

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: A37-00749C

Date Received:

Receipt No: MOC 1775

Received By: J. J. C.

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MAURICE C. ELLSWORTH  
Address: BOX 158  
CAREY, ID

208-823-4423

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 |

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 | 3.200  |      |        |

7. Total Quantity Appropriated is:  
3.200 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

A37-00749C

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.

THIS RIGHT HAS BEEN COMBINED BECAUSE THE CLAIMANT OWNS ALL  
OF THE LAND INVOLVED IN THE A AND B PORTION.

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): *Marion Edwards* Date: 10-26-88  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Blaine ) SS.

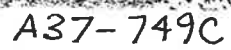
Subscribed and sworn (or affirmed) before me this 26 day  
of Oct 19 88

*John Dale Carlson*  
Notary Public

Seal

Residing at Boise ID

My Commission Expires 6/12/94



04/08/2005

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

RIGHT NUMBER: 37-749C

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

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 3.200 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          | 3.200 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.: 37-738 & 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.

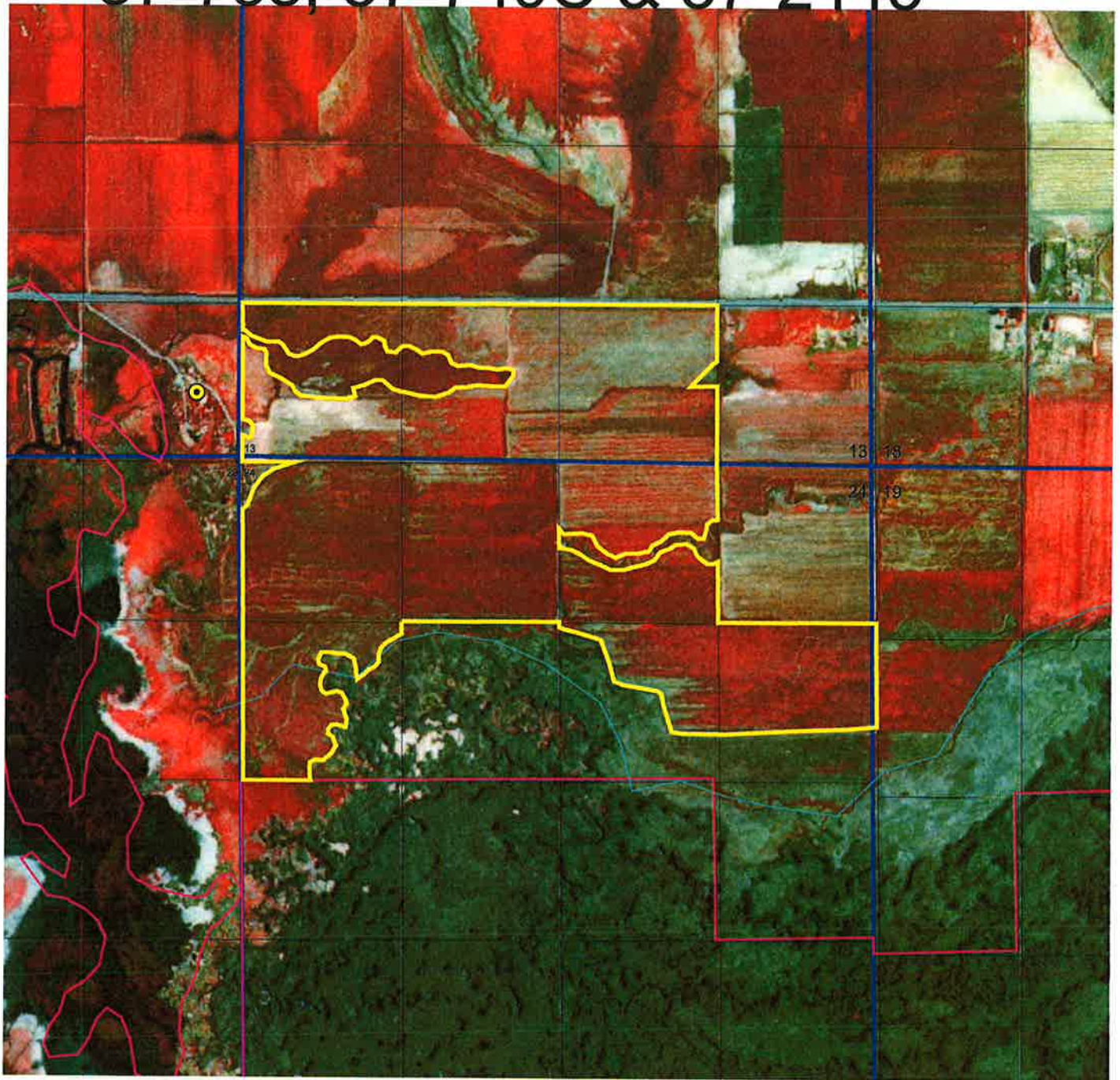
EXPLANATORY MATERIAL:

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

Water Right Number - 37-00749B

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 \*\*\*  
ELDRIDGE

IRA

1 -  
2 -  
3 -City-  
Phone -

State- Zip-

+ - - Priority Date - - +  
03/30/1883+ - - Region - - - +  
17+ - - Stage - - - +  
D - DECREED

+ - - Status - - - +

+ - - - - Source - - - - - +  
FISH CREEK+ - - - - Tributary - - - - - +  
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 Volume  
01 - IRRIGATION 0.800  
43 - DOMESTIC+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
0.800+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County  
01S 21E 24 SE NW 01 IRRIGATION (13 ) BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +  
TRANS. 153 & 888.

FEB 23 1993

MICROFILMED

Water right number - 37-00749B Adj. flag translation: Standard Water Right Number

+ - - - - 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 -

+ - - Audit Fields - 01/04/86 05/28/88 CONVERT

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

|                               |                              |                      |
|-------------------------------|------------------------------|----------------------|
| 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 - 01/04/1986   | DLE/Carey Act -      |
| Order Show Cause - 00/00/0000 | Receipt Number -             | Water District - 37U |
| Licensed Date - 00/00/0000    | Appl Received - 00/00/0000   | Transfer/Amended - P |
| Decree Date - 12/16/1914      |                              |                      |

FEB 23 1993

NOT RECORDED

Water Right Number - 37-00749A Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
ELDRIDGE IRA 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)

+ - - Code - - - Description - - - Water Use - - - Diversion Rate - - - Diversion Volume - - - +  
01 - IRRIGATION 2.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
2.400

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

|     |     |    |       |  |  |    |            |    |        |
|-----|-----|----|-------|--|--|----|------------|----|--------|
| 01S | 21E | 13 | SW SW |  |  | 01 | IRRIGATION | 13 | BLAINE |
| 01S | 21E | 13 | SE SW |  |  | 01 | IRRIGATION | 13 | BLAINE |
| 01S | 21E | 24 | NE NW |  |  | 01 | IRRIGATION | 13 | BLAINE |
| 01S | 21E | 24 | NW NW |  |  | 01 | IRRIGATION | 13 | BLAINE |

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +  
TRANS. 153.  
AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

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

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

FEB 23 1993

MICROFILMED

Water right number - 37-00749A Adj. flag translation: Standard Water Right Number

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

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

|                  |              |                 |              |                  |       |
|------------------|--------------|-----------------|--------------|------------------|-------|
| 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   | - 01/04/1986 | DLE/Carey Act    | -     |
| Order Show Cause | - 00/00/0000 | Receipt Number  | -            | Water District   | - 37U |
| Licensed Date    | - 00/00/0000 | Appl Received   | - 00/00/0000 | Transfer/Amended | -     |
| Decree Date      | - 12/16/1914 |                 |              |                  |       |

FEB 23 1993

MICROFILMED

Water Right Number - 37-00749 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

00/00/0000 17

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

+ - - - - 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

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

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

SPLIT INTO 37-0749A & 37-0749B BY TRANS. 153.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

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

00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 12/30/86 05/28/88 CONVERT

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

|                               |                              |                     |
|-------------------------------|------------------------------|---------------------|
| 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 - 12/30/1986   | DLE/Carey Act -     |
| Order Show Cause - 00/00/0000 | Receipt Number -             | Water District -    |
| Licensed Date - 00/00/0000    | Appl Received - 00/00/0000   | Transfer/Amended -  |

FEB 23 1993

MICROFILMED

Water right number - 37-00749 Adj. flag translation: Standard Water Right Number

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

Decree Date - 00/00/0000

MICROFILMED  
FEB 23 1993