

**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

Ident. Number: 11-4024A
Date Received: 9/11/2023
Receipt No: 2000450
Claim Fee: \$1,470.00
Received By: MB

RECEIVED

SEP 11 2023

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

IDWR/Preston

1. Name of Claimant(s)

MILL CANYON NORTH CANAL CO
C/O DALE HYMAS
468 HYMAS LN
OVID ID 83254

Phone: (208) 847-5684

2. Date of Priority: 6/1/1890

3. Source:

COPENHAGEN CREEK
MILL CREEK

Trib. to:

NORTH CREEK
OVID CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
12S	42E	25	NE SW		BEAR LAKE	
13S	42E	2	NW NE	2	BEAR LAKE	

5. Description of diverting works:

ENTIRE STREAM BED GETS TURNED INTO THE DITCH SYSTEM FOR DISTRIBUTION. GPS
COORDINATES: -111 29.778 W, 42 20.591 N.

WOODEN HEADGATE BEDDED WITH CONCRETE CONTROLLED WITH WODDEN GATES. GPS
COORDINATES: -111 30.794 W, 42 19.527 N. DITCH SYSTEM WITH LATERALS DISTRIBUTE WATER
TO USERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	04/01	11/01	0.06		
IRRIGATION	04/01	11/01	27.7		
STOCKWATER	04/01	11/01	0.28		

7. Total Quantity Appropriated is:

28 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

DOMESTIC USE FOR 2 HOUSES

1,311 MIXED STOCK, MOSTLY CATTLE AND HORSES.

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
12S	42E	24	SW		SE		
12S	42E	25	SW		NE		
12S	42E	25	SW		SE		
12S	42E	25	SE		SE		
12S	42E	36	NE		NE		
12S	42E	36	NW		NE		
12S	42E	36	SW		NE		
12S	42E	36	SE		NE		
12S	42E	36	NE		NW		
12S	43E	29	NW		SW		
12S	43E	29	SW		SW		
12S	43E	29	SE		SW		
12S	43E	30	NE		NE		
12S	43E	30	NW		NE		
12S	43E	30	SW		NE		
12S	43E	30	SE		NE		
12S	43E	30	NE		NW		
12S	43E	30	NW		NW	1	
12S	43E	30	SW		NW	2	
12S	43E	30	SE		NW		
12S	43E	30	NE		SW		
12S	43E	30	NW		SW	3	
12S	43E	30	SW		SW	4	
12S	43E	30	SE		SW		
12S	43E	30	NE		SE		
12S	43E	30	NW		SE		
12S	43E	30	SW		SE		
12S	43E	30	SE		SE		
12S	43E	31	NE		NE		
12S	43E	31	NW		NE		
12S	43E	31	SW		NE		
12S	43E	31	SE		NE		
12S	43E	31	NE		NW		

12S	43E	31	NW	NW	1
12S	43E	31	SW	NW	2
12S	43E	31	SE	NW	
12S	43E	31	NE	SE	
12S	43E	31	NW	SE	
12S	43E	31	SW	SE	
12S	43E	31	SE	SE	
12S	43E	32	NE	NW	
12S	43E	32	NW	NW	
12S	43E	32	SW	NW	
12S	43E	32	SE	NW	
12S	43E	32	NE	SW	
12S	43E	32	NW	SW	
12S	43E	32	SW	SW	
12S	43E	32	SE	SW	
12S	43E	32	NW	SE	
12S	43E	32	SW	SE	
13S	43E	5	NW	NE	2
13S	43E	5	NE	NW	3

Total Acres = 1386

STOCKWATER same as IRRIGATION

DOMESTIC same as IRRIGATION

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

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

CANAL COMPANY DISTRIBUTES WATER TO USERS WHO OWN THE PROPERTIES.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation: SEE STATUTORY CLAIM.

RATES CLAIMED BASED ON OUR USE AND IDWR STANDARDS.

IN 1890, ORIGINAL SETTLERS BEGAN DIGGING THE DITCHES FOR IRRIGATION. THEY FILED THE STATUTORY CLAIM BEGINNING 6/1/1890. WATER USE FOR IRRIGATION HAS CONTINUED SINCE THEN. DITCHES HAVE BEEN MAINTAINED AND WEIRS REPLACED WHEN MAINTENANCE REQUIRES. OPERATIONS ARE CURRENTLY ABOUT THE SAME FOR THE LAST 30 OR SO YEARS.

13. Basis of Claim: Statutory Claim

14. Signature(s)

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

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

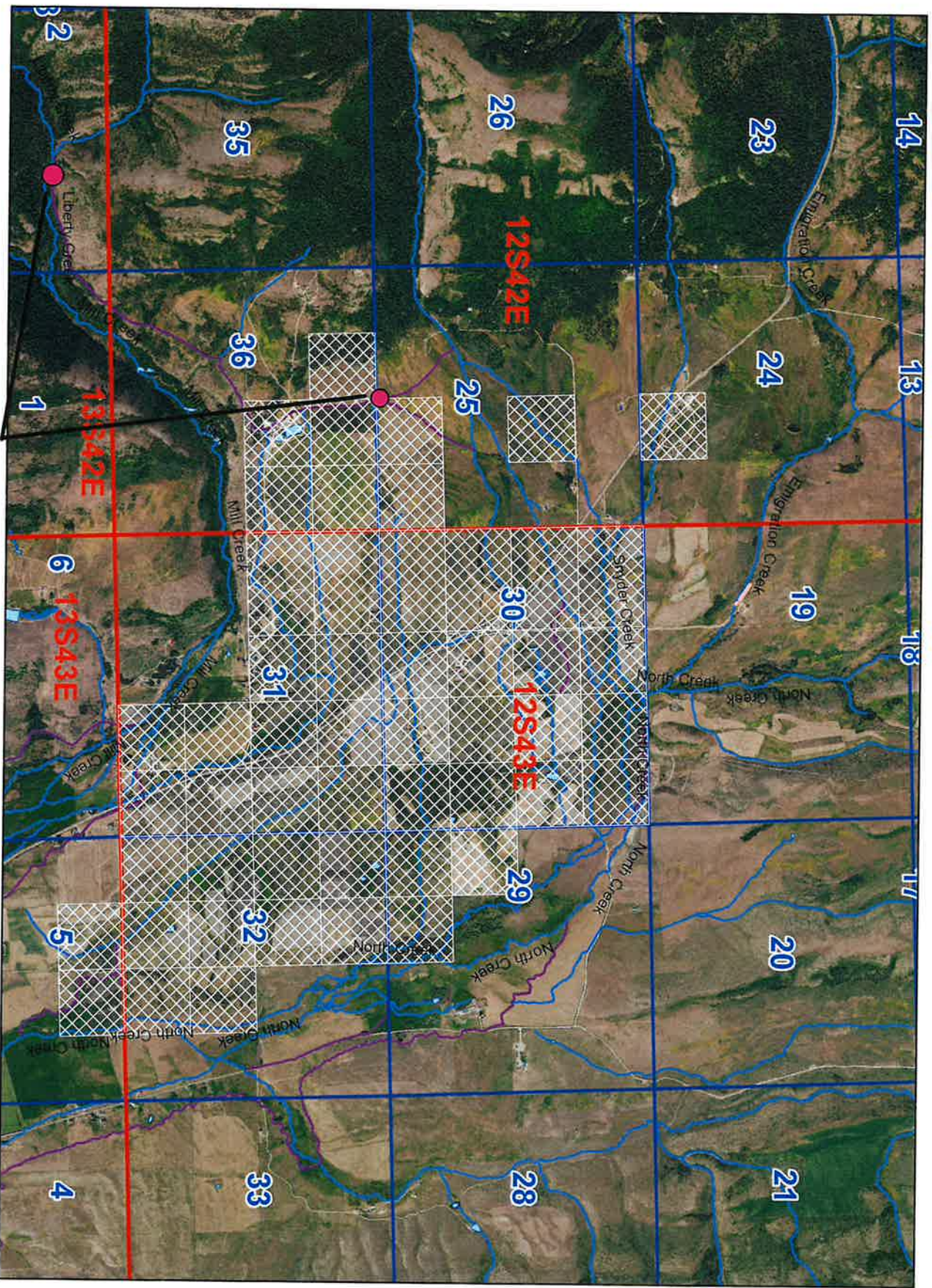
President of M.I. Canyon North Canal Company
Agents Title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dale Hyman Date 9-11-2023

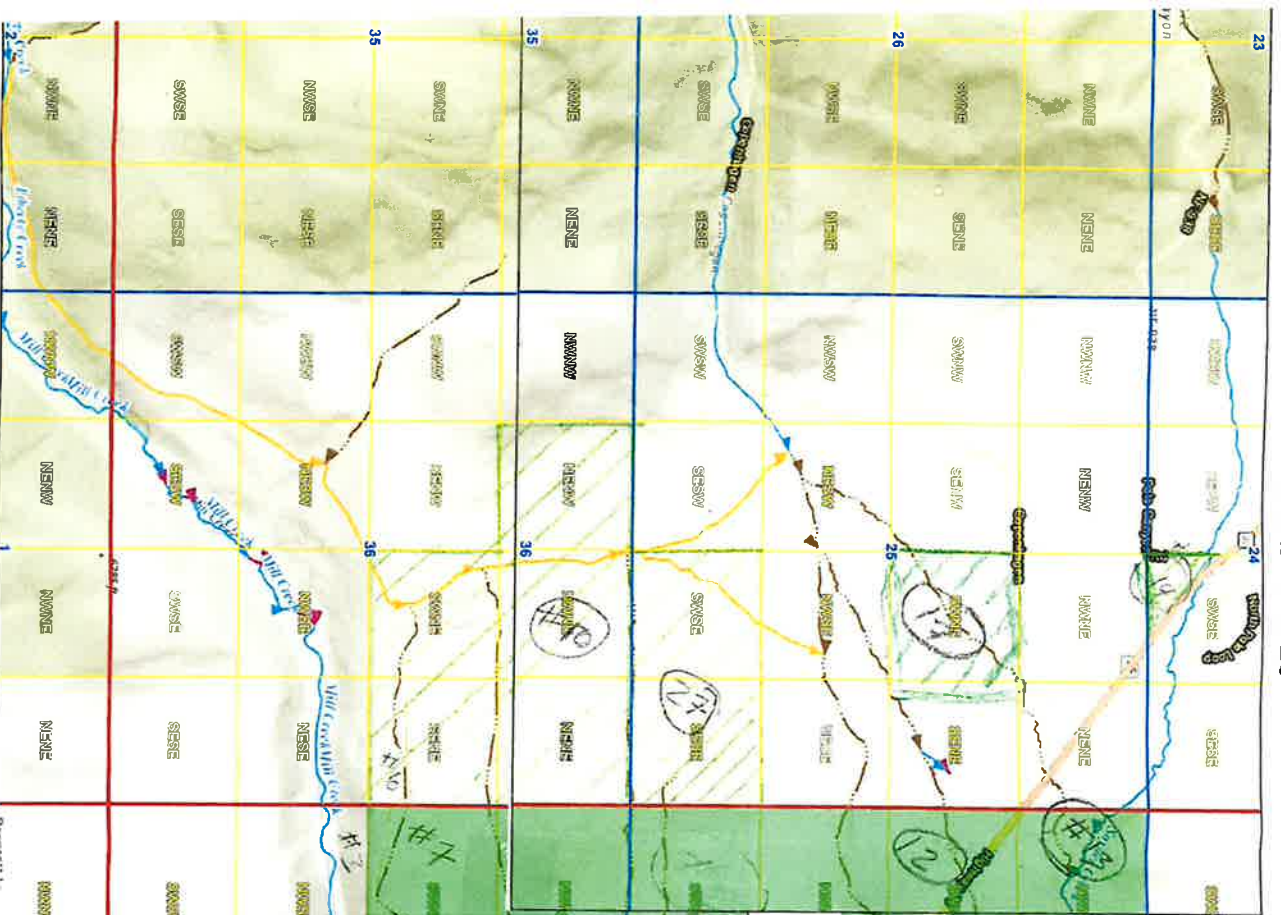
Printed Name of Authorized Agent Dale Hyman

**MILL CANYON NORTH CANAL COMPANY
SERVICE AREA WITH POINTS OF DIVERSION**



POINTS OF DIVERSION

CANYON NORTH CANAL CO - 12S42E 25 & 26



MILL CANYON NORTH CANAL CO - 12S43E 30 & 29

