

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 **37-561A**
Date Received: 6/17/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

DENNIS G STEWART

Phone: (208)824-4062

20120 HWY 93
CAREY ID USA 83320

CAROLYN STEWART

Phone:

20120 HWY 93
CAREY ID USA 83320

2. Date of Priority: 05/02/1884

3. Source: LITTLE WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	21E	30	NW SW SE	BLAINE	

5. Description of diverting works:

CEMENT CHECK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	11/01	1.3	

7. Total Quantity Appropriated is:
1.3 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
02S	21E	3	SW	SW	IRRIGATION	29.2
					Section Acres	29.2
02S	21E	10	NW	NW	IRRIGATION	24.7
			SW	NW	IRRIGATION	27.8
			SE	NW	IRRIGATION	3
					Section Acres	55.5
					Total Acres	84.7

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:

14. Remarks:

LITTLE WOOD RIVER RESERVOIR CO CONTROLS WATER. CLAIMANT PAYS CANAL CO SHARES FOR THAT WATER. THIS DECREE IS AN ADDITION TO RESERVOIR WATER.

15. Basis of Claim: Decreed

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: A37-00561
Date Received: 9/19/1988
Receipt No: S002277
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS G. STEWART 208-823-4403
Address: P.O. BOX 254
CAREY, ID 83320

AND/OR

Name: CAROLYN STEWART 208-823-4403
Address: P.O. BOX 254
CAREY, ID 83320

2. Date of Priority: MAY 02, 1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	21E	30	NW	SW	SE		BLAINE

5. Description of diverting works:
CEMENT CHECK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	1.300		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	21E	3	SW	SW		IRR	29.2
						Section Acres	29.2
		10	NW	NW		IRR	24.7
			SW	NW		IRR	27.8
			SE	NW		IRR	3.0
						Section Acres	55.5
						Total Acres	84.7

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:
A37-00032A

14. Remarks:

LITTLE WOOD RIVER RESERVOIR CO CONTROLS WATER. CLAIMANT PAYS CANAL CO SHARES FOR THAT WATER. THIS DECREE IS AN ADDITION TO RESERVOIR WATER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

MICROFILMED
FEB 23 1993

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: 1

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): *Sumner S. Stewart* Date: 9-19-88

Date: _____

State of Idaho)
County of TC) SS.

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

of Sept 19 88

Low White
Notary Public

Seal

Residing at TC

My Commission Expires 5/95



04/12/2005

**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: 37-561A

DENNIS G STEWART
20120 HWY 93
CAREY ID 83320
Telephone Number: (208)824-4062

CAROLYN STEWART
20120 HWY 93
CAREY ID 83320

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: 4-30-05 SIGNATURE: Dennis G. Stewart
Please print your name: DENNIS G STEWART

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

07/12/2004

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

RIGHT NUMBER: 37-561A

NAME AND ADDRESS: DENNIS G STEWART
20120 HWY 93
CAREY ID 83320

CAROLYN STEWART
20120 HWY 93
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.820 CFS

PRIORITY DATE: 05/02/1884

POINT OF DIVERSION:

T01N R21E S30 NWSWSE 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	0.820 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T02S R21E S03	NWSW	37.0	T02S R21E S03	SWSW	31.0
T02S R21E S10	NWNW	29.0	T02S R21E S10	SWNW	31.0
T02S R21E S10	SENW	2.1			

130.1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-32A IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 130.1 ACRES IN A SINGLE IRRIGATION
SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 84.7 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH WEST CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
IRRIGATION DIST.

06/17/2004

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

RIGHT NUMBER: 37-561A

NAME AND ADDRESS: DENNIS G STEWART
20120 HWY 93
CAREY ID 83320

CAROLYN STEWART
20120 HWY 93
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.820 CFS

PRIORITY DATE: 05/02/1884

POINT OF DIVERSION:

T01N R21E S30 NWSWSE 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	0.820 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T02S R21E S03	NWSW	29.7	T02S R21E S03	SWSW	29.2
T02S R21E S10	NWNW	24.7	T02S R21E S10	SWNW	27.8
T02S R21E S10	SENW	3.0			

114.4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-32A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 114.4 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 84.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

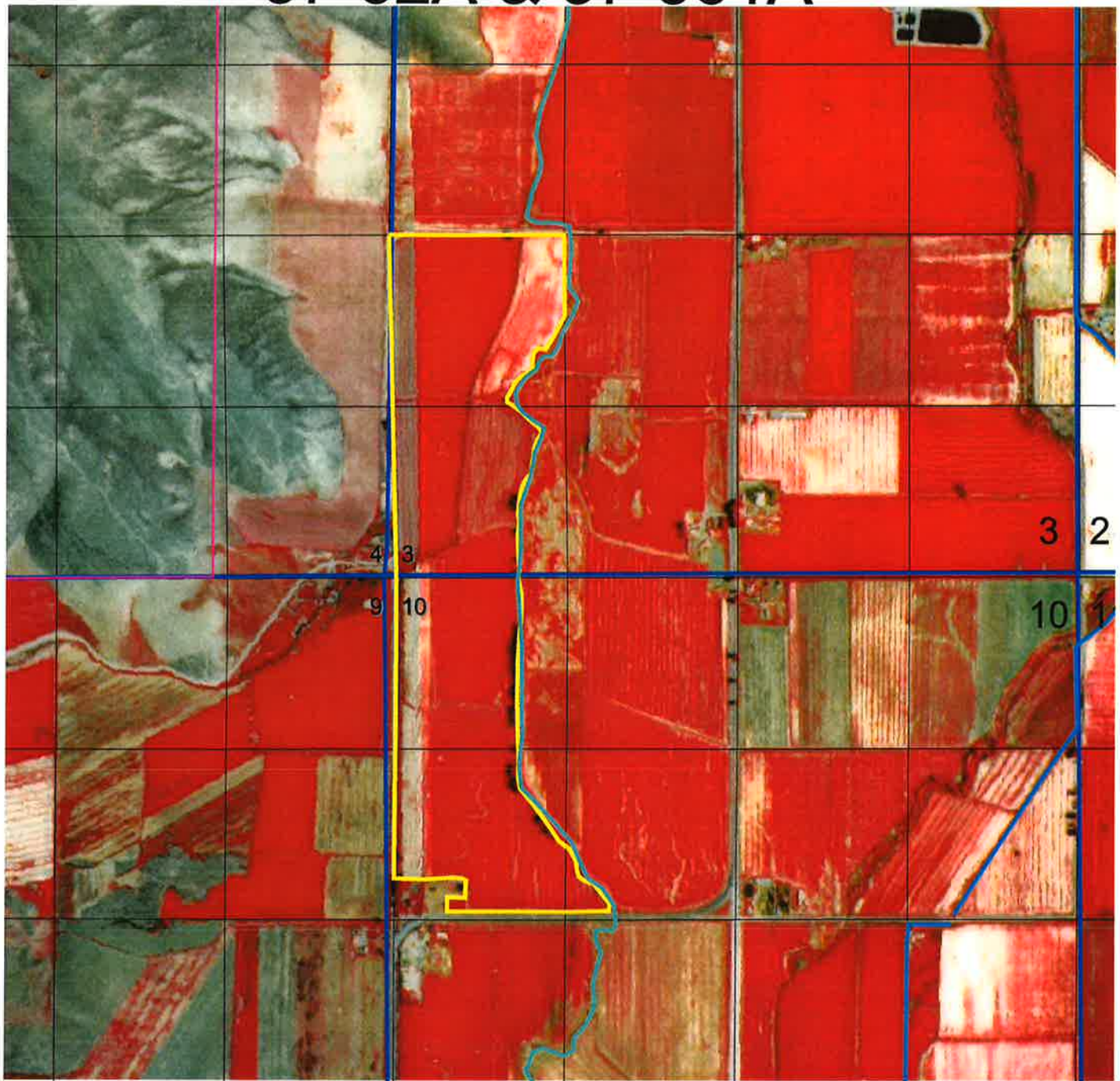
WATER IS DELIVERED THROUGH WEST CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.

Revised per amended claim in 37-32A 7/12/04 sc

IDAHO DEPT OF WATER RESOURCES

37-32A & 37-561A



1320 0 1320 Feet

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

TWN: 2S
RNG: 21E
SEC. 3 & 10



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

Date: JUNE 17, 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-561

WATER RIGHT NUMBER: **37-561**

Owner Type Name and Address
 Current Owner SARAH A RANSON

, ZZ

Priority Date: 05/02/1884

Basis: Decreed

Status: Active

Source Tributary
 LITTLE WOOD RIVER MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.300 CFS	
	<u>Total Diversion:</u>	1.300 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER

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	
02S	21E	3											X						
02S	21E	10					X	X	X										

Conditions of Approval:Remarks:

1. General

AC. IRRIG. NOT SPECIFIED. FARM = 157 AC.
 P/U GIVEN INCORRECTLY AS INCL. SESW S10; SHOULD BE SENW S10.
 CORRECT P/U VERIFIED BY SAWTOOTH TITLE CO.

Comments:Dates and Other Information:

WM shows part A as: $\frac{.82}{1.30}$
 (for Stewart)
 (for Simpson): $\frac{0.48}{1.30}$

SPLIT
 - 561(A) 1.30 cfs
 - 561B .48
 (overclaimed) 1.78

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-561

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
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: 37N
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