

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: A37-00337A
Date Received: 9/08/1988
Receipt No: 5002104
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON R. ATKINSON 208-788-2556
Address: P.O. BOX 190
KETCHUM, ID 83340

AND/OR
Name: JUDY H. ATKINSON 208-788-2556
Address: P.O. BOX 190
KETCHUM, ID 83340

2. Date of Priority: JUN 01, 1887

3. Source: BIG WOOD RIVER, EAST FORK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	18E	8	NW	SE	SE		BLAINE

5. Description of diverting works:
5 H.P. CENTRIFIGAL PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

RECORDED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	8	NE	SE		IRR	3.0
			SE	SE		IRR	1.0
					Section Acres		4.0
					Total Acres		4.0

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:

PENDING APPLIC. FOR GROUNDWATER FOR PORTION OF THESE LANDS.

14. Remarks:

P/D ON LOT 66 WILLOWOOD SUBD. P/U LOTS 66 & 65 WILLOWOOD SUBD. & LOT 6 BLK. 2 OF EAST FORK SUBD. THIS CLAIM IS BASED ON A PORTION OF OLD DECREE 37-0337.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

NOTED
FEB 7 1989

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: 3

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): Don R. [Signature] Date: 9/8/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of Sept. 19 88 [Signature]
Notary Public

Seal

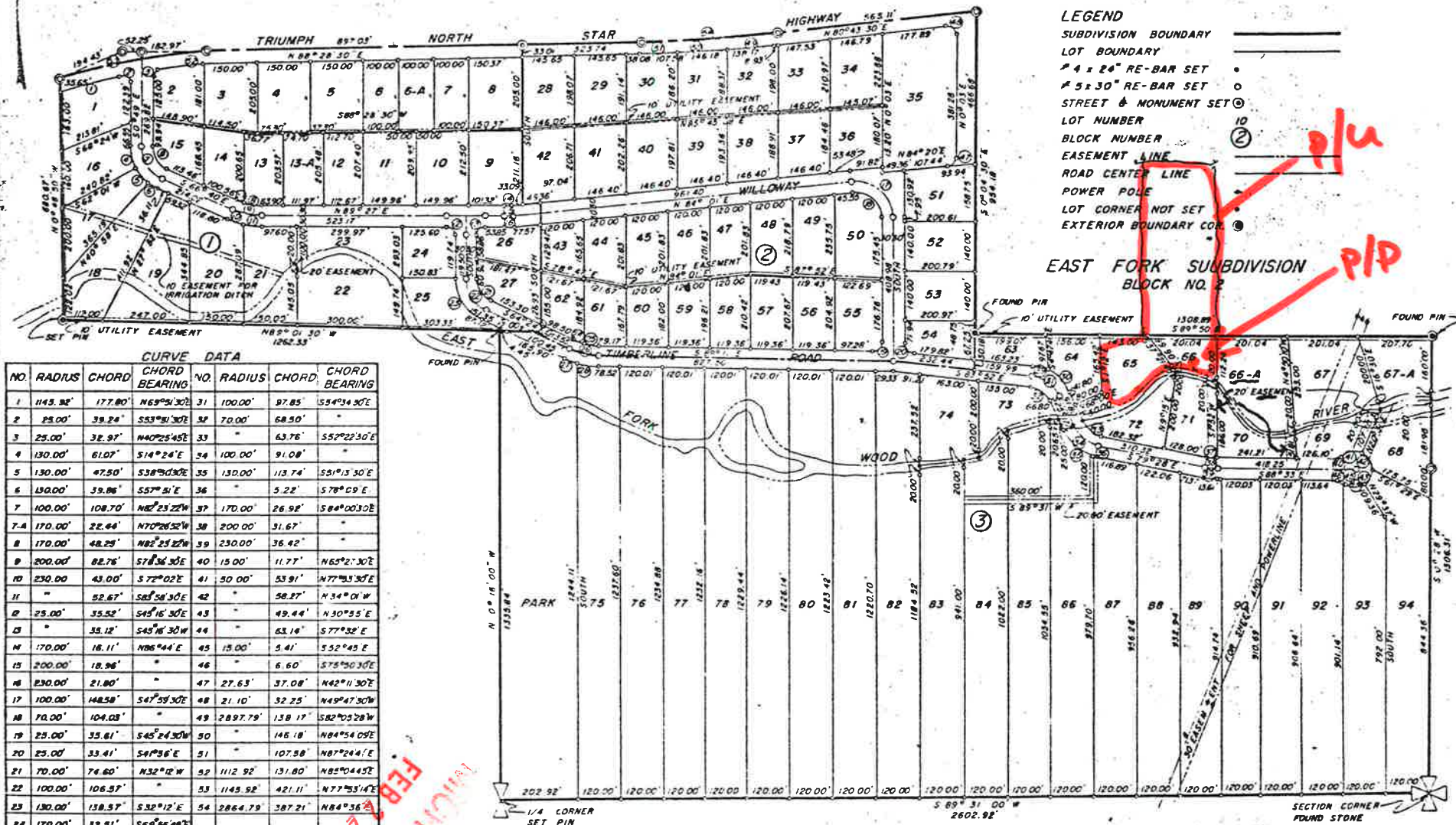
Residing at Kila Beryl, Idaho
My Commission Expires 6/30/94

MICROFILMED
FEB 22 1993

WILLOWOOD SUBDIVISION

SE⁴ SE⁴, SW⁴ SE⁴, & PART OF
NE⁴ SW⁴, & NW⁴ SE⁴
SECTION 8, T.3N., R.18E., B.M.
BLAINE COUNTY, IDAHO

SCALE: 1" = 200'

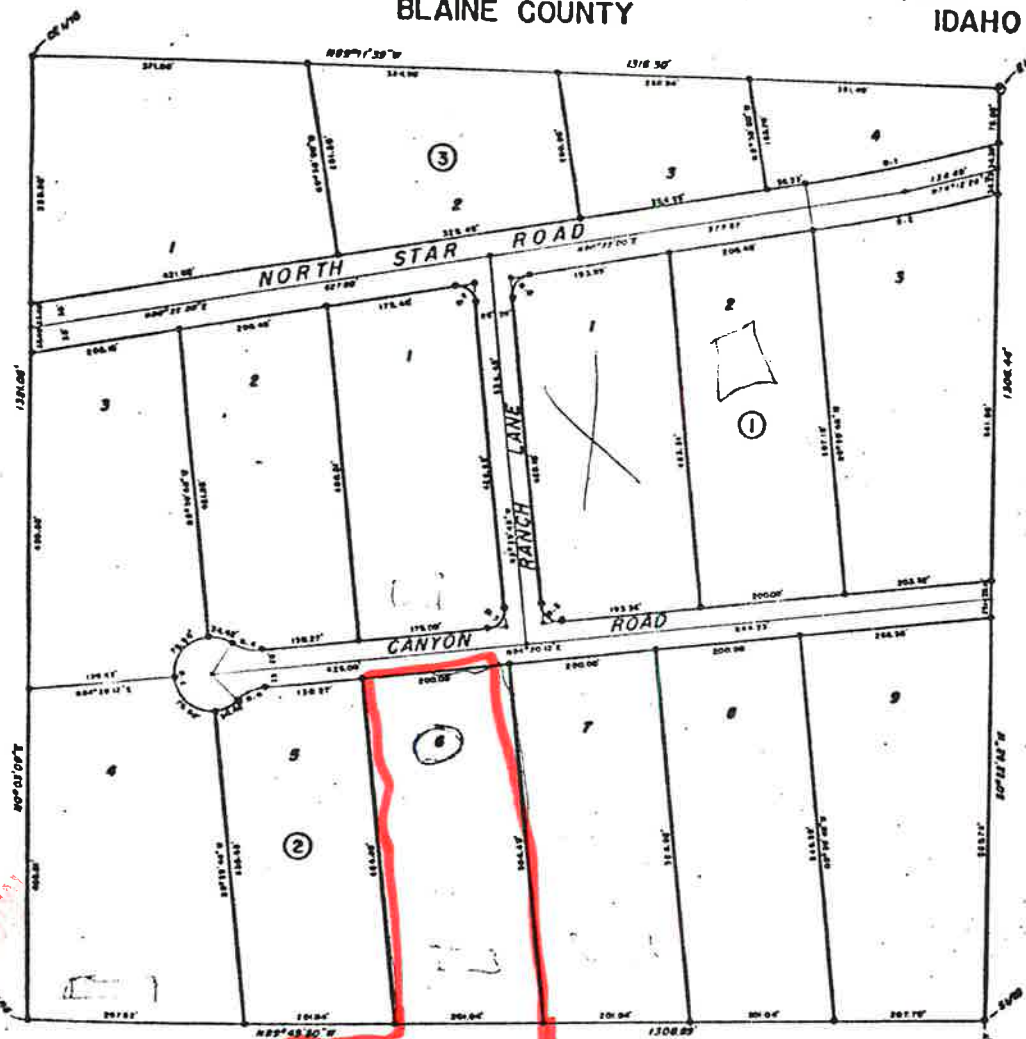


SAWTOOTH TITLE CO., INC.

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

EAST FORK SUBDIVISION

NE1/4, SE1/4, SEC. 8, T3N, R18E, B.M.
BLAINE COUNTY IDAHO



SCALE: 1"=100'

CURVE DATA

CURVE	Δ	D	S	SE
C-1	47°22'45"	244.24	127.62	274.66
C-2	57°55'33"	251.24	125.62	252.55
C-3	50°00'00"	22.20	11.10	22.20
C-4	50°00'00"	19.74	9.87	19.74
C-5	50°00'00"	10.00	5.00	10.00
C-6	50°00'00"	26.70	13.35	26.70
C-7	57°55'33"	25.22	12.61	25.22

LEGEND

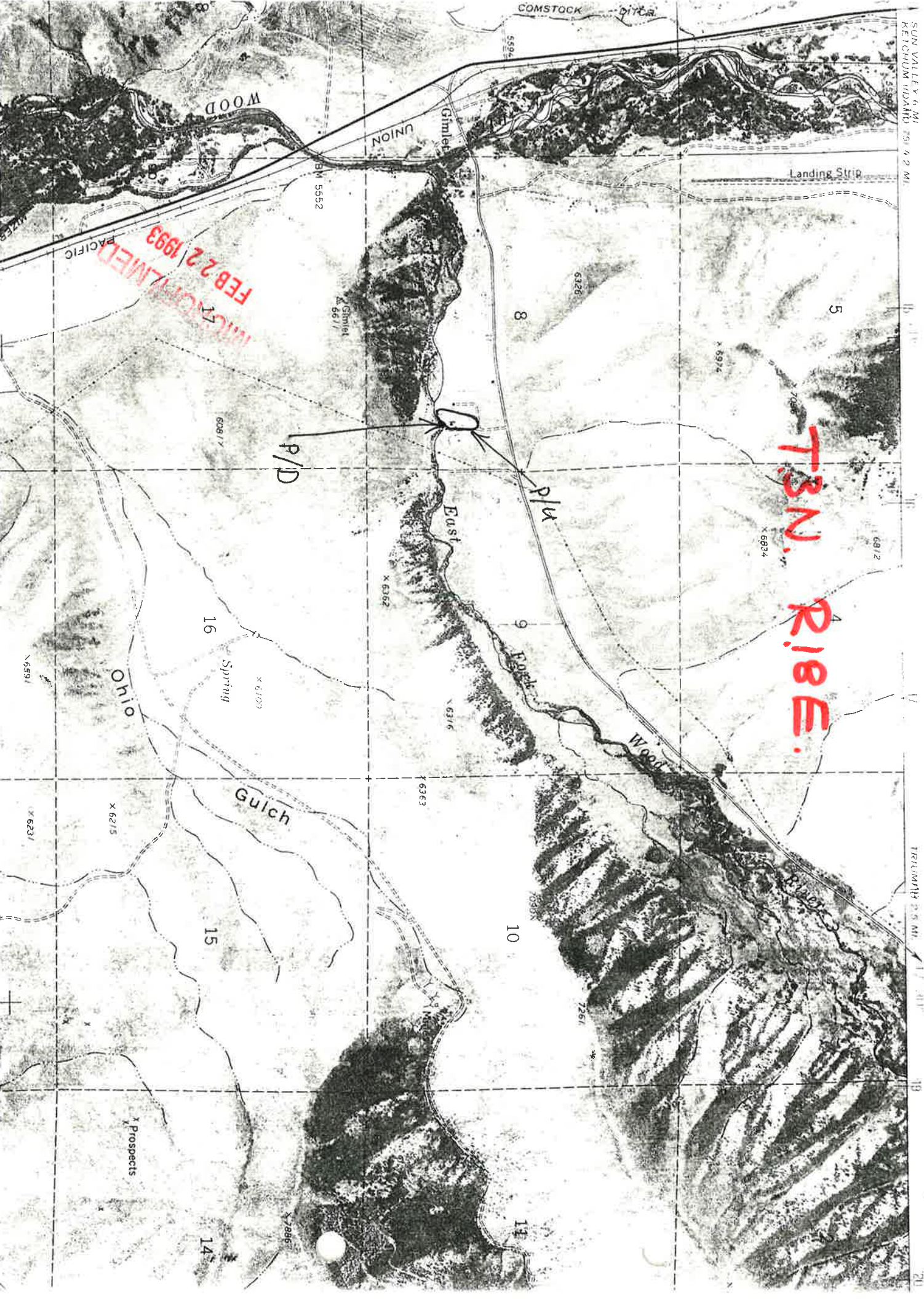
- 1/2" 8 x 24" Rebars set.
- 5/8" 8 x 30" Rebars set.
- Stones that were found.

Prepared by:

JAMES A. PATTERSON
Consulting Engineer
SUN VALLEY IDAHO

SEC 8 SEC 9
SEC 17 SEC 18

FEB 22 1993



TSN. RIBE.

MICROFILMED
FEB 2 1993

P/D

P/U

East Fork

Gulch

Ohio

Landing Strip

COMSTOCK DITCH

BM 5552

BM 5552

Spring

Prospects

SUN VALLEY 6 MI
KETCHUM 10.4 MI

TRAIL 0.5 MI

11/17/2006

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

RIGHT NUMBER: 37-337A
NAME AND ADDRESS: DON R ATKINSON
PO BOX 190
KETCHUM ID 83340

JUDY H ATKINSON
PO BOX 190
KETCHUM ID 83340

SOURCE: EAST FORK WOOD RIVER TRIBUTARY: BIG WOOD RIVER
QUANTITY: 0.120 CFS
PRIORITY DATE: 06/01/1887
POINT OF DIVERSION:

T03N R18E S8 NWSESE 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	0.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S08	NESE	2.90	T03N R18E S08	SESE	0.70
---------------	------	------	---------------	------	------

3.6 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 - Decreed

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

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

P/D ON LOT 66 WILLOWOOD SUBD. P/U LOTS 66 & 65 WILLOWOOD SUBD.
& LOT 6 BLK. 2 OF EAST FORK SUBD. THIS CLAIM IS BASED ON A
PORTION OF OLD DECREE 37-337.



Idaho Department of Water Resources

SRBA Recommendation:

37-337A

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by C. Clark
On Friday, November 17, 2006
1987/88 Aerial Photography

11/17/2006

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

RIGHT NUMBER: 37-337A

NAME AND ADDRESS: DON R ATKINSON
PO BOX 190
KETCHUM ID 83340

JUDY H ATKINSON
PO BOX 190
KETCHUM ID 83340

SOURCE: EAST FORK WOOD RIVER

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

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PERIOD OF USE:

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Idaho Department of Water Resources

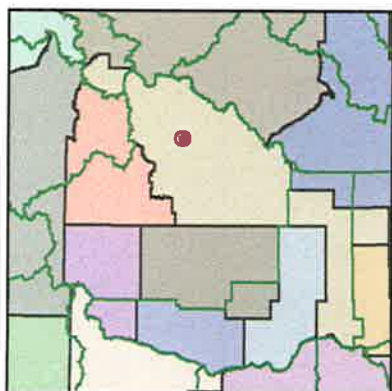
SRBA Recommendation:

37-337A

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by C. Clark
On Friday, November 17, 2006
1987/88 Aerial Photography

MEMORANDUM

To: Claim files 37-337A

From: Cynthia Bridge Clark

Date: November 12, 2006

Re: SRBA Claim Review notes

Ownership/Contacts

Claimant matches available tax lot information. No ownership changes filed.

Basis of claims

- Decree: Frost decree, 37-337 260 inches (5.2 cfs), 160 acres (1.63 in/ac)
- Claim received 9/8/1988

Priority Date

- Decree: 6/1/1887
- Evidence of Priority: Decree (claimed)

POD

- WM Records: Claimant's name, 37-337, 6/1/1887, 0.2 cfs
- Claimed POD: No POD in decree. Claimed POD on POU and claimants property.
- Location verification: Digitized based on maps provided in claim file.

Source

- Notes: East Fork Wood River runs adjacent to property.

POU

- Tax lot Information: POU includes three lots-East Fork Subdivision (Lot 6, Blk 2, 2.3 ac.), Willowood Subdivision (Parcel A, unbuildable, 0.5 ac.), Willowood Sub. (amended Lot 64A, Blk 3 or 65 and 66 on map provided with claim, 1.3 ac.). Claimant owns all lots.
- POU Overlap: Overlap 37-8396 for 2.0 acres irrigation (see license and water right file for field exam information), 37-11273 for domestic use.
- Available information/imagery:
 - DOQQ 92, NAIP 1987, SUNV NAIP 2004
 - Not available: 57-77, NAIP 2006.
- Notes:
 - Claimed acres in the NESE and SESE section 8, T03N, R18E. The decree did not authorize irrigation in the SESE. An accomplished transfer of 0.7 acres recognized.
 - In 1987 the house and tennis court were in place. Based on available imagery, these account for approximately 0.4 acres. Only a total of 3.6 acres recommended for irrigation.
 - Irrigation should be limited to 3.6 when combined with 37-8396 and 37-11273.

Water Use

- Notes: Recommend as claimed.

Period of Use

- Standard season: 4/15 to 10/31
- License or Decree: None
- Claim: 4/1 to 11/1
- Recommendation: 4/15 to 10/31

Quantity

- Decreed rate: 1.63 in/ac (260 in/160ac)
- Claimed rate: 0.2 cfs (2.5 in/ac, 0.2 cfs recognized on WM records)
- Recommended: 0.12 cfs (1.63in/ac x 3.6 ac x 0.2 cfs/in)

04/01/04

BIG WOOD ABOVE MAGIC DECREE BOOK

DIVER NO	R	DIVER NAME	OWNER	ST_ID	DECREE TO	PRIOR DATE	CFS	OWNER CFS	CANAL CFS
15-P	D	ATKIN	DON ATKINSON	37-0337	Q.S.IVIE	06 / 01 / 1887	0.20	0.20	0.20

WATERMASTER RPT

FEDERATION

37 0326	Hunter, John W.	20 inches.	Nov. 1, 1882.	Little Wood River.
37 0327	" "	110 "	TE May 15, 1884.	" " "
37 0328	" "	30 "	90 Apr. 1, 1885.	" " "
37 0329	" "	100 "	116 May 15, 1886.	" " "
37 0330	" "			
37 0331	Idaho Electric Supply Company	14000	1264 June 1, 1889.	(Also shares in Big Cottonwood Canal Co.)
37 0332	Idaho Consolidated Mines Company	50	140 July 1, 1887.	Big Wood River. (For power purposes.)
37 0333	Iden, G. H.	80	177 Nov. 1, 1889.	Big Wood River.
37 0334	Ireland, Adam	300	164 June 30, 1884.	Silver Creek.
	Ireland, Adam, and Fred. W. Fator			Big Wood River. 589-721
37 0335	Ivers, Thomas C.	150	21 May 15, 1882.	(See Fator, Fred. W., and Adam Ireland.)
37 0336	" "	50	215 May 15, 1895.	Big Wood River.
37 0337	Ivie, A. B.	260	176 June 1, 1887.	" " "
37 0338	Ivie, John A.	105	251 May 1, 1900.	East Fork of Big Wood River.
37 0339	Jeffers, Benjamin F.	150	147 May 1, 1888.	Big Wood River.
37 0340	" "	75	259 May 9, 1901.	Soldier Creek.
37 0341	Jenkins, Mrs. Emily	25	48 May 29, 1883.	" " "
37 0342	" "	75	14 Nov. 20, 1883.	" " "
37 0343	Johnson, Andrew	240	162 May 1, 1889.	Dyer Creek, a tributary of Upper Malad.
37 0344	Johnson, C. P.	230	38 Apr. 6, 1883.	Little Wood River.
37 0345	" "	60	127 Apr. 1, 1887.	" " "
	" "			
37 0346	Johnson, George F.	150	120 June 15, 1886.	(Also shares in Big Cottonwood Canal Co.)
37 0347	" "	10	143 June 1, 1892.	Soldier Creek.
37 0348	Johnson, H. P.	40	145 Apr. 1, 1888.	" "
37 0349	" "	80	173 Apr. 1, 1890.	Mallett Branch of Silver Creek.
	" "			Mallett Branch of Silver Creek.

327.74

End of 14- Jul 3

JUN 04 1896

to the NW corner of the SW 1/4 of the SE 1/4 of Sec. 26, T. 2 N., R. 18 E., thence East, along the North line of said quarter section, to the verge of the bank of Wood River, thence Southerly, along said verge, to the North side of the Bellevue and Broadford road, thence Westerly, along said road, to the place of ~~xxx~~ beginning, containing 25 acres.

Iden, C. H.

SW 1/4 of NW 1/4 and NW 1/4 of SW 1/4 of Sec. 26, T. 1 S., R. 20 E., containing 80 acres.

Ifland, Adam

E 1/2 of NE 1/4, E 1/2 of SW 1/4, and the NE 1/4 of Sec. 35, T. 1 N., R. 18 E.

Ifland, Adam, and
Fred. W. Fator

(See Finding No. 17.)

Ivers, Thomas C.

S 1/2 of SE 1/4 and S 1/2 of SW 1/4 of Sec. 2, T. 1 S., R. 18 E.

Ivie, A. S.

SE 1/4 of NW 1/4 and N 1/2 of SW 1/4 of Sec. 9, and NE 1/4 of SE 1/4 of Sec. 8, T. 3 N., R. 18 E., containing 160 acres.

Ivie, John A.

W 1/2 of SE 1/4 and NE 1/4 of SW 1/4 of Sec. 7, T. 5 S., R. 17 E., containing 120 acres.

Jeffers, Benjamin F.

NE 1/4 of Sec. 11 and SE 1/4 of Sec. 11, T. 1 S., R. 14 E., containing 320 acres.

Jenkins, Mrs. Emily

SW 1/4 of Sec. 33, T. 1 N., R. 14 E., containing 160 acres.

Johnson, Andrew

SE 1/4 of Sec. 32 and W 1/2 of SW 1/4 of Sec. 33, T. 1 S., R. 11 E., containing 240 acres.

Johnson, C. P.

NE 1/4 of SE 1/4 of Sec. 30, NW 1/4 of SW 1/4 and S 1/2 of SW 1/4 of Sec. 29, T. 5 S., R. 17 E., containing 160 acres. Also. SE 1/4 of SW 1/4 and S 1/2 of SE 1/4 of Sec. 30, and NE 1/4 of NE 1/4 of Sec. 31, T. 5 S., R. 17 E. Also,

RECORDED
JUN 04 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-337

WATER RIGHT NUMBER: 37-337

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	A S IVIE
	, ZZ

Priority Date: 06/01/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EAST FORK WOOD RIVER	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	5.200 CFS	
	<u>Total Diversion:</u>	5.200 CFS	

Location of Point(s) of Diversion

EAST FORK WOOD RIVER	SW1/4SW1/4	Sec. 3,	Twp 03N,	Rge 18E, 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	
03N	18E	8													X				
03N	18E	9							X	X	X								

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.

Dates and Other Information:

Licensed Date:
 Decreed Date: 12/13/1909
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number: 37
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant: Alturas Water Co, et al
 Decree Plaintiff: S C Frost, et al
 Civil Case Number:
 Judicial District: Fourth District
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed: