

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: A37-02066
Date Received: 10/19/1989 10/20/89
Receipt No: MOO 4974
Received By: CLAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WOLF SPRINGS RANCH
Address: RT. 1, BOX 1130
FAIRFIELD, ID

Steve Miller 208-764-2560 home
83327 208-358-1121 cell
smiller@think.com

2. Date of Priority: JAN 07, 1907

3. Source: WILLOW CREEK

Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	16E	32	NE	NE	NE		CAMAS
		33	SW	NW	SW		CAMAS

5. Description of diverting works:

SEC. 32:DAM/DITCHES; SEC. 33:DAM/DITCHES, 2 PUMPS-50 HP & 30 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.110		

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

A.F.A.

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	16E	33	SW	SE		IRR	40.0

Section Acres 40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	16E	3	NW NW	4	IRR	16.0
Section Acres						16.0
Total Acres						56.0

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THERE ARE TWO DIVERSION POINTS. MAIN DIVERSION, LOCATED IN SECTION 33 USES DITCHES TO PUMPING STATION TO LINES; DITCH FROM CREEK IN SECTION 32 USED AS SUPPLEMENTAL SOURCE ON A CONTINUOUS BASIS DURING IRRIGATION SEASON. THESE POINTS OF DIVERSION AS CLAIMED REFLECT A CHANGE IN THE POINT OF DIVERSION FROM ORIGINAL LICENSE.
ORIGINAL LICENSE INCORRECTLY DESCRIBED POD & POU IN BLAINE CO.

15. Basis of Claim: LICENSE
Water Right Number: 2504

11

Number of attachments: 1

10-20-89

Date _____

Subscribed and sworn (or affirmed) before me this 20th day
of October 19 89 John Tamm

Alan Garryk
Notary Public

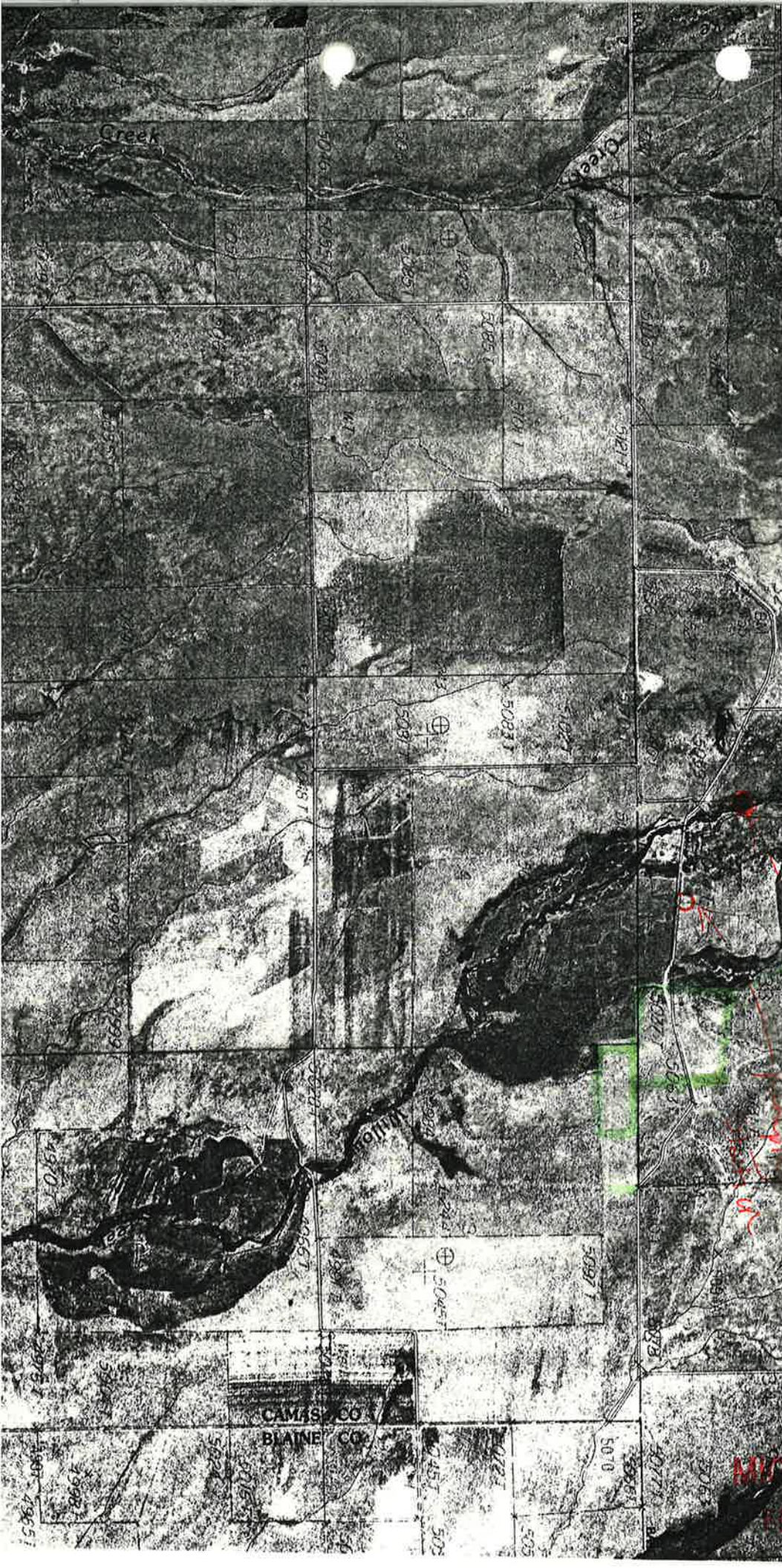
Seal

Residing at _____
My Commission Expires _____

MICROFILMED
FEB 23 1993

ANTERIOR
EY

894



05/08/2006

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

RIGHT NUMBER: 37-2066

NAME AND ADDRESS: WOLF SPRINGS RANCH
RT 1 BOX 1130
FAIRFIELD ID 83327

SOURCE: WILLOW CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 1.110 CFS

PRIORITY DATE: 01/07/1907

POINT OF DIVERSION:

T01N R16E S32 NENENE Within CAMAS County

T01N R16E S33 SWNWSW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.110 CFS

PLACE OF USE:

IRRIGATION Within CAMAS County

T01N R16E S33

SWSE

40.00

T01S R16E S03 Lot 4 NWNW

15.68

55.68 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 - License

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

Idaho Department of Water Resources

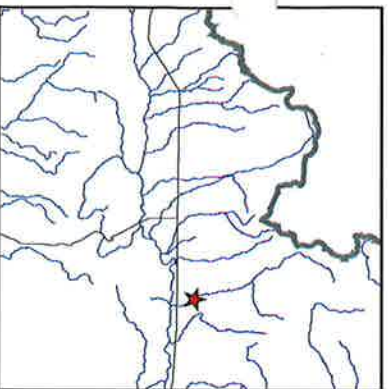


SRBA Recommendation:

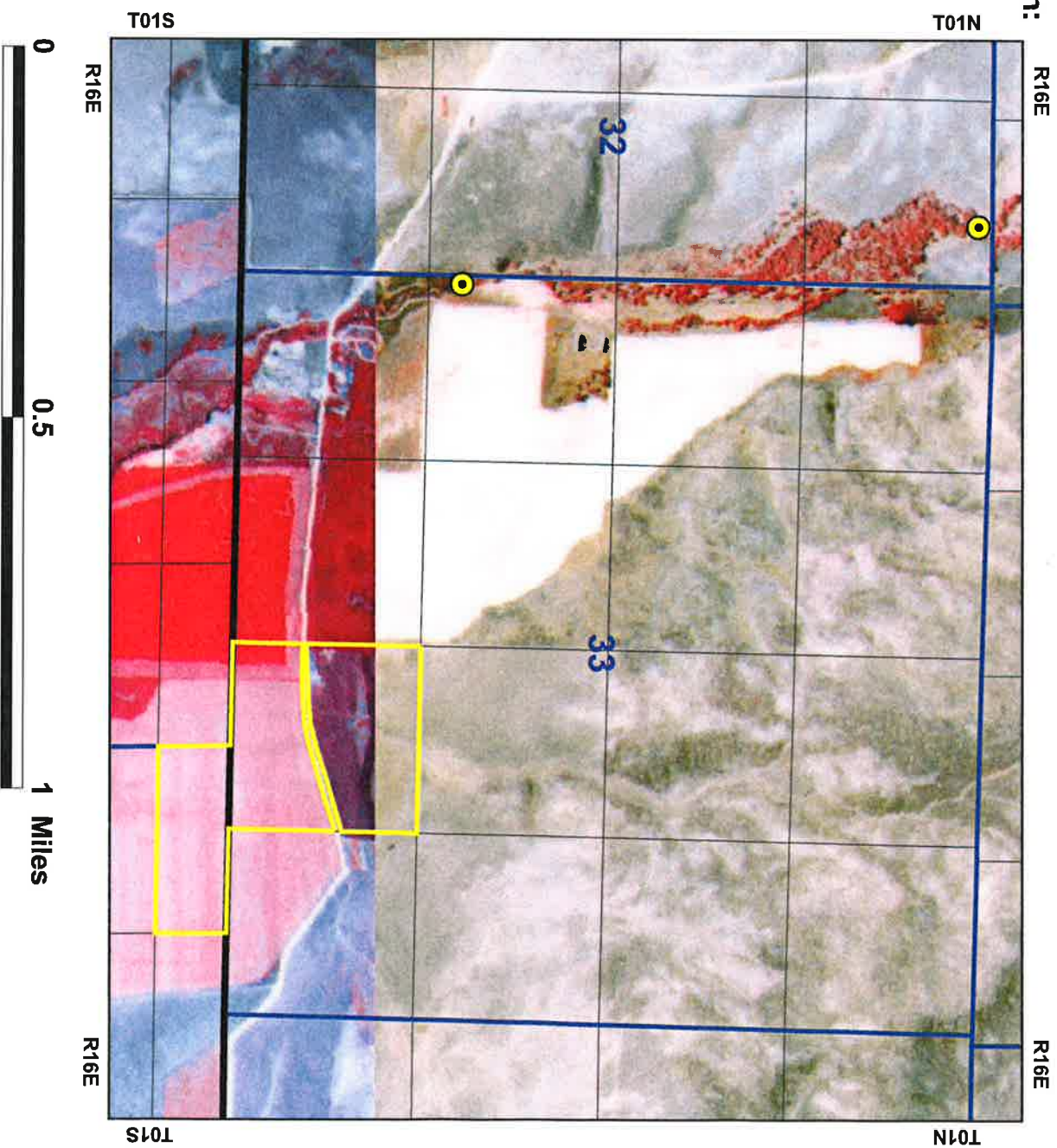
37-2066

Legend

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



Camas County
IDWR Basin 37



Prepared by M. Anders
On Monday, May 8, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-2066, 37-13160

Background Data

37-2066

- Source is Willow Creek tributary to Camas Creek
- Licensed for 1.11 cfs on 56 acres
- Claimed for 1.11 cfs on 56 acres

37-13160

- Expansion of 37-2066
- Source is Willow Creek tributary to Camas Creek
- Claimed for 0.56 cfs on 28 acres

Place Of Use Data

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

1987 Aerial Photo

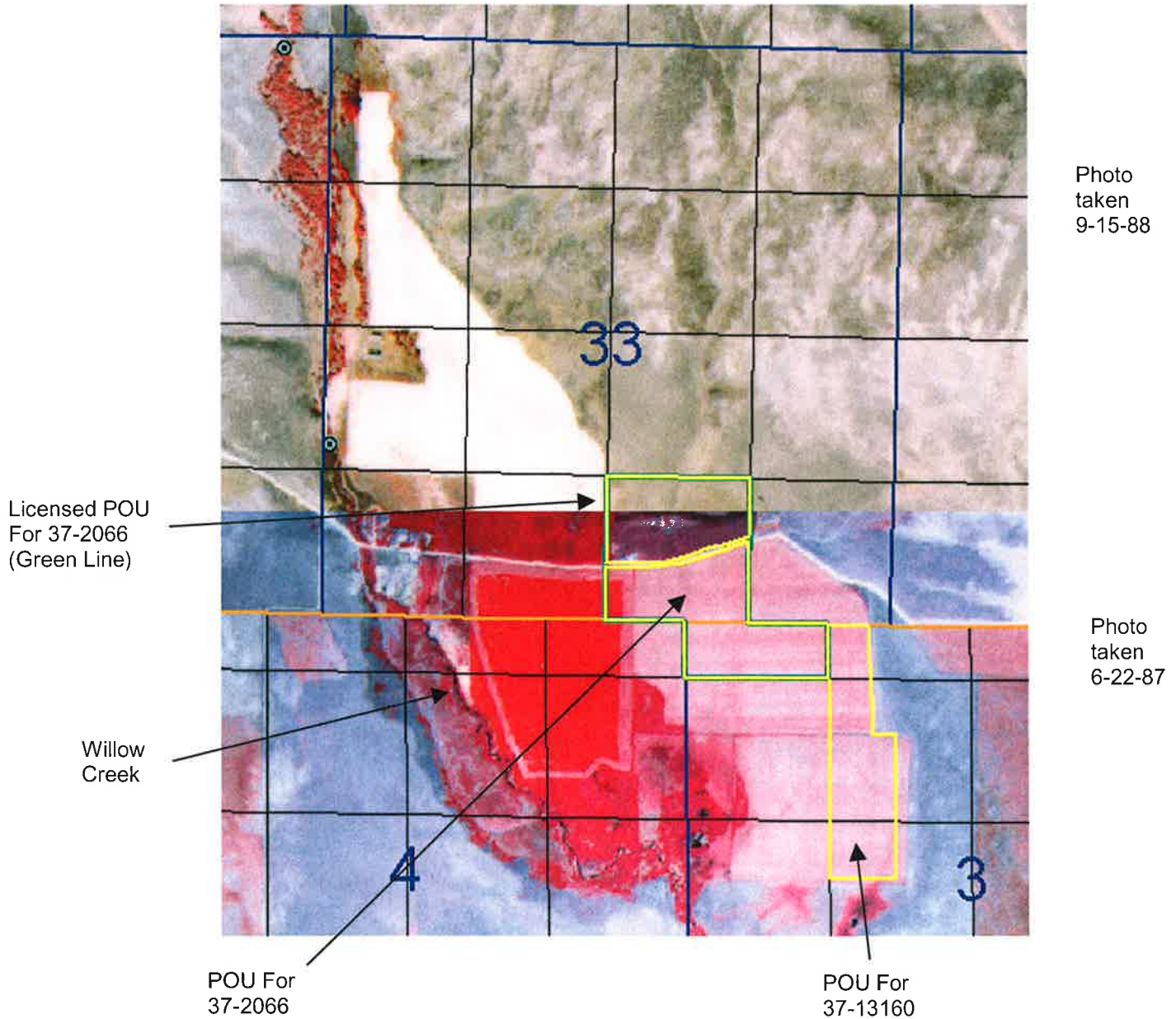


Photo taken 6-22-1987

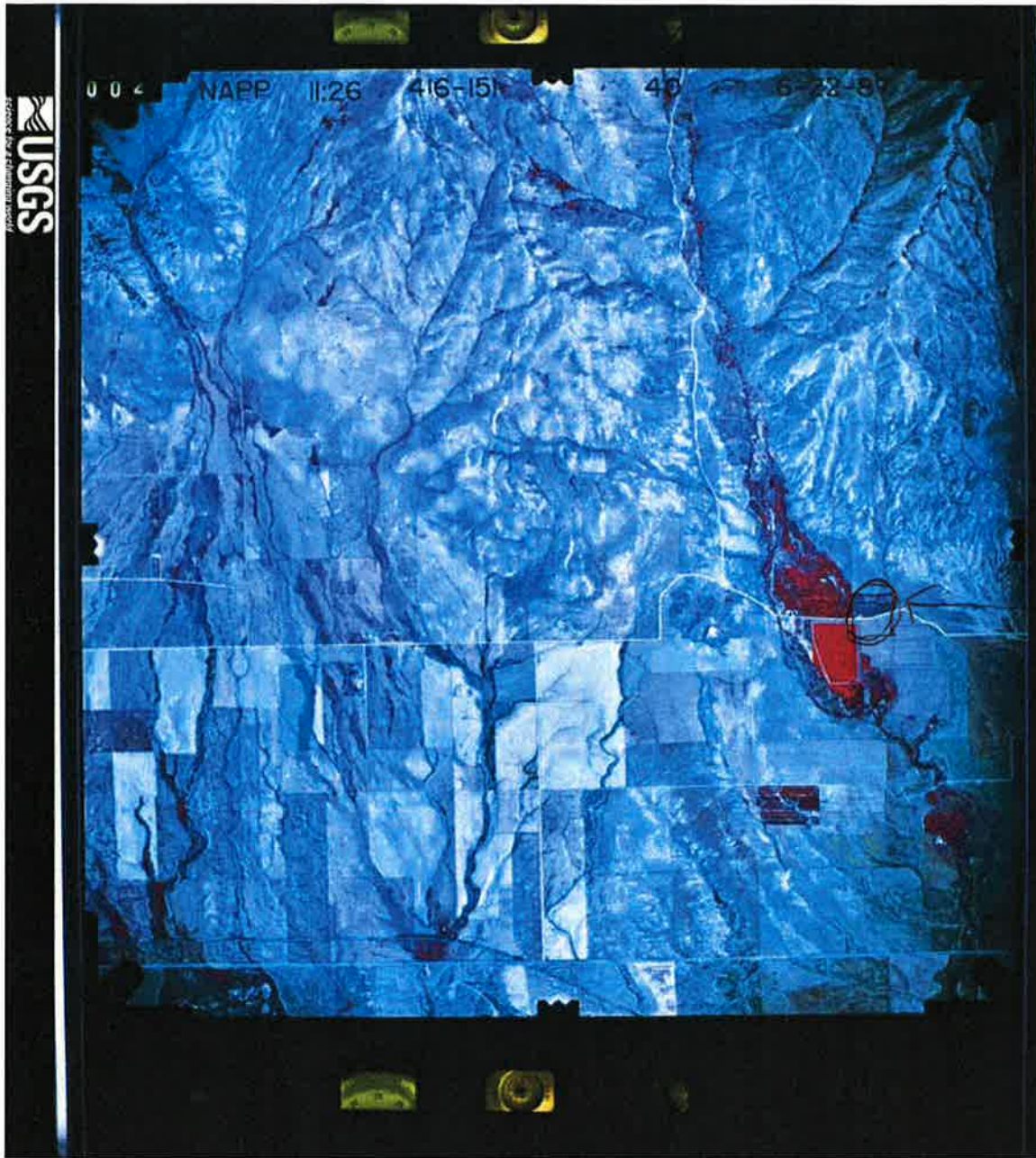


Photo taken 9-15-1988



Notes

T1N R16E Section 33; T1S R16E Section 3

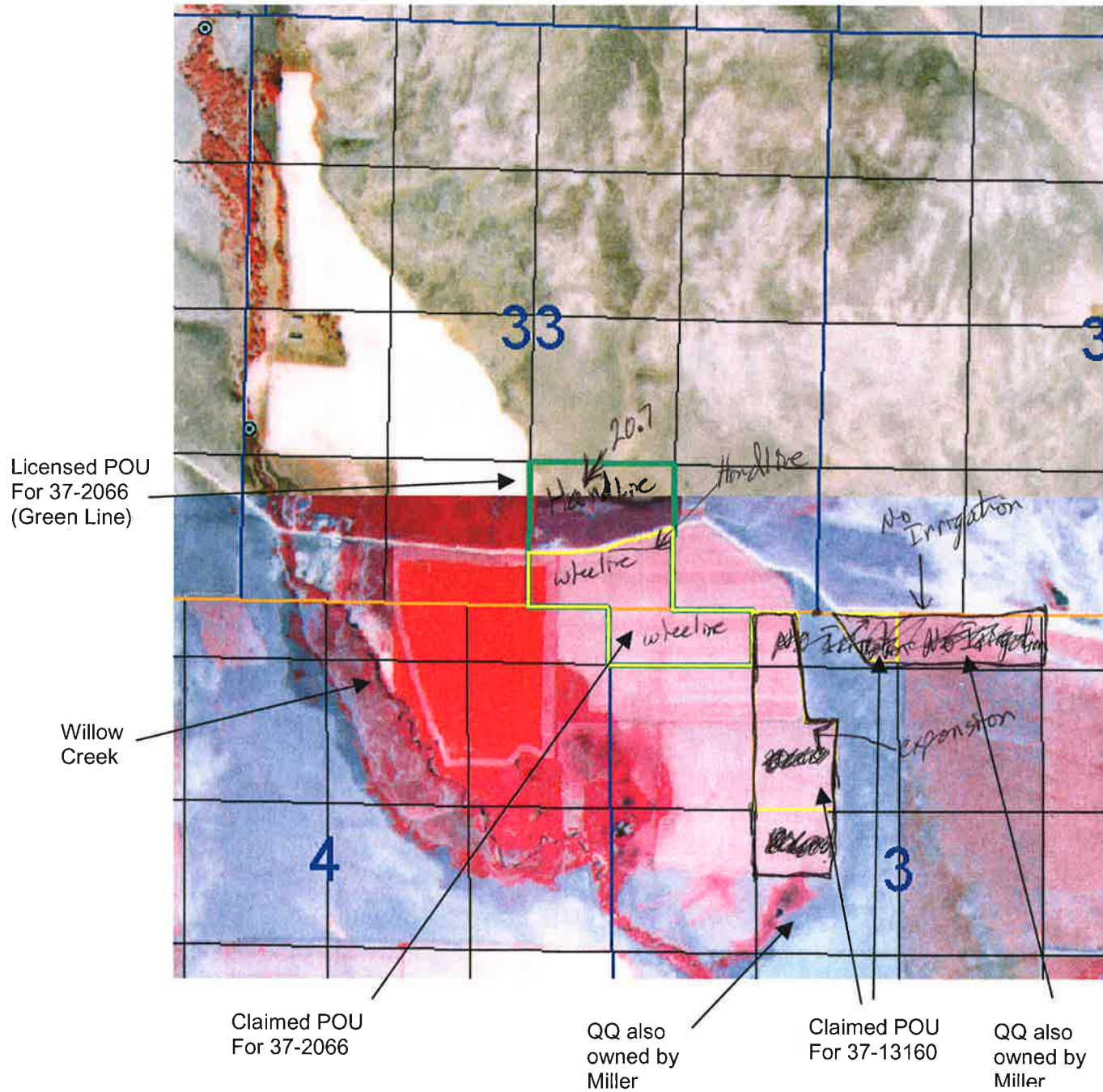
- Found 55 acres for 37-2066
- Found 28 acres for 37-13160
- PODs created by Steve Clelland
- 12/30/05 talked with Steve Miller on telephone. Mr. Miller said that in 1987 the land north of the road in SESW Section 33 was irrigated with 37-2066 using hand-line. He said that in some years it was only irrigated for the first part of the irrigation season because water was not available. Mr. Miller plans to submit evidence of priority for 37-13160.
- The photo taken 6/22/87 suggests irrigation north of the road. The photo taken 9/15/88 does not indicate irrigation north of the road. Since the 1988 photo was taken late in the irrigation season, water may not have been available. Decided to include the land north of the road.
- 5/4/06 ➤ 37-13160 disallowed – no evidence submitted that documents when expansion occurred.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

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*Notes from
phone conversation
12/30/05 w/
Steve Miller
-MDA-*

1987 Aerial Photo



 Blaine County *
 Willow Creek *
 1.113 cu. ft per second *
 Irrigation and domestic *
 Priority 1-7-1907 *

S T A T E O F I D A H O

WATER ALLOCATION No. 2504

WHEREAS, On the 7th day of January, A. D. 1907, JOSIAH H. CUNNINGHAM, of Hailey, County of Blaine, State of Idaho, duly made application (No. 3511) to me for a permit to use 3.06 cubic feet per second of the waters of Willow Creek, County of Blaine, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 12th day of January, A. D. 1907, Permit No. 2504, 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 12th day of January, A. D. 1909, and for the application to beneficial use of said water on or before the 12th day of January, A. D. 1911, and,

WHEREAS, On the 27th day of February, A. D. 1909, JOSIAH H. CUNNINGHAM, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.06 cubic feet per second of said waters, as evidenced by my Certificate No. 2504, dated July 9, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.06 cubic feet per second of water, with date of priority of January 7, 1907, and,

WHEREAS, On the 19th day of November, A. D. 1910, JOSIAH H. CUNNINGHAM, the holder of said permit duly made proof of the application to beneficial use of 1.1136 cubic feet 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 JOSIAH H. CUNNINGHAM, of Hailey, County of Blaine, State of Idaho, the holder and owner of said Permit No. 2504 a perpetual right, dating from January 7, 1907, to the use of 1.1136 cubic feet per second of the waters of Willow Creek, in the County of Blaine, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point about 1/8 of a mile due east of the NW corner of the Southwest quarter (SW $\frac{1}{4}$), Section 28, Township 1 North, Range 16, East of Boise Meridian, and conducted to and upon 55.68 acres, divided as follows: (40 acres in the SW $\frac{1}{4}$ of Sec. 33, Tp. 1 N., and 15.68 acres in Lot 4, Section 3, Tp. 1 S., R. 16 East of 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.

WITNESSE, My hand and the seal of my office at Boise, Idaho, this 25th day of July, A. D. nineteen hundred and eleven.

A. E. Robinson,
 State Engineer

37 2066

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2066

WATER RIGHT NUMBER: 37-2066

Owner Type Name and Address
 Current Owner JOSIAH H CUNNINGHAM
 HAILEY, ID 83333

Priority Date: 01/07/1907

Basis: License

Status: Active

Source Tributary
 WILLOW CREEK CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	1.110 CFS	
	<u>Total Diversion:</u>	1.110 CFS	

Location of Point(s) of Diversion

WILLOW CREEK NE1/4SE1/4 Sec. 29, Twp 01N, Rge 16E, B.M.
 BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	16E	33															40.0		40.0
01S	16E	3							16.0										16.0
									L 4										

Total Acres: 56

DOMESTIC same as IRRIGATIONConditions of Approval:

1. AC. IRR. = 55.68.

Remarks:Comments: