

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: A37-00771

Date Received:

Receipt No:

Received By:

MOO/224

gpc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 01, 1898

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	0.100		

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

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

9. Non-irrigation uses:
NONE.

A37-00771

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Date: 10/26/88

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FEB 23 1993

10. Place of Use:

Township 01S	Range 21E	Section 12	1/4 SW	of SE	1/4 NE	Lot	Use IRR	Acres 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, 3700770A 3700737.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1914

POTTER, ET. AL.

Decree Plaintiff

A37-00771

Page

VS
2

PATTERSON, ET. AL.

Decree Defendant

Date: 10/26/88

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FEB 23 1993

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): *Maureen C. Elsworth* Date: 10-26-88
_____ Date: _____

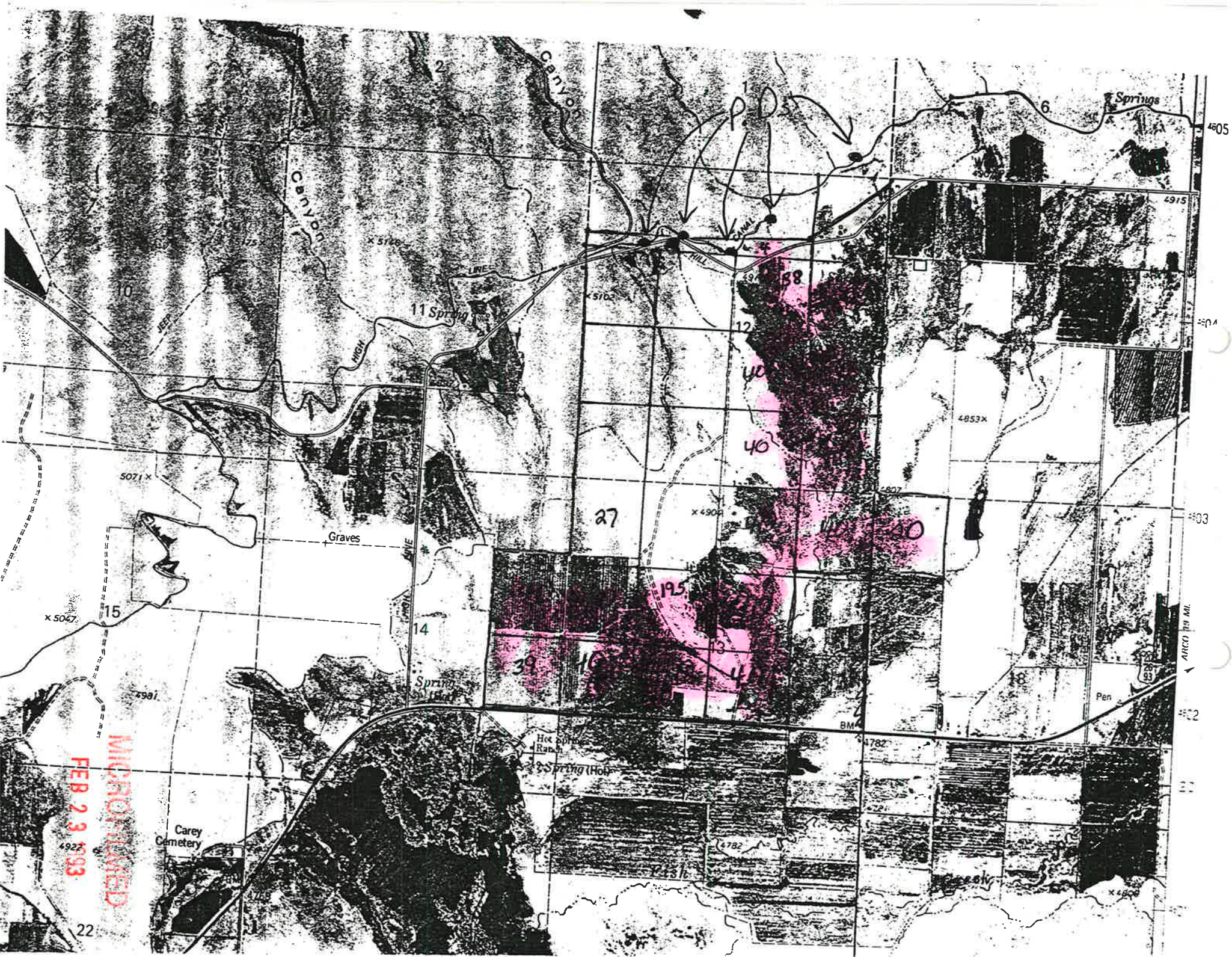
State of Idaho)
County of Blairstown) SS.

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

John Dale Cochran
Notary Public

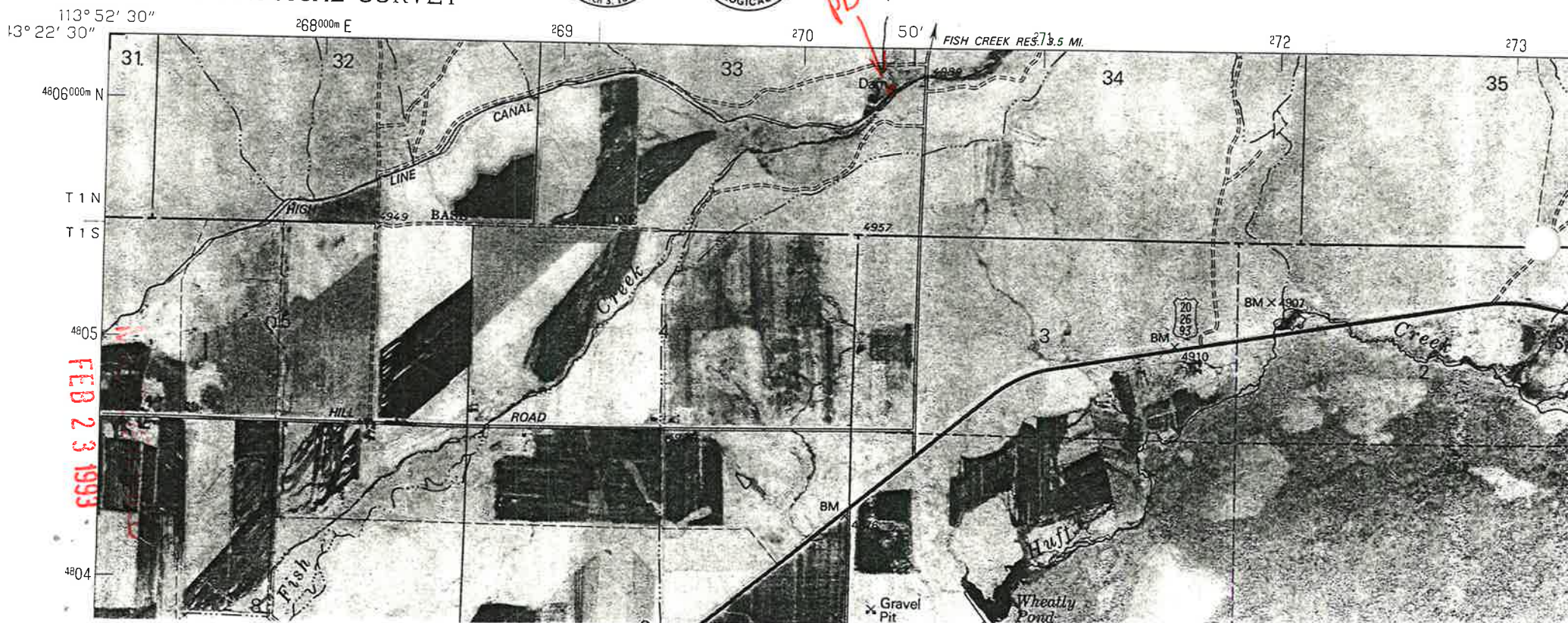
Seal

Residing at Blairstown
My Commission Expires 6/2/94



ho
ENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



01/11/2007

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

RIGHT NUMBER: 37-771

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

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/01/1898

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	0.100 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. 37-771 and 37-1181 are limited to the irrigation of a combined total of 80.0 acres in a single irrigation season.

This right is limited to the irrigation of 80.0 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

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

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.



Idaho Department of Water Resources

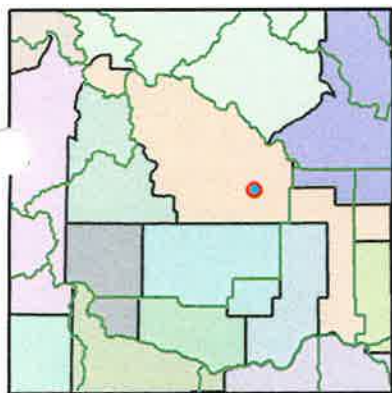
SRBA Recommendation:

37-771

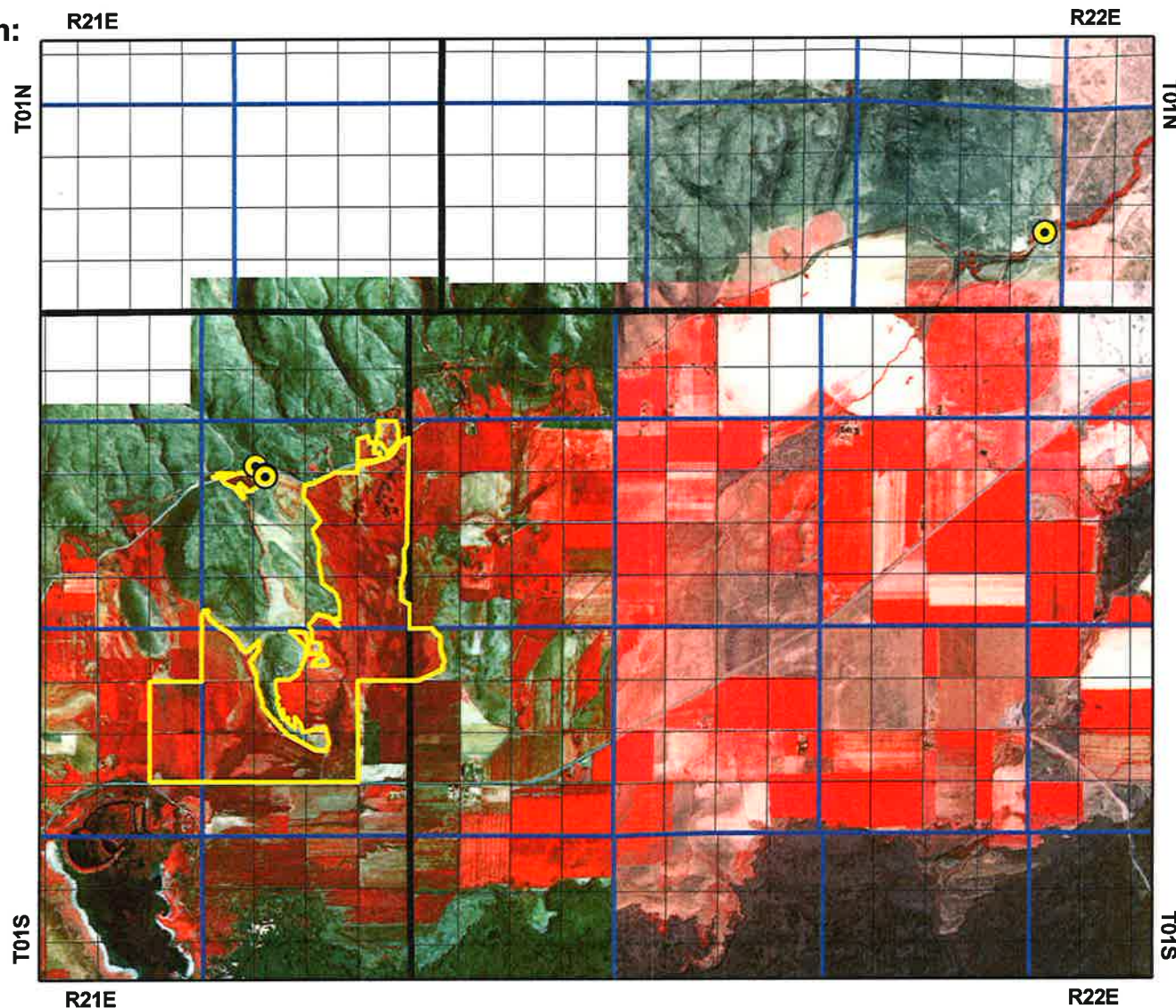
(Irrigation)

Legend

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



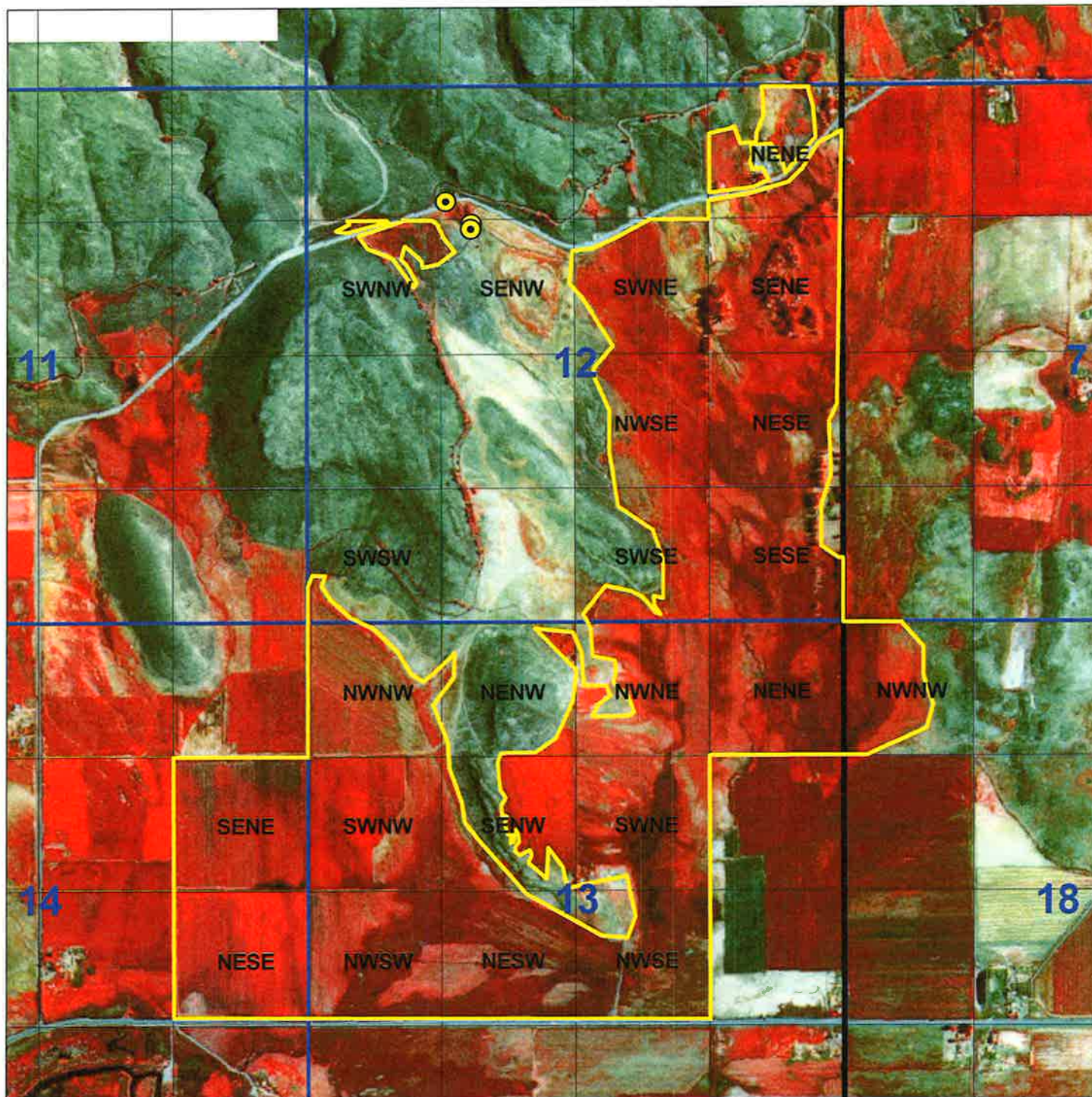
Blaine County
IDWR Basin 37



0 2 4 Miles

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

37-771



Water Right Number - 37-00771

Adj. Flag Translation: Standard

+ - - - - Last Name - - - - +

+ - First Name - - +

*** C - CURRENT OWNER ***
PATTERSON

JOSEPH R.

Seal

+ - - Priority Date - - +
06/01/1898

+ - - Region - - - +
17

+ - - - - Source - - - - +
FISH CREEK

+ - - - - Point of Diversion
Twn Rng Sec Tract Lot RFlg County

+ - - - - Water Use
Code Description Period From Period To

01 - IRRIGATION

+ - Total Div. Rate - +
0.100

+ - Total Div. Volume - +

+ - Total Div. Capacity - +

+ - Total Consumptive Use -

+ - New Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	21E	14	SE NE			01	IRRIGATION	13
01S	21E	14	NE SE			01	IRRIGATION	13

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks
AC. IRRIG. NOT SPECIFIED FARM = 80 AC.

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

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

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

+ - - Microfilm Rolls -

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

Signature of Claimant(s):
Date: _____

Signature of Plaintiff:
Date: _____

Signature of Defendant:
Date: _____

Subscribed and sworn (or affirmed) before me this _____ day of _____, 19____.

Notary Public
Residing at _____
My Commission Expires _____

For Individuals:

Number of attachments:

(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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

16. Signature(s)

+ - - Decree Date - - +
10/26/1914

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FEB 23 1993

Water right number - 37-00771

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	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				

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FEB 23 1993