southeast Quarter of Section 10, the South half of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 10, all in Township 15 North, Range 1 West Boise Meridian.

JOHN SWEARINGEN: The South half of the Southwest Quarter and the West half of the Southeast Quarter of Section 5, Township 15 North, Range 1 West Boise Meridian.

DAVE DURRE: The Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 10, Township 15 North, Range 1 West Boise Meridian.

O B ROFFER: The East half of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 12, Township 15 North, Range 1 West Boise Meridian.

OSCAR GILBERT: South half Northeast Quarter and Northwest Quarter Southeast Quarter, Section 25, Township 15 North, Range 1 West and Southeast Quarter Northwest Quarter, Section 30, Township 16 North, Range 1 East Boise Meridian (FW)

JAMES HARNELL: The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 27, and the North half of the Northwest Quarter of Section 34, and the Northeast Quarter of the Northwest Quarter of Section 34, Township 15 North, Range 1 West Boise Meridian.

JACOB CORNETT: The South half of the Northwest Quarter the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 34, Township 15 North, Range 1 West Boise Meridian.

JOHN CORNETT: The East half of the Southwest Quarter of Section 35, Township 15 North, Range 1 West.

JESSE BUZZARD: The South half of the Southeast Quarter of Section 23; the North

JUL 24 1996

S D Goshert	38	8.63	7.98	.65	
G T Hammil	38	8.63	7.89	.65	
E R Windes	155	35.19	22.00	13.19	
First Bank of Council	5	1.14	1.00	.14	
J J Jones	8	1.82	1.60	.22	
T B Biggerstaff	45	9.22	7.00	2.22	
Orochards Water Co.	3500	794.50	560.00	234.50	
A L Froehafer	360 A Ft	27.24	6.70	20.53	
J A Carr	300 A Ft	22.70		22.70	
W M Bacous	14	3.18	2.50	.68	
Catherine Austin	48	10.90	10.00	.90	
Ben Wooden	30	6.80	5.10	1.70	
Henry Heinsoth	13	2.95	3.00		.05
George Shaw	21	4.77	3.30	1.47	
William B Shaw	44	9.99	6.90	3.09	
John Sveringen	6	1.36	2.00		.64
Dave Duree	5	1.14	.70	.44	
C E Roper	7 1/2	1.81	1.00	.81	
James Harrell	120	27.24	12.00	15.24	
Jacob Cornet	90	20.43	12.00	8.43	
John Cornett	58	13.17	7.30	5.87	
Oscar Gilbert	40	9.08		9.08	
Jesse Buzzard	26	5.90	8.00		2.10
Hattie Gilbert	74	16.80	14.20	2.60	
John Roberts	125	28.38	13.80	14.48	
B L Goodwin	62 1/2	14.29		14.29	
Samuel Woods	93	21.11	9.00	12.11	
Mary E Tomlinson	50	11.35	10.50	.85	
E W Tomlinson	55	13.49	12.55	.94	
Sarah Yantis	40	9.08	8.40	.68	
L A Spiva	10	2.27	2.10	.17	
Ralph Yantis	8	1.82	1.68	.14	
Frank E Brown	70	15.89	14.70	1.19	
George H Bliss	35	7.95	8.00		.05
J A Carr	15	3.41	3.15	.26	
G A Windies and F P Hagan	30	6.81	4.00	2.81	
W H Camp	40	9.08	8.00	1.08	
L L Burtenshaw and Harvey Huston	4	.91	.10	.81	
Nettie V Burtenshaw	3	.68	.60	.08	
J I Kauffman	10	2.27		2.27	
Will Kauffman	9 1/2	2.26		2.26	
J H McGinley	20	4.54	4.20	.34	
Anna L Morrow	5	1.13		1.13	
S D Piper	25	5.68	5.25	.43	
William G Spofford	106	24.06	.55	23.57	

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 67-14593
Date Received: 7/6/2005
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BACON VALLEY DITCH CO Phone: (208)336-4309

C/O CHARLES CARUSO
3100 EASTON AVE
BOISE ID USA 83726-4864

2. Date of Priority: 09/11/1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	02W	11	SE NE NW	ADAMS	

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	10/31	2.04	

7. Total Quantity Appropriated is:

~~1.12~~ C.F.S. *B.S.*
2.04
C.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

RECEIVED

APR 11 2007

Department of Water Resources
Adjudication Bureau

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	02W	10	SE	SW	IRRIGATION	8.6
			NE	SE	IRRIGATION	5.1
			NW	SE	IRRIGATION	3.6
			SW	SE	IRRIGATION	36
			SE	SE	IRRIGATION	4.6
					Section Acres	57.9
15N	02W	11	SW	NW	IRRIGATION	9.2
			SE	NW	IRRIGATION	10
					Section Acres	19.2
15N	02W	15	NW	NE	IRRIGATION	16
			SW	NE	IRRIGATION	25
			NE	NW	IRRIGATION	12
			NW	NW	IRRIGATION	10
			SW	NW	IRRIGATION	14
			SE	NW	IRRIGATION	13
			NE	SW	IRRIGATION	14
			NW	SW	IRRIGATION	17
			NW	SE	IRRIGATION	29
					Section Acres	150
15N	02W	16	NE	NE	IRRIGATION	6.3
			SE	NE	IRRIGATION	22
			NE	SE	IRRIGATION	28
			SW	SE	IRRIGATION	6
			SE	SE	IRRIGATION	9.3
					Section Acres	71.6
15N	02W	21	NW	NE	IRRIGATION	2.6
					Section Acres	2.6
					Total Acres	301.3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

RECEIVED

APR 11 2007

Department of Water Resources
Adjudication Bureau

This claim represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05).

15. Basis of Claim: Decreed

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 PRESIDENT of _____ Title

BACON VALLEY DITCH Co. that I have signed the foregoing Organization

document in the space below as PRESIDENT of Title

BACON VALLEY DITCH Co. and that the statements contained in the Organization

foregoing document are true and correct.

Lonnie Schultz
Signature of Authorized Agent

PRESIDENT - BACON VALLEY DITCH Co.
Title and Organization

4/11/07
Date

State of Idaho)
County of Ada) SS.

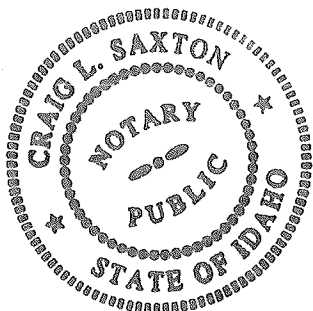
Subscribed and sworn (or affirmed) before me this 11th

of April 2007

[Signature]
Notary Public

Residing at Boise ID

My commission Expires 8/14/07



RECEIVED

APR 11 2007

Department of Water Resources
Adjudication Bureau

This claim represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05).

15. Basis of Claim: Decreed

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 Director of _____ Title

Bacon Valley Ditch Co. that I have signed the foregoing Organization

document in the space below as Director of Title

BACON VALLEY DITCH CO. and that the statements contained in the Organization

foregoing document are true and correct. Larry G. Gallant Signature of Authorized Agent

Title and Organization

4-11-07
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this April 11th

of April 2007

Larry G. Gallant
Notary Public

Residing at Boise ID

My commission Expires 8-14-07

RECEIVED

APR 11 2007

Department of Water Resources
Adjudication Bureau

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 67-14593
Date Received: 7/6/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

BACON VALLEY DITCH CO Phone: (208)336-4309

C/O CHARLES CARUSO
3100 EASTON AVE
BOISE ID USA 83726-4864

2. Date of Priority: 09/11/1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	02W	11	SE NE NW	ADAMS	

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	10/31	1.12	

7. Total Quantity Appropriated is:

1.12 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
15N	02W	10	SE	SW	IRRIGATION	8.6
			NE	SE	IRRIGATION	5.1
			NW	SE	IRRIGATION	3.6
			SW	SE	IRRIGATION	36

			SE	SE	IRRIGATION	4.6
					Section Acres	57.9
15N	02W	11	SW	NW	IRRIGATION	9.2
			SE	NW	IRRIGATION	10
					Section Acres	19.2
15N	02W	15	NW	NE	IRRIGATION	16
			NE	NW	IRRIGATION	12
			NW	NW	IRRIGATION	10
			SW	NW	IRRIGATION	14
					Section Acres	52
15N	02W	16	NE	NE	IRRIGATION	6.3
			SE	NE	IRRIGATION	22
			NE	SE	IRRIGATION	28
			SW	SE	IRRIGATION	6
			SE	SE	IRRIGATION	9.3
					Section Acres	71.6
15N	02W	21	NW	NE	IRRIGATION	2.6
					Section Acres	2.6
					Total Acres	203.3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This right limited to 89.6 acres as that is the most acreage that could be irrigated with 1.12 cfs at 5/8 inches per acre (csaxton 7-6-05).

This claim represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05).

This right is limited to the irrigation of 89.6 acres within the place of use described above in a single irrigation season.

15. Basis of Claim: Decreed

RECEIVED

OCT 04 2006

DEPARTMENT OF
WATER RESOURCES

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

Water Right Number(s): 67-14593 & 67-14594

Previous Mailing Address: BACON VALLEY DITCH COMPANY
C/O WENDY SCHULTZ

1591 GOODRICH RD

COUNCIL ID 83612

New Mailing Address:

BACON VALLEY DITCH COMPANY
40 CHARLES CARUSO

3100 EASTON AVE, BOISE, ID 83726

Telephone Number:

(208) 336-4309

Signature of all Claimant(s):

Charles Caruso

Please print your name below your signature.

CHARLES CARUSO

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

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

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

RECEIVED

SEP 07 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, Department of Water Resources
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 67-14593
Date Received: 7/6/2005
Receipt No: C079039
Received By: m

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BACON VALLEY DITCH CO. Phone: (208) 253-4688
C/O WENDY SCHULTZ
1591 GOODRICH RD
COUNCIL ID USA 83612

2. Date of Priority: 09/11/1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	02W	11	SE NE NW	ADAMS	

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	10/31	1.12	

7. Total Quantity Appropriated is:
1.12 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
15N	02W	10	SE	SW	IRRIGATION	8.6
			NE	SE	IRRIGATION	5.1
			NW	SE	IRRIGATION	3.6
			SW	SE	IRRIGATION	36
			SE	SE	IRRIGATION	4.6
					Section Acres	57.9
15N	02W	11	SW	NW	IRRIGATION	9.2
			SE	NW	IRRIGATION	10
					Section Acres	19.2
15N	02W	15	NW	NE	IRRIGATION	16
			NE	NW	IRRIGATION	12
			NW	NW	IRRIGATION	10
			SW	NW	IRRIGATION	14
					Section Acres	52
15N	02W	16	NE	NE	IRRIGATION	6.3
			SE	NE	IRRIGATION	22
			NE	SE	IRRIGATION	28
			SW	SE	IRRIGATION	6
			SE	SE	IRRIGATION	9.3
					Section Acres	71.6
15N	02W	21	NW	NE	IRRIGATION	2.6
					Section Acres	2.6
					Total Acres	203.3

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This right limited to 89.6 acres as that is the most acreage that could be irrigated with 1.12 cfs at 5/8 inches per acre (csaxton 8-3-05).

Claim set to temporary status till signed and returned with the appropriate filing fee (csaxton 7-6-05)

This claim is represents the priority and diversion rate of water right record 67-00080B (csaxton 7-6-05)..

This right is limited to the irrigation of 89.6 acres within the place of use described above in a single irrigation season.

15. Basis of Claim: Decreed

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: N/A

For Organizations:

I do solemnly swear or affirm that I am President of _____ Title

Bacon Valley Ditch Company, Inc. that I have signed the foregoing
Organization

document in the space below as President of _____ Title

Bacon Valley Ditch Company, Inc. that the statements contained in the
Organization
foregoing document are true and correct.

John Watson
Signature of Authorized Agent

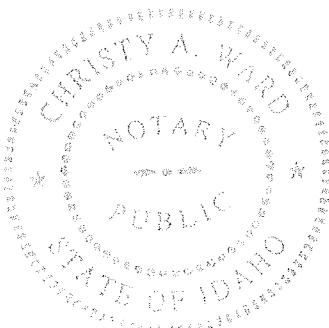
President Bacon Valley Ditch Company, Inc.
Title and Organization

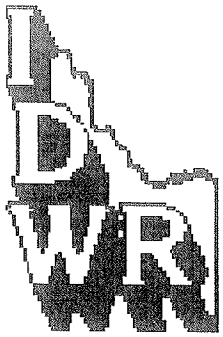
8-12-05
Date

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of August 2005

Christy Ailward
Notary Public
Residing at Indian Valley, Idaho
My commission Expires 9-17-10



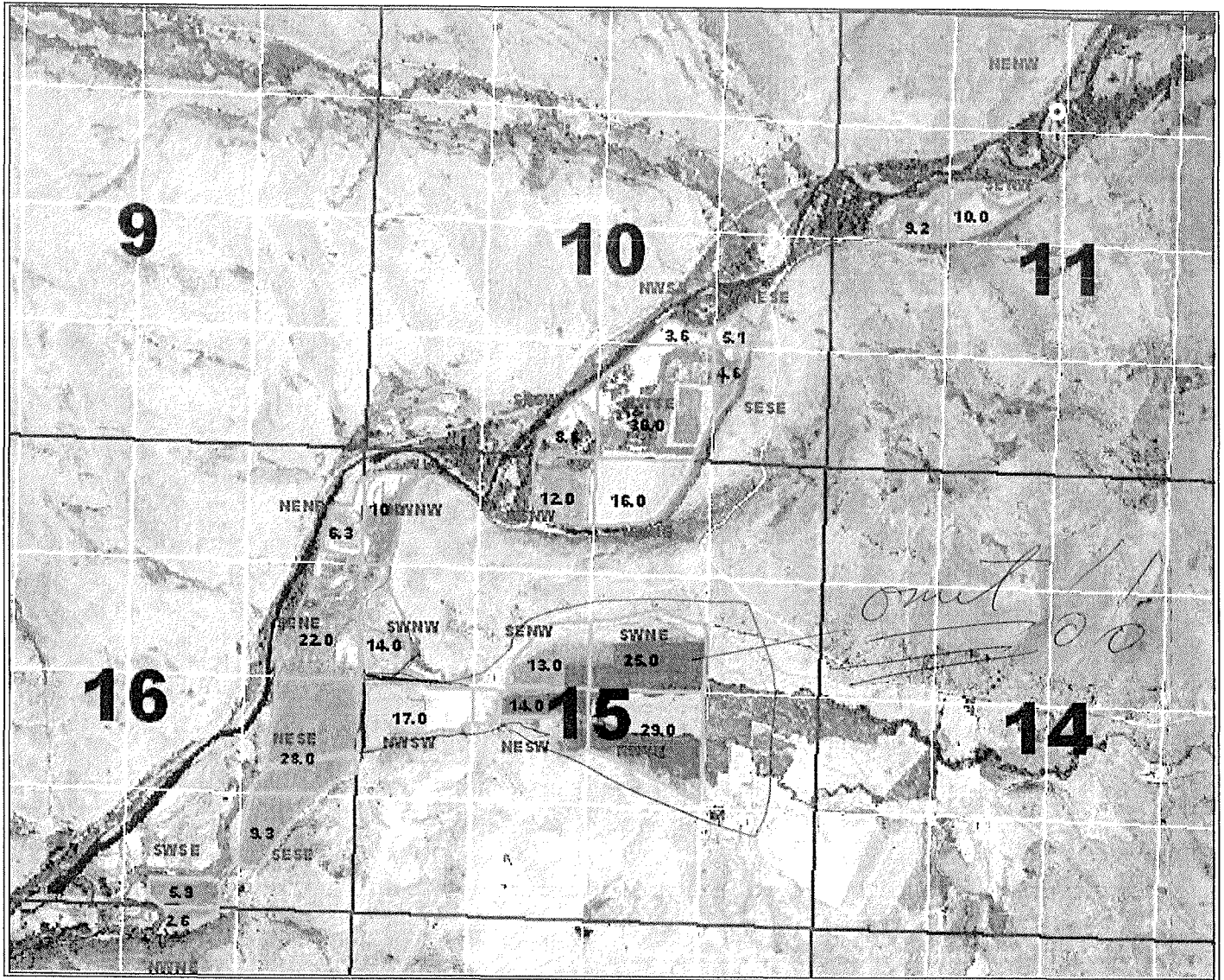


State of Idaho

POU Claim Map

Claim # 67-14593

Map Source: 1987 True Color



1320 0 1320 2640 3960 Feet

⊙ Claimed Point of Diversion

□ Claimed POU

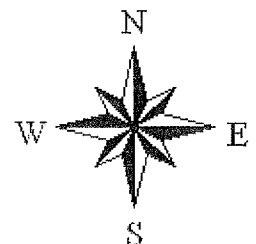
□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 301.3

Initial Acres Found: 301.3



SCANNED

SEP 08 2005

Prepared By: Craig L. Saxton

Date: July 2005

Payment Amount | \$50.00 |
 Date Received | 9/7/2005 4:06:43 PM |
 Region | State |
 Status |
 Payment Type | Check |
 Check Number | 130 |

Payer BACON VALLEY DITCH COMPANY

Comment	NOTICE OF CLAIM TO A WATER RIGHT ID.#67-14593
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Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE	0337		41503	1155

Signature Line (Dept. Representative)