

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 37-863F
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EAGLE CREEK IRRIGATION CO Phone:
C/O EVERETT DAVIS
PO BOX 1965
SUN VALLEY ID 83353

2. Date of Priority: 10/06/1902

3. Source: EAGLE CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	17E	14	NE NE	BLAINE	

5. Description of diverting works:

Existing Eagle Creek Irrigation Co. distribution system of ditches.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
RECREATION	04/15	10/15	0.04	
AESTHETIC	04/15	10/15	0.04	

7. Total Quantity Appropriated is:
0.04 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
05N	17E	23	NW	NW		RECREATION	
			NE	NW		RECREATION	
			NW	NW		AESTHETIC	
			NE	NW		AESTHETIC	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

This right does not grant any right-of-way or easement across the land of another.

Place of use is located within HES 129, Tax Lots 6079 and 6080.

The right holder shall accomplish the change authorized by this approval within 2 years.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Decreed

09/29/2009

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

RIGHT NUMBER: 37-863E

NAME AND ADDRESS: EAGLE CREEK IRRIGATION CO
C/O EVERETT DAVIS
PO BOX 1965
SUN VALLEY ID 83353

SOURCE: EAGLE CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.560 CFS

PRIORITY DATE: 10/06/1902

POINT OF DIVERSION:

T05N R17E S13 NWNWNW Within BLAINE County
T05N R17E S14 NENENE Within BLAINE County
T05N R17E S14 SWNENE Within BLAINE County
T05N R17E S14 NESWNE Within BLAINE County
T05N R17E S14 NESWNE Within BLAINE County
T05N R17E S14 SWSWNE Within BLAINE County
T05N R17E S14 SWSWNE Within BLAINE County
T05N R17E S14 SWSWNE Within BLAINE County
T05N R17E S14 NENESW Within BLAINE County
T05N R17E S14 SENWSW Within BLAINE County
T05N R17E S14 SENWSW 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	4.560 CFS

PLACE OF USE:

127.3 ACRES TOTAL

Right Nos. 37-863E and 37-7871 are limited to the irrigation of a combined total of 127.3 acres in a single irrigation season.

This right is limited to the irrigation of 127.3 acres within the boundary of the Eagle Creek Irrigation Company which is comprised of portions of HES 129 and HES 329.

Place of use does not include federal public lands.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

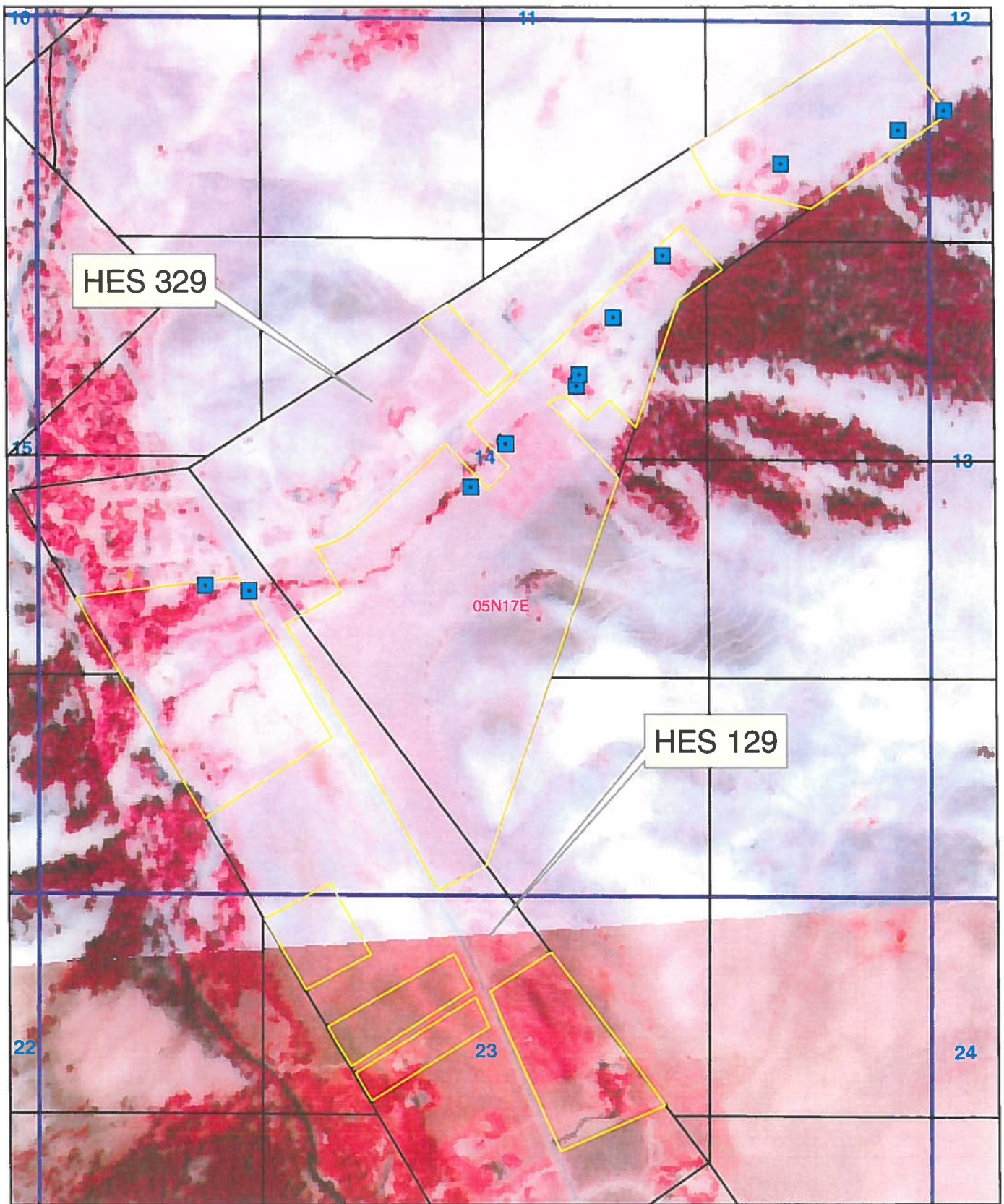
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

09/29/2009

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

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.

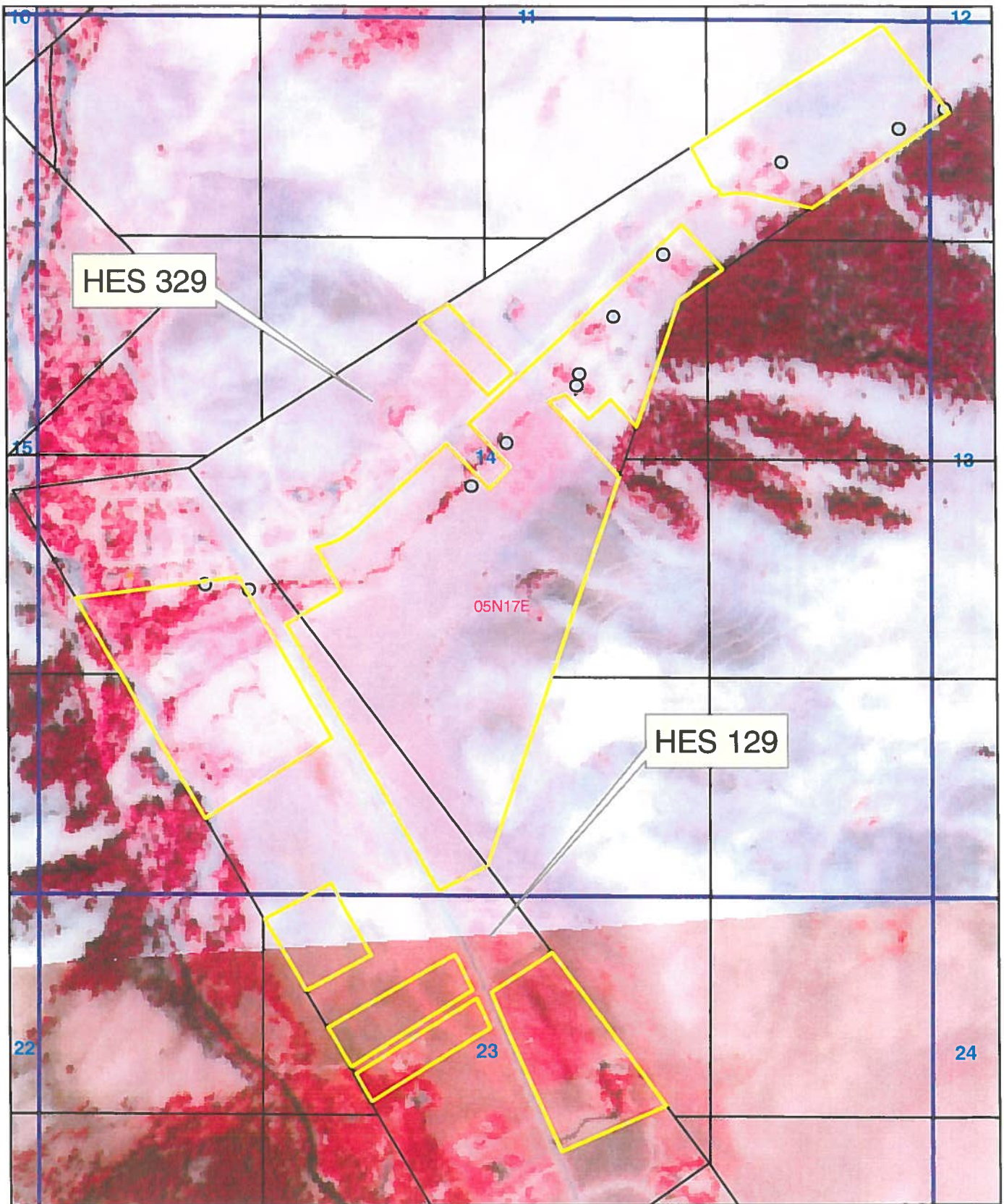
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



37-863E

**Eagle Creek Irrigation Company
Digital Boundary**



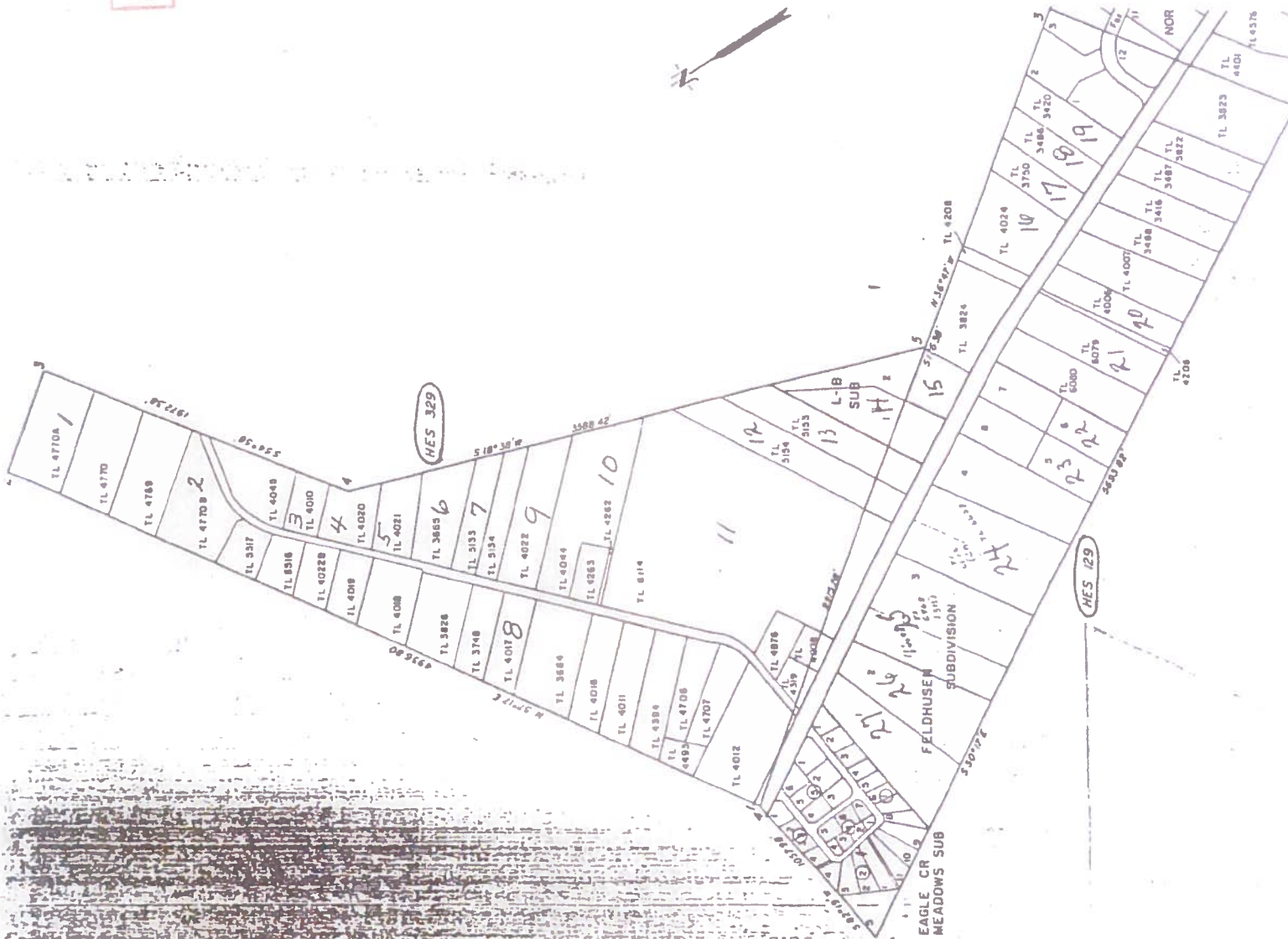


37-863E

**Eagle Creek Irrigation Company
Digital Boundary**



POOR ORIGINAL



MICROFILMED
OCT 24 1994

EAGLE CREEK IRRIGATION CO. SHAREHOLDERS

Geoffrey/Kathleen Meredyth
P.O. Box 3539
Ketchum, ID 83340
8 Shares

Harold/Flora Jonassen
P.O. Box 1708
Ketchum, ID 83340
5 Shares

Dr. & Mrs. Michael Holzer
Address Unknown/New Mexico
12 Shares/Hogue, Speck Attys(Ketchum)

Constance K. Gray
P.O. Box 262
Sun Valley, ID 83353
10 Shares

Rudolf Fretz
10805 SW 77 Court
Miami, FL 33156
Joan L. Clark
8005 SW 63rd Place
Miami, FL 33143
5 Shares

Robert G. Stevens
P.O. Box 308
Ketchum, ID 83340
14 Shares

Daniel J. Pickrell
P.O. Box 351
Burlingame, CA 94011
30 Shares

Robert/Beverly Sadler
2212 Conway Dr.
Escondido, CA 92026
8 Shares

Andrew G. Spiegel
1313 Lincoln Ave. W.
Highland Park, IL 60035
36 Shares

Frederick F. Blechmann
P.O. Box 184
Sun Valley, ID 83353
10 Shares

William Brohan
P.O. Box 11
Sun Valley, ID 83353
4 Shares

Weldon/Marilyn Wankier
P.O. Box 2562
Sun Valley, ID 83353
10 Shares

Tom Denker
P.O. Box 1157
Ketchum, ID 83340
4 Shares

Steven H. Miller
P.O. Box 2036
Ketchum, ID 83340
6.56 Shares

Clarence/Beth Hedrick
and Wallace Hedrick
189 Borah Ave. West
Twin Falls, ID 83301
5 Shares

Dr. L.P./Nancy K. Enright
P.O. Box 1314
Sun Valley, ID 83353
15 Shares

Randolph J. Updyke
P.O. Box 685
Ketchum, ID 83340
8 Shares

65 50 01
Z 27
MICROFILMED

OCT 24 1994

01/10/2007

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

RIGHT NUMBER: 37-863F

NAME AND ADDRESS: EAGLE CREEK IRRIGATION CO
C/O EVERETT DAVIS
PO BOX 1965
SUN VALLEY ID 83353

SOURCE: EAGLE CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 10/06/1902

POINT OF DIVERSION:

T05N R17E S14 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	04/15 10/15	0.040 CFS
AESTHETIC	04/15 10/15	0.040 CFS

PLACE OF USE: RECREATION in BLAINE County

T05N R17E S23	NENW	T05N R17E S23	NWNW
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AESTHETIC in BLAINE County

T05N R17E S23	NENW	T05N R17E S23	NWNW
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Place of use is located within HES 129, Tax Lots 6079 and 6080.

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

The right holder shall accomplish the change authorized by this approval within 2 years.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66115

RECEIVED
JAN 06 2003
Department of Water Resources
Southern Region

This is to certify that: EAGLE CREEK IRRIGATION CO
C/O EVERETT DAVIS
PO BOX 1965
SUN VALLEY ID 83353

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-863	AJC/Decreed	10/06/1902	4.60 cfs	N/A		129.3	EAGLE CREEK

Purpose of Transfer (Changes Proposed)

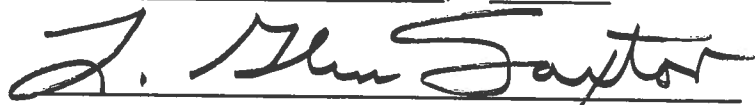
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-863	YES	NO	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-863	37-863F	0.04 cfs	N/A	N/A	N/A	37-863E	4.56 cfs	N/A	N/A	127.3
TOTALS		0.04 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of December, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-863F
As Modified by Transfer No. 66115

In accordance with the approval of Transfer No. 66115, Water Right No. 37-863D is now described as follows.

Right Holder: EAGLE CREEK IRRIGATION CO
 C/O EVERETT DAVIS
 PO BOX 1965
 SUN VALLEY ID 83353

Priority Date: October 06, 1902

Source: EAGLE CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
RECREATION	04/15	to 10/15	0.04 CFS	
AESTHETIC	04/15	to 10/15	0.04 CFS	
			0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAGLE CREEK NENE Sec. 14 Twp 05N Rge 17E BLAINE County

PLACE OF USE: RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<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>	
05N 17E 23					X	X											

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	<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>	
05N 17E 23					X	X											

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. Place of use is located within HES 129, Tax Lots 6079 and 6080.
3. The right holder shall accomplish the change authorized by this approval within 2 years.

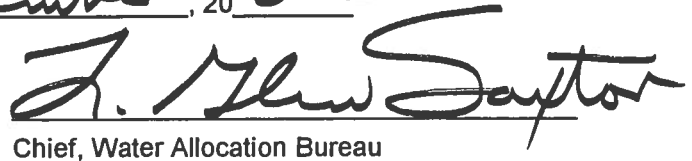
WATER RIGHT NO. 37-863F
As Modified by Transfer No. 66115

CONDITIONS OF APPROVAL

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 31st day of December, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-863E
As Modified by Transfer No. 66115

In accordance with the approval of Transfer No. 66115, Water Right No. 37-863C is now described as follows.

Right Holder: EAGLE CREEK IRRIGATION CO
C/O EVERETT DAVIS
PO BOX 1965
SUN VALLEY ID 83353

Priority Date: October 06, 1902

Source: EAGLE CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	4.56 CFS	
			4.56 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAGLE CREEK	NWNW	Sec. 13 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	NENE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	NENE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	SWNE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	SWNE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	SWNE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	SWNE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	SWNE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	SWNE	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	NWSW	Sec. 14 Twp 05N	Rge 17E	BLAINE County
EAGLE CREEK	NWSW	Sec. 14 Twp 05N	Rge 17E	BLAINE County

WATER RIGHT NO. 37-863E
As Modified by Transfer No. 66115

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	
05N 17E 14	15.4	1.0	14.5					.6	24.0	8.7	8.9	31.4				6.6	111.1
05N 17E 23					16.2												16.2

Total Acres: 127.3

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 31st day of December, 2002


 Chief, Water Allocation Bureau