

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-118
Date Received: 10/24/1988
Receipt No: S003190
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID USA 83313

Phone: (208)788-4826

2. Date of Priority: 07/01/1904

3. Source: SWAMP , SWAMP , SWAMP , SWAMP , SWAMP , SWAMP , SWAMP , SWAMP , SWAMP
Trib. to: SINKS , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01S	19E	20	NW	NW	SW	BLAINE	
01S	19E	28	SE	NW	SE	BLAINE	
01S	19E	7		SE	SE	BLAINE	
01S	19E	18		NE	NE	BLAINE	
01S	19E	20		NW	NW	BLAINE	
01S	19E	29	NW	NW	NW	BLAINE	
01S	19E	28	SE	SE	NE	BLAINE	
01S	19E	29	NW	SW	NW	BLAINE	
01S	19E	29	NE	NW	SW	BLAINE	

5. Description of diverting works:

WILLIS #1 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	8	
WATER QUALITY IMPROVEMENT STORAGE	01/01	12/31		69

7. Total Quantity Appropriated is:
8 C.F.S. and/or 69 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
01S	19E	19	NE	NE	IRRIGATION	3	
			SE	NE	IRRIGATION	28	
			NE	SE	IRRIGATION	25	
			SE	SE	IRRIGATION	29	
	Section Acres					85	
	19E	20	SW	NW	IRRIGATION	6	
			NW	SW	IRRIGATION	11	
			SW	SW	IRRIGATION	28	
			Section Acres				
	19E	27	SW	NW	IRRIGATION	28	
NW			SW	IRRIGATION	26		
Section Acres					54		
19E			28	SW	NE	IRRIGATION	15
	SE	NE		IRRIGATION	27		
	NE	SE		IRRIGATION	30		
	NW	SE		IRRIGATION	10		
	SE	SE		IRRIGATION	22		
	SW	NE		WATER QUALITY IMPROVEMENT STORAGE			
	NE	SW		WATER QUALITY IMPROVEMENT STORAGE			
	NW	SE		WATER QUALITY IMPROVEMENT STORAGE			
	Section Acres					104	
	19E	29	NW	NW	IRRIGATION	32	
SW			NW	IRRIGATION	38		
SE			NW	IRRIGATION	5.7		
NE			SW	IRRIGATION	37		
NW			SW	IRRIGATION	38		
NW			SE	IRRIGATION	18		
Section Acres					168.7		

01S	19E	30	NE	NE	IRRIGATION	34
			SE	NE	IRRIGATION	32
					Section Acres	66
01S	19E	33	NE	NE	IRRIGATION	2.3
					Section Acres	2.3
					Total Acres	525

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

The claim was amended to recognize two points near the beginning of the Buhler drain. The claimant asserts that the drain accumulates water throughout sections 7, 18 and possibly 17. A third point of diversion in section 20 NWNW was added to recognize the Willis 1 headgate.

RT. IS PRIOR & EXCLUSIVE AS LONG AS DIVERSION DITCH IS MAINTAINED ADDED TRACTS WERE A PART OF THE ORIGINAL 300 ACRES LISTED ON THE LICENSE.

AMENDED NOTES POD #1 2 PUMPS & MAINLINE TO SPRINKLERS. S20, NWNWSW POD #2 PUMP & PIPELINE TO SPRINKLERS. S29, NWNWNW POD #3 BURIED PIPELINE FROM DRAIN TO MAINLINE. S29, NWSWNW POD #4 PUMP & MAINLINE TO SPRINKLERS. S29, NENWSW POD #5 TEETER CANYON PUMP, MAINLINES TO SPRINKLERS. S28, SESENE REVISED POU TO PREPARE FOR PENDING TRANSFER. SCC 08-16-91.

Amended claim to show 1987 irrigated acres and storage in a pond for downstream water quality improvement. 10/26/07 jr

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

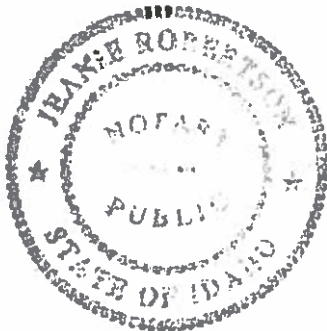
Signature of Claimant(s): J. F. Stenerson Date: Oct. 26 '07

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th
of Oct. 2007
Jeanie Robertson
Notary Public

Residing at Twin Falls, ID.
My commission Expires 1-12-13



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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01S	19E	20	NW NW SW	BLAINE	
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01S	19E	7	SE SE	BLAINE	
01S	19E	18	NE NE	BLAINE	
01S	19E	20	NW NW	BLAINE	
01S	19E	29	NE NW SW	BLAINE	
01S	19E	28	SE SE NE	BLAINE	
01S	19E	29	NW SW NW	BLAINE	

5. Description of diverting works:

WILLIS #1 HEADGATE

6. Water is used for the following purposes:

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- replaced -

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The claim was amended to recognize two points near the beginning of the Buhler drain. The claimant asserts that the drain accumulates water throughout sections 7, 18 and possibly 17. A third point of diversion in section 20 NWNW was added to recognize the Willis 1 headgate.

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13. Other Water Rights Used:

14. Remarks:

Amended claim to show 1987 irrigated acres. (93 extra acres, additional fees paid of \$186.00. See receipt S029741 9/24/07 - jr)

The claim was amended to recognize two points near the beginning of the Buhler drain. The claimant asserts that the drain accumulates water throughout sections 7, 18 and possibly 17. A third point of diversion in section 20 NWNW was added to recognize the Willis 1 headgate.

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

Number of attachments: _____

For Individuals:

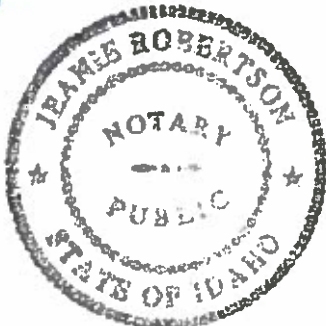
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct

Signature of Claimant(s): John F. Stinson Date: 9/24/07

Date: _____

State of Idaho)
County of Twin Falls) SS.

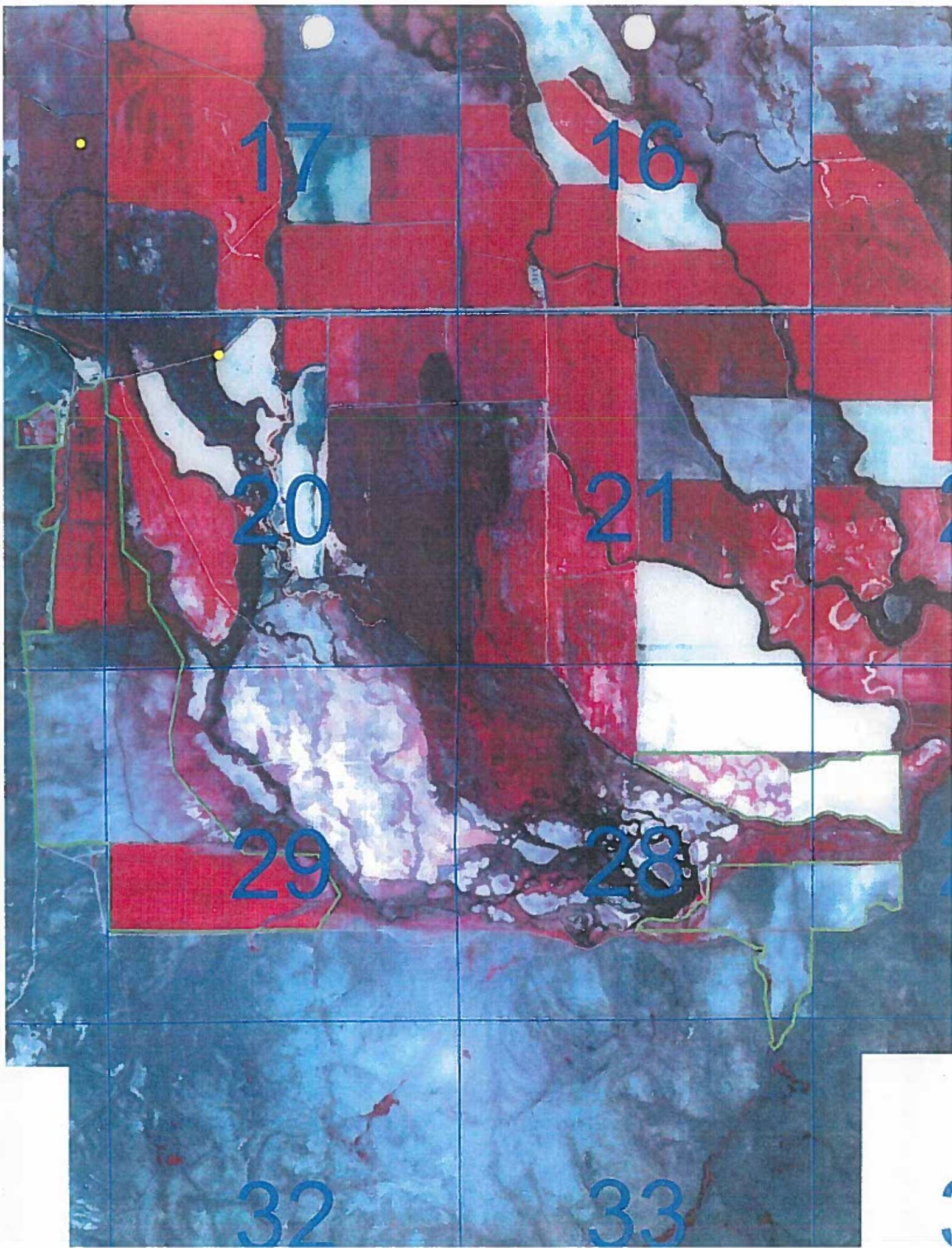
Subscribed and sworn (or affirmed) before me this 24th
of Sept. 2007



James Robertson
Notary Public

Residing at Twin Falls, ID.

My commission Expires 1-12-13



Robertson, Jean

From: Robertson, Jean
Sent: Wednesday, October 03, 2007 3:34 PM
To: Kelly, Vicki
Cc: Bromley, Chris
Subject: Basin 37 Part 3 Version 2 Recs. for Amended Claims (Stevenson)

Hey Vicki,
I have made new Version 2 Recs. for four claims. **Three were amended (37-118, 37-2576, and 37-2681)** to add extra acres to the PoU and **one was objected to (37-7644)** so I could fix the overlap acre limit remark. (I also fixed a PoD in my recommendation for 37-2576 that he had claimed correctly in his original claim but I had recommended wrong.)

Besides amending 37-118, he also **objected** to one of the PoDs that I had messed up on. This has now been corrected also in my V2 Rec.

Hope this is what you need and you can take it from here!

Thanks, Jeanie



37-118 Stevenson 37-2576 Stevenson 37-2681 Stevenson 37-7644 Stevenson
V2 Recommenda... V2 Recommend... V2 Recommend... V2 Recommend...

37-2649A - no overlaps
37-2649B - no overlaps

[illegible]

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GLS	OIS	19E	20							6				11	28					45
118 2576 21051										6				11	28					45
2649A						20	40	40									40	40	32	212

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GIS	DIS	19E	21							15			40	40	40					135
26496										15			40	40	40					135

[illegible]

COPY

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

In Re SRBA

Case No. 39576

A. Subcase 37-118
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: John F. Stevenson

Address: 36 Hillside Ranch Rd.
Bellevue, Id. 83313

Daytime Phone: 208-288-4826

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: John F. Stevenson

Address: 36 Hillside Ranch Rd.
Bellevue, Id. 83313

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☐ Priority Date
Should be: _____
5. ☒ Point(s) of Diversion
Should be: NW NW SW Sec. 20
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Twin Falls)

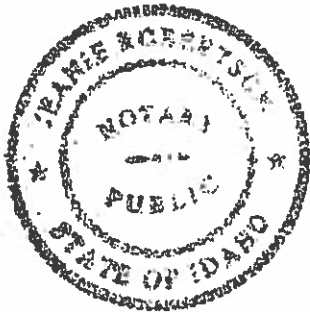
John F. Stevenson, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

John F. Stevenson
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Sept. 24, 2007



Jean Robertson
Notary Public for IDWR
Residing at: Twin Falls, ID
My Commission Expires: 1-12-13

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Sept 24, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: John F. Stevenson
Address: 36 Hillside Ranch Rd.
Bellevue, Id. 83313

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

John F. Stevenson
Signature of Objector or attorney
mailing on Objector's behalf

10/03/2007

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

RIGHT NUMBER: 37-118

NAME AND ADDRESS: JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

SOURCE: SWAMP

TRIBUTARY: SINKS

QUANTITY: 8.000 CFS

PRIORITY DATE: 07/01/1904

POINT OF DIVERSION:

T01S R19E S7 NWSESE Within BLAINE County
T01S R19E S18 SENENE Within BLAINE County
T01S R19E S20 SWNWNW Within BLAINE County
T01S R19E S20 NWNWSW Within BLAINE County
T01S R19E S28 SESENE Within BLAINE County
T01S R19E S29 NWNWNW Within BLAINE County
T01S R19E S29 NWSWNW Within BLAINE County
T01S R19E S29 NENWSW Within BLAINE County

300

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	8.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S19	NENE	3.00	T01S R19E S19	SENE	28.00
T01S R19E S19	NESE	25.00	T01S R19E S19	SESE	29.00
T01S R19E S20	SWNW	6.00	T01S R19E S20	NWSW	11.00
T01S R19E S20	SWSW	28.00	T01S R19E S27	SWNW	28.00
T01S R19E S27	NWSW	26.00	T01S R19E S28	SWNE	15.00
T01S R19E S28	SENE	27.00	T01S R19E S28	NESE	30.00
T01S R19E S28	NWSE	10.00	T01S R19E S28	SESE	22.00
T01S R19E S29	NWNW	32.00	T01S R19E S29	SWNW	38.00
T01S R19E S29	SENW	5.70	T01S R19E S29	NESW	37.00
T01S R19E S29	NWSW	38.00	T01S R19E S29	NWSE	18.00
T01S R19E S30	NENE	34.00	T01S R19E S30	SENE	32.00
T01S R19E S33	NENE	2.30			

525 ACRES TOTAL

10/03/2007

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

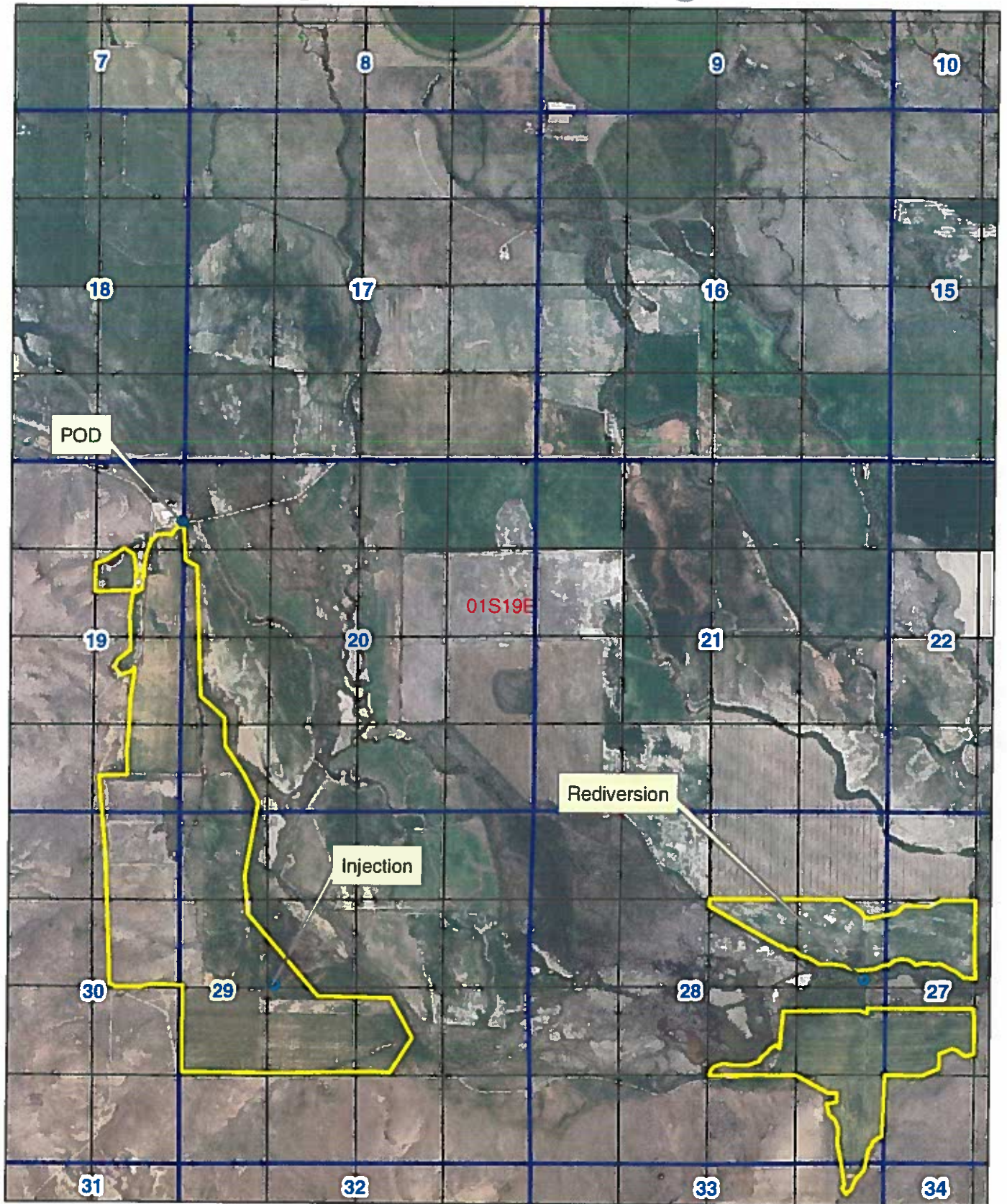
This right is limited to the irrigation of 300 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 525 acres in a single irrigation season. Combined Right Nos.: 37-118, 37-2576, 37-2681, and 37-7644.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



37-118
Amended Director's Report
Place of Use/Point of Diversion Map

12/15/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-118

NAME AND ADDRESS: JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

SOURCE: BUHLER DRAIN

TRIBUTARY: STALKER CREEK

QUANTITY: 8.000 CFS

Rediversion from Stalker Creek in Section 28 is limited to the measured flow rate injected into Stalker Creek or 0.02 cfs per acre for the lands served, whichever is less.

PRIORITY DATE: 07/01/1904

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved or developed water in Silver Creek, as established and controlled by, and subject to, the provisions included within In Re: S C Frost et al vs Alturas Water Company et al decree (Lincoln County, entered 12-13-1909).

POINT OF DIVERSION:

T01S R19E S20 SWNNW Within BLAINE County

T01S R19E S28 SESENE Rediversion Within BLAINE County

T01S R19E S29 SWSNW Injection Within BLAINE County

The point of injection described above is where Buhler Drain water flows into Stalker Creek for rediversion from the pump further down Stalker Creek.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	8.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S19	NENE	3.00	T01S R19E S19	SENE	28.00
T01S R19E S19	NESE	25.00	T01S R19E S19	SESE	29.00
T01S R19E S20	SWNW	6.00	T01S R19E S20	NWSW	11.00
T01S R19E S20	SWSW	28.00	T01S R19E S27	SWNW	28.00
T01S R19E S27	NWSW	26.00	T01S R19E S28	SWNE	15.00
T01S R19E S28	SENE	27.00	T01S R19E S28	NESE	30.00
T01S R19E S28	NWSE	10.00	T01S R19E S28	SESE	22.00
T01S R19E S29	NWNW	32.00	T01S R19E S29	SWNW	38.00
T01S R19E S29	SENE	5.70	T01S R19E S29	NESW	37.00
T01S R19E S29	NWSW	38.00	T01S R19E S29	NWSE	18.00
T01S R19E S30	NENE	34.00	T01S R19E S30	SENE	32.00
T01S R19E S33	NENE	2.30			

525 ACRES TOTAL

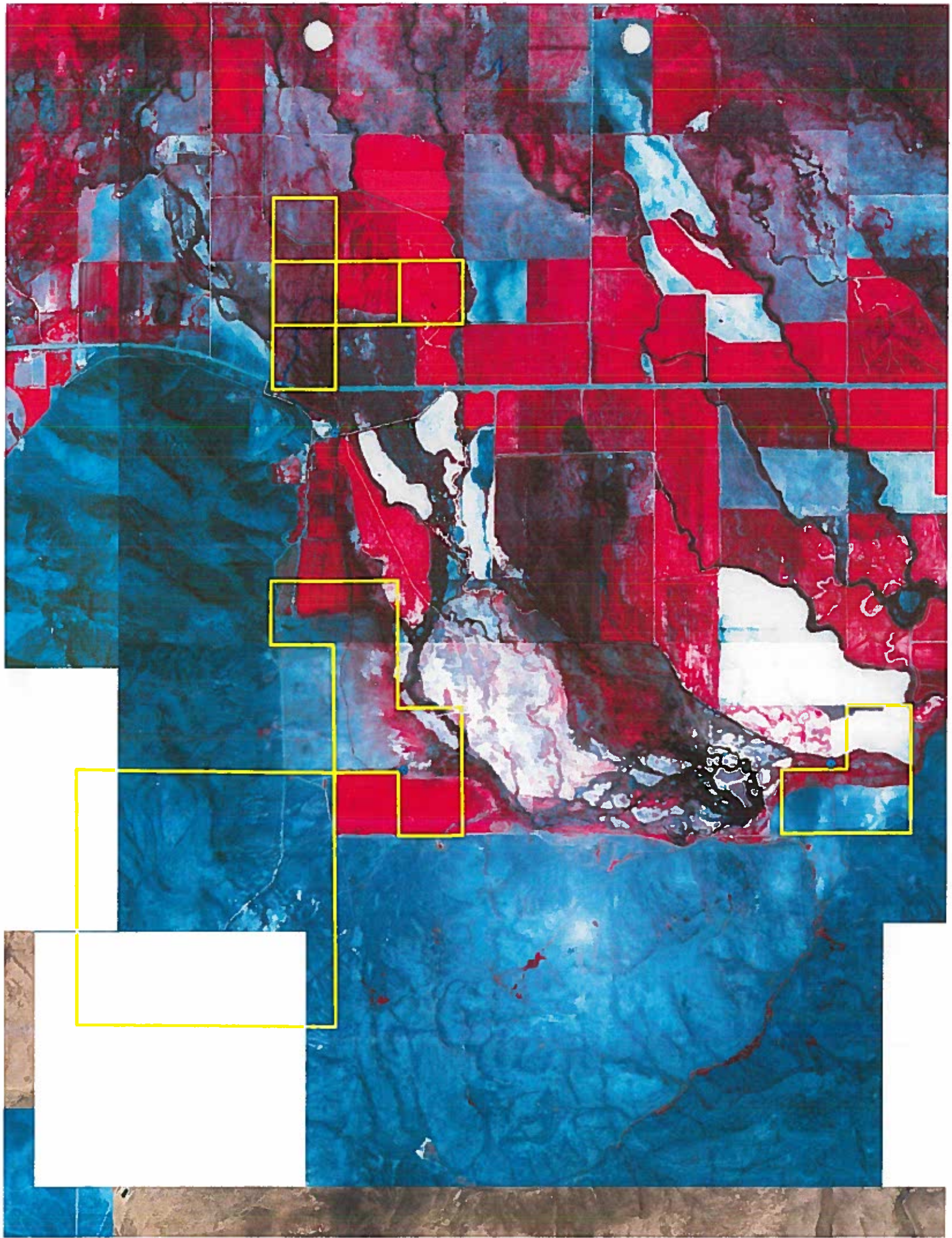
This right is limited to the irrigation of 300 acres within the place of use described above in a single irrigation season.

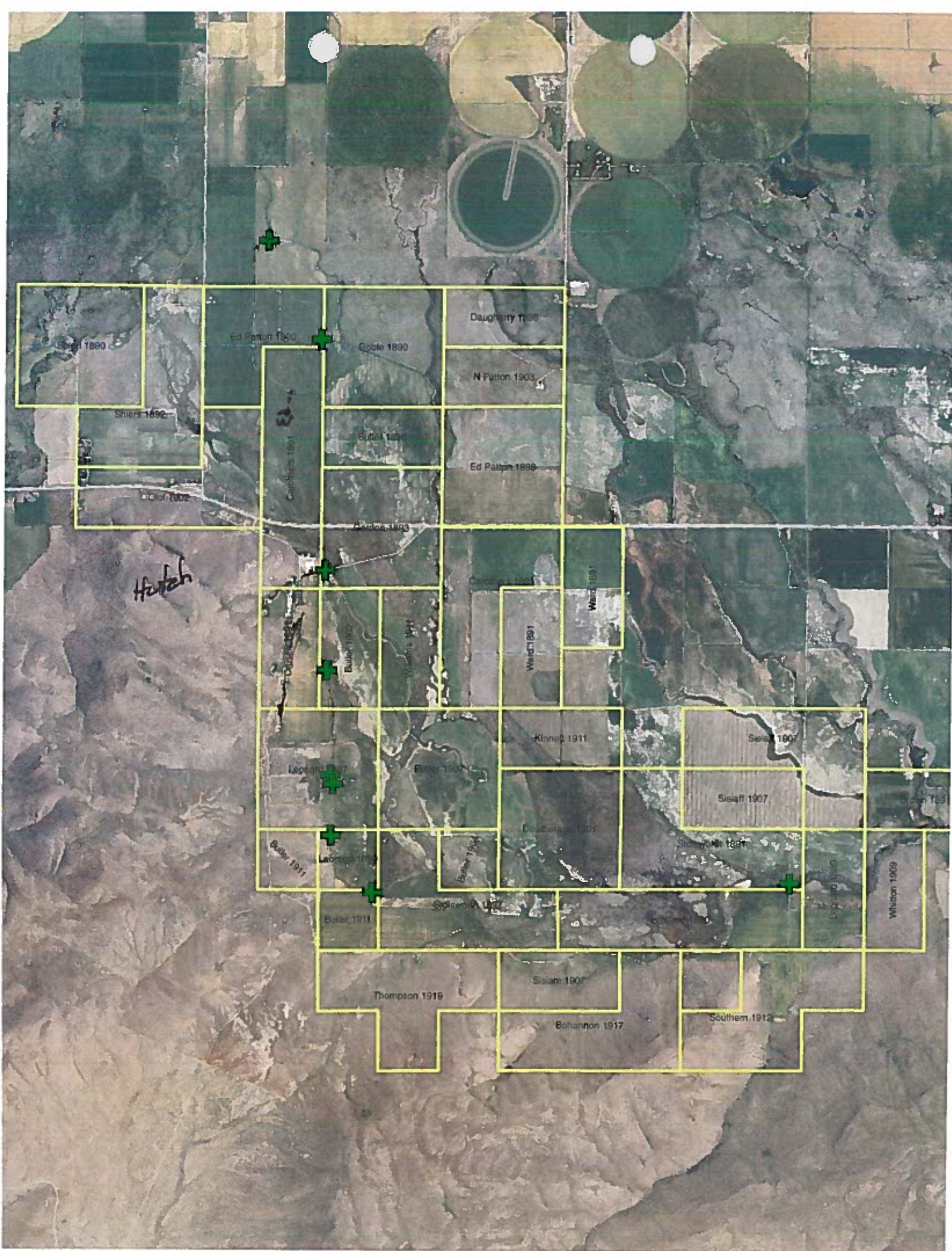
The rights listed below are limited to the irrigation of a combined total of 525 acres in a single irrigation season. Combined Right Nos.: 37-118, 37-2576, 37-2681, and 37-7644.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed





Clausen 1891

Buller 1902

Williams 1911

Catothers 1899

Leonard 1887

Buller 1902

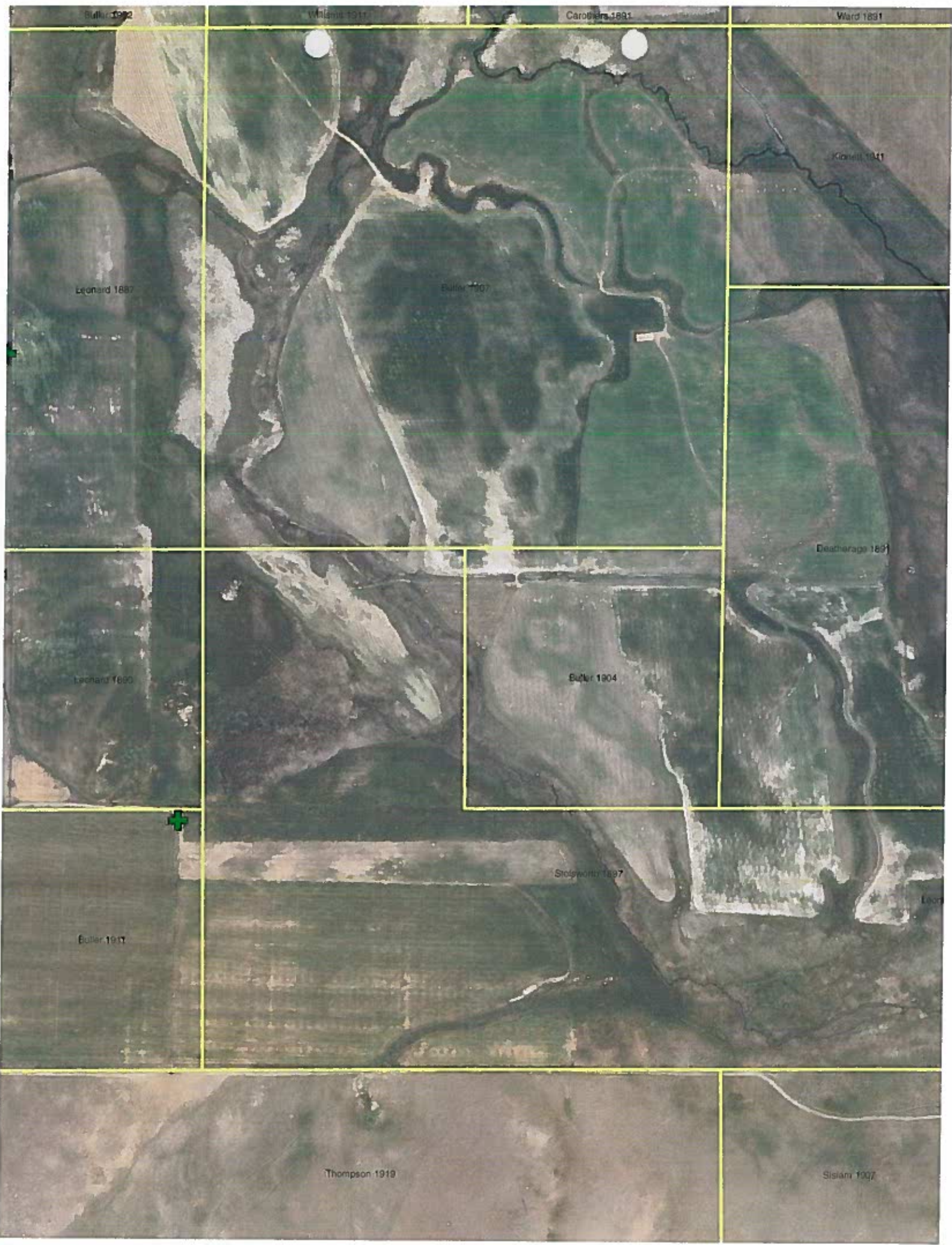
Buller 1911

Leonard 1890

Buller 1904

Stokewood 1897

Buller 1911



Butler 1992

Williams 1911

Carothers 1891

Ward 1891

Kinnell 1941

Leonard 1887

Butler 1907

Decherage 1891

Leonard 1890

Butler 1904

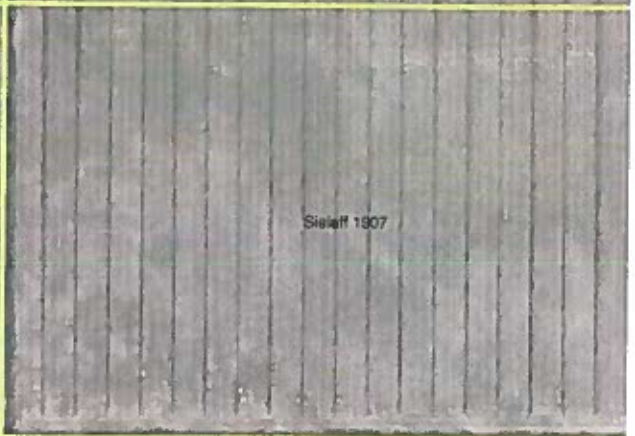
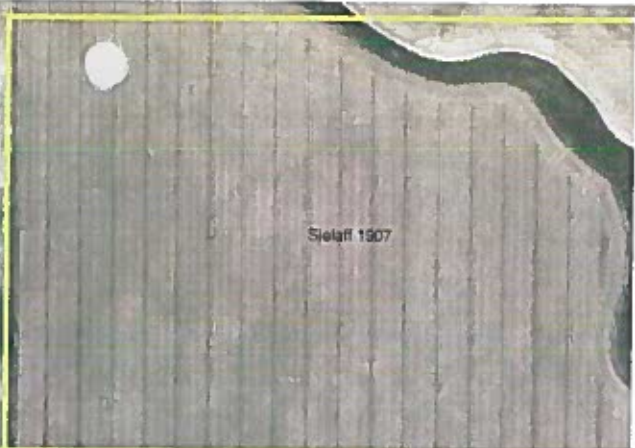
Stodowitz 1897

Leon

Butler 1911

Thompson 1919

Sisiam 1907



Eli Peltun 1898

Columbs 1891

Ward 1891

Ward 1891

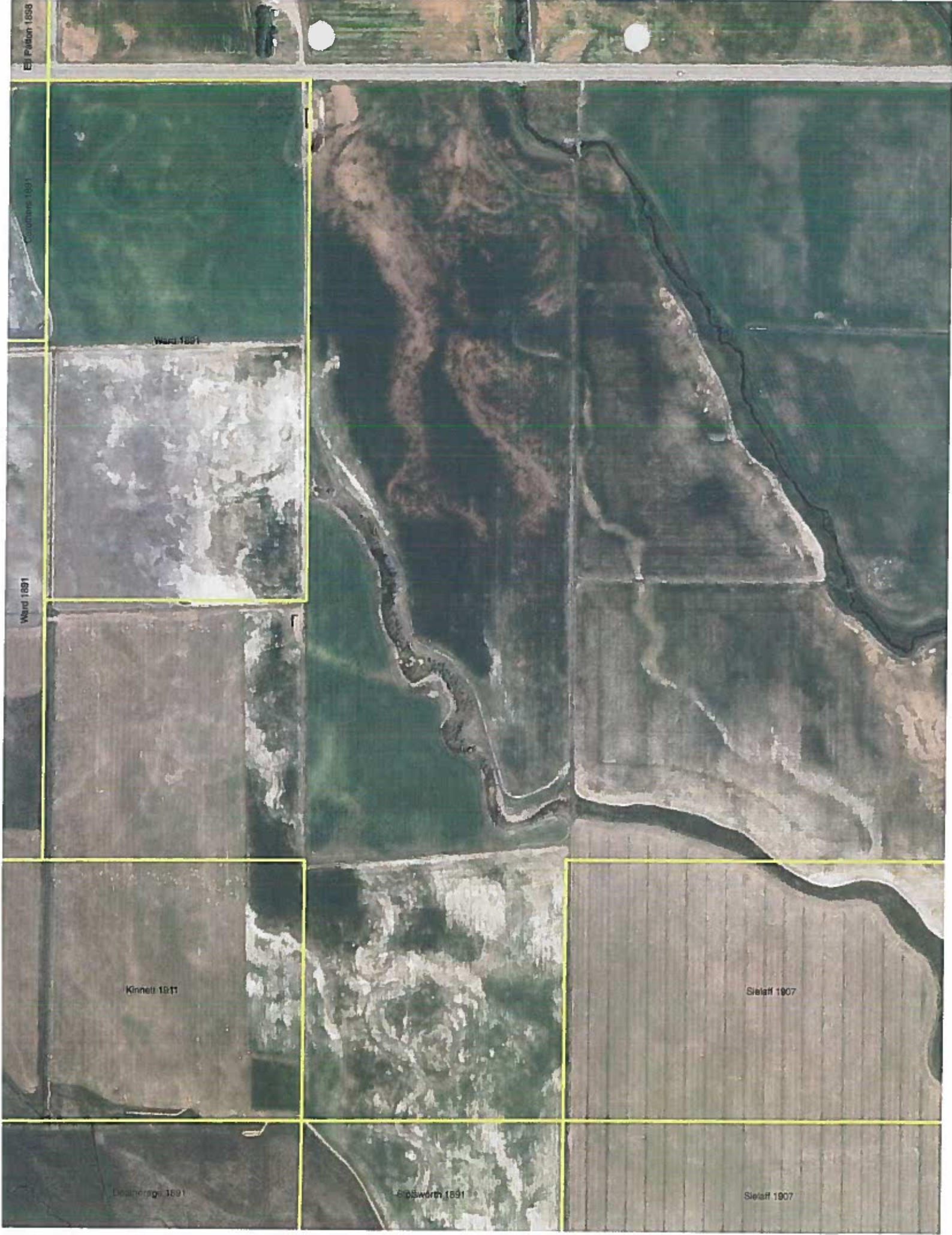
Kinnell 1891

Deane 1891

Fosworth 1891

Selaff 1907

Selaff 1907



Dier 1902

Butler 1896

Carothers 1891

Dodson 1893

Crosby 1891

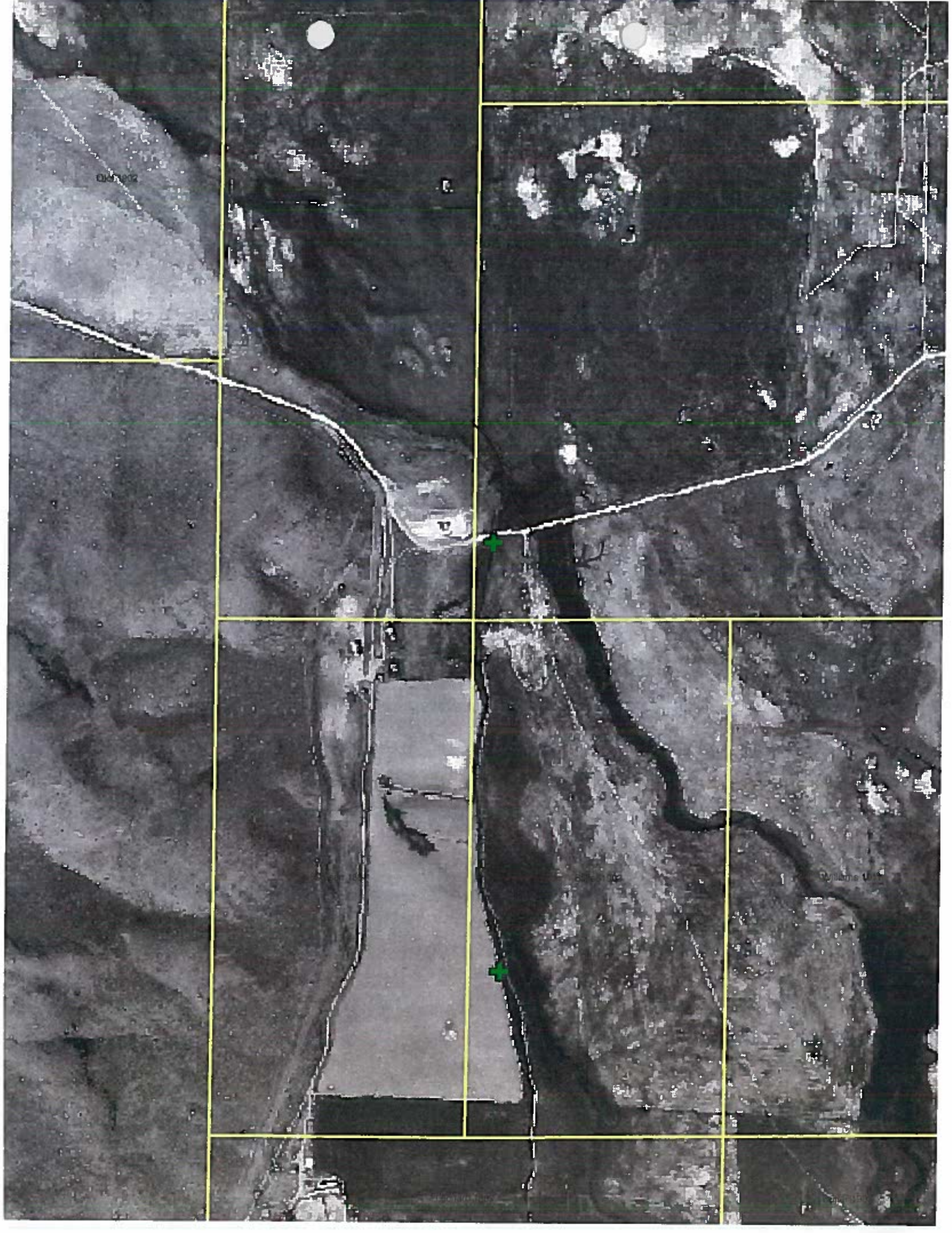
Butler 1902

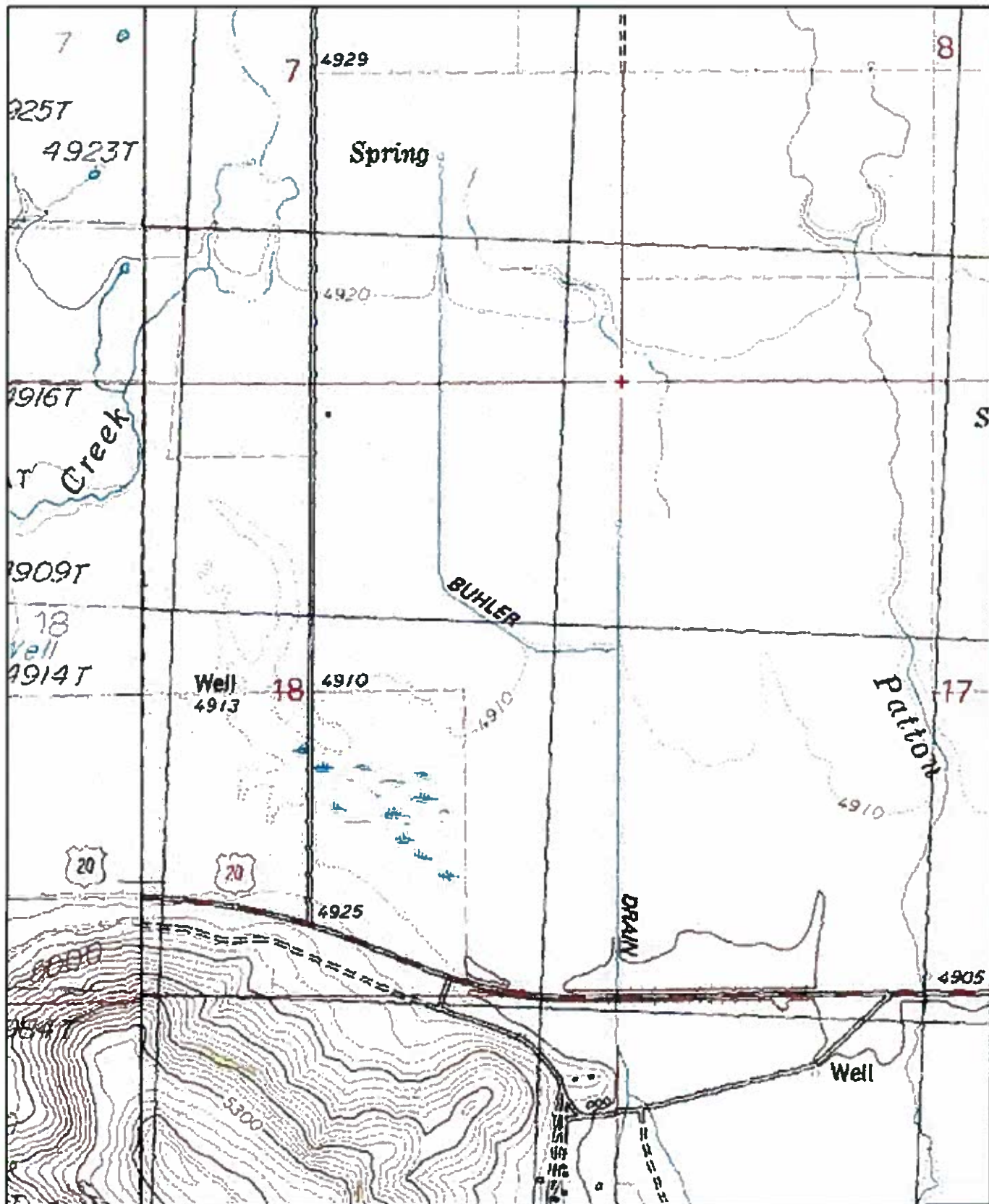
Williams 1911

Leonard 1887

Butler 1907

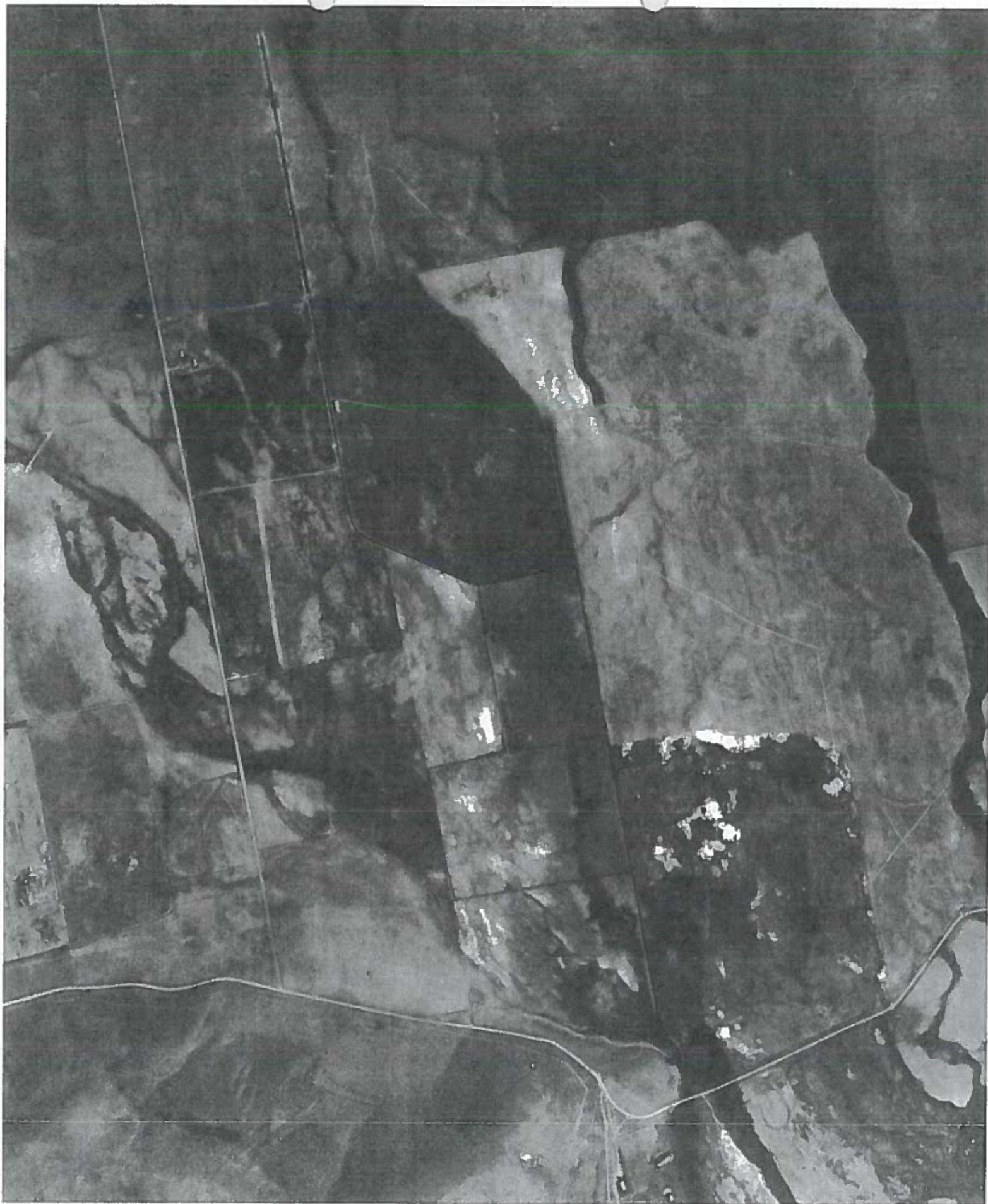






Buhler Drain System
on Quad

4 1/2" = 1 mile



1964

1957



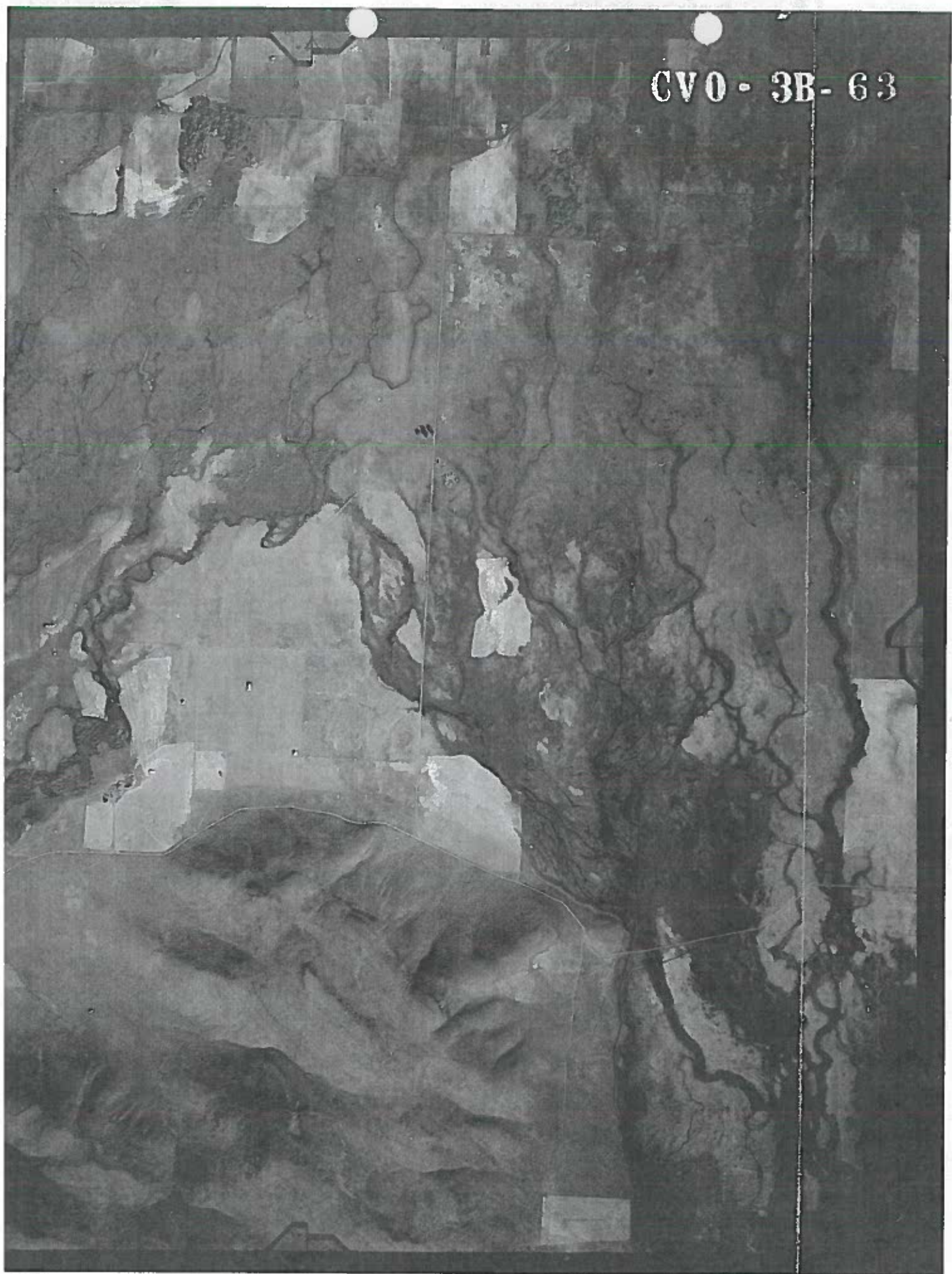
CV0 - 3B - 63

1943





CV0 - 3B - 63



37 0108	Brown, Rodney R.	0 inches.	90	Sept. 1, 1884.	Guy Hollow.
37 0109	superceded by Brown vs. Reardon				
37 0110	Bryant, John P.	80	"	103 June 1, 1885.	Rock Creek.
37 0111	Bryant, John P.	80	"	248 Feb. 23, 1906.	Big Wood River.
37 0112	Bryant, R. P. and Rosa B.	3	"	41 Apr. 17, 1883.	" " "
37 0113	Do.	32	"	82 June 20, 1884.	" " "
37 0114	Do.	780	"	88 July 10, 1884.	" " "
37 0115	Do.	75	"	44 May 1, 1886.	" " "
37 0116	Do.	750	"	49 June 12, 1886.	" " "
37 0117	Do.	7	"	174 June 2, 1890.	" " "
37 0118	Do.	300	"	268 May 1, 1902.	" " "
37 0119	Do.	400	"	291 July 1, 1904.	" " "
37 0120	Burkitt, Frank A.	160	"	301 July 17, 1906.	Swamp on lands. TRANS #3257
37 0121	Butch, James W.	260	"	18 June 1, 1884.	Big Wood River.
37 0122	Butler, Alvin L.	115	"	123 May 31, 1898.	East Fork of Big Wood River.
37 0123	Byrne, John and Patrick	252	"	151 May 1, 1887.	Big Wood River.
37 0124	Byrne, Michael J. and Thos. J. Jr.	500	"	131 May 1, 1887.	" " "
37 0125	Byrne, Thomas, Sr.	40	"	131 May 1, 1887.	" " "
37 0126	Cainoun, J. M. and Charlotte	10	"	14 Apr. 1, 1884.	Silver Creek.
37 0127	Cameron, Ed.				Little Wood River
37 0128	Candler, William	120	"	231 Aug. 2, 1897.	Unal Company shares.
37 0129	Carey, James	80	"	75 May 15, 1884.	Big Wood River.
37 0130	Carey, J. H.	100	"	28 June 1, 1882.	Little Wood River.
37 0131	Carpenter, Albert	160	"	317 Jan. 27, 1908.	(Also shares in Little Wood River Canal Co.)
37 0132	Carpenter, Forrest A.	160	"	317 Jan. 27, 1908.	Corral Creek.
37 0133	Carpenter, Henry	160	"	224 May 15, 1897.	Big Wood River.
37 0134	Carpenter, Herbert	160	"	349 May 15, 1888.	Soldier Creek.
37 0135	Carpenter, Salam	160	"	240 May 15, 1899.	Big Wood River.

Trans #7-which right not known. Trans #298

#446-779-240

Little Wood River Unal Company shares.

JUN 04 1996

the waters of Silver Creek, as of a prior and exclusive right, so long as they maintain their certain dam and prevent the waters of Silver Creek from wasting through the Picabo Lake or sink-holes.

0118 That R. F. Buller and Rosa B. Buller are entitled to 400 inches of water in their swamp ditch, as of a prior and exclusive right, so long as they maintain their said swamp ditch, and continue to develop that amount of water therein. TRANS. # 3257.

0407 That M. S. Lawson be and he is hereby awarded the right to use a certain amount of the waters of Silver Creek, during the high water season, or at such other times as the waters of said stream are not in use for irrigating purposes, sufficient to fill his said reservoir described in the Findings herein.

0717 That the Alturas Water Company be and it is hereby awarded the right to the use of a certain amount of the waters of Indian Creek, sufficient to fill its water pipes of their present ten inches in diameter capacity, and that it is entitled to the use of such right during the Winter season of each and every year when it is unable to obtain its decreed right of 100 inches through the so-called Hiley ditch, and that the increased amount above the 45 inches awarded to it in the decree in the case of Caldwell, et al., vs. Tucker, et al., shall date from the first day of August, 1907.

See Decree It is Further Ordered, Adjudged and Decreed that the respective parties, plaintiffs and defendants, in the various actions named in the Findings herein, to-wit: H. R. Woodworth, et al., vs. Frank Anthony, et al., George H. Abbott, et al., vs. William B. Reedy, et al., H. W. Moore and Thurston Hutchins, as firm of Moore and Hutchins, vs. James McGowan, et al., A. Caldwell and Alturas Water Company vs. S. M. Tucker, et al., and John W. Dwyer and John A. Boggs vs. H. S. Morley, et al., -- they and their successors in interest, be and they are hereby awarded the right to the use of the waters of Big Wood River and its tributaries, and the various dry streams named in said decrees, to the extent that they are re-

Brown, Rodney R.

R. 19 E., containing 132.8 acres.

Bryant, John P.

Lot 1, Sec. 2, T. 1 S., R. 17 E., SW 1/4 of SE 1/4 and E 1/2 of SW 1/4 of Sec. 35, T. 1 N., R. 17 E., containing 149.10 acres.
NE 1/4 of SE 1/4 of Sec. 20, and SE 1/4 of NE 1/4 of Sec. 20, T. 5 S., R. 15 E., -- 80 acres.

Buller, R. F. and
Rosa B., his wife

SE 1/4 of SE 1/4 of Sec. 19, SW 1/4 of SW 1/4 of Sec. 20, W 1/2 of NW 1/4 of Sec. 29, SE 1/4 of NW 1/4 of Sec. 29, NE 1/4 of SW 1/4 of Sec. 29, NE 1/4 of SE 1/4 of Sec. 28, SW 1/4 of NW 1/4 and NW 1/4 of SW 1/4 of Sec. 27, T. 1 S., R. 19 E., containing 360 acres. Also about 185 acres situated in Sections 17 and 18, T. 1 S., R. 19 E. Land in SE 1/4 and Lots 5 and 6, Sec. 36, T. 2 N., R. 18 E., containing about 138 acres, known as the Whitton Ranch. Also, Lots 4 and 5 and SE 1/4 of NW 1/4 of Sec. 6, T. 1 N., R. 19 E., containing 118.17 acres.
S 1/2 of Sec. 30 and N 1/2 of Sec. 31, T. 1 N., R. 19 E. S 1/2 of NE 1/4, NE 1/4 of SE 1/4 and SE 1/4 of SE 1/4 of Sec. 8, T. 1 S., R. 19 E. Also, S 1/2 of NE 1/4 of Sec. 8, T. 1 S., R. 19 E.

Burkill, Frank A.

SE 1/4 of Sec. 18, T. 5 S., R. 15 E., 160 acres.
S 1/2 of SW 1/4 and W 1/2 of SE 1/4 of Sec. 29, T. 4 N., R. 19 E.

Butch, James W.

Butler, Alvin L.

E 1/2 of SE 1/4 of Sec. 7, and SW 1/4 of SW 1/4 of Sec. 8, T. 5 S., R. 17 E., -- 120 acres.

Byrne, John and Patrick

S 1/2 of NE 1/4, NW 1/4 of SW 1/4, S 1/2 of NW 1/4 and N 1/2 of SE 1/4 of Sec. 15, T. 3 S., R. 18 E., containing 280 acres.

titled to have the waters of said dry streams continue to flow down to where their channels unite with the streams into which they empty, when any water is discharged therein from such dry streams.

3. That the various parties, plaintiffs and defendants, in the actions in which decrees were entered and filed, as set forth in the said Findings, and their successors in interest, are entitled to the use of the waters so awarded in the said decrees.

4. That A. M. Purdum is entitled to the use of a sufficient amount of water to supply his ice-pond and his fish-pond, described in the Findings and in the pleadings in this action, the water for such ice-pond to be used each season between the first day of December and the first day of the following April, only.

5. That Purdum & Purdum are entitled to the use of a sufficient amount of water to make their supply of ice, in the channel of Little Wood River, described in the said Findings, such use of the water to be confined to the Winter season, between the first day of December and the first day of the following April, of each season.

6. That the defendants, Michael Brown, Sarah Brown, Mary Brown, and Catherine Sweet, are entitled to the use of 160 inches of the waters of Big Wood River, to date from the first day of August, 1884, for the irrigation of the W 1/2 of the SW 1/4 of Sec. 8, T. 1 N., R. 19 E., said water to be conveyed upon said land through the so-called Miller and Packard ditch.

7. That the defendants, R. F. Buller and Rosa B. Buller, are entitled to the exclusive use of the 400 inches of water developed by them from the said swamps described in the Findings.

8. That the defendants, Adam Ifland and Frederick W. Fator, are each entitled to the exclusive use of 160 inches of water of a continuous flow, so long as they maintain the dam in the channel extending from Silver Creek to the said sink-holes, so as to prevent the loss of water therein; that their respective rights to the use of said amount of water

1882, constructed a ditch known as the Brown Brothers and Miner ditch, and now known as the Miller and Packard ditch, for the purpose of irrigating the said eighty acres of land, together with a large quantity of other land then owned and controlled by said Brown Brothers and Miner; that water from the said ditch was at various times used upon the said eighty acres of land, for the irrigation thereof, commencing about the first day of August, 1884, and that they have claimed a right to the use of water from the said ditch, continuously, since the said date, sufficient to irrigate the said tract of land; that 160 inches of water are necessary for the proper irrigation thereof.

16. That the defendants R. F. Buller and Rosa B. Buller, for the purpose of irrigating certain lands belonging to them in Sections 30 and 31, T. 1 N., R. 19 E., and in Section 8, T. 1 S., R. 19 E., and for the purpose of draining certain portions of their said lands, constructed a certain ditch known as the swamp ditch, in the year 1904, and thereby developed and put to a beneficial use 400 inches of water, and first applied said water to said lands on July 1, 1904.

17. That Silver Creek, a tributary of Little Wood River, has its source near Picabo, in Blaine County, Idaho, and the waters of said creek rise up above the ground in many springs on level or nearly level land; that the land around the head of said creek is underlaid with water, and the whole valley is in the nature of a sponge, for which Silver Creek and Picabo Lake, hereafter described, are the exhaust; that from time immemorial there existed near Picabo a certain lake or slough, sometimes known and called "Picabo Lake" or the "Ice Pond"; that in the bottom of said Picabo Lake, in the lowest point thereof, which is fifteen feet below the level of the bed of Silver Creek, there are several holes or openings in the lava rock, extending down into the earth and rock an unknown distance; that these holes are about one-quarter of a mile from the nearest point on Silver Creek; that there is a well defined channel between these holes and Silver Creek; through which the water of Silver Creek has from time

JUN 04 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-2576 V2

WATER RIGHT NUMBER: 37-2576 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN F STEVENSON 36 HILLSIDE RANCH RD BELLEVUE, ID 83313 (208)788-4826

Priority Date: 07/13/1955

Basis: License

Status: Closed

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	4.690 CFS	840.00 AF
	<u>Total Diversion:</u>	4.690 CFS	840.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NE1/4	Sec. 18, Twp 01S, Rge 19E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	19E	19	3.0			28.0										25.0		29.0	85.0
01S	19E	20					6.0			11.0	28.0								45.0
01S	19E	27					28.0			26.0									54.0
01S	19E	28		15.0	27.0								30.0	10.0		22.0			104.0
01S	19E	29					32.0	38.0	5.7	37.0	38.0			18.0					168.7
01S	19E	30	34.0		32.0														66.0
01S	19E	33	2.3																2.3

Total Acres: 525

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-2576 V2

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. E56 The rights listed below are limited to the irrigation of a combined total of 525 acres in a single irrigation season. Combined Right Nos.: 37-118, 37-2576, 37-2681, and 37-7644.
4. K06 This right is limited to the irrigation of 240 acres within the place of use described above in a single irrigation season.
5. 104 If the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. jroberts 10/2/2007 V2 Rec.

Comment: Claim was amended to add 93 acres. Additional fees were paid, see receipt S029741. PoD was claimed correctly but recommended incorrectly in the first Version also. GPS info was gathered because the artesian well is VERY close to QQ line.

2. djones 6/14/2010 11:13:08 AM Status Change

Comment: Claim amended and new version created, but not reported to court. V1 made active and V2 closed pending resolution.

Water Supply Bank:

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 21 2009	
By _____	Clerk Deputy Clerk

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

In Re SRBA	)	ORDER GRANTING IN PART
	)	MOTION TO FILE LATE
Case No. 39576	)	OBJECTION AND SETTING
	)	SUBCASE DEADLINES
	)	SUBCASE NO.: 37-118
_____	)	

I. PROCEDURAL BACKGROUND

A *Motion to File Late Objection* was filed by Dean Rogers III on September 10, 2009. A hearing was held on the *Motion* on October 14, 2009.

II. STANDARD OF REVIEW

The SRBA Administrative Orders do not provide a standard to be applied for filing late objections. However, the court's administrative rules set forth that *Motions to File a Late Notice of Claim* are to be reviewed under the criteria of I.R.C.P. 55(c) and 60(b). *SRBA Administrative Order I (AO1) § 4 (d)(2)(d)*.

In support of the *Motion*, Dean Rogers III explained that the *Motion for Late Objection* was filed in an attempt to get the source and POD elements described as accurately as possible. Rogers seeks to describe the source as "developed swamp water" rather than swamp tributary to sinks.

John F. Stevenson argued against the *Motion*. Stevenson pointed out that a prior decree described the source as a swamp, not a developed swamp. However, IDWR reported that after a long analysis of this right and several meetings, there is still confusion about the source and the points of diversion. In addition, IDWR reported that it had inadvertently left off a necessary developed water remark. Thus, IDWR asked to review this right and to file an *Amended Directors' Report*.

III. FINDINGS

Therefore, the *Motion to File Late Objection* is granted in part.; IDWR may further investigate and analyze this claim and file an *Amended Directors' Report*. Parties may file *Objections* and *Responses* to the *Amended Directors' Report*.

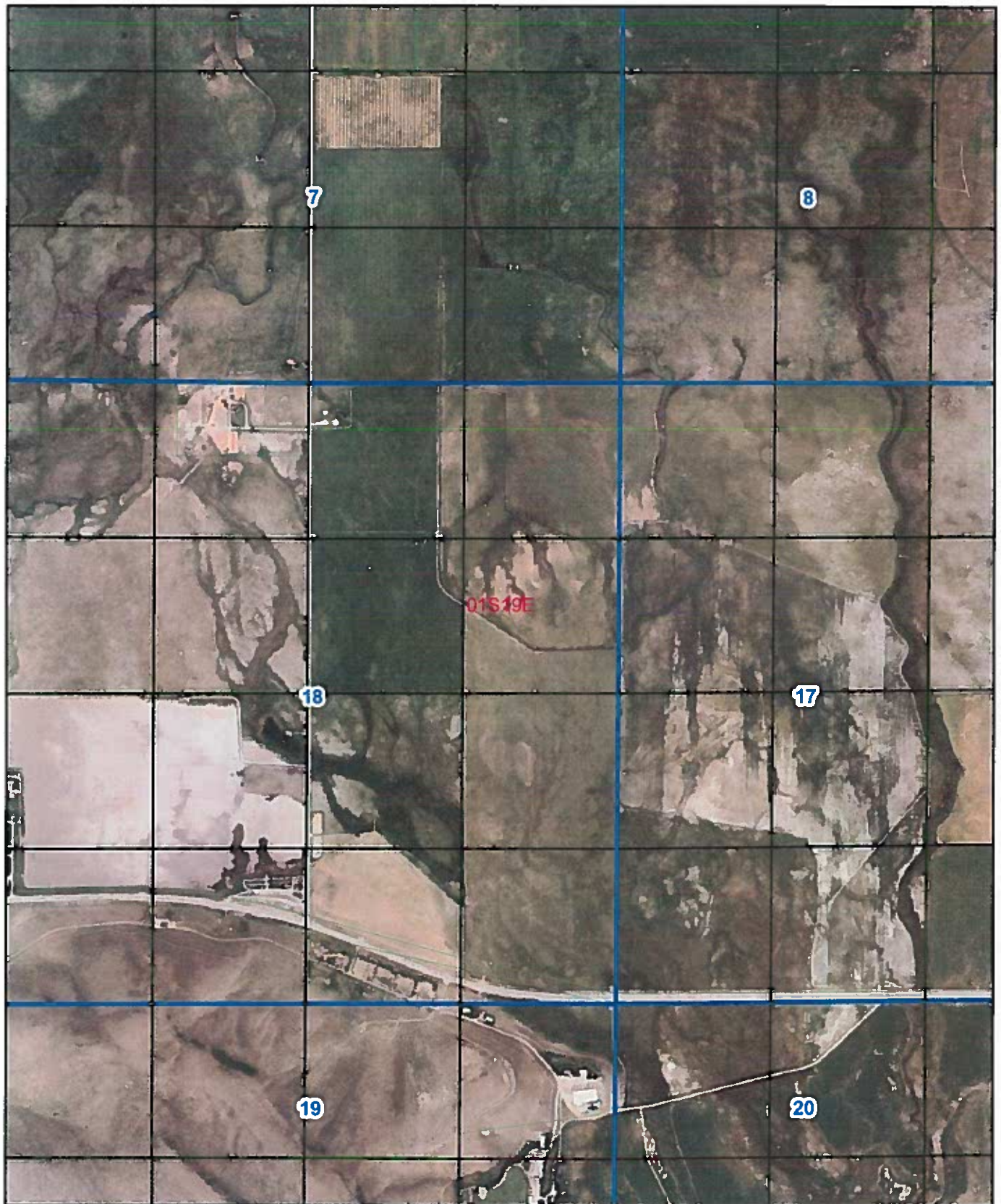
IT IS ORDERED that the following deadlines shall govern further proceedings:

January 29, 2010	5:00 pm	Deadline to File Amended Directors' Report
February 26, 2010	5:00 pm	Deadline to File Objection
March 19, 2010	5:00 pm	Deadline to file Response

DATED: October 21, 2009.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication



**Buhler Drain System
(w/ taxlots)
on 2006 Image**



1964 6"=1mile



1957
7.8" = 1 mile

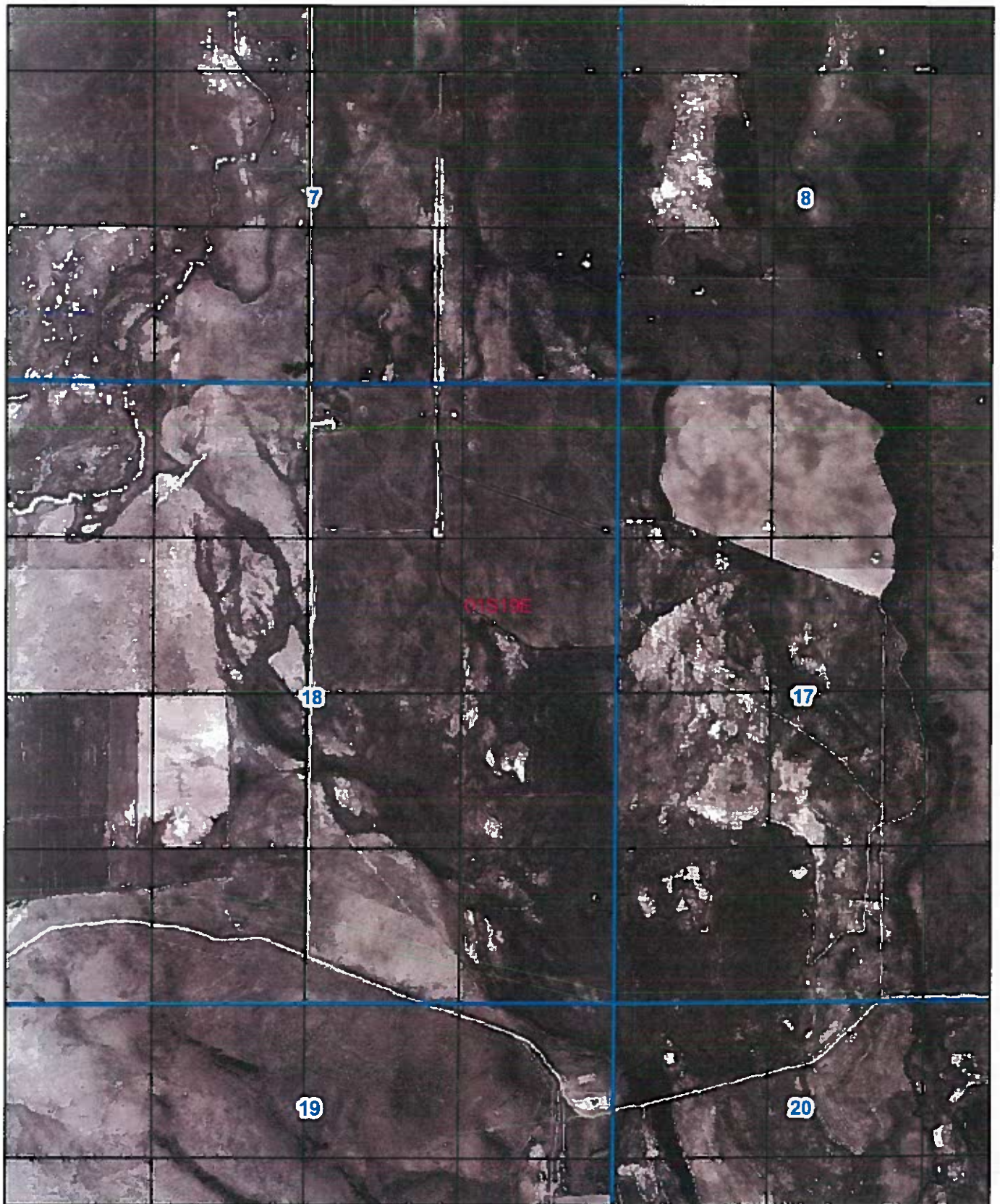
7
+
18

7 8
+
18 19

18 + 17

18
+
19

18 17
+
19 20



**Buhler Drain System
(w/ taxlots)
on 1969 Image**

Brown, Rodney R.

R. 19 E., containing 132.8 acres.

Bryant, John P.

Lot 1, Sec. 2, T. 1 S., R. 17 E., SW 1/4 of SE 1/4 and E 1/2 of SW 1/4 of Sec. 35, T. 1 N., R. 17 E., containing 149.10 acres.

Buller, R. F. and
Rosa B., his wife

NE 1/4 of SE 1/4 of Sec. 20, and SE 1/4 of NE 1/4 of Sec. 20, T. 5 S., R. 15 E., -- 80 acres.

SE 1/4 of SE 1/4 of Sec. 19, SW 1/4 of SW 1/4 of Sec. 20, W 1/2 of NW 1/4 of Sec. 29, SE 1/4 of NW 1/4 of Sec. 29, NE 1/4 of SW 1/4 of Sec. 29, NE 1/4 of SE 1/4 of Sec. 28, SW 1/4 of NW 1/4 and NW 1/4 of SW 1/4 of Sec. 27, T. 1 S., R. 19 E., containing 360 acres. Also about 185 acres situated in Sections 17 and 18, T. 1 S., R. 19 E. Land in SE 1/4 and Lots 5 and 6, Sec. 36, T. 2 N., R. 18 E., containing about 138 acres, known as the Whitton Ranch. Also, Lots 4 and 5 and SE 1/4 of NW 1/4 of Sec. 6, T. 1 N., R. 19 E., containing 118.17 acres. S 1/2 of Sec. 30 and N 1/2 of Sec. 31, T. 1 N., R. 19 E. S 1/2 of NE 1/4, NE 1/4 of SE 1/4 and SE 1/4 of SE 1/4 of Sec. 8, T. 1 S., R. 19 E. Also, S 1/2 of NE 1/4 of Sec. 8, T. 1 S., R. 19 E.

Burkill, Frank A.

SE 1/4 of Sec. 18, T. 5 S., R. 15 E., 160 acres. S 1/2 of SW 1/4 and W 1/2 of SE 1/4 of Sec. 29, T. 4 N., R. 19 E.

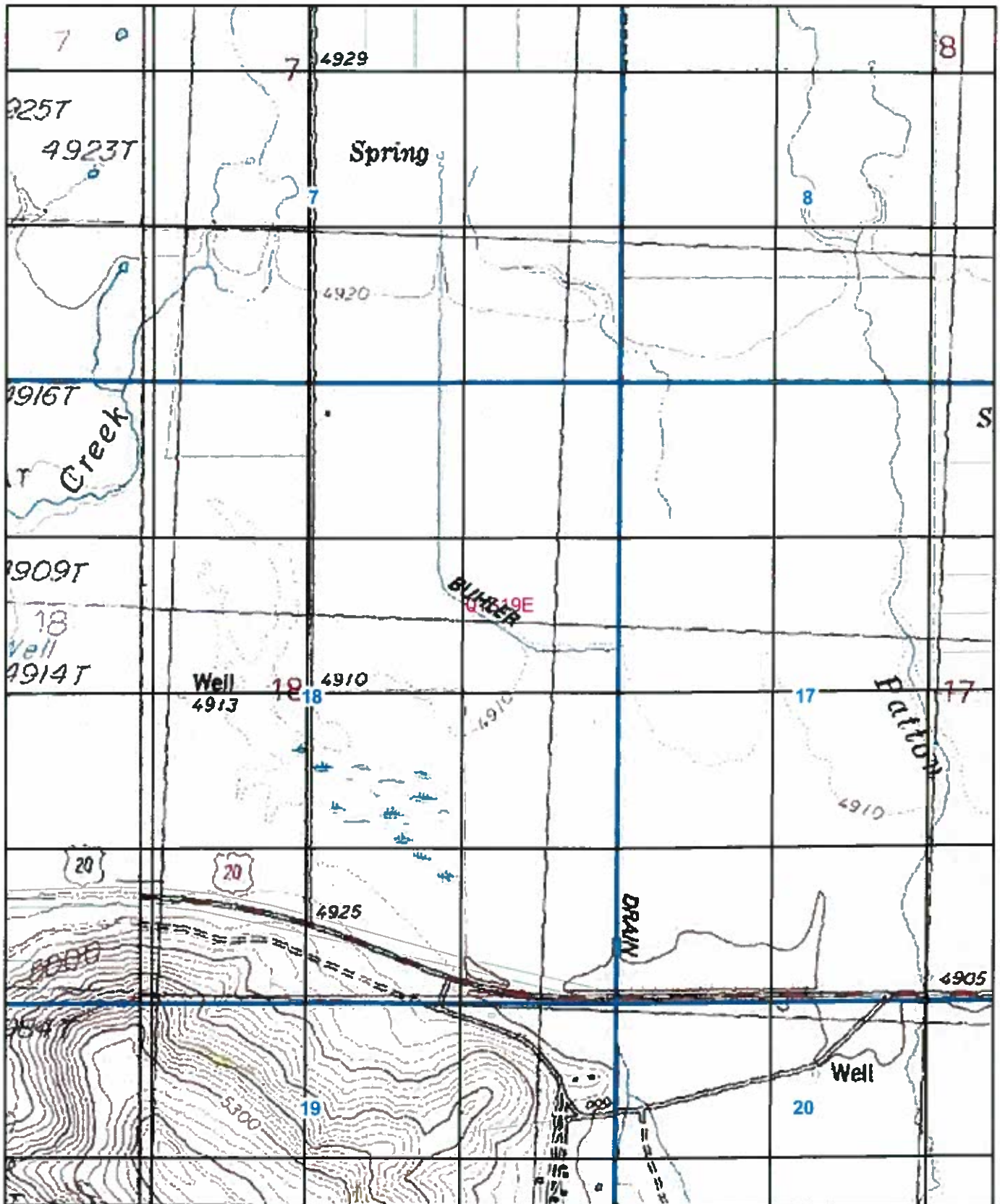
Butch, James W.

Butler, Alvin L.

E 1/2 of SE 1/4 of Sec. 7, and SW 1/4 of SW 1/4 of Sec. 8, T. 5 S., R. 17 E., -- 120 acres.

Byrne, John and Patrick

S 1/2 of NE 1/4, NW 1/4 of SW 1/4, S 1/2 of NW 1/4 and N 1/2 of SE 1/4 of Sec. 15, T. 3 S., R. 18 E., containing 280 acres.



Buhler Drain System (w/ taxlots) on USGS Quad



1964

D Jones

7/10/09

Mtg

Rogers/Stevenson

Buhler Drain

32-118

Laird Stone

Dean Rogers

John Stevenson

Al Barker

Kevin Lakey

Allen Merritt

Review of issues

- AM Gravel dams, not SCA, div. dams?, civil?
- AB Buhler orig. in 1902, not 1950, in Frost, 8CS
4CS means this week. KL
- LS Maybe 8CS not been avail '05 & '06 recorded
8CS
- LS 40's picture of drain, 50's Rogers work
incl fill of swamp & lengthening drain, decr.
Flow prohibits a/s graph
- AM SRBA descriptions not consistent w/stels;
do not accurately describe pd, ing & rediv.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-118
Date Received: 10/24/1988
Receipt No: S003190
Received By:

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

1. Name of Claimant(s)

JOHN F STEVENSON Phone: (208)788-4826
36 HILLSIDE RANCH RD
BELLEVUE ID USA 83313

Amended

2. Date of Priority: 07/01/1904

3. Source: SWAMP Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	20 ✓	NW NW SW	BLAINE	
01S	19E	29 ✓	NW NW NW	BLAINE	
01S	19E	18 ✓	NE NE	BLAINE	
01S	19E	7	SE SE	BLAINE	
01S	19E	20 ✓	NW NW	BLAINE	
01S	19E	29 ✓	NE NW SW	BLAINE	
01S	19E	29 ✓	NW SW NW	BLAINE	
01S	19E	28 ✓	SE SE NE	BLAINE	

5. Description of diverting works:

WILLIS #1 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	8	

7. Total Quantity Appropriated is:
8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	19	SE	NE	IRRIGATION	26
			NE	SE	IRRIGATION	25.5
			SE	SE	IRRIGATION	33
			NE	NE	IRRIGATION	3
Section Acres						87.5
01S	19E	20	SW	SW	IRRIGATION	7.5
			NW	SW	IRRIGATION	2
Section Acres						9.5
01S	19E	27	SW	NW	IRRIGATION	24
			NW	SW	IRRIGATION	23
Section Acres						47
01S	19E	28	SE	NE	IRRIGATION	19
			SE	SE	IRRIGATION	21.5
			SW	NE	IRRIGATION	14
			NE	SE	IRRIGATION	27
			NW	SE	IRRIGATION	8.5
Section Acres						90
01S	19E	29	NW	NW	IRRIGATION	19
			SW	NW	IRRIGATION	30
			NE	SW	IRRIGATION	26
			NW	SE	IRRIGATION	6.5
			NW	SW	IRRIGATION	38.5
Section Acres						120
01S	19E	30	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	34
			NE	SE	IRRIGATION	2
Section Acres						76
01S	19E	33	NE	NE	IRRIGATION	2
Section Acres						2
Total Acres						432

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

The claim was amended to recognize two points near the beginning of the Buhler drain. The claimant asserts that the drain accumulates water throughout sections 7, 18 and possibly 17. A third point of diversion in section 20 NWNW was added to recognize the Willis 1 headgate.

RT. IS PRIOR & EXCLUSIVE AS LONG AS DIVERSION DITCH IS MAINTAINED ADDED TRACTS WERE A PART OF THE ORIGINAL 300 ACRES LISTED ON THE LICENSE.

AMENDED NOTES POD #1 2 PUMPS & MAINLINE TO SPRINKLERS. S20, NWNWSW POD #2 PUMP & PIPELINE TO SPRINKLERS. S29, NWNWNW POD #3 BURIED PIPELINE FROM DRAIN TO MAINLINE. S29, NWSWNW POD #4 PUMP & MAINLINE TO SPRINKLERS. S29, NENWSW POD #5 TEETER CANYON PUMP, MAINLINES TO SPRINKLERS. S28, SESENE REVISED POU TO PREPARE FOR PENDING TRANSFER. SCC 08-16-91.

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): John F. Stevenson Date: 5/13/04

Date: _____

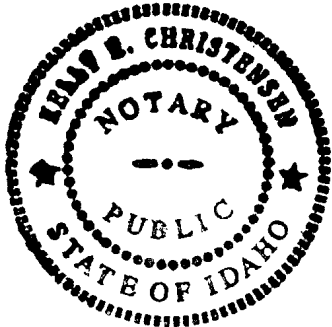
State of Idaho)
County of _____) SS.
Twin Falls _____

Subscribed and sworn (or affirmed) before me this 13th day of May 2004

Kelly K. Christensen
Notary Public

Residing at _____ Twin Falls ID _____

My commission Expires 4-2-2010



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00118
Date Received: 10/24/1988
Receipt No: S003190
Received By: See

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOHN F. STEVENSON 208-788-4826
Address: 36 HILLSIDE RANCH RD.
BELLEVUE, ID 83313

2. Date of Priority: JUL 1, 1904

3. Source: SWAMP Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
01S	19E	20	NW		NW		SW		BLAINE
		28	SE		SE		NE		BLAINE
		29	NW		NW		NW		BLAINE
			NW		SW		NW		BLAINE
			NE		NW		SW		BLAINE

5. Description of diverting works:
WILLIS #1 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	8.000		

7. Total Quantity Appropriated is:
8.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 904.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use
01S	19E	19	NE		NE		IRR

Acres
MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	19	SE		NE		IRR	26.0
			NE		SE		IRR	25.5
			SE		SE		IRR	33.0
			Section Acres					87.5
		20	NW		SW		IRR	2.0
			SW		SW		IRR	7.5
			Section Acres					9.5
		27	SW		NW		IRR	24.0
			NW		SW		IRR	23.0
			Section Acres					47.0
		28	SW		NE		IRR	14.0
			SE		NE		IRR	19.0
			NE		SE		IRR	27.0
			NW		SE		IRR	8.5
			SE		SE		IRR	21.5
			Section Acres					90.0
		29	NW		NW		IRR	19.0
			SW		NW		IRR	30.0
			NE		SW		IRR	26.0
			NW		SW		IRR	38.5
			NW		SE		IRR	6.5
			Section Acres					120.0
		30	NE		NE		IRR	40.0
			SE		NE		IRR	34.0
			NE		SE		IRR	2.0
			Section Acres					76.0
		33	NE		NE		IRR	2.0
			Section Acres					2.0
			Total Acres					432.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-02681 & A37-02576

14. Remarks:

RT. IS PRIOR & EXCLUSIVE AS LONG AS DIVERSION DITCH IS MAINTAINED
ADDED TRACTS WERE A PART OF THE ORIGINAL 300 ACRES LISTED ON THE
LICENSE.

AMENDED NOTES

POD #1 2 PUMPS & MAINLINE TO SPRINKLERS. S20, NWNWSW
POD #2 PUMP & PIPELINE TO SPRINKLERS. S29, NWNWNW
POD #3 BURIED PIPELINE FROM DRAIN TO MAINLINE. S29, NWSWNW
POD #4 PUMP & MAINLINE TO SPRINKLERS. S29, NENWSW
POD #5 TEETER CANYON PUMP, MAINLINES TO SPRINKLERS. S28, SESENE
REVISED POU TO PREPARE FOR PENDING TRANSFER. SCC 08-16-91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the
foregoing document are true and correct.

Signature of Claimant(s): John F. Stevens Date: Aug. 15, '91

Date: _____

MICROFILMED
FEB 22 1993

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of August 19 91

Steve Collins
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7 1994

MICROFILMED
FEB 22 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00118
Date Received: 9/28/1988
Receipt No: 503190
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN F. STEVENSON 208-788-4826
Address: 36 HILLSIDE RANCH RD.
BELLEVUE, ID 83313

2. Date of Priority: JUL 01, 1904

3. Source: SWAMP Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	20	SW	NW	NW		BLAINE

5. Description of diverting works:
WILLIS #1 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	8.000		

7. Total Quantity Appropriated is:
8.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 904.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	19	SE	NE		IRR	25.0
			NE	SE		IRR	26.6
			SE	SE		IRR	38.0

Section Acres 89.6

A37-00118

Page 1

Date: 09/30/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	20	SW	SW		IRR	5.0
						Section Acres	5.0
		27	SW	NW		IRR	32.0
			NW	SW		IRR	36.0
						Section Acres	68.0
		28	NE	SE		IRR	40.0
						Section Acres	40.0
		29				IRR	
			NW	NW		IRR	26.0
			SW	NW		IRR	30.0
			SE	NW		IRR	8.0
			NE	SW		IRR	38.0
			NW	SE		IRR	17.0
						Section Acres	119.0
						Total Acres	321.6

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-02681, A37-02576

14. Remarks:
RT. IS PRIOR & EXCLUSIVE AS LONG AS DIVERSION DITCH IS MAINTAINED
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
P/U UNDER THIS RT. VERIFIED BY ENSIGN & BULLER VS. CHAPMAN.
AC. IRRIG. = 300.
ADDED TRACTS WERE A PART OF THE ORIGINAL 300 ACRES LISTED ON THE
LICENSE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff
A37-00118

Page

vs
2

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant
Date: 09/30/88

MICROFILMED
FEB 22 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): J. F. Sturman Date: Oct. 24 '88

Date: _____

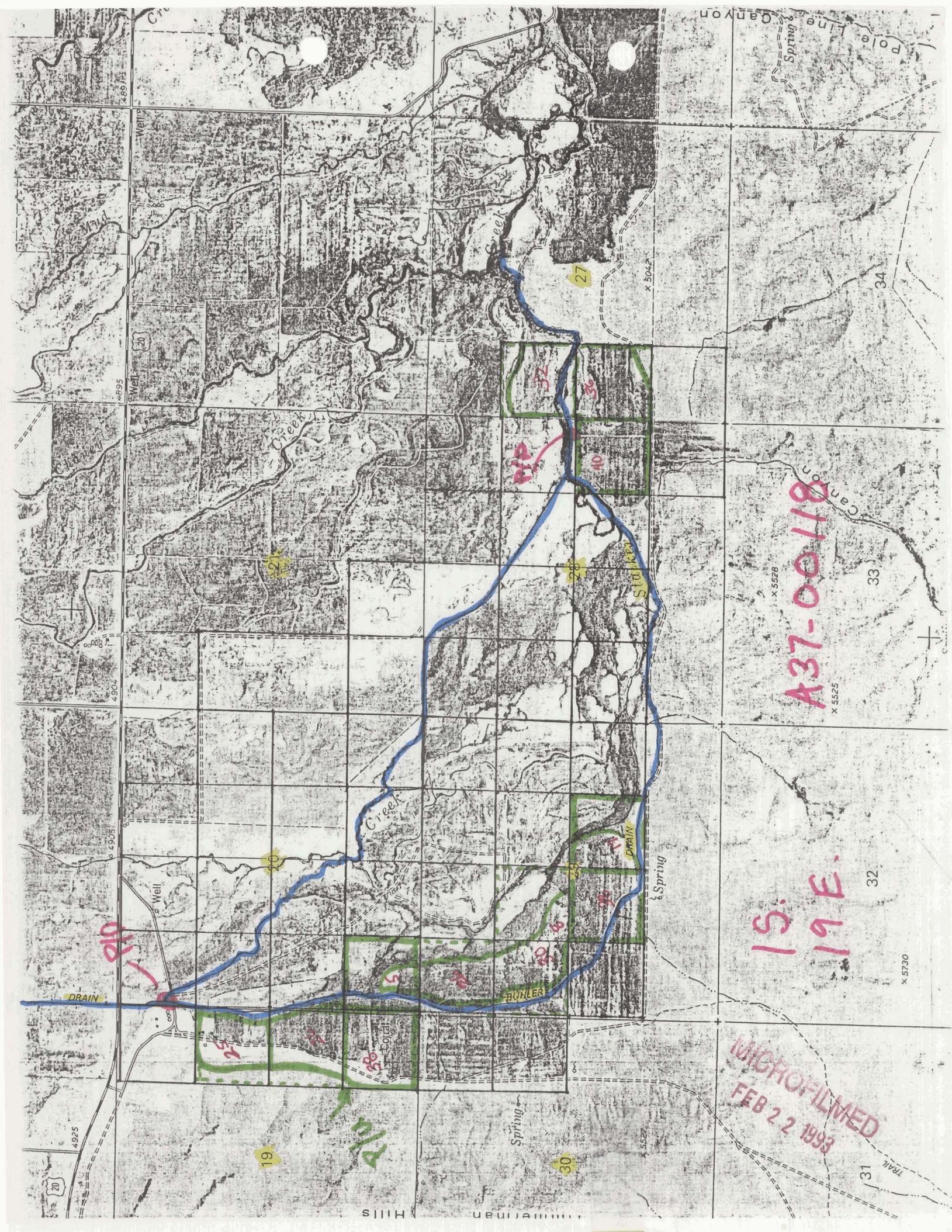
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of October 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94



EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

SCANNED
APR 18 2007

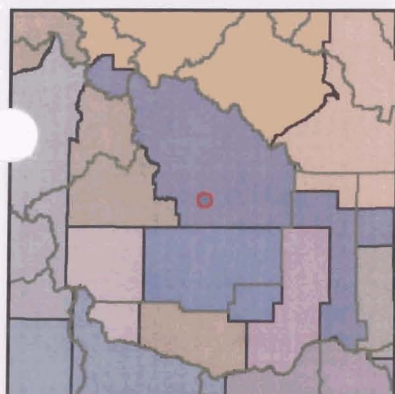
SRBA Recommendation:

37-118

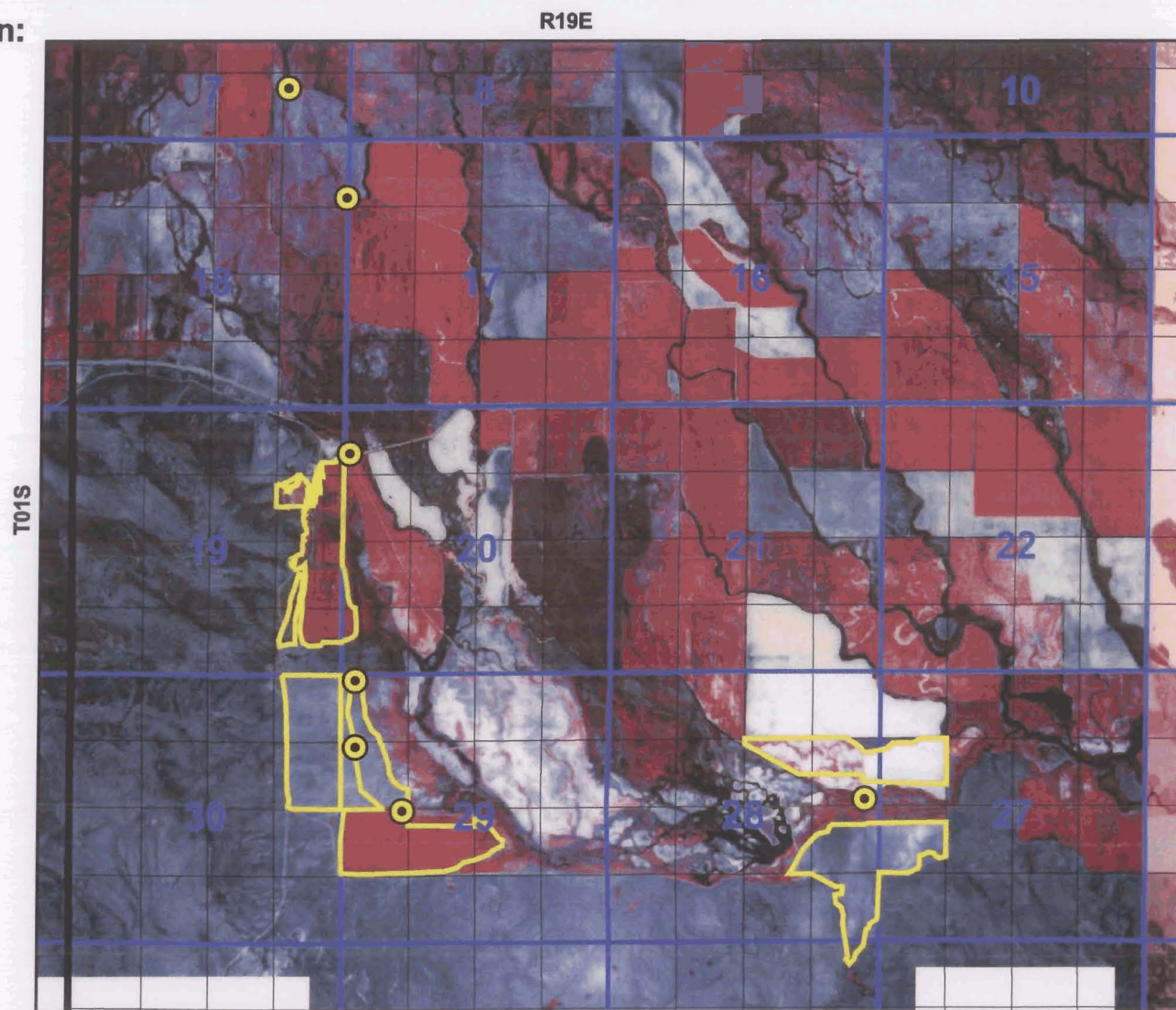
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 1 2 Miles

Prepared by J. Roberts
On Saturday, November 25, 2006
1987/88 Aerial Photography

Owner: John F Stevenson

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-118 V1

WATER RIGHT NUMBER: 37-118 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN F STEVENSON 36 HILLSIDE RANCH RD BELLEVUE, ID 83313 (208)788-4826

Priority Date: 07/01/1904

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SWAMP	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	8.000 CFS	
	<u>Total Diversion:</u>	8.000 CFS	

Location of Point(s) of Diversion

SWAMP	NW1/4NW1/4NW1/4	Sec. 29, Twp 01S, Rge 19E, B.M.
BLAINE County		
SWAMP	NW1/4NW1/4NW1/4	Sec. 29, Twp 01S, Rge 19E, B.M.
BLAINE County		
SWAMP	SE1/4NE1/4NE1/4	Sec. 18, Twp 01S, Rge 19E, B.M.
BLAINE County		
SWAMP	NW1/4SE1/4SE1/4	Sec. 7, Twp 01S, Rge 19E, B.M.
BLAINE County		
SWAMP	SW1/4NW1/4NW1/4	Sec. 20, Twp 01S, Rge 19E, B.M.
BLAINE County		
SWAMP	NE1/4NW1/4SW1/4	Sec. 29, Twp 01S, Rge 19E, B.M.
BLAINE County		
SWAMP	NW1/4SW1/4NW1/4	Sec. 29, Twp 01S, Rge 19E, B.M.
BLAINE County		
SWAMP	SE1/4SE1/4NE1/4	Sec. 28, Twp 01S, Rge 19E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	19E	19	3.0			26.0									25.5			17.5	72.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-118 V1

01S 19E 20				2.0	4.0			6.0
01S 19E 27			24.0		23.0			47.0
01S 19E 28		14.0	19.0				27.0 8.5 21.5	90.0
01S 19E 29			9.0 20.0		26.0 38.5		6.5	100.0
01S 19E 30		33.0	32.0					65.0
01S 19E 33		2.0						2.0

Total Acres: 382

Conditions of Approval:

1. K06 This right is limited to the irrigation of 300 acres within the place of use described above in a single irrigation season.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E56 The rights listed below are limited to the irrigation of a combined total of 382 acres in a single irrigation season. Combined Right Nos.: 37-118, 37-2576, 37-2681, and 37-7644.

Remarks:Comments:

1. jroberts 11/25/2006 copied from remarks

Comment: RT. IS PRIOR & EXCLUSIVE AS LONG AS DIVERSION DITCH IS MAINTAINED ADDED TRACTS WERE A PART OF THE ORIGINAL 300 ACRES LISTED ON THE LICENSE.

AMENDED NOTES POD #1 2 PUMPS & MAINLINE TO SPRINKLERS. S20, NWNWSW POD #2 PUMP & PIPELINE TO SPRINKLERS.

S29, NWNWNW POD #3 BURIED PIPELINE FROM DRAIN TO MAINLINE. S29, NWSWNW POD #4 PUMP & MAINLINE TO SPRINKLERS. S29, NENWSW POD #5 TEETER CANYON PUMP, MAINLINES TO SPRINKLERS. S28, SESENE REVISED POU TO PREPARE FOR PENDING TRANSFER. SCC 08-16-91.

The claim was amended to recognize two points near the beginning of the Buhler drain. The claimant asserts that the drain accumulates water throughout sections 7, 18 and possibly 17. A third point of diversion in section 20 NWNW was added to recognize the Willis 1 headgate.

11/08/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-118
NAME AND ADDRESS: JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313
SOURCE: SWAMP TRIBUTARY: SINKS
QUANTITY: 8.000 CFS
PRIORITY DATE: 07/01/1904
POINT OF DIVERSION:

T01S R19E S7 SESE Within BLAINE County
T01S R19E S18 NENE Within BLAINE County
T01S R19E S20 NWNW Within BLAINE County
T01S R19E S20 NWNWSW Within BLAINE County
T01S R19E S28 SESENE Within BLAINE County
T01S R19E S29 NWNWNW Within BLAINE County
T01S R19E S29 NWSWNW Within BLAINE County
T01S R19E S29 NENWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	8.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County		
T01S R19E S19	NENE	3.00
T01S R19E S19	NESE	25.50
T01S R19E S20	NWSW	2.00
T01S R19E S27	SWNW	24.00
T01S R19E S28	SWNE	14.00
T01S R19E S28	NESE	27.00
T01S R19E S28	SESE	21.50
T01S R19E S29	SWNW	30.00
T01S R19E S29	NWSW	38.50
T01S R19E S30	NENE	40.00
T01S R19E S30	NESE	2.00
T01S R19E S19	SENE	26.00
T01S R19E S19	SESE	33.00
T01S R19E S20	SWSW	7.50
T01S R19E S27	NWSW	23.00
T01S R19E S28	SENE	19.00
T01S R19E S28	NWSE	8.50
T01S R19E S29	NWNW	19.00
T01S R19E S29	NESW	26.00
T01S R19E S29	NWSE	6.50
T01S R19E S30	SENE	34.00
T01S R19E S33	NENE	2.00

432 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

RT. IS PRIOR & EXCLUSIVE AS LONG AS DIVERSION DITCH IS
MAINTAINED ADDED TRACTS WERE A PART OF THE ORIGINAL 300
ACRES LISTED ON THE LICENSE.
AMENDED NOTES POD #1 2 PUMPS & MAINLINE TO SPRINKLERS.
S20, NWNWSW POD #2 PUMP & PIPELINE TO SPRINKLERS.
S29, NWNWNW POD #3 BURIED PIPELINE FROM DRAIN TO MAINLINE.
S29, NWSWNW POD #4 PUMP & MAINLINE TO SPRINKLERS. S29,
NENWSW POD #5 TEETER CANYON PUMP, MAINLINES TO SPRINKLERS.
S28, SESENE REVISED POU TO PREPARE FOR PENDING TRANSFER.
SCC 08-16-91.

The claim was amended to recognize two points near the beginning of the Buhler drain. The claimant asserts that the drain accumulates water throughout sections 7, 18 and possibly 17. A third point of diversion in section 20 NWNW was added to recognize the Willis 1 headgate.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-118

WATER RIGHT NUMBER: 37-118

<u>Owner Type</u>	<u>Name and Address</u>
-------------------	-------------------------

Current Owner R F BULLER

, ID

Current Owner ROSA B BULLER

, ID

Priority Date: 07/01/1904

Basis: Decreed

Status: Active

Source

Tributary

SWAMP

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

/ to /

8.000 CFS

Total Diversion:

8.000 CFS

Location of Point(s) of Diversion

SWAMP

NW1/4NW1/4

Sec. 20, Twp 01S, Rge 19E, B.M.

BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01S	19E	19																X	
01S	19E	20											X						
01S	19E	27						X				X							
01S	19E	28													X				
01S	19E	29						X	X	X	X								

Conditions of Approval:

$37-7644 = 139.5 \text{ Ac.}$ overlaps
 $37-2649B = 160 \text{ Ac.}$
 $37-2649A = 212 \text{ Ac.}$
 $37-2576 \} = 317 \text{ Ac.}$ overlaps
 $37-2681 \} \text{ overlaps w/ } -7644, -2576, -2681,$
 $37-118 = 382 \text{ Ac.}$

37-2649B = 160 Ac.

37-2649A = 212 Ac.

37-2576 } = 317 Ac. overlaps

37-2681 } - 382 A. overlaps w/ -7644, -2576, -2661,

 $37-118=382$ AR.

TNS			NE				NW				SW				SE				
TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
DIS	19E	28			14	19	25								27	8.5			115
					14	19									27	8.5		21.5	90A.
					~~14~~	~~19~~	25								~~27~~	~~8.5~~		~~32~~	25A.
					~~14~~	~~36~~									~~27~~	~~12~~		~~32~~	~~72.5~~ A.
					14	19									27	8.5		21.5	90A.

			NE				NW				SW				SE			
TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
D/S	19E	29						9	20		26	38.5			-	6.5		
								9	20		26	38.5				6.5		
								199	3500		26	38.5				6.5		

[illegible]

			NE				NW				SW				SE			
TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
015	19E	33	2															
			2															
			2															
			2															
			2															

RIGHT
NO

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	01S	19E	19	3			26									25.5		17.5	72
2681 2576				3			26									25.5		17.5	72Ac
118				3			26									25.5		33	87.5

RIGHT
NO

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	01S	19E	20		20	40	40						2	4		40	40		32
-2681 -2576													2	4					6Ac
2649A					20	40	40									40	40		32
-118													2	4.5					9.5

RIGHT
NO

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	01S	19E	21							15			40	40	40				135
2649B										15			40	40	40				135Ac

RIGHT
NO

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	01S	19E	27							24			23						47
-2681 -2576										24			23						47Ac
-7644										32.24			36.23						47.8Ac
-118										24			23						47Ac

SCANNED

APR 10 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-118

1. RT. IS PRIOR & EXCLUSIVE AS LONG AS DIVERSION DITCH IS MAINTAINED P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
P/U UNDER THIS RT. VERIFIED BY ENSIGN & BULLER VS. CHAPMAN.
AC. IRRIG. = 300.

Remarks:

Comments:

1. SCURTIS 9/28/1994 PROTEST

Comment: Transfer #4059 proposing to change this right and 37-02576 has been protested.

Water Supply Bank:

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

Total number of acres to be irrigated

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37-0118

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

TWP	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
15	19E	19	3			26									25.5			16.5	78
		20										4							46
																			78
15	19E	19																15.5	15.5
		20										3.5							3.5
		29					10	10											20
		30	40			34								2					76
																			115
15	19E	29					9	20											29
15	19E	29									26	38.5					6.5		71
15	19E	27						29				23							47
		28				14	19								27	8.5		21.5	90
		33	2																2
Total number of acres to be irrigated																			139

PD #1 2 pumps & mainline to sprinklers NW/NW/SW 2.20

432 ac. total

PD #2 Pump & pipeline to sprinklers NW/NW/NW 2.29

PD #3 Buried pipeline from Drain to mainline w/risers NW/SW/NW 2.29

PD #4 Pump & mainline to sprinklers NE/NW/SW 2.29

PD #5 Foster Canyon Pump, mainlines to sprinklers SE/SE/NE 2.28

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