

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: A37-01178
Date Received:
Receipt No: 5002586
Received By: ADL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAWRENCE C. KIMBALL 208-823-4381
Address: P.O. BOX 275
CAREY, ID 83320

AND/OR

Name: DARLA M. KIMBALL 208-823-4381
Address: P.O. BOX 275
CAREY, ID 83320

2. Date of Priority: JUL 25, 1907

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:
CONC. DIVERSION DAM TO STEEL PIPELINE FOR GRAVITY SPRINKLERS

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 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-01178

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Date: 09/28/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	17	SW	NE		IRR	39.0
			SE	NE		IRR	40.0
			SE	NW		IRR	21.0
Section Acres							100.0
Total Acres							100.0

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:

37-00748 & 37-01179 AND SHARES IN CAREY VALLEY RES. CO.

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: See mzp A37-00748

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):

Lawrence C Kimball

Date:

9/28/88

Date:

State of Idaho)

County of

Thir Falls

) SS.

Subscribed and sworn (or affirmed) before me this

28th day

of

Sept.

19

88

[Signature]

Notary Public

Seal

Residing at

Kimberly, Id.

My Commission Expires

6/30/92

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-01178

NAME AND ADDRESS:

DARLA M KIMBALL
LAWRENCE C KIMBALL
PO BOX 275
CAREY, ID 83320

SOURCE:

FISH CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY:

0.80 CFS

PRIORITY DATE:

07/25/1907

POINT OF DIVERSION:

T01N R22E S33 SENESE Within Blaine County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.80 CFS

PLACE OF USE:

Irrigation

T01S R22E S17

SWNE 39.0
SENE 40.0
SENE 21.0

Within Blaine County
SENE 40.0

100.0 Acres Total

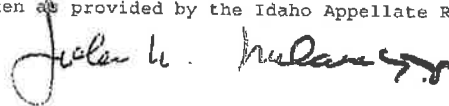
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 100 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-748 & 37-1179.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

04/12/2005

**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: June 3, 2005

Water right number: 37-1178

LAWRENCE C KIMBALL

PO BOX 275

CAREY ID 83320

Telephone Number: (208)823-4381

DARLA M KIMBALL

PO BOX 275

CAREY ID 83320

Telephone Number: (208)823-4381

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:

April 28 2005

SIGNATURE:

Lawrence Kimball

Please print your name:

LAWRENCE KIMBALL

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

07/22/2004

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

RIGHT NUMBER: 37-1178

NAME AND ADDRESS: LAWRENCE C KIMBALL
PO BOX 275
CAREY ID 83320

DARLA M KIMBALL
PO BOX 275
CAREY ID 83320

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 07/25/1907

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	0.800 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R22E S17	SWNE	39.0	T01S R22E S17	SENE	40.0
T01S R22E S17	SENE	21.0			

100 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 100 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-748 & 37-1179.

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.

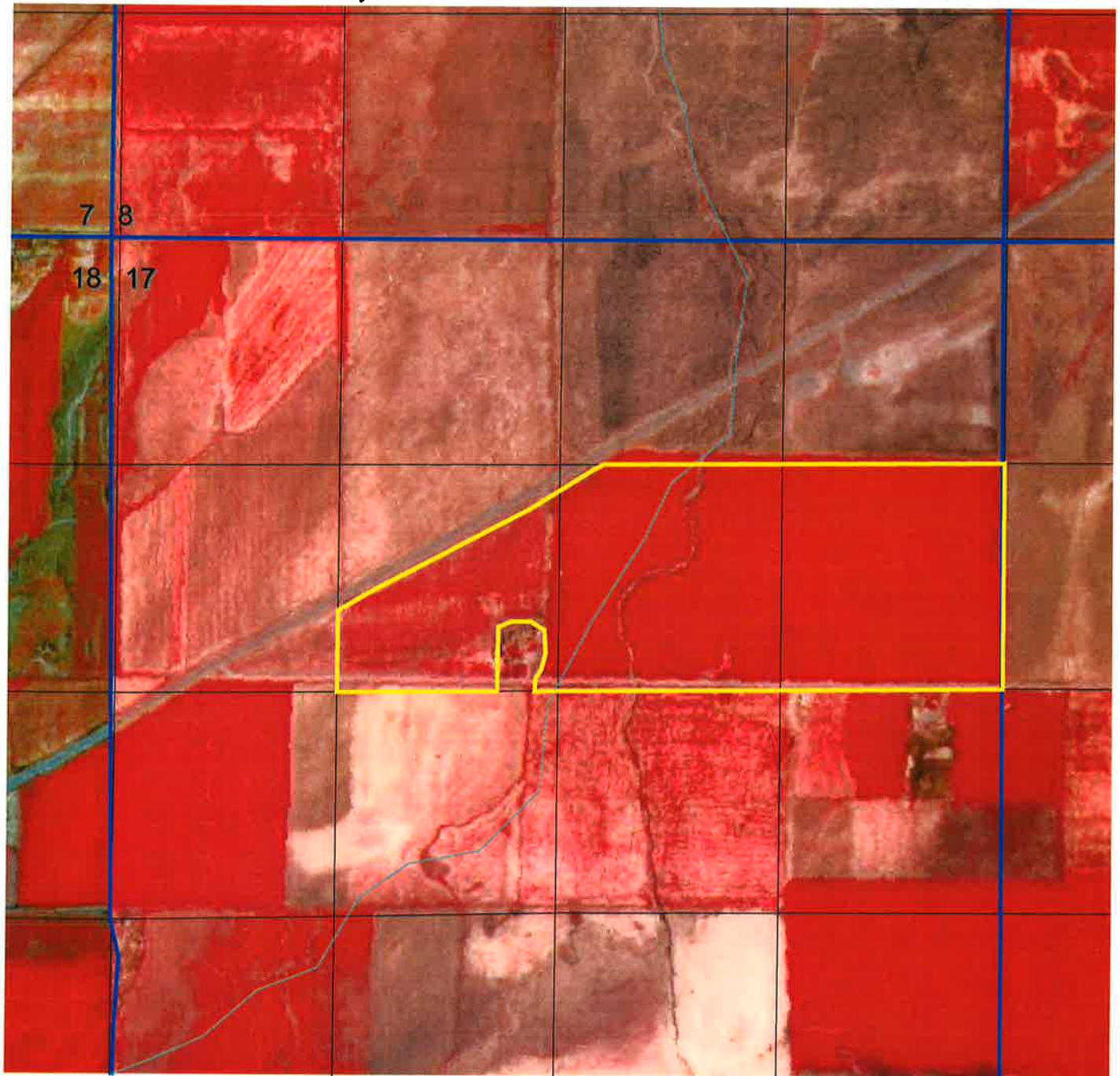
EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH HIGHLINE CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM FISH CREEK
RESERVOIR CO.

IDAHO DEPT OF WATER RESOURCES

37-748, 37-1178 & 37-1179



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: 22E
SEC. 17



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JULY 22, 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1178WATER RIGHT NUMBER: **37-1178**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEO W EVINS
	, ZZ

Priority Date: 07/25/1907

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FISH CREEK	LITTLE WOOD RIVER

<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	

Location of Point(s) of Diversion
FISH CREEK

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	22E	8															X	X	
01S	22E	17	X	X	X	X	X			X									

Conditions of Approval:Remarks:

- General AC. IRRIG. NOT SPECIFIED. FARM = 320 AC.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1178

Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1914
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
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:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False