

05/20/2005

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

RIGHT NUMBER: 37-4169

NAME AND ADDRESS: PATSY L ANDERSON
9424 E ANDERSON LN
KING HILL ID 83633

SOURCE: SPRINGS
WARM SPRING

TRIBUTARY: CLOVER CREEK
TRIBUTARY: CLOVER CREEK

QUANTITY: 0.930 CFS

Right Nos. 37-4169 and 37-13340 are limited to a total combined diversion rate of 1.48cfs.

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

PRIORITY DATE: 07/01/1920

POINT OF DIVERSION:

T05S R11E S11 SWNE Within ELMORE County
T05S R11E S11 SWNW Within ELMORE County
T05S R11E S11 SENW Within ELMORE County
T05S R11E S11 SENW Within ELMORE County
T05S R11E S11 NWSW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.840 CFS
STOCKWATER	01/01 12/31	0.050 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE:

IRRIGATION Within ELMORE County

T05S R11E S10	NENE	0.1	T05S R11E S10	NWNE	3.7
T05S R11E S10	SWNE	3.7	T05S R11E S10	SENE	13.0
T05S R11E S10	NESE	2.2	T05S R11E S11	SWNW	13.0
T05S R11E S11	NWSW	6.4			

STOCKWATER Within ELMORE County

T05S R11E S10	SWNE	T05S R11E S10	SENE
T05S R11E S10	NESE	T05S R11E S11	SWNW
T05S R11E S11	NWSW		

DOMESTIC Within ELMORE County

T05S R11E S11	NWSW
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42.1 ACRES TOTAL

Right Nos. 37-4169 and 37-13440 are limited to the irrigation of a combined total of 63.2 acres in a single irrigation season.

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

05/20/2005

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

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 domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

37-4169

T05S R11E S10 & S11



Map prepared by: Carter Fritschle
Date prepared: 12/02/04 - Revised 05/20/05
1987-1988 NAPP photography
Idaho 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 37-4169
Date Received: 12/6/1989
Receipt No: C013318
Received By:

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

1. Name of Claimant(s)

PATSY L ANDERSON Phone: (208)366-2233
9424 E ANDERSON LN
KING HILL ID USA 83633

2. Date of Priority: 07/01/1920

3. Source: SPRINGS Trib. to: CLOVER CREEK
WARM SPRING CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	11E	11	SW NW	ELMORE	
05S	11E	11	NW SW	ELMORE	
05S	11E	11	NW SW	ELMORE	
05S	11E	11	SW NE	ELMORE	
05S	11E	11	SE NW	ELMORE	

5. Description of diverting works:

SPRINGS WITH PIPELINES & DITCHES TO PLACES OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.84	
STOCKWATER	1/01	12/31	0.05	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.93 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	11E	10	SW	NE		IRRIGATION	3.7
			SE	NE		IRRIGATION	13
			NE	SE		IRRIGATION	2.2
			NW	NE		IRRIGATION	3.7
			NE	NE		IRRIGATION	0.1
			SW	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			NE	SE		STOCKWATER	
					Section Acres	22.7	
05S	11E	11	SW	NW		STOCKWATER	
			NW	SW		DOMESTIC	
			NW	SW		IRRIGATION	6.4
			SW	NW		IRRIGATION	13
					Section Acres	19.4	
					Total Acres	42.1	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim

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): Cathy Anderson Date: 20 May 2005

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of May 2005 Carter Fritschle

Notary Public

Residing at Kuna ID

My commission Expires 83634



12/02/2004

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

RIGHT NUMBER: 37-4169
NAME AND ADDRESS: PATSY L ANDERSON
9424 E ANDERSON LN
KING HILL ID 83633
SOURCE: SPRINGS WARM SPRING
TRIBUTARY: CLOVER CREEK
TRIBUTARY: CLOVER CREEK
QUANTITY: 0.610 CFS
Right Nos. 37-4169 and 37-13340 are limited to a total combined diversion rate of 1.09 cfs.

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

PRIORITY DATE: 07/01/1920

POINT OF DIVERSION:

T05S R11E S11 SWNE Within ELMORE County
T05S R11E S11 SWNW Within ELMORE County
T05S R11E S11 SENW Within ELMORE County
T05S R11E S11 NWSW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.520 CFS
STOCKWATER	01/01 12/31	0.050 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE:

IRRIGATION Within ELMORE County

T05S R11E S10	SWNE	3.5	T05S R11E S10	SENE	9.0
T05S R11E S10	NESE	2.1	T05S R11E S11	SWNW	10.0
T05S R11E S11	NWSW	1.4			

STOCKWATER Within ELMORE County

T05S R11E S10	SWNE	T05S R11E S10	SENE
T05S R11E S10	NESE	T05S R11E S11	SWNW
T05S R11E S11	NWSW		

DOMESTIC Within ELMORE County

T05S R11E S11	NWSW
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26 ACRES TOTAL

Right Nos. 37-4169 and 37-13440 are limited to the irrigation of a combined total of 50 acres in a single irrigation season.

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

12/02/2004

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

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 domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

37-4169

T05S R11E S10 & S11



Map prepared by: Carter Fritschle
Date prepared: 12/02/04
1987-1988 NAPP photography
Idaho Department of Water Resources

Contacts Data Entry Form

Claim Number 37-4169

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	PATSY L ANDERSON	RT 1 BOX 147	KING HILL	ID	83633	(208)366-2233

Date of Field Exam: Patsy Anderson Time: 9:45 A.

Accompanied By: Peter (son) 9-15-04 Phone Number: _____

Relationship to Claimant: OWNERS

Directions to Property (if different from above) and/or update owner information:

From 84 Freeway - King Hill turn-off 1/4 mi North
to 101 Ranch Rd - 3 mi North-East to Knob Hill Rd
1/4 mi East to Anderson Lane then proceed to
home



Lee R. Peterson
234 S View Rd
Jerome, ID 83338-6448

Date: 9-15-04

Point of Diversion and Source Data Entry Form

Claim Number 37-4169

Claimed Point of Diversion and Source

- ③ T05S R11E S11 SWNW Within ELMORE County Source: SPRINGS CLOVER CREEK
 ④ T05S R11E S11 SENW Within ELMORE County Source: SPRINGS CLOVER CREEK
 ⑤ T05S R11E S11 NSW Within ELMORE County Source: WARM SPRING CLOVER CREEK

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T05S R11E S11 SENW Within ELMORE County
 T05S R11E S11 NSW Within ELMORE County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

3-4-5-6 SPRINGS

CLOVER CR.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? NONE

Document how the POD and Source were verified:

Peter & I walked all over mt. and reviewing
 Photos & map

						plate	photo	
③	Patsy Anderson	Patsy	3	2408259	1311832	A0013786	1030314	- Warm Springs
④	"	"	"	4	2408424	1312056	787	315
⑤	"	"	"	5	2408757	1312206	NONE	317
⑥	"	"	"	6	2409091	1312263	A0015205	316

Reviewer: LG

Date: 9-15-04

Place Of Use Data Entry Form

Claim Number 37-4169

Claimed Place Of Use

T05S R11E S10	SWNE	11.0	T05S R11E S10	SENE	4.0
T05S R11E S10	NESE	5.0	T05S R11E S11	SWNW	6.0
T05S R11E S10	SWNE		T05S R11E S10	SENE	
T05S R11E S10	NESE		T05S R11E S11	SWNW	
T05S R11E S11	NWSW				

Total Acres 26

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T05S R11E S10	SWNE	11.0	T05S R11E S10	SENE	4.0
T05S R11E S10	NESE	5.0	T05S R11E S11	SWNW	6.0

Total Acres 26

OK by Peter & Mrs. A

Recommended Place of Use

See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
55	11E	11			Elmore			Irrig - Stock - Domestic - Fire Wildlife

Total Acres _____

Document how the POU was verified:

Peter & Mrs Anderson said the original 26 acres are still being provided with the same sources when springs flow - the past few years water has been scarce - many springs are providing little to none

Reviewer: _____

Date: _____

9-15-04

Period of Use and Quantity Data Entry Form

Claim Number 37-4169

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15 <i>most</i>	10/15 <i>some</i>	0.52	<i>up-down</i>
STOCKWATER	1/01 <i>usually</i>	12/31 <i>times</i>	0.05	
DOMESTIC	1/01	12/31 <i>less</i>	0.04	

Overall Diversion Rate 0.61 Overall Diversion Volume *no source of Mt.*

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	10/15	0.52	
STOCKWATER	1/01	12/31	0.05	
DOMESTIC	1/01	12/31	0.04	

Overall Diversion Rate 0.61 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

*Peter & I walked all over Mt. side
observed many of the springs, and all
that were flowing appeared very low
in supply - some none*

Reviewer: Date: *9-15-04*

A F F I D A V I T

STATE OF IDAHO, I
County of Gooding, I SS

Joseph Heller, of Gooding, Gooding County, Idaho, of lawful age, being first duly sworn, deposes and says: that in the month of July, 1901, this affiant took up as a possessory claim the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 11, all in Township 5 S., Range 11 E. B.M.; that affiant bought said premises from J. H. Moyer, who had held said premises as possessory claim for a period of at least 10 years and to my knowledge had diverted 1.48 cubic feet per second of the waters of Clover Creek and springs adjoining to irrigate 74 acres of the above described land divided as follows:

25 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, 15 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 14 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, Township 5 South, Range 11, East of the Boise Meridian, Elmore County, Idaho.

That affiant owned said land above described and lived on said premises almost continuously for a period of 25 years, after July, 1901, and knows to his own knowledge that the water above referred to has been annually diverted and continuously used on the premises above described during said period.

Joseph Heller

Subscribed and sworn to before me this 11th day of June, 1922.

J. T. Sullivan
Notary Public in and for the State
of Idaho, residing at Gooding,
Idaho.

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: A37-04169
Date Received: 11/15/1989
Receipt No: 0013318
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATSY L. ANDERSON 208-366-2233
Address: RT. 1 BOX 147
KING HILL, ID 83633

2. Date of Priority: JUL 01, 1920

3. Source: SPRINGS Trib. to: CLOVER CREEK
WARM SPRING CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	11E	11	SW	NW			ELMORE
			SE	NW			ELMORE
			NW	SW			ELMORE

5. Description of diverting works:
SPRINGS WITH PIPELINES & DITCHES TO PLACES OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.520		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 78.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOMES; STOCKWATER, 60 DAIRY COWS, 340 OTHER CATTLE.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	11E	10	SW		NE		IRR	11.0
			SW		NE		STOCK	
			SE		NE		IRR	4.0
			SE		NE		STOCK	
			NE		SE		IRR	5.0
			NE		SE		STOCK	
							Section Acres	20.0
		11	SW		NW		IRR	6.0
			SW		NW		STOCK	
			NW		SW		DOMEST	
					Section Acres	6.0		
					Total Acres	26.0		

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
A37-13340, NORTH SIDE CANAL

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: - 2 -

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): Patsy Lee Anderson Date: December 6, 1989

Date: _____

State of Idaho)
County of Ada) SS.

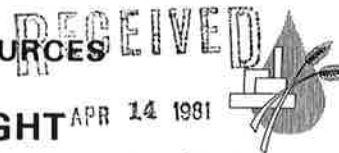
Subscribed and sworn (or affirmed) before me this 6th day
of December 19 89
Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Harold ^C &/or Patsy L. Anderson

(Name of Claimant)

Route 1, Box 147, King Hill, ID 43633

(Mailing Address)

(Zip Code)

Telephone No. 366-2233

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1920

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

springs tributary to clover creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.52 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/15</u>	To <u>10/15</u>
Quantity <u>.05 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity <u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) .61 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NW ¼, Sec. 11 Twp. 5S Rge. 11E B.M., County of ElmoreAdditional points of diversion: NWSW, Sec. 11, T5S, R11E.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Gravity system.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	11E	11							6										6
		10			11	4								5					20

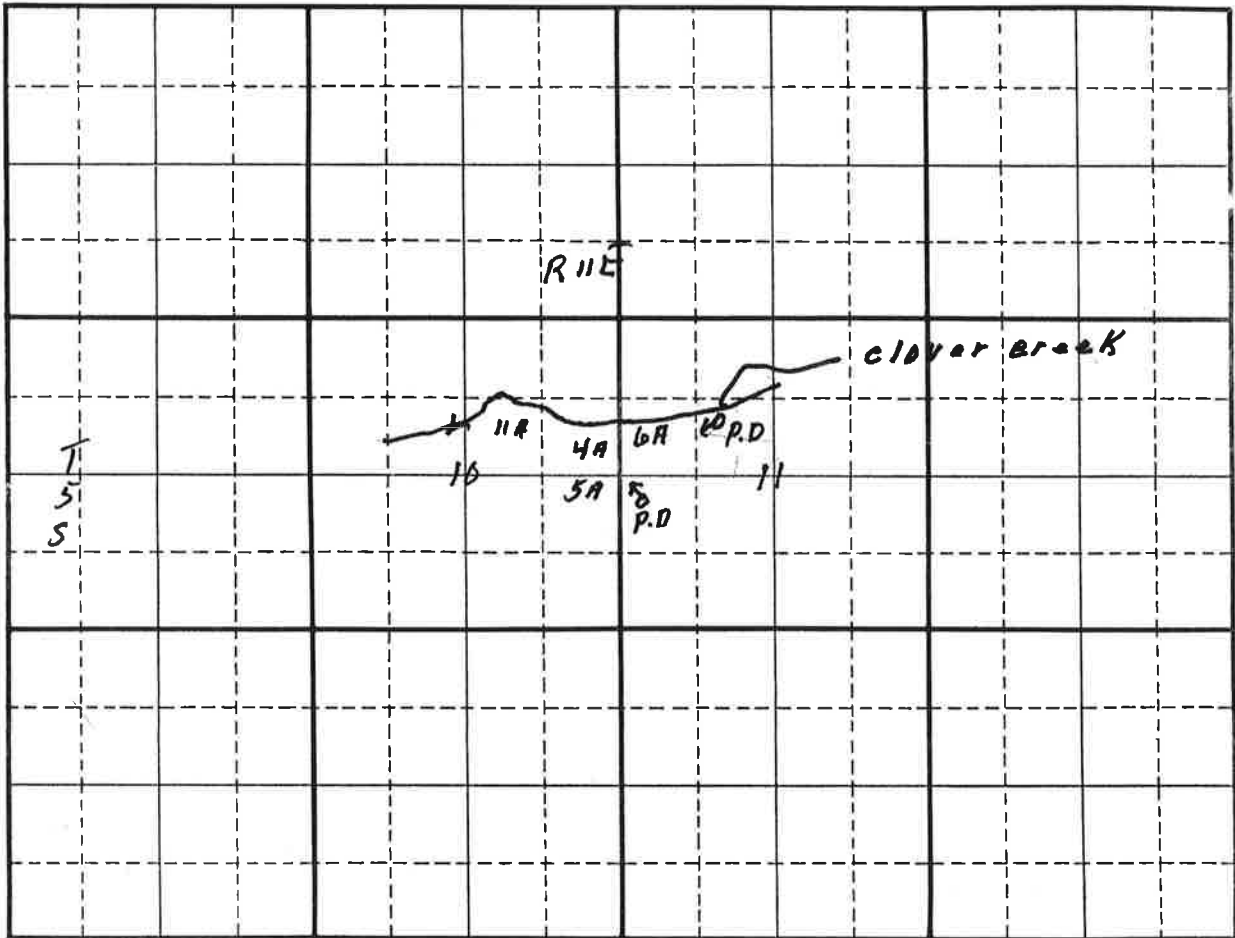
No. of acres 26

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: none

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of ADA) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 3 day of APRIL

Harold C. Anderson
(Claimant)

1981

[Signature]
Notary Public
Residing at BOISE, ID

My commission expires LIFE

Received by marya Date 4/3/81 Exception filed by: _____ Date _____
Prelim. check by AKM Date 3/11/81
\$0.00 fee received by MH Date 4/3/81 # 17399
Published in mountain home news
Dates 5/1 & 5/14/81