

03/04/2005

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

RIGHT NUMBER: 37-4057

NAME AND ADDRESS: PETER BOWLER
555 RIVER ROAD #E
BLISS ID 83314

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.130 CFS

Right nos. 37-4007, 37-4057 and 37-7384A are limited to a total combined diversion rate of 0.13 cfs for irrigation.

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

PRIORITY DATE: 06/30/1947

POINT OF DIVERSION:

T06S R13E S21 NESESW Lot 2 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.130 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S21 Lot 2 SESW 1.1

STOCKWATER same as IRRIGATION

1.1 ACRES TOTAL

Right nos. 37-4007, 37-4057 and 37-7384A are limited to the irrigation of a combined total of 2.3 acres in a single irrigation season.

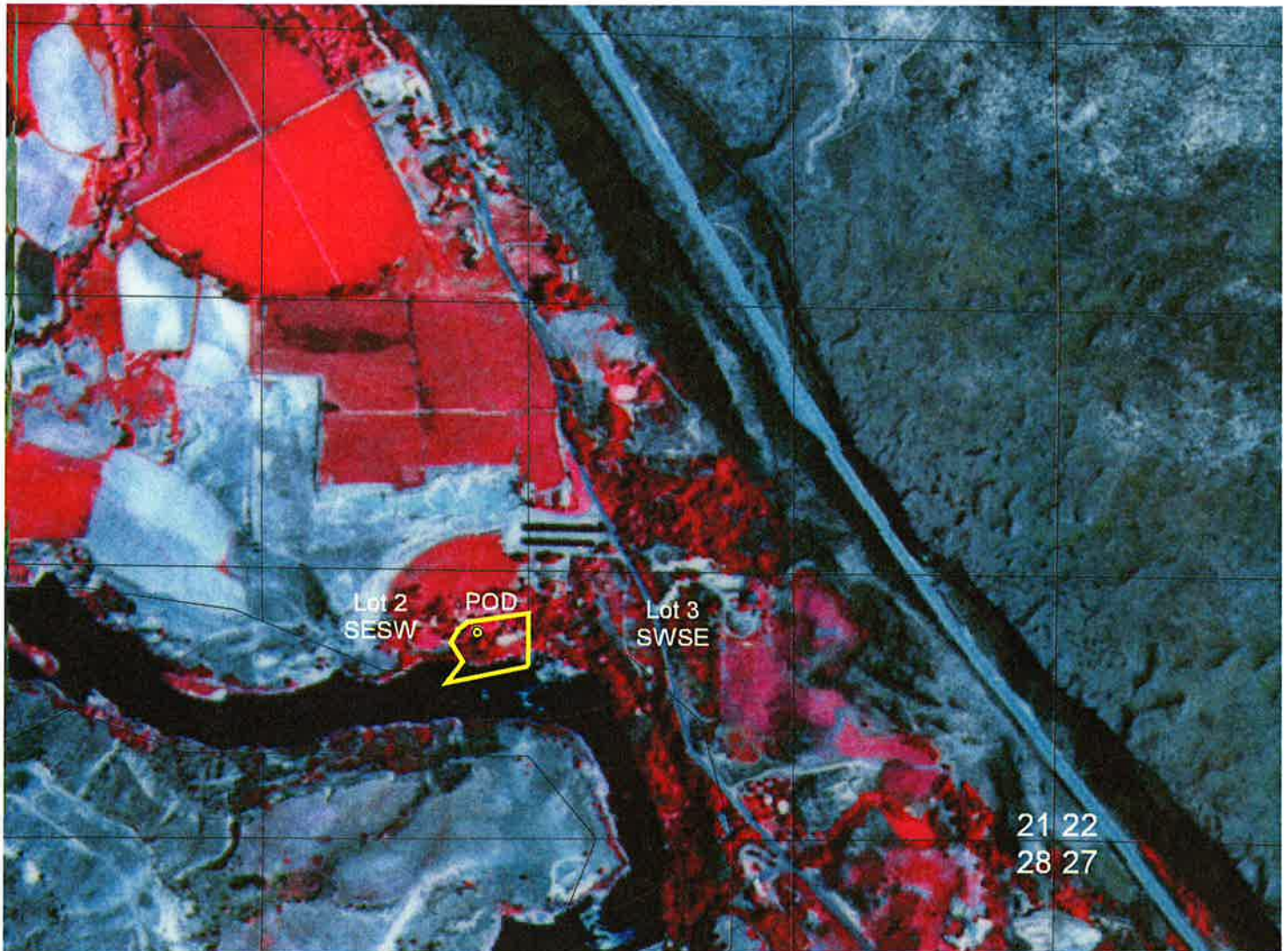
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

37-4057



900 0 900 1800 2700 3600 Feet

T06S R13E S21

Map prepared by: Carter Fritschle
Date prepared: 03/04/05
1987-1988 NAPP photography
Idaho Department of Water Resources



SEP 09 2004

Department of Water Resources

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 37-4057
Date Received: 9/8/2004
Receipt No:
Received By: *SD 27024*
UW

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

1. Name of Claimant(s)

PETER BOWLER Phone: (208) 837-6436
555 RIVER ROAD, #E
BLISS ID USA 83314

2. Date of Priority: 06/30/1947

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	21	SE SW 2	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.13	
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 20

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	13E	21	SE SW 2	IRRIGATION	1.1
Section Acres					1.1

Total Acres 1.1

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:

9/7/04: DITCH FROM ORIGINAL POD ENABLED FLOOD IRRIGATION OF PASTURE AND TREES UNREACHABLE FROM OTHER SPRING SOURCES. CLAIMANT STATES THAT DIVERSION RATE IS BASED UPON MEASUREMENTS MADE BY HIS FATHER ALDRICH BOWLER AT THE TIME HE FILED THE STATUTORY CLAIM IN 1974. LIVESTOCK DRANK YEAR ROUND FROM THE STREAM FLOWING FROM THE SPRING.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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): Peter A. Bowler Date: Sept. 8, 2004
Date: _____

State of Idaho

County of Turner) SS.

Subscribed and sworn (or affirmed) before me this 7th day of September 2004

Vikie Hancock

Notary Public

Residing at Buhl Idaho

My commission Expires 5-7-09



Affidavit

RECEIVED

SEP 08 2004

Department of Water Resources
Southern Region

Water Right Claim 37-4057

I am Aldrich E. Bowler and I have resided at Snake River Pottery for 57 years. After World War II my wife and I returned to Idaho in 1946 and purchased undeveloped land along the Snake River near Bliss, where we built our house, constructed a pond, set up a water wheel, planted a garden and trees, and established the Snake River Pottery. This spring was substantive when we moved to Snake River Pottery and I was able to divert 0.130 cfs from a dam at the top of the pasture into a ditch running along the top of the property line. From this ditch I was able to flood irrigate parts of our pasture that I couldn't with our other spring sources just using gravity flow. We raised goats, sheep and once in a while a calf on pasture irrigated by this spring. I also used this stream to water our lawn at various times. It waters a number of our trees including black and English walnuts and an apple tree.

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

Aldrich Bowler

Aldrich E. Bowler

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 7th day of Sept. 2004.



Clifton Jensen
Notary Public

Residing at Hagerman, Id.

My Commission Expires 2-20-2009

RECEIVED

SEP 08 2004

Department of Water Resources
Southern Region

Affidavit

Water Right Claim 37-4057

I am Peter A. Bowler, current owner of the Snake River Pottery property at 555 River Road #E, Bliss, Idaho 83314. I grew up at Snake River Pottery and lived there from 1948 – 1967. I have returned many times each year since then for stays ranging from a weekend to months – thus, I am familiar with the history of water use at Snake River Pottery. Our family has used this spring for irrigation ever since we moved here in 1946. We diverted water from a small dam/headgate into a ditch along the top of our pasture and flood irrigate our property to provide grass for our goats, sheep, and the calves we had during various years. Throughout my childhood when we flood irrigated from this spring, my friends, my sister and I used to slide down the hill on the wet grass – great fun. It currently is being used to sustain a number of our fruit and nut trees, including English walnut, black walnut and apple trees. This spring arises upon and flows through my property to the Snake River.

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

Peter A. Bowler

Peter A. Bowler

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 7th day of Sept. 2004.



Clifton E. Jensen
Notary Public

Residing at Hagerman, Id.

My Commission Expires 2-20-2009