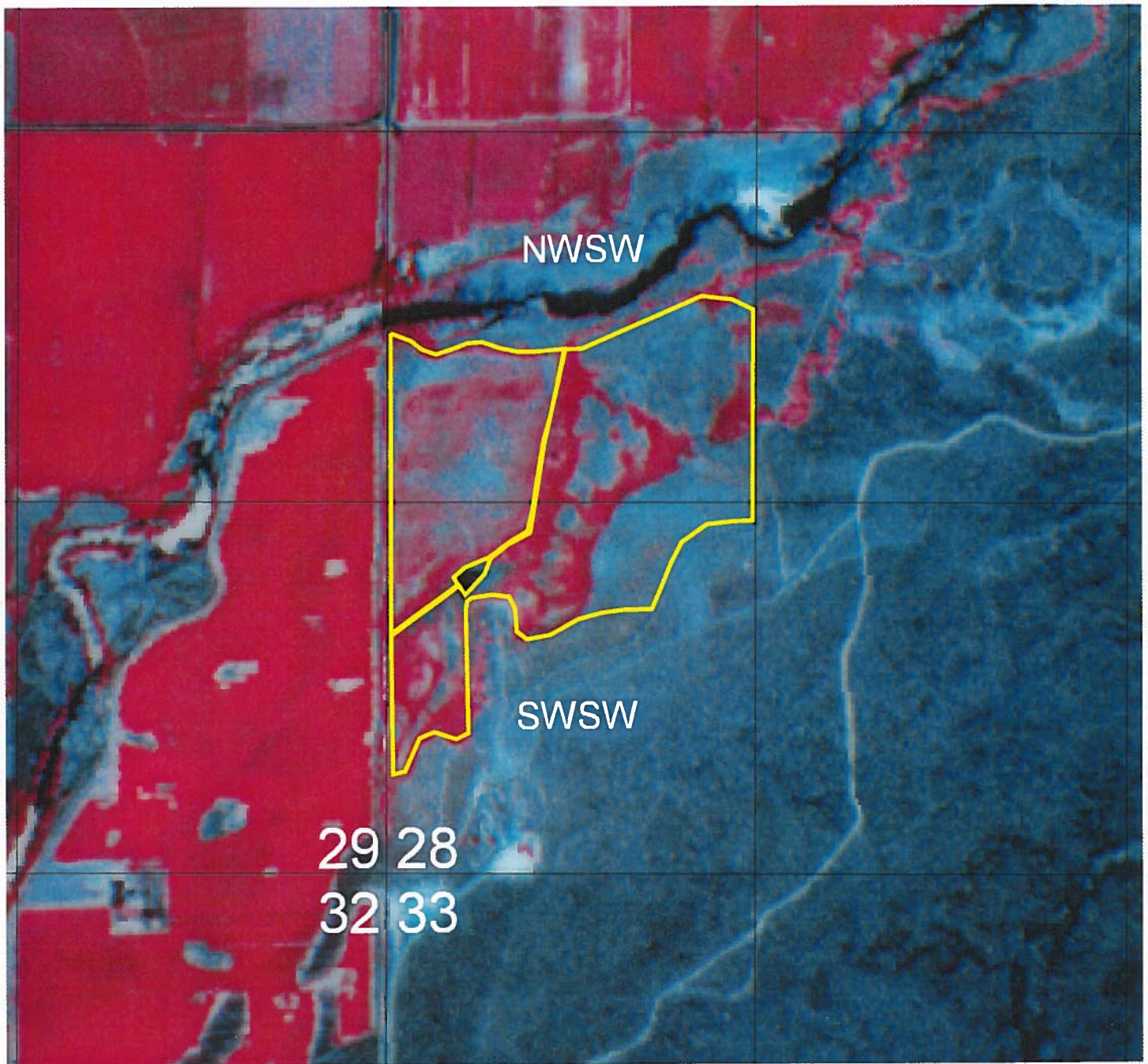


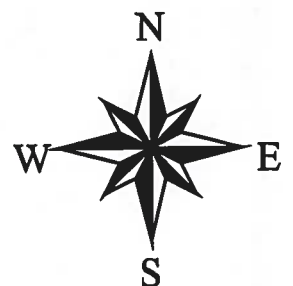
37-174D



900 0 900 1800 Feet

T05S R15E S28

Map prepared by: Carter Fritschle
Date prepared: 03/12/03
1987-1988 NAPP photography
Idaho Department of Water Resources



08/11/2003

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

RIGHT NUMBER: 37-174D

NAME AND ADDRESS: WILLIAM M PALACIO
PO BOX 281
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.400 CFS

USE OF THIS RIGHT WITH RIGHT NO. 37-19847 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.64 CFS.

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 05/01/1905

POINT OF DIVERSION:

T05S R15E S28 SENWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/15 11/15	0.020 CFS
IRRIGATION	03/15 11/15	0.400 CFS

PLACE OF USE:

STOCKWATER Within GOODING County

T05S R15E S28 NWSW T05S R15E S28 SWSW

IRRIGATION Within GOODING County

T05S R15E S28 NWSW 18.0 T05S R15E S28 SWSW 12.0

30 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-19847 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 32 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.

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH THE DEASY DITCH.

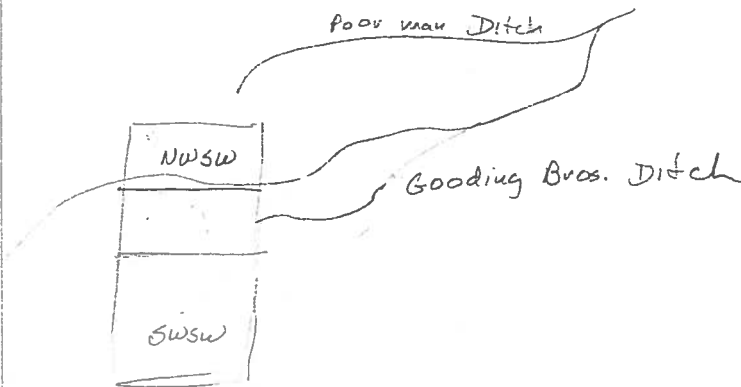
USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

3300 = 37-2094

Superseded by 37-174

Transfer #235

changed POD from Poormans Ditch to
Gooding Bros. Ditch for 10" of 37-174
and 10" of 37-2094



Deasy sold $5\frac{1}{2}$ NWSW ($\frac{1}{2}$ of untransferred
portion of the rights) and the SWSW (all of
the transferred portion)

37-174	0.70 cfs	-	0.20 cfs (T#235)	=	0.50 cfs
37-2094	0.40 cfs	-	0.20 cfs (T#235)	=	0.20 cfs

By sale	0.25 cfs	of	37-174	$N\frac{1}{2}$ NWSW
	0.25 cfs	of	37-174	$5\frac{1}{2}$ NWSW
	0.10 cfs	of	37-2094	$N\frac{1}{2}$ NWSW
	0.10 cfs	of	37-2094	$5\frac{1}{2}$ NWSW

	37-174	37-2094	
$N\frac{1}{2}$ NWSW	0.25 cfs	+ 0.10 cfs	= 0.35 cfs } Retained
$5\frac{1}{2}$ NWSW	0.25 cfs	+ 0.10 cfs	= 0.35 cfs } sold
SWSW	0.20 cfs	+ 0.20 cfs	= 0.40 cfs }

Transfer
235
37-174
37-2094

January 31, 1928.

Re: CERTIFICATE OF TRANSFER
Water Right No. 235

Mr. S. H. CHAPMAN,
Shoshone,
Idaho.

Dear Sir:

I have your letter of January 30th regarding certificate of transferred water right heretofore issued to one WILLIAM DEASY.

The recorded copy of certificate in this office indicates that 10 miners inches of the adjudicated right, priority May 1, 1905, and 10 miners inches of the licensed right, priority November 25, 1907 were transferred; furthermore, the application asks that only 10 miners inches of each right be transferred and your report of the hearing held February 3, 1918 seems to indicate that only 10 miners inches of each right was contemplated for transfer. In the correspondence leading up to the granting of the application and subsequent to issuance of the certificate, there was nothing to the effect that an error had been made and that 20 miners inches of the licensed right should have been transferred. It is true that the application and certificate both show that the applicant was the owner of 35 miners inches of the adjudicated right of priority May 1, 1905 and 20 miners inches of the licensed right of November 25, 1907.

After a careful consideration of the whole matter, I am inclined to believe that the transfer was regular in all respects and conformed to the application and in evidence brought out at the hearing and gathered by you in your field examination.

The amount of water granted under License No. 3300 to William Deasy was 20 miners inches.

Very truly yours,

Commissioner of Reclamation.

TP

RECORDED

STATE OF IDAHO

DISTRICTS 7-AB AND 11-AB

S. H. CHAPMAN, WATER MASTER

SHOSHONE Jan. 30th, 1928.

Mr. Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir.

Under transfer No. 235 I have it that your office
transferred 10 inches of 5-1-05 and 10 inches of 11-25-07
from NW $\frac{1}{4}$ SW $\frac{1}{4}$ to SW $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section No. 28, T. 5 S, R.
15 E. Miller & Viele inform me that there was an error in
the transfer and that it was later corrected to read 20
indhes of 11-25-07, this being a license under No. 3300.

Please inform me what your records show as to
the transfer, also the amount of water granted under License
No. 3300 to one William Deasy.

Thanking you in advance,

I am,

Sincerely yours,

S. H. Chapman

*Ats - 35 in May 1-05 down
20 in Nov 25-07 license. 3300 lic.*

*0.2 - May 1-05
0.2 Nov 25-07*

*Appln. only as licd - 10 in of 0.2 water to transfr - Nov 18-1915
Chapman state as having that 10 in each to be transfr*

OFFICE OF THE STATE ENGINEER

BOISE, IDAHO.

February 3, 1919.

Re: Deasy Application for Transfer.

Big Wood River - Dist. 7A.

Mr. Fred A. Wilkie,

State Engineer.

Boise, Idaho.

Dear Sir:

On Saturday, February 1, 1919, I made an examination of lands described in William J. Deasy's application for transfer.

The lands ($NW\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 28, T. 5 S. R. 15 E. B. M.,) as here described has a decreed priority right of date of May 1, 1905 for 35 inches and a right of 20 inches of date of November 25, 1907, under License No. 3300.

About 5 acres of the above described land is waste due to Big Wood River crossing said land, the remainder, or 35 acres is all in alfalfa.

This land was obtained by Mr. Deasy from the U. S. Government under the Desert Act.

Mr. Deasy claims as point of diversion for above described water rights, the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 15, Township 5 South, Range 15 East Boise Meridian., the water thence being conveyed from Big Wood River through "The Poorman Canal" to the above described land. (From personal knowledge, Mr. Deasy has only claimed a right of 35 inches in the Poorman Canal as will be shown from assessments made on the said canal. For the last two years, Mr. Deasy has diverted water from Big Wood River and delivered same through the Gooding Brothers Canal to the land lying south of Big Wood River in the $NW\frac{1}{4}$ of $SW\frac{1}{4}$, Sec. 28, Township 5 South, Range 15 East Boise Meridian.)

Mr. Deasy has sold the part of the $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 28, lying south of Big Wood River to one E. J. Bryson which consists of about 18 acres. In this

MAILED

sale he also sold the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 28, Township 5 South, Range 15 East Boise Meridian; the land which the water is desired to be transferred to.

This land originally was irrigated by water delivered by the Idaho Irrigation Company and had about 20 acres under cultivation nearly ten years ago, later the Company purchased said land and abandoned the water right and sold the land minus a water right, to Mr. Deasy.

It is now desired that 10 inches of the 1905 right and 10 inches of the 1907 right be transferred to the said land (SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 28, T. 5 S. R. 15 E. B. M.)

The above statements were gathered from Mr. William J. Deasy at the hearing in Gooding on February 1, 1919, and from my personal knowledge no one was there to protest against the application for transfer.

Attached is a statement signed by Mr. Deasy in regard to features pertaining to the above lands and water rights.

Very truly yours,

Swell H. Chapman



Application for Transfer of Water Right

STATE OF IDAHO,

County of Gooding

{ ss.

I, William J. Deasy, being first duly sworn, deposes and says:

That his name is William J. Deasy; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Gooding, Idaho.

That he is the owner and using a certain water right, bearing date of priority of May 1st, 1905 for 35 inches cubic feet per second of the waters of Big Wood River, County of Gooding, State of Idaho, decreed by decree of Judge Alfred Judge of the Fourth Judicial District of the State of Idaho in and for the County of Lincoln, in the case of S. C. Frost, et al vs. Alturas Water Company, et al, said decree bearing date of Dec. 13, 1909, and also the owner of 2/5 cubic feet per second of time (obtained by virtue of License No. 3300 issued by the State Engineer of the State of Idaho, dated August 9, 1912), bearing date of priority of November 25, 1907 for the purpose of irrigating the following described lands situate, lying and being in Water District No. 7-a in the County of Gooding and State of Idaho, to-wit: NW 1/4 of the SW 1/4 Section 28, Township 5 South, Range 15 East B.M. and is still the owner of said lands.

and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e.

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream at NW 1/4 of the NE 1/4 Section 15, Township 5 South, Range 15 East B.M.

and conducted to the above described lands through the Poor Man's Ditch

as per map hereto attached and of this affidavit made a part: { 10 inches of the May 1, 1905 &

That affiant and petitioner desires to abandon the use of 1/5 cubic feet of said water upon the above described land, and to convey and use same upon the following tract situate, lying and being in the County of Gooding and State of Idaho, to-wit:

SW 1/4 of the SW 1/4 Section 28, Township 5 South, Range 15 East B.M.

That his reasons for desiring to make such transfer are as follows: Because it is the only way of conducting water to said land for the purpose of irrigating said SW 1/4 of the SW 1/4 Section 28, Township 5 South, Range 15 East B.M.,

That he intends to divert and convey ~~and~~ all of said ~~of~~ of water to the tract of land last above described in the following manner, to-wit: Gooding Brothers' Ditch so called

as set forth upon the map hereto attached; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Master of Water District No. 7-2, in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

Subscribed and sworn to before me this 18th day of November

A. D. 1918

By

Applicant will answer the following questions:

From what stream is the water diverted? Big Wood River,

Where is the diversion point located? Sec. 15, T 5 S., R 15 E.B.M.

Through what ditch is it now conducted? Poor Man's Ditch.

How much land is now irrigated by the water sought to be transferred? 40 acres

Give the description: NW¹ of the SW¹ Sec. 28, T 5 S. R 15 E.B.M.

What is the total amount of water in inches, or second feet, dedicated to said land? 55 inches

What kind of crops are being raised? alfalfa

How much water per acre is now required to irrigate said land? 35 inches

What will be the effect on the land now irrigated, if the use of water on it is discontinued? none

From what stream will the water be diverted if the transfer is made? Big Wood River

Give location of new point of diversion Sec. 21, T 5 S., R 15 E.B.M.

Through what ditch will it be conducted after transfer? Gooding Brothers' Ditch

How much water will be required per acre to irrigate the land to which this water is transferred?

~~Twenty-five inches (25 in.)~~ Twenty (20) inches -

Do you claim any other water right for the land from which you seek to abandon the use of this water? yes

Is there now any other water right for the land to which you seek to make this transfer? no

Signed William J. Drury
Applicant.

STATE OF IDAHO,

County of Gooding

ss.

I, J. P. Stevenson and Martin Silk

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Gooding that he is a user of water from Big Wood River, in Water District No. 7, County of Gooding, State of Idaho; that he has read or heard read the foregoing affidavit and petition of William J. Deasy and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

J. P. Stevenson
Martin Silk

Subscribed and sworn to before me this 28th day of November

A. D. 1917

W. D. Charlton
Residing at Gooding Idaho

STATE OF IDAHO,

County of Gooding

ss.

I, James Devaney, Watermaster of Big Wood River, Water District No. 7-A, County of Gooding, State of Idaho, whose postoffice address is Gooding, have read or heard read the foregoing affidavit and petition of William J. Deasy and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:

James Devaney
Watermaster, Dist. No. 7-A

Dated at Gooding Idaho, Idaho, this 27 day of Nov, 1917

Gooding County Abstract Company Limited

— INCORPORATED —
THE OLDEST SET OF ABSTRACT BOOKS IN GOODING COUNTY

Gooding, Idaho

11-25-1918,

State Engineer,
Boise, Idaho,

Dear Sir: Herewith find enclosed the Abstract and the application for transfer of water right as requested by Mr. Deasy.

It is true he is selling to Mr. Bryson, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 28-5-15, and also the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ 28-5-15.

But before the deed is delivered to Mr. Bryson, the water right must be adjusted so that part of it will be appurtenant to the SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Mr. Deasy now has 35 inches decreed water, dating May 1, 1905, and $\frac{2}{5}$ cu ft. dating 1907 as per water license No. 3300.

Both rights are now appurtenant to the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and he wants to transfer 15 inches of the 1905 right and 10 inches of the 1907 (or $\frac{1}{5}$ Cu ft) to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and we believe the application covers the correct intent of this transfer.

This matter has been delayed for so long Mr. Deasy will greatly appreciate it if you can give this your immediate attention, so that the matter may be closed.

A loan is also being held pending this adjustment of the water.

Mr. Deasy sent an application with check for \$1.00 on Oct. 26, 1918, and you seem not to have gotten this.

Therefore we enclose another check for \$1.00 in case the other has not found its way to your office, and if it has you can return same.

Thanking you for your immediate attention to this if possible we are

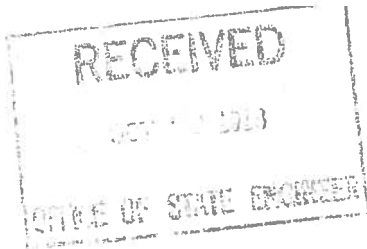
Very Truly Yours.

Gooding County Abstract Co., Inc.

A. A. Garlock

We enclose also Check for \$1.00 which we understand is the fee required for the certificate of transfer. Mr. Deasy sent you a check about Oct. 26, and which you claim not to have gotten. Should this check of Mr. Deasy's have runned up in the meantime you will not need this one

RECORDED



Case 12

Transfer
#235
37-174
37-2094

Gooding, Idaho, October 26th, 1918,

To the State Engineer of the
State of Idaho:

The undersigned, Wm. J. Deasy, hereby certifies that
I am the owner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$
Section 28, Township 5 South, Range 15 East B. M. in Gooding
County, Idaho.

That there is decreed to the said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$
35 inches of the waters of Big Wood River, under the action of
S. C. Frost, et al Pltfs, VS Alturas Water Company, et al, Defts.
dated Dec. 13, 1909, which 35 inches of water so decreed to
me is of date of Priority of May 1, 1905, and has been conducted
to and upon said land through the Poor Man's Ditch, so called,

Also that under Water License No. 3300 issued by the
State Engineer of the State of Idaho, August 9, 1912, a right
of 2/5 cubic feet of waters of Big Wood River, per second of time
is dedicated to the same forty--namely the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ said Sec. 28.
also to be diverted at a point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 15,
T 5 S., R 15 E.B.M. which was conveyed through the said Poor Man's
Ditch.

For practical and beneficial purposes it is now desirable to
transfer- the 2/5 cu. ft. of water under Water License No. 3300,
from the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ said Sec. 28, to the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$
said Sec. 28, and that the same be conducted through the
old Gooding Bros. Ditch so called, instead of through the
Poor Man's Ditch as formerly used.

And also that 20 inches of the 35 inches of decreed water
as of 1905 be transferred as to the carrying right, from the Poor
Man's ditch to the said Gooding Bros. Ditch, in which ditch
and through
I now own a carrying right for 40 inches.

And for said transfers I hereby make application to the
State Engineer for a certificate of transfer, in order that same may
be properly shown of record.

And further request that the point of diversion for the
40 inches of water above mentioned, be changed from the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$
Section 15, T 5 S., R 15 E.B.M. to the
Sec. 28 T 5 S., R 15 E.B.M. the present =====
point of diversion of the said 40 inches of water through the Gooding
Bros. Ditch.

Respectfully submitted:

William J. Deasy
Applicant.

STATE OF IDAHO)
COUNTY OF GOODING) ss ---On this 26th day of October, 1918,
personally appeared, Wm. J. Deasy,
personally known to me to be the person whose name is subscribed
to the above certificate, and acknowledged to me that he
executed the same for the purposes therein set forth,

W. C. Charles
Notary Public.

Residing at Gooding Idaho

RECORDED

Lincoln County *
Big Wood River *
2/5ths second-foot *
Irrigation *
Priority 11/25/1907. *

Deasy

STATE OF IDAHO
Water License No. 3300

WHEREAS, On the 25th day of November, A.D. 1907, WILLIAM J. DEASY, of Gooding, County of Lincoln, State of Idaho, duly made application (No. 4596) to me for a permit to use 4/5ths of one cubic foot per second of the waters of BIG WOOD RIVER, County of Lincoln, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 14th day of December, A.D. 1907, Permit No. 3300 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 14th day of December, A.D. 1909, and for the application to beneficial use of said water on or before the 14th day of December, A.D. 1911, and,

WHEREAS, On the 12th day of November, A.D. 1909, WILLIAM J. DEASY, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 4/5ths of one cubic foot per second of said waters, as evidenced by my Certificate No. 3300, dated March 28th, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4/5ths of one cubic foot per second of water, with date of priority of November 25th, 1907, and,

WHEREAS, On the 27th day of November, A.D. 1911, WILLIAM J. DEASY, the holder of said permit, duly made proof of the application to beneficial use of 2/5ths of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to WILLIAM J. DEASY, of Gooding, County of Lincoln, State of Idaho, the holder and owner of said Permit No. 3300, a perpetual right, dating from November 25th, 1907, to the use of 2/5ths of one cubic foot per second of the waters of BIG WOOD RIVER, in the County of Lincoln, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Northwest quarter of the Northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 15, Township 5 South, Range 15, East of the Boise Meridian, and conducted to and upon 20 acres in the Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 28, Township 5 South, Range 15, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 9th day of August, A.D. Nineteen hundred and twelve.

(SEAL)

A. E. Robinson
State Engineer.

Recorded in Water Dist. No. 7A-2-18-19. M.E.B.
Platted on Map-Water Dist. No. 7A-2-18-19. S.T.B.
Point of Diversion- SW 1/4 Sec 21 Twp 5S R 15 E B 1

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 37-174D
Date Received: 1/29/1997
Receipt No: S019822
Received By:

Copy for File

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM M PALACIO Phone: (208)934-5502

PO BOX 281
GOODING ID USA 83330

2. Date of Priority: 05/01/1905

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	Type
05S	15E	28	SE NW NE	GOODING	

5. Description of diverting works:

Headgate, weir, ditch to fields, gravity irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.7	
STOCKWATER	03/15	11/15	0.12	

7. Total Quantity Appropriated is:
0.7 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	15E	28	NW SW	IRRIGATION	20
			SW SW	IRRIGATION	10

NW SW
SW SW

STOCKWATER
STOCKWATER

Section Acres 30

Total Acres 30

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:

This claim recombines water right parts A & B.

15. Basis of Claim: Decreed

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: A37-00174 D
Date Received: 1/29/1997
Receipt No: S019822
Received By: See

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

1. Name: WILLIAM M PALACIO 208-934-5502
Address: PO BOX 281
GOODING ID 83330

2. Date of Priority: MAY 1, 1905

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	28	SE	NW	NE		GOODING

5. Description of diverting works:
HEADGATE, WEIR, DITCH TO FIELDS, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		
STOCKWATER	03/15	11/15	0.120		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 500 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	28	NW	SW		IRR	20.0
			NW	SW		STOCK	
			SW	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	28	SW SW		STOCK	
Section Acres						30.0
Total Acres						30.0

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:
AMERICAN FALLS WATER

14. Remarks:
THIS CLAIM RECOMBINES WATER RIGHT PARTS A & B.

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): William M. Boeb Date: 1-29-97

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of January 19 97

Steve Call
Notary Public

Seal

Residing at Twin Falls

My Commission Expires 12/7/2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M

P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451



LEE R. PETERSON
Watermaster

LandTitle & Escrow
546 Main Street
Gooding, Idaho 83330

8/1/1996

To who it may concern:

In reference to our phone conversation this morning regarding
the decreed and american Falls supplemental water rights as
follows:

Dewey Estate Water Master

37-0174
AFSW

priority 5-1-1905

20.00 inches	0.40 CFS
15.63 "	0.31 "

If we can be of further help do call.

Sincerely

Lee R. Peterson
Watermaster

DATE: 01/29/97
PAGE: 1

TOTAL DIVERSION: 0.500 CFS

GOODING County

SE

..

Remarks: TRANS. 235.
AC. IRRIG. NOT SPECIFIED. FARM = 40 AC.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER

Dates:	
App. Received:	Priority Date:
Proof Due Date:	Proof Made Date:
Exam Made Date:	Exam Sent to S.O.:
Licensed Date:	

Misc: Water District Number: 37 Field Exam Fee:

NR5809NP
No. 37-00174B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/29/97
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM J. DEASY	05/01/1905	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	0.200 CFS	

TOTAL DIVERSION: 0.200 CFS

Water Source: BIG WOOD RIVER
Tributary to: MALAD RIVER
Stage: DECREED

Point(s) of Diversion: T05S R15E S29
NAME
GOODING County

Place of use Legal Description for: IRRIGATION											
			NE			NW			SW		
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6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 29, 1997 4:50pm

NAME:

BILL PALACIO

CAMEIN

RE:

CHANGE OF OWNERSHIP

HE CAME IN TO SUBMIT EVIDENCE OF PRIORITY ALONG WITH CLARIFYING A CHANGE OF OWNERSHIP SITUATION.

PRIORITY INFO IS TO ESTABLISH EARLY DATE FOR THE CLAIM A37-08124, A LAPSED PERMIT NUMBER. I TOLD HIM HE COULD CONTINUE TO SUBMIT ADDITIONAL SUPPORT FOR THIS CLAIM AFTER TODAY ALSO.

CHANGE OF OWNERSHIP IS FOR THE ABOVE CLAIM AND FOR THE CLAIM A37-04357. WR NUMBERS INCLUDED 37-00174A, 37-00174B & 37-07137. IN REVIEWING THE OPERATION OF TWO WELLS ON THE PLACE IT DID NOT SEEM NECESSARY AT THIS POINT TO FILE AN SRBA CLAIM ON 37-07137; THIS WAS ALREADY COVERED BY THE CLAIMS ON FILE.

THE PARTS OF 37-00174 WERE COMBINED AND FILED IN THE SRBA ON THIS DAY BY MR. PALACIO.

CLAIMS: A37-00174, A37-08124 & A37-04357