

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: A37-02777

Date Received: 10/19/1988

Receipt No: MO01651

Received By: JSC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELFORD 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: MAY 12, 1948

3. Source: HUFF CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	22E	10	SW	SE	NW		BLAINE

5. Description of diverting works:
DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION STORAGE	03/31	11/10			80.00
IRRIGATION FROM STORAGE	04/01	11/01			80.00
STOCKWATER FROM STORAGE	04/01	11/01			80.00
STOCKWATER STORAGE	03/31	11/10			80.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 80.00 A.F.A.

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 HD. DAIRY CATTLE.

A37-02777

Page 1

Date: 10/19/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	10	SE	SW		IRR S	20.0
			SE	SW		IRR FS	20.0
						Section Acres	40.0
		15	NE	NW		IRR S	10.0
			NE	NW		IRR FS	10.0
						Section Acres	20.0
						Total Acres	60.0

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:

A3700732,A3700743,A3707618,A3702124,A3702676,A3707620.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: R811

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): Mifford 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 Boise Id
My Commission Expires 6/3/94

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FEB 23 1993



CRC

7.5 MIN

R22E 56050 155E

47' 30"

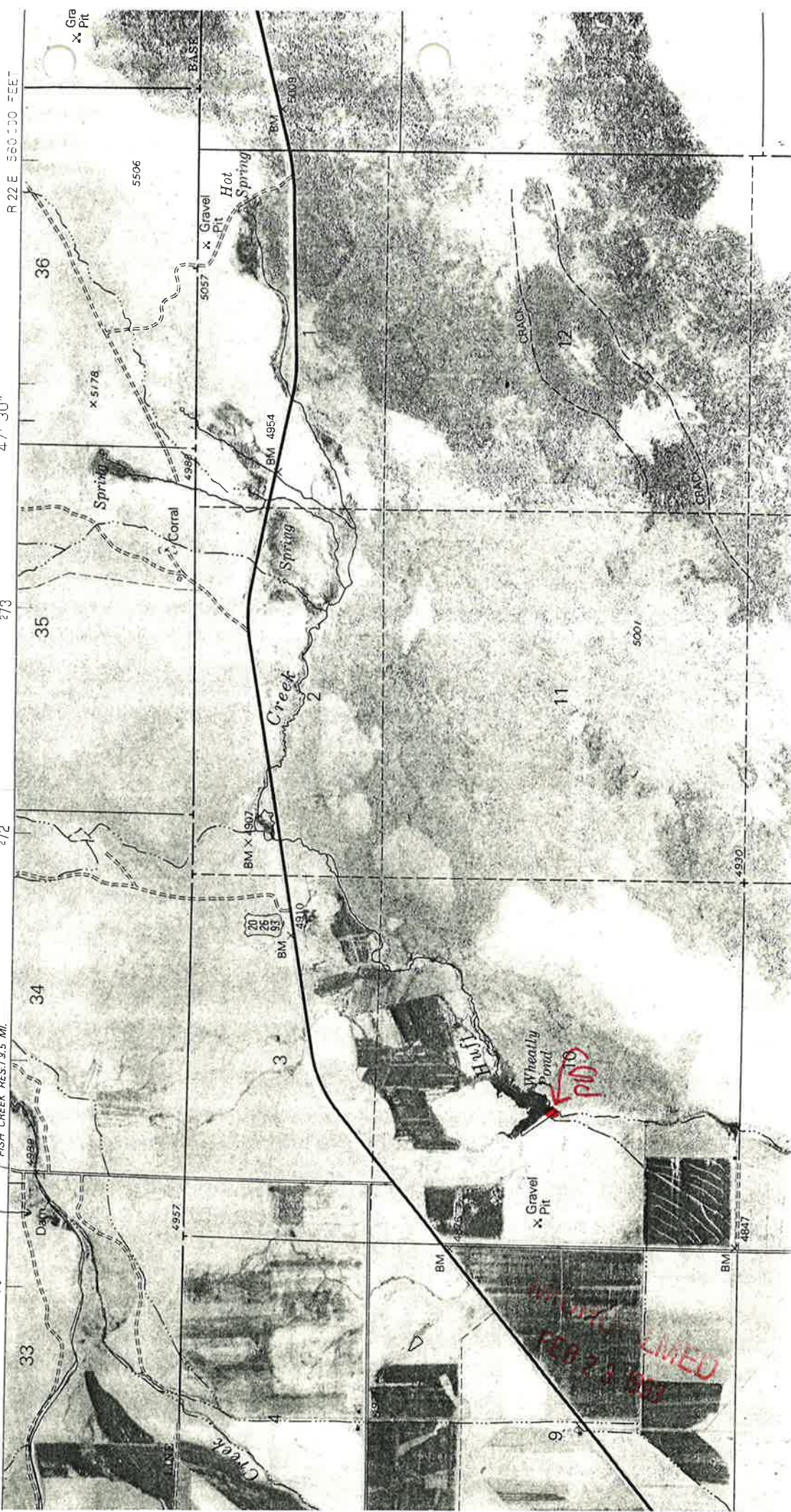
273

272

FISH CREEK RES. 73.5 MI.

270

9



Water Right Number - 37-02777

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - R811

*** C - CURRENT OWNER ***
WHEATLEY

1 -
2 -
3 -
City- CAREY
Phone -

State- ID Zip- 83320

17

1 -
2 -
3 -
City- CAREY
Phone -

State- ID Zip- 83320

05/12/1948

1 -
2 -
3 -
City- CAREY
Phone -

State- ID Zip- 83320

05/12/1948

1 -
2 -
3 -
City- CAREY
Phone -

State- ID Zip- 83320

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05/12/1948

1 -
2 -
3 -
City- CAREY
Phone -

State- ID Zip- 83320

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

WR0723NP
(OD-26)

Water right number - 37-02777 Adj. flag translation: Standard Water Right Number
+ - - - - -
+ - - - - - Decree Plaintiff - - - + + - - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -
+ - - Audit Fields - 05/20/85 05/28/88 CONVERT - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- p
Start Work Date	- 00/00/0000	Verified Date	- 05/20/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37U
Licensed Date	- 05/10/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
FEB 23 1993



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

RECEIVED

JAN - 8 2003

DIRK KEMPTHORNE
GOVERNOR

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 Grindler
1/8/03 SCC

Byron Wood - cell phone
481-1360

06/23/2011

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

ADR

RIGHT NUMBER: 37-2777

NAME AND ADDRESS: BONNIE C KEVICKI
43559 W SPARKS CT
MARICOPA AZ 85138BARBARA L MURPHY
BOX 215
CAREY ID 83320MICHAEL L OLSEN
BOX 144
CAREY ID 83320DEAN E OLSEN
BOX 144
CAREY ID 83320JOEL E OLSEN
568 BAKER ST
TWIN FALLS ID 83301MILFORD D SWEAT
656 FAIRBANKS ST APT A-11
FAIRBANKS AK 99709

SOURCE: HUFF CREEK

TRIBUTARY: SINKS

QUANTITY: 80.00 AFY

The reservoirs may be refilled multiple times up to the total diversion volume
in a single year.

PRIORITY DATE: 05/12/1948

POINT OF
DIVERSION:T01S R22E S10 SWSNW Within BLAINE County
T01S R22E S15 NWNENW Within BLAINE CountyPURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER FROM STORAGE	01/01 12/31	12.00 AFY
IRRIGATION FROM STORAGE	04/15 10/31	80.00 AFY
STOCKWATER STORAGE	01/01 12/31	12.00 AFY
IRRIGATION STORAGE	01/01 12/31	80.00 AFY

PLACE OF USE: IRRIGATION STORAGE in BLAINE County

<u>IRRIGATION FROM STORAGE in BLAINE County</u>			
T01S R22E S10	SESW	T01S R22E S10	SESW
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

STOCKWATER FROM STORAGE same as IRRIGATION STORAGE

450.4 ACRES TOTAL

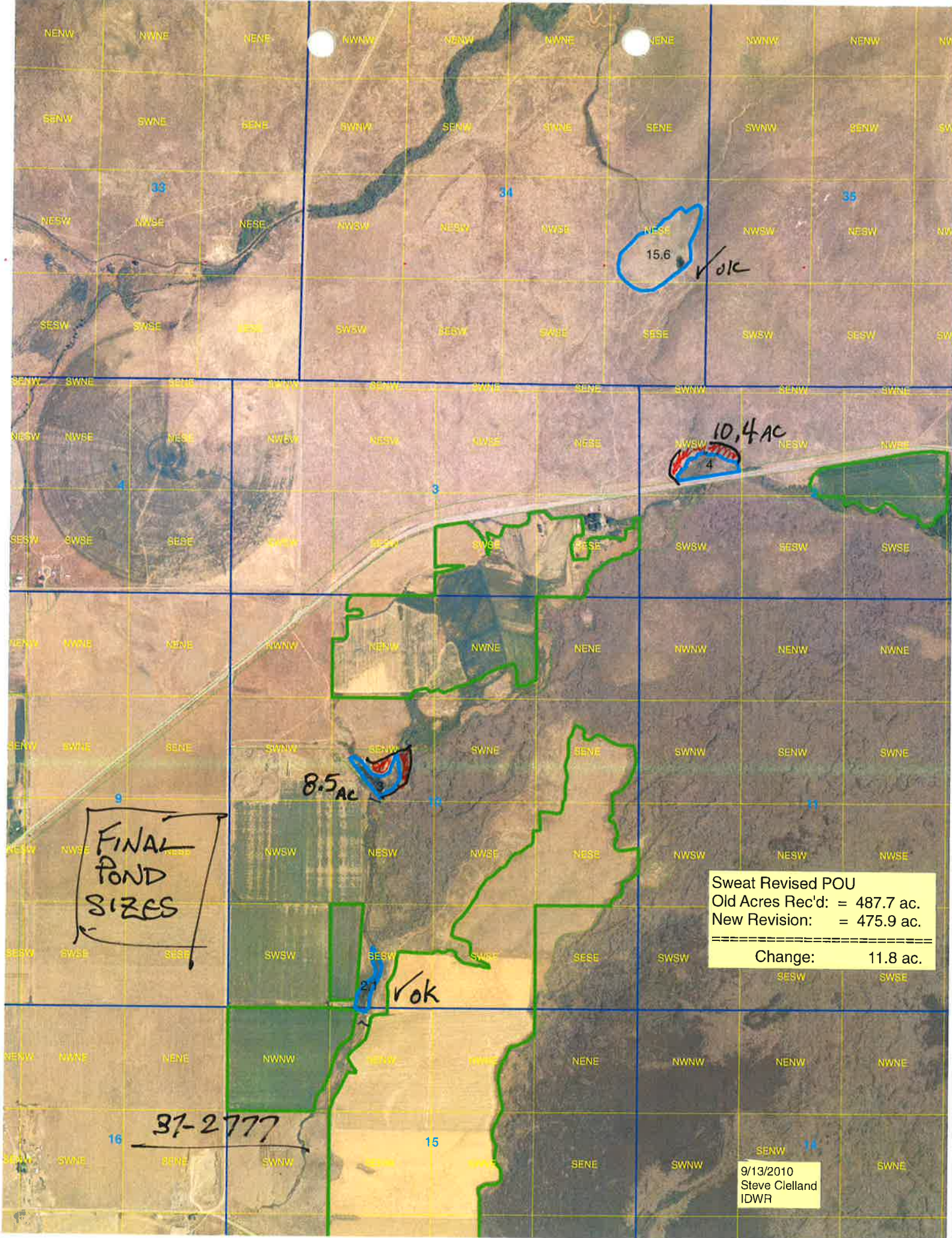
The rights listed below are limited to the irrigation of a combined total of 475.9 acres in a single irrigation season. Combined Right Nos.: 37-732, 37-743B, 37-2777, 37-2676, 37-7620 & 37-22598.

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 - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Sweat Revised POU
Old Acres Rec'd: = 487.7 ac.
New Revision: = 475.9 ac.
=====

Change: 11.8 ac.

9/13/2010
Steve Cielland
IDWR

SW NW

1/4

SW NW

T1S
R22E

S10

SW NW

NE NW

SE NW

10

2.5

NE SW

HUFF CREEK

SW NE

SW NE

Wheatley
Pond

SW NE

37-2777

"Blue" (x 1/3 shape)

0.40
62.4 52 AF
20.8 17 AF
30.6 25.5
14.2 3.5 AF

BLM = 15.6 AC x 10'
Coates = 10.4 AC x 5'
Wheatley = 8.5 AC x 9'
pump pond = 2.1 AC x 5'

✓ send email
to Fritz
& Bryan
1/12/11
3pm

1/3 method is 0.34 adj. factor

Best Docs → "Blue Sheet" is 0.40 adj. factor
show this method
(IDWR Field EXAMINERS #B)
Ex: 18

★ 21 AFI for Coates is agreed on 4/22/11

POND VOLUME WORKSHEET

1/2

T1S
R22E
S10

Huff Creek

21

South
Pump Pond
37-2777

8/19/77

U2 flight

77-138

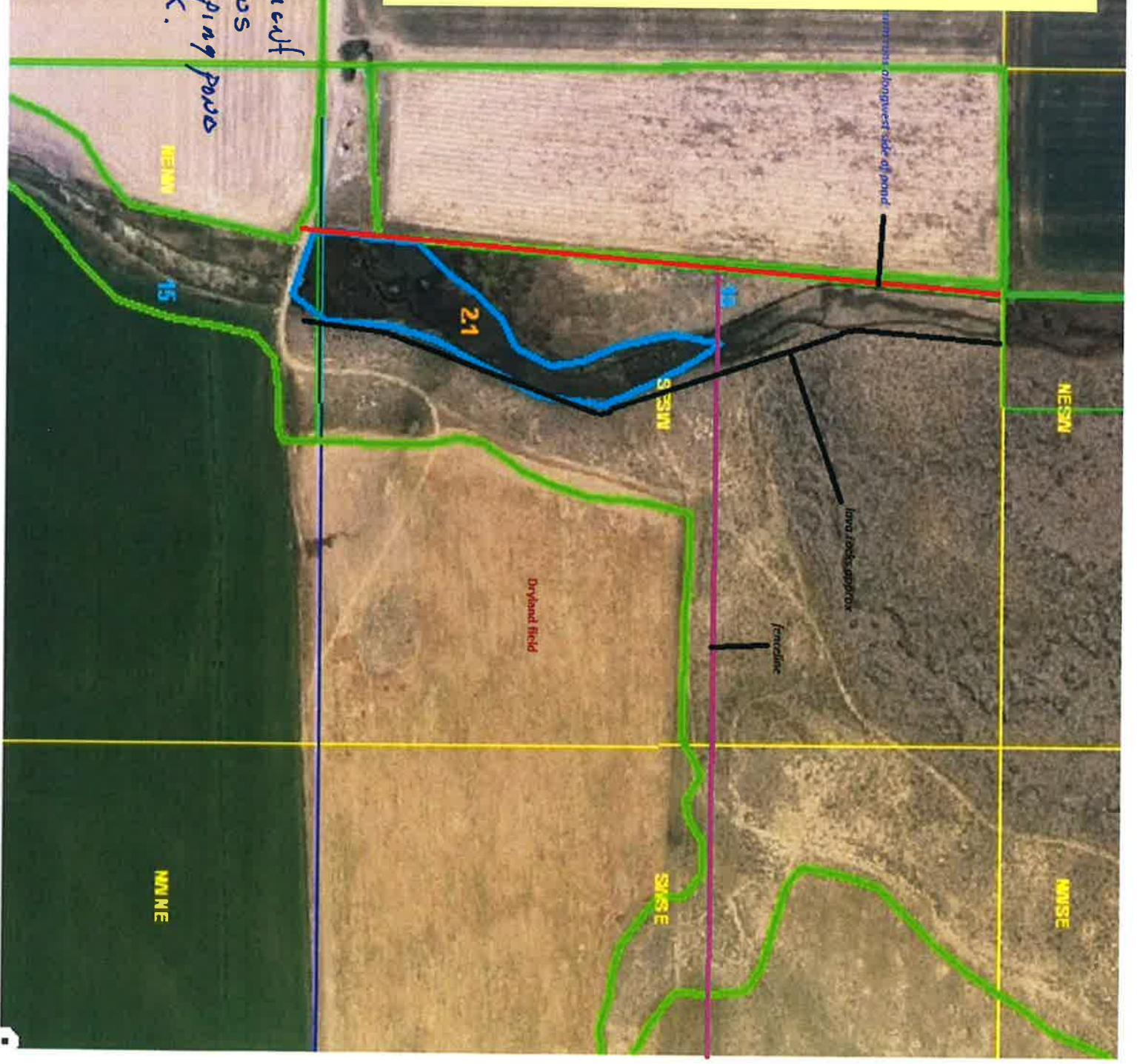
8252

Shows same size
pond. area between
pond & field (red line)
was farmed.



1/25/11 Email Attachment
from Bryan Wood - shows
cleared area of pumping ponds
at the end of Huff Creek.

Base Photo: 2009 NALP



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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

SRBA Recommendation:

37-2777

(Irrigation Storage)

Legend

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



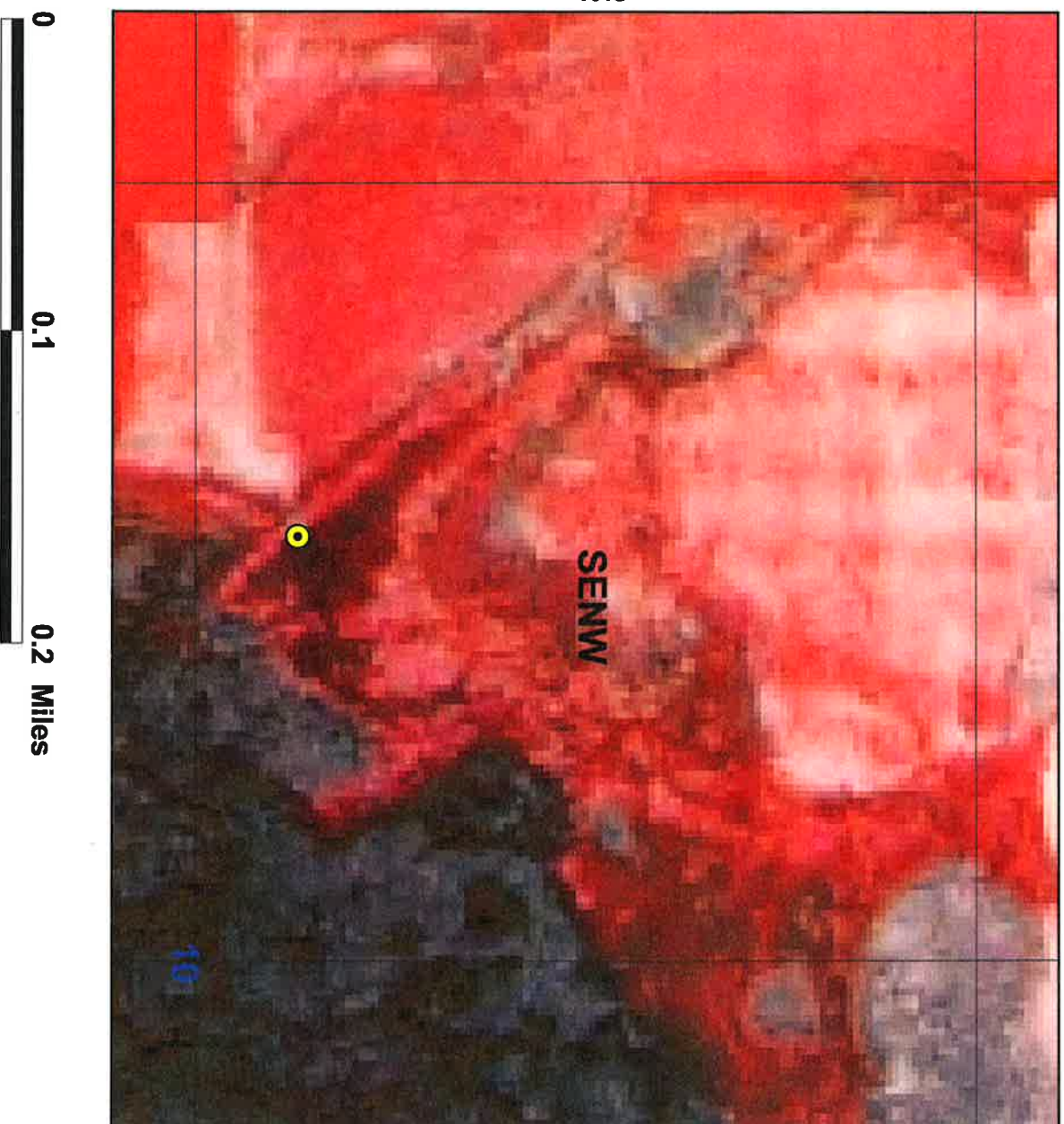
Blaine County
IDWR Basin 37



T01S

R22E

SENW



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

37-732

8/27/03
SCC

37-743

37-2777

37-11762 (enlargement of -2777)

37-2777 storage:

Stockwater: 200 Dairy AF/A is = 12 AFY

Storage in wheately pond is about 40 AF not the 80 AF as licensed. Allow for 2 fills per year. Therefore show -

irrig. storage = 40 AFA

irrig. from stor. = 80 AFA

Need to file 2 claims for storage:

1 @ middle pond, Fish creek source

1 @ pond by road for 2 sources

Callout: to cellphone for Brian Wood 481-1360: 8/29/03 8:50AM
= No answer

to Milford Sweet 823-4451: 8:55AM

→ spoke of the ponds that need claims. I will prepare the claims based on existing claims and what I know of the uses (from conv. w/ Sweets). They can go to TF and review the claims and sign them. Middle pond is used since 1909 same as decree 37-743. Use same date for roadside pond. Call back when claims are ready to be signed.

3/26/04
Su

37-2777 (SWEAT)

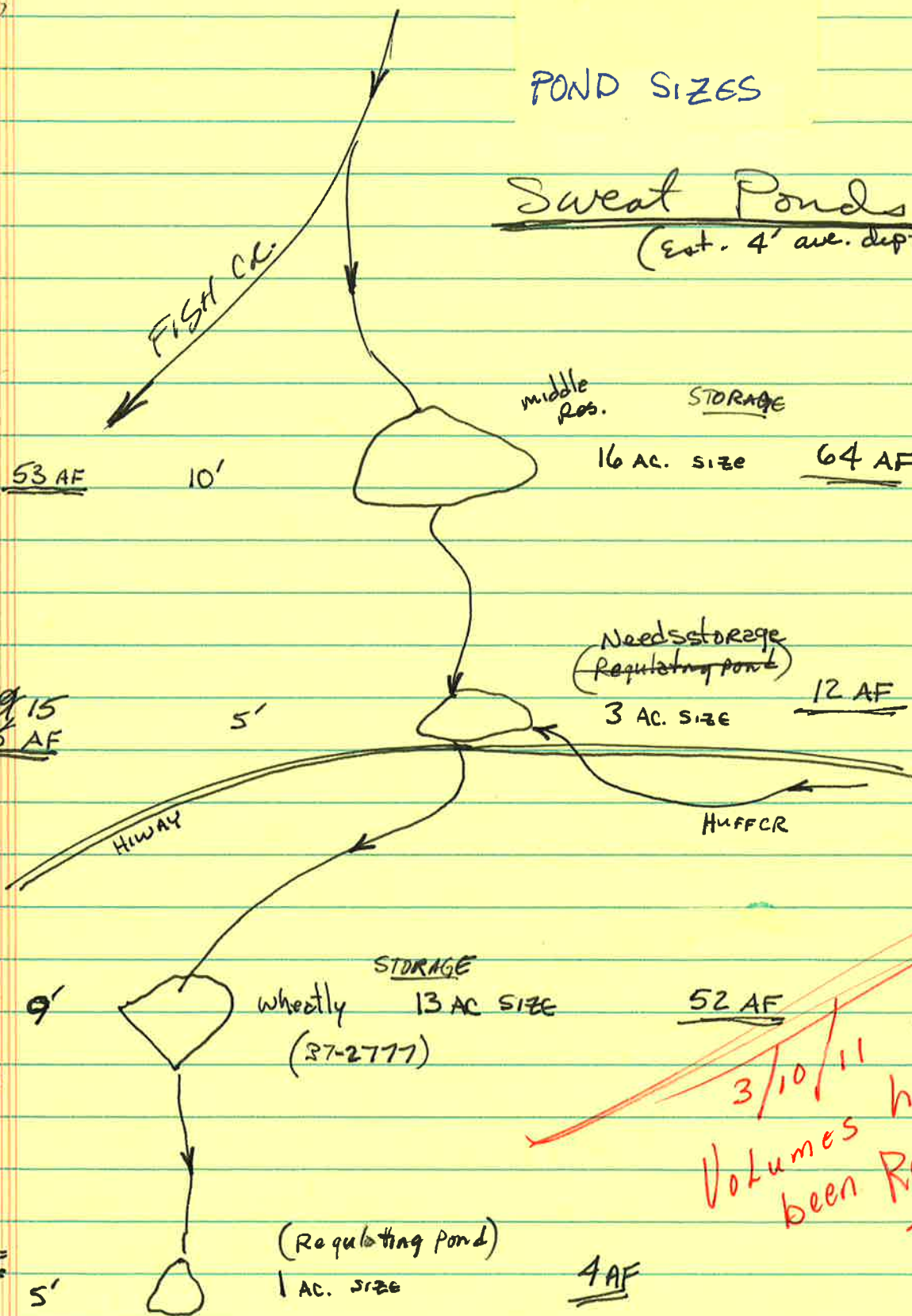
phone call w/ Brian Wood on Sweat Rts.
37-2777 claims Wrong season to
fill the pond for storage... Needs
to include the winter storage season
on the Right.

Also, discussed the need for 2 new claims
for pond storage across from the
house and the 160 AF pond they
claim North of the house.

7/10/03
SCL

POND SIZES

Sweat Ponds (Est. 4' ave. depth)



~~3/10/11 SCL
Volumes have
been Revised~~

Sweet

EXAM 6/25/03

- need to file on 37-2124 ^{no} superseded by Decree ³⁷⁻⁷⁴³
- not claimed for Storage!
 - letter from J. Johnson supports reservoir.

Decree: Potter vs Patterson 12/16/1914

middle pond location? (sec. 34)

Pond @ Road is mostly a regulatory pond for Huff Cr.

Wheatley pond 80 AC — 30

- licensed on 60 AC

- now used on more acres - is enlargement needed?

Toured PONDs w/ Brian

* Be sure to include the missing 40 tract down by
the pump pond below Wheatley pond

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2777

WATER RIGHT NUMBER: 37-2777

Owner Type Name and Address
 Current Owner BERT WHEATLEY
 CAREY, ID 83320

Priority Date: 05/12/1948

Basis: License

Status: Active

Source Tributary
 HUFF CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC STORAGE	/ to /		
DOMESTIC FROM STORAGE	/ to /		
IRRIGATION STORAGE	/ to /		80.00 AF
STOCKWATER STORAGE	/ to /		
IRRIGATION FROM STORAGE	/ to /		80.00 AF
STOCKWATER FROM STORAGE	/ to /		
	<u>Total Diversion:</u>		80.00 AF

Location of Point(s) of Diversion

HUFF CREEK SE1/4NW1/4 Sec. 10, Twp 01S, Rge 22E, B.M.
 BLAINE County

Place of Use

IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	22E	10												20.0					20.0
01S	22E	15					10.0												10.0

Total Acres: 30

DOMESTIC FROM STORAGE same as IRRIGATION STORAGEIRRIGATION FROM STORAGE same as IRRIGATION STORAGESTOCKWATER FROM STORAGE same as IRRIGATION STORAGEConditions of Approval:

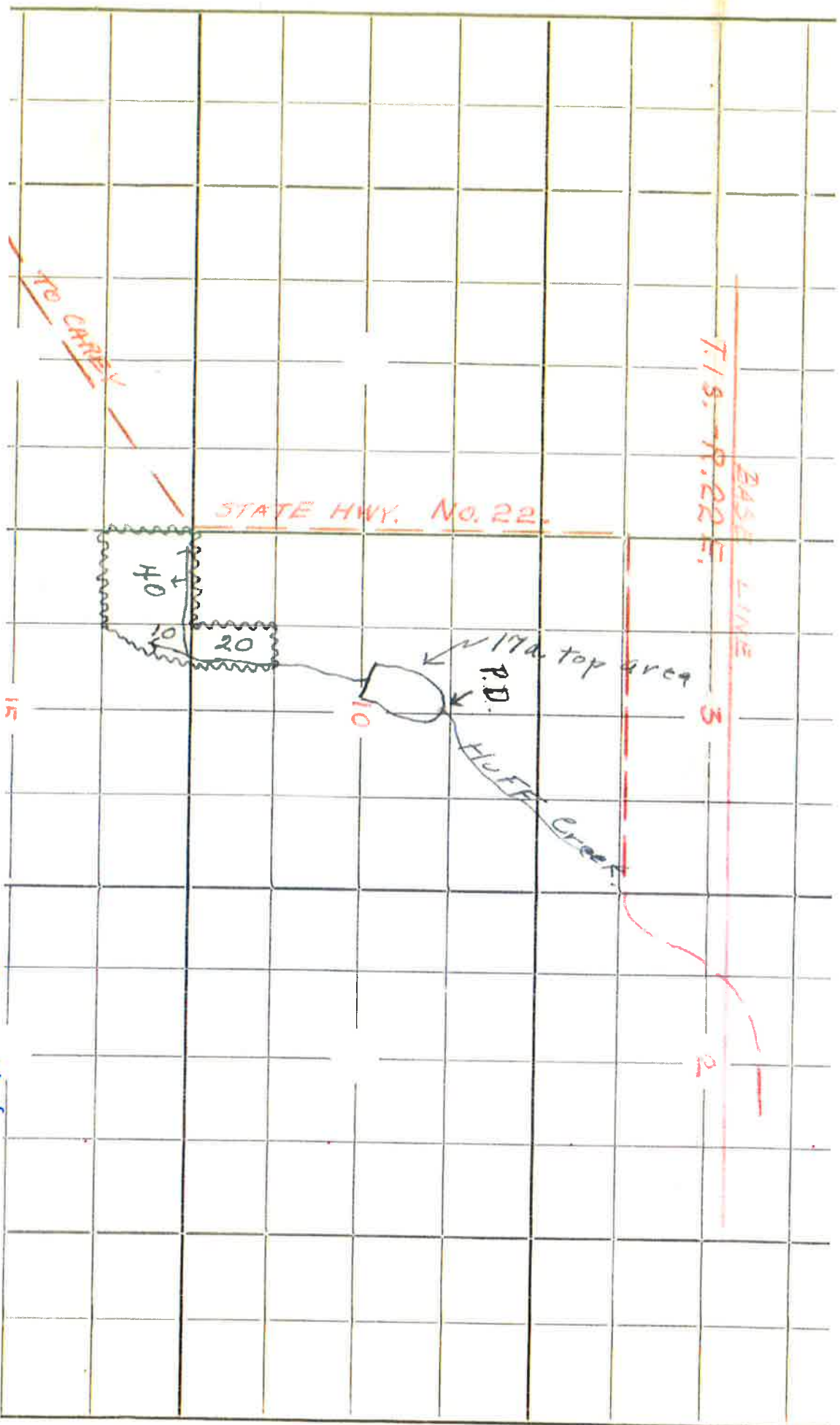
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-2777

Remarks:

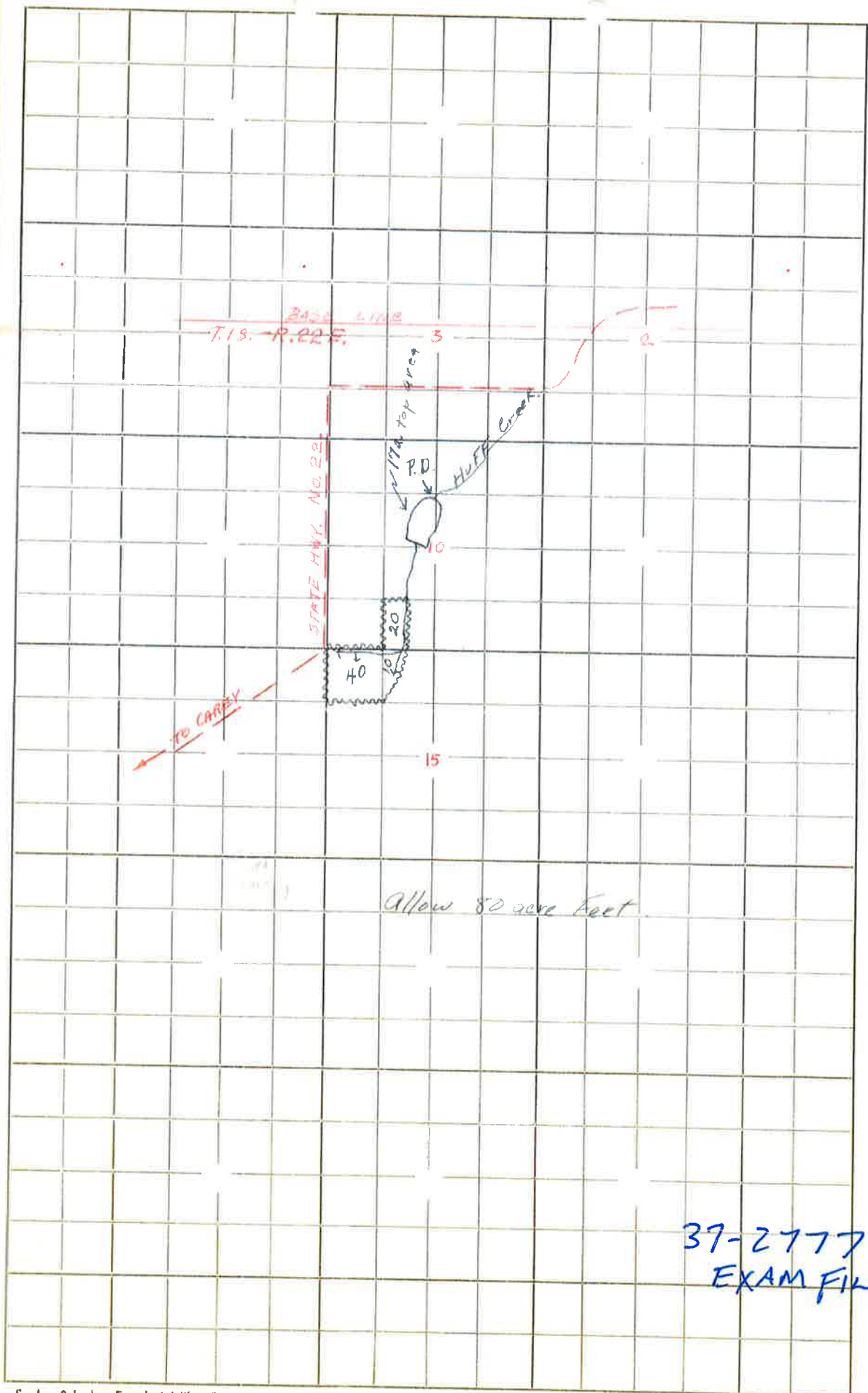
Comments:

Dates and Other Information:

Licensed Date: 5/10/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37U
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



Exam Notes:
Wheatly Reservoir
37-2777 file



37-2777
EXAM FILE