

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: A37-00737A

Date Received:

Receipt No: MOO1284

Received By: g. pc

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

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 |
| 01S      | 21E   | 1       | SE     | SE     | SE     | R   | BLAINE |
|          |       | 12      | NW     | NW     | NE     | R   | BLAINE |
|          |       |         | SW     | NE     | NW     | R   | BLAINE |
|          |       |         | SE     | NE     | NW     | R   | BLAINE |
|          |       |         | SE     | NW     | NW     | R   | BLAINE |

5. Description of diverting works:  
EARTHEN DIVERSION DAM FOR THE HIGH LINE CANAL.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.700  |      |        |

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

8. Total consumptive use is 1658.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE.

10. Place of Use:

| Township | Range | Section | 1/4                 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------------|----|-----|-----|-----|-------|
| 01S      | 21E   | 12      | SW                  |    | NE  |     | IRR | 38.0  |
|          |       |         | SE                  |    | NE  |     | IRR | 40.0  |
|          |       |         | NE                  |    | SE  |     | IRR | 40.0  |
|          |       |         | NW                  |    | SE  |     | IRR | 40.0  |
|          |       |         | SW                  |    | SE  |     | IRR | 40.0  |
|          |       |         | SE                  |    | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres 238.0 |    |     |     |     |       |
|          |       | 13      | NE                  |    | NE  |     | IRR | 40.0  |
|          |       |         | NW                  |    | NE  |     | IRR | 40.0  |
|          |       |         | SW                  |    | NE  |     | IRR | 40.0  |
|          |       |         | NW                  |    | NW  |     | IRR | 27.0  |
|          |       |         | SW                  |    | NW  |     | IRR | 40.0  |
|          |       |         | SE                  |    | NW  |     | IRR | 19.5  |
|          |       |         | NE                  |    | SW  |     | IRR | 40.0  |
|          |       |         | NW                  |    | SW  |     | IRR | 40.0  |
|          |       |         | NW                  |    | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres 326.5 |    |     |     |     |       |
|          |       | 14      | SE                  |    | NE  |     | IRR | 40.0  |
|          |       |         | NE                  |    | SE  |     | IRR | 39.0  |
|          |       |         | Section Acres 79.0  |    |     |     |     |       |
|          | 22E   | 18      | NW                  |    | NW  |     | IRR | 20.0  |
|          |       |         | Section Acres 20.0  |    |     |     |     |       |
|          |       |         | Total Acres 663.5   |    |     |     |     |       |

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:  
37-00769,3700756,3700752,3700735,3700770B,3700770A3700737.

14. Remarks:  
CAIMANT OWNS HALF OF LAND LISTED IN ORIG. RIGHT.

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

A37-00737A

Page 2

Date: 10/26/88

MICROFILMED  
FEB 23 1993

Decree Plaintiff

Decree Defendant

**VS**

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. *18*

Signature of Claimant(s):

Date: 10-26-88

Date:

State of Idaho

)

) SS.

County of Blain

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

of Oct 19 82

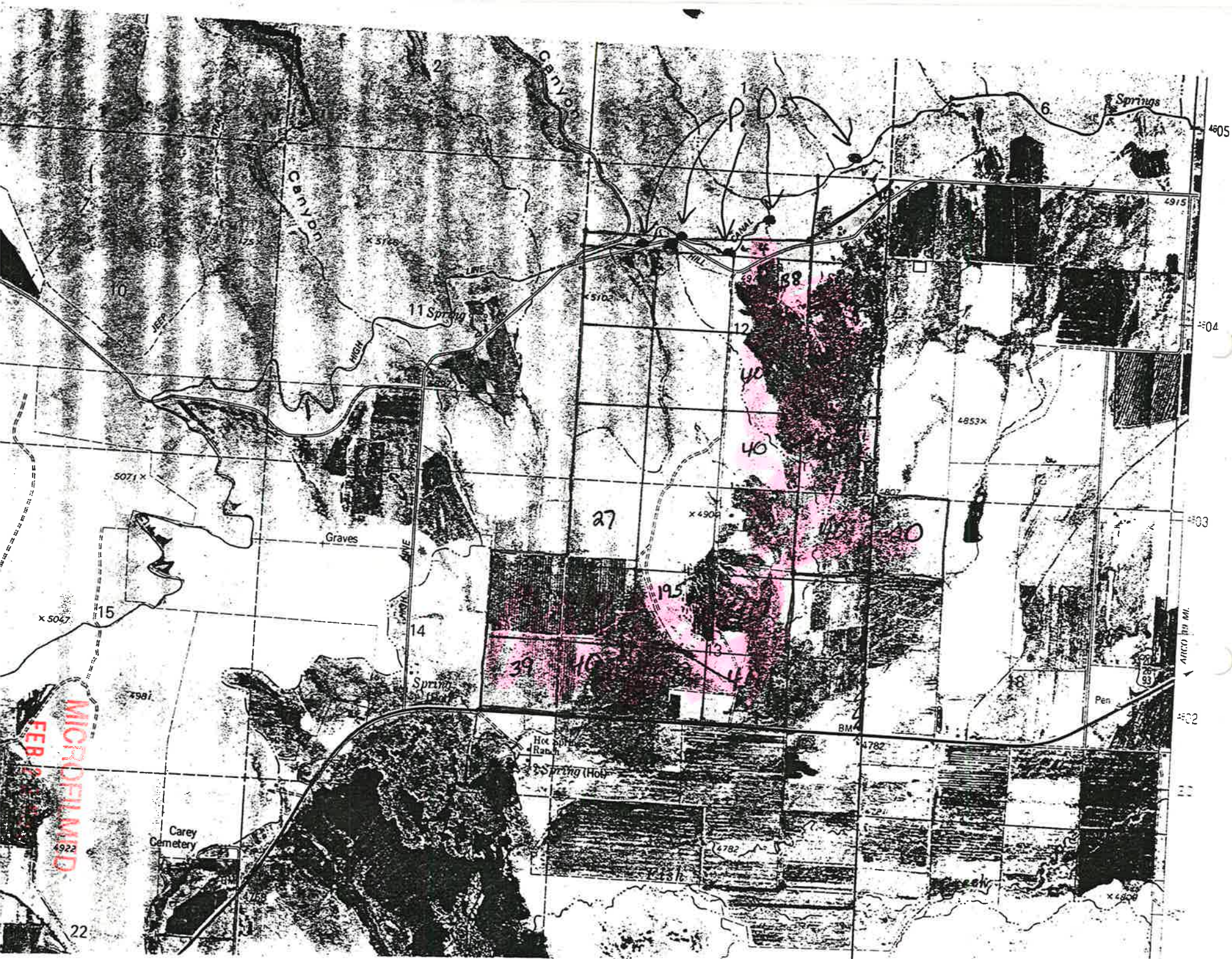
Josh Dale Cochran  
Notary Public

Seal

Residing at Born IL

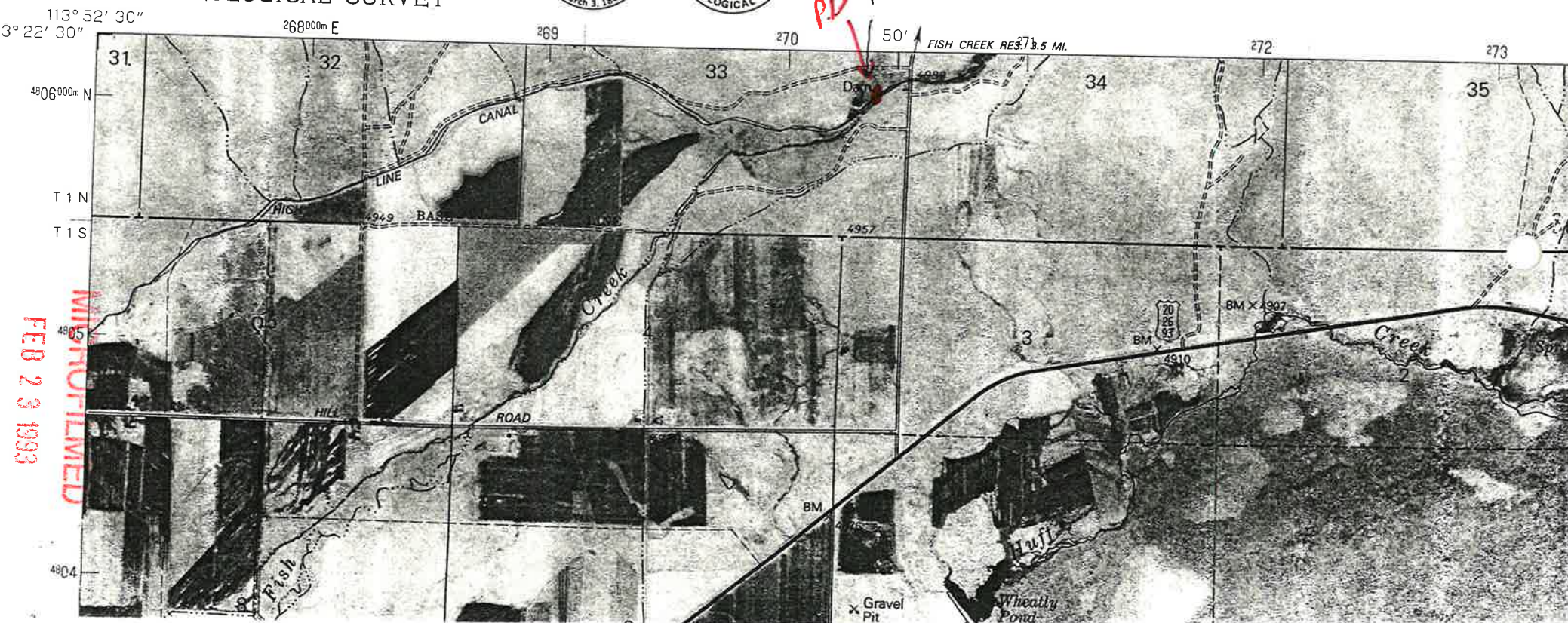
My Commission Expires 6/2/84

MICROFILMED  
FEB 23 1993



ho  
ENT OF WATER RESOURCES

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



Water Right Number - 37-00737 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
BRIGGS WILLIAM G. 1 -  
2 -  
3 -  
City- State- Zip-  
Phone -

+ - - 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)

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 1.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
1.400 70 35

+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County  
01S 21E 13 NW SE 01 IRRIGATION 13 BLAINE  
01S 22E 19 NW-NW 01 IRRIGATION 13 BLAINE

Total Acres:

+ - - Diversion Means -  
+ - - Non-Irrigation Use -  
+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +  
P/U INCOMPLETE. SEE FILE.  
AC. IRRIG. NOT SPECIFIED. FARM = 70 AC.

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

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +  
POTTER, ET. AL. PATTERSON, ET. AL. 12/16/1914

+ - - Microfilm Rolls -

FEB 23 1993

MICROFILMED

Water right number - 37-00737

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 02/11/86

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 -

MICROFILMED  
FEB 23 1993

01/11/2007

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

RIGHT NUMBER: 37-737A

NAME AND ADDRESS: ELLSWORTH ENTERPRISES  
PO BOX 158  
CAREY ID 83320

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.700 CFS

PRIORITY DATE: 03/30/1883

POINT OF DIVERSION:

T01N R22E S33 SENESE Within BLAINE County  
T01S R21E S12 SWNENW Injection Within BLAINE County  
T01S R21E S12 NWSSENW Rediversion Within BLAINE County  
T01S R21E S12 NWSSENW Rediversion 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          | 0.700 CFS       |

PLACE OF USE: IRRIGATION in BLAINE County

|                          |      |       |               |      |       |
|--------------------------|------|-------|---------------|------|-------|
| T01S R21E S12            | NENE | 26.00 | T01S R21E S12 | SWNE | 34.00 |
| T01S R21E S12            | SENE | 39.00 | T01S R21E S12 | SWNW | 6.80  |
| T01S R21E S12            | SENE | 0.80  | T01S R21E S12 | SWSW | 2.70  |
| T01S R21E S12            | NESE | 37.00 | T01S R21E S12 | NWSE | 31.00 |
| T01S R21E S12            | SWSE | 22.00 | T01S R21E S12 | SESE | 37.00 |
| T01S R21E S13            | NENE | 40.00 | T01S R21E S13 | NWNE | 35.00 |
| T01S R21E S13            | SWNE | 39.00 | T01S R21E S13 | NENW | 5.20  |
| T01S R21E S13            | NWNW | 34.00 | T01S R21E S13 | SWNW | 40.00 |
| T01S R21E S13            | SENE | 27.00 | T01S R21E S13 | NESW | 36.00 |
| T01S R21E S13            | NWSW | 38.00 | T01S R21E S13 | NWSE | 33.00 |
| T01S R21E S14            | SENE | 40.00 | T01S R21E S14 | NESE | 38.00 |
| T01S R22E S18 Lot 1 NWNW |      | 22.00 |               |      |       |

663.5 ACRES TOTAL

Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, 37-767, 37-769, 37-770C, 37-771, 37-1181, and 37-2031 are limited to the irrigation of a combined total of 663.5 acres in a single irrigation season.

Right Nos. 37-733, 37-735, 37-737A, 37-752, 37-756, and 37-770C are limited to the irrigation of a combined total of 201.3 acres in a single irrigation season.

This right is limited to the irrigation of 35.0 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.

01/11/2007

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

---

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered from Fish Creek through the Highline Canal. Several diversions from the Highline Canal convey the water to the place of use. One of these diversions from the Highline Canal injects water into the Road Canyon channel and then water is rediverted from the Road Canyon channel further downstream from two separate ditches (one on each side of channel) to the place of use.

Use of this right is combined with water from Fish Creek Reservoir Co.



# Idaho Department of Water Resources

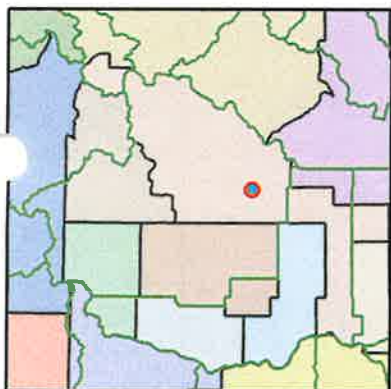
SRBA Recommendation:

**37-737A**

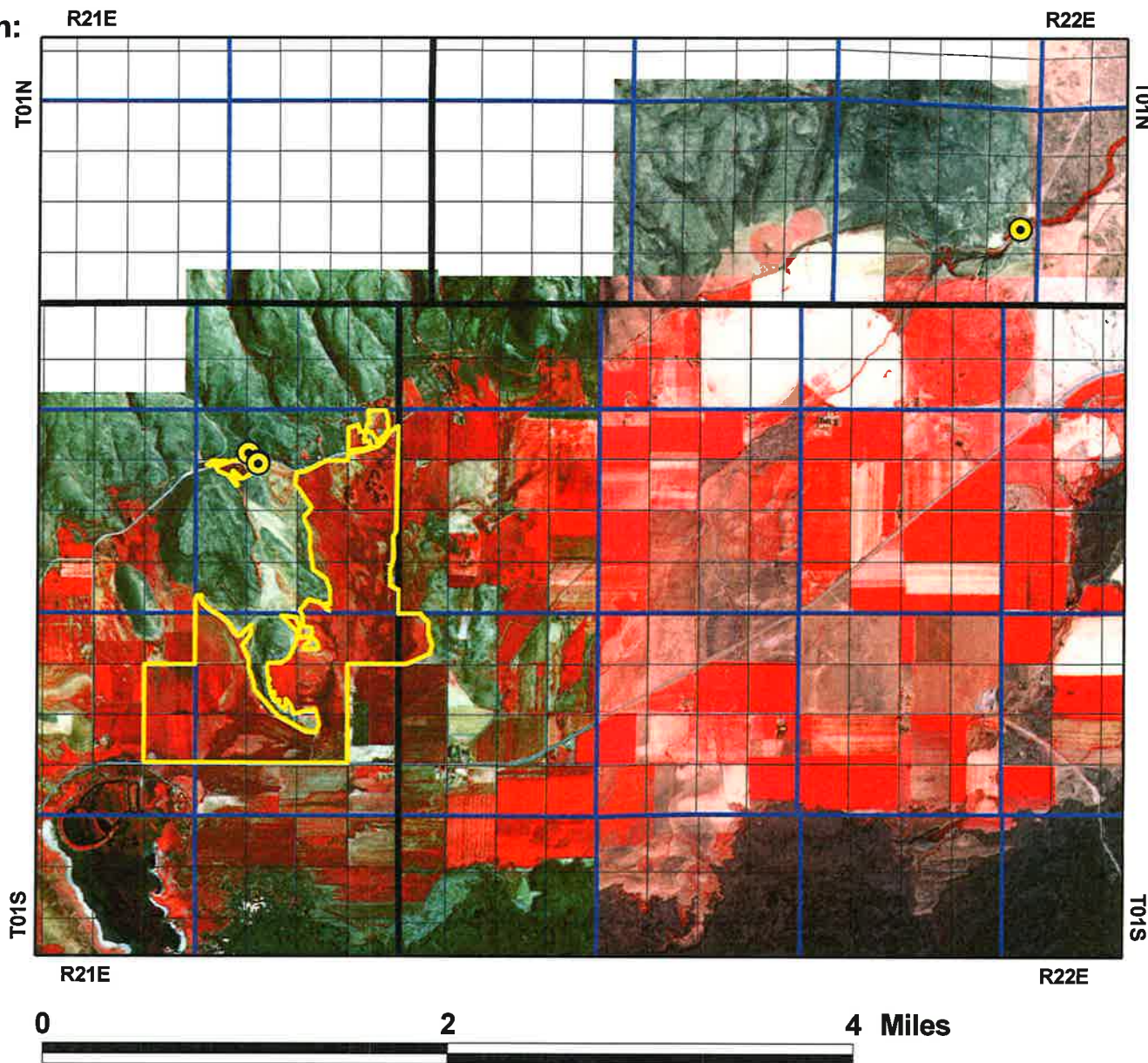
(Irrigation)

## Legend

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



Blaine County  
IDWR Basin 37



Prepared by C. Skinner  
On Thursday, January 11, 2007  
1987/88 Aerial Photography

37-737A

