

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 37-743 B
Date Received: 10/19/1988
Receipt No: M001651
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CATHERINE L SWEAT
21292 HWY 26-93
CAREY ID USA 83320

Phone: (208)823-4451

MILFORD SWEAT
21292 HWY 26-93
CAREY ID USA 83320

Phone: (208)823-4451

2. Date of Priority: 01/16/1909

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	Type
01N	22E	34	NW NE NE	BLAINE	
01N	22E	33	SE NE SE	BLAINE	

5. Description of diverting works:

CONCRETE DIVERSION DAMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

COPY

Needs to
file
2 new
claims for
Storage
See 37-2777
NOTES

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	22E	2	NW	SE	IRRIGATION	18
			SW	SE	IRRIGATION	7
			Section Acres			
01S	22E	3	SE	SW	IRRIGATION	15
			SW	SE	IRRIGATION	32
			SE	SE	IRRIGATION	30
				Section Acres	77	
01S	22E	10	NW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	21
			NE	NW	IRRIGATION	38
			SE	SW	IRRIGATION	30
			NE	SE	IRRIGATION	35
			NW	SE	IRRIGATION	13
			SW	SE	IRRIGATION	34
				Section Acres	211	
01S	22E	15	NW	NE	IRRIGATION	28
			SW	NE	IRRIGATION	26
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	36
NW	SE	IRRIGATION	27			
				Section Acres	237	
				Total Acres	550	

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:

AMENDED CLAIM: Claim amended to remove 10 acres from the SESE of Section 10, T01S, R22E, which is actually located on BLM land.

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

15. Basis of Claim: Decreed

COPY

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): Catherine L. Sweet Date: 1-2-2003

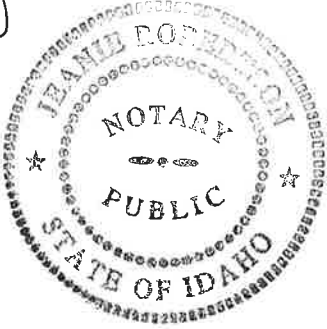
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd
of Jan. 2003

Jeanie Robertson
Notary Public

Residing at Twin Falls, ID.
My commission Expires 9-23-06



COPY



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

DIRK KEMPTHORNE
GOVERNOR

JAN - 8 2003

KARL J DREHER
DIRECTOR

Department of Water Resources

RECEIVED

JAN 02 2003

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s): 37-743 37-11762 - 37-732

37-2676 37-2777 37-7620

37-11784 37-11788

☐ Old Mailing Address: P.O. Box 234 Carey, Idaho 83320

☐ New Mailing Address: 21292 Hwy 26-93 Carey, Idaho 83320

☐ New Telephone Number: (208) 823-4451

☐ Signature of Claimant(s): Catherine L. Sweat

Date: 1-2-2003

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

CID updates:

Catherine 83805
Miford 175551

✓ sent to Grindale
1/8/03 SCC

Byron Wood - cell phone
481-1360

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: A37-00743
Date Received: 10/19/1988
Receipt No: 1001651
Received By: J. we

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILFORD SWEAT 208-823-4451
Address: BOX 234
CAREY, ID 83320
OR
Name: CATHERINE L. SWEAT 208-823-4451
Address: BOX 234
CAREY, ID 83320

2. Date of Priority: JAN 16, 1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	22E	33	SE	NE	SE		BLAINE
		34	NW	NE	NE		BLAINE

5. Description of diverting works:
CONCRETE DIVERSION DAMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 1400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A37-00743

Page 1

Date: 10/19/88

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FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	2	NW	SE		IRR	18.0
			SW	SE		IRR	7.0
						Section Acres	25.0
		3	SE	SW		IRR	15.0
			SW	SE		IRR	32.0
			SE	SE		IRR	30.0
						Section Acres	77.0
		10	NW	NE		IRR	40.0
			SE	NE		IRR	21.0
			NE	NW		IRR	38.0
			SE	SW		IRR	30.0
			NE	SE		IRR	35.0
			NW	SE		IRR	13.0
			SW	SE		IRR	34.0
			SE	SE		IRR	10.0
						Section Acres	221.0
		15	NW	NE		IRR	28.0
			SW	NE		IRR	26.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	36.0
			NW	SE		IRR	27.0
						Section Acres	237.0
						Total Acres	560.0

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:

3700732,3702777,3702124,3702676,3707618,3707620.

14. Remarks:

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

15. Basis of Claim: DECREED

Case Number:

Court :
Decree date: 12/16/1914

POTTER, ET. AL.
Decree Plaintiff

vs PATTERSON, 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: _____

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): *M. J. Sweet* Date: 10-19-88
Catherine Sweet Date: 10-19-88

State of Idaho)
County of Blaine) SS.

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

John Dale Carlson
Notary Public

Seal

Residing at Boer Id

My Commission Expires 6/2/94

Water Right Number - 37-00743 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

*** C - CURRENT OWNER ***
COATES
PAUL
1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - +
01/16/1909
+ - - Source - - +
FISH CREEK

+ - - Region - - +
17
+ - - Point of Diversion - - +
RFLg County Stream Index (Blank if no Index Code)

+ - - Description - - +
Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 3.200
+ - Total Div. Rate - + + Total Div. Volume + + Total Div. Capacity - + + Total Consumptive Use - + + KW Usage - +
3.200

+ - - Twn Rng Sec Tract Lot Acres Place of Use Description County
01N 22E 34 NW NE 01 IRRIGATION 13 BLAINE
01N 22E 34 SW NE 01 IRRIGATION 13 BLAINE
01N 22E 34 NW SE 01 IRRIGATION 13 BLAINE
01N 22E 34 SW SE 01 IRRIGATION 13 BLAINE

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - Remarks - - +
AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.
+ - - Conditions of Approval - - +
No Conditions of Approval found.

+ - - Decree Plaintiff - - +
POTTER, ET. AL.
+ - - Decree Defendant - - +
PATERSON, ET. AL.
+ - - Decree Date - +
12/16/1914

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FEB 23 1993

Adj. flag translation: Standard Water Right Number

+ - - Microfilm Rolls -

05/28/88 CONVERT

[illegible]

Field Exam Made	-	00/00/0000	Field Exam Fee
Protected Date	-	00/00/0000	Swan Falls
Hearing Date	-	00/00/0000	Temporary Right
Verified Date	-	01/04/1986	DLE/Carey Act
Receipt Number	-		Water District
Appl Received	-	00/00/0000	Transfer/Amended

Field Exam Fee	-
Swan Falls	-
Temporary Right	-
DLE/Carey Act	-
Water District	-
Transfer/Amended	-
	37U

FEB 23 1993



540 000 FEET

50' CAREY 9 MI. 271

270

271

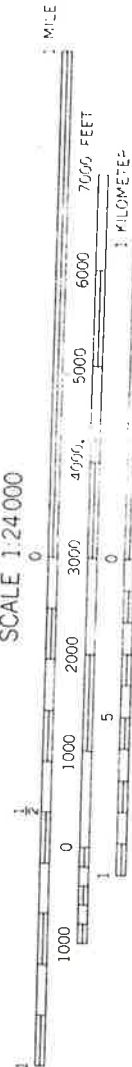
272

273

274

275

SCALE 1:24 000



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FEB 23 1993

service

NORTH



QUADRANGLE LOCATION

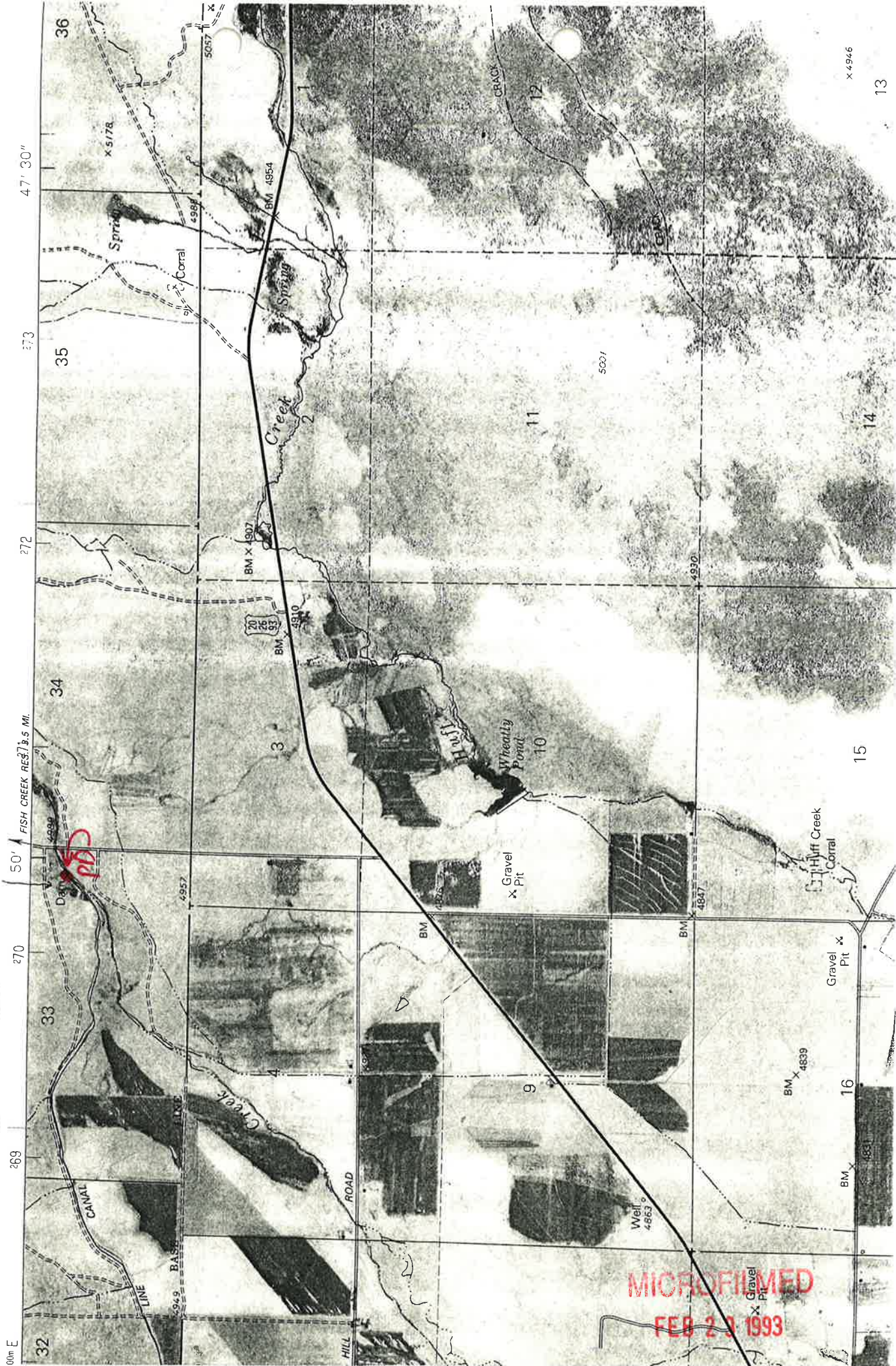
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

R22E



STATES
THE INTERIOR
L SURVEY

00m E



MICROFILMED
FEB 23 1993

X 4946

13

00-XXX
WR5812NP
SELECTION-FILE: HOLMES-1338254

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SUMMARY REPORT

DATE: 04/15/92
TIME: 13:59:48
PAGE: 1

WR-NUMBER: 37-02124

CURRENT OWNER:
PAUL COATES
G. W. EVINS
R. R. MOORE
WATER USE:

DIVERSION RATE: DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:

REMARKS: SUPERCEDED BY DECREE. SEE 37-1178, 37-0743, 37-1179, 37-0757 & 37-0748.

END OF REPORT

*All in
Add into - There are claims for these #s
for But None on 37-02124*

LMA

File with

A37-00743

MICROFILMED

FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Apr-1992

R. KEITH HIGGINSON
Director

Milford Sweat
Box 234
Carey, ID 83320

Re: License 37-2124

Dear Mr. Sweat:

Further research on the water right license indicates that the right was actually superceded by judgement in the Potter vs. Patterson decree which adjudicated the Fish Creek water rights in 1914.

Attached are summary reports of the water rights and the SRBA adjudication claims based on them.

No claim has been filed based on License 37-2124.

My opinion, based on the attached information plus the court's finding in the 1939 Carey Valley Reservoir Co. Vs. Eldredge case that the Carey Valley Reservoir Co. had, from 1922 to the date of the case, not allowed any water except flood flows to pass Fish Creek Dam, is that the decreed rights represent only high-water natural flow rights with no provision for storage except, possibly based on beneficial use with a priority date junior to the November 1, 1922 priority date of the Fish Creek reservoir storage right.

If you need any further information on this matter, please let me know.

Sincerely,


Loren O. Holmes, P. E.
Southern Region Manager

c: Lawrence Kimball
Shirl Reay

MICROFILMED
FEB 23 1993

06/23/2011

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

ADR

RIGHT NUMBER: 37-743B

NAME AND ADDRESS: BONNIE C KEVICKI
43559 W SPARKS CT
MARICOPA AZ 85138

BARBARA L MURPHY
BOX 215
CAREY ID 83320

MICHAEL L OLSEN
BOX 144
CAREY ID 83320

DEAN E OLSEN
BOX 144
CAREY ID 83320

MILFORD D SWEAT
656 FAIRBANKS ST APT A-11
FAIRBANKS AK 99709

JOEL E OLSEN
568 BAKER ST
TWIN FALLS ID 83301

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 01/16/1909

POINT OF
DIVERSION:

T01N R22E S27 SWSESE Within BLAINE County
T01N R22E S33 SENESE 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		3.200 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>				
	T01S R22E S03	SWSE	26.00	T01S R22E S03	SESE 19.00
	T01S R22E S10	NWNE	33.00	T01S R22E S10	SENE 15.00
	T01S R22E S10	NENW	36.00	T01S R22E S10	SESW 19.00
	T01S R22E S10	NESE	32.00	T01S R22E S10	NWSE 9.40
	T01S R22E S10	SWSE	34.00	T01S R22E S15	NWNE 31.00
	T01S R22E S15	SWNE	24.00	T01S R22E S15	NENW 34.00
	T01S R22E S15	NWNW	39.00	T01S R22E S15	SENW 40.00
	T01S R22E S15	NESW	40.00	T01S R22E S15	NWSE 19.00

450.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 475.9 acres in a single irrigation season. Combined Right Nos.: 37-732, 37-743B, 37-2777, 37-2676, 37-7620 & 37-22598.

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

This right is renumbered from former right 37-743 & 37-743A

06/23/2011

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

ADR

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-743A	BONNIE C KEVICKI 43559 W SPARKS CT MARICOPA AZ 85138	Disallowed	Recommended as Right No. 37-743B.
	BARBARA L MURPHY BOX 215 CAREY ID 83320		
	MICHAEL L OLSEN BOX 144 CAREY ID 83320		
	DEAN E OLSEN BOX 144 CAREY ID 83320		
	JOEL E OLSEN 568 BAKER ST TWIN FALLS ID 83301		
	MILFORD D SWEAT 656 FAIRBANKS ST APT A-11 FAIRBANKS AK 99709		

ADR update 6/23/2011 SCC

37- 743 B

- 743 A - granted motion to Set Aside
- COO granted on Record by proof of Quit claim on Record
- it was unclear if NCAP/COO process was efficient to Resolve the issue.
- this part (A) under sweet owner was DISALLOWED & combined as/with -743 B.

RECEIVED

MAR 09 2011

DEPARTMENT OF
WATER RESOURCES

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
Fritz X. Haemmerle
HAEMMERLE & HAEMMERLE, P.L.L.C.
P.O. Box 1800
Hailey, ID 83333

(space above line for Recorder's use)

QUITCLAIM DEED

INSTRUMENT No. _____

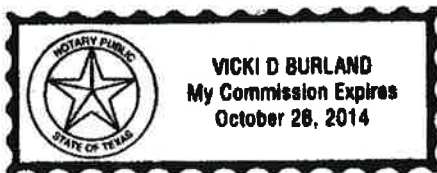
FOR VALUE RECEIVED, W.D. Pardue (Grantor) does hereby convey, release, remise and forever quit claim unto Bonnie C. Kevicki, Barbara L. Murphy, Joel E. Olsen, Dean E. Olsen, Michael L. Olsen and Milford D. Sweat (Grantees), all right, title and interest in water right 37-00743A, all according to the official records of the State of Idaho.

DATED this 2nd day of March, 2011.

W.D. Pardue
W.D. Pardue

STATE OF Texas,)
County of Dallas,) ss.

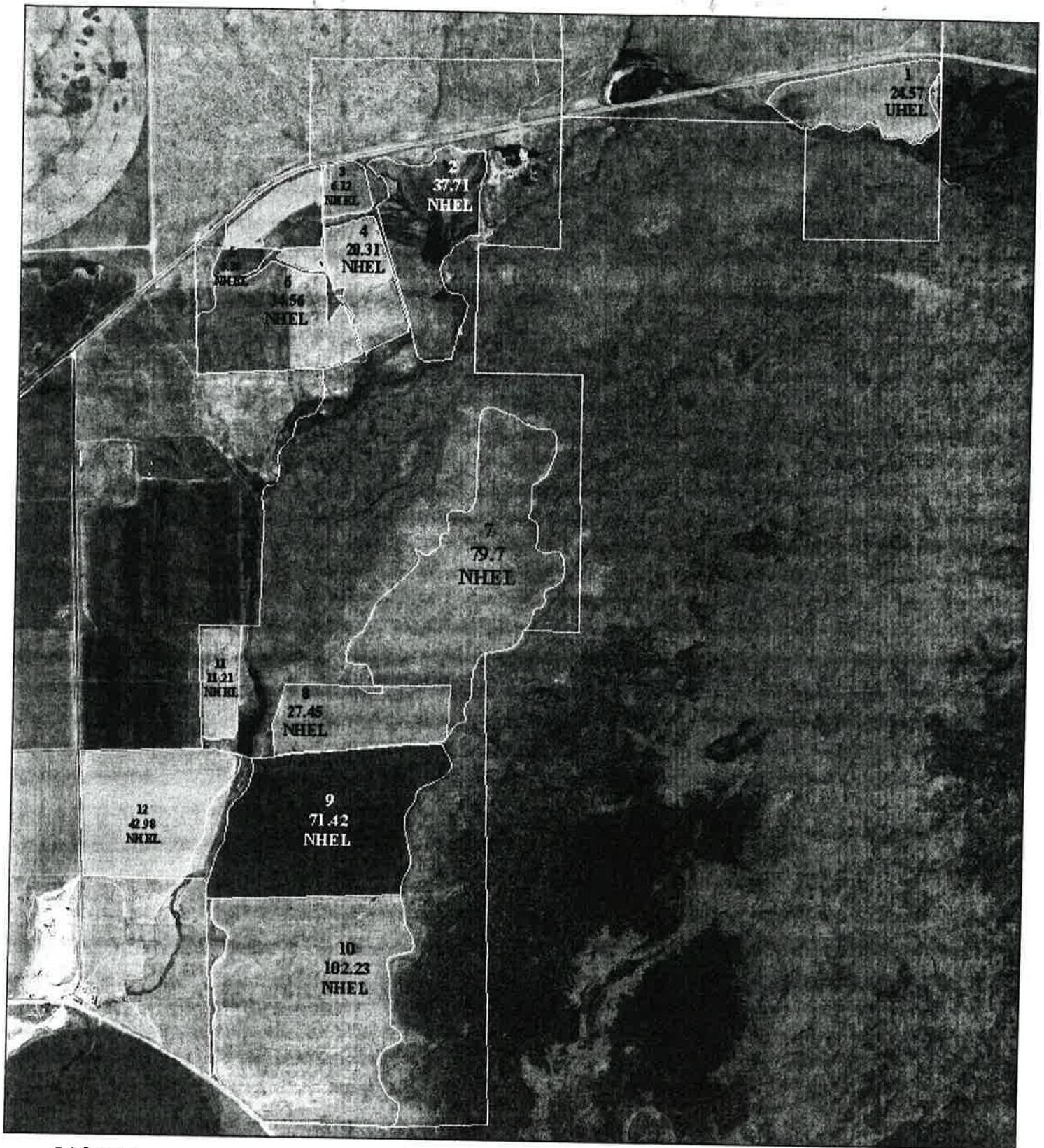
On this 2nd day of March, 2011, before me, a Notary Public in and for said State, personally appeared W.D. Pardue, Grantor, known to me to be the person who name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Vicki D. Burland
NOTARY PUBLIC for Dallas County
Residing at Dallas, Texas
Commission expires 10-28-14

SCANNED

MAR - 9 2011



United States Department of Agriculture
Farm Service Agency

Blaine County FSA

TRACT 798



February 19, 2010

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Correct POU

37 0746 Davis, Amy A.

25 inches from May 30, 1911 for the irrigation of $W\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 24, T. 2 N., R. 22 E., containing 80 acres.

37 0747 Dilworth, J. C.

130 inches, from June 1st, 1908 for the irrigation of NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E. and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E. containing 160 acres.

37 0748 Evans, Geo. W.

37-1178

37-1179

80 inches from August 18, 1905, 40 inches from July 25, 1907, and 200 inches from January 16 1909 for the irrigation of S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ of Sec. 17, T. 1 S., R. 22 E. containing 320 acres.

37 0749 Eldridge, Ira

160 inches from March 30th 1883 for the irrigation of S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 24, T. 1 S., R. 21 E., containing 160 acres.

37 0750 Fuller, Joseph S.

40 inches from June 15, 1906 for the irrigation of E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 2 N., R. 22 E., and Lot 5, Sec. 7, T. 2 N., R. 23 E., containing 160 acres.

37 0751 Gifford, Alma

25 inches from May 1, 1907, for the irrigation of N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9, T. 1 S., R. 22 E., containing 160 acres.

37 0752 Hammer, S. L.

11 $\frac{1}{2}$ inches from March 30, 1883 for the irrigation of the following tract: Commencing at a point 67 $\frac{1}{2}$ rods South of North East corner of NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E.,

MAY 28 1996

37 6753 Hale, Chas. E.

Thence West 80 rods; thence South $22\frac{1}{2}$ rods;
thence East 80 rods; thence North $22\frac{1}{2}$ rods;
to the place of beginning, containing $11\frac{1}{2}$
acres.

37 6754 Jones, James

90 inches from August 18, 1905 for the irri-
gation $S\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}$, Sec. 6, T. 1 S., R.
22 E., containing 160 acres.

37 6755 Knight, Vinson P.

50 inches from May 15, 1908 for the irrigation
of $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 32, $W\frac{1}{2}SW\frac{1}{4}$, Sec. 33,
T. 1 N., R. 22 E., containing 160 acres.

37 6756 Knutson, E. P.

20 inches from May 15, 1904 for the irrigation
of $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 4, T. 1 S., R. 22 E., contain-
ing 40 acres.

37 6757 Moore, R. R.

$11\frac{1}{2}$ inches from March 30, 1883 for the irri-
gation of the following tract: Commencing at
a point $22\frac{1}{2}$ rods South of the Northeast cor-
ner of $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E.,
running thence West 80 rods; thence South
 $22\frac{1}{2}$ rods, thence East 80 rods; thence North
 $22\frac{1}{2}$ rods to the place of beginning, contain-
ing $11\frac{1}{2}$ acres.

37 6758 McDougal, Isabella

200 inches from January 16, 1909 for the irri-
gation of $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 10,
 $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 8, $SW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$
Sec. 9, T. 1 S., R. 22 E., containing 320 acres.

100 inches from East Fork of Fish Creek from
June 1, 1884 for the irrigation of $SW\frac{1}{4}SE\frac{1}{4}$
Sec. 2, $N\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 11, T. 1 N., R. 22 E.
MAY 18 1896

Sec. 7, T. 1 S., R. 22 E. containing
160 acres.

37-740 Campbell, Geo W.

120 inches from August 18, 1905 for the
irrigation of $3\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7, T.
1 S., R. 22 E., containing 160 acres

741 Chidester, Willard D.

100 inches from May 15, 1906, for the
irrigation of Lots 2 and 3, Sec. 20,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 1 S., R.
22 E., containing 160 acres.

742 Coates, Joseph

80 inches from May 15, 1903, for the irr-
igation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
27, T. 1 N., R. 22 E., containing 160 acres.

743 Coates, Paul

160 inches from January 16, 1909 for the
irrigation of W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34,
T. 1 N., R. 22 E., containing 160 acres.

744 Davis, Edward

130 inches from Sept. 15, 1905, for the irr-
igation of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, $3\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
18, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 1 S., R. 22 E.,
containing 160 acres.

745 Davis, David T.

20 inches from May 5, 1909 for the irrig-
ation of NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 2 N., R.
22 E., containing 40 acres.

MAY 28 1996

37-A-2

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE
COUNTY OF BLAINE.

---o9o---

ADELBERT L. POTTER ET AL,)
)
 PLAINTIFFS,)
)
 VS.)
)
 JOSEPH R. PATTERSON ET AL,)
)
 -----DEFENDANTS-----)

Transfers Noted #

D E C R E E.

The testimony in this case having been taken by Mr. E.
H. Weaver, Referee, pursuant to stipulation and cause submitted
for decision at the May 1914 term of said Court, held at Hailey,
Blaine County, Idaho and the Court having made and filed its
findings of fact and conclusions of law, and the Court being fully
advised;

It is hereby ordered, adjudged and decreed that the
several parties, plaintiffs and defendants herein named, do have
judgement respectively for a right to use for irrigation and
other purposes the following number of inches of water, each fifty
inches thereof to be equivalent to the flow of one cubic foot per
second, as prescribed by law, from Fish Creek and its tributaries,
in the County of Blaine, State of Idaho, their priorities to date
from the times hereinafter named to wit;

47 10733 Allred, E. A. 11½ inches from March 30, 1883 for the irrigation of
the following tract; commencing at a point 45 rods
South of the North East corner of the NW¼, of the
NE¼, Sec. 13, T. 1 S., R. 21 E., thence West 80
rods; thence South 22½ rods; thence East 80 rods;
thence North 22½ rods to the place of beginning,
containing 11½ acres, known as Tax Lot No. 765.

MAY 28 1916

37-1177 Davis, Amy A.

25 inches from May 30, 1911 for the irrigation of $W\frac{1}{2}$ $SW\frac{1}{4}$, Sec. 24, T. 2 N., R. 22 E., containing 80 acres.

37-1178 Dilworth, J. G.

130 inches, from June 1st, 1908 for the irrigation of $NE\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 18, $N\frac{1}{2}$ $SW\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E. and $NW\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E. containing 160 acres.

37-1179 Evans, Geo. W.

37-1178

37-1179

80 inches from August 18, 1905, 40 inches from July 25, 1907, and 200 inches from January 16 1909 for the irrigation of $SE\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 8, $E\frac{1}{2}$ $NW\frac{1}{4}$, $NE\frac{1}{4}$ of Sec. 17, T. 1 S., R. 22 E. containing 320 acres.

37-1180 Eldridge, Ira

160 inches from March 30th 1883 for the irrigation of $SE\frac{1}{4}$ $SW\frac{1}{4}$, Sec. 13, $N\frac{1}{2}$ $NW\frac{1}{4}$, Sec. 24, T. 1 S., R. 21 E., containing 160 acres.

37-1181 Fuller, Joseph S.

40 inches from June 15, 1906 for the irrigation of $E\frac{1}{2}$ $SE\frac{1}{4}$, Sec. 12, $NE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 13, T. 2 N., R. 22 E., and Lot 3, Sec. 7, T. 2 N., R. 23 E., containing 160 acres.

37-1182 Gifford, Alma

25 inches from May 1, 1907, for the irrigation of $N\frac{1}{2}$ $NW\frac{1}{4}$, $N\frac{1}{2}$ $NE\frac{1}{4}$, Sec. 9, T. 1 S., R. 22 E., containing 160 acres.

37-1183 Hammer, S. L.

11 $\frac{1}{2}$ inches from March 30, 1883 for the irrigation of the following tract: Commencing at a point 67 $\frac{1}{2}$ rods South of North East corner of $NW\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E.,

22 E., containing 160 acres.

✓
37-1213 McDougal, Isabella

37-1214

25 inches from East Fork of Fish Creek from June 1, 1884 and 25 inches from Fish Creek from June 1, 1884 for the irrigation of $W\frac{1}{2}$ NW $\frac{1}{2}$ Sec. 1, T. 1 N., R. 22 E., containing 80 acres.

✓
37-1214 McDougal, Isabella

40 inches from Fish Creek from June 1, 1885 for the irrigation of $3E\frac{1}{2}NW\frac{1}{2}$, NE $\frac{1}{2}SW\frac{1}{2}$ Sec. 11, T. 1 N., R. 22 E., containing 80 acres.

✓
37-1215 McDougal, Isabella

37-1215

50 inches from East Fork of Fish Creek from June 1, 1885 and 80 inches from Fish Creek from June 1, 1885 for the irrigation of Lot 1 SE $\frac{1}{2}NE\frac{1}{2}$, E $\frac{1}{2}SE\frac{1}{2}$ Sec. 2, T. 1 N., R. 22 E., containing 160 acres.

✓
37-1216 McDougal, Isabella

20 inches from East Fork of Fish Creek from June 1, 1902 for the irrigation of N $\frac{1}{2}SW\frac{1}{2}$, SE $\frac{1}{2}NW\frac{1}{2}$, NW $\frac{1}{2}SE\frac{1}{2}$, Sec. 1, T. 1 N., R. 22 E., containing 80 acres.

✓
37-1217 McDougal, Isabella

40 inches from Fish Creek from June 1, 1887 for the irrigation of SE $\frac{1}{2}NW\frac{1}{2}$, NE $\frac{1}{2}SW\frac{1}{2}$, Sec. 11, T. 1 N., R. 22 E., containing 80 acres.

✓
37-1218 McDougal, Isabella

30 inches from East Fork of Fish Creek from June 1, 1890 for the irrigation of SW $\frac{1}{2}SW\frac{1}{2}$, Sec. 1, NW $\frac{1}{2}NW\frac{1}{2}$, Sec. 12, T. 1 N., R. 22 E., containing 80 acres.

MAY 28 1956

10 rods; thence East 80 rods to place of beginning,) all in T. 1 S., R. 21 E., the tract of land owned by said Patterson containing 125 acres.

✓
Patterson, Joseph R.

37-1181 ✓ X

5 inches from June 1st, 1898, and 55 inches from June 10th, 1910 for the irrigation of SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 1 S., R. 21 E., containing 80 acres.

✓
Parks, Teresa

160 inches from March 30, 1883 for the irrigation of Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 7, T. 1 S., R. 22 E., containing 160 acres.

✓
Peterson, John

160 inches from August 18, 1905 for the irrigation of W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 1 S., R. 22 E., containing 160 acres.

✓
Peterson, Arthur E.

130 inches from August 18, 1905 for the irrigation of E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8, T. 1 S., R. 22 E., containing 160 acres.

✓
Peterson, John A.

250 inches from August 18, 1905 for the irrigation of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 1 S., R. 22 E., containing 280 acres.

✓
Peterson, Levi S.

290 inches from August 18, 1905 for the irrigation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 18, T. 1 S., R. 22 E., containing 320 acres.

MAY 28 1906

①

37-A-2

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE
COUNTY OF BLAINE.

---ooc---

ADELBERT L. POTTER ET AL,
PLAINTIFFS,
VS.
JOSEPH R. PATTERSON ET AL,
-----DEFENDANTS-----

Transfers Noted #

D E C R E E.

The testimony in this case having been taken by Mr. E.
H. Weaver, Referee, pursuant to stipulation and cause submitted
for decision at the May 1914 term of said Court, held at Hailey,
Blaine County, Idaho and the Court having made and filed its
findings of fact and conclusions of law, and the Court being fully
advised;

It is hereby ordered, adjudged and decreed that the
several parties, plaintiffs and defendants herein named, do have
judgement respectively for a right to use for irrigation and
other purposes the following number of inches of water, each fifty
inches thereof to be equivalent to the flow of one cubic foot per
second, as prescribed by law, from Fish Creek and its tributaries,
in the County of Blaine, State of Idaho, their priorities to date
from the times hereinafter named to wit;

Allred, E. A. 11½ inches from March 30, 1883 for the irrigation of
the following tract; commencing at a point 45 rods
South of the North East corner of the NW¼, of the
NE¼, Sec. 15, T. 1 S., R. 21 E., thence West 80
rods; thence South 22½ rods; thence East 80 rods;
thence North 22½ rods to the place of beginning,
containing 11½ acres, known as Tax Lot No. 765.

MAY 2 5 1915

Allred, E. A.

50 inches from April 15, 1910, for the irrigation of $S\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 1 N., R. 22 E., and lots 2 and 3, Sec. 3, T. 1 S., R. 22 E., containing 160 acres.

Boulton, Aaron

11 $\frac{1}{2}$ inches from March 30, 1883 for the irrigation of the following tract; commencing at the North East corner of NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E., running thence West 60 rods; thence South 22 $\frac{1}{2}$ rods thence East 80 rods; thence North 22 $\frac{1}{2}$ rods to the place of beginning, containing 11 $\frac{1}{2}$ acres, known as Tax Lot 763.

Boulton, Aaron

100 inches from May 23rd 1910 for the irrigation of E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 1 N., R. 22 E., containing 160 acres.

Briggs, William G.

70 inches from March 30, 1883 for the irrigation of the following tract; commencing at the Southeast Corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E., running thence North 80 rods; thence West 60 rods; thence South 80 rods; thence East 60 rods to place of beginning, containing 30 acres, also Lot 1, Sec. 19, T. 1 S., R. 22 E., containing 40 acres.

Condie, G. A.

Trans. # 887

100 inches from March 30, 1883 for irrigation of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 1 S., R. 21 E. containing 120 acres.

Condis, C. A.

100 inches from August 18, 1905 for the irrigation of $SE\frac{1}{4} NW\frac{1}{4}$, $E\frac{1}{2} SW\frac{1}{4}$, $NW\frac{1}{4} SE\frac{1}{4}$ Sec. 7, T. 1 S., R. 22 E., containing 160 acres.

Campbell, Geo W.

180 inches from August 18, 1905 for the irrigation of $S\frac{1}{2} NE\frac{1}{4}$, $E\frac{1}{2} SE\frac{1}{4}$, Sec. 7, T. 1 S., R. 22 E., containing 160 acres

Chidester, Willard D.

100 inches from May 15, 1906, for the irrigation of lots 2 and 3, Sec. 20, $SE\frac{1}{4} SW\frac{1}{4}$, $SW\frac{1}{4} SE\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E., containing 160 acres.

Coates, Joseph

80 inches from May 15, 1903, for the irrigation of $SW\frac{1}{4} NE\frac{1}{4}$, $SE\frac{1}{4} SW\frac{1}{4}$, $W\frac{1}{2} SE\frac{1}{4}$, Sec. 27, T. 1 N., R. 22 E., containing 160 acres.

Coates, Paul

160 inches from January 16, 1909 for the irrigation of $W\frac{1}{2} NE\frac{1}{4}$, $W\frac{1}{2} SE\frac{1}{4}$, Sec. 34, T. 1 N., R. 22 E., containing 160 acres.

Davis, Edward

130 inches from Sept. 15, 1905, for the irrigation of $SW\frac{1}{4} SW\frac{1}{4}$, Sec. 17, $S\frac{1}{2} SE\frac{1}{4}$, Sec. 18, $SE\frac{1}{4} SW\frac{1}{4}$, Sec. 18, T. 1 S., R. 22 E., containing 160 acres.

Davis, David T.

20 inches from May 5, 1909 for the irrigation of $NE\frac{1}{4} SW\frac{1}{4}$, Sec. 24, T. 2 N., R. 22 E., containing 40 acres.

Davis, Amy A.

25 inches from May 30, 1911 for the irrigation of $W\frac{1}{2}SW\frac{1}{4}$, Sec. 24, T. 2 N., R. 22 E., containing 80 acres.

Dilworth, J. G.

130 inches, from June 1st, 1908 for the irrigation of $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 18, $N\frac{1}{2}SW\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E. and $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E. containing 160 acres.

Evins, Geo. W.

37-1178

37-1179

80 inches from August 18, 1905, 40 inches from July 25, 1907, and 200 inches from January 16 1909 for the irrigation of $S\frac{1}{2}SE\frac{1}{4}$, Sec. 8, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}$ of Sec. 17, T. 1 S., R. 22 E. containing 320 acres.

Eldridge, Ira

160 inches from March 30th 1883 for the irrigation of $S\frac{1}{2}SW\frac{1}{4}$, Sec. 13, $N\frac{1}{2}NW\frac{1}{4}$, Sec. 24, T. 1 S., R. 21 E., containing 160 acres.

Fuller, Joseph S.

40 inches from June 15, 1906 for the irrigation of $E\frac{1}{2}SE\frac{1}{4}$, Sec. 12, $NE\frac{1}{4}NE\frac{1}{4}$, Sec. 13, T. 2 N., R. 22 E. and Lot 3, Sec. 7, T. 2 N., R. 23 E., containing 160 acres.

Gifford, Alma

25 inches from May 1, 1907, for the irrigation of $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$, Sec. 9, T. 1 S., R. 22 E., containing 160 acres.

Hammer, S. L.

11 $\frac{1}{2}$ inches from March 30, 1883 for the irrigation of the following tract: Commencing at a point 67 $\frac{1}{2}$ rods South of North East corner of $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E.,

Thence West 80 rods; thence South $22\frac{1}{2}$ rods;
thence East 80 rods; thence North $22\frac{1}{2}$ rods;
to the place of beginning, containing $11\frac{1}{4}$
acres.

Hale, Chas. E.

90 inches from August 18, 1905 for the irr-
igation $S\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}$, Sec. 6, T. 1 S., R.
22 E., containing 160 acres.

Jones, James

50 inches from May 15, 1908 for the irrigation
of $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 32, $W\frac{1}{2}SW\frac{1}{4}$, Sec. 33,
T. 1 N., R. 22 E., containing 160 acres.

Knight, Vinson P.

20 inches from May 15, 1904 for the irrigation
of $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 4, T. 1 S., R. 22 E., contain-
ing 40 acres.

Knutson, E. P.

$11\frac{1}{4}$ inches from March 30, 1883 for the irrig-
ation of the following tract: Commencing at
a point $22\frac{1}{2}$ rods South of the Northeast cor-
ner of $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E.,
running thence West 80 rods; thence South
 $22\frac{1}{2}$ rods, thence East 80 rods; thence North
 $22\frac{1}{2}$ rods to the place of beginning, contain-
ing $11\frac{1}{4}$ acres.

Moore, R. R.

200 inches from January 16, 1909 for the irr-
igation of $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 10,
 $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 8, $SW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$
Sec. 9, T. 1 S., R. 22 E., containing 320 acres.

McDougal, Isabella

100 inches from East Fork of Fish Creek from
June 1, 1884 for the irrigation of $SW\frac{1}{4}SE\frac{1}{4}$
Sec. 2, $N\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 11, T. 1 N., R.

22 E., containing 160 acres.

McDougal, Isabella

37-1214

25 inches from East Fork of Fish Creek from June 1, 1884 and 25 inches from Fish Creek from June 1, 1884 for the irrigation of $W\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 1, T. 1 N., R. 22 E., containing 80 acres.

McDougal, Isabella

40 inches from Fish Creek from June 1, 1885 for the irrigation of SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11, T. 1 N., R. 22 E., containing 80 acres.

McDougal, Isabella

37-1215

50 inches from East Fork of Fish Creek from June 1, 1885 and 80 inches from Fish Creek from June 1, 1885 for the irrigation of Lot 1 SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 2, T. 1 N., R. 22 E., containing 160 acres.

McDougal, Isabella

20 inches from East Fork of Fish Creek from June 1, 1902 for the irrigation of N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 1 N., R. 22 E., containing 80 acres.

McDougal, Isabella

40 inches from Fish Creek from June 1, 1887 for the irrigation of SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 1 N., R. 22 E., containing 80 acres.

McDougal, Isabella

30 inches from East Fork of Fish Creek from June 1, 1890 for the irrigation of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 1 N., R. 22 E., containing 80 acres.

✓ Norton, Lafayette M.

37-1180

10 inches from May 15, 1908 and 50 inches from

✓ May 23, 1910 for the irrigation of SW $\frac{1}{4}$ NE $\frac{1}{4}$

NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 33, T. 1 N., R. 22 E.,
containing 160 acres.

Potter, Adelbert L.

40 inches from West Fork from April 10, 1905
for the irrigation of N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 10, T. 1 N., R. 22 E., containing
160 acres.

✓ Phillips, John L.

50 inches from April 30, 1904 for the irrig-
ation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 1 S.,
R. 21 E., containing 120 acres.

Phillips, Fred T.

130 inches from April 30th, 1903 for the irr-
igation of Lots 2, 3, and 4, Sec. 7, Lots 5
and 6, Sec. 18, T. 1 S., R. 22 E., containing
acres.

✓ Phillips, Fred T.

Trans. # 228

160 inches from March 30, 1883 for the irrig-
ation of E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 1 S., R.
21 E., containing 160 acres.

✓ Patterson, Joseph R.

Trans. # 212

125 inches from March 30, 1883 for the irrig-
ation of N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 13, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13,
(excepting a tract of land commencing at the
South East corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, running
thence North 80 rods; thence West 60 rods,
thence South 80 rods, thence East 60 rods to
place of beginning); also SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13,
(excepting a tract commencing at the North East
corner of said forty, running thence South 10
rods; thence West 80 rods; thence North

10 rods; thence East 80 rods to place of beginning,) all in T. 1 S., R. 21 E., the tract of land owned by said Patterson containing 125 acres.

1 Patterson, Joseph R.

37-1181 X

5 inches from June 1st, 1898, and 55 inches from June 10th, 1910 for the irrigation of SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 1 S., R. 21 E., containing 80 acres.

2 Parks, Teresa

160 inches from March 30, 1883 for the irrigation of Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 7, T. 1 S., R. 22 E., containing 160 acres.

3 Peterson, John

160 inches from August 18, 1905 for the irrigation of W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 1 S., R. 22 E., containing 160 acres.

4 Peterson, Arthur E.

130 inches from August 18, 1905 for the irrigation of E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 5, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8, T. 1 S., R. 22 E., containing 160 acres.

5 Peterson, John A.

250 inches from August 18, 1905 for the irrigation of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 1 S., R. 22 E., containing 280 acres.

6 Peterson, Levi S.

290 inches from August 18, 1905 for the irrigation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 18, T. 1 S., R. 22 E., containing 320 acres.

Sparks, Hyrum

155 inches from June 30, 1899 for the irrigation of $E\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 2 N., R. 22 E., containing 160 acres.

Sparks, Hannah

110 inches from June 15, 1907 for the irrigation of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 2 N., R. 22 E., containing 160 acres.

Stinson, Alice J.

53 inches from April 21, 1905 from West Fork for the irrigation of SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 1 N., R. 22 E., containing 160 acres.

Welpert, B.

120 inches from March 30, 1883 for the irrigation of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 1 S., R. 21 E., Lot 4, Sec. 18, T. 1 S., R. 22 E., containing 120 acres.

Welsh, A. L.

Trans. 229

160 inches from March 30, 1883 for the irrigation of E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 1 S., R. 21 E., Lot 3, Sec. 18, T. 1 S., R. 22 E., containing 160 acres.

Ward, John

60 inches from May 18, 1904, for the irrigation of Lot 1, Sec. 4, T. 1 N., R. 22 E., Lot 1, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 33, T. 2 N., R. 22 E., containing 160 acres.

783 Ward, John

80 inches from May 15th, 1905 for the irrigation of W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 2 N., R. 22 E., containing 160 acres.

thence East 80 rods; thence North $22\frac{1}{2}$ rods;
to the place of beginning, containing $11\frac{1}{4}$
acres, the same being a part of the lands
originally acquired from the United States
by George W. case.

Hale Chas. E.

$S\frac{1}{2}$. $SE\frac{1}{4}$. $S\frac{1}{2}$. $SW\frac{1}{4}$. Sec. 6. T. 13. R. 22 E.
containing 160 acres.

Jones James

$SE\frac{1}{4}$. $NE\frac{1}{4}$. $NE\frac{1}{4}$. $SE\frac{1}{4}$. Sec 32, $W\frac{1}{2}$. $SW\frac{1}{4}$. Sec 33.
T. 1 N., R. 22, E., containing 160 acres.

Knight Winsen P.

$SW\frac{1}{4}$. $SW\frac{1}{4}$. Sec. 4. T. 1 N. R. 22 E., containing
40 acres.

Knutson. E. P.

Commencing at a point $22\frac{1}{2}$ rods South of the
Northeast corner of $NW\frac{1}{4}$. $NE\frac{1}{4}$. Sec. 13, T. 1 S.,
R. 21 E. running thence West 80 rods; thence
South $22\frac{1}{2}$ rods, thence East 80 rods; thence
North $22\frac{1}{2}$ rods to place of beginning.
containing $11\frac{1}{4}$ acres, the same being a part
of the lands originally acquired from the
United States by George W. Case.

Moore, R. R.

$NW\frac{1}{4}$ / $NW\frac{1}{4}$. $S\frac{1}{2}$. $NW\frac{1}{4}$. $NE\frac{1}{4}$. $SW\frac{1}{4}$. Sec. 10. $SE\frac{1}{4}$. $NE\frac{1}{4}$
 $NE\frac{1}{4}$. $SE\frac{1}{4}$. Sec. 8, $SW\frac{1}{4}$. $NW\frac{1}{4}$. $NW\frac{1}{4}$. $SW\frac{1}{4}$. Sec 9.
T. 1 S. R. 22 E. containing 320 acres.

McDougal, Isabella

$SW\frac{1}{4}$. $SE\frac{1}{4}$. Sec. 2. $N\frac{1}{2}$. $NE\frac{1}{4}$. $NE\frac{1}{4}$. $NW\frac{1}{4}$. Sec. 11,
T. 1 N. R. 22 E. containing 160 acres.

Allred, E. A.	11½ inches.	✓	Mar. 30, 1883
Allred, E. A.	50	" ✓	Apr. 15, 1910
Boulton, Aaron	11½	" ✓	Mar. 30, 1883
Boulton, Aaron	100	" ✓	May, 23, 1910
Briggs, William G.	70	# ✓	Mar. 30, 1883
Condie, G. A.	100	" ✓	Mar. 30, 1883
Condie, G. A.	100	" ✓	Aug. 18, 1905
Campbell, Gep. W.	120	" ✓	Aug. 18, 1905
Chidester, Willard. D.	100	" ✓	May 16, 1906
Coates Joseph	80	" ✓	May 15, 1903
Coates, Paul	160	" ✓	Jan 16, 1909
Davis, Edward.	130	" ✓	Sep, 15, 1905
Dilworth, J. G.	130	" ✓	June 1, 1908
Davis, David T.	20	" ✓	May 5, 1909
Davis Amy A.	25	" ✓	May 30, 1911
Ewins, Geo. W.	40	" ✓	July 25, 1907
Ewins, Geo. W.	200	" ✓	Jan. 16, 1909
Ewins, Geo. W.	80	" ✓	Aug. 18, 1905
Eldridge, Ira.	160	" ✓	Mar. 30, 1883
Fuller, Joseph S.	40	" ✓	June 15, 1906
Clifford, Alma	25	" ✓	May 1, 1907
Hammer S. L.	11½	" ✓	Mar. 30, 1883
Hale, Charles E.	90	" ✓	Aug. 18, 1905
Jones, James.	50	" ✓	May 15, 1908
Knutson, E. P.	11½	" ✓	Mar. 30, 1883
Knight, V. P.	20	" ✓	May 15, 1904
Moore, R. R.	200	" ✓	Jan, 16, 1909
McDougal, Isabella	100 ✓	" from E. Fork of Fish Cr.	June 1 1884
	25 ✓	" " " " " "	June 1 1884
	25	" " Fish Creek	June 1 1884
	40	" " " "	June 1 1885
	50 ✓	" " E. Fork of Fish Cr	June 1 1885
	80	" " Fish Creek	June 1 1885
	20 ✓	" " E. Fork of Fish Cree	June 1 1902
	40	" " Fish Creek	June 1 1887
	30 ✓	" " E. Fork of Fish Cr.	June 1 1890
Norton, Lafayette M.	10	" ✓	May 15, 1908
Norton, Lafayette M.	50	" ✓	May 23, 1910
Potter, Adelbert L.	40	" ✓	Apr. 10, 1905

From West Fork

MAY 28 1936

Condie, G. A.

100 inches from August 18, 1905 for the irrigation of $SE\frac{1}{4} NW\frac{1}{4}$, $E\frac{1}{2} SW\frac{1}{4}$, $NW\frac{1}{4} SE\frac{1}{4}$ Sec. 7, T. 1 S., R. 22 E., containing 160 acres.

Campbell, Geo W.

120 inches from August 18, 1905 for the irrigation of $S\frac{1}{2} NE\frac{1}{4}$, $E\frac{1}{2} SE\frac{1}{4}$, Sec. 7, T. 1 S., R. 22 E., containing 160 acres

Chidester, Willard D.

100 inches from May 15, 1906, for the irrigation of Lots 2 and 3, Sec. 20, $SE\frac{1}{4} SW\frac{1}{4}$, $SW\frac{1}{4} SE\frac{1}{4}$, Sec. 17, T. 1 S., R. 22 E., containing 160 acres.

Coates, Joseph

80 inches from May 15, 1903, for the irrigation of $SW\frac{1}{4} NE\frac{1}{4}$, $SE\frac{1}{4} SW\frac{1}{4}$, $W\frac{1}{2} SE\frac{1}{4}$, Sec. 27, T. 1 N., R. 22 E., containing 160 acres.

Coates, Paul

160 inches from January 16, 1909 for the irrigation of $W\frac{1}{2} NE\frac{1}{4}$, $W\frac{1}{2} SE\frac{1}{4}$, Sec. 34, T. 1 N., R. 22 E., containing 160 acres.

Davis, Edward

150 inches from Sept. 15, 1905, for the irrigation of $SW\frac{1}{4} SW\frac{1}{4}$, Sec. 17, $S\frac{1}{2} SE\frac{1}{4}$, Sec. 18, $SE\frac{1}{4} SW\frac{1}{4}$, Sec. 18, T. 1 S., R. 22 E., containing 160 acres.

Davis, David T.

20 inches from May 5, 1909 for the irrigation of $NE\frac{1}{4} SW\frac{1}{4}$, Sec. 24, T. 2 N., R. 22 E., containing 40 acres.

01/10/2007

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

RIGHT NUMBER: 37-743B

NAME AND ADDRESS: CATHERINE L SWEAT
21292 HWY 26-93
CAREY ID 83320

MILFORD SWEAT
21292 HWY 26-93
CAREY ID 83320

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 01/16/1909

POINT OF DIVERSION:

T01N R22E S27 SWSESE Within BLAINE County

T01N R22E S33 SENESE 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	1.600 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R22E S03	SESW	13.00	T01S R22E S03	SWSE	26.00
T01S R22E S03	SESE	19.00	T01S R22E S10	NWNE	33.00
T01S R22E S10	SENE	15.00	T01S R22E S10	NENW	36.00
T01S R22E S10	SESW	20.00	T01S R22E S10	NESE	32.00
T01S R22E S10	NWSE	9.40	T01S R22E S10	SWSE	34.00
T01S R22E S15	NWNE	31.00	T01S R22E S15	SWNE	24.00
T01S R22E S15	NENW	31.00	T01S R22E S15	NWNW	40.00
T01S R22E S15	SENW	40.00	T01S R22E S15	NESW	40.00
T01S R22E S15	NWSE	19.00			

462.4 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: BASIS OF CLAIM - Decreed

This right was renumbered to right 37-743B.

This right is renumbered from former right 37-743 .



Idaho Department of Water Resources

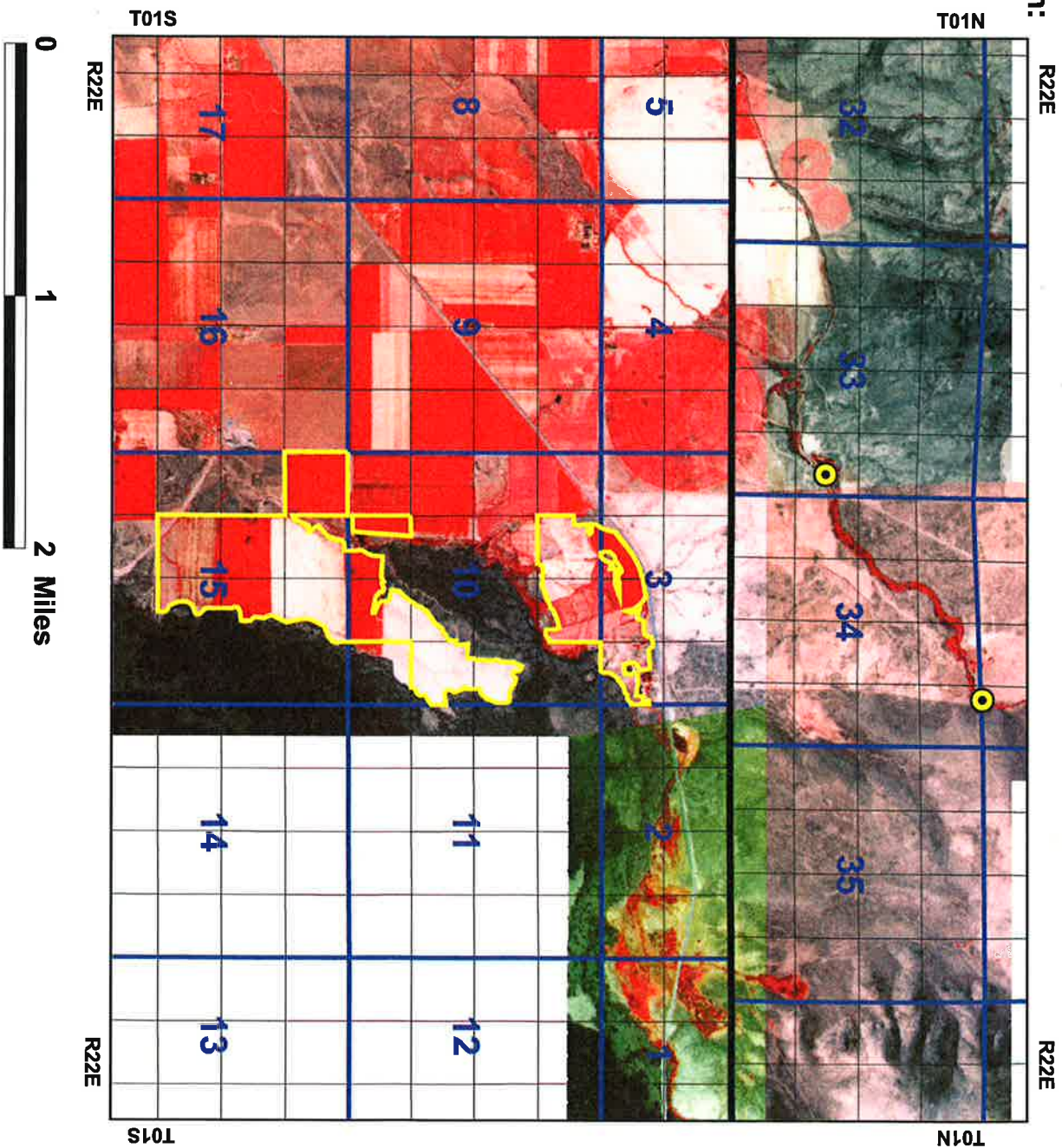
SRBA Recommendation:
37-743B
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by S. Clelland
On Wednesday, January 10, 2007
1987/88 Aerial Photography

Fish Creek Reservoir Stockholders	Shares	Address
Barton Ranches	100	Box 5432 Boise, Id. 83702
Brown, Charlotte	300	7915 Braehill Rd Cheyenne Wy 82009
Carney, Gary	57.5	2258 N 1250 W Paul Id 83347
Cenarrusa, James	1200	76 Cenarrusa Ln Carey Id 83320
Cenarrusa, Jerry	150	Box 164 Carey Id 83320
Cenarrusa, Pete	45	2400 Cherry Ln Boise Id 83705
Cook, Garth	193	11 Austin Rd Carey Id 83320
Cook, Lee	662	Box 116 Carey Id 83320
Cross, Ray	125	105 S 7 th Bellevue Id 83313
Ellsworth Enterprises	700	Maurice Ellsworth Box 158 Carey Id 83320
Ellsworth, Maurice	84	Box 158 Carey Id 83320
Fiscus, Theron	2401/3	Box 122 Carey Id 83320
Hawkes, Anthony	642.5	444 Cameo Dr. Spring Creek Nv 89815
Hibbard, Brad	200	75 Peck Rd Carey Id 83320
Kenworthy, Elaine	50	Carey Id 83320
Kimball, Lawrence	281.5	035 Laidlaw Rd Carey Id 83320
Laidlaw, William	250	Box 2 Carey Id 83320
Molyneux, C. E.	748 1/3	080 Laidlaw Rd Carey Id 83320
Molyneux, Clyde	200	P.O. Box 237 Carey, Id 83320
Inga Molyneux	150	19185 US Hwy 20 Picabo, Id 83348
Olsen, Emily	170	Box 296 Carey, Id 83320
Pardue, W. D.	2205	2175 County Rd 2222 Caddo Mills Tx 75135

Bedn, Brian

45

322 Culvert Blvd #344

Playa del Rey CA 90293

Peck, Robb	560	Box 26
Fish Creek Reservoir Stockholders	Shares	Carey Id 83320
Peck Ronald	585	Address
		395 Austin Rd
Peck, Walter	450	Carey, Id 83320
		69 Peck Rd
Pepcorn, James T	80	Carey, Id 83320
		332 S 200 W
Pepcorn, James T Jr.	80	Rupert Id 83350
Reay, Shirl	652	Carey Id 83320
		20920 HWY 20/93
Rush, Alma	100	Carey Id 83320
		Box 303
Skelton, Leon	150	Carey Id 83320
		2958 Thayer Bridge Circle
Styhl, Edith	250	Idaho Falls Id 83402
		407 Austin Rd
Styhl, Elwyn	250	Carey Id 83320
		Box 109
Sweat, Milford	200	Carey Id 83320
		12292 HWY 26/93
Telfer Inc.	602	Carey Id 83320
		Box 126
Tolman, Harold	500	Carey Id 83320
		1542 N 650 E
Villavicencio, Victor	100	Bountiful UT 84010
		321 Austin Rd
Whitby, Robert	100	Carey Id 83320
		314 Austin Rd
Wilde, Edric	95	Carey Id 83320
		356 Austin Rd
		Carey, Idaho 83320

Deed

Barton Ranch 37-00777-1899-155"
37-00778-1907-110"

Charlotte Brown 37-00741-1906-100"

Sary Carney 37-00760-1885-40"
37-00763-1887-40"

EAST Fork 37-01195-1883-50" No Skew

Well 1955
290"

37-00758-1884-50"

37-00761-1885-50"

37-00764-1890-30"

37-11163-1923-78"

Jerry Cenarrusa

37-00781-1883-160"

Jim Cenarrusa

37-00742-1903-80"

37-02195-1910-85"

Brain Bean 37-00745-1909-20"

37-00746-1911-25"

IRON Mine

1909-20"

1913-40"

Cross

37-00780-1883-80"

Recall

37-00769-3/03/1883 - 45"
 37-00768-4/30/1903 - 45"
 W.D. Pardee = 37-12023 5/15/1903 - 80"
 — 37-12021 5/15/1904 - 20"
 — 37-12022 8/18/1905 - 80"
 — 37-00754 5/15/1908 - 50"
 A — 37-06743 4/16/1909 - 80"
 — 37-00734 5/15/1910 - 50"
 — 37-00736 5/15/1910 - 100"
 Whitby 37-00757-1909 200"
 — 02195-1910 85"

well
 12031-9"
 12032-7"

Peck Peterson 37-10675-3/30/1883-80"
 37-00727

Rob Peck 37-00744-1905 = 65"

Rosold Peck 37-00740-1905 - 120"

Walter Peck 37-0076-1905 - 290"

James Pipcorn 37-01197 - 200"

Skirl Reay 37-00739-1905-100"
 37-00747-1908-130"

Decor

37-01181-4/4/1910 - 55"
E. Ellsworth Enterprises A37-00737A - 1883 - 35"
A37-00752 - 1883 - 11.25"
A37-00756 - 1883 - 11.25"
A37-00733 - 1883 - 11.25"
A37-00735 - 1883 - 11.25"
A37-00769 - 1883 - 160"
A37-00770 - 1883 - 125"
A37-00769B - 1883 - 114.5"
A37-00767 - 1898 - 50"
A37-00771 - 1898 - 5"

Mourice Enterprises

37-00749A - 1883 - 120"
37-00749B - 1883 - 40"
37-00738 - 1883 - 100"
37-00767 - 1904 - 50"

Tony Houkes 37-00775 - 1905 - 250"

Therm Ficus 37-00744 - 1905 - 65"

Lawrence Kimball 37-00748 - 1905 - 80"
37-01178 - 1907 - 40"

C E Molyneux 37-00737 - 1883 - 70"

Leon Skilton 37-01195 - 1883 - 50" No Strain
37-00758 - 1884 - 50"
37-01214 - 1884 - 25"
37-01215 - 1885 - 80"
37-00759 - 1884 - 25"
37-00762 - 1902 - 20"

Deced

Alma Rush 37-00753-1905-90"

Edith Stylé 37-00774-1905-63"

Edwina Stylé 37-00774-1905-67"

Wilford Sumat 37-00743-1909-160"

Telfer Inc. 37-00786-1904-70"
37-00750-1906-40"

Bob Whitting 37-00772-1883-80"

Edric Wild 37-00773-1905-160"

FISH CREEK WATER RIGHTS
WATER DISTRICT 37-U

19

NAME	WATER RIGHTS NO.	PRIORITY	AMOUNT CFS	INCH	DELIVERY SYSTEM
Baird Estate	37-00744	9/15/1905	1.3	65	Hot Springs
Barton Ranches	37-00777	6/30/1899	3.1	155	Fish Creek
	37-00778	6/15/1907	2.2	110	Fish Creek
Cenarrusa, Jerry	37-00781	3/30/1883	3.2	160	Hot Springs
Cenarrusa, Pete	37-00745	5/ 5/1909	0.4	20	Fish Creek
	37-00746	5/30/1911	0.5	25	Fish Creek
Cook, Garth	High Water				
Cook, Lee	High Water				
Cross, Gilbert	37-00780	3/30/1883	1.6	80	Hot Springs
Ellsworth Int.	37-00733	3/30/1883	0.225	11.25	High Line
	37-00735	3/30/1883	0.225	11.25	High Line
	37-00752	3/30/1883	0.225	11.25	High Line
	37-00756	3/30/1883	0.225	11.25	High Line
	37-00769b	3/30/1883	2.29	114.5	High Line
	A37-00770c	3/30/1883	2.5	125	High Line
	37-00771	6/ 1/1898	0.1	5	High Line
	37-00767	4/30/1904	1	50	High Line
Ellsworth	37-00738	3/30/1883	2	100	Hot Springs
Maruice	A37-00749c	3/30/1883	3.2	160	Hot Springs
	A37-02443	8/29/1931	2	100	Hot Springs
Esterholdt, S	37-00769a	3/30/1883	0.9	45	High Line
Farnworth, June	37-00775	8/18/1905	5	250	Hot Springs
Kimball, L	37-00748	8/18/1905	1.6	80	High Line
	37-01178	7/25/1907	0.6	40	High Line
	37-01179	1/16/1909	4	200	High Line
Laidlaw, Bill	High Water				
Molyneux, Bill	High Water				
Molyneux, John	37-00737	3/30/1883	1.4	70	Hot Springs
Morrow, Don	37-01214	6/ 1/1884	0.5	25	Fish Creek
	37-01215	6/ 1/1885	1.6	80	Fish Creek
Olsen, Emily	High Water				
Pardue, W.D.	37-02195	11/13/1910	1.7	85	High Line
	37-00734	4/15/1910	1	50	High Line
Peck, Walter	37-00776	8/18/1905	5.8	290	Hot Springs
Peck, Ronald	37-00740	8/18/1905	2.4	120	High Line
Peck, Robb	37-00744c	9/15/1905	1.3	65	High Line
Peterson, Lee	37-00772	3/30/1883	1.6	80	High Line
Reay, Shirl	37-00739	8/18/1905	2	100	High Line
	37-00747	6/ 1/1908	2.6	130	High Line
Rush, Joe	37-00753	8/18/1905	1.8	90	High Line
Simpson Bros.	37-00760	6/ 1/1885	0.8	40	Fish Creek
	37-00763	6/ 1/1887	0.8	40	Fish Creek
	37-00763	5/ 1/1933	1.56	78	Fish Creek
Shaw, Frank	37-00741	5/15/1906	2	100	Hot Springs
	37-00744	9/15/1905	2.6	130	Hot Springs
Stewart&Hansen	37-00782	5/18/1904	1.2	60	West Fork
	37-00783	5/15/1905	1.6	80	West Fork
Styhl, Philip	37-00774	8/18/1905	1.26	63	High Line

FISH CREEK WATER RIGHTS Page 2

WATER DISTRICT 37-U

NAME	WATER RIGHT NO.	PRIORITY	AMOUNT CFS INCHES	DELIVERY SYSTEM
Styhl, Elwyn	37-00774	8/18/1905	1.34 67	High Line
Sweat, Milford	37-00743	1/16/1909	3.2 160	Creek
Telfer, Inc.	37-00750	6/15/1905	0.8 40	Fish Creek
	37-00786	8/23/1904	1.4 70	Fish Creek
Tolman, Harold	High Water			
Whitby, Robert	37-00772	3/30/1883	1.6 80	High Line
	37-00757	1/16/1909	4 200	High Line
Wilde, Edric	37-00773	8/18/1905	3.2 160	High Line

X Marks the water users in the year 19

MEMORANDUM

TO: Steve Clelland, Nick Spencer, Shelley Keen, and Doug Jones

FROM: Corey Skinner

DATE: January 2, 2003

SUBJECT: Conversation with claimants

This day, Jeanie Robertson and I met with Catherine Sweat and Bryan Wood regarding SRBA recommendations 37-2676 and 37-7620. Mrs. Sweat is listed as a claimant/owner for these two rights and Mr. Wood is Mrs. Sweat's grandson who farms the property involved with SRBA recommendations 37-2676 and 37-7620. Part of the place of use of these two recommendations includes land owned by the Bureau of Land Management. The BLM objected to recommendations 37-2676 and 37-7620 because BLM land was included with part of the place of use. The land in question is specifically identified as...

2.6 acres in the NE ¼ of the NE ¼ of Section 10, Township 01 South, Range 22 East

and

12.0 acres in the SE ¼ of the SE ¼ of Section 10, Township 01 South, Range 22 East

After discussing the situation and options with Mrs. Sweat and Mr. Wood, it was agreed upon that the 2.6 acres in the NE ¼ of the NE ¼ of Section 10 and the 12.0 acres in the SE ¼ of the SE ¼ of Section 10 would be removed from the place of use for the two recommendations. This will have to be accomplished through the SF5 process. Note that the recommendation for 37-7620 is based on a permit and references pending IDWR administrative action regarding the issuance of a license (condition A01). Water right license 37-7620, issued on August 26, 2002, lists the same place of use as recommendation 37-2676, since the 37-2676 GIS shape was used as the source for the place of use. Apparently, 37-2676 can be modified through the SF5 process, but the license for 37-7620 supercedes the SRBA recommendation, and the SRBA is bound by the licensed amounts and locations. The Sweats will have to submit a signed and notarized statement discontinuing the use of water in the 2.6 acres in the NE ¼ of the NE ¼ of Section 10 and the 12.0 acres in the SE ¼ of the SE ¼ of Section 10. Since 37-7620 is for less than 0.02 cfs per acre, the BLM land should be able to be removed from the place of use, without affecting the licensed diversion rate and irrigation from storage volume.

This day, Mrs. Sweat also amended claims 37-732, 37-743, and 37-11762 (all surface water sources, not yet reviewed in the SRBA) to remove the BLM land from the place of use in Section 10, Township 01 South, Range 22 East. In addition, Mrs. Sweat filed an address change for the above-mentioned claims and other claims.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-743

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: Joseph R Patterson, et al
Decree Plaintiff: Adelbert L Potter, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False