

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: A37-00750
Date Received: 9/29/1988
Receipt No: 5002615
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TELFER, INC. 208-823-4351
Address: BOX 126
CAREY, ID 83320
2. Date of Priority: JUN 15, 1906
3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02N | 22E | 12 | SE | SE | NE | | BLAINE |
5. Description of diverting works:
ROCK HEADWALL AND HEADGATE
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.800 | | |
7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 170.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	22E	12	NE	SE		IRR	24.0
			SE	SE		IRR	24.0
Section Acres							48.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	22E	13	NE	NE		IRR	20.0
						Section Acres	20.0
	23E	7	NW	SW	3	IRR	1.0
						Section Acres	1.0
						Total Acres	69.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am MANAGER of _____
Title

TELFER INC., that I have signed the foregoing
Organization
document in the space below as MANAGER of
Title

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

F. Lee Eldredge
Signature of Authorized Agent

Manager Telfer Inc.
Title and Organization

9-29-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of September 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

FISH
CREEK

Pb

1290

68.1

24

24

20

Pb

20

20

20

20

20

20

20

20

20

20

2N

A37-00750

22E 23E

FEB 23 1993

11/29/2006

**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: 12/15/2006

Water right number: 37-750

TELFER INC

BOX 126

CAREY ID 83320

Telephone Number: (208)823-4351

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: 12-4-06 SIGNATURE: Lee Eldredge

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

11/28/2006

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

RIGHT NUMBER: 37-750
NAME AND ADDRESS: TELFER INC
BOX 126
CAREY ID 83320

SOURCE: FISH CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/15/1906

POINT OF DIVERSION:

T02N R22E S12 SESENE 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	0.800 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R22E S12	NESE	14.00	T02N R22E S12	SESE	26.00
T02N R22E S13	NENE	26.00	T02N R23E S07 Lot 3 NWSW		3.00

69 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



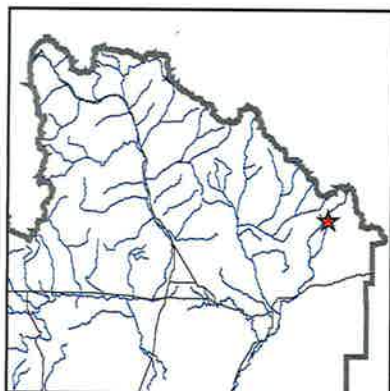
Idaho Department of Water Resources

SRBA Recommendation:

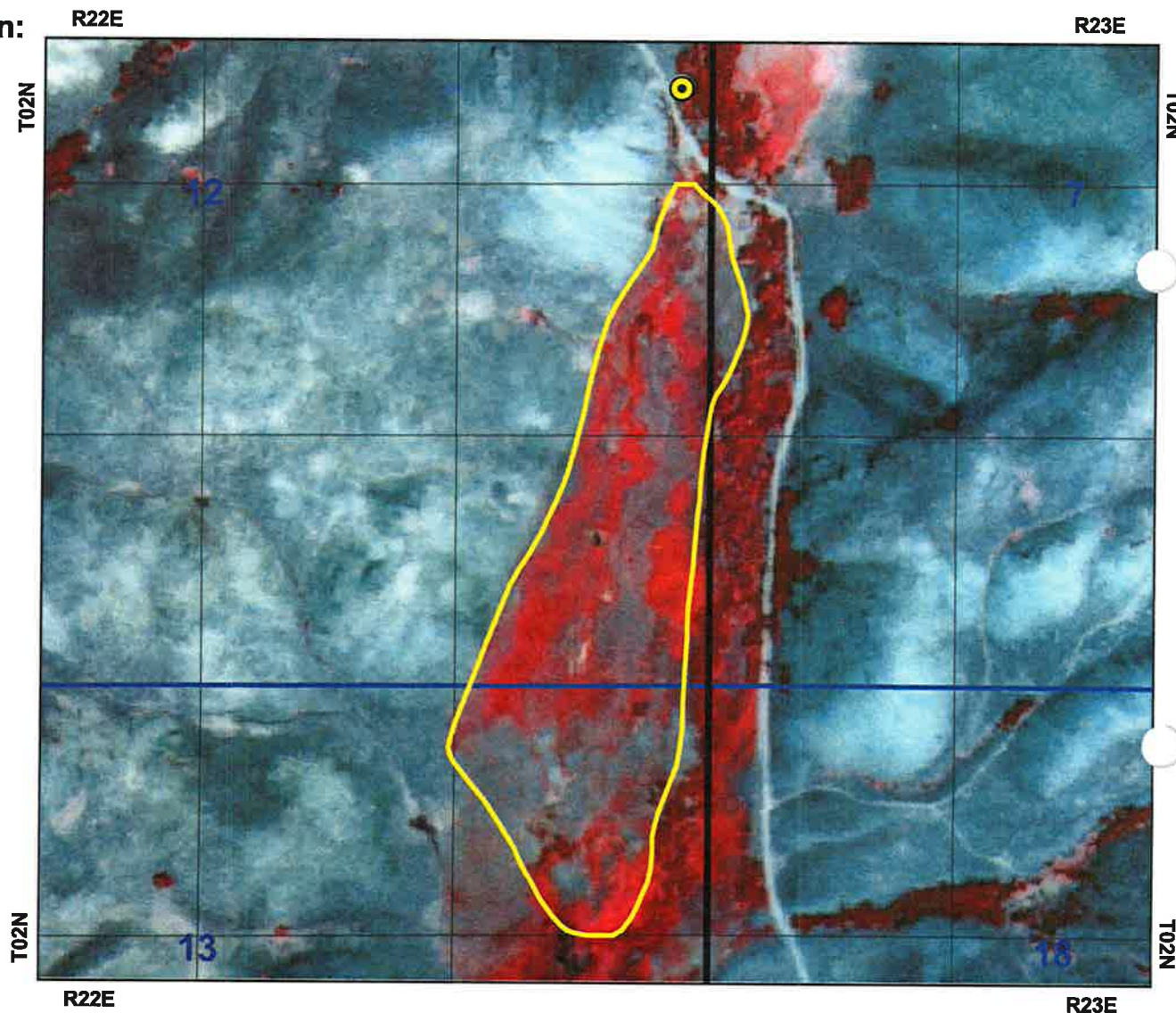
37-750

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 Tuesday, November 28, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-750

Background Data

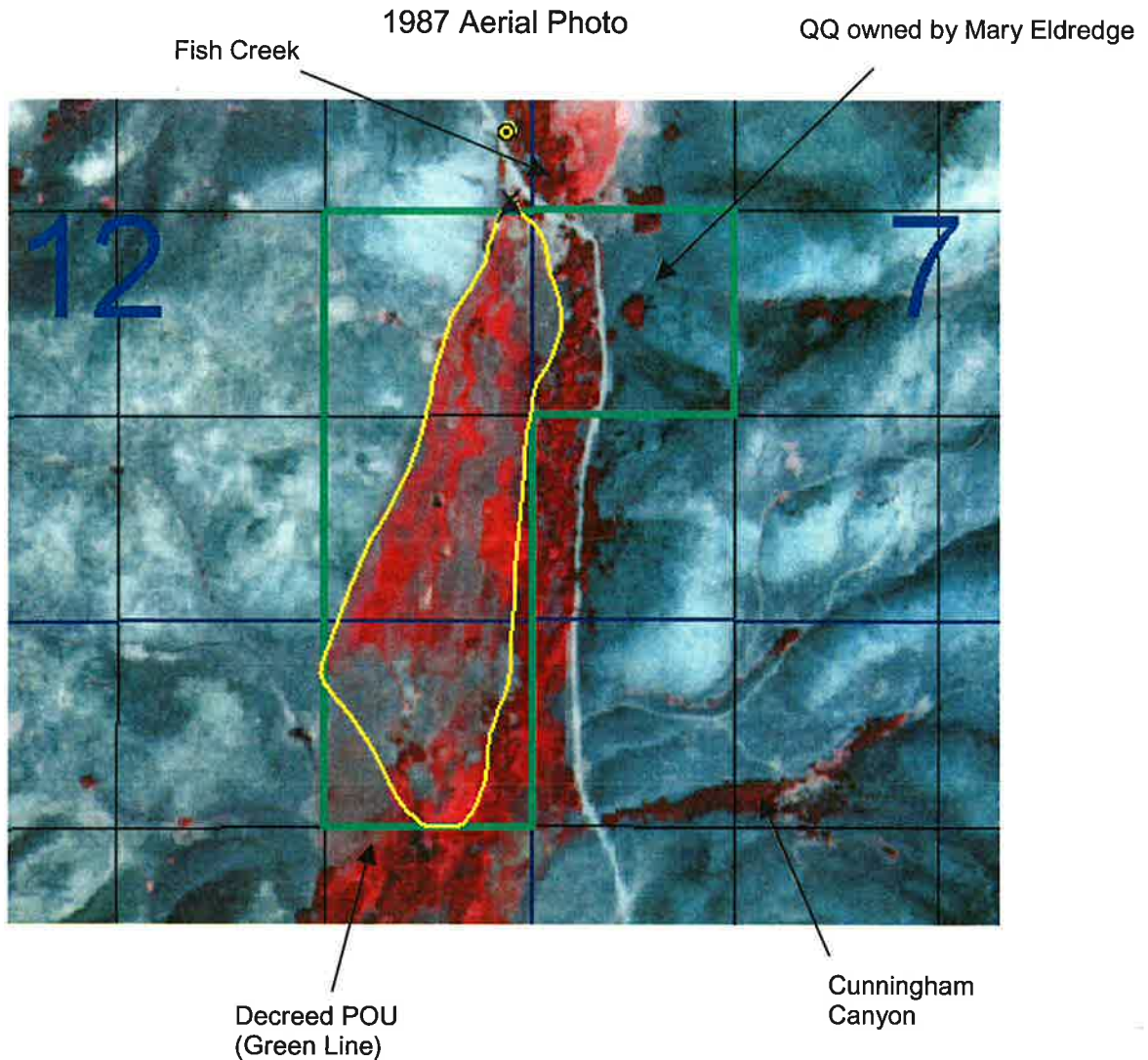
- Source is Fish Creek tributary to Little Wood River
- Decreed for 0.8 cfs on 4 QQ
- Claimed for 0.8 cfs on 69 acres

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: 2518276 1368944
 Plate: A0016267
 Photo #: 1060654

Notes

T2N R22E Section 12; T2N R23E Section 7

- Found 69 acres
- NWSW Section 7 is owned by Mary Eldredge. She appears to be a co-owner of Telfer Inc.
- Data used for review: 1987, 1992, & 2004 aerial photos, Blaine Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

12/4/06 - Public Meeting in Sun Valley

- he has license 37-2371 + 37-2369, but he has no plans to claim them → ~~acquire the same~~ 37-11455 is same source as 37-2371
- he submitted NOE forms

File No.
A37-11455=00786=00750

Owner
Telfer Inc
%Lee Eldridge
Box 126
Carey

Date
7/21/05

I met with Mr. Eldridge this morning to review his three water right files and have him check to see if there should be some revisions to the photo's of place for water uses on each file, and to draw in the approx. location of ditch's and other delivery means which are shown on the photo's

WR 11455 this property source is Fish Cr. - Cunningham - and springs when there is water available. The irrigated land are larger than the yellow area designates, see black lines showing the irrigated area now farmed.

WR 786 this area's water source is the same as 11455 , Fish Cr= Cunningham - springs and Cross Canyon with the area farmed and irrigated much larger than the yellow area indicates all of this land is flood irrigated .With the area by road being irrig. by natural flood water.

WR 750 this lands source is Fish Cr. And the yellow area is not quite full as now shown on photo -black line - with ditch along west side of property -see photo

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Fish Creek	Telfr 1	2518276	1368944	A0016267	1060654
" "	" 2	2518394	1368144	268	655
" "	" 3	2518238	1367547	269	656

Lee R. Peterson

Background Data

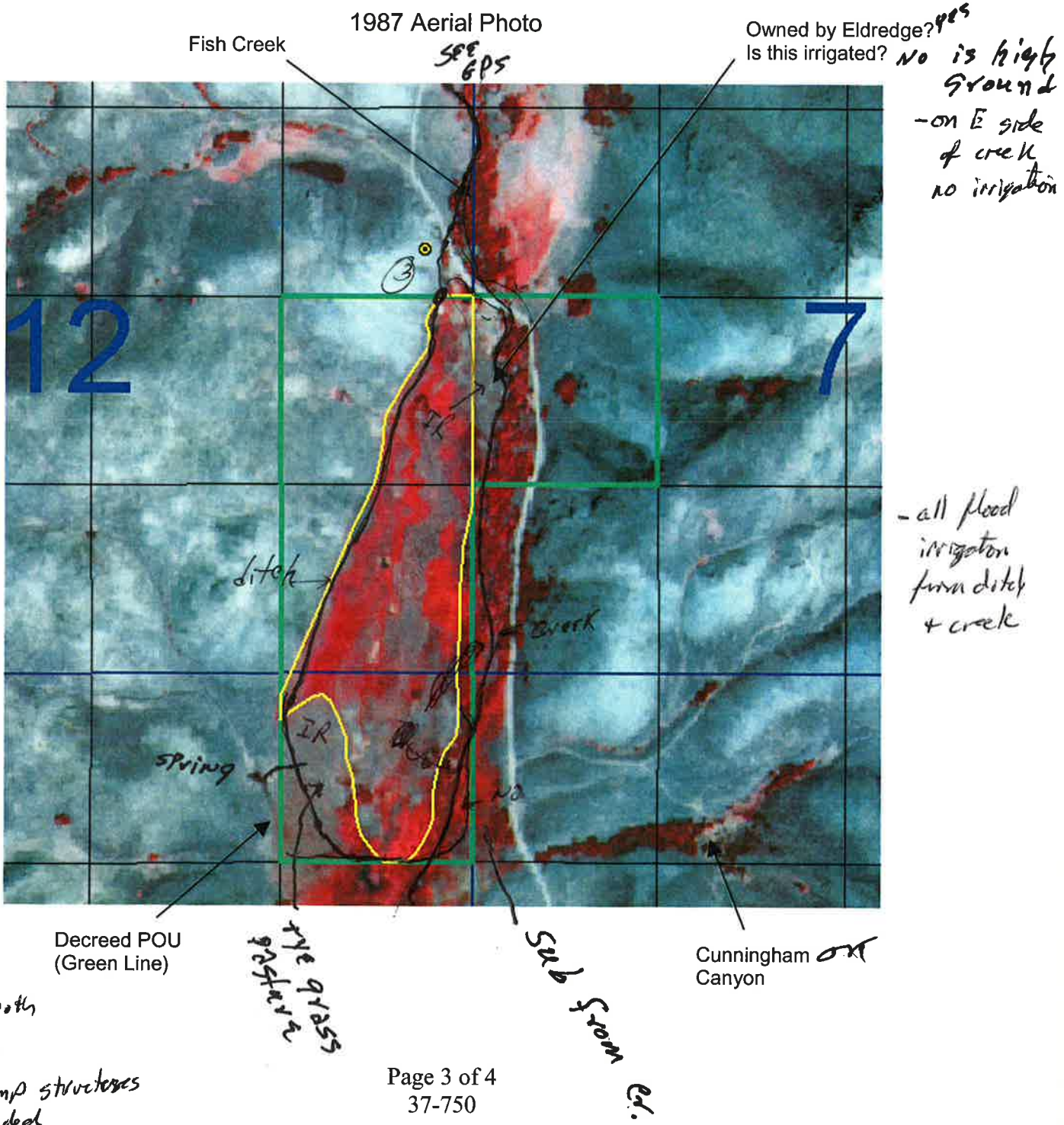
- Source is Fish Creek tributary to Little Wood River
- Decreed for 0.8 cfs on 4 QQ
- Claimed for 0.8 cfs on 69 acres

Place Of Use Data

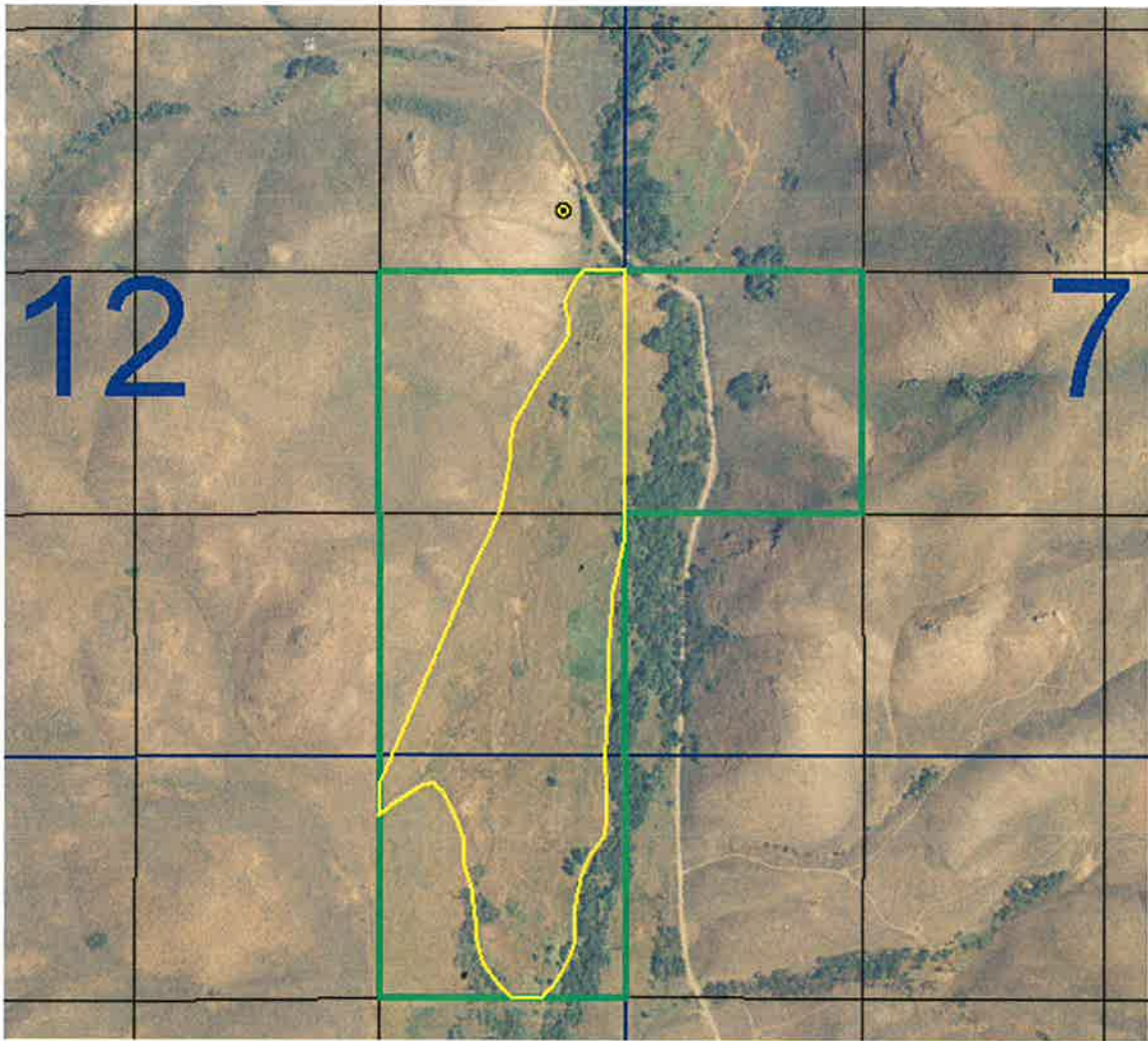
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2004 Aerial Photo



Notes

T2N R22E Section 12; T2N R23E Section 7

- Found 63 acres *he thinks 70* *no*
 - NW 1/4 Section 7 appears to owned by Eldredge? Is this being irrigated? *no brush, trees, grass*
 - Is the draft POU correct? *no*
- sub from Co. → on E side back irrigated west of creek*

Water Right Report 37-750

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH S FULLER , ZZ

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	0.800 CFS	
		<u>Total Diversion:</u>	0.800 CFS	

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
02N	22E	12													X				X
02N	22E	13	X																
02N	23E	7									X								
											L 3								

1. AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-750

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: