

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 22-7276

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant

CANYON CREEK LATERAL DITCH ASSN
12241 E 3749 N
NEWDALE, ID 83436
(208)458-4269

Priority Date: 04/21/1978

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>				
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	
IRRIGATION	04/15	10/15	22.7 CFS		
Recharge for Irrigation	04/15	10/15	22.7 CFS		
Total Diversion			22.7 CFS		

Location of Point(s) of Diversion:

TETON RIVER NESENE Sec. 30 Township 07N Range 42E MADISON County

All Qualified Wells of the stockholders/electors as described in Remarks below.

Place(s) of use: Within the area served by this irrigation entity

Remarks: Diversion of this right for the purpose of recharge for irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code.

Qualified Wells are those owned by stockholders/electors within the authorized place of use and which are recovering ground water resulting from recharge for irrigation and/or water resulting from irrigation under this entity's irrigation works for use on lands within this irrigation entity's authorized place of use.

- The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded.
1. S38 The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
 2. Totalizing measuring devices shall be maintained at all points of diversion.
 3. K06 This right is limited to the irrigation of 1720 acres within the place of use described above in a single irrigation season.
 4. 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.
 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.
 6. Six pumps are located at the point of diversion described above.
 7. Place of use is overlapped by non-SRBA water permits 22-7490 and 22-7508.
 8. 004 This right does not grant any right-of-way or easement across the land of another.
 9. E56 The rights listed below are limited to the irrigation of a combined total of 3650.9 acres in

a single irrigation season. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

10 R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.

11 E52 The rights listed below are limited to a total combined diversion rate of 29.04 cfs. Combined Right Nos.: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

12 C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

13 K01 Right No. 22-13739 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

14 F06 The following rights are (re)diverted through point of diversion described above: 22-163A, 22-7253, 22-7276, 22-13738, and 22-13739.

15 E51 Right Nos. 22-163A, 22-7276, and 22-13739 are limited to a total combined diversion rate of 24.03 cfs.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed

Signature(s)

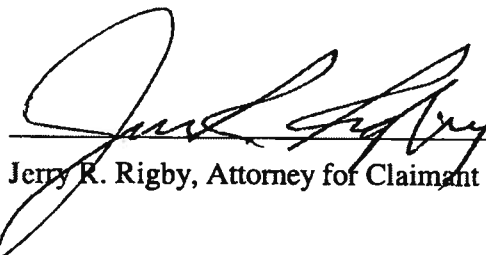
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

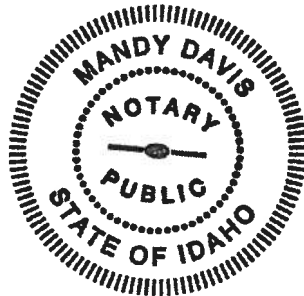
STATE OF IDAHO,)

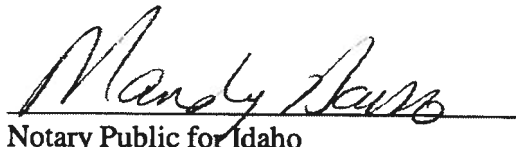
ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



A handwritten signature in cursive script, reading "Mandy Davis", written over a horizontal line.

Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011