

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: A37-00622
Date Received: 11/24/1989
Receipt No: S010529
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOS CABALLEROS, LTD. 208-352-4240
Address: 1136 US 26
BLISS, ID 83314

2. Date of Priority: JUN 15, 1888

3. Source: MONUMENT GULCH CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	12E	21	NW	NE	NE		CAMAS

5. Description of diverting works:
HOLDING POND FOR SUB-IRRIG. THRU DITCH SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		
STOCKWATER	01/01	12/31	3.000		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE CATTLE FOR GRASS SEASON

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	12E	15	NE	NW		STOCK	
			NW	NW		IRR	40.0

A37-00622

Page 1

Date: 11/24/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	12E	15	NW	NW		STOCK	
			SW	NW		IRR	40.0
			SW	NW		STOCK	
			SE	NW		STOCK	
			Section Acres				80.0
		16	NE	NE		IRR	40.0
			NE	NE		STOCK	
			SE	NE		IRR	40.0
			SE	NE		STOCK	
			Section Acres				80.0
			Total Acres				160.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
INSTREAM STOCK USE

14. Remarks:
STOCKWATER USE ADDED TO ORIGINAL DECREE.
CLAIMANT FILING ON ENTIRE STREAM FLOW...ORIGINAL DECREE FOR
3.0 CFS.

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

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 Organizations:

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

Signature of Authorized Agent

Title and Organization

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 _____

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: 39356
Ident. Number A37-00622
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 22 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Los Caballeros Ltd Phone (208) 352-4240
Mailing Address 1136 US 26 Bliss, Idaho Zip 83314

2. Date of Priority (Only one (1) per claim) JUNE 15, 1888

3. Source of water supply (a) Spring Monument Gulch Creek
which is tributary to (b) Monument Gulch Creek Camas Creek

4. a. Location of existing point of diversion is: Township 25 Range 12E Section 16,
E 1/2 of E 1/2 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CAMAS

Additional points of diversion if any: E 1/2 of E 1/2

b. If instream flow, beginning point of claimed instream flow is: see attached map

Township 25 Range 12E Section 15, W 1/2 1/4 of NE 1/4 of NE 1/4,

Govt. Lot _____ B.M., County of CAMAS

ending point is: Township 25 Range 12E Section 16, E 1/2 1/4 of E 1/2 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of CAMAS

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Holding pond for sub-

irrigation then ditch system.

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Copies: White-State, Yellow-Claimant
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 11-1 amount 150 inches or _____

For Stockwater purposes from 1-1 to 12-31 amount ALL or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ENTIRE STREAM (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is ENTIRE STREAM acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater 500hd for GRASS SEASON

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
25	12E	15						40	40										80
25	12E	14	40			40													80
25	12E	16	S			S													
25	12E	15					S	S	S	S									

Total number of acres irrigated 160

11. In which county (ies) are lands listed above as place of use located? CAMAS

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Stockwater ALONG ENTIRE STREAM or None (X)

14. Remarks:

Last Name Los Caballeros Ident No. _____

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Copies: White - State, Yellow - Claimant

FEB 23 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number #37-0622

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ President _____

of _____ VILLELLI ENTERPRISES, INC. _____, that I have signed the foregoing

Organization

document in the space below as _____ General Partner _____ of _____ LOS CABALLEROS, LTD. _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Rod Vilelli

Title and Organization VILLELLI ENTERPRISES, INC., General Date 8/18/88

Partner

LOS CABALLEROS, LTD.

State of Idaho/or _____)

County of BONNERS FERRY)

SS.

Subscribed and sworn (or affirmed) before me this 18th day of August 19 88

Notary Public Rae Jeanne Adams

Residing at Bonnors Ferry

My Commission Expires 6/1/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Los Caballeros Ident. Number _____

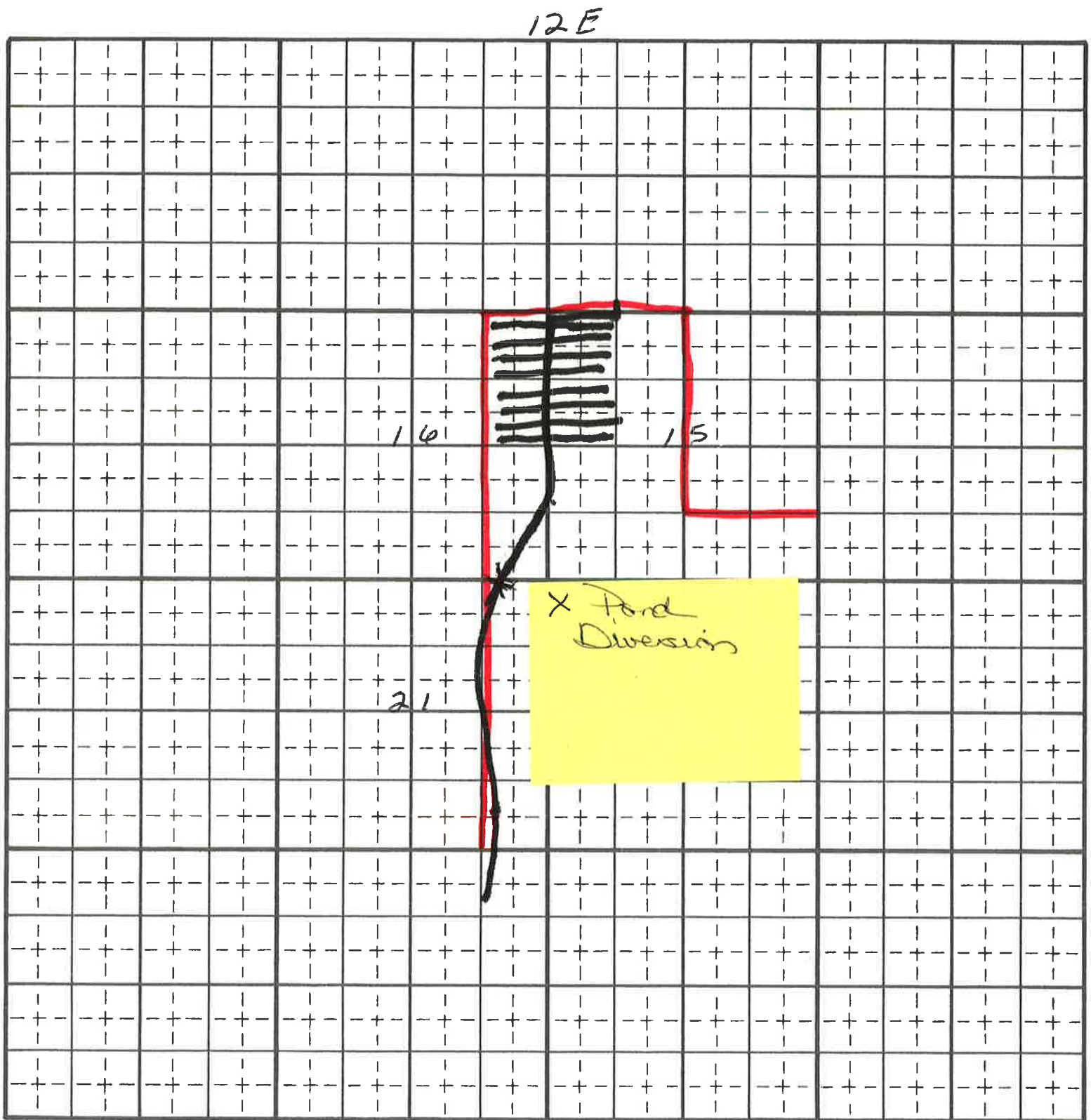
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Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

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Copies: White-State, Yellow-Claimant

FEB 23 1993

10/18/2006

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

RIGHT NUMBER: 37-622

NAME AND ADDRESS: LOS CABALLEROS LTD
1136 HWY 26
BLISS ID 83314

SOURCE: MONUMENT GULCH CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 1.490 CFS

PRIORITY DATE: 06/15/1888

POINT OF DIVERSION:

T02S R12E S21 NWNENE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.490 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T02S R12E S15	NWNW	23.00	T02S R12E S15	SWNW	4.40
T02S R12E S16	NENE	20.00	T02S R12E S16	SENE	27.00

74.4 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 place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

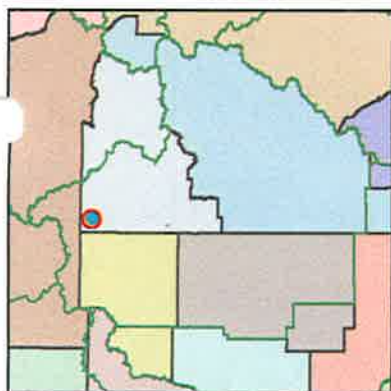
SRBA Recommendation:

37-622

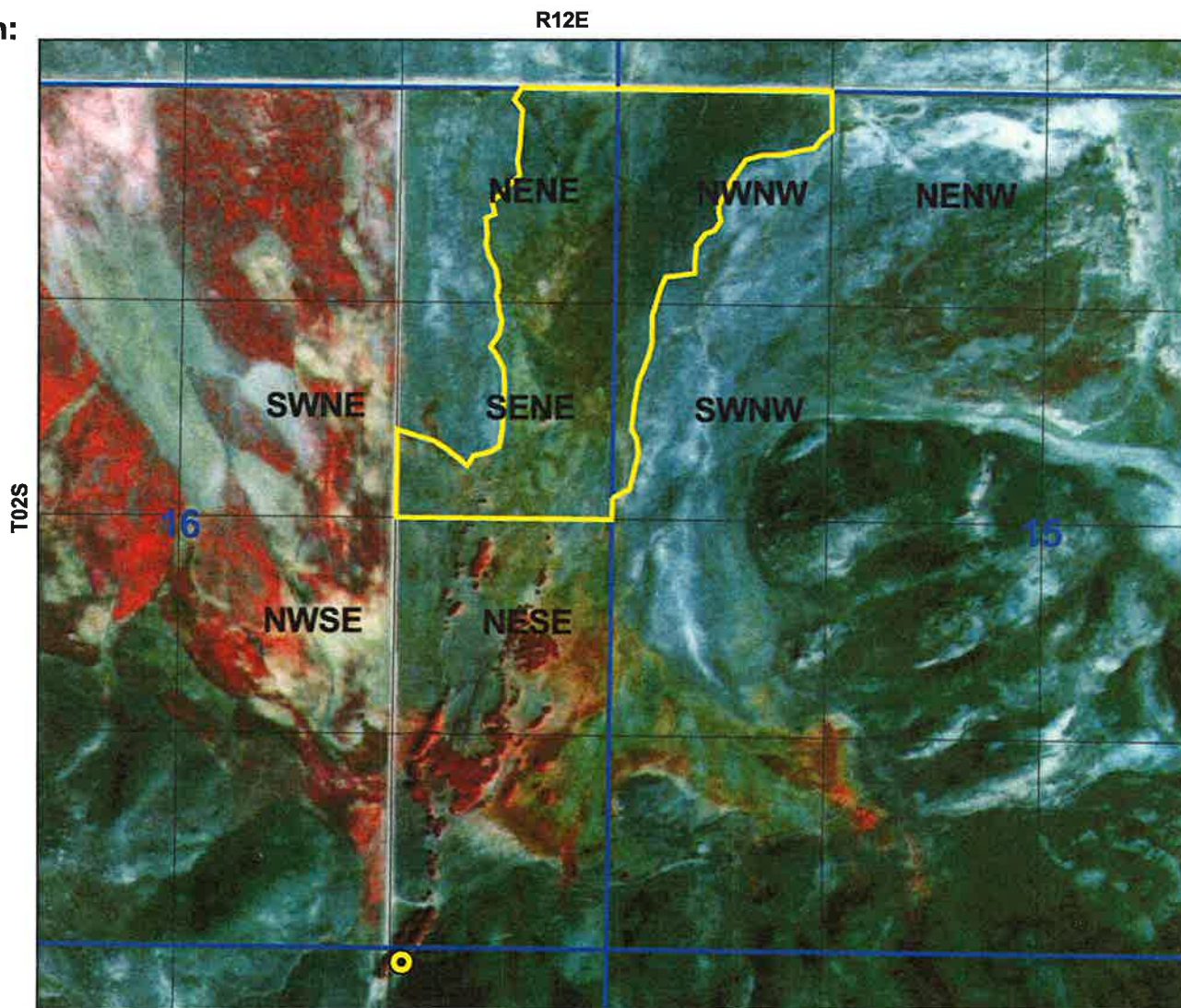
(Irrigation)

Legend

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



Camas County
IDWR Basin 37



0 0.5 1 Miles

Prepared by S. Clelland
On Wednesday, October 18, 2006
1987/88 Aerial Photography

37-622

7/29/05
Sec

Confirmed Source w/ Topo maps
Y68 and Z18

POU Decree is all in Sec. 15
Claim is for Sec. 16 (part)
most irrigation appears in the
NE $\frac{1}{4}$ S. 16 and NW $\frac{1}{4}$ S. 15

(accomplished
transfer
in POU)

Not clear with DOQQ photos:

Y68 SE 1992

Z18 NE 1992

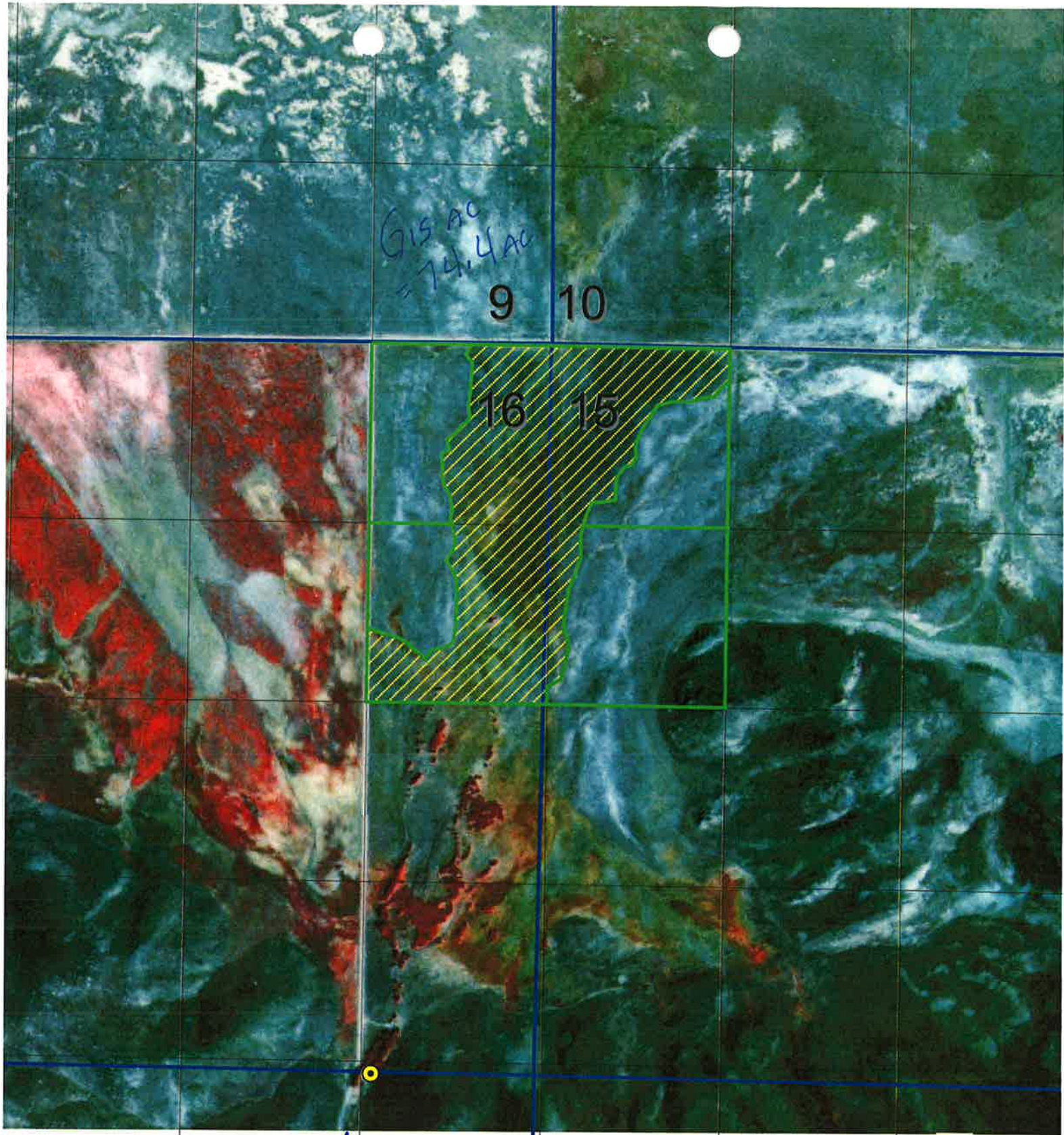
Draft POU in GIS = 75 Acres (74.4 Ac)

Exam on 5/3/06 found a pivot in use
on the POU claimed.

Stock: claim is for instream use, needs a
separate claim for non-diverted use.

Q: rec'd 1"/Ac, appears decree was less than this.
(150" on 160 Acres)

$$74.4 \text{ Ac} * 0.02 = \underline{\underline{1.49 \text{ cfs}}}$$



GIS AC
= 74.4 AC

9 10

16 15

T2S
R 12E

monument
Gulch Creek

37-622

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-622

WATER RIGHT NUMBER: 37-622

Owner Type Name and Address

Current Owner J W SKILES

, ZZ

Priority Date: 06/15/1888

Basis: Decreed

Status: Active

Source

MONUMENT GULCH CREEK

Tributary

CAMAS CREEK

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

3.000 CFS

Annual VolumeTotal Diversion: 3.000 CFSLocation of Point(s) of Diversion

MONUMENT GULCH CREEK

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	12E	15						X	X			X	X						

Conditions of Approval:

1. SOURCE DECREED INCORRECTLY AS MONUMENTAL CR.; SEE USGS MAP.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-622

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:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:



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

11/15/1989

MIKE YORE
1136 US 26
BLISS, ID 83314

DEAR MR. YORE:

ENCLOSED PLEASE FIND CHECK #1161 AND THE ORIGINAL CLAIM FORM. I HAVE ALSO ENCLOSED A PROOF REPORT OF THE ORIGINAL DECREED RIGHT ON MONUMENT GULCH CREEK.

LOS CABALLEROS HAS THE SOURCE AS A SPRING TRIBUTARY TO MONUMENT GULCH CREEK. THE ORIGINAL DECREE HAS THE SOURCE AS MONUMENT GULCH CREEK TRIBUTARY TO CAMAS CREEK. IF THERE WAS A MISTAKE IN THE ORIGINAL DECREE, LEAVE THE SOURCE AND TRIBUTARY AS CLAIMED. IF OTHERWISE, CHANGE THE CLAIM TO REFLECT THE ORIGINAL DECREE. ON #3, THE POINT OF DIVERSION SHOULD REFLECT THE LOCATION OF THE POND. WE COULD COMPLETE THIS LEGAL DESCRIPTION IF YOU WOULD JUST "X" THE POND'S LOCATION ON THE MAP.

THERE IS NO EXISTING DECREE IN OUR RECORDS FOR THE DAIRY CREEK SPRING. THE BASIS OF THIS CLAIM SHOULD BE BENEFICIAL USE ONLY, NOT BENEFICIAL USE AND DECREE. ALSO PLEASE COMPLETE #2, "PRIORITY DATE", WHICH IS THE DATE THE WATER WAS FIRST PUT TO USE FOR THE CLAIMED IRRIGATED ACRES AND THE CATTLE (PROBABLY THE SAME DATE AS THE MONUMENT GULCH CREEK DECREE). ON #3, THE POINT OF DIVERSION SHOULD REFLECT THE LOCATION OF THE DAM. AGAIN, WE COULD COMPLETE THIS LEGAL DESCRIPTION IF YOU WOULD JUST "X" THE DAM'S LOCATION ON THE MAP.

PLEASE MAKE THE NECESSARY CORRECTIONS AND RETURN THE CLAIMS WITH THE CHECK TO MY ATTENTION AND I'LL CONTINUE WITH THE ADJUDICATION PROCESSING. I HOPE YOUR OPERATION WENT WELL MR. YORE.

SINCERELY,

LORI WHITE
SR. WATER RESOURCE AGENT

ENCL:

MICROFILMED

FEB 23 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 37-00622 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SKILES J. W. 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/15/1888 17 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
MONUMENT GULCH CREEK CAMAS CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 3.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.000

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

02S	12E	15	NW NW			01	IRRIGATION	25	CAMAS
02S	12E	15	SW NW			01	IRRIGATION	25	CAMAS
02S	12E	15	NW SW			01	IRRIGATION	25	CAMAS
02S	12E	15	SW SW			01	IRRIGATION	25	CAMAS

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
SOURCE DECREED INCORRECTLY AS MONUMENTAL CR.; SEE USGS MAP.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

FEB 23 1993
MICROFILMED

Water right number - 37-00622

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields -

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 09/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 12/13/1909				

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FEB 23 1993



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

Nov. 24, 1989

Re: A37-13315
A37-00622

LOS CABALLEROS LTD
1136 US 26
BLISS ID 83314

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

FEB 23 1991