

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: A37-00606E
Date Received: 7/11/1988
Receipt No: S0008164 Sub 8/5
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LINCOLN CO. CEMETERY MAINT. DIST. 208-886-2345
Address: BOX 566
SHOSHONE, ID 83352

2. Date of Priority: NOV 28, 1882

3. Source: SNAKE RIVER (SEE REMARKS) Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	17E	36	NE	SW	SE	R	LINCOLN
10S	21E	28	SW	SW	NW		JEROME

5. Description of diverting works:
DIVERTED FROM S.R. AT MILNER INTO MILNER-GOODING CANAL (REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/01	0.160		

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

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	17E	36	SW	SW		IRR	1.0
			SE	SW		IRR	11.0
Section Acres							12.0

A37-00606E

Page 1

Date: 07/11/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Total Acres 12.0

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:

 HEADGATE IN MILNER-GOODING CANAL TO 6" PLASTIC PIPE TO PUMP
 AND BACKUP PUMP AT CEMETARY THECE TO SPRINKLERS.
 THIS IS A LITTLE WOOD RIVER DECREED RIGHT BUT AS A MATTER OF
 CONVENIENCE IT IS DELIVERED FROM THE MILNER-GOODING CANAL.

15. Basis of Claim: BENEFICIAL USE

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 Organizations:

I do solemnly swear or affirm that I am SECRETARY of
Title
LINCOLN CO. CEMETERY, that I have signed the foregoing
Organization
document in the space below as SECRETARY of
Title
LINCOLN CO. CEMETERY and that the statements contained in the
Organization
foregoing document are true and correct.

Francis M. Berg
Signature of Authorized Agent

SECRETARY
Title and Organization

7-8-88
Date

State of Idaho)
County of Turner Falls) SS.

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

Notary Public

Seal

Residing at Gooding, Id
My Commission Expires 10-16-1992

50.9
K

17.4
L

8188
1978
7288

70.6
M

53.1
E

Sec 36 Township 5
Range 17

21.5
N

23.3 D. STIMPSON 23.3

28.8
O

10.2
B

9.1
A

13.6
L

10.8
H

8.6
P

21.6
C

35.36
21.1

11.1
L

63.8
F

23.0
E

Barley

88
3.60

82.2
E

14.1

9.1
A



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 11, 1988

Lincoln Co. Cemetery
Frances M. Bergin
Box 566
Shoshone, ID 83352

Dear Mr. Bergin:

As per your telephone call of July 8, 1988, we held claim #A37-00606E pending further notice. In order to do this it was necessary to void the receipts issued to you at the time you filed the claim.

We are enclosing a copy of the amended claim #A37-00606E in which the remarks were changed as per July 11 telephone conversation with Reed Newby. Also enclosed are the new receipts # S000815 and # S000816. Please return the old receipts #S000788 and #S000789 to our office at your earliest convenience.

With your permission, we will attach the signature page from the original claim form to our copy of the amended claim. Please let us know if this is not acceptable to you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Terry Blau'.

Terry Blau
Senior Water Resource Agent

TB/rs

MICROFILMED
MICROFILMED
FEB 23 1993
FEB 23 1993

RECEIVED

JUN 10 2005

04/12/2005

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 27, 2005

37-606E
LINCOLN CO CEMETARY MAINT DIST
BOX 566
SHOSHONE ID 83352

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

LOOKS O.K

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

NONE

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

NONE

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

DATE: 6-8-05

SIGNATURE:

Francis M. Bergin

Please print your name:

FRANCIS M. BERGIN

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

04/12/2005

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

RIGHT NUMBER: 37-606E

NAME AND ADDRESS: LINCOLN CO CEMETARY MAINT DIST
BOX 566
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 11/28/1882

POINT OF DIVERSION:

T05S R17E S36 NESWNE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.160 CFS

PLACE OF USE:

IRRIGATION Within LINCOLN County

T05S R17E S36

SWSW

0.6

T05S R17E S36

SESW

8.9

9.5 ACRES TOTAL

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

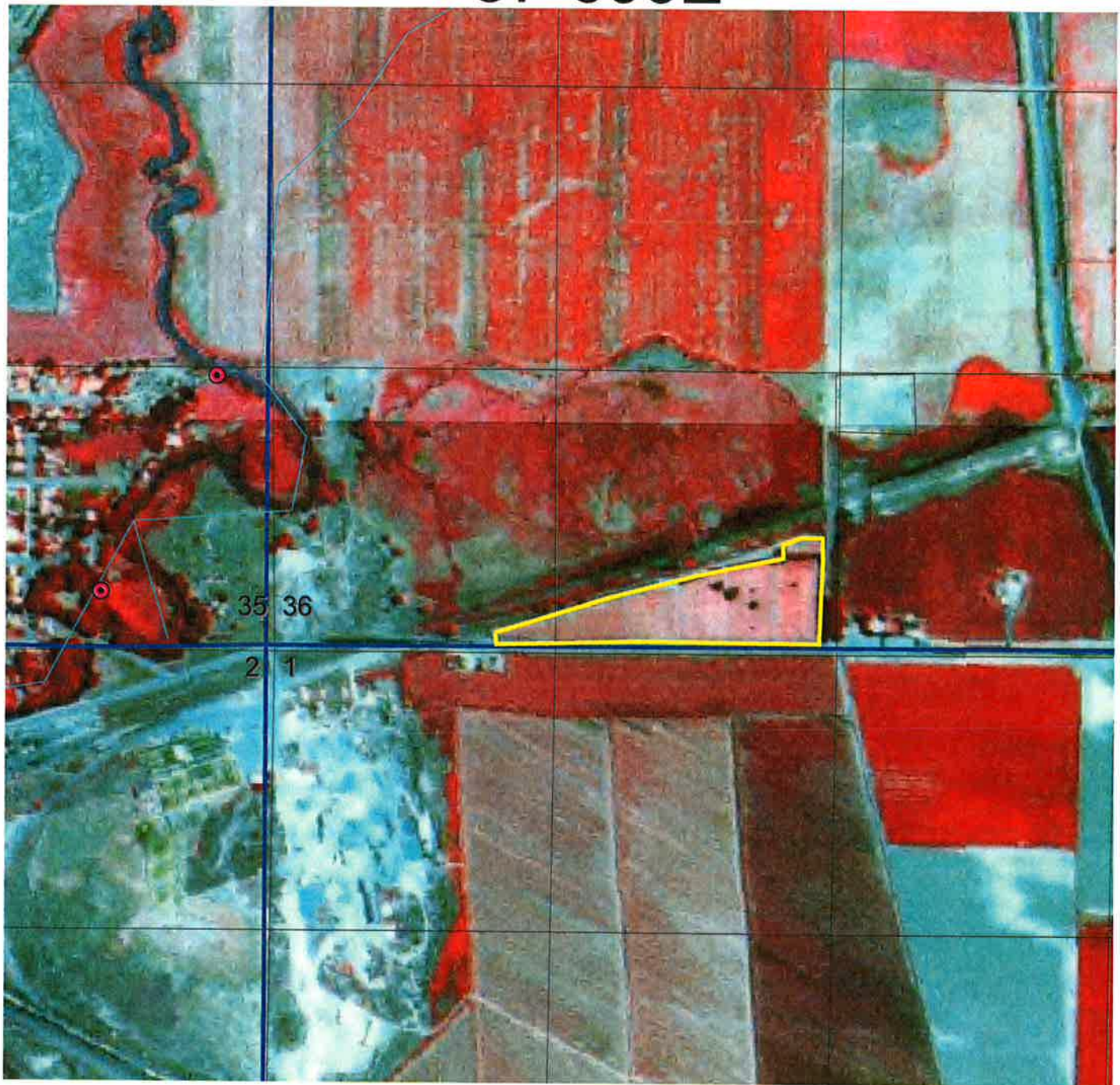
DELIVERY OF THIS RIGHT IS SUBJECT TO THE WATER EXCHANGE
PROVISIONS CONTAINED IN BUREAU OF RECLAMATION CONTRACT NO.
14-06-W-73, EXECUTED OCTOBER 14, 1954, BETWEEN THE UNITED
STATES OF AMERICA AND AMERICAN FALLS RESERVOIR DISTRICT NO.
2, AS SUPPLEMENTED BY BUREAU OF RECLAMATION CONTRACT NO.
14-06-100-6031, EXECUTED JUNE 1, 1962 BETWEEN AND AMONG THE
UNITED STATES OF AMERICA, AMERICAN FALLS RESERVOIR DISTRICT
NO.2, AND THE BIG WOOD CANAL COMPANY.

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

IDAHO DEPT OF WATER RESOURCES

37-606E



1320 0 1320 Feet

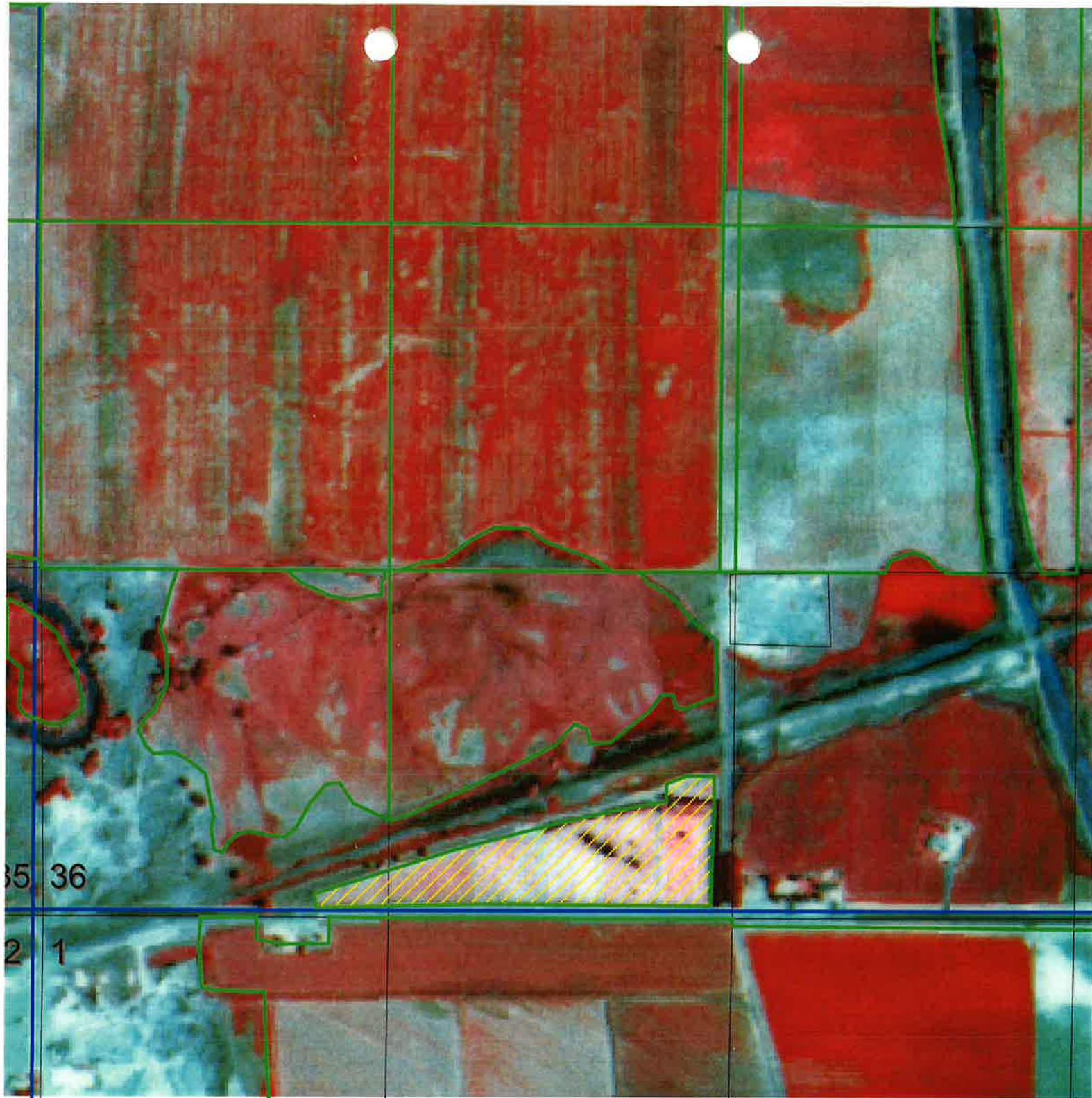
-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 17E
SEC: 36



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

Date: APRIL 12, 2005



35 36

2 1

T55
R17E

GIS AC. = 9.5 AC.

37-606E

11/27/02
SCU

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-606AWATER RIGHT NUMBER: **37-606A**

Owner Type Name and Address
 Current Owner CITY OF SHOSHONE
 PO BOX 208
 SHOSHONE, ID 83352
 (208)886-2030

Priority Date: 11/28/1882

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 /	1.040 CFS	
	<u>Total Diversion:</u>	1.040 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER	NE SW1/4NE1/4	Sec. 36, Twp 05S, Rge 17E, B.M.	LWR
LINCOLN County			
LITTLE WOOD RIVER	SW1/4SE1/4	Sec. 36, Twp 05S, Rge 17E, B.M.	
LINCOLN County	(Rediversion)		

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	
05S	17E	36																	

Conditions of Approval:Remarks:

- General P/D IS LOCATED WHERE WATER DUMPS INTO MILNER-GOODING CANAL.
 RT. IS EXCHANGED WITH CANAL WATER.
 P/D & P/U DESCRIBED BY WATERMASTER.
 RT. IS PRESENTLY OWNED BY LINCOLN COUNTY CEMETARY.
 TRANS. 279.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-606A

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: 37M
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