

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: A37-00744B

Date Received: 10/18/1988

Receipt No: MOG 1644

Received By: DAVINE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAURIE FISCUS 208-823-4695
Address: BOX 122
CAREY, ID 83320

OR

Name: DENNIS BAIRD 208-823-4519
Address: BOX 156
CAREY, ID 83320

2. Date of Priority: SEP 15, 1905

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	22E	9	NW	NW	NW		BLAINE

5. Description of diverting works:
CONCRETE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00744B

Page 1

Date: 10/18/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	18	SE	SW		IRR	36.0
					Section Acres		36.0
		19	NE	NW		IRR	40.0
					Section Acres		40.0
					Total Acres		76.0

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:
37-11735 IS A DOMESTIC RIGHT

14. Remarks:
OWN HALF OF THE ORIGINAL RIGHT (37-00744)

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

Decree Plaintiff

vs

Decree Defendant

(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.

FEB 23 1993

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Fish Creek

113° 52' 30" 2680000 E 269 270 50' FISH CREEK RES. 1.5 MI.
43° 22' 30"

TIN
TIS



MICROFILMED
FEB 23 1993



07/22/2004

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

RIGHT NUMBER: 37-744B
NAME AND ADDRESS: LAURIE FISCUS
PO BOX 122
CAREY ID 83320

DENNIS BAIRD
PO BOX 156
CAREY ID 83320

SOURCE: FISH CREEK TRIBUTARY: LITTLE WOOD RIVER
QUANTITY: 1.300 CFS
PRIORITY DATE: 09/15/1905
POINT OF DIVERSION:

T01S R22E S9 NWNWNW 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	1.300 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R22E S18 SESW 32.0 T01S R22E S19 Lot 3 NENW 39.0

71 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

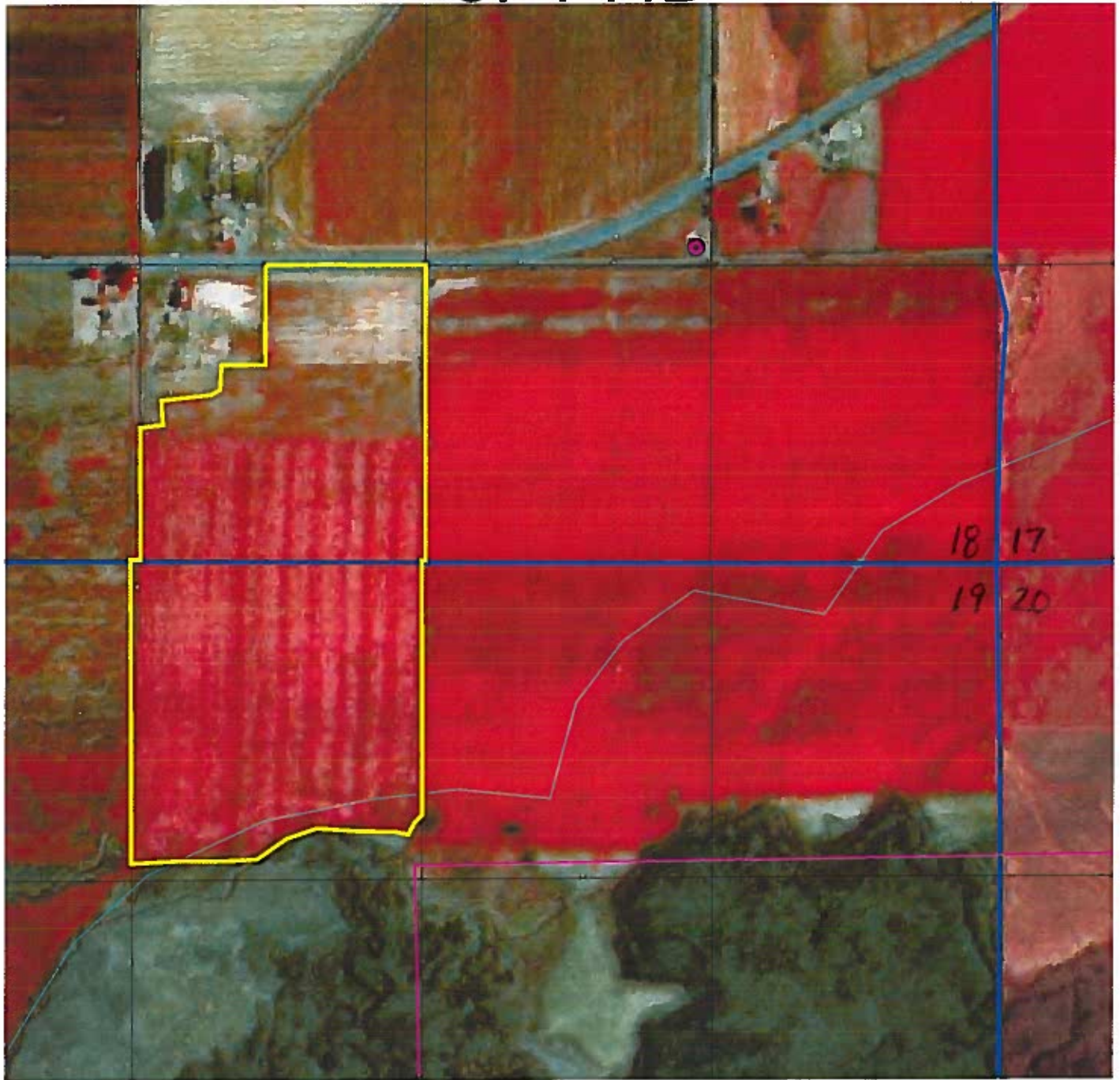
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH HOT SPRING CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM FISH CREEK RESERVOIR CO.

IDAHO DEPT OF WATER RESOURCES

37-744B



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: 22E
SEC. 18 & 19



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

Date: JULY 22, 2004

TIS
R22E

GIS =
71 AC

13 18

24 19

37-7448

12/3/02
see

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-744

WATER RIGHT NUMBER: 37-744

Owner Type Name and Address
 Current Owner EDWARD DAVIS

, ZZ

Priority Date: 09/15/1905

Basis: Decreed

Status: Active

Source
 FISH CREEK

Tributary
 LITTLE WOOD RIVER

Beneficial Use
 IRRIGATION

From To
 / to /

Diversion Rate
 2.600 CFS

Annual Volume

Total Diversion: 2.600 CFS

Location of Point(s) of Diversion
 FISH CREEK

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	
01S	22E	17											X						
01S	22E	18										X					X	X	

claimed
 pou

Conditions of Approval:Remarks:

1. General AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

Comments:Dates and Other Information:

(wm shows $\frac{1}{2}$
 ownership
 assume transfer from
 SWSW S. 17?)

appears to own $\frac{1}{4}$ of this Rt.
 not $\frac{1}{2}$ as claimed
 12/3/02
 SCC

= 0.65 cfs

overclaimed
 A .65
 B 1.30
 C 1.30
 3.25 cfs
 show
 BIRD
 Peck

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-744

Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1914
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37U
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False