

11/26/2004

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

RIGHT NUMBER: 37-4187

NAME AND ADDRESS: RODDY L ADAMS
1956 WOOD RIVER RD
GOODING ID 83330

CHERYL L ADAMS
1956 WOOD RIVER RD
GOODING ID 83330

SOURCE: COULEE 700

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.600 CFS

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

PRIORITY DATE: 06/07/1951

POINT OF DIVERSION:

T05S R16E S2 SWNE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.600 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S02 SWNE 15.0 T05S R16E S02 NWSE 15.0

STOCKWATER same as IRRIGATION

30 ACRES TOTAL

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

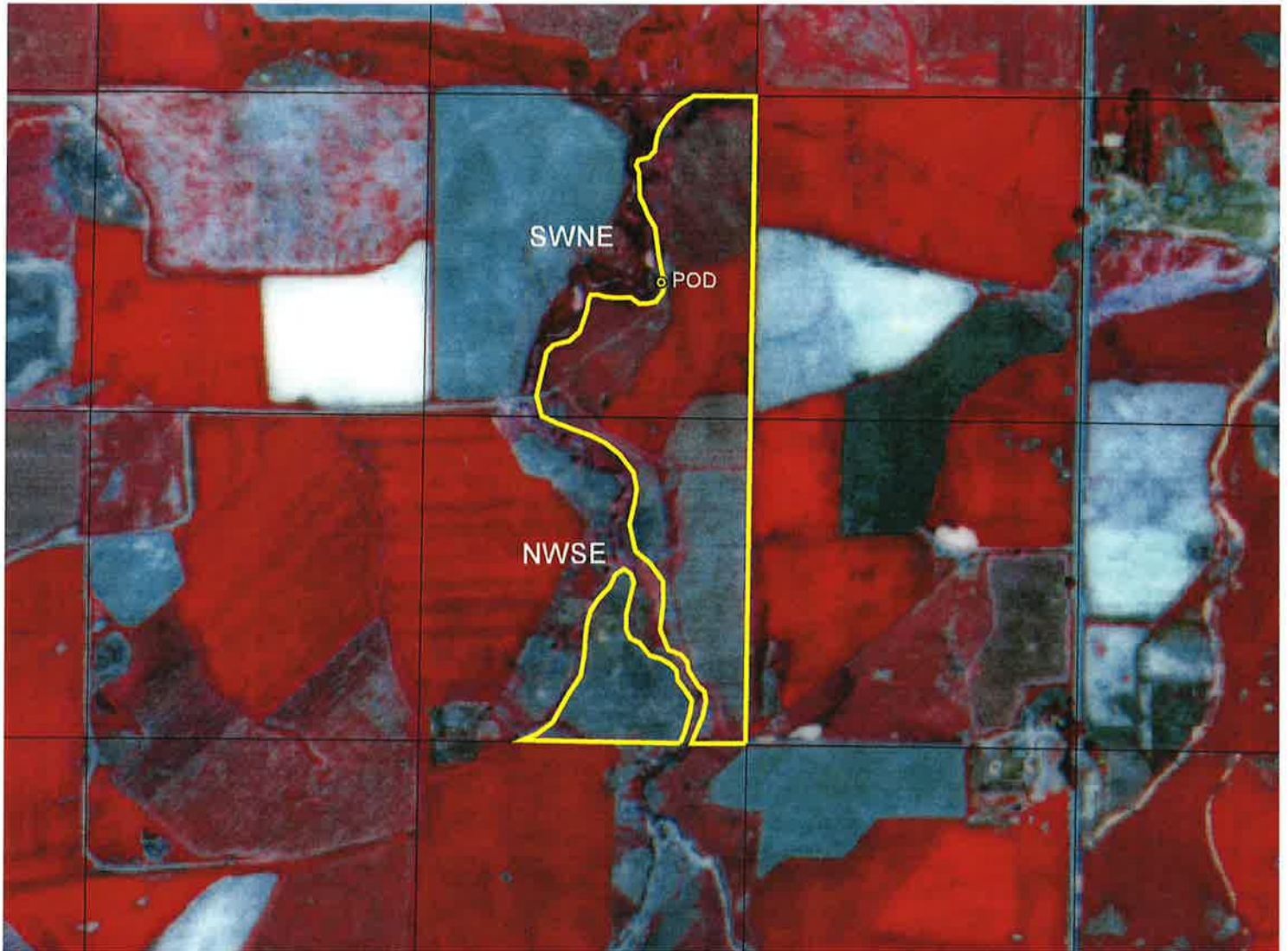
This right is subject to the Coulee 700 Ditch and Water Agreement as described in Instrument No. 105092, Ditch and Water Agreement, Dated September 9, 1954, Recorded July 3, 1956, 9:00 a.m., Book 5 Agreements Page 594, Lincoln County, Idaho.

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

37-4187

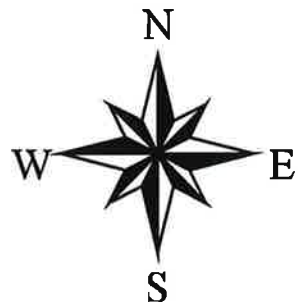


900 0 900 1800 Feet

A horizontal scale bar with four segments. The first segment is labeled '900', the second '0', the third '900', and the fourth '1800 Feet'. The bar is black with white markings.

T05S R16E S02

Map prepared by: Carter Fritschle
Date prepared: 01/17/03 - Revised 11/26/04
1987-1988 NAPP photography
Idaho Department of Water Resources



Contacts Data Entry Form

Claim Number 37-4187

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	RODDY L ADAMS	1956 WOOD RIVER RD	GOODING	ID	83330	(208)934-8193
Current Owner	CHERYL L ADAMS	1956 WOOD RIVER RD	GOODING	ID	83330	886-2072 (208)934-8193

Date of Field Exam: 9-24-04 Time: 9:30 AAccompanied By: Roddy & son Phone Number: 886-2072Relationship to Claimant: owner

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

from shoshone
4 mi North to Johnny's store - west to
650 Rd - north 3/4 white house green trim -
second house on east side



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

Date: 9-24-04

Point of Diversion and Source Data Entry Form

Claim Number 37-4187

Claimed Point of Diversion and Source

T05S R16E S2 SWNE Within LINCOLN County Source: WASTE WATER

T05S R16E S2 NWSE Within LINCOLN County Source: WASTE WATER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T05S R16E S2 SWNE Within LINCOLN County

T05S R16E S2 NWSE Within LINCOLN County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

waste Ditch 700 ditch

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
5S	16E	2			LINCOLN	WASTE FROM NEIGHBORS

Other rights from this POD? none

Document how the POD and Source were verified:

Roddy took me out in field to estimate Pod
as shown on color photo. See GPS

1- Roddy L Adams Adams 1 2457479 1313379 plate photo
A2013795 1030326

Reviewer: 

Date: 9-24-04

Place Of Use Data Entry Form

Claim Number 37-4187

Claimed Place Of Use

T05S R16E S02 SWNE 15.0 T05S R16E S02 NWSE 15.0
Total Acres 30

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T05S R16E S02 SWNE 15.0 T05S R16E S02 NWSE 15.0
Total Acres 30

100% OK

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
55	16E	2			Lincoln			Irrig- stock

Total Acres _____

Document how the POU was verified:

By reviewing yellow area on color photo - Roddy
said land appears OK

Reviewer: _____

Date: _____

9-24-04

Period of Use and Quantity Data Entry Form

Claim Number 37-4187

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/01 <i>seldom</i>	11/30 <i>very seldom</i>	3	<i>only on good yrs</i>
STOCKWATER	1/01	12/31	0.03	
Overall Diversion Rate 3		Overall Diversion Volume		<i>Past few yrs. none</i>

☐ 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	4/01	11/01	3	
STOCKWATER	1/01	12/31	0.03	
Overall Diversion Rate 3		Overall Diversion Volume		

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>VARIES greatly</i>				<i>he has pump rated to only what he is entitled</i>

Overall Diversion Rate _____ Overall Diversion Volume _____

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

As per Roddy the rates & volumes is little and with the new methods of irrigation the waste water will be gone - during the past 5 years he has had very little water and for a very short time

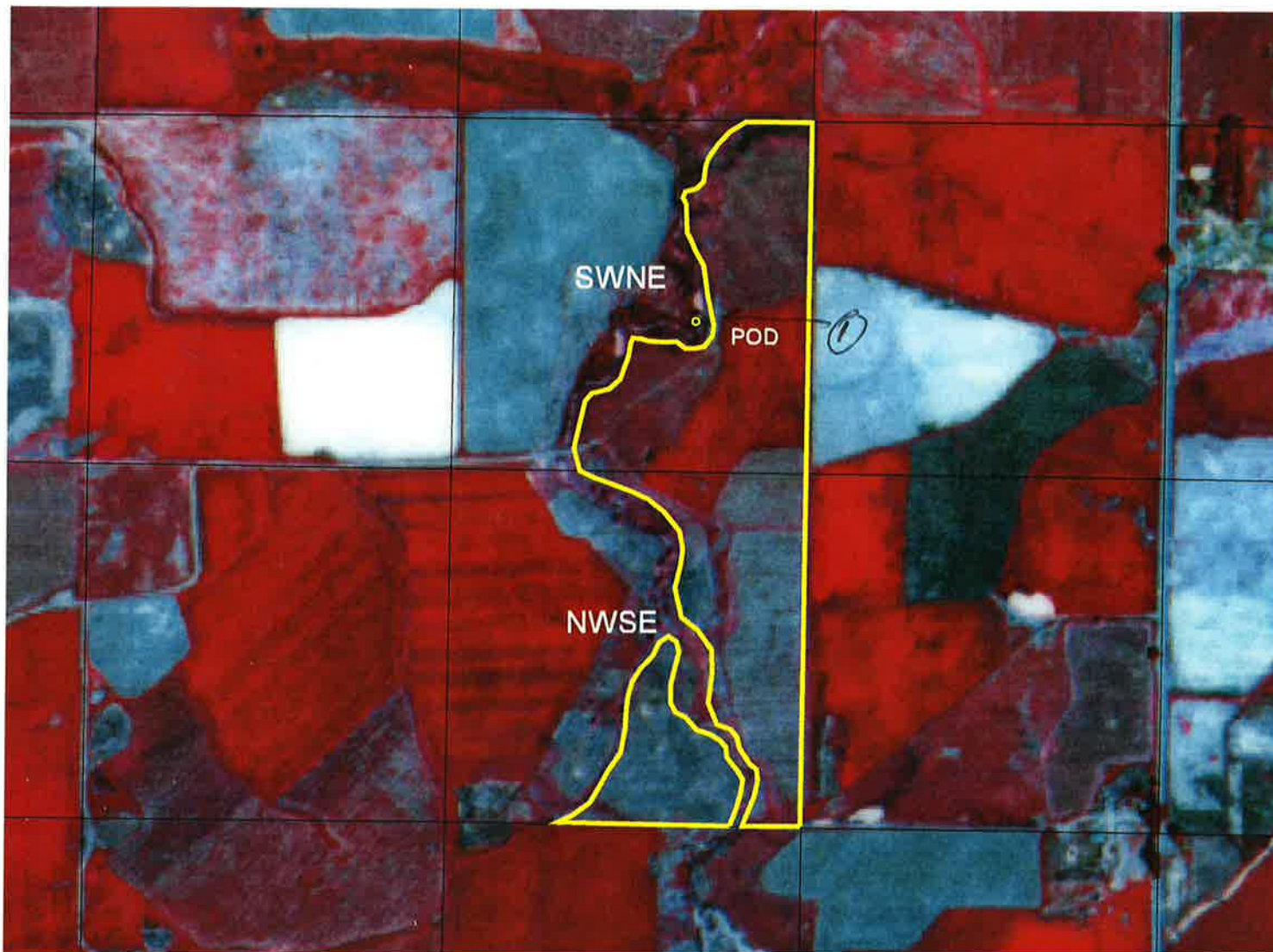
Reviewer: _____

Date: *9-24-04*

Handwritten notes:
37-4187
1/17/03

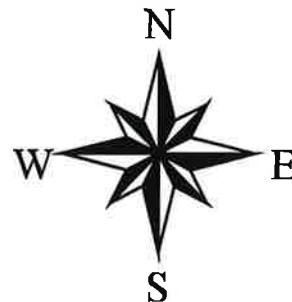
37-4187

Handwritten mark: 1/17/03



T05S R16E S02

Map prepared by: Carter Fritschle
Date prepared: 01/17/03
1987-1988 NAPP photography
Idaho Department of Water Resources



NAME CHANGE

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: A37-04187
Date Received: 7/11/1988
Receipt No: N000462
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: RODDY L. ADAMS 208-934-8193
Address: 1956 WOOD RIVER ROAD
GOODING, ID 83330

Name: CHERYL L. ADAMS 208-934-8193
Address: 1956 WOOD RIVER ROAD
GOODING, ID 83330

2. Date of Priority: APR 01, 1941

3. Source: WASTE WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	2	SW	NE			LINCOLN
			NW	SE			LINCOLN

5. Description of diverting works:
PUMP, DITCHES, CHECK DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/30	3.000		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	16E	2	SW	NE		IRR	15.0
			NW	SE		IRR	15.0
Section Acres							30.0
Total Acres							30.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 2/13/1990.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

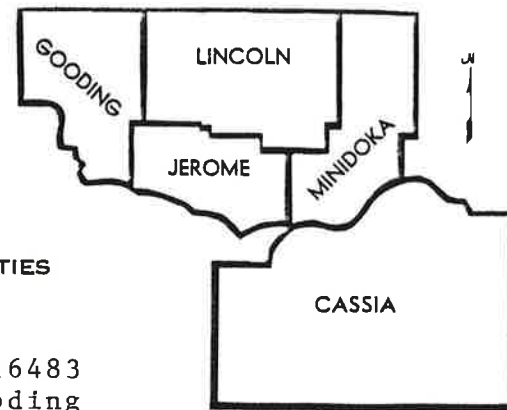
Residing at _____
My Commission Expires _____

MICROFILMED
FEB 23 1993

Land Title and Escrow, Inc.

COMPLETE SERVICE

— 5 IDAHO COUNTIES



REFER TO: L-16483

OFFICE: Gooding

February 8, 1990

RECEIVED

FEB 12 1990

Department of Water Resources
Southern Region Office

Mrs. Lauri White
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83330

Dear Lauri:

Please find enclosed the following:

1. Change in Ownership of Notice of Claim
2. Recorded Memorandum of Real Estate Contract

Please notify Mr. and Mrs. Adams directly that change of ownership has been completed.

Thank you.

Sincerely,

Janet Gorrell
Manager-Gooding

Enclosures

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0806 - FAX 436-1199

MICROFILMED
FEB 23 1993

RECEIVED
FEB 12 1990
Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): A37-04186, A37-04187, A37-10486

[] Name and Address of
Former Claimant:

FARM CREDIT BANK OF SPOKANE

Farm Credit Services - Twin Falls

P.O. Box 288, Twin Falls, ID 83330

[] New Claimant(s): RODDY L. AND CHERYL L. ADAMS

[] New Mailing Address: 1956 Wood River Road

Gooding, Idaho 83330

RECEIVED

FEB 12 1990

Department of Water Resources
Southern Region Office

New Telephone Number: (208) 934 - 8193

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership

Describe proof attached: Recorded Memorandum of Contract

[] Signature of New Claimant(s):

Roddy L. Adams
Roddy L. Adams

Cheryl L. Adams
Cheryl L. Adams

Date: February 8, 1990

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: _____

Claim Numbers of Split, if any:

MICROFILMED
FEB 23 1993

COPY

RECEIVED

FEB 12 1990

Department of Water Resources
Southern Region OfficeMEMORANDUM OF REAL ESTATE CONTRACT

THIS MEMORANDUM is delivered to document that a Real Estate Contract was entered into effective February 8, 1990, under which FARM CREDIT BANK OF SPOKANE, successor by merger to The Federal Land Bank of Spokane, a corporation, sold to RODDY L. ADAMS and CHERYL L. ADAMS, husband and wife, whose address is 1956 Wood River Rd, Gooding, ID ⁸³³³⁰; the real property described on Exhibit "A" attached hereto.

DATED This 8th day of February, 1990.

FARM CREDIT BANK OF SPOKANE

153735

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of

David H. Wells

FEB 08 90

at 38 minutes past 11 a.m.
recorded by Brenda Davidson
12.00

By: Walter G. Wells

Position: Senior Loan Officer

Roddy L. Adams
RODDY L. ADAMS

Cheryl L. Adams
CHERYL L. ADAMS

STATE OF IDAHO

County of ~~Twin Falls~~ Gooding

)
) ss.
)

On this 8th day of February, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Walter G. Wells, known to me to be the Senior Loan Officer of the Farm Credit Bank of Spokane who executed the foregoing instrument on behalf of the said corporation, and acknowledged to me that such corporation executed the same.

MICROFILMED
FEB 23 1993

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Janet A. Correll

NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, Idaho
My commission expires: 2-28-1993

MICROFILMED
FEB 23 1993

EXHIBIT "A"

Township 5 South, Range 16, East of the Boise Meridian, Lincoln County, Idaho

Section 2: SW1/4; NW1/4SE1/4; SW1/4NE1/4;

Together with all tenements, hereditaments, and appurtenances thereunto belonging or any wise appertaining to the property, including all existing fixtures, and together with all water and water rights of every kind and description, however evidenced; subject to any and all easements, rights of way, or restrictions of record, and the exceptions, provisions, and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds of record.

MICROFILMED
FEB 23 1993

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: A37-04187

Date Received: 6/27/1988

Receipt No: N-462

Received By: AB

RECEIVED
SEP 20 1989

Department of Water Resources
Western Regional Office

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

1. Name: FARM CREDIT BANK OF SPOKANE
Address: BOX 288
TWIN FALLS, ID 83301

208-733-2577

2. Date of Priority: APR 01, 1941

3. Source: WASTE WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
05S	16E	2	SW	NE		
			NW	SE		

RECEIVED
JUL 11 1988
Department of Water Resources
Northern District
County
LINCOLN
LINCOLN

5. Description of diverting works:
PUMP, DITCHES, CHECK DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/30	3.000		
STOCKWATER	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	16E	2	SW	NE		IRR	15.0

A37-04187

Page 1

Date: 07/08/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	16E	2	NW SE		IRR	15.0

Section Acres 30.0

Total Acres 30.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert Sanders
Signature of Authorized Agent
Senior Engineer-Appraiser
Title and Organization
7/8/88
Date

State of ~~Idaho~~ WASHINGTON)
County of Spokane) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of July 19 88

Julie A. Brandt
Notary Public

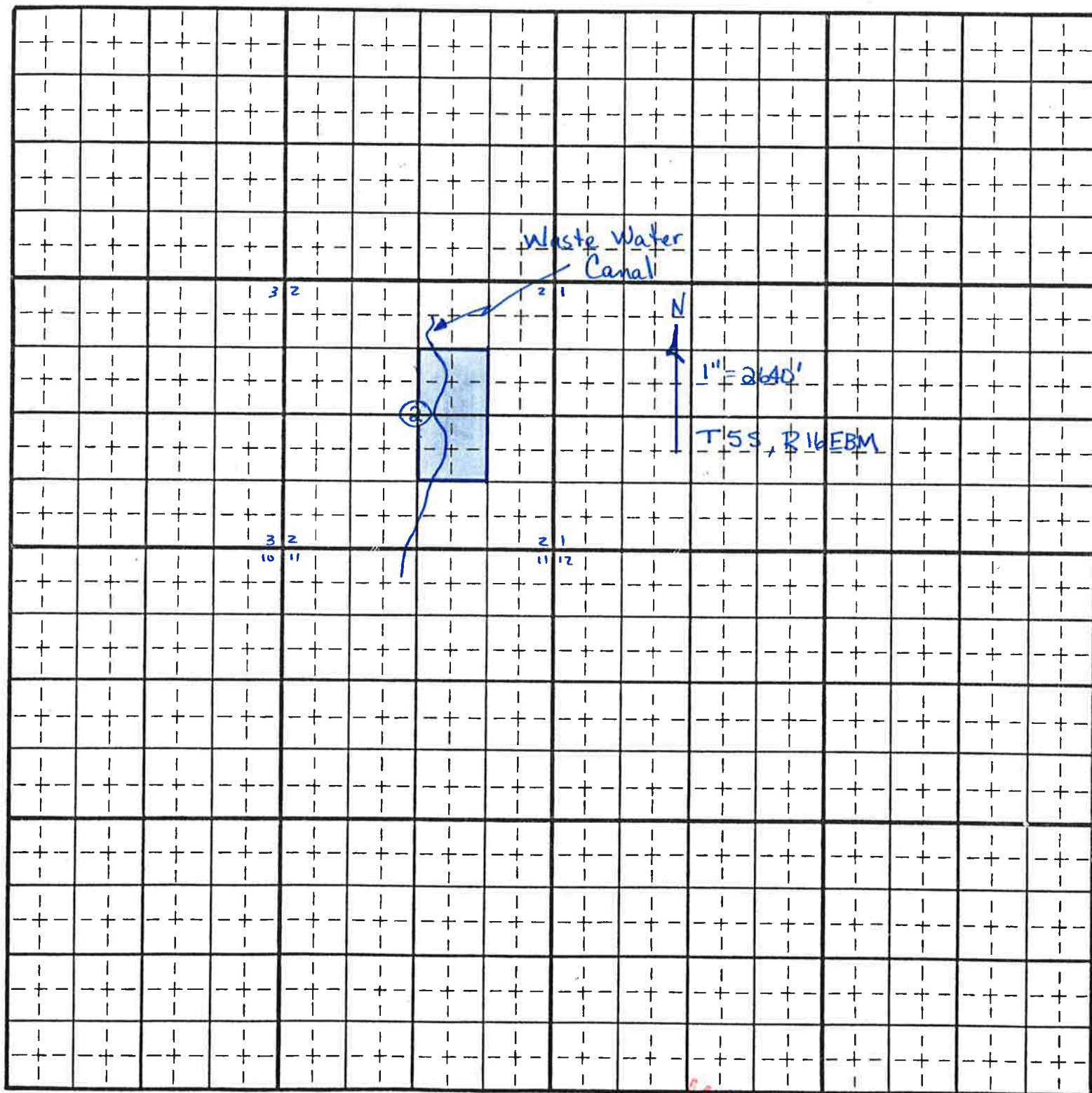
Seal



Residing at Spokane
My Commission Expires 11-15-91

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
FEB 23 1993

Last Name Farm Credit Bank of Ident No. Spokane
#37-4187

Copies: White-State, Yellow-Claimant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



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 Farrell J. Peterson &/or Lois L. Peterson
 Rt. 1, Box 90, Shoshone, Idaho (Name of Claimant)
 83352 Telephone No. 886-2691
 (Mailing Address) (Zip Code)

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: 1:1:1:1:1:1

(1) Date of priority: (When was the water first applied to a beneficial use) *April 1, 1941*

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)
700 Creek tributary to Big Wood River

(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)	
Quantity		Use		(Mo., Day)	(Mo., Day)
Quantity	<u>3.00 cfs</u>	Use	<u>Irrig.</u>	Period of Use From	<u>April 1</u> To <u>Nov. 1</u>
Quantity	<u>0.03 cfs</u>	Use	<u>Stock</u>	Period of Use From	<u>Jan. 1</u> To <u>Dec. 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 3.00 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

Pump → (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 2 Twp. 5S, Rge. 16E. B.M., County of Lincoln

Additional points of diversion:

Ditch NW 1/4 SE 1/4 Sec. 2, T.5S., R.16E., B.M.

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. *7 1/2 H.P. Pump delivering to gravity ditches*

(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.

[illegible]

No. of acres 30

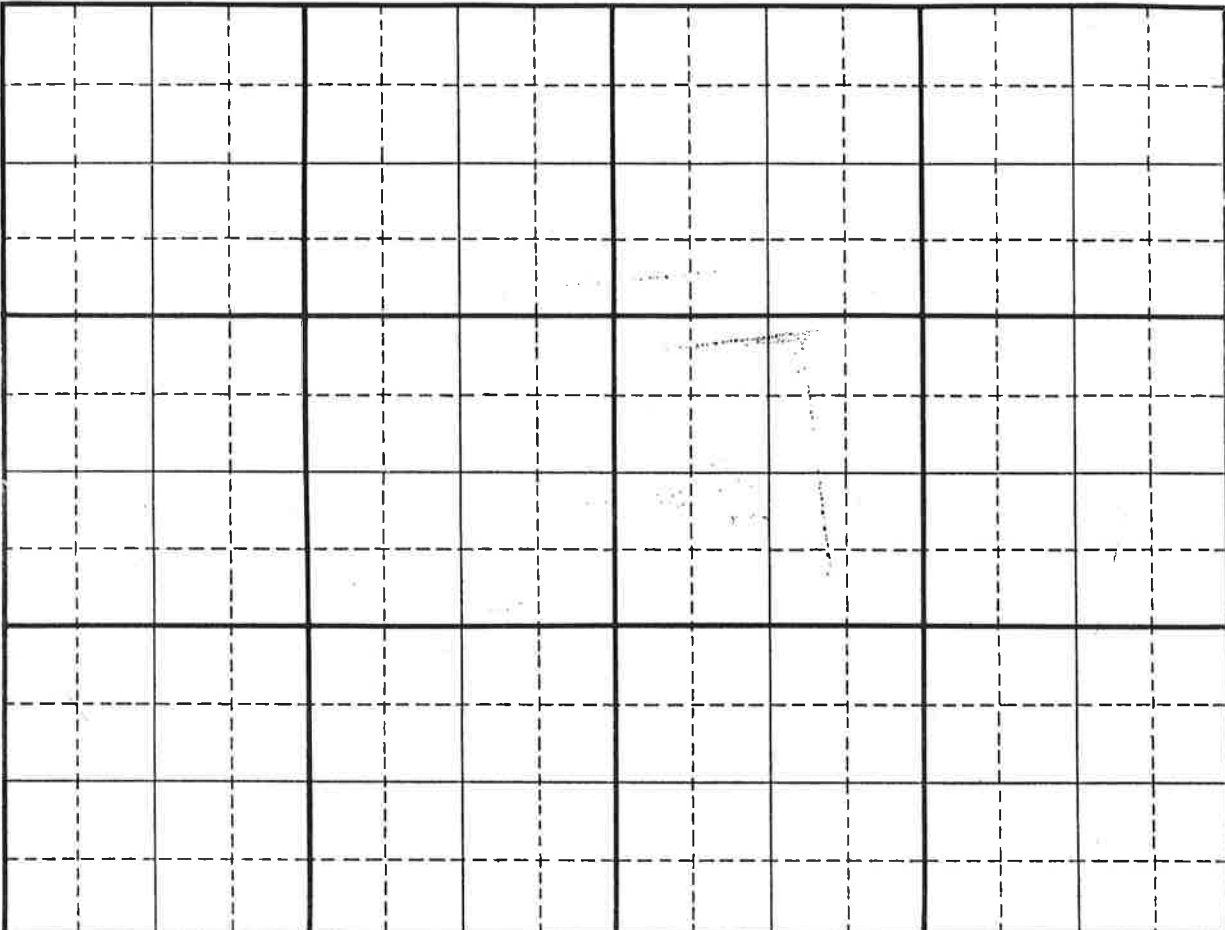
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Cattle drink from ditches & creek.

NOTE: Include here the type and number of stock watered: 100 Hd. Range Cattle

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

FEB 26 1988

(8) Remarks See attached Ditch & Water Agreement about
water use of 700 Creek. This claim records a
portion of the use of the second parties referred to
in the agreement.



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 Twin Falls) 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.

[Signature]
(Claimant)

Sworn to before me this 19 day of August, 19 81.

MICROFILMED

Mary A. Hill
Notary Public
Residing at Twin Falls, id 83301

My commission expires life **FEB 26 1988**

FOR DEPARTMENT USE ONLY

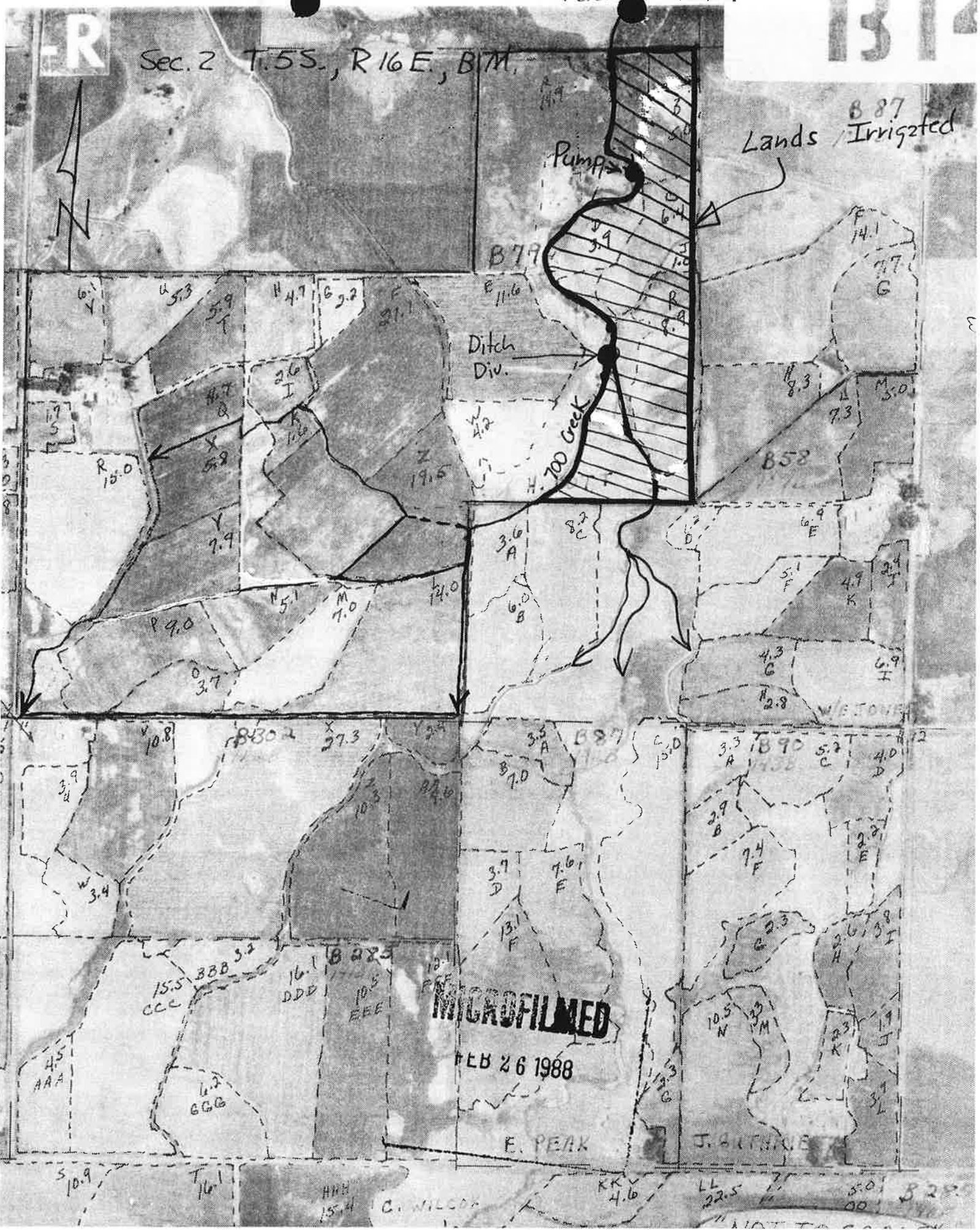
Received by ADM Date 8/19/81 Excepted filed by: _____ Date _____
Prelim. check by TGB Date 8/19/81 claimant by: _____
\$20.00 fee received by mary Date 8/19/81
Published in Glendale County Journal
Dates 8/27 + 9/3/81

Peterson Claim

1314

R

Sec. 2 T. 55., R. 16 E., B. 1 M.



MICROFILMED

FEB 26 1988

E. PEAK

J. G. L. FINE

C. WILSON

B 22

Big Wood Canal Company

P.O. BOX C

SHOSHONE, IDAHO 83352

RECEIVED

OCT 15 1981

October 12, 1981

Department of Water Resources
Southern District Office

RECEIVED

OCT 16 1981

Department of Water Resources

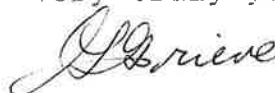
Loren O. Holmes
Southern Region Supervisor
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Id 83301

RE: Claim No. 37-4196
and No. 37-4187

Dear Loren;

The Petersons were in the office a while back to see about the Big Wood Canal Company's protest on their application. After consultation, we determined that their application will in no way effect any of our delivery system. I, therefore withdraw the company's protest.

Very truly yours,



J. L. Grieve, Mgr.

JLG/ds

MICROFILMED

FEB 26 1988

Big Wood Canal Company

P.O. BOX C

SHOSHONE, IDAHO 83352

RECEIVED

September 17, 1981

SEP 20 1981

Department of Water Resources
Southern District Office

Mr. Loren Holmes
Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

RE: Permit Application
37-4186 and 37-4187

Dear Sirs:

The Big Wood Canal Company protests the application for permit by Lois and Farrell Peterson for water from 700 Creek or 700 Wasteway because the company has live water flowing by ditch across the wasteway. This protest is to make provisions for no interference by the Petersons.

Very truly yours,



J. L. Grieve, Mgr.

JLG/ds

MICROFILMED

FEB 26 1988

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AUG 24 1981

August 19, 1981

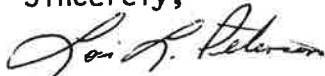
Department of Water Resources

Director of Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

Please find enclosed a copy of the water and ditch agreement to the use of the waters of 700 Creek. This agreement pertains to the use of the waters of 700 Creek and bears directly on any determination of the uses of these waters. I request that this agreement be included in the records of claims 37-4079, 37-4081, 37-4088 and any future claims which may be filed to the waters of 700 Creek.

Sincerely,



Lois L. Peterson
Rt. 1 Box 90
Shoshone, Idaho 83352

37-4237 - claimed SRBA
37-4088 - not claimed SRBA
37-4186 - claimed SRBA
37-4187 - claimed SRBA
37-2521 - not claimed SRBA
37-4081 - claimed SRBA
37-4079 - not claimed SRBA