

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: A37-00759

Date Received: 10/12/1988

Receipt No: S002896

Received By: QC AB

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: LEON SKELTON 208-522-5405
Address: 445 GUSTAFSON
IDAHO FALLS ID 83402
AND/OR
Name: FRANCES SKELTON 208-522-5405
Address: 445 GUSTAFSON
IDAHO FALLS ID 83402

2. Date of Priority: JUN 1, 1884

3. Source: FISH CREEK, EAST FORK Trib. to: FISH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	23E	6	SE	NW	NW	4	BLAINE

5. Description of diverting works:

CHECK DAM & PIPELINE TO GRAVITY SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	07/15	0.500		

7. Total Quantity Appropriated is:

0.500 C.F.S. (and/or) 60.00 A.F.A.

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	22E	1	SE	NE		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
01N	22E	1	NW	NW	4	IRR	3.0	
			SW	NW		IRR	19.0	
			SE	NW		IRR	11.0	
			NE	SW		IRR	22.0	
			NW	SW		IRR	19.0	
			NW	SE		IRR	16.0	
			Section Acres					103.0
		2	SE	NE		IRR	1.0	
			NE	SE		IRR	11.0	
			Section Acres					12.0
			Total Acres					115.0

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:

37-0761, 0762, 80 AF OF FISH CREEK RESERVOIR WATER

14. Remarks:

SPRINKLERS WERE INSTALLED IN 1978. ACRES IRRIGATED DID NOT INCREASE GREATLY, BUT THE AVAILABLE WATER IS NOW USED MUCH MORE EFFICIENTLY. IN ANY GIVEN YEAR, DIRECT-FLOW RIGHTS WILL BE AVAILABLE FOR ABOUT 60 DAYS. AFTER THAT, I HAVE ABOUT 80 AF OF STORED WATER AVAILABLE FOR THESE LANDS. THIS SYSTEM SERVES ALL THE LAND WATERED FROM THE EAST FORK. THE SYSTEM CAN PULL ABOUT 2 CFS FROM THE EAST FORK (A TOTAL OF 1.9 CFS IS DECREED TO ME), BUT THIS IS USUALLY NOT DONE DUE TO LOW WATER SUPPLIES IN THE DRAINAGE.

OWNERSHIP CHANGE MADE 8/12/97 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1914

POTTER, ET. AL.

Decree Plaintiff

PATTERSON, ET. AL.

vs

Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

AUG 15, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEON & FRANCES SKELTON
445 GUSTAFSON
IDAHO FALLS ID 83402

RE: SRBA CLAIM(S): A37-00759, A37-00761, A37-00762, A37-01214,
A37-01215, & A37-10989
MORROW/NICHOL

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH
THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE
DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR
YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS
OFFICE.

SINCERELY,

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

JUL 09 1997
Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 37-08335
Adjudication Claim Number(s) A37-00759, A37-00761, A37-00762, A37-01214, A37-01215 & A37-10989
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) A.J. Donelson Morrow/W.L. Nichol
P.O. Box 248, Carey, ID 83320
4. New Owner/Claimant(s) Leon and Frances Skelton
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR
New Mailing Address 445 Gustafson
City, State and ZIP Code Idaho Falls, ID 83402
New Telephone Number (208) 522-5405
5. Date you acquired the property July 1, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Leon Skelton Date 7-1-97
Frances Skelton Date 7-1-97
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

QUITCLAIM DEED

FOR VALUE RECEIVED

A.J. DONELSON MORROW, Trustee of the A.J. Donelson Morrow 1993 Revocable Trust Dated February 9, 1993 and W.L. NICHOL, IV, a married man, as his sole and separate property

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

LEON SKELTON and FRANCES SKELTON, husband and wife

whose address is: 445 Gustafson, Idaho Falls, ID 83402

the following described premises situated in Blaine County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

RECEIVED

JUL 02 1997

Department of Water Resources
Southern Region

This document may be executed simultaneously in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

together with their appurtenances.

Dated: June 26, 1997

A.J. Donelson Morrow, Trustee
A.J. DONELSON MORROW, TRUSTEE

W.L. Nichol
W.L. NICHOL, IV

State of ~~Idaho~~ TENNESSEE }
County of ~~Blaine~~ SHELBY } ss.

On this 30th day of June, in the year 1997 before me, the undersigned, personally appeared A.J. DONELSON MORROW, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the A.J. DONELSON MORROW 1993 REVOCABLE TRUST DATED FEBRUARY 9, 1993, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Julie J. Stewart
Notary Public
Commission Expires: 11-28-99



State of Tennessee }
County of SHELBY } ss.

On this 27th day of June, in the year 1997, before me, the undersigned, personally appeared W.L. Nichol, IV known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan J. Hoover
Notary Public
Commission Expires:



QUITCLAIM DEED

FOR VALUE RECEIVED

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JUL 02 1997

Department of Water Resources
Southern Region

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together with their appurtenances.

Dated: June 26, 1997

A.J. DONELSON MORROW, TRUSTEE

W.L. NICHOL, IV

State of Idaho)
County of Blaine) ss.
)

On this _____ day of _____, in the year 1997 before me, the undersigned, personally appeared A.J. DONELSON MORROW, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the A.J. DONELSON MORROW 1993 REVOCABLE TRUST DATED FEBRUARY 9, 1993, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Notary Public:

Commission Expires:

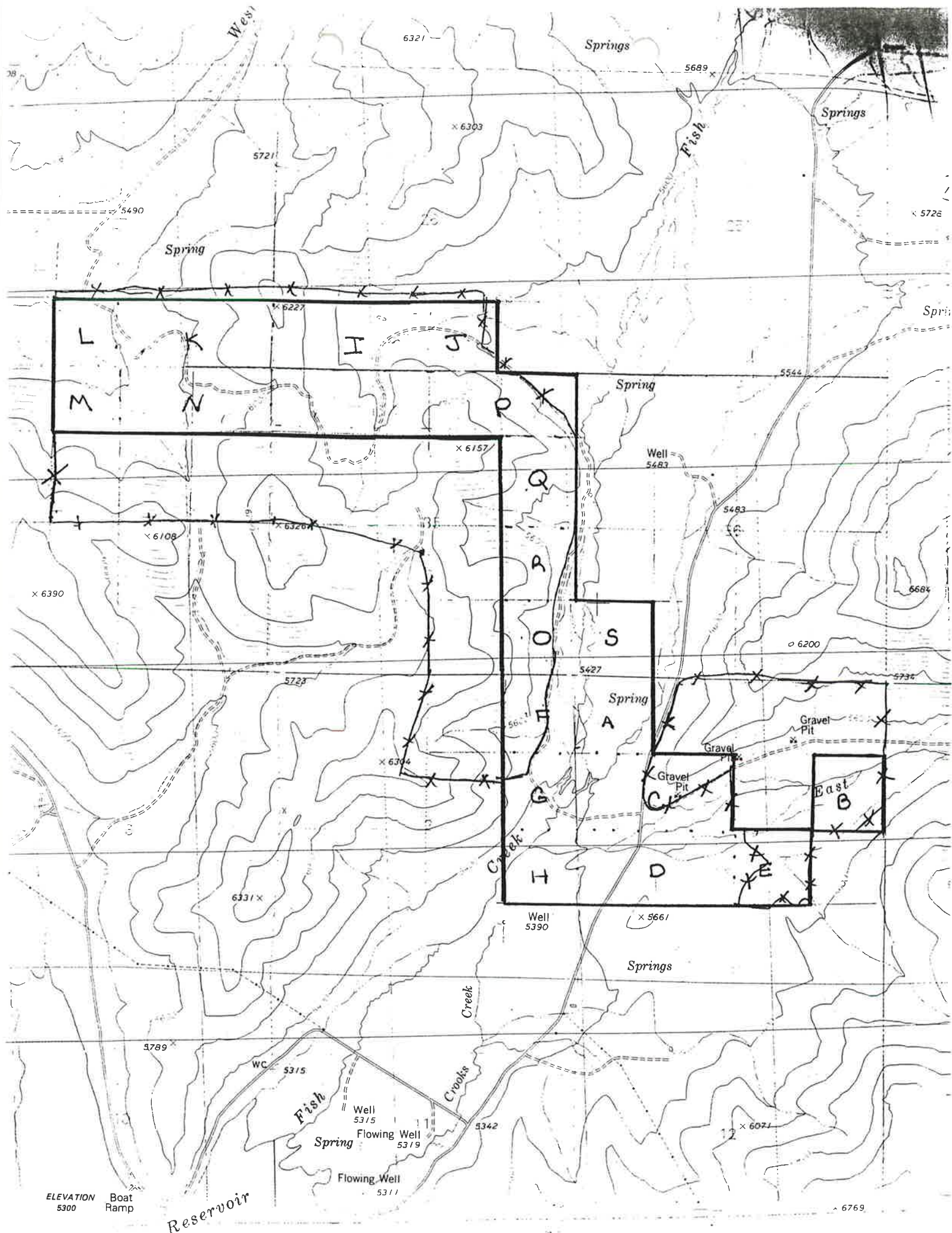
State of Tennessee)
County of _____) ss.
)

On this _____ day of June, in the year 1997, before me, the undersigned, personally appeared W.L. Nichol, IV known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Notary Public

Commission Expires:





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUL 30, 1997

LEON & FRANCES SKELTON
445 GUSTAFSON
IDAHO FALLS ID 83402

RE: OWNERSHIP CHANGE FROM MORROW/NICHOL

DEAR SKELTONS:

THANK YOU FOR NOTIFYING US ON THIS OWNERSHIP CHANGE. UNFORTUNATELY, THERE IS A PROBLEM.

AN EXHIBIT "A" WITH A DEFINITE LEGAL DESCRIPTION SHOWING THE RANGE, TOWNSHIP, SECTION(S), AND QUARTER/QUARTER SECTION(S) IS NEEDED. THE DEPARTMENT'S PROFILE REPORTS CANNOT BE USED AS AN EXHIBIT "A". A FSA MAP IS ALSO NEEDED TO SHOW WHERE YOUR PROPERTY IS LOCATED.

IF YOU COULD SEND BACK THESE DOCUMENTS, IT WOULD BE APPRECIATED. I APOLOGIZE FOR THE INCONVENIENCE.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME. THANK YOU FOR YOUR HELP.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L BACKLUND
ADJUDICATION RECORDS CLERK

/tlb
ENCLOSURES

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: A37-00759
Date Received: 8/12/1988
Receipt No: 500286
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. J. DONELSON MORROW 208-788-3142
Address: P. O. BOX 357
CAREY, ID 83320

2. Date of Priority: JUN 01, 1884

3. Source: FISH CREEK, EAST FORK Trib. to: FISH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	23E	6	SE	NW	NW	4	BLAINE

5. Description of diverting works:
CHECK DAM & PIPELINE TO GRAVITY SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	07/15	0.500		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 60.00 A.F.A.

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	22E	1	SE	NE		IRR	13.0
			NW	NW	4	IRR	3.0
			SW	NW		IRR	19.0
			SE	NW		IRR	11.0

A37-00759

Page 1

Date: 08/12/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	22E	1	NE	SW		IRR	22.0
			NW	SW		IRR	19.0
			NW	SE		IRR	16.0
						Section Acres	103.0
		2	SE	NE		IRR	1.0
			NE	SE		IRR	11.0
						Section Acres	12.0
						Total Acres	115.0

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:

37-0761, 0762, 80 AF OF FISH CREEK RESERVOIR WATER

14. Remarks:

SPRINKLERS WERE INSTALLED IN 1978. ACRES IRRIGATED DID NOT INCREASE GREATLY, BUT THE AVAILABLE WATER IS NOW USED MUCH MORE EFFICIENTLY. IN ANY GIVEN YEAR, DIRECT-FLOW RIGHTS WILL BE AVAILABLE FOR ABOUT 60 DAYS. AFTER THAT, I HAVE ABOUT 80 AF OF STORED WATER AVAILABLE FOR THESE LANDS. THIS SYSTEM SERVES ALL THE LAND WATERED FROM THE EAST FORK. THE SYSTEM CAN PULL ABOUT 2 CFS FROM THE EAST FORK (A TOTAL OF 1.9 CFS IS DECREED TO ME), BUT THIS IS USUALLY NOT DONE DUE TO LOW WATER SUPPLIES IN THE DRAINAGE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1914

POTTER, ET. AL.

Decree Plaintiff

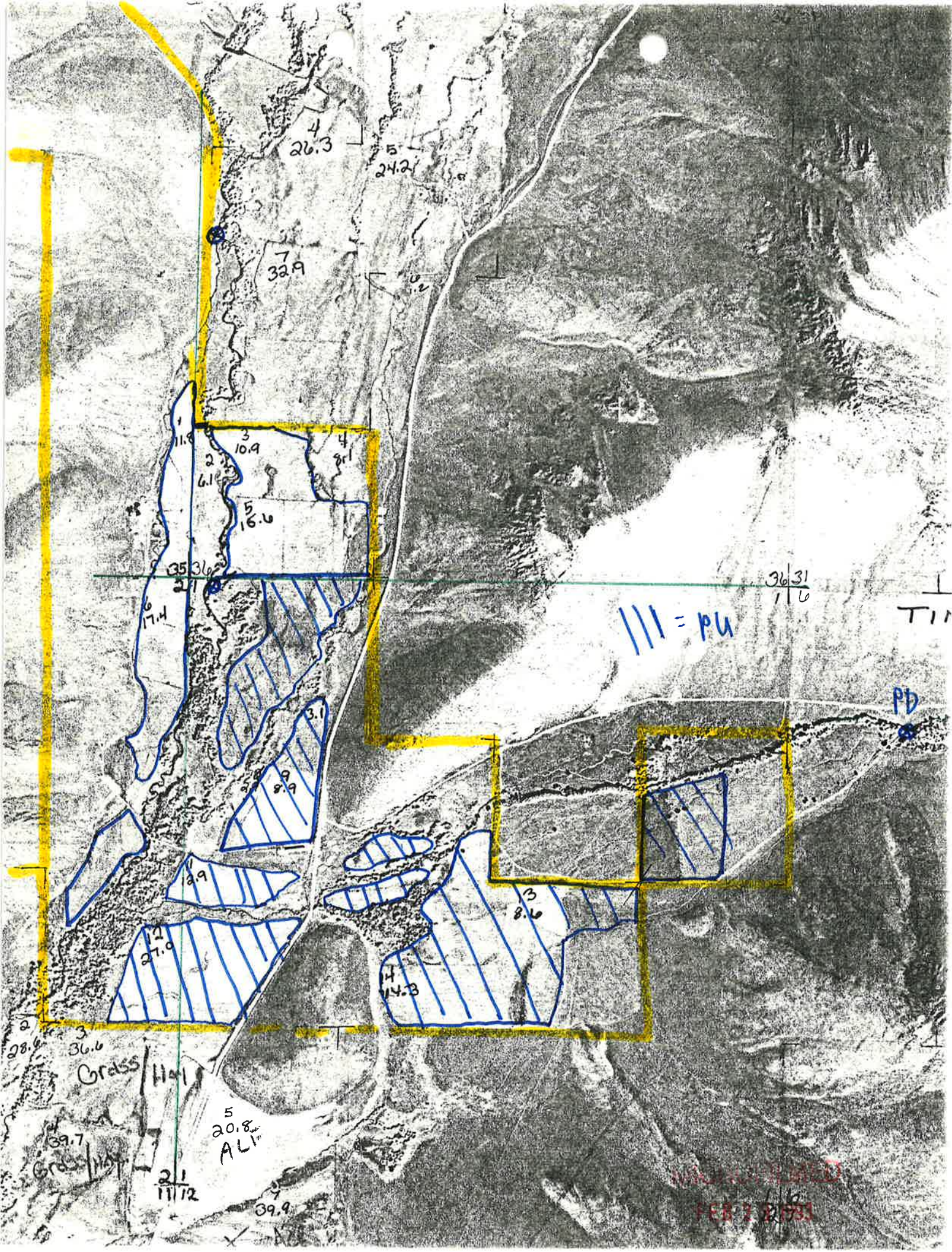
vs

PATTERSON, ET. AL.

Decree Defendant

(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.

FEB 23 1993



11/30/2006

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

RIGHT NUMBER: 37-759
NAME AND ADDRESS: FRANCES SKELTON
2958 THAYER BRIDGE CIRCLE
IDAHO FALLS ID 83402

LEON SKELTON
2958 THAYER BRIDGE CIRCLE
IDAHO FALLS ID 83402

SOURCE: EAST FORK FISH CREEK TRIBUTARY: FISH CREEK
QUANTITY: 0.500 CFS
PRIORITY DATE: 06/01/1884
POINT OF DIVERSION:

T01N R23E S6 SENWNW Lot 4 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	0.500 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R22E S01	SENE	14.00	T01N R22E S01	SWNW	12.00
T01N R22E S01	SENW	6.80	T01N R22E S01	NESW	27.00
T01N R22E S01	NWSW	21.00	T01N R22E S01	NWSE	22.00
T01N R22E S02	SENE	0.20	T01N R22E S02	NESE	12.00

115 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 115 acres in a single irrigation season. Combined Right Nos.: 37-759, 37-761B, and 37-762.

This right is limited to the irrigation of 80 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:

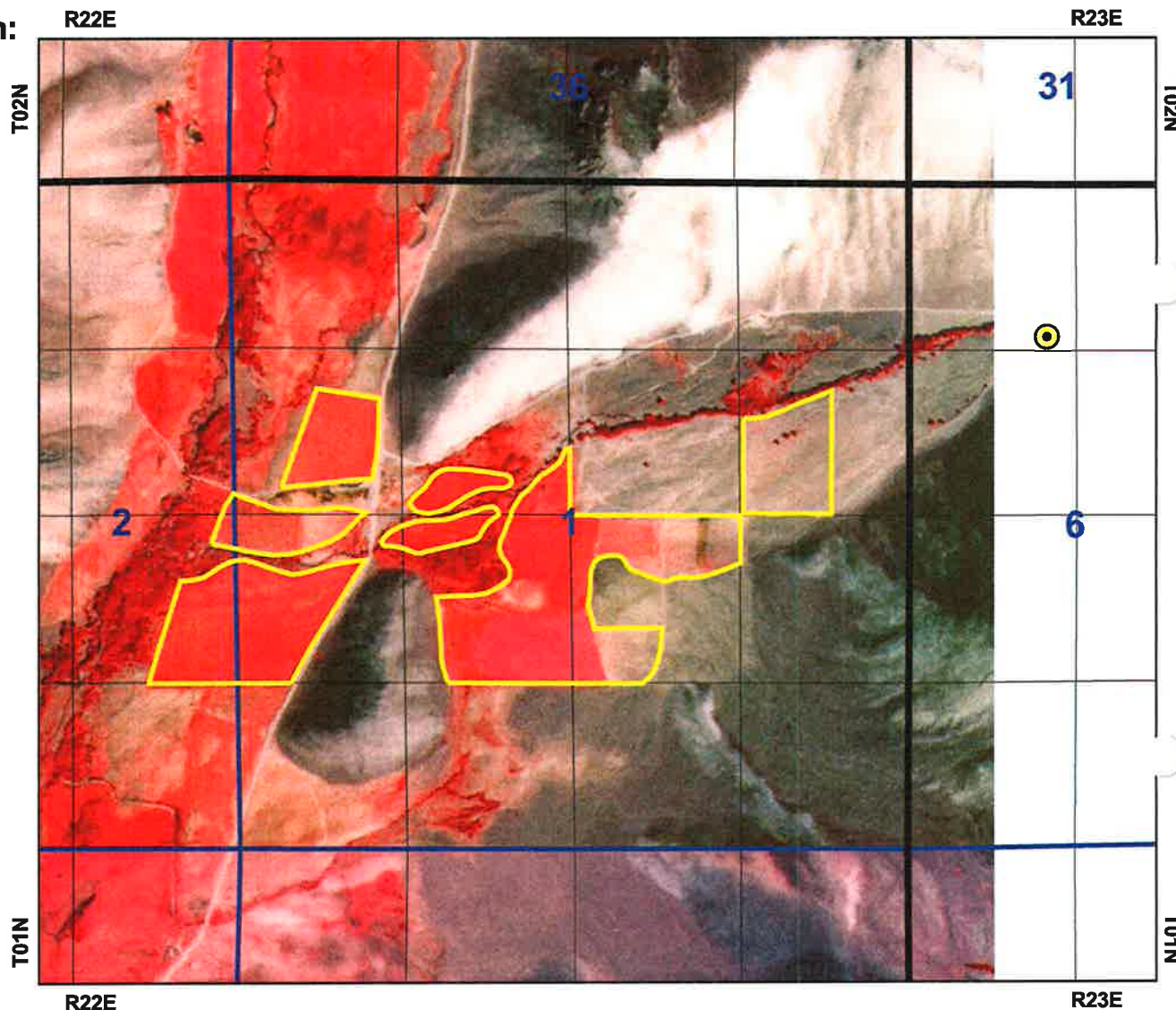
37-759
37-761B
37-762

Legend

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



Blaine County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Thursday, November 30, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-759, 37-761B, 37-762

Background Data

37-759

- Source is East Fork Fish Creek
- Decreed for 0.5 cfs on 80 acres in 2 QQ
- Claimed for 0.5 cfs on 115 acres

37-761B

- Source is East Fork Fish Creek
- A priority date search confirmed the following.
 - 37-761 is decreed for 1.0 cfs on 160 acres in 4 QQ
 - 37-761A claimed 0.25 cfs on 40 acres
 - 37-761B claimed 1.0 cfs on 115 acres
 - Overclaimed - ~~recommended 0.75 cfs for irrigation.~~

37-762

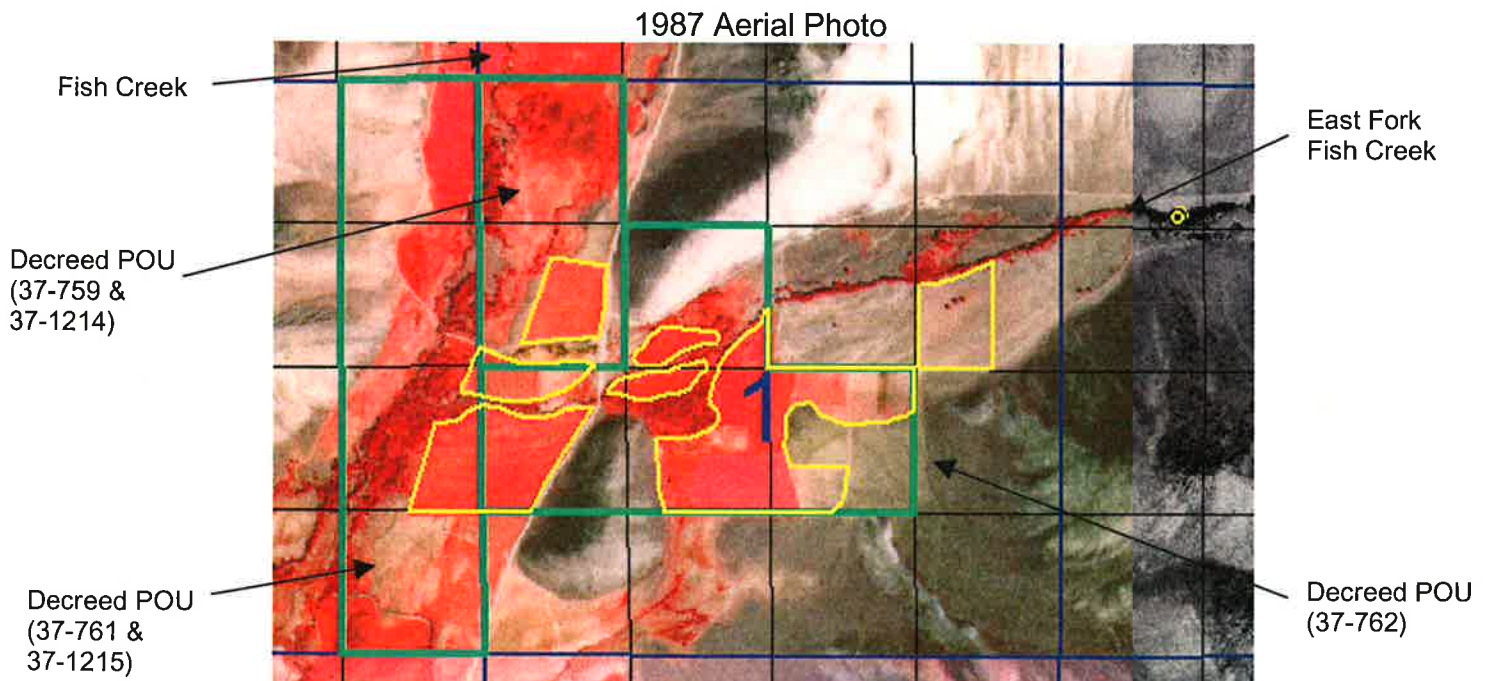
- Source is East Fork Fish Creek
- Decreed for 0.4 cfs on 80 acres in 4 QQ
- Claimed for 0.4 cfs on 115 acres

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)





Photograph of POD taken by Lee Peterson during field exam.
Location: 2518639 1361177
Plate: A0016264
Photo #: 1060651

Notes

T2N R20E Section 1 & 2

- Found 115 acres for Irrigation
- 10/20/05 talked with Leon Skelton on telephone. Mr. Skelton stated that 37-761 has been split since he owned the property, with him getting 0.5 cfs and Carney getting 0.5 cfs. He also said that is how the watermaster is delivering the right. He plans to amend claim 37-1214 to include NWNW Section 1. He said that the watermaster said he is delivering 37-1195 to him, so Mr. Skelton claimed the right in the SRBA. He thinks 37-21296 is 37-761, which is being split, rather than 37-758.
- Sent a letter on October 19, 2005 to both owners telling them that 37-761 is overclaimed and describing a possible way to split the right. I subsequently talked to both owners on the telephone:
 - Mr. Carney was somewhat unsure about this right
 - Mr. Skelton said that he thought the watermaster delivered 0.5 cfs to each of them for this right, but his claim (37-761) is for 1.0 cfs.
 - There is no documentation in the claim file that indicates how much of this right Mr. Skelton owns.

- A warranty deed in 37-761A lists "water right 37-761A for 0.25 cfs" as being owned by Mr. Carney.
- The watermaster is delivering 1.0 cfs to Mr. Skelton and nothing to Mr. Carney for this right. There appears to be delivery errors for other rights (see 37-758, 37-1195, and 37-21296) owned by these claimants, so I am uncertain about relying on the watermaster deliveries to delegate this right.
- 37-761 and 37-1215 were decreed as a stacked water right. Carney owns 25% of decreed POU, but he only claimed part of 37-761, he didn't claim part of 37-1215. Skelton claimed all of 37-1215.
- Decision:
 - 0.25 cfs to 37-761A (Carney) for Irrigation of 40 acres
 - He owns 25% of the decreed POU
 - 0.75 cfs to 37-761B (Skelton) for Irrigation of 115 acres
 - He owns 75% of the decreed POU
 - 1.6 cfs to 37-1215 (Skelton) for Irrigation of 57 acres
- Un-stacking of water rights:
 - 37-759 (East Fork Fish Creek) and 37-1214 (Fish Creek) were decreed on the same land
 - 37-761 (East Fork Fish Creek) and 37-1215 (Fish Creek) were decreed on the same land
 - As claimed:
 - 37-759 (East Fork Fish Creek) and 37-1214 (Fish Creek) were un-stacked
 - 37-761 (East Fork Fish Creek) and 37-1215 (Fish Creek) were un-stacked
 - 37-759, 37-761B, and 37-762 (all East Fork Fish Creek) are stacked on the same POU
 - Water was decreed on 280 acres
 - Water claimed on ~~240~~ 241 acres
 - Discussion:
 - Normally we would not allow the claimant to un-stack water rights. However, this situation is somewhat unique in that as decreed, it would be nearly impossible to get the water from the different sources to the decreed POUs. The water rights appear to have been un-stacked and re-stacked in a different way to make delivery easier/possible. This new configuration of the water rights appears to be how the water has been historically used. Additionally, the un-stacking and re-stacking of the water rights does not appear to have enlarged the water rights.
 - Decision:
 - Recommend the un-stacked and re-stacked water right in the new configuration.
- Recommendations:
 - 115-acre PPU
 - Combined use limit of 115 acres
 - 37-759
 - 0.50 cfs for Irrigation of 80 acres within PPU
 - 37-761B
 - 0.75 cfs for Irrigation of 115 acres
 - 37-762
 - 0.40 cfs for Irrigation of 80 acres within PPU
 - decree says 80 acres in 4 QQ
- Data used for review: 1987, 1992, & 2004 aerial photos, Blaine Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

Water master Deliveries
(Lawrence Kimball - watermaster, started 1991)

12/14/05
M. Anders

Gary Carney

37-0760	1885	40"	0.8 cts
37-0758	1884	50"	1.0 cts
37-0763	1887	40	0.8 cts
37-0764	1890	30"	0.6 cts
37-1195	1883?	50'	1.0 cts
incorrect → 37-2758 irrigation well	1955	290"	5.8 cts
37-1162 Reservoir shares		57.5 shares	

Leon Stelton

37-0759	1884	25"	0.5 cts
37-0761	1885	50"	1.0 cts
37-0762	1902	20"	0.4 cts
37-1214	1884	25"	0.5 cts
37-1215	1885	80"	1.6 cts
37-21296	1883	50"	1.0 cts
37-1162 Reservoir water		150 shares	

File No.
A-759=761=762=1214=1215

Owner
Leon Skelton
445 Gustafson
Idaho Falls

Date
5-15-05

I met with Mr. Skelton and his son this morning to review these five water right files .

37-759 Leon said the yellow areas look good but the POD is not out in the field as shown by the road,
See 2 color photos
for answers to the questions .

37-761 following a review of this file Leon said it looks OK

37-762 " " " " " " " " " "

37-1214 This source is Fish Cr. An Leon said the CFS and acres look OK with East Fork OK and land upper
Right is not irrigated and he said the land in center is not state or federal lands. See photos for response to
questions.

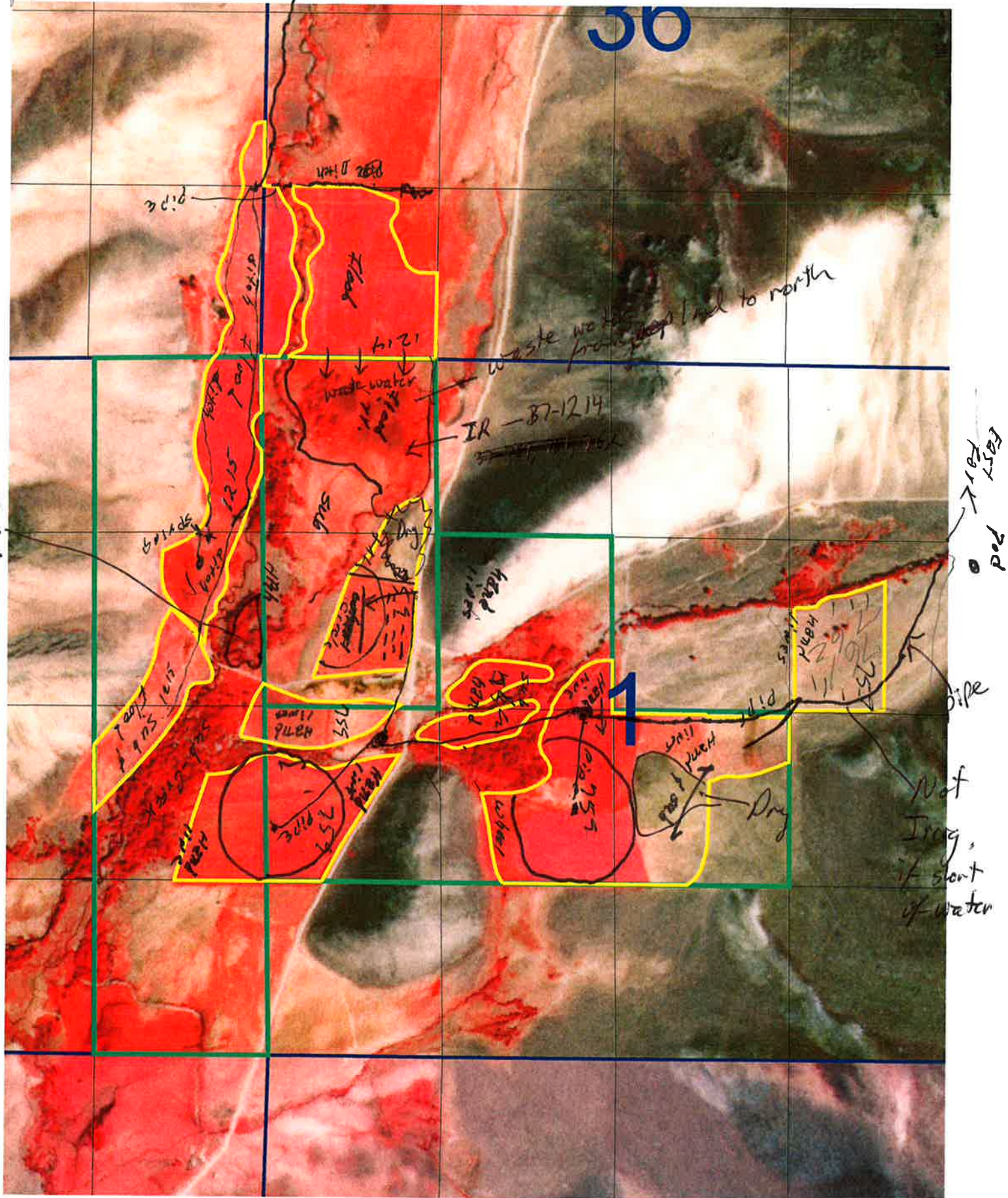
37-1215 this water is from

Fish Cr. And the POD is close but see GPS , and the 1.6 cfs is OK but many time it is not sufficient to
provide adequate water as needed. See photos for questions

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Fish Cr	Leon 1	2516723	1362460	A0016263	1060650
East Fork	" 2	2518639	1361177	264	651

Lee R. Peterson

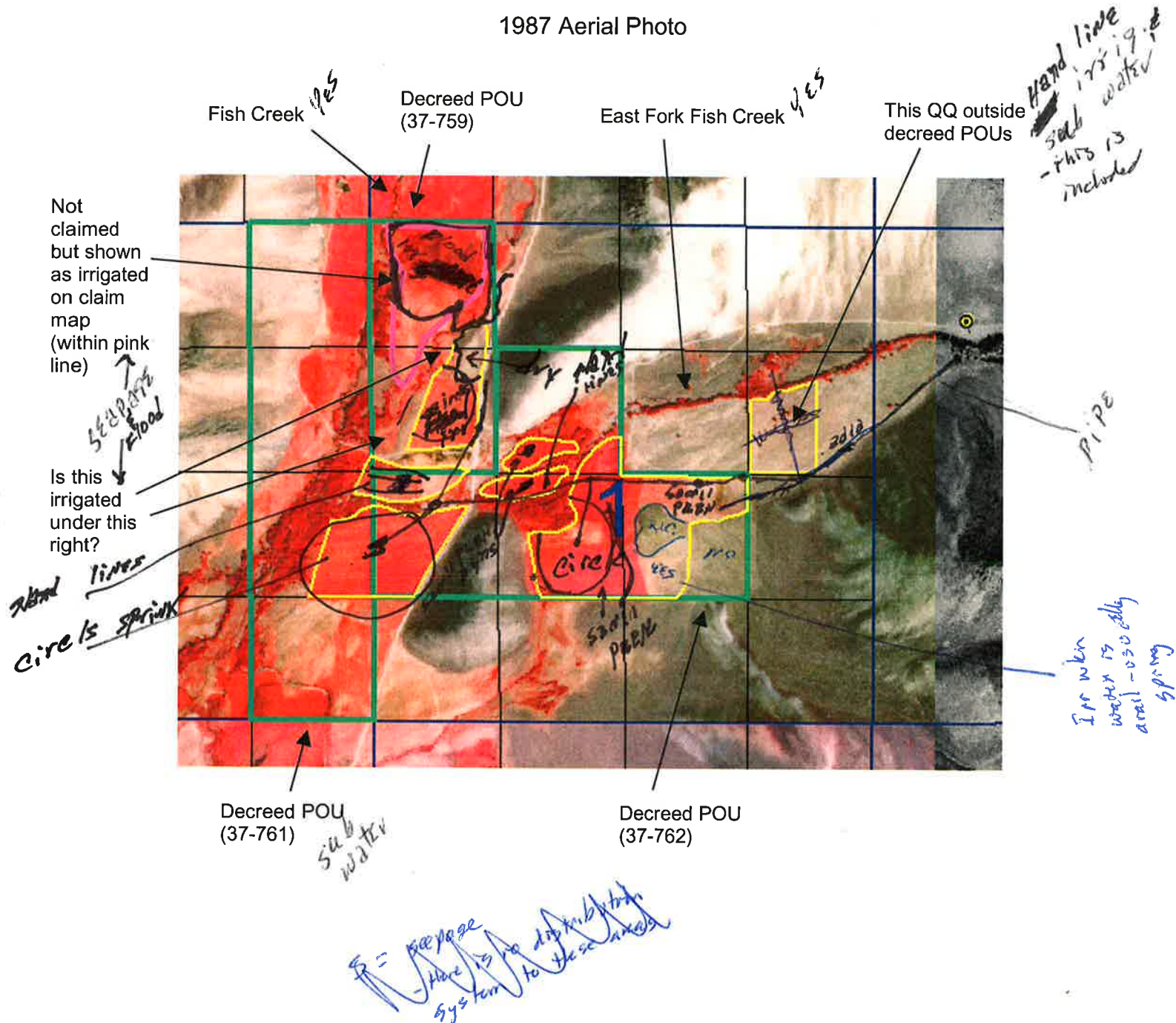
Summary



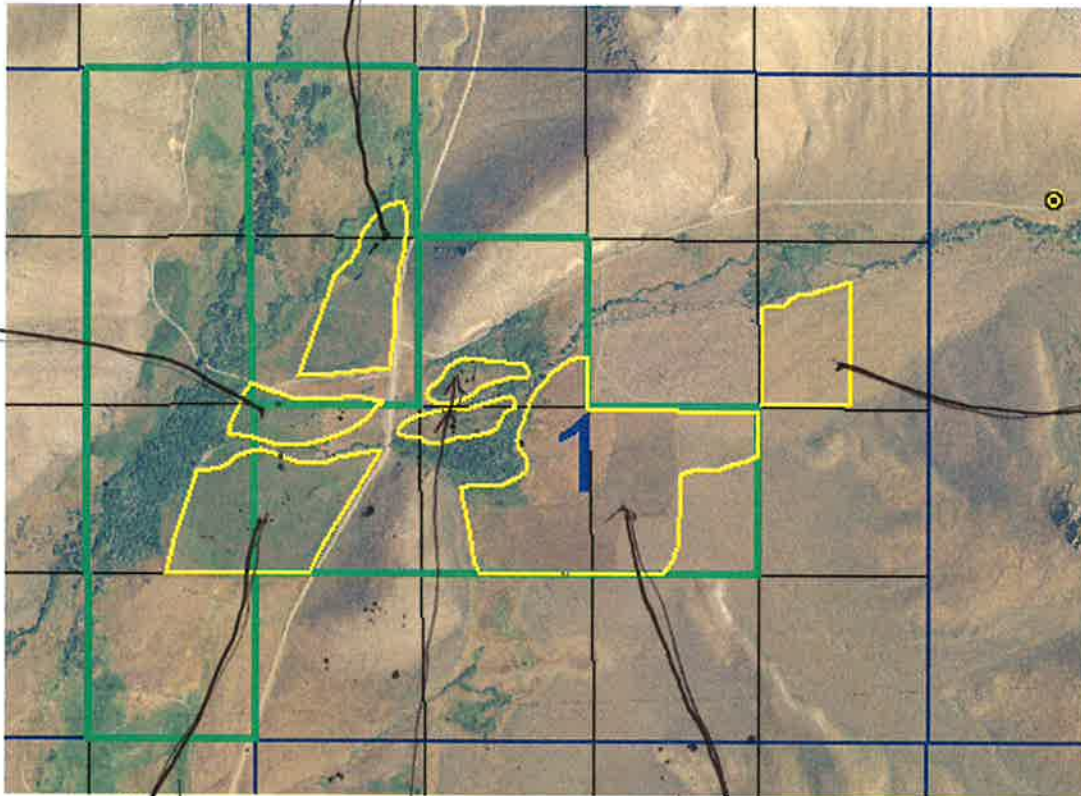
1987 Aerial Photo

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)



2004 Aerial Photo



Notes

T2N R20E Section 1 & 2

- Found 123 acres based on the map included in the claim. Also, only claimed 3 acres in the NWNW, but the map shows much larger area as being irrigated
- Is there additional irrigated land NW of POU
- Claimed POU is exactly same for 37-761 & 37-762. POU for 37-759 is same QQ, but 5 acres less.
- Land in NE corner is outside decreed POUs

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-759

WATER RIGHT NUMBER: 37-759

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ISABELLA MC DOUGAL
	, ZZ

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EAST FORK FISH CREEK	FISH CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion
EAST FORK FISH 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
01N	22E	1						X	X										
								L 4											

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 80 AC.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-759

Licensed Date:
Decreed Date: 12/16/1914
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: Joseph R Patterson, et al
Decree Plaintiff: Adelbert L Potter, 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:

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: NANCY STABLER

SAWTOOTH TITLE COMPANY

fax# 726-1062

TOTAL PAGES SENT: 10

DOCUMENT DESCRIPTION: PROFILE REPORTS OF A37-01215, A37-10989
A37-01214, A37-00759, A37-00761, A37-00762, 37-08693,
AND 37-08325

FROM: **IDAHO DEPARTMENT OF WATER RESOURCES**

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

PHONE: **736-3033**

FAX: **736-3037**

SENDER: Corey Skinner

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OF WATER, ACRES IRRIGATED ETC.)

PLEASE CALL ME WHEN YOU GET THESE.