

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: A37-00738
Date Received: 10/26/1988
Receipt No: 1001775
Received By: J. P. E.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAURICE C. ELLSWORTH
Address: BOX 158
CAREY, ID 83320
208-823-4423

2. Date of Priority: MAR 30, 1883

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	22E	33	SE	NE	SE		BLAINE

5. Description of diverting works:
EARTHEN DIV. DAM FOR HIGH LINE CANAL TO WARM SPRINGS CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 718.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	21E	13	SW	SW		IRR	17.0
			SE	SW		IRR	35.0
			SW	SE		IRR	38.0

Section Acres 90.0

A37-00738

Page 1

Date: 10/26/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	21E	24	NW		NE		IRR	30.0
			SW		NE		IRR	20.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	35.0
			SW		NW		IRR	17.0
			Section Acres 182.0					
	22E	10	SW		NW		IRR	15.5
			Section Acres 15.5					
			Total Acres 287.5					

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:
YES

14. Remarks:
TRANS. 887.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1914

POTTER, ET. AL.
Decree Plaintiff

vs

PATTERSON, 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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Maurice E. Ellsworth Date: 10-26-88
_____ Date: _____

State of Idaho)

County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 26 day

of Oct 1988

John Dale Carlson
Notary Public

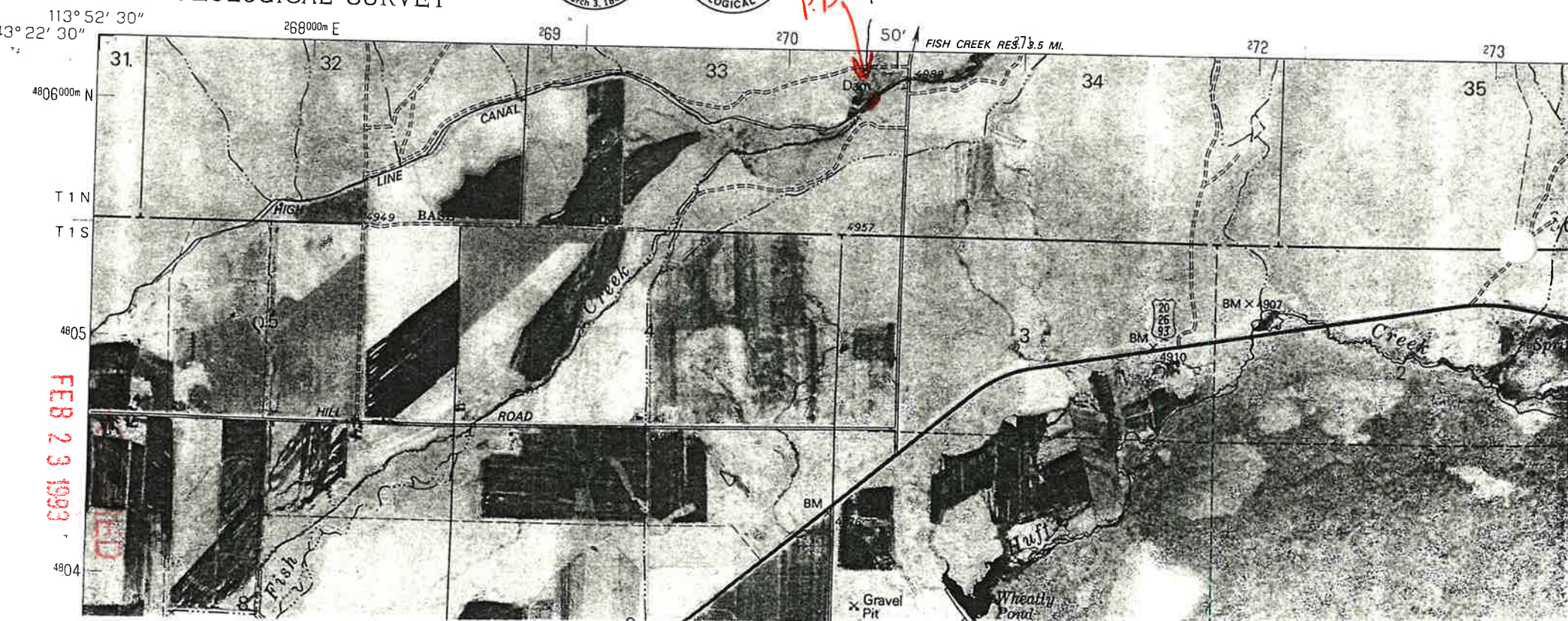
Seal

Residing at Boise ID

My Commission Expires 6/2/94

ho
ENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Water Right Number - 37-00738

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
CONDIE

LILLIE I.

1 -
2 -
3 -City- TWIN FALLS
Phone -

State- ID Zip- 833010000

*** O - ORIGINAL OWNER ***
CONDIE

G. A.

1 -
2 -
3 -City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/30/1883 17 D - DECREED+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
FISH CREEK LITTLE WOOD RIVER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 22E 33 NW SE (13) BLAINE

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION
43 - DOMESTIC

2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County01S 21E 13 SW SE
01S 21E 24 NW NE01 IRRIGATION
01 IRRIGATION(13) BLAINE
(13) BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

TRANS. 887.

FEB 23 1993

MICROFILMED

Water right number - 37-00738

Adj. flag translation: Standard Water Right Number

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

+ - - - - Decree Plaintiff - - - +
POTTER, ET. AL.

+ - - - - Decree Defendant - - - +
PATTERSON, ET. AL.

+ - Decree Date - +
12/16/1914

+ - - Microfilm Rolls -

+ - - Audit Fields - 01/04/86

05/28/88 CONVERT

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

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 12/16/1914

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 01/04/1986
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 37U
Transfer/Amended - T

FEB 23 1993

RECEIVED

04/08/2005

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

RIGHT NUMBER: 37-738

NAME AND ADDRESS: MAURICE C ELLSWORTH
PO BOX 158
CAREY ID 83320

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 03/30/1883

POINT OF DIVERSION:

T01N R22E S33 SENESE 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	2.000 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R21E S13	SWSW	30.0	T01S R21E S13	SESW	35.0
T01S R21E S13	SWSE	40.0	T01S R21E S24	NWNE	36.0
T01S R21E S24	SWNE	16.0	T01S R21E S24	SENE	28.0
T01S R21E S24	NENW	40.0	T01S R21E S24	NWNW	39.0
T01S R21E S24	SWNW	23.5			

287.5 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 287.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-749C & 37-2443.

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.

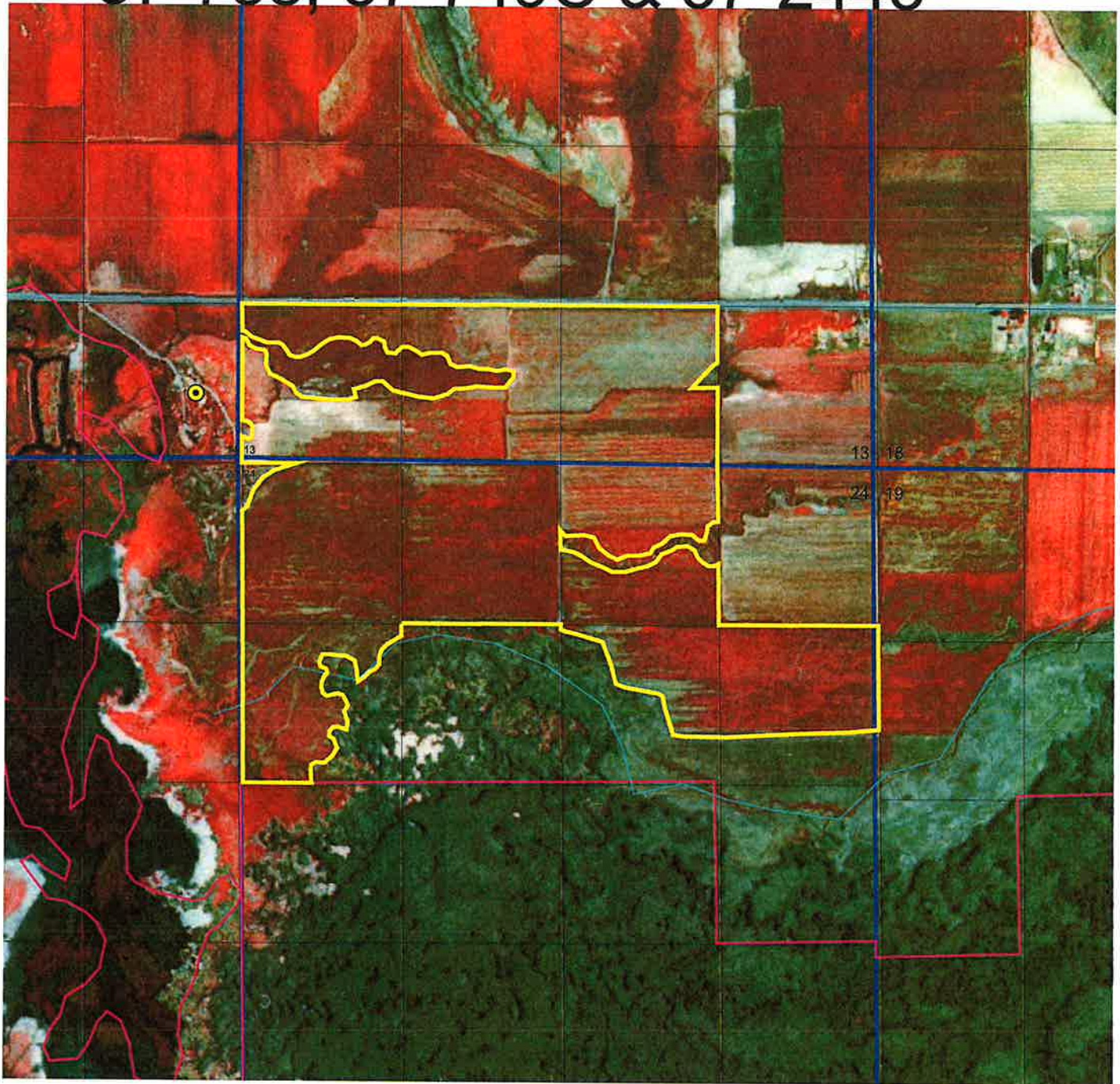
EXPLANATORY MATERIAL: Decreed

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

WATER IS DELIVERED THROUGH HIGHLINE CANAL.

IDAHO DEPT OF WATER RESOURCES

37-738, 37-749C & 37-2443



1320 0 1320 Feet

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

TWN: 1S
RNG: 21E
SEC. 13 24



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

Date: APRIL 8, 2005

37-738

Review

12/2/02
SCL

POU? Is 22E SID SWNW

(owned by others) ^{TAX LOT SHOWS}
NO OWNERSHIP
37-7581 whitby (SW)

POU claimed > decree POU

nothing in S. 10 from decree or lic. Not part of the
same delivery system.

POD: Higlline Canal?

37-738
T1S, R21E
12-2-02 scc
draft
916-290 AC'

-7490

505E

RD NE

14 13
23 24

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-738WATER RIGHT NUMBER: **37-738**

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	G A CONDIE
	, ZZ
Current Owner	LILLIE I CONDIE
	TWIN FALLS, ID 83301

Priority Date: 03/30/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FISH CREEK	LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
DOMESTIC	/ to /		
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

FISH CREEK	NW1/4SE1/4	Sec. 33, Twp 01N, Rge 22E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	21E	13	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
01S	21E	24	X				

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

- General TRANS. 887.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-738

Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1914
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: 37U
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