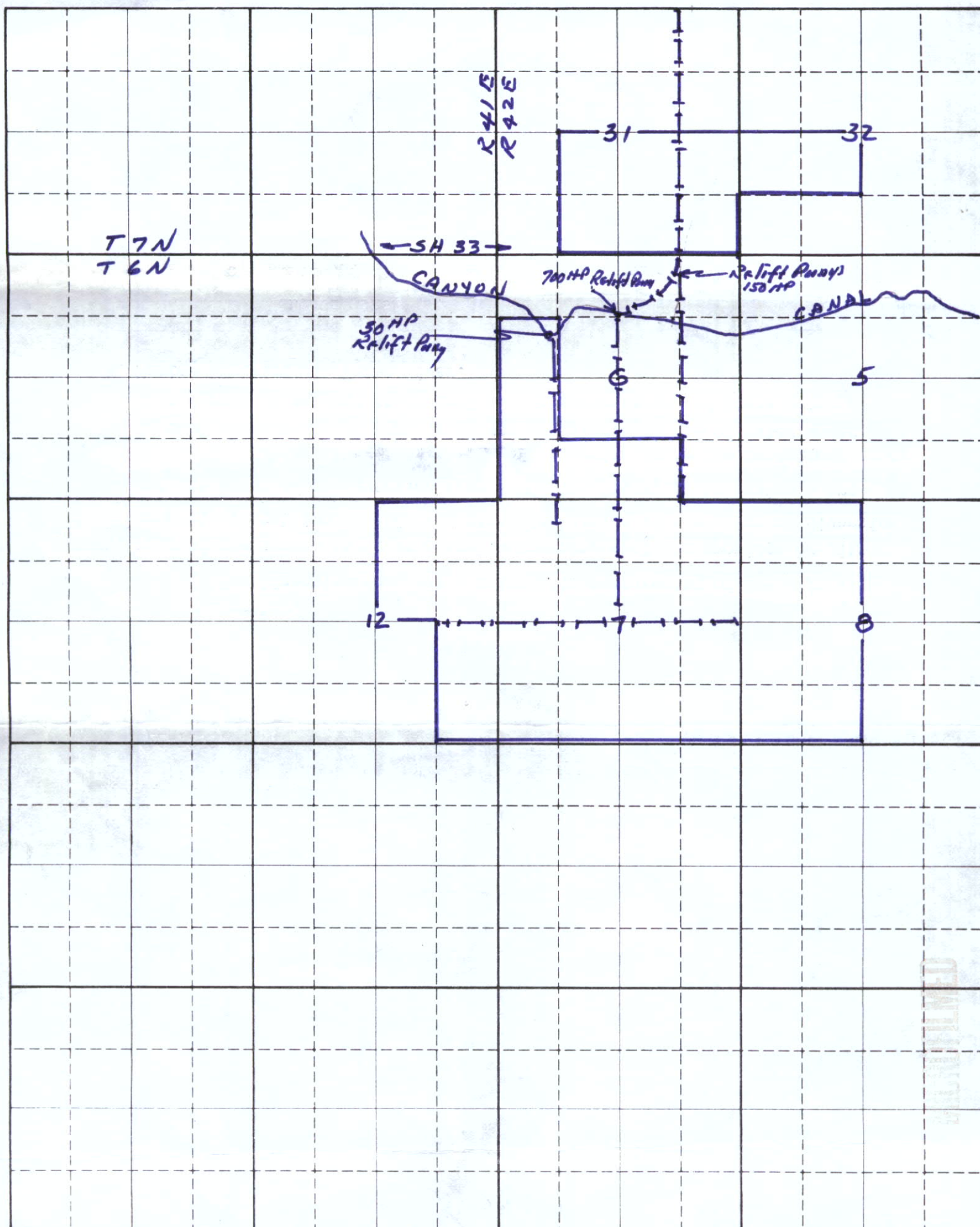


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

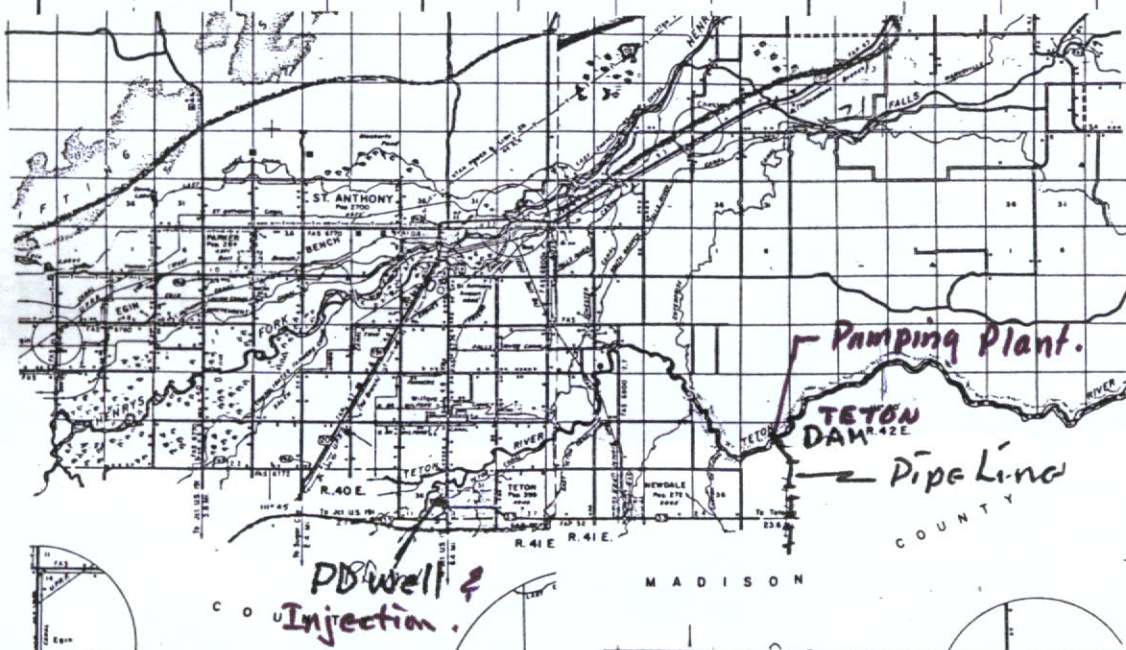
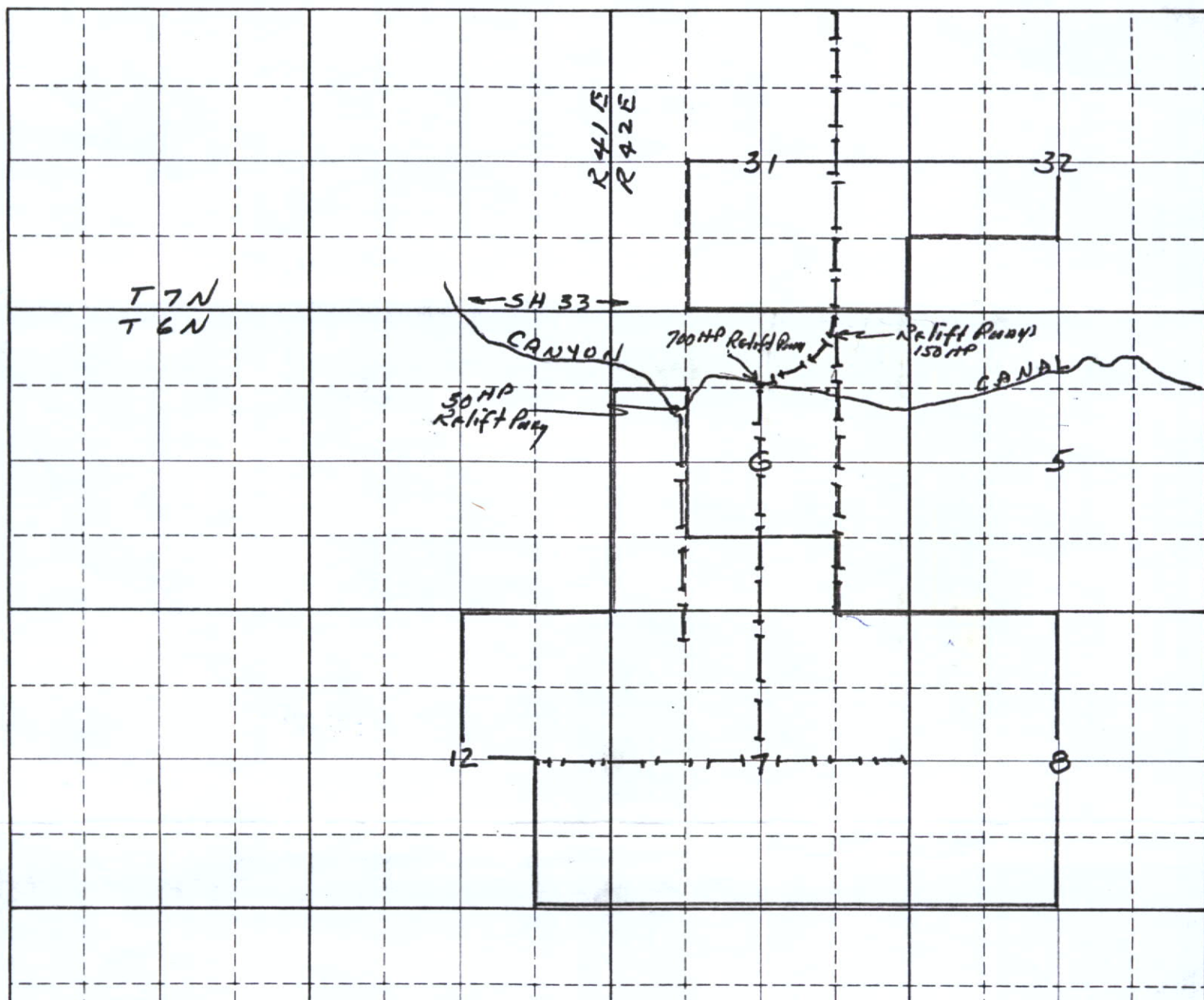


Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Grant H. Klingler
(Applicant)

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Inset shows points of Diversion, Injection & Exchange

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

AUG 29 1977

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Terry T. Weatherston,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
STANDARD JOURNAL

, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**NOTICE OF APPLICATION
FOR WATER PERMIT**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on August 18, 1977
and the last publication having been made

on August 25, 1977

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry T. Weatherston

Subscribed to and sworn to before me

this 25th. day of August, 1977

Effie S. Davenport
Notary Public.

(SEAL)

My commission expires March 25, 1978

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Canyon Creek
Lateral Ditch Water-Users Assoc., Newdale,
Idaho has on 8-05-77 submitted Application No.
22-7253 for a permit to appropriate 14.0 cubic feet
per second of water from a ground-water source
by means of well and pump within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 36, T. 7N, R. 40E, B.M., Fremont County. The
water will be pumped into the S. Fork Teton River
via Teton Canal Mill Race and redirected from the
Teton River within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N,
R. 42E, B.M., Madison County; to be used from
Apr. 1 to Nov. 1 for the irrigation of 1,720 acres
within the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6N, R. 41E;
SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E;
E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, T.
7N, R. 42E, B.M.

If issued, this permit will be subject to all prior
water rights. Protests against the granting of the
permit must be filed with the Idaho Department
of Water Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before September 6,
1977.

C. STEPHEN ALLRED
Director

Published in the Standard Journal, Rexburg,
Idaho on August 18 and August 25, 1977

RECEIVED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Dorothy Hunseker

being first duly sworn, upon his
oath, deposes and says:

That he is the owner
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Application

for Water Permit

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 2 consecutive is-
sues thereof; first publication

having been made on the 18
day of August, 1977,

and the last publication on the
25 day of August

19 77

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy D. Hunseker
Subscribed in my presence and

sworn to before me this 23rd

day of August,

1977

Kenneth Rose
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

RECEIVED
SEP 12 1977

Department of Water Resources
Lewiston District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Canyon
Creek Lateral Ditch Water Users
Assoc., Newdale, Idaho has on 8-05-77
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second of water from a ground-water
source by means of well and pump
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7N, R.
40E, B.M., Fremont County. The water
will be pumped into the S. Fork Teton
River via Teton Canal Mill Race and
rediverted from the Teton River within
the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E,
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Apr. 1 to Nov. 1 for the irrigation of
1,720 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E;
E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$,
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If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
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Falls, Idaho, 83401 on or before Sep-
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C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
August 18 and August 25, 1977.

**AFFIDAVIT OF
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State of Idaho

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for 2 consecutive is-
sues thereof; first publication

having been made on the 18

day of August, 19 77

and the last publication on the

25 day of August
77

19
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Janette Rose
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RECEIVED
SEP 12 1977

Department of Water Resources
Eastern District

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River via Teton Canal Mill Race and
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the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E,
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Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E;
E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$,
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C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
August 18 and August 25, 1977.

RECEIVED

R41E R42E

T7N

30

L1

PLACE OF
USE

L2

36

L3

31

32

L4

T7N
T6N

L4

L3

L2

L1

L4

L3

L2

L1

1

L5

6

5

L6

L7

L1

12

L2

7

8

L3

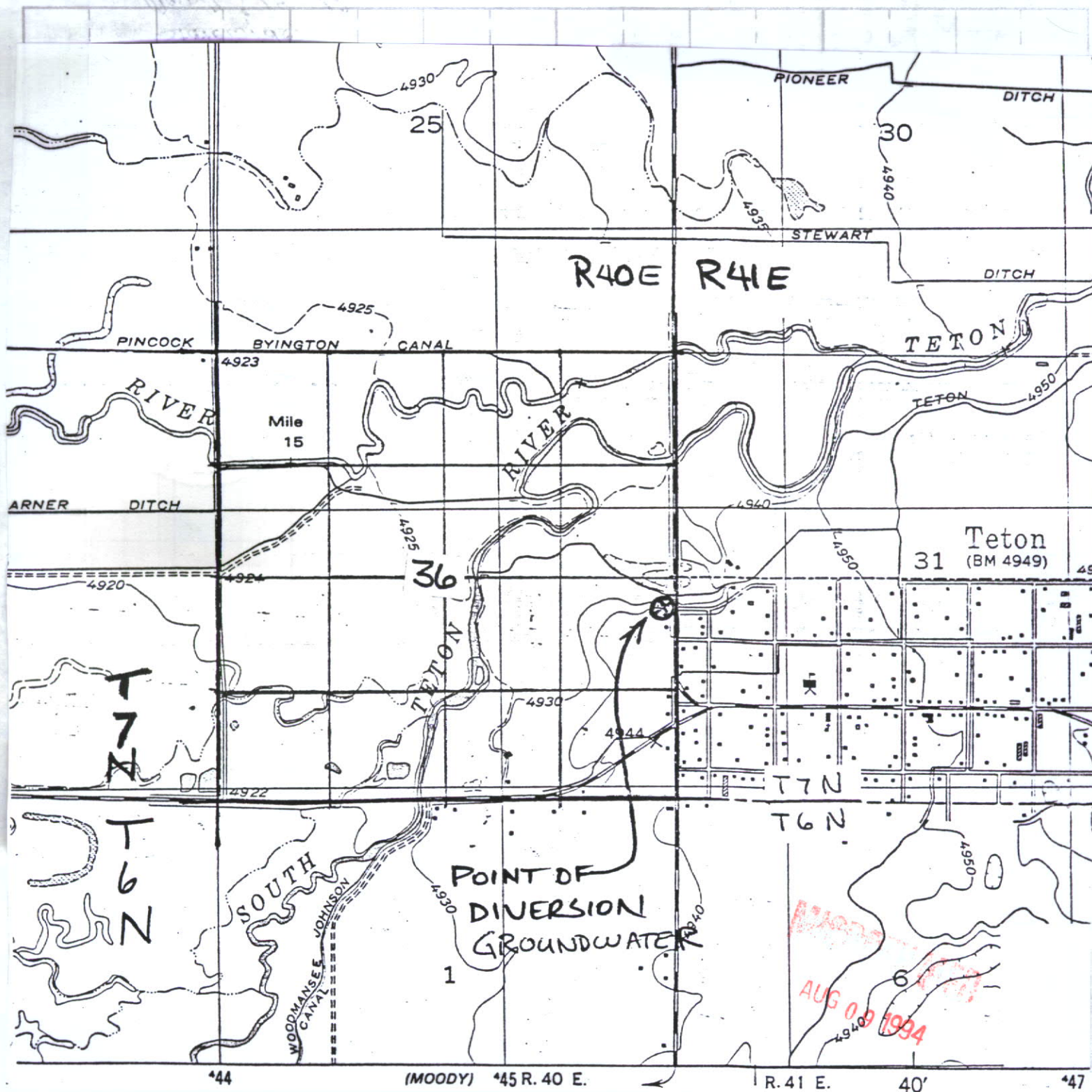
L4

T6N

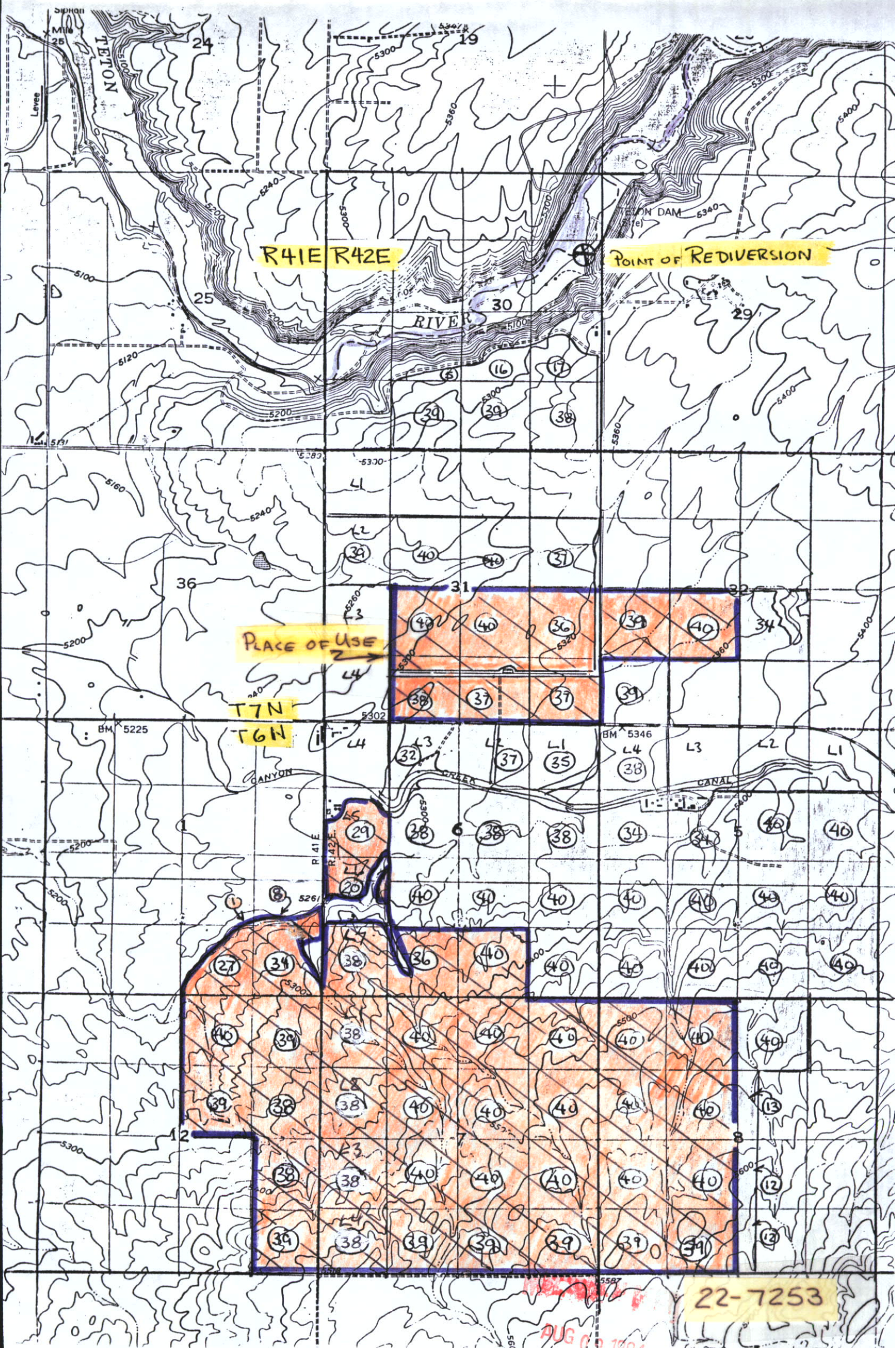
NOV 2 1994

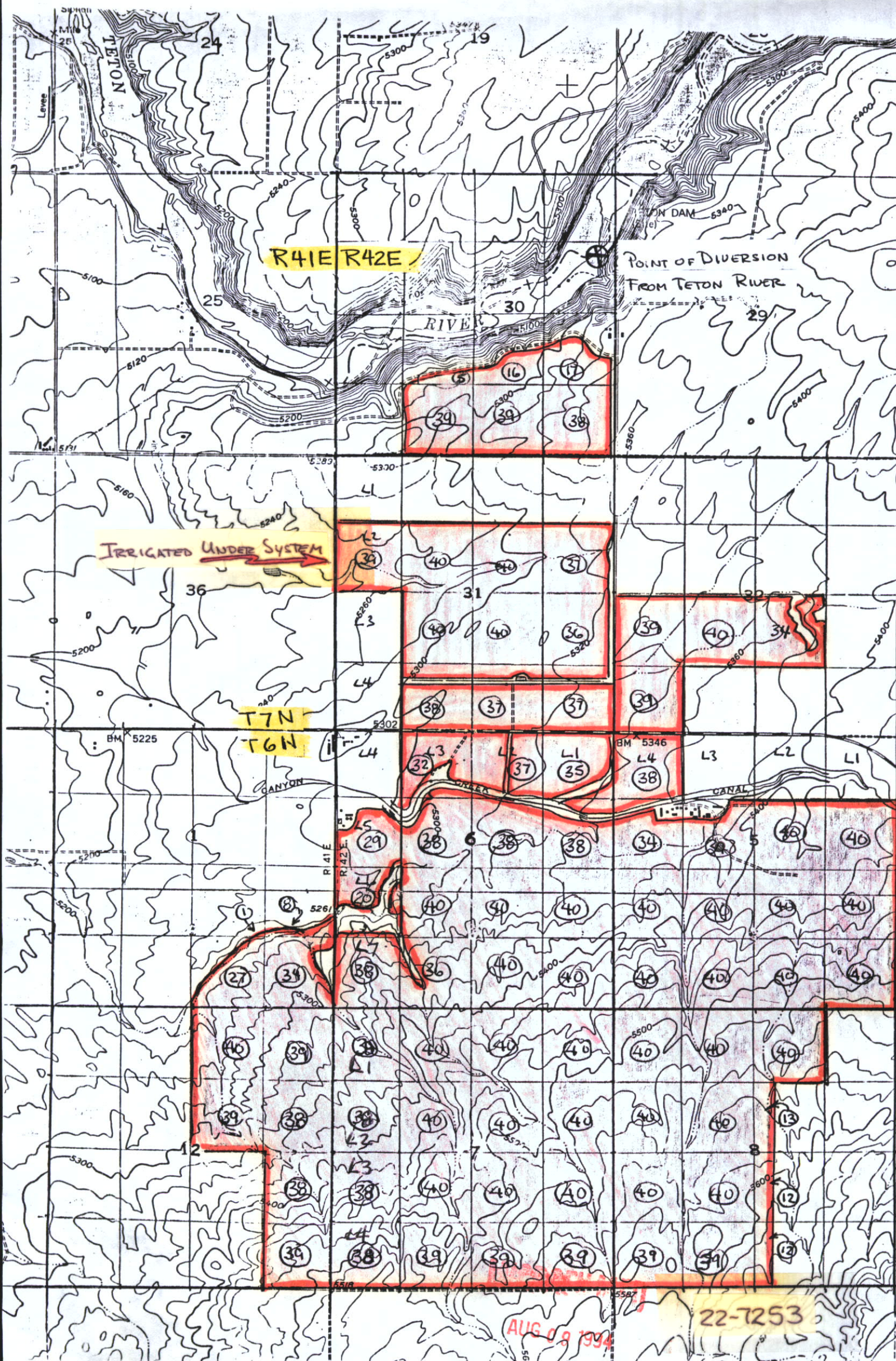
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

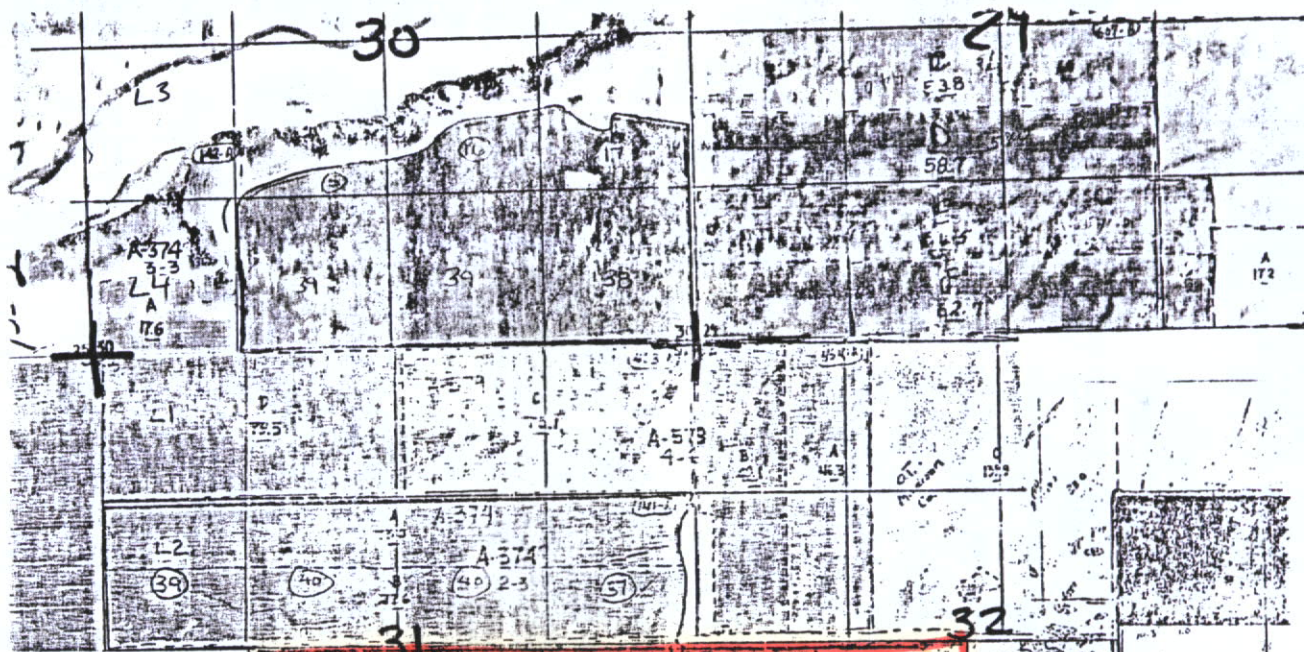
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



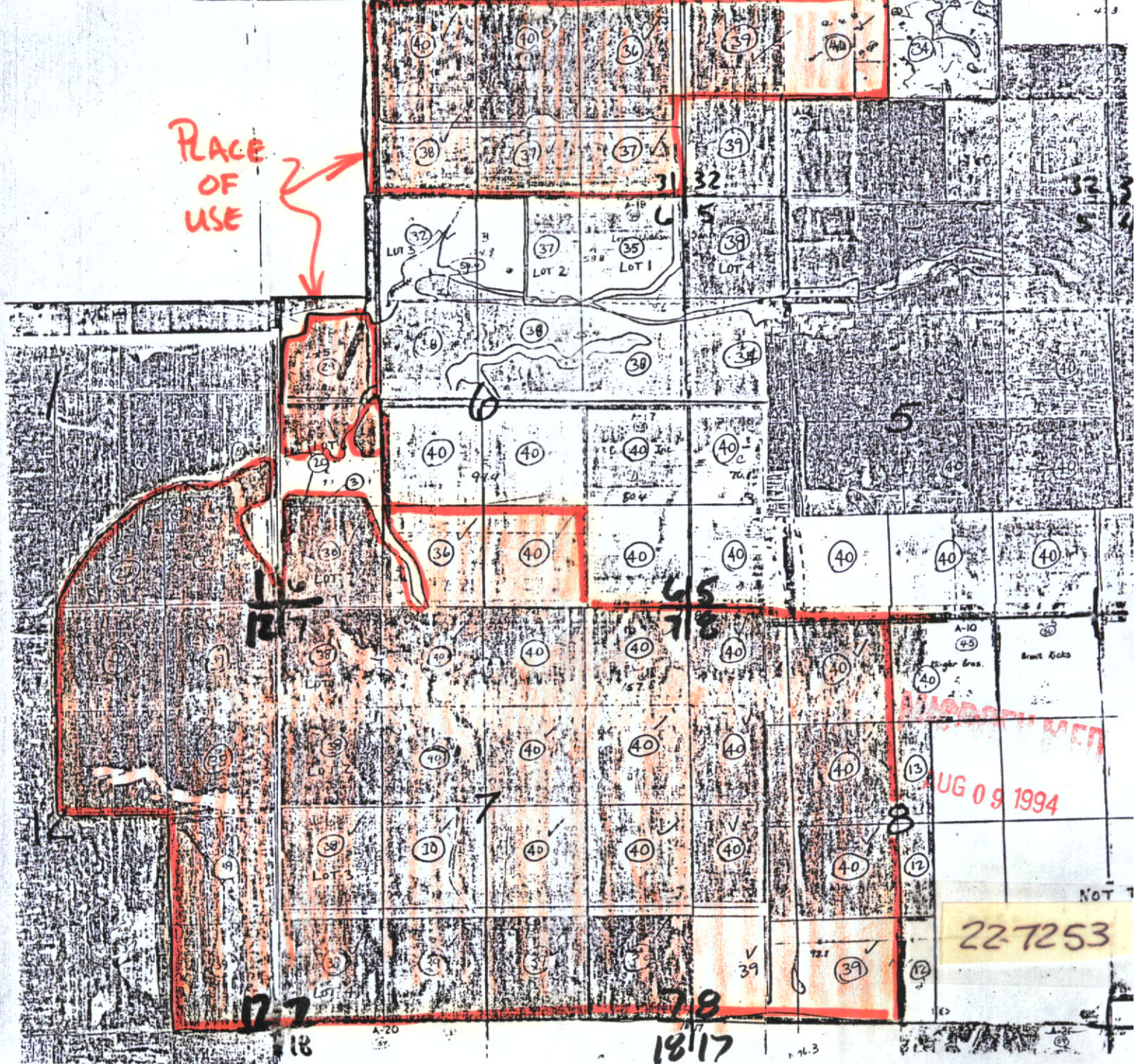
SCALE: 2 inches equal 1 mile. Draw plan in ink.







PLACE
OF
USE



F-2

L1

L2

L3

Recliversion

R-374
3-3
L4
A
17.6

P-2

25.30
36.31

L1

D
73.5

A-579

C
75.1

A-579
4-4

B
42.1

A
46.3

R42E

L2

A
73.0

A-374

A-374
2-3

(M1-A)

L3

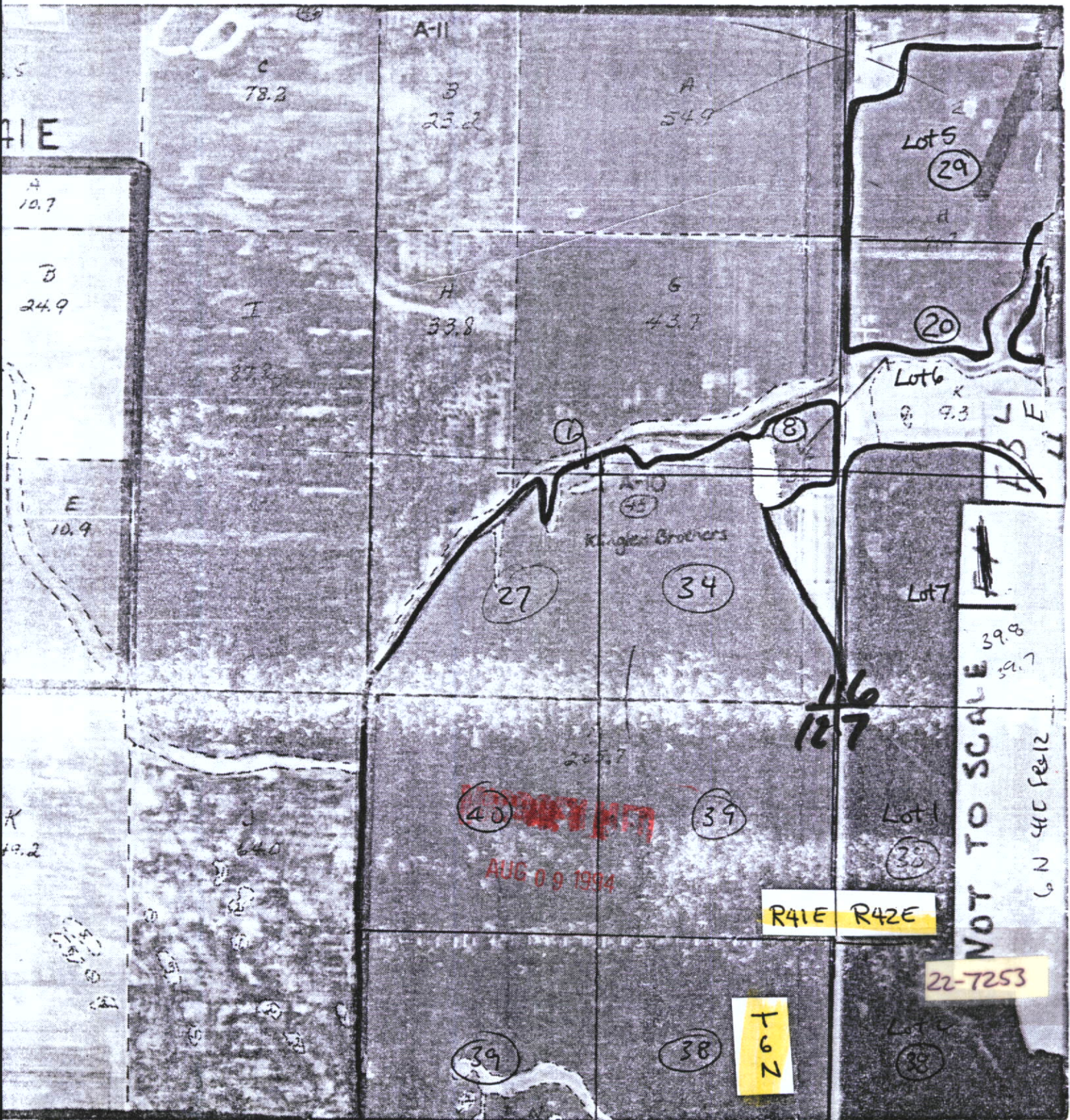
22-7253

AUG 09 1994

L4

T
N

32



41E

A
10.7

B
24.9

E
10.9

K
49.2

A-11

C
78.2

B
23.2

A
54.9

I

H
33.8

G
43.7

Lot 5
(29)

(20)

Lot 6
K
9.3

Lot 7

39.8
39.7

Lot 1
(38)

NOT TO SCALE

6 N 40 E 12

RECORDED

AUG 09 1994

R41E R42E

22-7253

T
6
N

(39)

(38)

(38)

OP-T.K. Baker

D
140.9

975

11.4
(4)

2170
193
330

11.5

73.5
41.5
4.0

32

A
69.0

10.3 11.0

R42E
T
7
N

B
47.3

B
73.7

40

34

C
40.5

50

11.4

C
54.6

B
30.4

D
32.7

A
38.8

1287

11.4

A
42.5

32.3
5.4

B
32.3

34
58.5

40

40

5

40

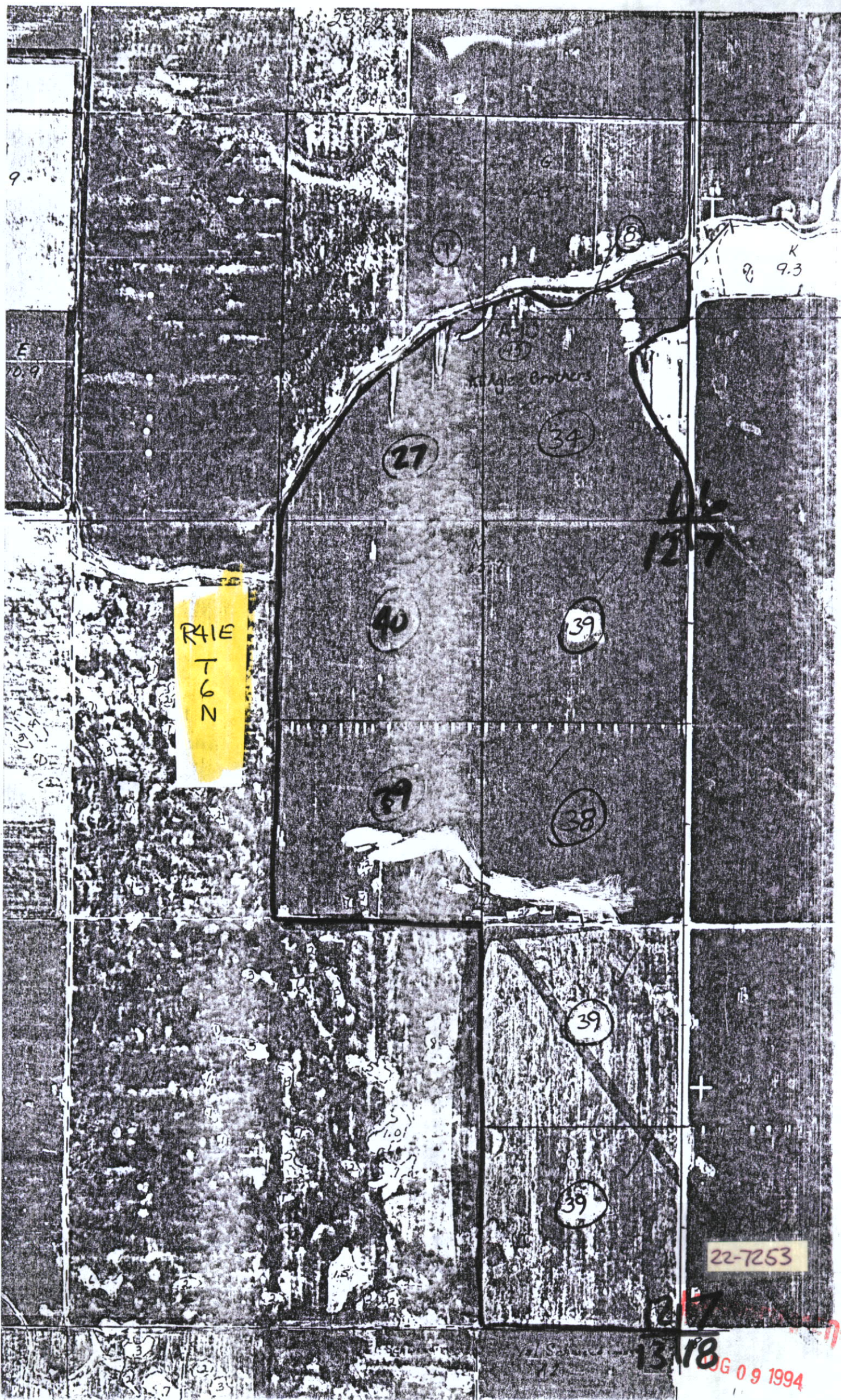
D
11.4

40

C
105.6

40

22-7253



R41E
T6N

K
9.3

Kelley Brothers

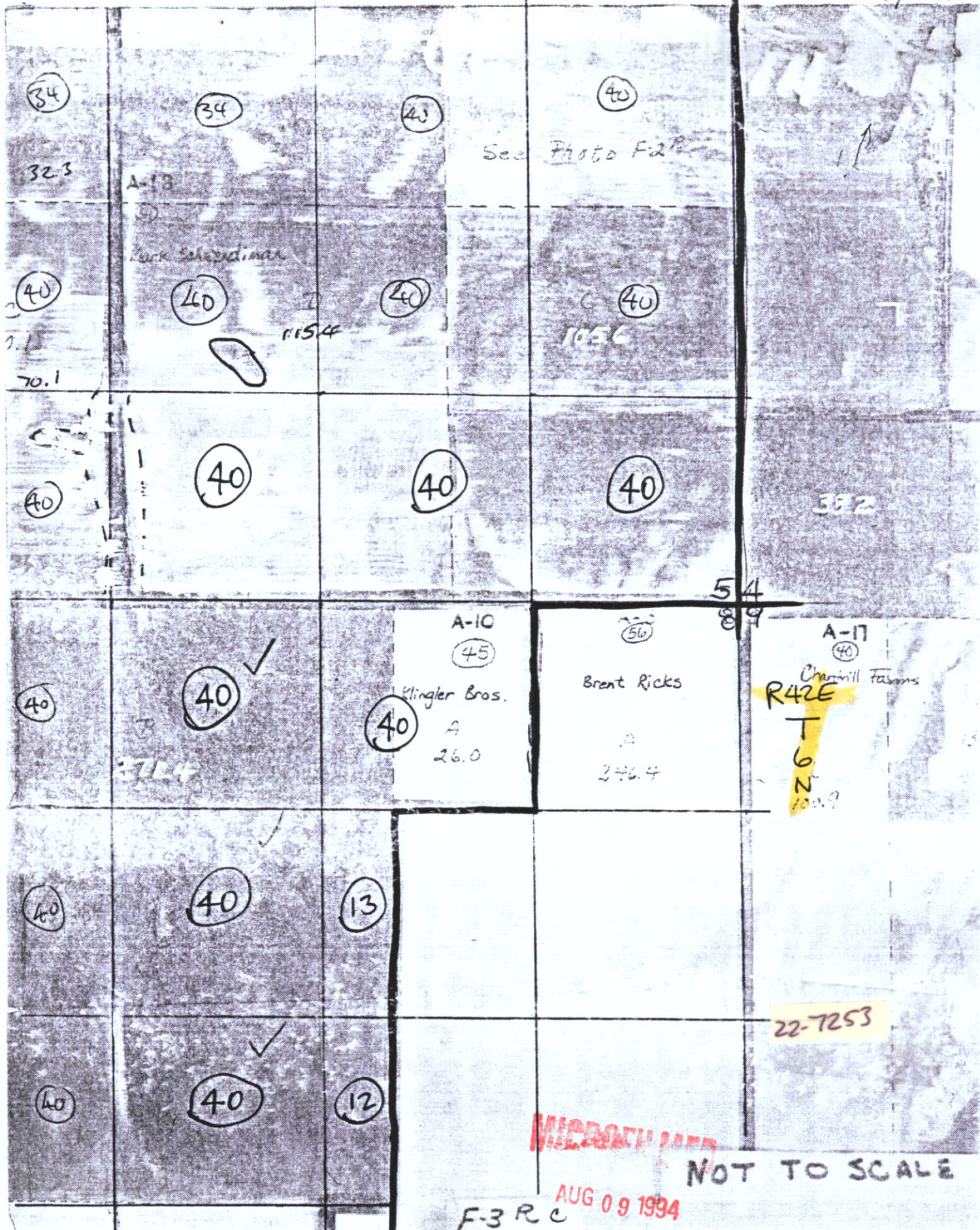
12/7

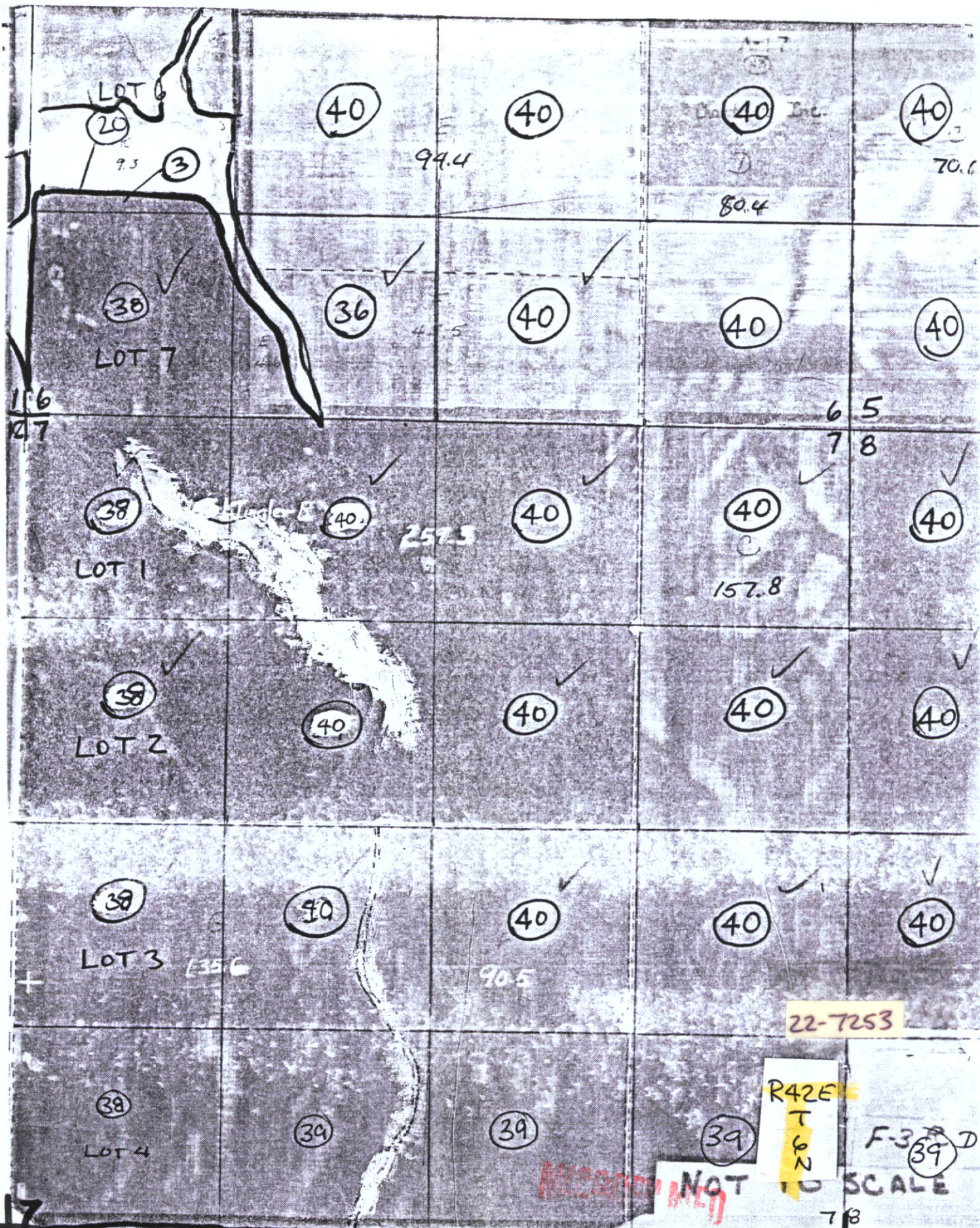
22-7253

12/18

OG 0 9 1994

AUG 09 1994





12/17
13/18

A-20

AUG 09 1994

7/8
18/17

22-7253/4276

38

LOT 3

135.6

40

40
90.5

40

40

38

LOT 4

39

39

39

✓
39

12 17
13 18

A-20

39

Parkinson Farms Inc.
(Ross)

D

157.5

C

159.4

R42E

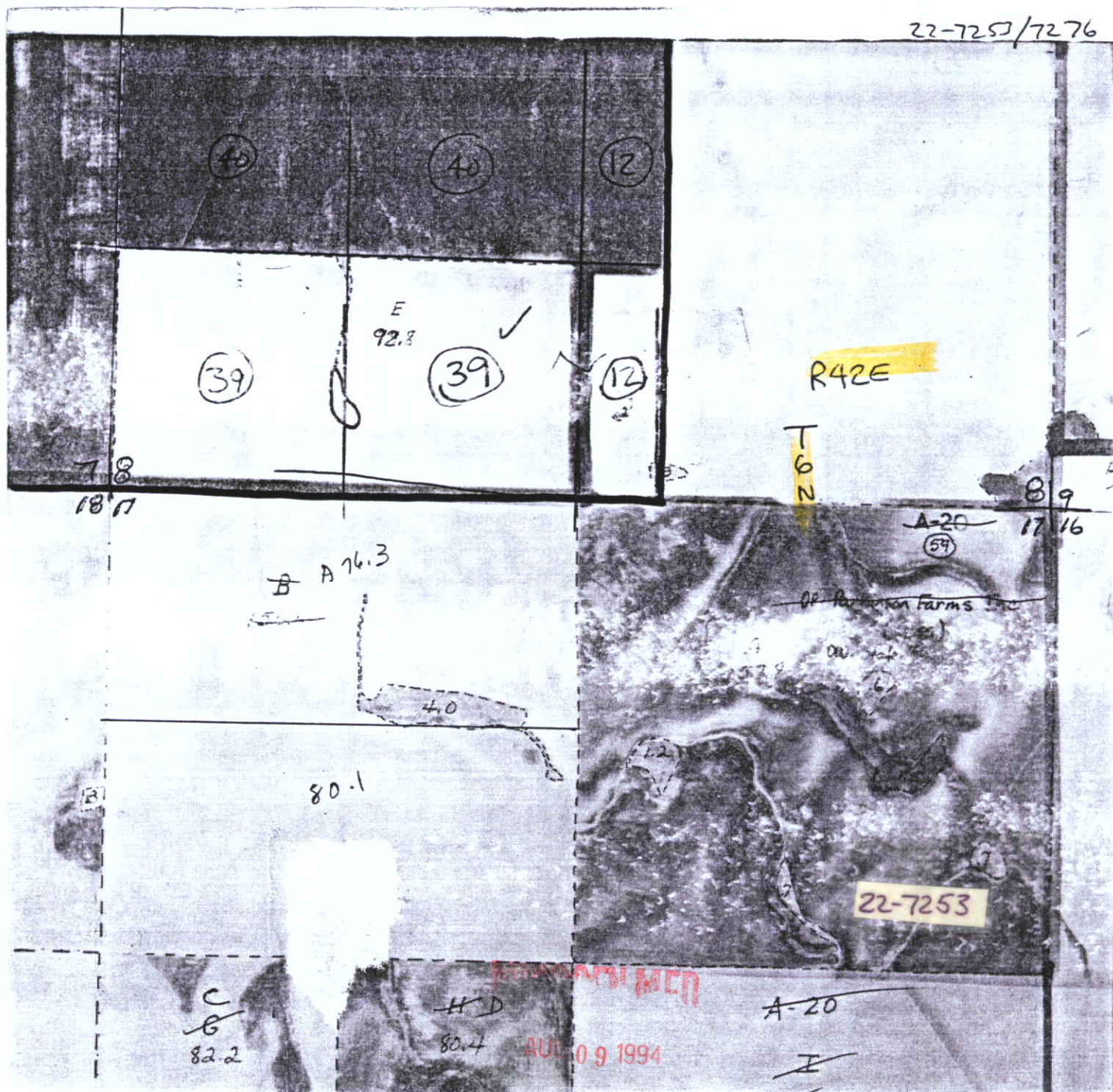
T
6
N

MAINTAINED

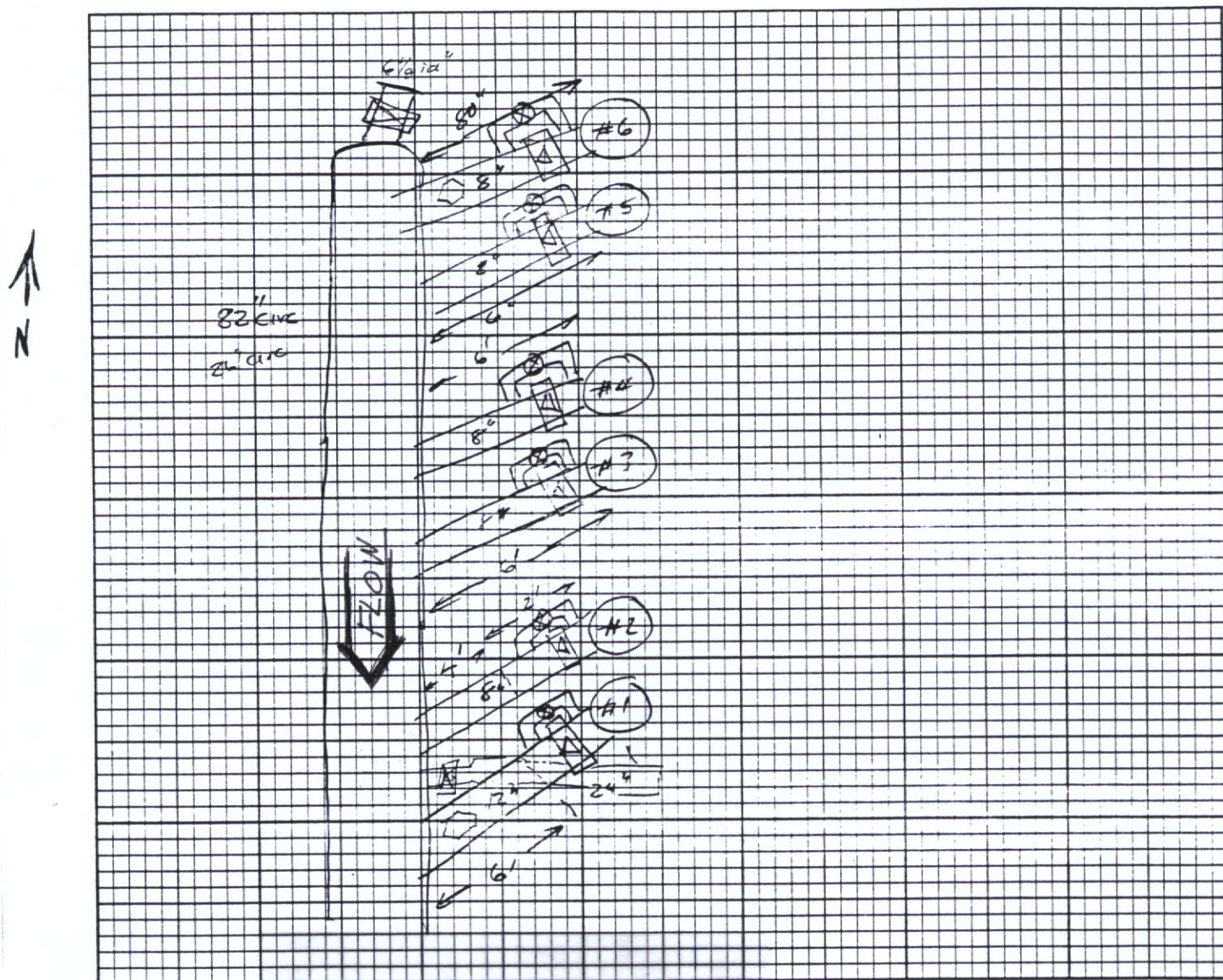
AUG 09 1994

22-7253

22-7253/7276



TETON RIVER REDIVERSION



TETON RIVER REDIVERSION

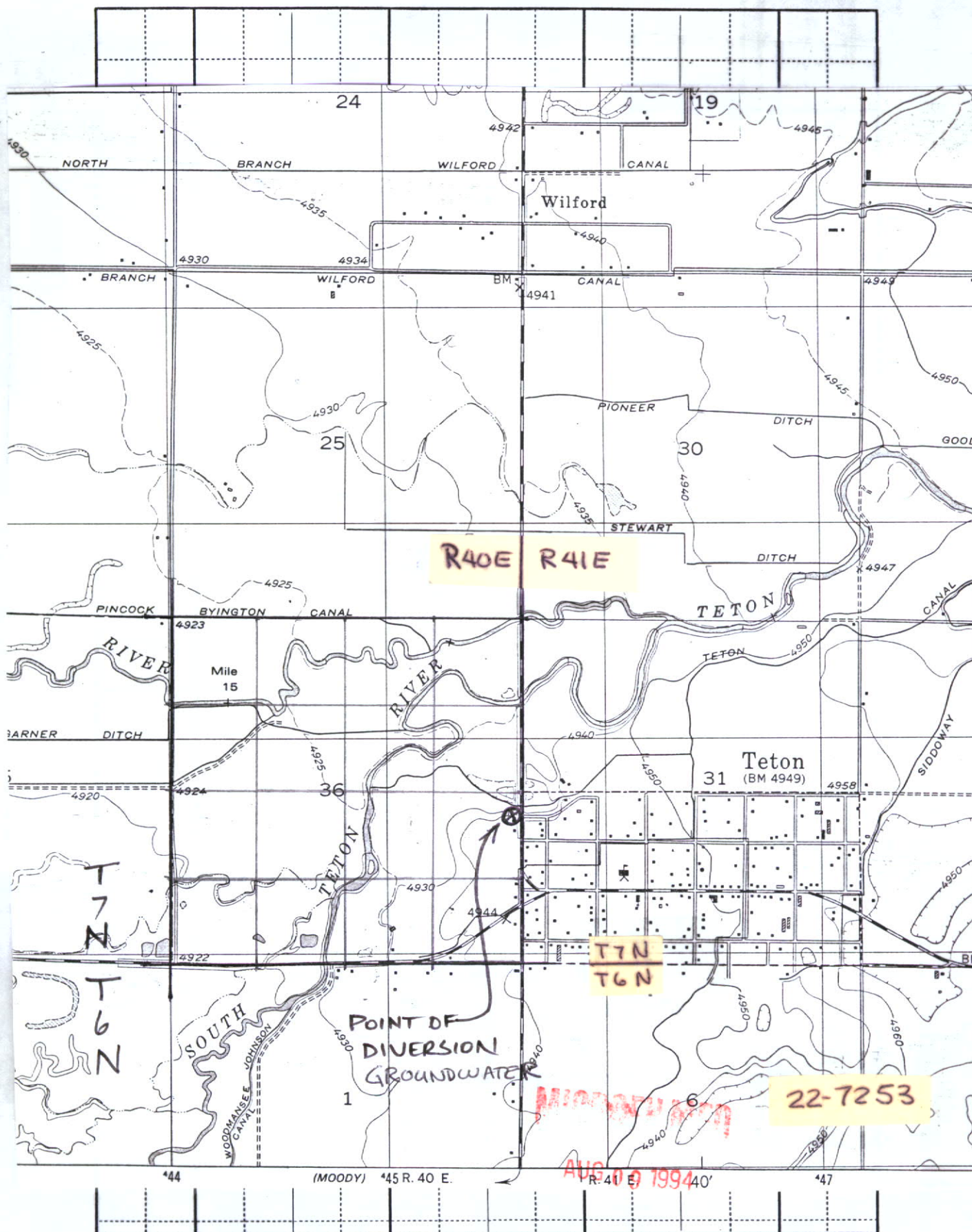
Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	GE 1770	600	BBJ223006	Johnston	BK-24223
#2	U.S. Motors 1770	250	R7258-00-109 R213,5834	Johnston	JP 38805 (8")
#3	GE 1770	200	CNJ316152	Johnston	TK-14375
#4	GE 1770	200	FMT623126	Johnston	TK-14348
#5	GE 1770	200	FMT623125	Johnston	TK-247
#6	GE 1770	200	CNJ316151	Johnston	TK-347

AUG 09 1994

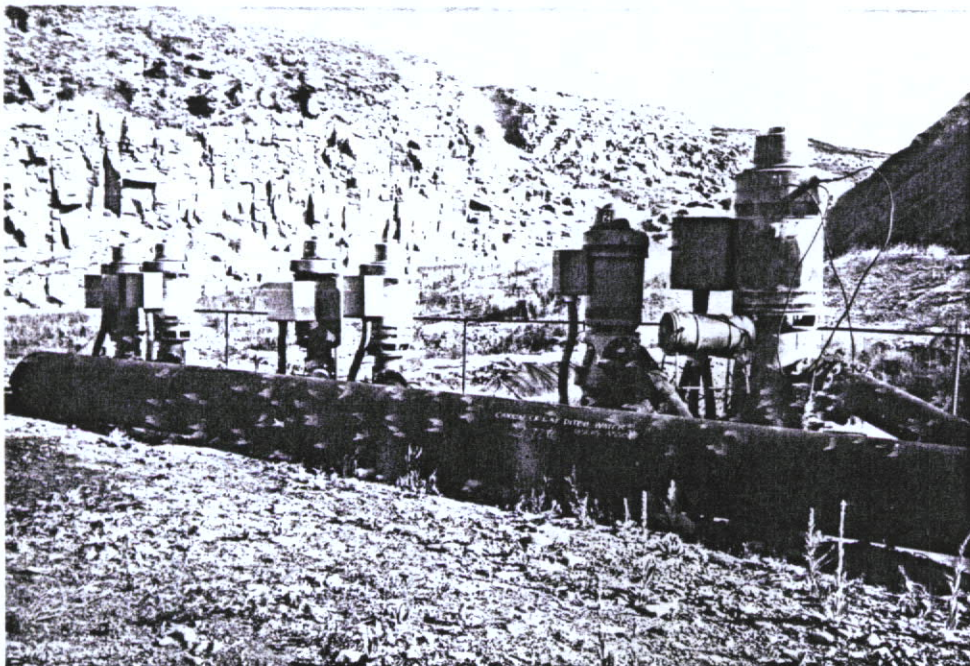
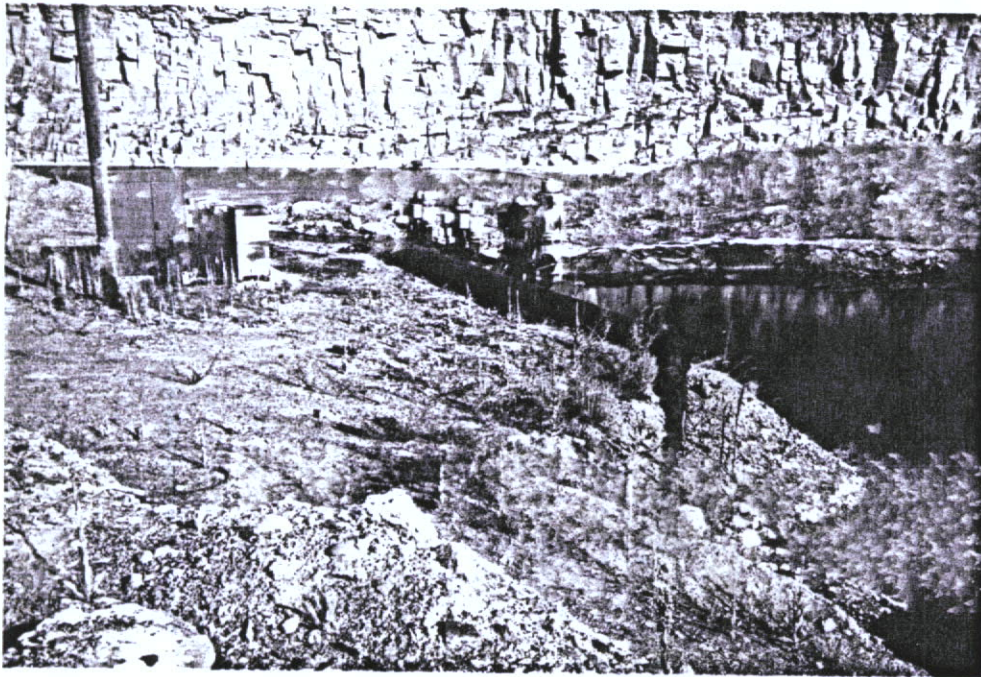
22-7253

NAME OF APPLICANT.....

Form No. 0



Draw Plan In Ink.



TETON RIVER
REDIVERSION
22-7253'

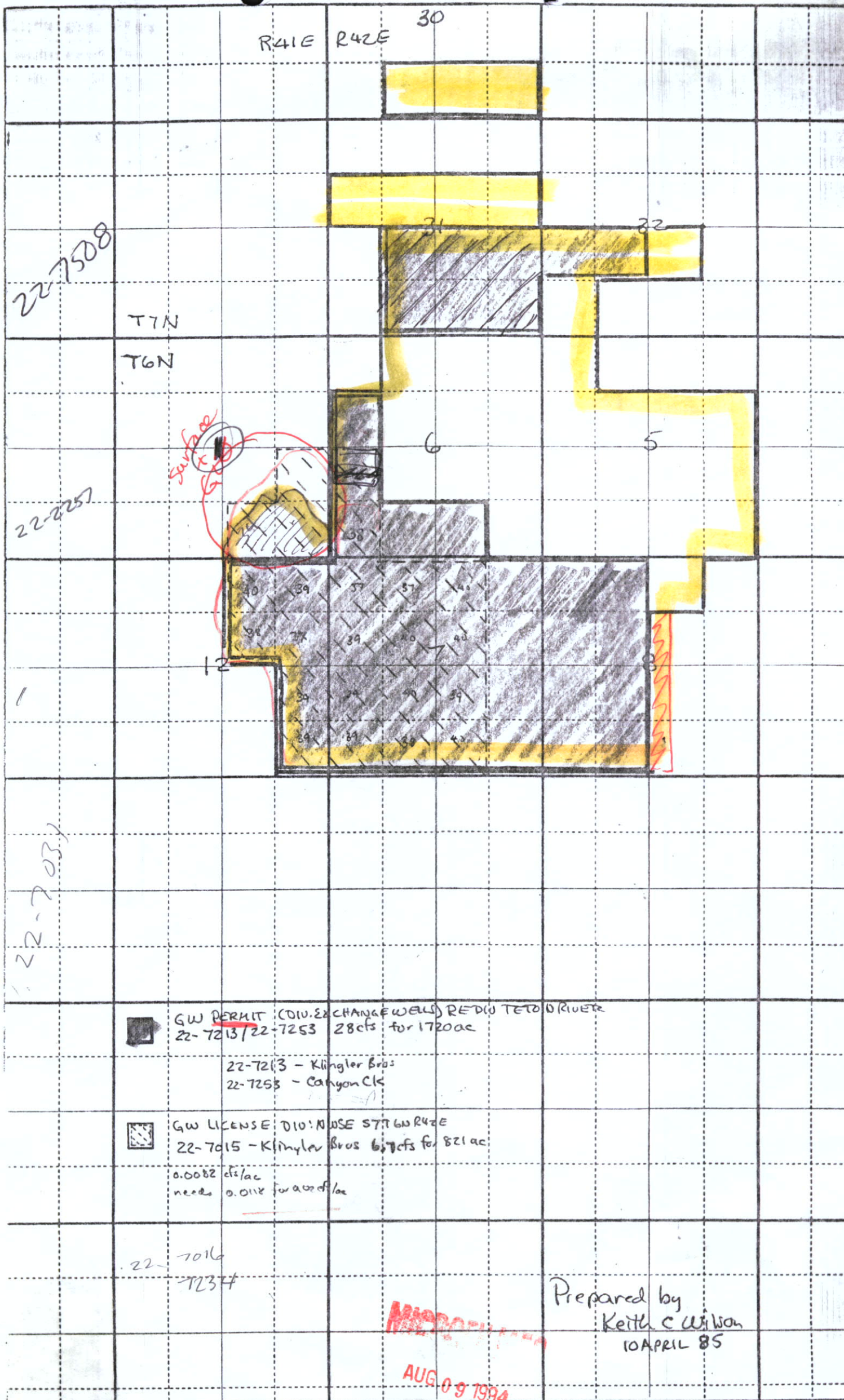
MICROSOFT
AUG 09 1994

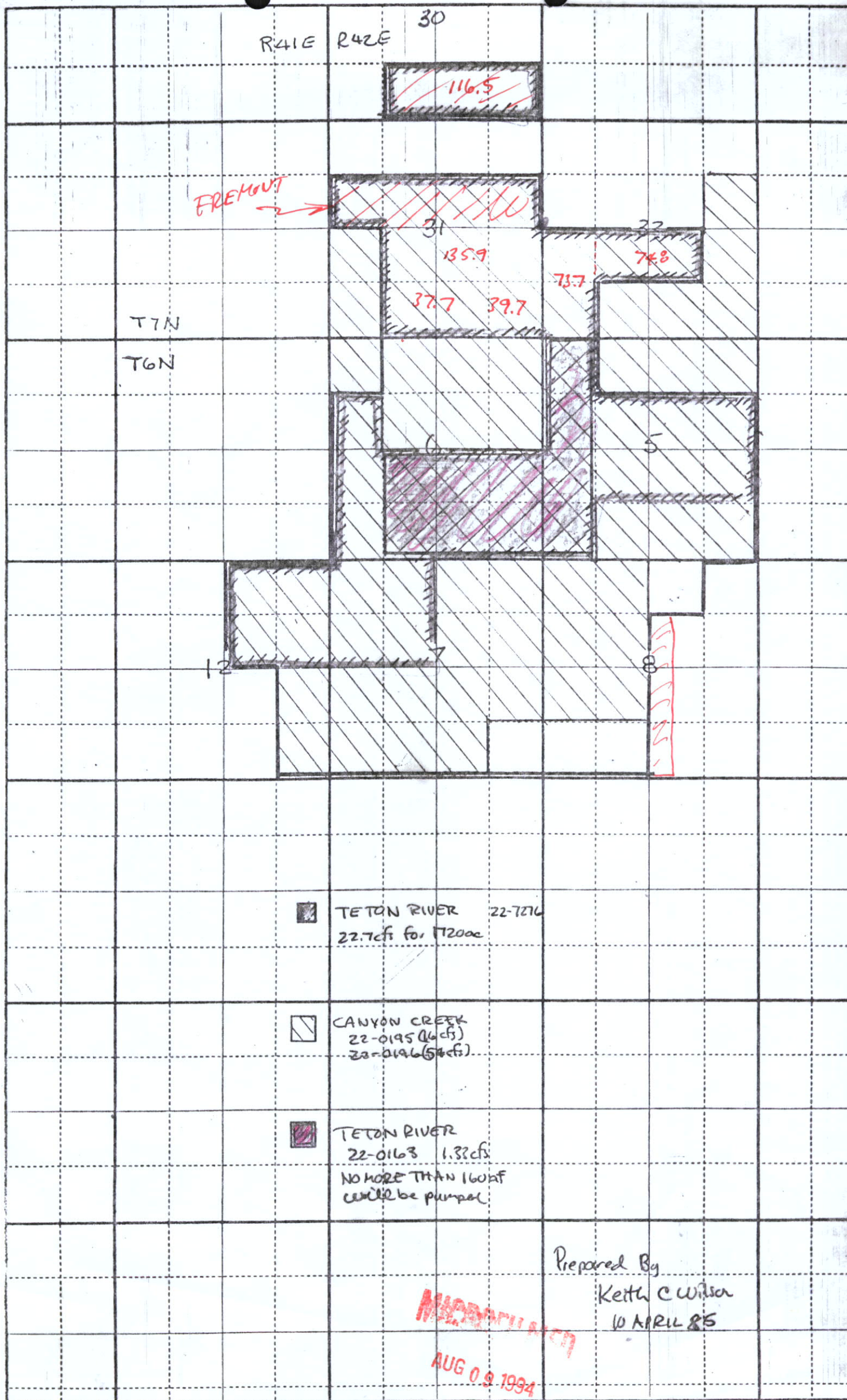


GROUNDWATER - EXCHANGE WELL

22-7253
MIDWESTERN

AUG 09 1994





9/12/03

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT 22-7253)
Canyon Creek Lateral Ditch Water Users

ORDER AUTHORIZING
TEMPORARY CHANGE TC-22-07

WHEREAS, a drought emergency has been declared for Madison
County to allow administrative actions to lessen the severe impacts of the drought
conditions in the counties; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a
drought emergency, the director of the Department of Water Resources ("Department")
is authorized to allow temporary changes in the point of diversion, the place of use, and
the purpose of use for valid existing water rights when the director determines that such
changes can be accomplished in accordance with the provisions of section 42-222A,
Idaho Code; and

WHEREAS, on 9/03/03, Canyon Creek Lat. Ditch Water Users submitted the attached
Temporary Change Application TC-22-07 to the Department; and

WHEREAS, the Department has reviewed the application and has determined
the application can be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is APPROVED subject to the
following conditions:

1. Diversion and use of right no(s). 22-7253 is authorized only
at the point of diversion and place of use described on the application.
2. This temporary change approval does not authorize construction of a new
well as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the
diversion and use of water under the temporary change approval cause
injury to other water rights, constitute an enlargement in use of the original
right, be inconsistent with the conservation of water resources within the
state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a



MICROFILMED
OCT 07 2003

ORDER AUTHORIZING
TEMPORARY CHANGE Tc-22-07

replacement water supply to lands or other uses which normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

5. Right(s) 22-7253 are limited to the irrigation of a total of 1720 acres in a single irrigation season.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The watermaster of Water District No. 01 is authorized to administer the temporary change approval.
11. This temporary change approval expires on 12/31/03 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 4th day of September, 2007


RONALD D. CARLSON
EASTERN REGION MANAGER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant Canyon Creek Lateral Ditch Water Users Phone 624-3293
Post Office Address Rt 2 Box 155 St. Anthony ID 83445

A. PURPOSE OF TRANSFER

- 1.
- ☐
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use
-
- ☐
- Change purpose of use
- ☐
- Other

2. Describe the proposed change(s) and the reason(s) thereof
- Injecting well water into the Teton River to flow down the Henry's fork. Water will be ~~used~~ re-diverted by Fremont-Madison Irr. District at their discretion throughout the District**

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- 1.
- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|----------------|------------------|--------------------|-------------------|--------------------------|
| <u>22-7253</u> | <u>7-29-1977</u> | <u>14 cfs</u> | <u>Irrigation</u> | <u>8-1-03 to 11-1-03</u> |
| | | | | to |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred
- 14
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water
- GROUNDWATER
- tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NE	SE	36	7N	40E	Fremont	Canyon Creek Lateral Exchange Well

5. Lands irrigated or place of use:
- lands under Fremont-Madison Irrigation District

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

* FROM Teton Pipeline Association Temporary Change filed 4/3/03 M.L.V.L.C.

OCT 07 2003

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right District meeting held August 7, 2003
agreed to this transfer
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
These lands are now dried up
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. used on
lands described in the license
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation would
continue
- f. Describe other water rights used for the same purpose.
22-7508
- g. Remarks: _____

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that 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. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Ryan C. [Signature]
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by Kaw Date 9/3/03 Fee \$ 50.00

Received Kaw 9/4/03 # E 029154 Recommend: _____ approve _____ deny _____

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. 7C-22-07

And said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 4th day of September, 2003:

[Signature]
For the Director

MICROFILMED

OCT 07 2003

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07253

Priority: July 29, 1977

Maximum Diversion Rate: 14.00 CFS

Maximum Diversion Volume: 5109.5 AF

This is to certify, that CANYON CREEK LATERAL DITCH WATER USERS

C/O GRANT KLINGLER

PO BOX 116

NEWDALE ID 83436

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 29, 1977; and has submitted Proof of Beneficial Use on January 7, 1980. An examination indicates that the works have a diversion capacity of 14.520 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	14.00 CFS	5109.5 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion

NESE , Sec. 36, Township 07N, Range 40E
FREMONT County

SENE , Sec. 30, Township 07N, Range 42E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	41E	1	NESE 8	NWSE 1	SWSE 27	
			SESE 34			70
		12	NENE 39	NWNE 40	SWNE 39	
			SENE 38	NESE 38	SESE 39	233
42E	5		SWNE 40	SENE 40	Lot 4 (NWNW) 38	
			SWNW 34	SENE 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			502
		6	Lot 1 (NENE) 35	Lot 2 (NWNE) 37	SWNE 38	
			SENE 38	Lot 3 (NENW) 32	Lot 5 (SWNW) 29	
			SENE 38	NESW 40	Lot 6 (NWSW) 20	
			Lot 7 (SWSW) 38	SESE 36	NESE 40	
			NWSE 40	SWSE 40	SESE 40	541
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	Lot 1 (NWNW) 38	
			Lot 2 (SWNW) 38	SENE 40	NESW 40	
			Lot 3 (NWSW) 38	Lot 4 (SWSW) 38	SESE 39	
			NESE 40	NWSE 40	SWSE 39	
			SESE 39			629
		8	NWNE 40	SWNE 13	NENW 40	
			NWNW 40	SWNW 40	SENE 40	
			NESW 40	NWSW 40	SWSW 39	
			SESE 39	NWSE 12	SWSE 12	395

AUG 09 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07253

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	42E	30	NESW 5	SESW 39	NESE 17	
			NWSE 16	SWSE 39	SESE 38	154
		31	SWNE 40	SENE 37	Lot 2 (SWNW) 39	
			SENE 40	NESW 40	SESW 38	
			NESE 36	NWSE 40	SWSE 37	
			SESE 37			384
		32	NESW 40	NWSW 39	SWSW 39	
			NWSE 34			152

Total number of acres irrigated: 3060

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
7. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
8. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
9. Totalizing measuring devices shall be maintained at the exchange well and the redirection pumps from the Teton River.

APPROVED

AUG 09 1994

State of Idaho
Department of Water Resources

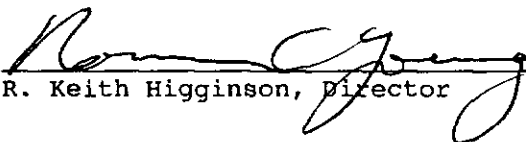
WATER RIGHT LICENSE

WATER RIGHT NO. 22-07253

CONDITIONS/REMARKS:

10. The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.
11. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated.
12. The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
13. This right is limited to the irrigation of 1720 acres in the place of use described above in a single irrigation season.
14. The director retains jurisdiction of this right to adjust the terms of the exchange if necessary to prevent injury to prior rights.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22nd day of July, 19 94.

Acting for  R. Keith Higginson, Director

AUG 09 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
SEP 19 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07253

Department of Water Resources

Date of Priority: July 29, 1977

Maximum Diversion Rate: 14.00 CFS
Maximum Diversion Volume:¹ 5942.6 AF

Comes now
C/O GRANT KLINGLER
P.O. BOX 116
NEWDALE, ID 83436

CANYON CREEK LATERAL DITCH WATER USERS

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 22-07253, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	14.00 CFS	5942.6 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SENE , Sec. 30, Township 07N, Range 42E
NESE , Sec. 36, Township 07N, Range 40E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	41E	1	NESE 8	NWSE 1	SWSE 27	
			SESE 34			70
		12	NENE 39	NWNE 40	SWNE 39	
			SENE 38	NESE 38	SESE 39	233
42E	6	LOT 5(SWNW)	29	LOT 6 NWSW 20	LOT 7 SWSW 38	
			SESW 36	SWSE 40		163
		7	NENE 40	NWNE 40	SWNE 40	
			(SENE) 40	NENW 40	LOT 1 NWNW 38	
		LOT 2(SWNW)	38	SENE 40	NESW 40	
		LOT 3(NWSW)	38	LOT 4 SWSW 38	SESW 39	
			NESE 40	NWSE 40	SWSE 39	

APPROVED

AUG 09 1994

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
		8	SESE 39			629
			NENW 40	NWNW 40	SWNW 40	
			SESW 40	NESW 40	NWSW 40	
			SWSW 39	SESW 39		318
07N	42E	31	NESW 40	SESW 38	NESE 36	
			NWSE 40	SWSE 37	SESE 37	228
		32	NESW 40	NWSW 39		79

Total number of acres irrigated: 1720

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Newdale, this 14 day of Sept., 19 90.

Grant H. Klinger
(Signature)

AUG 09 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07253

FOR DEPARTMENT USE ONLY

Preliminary check by SW Fee = \$20.00 Received by 12 Date 9/19/90 #C018360

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07253 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 01
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
7. A totalizing measuring device of a type approved by this Department shall be maintained at the point of diversion and at the point of re-diversion.
8. Point of re-diversion is from the Teton River.

Witness my hand this 22nd day of July, 1984.

R. Keith Higginson
Acting for R. Keith Higginson, Director

RECEIVED
AUG 09 1984

Identification No. 22 7253
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- Ditch Water Users
1. Name of applicant Canyon Creek ~~XXXX~~ Lateral/Assoc. Phone: 458-4231
post office address c/o Grant Klingler, President, Newdale, Idaho 83436
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 7N
Range 40E B.M. Fremont County; additional points of diversion if any: _____
The water will be pumped into the S. Fork Teton River via Teton Canal Mill Race
and rediverted from the Teton River within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E,
B.M., Madison County.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 14.0 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 14.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, rediversion pump
pipeline and sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive,
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 30,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	41E	12	40	40	40	40									40			40	240
6N	42E	6							40			40	40	40			40		200
		7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		8					40	40	40	40	40	40	40	40					320
7N	42E	31									40			40	40	40	40	40	240
		32									40	40							80

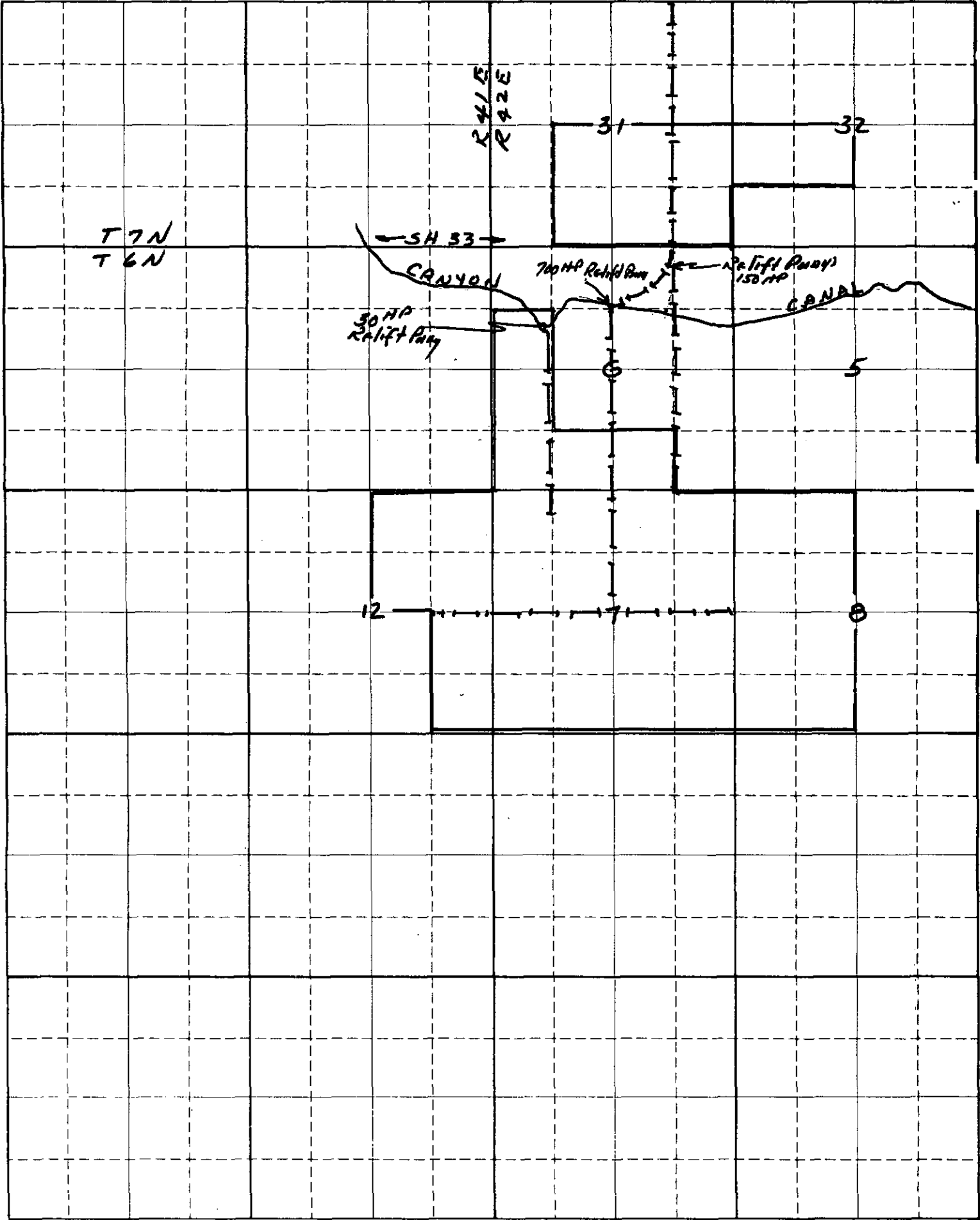
Total number of acres to be irrigated 1,720

c. Describe any other water rights used for the same purposes as described above.
Permit No. 22-7213

9. a. Who owns the property at the point of diversion George A. Briggs
b. Who owns the land to be irrigated or place of use Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The well under Permit No. 22-7213 is crooked and cannot get a pump set in the well.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Grant H. Klingler
(Applicant)

Proposed Priority 7/29/77

Received by CW Date 8-05-77 Time 4:35 P.
7-29-77 Time 11:25 A.

Preliminary check by LJG Fee \$ 155.00

Received by CW Date 8-05-77 # 8325

Publication prepared by CW Date 8-10-77

Published in Greentree City Ch. & Standard Journal

Publication dates Aug. 18 & 25-1977

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDL

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7253, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

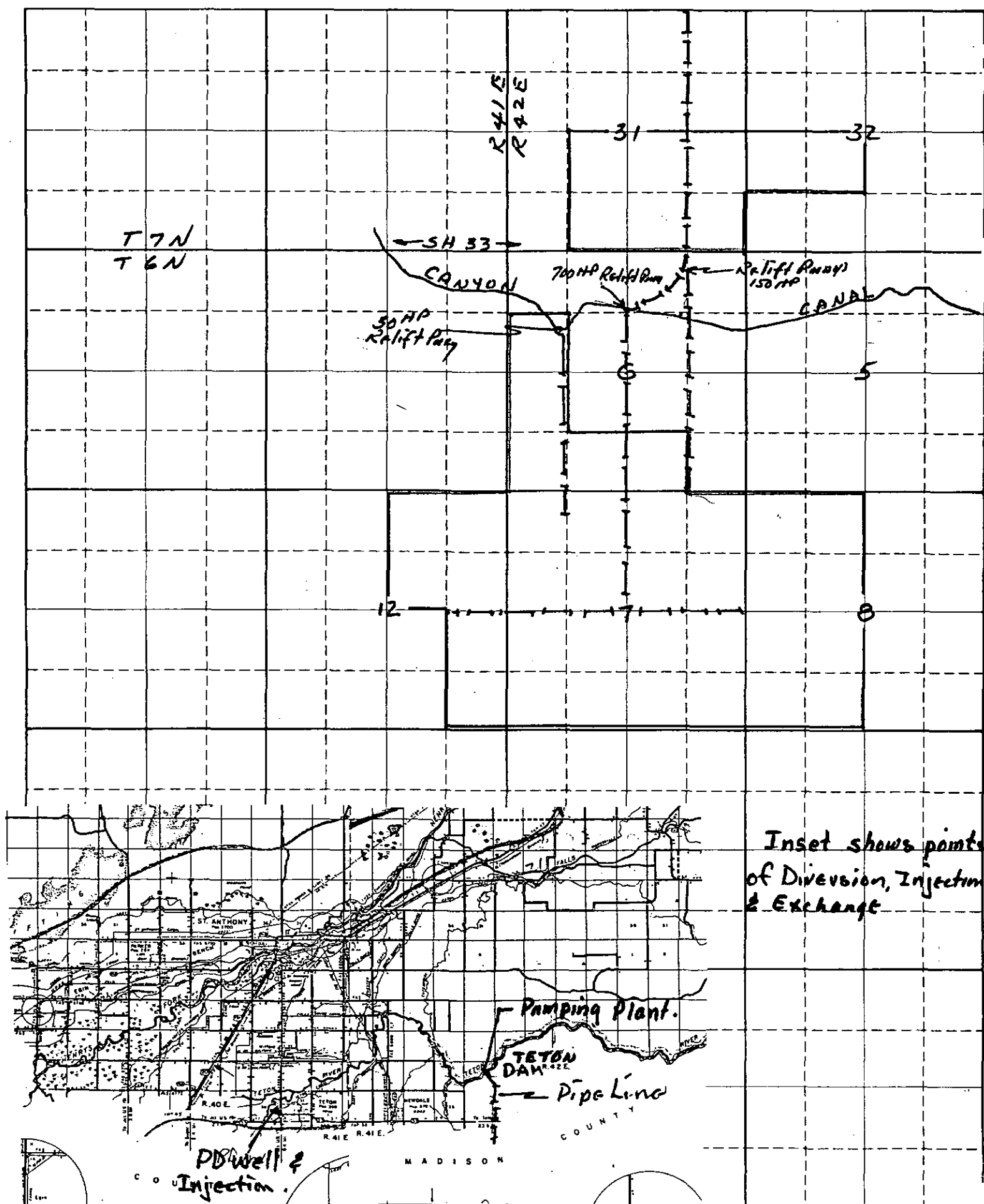
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 82.

c. Other (1) Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and point of re-diversion from the Teton River. (2) Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Teton River.

Witness my hand this 15 day of November 19 77.

A. Kenneth B. Dunn
Deputy Director

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

AUG 29 1977

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Terry T. Weatherston,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
STANDARD JOURNAL

, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**NOTICE OF APPLICATION
FOR WATER PERMIT**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on August 18, 1977
and the last publication having been made

on August 25, 1977.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry T. Weatherston

Subscribed to and sworn to before me

this 25th day of August, 1977

Offie S. Davenport
Notary Public.

(SEAL)

My commission expires March 25, 1978

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Canyon Creek
Lateral Ditch Water-Users Assoc., Newdale,
Idaho has on 8-05-77 submitted Application No.
22-7253 for a permit to appropriate 14.0 cubic feet
per second of water from a ground-water source
by means of well and pump within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 38, T. 7N, R. 40E, B.M., Fremont County. The
water will be pumped into the S. Fork Teton River
via Teton Canal Mill Race and redirected from the
Teton River within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N,
R. 42E, B.M., Madison County; to be used from
Apr. 1 to Nov. 1 for the irrigation of 1,720 acres
within the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6N, R. 41E;
SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E;
E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, T.
7N, R. 42E, B.M.

If issued, this permit will be subject to all prior
water rights. Protests against the granting of the
permit must be filed with the Idaho Department
of Water Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before September 6,
1977.

C. STEPHEN ALLRED
Director

Published in the Standard Journal, Rexburg,
Idaho on August 18 and August 25, 1977

RECEIVED

**AFFIDAVIT OF
PUBLICATION**

State of Idaho
County of Fremont

ss.

Dorothy Hunseker

being first duly sworn, upon his
oath, deposes and says:

That he is the owner
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-108,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Application

for Water Permit

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 2 consecutive is-
sues thereof; first publication

having been made on the 18
day of August, 1977,

and the last publication on the
25 day of August

19 77

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy J. Hunseker
Subscribed in my presence and

sworn to before me this 23rd

day of August,

1977.

Shirley Rose
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

RECEIVED

SEP 12 1977

Department of Water Resources
Laramie District Office

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Canyon
Creek Lateral Ditch Water Users
Assoc., Newdale, Idaho has on 8-05-77
submitted Application No. 22-7253 for a
permit to appropriate 14.0 cubic feet per
second of water from a ground-water
source by means of well and pump
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7N, R.
40E, B.M., Fremont County. The water
will be pumped into the S. Fork Teton
River via Teton Canal Mill Race and
rediverted from the Teton River within
the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E,
B.M., Madison County; to be used from
Apr. 1 to Nov. 1 for the irrigation of
1,720 acres within the NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E;
E $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 32, T. 7N, R. 42E, B.M.

If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before Sep-
tember 6, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
August 18 and August 25, 1977.

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Dorothy Hunseker

being first duly sworn, upon his
oath, deposes and says:

That he is the owner
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Application

for Water Permit

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 2 consecutive is-
sues thereof; first publication

having been made on the 18
day of August, 19 77

and the last publication on the
25 day of August
77

19

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy J. Hunseker
Subscribed in my presence and

sworn to before me this 23rd

day of August

19 77

Lynette Rose
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

RECEIVED
SEP 12 1977

Department of Water Resources
Easter, D.

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Canyon
Creek Lateral Ditch Water Users
Assoc., Newdale, Idaho has on 8-05-77
submitted Application No. 22-7253 for a
permit to appropriate 14.0 cubic feet per
second of water from a ground-water
source by means of well and pump
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7N, R.
40E, B.M., Fremont County. The water
will be pumped into the S. Fork Teton
River via Teton Canal Mill Race and
rediverted from the Teton River within
the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E,
B.M., Madison County; to be used from
Apr. 1 to Nov. 1 for the irrigation of
1,720 acres within the NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E;
E $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 32, T. 7N, R. 42E, B.M.

If issued, this permit will be subject to
all prior water rights. Protests against
the granting of the permit must be filed
with the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before Sep-
tember 6, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
August 18 and August 25, 1977.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 25, 1994

CANYON CREEK LATERAL DITCH WATER USERS
C/O GRANT KLINGLER
PO BOX 116
NEWDALE ID 83436

RE: WATER RIGHT NO. 22-07253

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

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Remarks: between the redirection pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.

Totalizing measuring devices shall be maintained at the exchange well and the redirection pumps from the Teton River.

The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated.

The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.

This right is limited to the irrigation of 1720 acres in the place of use described above in a single irrigation season.

Dates: App. Received: 07/29/1977 Priority Date: 07/29/1977
Proof Due Date: 11/01/1982 Proof Made Date: 01/07/1980
Exam Made Date: 06/01/1985 Exam Sent to S.O.: 12/09/1986
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Comments: Date: 07/05/1994 User-ID: SKAGGS Subject: TRANSFER NO. 3925
Transfer No. 3925 was filed 04-23-92 on Water Right Permit Nos. 22-07253 and 22-07508, and relinquished/withdrawn 06-21-94.

Audit: 04/21/94 CURTIS 04/25/94 CURTIS 04/27/94 CURTIS 07/05/94 SKAGGS

WR0749NP
No. L22-07253

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/05/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CANYON CREEK LATERAL DITCH WATER USERS C/O GRANT KLINGLER PO BOX 116 NEWDALE ID 83436	07/29/1977	IRRIGATION	04-15 10-15	14.00 CFS	5109.50 AFA
TOTAL DIVERSION:					14.00 CFS	5109.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 14.52 CFS

Point(s) of Diversion: T07N R40E S36
Point(s) of Re-diversion: T07N R42E S30

NESE
SENE

FREMONT County
MADISON County

Place of use Legal Description for: IRRIGATION

NE										NW				SW				SE																																									
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENE		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM																								
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																											
06N	41E	1	:								:								:																																								
06N	41E	12	:	39		40		39		38	:								:																																								
06N	42E	5	:					40		40	:								:																																								
06N	42E	6	:	01-35		02-37		38		38	:	03-32		04-38		34		30	:	40		40		40		40		40		40		40		40																									
06N	42E	7	:	40		40		40		40	:	40		01-38		02-38		40	:	40		03-38		04-38		39		40		40		39		39																									
06N	42E	8	:			40		13			:	40		40		40		40	:	40		40		39		39				12		12																											
07N	42E	30	:								:								:										17		16		39		38																								
07N	42E	31	:					40		37	:					02-39		40	:	40						38		36		40		37		37																									
07N	42E	32	:								:								:	40		39		39						34																													
																												TOTAL ACRES		3060.0																													

Pou County: MADISON

Other Rights: PER. 22-7213.

Other Water Rights with Same Point(s) of Diversion and Source:
22-07253 22-07508

Other Water Rights Listing Overlapping Place(s) of use:
22-00195 22-00196 22-02196 22-02257 22-02271B 22-07015 22-07016 22-07234 22-07253 22-07276
22-07440 22-07490 22-07508 22-07564 22-07703 22-07707 L22-07276

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
watermaster of State Water District No. 01.
R30 - This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 3.5 afa per acre for the
lands above.

Remarks: Unperforated well casing shall be retained above the first
confining layer to prevent interference with shallow wells and
recharge to the river.
No demand on upstream prior rights or existing prior exchanges
can be made and no interference with prior rights located

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JUN 30 1994

Department of Water Resources

RECEIVED
JUN 21 1994

Department of Water Resources
Eastern District Office

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
all my right, title and interest in and to (Application for ^{Transfer} Permit)
(Permit) to appropriate the Public Waters of the State of Idaho,

No. 22-7253 + 22-7508 in the name of Canyon Creek Latral Ditch users

Signed at

Newdale

this

14

day of

June

, 1994.

Grant H. Klingler
Applicant/Permit Holder

Title President

ATTEST:

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AUG 09 1994

T# 3925

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3925

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

JUN 30 1994

PART 1

Department of Water Resources

Name of applicant Canyon Creek Lateral Ditch Water Users Association % Grant Klingler Phone 458-231
 Post Office address P.O. Box 46 Newdale Id 83436

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use ~~2~~
☒ Change nature of use ☐ Change period of use ☒ Other Exchange
2. Describe the reason for the proposed changes Pump water into the Teton River to increase natural flow so that Fremont-Madison Irr. Dist. can store water in Island Park Reservoir. Then when the Association begins to irrigate they will have a storage credit with the IRRIGATION DIST.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|-----------|-----------------------|------------------|---------------|
| L22-7253 | 7/29/1977 | 14.00 cfs | IRRIGATION | 4/1 to 11/1 |
| 22-7508 (Permit) | 6/26/1985 | 14.00 cfs | IRRIGATION | 4/1 to 11/1 |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>14.00</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>GROUNDWATER</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: _____ | | | | |

[illegible]

5. Lands irrigated or place of use: SEE ATTACHED LAND LIST

[illegible]

Total acres 3040.2

PART 1

6. General Information:

- a. Description of diversion system GROUNDWATER IS PUMPED INTO THE TETON RIVER & WATER IS
DIVERTED FROM THE TETON RIVER UPSTREAM FROM THE WELL. STORAGE WATER
STORED IN ISLAND PARK RESERVOIR & DELIVERED THROUGH THE CROSS CUT CANAL TO
THE TETON RIVER
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NONE - TRANSFER WILL ALLOW FOR WATER STORAGE IN THE ISLAND
PARK RESERVOIR BY THE FREMONT-MADISON IRRIGATION DISTRICT
- d. Remarks:
ASSOCIATION OFFICERS: GRANT KLINGLER - PRES. LEIGH CHANTRILL - V.P.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

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AUG 09 1994

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 22-07508

STAGE: PERMIT

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	14.00 CFS

SOURCE

GROUNDWATER

Priority: 06/26/1985

LOCATION OF POINT(S) OF DIVERSION:

Rediversion

NESE , Sec. 36, Township 07N, Range 40E
 SWNE , Sec. 30, Township 07N, Range 42E
 FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 42E 5	SWNE 40	SENE 40	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			520
6	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	SENE 40	
	NESW 40	NESE 40	NWSE 40	
	SESE 40			400
8	NWNE 40			40
07N 42E 30	SWSW 15	SESW 40	SWSE 40	
	SESE 40			135
31	SWNE 40	SENE 40	SWNW 40	
	SENE 40			160
32	SWSW 40	NWSE 40		80
Total number of acres irrigated:				1335

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The issuance of this right in no way grants any right-of-way or easement across the land of another.
3. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

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 AUG 09 1994

Water Right No. 22-07508

CONDITIONS/REMARKS:

4. TOTALIZING METERS WHICH COMPILE TOTAL VOLUME OF WATER DIVERTED SHALL BE INSTALLED & MAINTAINED AT BOTH THE POINT OF DIVERSION & POINT OF REDIVERSION. THE PERMIT HOLDER MAY BE REQUIRED TO SUBMIT PERIODIC DIVERSION RECORDS FOR BOTH THE POINT OF DIVERSION & THE POINT OF REDIVERSION.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____

dated _____ in _____ county of _____
PERMIT License No. 22-7508 issued by the Idaho Department of Water Resources.

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

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 26 JUNE 1985

5. Water is used for the following purpose:

amount 14.0 cfs for IRRIGATION purposes from 4/1 to 11/1
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 14.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	36	7N	40E	FREMONT	GROUNDWATER WELL
		SE	NE	30	7N	42E	MADISON	REDIVERSION FROM TETON RIVER

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	42E	5			40	40		L4 38	34	34	40	40	40	40	40	40	40	40	506
		6	L1 35	L2 37	38	38	L3 32			38	40				40	40		40	378
		8		13.3	13.3											13.3	13.3		53.2
7N	42E	30									5	11/1000	39	17	16	39	38		154
		31			40	37			L2 39	40									156
		32										11/1000	39			34			73

Total acres 1320.2

9. Describe any other water rights used for the same purpose as described above 22-0195/0196/7276/7490

(Teton River) / Permits 22-7564/7707/7440 (GROUNDWATER)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

PART 2

TRANS NO. 3925

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 22-07253

STAGE: PERMIT

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	14.00 CFS

SOURCE

GROUNDWATER

Priority: 07/29/1977

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 36, Township 07N, Range 40E
FREMONT CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	41E	12	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	SESE 40	240
	42E	6	SWNW 40	NWSW 40	SWSW 40	
			SESW 40	SWSE 40		200
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		8	NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40		320
07N	42E	31	NESW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	240
		32	NESW 40	NWSW 40		80
Total number of acres irrigated:						1720

CONDITIONS/REMARKS:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 01.
2. PT. OF INJECTION INTO TETON R., S. FORK: NESE, S36, T7N, R40E.
3. PT. OF EXCHANGE FROM TETON R.: SWNE, S30, T7N, R42E.

RECORDED
AUG 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. L 22-7253 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 29 July 1977

5. Water is used for the following purpose:

amount 14.0 cfs for IRRIGATION purposes from 4/1 to 4/1
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 14.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	36	7N	40E	FREMONT	GROUNDWATER WELL
		SE	NE	30	7N	42E	MADISON	REDIVERSION TETON RIVER

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	41E	1													8	1	27	34	70
		12	39	40	39	38									38			39	233
6N	42E	6							L5 29			L6 20	L7 38	36			40		163
		7	40	40	40	40	40	L1 38	L2 38	40	40	L3 38	L4 38	39	40	40	39	39	629
		8					40	40	40	40	40	40	39	39					318
7N	42E	31									40			38	36	40	37	37	288
		32									40	39							79

AUG 2 1984
Total acres 1720

9. Describe any other water rights used for the same purpose as described above 22-0195/0196 Teton River
22-7015 Groundwater

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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PART 3

B. CHANGE IN NATURE OF USE (cont.)

CHANGE IN NATURE OF USE:

FROM IRRIGATION (01) TO IRRIGATION STORAGE (02).

AMOUNT: 14.00 CFS

VOLUME TO BE STORED PER DAY(24 HRS.)

(RATE OF DIVERSION)X(# DAYS)X(1.9835)

(14.0 CFS) (1 DAY) (1.9835) = 27.769 AF STORED PER 24 HR.DAY

PERIOD OF USE:

FROM DATE OF APPROVAL TO DATE THAT THE APPLICANTS BEGIN IRRIGATION.

PURPOSE:

ALLOWS APPLICANTS TO PUMP GROUNDWATER FOR STORAGE WATER CREDIT WITH THE FREMONT-MADISON IRRIGATION DISTRICT.

REMARKS:

1. APPLICANTS WILL PUMP GROUNDWATER INTO THE TETON RIVER TO SUPPLEMENT THE NATURAL FLOW OF THE TETON RIVER.
2. FREMONT-MADISON IRRIGATION DISTRICT WILL STORE WATER IN THE ISLAND PARK RESERVOIR IN EXCHANGE FOR WATER PUMPED.
3. STORED WATER WILL BE DELIVERED THROUGH THE CROSS CUT CANAL.
4. ACCUMULATION OF STORAGE WILL STOP WHEN THE APPLICANTS BEGIN DIVERTING WATER FOR IRRIGATION.
5. CHANGE IN NATURE OF USE/EXCHANGE IS FOR THE 1992 IRRIGATION SEASON ONLY (ONE YEAR).

10/16/93 05:29 BODE
AUG 09 1994

R41E R42E

T7N
N

30

L1

PLACE OF
USE

L2

36

L3

31

L4

32

T7N

T6N

L4

L3

L2

L1

L4

L3

L2

L1

1

L5

6

L6

L7

5

L1

L2

12

L3

7

L4

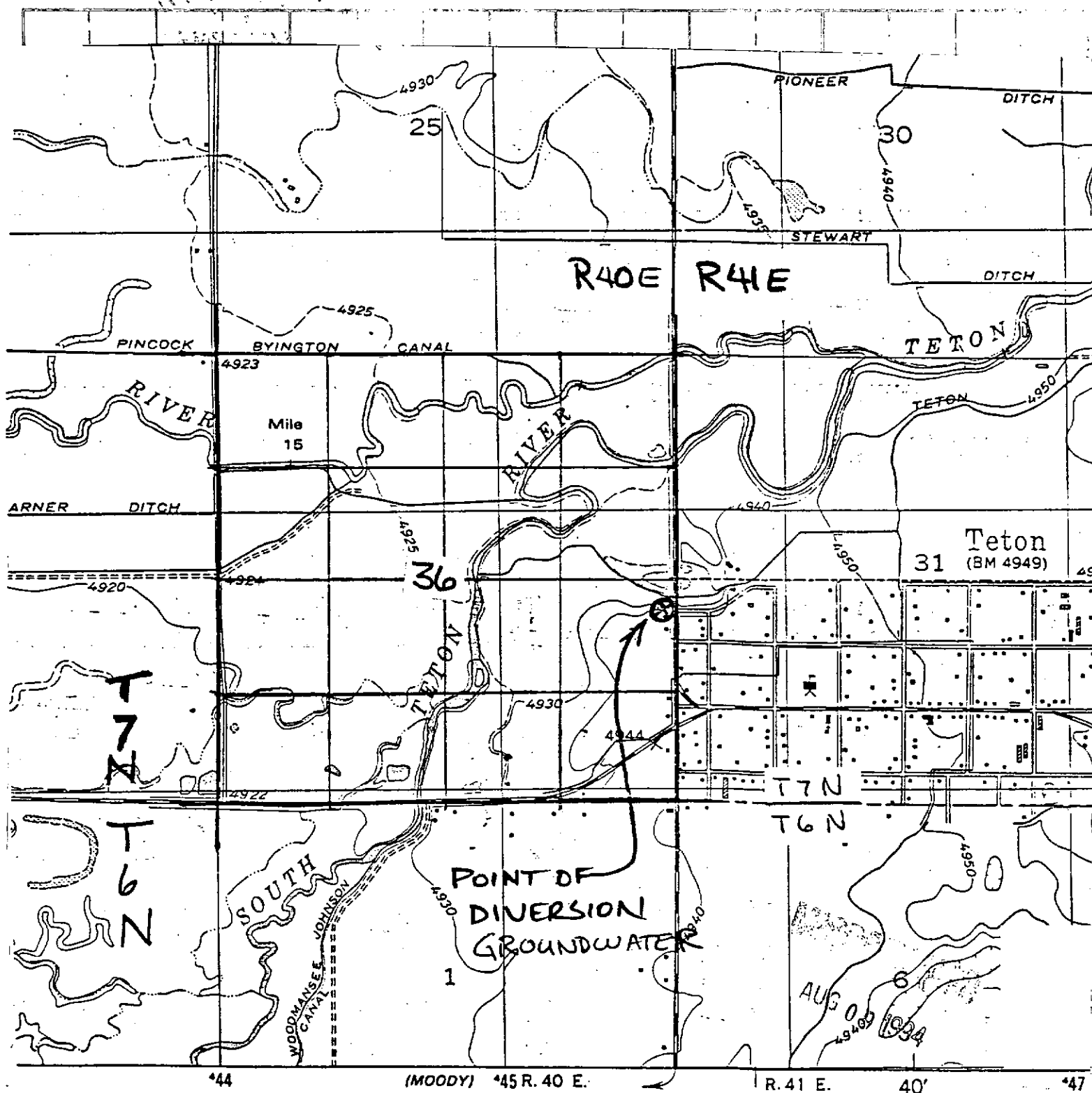
8

T6N
26

1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

PART 3**B. CHANGES IN NATURE OF USE** SEE ATTACHED PAGE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>IRRIGATION STORAGE</u>	<u>14.0 cfs</u>	<u>24 hrs/day</u>	<u>4/1</u> to <u>11/1</u>
				to _____

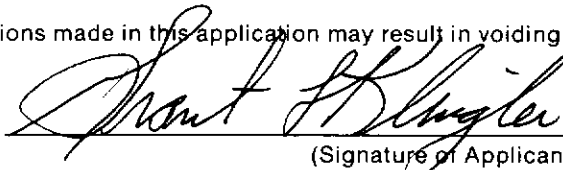
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

NONE

I hereby assert that no one will be injured by such change and that 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.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of April, 1992.

BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO



(Notary Public)

My commission expires MY COMMISSION EXPIRES: 6-30-94

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by dmp Fee \$50⁰⁰Receipted by LB Date 4-23-92Published in Statewide Copies of protest forwarded by _____Pub. dates May 7 & 14-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

AUG 09 1994

24-Jun-1994

GRANT KLINGLER
CANYON CREEK LATERAL
DITCH WATER USERS ASSOCIATION
PO BOX 116
NEWDALE ID 83436

RE: Application for transfer of water rights
No.: 22-07253 & 22-07508
Canyon Creek Lateral Ditch Water Users Assoc.

Dear Mr. Klingler:

This letter acknowledges receipt of withdrawal of the above referenced application. The amended application is still being processed.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Right Supervisor

HWJ/rb

RECEIVED

AUG 09 1994

24-Jun-1994

BRUCE M SMITH
ROSHOLT ROBERTSON & TUCKER
PO BOX 2139
TWIN FALLS ID 83701-2139

RE: Application for Transfer No. 22-07253 & 22-07508
Canyon Creek Lateral Ditch Water Users

Dear Mr. Smith:

This is to advise you that the above referenced application has been withdrawn. A copy of the withdrawal has been enclosed.

If you have any questions, please call our office.

Sincerely,

HAROLD JONES
Water Right Supervisor

HJ/rb
enc

RECEIVED
JUN 24 1994

AUG 09 1994

24-Jun-1994

HERBERT A POLLARD II
IDAHO FISH & GAME
1515 LINCOLN RD
IDAHO FALLS ID 83401

RE: Application for Transfer No. 22-07253 & 22-07508
Canyon Creek Lateral Ditch Water Users

Dear Mr. Pollard:

This is to advise you that the above referenced application has been withdrawn. A copy of the withdrawal has been enclosed.

If you have any questions, please call our office.

Sincerely,

HAROLD JONES
Water Right Supervisor

HJ/rb
enc

AUG 09 1994

MEMORANDUM

TO: File 22-7253
FROM: Sharla
DATE: April 27, 1994
RE: License Review

The entire land base which is irrigated from groundwater and surface water, including rediversions from the river under groundwater rights, has been listed for this right. A condition has been added which limits the irrigation to the number of acres originally allowed by the permit.

APR 29 1994

WR5809NP
No. L22-07253

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/94
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CANYON CREEK LATERAL DITCH WATER USERS C/O GRANT KLINGLER PO BOX 116 NEWDALE ID 83436	07/29/1977	IRRIGATION	04-15 10-15	14.00 CFS	5109.50 AFA
TOTAL DIVERSION:					14.00 CFS	5109.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 14.52 CFS

Point(s) of Diversion: T07N R40E S36

NESE

FREMONT County

Point(s) of Re-diversion: T07N R42E S30

SENE

MADISON County

Place of use Legal Description for: IRRIGATION

												NE				NW				SW				SE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM	
06N	41E	1	:								:										:	08	01	27	34	:	70.0	
06N	41E	12	:	39	40	39	38	:			:										:	38			39	:	233.0	
06N	42E	5	:			40	40	:	04-38	34	30	:	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:	502.0
06N	42E	6	:	01-35	02-37	38	38	:	03-32		05-29	38	:	40	06-20	07-38	36	:	40	40	40	40	:	40	40	40	:	541.0
06N	42E	7	:	40	40	40	40	:	40	01-38	02-38	40	:	40	03-38	04-38	39	:	40	40	39	39	:				:	629.0
06N	42E	8	:		40	13	:		40	40	40	40	:	40	40	39	39	:			12	12	:				:	395.0
07N	42E	30	:				:					:	05				39	:	17	16	39	38	:				:	154.0
07N	42E	31	:		40	37	:			02-39	40	:	40				38	:	36	40	37	37	:				:	384.0
07N	42E	32	:				:					:	40	39	39			:		34				:			:	152.0
																								TOTAL ACRES		3060.0		

Pou County: MADISON

Other Rights: PER. 22-7213.

Other Water Rights with Same Point(s) of Diversion and Source:
22-07253 22-07508

Other Water Rights Listing Overlapping Place(s) of use:

22-00195	22-00196	22-02196	22-02257	22-02271B	22-07015	22-07016	22-07234	22-07253	22-07276
22-07440	22-07490	22-07508	22-07564	22-07703	22-07707	L22-07276			

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 01.
R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

Remarks: Unperforated well casing shall be retained above the first
confining layer to prevent interference with shallow wells and
recharge to the river.
No demand on upstream prior rights or existing prior exchanges
can be made and no interference with prior rights located

Remarks: between the rediversion pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
Totalizing measuring devices shall be maintained at the exchange well and the rediversion pumps from the Teton River.
The exchange well must inject water into the Teton Canal whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.
The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated.
The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
This right is limited to the irrigation of 1720 acres in the place of use described above in a single irrigation season.

Dates: App. Received: 07/29/1977 Priority Date: 07/29/1977
Proof Due Date: 11/01/1982 Proof Made Date: 01/07/1980
Exam Made Date: 06/01/1985 Exam Sent to S.O.: 12/09/1986
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Audit: 04/21/94 CURTIS 04/25/94 CURTIS 04/27/94 CURTIS

30-Jul-1992

HERBERT A POLLARD
IDAHO FISH & GAME
1515 LINCOLN RD
IDAHO FALLS ID 83401-2198

RE: Application for Transfer of Water Right No.
L22-07253/22-07508

Dear Mr. Pollard:

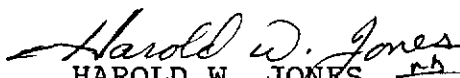
Your petition to intervene in the matter of protest against the above referenced application for permit has been received and a copy has been sent to the applicant.

The applicant will be allowed ten (10) days to respond before action is taken to grant or deny leave to intervene.

If the request is granted, intervenors will be allowed to participate in any conference or hearing before the Department, but will not, by this action, become parties to the matter for purposes of court review or appeal.

If this office can be of any further assistance, please contact us.

Very truly yours,


HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb
cc: IDWR-State Office

RECEIVED

AUG 09 1994

30-Jul-1992

GRANT KLINGLER
CANYON CREEK LATERAL
DITCH WATER USERS ASSOC
PO BOX 215
NEWDALE ID 83436

RE: Application for Transfer of Water Right No.
L22-07253/2207508

Dear Mr. Klingler:

Enclosed is a copy of a petition to intervene in the matter of protest filed against the above referenced application for permit.

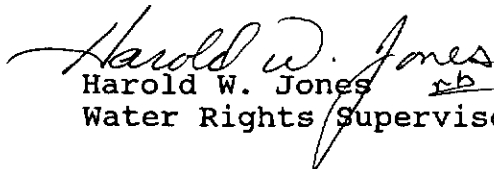
This petition has been filed in accordance with Department of Water resources Rules of Practice and Procedure, Rule 6, a copy of which is also enclosed.

Before a decision is made whether or not to grant leave to intervene, you will be allowed ten (10) days from the date of this letter to respond to the petition.

If the request to intervene is granted, the intervenor will be allowed to participate in any conference or hearing before the Department, but will not, by the Department's granting leave to intervene, become party to the matter for the purpose of court review or appeal.

If this office can be of further assistance, please contact us.

Very truly yours,


Harold W. Jones ^{rb}
Water Rights Supervisor

HWJ: rb
cc: IDWR-State Office
enc.

MAILED 123

AUG 09 1994

RECEIVED

JUL 29 1992

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE STATE OF IDAHO

Department of Water Resources
Eastern District Office

IN THE MATTER OF APPLICATIONS)
FOR PERMIT TO APPROPRIATE)
WATER OF L22-07253/22-07508) PETITION TO INTERVENE
NAME OF CANYON CREEK LATERAL)
DITCH WATER USERS)

COMES NOW THE Idaho Department of Fish and Game, P.O. Box 25, Boise, Idaho 83707 (hereinafter Fish and Game) by and through its counsel of record, Stephen V. Goddard, Deputy Attorney General, pursuant to Rule 6.2 of the Rules and Regulations the Practice and Procedure of the Idaho Water Resources Department and respectfully petitions the Director to grant Fish and Game intervention in the above-referenced proceedings.

1. INTEREST OF FISH AND GAME

The Idaho Department of Fish and Game is duly established executive department of the State of Idaho, Section 36-101, Idaho Code.

The statutory policy of the State of Idaho is to preserve, protect, perpetuate, and manage all fish and wildlife. Section 36-103(a), Idaho Code. The Idaho Fish and Game, acting under the supervision of the Idaho Fish and Game Commission, has the responsibility to carry out that policy. Sections 36-102(a) and 36-103(b), Idaho Code.

Fish and Game petitions for intervention on several grounds. First, the applications, if approved, will have a negative impact on the fish and wildlife resources associated with the Teton River.

AUG 09 1994

Second, the applications are based on ground water pumping to replenish surface water diverted from Teton River with flow reduction impacts nine miles downstream to point of groundwater pumping. Approving this application would allow a significant withdrawal and subsequent flow reduction between the point of diversion and the groundwater pumping sites.

Third, the policy of allowing groundwater pumping to accrue storage credit sets a questionable policy. The monitoring of such an exchange is difficult if not impossible.

2. NATURE AND QUANTITY OF EVIDENCE PRESENTED

Fish and Game will present lay and expert testimony on the impact that approval of these applications would have on the fish and wildlife habitat and resources of the Teton River. Exhibits may also be presented to show the impact that approval of the application will have on the fish and wildlife habitat and resources associated with the Falls River and Conant Creek.

3. RELIEF SOUGHT

Fish and Game respectfully requests that these applications be denied or, if approved, conditions be placed that the applicant cannot use surface water, and that the developer must demonstrate that minimum flows for fish and wildlife remain in Teton River downstream from the redirection point.

Fish and Game also requests the Idaho Department of Water Resources examine its policy regarding approval of exchange wells located several miles downstream from the actual point of use

AUG 09 1994

especially where an applicant may be pumping surface water instead of groundwater. There should also be a condition that ensures any diversion is matched in time and amount by the recharge wells.

DATED this ____ day of July 1992.

Herbert Pollard II
Regional Supervisor
Department of Fish and Game
Region 6

AUG 09 1994



IDAHO FISH & GAME

REGION 6
1515 Lincoln Road
Idaho Falls, ID 83401-2198
(208) 525-7290

RECEIVED

JUL 29 1992

Department of Water Resources
Eastern District Office

July 21, 1992

Mr. Ron Carlson, Regional Supervisor
Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

Dear Ron:

Steve Elle talked with Skip Jones on July 20, 1992, regarding our filing an intervention request on the Canyon Creek lateral ditch water users. Skip indicated your office could provide the Certificate of Service to other protestants. I am writing to request your office provide the notification because we do not have a list of protestants on file.

Thank you for your help in this matter.

Sincerely,

Herbert A. Pollard II
Regional Supervisor
Region 6

HP:sf

Cecil D. Andrus / Governor
Jerry M. Conley / Director

Equal Opportunity Employer



Working for wildlife - since 1938

AUG 03 1992

NOTICE OF PROPOSED
CHANGE OF A WATER
RIGHT

NO. L22-07253/22-07508

Notice is hereby given that Canyon Creek Lateral Ditch Water Users has applied to the Department of Water Resources to exchange water and change nature of use of the waters of a groundwater source. The rights sought to be changed are evidenced by a license and permit and recorded as follows:

LICENSE NO. L22-7253

AMOUNT: 14.0 cfs

PRIORITY: 7/29/1977

POINT(S) OF DIVERSION: NESE SEC 36 T7N R40E (Groundwater well) Fremont County; SENE SEC 30 T7N R42E (Rediversion from Teton River) Madison County

The water is used from April 1 to November 1 to irrigate 1720 acres within the SE SEC 1 NE E $\frac{1}{2}$ SE SEC 12 T8N R41E; SWNW (LOT 5) NW $\frac{1}{2}$ W (LOT 6) SWSW (LOT 7) SESW SWSE SEC 6 NE NENW NWNW (LOT 1) SWNW (LOT 2) SENW NESW NWSW (LOT 3) SWSW (LOT 4) SESW SE

SEC 7 W $\frac{1}{2}$ NE SEC 8 T6N R42E; E $\frac{1}{2}$ SW SE SEC 31 N $\frac{1}{2}$ SW SEC 32 T7N R42E B.M.

PERMIT NO. 22-07508

AMOUNT: 14.0 cfs

PRIORITY: 6/26/1985

POINT(S) OF DIVERSION: NESE SEC 36 T7N R40E

(Groundwater well) Fremont County; SENE SEC 30 T7N R42E (Rediversion from Teton River) Madison County.

The water is used from April 1 to November 1 to irrigate 1320.2 acres within the S $\frac{1}{2}$ NE NWNW (LOT 4) SWNW SENW S $\frac{1}{2}$ SEC 5 NENE (LOT 1) NWNE (LOT 2) S $\frac{1}{2}$ NE NENW (LOT 3) SENW NESW N $\frac{1}{2}$ SE SESE SEC 6 W $\frac{1}{2}$ NE W $\frac{1}{2}$ SE SEC 8 T6N R42E; NESW SESW SE SEC 30 S $\frac{1}{2}$ NE SWNW (LOT 2) SENW SEC 31 SWSW NWSE SEC 32, T7N R42E, B.M.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

RECEIVED

No 23568

JUN 17 1992

I, Linda Capps McReuse being first duly sworn upon oath, depose

and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per TO BE CHANGED AS published in the regular and entire issue of said newspaper, and not in FOLLOWS:

The water will be diverted from the NESE SEC 36 T07N R40E, (Groundwater well) Fremont County and pumped into the Teton River for storage credit with the Fremont-Madison Irrigation District in the Island Park Reservoir and diverted from the SENE SEC 30 T7N R42E, Madison County and used to irrigate 3040.2 acres within the SE SEC 1 NE E $\frac{1}{2}$ SE SEC 12 T6N R41E; S $\frac{1}{2}$ NE NWNW (LOT 1) S $\frac{1}{2}$ NWSW SEC 5 NENE (LOT 1) NWNE (LOT 2) S $\frac{1}{2}$ NE NENW (LOT 3) SWNW (LOT 5) SENW NESW (LOT 6) SWSW (LOT 7) SESW SE SEC 6 NE NENW NWNW (LOT 1) SWNW (LOT 2) SENW NESW NWSW (LOT 3) SWSW (LOT 4) SESW SE SEC 7 W $\frac{1}{2}$ NE W $\frac{1}{2}$ W $\frac{1}{2}$ SE SEC 8 T6N R42E; E $\frac{1}{2}$ SW SE SEC 30 S $\frac{1}{2}$ NE SWNW (LOT 2) SENW E $\frac{1}{2}$ SW SE SEC 31 N $\frac{1}{2}$ SW SWSW NWSE SEC 32 T7N R42E, B.M.

if, for Two consecutive Weeks, issue dated May 7, 1992, sue dated May 14, 1992. I certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho heretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Sunday. The newspapers prior to consolidation had been published under said names in said city and county uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time it began daily publication under said name in said city and county continuously and that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which said legal notices will be published.

LS
I, Linda Capps McReuse, appeared before me, 28 day of May in the year of 1992, before me,

to be the person whose name subscribed to the within instrument, and being by me first the statements therein are true, and acknowledged to me that he executed the same.

Juwa R. Feltman

Notary Public for Idaho

Residing at

My commission expires: 5/19/94

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before May 25, 1992.
R. Keith Higginson
Director
PUBLISH: Thursday, May 7 and 14, 1992.

OK

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry T. Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF PROPOSED CHANGE
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
MAY 7, 1992

and the last publication having been
made on MAY 14, 1992

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

STATE OF IDAHO)
COUNTY OF MADISON)

on this 15TH day of MAY
in the year of 1992, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT
NO. L22-07253/22-07508

Notice is hereby given that Canyon
Creek Lateral Ditch Water Users has ap-
plied to the Department of Water
Resources to exchange water and
change nature of use of the waters of a
groundwater source. The rights sought to
be changed are evidenced by a license
and permit and recorded as follows:

LICENSE NO. L22-7253 AMOUNT:
14.0 cfs.

PRIORITY: 7/29/1977

POINT(S) OF DIVERSION: NESE SEC
36 T7N R40E (Groundwater well) Fremont
County; SENE SEC 30 T7N R42E
(Rediversion from Teton River) Madison
County.

The water is used from April 1 to
November 1 to irrigate 1,720 acres within
the SE SEC 1 NE E $\frac{1}{2}$ SE SEC 12 T6N
R41E; SWNW (LOT 5) NWSW (LOT 6)
SWSW (LOT 7) SESW SWSE SEC 6 NE
NENW NWNW (LOT 1) SWNW (LOT 2)
SENW NESW NWSW (LOT 3) SWSW
(LOT 4) SESW SE SEC 7 W $\frac{1}{2}$ SEC 8 T6N
R42E; E $\frac{1}{2}$ SW SE SEC 31 N $\frac{1}{2}$ SW SEC
32 T7N R42E B.m.

PERMIT NO. 22-07508 AMOUNT: 14.0
CFS.

PRIORITY: 6/26/1985

POINT(S) OF DIVERSION: NESE SEC
36 T7N R40E (Groundwater well) Fremont
County; SENE SEC 30 T7N R42E
(Rediversion from Teton River) Madison
County.

The water is used from April 1 to
November 1 to irrigate 1,320.2 acres
within the S $\frac{1}{2}$ NE NWNW (LOT 4) SWNW
SENW S $\frac{1}{2}$ SEC 5 NENE (LOT 1) NWNE
(LOT 2) S $\frac{1}{2}$ NE NENW (LOT 3) SENW
NESW N $\frac{1}{2}$ SE SESE SEC 6 W $\frac{1}{2}$ NE
W $\frac{1}{2}$ SE SEC 8 T6N R42E; NESW SESW
SE SEC 30 S $\frac{1}{2}$ NE SWNW (LOT 2) SENW
SEC 31 SWSW NWSE SEC 32, T7N
R42E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the
NESE SEC 36 T07N R40E (Ground-
water well) Fremont County and pumped
into the Teton River for storage credit with
the Fremont-Madison Irrigation District in
the Island Park Reservoir and diverted
from the SENE SEC 30 T7N R42E,
Madison County and used to irrigate
3,040.2 acres within the SE SEC 1 NE
E $\frac{1}{2}$ SE SEC 12 T6N R41E; S $\frac{1}{2}$ NE NWNW
(LOT 1) S $\frac{1}{2}$ NW S $\frac{1}{2}$ SEC 5 NENE (LOT 1)
NWNE (LOT 2) S $\frac{1}{2}$ NE NENW (LOT 3)
SWNW (LOT 5) SENW NESW NWSW
(LOT 6) SWSW (LOT 7) SESW SE SEC 6
NE NENW NWNW (LOT 1) SWNW (LOT
2) SENW NESW NWSW (LOT 3) SWSW
(LOT 4) SESW SE SEC 7 W $\frac{1}{2}$ NE W $\frac{1}{2}$
W $\frac{1}{2}$ SE SEC 8 T6N R42E; E $\frac{1}{2}$ SW SE
SEC 30 S $\frac{1}{2}$ NE SWNW (LOT 2) SENW
E $\frac{1}{2}$ SW SE SEC 31 N $\frac{1}{2}$ SW SWSW
NWSE SEC 32 T7N R42E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83402, on or
before May 25, 1992.

R. KEITH HIGGINSON
Director
Publ. May 7 and 14, 1992J.

AUG 09 1994

OK

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

TERRY WEATHERSTON being
first duly sworn, depose and say, that I
am the printer of THE STANDARD-JOURNAL,
a semi-weekly newspaper printed and
published semi-weekly at Rexburg,
Madison County, Idaho; and I do solemnly
swear that the
NOTICE CHANGE WATER RIGHTS a copy
of which notice appears attached hereto,
as published in the regular and entire
issue of said newspaper, and not in any
supplement issue thereof for
TWO consecutive issues, the
first publication having been made on
MAY 7, 1992 and the last
publication having been made on
MAY 14, 1992

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under the Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy eight
consecutive weeks prior to the first
publication of the said notice.

Terry Weatherston
STATE OF IDAHO)
COUNTY OF MADISON)

On this 15TH day of MAY in
the year of 1992, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me
to be the person whose name subscribed
in the within instrument, and being by
me first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Joseph C. [Signature]
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT
NO. L22-07253/22-07508

Notice is hereby given that Canyon
Creek Lateral Ditch Water Users has ap-
plied to the Department of Water

Resources to exchange water and
change nature of use of the waters of a
groundwater source. The rights sought to
be changed are evidenced by a license
and permit and recorded as follows:

LICENSE NO. L22-7253 AMOUNT:
14.0 cfs.

PRIORITY: 7/29/1977
POINT(S) OF DIVERSION: NESE SEC
36 T7N R40E (Groundwater well) Fremont
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(Rediversion from Teton River) Madison
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The water is used from April 1 to
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the SE SEC 1 NE E $\frac{1}{2}$ SE SEC 12 T6N
R41E; SWNW (LOT 5) NWSW (LOT 6)
SWSW (LOT 7) SESW SWSE SEC 6 NE
NENW NWNW (LOT 1) SWNW (LOT 2)
SESW NESW NWSW (LOT 3) SWSW
(LOT 4) SESW SE SEC 7 W $\frac{1}{2}$ SEC 8 T6N
R42E; E $\frac{1}{2}$ SW SEC 31 N $\frac{1}{2}$ SW SEC
32 T7N R42E B.M.

PERMIT NO. 22-07508 AMOUNT: 14.0
CFS.

PRIORITY: 6/26/1985
POINT(S) OF DIVERSION: NESE SEC
36 T7N R40E (Groundwater well) Fremont
County; SENE SEC 30 T7N R42E
(Rediversion from Teton River) Madison
County.

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within the S $\frac{1}{2}$ NE NWNW (LOT 4) SWNW
SESW S $\frac{1}{2}$ SEC 5 NENE (LOT 1) NWNE
(LOT 2) S $\frac{1}{2}$ NE NENW (LOT 3) SENW
NESW N $\frac{1}{2}$ SE SESE SEC 6 W $\frac{1}{2}$ NE
W $\frac{1}{2}$ SE SEC 8 T6N R42E; NESW SESW
SE SEC 30 S $\frac{1}{2}$ NE SWNW (LOT 2) SENW
SEC 31 SWSW NWSE SEC 32 T7N
R42E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the
NESE SEC 36 T7N R40E, (Ground-
water well) Fremont County and pumped
into the Teton River for storage credit with
the Fremont-Madison Irrigation District in
the Island Park Reservoir and diverted
from the SENE SEC 30 T7N R42E,
Madison County and used to irrigate
3,040.2 acres within the SE SEC 1 NE
E $\frac{1}{2}$ SE SEC 12 T6N R41E; S $\frac{1}{2}$ NE NWNW
(LOT 1) S $\frac{1}{2}$ NW S $\frac{1}{2}$ SEC 5 NENE (LOT 1)
NWNE (LOT 2) S $\frac{1}{2}$ NE NENW (LOT 3)
SWNW (LOT 5) SENW NESW NWSW
(LOT 6) SWSW (LOT 7) SESW SE SEC 6
NE NENW NWNW (LOT 1) SWNW (LOT
2) SENW NESW NWSW (LOT 3) SWSW
(LOT 4) SESW SE SEC 7 W $\frac{1}{2}$ NE W $\frac{1}{2}$
W $\frac{1}{2}$ SE SEC 8 T6N R42E; E $\frac{1}{2}$ SW SEC
30 S $\frac{1}{2}$ NE SWNW (LOT 2) SENW
E $\frac{1}{2}$ SW SEC 31 N $\frac{1}{2}$ SW SWSW
NWSE SEC 32 T7N R42E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83402, on or
before May 25, 1992.

R. KEITH HIGGINSON
Director
Publ. May 7 and 14, 1992HC.

AUG 09 1992

012

June 13, 1994

Canyon Creek Lateral Ditch Association
c/o Grant Klingler
PO Box 215
Newdale ID 83436

Mr. Klingler:

You asked that I write you about the status of Canyon Creek Lateral's application for transfer (copy enclosed). I find that the proposal will take groundwater from the Trustwater area and exchange it for surface water in the Non-Trustwater area. This would result, in my opinion, in a violation of the current Moratorium.

There may be other problems that develop within Water District 01, but this proposal does not seem to have a future under current guidelines.

I would propose that you consider what action you want to take on this application. If you wish to withdraw it, please let me know.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ:lk

enclosure

AUG 30 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Dennis M. Dunn
22-7253

1. Right number 22-7508 (permit) Applicant Canyon Creek lateral ditch users
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other Change Nature of use
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred. NA
 - h. ☐ Check for expansion in use of right. Comments _____
 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 01

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

4. By _____ Date _____

APPLICATION FOR TRANSFER OF

WATER RIGHT NO. 22-7253/
22-7508

WATER DISTRICT 01

WATERMASTER Ronald D Carlson

DATE: 6/1/92

COMMENTS: Approval of this transfer
should be limited to the
emergency that exists this
year.

☐ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

The director retain jurisdiction and
Pumping for credit not be
approved for future years unless
drought conditions leave no alternatives.

Ronald D Carlson
Watermaster

RECEIVED

AUG 09 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

28-May-1992

GRANT KLINGLER
CANYON CREEK LATERAL DITCH WATER USERS
PO BOX 215
NEWDALE ID 83436

RE: Application for Transfer of Water Right
No. L22-7253/22-7508

Dear Mr. Klingler:

Enclosed please find a copy of a protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the three items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

RECEIVED

AUG 09 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

28-May-1992

HERBERT A POLLARD II
ID FISH & GAME
1515 LINCOLN RD
IDAHO FALLS ID 83401-2198

RE: App. for Transfer No. L22-7253/22-7508
Canyon Creek Lateral Ditch Water Users

Dear Mr. Pollard:

This letter acknowledges receipt of the protest filed against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

AUG 09 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

28-May-1992

BRUCE M SMITH
ROSHOLT ROBERTSON & TUCKER
PO BOX 2139
TWIN FALLS ID 83701-2139

RE: App. for Transfer No. L22-7253/22-7508
Canyon Creek Lateral Ditch Water Users

Dear Mr. Smith:

This letter acknowledges receipt of the protest filed against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

RECEIVED
AUG 09 1994



IDAHO FISH & GAME

REGION 6
1515 Lincoln Road
Idaho Falls, ID 83401-2198
(208) 525-7290

May 21, 1992

RECEIVED

MAY 27 1992

Department of Water Resources
Eastern District Office

Mr. Harold Jones
Idaho Department of Water Resources
Eastern Regional Office
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

RE: Change of Water Right - L22-07253/22-07508

Dear Skip:

Idaho Department of Fish and Game hereby files a protest to the referenced proposal for change of water right by the Canyon Creek Lateral Ditch Water Users. The following are our reasons for protest.

1. Canyon Creek is already over appropriated. This apparently would increase the length of time water would be pumped compared with current practices.
2. We are opposed to the concept of pumping groundwater to "earn" storage rights at a later time.
3. The location of the groundwater well is in the area where shallow and deep groundwater aquifers merge based on the Bruce Arnold hearing. We request proof the groundwater well in question is not drawing from the shallow aquifer.
4. It appears water within the trust water area will be used outside the trust water area. We question the appropriateness of such a permit.

Thank you for the opportunity to comment.

Sincerely,

Herbert A. Pollard II
Regional Supervisor
Region 6

HAP:SE:ab

cc: U.S. Fish and Wildlife Service (Lobdell)
Army Corps of Engineers (Idaho Falls)
Bureau of Program Coordination

Cecil D. Andrus / Governor
Jerry M. Conley / Director

Equal Opportunity Employer



Working for wildlife - since 1938

RECEIVED

AUG 09 1994

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD
D. BERNARD ZALEHA

Boise Office
1221 W. IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

May 18, 1992

Idaho Department of Water Resources
150 Shoup Ave.
Idaho Falls, ID 83402

RE: Canyon Creek Lateral Ditch Water Users

Sir\Madam:

Enclosed is an original Notice of Protest and copy thereof. Please keep the original for your records and return a copy stamped "Received" to our office in the enclosed envelope. Thank you for your assistance.

Sincerely,


Darla Joyce
Secretary to Bruce Smith

AUG 09 1994

ORIGINAL

RECEIVED

MAY 20 1992

Department of Water Resources
Eastern District Office

James C. Tucker
Bruce M. Smith
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 2139
Twin Falls, Idaho 83701-2139
Telephone: (208) 336-0700
734-0700

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. L22-07253 and L22-07508)
Applicant: Canyon Creek)
Lateral Ditch Water Users)

NOTICE OF PROTEST

Idaho Power Company (hereinafter the Protestant), by and through its attorneys, Rosholt, Robertson & Tucker, files its Notice of Protest to the approval of Notice of Proposed Change of a Water Right No. L22-07253 and L22-07508 filed in the name of Canyon Creek Lateral Ditch Water Users. The basis for the Protestant's protest is as follows:

1. The application filed by the applicant seeks to divert waters held in trust by the state of Idaho under Idaho Code Section 42-203(B) and, as a result, said application should be processed by the Department as a trust water diversion; and

2. The proposed diversion and use of the waters described in the aforesaid application violate all, or a portion of, the criteria set forth in Idaho Code Sections 42-203(A)(5) and 42-203(C); and

AUG 09 1994

1 3. For such other and further reasons as may be set forth at
2 the hearing on this matter.

3 DATED this 18th day of May, 1992.

4
5 ROSHOLT, ROBERTSON & TUCKER

6
7 By: Bruce M. Smith
8 Bruce M. Smith

9 CERTIFICATE OF MAILING

10 I hereby certify that on this 18th day of May, 1992, I served
11 a copy of the foregoing NOTICE OF PROTEST, by depositing same in
12 the United States mail, postage prepaid, in an envelope, addressed
13 to the following:

14 Idaho Department of Water Resources
15 150 Shoup Ave.
16 Idaho Falls, Idaho 83402

17 Canyon Creek Lateral Ditch Water Users
18 HC60
19 P.O. Box 1066
20 Newdale, ID 83436

21
22 Bruce M. Smith
23 Bruce M. Smith
24
25
26

AUG 09 1994

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 051492

INVOICE No.

L00327424

Account No. 446600

L22-07253

Description 27424NOTIC

Times 2

Lines 83

Tab Lines

LEGAL ADVERTISING
INVOICE

SOLD TO:

DEPT OF WATER RESOURCES
150 SHOUP
IDAHO FALLS
ID 83402

\$ 93.38

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO, ss.
County of Nez Perce

MAY 25 1992

Department of Water Resources

Eastern District Office

Sue Baumeister

being duly sworn

deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF PROPOSED

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication beginning on 050792 WEEK 2 for 2 consecutive WEEKS or once publication thereof being on the 050792, and the last publication thereof being on the 051492, and said.

NOTICE OF PROPOSED

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication set forth above.

Sue Baumeister

SUBSCRIBED AND SWORN BEFORE ME THIS THE 21 day of May 1992

Sheryl M. Lantz

Notary Public in and for the State of Idaho
residing at Lewiston, therei

NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT

NO. L22-07253/22-07508

Notice is hereby given that Canyon Creek Lateral Ditch Water Users has applied to the Department of Water Resources to exchange water and change nature of use of the waters of a groundwater source. The rights sought to be changed are evidenced by a license and permit and recorded as follows:

LICENSE NO. L22-7253

AMOUNT: 14.0 cfs

PRIORITY: 7/29/1977

POINT(S) OF DIVERSION:

NESE SEC 36 T7N R40E

(GROUNDWATER well) Fremont County: SENE SEC 30 T7N

R42E (Rediversion from Teton River Madison County

The water is used from April 1 to

November 1 to irrigate 1720 acres

within the SE SEC 1 NE E1/2SE SEC

12 T6N R41E; SWNW(LOT 5)

NWSW(LOT 6) SWSW(LOT 7) SESW

SWSE SEC 6 NE NENW

NWNW(LOT 1) SWNW(LOT 2)

SENE SEC 30 T7N R42E

(Rediversion from Teton River Madison County

The water is used from April 1 to

November 1 to irrigate 1320.2 acres

within the S1/2NE NWNW(LOT 4)

SWNW SENW S1/2 SEC 5 NE

NE(LOT 1) NWNE(LOT 2) S1/2NE

NENW(LOT 3) SENW NESW

N1/2SE SESE SEC 6 W1/2NE W1/2SE

SEC 8 T6N R42E; NESW SESW SE

SEC 30 S1/2NE SWNW(LOT 2)

SENE SEC 31 SWSW NWSE SEC 32,

T7N R42E, B.M.

PERMIT NO. 22-07508

AMOUNT: 14.0 cfs

PRIORITY: 6/26/1985

POINT(S) OF DIVERSION: NESE

SEC 36 T7N R40E (Groundwater

well) Fremont County: SENE SEC 30

T7N R42E (Rediversion from Teton

River) Madison County

The water is used from April 1 to

November 1 to irrigate 1320.2 acres

within the S1/2NE NWNW(LOT 4)

SWNW SENW S1/2 SEC 5 NE

NE(LOT 1) NWNE(LOT 2) S1/2NE

NENW(LOT 3) SENW NESW

N1/2SE SESE SEC 6 W1/2NE W1/2SE

SEC 8 T6N R42E; NESW SESW SE

SEC 30 S1/2NE SWNW(LOT 2)

SENE SEC 31 SWSW NWSE SEC 32,

T7N R42E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the

NESE SEC 36 T7N R40E, (Ground-

water well) Fremont County and

pumped into the Teton River for

storage credit with the Fremont-

Madison Irrigation District in the Is-

land Park Reservoir and diverted

from the SENE SEC 30 T7N R42E,

Madison County and used to irrigate

3040.2 acres within the SE SEC 1 NE

E1/2SE SEC 12 T6N R41E; S1/2NE

NWNW(LOT 1) S1/2NW S1/2 SEC 5

NENE(LOT 1) NWNE(LOT 2)

S1/2NE NENW(LOT 3) SWNW(LOT

5) SENW NESW NWSW(LOT 6)

SWSW(LOT 7) SESW SE SEC 6 NE

NENW NWNW(LOT 1) SWNW(LOT

2) SENW NESW NWSW(LOT 3)

SWSW(LOT 4) SESW SE SEC 7

W1/2NE W1/2 W1/2SSE SEC 8 T6N

R42E; E1/2SW SE SEC 30 S1/2NE

SWNW(LOT 2) SENW E1/2SW SE

SEC 31 N1/2SW SWSW NWSE SEC 32

T7N R42E, B.M.

Any protests against the proposed

change must be filed with the Idaho

Department of Water Resources, 150

Shoup Ave., Idaho Falls, ID, 83402,

on or before May 25, 1992.

R. Keith Higginson
Director

AUG 09 1994

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

108.75

Account Number 100564		Identification NOTICE OF PORPOSED CHANGE OF A WATER RIGHT	
Ordered By Rita Bodell	P.O. Number	Rate NT	Run Dates May 7, 14, 1992
State of Idaho Department of Water Resources 150 Shoup Avenue, Suite 15 Idaho Falls, Idaho 83402		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 2118

KAREN MARKER

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. L22-07253/22-07508

Notice is hereby given that Canyon Creek Lateral Ditch Water Users has applied to the Department of Water Resources to exchange water and change nature of use of the waters of a groundwater source. The rights sought to be changed are evidenced by a license and permit and recorded as follows:

LICENSE NO. L22-7253

AMOUNT: 14.0 cfs

PRIORITY: 7/29/1977

POINT(S) OF DIVERSION: NESE SEC 36 T7N R40E (Groundwater well) Fremont County; SENE SEC 30 T7N R42E (Rediversion from Teton River) Madison County

Madison County

The water is used from April 1 to November 1 to irrigate 1720 acres within the SE SEC 1 NE EI/2SE SEC 12 T6N R41E; SWNW(LOT 5) NWSW(LOT 6) SWSW(LOT 7) SESW-SWSE SEC 6 NE NENW(LOT 1) SWNW(LOT 2) SENW NESW NWSW(LOT 3) SWSW(LOT 4) SESW SE SEC 7 W1/2 SEC 8 T6N R42E; EI/2SW SE SEC 31 N1/2SW SEC 32 T7N R42E B.M.

PERMIT NO. 22-07508

AMOUNT: 14.0 cfs

PRIORITY: 6/26/1985

POINT(S) OF DIVERSION: NESE SEC 36 T7N R40E (Groundwater well) Fremont County; SENE SEC 30 T7N R42E (Rediversion from Teton River) Madison County

The water is used from April 1 to November 1 to irrigate 1320.2 acres within the S1/2NE NWNW(LOT 4) SWNW SENW S1/2 SEC 5 NENE(LOT 1) NWNE(LOT 2) S1/2NE NENW(LOT 3) SENW NESW N1/2SE SESE SEC 6 W1/2NE W1/2SE SEC 8 T6N R42E; NESW SESW SE SEC 30 S1/2NE SWNW(LOT 2) SENW SEC 31 SWSW NWSE SEC 32 T7N R42E, B.M.

TO BE CHANGED AS FOLLOWS: The water will be diverted from the NESE SEC 36 T07N R40E, (Groundwater well) Fremont County and pumped into the Teton River for storage credit with the Fremont-Madison Irrigation District in the Island Park Reservoir and diverted from the SENE SEC 30 T7N R42E, Madison County and used to irrigate 3040.2 acres within the SE SEC 1 NE EI/2SE SEC 12 T6N R41E; S1/2NE NWNW(LOT 1) S1/2NW S1/2 SEC 5 NENE(LOT 1) NWNE(LOT 2) S1/2NE NENW(LOT 3) SWNW(LOT 5) SENW NESW NWSW(LOT 6) SWSW(LOT 7) SESW SE SEC 6 NE NENW NWNW(LOT 1) SWNW(LOT 2) SENW NESW NWSW(LOT 3) SWSW(LOT 4) SESW SE SEC 7 W1/2NE W1/2 SEC 8 T6N R42E; EI/2SW SE SEC 30 S1/2NE SWNW(LOT 2) SENW EI/2SW SE SEC 31 N1/2SW SWSW NWSE SEC 32 T7N R42E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before May 25, 1992.

R. Keith Higginson
Director

Pub. May 7, 14, 1992

being duly That she is the Principal Clerk of The newspaper printed and published at Boise, Idaho, and having a general circulation therein, and having been continuously and uninterruptedly during a period of twelve consecutive publication of the notice, a copy of which is notice was published in The Idaho with Section 60-108, Idaho Code as TWO

☐ consecutive daily ☐ single ☐ odd skip

with the issue of MAY 7, 1992

on MAY 14, 1992

Karen Marker

ss.

day of MAY in the year of me, a Notary Public, personally appeared KAREN MARKER, known or identified to whose name subscribed to the within instrument, duly sworn, declared that the statements therein recited to me that she executed the same.

Notary Public for Idaho
Residing at BOISE, ID

My commission expires: 11/27/93

MAY 15 1992

2118

Department of Water Resources
Eastern District Office

AUG 09 1994

pb

OK

04-May-1992

CANYON CREEK LATERAL
DITCH WATER USERS
PO BOX 116
NEWDALE ID 83436

RE: Application No. L22-7253/22-7508

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the RECORDER HERALD & statewide on 5-7 & 14-92. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,



HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECORDED

AUG 09 1994

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. L22-07253/22-07508

Notice is hereby given that Canyon Creek Lateral Ditch Water Users has applied to the Department of Water Resources to exchange water and change nature of use of the waters of a groundwater source. The rights sought to be changed are evidenced by a license and permit and recorded as follows:

LICENSE NO. L22-7253 AMOUNT: 14.0 cfs

PRIORITY: 7/29/1977

POINT(S) OF DIVERSION: NESE SEC 36 T7N R40E (Groundwater well)Fremont County; SENE SEC 30 T7N R42E (Rediversion from Teton River)Madison County

The water is used from April 1 to November 1 to irrigate 1720 acres within the SE SEC 1 NE E1/2SE SEC 12 T6N R41E; SWNW(LOT 5) NWSW(LOT 6) SWSW(LOT 7) SESW SWSE SEC 6 NE NENW NWNW(LOT 1) SWNW(LOT 2) SENW NESW NWSW(LOT 3) SWSW(LOT 4) SESW SE SEC 7 W1/2 SEC 8 T6N R42E; E1/2SW SE SEC 31 N1/2SW SEC 32 T7N R42E B.M.

PERMIT NO. 22-07508 AMOUNT: 14.0 cfs

PRIORITY: 6/26/1985

POINT(S) OF DIVERSION: NESE SEC 36 T7N R40E (Groundwater well)Fremont County; SENE SEC 30 T7N R42E (Rediversion from Teton River)Madison County

The water is used from April 1 to November 1 to irrigate 1320.2 acres within the S1/2NE NWNW(LOT 4) SWNW SENW S1/2 SEC 5 NENE(LOT 1) NWNE(LOT 2) S1/2NE NENW(LOT 3) SENW NESW N1/2SE SESE SEC 6 W1/2NE W1/2SE SEC 8 T6N R42E; NESW SESW SE SEC 30 S1/2NE SWNW(LOT 2) SENW SEC 31 SWSW NWSE SEC 32, T7N R42E, B.M.

AUG 09 1985

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESE SEC 36 T07N R40E, (Groundwater well) Fremont County and pumped into the Teton River for storage credit with the Fremont-Madison Irrigation District in the Island Park Reservoir and diverted from the SENE SEC 30 T7N R42E, Madison County and used to irrigate 3040.2 acres within the SE SEC 1 NE E1/2SE SEC 12 T6N R41E; S1/2NE NWNW(LOT 1) S1/2NW S1/2 SEC 5 NENE(LOT 1) NWNE(LOT 2) S1/2NE NENW(LOT 3) SWNW(LOT 5) SENW NESW NWSW(LOT 6) SWSW(LOT 7) SESW SE SEC 6 NE NENW NWNW(LOT 1) SWNW(LOT 2) SENW NESW NWSW(LOT 3) SWSW(LOT 4) SESW SE SEC 7 W1/2NE W1/2 W1/2SE SEC 8' T6N R42E; E1/2SW SE SEC 30 S1/2NE SWNW(LOT 2) SENW E1/2SW ' SE SEC 31 N1/2SW SWSW NWSE SEC 32 T7N R42E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before May 25, 1992.

R. Keith Higginson
Director

Published statewide on May 7 & 14, 1992.

RECEIVED
MAY 29 1992

September 10, 1990

CANYON CREEK LATERAL DITCH WATER USERS
C/O GRANT KLINGLER
P.O. BOX 116
NEWDALE, ID 83436

RE: PERMIT NO. 22-07253

Dear Permit Holder(s):

We previously forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue the license.

As of this date, we have not received the amendment. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

9 1994

March 7, 1990

CANYON CREEK LATERAL DITCH WATER USERS
C/O GRANT KLINGLER
P.O. BOX 116
NEWDALE, ID 83436

RE: PERMIT NO. 22-07253

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

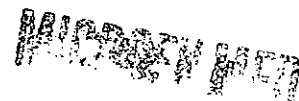
If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure


AUG 09 1994

DEC 10 1986

Department of Water Resources

Permit No. 22-7253

Phone No. 450-4231

1. Owner: CANYON CREEK LATERAL DITCH WATER USERS ASSOC
Current Address: Box 116 NEWDALE, IDAHO 83436

2. Accompanied by: GRANT KLINGLER EXAM. DATE: 18 July 1985
Address: Same Phone No. _____
Relationship to Permit Holder: PRESIDENT OF ASSOCIATION

3. Source: GROUNDWATER tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
EXCHANGE - RECHARGE WELL	WESTINGHOUSE 1780	250	7705	JOHNSTON	LOG135CE

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
WELL PUMP WITH OPEN DISCHARGE TO RIVER THRU TETON CANAL WITH REDIVERSION
OF TETON RIVER WATER WITHIN SE 1/4 NE 1/4 Sec 30 T7N R42E.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
TOTALIZING FLOW METER		McROMETER		78-14-125		

7. Measurements *0.01 af in 30 sec* ☐ Additional data/computation sheets attached

14" diam. mainline
44 1/8" circ

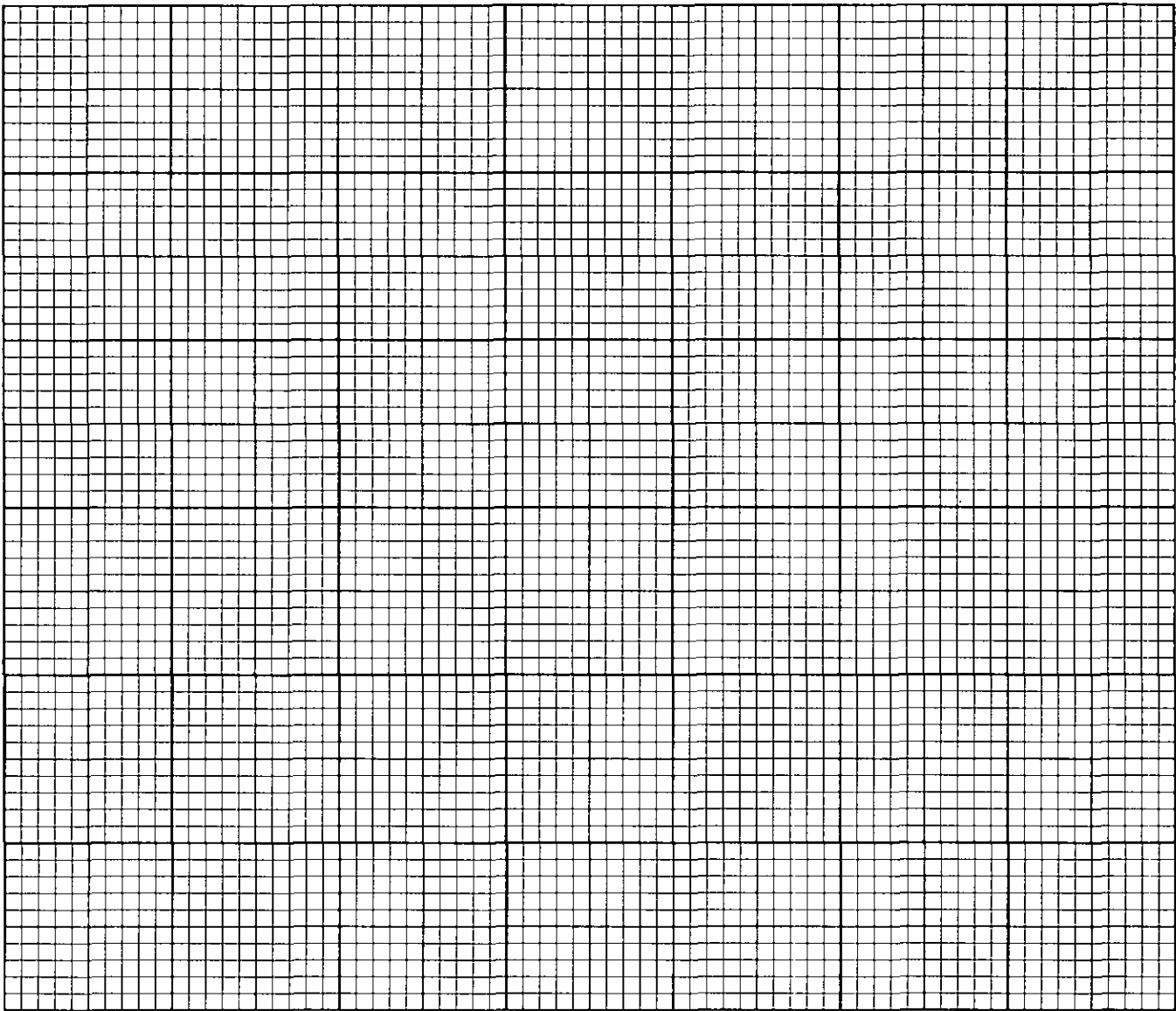
8. Point(s) of Diversion:	Indicate Method of Determination
---------------------------	----------------------------------

[illegible]

9. Place(s) of Use: SEE ATTACHED LAND LIST Irrigation - give acres served by system at time of exam. Indicate Method of Determination ASCS Aerial

[illegible]

10. Other water rights on these lands See license report
11. Other water right diverted from same p.d. See license report
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ **Photo of Diversion & System Attached**
- ☒ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks

15. Recommended Amendments
- ☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None
- ☐ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature Keith C. Wilson Date 18 July 1985

Consultant's License Number

IDWR Director's Authorization to Conduct

Beneficial Use Examination

Date

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7253

Permit No.

RECEIVED

DEC 10 1986

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

0.01 af in 30 sec

$$\frac{0.01 \text{ af}}{30 \text{ sec}} \times 43560 \frac{\text{ft}^2}{\text{ac}} = 14.52 \text{ cfs}$$

$$Q = 14.52 \text{ cfs}$$

$$Q_{\text{LIMITED BY PERMIT TO}} = 14.00 \text{ cfs}$$

- b) Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1720 \text{ ac} \times 3.5 \text{ af/ac} = 6020$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 14.0 \times 214 \times 1.9835 = 5942.57 \text{ af}$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 5942.57 \text{ af}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: 22-0195/0196 (Teton River) 22-7015 (Groundwater)
LAPSED
22-7213 (Permit) 22-0163

- b) Other water rights with same point of diversion: 22-0195/0196/7276 (Diversion from Teton River)

- c) Analysis: R30

22-7213 - dry hole

R17 (22-0163
22-0195
22-0196
22-7276) 2904 cfs thru diversion from Teton River

RECEIVED
AUG 09 1994

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	22-7253					

4. Permit Holder: _____

Address: _____

5. Source: Groundwater tributary to _____

6. Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>Irrigation</u>	<u>4/1</u>	<u>11/1</u>	<u>14.0 cfs</u>	<u>5942.57</u>

Allowable Maximums: 14.0 cfs 5942.57

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	41E	1													8	1	27	34	70
		12	39	40	39	38			(L5)2			(L6)2	(L7)2		38			39	233
6N	42E	6							29			20	38	36			40		163
		7	40	40	40	40	40	38	38	40	40	38	38	39	40	40	39	39	629
		8						41	42			43	44						
		8					40	40	40	40	40	40	39	39					318
7N	42E	31									40			38	36	40	37	37	228
		32									40	39							79
Total Acres																			1720

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

AUG 09 1994

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

11. Examiner's Signature Keith G. Wilcox

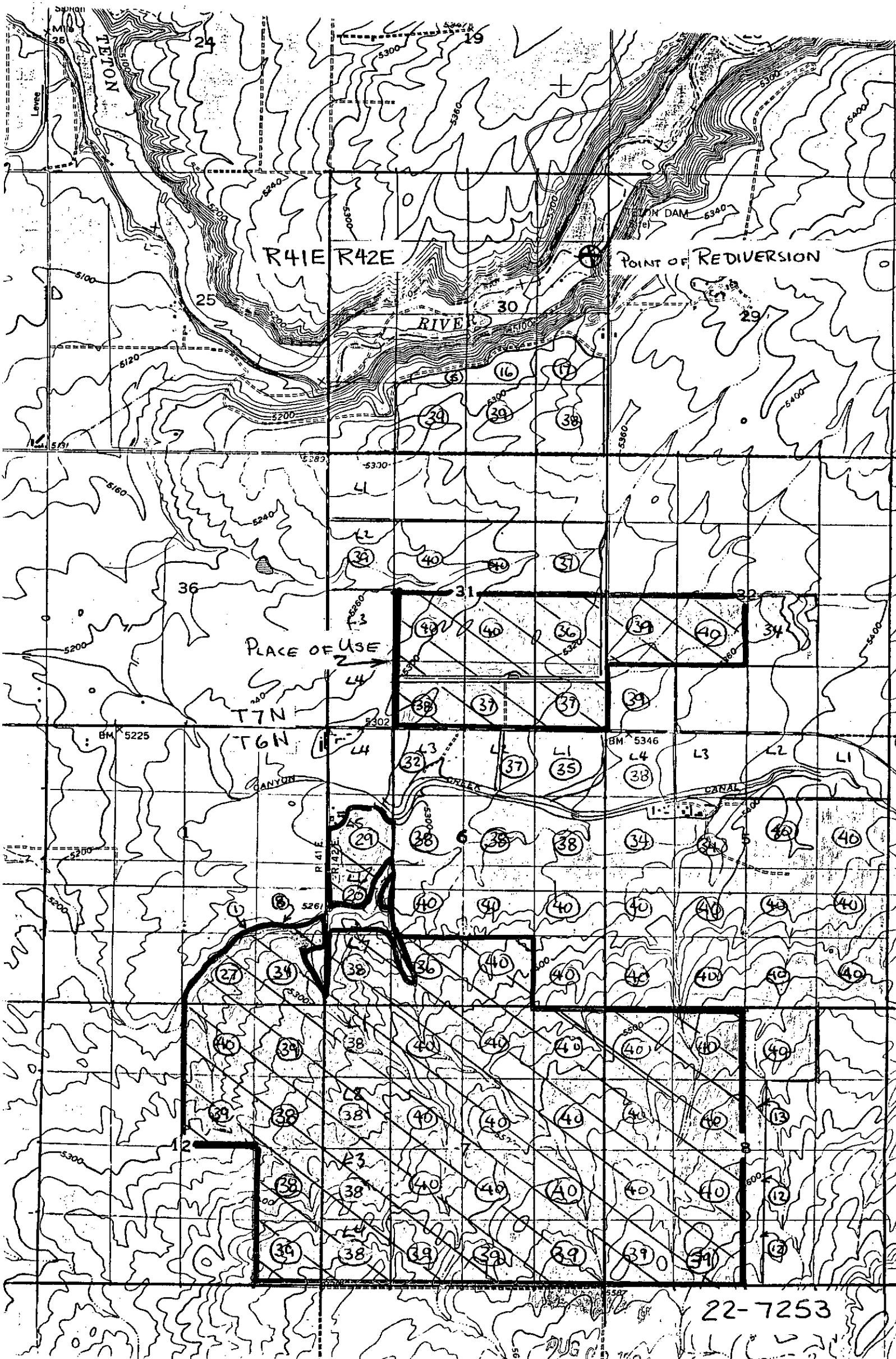
Date 5 Dec 1986

Checked in Regional Office by Jim Keener

Date 12/9/86

Approved in State Office by Don

Date 4/12/89



IRRIGATED UNDER THIS SYSTEM - RECOMMENDED ACREAGE FOR
LICENSING CONTAINED IN ITEM #8 OF LICENSING REPORT

Description and location of place of use:

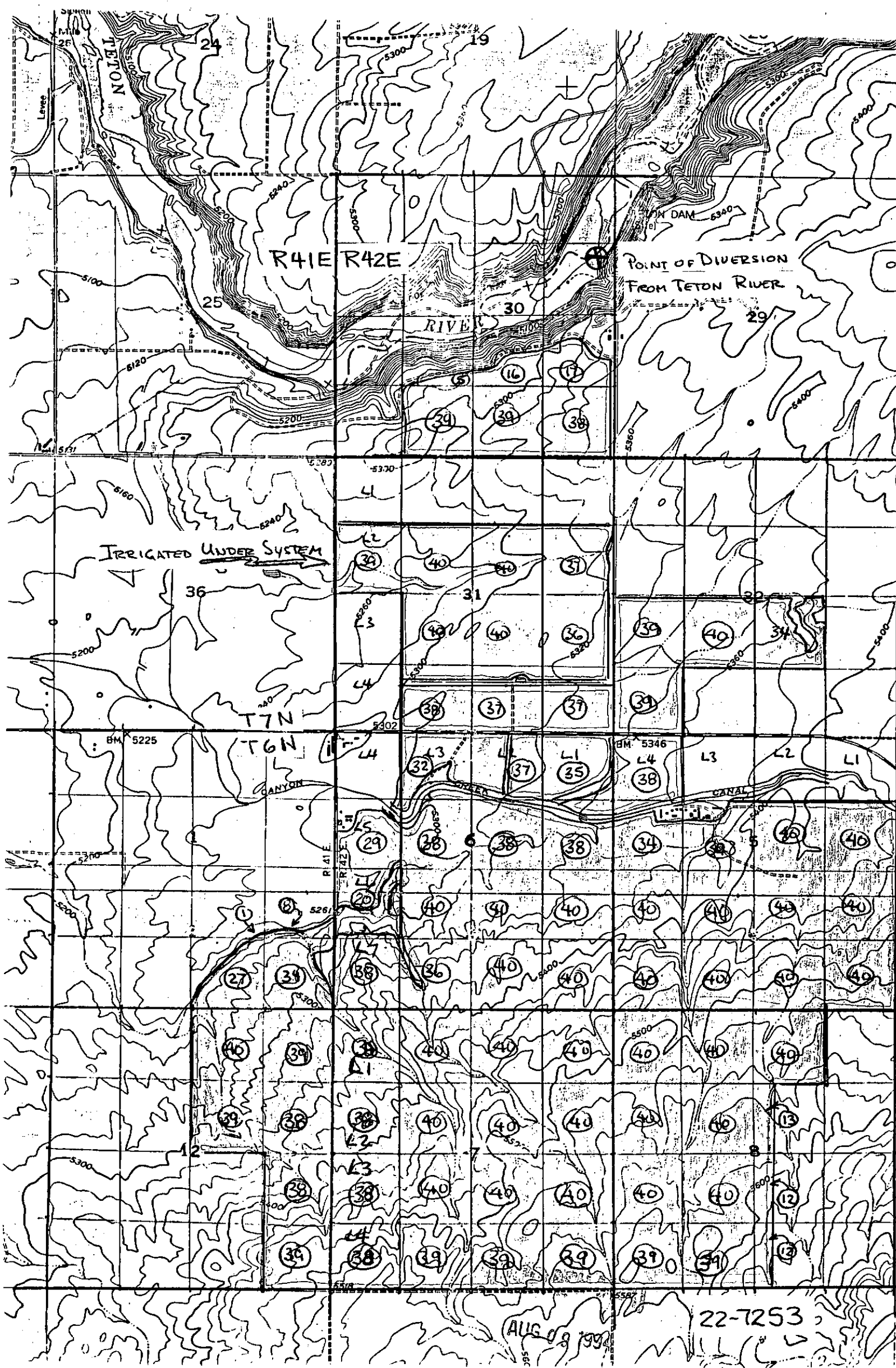
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Total number of acres irrigated _____

22-7253

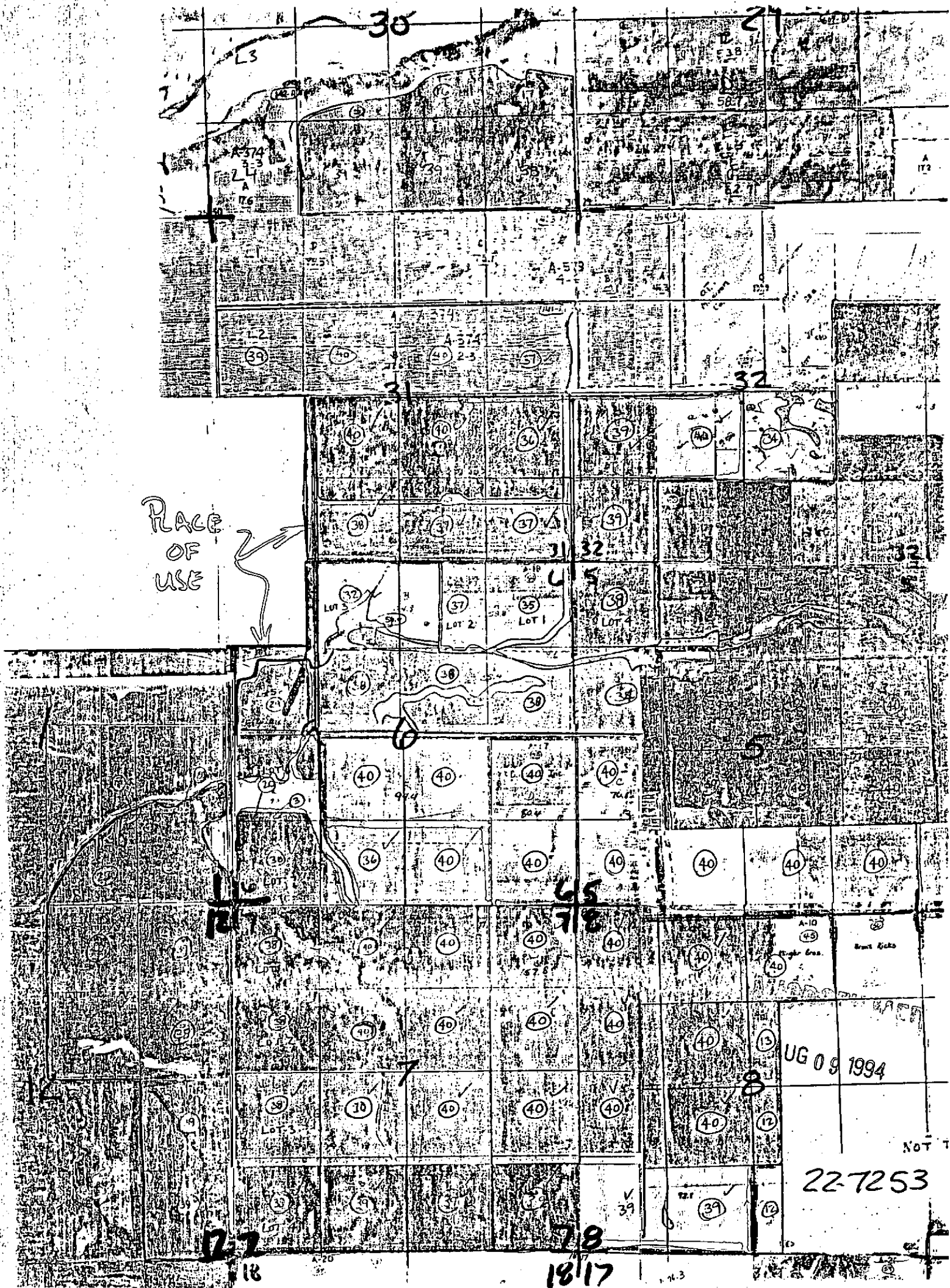
RECEIVED

4112



AUG 28 1992

22-7253



PLACE
OF
USE

UG 09 1994

22-7253

1817

1-2

Recliversion

L2

L3

538

587

645

627

R-374

3-3

L4

A

176

39

39

38

L1

D

73.5

C

75.1

A-579

4-4

8

42.1

A

46.3

R42E

L2

39

40

40

A-374

2-3

37

L3

40

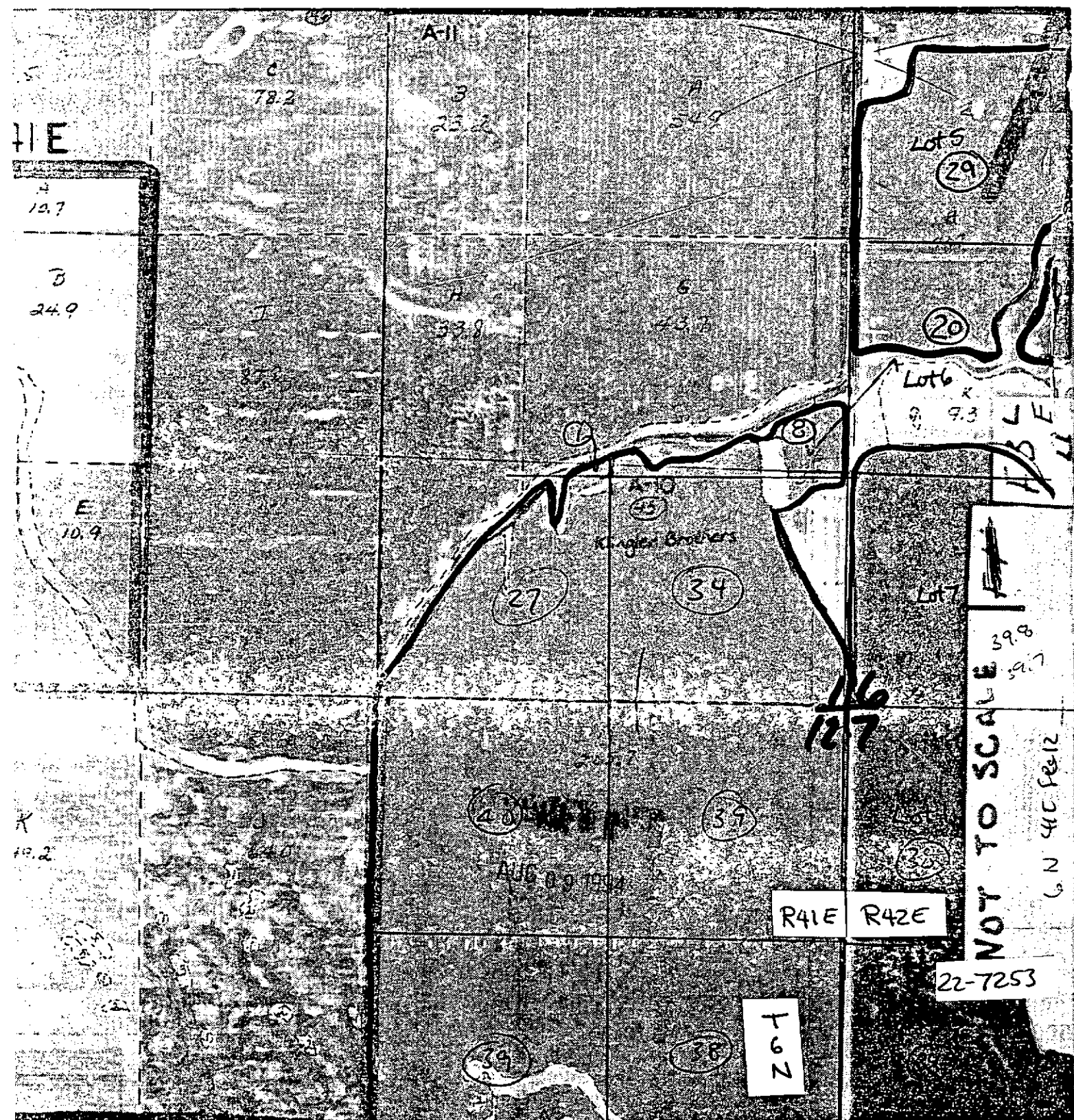
40

36

L4

22-7253

AUG 7.9 1901



OP-T.K. Baker

975

D
140.9

32

10.3 11.0

R42E
T
7
N

B
47.3

40

34

20

C
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32 33

D

32.7

A
38.8

B

32.9

34.3

38.5

40

40

5

40

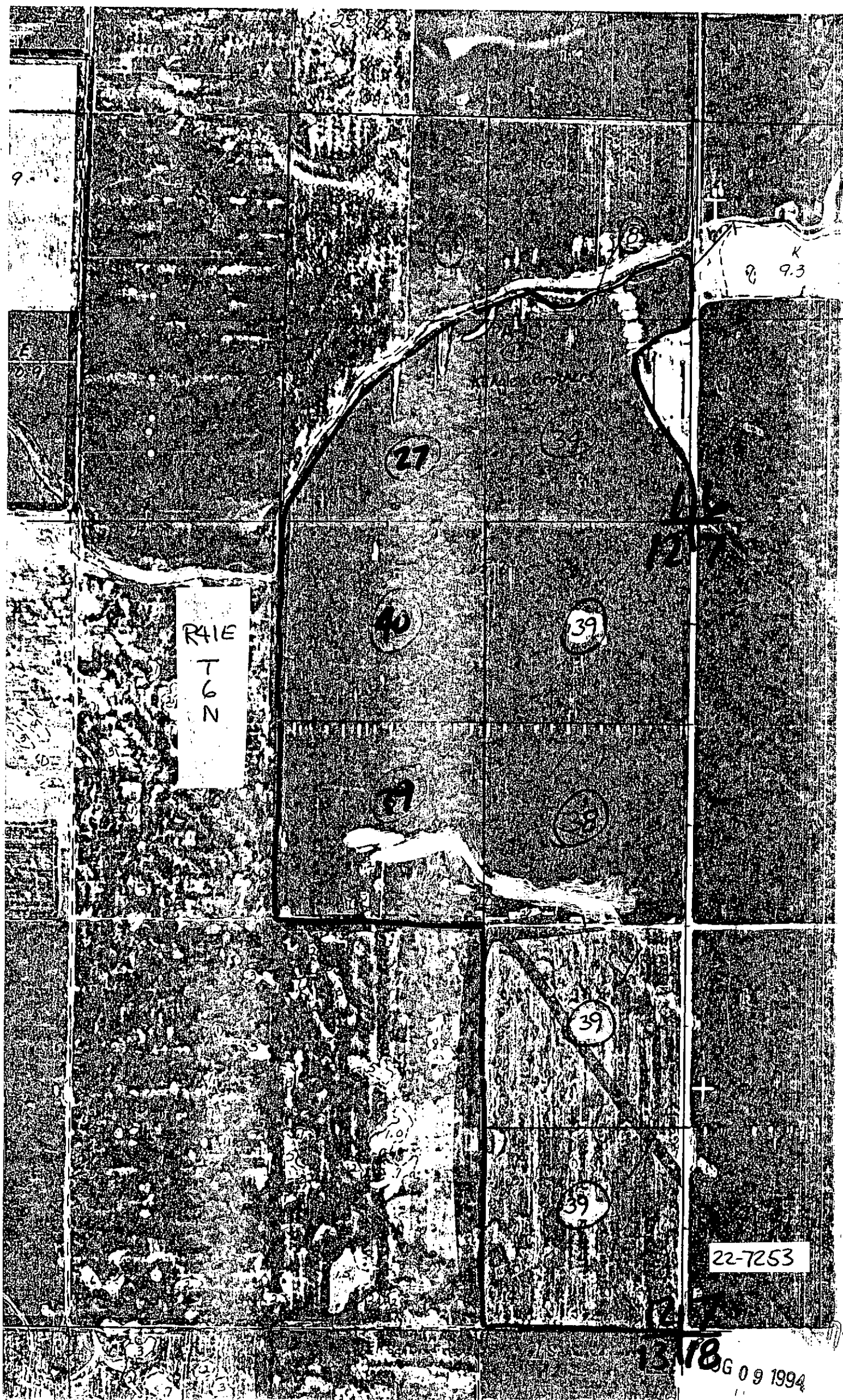
17.4

40

C
105.6

40

22-7253

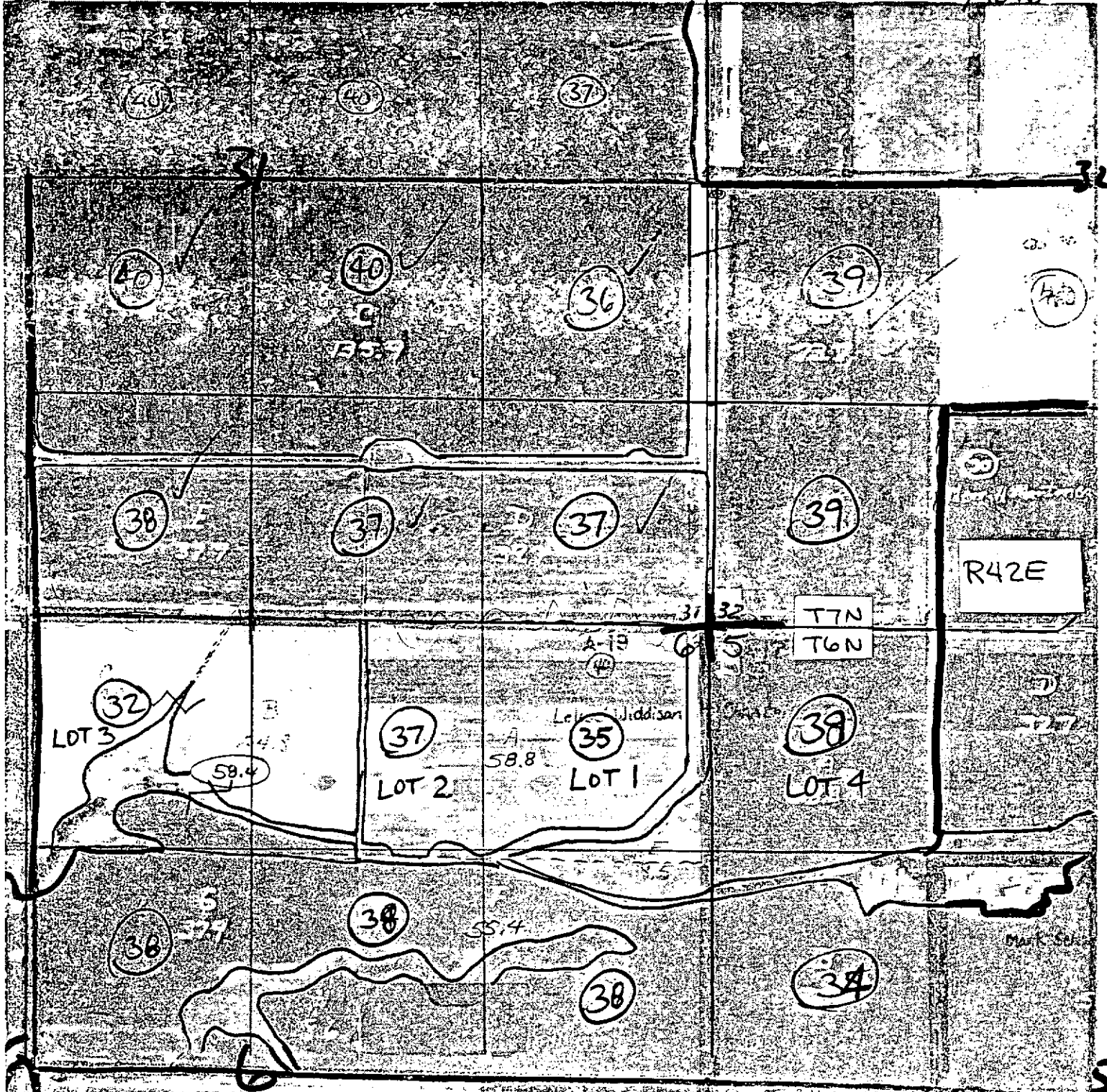


R41E
T6N

22-7253

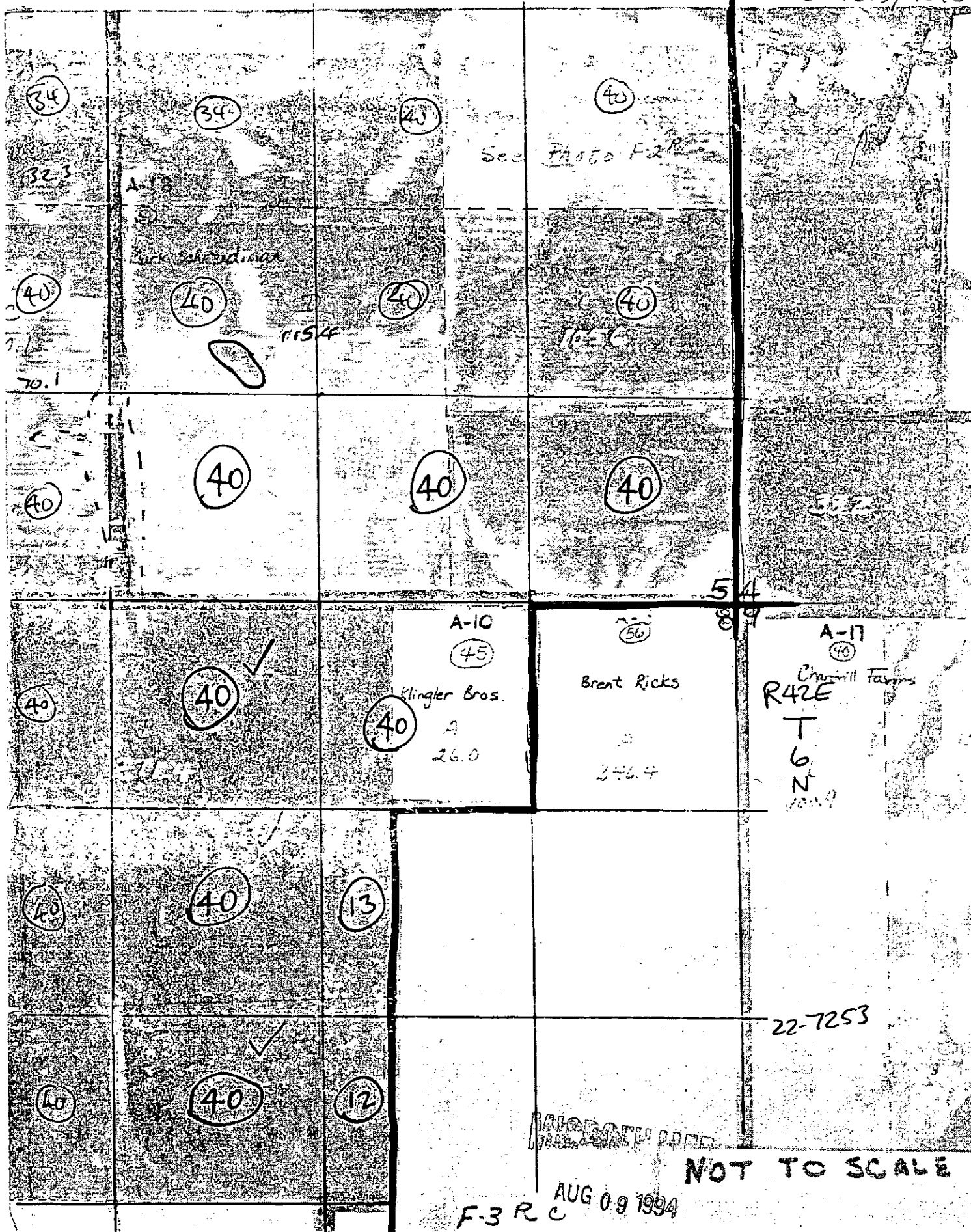
1318
09 1994

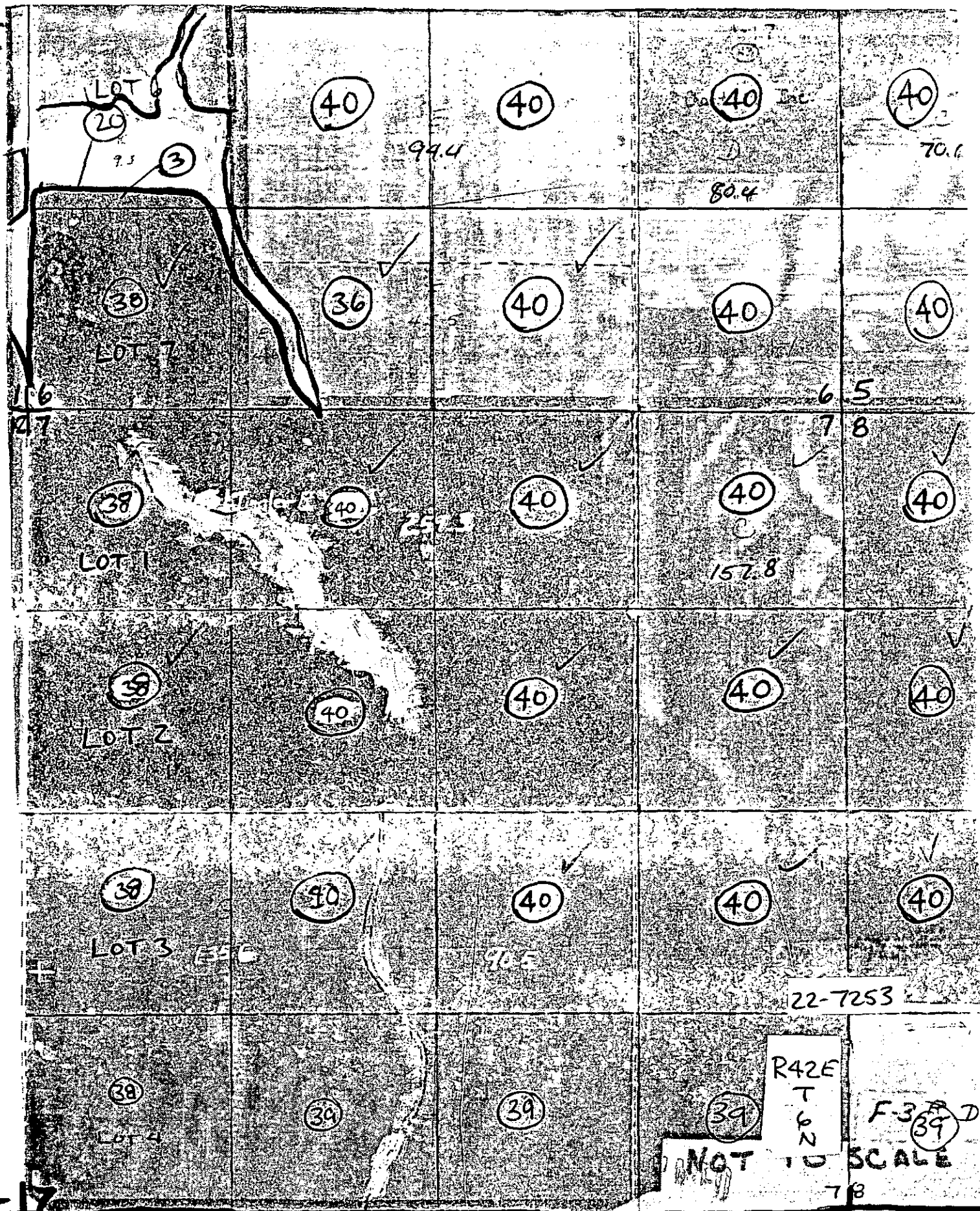
22-7253/7276



22-7253

AUG 09 1994





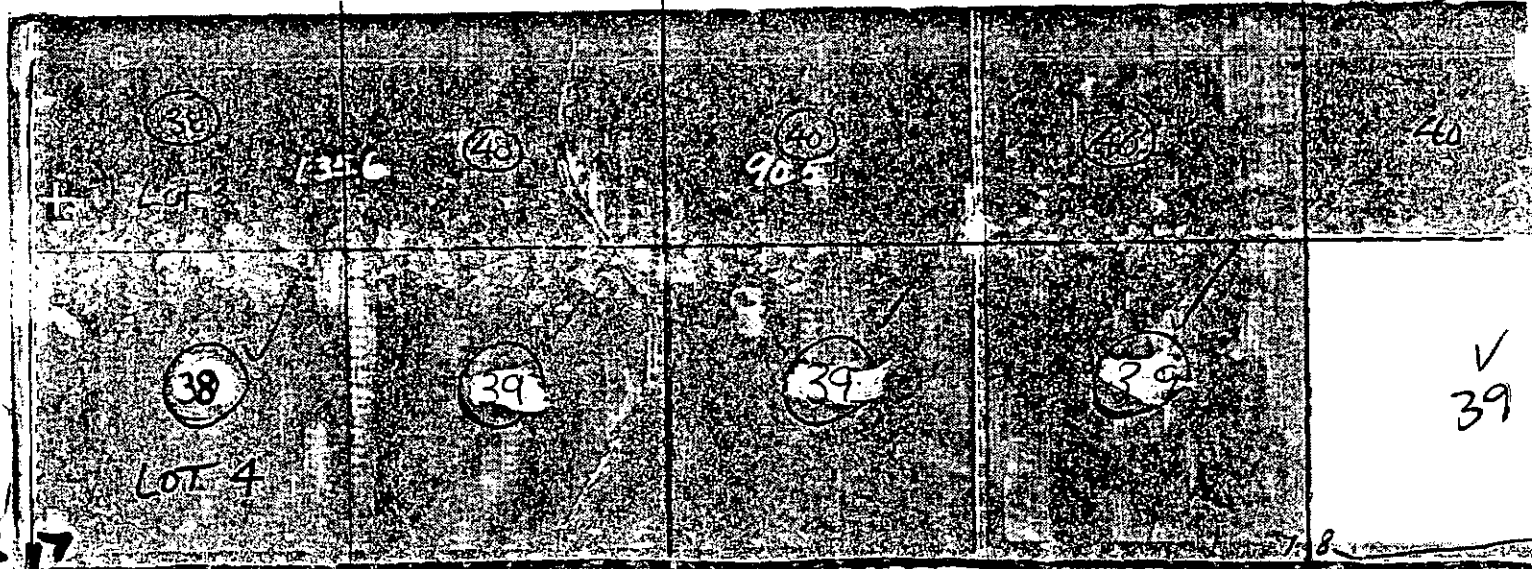
12
13 17
18

A-20

AUG 09 1994

16 17

22-7253/7276



12 17
13 18

A-20
(3)
Parkinson Farms Inc.
(Ross)
D
157.5

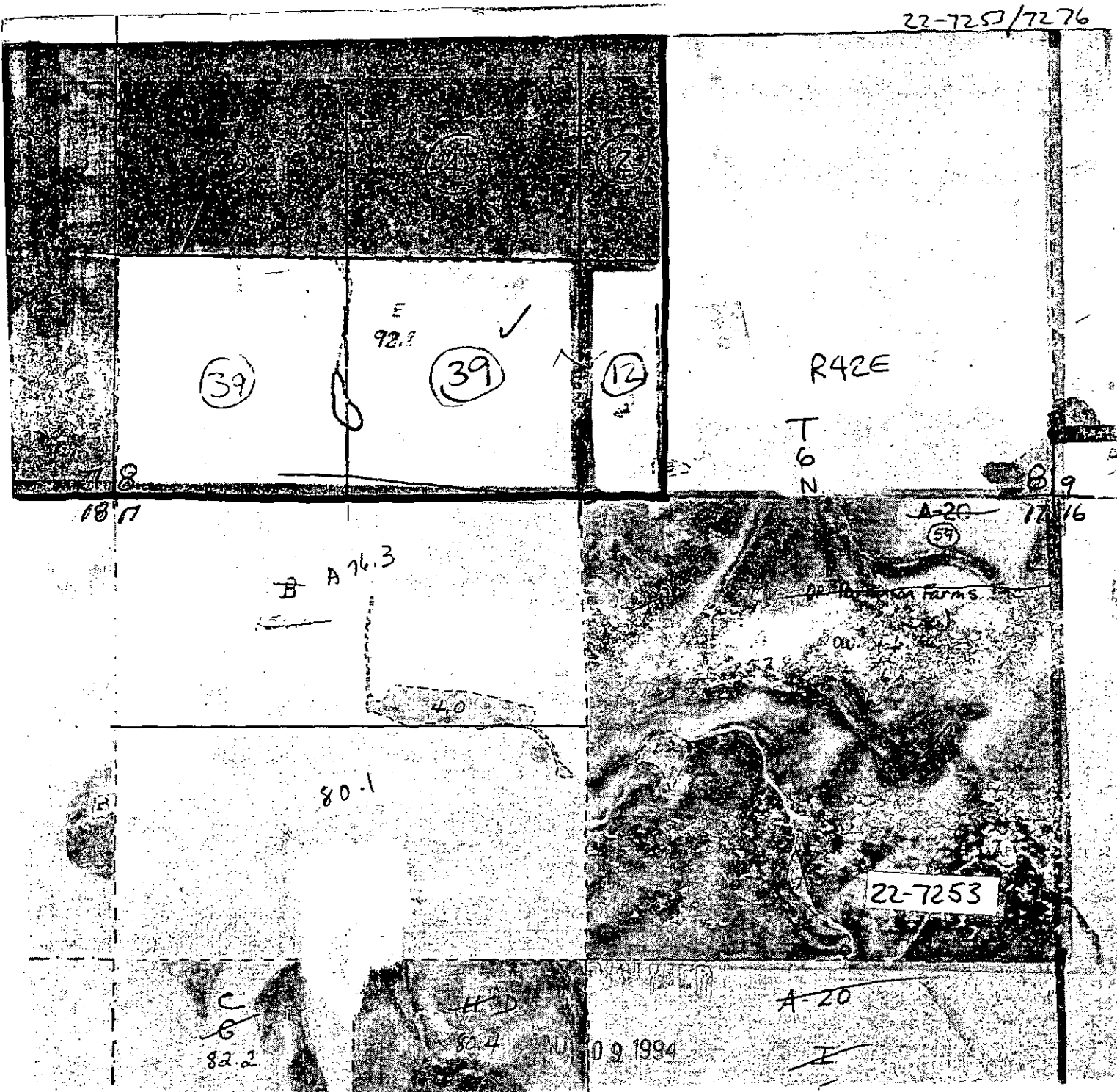
C R42E
153.4 T
6
N

NOT RECORDED

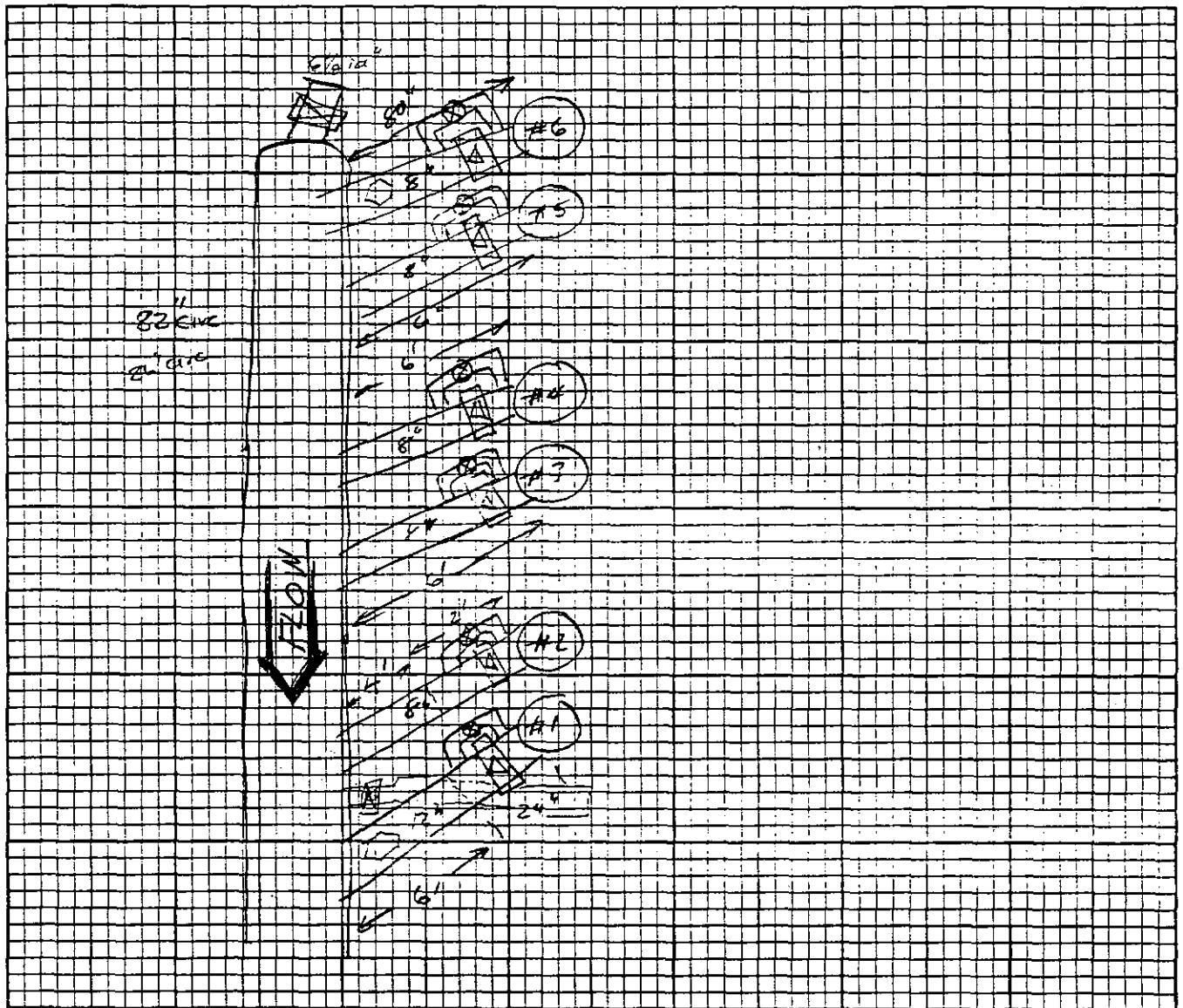
AUG 09 1994

22-7253

22-7253/7276

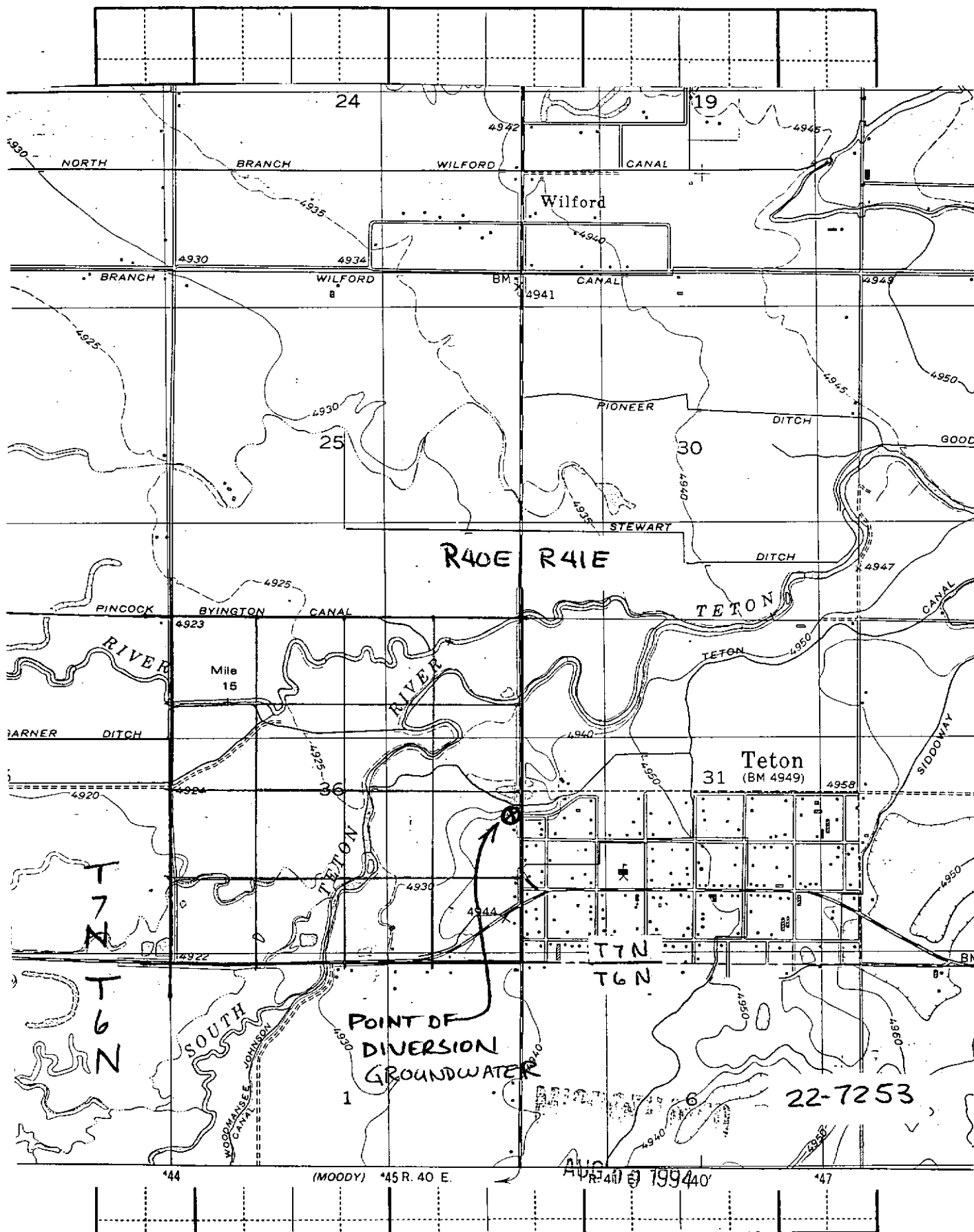


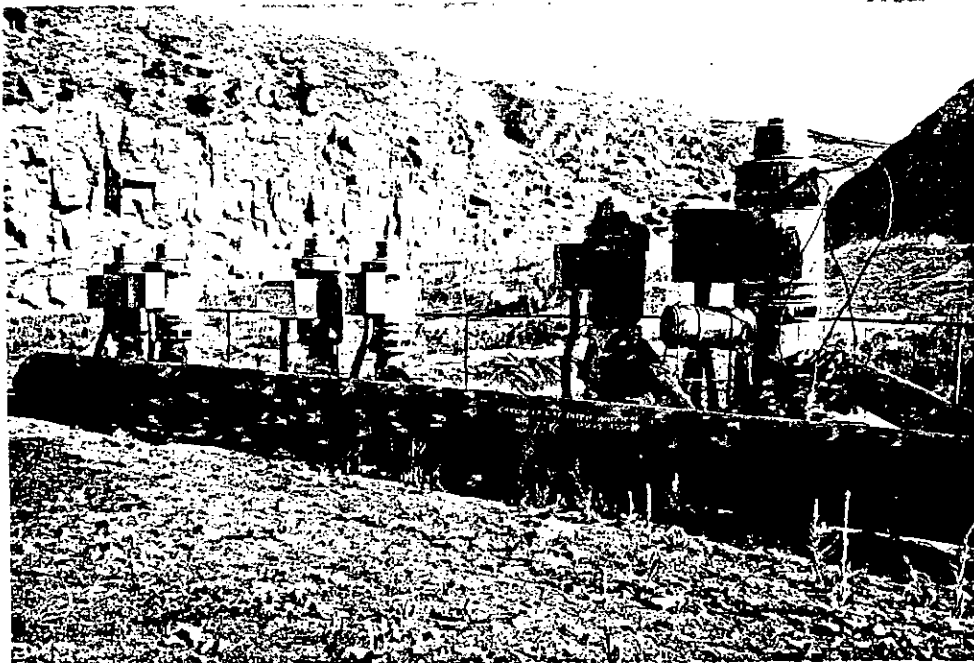
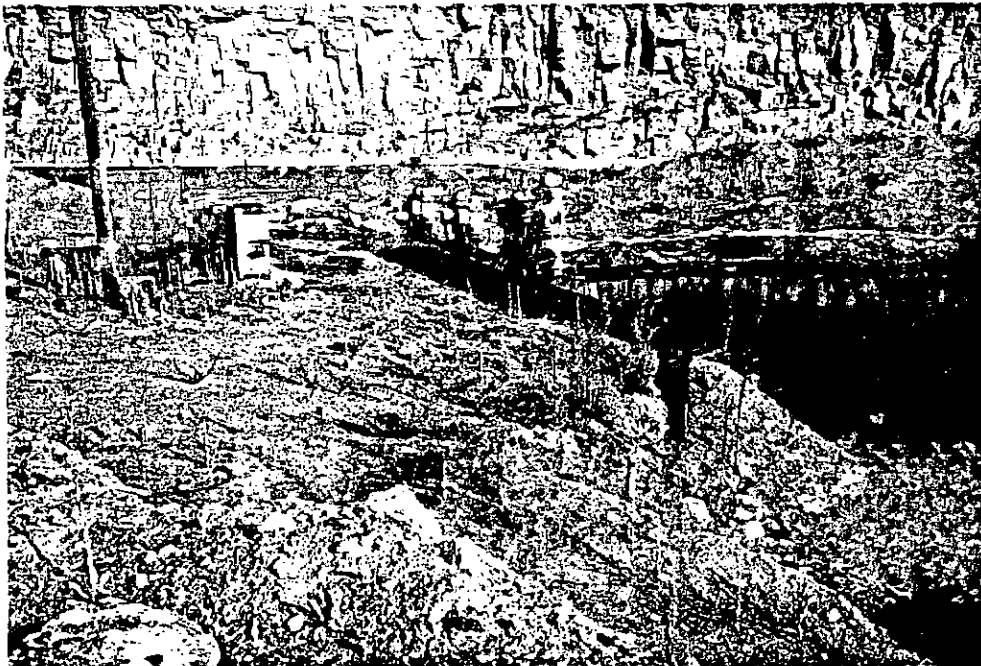
TETON RIVER REDIVERSION



NAME OF APPLICANT.....

Form No. 0

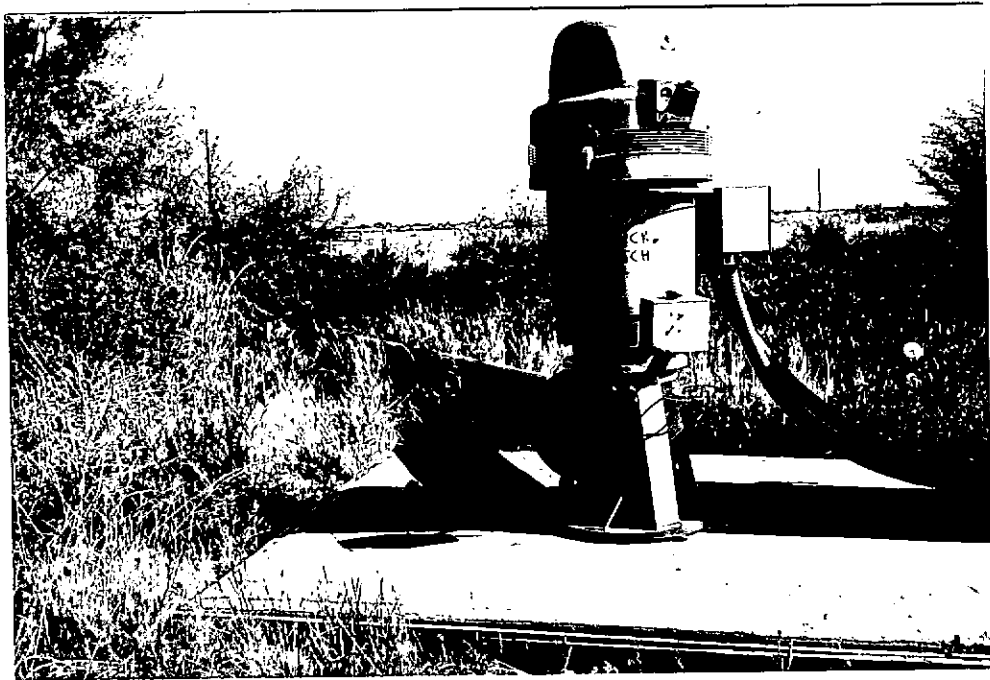




TETON RIVER
REDIVERSION
22-7253'

MILWAUKEE

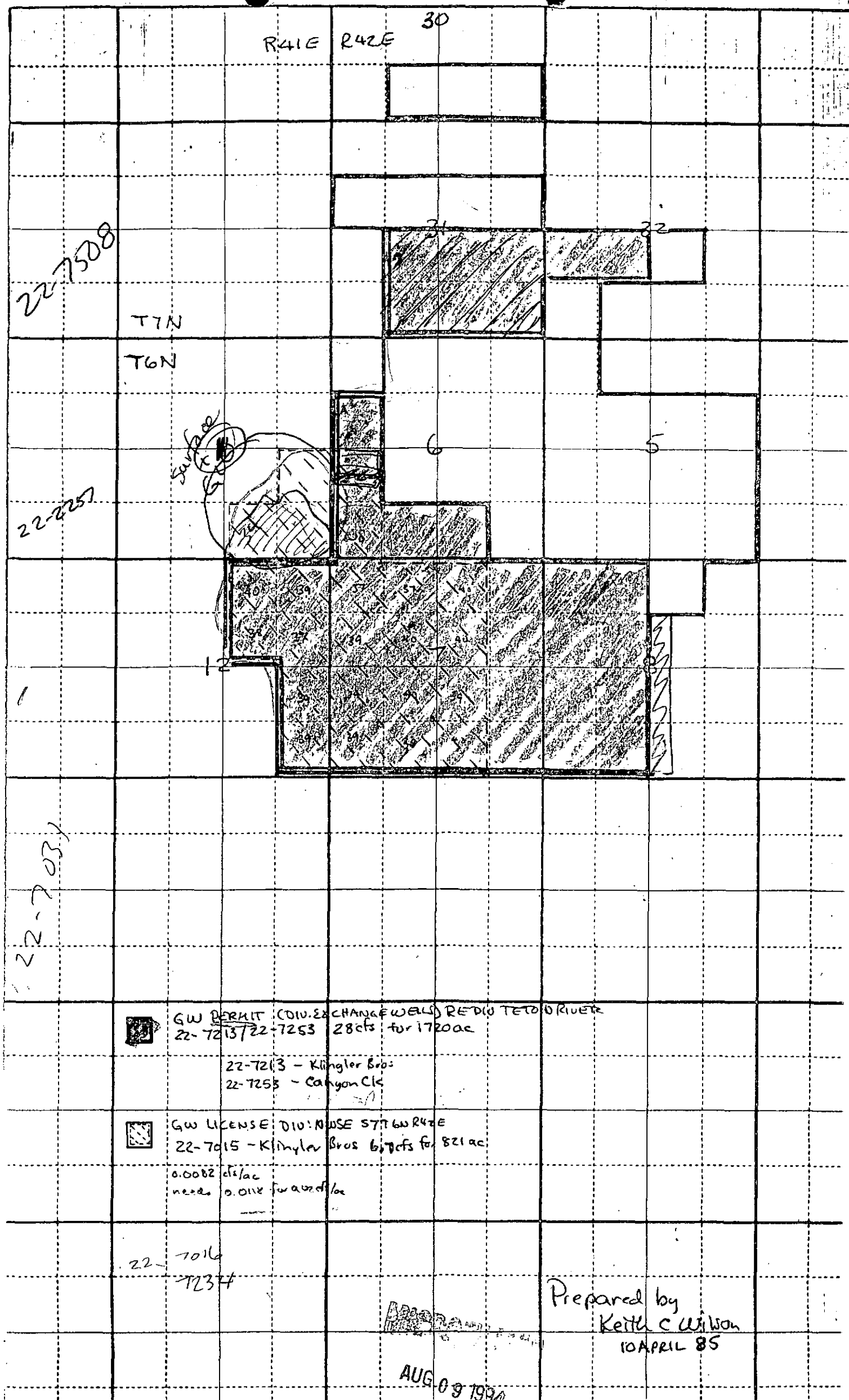
AUG 09 1994

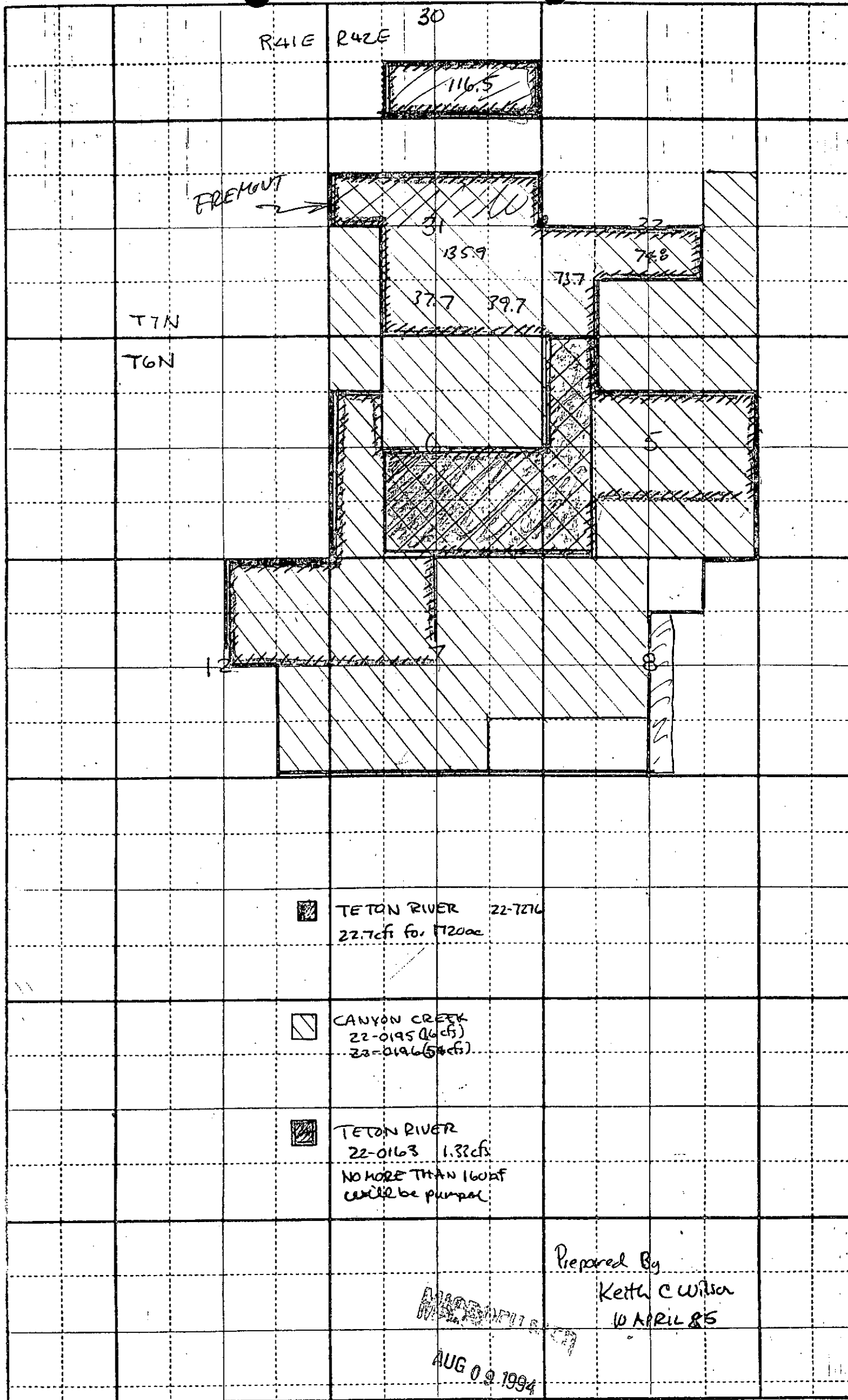


GROUNDWATER - EXCHANGE WELL

22-7253
UNRECORDED

AUG 09 1994





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 12, 1985

CANYON CK. LATERAL DITCH WATER USERS

NENDALE ID 83436

RE: Permit No. 22-7253

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A condition of approval of your original permit required the installation of a measuring device which, according to the proof card submitted by you, has not been installed. A measuring device must be installed and operating at the time the field examination is made. If a measuring device is not installed your permit may be subject to cancellation.

A condition of approval of your original permit required the installation of an access port which, according to the proof card submitted by you, has not been installed. An access port must be installed prior to the time a field examination is made.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

File
JONES, HAROLD W.
AUG 13 1985

AUG 09 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
APR 24 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 227253

Name(s) of Permit Holder: Canyon Creek Lateral Ditch Water Users Ass.

Post Office Address: Newdale, Idaho

Telephone No. 458-4231 or 458-4496

Source of Water: Ground water

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 3000 (acres)

Other/Remarks has drilled this well to reach approx the south fork of the Teton River it pumps 14 C.F.S. water. Could produce more with larger pump.

Indicate the date water was first diverted and beneficially used under this permit: July 1978

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination: Grant Klingler or J. Leigh Chantrill
(Name)

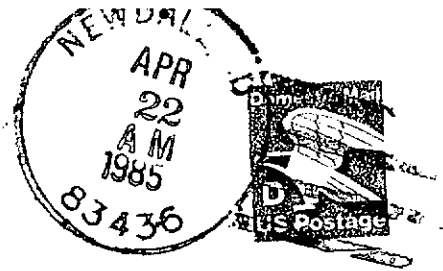
Newdale, Idaho (Address) 458-4231 or 458-4496 (Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

4-20-85
Date

J. Leigh Chantrill Vice President of
Signature of Permit Holder (and Title, if appropriate)
Canyon Creek Lateral Ditch Water Users Ass.

J Leigh Chantrell
Box 6
Newdale, Idaho 83436



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

RECEIVED
AUG 09 1994

DEPARTMENT OF WATER RESOURCES

74

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 22-8253.

Name(s) of Permit Holder: Canyon Creek Lateral Ditch Water User Ass.

Post Office Address: Newdale, Idaho

Well has been pumped 1 year. Tel. No. 458-4496

Source of Water: South Fork Teton River or 458-4231

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 2400 (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

7-3-80
Date

J. Leigh Chantrell (Vice Pres.)
Signature of Permit Holder

Grant Klingler Pres.
or Leigh Chantrell V.P.

Newdale, Idaho

RECEIVED

JAN 7 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

January 29, 1980

RE: Permit No. 22-7253

Canyon Creek Lateral Ditch
Water User's Assoc.
Newdale, ID 83436

Dear Sirs:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING
Senior Clerk

MICROFILMED

cc: IDWR - State Office

November 16, 1977

Re: Permit No. 22-7253

Canyon Creek Lateral Ditch Water Users Association
c/o Grant Klingler, President
Newdale, ID 83436

Dear Mr. Klingler:

Enclosed is a copy of your approved Application for Permit No. 22-7253 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

August 11, 1977

RE: Application for Permit No. 22-7253 CANYON CREEK LATERAL

Standard Journal
Box 10
Rexburg, Idaho 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (1)

Bill submitted 8-29-77 by CW

RECEIVED
AUG 30 1977
RDC

August 11, 1977

RE: Application for Permit No. 22-7253 CANYON CREEK LATERAL

Fremont County Chronicle
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Bill submitted _____ by _____

Enc: Legal Notice (1)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Canyon Creek Lateral Ditch Water Users Assoc., Newdale, Idaho has on 8-05-77 submitted Application No. 22-7253 for a permit to appropriate 14.0 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County. The water will be pumped into the S. Fork Teton River via Teton Canal Mill Race and rediverted from the Teton River within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E, B.M., Madison County; to be used from Apr. 1 to Nov. 1 for the irrigation of 1,720 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, T. 7N, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before September 6, 1977.

C. STEPHEN ALLRED
Director

Published in the Fremont County Chronicle, St. Anthony, Idaho on August 18 and August 25, 1977.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Canyon Creek Lateral Ditch Water Users Assoc.,
Newdale, Idaho

has on 8-05-77 submitted Application No. 22-7253
for a permit to appropriate 14.0 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a ground-water source
by means of well and pump

within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County. The water will be
pumped into the S. Fork Teton River via Teton Canal Mill Race and rediverted from the
Teton River within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E, B.M., Madison County;
to be used from Apr. 1 to Nov. 1
for the irrigation of 1,720 acres

within the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32,
T. 7N, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
September 6, 1977

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Fremont County Chronicle, St. Anthony, Idaho
on August 18 and August 25, 1977

FILED
the
-ed

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Canyon Creek Lateral Ditch Water Users Assoc., Newdale, Idaho has on 8-05-77 submitted Application No. 22-7253 for a permit to appropriate 14.0 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County. The water will be pumped into the S. Fork Teton River via Teton Canal Mill Race and rediverted from the Teton River within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E, B.M., Madison County; to be used from Apr. 1 to Nov. 1 for the irrigation of 1,720 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, T. 7N, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before September 6, 1977.

C. STEPHEN ALLRED
Director

Published in the Standard Journal, Rexburg, Idaho on August 18 and August 25, 1977

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Canyon Creek Lateral Ditch Water Users Assoc.,
Newdale, Idaho

8-05-77 22-7253

has on _____ submitted Application No. _____

for a permit to appropriate 14.0 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from _____ a ground-water source _____
by means of well and pump _____

within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 7N, R. 40E, B.M., Fremont County. The water will be
pumped into the S. Fork Teton River via Teton Canal Mill Race and rediverted from the
Teton River within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7N, R. 42E, B.M., Madison County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 1,720 acres _____

within the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6N, R. 41E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 6, Sec. 7, W $\frac{1}{2}$, Sec. 8, T. 6N, R. 42E; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32,
T. 7N, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before September 6, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Standard Journal, Rexburg, Idaho
on August 18 and August 25, 1977

RECEIVED

August 9, 1977

RE: Application for Permit No. 22-7253

Mr. Arthur L. Larson, Watermaster
Water District 01
P.O. Box 1099
Idaho Falls, Idaho 83401

Dear Art:

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is September 6, 1977, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

**1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186**

August 2, 1977

Mr. Mark Schwendiman
Canyon Creek Lateral Ditch Water Users Assoc.
Newdale, Idaho 83436

Dear Mr. Schwendiman:

Enclosed please find your check No. 92-80`in the amount of \$30.00 and your application for permit.

We find it necessary to return your check and application as the statutory filing fee for 14.0 c.f.s. of water is \$155.00. Please resubmit your application with the statutory filing fee for further processing.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

Layne Johnson

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Attachment: Check No. 92-80

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Canyon Creek Lateral
Dated Water Users Assoc.

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

needs OK.
correction

(1) ARK 8/5/77

In form to receipt yes

(2) ARK 8/5/77

Send Copies to:

yes Idaho State Health Department
yes Idaho Fish and Game Department
yes Bureau of Land Management

(3) ARK 8/5/77

yes Request Special Use Permit from U.S.F.S.
yes Request Easement from B.L.M.
yes Request Information from Applicant
yes Request Dam Safety Information

(4) ARK 8/5/77

In form for advertising yes

(5) ENC 8-08-77

Platted on Map No. 6N 42E, 7N 42E & 6N 41E.

(6) ARK 8/5/77

Located within Water District No. 01 & Basin 22

(7) ARK 8/5/77

Critical groundwater area: yes no X

(8) ARK 8/5/77

Groundwater levels:

Declining, X Stable, Increasing

(comment) 23cub (Fremont)

(9) ENC 8-08-77

Other rights on the same place of use P. 22-7213 & 22-7015. for total of 20.36 cfs.

(10) ENC 8-08-77

Comments:

(11) EW 8-29-77

Affidavit of Publication received (date) Aug. 29-1977

(12) RDC 9/6/77

Final date for protests Sept 6, 1977

Protests received: yes no

(13) " "

All requested information received from agencies or applicant: yes no

(14) " "

Action recommended:

Approve

Deny

7/29/77 Proposed Priority

Reason for Reduction

Measuring devices required at the pt. of div. & pt. of re-division from Beton River
See attached sheet for other conditions of approval

No special conditions for approval

subject to Control
of water master
water Dist. #1

(15) District E

By RDC

Date 9/6/77

copy sent