

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: A37-00012
Date Received: 10/06/1988
Receipt No: M001521
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HEBER KIRKLAND 208-823-4480
Address: BOX 64
CAREY, ID 83320

OR
Name: ROSALIE KIRKLAND 208-823-4480
Address: BOX 64
CAREY, ID 83320

2. Date of Priority: APR 15, 1884

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
01N	21E	30	NW	SW	SE		BLAINE

5. Description of diverting works:
VIA EAST CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 95.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00012

Page 1

Date: 10/06/88

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	34	NE	SE		IRR	37.8
Section Acres							37.8
Total Acres							37.8

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:
A37-00013, A37-00263C

14. Remarks:

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 ☒ 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): Heber W. Kirkland Date: Oct. 6, 1988

Date: _____

State of Idaho)
County of Blaine) SS.

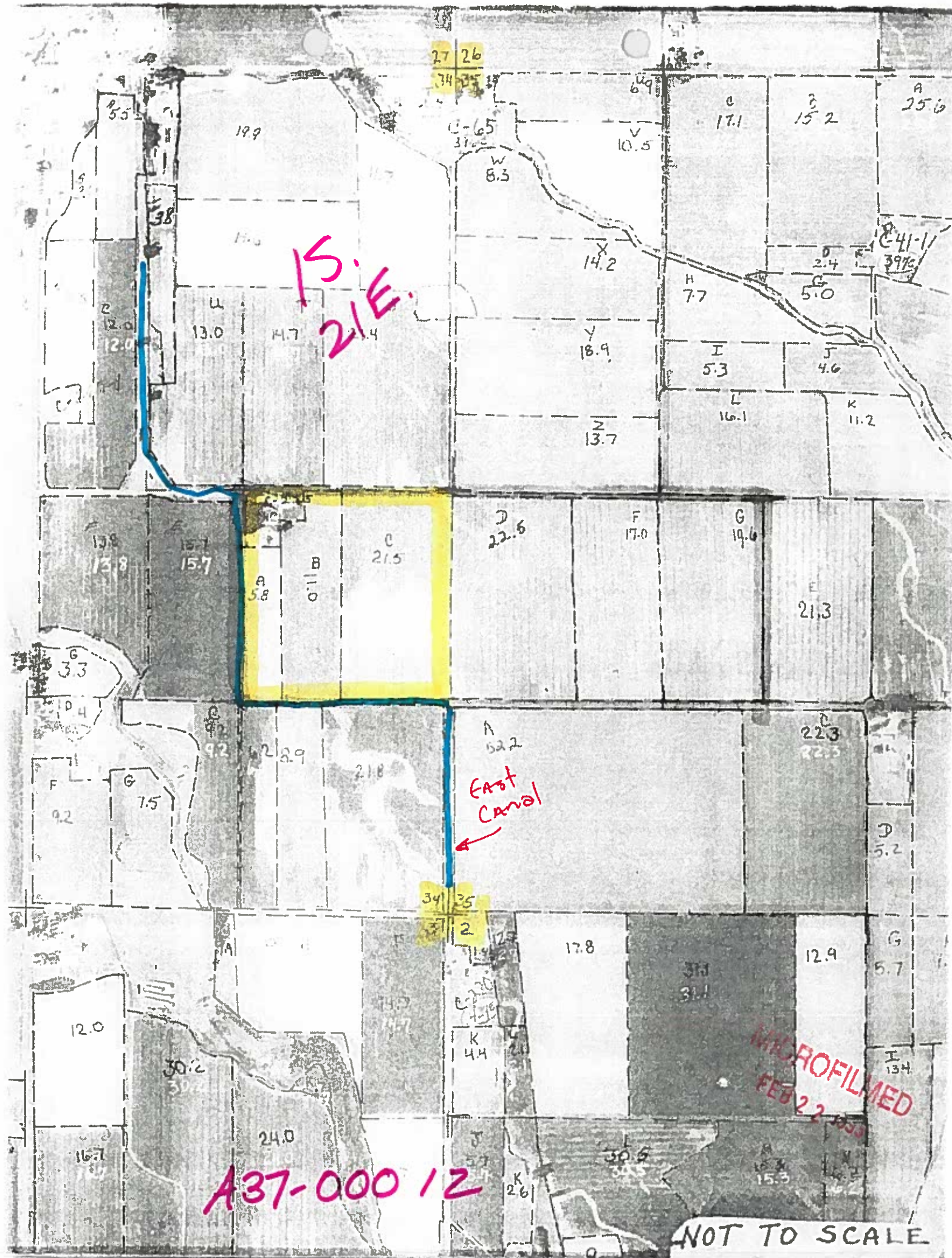
Subscribed and sworn (or affirmed) before me this 6 day
of Oct. 19 88

John Dal Corley
Notary Public

Seal

Residing at Blaine, ID

My Commission Expires 6/2/94



27 26
34 35

15.21E.

East
Canal

34 35
3 2

MICROFILMED
FEB 22 1953

A37-000 12

NOT TO SCALE

11/30/2004

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

RIGHT NUMBER: 37-12
NAME AND ADDRESS: ROSALIE KIRKLAND
PO BOX 64
CAREY ID 83320

HEBER KIRKLAND
PO BOX 64
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.400 CFS
PRIORITY DATE: 04/15/1884
POINT OF DIVERSION:

T01N R21E S30 NWSWSE 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	0.400 CFS

PLACE OF USE: IRRIGATION Within BLAINE County
T01S R21E S34 NESE 37.8

37.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 37.8 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-13 & 37-14C.

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 EAST CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
IRRIGATION DIST.

IDAHO DEPT OF WATER RESOURCES

37-12, 37-13 & 37-14C



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S
RNG: 21E
SEC. 34



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: NOVEMBER 30, 2004

37-12

KIRKLAND

1/4/04
SUC

37-13

37-14C

Prepared shape file; GIS = 38.4 Acres

POD = EAST CANAL

Q:	-12	.40 cfs	(1884)
	-13	.16	(1883)
	-14C	<u>.432</u>	(1883)
		.992 cfs	$\div 37.8 \text{ AC} = 0.026 \text{ cfs/AC}$

POU limit to claimed acres 37.8 ac. when combined,



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JULY 21, 1989

HEBER KIRKLAND
BOX 64
CAREY, ID 83320

A37-00012
A37-00014C
00013
00015C

11535

DEAR MR. KIRKLAND,

ENCLOSED PLEASE FIND TWO ADJUDICATION CLAIMS, ONE FOR YOUR RECORDS AND ONE YOU NEED TO SIGN, NOTARIZE, AND RETURN TO OUR OFFICE.

WHEN THIS CLAIM WAS ORIGINALLY FILED IT WAS ASSIGNED THE WRONG WATER RIGHT NUMBER. THIS ERROR HAS BEEN CORRECTED AND THE NEW FILE NUMBER FOR YOUR CLAIM IS A37-00014C. THIS NUMBER WAS DETERMINED FROM THE WATER MASTER RECORDS. THE OTHER NUMBER YOU WERE ASSIGNED BELONGED TO LANETA HANSEN.

THANK YOU FOR YOUR ASSISTANCE IN COMPLETING THIS FILE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT OUR OFFICE.

SINCERELY,


STEVE CLELLAND
WATER RESOURCE AGENT

MICROFILMED

NOV 21 1996