

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: A37-00574
Date Received: 10/06/1988
Receipt No: M001523
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOE KOENIG 208-726-5205
Address: BOX 486
KETCHUM, ID 83340

OR
Name: ELMAR GRABHER
Address: KETCHUM, ID 83340

2. Date of Priority: MAY 30, 1894

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	11	SW	SE			BLAINE

5. Description of diverting works:
RHODES #5 HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.000		

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

8. Total consumptive use is 43.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	12	NE	SW		IRR	15.0
			SE	SW		IRR	2.0
Section Acres							17.0
Total Acres							17.0

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:
A37-07017

14. Remarks:

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
P/U IS LOTS 17-20, 27A,B,C, 26A, 25A, 24A, 13A,B. RESUBD. OF
SUN VALLEY SUBD.
WATER HAS PREVIOUSLY BEEN USED ON WARM SPRINGS GOLF COURSE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Joe Kocuris Date: 9-6-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of Oct. 19 88

John Dale Louken
Notary Public

Seal

Residing at Boise Id.

My Commission Expires 6/2/94

T4N

4N
17E

P/u

p10

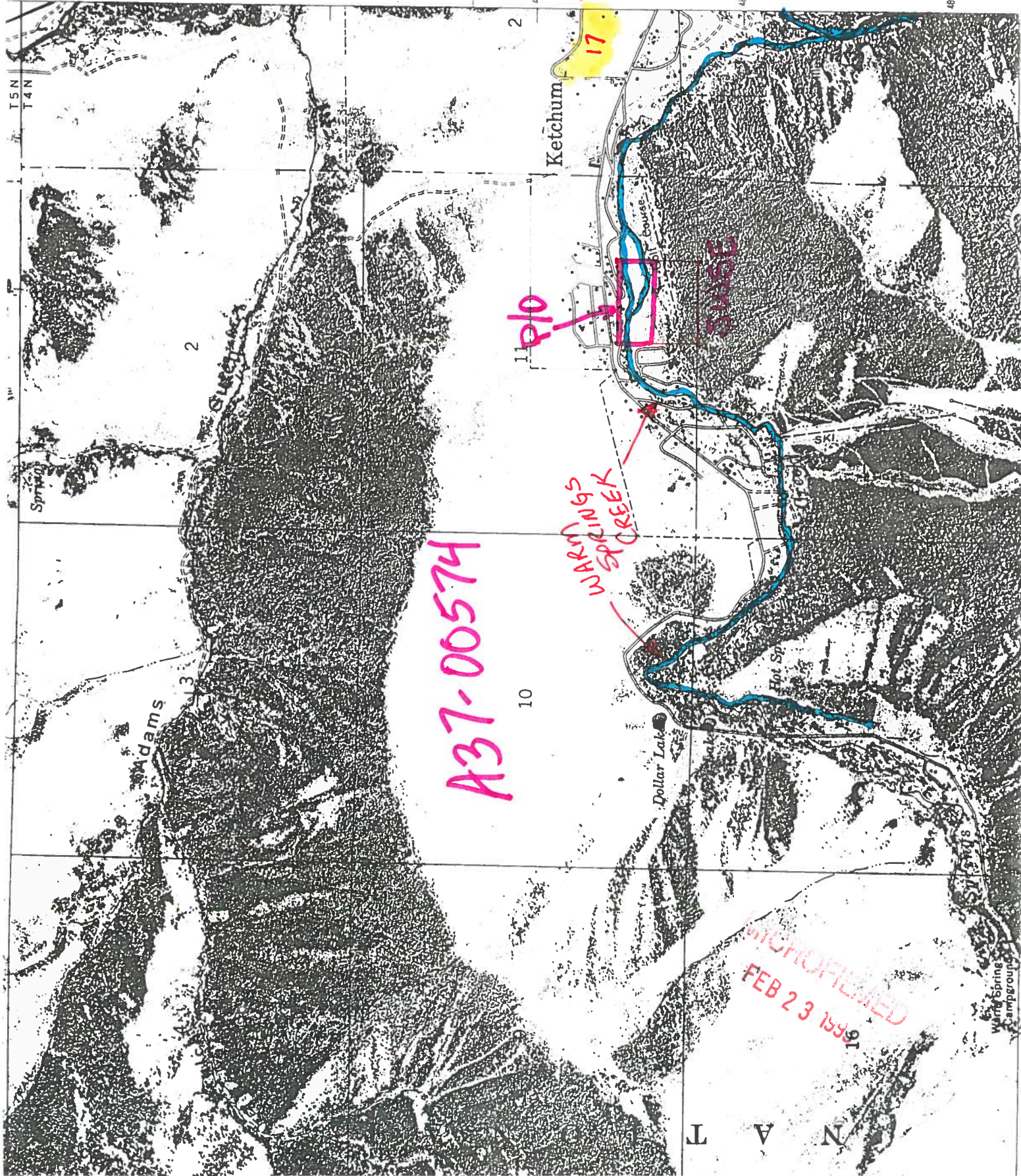
17

A37-00574

WALKING
SPRINGS
CREEK

SURGE

MICROFILMED
FEB 23 1992



[illegible]

MICROFILMED
 FEB 23 1993

A37-00574

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00574

NAME AND ADDRESS: ELMAR GRABHER
C/O JOE KOENIG
PO BOX 486
KETCHUM, ID 83340

JOSEF G KOENIG
PO BOX 486
KETCHUM, ID 83340

SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 5.00 CFS

PRIORITY DATE: 05/30/1894

POINT OF DIVERSION: T04N R17E S11 SWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	5.00 CFS

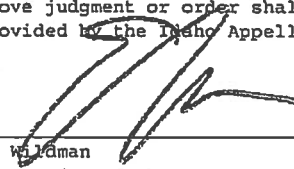
PLACE OF USE: Irrigation Within Blaine County
T04N R17E S12 SESW 2.0
2.0 Acres Total

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Waldman
Presiding Judge of the
Snake River Basin Adjudication



Idaho Department of Water Resources

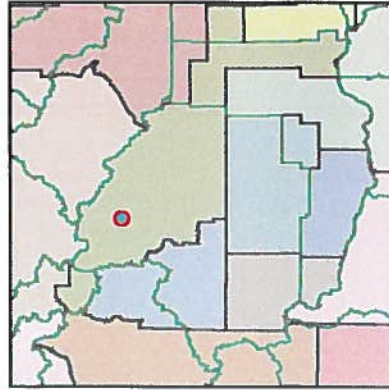
SRBA Recommendation:

37-574

(Irrigation)

Legend

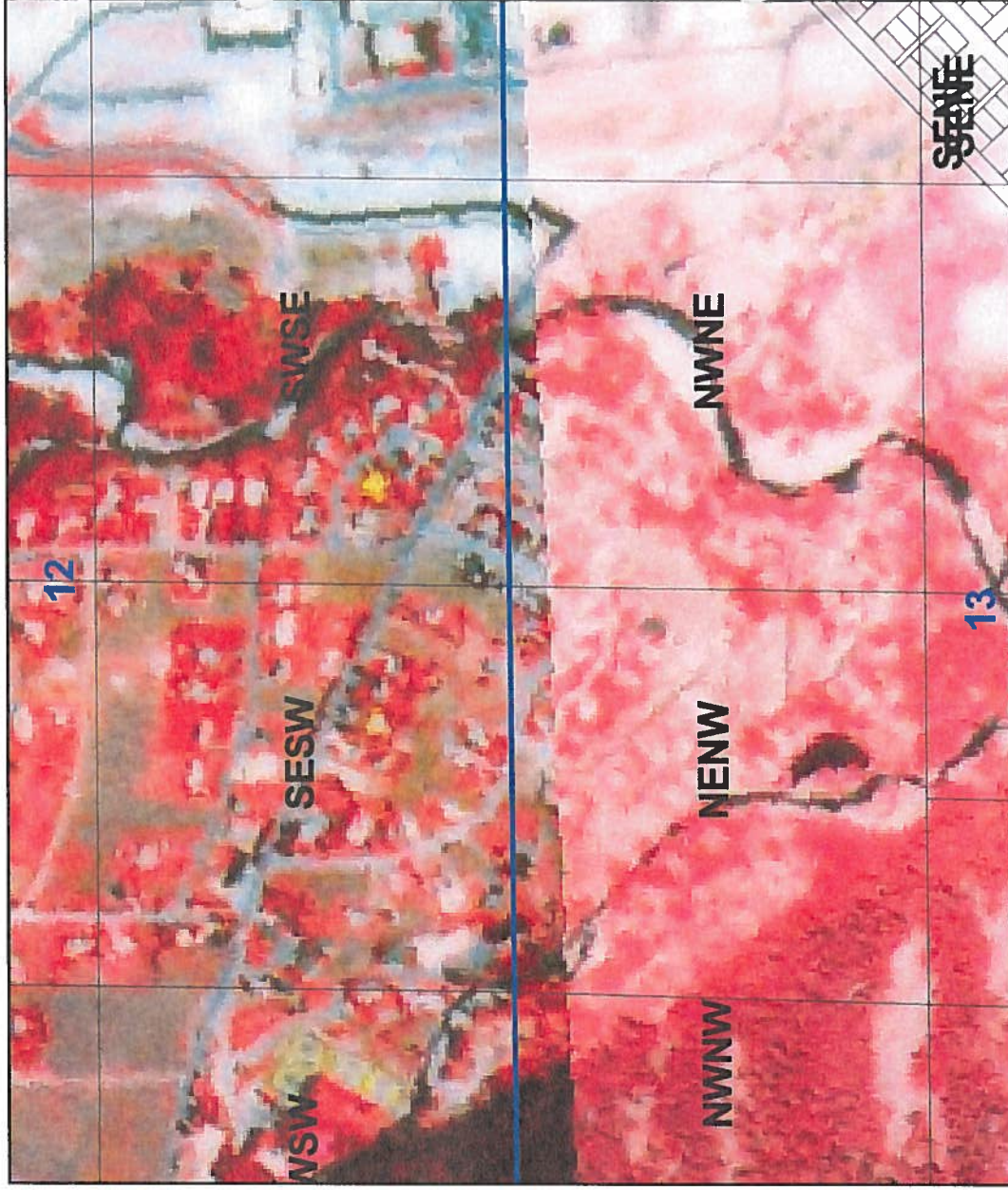
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



R17E



0 0.2 0.4 Miles

Prepared by D. Smith
On Friday, January 5, 2007
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES



37-574

Place of Use

2012 Photo Image

D. Jones
10-10-2013

01/04/2007

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

RIGHT NUMBER: 37-574
NAME AND ADDRESS: ELMAR GRABHER
C/O JOE KOENIG
PO BOX 486
KETCHUM ID 83340

JOSEF G KOENIG
PO BOX 486
KETCHUM ID 83340

SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG WOOD RIVER
QUANTITY: 5.000 CFS
PRIORITY DATE: 05/30/1894
POINT OF DIVERSION:

T04N R17E S11 SWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	5.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S12	SESW	T04N R17E S13	NWNE
T04N R17E S13	NENW		

2 ACRES TOTAL

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

P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
P/U IS LOTS 17-20, 27A,B,C, 26A, 25A, 24A, 13A,B. RESUBD. OF SUN
VALLEY SUBD.
WATER HAS PREVIOUSLY BEEN USED ON WARM SPRINGS GOLF
COURSE.

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