

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: A37-00833H
Date Received: 7/28/1988
Receipt No: S001145
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE EDWARD CAMERON 208-788-4817
Address: BOX 177
BELLEVUE, ID 83313
OR
Name: MARGARET J. CAMERON 208-788-4817
Address: BOX 177
BELLEVUE, ID 83313

2. Date of Priority: NOV 12, 1936

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	12	SW	SW			BLAINE

5. Description of diverting works:
HEADGATE #50, GLENDALE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.540		

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

8. Total consumptive use is 51.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00833H

Page 1

Date: 07/28/88

MICROFILMED

FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	23	NW	NE		IRR	17.0
Section Acres							17.0
Total Acres							17.0

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:
A37-07243, A37-00577Y

14. Remarks:
TRANS. 2588.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ROCKWELL

Decree Plaintiff

vs

COFFIN

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: _____

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): Margaret J. Cameron Date: 7-28-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of July 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

Skinner, Corey

From: Erickson, Nathan
Sent: Thursday, December 28, 2006 3:06 PM
To: Retelle, Erin; Robertson, Jean; Skinner, Corey; Ciscell, Michael
Cc: Merritt, Allen
Subject: Rockwell By-Pass Saved Water WR 37-833

Erin, Jeanie, Corey, and Michael,

I have been working on adding conditions to the adjudication recommendations that are associated with the Rockwell By-Pass saved water, based on WR 37-833. Allen asked that I add the four conditions listed below to the adjudication recommendations. Based on the tracking list and verification record it appears that you may have some interest in this change. I have attached an excel spread sheet with a list of the recommendations that where updated, it includes who verified the file in workflow and the information that is in the Microsoft access tracking list on Matt's computer.

1) Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.

2) Water must be diverted through the Rockwell By-Pass in association with delivery of valid priority water rights.

3) Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.

4) The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.

Also Michael... Allen suggested that for the recommendations that have already been mailed that we include them in the next mailing with the added conditions. This could be done by erasing the PDR date and including them in the next mailing.

If you have any questions or comments, let me know.

Thank you,
Nathan



37-833.xls

01/02/2007

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

RIGHT NUMBER: 37-833H
NAME AND ADDRESS: GEORGE EDWARD CAMERON
PO BOX 177
BELLEVUE ID 83313
MARGARET J CAMERON
PO BOX 177
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.540 CFS
PRIORITY DATE: 11/12/1936

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.

POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.540 CFS

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>					
T01N R18E S23	NWNE	19.00	T01N R18E S23	SWNE	4.90

23.9 ACRES TOTAL

Right Nos. 37-577Y, 37-833H, 37-7243, and 37-7995 are limited to the irrigation of a combined total of 23.9 acres in a single irrigation season.

This right is limited to the irrigation of 17.0 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/02/2007

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

The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Water must be diverted through the Rockwell By-Pass in association with delivery of valid priority water rights.



Idaho Department of Water Resources

SRBA Recommendation:

37-833H

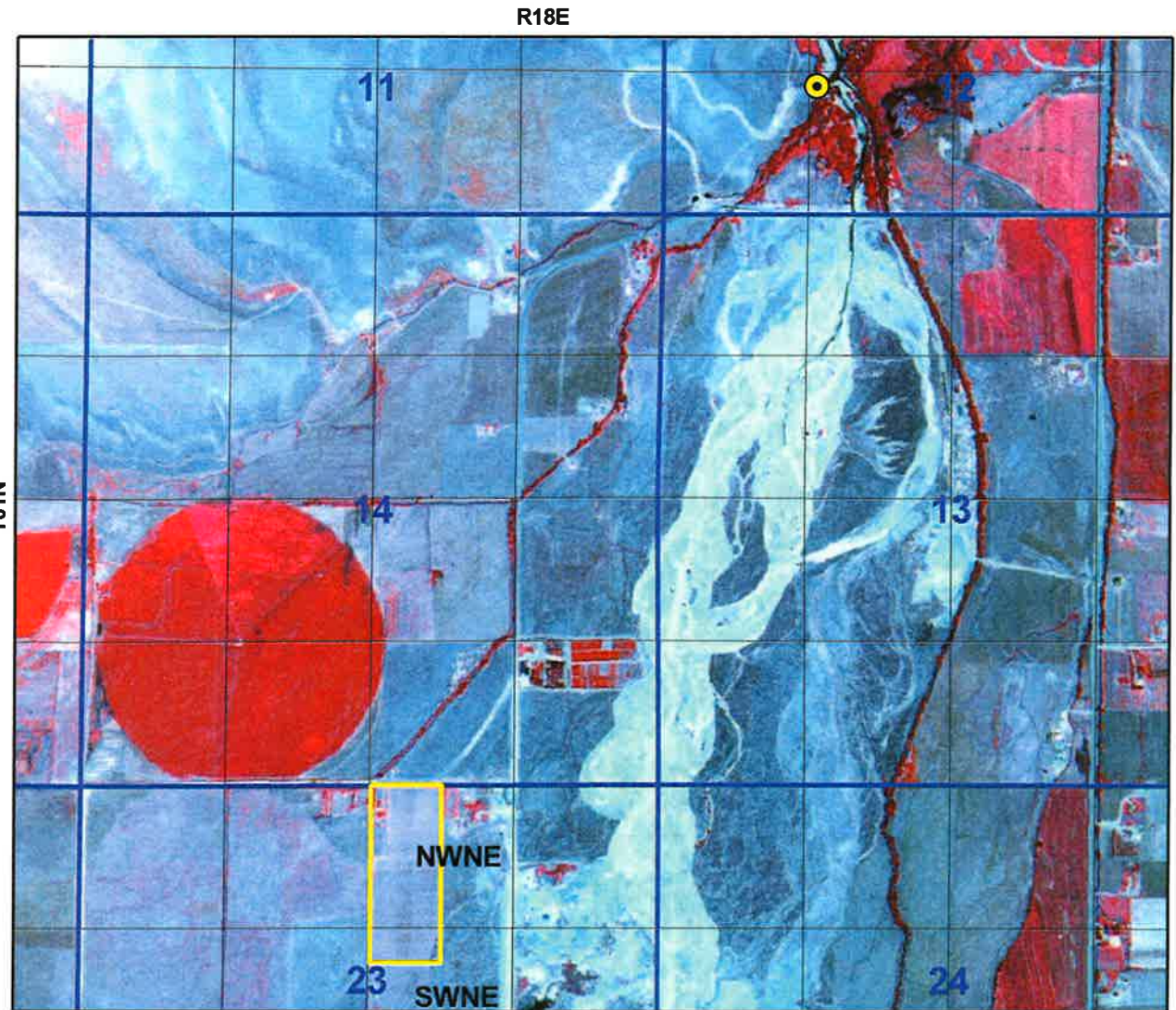
(Irrigation)

Legend

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



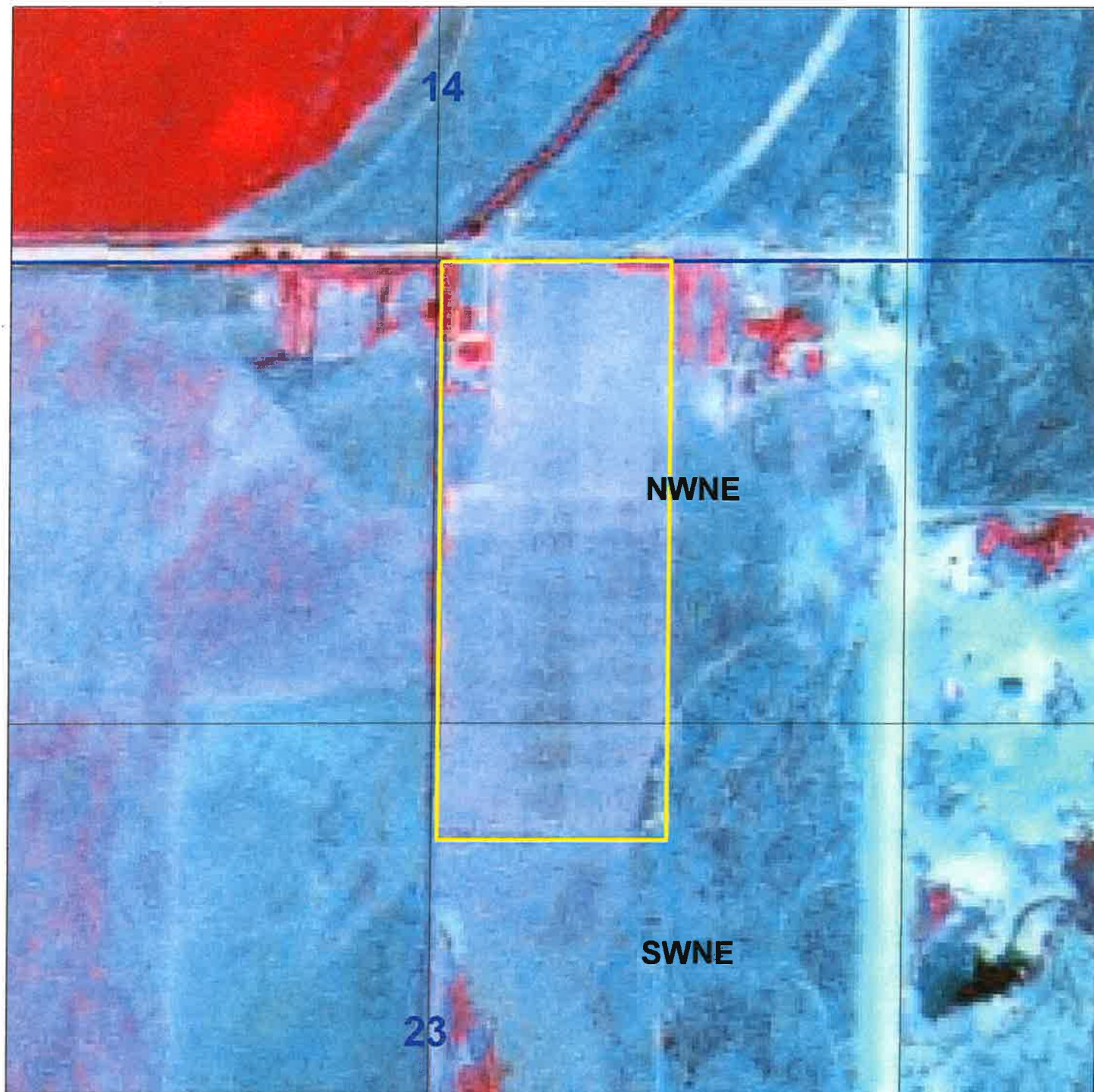
Blaine County
IDWR Basin 37



0 0.7 1.4 Miles

Prepared by C. Skinner
On Tuesday, January 2, 2007
1987/88 Aerial Photography

37-833H



APPROVED

Transfer No. 2588
Water Right No. 37-0833C (Part)

RECEIVED
OCT 30 1991
Department of Water Resources
Southeast District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Ed Cameron Phone 788-4112 - Bus
788-4817 Home
Post Office address Box 177, Bellevue, ID 83313

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 37-0833 C Decreed to Irvin E. Rockwell (Name)
in case of Irvin E. Rockwell vs Mans H. Coffin
dated in Aug 25, 1949 in 4th Judicial District county of Blaine
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant see Remarks

3. Source of water Big Wood River tributary to Malad River

4. Date of priority November 12, 1936

5. Water is used for the following purposes:

amount 2.95 cfs for irrigation purposes from Apr 1 to Nov 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.95 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16
Township 2 N Range 13E, B.M., in Blaine County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

The location of the place of use and the number of acres are not known except the following.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	18E	25															2.6		2.6
		36		.4											11.5				11.9
		31										Lt 3 2.5							2.5

Total number of acres to be irrigated 17.0

9. Describe any other water rights used for the same purpose as described above approved Application

37-7839 for use of groundwater on cemetery

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

2588
37-0833C

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a 0.54 cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16 Township 2N
Range 18E, B.M., Blaine County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	18E	25															2.6		2.6
		36		.4											11.5				11.9
2N	19E	31										Lt3 2.5							2.5

Total number of acres to be irrigated 17

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 0.54 c.f.s. &/or _____ acre feet
- b. Description of diverting works Headgate and gravel diversion dam during low water
- c. Describe the reasons for the proposed changes Cemetary has gone to groundwater and would like to sell surface water. Mr. Halverson and Mr. Dixon have agreed to sell their water. Mr. Cameron would like to purchase water and transfer it to his land

2. Change in point of diversion

Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12 Township 1N
Range 18E, B.M., Blaine County
Additional points _____

3. Change in place of use

- a. Are there leins, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No x. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Most of the land previously irrigated by the right to be transferred is now irrigated by groundwater.

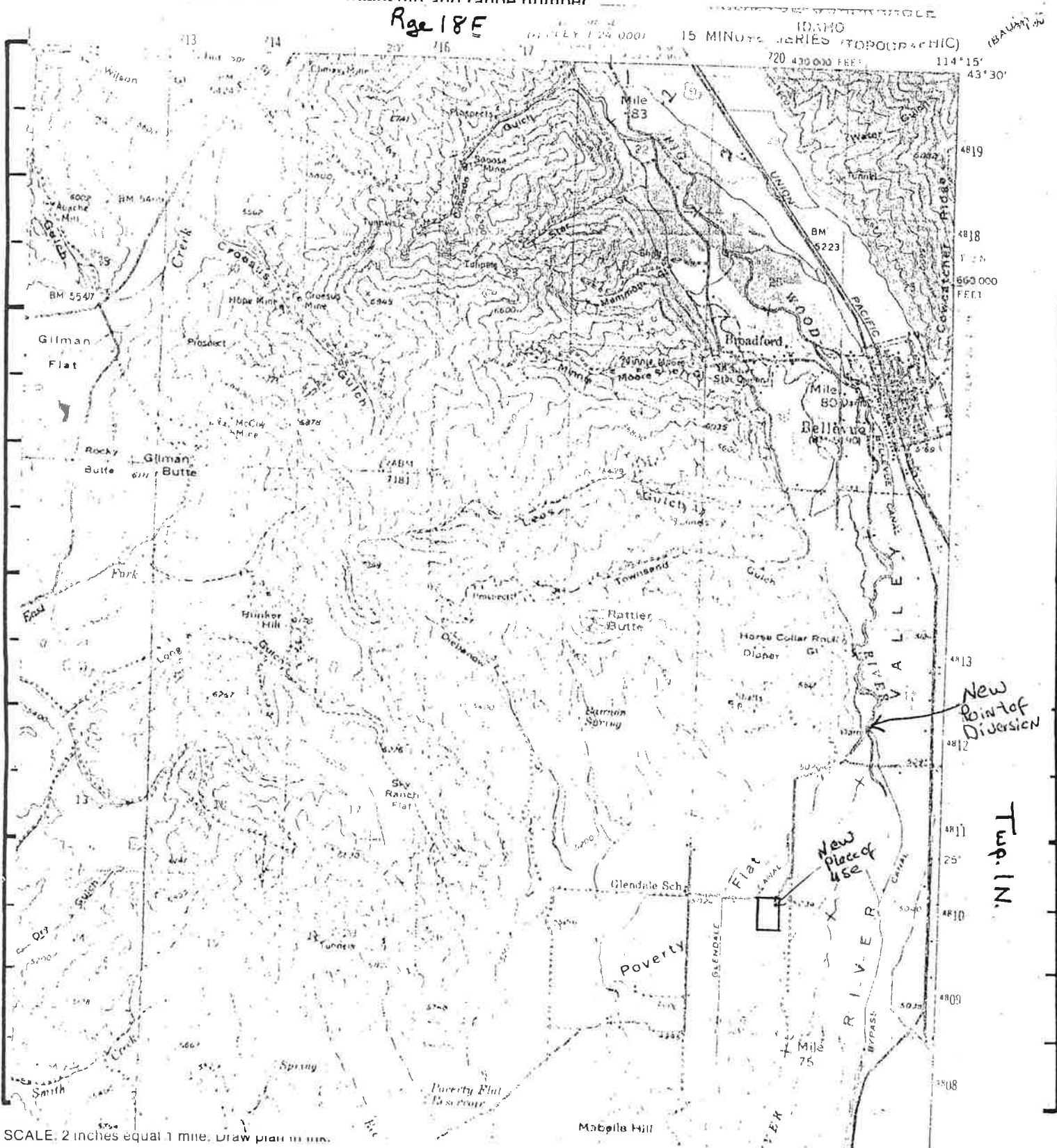
c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	18E	23		17															17

Total number of acres to be irrigated 17

4. Describe any other water rights used for the same purpose as described above. 37-7243

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number



D. REMARKS

This water was moved at least twice from the original place of use and point of diversion prior to the statutory requirement to record transfers. The attached affidavits affirm the use of this water on the land it is being transferred from.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

C. J. Cameron
(Signature of Applicant)

Subscribed and sworn to before me this 21 day of August, 19 81

James D. Ditty
(Notary Public)

My commission expires Sept 1, 1984

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0833 H and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 22nd day of October, 19 81

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by marie Date 8/24/81 Protest filed by None
Prelim. check by YI Fee 50.⁰⁰ #18732
Receipted by marie Date 8/27/81
Published in wood river journal
Pub. dates 9/3 + 9/10/81
Watermaster recommendation requested on 9/27/81
rec'd. _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ADM Jim DRT