

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

Postage Order Expired
RETURN TO SENDER

ADDRESS SERVICE
REQUESTED

APR 15 05
PB METER
7147745
U.S. POSTAGE
\$0.83

RECEIVED
APR 19 2005
Department of Water Resources

37-6006

MICHAEL A ARKOOSH

GEORGE ARKOOSH
PO BOX 93
GOODING ID 83330

12/17/2003

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

RIGHT NUMBER: 37-600B

NAME AND ADDRESS: BONNIE ARKOOSH
2177 E 1375 S
GOODING ID 83330

GEORGE ARKOOSH
PO BOX 93
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 04/27/1896

POINT OF DIVERSION:

T05S R15E S12 SESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S10	SENE	2.7	T05S R15E S10	NESE	25.0
T05S R15E S10	SWSE	1.5	T05S R15E S10	SESE	6.4
T05S R15E S11	NWSW	1.1			

36.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-4404A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 36.7 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.

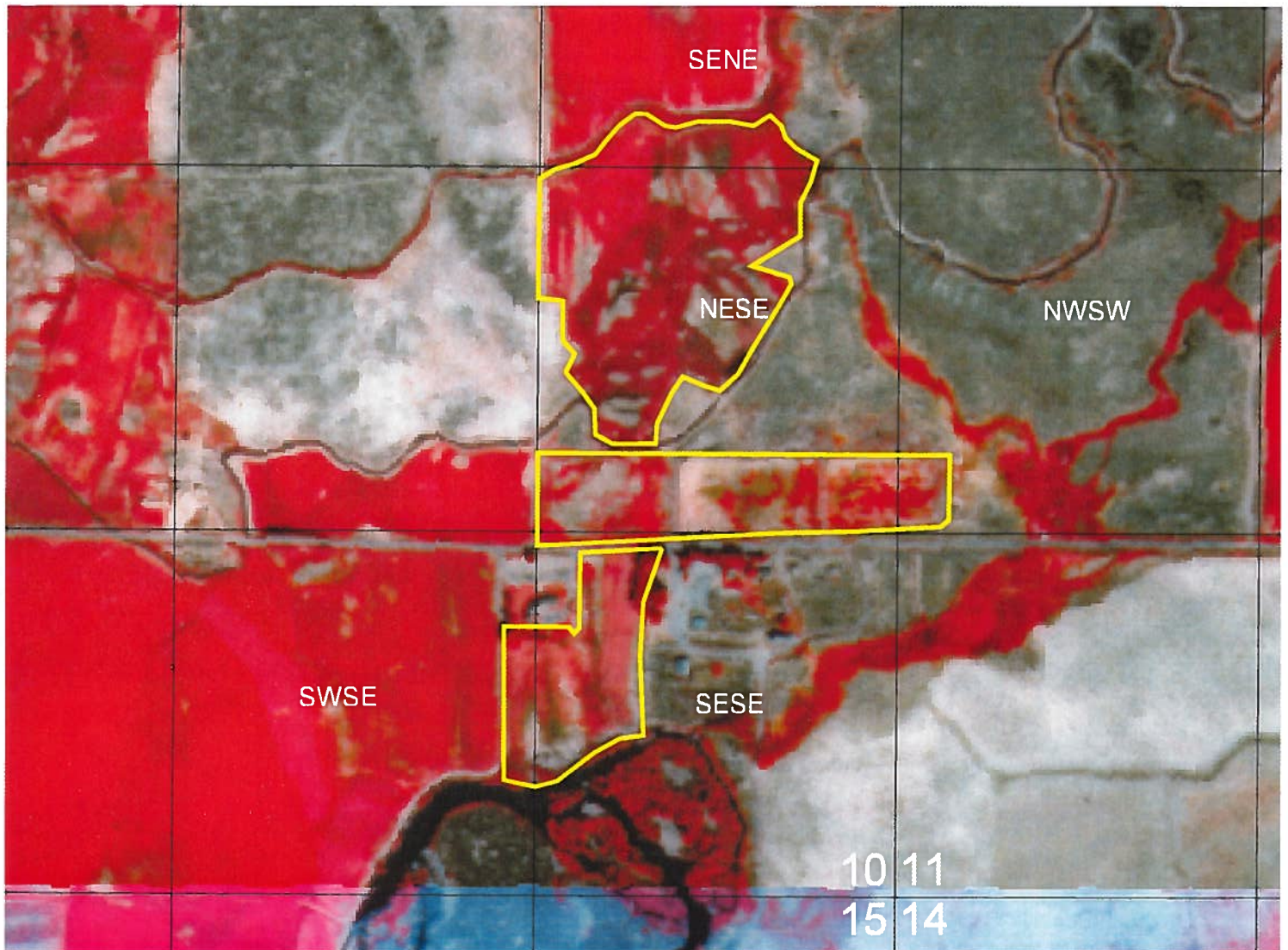
EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH THE UNION DITCH.

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

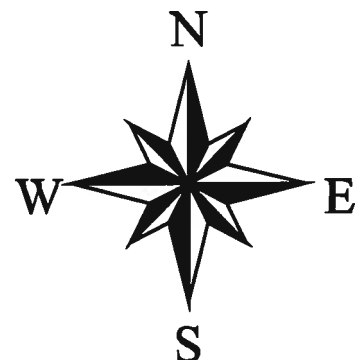
37-600B



300 0 300 600 900 1200 1500 1800 2100 Feet

T05S R15E S10

Map prepared by: Carter Fritschle
Date prepared: 10/28/03
1987-1988 NAPP photography
Idaho Department of Water Resources





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

August 24, 1998

Lee Peterson
Watermaster
Water District No. 37 & 37M
P.O. Box T
Shoshone, ID 83352

A37-00600B

Dear Mr. Peterson:

Becky Wildman recently came into our office, inquiring about filing a water right transfer application for Bonnie Arkoosh. Apparently, Ms. Arkoosh has a water right, 37-00600B, for the diversion of 25 inches of water from the Big Wood River. There has been some question relating to the recorded point of diversion for this particular water right.

According to the Department's records, water right 37-00600B was created when Alice Arkoosh filed a transfer application, #314, involving a 25 inch portion of base right 37-00600, which was originally part of the 1909 Frost Decree. This particular transfer application was approved by the Department of Reclamation in 1921. I have included a copy of the transfer #314 approval document for your reference. Examination of this document reveals that the listed location of the point of diversion for this 25 inch water right is the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 (T05S, R15E).

As we discussed during our telephone conversation, the headgate for the Union Ditch is located within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 (T05S, R15E). You mentioned that you thought that the point of diversion for the old Savage Ditch was located quite a ways further downstream, somewhere in Section 13, or perhaps Section 14.

Examination of the Department's computer records indicate that water right 37-00600B lists the point of diversion from the Big Wood River as being located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 (T05S, R15E). I have included a computer generated proof report of water right 37-00600B for your reference. Note that in the remarks section of this proof report there is a remark that states:

TRANS. 314

P/D GIVEN AS SWSW S12 T5S R15E IN TRANSFER.

PRESENT P/D DETERMINED FROM WATERMASTER.

August 24, 1998
PAGE 2

It appears that when the old original water right records were entered into the Department's database, the agent who entered the records had some question with the point of diversion that was listed in transfer #314 (SWSW $\frac{1}{4}$ of Section 12). Apparently, there is no headgate from the Big Wood River in this particular 40-acre tract, since it is located between the Union Ditch headgate and the old Savage Ditch headgate. It appears that the agent who was entering the water right records into the computer, contacted the water master to inquire about the actual point of diversion location. The water master apparently reported that the water for this right was diverted out of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 (T05S, R15E). Therefore, the Department's most current records indicate a point of diversion location that corresponds to the Union Ditch headgate location.

Further examination of the Department's records indicate that it appears that three Snake River Basin Adjudication claims could represent water right 37-00600B, or portions of this right. These three SRBA claims (A37-00600B, A37-11114A, and 37-11114B) all list at least one point of diversion located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 (T05S, R15E).

In summary, it appears that the Department's current records indicate that water right 37-00600B should be diverted from a point of diversion located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 (T05S, R15E), which would correspond to the Union Ditch headgate. I see no reason to file a transfer application to record the Union Ditch headgate as the point of diversion for water right 37-00600B, since the Department's records already indicate that this is where the water right has been, and should be, diverted.

The Department appreciates your efforts to advise water users to properly record their water rights. If you have any questions, or if I can be of any assistance, feel free to contact me at your convenience.

Sincerely,



Corey Skinner, EIT
Dam Safety Section

Enclosures

cc: Becky Wildman w/o enclosures

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: A37-00600B
Date Received: 12/22/1993
Receipt No: 5016457
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BONNIE ARKOOSH 208-934-5014
Address: 2177 EAST 1375 SOUTH
GOODING ID 83330
AND/OR
Name: GEORGE ARKOOSH 208-934-8464
Address: PO BOX 93
GOODING ID 83330

2. Date of Priority: APR 27, 1896

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	12	SE	SW			GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

A.F.A.

8. Total consumptive use is 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	10	NE	SE		IRR	40.0

NOV 22 1996
MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	10	SE	SE		IRR	15.0
Section Acres							55.0
Total Acres							55.0

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:

14. Remarks:

.....
.....0S SWSW S12 T5S R15E IN TRANSFER.
PRESENT P/D DETERMINED FROM WATERMASTER.
CLAIMANT HAS FILED AFFIDAVIT DOCUMENTING USAGE AT THE CLAIMED POU
SINCE THE 1992 FIRE AT THE WATERMASTER'S OFFICE DESTROYED THE TAG
OF DELIVERIES OVER THE YEARS.

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: 2

MICROFILMED
NOV 22 1996

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): *George J. Henth* Date: 12-22-93
_____ Date: _____

State of Idaho)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 22ND day
of December 19 93

Shirley C. Allen
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

MICROFILMED
NOV 22 1996

55

MAP 22-71

15E

NESE - 40
SESE - 15

MAP AA-21

NOTE: all

TRANS. 314
remarks

MICROFILMED

NOV 22 1996

32-08600B

PRINCE. EANNIE AND IN LITARE

To Whom It May Concern:

I was a ditch rider on the Union ditch for the Big Wood Canal Company for the 1988 through 1992 irrigation seasons. During that time, I delivered 25" from the 37-00600B water right through the Union ditch to a headgate just north of Bonnie Arkoosh's house.

Dave Lipe

Dave Lipe

12-21-93

Date

"State of Idaho)

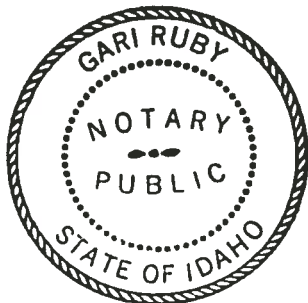
County of Gooding) ss

Subscribed and sworn (or affirmed) before me this 21 day of December, 1993"

Gari Ruby

Official signature and seal

My commission expires on May 9, 1997.



RECEIVED

DEC 22 1993

Department of Water Resources
Southern Region Office

MICROFILMED

NOV 22 1993

32-11600B

ARKOOSH, BONNIE AND/OR PEOPLE

FILE: ARKOOSH

AGENT: 7

DATE: 12-22-1993

RE:

SRBA-LATE CLAIM - 37-00600B

NAME OF PARTY:

ARKOOSH

also claimed in: A37-11114

paid by COK drawn on ARKOOSH
PRODUCE

Reviewed WASTE WATER claim in
name of MICHAEL/BONNIE:

A37-04404

cc of memos re: conversations to
claim file.

and
Research 1993 FILE

MICROFILMED

NOV 22 1996

ACTION REQUIRED

FROM:

A. Hitchcock

TO:

G. ARKOOSH

Please review claim A37-11114 as noted.

Seems that you need to come up with a legal description of the "quit-claim" parcel to claim it.

Please advise.

CC: ARKOOSH
GREENWICH FARMS
A37-11114-noted-00600B
" -07575

ARKOOSH PRODUCE-AJQ1-Q

RECEIVED

DEC 21 1993

Department of Water Resources
Southern Region Office

MICROFILMED
NOV 22 1996

TELEPHONE MEMORANDUM

✓

Incoming Call

345/350

Outgoing Call

Returning Call

TO:

7H

DATE:

12-21-1949

FROM:

George A. Knoch

FILE:

FILE NO:

SUBJECT:

discussion w/ Lee Peterson, Norma
- delivery of 37-00600B.

REMARKS:

reviewed need to get an agreement
from B.W. Co. ditch rider re: historical
use of the water @ Union Ditch headgate.
to land in \$10.

reviewed cc's put in the mail
and need to come in w/ # of acres on
that part of \$10 to do a claim. Will
be reviewed during 37 field work.

ROUTING

INSTRUCTIONS:

Note: discussed lack of ditch

CALENDAR

DATES:

rider's tickets due to file
@ watermaster's in 1952.

MICROFILMED
NOV 22 1996

ADJUDICATION CLAIM NOT FOUND IN FILES

SD-0401-2

Idaho Department of Water Resources

Date: 12/20/93

AJ2

Adjudication Modification Accept Water Right No

Time: 13:52:03

Region: 17

Water Right Number: 37-00600B_

File to Read from: 1

1=Read Host Temp File

2=Read Host Master File

(Enter=Continue)

330, MON, 12-20-1993.

(Menu _____)

CONTACT:

ARKOOSH PRODUCE INC.
PO BOX 93
BOODING, ID. 83330

ATTN: GEORGE ARKOOSH
934-8464

Department of Water Resources
Southern Region Office

DEC 21 1993

RECEIVED

RECEIVED

DEC 21 1993

Department of Water Resources
Southern Region Office

OWNERSHIPS:

ARKOOSH, ARKOOSH PRODUCE, INC.
ARKOOSH + ZIDAN
GREEN HORN FARMS

PROPERTY:

4 MI E OF WENDLELL - ARKOOSH + ZIDAN
1/2 N
E OF BOODING - GREEN HORN FARMS

MICROFILMED

NOV 22 1996

TELEPHONE MEMORANDUM

Incoming Call

830 / 855

Outgoing Call

Returning Call

TO:

H

DATE:

12-21-1995

FROM:

WATERMASTER - 37 - LEE / NORMA

FILE:

ARKOSH

FILE NO:

SUBJECT:

LEGAL - 00600B

REMARKS:

work Frost
head of Union ditch by - 599 RT only
B.W. deliver to P.O. 600

transfer to Savage ditch - & used in years.
40 acres - she only wants 25" 100 ea. 100

more than one handgate - ditch side tickets
Batter #2 delivered this year - past tickets lost

ROUTING
INSTRUCTIONS:

talk to old ditch side in fire (George)

CALENDAR
DATES:

legal of home farm unit - Lee asked (SESE) 10

MICROFILMED

NOV 22 1996

10²⁰

Bob Foster: michael
Arkosh Banner
no ref.
37-00600 2. with ref
shows Transfer

B Arkosh. TFS.

37-04273	GW	.28	S/D
04274	"	"	"
04276	"	"	D/S
04404	GW	2.2	Dr
07575	GW	2.21	Dr
11114	BWR	5.2	Dr
11242	WW	1.0	Dr

MICROFILMED

NOV 22 1996

with Ref

Office

37 00600 B

12-16-1993

MICROFILMED

NOV 22 1996