

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 37-105A
Date Received: 9/23/1988
Receipt No: S002490
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SPRING OF GLADNESS RANCH INC Phone: (208)324-4828

PO BOX 102
JEROME ID USA 83338

2. Date of Priority: 05/31/1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
01N	18E	12	SW	SW	BLAINE	
01N	18E	25	SW	SW	BLAINE	R

5. Description of diverting works:

VIA BYPASS CANAL; BROWN #57-F HEADGATE IN CANAL; GRAVUTY, SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	9/15	6	
STOCKWATER	4/01	9/15	0.05	

7. Total Quantity Appropriated is:
6 C.F.S. and/or 370 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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01S	18E	11	SE	SE	IRRIGATION	13
					Section Acres	13
01S	18E	12	NW	SW	IRRIGATION	35
			SW	SW	IRRIGATION	36
			NE	SW	IRRIGATION	39
			SW	NE	IRRIGATION	40
			SW	NE	STOCKWATER	
					Section Acres	150
					Total Acres	163

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:

14. Remarks:

80" OF WATER REMOVED FROM ORIGINAL RIGHT BY TRANS. 326.
 ALTHOUGH SOME GROUND IS IRRIGATED WITH SPRINKLERS, THIS HAS NOT INCREASED THE NUMBER
 OF ACRES IRRIGATED. STOCK DRINK FROM DITCH- ES.

11-8-05, DJ: Claim amended to add 40 ac in SWNE S12

15. Basis of Claim: Decreed

AMENDED 37-105A

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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED
NOV 03 2005
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Spring of Gladness Ranch, Inc. Phone (208) 731-8830
Mailing Address P.O. Box 102, Jerome, Idaho Zip 83338
2. Date of Priority (Only one (1) per claim) 05/31/1887
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of existing point of diversion is: Township 01N Range 18E Section 12,
SW 1/4 of SW 1/4 of 1/4, Govt. Lot, _____ B.M., County of Blaine
Additional points of diversion if any: 01N18E25SWSW (Rediversion)
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Existing ditches and sprinklers that irrigate the POU

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 09/15 amount 6 or _____

For Stockwater purposes from 04/01 to 09/15 amount 0.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) Stock drink from existing ditches

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	18E	11																13	13
		12			40						39	35	36						150

Total number of Irrigatable acres 163

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes XX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

37-104, 37-11387, 37-11390, 37-11394 Or None ☐

14. Remarks:

Last Name _____ Ident. No. _____
15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XX

If applicable provide IDWR Water Right Number 37-105A

Court _____ Case Number _____ Decree Date 12/13/1909

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Chris E. Grubbs* Date 10-31-05

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title
Of _____, that I have signed the foregoing

Organization
Document in the space below as _____ of _____
Title Organization

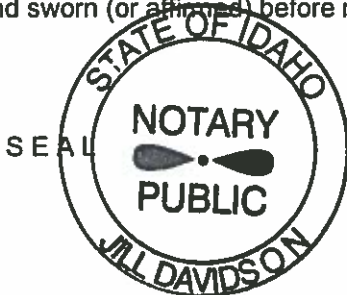
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho / or _____)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 31st day of October, 20 05.



Notary Public *Jill Davidson*

Residing at Twin Falls

My Commission Expires November 18, 2010

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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: A37-00105A
Date Received: 9/23/1988
Receipt No: 5002490
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPRING OF GLADNESS RANCH, INC. 208-324-4828
Address: P. O. BOX 102
JEROME, ID 83338

2. Date of Priority: MAY 31, 1887

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
01N	18E	12	SW	SW			BLAINE
		25	SW	SW		R	BLAINE

5. Description of diverting works:
VIA BYPASS CANAL; BROWN #57-F HEADGATE IN CANAL; GRAVUTY, SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	09/15	6.000		
STOCKWATER	04/01	09/15	0.050		

7. Total Quantity Appropriated is:
6.000 C.F.S. (and/or) 370.00 A.F.A.

8. Total consumptive use is 370.0 Acre Feet Per Annum.

9. Non-irrigation uses:
LIVESTOCK/150 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	18E	11	SE	SE		IRR	13.0
Section Acres							13.0

A37-00105A

Page 1

Date: 09/23/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	18E	12	NE	SW		IRR	39.0
			NW	SW		IRR	35.0
			SW	SW		IRR	36.0
						Section Acres	110.0
						Total Acres	123.0

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:
A37-11387, 37-0104, 0892 PART

14. Remarks:
80" OF WATER REMOVED FROM ORIGINAL RIGHT BY TRANS. 326.
ALTHOUGH SOME GROUND IS IRRIGATED WITH SPRINKLERS, THIS HAS NOT
INCREASED THE NUMBER OF ACRES IRRIGATED. STOCK DRINK FROM DITCH-
ES.

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 X 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): Jah O Mc Sonzil Date: 23 Sept 1988
Date: _____

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of September 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

12/22/2006

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

RIGHT NUMBER: 37-105A

NAME AND ADDRESS: SPRING OF GLADNESS RANCH INC
PO BOX 102
JEROME ID 83338

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 6.000 CFS

PRIORITY DATE: 05/31/1887

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S35 NESESE Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	6.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S11	SESE	21.00	T01S R18E S12	SWNE	39.00
T01S R18E S12	NESW	12.00	T01S R18E S12	NWSW	35.00
T01S R18E S12	SWSW	37.00			

144 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 144 acres in a single irrigation season. Combined Right Nos.: 37-104, 37-105A, 37-11394 and 37-11387.

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



Idaho Department of Water Resources

SRBA Recommendation:

37-105A

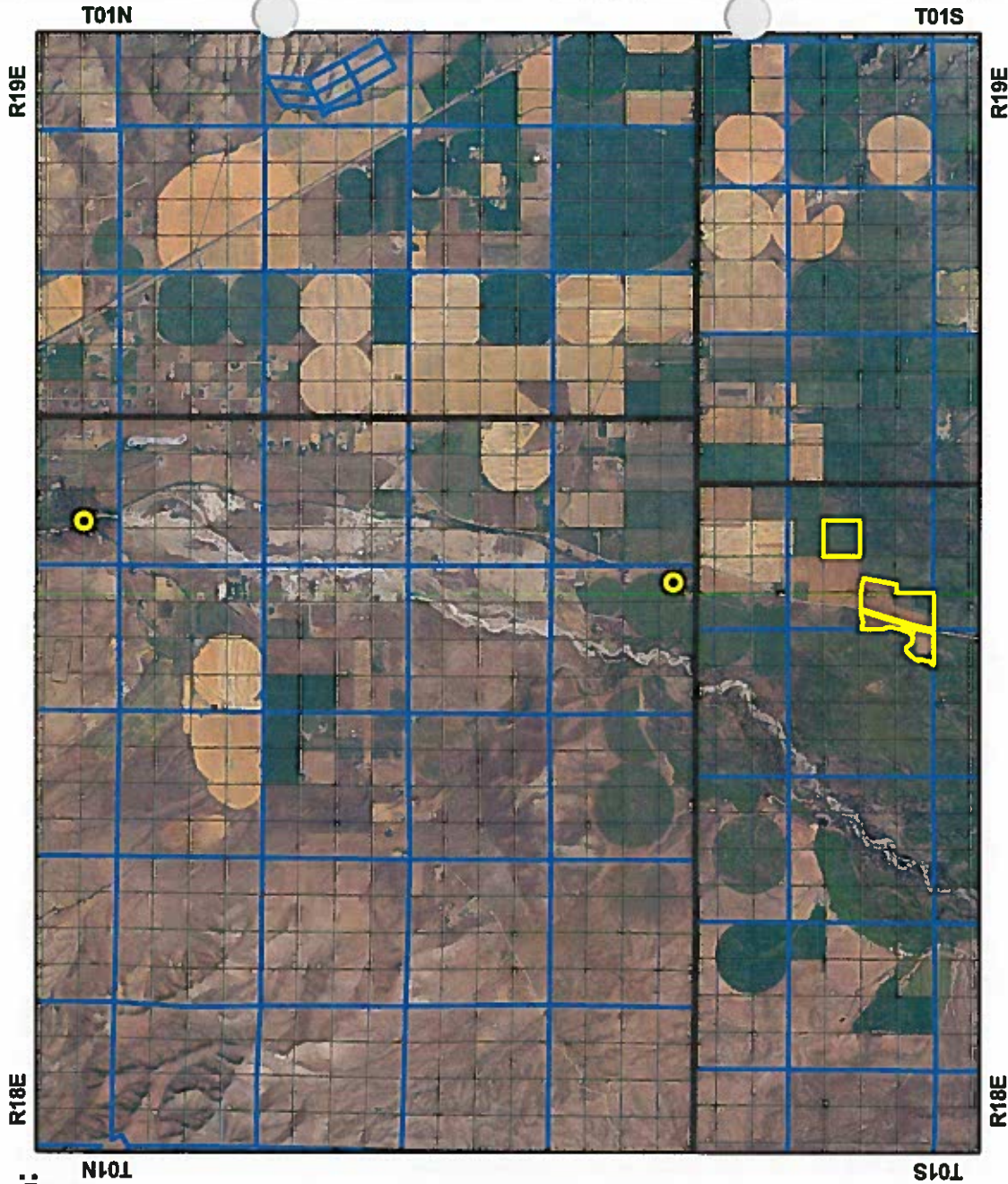
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



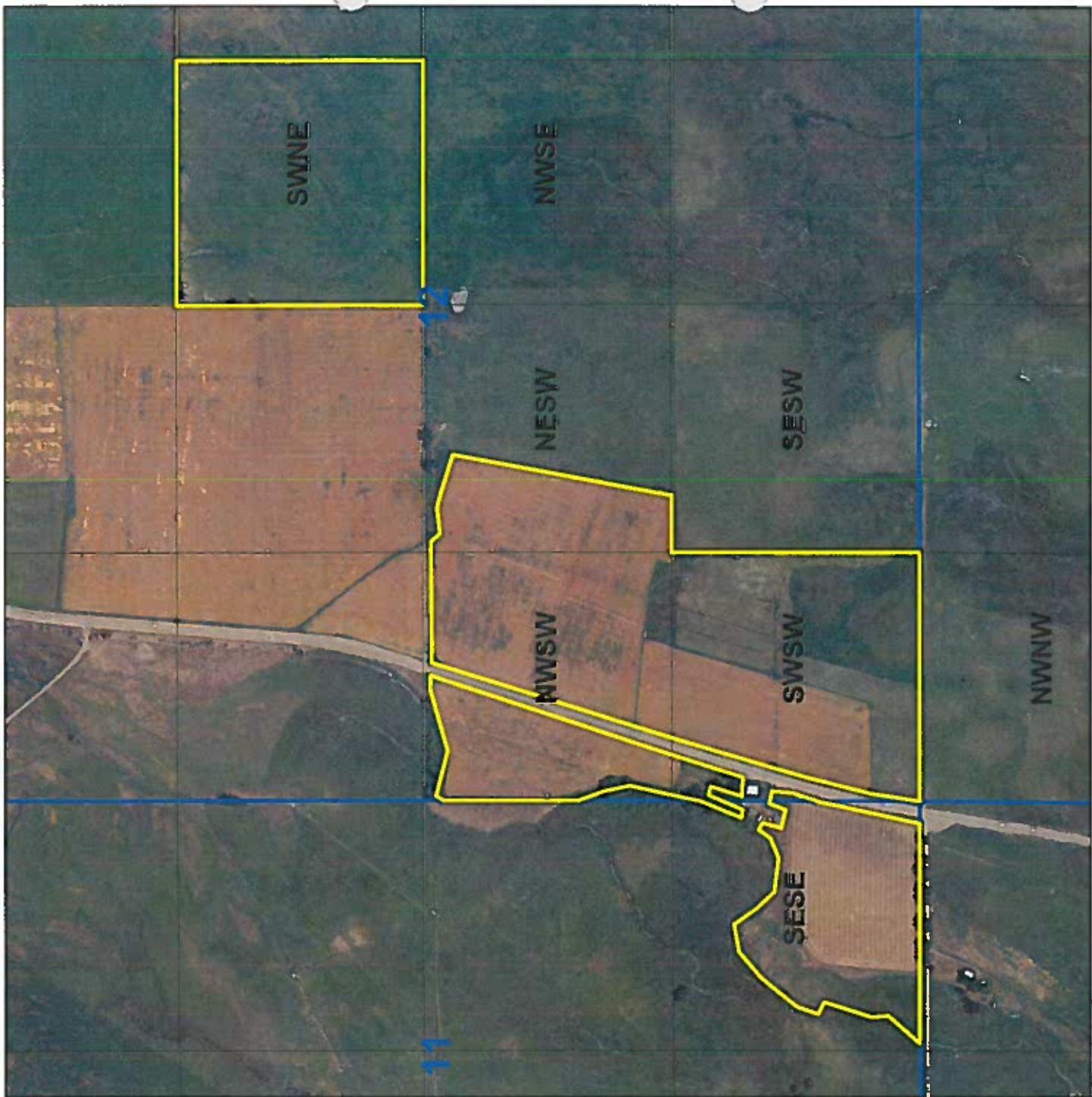
0 3 6 Miles

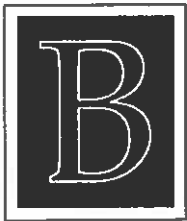
Owner: Spring Of Gladness Ranch Inc

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Friday, December 22, 2006
2004 Aerial Photography

37-105A





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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DEC 21 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 21, 2006

Mr. Allen Merritt
Southern District
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Spring of Gladness Ranch Affidavit

Allen,

Enclosed is an affidavit from John McGonigal showing proof of priority date for the spring appurtenant to 37-11390, as well as proof of irrigation to the 40 acre parcel located in the SW ¼ NE ¼ SEC.12 T.01S R.18E appurtenant to 37-104, 37-105A, 37-11387, and 37-11394. Enclosed is a map of the Spring of Gladness map showing the 1987 infrared photo with a hand drawing depicting how water gets to the above described 40 acres. Please don't hesitate to call either Chuck Sr. or myself with comments or questions, thanks.

Sincerely,

Zach Latham, Hydrologist

Enclosures

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED
DEC 21 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF WATER USE	)	COMMENTS AND
ON THE FARM NOW KNOWN AS THE SPING OF	)	EVIDENCE OF
GLADNESS RANCH, BELLEVUE, ID AND WATER	)	JOHN MCGONIGAL
RIGHTS 37-11390, 37-11387, 37-104, 37-105A,	)	
37-11394	)	

COMES NOW, JOHN MCGONIGAL, and provides the following comments and evidence in this matter:

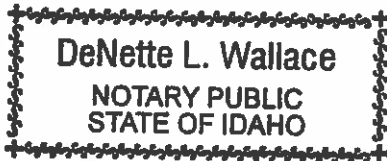
1. I was born on the Spring of Gladness Ranch, Blaine County ID, on October 18th, 1933. The Spring of Gladness Ranch is located in Township 01S, Range 18E, Sec.11 and Sec.12.
2. The Spring of Gladness Ranch has always been an irrigated farm. I assisted my father in changing irrigation water in a pasture west of the house, out of a spring in the SE ¼, Sec.11, T.01S R.18E. To the best of my recollection, I began helping my father irrigate the afore mentioned pasture when I was 6 years old. My father diverted irrigation water out of the spring using canvass diversion dams for flood irrigation of the pasture.
3. The 40 acre parcel of the Spring of Gladness Ranch located in SW ¼, NE ¼, Sec.12, T.01S R.18E has been irrigated since 1881 when my grandfather homesteaded the Spring of Gladness Ranch. Water delivered through the bypass canal intersects a east-west running canal, and flows west into a pumping station located in the NW ¼, SW ¼, Sec.11, T.01S R.18E . Water is then pumped to the east through a mainline for ½ a mile, turns north in the middle of Sec. 12, and is able to irrigate the 40 acre parcel in the SW ¼, NE ¼, Sec.11, T.01S R.18E of the Spring of Gladness Ranch.

DATED this 21 day of December, 2006.

John McGonigal
John McGonigal

SUBSCRIBED and SWORN to before me this 21st day of December, 2006

DeNette L. Wallace



NOTARY PUBLIC

Residing at : Idaho Falls, ID

My Commission Expires: 8/16/2012

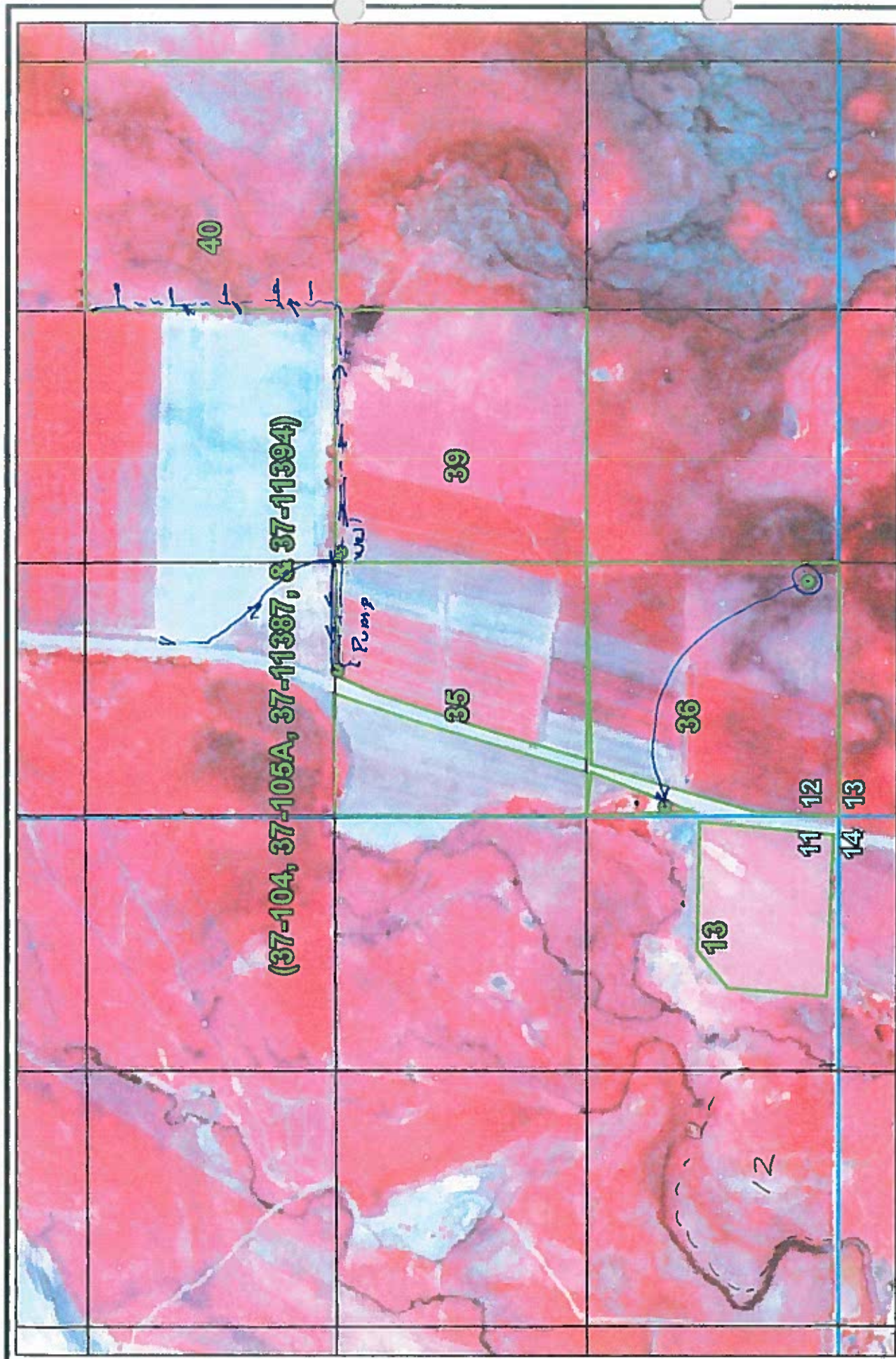


Figure #2: Spring of Gladness Ranch Amended Claims

1987 AERIAL PHOTO
 Township 01S, Range 18E
 BROCKWAY ENGINEERING, PLLC.
 DTN 10/31/05)

- Sections
- t01s18e
- irrigated areas
- POD's

RECEIVED

DEC 21 2008

DEPT. OF WATER RESOURCES
 SOUTHERN REGION



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 31, 2005

Mr. Doug Jones
Southern District
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RE: Amended Claims for John McGonigal (Spring of Gladness)

Dear Doug:

Enclosed are two amended claims for John D. and Rosemary McGonigal and four amended claims for McGonigal's Spring of Gladness Ranch.

The amended claims for John & Rosemary McGonigal are being submitted to clarify the use of the water from Spring Creek and Willow Creek since the sale of part of the water right to Spring Creek Ranch (Davis) (see attached deed). When these rights were originally claimed they did not include the 88.8 irrigated acres appurtenant to these two amended claims. However, the original water rights (37-654 & 37-655) state that these areas were included within the rights. The water from Spring Creek and Willow Creek has been pumped (rediverted) to the high topographic areas within the area via two portable diesel pumps (see Figure 1). Since the 88.8 acres have never had an existing claim in the adjudication, \$89.00 has been included for this amendment.

The four claims for the Spring of Gladness Ranch are being submitted to correct the place of use originally claimed in 1987. When these rights were originally claimed they did not include the forty (40) acres in the SW ¼, NE ¼ of Section 12, Township 01S, Range 18E. However, according to John McGonigal these acres were being irrigated in 1987, and were originally included in the rights prior to the adjudication (see Figure 2). Since the 40 acres have never had an existing claim in the adjudication, \$40.00 has been included for this amendment.

I am also enclosing a limited power of attorney regarding these water rights, a check for \$129.00 for the amendment fees, and the deed appurtenant to 37-655A and 37-21477. An amended claim for 37-655 was submitted to IDWR in 2004; however, the fee for this amendment was never paid and thus never processed. Therefore, this amendment of claim is again being submitted with

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NOV 03 2005

Department of Water Resources
Southern Region

RECEIVED
NOV 16 2005

Department of Water Resources

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

the associated fee. If you have any questions regarding these amended claims do not hesitate to contact Chuck Sr. or me at our office.

Sincerely,

A handwritten signature in black ink, appearing to read "D. T. Nelson", with a long horizontal flourish extending to the right.

Daren T. Nelson, Hydrologist

Attachments: Limited Power of Attorney
Warranty & Quitclaim Deed
Figure #1: 37-655A & 37-21477
Figure #2: Spring of Gladness Ranch
Brockway Engineering Check #

Enc.

cc: John McGonigal

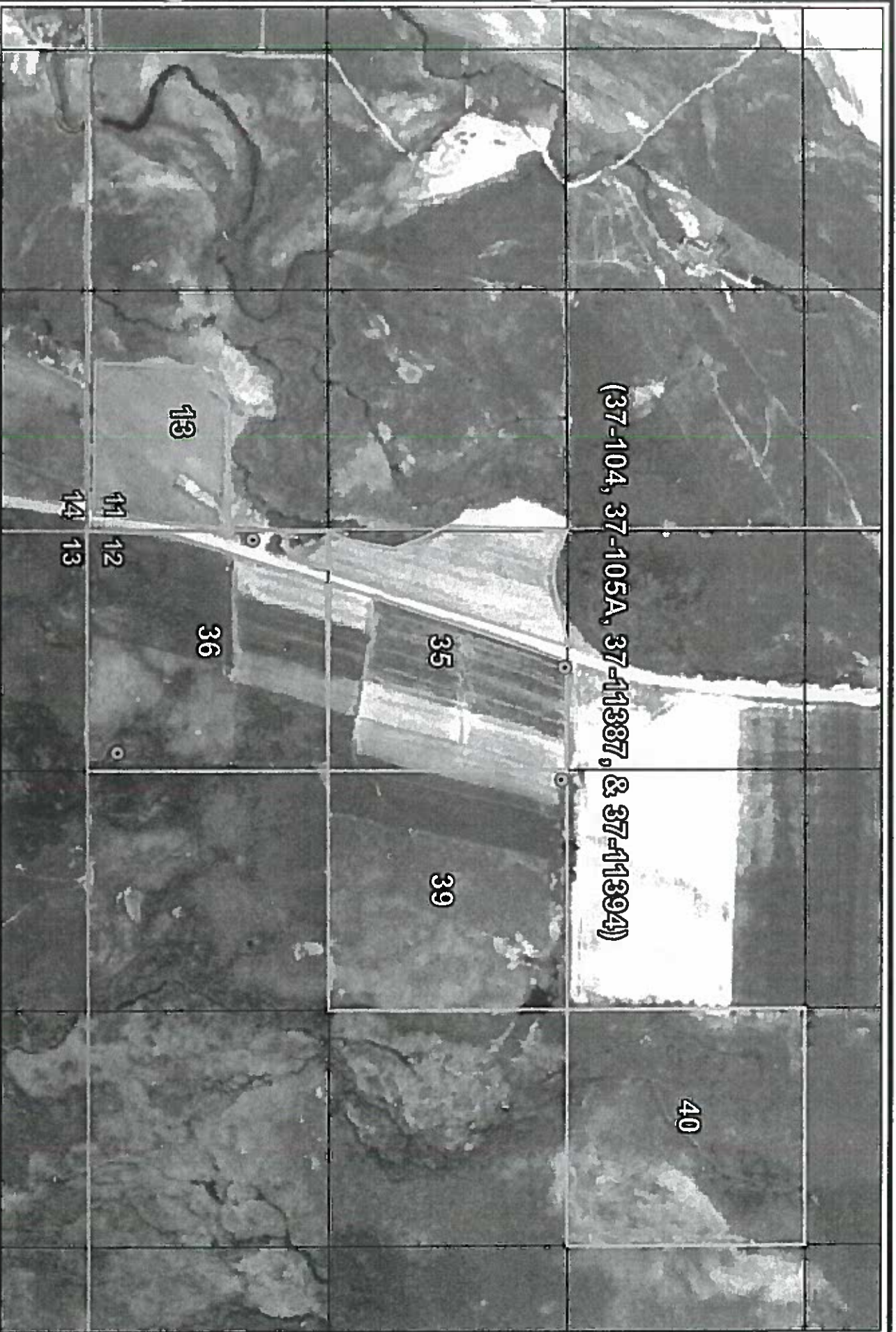
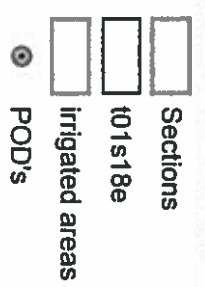


Figure #2: Spring of Gladness Ranch Amended Claims

1987 AERIAL PHOTO
Township 01S, Range 18E
BROCKWAY ENGINEERING, PLLC.
DTN 10/31/05)



LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, John D. McGonigal and Rosemary McGonigal, hereby nominate and appoint Chales E. Brockway (Brockway Engineering) as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to water right transfers before the Idaho Department of Water Resources for the following water right transactions:

All water rights associated with the Spring of Gladness Ranch (37-104, 37-105A, 37-8407, 37-11387, 37-11390, 37-11392, 37-11393, & 37-11394)

All water rights pertaining to land in Twp 01S, Rge 18E, Sec's 13, 14, 23, & 24 (37-653, 37-654, 37-655, etc...)

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications, and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these present. This Limited Power of Attorney will become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 17 day of June, 200⁵~~1~~ JDM

John D. McGonigal
Signature
Rosemary McGonigal
Signature

State of Idaho)

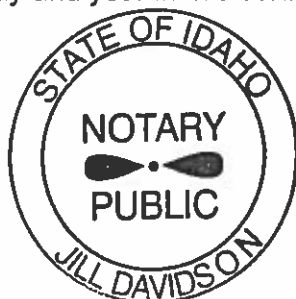
County of Twin Falls)

ss.

On this 17th Day of June, 200⁵~~1~~, before me, a Notary Public in and for said County and State, personally appeared John & Rosemary McGonigal, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

S
E
A
L



Jill Davidson
Notary Public
In and for said State and County

November 18, 2010
My Commission Expires

Idaho Department of Water Resources Receipt

Receipt ID S028144

Payment Amount \$129.00 Date Received 11/9/2005 4:54:05 PM Region Southern Status ☐
Payment Type Check Check Number 5929

Payer BROCKWAY ENGINEERING

Comment AMENDED CLAIMS 37-655A & 37-21477 \$89
AMENDED CLAIMS 37-104, -105A, -11387, -11394 \$40

Fee Detail

Amount	Description	Fund	FD	PCA	SO
<u>\$129.00</u>	<u>ADJUDICATION FILING FEE</u>	<u>0337</u>		<u>44503</u>	<u>1155</u>

Doug Jones
Signature Line (Dept. Representative)

To Brockway

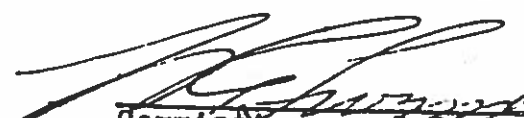
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 326.

This is to certify that Charlotte Calhoun, of Hailey, County of Blaine, State of Idaho, has a right to the use of the waters of Big Wood River, for irrigation and domestic purposes, and that such right has been confirmed by decree of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, in the case entitled "S. C. Frost, et al., plaintiffs, vs. The Alturas Water Co., et al, defendants," Alfred Budge, District Judge, wherein 1.6 second feet of the waters of Big Wood River, in Water District #7-B, were dedicated to the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12, and the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 11, Twp. 1 S., Range 18 E., B. M., with date of priority of May 31, 1887; that said decree has been entered at Boise, Idaho, in the records of the Department of Reclamation of the State of Idaho, in Book 3 of Decrees, at page 807; that, upon the application of Charlotte Calhoun for transfer of water right made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.6 second feet of the waters of Big Wood River upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1.6 sec. ft., dated May 31, 1887;				
Twp.	Rge.	Sec.	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
1	N.18	E.36	40	40
			80	

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

WITNESS The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 14th day of October, 1922.


Commissioner of Reclamation.

37-0105 D

RECEIVED

File No.
37-0104=105A=11387=11394=11390

Spring of Gladness Ranch, Inc.
P.O. Box 102
Jerome

8/23/05

I met with John McGonigil and Chuck Brockway [John's request] to review and discuss these water right files and the property for them . On the 1987 color photo the yellow POD upper North is as marked the point where the By-pass is diverted out of the river, the next ,center, yellow POD is where the extention by-pass starts, the third yellow dot down by yellow line is where 57F diversion is located as per previous GPS . As per chuck , Sprng 1 is right #11390, # 2 & 3 is 11387 and the two Art. Wells # 3 also gets water from 57F. As per John the yellow area on South-West is OK from GPS 1, the larger yellow areas is 2 & 3 as per photo. And Chuck and John both agreed that all files appear OK .

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Spring	Sprng 1	2477163	1349565	A0016288	1060685
Art. Well	" 2	2477651	1349635	289	686
" "	" 3	2478072	1350178	290	687

Lee R. Peterson

Draft POU for 37-104, 37-105A, 37-11394, 37-11387

Canal?



Draft POU for
37-11390

Spring
Creek

2004 Aerial Photo



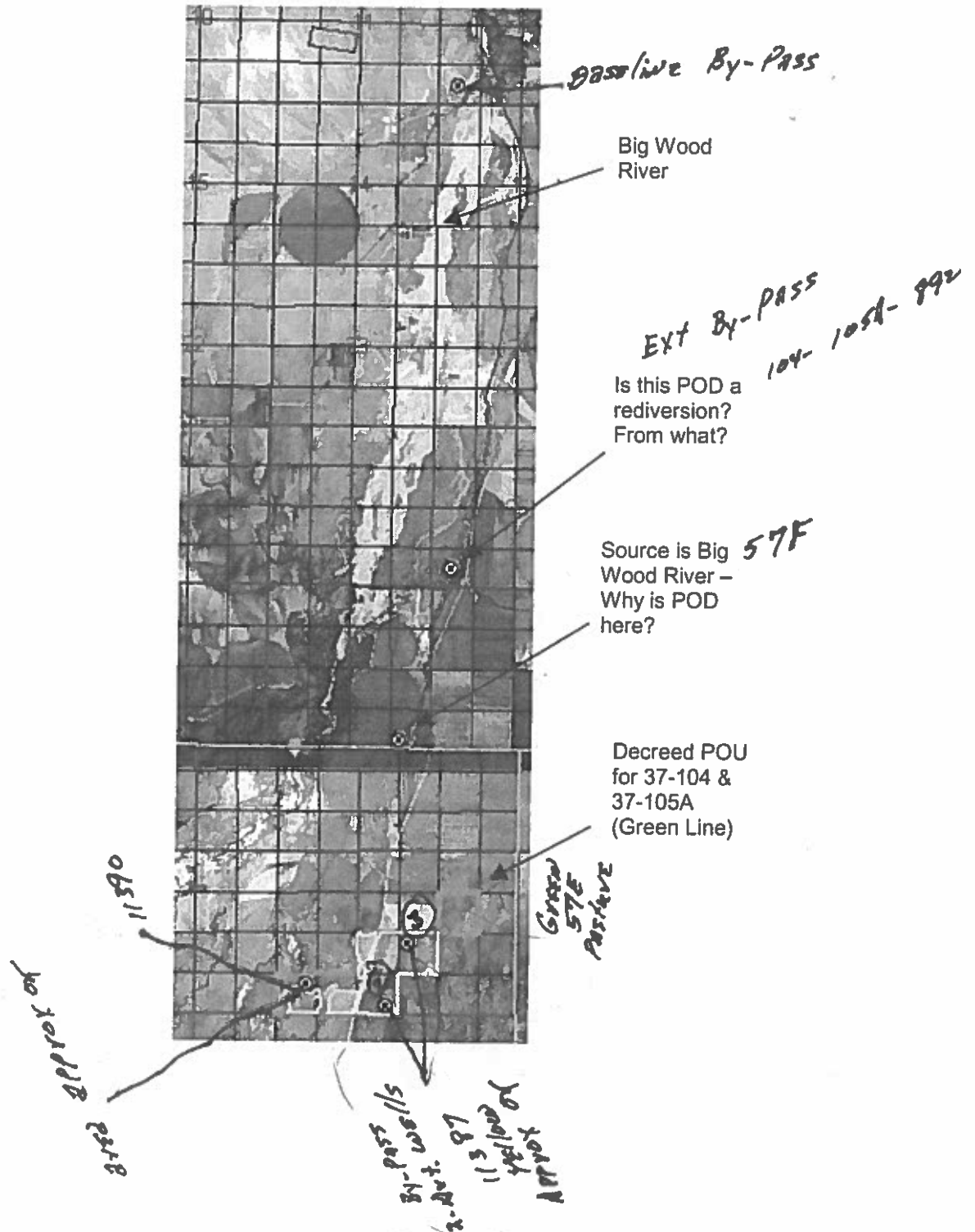
sprinkling

approx 1987

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
 Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
 Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Adjudication Claim Notes

Claim(s): 37-0104, 37-0105A, 37-11387, 37-11394, 37-11390

Background Data

37-0104

- Source is Big Wood River tributary to Malad River
- Decree for 1.5 cfs on 243 acres with a Priority Date of May 15, 1882
- Claimed for 1.5 cfs on 123 acres
- Watermaster delivering xx cfs

37-0105A

- Source is Big Wood River tributary to Malad River
- 37-0105 originally decreed for 7.6 cfs on 243 acres with a Priority Date of May 31, 1887
- See split summary:
 - Overclaimed

37-11387

- Beneficial Use claim
- Source is Groundwater
- Claimed for 2.56 cfs on 123 acres with a Priority Date of June 1, 1950

37-11394

- Source is Big Wood River tributary to Malad River
- Claimed for 1.69 cfs on 123 acres with a Priority Date of September 1, 1920
- Being claimed as a portion of the following rights, but the history of these right is unclear and it is unclear what right this is being claimed against.
 - 37-0892
 - 37-0893
 - 37-0894

37-11390

- Beneficial Use claim
- Source is Unnamed Stream tributary to Crystal Creek
- Claimed for 1.0 cfs on 20 acres with a Priority Date of May 01, 1890

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 326.

This is to certify that Charlotte Calhoun, of Hailey, County of Blaine, State of Idaho, has a right to the use of the waters of Big Wood River, for irrigation and domestic purposes, and that such right has been confirmed by decree of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, in the case entitled "S. C. Frost, et al., plaintiffs, vs. The Alturas Water Co., et al, defendants," Alfred Budge, District Judge, wherein 1.6 second feet of the waters of Big Wood River, in Water District #7-B, were dedicated to the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, and the S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, Twp. 1 S., Range 18 E., B. M., with date of priority of May 31, 1887; that said decree has been entered at Boise, Idaho, in the records of the Department of Reclamation of the State of Idaho, in Book 3 of Decrees, at page 807; that, upon the application of Charlotte Calhoun for transfer of water right made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.6 second feet of the waters of Big Wood River upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1.6 sec. ft., dated May 31, 1887;				
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
Twp. Rge. Sec.	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -Total
1 N. 18 E. 36			40 40	80

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

WITNESS The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 14th day of October, 1922.


Commissioner of Reclamation.

RECORDED

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of the Application)
of Charlotte Calhoun for Transfer)
of Water Right. Water District)
7-B. Case #107.)

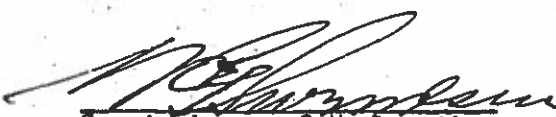
ORDER GRANTING TRANSFER

WHEREAS, The matter of the application of Charlotte Calhoun for transfer of water right came regularly on for hearing on the 22nd day of July, 1922, at the Department of Reclamation of the State of Idaho, at Boise, pursuant to the published notice; and,

WHEREAS, No one appeared at the hearing, either in person or by affidavit, to protest the said application, and the evidence on file in the Department of Reclamation of the State of Idaho in support of the application showing a greater duty of water would result by making the transfer set out and described in said application, and that no one would be injured by reason of making such transfer:

IT IS, THEREFORE, Hereby ordered that the said application be, and the same is hereby granted, and that a certificate of transfer be issued to the applicant herein, as prescribed by law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 14th day of October, 1922..


Commissioner of Reclamation.

RECEIVED
OCT 15 1922

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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326	Brown, Michael & Eliza	7.6		37-0105
	Calhoun, Charlotte	1.6	6.0	37-0105A

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