

03/17/2003

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

RIGHT NUMBER: 37-176
NAME AND ADDRESS: BILL ARKOOSH
2005 US HWY 26
GOODING ID 83330
KAREN A ARKOOSH
2005 US HWY 26
GOODING ID 83330

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 2.000 CFS
614.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-1131 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 614 AF.

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T05S R15E S36 NENW Within LINCOLN County
T05S R16E S30 SESW Within LINCOLN County
T05S R16E S30 NWSESW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.000 CFS 614.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S25	SWSW	10.2	T05S R15E S25	SESW	33.0
T05S R15E S25	SWSE	32.0	T05S R15E S25	SESE	16.0
T05S R15E S36	NENE	3.1	T05S R15E S36	NWNE	6.6
T05S R15E S36	NENW	5.5	T05S R15E S36	NWNW	24.8
T05S R16E S30 Lot 4	SWSW	21.3	T05S R16E S31 Lot 1	NWNW	1.0

153.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-1131 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 153.5 ACRES IN A SINGLE
IRRIGATION SEASON.

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: Decreed

03/17/2003

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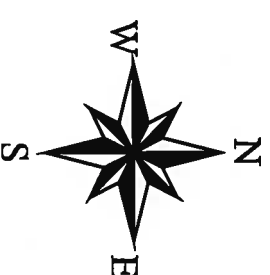
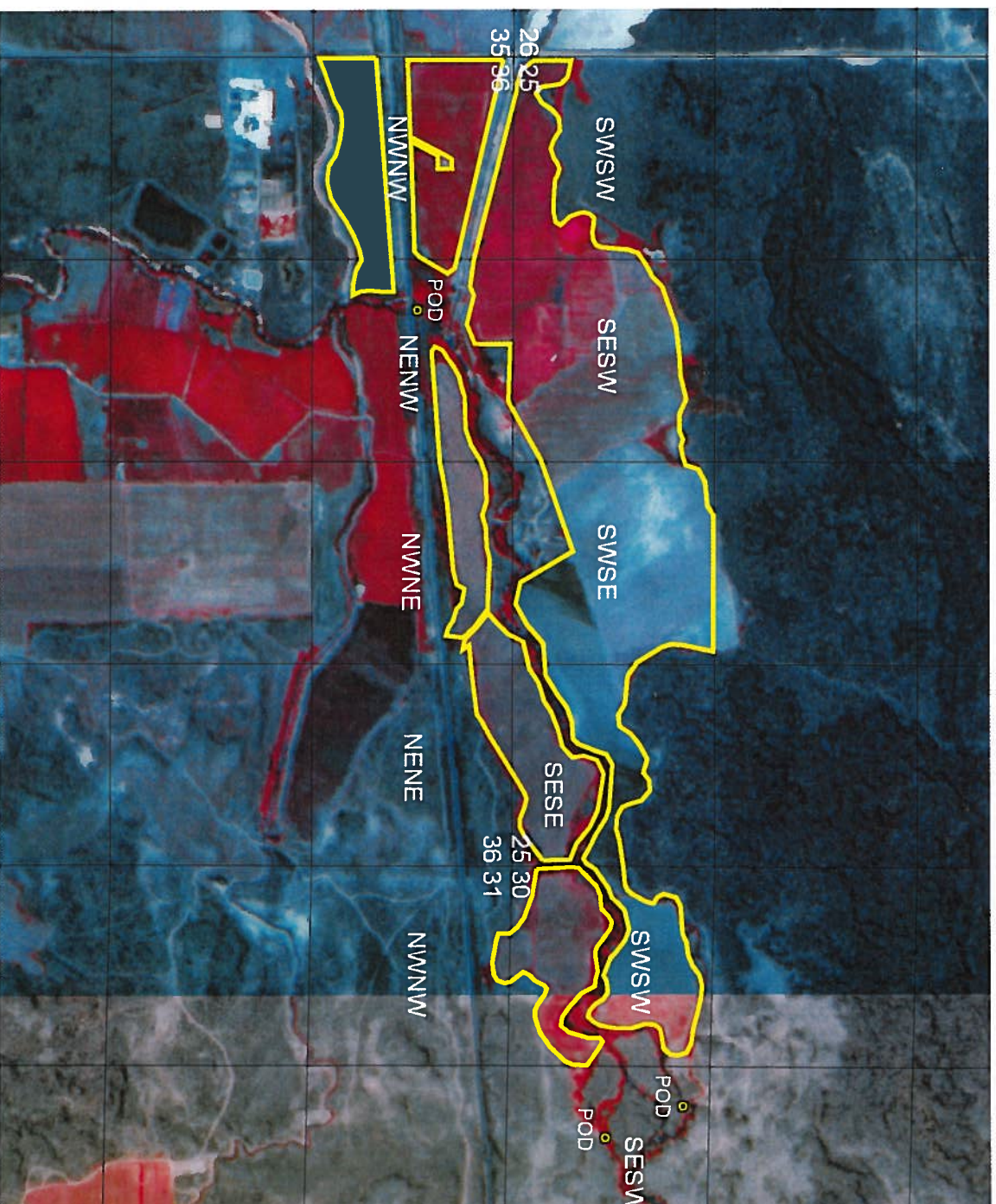
A portion of combined Right Nos. 37-00176 and 37-01131, 1.33 cfs, is limited to use for conveyance losses in delivery of these rights.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

37-176 & 37-1131



T05S R15E
S25 & S36
T05S R16E
S30 & S31

Map prepared by: Carter Fritschle
Date prepared: 03/17/03
1987-1988 NAPP photography
Idaho Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4760
WATER RIGHT NO(S). 37-00176/37-01131

This is to certify that: **BILL ARKOOSH**
2368 E 1775 S
GOODING ID 83330

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-00176 :			
IRRIGATION	04/01 to 10/31	2.00 CFS	614.0 AF
Priority: 04/01/1890			
Right No. 37-01131 :			
IRRIGATION	04/01 to 10/31	2.40 CFS	614.0 AF
Priority: 08/01/1906			
TOTAL:		* 4.40 CFS	* 614.0 AF

SOURCE

LITTLE WOOD RIVER

TRIBUTARY OF

MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 36, Township 05S, Range 15E
SESW , Sec. 30, Township 05S, Range 16E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	15E	25	SWSW 10.2	SESW 33	SWSE 32	91.2
			SESE 16			
	36		NENE 3.1	NWNE 6.6	NENW 5.5	40
			NWNW 24.8			21.3
16E	30	Lot 4(SWSW)	21.3			1
	31	Lot 1(NWNW)	1			153.5
Total number of acres irrigated:						

RECORDED

MAR 28 1996

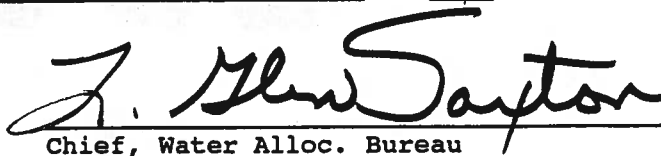
TRANSFER NO. 4760
WATER RIGHT NO(S). 37-00176/37-01131

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4760 shall not exceed 4.40 cfs, nor total combined annual volume of 614.0 af for the total combined irrigation of 153.5 acres.
- *9. A portion of combined Right Nos. 37-00176 and 37-01131, 1.33 cfs, is limited to use for conveyance losses in delivery of these rights.
10. Two points of diversion are located in the SESW, S30, T05S, R16E.

Dated this 27th day of

March, 1996


Chief, Water Alloc. Bureau

MAR 28 1996

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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: A37-00176
Date Received: 5/27/1988
Receipt No: S000279 \$5018890
Received By: Adm

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BILL ARKOOSH 208-934-5387
Address: 2368 E 1775 S
GOODING ID 83330
AND/OR
Name: KAREN A ARKOOSH 208-934-5387
Address: 2368 E 1775 S
GOODING ID 83330

2. Date of Priority: APR 1, 1890

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	16E	30	NW	SE	SW		LINCOLN
			SW	SE	SW		LINCOLN

5. Description of diverting works:
DEVANY #86 & 86A HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/01	2.000		

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

8. Total consumptive use is 441.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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NOV 21 1996

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
05S	15E	25	SW		SW		IRR	10.2		
			SE		SW		IRR	33.0		
			SW		SE		IRR	32.0		
			SE		SE		IRR	16.0		
				Section Acres				91.2		
		36	NE		NE		IRR	3.1		
	NW			NE		IRR	6.6			
	NE			NW		IRR	5.5			
	NW			NW		IRR	24.8			
				Section Acres				40.0		
		16E	30	SW		SW	4	IRR	21.3	
	Section Acres				21.3					
				31	NW		NW	1	IRR	1.0
	Section Acres				1.0					
	Total Acres								153.5	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-1131

14. Remarks:
NORTH DITCH IS APPROX. 11/4 MI. LONG 1/2 MI. CEMENT THE REST
IS EARTH. SOUTH DITCH IS APPROX. 1 MI. IN LENGTH ALL EARTH.

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): Bill Antkowiak Date: 2-28-96

Date: _____

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of Feb 19 96

[Signature]
Notary Public

Seal

Residing at Kimberly ID
My Commission Expires 6/30/2000

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NOV 21 1996

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: A37-00176
Date Received: 5/27/1988
Receipt No: 5000279

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BILL ARKOOSH 208-934-5378
Address: 2368 E. 1775 S.
GOODING, ID 83330

AND/OR

Name: KAREN A. ARKOOSH
Address: GOODING, ID 83330

2. Date of Priority: APR 01, 1890

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	30	NW	SE	SW		LINCOLN
			SW	SE	SW		LINCOLN

5. Description of diverting works:
DEVANY #86 & 86A HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	2.000		

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

8. Total consumptive use is 441.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
05S	15E	25	SW	SW		IRR	10.0	
			SE	SW		IRR	32.0	
			SW	SE		IRR	33.0	
			SE	SE		IRR	18.0	
		Section Acres						93.0
		36	NE	NE		IRR	3.0	
			NW	NE		IRR	6.0	
			NE	NW		IRR	9.0	
	NW		NW		IRR	13.0		
	Section Acres						31.0	
	16E	30	SW	SW	4	IRR	22.0	
			Section Acres					
		31	NW	NW	1	IRR	1.0	
			Section Acres					
	Total Acres						147.0	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
37-1131

14. Remarks:
THERE ARE 2 P/D'S IN SESW S30 T5S R16E.
NORTH DITCH IS APPROX. 11/4 MI. LONG 1/2 MI. CEMENT THE REST
IS EARTH. SOUTH DITCH IS APPROX. 1 MI. IN LENGTH ALL EARTH.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

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): Bill Arkosh Date: 5-27-1988

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day

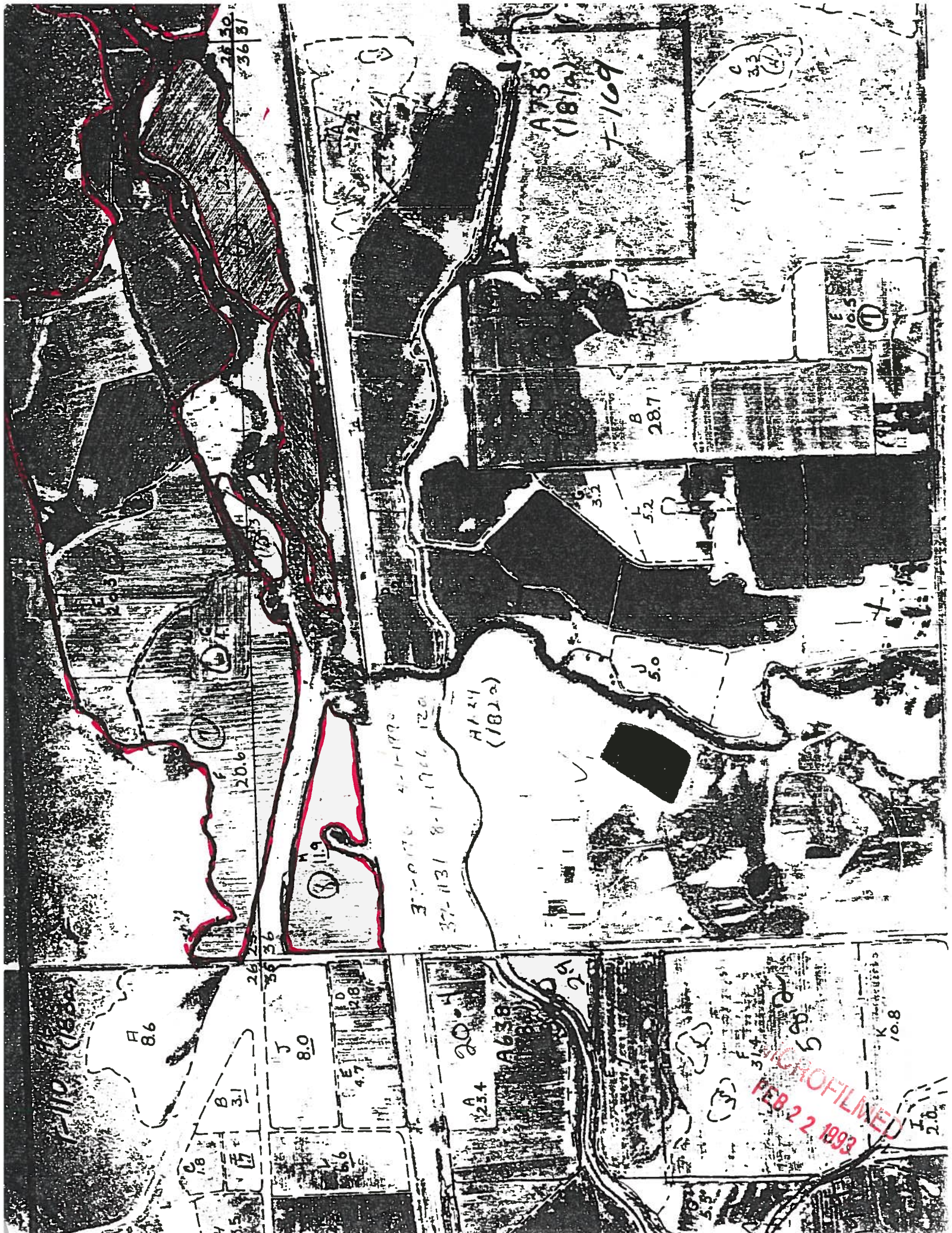
of May 19 88

Mary G. Beldrain
Notary Public

Seal

Residing at Gooding Rd

My Commission Expires 10/16/1992



26 30
36 31

A738
(181a)
F-169

32
31
30

E 10.5
①

B 28.7

5.2

5.0

H134
(181a)

3-0-170 4-1-1990
37-1131 8-1-1766 120

① 11.9

26.6

29.3

H 8.6

B 3.1

J 8.0

E 4.7

A 20.1

A638

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FEB 22 1993

K 10.8

I 2.8

A715
(1806)

161

25 30
36 31

24.9 (11)

20.3

20.6

11.9

12.2

12.5

A738
(181a)

7-169

MICROFILMED
FEB 22 1993