

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: A37-00678A

Date Received: 10/27/1989

Receipt No: 11005005

Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE P. SMITH 208-764-2442
Address: P.O. BOX 423
FAIRFIELD, ID 83327
AND/OR
Name: SHARON L. SMITH 208-764-2442
Address: P.O. BOX 423
FAIRFIELD, ID 83327
AND/OR
Name: EDWARD E. SMITH 208-764-2303
Address: P.O. BOX 425
FAIRFIELD, ID 83327
AND/OR
Name: SUNNIE C. SMITH 208-764-2303
Address: P.O. BOX 425
FAIRFIELD, ID 83327

2. Date of Priority: NOV 30, 1882

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	14E	9	NW	NW	NW		CAMAS
			SW	SW	NW		CAMAS

5. Description of diverting works:
CONCRET DAMS, WEIR, DITCHES, FLOOD AND SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

A F A

A37-00678A

Page

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FEB 23 1993

8. Total consumptive use is 462.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	14E	9	NE		SW		IRR	40.0
			NW		SW		IRR	20.0
			SW		SW		IRR	30.0
			NE		SE		IRR	6.0
			NW		SE		IRR	40.0
			SW		SE		IRR	25.0
			SE		SE		IRR	24.0

Section Acres 185.0

Total Acres 185.0

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:

A37-00680A, A37-13239, A37-02041A

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 7

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): Edward E. Smith Date: 10-27-89

Date: _____

State of Idaho)
County of Camas) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of October 19 89

Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
October 7, 1994

11/01/2006

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: November 21, 2006

Water right number: 37-678A

DALE P SMITH
PO BOX 423
FAIRFIELD ID 83327
Telephone Number: (208) 764-2442

EDWARD E SMITH
PO BOX 425
FAIRFIELD ID 83327
Telephone Number: (208) 764-2303

SUNNIE C SMITH
PO BOX 425
FAIRFIELD ID 83327
Telephone Number: (208) ⁷⁶⁴~~674~~-2303

SHARON L SMITH
PO BOX 423
FAIRFIELD ID 83327
Telephone Number: (208) 764-2442

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: 11/20/06

SIGNATURE: Ed Smith Sunnie Smith

Please print your name: Edward Smith Sunnie C Smith

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800) 451-4129

SCANNED
NOV 30 2006

06/23/2006

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

RIGHT NUMBER: 37-678A
NAME AND ADDRESS: DALE P SMITH
PO BOX 423
FAIRFIELD ID 83327
EDWARD E SMITH
PO BOX 425
FAIRFIELD ID 83327
SUNNIE C SMITH
PO BOX 425
FAIRFIELD ID 83327
SHARON L SMITH
PO BOX 423
FAIRFIELD ID 83327

SOURCE: SOLDIER CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 1.600 CFS
PRIORITY DATE: 11/30/1882
POINT OF DIVERSION:

T01N R14E S9 NWNWNW Within CAMAS County
T01N R14E S9 SWSWNW 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	1.600 CFS

PLACE OF USE:

<u>IRRIGATION Within CAMAS County</u>					
T01N R14E S08	SESE	0.90	T01N R14E S09	NESW	38.00
T01N R14E S09	NWSW	20.00	T01N R14E S09	SWSW	4.60
T01N R14E S09	NESE	5.50	T01N R14E S09	NWSE	34.00
T01N R14E S09	SWSE	26.00	T01N R14E S09	SESE	18.00

147 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 147 acres in a single irrigation season. Combined Right Nos.: 37-678A, 37-680A, 37-2041A, and 37-13239.

This right is limited to the irrigation of 66 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: BASIS OF CLAIM - Decreed

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



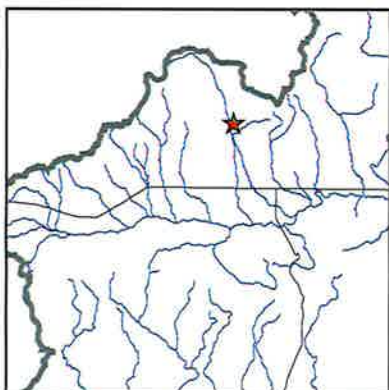
Idaho Department of Water Resources

SRBA Recommendation:

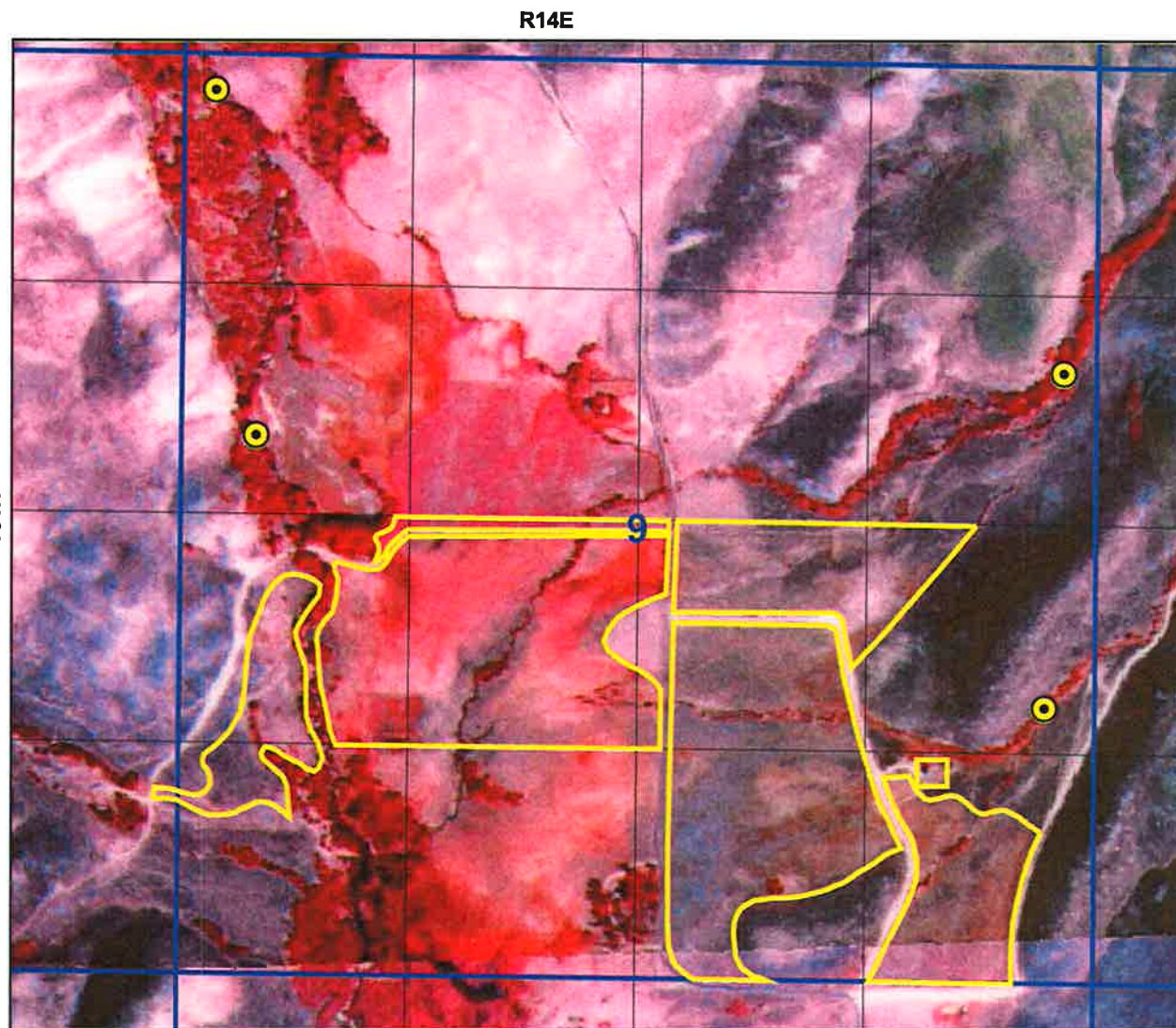
37-678A
37-680A
37-2041A
37-13239

Legend

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



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Friday, June 23, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-678A, 37-680A, 37-2041A, 37-13239

Background Data

37-678A

- Source is Soldier Creek tributary to Camas Creek
- Database search indicates:
 - 37-678 originally decreed for 2.4 cfs on 5 QQ. Transfer No. 3311 split into:
 - 37-678A decreed for 1.6 cfs on 4QQ
 - 37-678A claimed 1.6 cfs for Irrigation of 185 acres
 - 37-678C claimed for 0.8 cfs for Irrigation of 65 acres (claimed portion of 37-678A and 37-678C)
 - 37-678B decreed for 0.24 cfs on 12 acres
 - 37-678D claimed 0.11 cfs for Irrigation of 5.4 acres
 - 37-678E claimed 0.13 cfs for Irrigation of 6.6 acres
 - 37-678C decreed for 0.56 cfs on 36 acres
 - 37-678C claimed for 0.8 cfs for Irrigation of 65 acres (claimed portion of 37-678A and 37-678C)
 - **Summary of 37-678 claims:**
 - Decreed 2.4 cfs on 5QQ
 - Total diversion rate claimed = 2.64 cfs. **Diversion rate overclaimed**
 - Total acreage claimed = 327 acres. **Acres overclaimed**

37-680A

- Source is Soldier Creek tributary to Camas Creek
- Database search indicates:
 - 37-680 originally decreed for 3.2 cfs on 5 QQ. Transfer No. 3311 split into:
 - 37-680A decreed for 2.14 cfs on 4QQ
 - 37-680A claimed 2.14 cfs for Irrigation of 185 acres
 - 37-680C claimed for 1.06 cfs for Irrigation of 65 acres (claimed portion of 37-680A and 37-680C)
 - 37-680B decreed for 0.36 cfs on 12 acres
 - 37-680D claimed 0.16 cfs for Irrigation of 5.4 acres. Split into:
 - 37-21189 claimed 0.08 cfs for Irrigation of 11.4 acres. Split into:
 - 37-21416 claimed 0.04 cfs for Irrigation of 6 acres
 - 37-21417 claimed 0.04 cfs for Irrigation of 5.4 acres
 - 37-21190 claimed 0.08 cfs for Irrigation of 12 acres
 - 37-680E claimed 0.20 cfs for Irrigation of 6.6 acres
 - 37-680C decreed for 0.70 cfs on 36 acres
 - 37-680C claimed for 1.06 cfs for Irrigation of 65 acres (claimed portion of 37-680A and 37-680C)
 - **Summary of 37-680 claims:**
 - Decreed 3.2 cfs on 5QQ
 - Total diversion rate claimed = 3.36 cfs. **Diversion rate overclaimed**
 - Total acreage claimed = 338.4 acres. **Acres overclaimed**

37-2041A

- Source is Wardrop and Sampson Creeks tributary to Soldier Creek
- Priority date search indicates:
 - 37-2041 originally licensed for 2.9 cfs for Domestic and Irrigation of 145 acres. Transfer No. 3312 split into:
 - 37-2041A licensed for 1.9 cfs for Domestic and Irrigation of 90 acres
 - 37-2041A claimed 1.9 cfs for Domestic and Irrigation of 90 acres
 - 37-2041B licensed for 0.36 cfs for Irrigation of 23 acres
 - 37-2041B claimed 0.36 cfs for Irrigation of 23 acres. Split into:
 - 37-2041D claimed 0.32 cfs for Irrigation of 20.3 acres. Split into:
 - 37-21187 claimed 0.13 cfs for Irrigation of 8.3 acres
 - 37-21188 claimed 0.19 cfs for Irrigation of 12 acres
 - 37-2041E claimed 0.04 cfs for Irrigation of 2.7 acres
 - 37-2041C licensed for 0.64 cfs for Irrigation of 32 acres
 - 37-2041C claimed for 1.0 cfs for Irrigation of 32 acres
 - **Summary of 37-2041 claims:**
 - Licensed 2.9 cfs on 145 acres. Licensed rate was 0.02 cfs/acre
 - Total diversion rate claimed = 3.22 cfs. **Diversion rate overclaimed**
 - Total acreage claimed = 142.3 acres

37-13239

- Source is Soldier Creek tributary to Camas Creek
- Claimed against 37-220 & 37-221
- A priority date search indicates:
 - 37-220 decreed for 1.6 cfs on 6 QQ (same ground as 37-221)
 - 37-13215 claimed against 37-220 for 0.53 cfs on 120 acres
 - 37-13239 claimed against 37-220 for 1.07 cfs on 185 acres
 - 37-221 decreed for 3.2 cfs on 6 QQ (same ground as 37-220)
 - 37-13215 claimed against 37-221 for 1.07 cfs on 120 acres
 - 37-13239 claimed against 37-221 for 2.13 cfs 185 acres
 - **Summary of 37-13239 claims:**
 - Decreed 4.8 cfs on 240 acres – Decreed rate was 0.02 cfs/acre
 - Total diversion rate claimed against 37-220 = 1.6 cfs
 - Total diversion rate claimed against 37-221 = 3.2 cfs
 - Total acreage claimed = 305 acres. **Acres overclaimed**

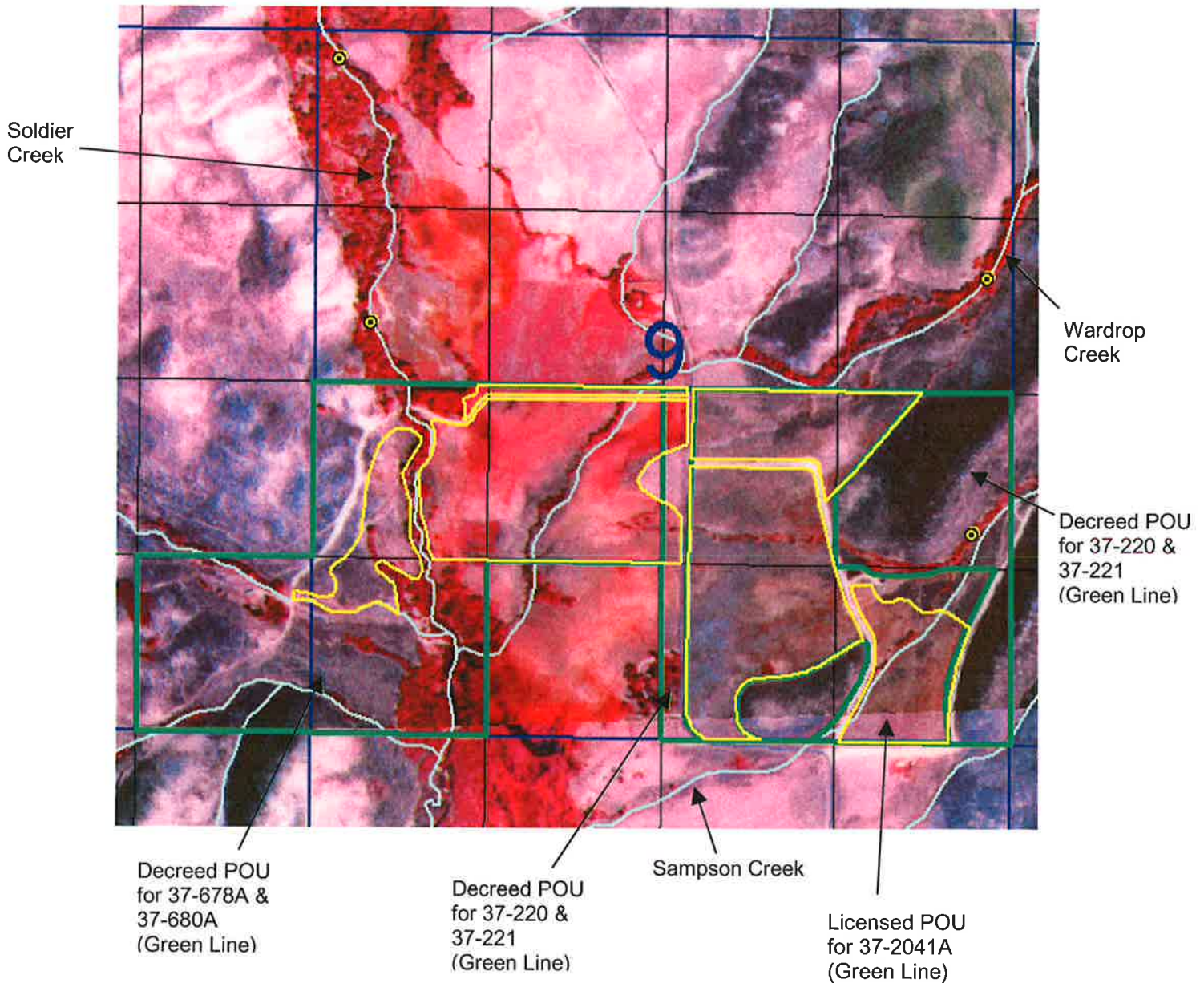
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1N R14E Sections 8 & 9

- Found 66 acres of Irrigation for 37-678A & 37-680A. The portion west of Soldier Creek was included because there appears to be an active ditch on the 1992 aerial photo.
- Found 81 acres of Irrigation for 37-2041A & 37-13239. This land only appears to be unirrigated or only slightly irrigated in the 1987 photo, but ditches can be seen on the 1992 aerial photo. Kelly Dennis said this land has not been irrigated since he last irrigated it in 1983, but he declined to provide a supporting affidavit. Not enough evidence to document five years to non-use for forfeiture. Assuming accomplished transfer reduced POU to 81 acres.
- The license for 37-2041 was issued 4/10/1908. This water right was probably superseded by the 37-220 and 37-221 of the Frost Decree. However, transfers in 1980 and 1987 were approved on 37-2041, essentially validating this right. It does not seem possible to disallow the entire right in the SRBA.
- Source for 37-220 & 37-221 was listed as Soldier Creek. The location of the POU indicates that the sources are actually Wardrop and Sampson Creek, tributaries to Soldier Creek. Recommended sources as Wardrop and Sampson Creek.
- Resolution of overclaim and split of 37-220 & 37-221. Decreed to 4.8 cfs on 6 QQ:
 - 37-13215 – recommend 1.6 cfs on 80 acres for the portion of the decreed POU that claimant owns.
 - Duty of water in SE Section 9 for 37-220 and 37-221: $3.2 \text{ cfs} / 86 \text{ acres} = 0.037 \text{ cfs/acre}$
 - 37-13239 – recommend 3.0 cfs on 81 acres for the portion of the decreed POU that claimant owns.
 - 1.0 cfs from 37-220
 - 2.0 cfs from 37-221
 - Unallocated – 0.2 cfs for five acres in SWSE Section 9 for the portion of the decreed POU the claimant does not own.
- Duty of water for the PPU: $8.64 \text{ cfs} / 147 \text{ acres} = 0.059 \text{ cfs/acre}$. This is significantly more than the standard, but recommended this rate because the claimed POU is within the decreed POU and is nearly all of the irrigable land.
- Recommendations:
 - PPU for 147 acres.
 - Combined use limit of 147 acres.
 - 37-678A: 1.6 cfs for Irrigation of 66 acres within PPU
 - 37-680A: 2.14 cfs for Irrigation of 66 acres within PPU
 - 37-2041A: 1.9 cfs for Irrigation of 81 acres within PPU
 - 37-13239: 3.0 cfs for Irrigation of 81 acres within PPU
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

Summary of SRBA recommendations:

- 37-678 originally decreed for 2.4 cfs on 5 QQ.
 - 37-678A – 1.6 cfs for Irrigation of 66 acres
 - 37-678C – 0.56 cfs for Irrigation of 36 acres
 - 37-678D – 0.11 cfs for Irrigation of 5.4 acres
 - 37-678E – 0.13 cfs for Irrigation of 6.6 acres
 - **Summary:**
 - Total diversion rate = 2.4 cfs
 - Total acreage = 114 acres

- 37-680 originally decreed for 3.2 cfs on 5 QQ.
 - 37-680A – 2.14 cfs for Irrigation of 66 acres
 - 37-680C – 0.70 cfs for Irrigation of 36 acres
 - 37-680E – 0.20 cfs for Irrigation of 6.6 acres
 - 37-21417 – 0.04 cfs for Irrigation of 5.4 acres
 - Unallocated – 0.12 cfs for Irrigation of 5.4 acres (should be part of 37-21417)
 - **Summary:**
 - Total diversion rate = 3.2 cfs
 - Total acreage = 114 acres

- 37-2041 originally licensed for 2.9 cfs for Domestic and Irrigation of 145 acres.
 - 37-2041A – 1.9 cfs for Domestic and Irrigation of 81 acres
 - 37-2041C – 0.64 cfs for Irrigation of 32 acres
 - 37-2041E – 0.04 cfs for Irrigation of 2.7 acres
 - 37-21187 – 0.13 cfs for Irrigation of 8.3 acres
 - 37-21188 – 0.19 cfs for Irrigation of 12 acres
 - **Summary:**
 - Total diversion rate = 2.9 cfs.
 - Total acreage = 136 acres.

- 37-220 originally decreed for 1.6 cfs on 6 QQ.
 - 37-13215 – 0.53 cfs for Irrigation of 80 acres
 - 37-13239 – 1.00 cfs for Irrigation of 81 acres
 - Unallocated – 0.07 cfs for Irrigation of 5 acres
 - **Summary:**
 - Total diversion rate = 1.6 cfs.
 - Total acreage = 166 acres.

- 37-221 originally decreed for 3.2 cfs on 6 QQ.
 - 37-13215 – 1.07 cfs for Irrigation of 80 acres
 - 37-13239 – 2.00 for Irrigation of 81 acres
 - Unallocated – 0.13 cfs for Irrigation of 5 acres
 - **Summary:**
 - Total diversion rate = 3.2 cfs.
 - Total acreage = 166 acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3311APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Richard B. Giesler Phone 734-4721
Post Office address 807 Campus Drive, Twin Falls, Idaho, 83301

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split Water Rights
2. Describe the reason for the proposed changes Describe water rights as reflected by change in ownership.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-0678 B</u>	<u>11/30/1882</u>	<u>0.24</u>	<u>Irrigation</u>	<u>* Not Listed to</u>
<u>37-0678 C</u>		<u>0.56</u>		<u>to</u>
<u>37-0680 B</u>	<u>4/1/1900</u>	<u>0.36</u>	<u>Irrigation</u>	<u>* Not Listed to</u>
<u>37-0680 C</u>		<u>0.70</u>		<u>to</u>

2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Soldier Creek tributary to Camas Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	9	1N	14E	Camas	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 ations	1N	14E	9											7			5		12
2 ations	1N	14E	9										3	33					36

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AUG 18 1987

Total acres 48

PART 1

6. General Information:

a. Description of diversion system Farther ditchesb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The five acres being removed will not be irrigated.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESThis is to certify that I have examined Application for Transfer of Water Rights No. 37-0678B/C & 37-0680B/CAnd said application is hereby APPROVED, subject to the following limitations and conditions:

1. Measuring devices of a type approved by this Department shall be maintained as a part of the divertins works.
2. Lockable devices subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Use of water under these rights is subject to control by the watermaster of State Water District No. 37C, Soldier Creek.
4. These rights when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.

MICROFILMED

AUG 18 1987

Witness my hand this

6th

day of

July

, 19

87J. Glen Sayton

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-0678 Decreed to John Wardrop
 In case of S.C. Frost, et. al. vs. Alturas Water Company, et. al.
 dated 12/13/1909 in 4th Judicial Dist. county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Sales Agreement

3. Source of water Soldier Creek tributary to Camas Creek

4. Date or priority 11/30/1882

5. Water is used for the following purpose:

amount 2.4 cfs for Irrig. purposes from * Not Listed in Decree to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 2.4 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: * Not Listed in Decree

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	14E	8																	
IN	14E	9									X	X	X	X				X	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.80 for Irrig. purposes from * Not Listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	9	1N.	14E.	Camas	Soldier Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	14E	9											8	40					48

Total acres 48

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.60 for Irrig. purposes from * Not Listed to 37-0678 A
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	9	1N.	14E	Camas	Soldier Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	14E	9									X	X	X						
1N	14E	8																X	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-0680 Decreed to John Wardrop
in case of S.C. Frost, et.al. vs. Alturas Water Company, et.al.
dated 12/13/1909 in 4th Judicial Dist. county of Lincoln
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Soldier Creek tributary to Camas Creek4. Date or priority 4/1/1900

5. Water is used for the following purpose:

* Not Listed in Decree

amount 3.2 cfs for Irrig. purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: * Not Listed in Decree

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
IN	14E	8																X	
IN	14E	9									X	X	X	X					

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.06 cfs for Irrig. purposes from * Not Listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	9	1N	14E	Camas	Soldier Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	14E	9											8	40					48

Total acres 48**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)37-0680 A

1. amount 2.14 cfs for Irrig. purposes from * Not Listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	9	1N	14E	Camas	Soldier Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	14E	9									X	X							
1N	14E	8																	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Richard B. Mosher

(Signature of Applicant)

Subscribed and sworn to before me this 25 day of March, 19 87.

Loren O. Halmer

(Notary Public)

My commission expires 3/21/1993

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by ADM Date 3/25/87 #40725 Protest filed by None

Prelim. check by TJB Fee \$50

Received by ADM Date 3/25/87

Published in Gooding Co. Leader & Mtn. Home News Copies of protest forwarded by _____

Pub. dates 5/6 & 5/13/87 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by ADM Jim Gary

Copy of transfer sent to lien holder _____

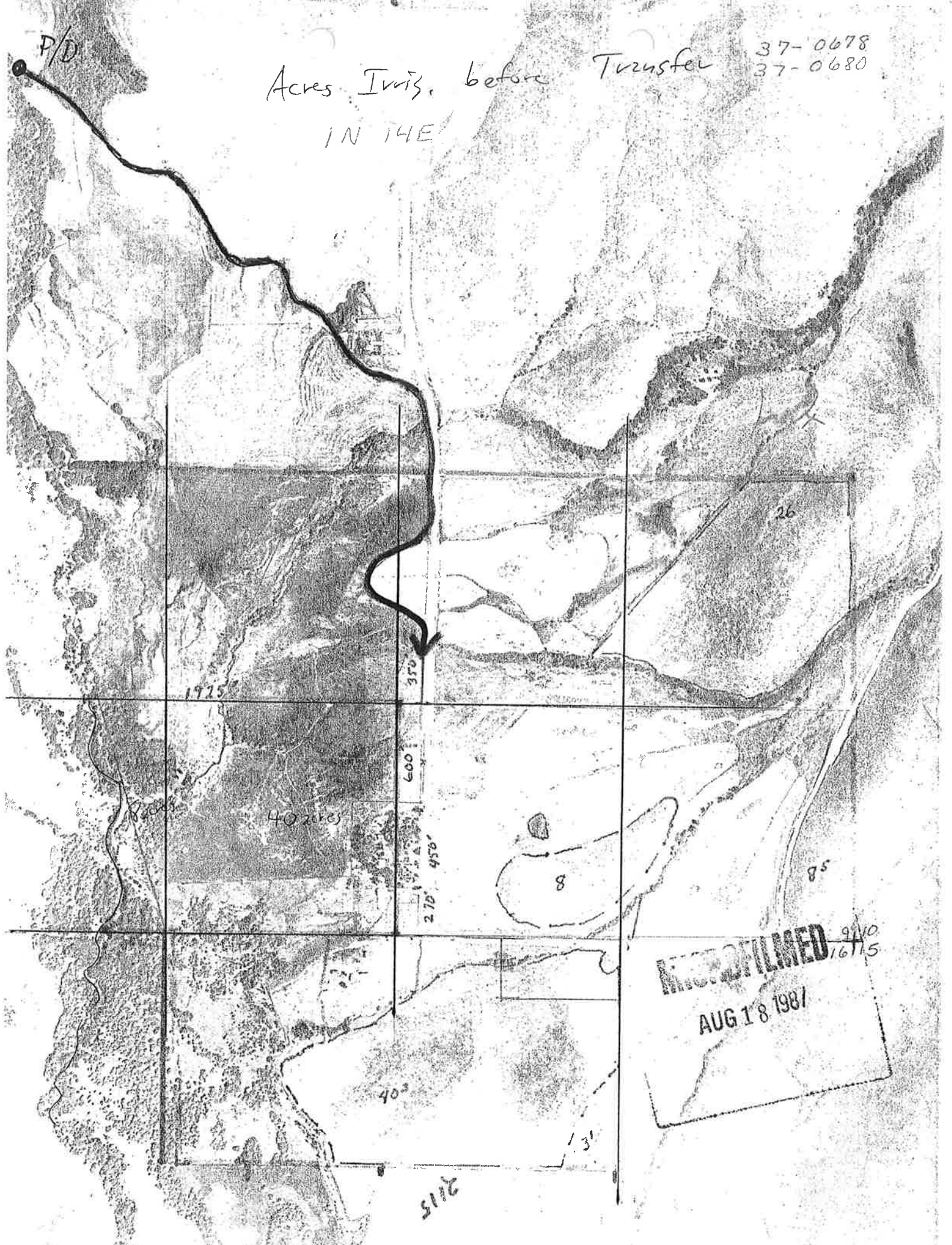
MICROFILMED

AUG 18 1987

P/D

Acres Irrig. before Transfer
IN 14E

37-0678
37-0680



RECORDED 9110
16115
AUG 18 1987

5112

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-678A

WATER RIGHT NUMBER: 37-678A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN WARDROP 807 CAMPUS DR TWIN FALLS, ID 83301

Priority Date: 11/30/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SOLDIER CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

SOLDIER CREEK	NW1/4NW1/4	Sec. 9, Twp 01N, Rge 14E, B.M.
CAMAS 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	
01N	14E	8																	X
01N	14E	9									X	X	X						

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-678A

Licensed Date:

Decreed Date: 12/13/1909

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 37C

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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

Water Right Number - 37-00678A

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
WARDROP

JOHN

1 -
2 -
3 -

City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/30/1882 17 D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SOLDIER CREEK CAMAS CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 14E 9 NW NW (25) CAMAS

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

01 - IRRIGATION

1.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.600

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

01N	14E	8	SE SE			01	IRRIGATION	(25) CAMAS
01N	14E	9	NE SW			01	IRRIGATION	(25) CAMAS
01N	14E	9	NW SW			01	IRRIGATION	(25) CAMAS
01N	14E	9	SW SW			01	IRRIGATION	(25) CAMAS

Total Acres:

+ - - Diversified Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

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

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

FEB 23 1993

MICROFILMED

S. C. FROST, ET. AL.

ALTURAS WATER COMPANY, ET. AL.

12/13/1909

MICROFILMED

FEB 23 1993

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	- 04/29/1987	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37C
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 12/13/1909				

MICROFILMED
FEB 23 1993