

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

RECEIVED

SEP 12 1988

Ident. Number: A37-00774B

Date Received: 9/08/1988

Receipt No: 5002327

Received By: SA ADn

Department of Water Resources
Southern Region Office
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELWYN STYHL 208-823-4516
Address: 407 AUSTIN RD.
CAREY, ID 83320

2. Date of Priority: AUG 18, 1905

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	22E	33	SE	NE	SE		BLAINE

5. Description of diverting works:
CONCRETE DAM AT FISH CREEK, VIA HIGHLINE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.340		

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

8. Total consumptive use is 190.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	22E	8	NE	NW		IRR	36.0
			SE	NW		IRR	40.0
Section Acres							76.0

A37-00774B

Page 1

Date: 09/08/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Total Acres 76.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

POTTER, ET. AL.
Decree Plaintiff

vs

PATTERSON, ET.AL.
Decree Defendant

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): Elwyn P. Styke Date: 9-12-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 13th day

of Sept. 19 88

Barbara L. Murphy
Notary Public

Seal

Residing at Cary
My Commission Expires April 1992

RECEIVED

04/12/2005

APR 26 2005

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 3, 2005

Water right number: 37-774B

ELWYN STYHL
407 AUSTIN RD
CAREY ID 83320
Telephone Number: (208)823-4516

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 04-21-05

SIGNATURE:

Elwyn Stylhl
Please print your name: ELWYN P Stylhl

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

03/08/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-774B

NAME AND ADDRESS: ELWYN STYHL
407 AUSTIN RD
CAREY ID 83320

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.340 CFS

PRIORITY DATE: 08/18/1905

POINT OF DIVERSION:

T01N R22E S33 SENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.340 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R22E S08	NENW 36.0	T01S R22E S08	SENW 40.0
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76 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: Decreed

WATER IS DELIVERED THROUGH HIGHLINE CANAL.

37-774B

12/24/03
sec

Confirm w/ WM of the Q and split.

(POU & POD are okay!) ✓ WM confirms split Q.

3/5/04
sec

POD: Highline CANAL

TIN R22E S33
SE/NESE

3/5/04
sec

12-31-03

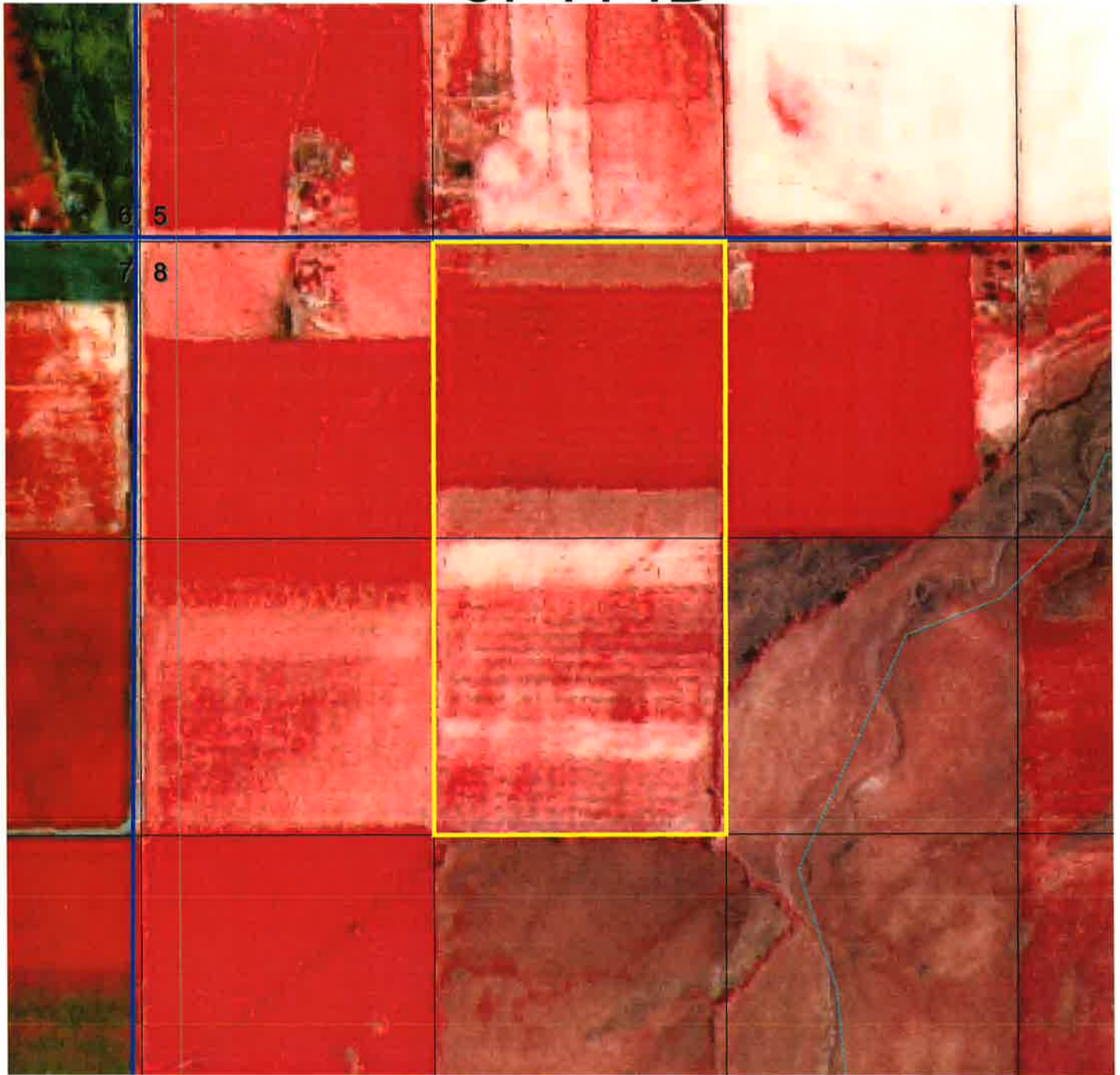
By and confirmed by Doug Surerus - Board of
Director for Fish Cr. Canal

Ch- Photo in Edith file to observe POD 704,
from Fish Cr Canal and piped thru Edith &
Elwyn property for delivery of their water.
Doug agreed on land farmed - acreage
and place of use and water for this
80 acres

(EXAM by Lee Peterson)

IDAHO DEPT OF WATER RESOURCES

37-774B



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S
RNG: 22E
SEC: 8



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: MARCH 8, 2004

6

5

7

8

T1S
R22E

37-774B

12/5/02
sec

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-774WATER RIGHT NUMBER: **37-774**

Owner Type Name and Address
 Current Owner ARTHUR E PETERSON
 2017 NE 68TH ST
 VANCOUVER, WA 98665

Priority Date: 08/18/1905

Basis: Decreed

Status: Active

Source Tributary
 FISH CREEK LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.600 CFS	
	<u>Total Diversion:</u>	2.600 CFS	

Location of Point(s) of Diversion

FISH CREEK

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	
01S	22E	5																	
01S	22E	8					X												

Handwritten notes: Two circles with 'X' inside, each with an arrow pointing to the word "claimed" and "POU" written below.

Conditions of Approval:Remarks:

1. General AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-774

Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1914
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