

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-67

Date Received: 11/21/24

Receipt No: P000708

Claim Fee: \$117.00 By: mb

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DEC 22 2023

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Paris Relief Canal Co Phone (208) 945-2133
Mailing address c/o Dan Kelsey 645 N Main Paris ID Zip 83261
Street or Box City State
Email address (optional) c/o kristin.rmea@gmail.com
2. Date of priority: (Only one per claim) May/1/1883 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Paris Creek
which is tributary to (b) Bear Lake Outlet
4. a. Location of point of diversion is: Township 14S, Range 43E, Section 8,
NE 1/4 of SE 1/4, Govt. Lot , BM, County of
Parcel no.
Additional points of diversion, if any:
If available, GPS Coordinates
b. If instream flow, beginning point of claimed instream flow is:
Township , Range , Section , 1/4 of 1/4,
Govt. Lot , BM, County of
Ending point is: Township , Range , Section , 1/4 of 1/4,
Govt. Lot , BM, County of
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Headgate on stream to pipeline shared with Pioneer Irrigation & Manufacturing

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 4/1 to 10/31 amount 16.00 or _____

For Stockwater purposes from 1/1 to 12/31 amount 0.12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 16.00 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 500 head beef cattle

9. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Supplemental POU list follows map

Parcel no(s). _____ Total number of acres irrigated 1,108.74

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes () No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

11-66A (Pioneer Irrigation & Mfg); see attached narrative for additional overlaps or None ()

13. Remarks (Include an explanation of the priority date selected):

1) Priority date is per decree.

2) See attached narrative for discussion of POU and acreage.

3) Season of use is an accomplished change as described in attached narrative.

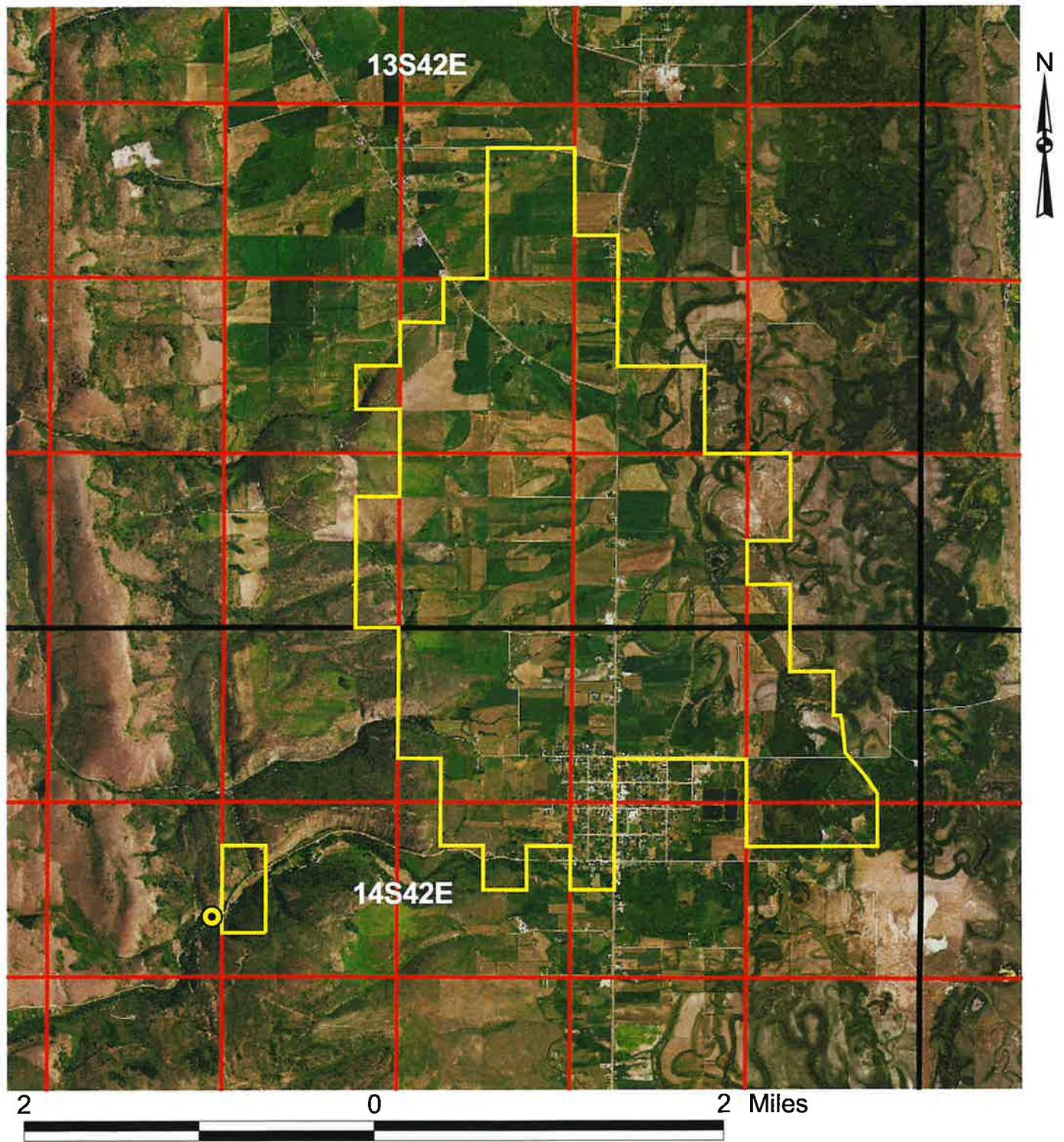
4) The special "Exhibit A" and related provisions from the original decree are necessary to the description and administration of this right, including the preference of "Exhibit A" over strict priority, proportional delivery in times of shortage, and the subordination of "Meadow Rights" in certain circumstances, including special subordination to the Paris Relief Canal Company.

5) Attachments include: Narrative explaining claimed elements; Irrigation maps; Decree excerpts.

Name of claimant(s) Paris Relief Canal Co.

Claim ID _____

Map of Project - Overview



- Claim POD 11-67
- Service_Area
- Township
- Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Paris Relief Canal

Claim No. _____

Map of Project - POD Detail



0.2 0 0.2 Miles

-  Claim POD 11-67
-  Township
-  Section
-  QQ

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Paris Relief Canal

Claim No. _____

Claim Based on Water Right 11-67

Total Irrigated Acres 1,108.74

Total Irrigated Acres 1,108.74

**Narrative for
Paris Relief Canal Co.
Bear River Basin Adjudication Claim
Based on Water Right 11-67**

This narrative explains and provides additional detail and documentation for the Adjudication claim entries.

1. Name and address.

(No comment)

2. Priority date

Per decree and IDWR Water-Right Report

3. Source of water

Per decree and IDWR Water-Right Report

4. Point of diversion

Per IDWR Water-Right Report, which reflects transfer(s) that have occurred since the decree was issued.

5. Diversion works

(No comment)

6, 7, 8. Purpose, quantity and non-irrigation uses

Irrigation quantity is per the IDWR Water-Right Report, consistent with the original decreed right. The Stockwater purpose of use was not tabulated when the IDWR electronic record was created, but per the highlighted decree excerpts that are attached to this narrative, at item (g) on the bottom of the page numbered "12," year-round stockwater use is a part of each decreed agricultural right. The number of cattle was estimated by company leadership and the diversion rate was obtained from the Adjudication-form instructions. Because the water now is conveyed via a pipeline system, no conveyance-loss component is added to the indicated diversion rate.

The decreed season of use for irrigation is May 1 through September 15, per item (h) on the top of the decree page numbered "13." The claimed season reflects historic practice of the company, per company leadership. This is claimed as an accomplished transfer per Idaho Code 42-1425 (2), commencing from the construction of the pipelines approximately in the 1980s.

9. Place of Use

The Pioneer and Paris Relief rights are delivered via a common pipeline to a shared Permissible Place of Use. The claimed Place of Use is comprised of the quarter-quarter sections that intersect lands identified by company leadership to have been irrigated under the joint system from the spring of 2016 through June 14, 2021.

The decree specifies that the Paris Relief right may irrigate "approximately 1,100 acres," but then provides a long list of parcels and the acreage of each. IDWR's electronic record uses 1,108.74 acres, which appears to be a summation of the individual parcel acreages, and this is the acreage claimed in the Adjudication. The decree also lists a series of parcel-by-parcel acreages that add up to 1,976 acres for the Pioneer right. A formal transfer removed 121.4 acres of authorization from the Pioneer right, leaving authorization for 1,854.6 acres as reflected in the IDWR electronic record.

These are the acreages claimed in the Bear River Basin Adjudication (BRBA) because recommendation of anything less would constitute a partial forfeiture of the rights, and per Idaho Code 42-223:

(7) No portion of a water right held by an irrigation district, a Carey Act operating company, or any other company, corporation, association or entity which holds water rights for distribution to its landowners, shareholders or members shall be lost or forfeited due to nonuse by such landowners, shareholders or members, unless the nonuse is subject to the control of such entity.

IDWR has expressed interest in knowing the actual number of irrigated acres, and attached maps show an evaluation based on company-leadership knowledge and interviews with patrons, combined with aerial-imagery analysis performed by Rocky Mountain Environmental Associates, Inc. (RMEA), indicating that approximately 2,965 acres are currently irrigated using the claimed Paris Relief and Pioneer rights. Within the precision of the methods used, this is not substantially different than the sum $(1,108.74 + 1,854.6) = (2,963.94)$. A shapefile of the identified irrigated lands is provided as a courtesy to IDWR.

Some sloughs are included as "irrigated" because of irrigation practices that include building a head of water in the slough so that water will then run across irrigated lands on the other side of the slough. Some lands shown as irrigated do not appear robustly green on the day of the image used in the attached maps, but are known by company leadership to have been irrigated between 2016 and June 14, 2021, inclusive.

10. County

(No comment)

11. Ownership of Place of Use

The company delivers water to Places of Use owned and/or leased by company patrons.

12. Other rights

The Pioneer and Paris Relief rights are comingled in a common distribution system and delivered jointly to a common Permissible Place of Use. Other overlaps may exist, including the following known to company leadership:

- On the north, the Permissible Place of Use overlaps the service area of South Liberty irrigation. There are parcels that have access to both systems and do use water from both systems.
- Irrigation water from this right is delivered for agricultural irrigation as well as to residential lots for lawn, garden and landscape irrigation within the City of Paris Place of Use and service area.
- Irrigation water from this right partly overlaps and is jointly used with groundwater under private rights held by Lazy K Hat Ranch, LLC. Part of the groundwater usage is not overlapped with Pioneer/Paris Relief water, however.

13. Remarks

The special delivery conditions necessary to the definition and administration of the right are partially highlighted in blue in the decree excerpts attached to this narrative. Company leadership and the watermaster confirm that these provisions do still govern water administration on Paris Creek.

The primary provision is "Exhibit A," between the pages marked "14" and "15" in the decree excerpt.

The page marked "13" clarifies that:

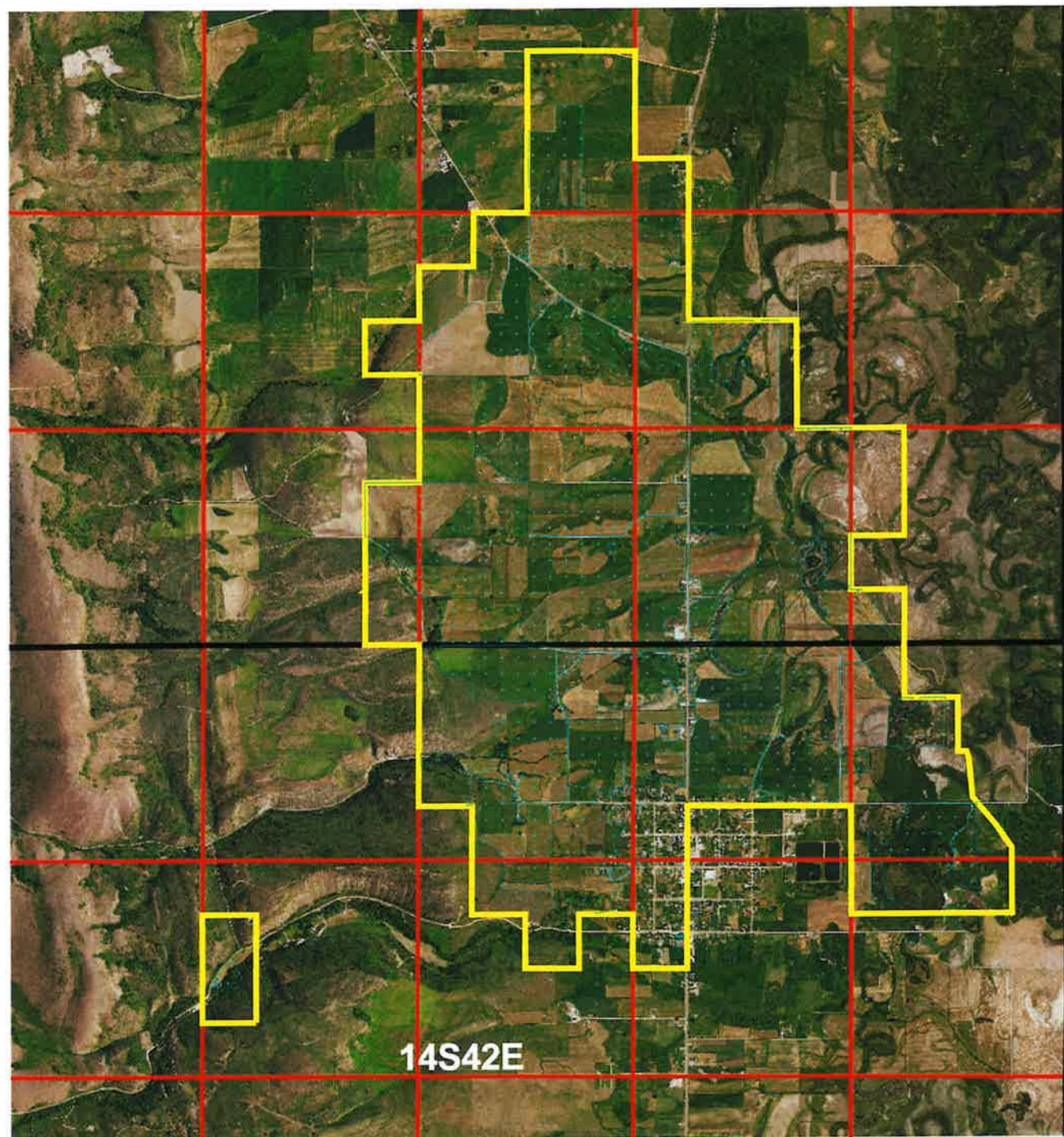
*"If there should, at any time, appear to be a conflict between the stated priorities and the rights of the respective parties, as hereinafter recited, and the rights described and measured by Exhibit 'A', then and in that event **the said Exhibit 'A' shall control**" (emphasis added).*

Pages marked "15" and "16" provide more detail on the operation and use of Exhibit A. Provision (c) on page "15" specifies proportionate distribution to a subset of rights at low flows, and Provisions (d) through (f) describe subordination of rights decreed as "Meadow" rights.

14 - 16. Basis, Signatures & Notice of Appearance

(No comment)

Irrigation Analysis Map - Overview



2 0 2 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

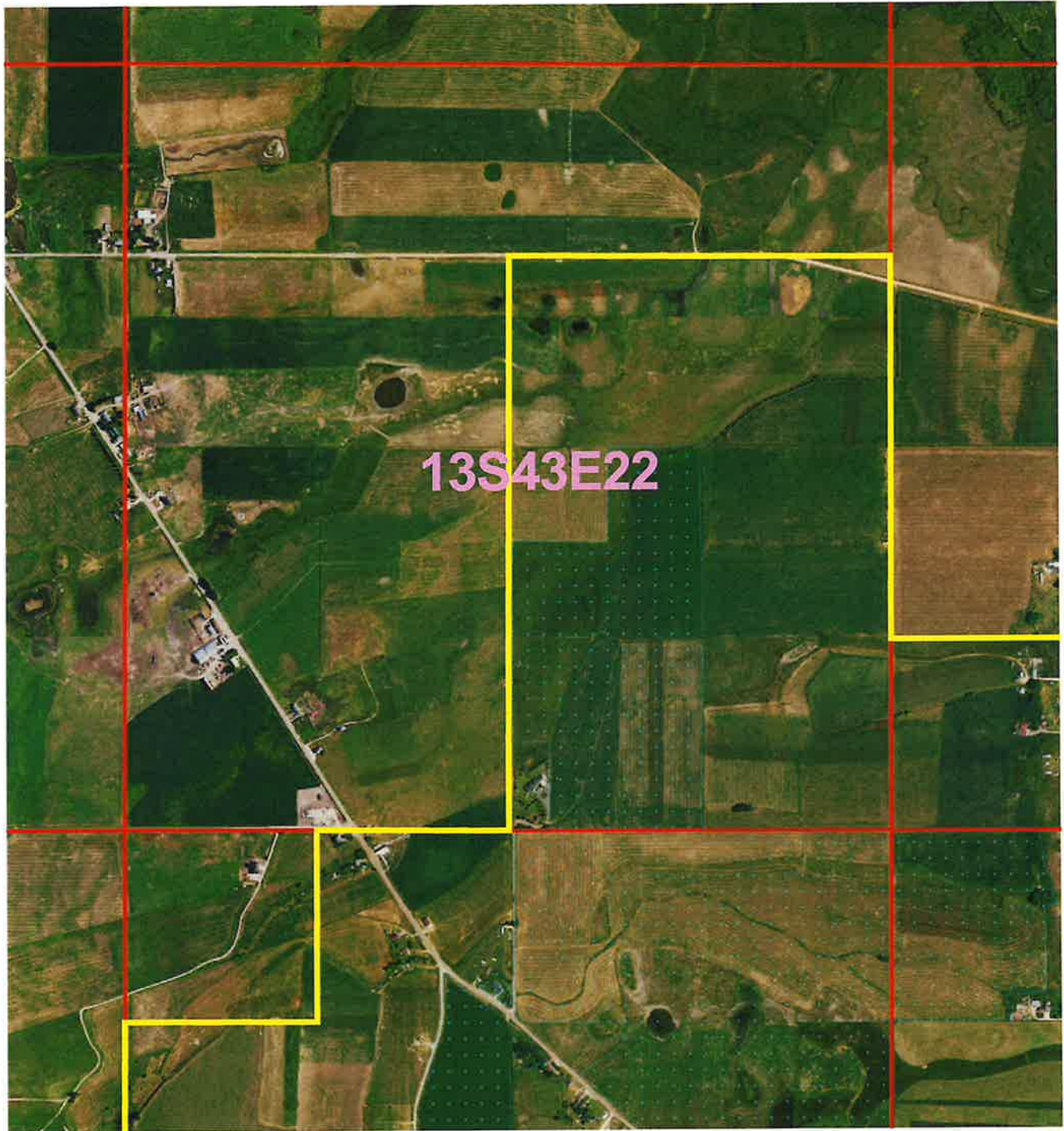
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

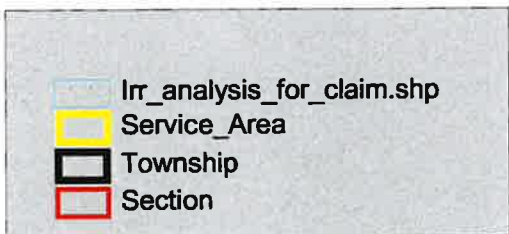
Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 1



0.5 0 0.5 Miles



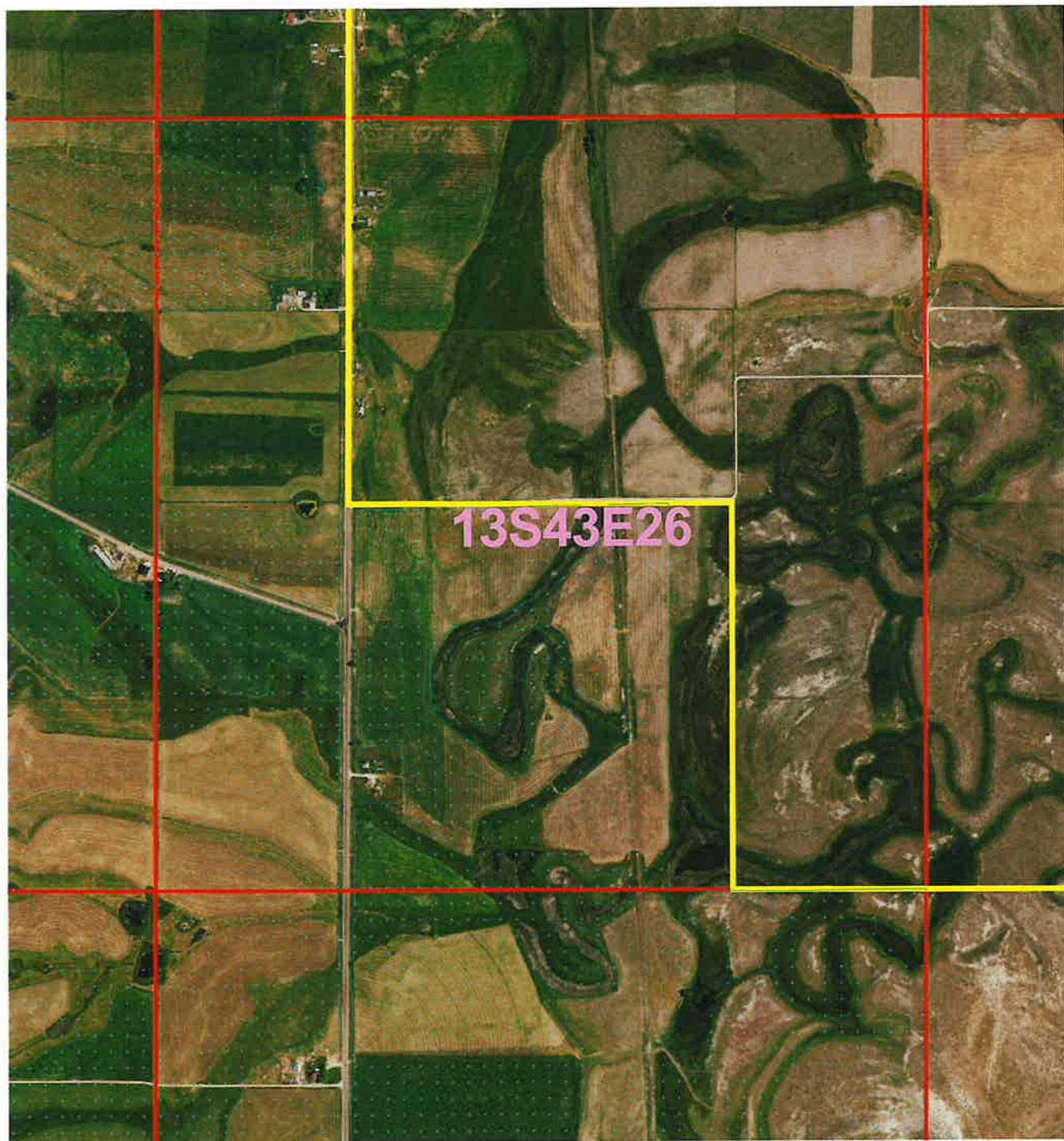
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 2



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

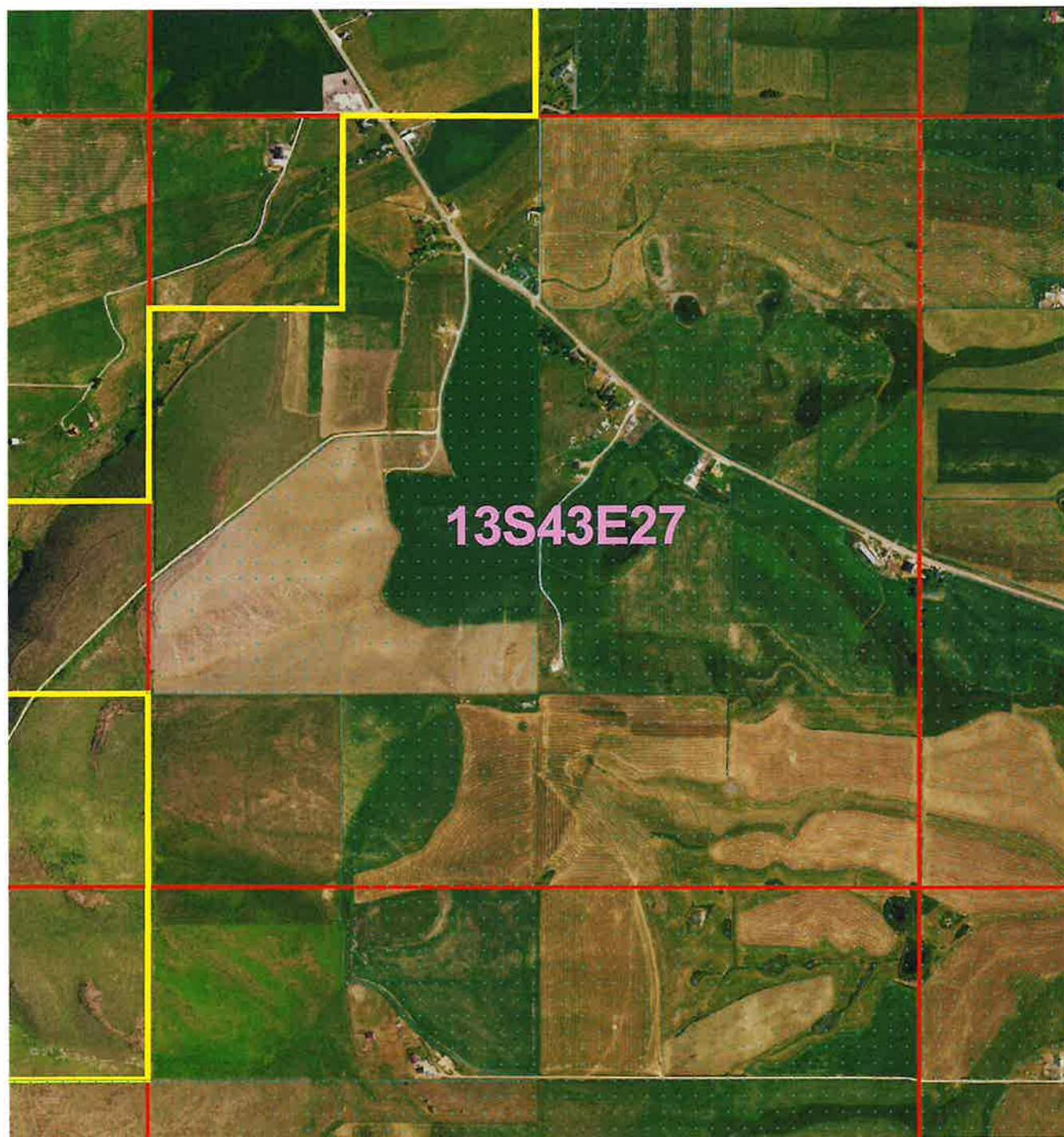
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 3



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

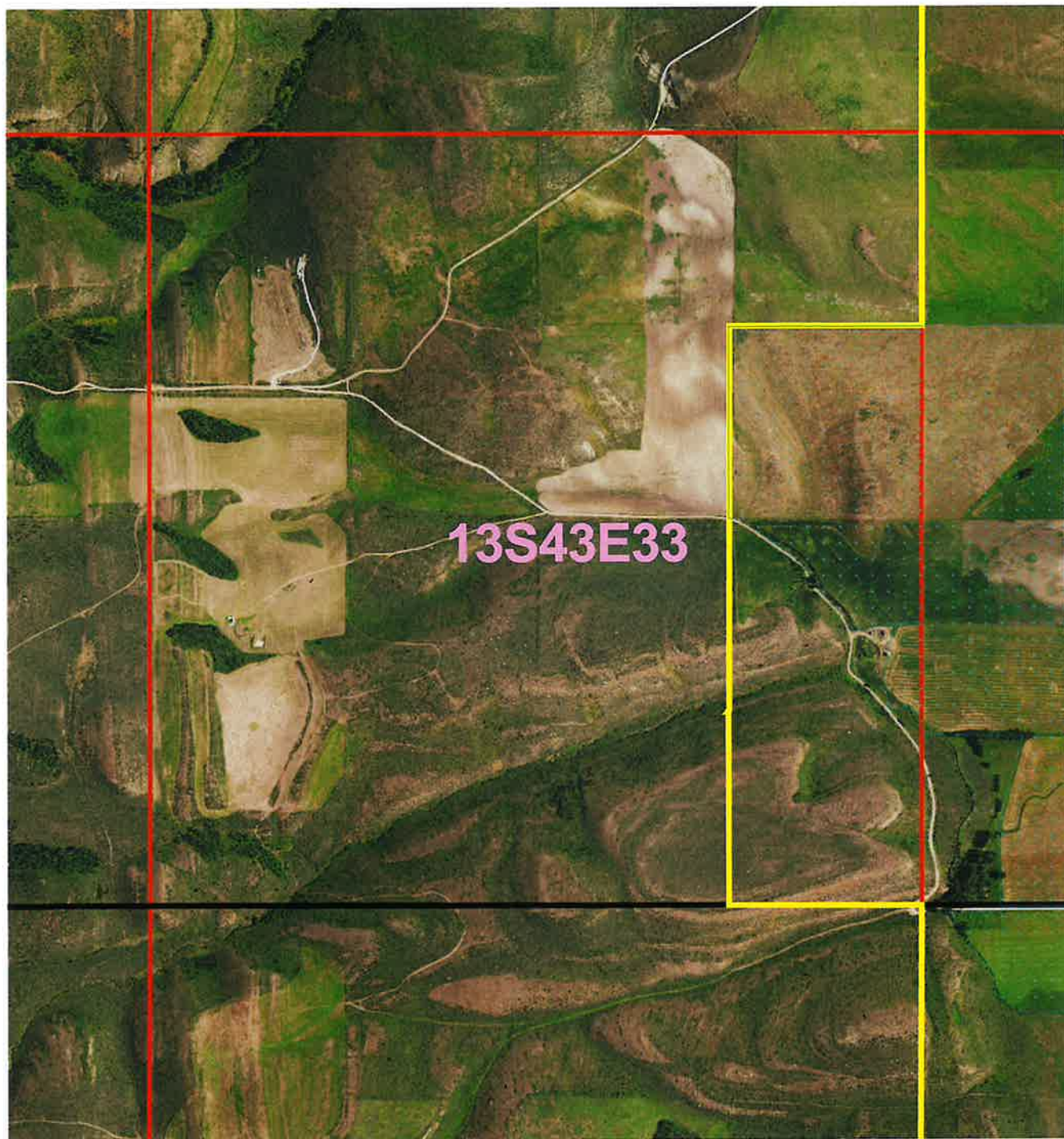
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 4



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 5



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

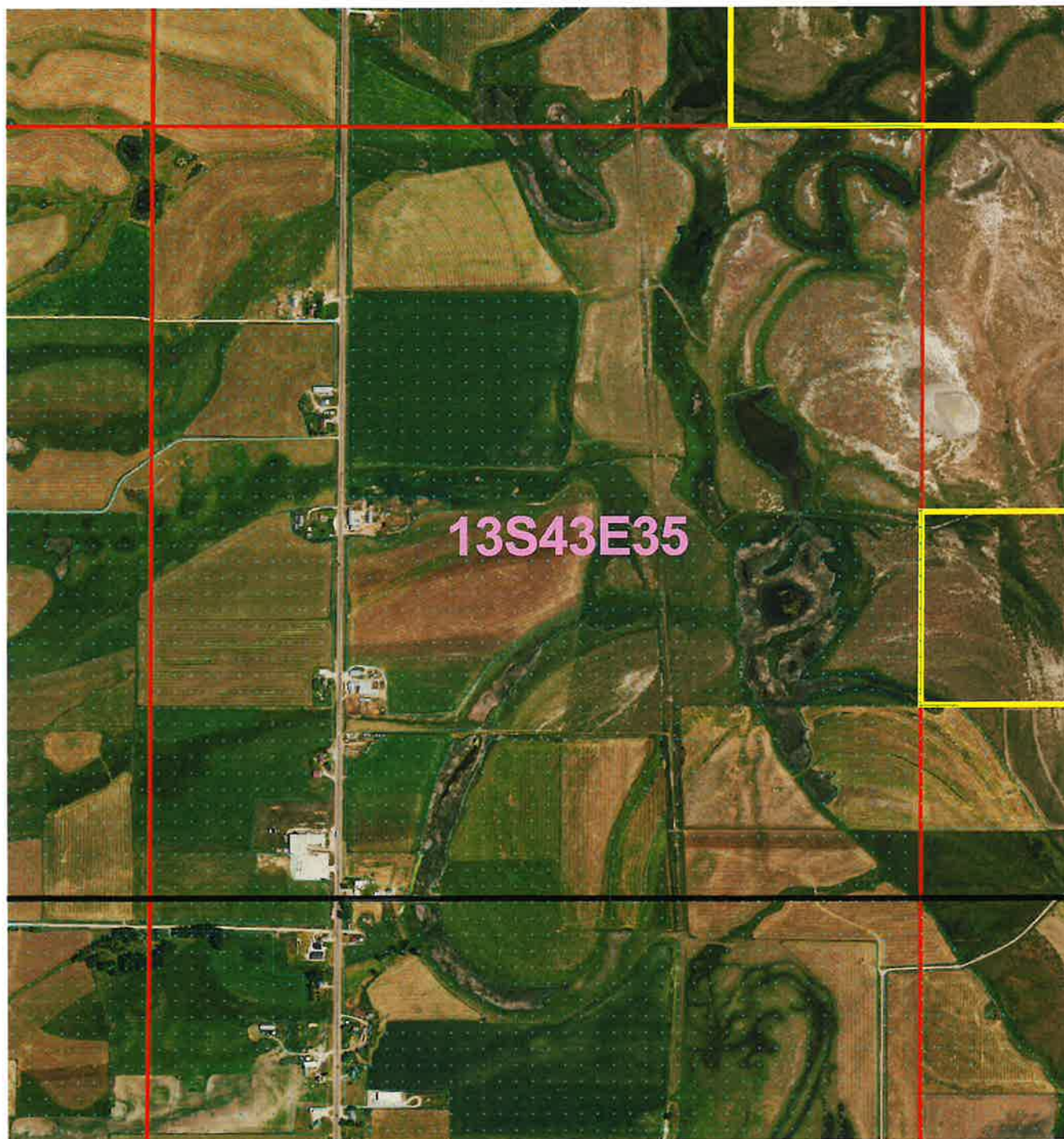
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 6



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

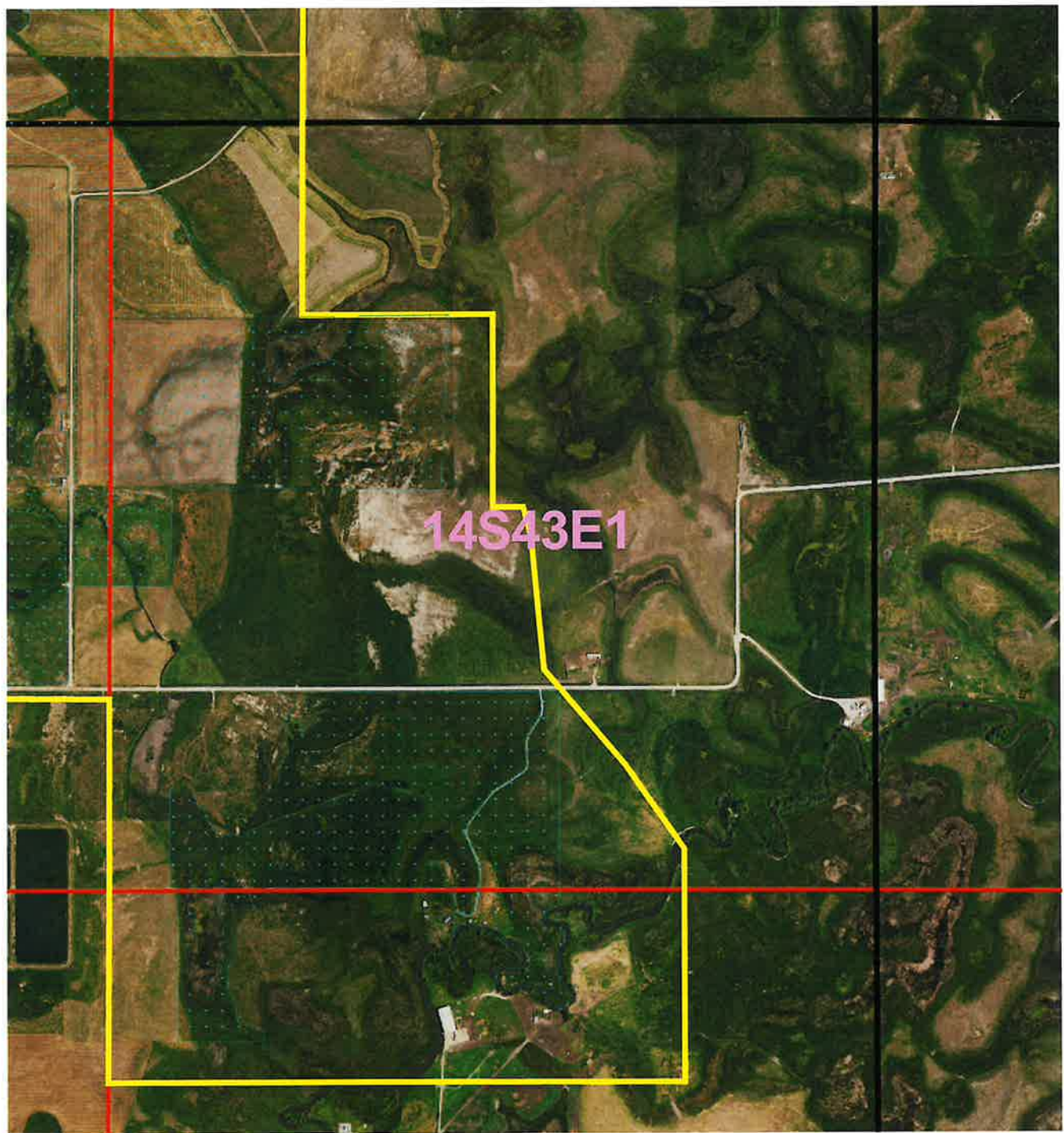
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 7



0.5 0 0.5 Miles

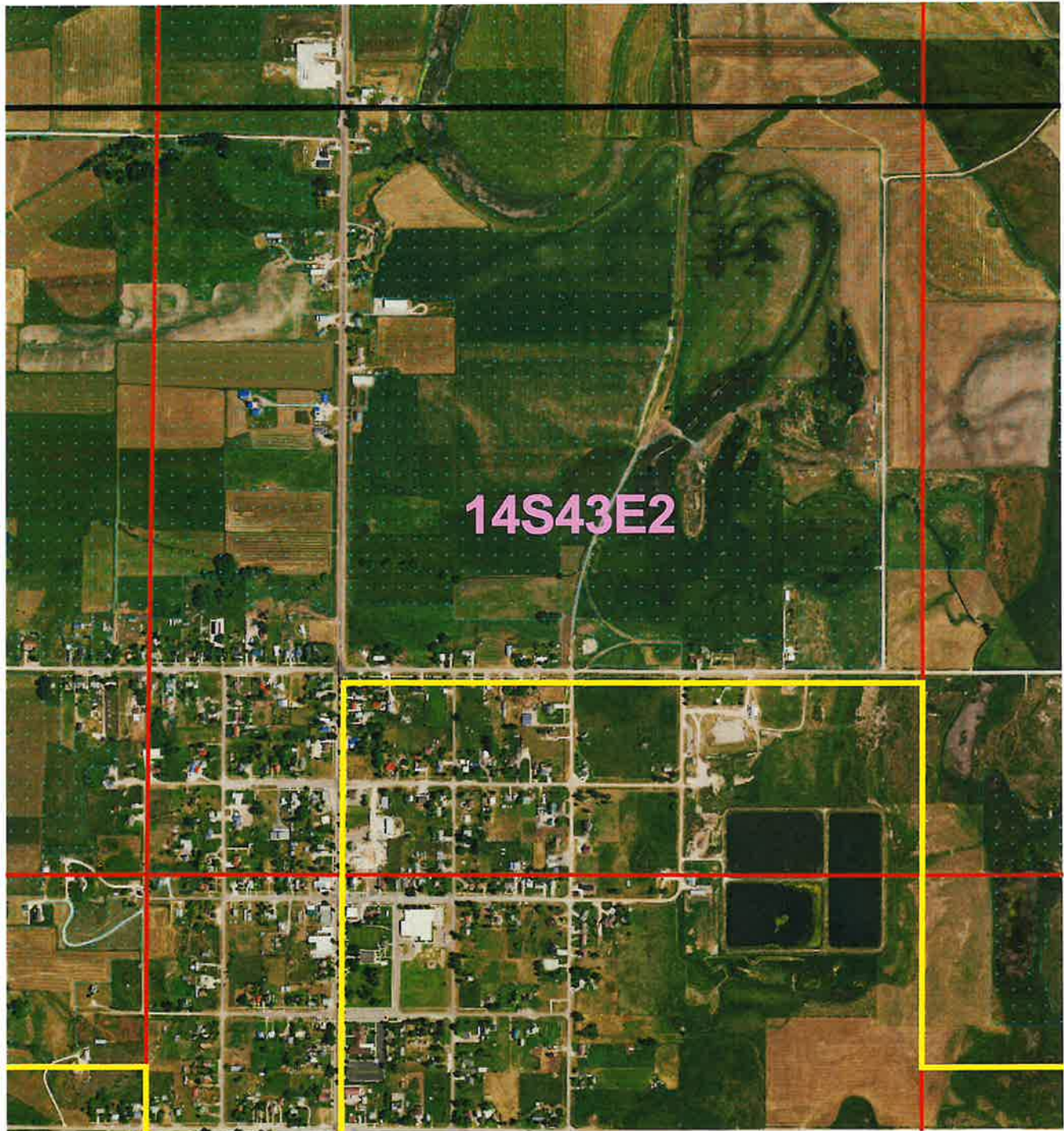
- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

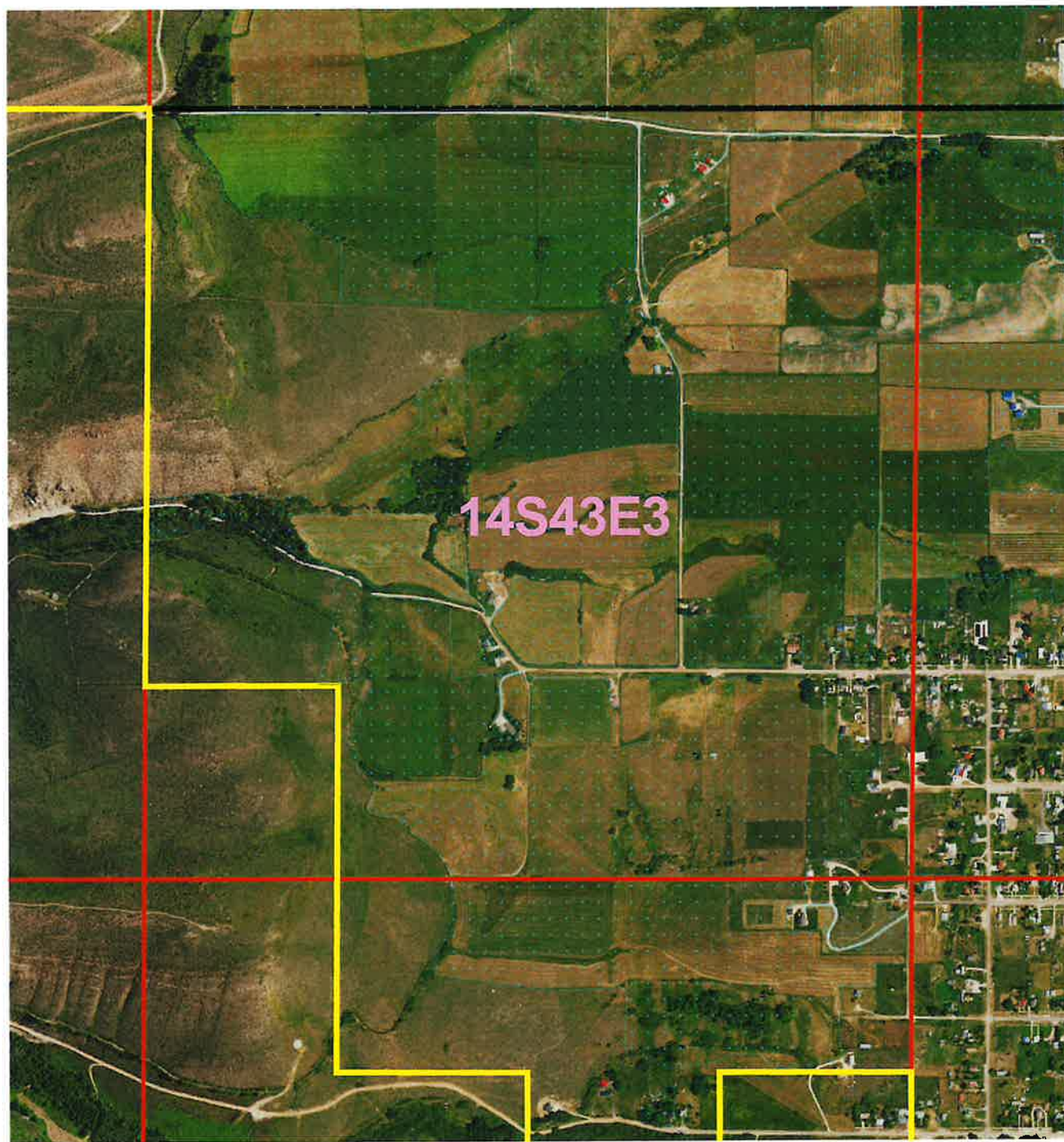
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 9



0.5 0 0.5 Miles

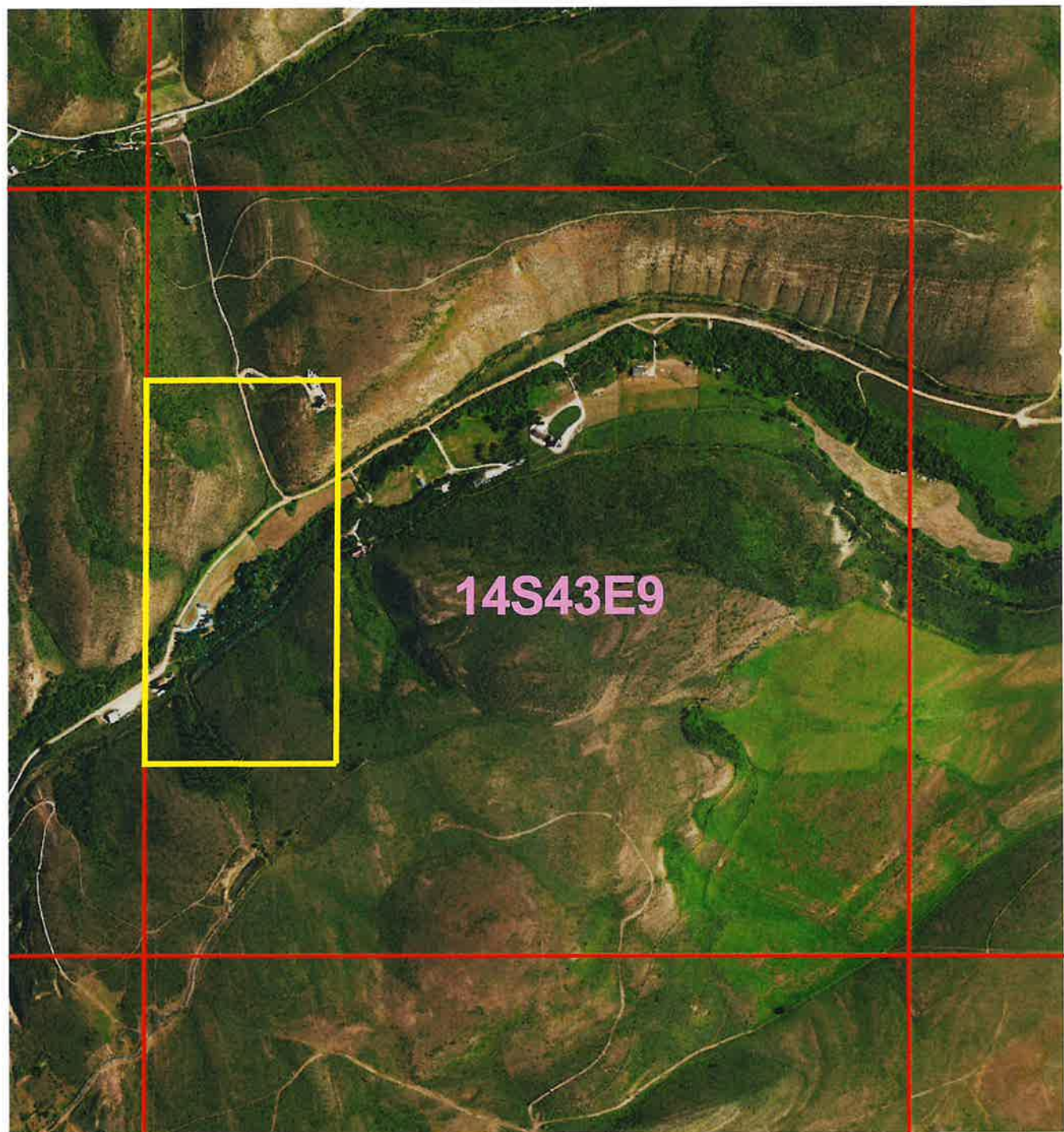
- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____



0.5 0 0.5 Miles

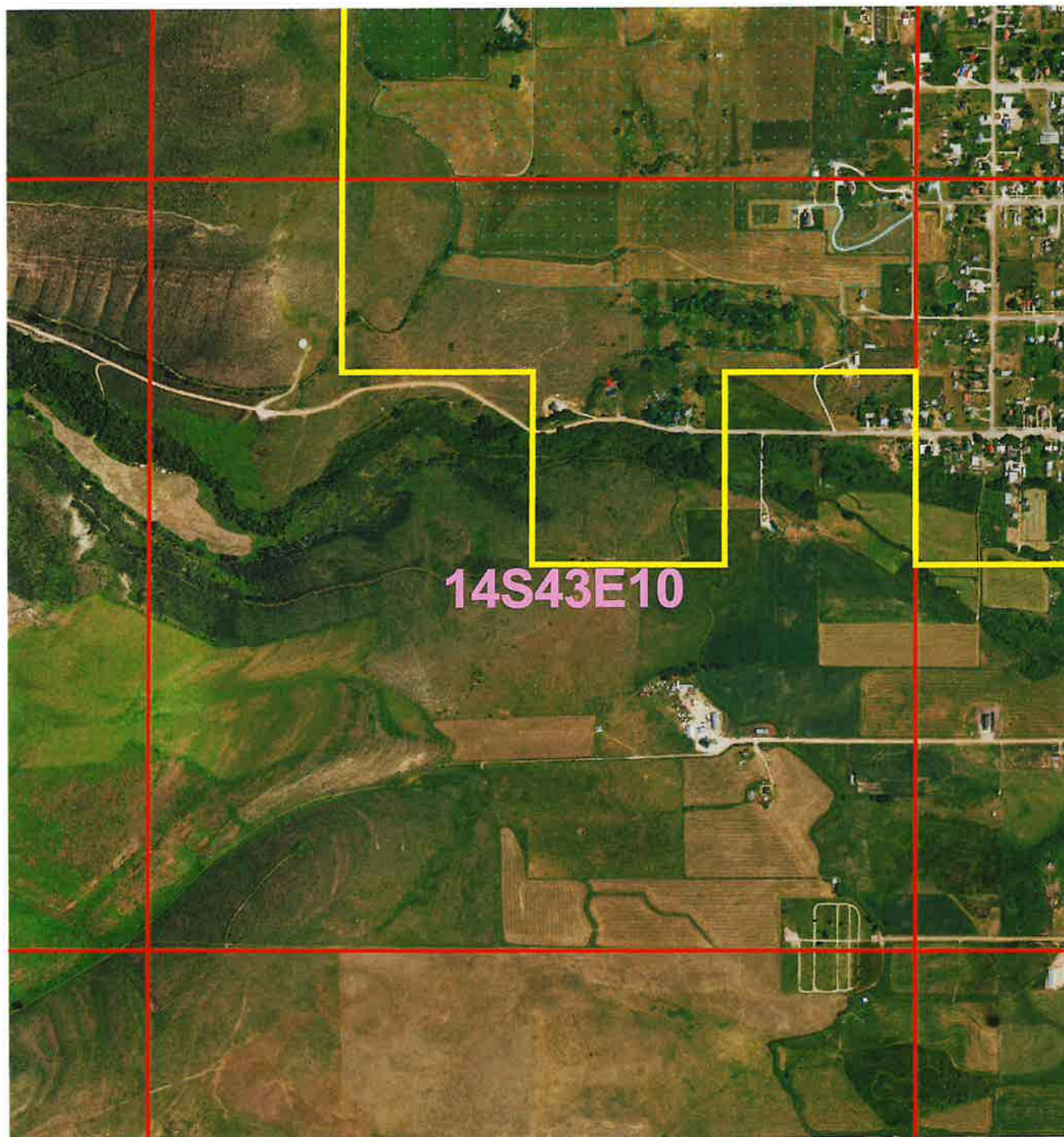
- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

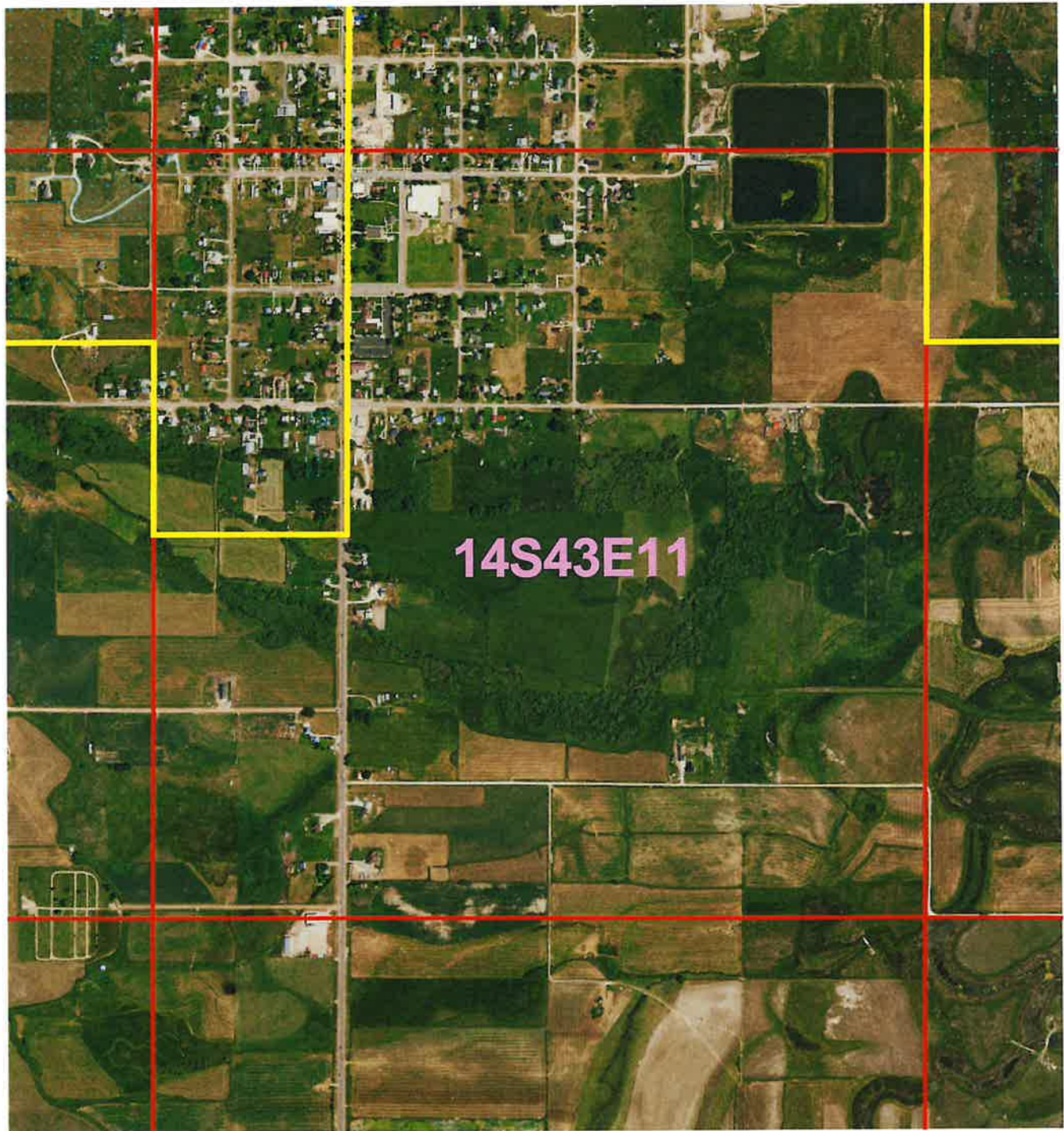
Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 12



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

Irrigation Analysis Detail Map 13



0.5 0 0.5 Miles

- Irr_analysis_for_claim.shp
- Service_Area
- Township
- Section

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Pioneer Irrigation

Claim No. _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BEAR LAKE

PIONEER IRRIGATION AND MANUFACTURING
COMPANY, a corporation,

Plaintiff,

-VS-

SOUTHFIELD DITCH AND CANAL COMPANY, a corporation,
SOUTHFIELD IRRIGATION COMPANY, a corporation, PARIS
RELIEF CANAL COMPANY, a corporation, DRY LAKE CANAL
COMPANY, a corporation, UTAH POWER AND LIGHT COMPANY,
a corporation, PARIS CITY, municipal corporation, J.
VIVIAN NYE, OTTO ROEMER, OAK B. BURNUS, HENRY FUCHS,
EMIL GRANDY, PRICE LUMBER COMPANY, a corporation, PARIL
MILLING COMPANY, a corporation, L. FEMR, LESTER ALLRED
and WILLIAM CALDWELL, Mrs. J. W. COOK, MRS. W. G. HAYWARD,
DANIEL C. RICH, JACOB HESS, C. H. COOPER,

Defendants,

and

LOUIS W. BUDGE, CYRIL S. BUDGE, WILLEORD W. BUDGE,
NEWELL R. BUDGE, TAFT P. BUDGE, EMILY M. RICH, FRANK
F. FOULGER, JESSE P. RICH, Executrix and Executors
of the Estate of Wm. L. Rich, deceased,

Substituted Defendants.

THIS CAUSE came further on to be heard before the
above entitled court upon the Amended Complaint of the plaintiff
and the Answers and amended cross-complaints of the respective
defendants and the Answers of the respective parties to the
various cross-complaints. Peterson & Clark and Leroy M. Young,
Attorneys at Law, appeared for and on behalf of the plaintiff,
Pioneer Irrigation and Manufacturing Company, a corporation,
D. E. Haddock, Attorney at Law, appeared for and on behalf of
Southfield Irrigation Company, J. Vivian Nye, Henry Fuchs, Emil
Grandy, Lester Allred, William Caldwell, and Southfield Ditch

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being one-fiftieth part of a cubic foot per second.

(c) "Agricultural Rights" are intended to mean the right to the use of water upon the up-lands hereinafter described for the irrigation thereof in the production of domesticated and cultivated crops and for domestic and culinary purposes, during the irrigation season.

(d) "Meadow Rights" are intended to mean the right to the use of water during a portion of the irrigation season upon the low-lands hereinafter described by the process of flooding in order to produce "wild hay" or "natural meadow grass",

(e) "Power and Manufacturing Rights" are intended to mean the right to divert and use water for the generation of electric power and for the manufacture of grain products and the cutting of wood and the sawing of shingles and said rights are continuous throughout the year, save and except as the same are limited and curtailed during the irrigation season as particularly specified in this Decree.

(f) "Municipal Rights" are intended to mean the right of Paris City to divert and use for domestic, culinary, and irrigation purposes, the water hereinafter more specifically designated, determined and recited.

(g) "Domestic Rights" are intended to mean the right to divert and use water during the non-irrigating season for general domestic use including the watering of livestock upon the farms under such canals and for culinary purposes. Each agricultural right herein decreed shall include and imply as part thereof a domestic right to the use, during the non-irrigating season, of such of the waters allotted for irrigation purposes as are necessary for such domestic purposes and it shall be the measure of said domestic rights, and irrespective of the quantities of water that might be flowing in Paris Creek there shall always be permitted enough water to run in each of the main canals owned and operated by the City of Paris.

MAY 13 1996

trolled by the respective parties herein to provide water sufficient to supply said domestic rights as herein defined.

(h) The "irrigation season" herein referred to shall be that portion of the calendar year beginning on the first day of May and closing on the 15th day of September of each year.

(i) Exhibit "A" is that tabulation herein referred to which shall govern the distribution of water to the agricultural rights, meadow rights, and municipal rights and is further defined interpreted and explained in the stipulation quoted above and is hereinafter further explained. The maximum aggregate amount of water fixed and mentioned in said exhibit has heretofore been appropriated and used by the respective parties mentioned in Exhibit A in the proportions indicated by said Exhibit. If there should, at any time, appear to be a conflict between the stated priorities and rights of the respective parties, as hereinafter recited, and the rights described and measured by Exhibit "A", then and in that event the said Exhibit "A" shall control and said water shall be distributed in accordance with said Exhibit, provided however, that the aggregate duty of water will not exceed one minor inch per acre, except where otherwise provided herein, during the irrigation season, and where said Exhibit A indicates an amount of water in excess of one minor inch per acre said amount shall be deemed to apply to the head or amount of water permitted to be diverted when irrigating.

III.

The water allotted and decreed to the parties hereto for irrigation and meadow purposes is and shall be appurtenant to the lands upon which the same has been applied and used as hereinafter described; subject, however, to the rights of the appropriators or shareholders in any appropriating canal company to change the place of diversion or use as provided by law when no damages or injuries result to others,

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or to make any beneficial use of said waters, or any part thereof which does not injure other appropriators.

IV.

That the various parties hereto, if the same can be done without the interference of other rights, shall have the right, at their option, to combine their flows and rotate the waters awarded to the respective parties herein;

V.

That the parties to this action, hereinafter particularly named, shall have the right to the use of the waters of Paris Creek and tributaries thereof, including all springs and other sources of supply, to be distributed to them during the irrigation season of each and every year in accordance with the following tabulation or Chart, designated "Exhibit A", and being in words and figures as follows, to wit:

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Ca. ft. til June 1st.	20.38	22.89	26.85	20.38	24.38	35.38	62.58	65.43	68.09	72.09	81.09	85.09	89.34	93.84	98.76
Ca. ft. til June 15th.	20.86	22.38	26.68	20.86	24.86	35.86	62.86	65.71	68.37	72.37	81.37	85.37	89.62	94.12	99.04
Ca. ft. during summer	20.86	22.86	26.88	20.86	24.86	36.86	62.86	65.71	68.37	72.37	81.37	85.37	89.62	94.12	99.04

[illegible]

Notes

Right No. 7 represents the following users on the north side of the creek channel to wit: J. M. Cook, Mrs. S. G. Hayward, Daniel C. Rich and R. W. Rich, and also certain users on the south side to wit: N. W. Rich, Jacob Hess and Mrs. C. H. Cooper. Daniel C. Rich.

43 DANIEL C. KRON.
S4cht. No. 11. This plate is owned by Otto Rowner, J. Vivian Eye and Oak

Burrus and is used on the upper lands. Right No. 15. This right is owned by Louis N. Buage, Cyril S. Buage, Wilford Buage and is used on the upper lands. Right No. 16. This right is owned by Louis N. Buage and the water is used on the lower lands.

Rights 15th, 16, 17, 18 and 19 shall be entitled to use the waters above specified until June 1st, of each year; that if terminated by other rights the said enumerated rights shall yield one-half of their said rights until June 15th, and on and after June 15th, of each year, said enumerated rights shall yield or give preference to the other rights.

* THIS TABLE DOES NOT INCLUDE

Exhibit "A" is to be interpreted and understood with reference to the stipulation hereinbefore recited, and with the following explanations and limitations, to wit:

(a) The three tiers or rows of figures at the top thereof will be the flow of Paris Creek measured in cubic feet per second of time at the dates mentioned; that the vertical rows of figures, under the rows of figures last above mentioned, shall represent the amount of water that shall be measured to the various parties hereto, and to said suit, at the time that the flow of said creek is as indicated by the various horizontal rows of figures, and so on throughout the entire fluctuations of said stream.

(b) The total flow of the creek making up the total of the figures in the horizontal column of said Chart shall be ascertained by adding the amounts of water turned into each and all irrigation ditches along the creek at the various points of diversion hereinafter specified, plus the amount of water used by Paris City in its pipe line and also plus the amount left in the stream after such diversions.

(c) In the event the flow of said stream shall diminish below the amount of 20.88 cubic feet per second of time, then only those users shall participate therein who are entitled to the water when the stream measures 20.88 cubic feet per second of time, and that at lower stages of said stream, the said users, so entitled to water at said height, shall receive from said stream the proportion of the flow thereof that they receive when said flow measures 20.88 cubic feet per second of time.

(d) Rights Nos. 15a, 16, 17, 18 and 19, referred to in the foregoing Chart or Exhibit "A", these being what are known as meadow rights, shall be entitled to the use of the

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waters as specified in said Exhibit prior to June 1st of each year and that, if other agricultural rights so require, the last mentioned rights, to wit: Nos. 15a to 19 inclusive, shall yield for the period between the 1st day of June and the 15th day of June of each year one-half of the water awarded said rights and after the 15th day of June of each year all of said meadow rights shall yield and give preference to the agricultural rights in order that the waters may be distributed to said agricultural rights in accordance with Exhibit "A".

(e) That said Chart shall always be so construed that if there is not sufficient water in Paris Creek at the various points of diversion to supply the agricultural rights and meadow rights in full then and in such event the agricultural rights shall receive the full primary flow stated in the column to the left of the column in which the flow is measured and shall pro rate with the meadow rights in the balance of the flow.

(f) If, in any year, during the time the owners of the meadow rights are using the water in accordance with the foregoing Chart, the Paris Relief Canal Company, or its successor, does not have sufficient water in its canal to give it a full twelve foot flow, then and in such event and upon request of the Paris Relief Canal Company made of the owners of the meadow rights one week in advance, the owners of said meadow rights will yield pro rata of said water to the said Paris Relief Canal Company, or its successor, sufficient quantity of water to give said Company a full twelve foot flow in its canal.

VI.

All rights herein decreed to the various parties hereto are decreed for the beneficial uses specified herein,

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with certain additional parties using water for power and manufacturing purposes, together also with dates of original appropriation, respective points of diversion and a description of the lands upon which said parties are entitled to use said water (the quantities of water, irrigation, meadow, and municipal rights being fixed and determined in Exhibit "A"), are more particularly described as follows, to wit:

AGRICULTURAL RIGHTS

1.

PIONEER IRRIGATION AND MANUFACTURING COMPANY

<u>Original Date of Appropriation</u>	<u>Point of Diversion</u>
May 1, 1884	Being in Paris Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Twp. 14 S. Range 43 E. B.M.
For Use Upon the Following Described Land:	Approximately 21 acres lying South of the ditch and east of the point of diversion hereinbefore described in Sec. 10, Twp. 14 S. R. 43 E. B. M.;
	All that part of Sec. 3, Twp. 14 S. R. 43 E., B. M., lying East of said canal, consisting of approximately 270 acres;
	All that part of Section 34, Twp. 15 S., R. 43 E., B. M. lying east of said canal and consisting of approximately 109 acres;
	All of Section 35, Twp. 15 S. R. 43 E. B.M., except approximately 11 acres in the NW $\frac{1}{4}$ of said section, being approximately 629 acres;
	All of lots 1, 2, 3 and the W $\frac{1}{2}$ W $\frac{1}{2}$ Sec. 56, Twp. 15 S. R. 43 E., B.M. consisting of approximately 274 acres;
	All that part of Sec. 1, Twp. 14 S. R. 43 E. B.M. lying east of said ditch and susceptible of irrigation therefrom and consisting of approximately 200 acres;
	All that part of Sec. 2, Twp. 14 S. R. 43 E. B.M. lying easterly from said canal and susceptible of irrigation therefrom and consisting of approximately 373 acres;

21
270
109
629
274
200
373
100

1976

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All that part of Sec. 11, Twp. 14 S. R. 45 E. B.M. consisting of lots, and of the approximate area of 100 acres;

2.

PARIS RELIEF CANAL COMPANY

Original date of
Appropriation:

May 1, 1885

Point of Diversion:

On Paris Creek about 2 miles below the main spring located in Paris Canyon, and more particularly described as beginning NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, Twp. 14 S., R. 45 E. B.M.

For use upon approximately 1100 acres of land in Sections 9, 10, 11, 2, 34, 35, 36, 27 and 38, all in Twp. 14, S. R. 45 E. B.M., more particularly described as follows:

Section 9:

Part of NW $\frac{1}{4}$ SW $\frac{1}{4}$ beginning at a point in the South side of the canyon road 400 ft. East of the West quarter corner of said Sec. 9, thence N 51 $^{\circ}$ E in the south line of the said road 550 ft., thence S 36 $^{\circ}$ East in the west side of a farm lane 110 ft.; thence S 51 $^{\circ}$ W 100 ft.; thence S 36 $^{\circ}$ E 125 ft., thence in a general SWly direction parallel with Paris Creek 1000 ft., more or less to a point in said Canyon Road; thence in a general NWly direction in the South side of the road 600 ft., more or less, to the place of beginning, containing 4.50 acres;

Also part of a NW $\frac{1}{4}$ of Sec. 9, beginning at a point 1100 feet East of a point 300 ft. E of the West Quarter corner of said section; thence N 36 $^{\circ}$ W 120 ft., more or less to a point in the South side of the Canyon Road; thence N 67 $^{\circ}$ E in the south line of the said road 520 ft.; thence South 36 $^{\circ}$ 120 ft., E

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thence S 67° W 320 ft., more or less to the place of beginning, containing 1.00 acre;

Also part of the NW¼ of said Section 9, beginning at a point in the south line of the canyon road 1200 ft. N of the east quarter corner of said section; thence N 66° 30' W 720 ft; thence S 150 ft; more or less to a point in the left bank of Paris Creek; thence down the left bank of said creek 800 ft, more or less to the East line of the NE¼ of said section; thence North 250 ft, more or less to the place of beginning, containing 3.53 acres;

Section 10:

Part of the NW¼ beginning at a point in the south line of the canyon road 1200 feet N of the West Quarter corner of said section; thence S 78° E in the south line of the said road 1000 ft.; thence continuing in the south line of said road N 78° E 280 ft; thence in the same road line N 62° 39' E 220 ft; thence S 55° 50' W 800 ft; thence S 46° W 320 ft; thence S 120 ft; thence W 270 ft; more or less to the left bank of Paris Creek; thence up the said left bank following the meanderings thereof for a distance of 850 feet, more or less, to a point in the W line of said Section 10; thence N 250 ft, more or less, to the place of beginning; Area (more or less) 12.90 acres;

Also beginning at the North quarter corner of said section 10; thence S 1070 ft; thence N 79° W 420 ft; thence N 12° W 220 feet; thence N 65° W 250 ft; thence N 20° E 250 feet; more or less, to a point in the right bank of the Paris Relief Canal; thence down the right bank of the said Canal in a northerly direction for a distance of 475 feet, more or less, to a point in the North line of said Section 10; thence East in the North line of said Section 10 555 ft, more or less to the place of beginning. Area (more or less) 12.20 acres;

Part of the NE¼ of said Sec. 10 described as follows, to wit:

Beginning at the North Quarter corner of sec. 10; thence East 900 ft, more or less, to a lateral of the Paris Relief Canal; thence in a general southwesterly direction up the said lateral for a distance of 800 ft, more or less, to its junction with another lateral out of the said Paris Relief Canal at a point 600 ft. E of a point 450 feet S of the place of beginning; thence S 70° E along the said ditch or lateral 1020 ft; thence N 31° East 530 ft. to the south boundary line of the Fielding High School property; thence N 71° E 330 ft; thence East 400 ft, more or less to a point in the West line of a City Street; thence S

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550 ft.; thence West 180 ft.; thence S 350 ft.; thence W 300 ft.; thence S 280 ft.; thence W 250 ft.; thence S 25 ft.; more or less, to the left bank of the Pioneer Canal; thence in a Westerly direction up the left bank of the said canal following the meanderings thereof for a distance of 1170 ft.; thence N 45° W 300 ft.; thence S 40° W 300 feet; thence N 79° W 320 ft., more or less, to the North and South center line of said Sec. 10; thence N. 1070 ft., more or less, to the place of beginning. Area, (more or less) 40.50 acres;

Section 51

a part of the SE $\frac{1}{4}$ of said Sec. 3 described as follows, to wit:

Beginning at the South Quarter corner of said Sec. 3; thence E 900 ft., to a lateral ditch out of the Paris Relief Canal; thence following down the said lateral for a distance of 1150 ft., more or less, to a point in the S line of said Sec. 3; thence East 550 ft., more or less, to a point in the W line of a North and South City Street; Thence N in the W line of the said Street 370 ft., more or less, to a point in the left bank of the Pioneer Canal; thence following down the left bank of the said Canal in a general NWly direction for a distance of 3000 ft., more or less, to a point in the N and S center line of said Sec. 3; thence S 1350 ft., more or less, to the place of beginning. Area (more or less) 47.50 acres;

Part of the SW $\frac{1}{4}$ of said sec. 3 described as follows, to wit:

Beginning at the South Quarter corner of said Sec. 3; thence W 535 ft., more or less to a point in the Right Bank of the Paris Relief Canal; thence in a general NWly direction in the Right Bank of the said Canal for a distance of 1500 ft., more or less, to a point that is 1520 ft. W of a point 1180 ft. N of the place of beginning; thence E 200 ft., thence N 800 ft., more or less, to a field street; thence South 78° E in the South line of said Street 750 feet; thence S 40° 30' E 600 ft.; thence S in the West line of a lane 650 ft.; thence E 33 ft., more or less, to a point in the N and S center line of said section 3; thence S 650 feet, to the place of beginning. Area (more or less) 59.50 acres;

Also beginning at a point in the left bank of the Pioneer Canal 500 ft. W of the center of said Sec. 3; thence W 1000 ft.; thence S 60° W 520 feet; thence S 52° 30' E 700 ft.; thence S 79° E 920 ft., more or less, to the left bank of the Pioneer Canal; thence in a general Nly direction following the meanderings of the said Canal to the place of beginning. Area (more or less) 14.00 acres;

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Part of the NW $\frac{1}{4}$ of said Sec. 3 described as follows, to wit:
Beginning at a point in the left bank of the Pioneer Canal 500 ft., N of the Center of said Section 3; thence in a general NEly direction in the left bank of the said canal for a distance of 800 ft.; more or less to a point in the N and S center line of said Section 3; thence N 650 ft. to the right bank of the Paris Relief Canal; thence S 55° 50' West along said Canal 1200 ft.; thence S 54° 10' E 70 ft.; thence S 58° W 750 ft.; thence S 100 ft.; thence E 1100 ft., more or less, to the place of beginning. Area (more or less) 16.25 acres.

Also a part of the NW $\frac{1}{4}$ of said Sec. 3 described as follows:
Beginning at a point in the S line of a field street 60 ft. S of the North Quarter corner of said Sec. 3; thence W in the S line of the said Street 2100 ft.; thence S 110 ft.; thence N 240 feet, more or less to a point in the right bank of the Paris Relief Canal; thence in a SEly and Ely direction following the meanderings of the said canal for a distance of 2600 ft., more or less, to a point in the N and S center line of said Sec. 3; thence N 800 ft., more or less, to the place of beginning. Area (more or less) 40.00 acres;

Part of the NE $\frac{1}{4}$ of said Sec. 3, described as follows:
Beginning at a point in the left bank of the Pioneer Canal 500 ft., N of the center of said Sec. 3; thence in a general NEly direction following in the left Bank of the said Canal for a distance of 3200 ft., more or less, to a point in the East line of the NE $\frac{1}{4}$ of said Sec. 3, 150 ft. S of the NE corner of said Sec. 3; thence N in the E line of said Sec. 3 150 ft., more or less, to the NE corner of the said Sec. 3; thence W in the N line of said Sec. 3 2640 ft., more or less, to the North Quarter corner of said Sec. 3; thence South 1870 ft., more or less, to the place of beginning. Area (more or less) 84.00 acres;

Section 2:

A part of the NW $\frac{1}{4}$ of said Sec. 2, described as follows, to wit:
Beginning at the NW corner of said Section 2; thence East 230 ft.; more or less, to a point in the left bank of the Pioneer Canal; thence in a general SWly direction up the left bank of the said Canal for a distance of 300 feet, more or less, to a point in the W line of said Sec. 2; thence N in the W line of said 2 150 ft. more or less, to the place of beginning. Area, (more or less) 0.35 acres;

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The following described property is located in Township 13 S. R. 43 E. ~~North~~ Base and Meridian, to wit:

Section 34:

Beginning at the southeast corner of said sec. 34; thence W 1975 ft., more or less, to a point in the left bank of the Pioneer Canal; thence in an Nly direction following the meanderings of the said canal bank for a distance of 2000 ft., more or less, to a point in the E line of the SE $\frac{1}{4}$ of said Sec. 34; thence S 580 ft., more or less, to the place of beginning. Area (more or less) 15.10 acres;

Also, beginning at the center of said Sec. 34, E 800 ft., S 250 ft., more or less to a point in the left bank of the Pioneer Canal; thence following in the bank of the said canal in a general SWly direction for a distance of 1100 ft., more or less, to the N and S center line of said sec. 34; thence N 1100 feet, more or less, to the place of beginning. Area (more or less) 12.00 acres;

Part of the SW $\frac{1}{4}$ of said Section 34:

Beginning at the South Quarter corner of said Section 34; thence in a Nly direction in the N line of an E and W field road 2400 ft., more or less, to a point in the Right Bank of the Paris Relief Canal; thence in a general Nly direction in the Right Bank of the said Canal for a distance of 1550 ft., more or less, to its intersection with the W line of said Sec. 34; thence leaving said canal North 1150 ft., more or less, to a point in the Right Bank of the Paris Relief Canal; thence NEly in the said Right bank for a distance of 220 ft., more or less, to a point in the North line of the SW $\frac{1}{4}$ of said Sec. 34, 200 ft., E. of the West Quarter corner of said Sec. 34; thence East 2400 ft., more or less to the center of said Sec. 34; thence S 1100 ft., more or less to a point in the Left Bank of the Pioneer Canal; thence following in the left bank of the said canal for a distance of 1400 ft., more or less in a general Sly direction, to its intersection with the N and S center line of said Sec. 34; thence S 70 ft., more or less, to the place of beginning. Area (more or less) 150.00 acres;

Part of the NE $\frac{1}{4}$ of said sec. 34:

Beginning at the center of said Sec. 34; thence N in the W line of the said NE $\frac{1}{4}$ 2640 ft., more or less to the North Quarter Corner of said Sec. 34; thence E in the N line of said Sec. 34, 2240 ft., more or less to the NE corner of said Sec. 34; thence S in the E line of the NE $\frac{1}{4}$ of said Sec. 1950 ft., more or less to a point in a small point of the said swale for a distance of 1850 ft., more or less, to a point that is 800 ft., E and 320 ft. N of the place of beginning; thence S 320 ft., Thence West 800 ft., to the place of beginning. Area (more or less) 185.00 acres, less approximately 10 acres for Dry Farm and ~~other~~ ~~water~~.

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Part of the Northwest quarter of said Sec. 34;
Beginning at the center of said Sec. 34; ~~thence~~
West 2400 ft., more or less to a point in the Right
Bank of the Paris Relief Canal; thence in a gen-
eral NEly direction in the right bank of the said
Canal for a distance of 1800 feet, more or less
to a point 1330 ft., W of a point 1360 ft. N of
the place of beginning; thence W 100 ft., more or
less, to the Right bank of a lateral or ditch;
thence in a general Nly direction following in the
said bank of the ditch for a distance of 900 ft.,
more or less to a point that is 1100 feet W and
1850 ft., N of the place of beginning; thence S
250 ft., more or less, to a point in the Right
bank of the said Paris Relief Canal; thence follow-
ing in the Right bank of the said Canal in a gen-
eral Ely and Nly direction for a distance of 2000 ft.,
more or less, to a point 100 feet West of a point
550 ft., S of the N quarter corner of said Sec.
34; thence West 175 ft., more or less, to a point
in the Left Bank of a lateral; thence in a Nly
direction following in the said Left bank of the
said lateral for a distance of 700 feet, more or
less, to a point in the North line of said Sec.
34, 670 feet, West of the North Quarter corner of
said Sec. 34; thence East 670 feet to the North
Quarter corner afore described; thence South 2540
feet more or less, to the place of beginning.
Area (more or less) 54.00 acres;

Section 35:

Part of the Northwest quarter of said Sec. 35
described as follows:
Beginning at a point 700 ft. N of the West Quarter
corner of said Section 35; thence N 1950 feet,
more or less, to the Northwest corner of said Sec.
35; thence E in the N line of said Sec. 35, 1230
ft., more or less, to a point in the W boundary
line of the State Highway; thence S in the W line
of the said Highway 540 ft.; thence in a SWly di-
rection 1900 feet, more or less, to the place
of beginning. Area (more or less) 54.50 acres;

Part of the SW $\frac{1}{4}$ of said Section 35 described as
follows, to wit:
Beginning at the SW corner of said Sec. 35;
thence N 380 ft., more or less, to a point in the
left bank of the Pioneer Canal; thence following
the meanderings of the said bank in a generally NEly
direction and Nly direction for a distance of
1000 ft., more or less, to a point in the W line
of the SW $\frac{1}{4}$ of said Sec. 35, 380 ft., N of the
place of beginning; thence S 380 feet to the
place of beginning. Area (more or less) 5.85 acres;

Section 28:

Part of the Southwest quarter of said Sec. 28
described as follows, to wit:
Beginning at the South quarter corner of said sec.
28; thence W 950 ft., thence N 54 $^{\circ}$ W 500 ft.,
more or less, to a point in the East boundary line
of the State Highway; thence N in the E line of
the said State highway 1250 ft.; thence E 500 ft.,
more or less, to a slough, thence in a general SEly
direction following in the E side of the side Slough

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for a distance of 950 feet, more or less, to a point that is 240 feet West and 800 ft. N of the place of beginning; thence N 22° E 580 ft., to a point in the N and S center line of the said Sec. 26, 1350 ft., N of the place of beginning; thence S 1350 feet, to the place of beginning. Area (more or less) 34.20 acres;

SE $\frac{1}{4}$ sec. 26:

Part of the SE $\frac{1}{4}$ of said Sec. 26, described as follows, to wit:

Beginning at the South quarter corner of said Sec. 26; thence N 800 ft., more or less, to a slough; thence N 50° 00' E along the line of the said slough 700 feet, more or less, to a point in the W boundary line of the O.S.L.R.R. right of way; thence S 5° 20' E in the West Boundary line of the said right of way 1100 feet, more or less, to a point in the S line of said Section 26, 580 feet E of the place of beginning; thence W 580 feet, more or less, to the place of beginning. Area (more or less) 10.70 acres;

Also beginning at a point 800 ft. N of the South Quarter corner of said Section 26; thence N 550 ft., to the edge of a slough; thence in a general SEly direction and SWly direction in the West edge of the said slough 1000 feet, more or less, to the place of beginning. Area (more or less) 2.30 acres;

Also, two acres lying East and along the O.S.L. R.R. right of way in the South 1520 feet of the SE $\frac{1}{4}$ of said Sec. 26, containing 2 acres, more or less

Part of SW $\frac{1}{4}$ of said Sec. 26:

Also beginning at the Sw corner of said Sec. 26; thence N 2050 ft., more or less to a point at a ditch; thence in an Ely direction following said ditch 1350 ft., more or less, to a point in W boundary line of the State Highway that runs N and S, this point being also the same as the point where the Lanark road starts off in a SWly direction from the said Main State Highway; thence South in the W line of the said State Highway 1750 feet, more or less, to the South line of said Sec. 26; thence West 1250 feet to the place of beginning. Area (more or less) 53.50 acres;

Northwest quarter of Section 26:

Part of the Northwest quarter of said Section 26 described as follows, to wit: All of the Northwest quarter of the Northwest quarter of said Sec. 26, lying West of the Main State Highway, containing (more or less) 87.10 acres;

Section 27:

Part of the SE $\frac{1}{4}$ of said Sec. described as follows, to wit: Beginning at the South quarter corner of said sec. 27; thence N 1150 feet, more or less, to a point in the right bank of the Paris Relief Canal; thence

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in a general Easterly and Northerly direction following the meanderings of the said Canal Bank for a distance of 1000 ft., more or less, to a point that is 1875 ft., N of the place of beginning; thence N 750 ft., more or less to the center of said Sec. 27; thence East 1580 ft., more or less, to a ditch; thence following said ditch in a general SEly direction for a distance of 1250 ft., more or less, to a point in the E line of said sec. 27; thence S 2050 feet, more or less, to the Southeast corner of said Sec. 27; thence West 2840 feet, more or less, to the place of beginning. Area (more or less) 150.00 acres;

Part of the SW $\frac{1}{4}$ of said sec. 27 described as follows, to wit:

Beginning at the South Quarter corner of said Sec. 27; thence W 1400 feet, more or less to a lateral ditch; thence in a general NEly direction and in a general Nly direction following said ditch for a distance of 1800 feet, more or less, to a point that is 600 feet W and 1170 feet N of the point of beginning; thence E 200 feet to the right bank of the main canal of the Paris Relief Canal; thence S 16 $^{\circ}$ West in the right bank of the said Canal 180 feet; thence S 78 $^{\circ}$ E 400 feet to the N and S center line of said Sec. 27; thence N 950 feet more or less, to the right bank of the last aforesaid Canal Bank; thence following the said aforesaid canal bank in a general Wly and Ely direction through the SW $\frac{1}{4}$ of said Sec. 27 for a distance of 3000 feet, more or less, to a point in the E and W Center line of Section 27 at a point 300 feet E of the center of said Sec. 27; thence East 300 feet, to the center of said Sec. 27; thence South 2840 ft. more or less, to the place of beginning. Area (more or less) 34.50 acres;

NE $\frac{1}{4}$ of said Section 27:

Part of the NE $\frac{1}{4}$ of said Sec. 27 described as follows to wit:

Beginning at the center of said sec. 27; thence N 800 feet to the right bank of the Paris Relief Canal; thence in a general NEly and NWly direction following the meanderings of the said Canal Bank for a distance of 600 feet, more or less, to a point 1000 feet North of beginning; thence N 78 $^{\circ}$ E 270 feet, more or less, to a point in the S line of the Lanark Road; thence S 46 $^{\circ}$ 30' East in the S line of the said road 150 feet; thence S 8 $^{\circ}$ W 350 feet to a lateral ditch out of the Paris Relief Canal; thence in a general SEly direction following said lateral for a distance of 1600 feet, more or less, to a point that is 1580 feet E of the place of beginning; thence W 1580 feet to the place of beginning. Area (more or less) 16.25 acres;

Also, beginning at a point in the N line of the Lanark Road 1380 feet South of the center of said Section 27; thence N 480 ft.; thence N 430 ft.; thence N 450 ft.; thence in an Ely direction for a

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MEADOW RIGHTS

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LOUIS W. BUDGE, ET AL

Original Date of
Appropriation:

May 1, 1878

This right is decreed to CYRIL S. BUDGE,
WILFORD W. BUDGE, HEWELL R. BUDGE, TART
P. BUDGE, And LOUIS W. BUDGE.

Point of Diversion

Being in Paris Creek in Lot 6, Sec. 1,
Twp. 14 S., R. 43 E., B. M.

For Use Upon the Follow-
ing Described Land:

Commencing at the NE corner of the SE $\frac{1}{4}$ of
Sec. 36, Twp. 13 S., R. 43 E., B. M. and run-
ning thence W 22 chains and 75 links, thence
S 14 chains and two and 7/15 links, thence E
22 chains and 75 links, thence N 14 chains
and 86 links to place of beginning containing
30 acres and 86 square rods of land more or
less, to gether with all water rights appertain-
ing or belonging. The E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 1, Twp. 14
S., R. 43 E., B. M., and the lots numbered 4 and
5 of Sec. 6, in Twp. 14 S., R. 44 E., B.M., in
Idaho, containing 185 acres, according to the
Government Survey thereof; also 2 parcels of
land as deeded from Franklin D. Rich to the
said Maria Wilker, and more particularly de-
scribed as follows, to wit; Commencing at the
SE corner of Sec. 36, Twp. 13 S., R. 43 E.,
B.M., U. S. Survey, and running thence N 6 chains
and 48 links; thence W 20 chains; thence S 6
chains and 75 links; thence E along Township
line 20 chains to place of beginning and con-
taining 15 acres and 30 rods of land be there
more or less. Also commencing at the NW cor-
ner of lot 4 in Sec. 6, Twp. 14 S., R. 44 E.,
B. M. and running thence N along Section line to
the center of the Outlet; thence up the center
of said "Outlet" following its windings in a
SEly direction to the Section line; thence W
to the place of beginning, containing 10 acres
more or less. Saving and excepting from the
first described 185 acres 2 tracts of land which
were formerly deeded by the said Maria Wilker to
William Budge and George Ashley, there being in
the deed to William Budge 11 acres and in the
Deed to George Ashley 7.84 acres, the Ashley
piece being described as follows: Commencing
at the SW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, sec. 1,
Twp. 14 S., R. 43 E., B. M., and running thence
North 780 feet; thence W 438 feet; thence S.
780 feet; thence W 438 feet to the place of be-
ginning and containing 7.84 acres of land be
there more or less. Lot 1 and 2 and the NE $\frac{1}{4}$
of the NW $\frac{1}{4}$ of Sec. 31, in Twp. 13 S. R. 44 East
B. M. Containing 144.25 acres. Lot number 4 of
Sec. 30 in Twp. 13 S. R. 44 E., B. M., com-

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-55.-

POWER AND MANUFACTURING RIGHTS

-20.-

UTAH POWER & LIGHT COMPANY, A Corporation — 70 c.f.s.

Original Date of
Appropriation:

February 3, 1910

Point of Diversion:

Being in Paris Creek at a point N 70° 40' West 3490 ft., from the West Quarter corner of Section 18, Twp. 14 S., R. 43 E., B. M.

For the Following Use:

A continuous use for the purpose of generating power and electrical energy for private and commercial uses. Said right is further defined and limited as the right to divert from Paris Creek from the natural flow thereof 70 c.f.s. as designated and defined in that certain Water License issued by the State Engineer of the State of Idaho and described as Water License No. 8032 dated November 14, 1917 issued to Utah Power & Light Company which said company was authorized and entitled to divert and use 70 c.f.s. of the waters of Paris Creek for the purpose of generating electrical power and energy at its Paris plant ~~located at a point N 1° 10' E 1870 ft. from the SW corner of Sec. 9, Twp. 14 S., R. 43 E., B.M.~~ with a priority as of February 3, 1910, said water to be diverted from the channel of Paris Creek in the SE 1/4 of Sec. 13, Twp. 14 S., R. 43 E., B. M., and that the point of diversion of said waters from said Paris Creek is located at a point N 70° 40' West 3490 feet from the West Quarter corner of Sec. 18, Twp. 14 S., R. 43 E., B. M., and after the use of such water by the said Utah Power & Light Company, the same is to be returned to the channel of Paris Creek without unnecessary waste, at a point N 0° 32' West 2072 feet from the SW corner of Sec. 9, Twp. 14 S., R. 43 E., B. M.; provided, however, that the right of the said Utah Power & Light Company shall yield to prior irrigation rights which are now supplied above the tailrace of the water for said Company if said rights are not otherwise full; and provided further, that the said Utah Power & Light Company shall have the right to the use of sufficient water to irrigate by sprinkling the land immediately adjacent to its power house; provided, further, that nothing herein contained shall affect, alter or abridge that certain agreement with respect to the so-called Wielenmann Ditch dated January 23, 1908 and signed by R. W. Crawford, Otto Rohner and Gustav Wielenmann, as parties of the first part

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and Bear Lake Power Company (predecessor-in-interest of Utah Power & Light Company, a corporation), as party of the second part which said agreement was filed for record January 23, 1911 at 11 o'clock A. M. of said day and recorded in Book 4 of Miscellaneous Records, at page 27 of the records of Bear Lake County, Idaho.

-21.-

11 0087 PRICE LUMBER COMPANY, A Corporation — 14 c.f.s.

Original Date of
Appropriation:

May 1, 1864

For the Following
Use:

Point of Diversion:

Being in Paris Creek in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, Twp. 14 S., R. 43 E., B.M.

For use in operating the lumber or shingle mill of said corporation, Price Lumber Company, with the waters to be returned, without unnecessary waste, to the channel of Paris Creek; provided, however, that the right to use said water for said purpose shall be secondary to the right of the Pioneer Irrigation and Manufacturing Company and provided further, that said waters shall not be used by said Price Lumber Company for the purpose of operation of said mill when the use thereof will interfere with the agricultural rights and uses of any parties to this Decree whose points of diversion are located up stream from the point of diversion of the said Price Lumber Company including the Pioneer Irrigation and Manufacturing Company and said Southfield Ditch and Canal Company.

-22.-

11 0088 L. FEHR ** Successor-in-interest of the PARIS MILLING COMPANY
16 c. f. s.

Original Date of
Appropriation:

May 1, 1864

For the following
Uses:

Point of Diversion:

Being in Paris Creek near the Northwest corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, Twp. 14 S., R. 43 E., B. M.

Said waters to be used for the purpose of producing and generating power to run and operate the mill owned by the said L. Fehr; provided, however, that said waters shall be so used that the same shall be returned in such manner as to reach the diversion works of the Pioneer Irrigation and Manufactur-

MAY 1 3 1996

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ing Company and the diversion works of the Southfield Ditch and Canal Company and Wilford Budge; and provided further, that this right shall never be so construed as to interfere with or diminish the rights of Paris City to the water herein decreed to it for the purposes stated in this Decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That this Court retain jurisdiction of this case for a period of Seven years from the date of the signing of this Decree for the purpose of correcting any typographical or clerical errors, inadvertences and/ or omissions, or misdescriptions of any of the Rights decreed. In all other respects, this Decree shall be final.

DONE IN OPEN COURT this 27 day of July, 1932.

Signed: JAY L. DOWNING
District Judge.

MAY 13 1996

RECEIVED

JAN 07 2024

DEC 22, 2023 MB

IDWR/Preston

RECEIVED

Dec 08, 2023

Date Received _____

DEPARTMENT OF
WATER RESOURCES

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time to file an adjudication claim as allowed under Section 42-1409(8), Idaho Code.

Paris Relief Canal Co (512) 970-1700
Name of Claimant Phone Number
645 N Main Street Id 83261
Mailing Address City State Zip
Bear Lake Dec 8, 2023
County(ies) where place of use is located Date claim originally due
11-67
Identify water right(s) for which extension is requested

State why an extension of time is requested, explaining how a diligent effort has been made to meet the deadline:

Claims are prepared but client wishes to do a thorough review prior to submission

Claimant requests an extension to January 15, 2024

Duane A. Contor 8 DEC 2023
Signature Date of request

CONSULTANT FOR CLAIMANT
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to January 15, 2024

Signed this 12th day of December, 2023

[Signature]
Director or his designated agent

Mail to: Idaho Department of Water Resources
322 E. Front St., PO Box 83720
Boise, ID 83720-0098

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Rocky Mountain
ENVIRONMENTALSM
ASSOCIATES, INC.

December 22, 2023

RMEA Project No. 22-0060

Idaho Department of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

Re: Bear River Basin Adjudication Claims - Paris Relief Canal Company and Pioneer Irrigation and Manufacturing

Ms. Beck:

This letter accompanies checks for Adjudication claims for the Paris Relief Canal Company and for Pioneer Irrigation and Manufacturing. These were transmitted electronically along with GIS shapefiles to aid in review of the claims. Also attached are worksheets summarizing the fee calculations and copies of the approved requests for extension of filing. These claims are submitted together because the companies share leadership, a pipeline, and a common service area.

In addition to responses to be provided the claimant, Please copy Rocky Mountain Environmental Associates, Inc. (RMEA) at kristin.rmea@gmail.com with a copy of the receipt and copies of the first page of each claim, showing the numbers assigned by IDWR.

The claims filed are as follows:

- Irrigation claim based on 11-66A (Pioneer)
- Irrigation claim based on 11-67 (Paris Relief)

Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303, Idaho Falls, Idaho 83402
rockymountainenvironmental.com

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JAN 02 2024

IDWR/Preston

Please call Kristin Moore at 208-524-2353 or e-mail her at kristin.rmea@gmail.com if there are questions.

Thank you,



Bryce A. Contor
Principal Hydrologist

Attachments: Checks
 Fee-calculation worksheets

Claimant:
Claim ID:

Paris Relief Canal Co.
11-67

FILING FEES

[Instructions for Form No. 42, H09-1]

Revised January 30, 2023

De Minimis

Rate/Unit Unit # Units \$ Amount
\$25 Claim
\$0 Claim

De Minimis Stock (> 4th claim)

Non-De Minimis

\$50 Claim \$50.00

Irrigation

\$1 Acre 1108.74 \$1,109.00

Power Generation

\$3.50 KW of Capacity

Aquaculture

\$10 cfs

Dom. & Stock (>13k gpd),

\$100 cfs

\$12.00

Municipal, industrial,

commercial, mining, heating,

cooling

Public instream flow, public lake

\$100 cfs

level maintenance, wildlife

Fire protection

\$0 cfs

Groundwater recharge

\$0 cfs or afa

Total

\$1,171.00

Duplicate this worksheet once
for each claim.

Note:

Round acreage fee up to next
dollar.

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose of use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than
13,000 gallons per day in total \$25.00
100 acres irrigation, domestic and stockwater as above . . . \$150.00
Fish propagation, 4.2 cfs \$92.00
Multiple family domestic, 1.6 cfs,
irrigation of yards and gardens, 14 acres \$224.00

TABLE 3. VARIABLE FEE SCHEDULE

	\$1.00 per acre	Each acre is charged only once.
Irrigation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less.
Power generation	\$10.00 per cfs	
Aquaculture	\$100.00 per cfs	
Domestic, stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	

Exceptions: No variable fee is charged for fire protection or ground water recharge.

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