

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: A37-02206
Date Received: 7/15/1988
Receipt No: S000945
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMER M. PARKE 208-934-4233
Address: 1975 E. 1775 S.
GOODING, ID 83330

OR

Name: RUTH ELLEN PARKE 208-934-4233
Address: 1975 E. 1775 S.
GOODING, ID 83330

2. Date of Priority: MAR 24, 1911

3. Source: SCHOOLER CREEK Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	15E	4	NE	SE			GOODING
			SW	SE			GOODING

5. Description of diverting works:
EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION			3.000		
DOMESTIC					

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

8. Total consumptive use is 363.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-02206

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Date: 07/15/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	15E	4	NE	SE		IRR	10.0
			SW	SE		IRR	30.0
					Section Acres		40.0
		9	NW	NE		IRR	5.0
			SW	NE		IRR	10.0
			SE	NE		IRR	30.0
			NE	NW		IRR	40.0
					Section Acres		85.0
					Total Acres		125.0

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

MOST OF THE IRRIGATION IS DEPENDANT ON SUB-FLOW.
ACRES FARMED VARIES WITH THE WATER AVAILABLE.

15. Basis of Claim: LICENSE
Water Right Number: 7193

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 ~~X~~ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Elmer M. Parke Date: 7-15-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day

of July 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, Id
My Commission Expires 10/16/1992

T.

1128

(1a)

T-1

H
9.8

S

S

R

4	3
9	10

S

44

03.0

21.8

E
25.8

F
12.7

A37-02206

MICROFILMED

JUL 13 1993

07/26/2006

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

RIGHT NUMBER: 37-2206

NAME AND ADDRESS: ELMER M PARKE
1975 E 1775 S
GOODING ID 83330

RUTH ELLEN PARKE
1975 E 1775 S
GOODING ID 83330

SOURCE: SCHOOLER CREEK

TRIBUTARY: THORN CREEK

QUANTITY: 3.000 CFS

PRIORITY DATE: 03/24/1911

POINT OF DIVERSION:

T03S R15E S4 NWNESE Within GOODING County

T03S R15E S4 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 10/31	3.000 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T03S R15E S04	NESE	2.50	T03S R15E S04	NWSE	1.60
T03S R15E S04	SWSE	21.00	T03S R15E S09	NWNE	20.00
T03S R15E S09	SWNE	27.00	T03S R15E S09	SENE	17.00
T03S R15E S09	NENW	0.90			

DOMESTIC Within GOODING County

T03S R15E S04 NESE

90 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 - License



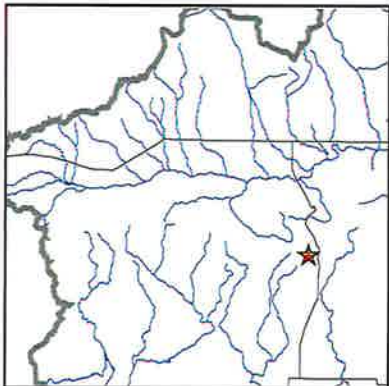
Idaho Department of Water Resources

SRBA Recommendation:

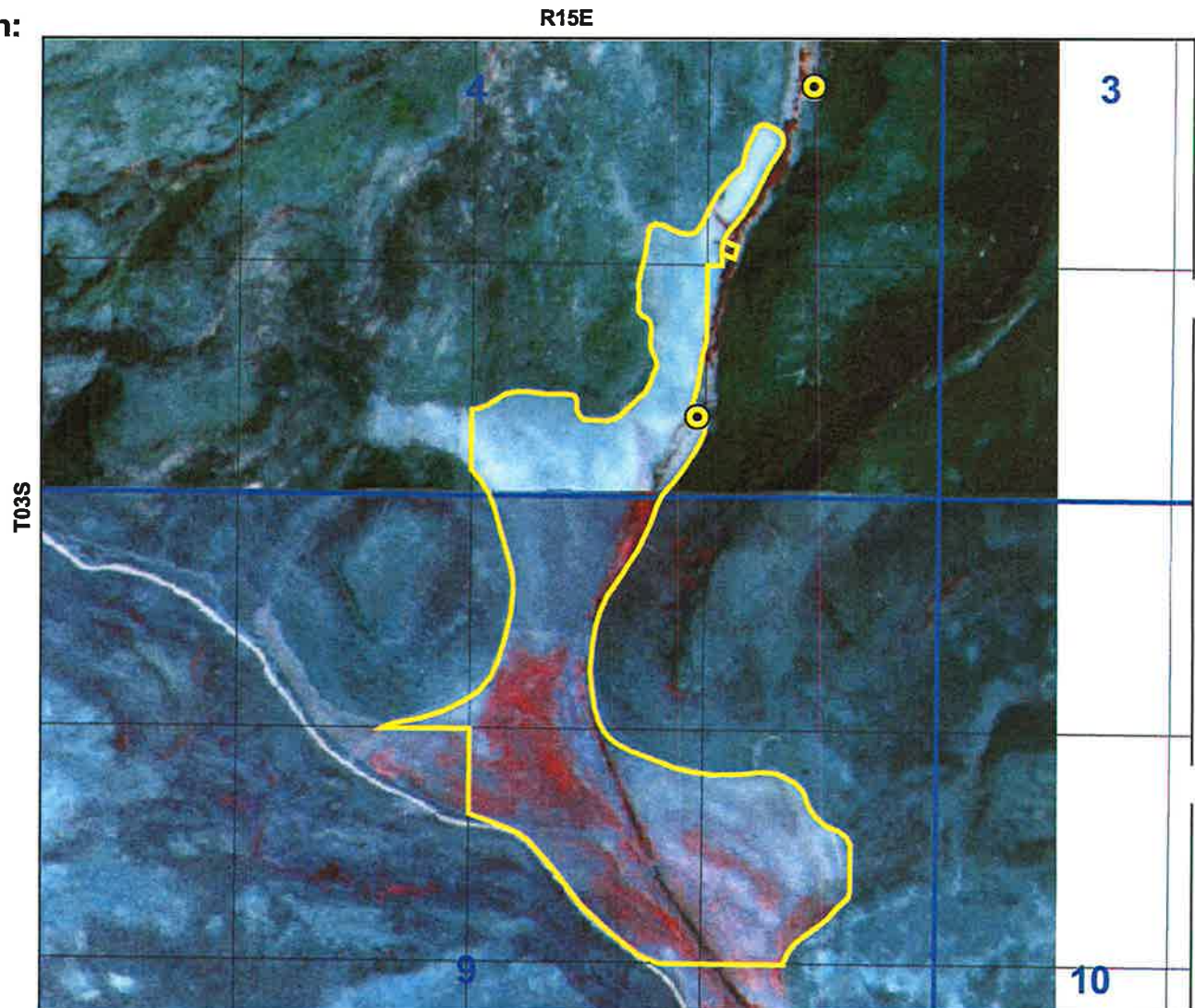
37-2206

Legend

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



Gooding County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Wednesday, July 26, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-2206

Background Data

- Source is Schooler Creek tributary to Thorn Creek
- Licensed for 3.0 cfs for Domestic and Irrigation of 250 acres
- Claimed for 3.0 cfs for Domestic and Irrigation of 125 acres

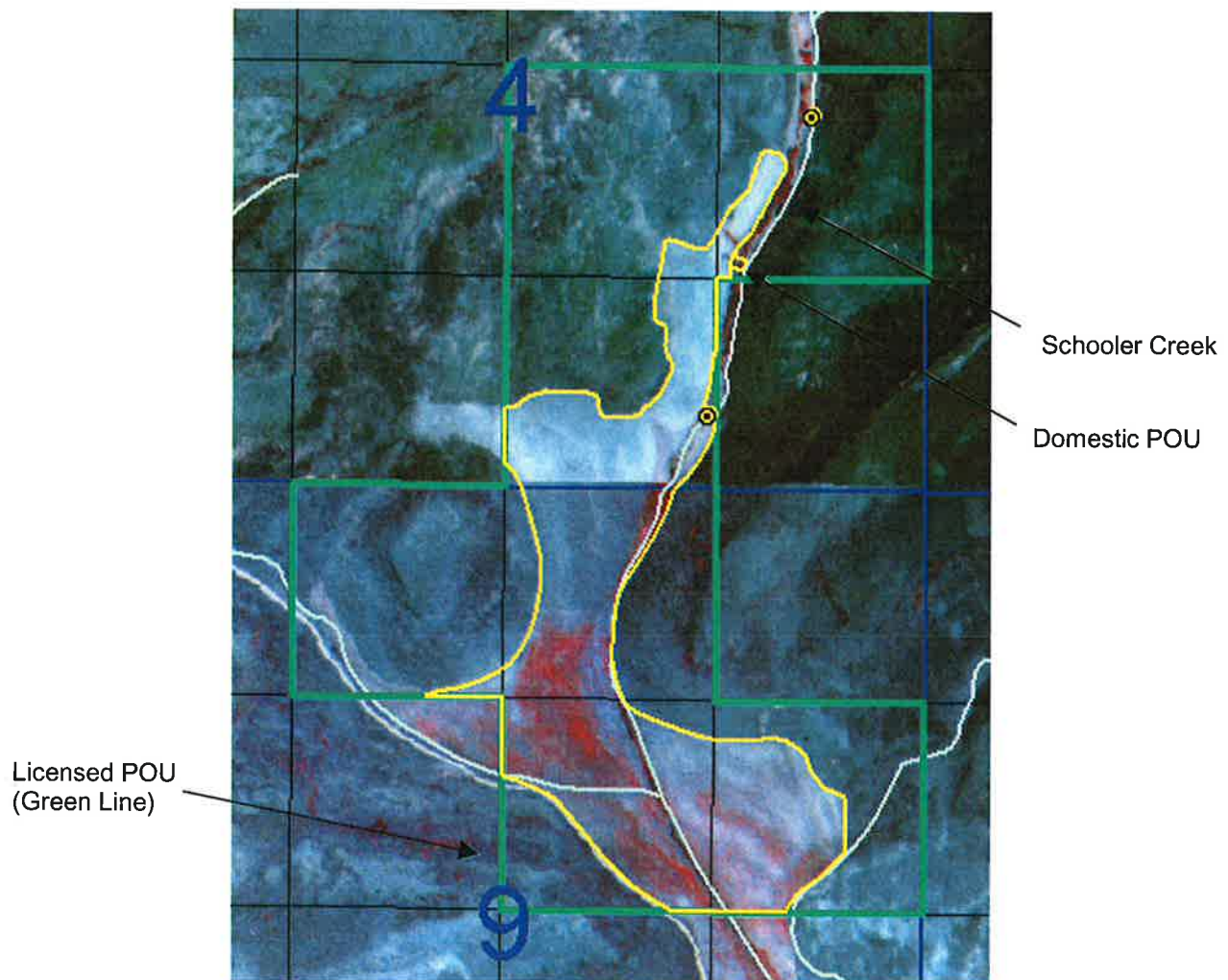
Place Of Use Data

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)

1987 Aerial Photo



Notes

T3S R15E Sections 4 & 9

- Found 90 acres for Irrigation.
- Assumed Domestic is only at farmstead.
- It appears that they are irrigating nearly all of the licensed POU. So even though the number of irrigated acres is significantly less than the licensed acres, the entire licensed diversion rate was recommended.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

County: Gooding
Stream: Schooler Creek
Amount: 3 cu.ft. per sec.
Use: irrigation and domestic.
Priority: March 24, 1911.

STATE OF IDAHO

Water License No. 7193

WHEREAS, On the 24 day of March, A. D. 1911,

Laura M. Gooding
of Gooding, County of Gooding, State of Idaho, duly made application
(No. 10417) to me for a permit to use three (3) cubic feet per second of the waters of
Schooler Creek

County of Gooding, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 8th day of April, A. D. 1911, Permit No. 7193 was issued
to said applicant for the diversion of said water and providing for the completion of the works of diversion
therein described on or before the 8th day of April, A. D. 1913 and for the application to ben-
eficial use of said water on or before the 8th day of April, A. D. 1914, and,

WHEREAS, On the 8th day of April, A. D. 1913
Laura M. Gooding

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 7193
dated May 7, 1913, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use three (3) cubic feet per second of said water,
with date of priority of March 24, 1911, and

WHEREAS, On the 8th day of April, A. D. 1914,
Laura M. Gooding

the holder of said permit, duly made proof of the application to beneficial use of three (3) cubic
feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
hereby grant and confirm to Laura M. Gooding

of Gooding, County of Gooding, State of Idaho, the holder and owner
of said Permit No. 7193, a perpetual right, dating from March 24, 1911
to the use of three (3) cubic feet per second of the waters of Schooler Creek

in the County of Gooding and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of SE $\frac{1}{4}$,
Sec. 4, T. 3 S., R. 15 E.B.M.,

and conducted to and upon 250 acres, divided as follows: 20 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$,
40 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 4; 40 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$,
40 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 20 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$,
Sec. 9, all in T. 3 S., R. 15 E.B.M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the
State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
or community customs, rules and regulations which have been or may be adopted from time to time by
a majority of the users from a common source or supply, canal or lateral from which such water may
be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 2nd day of January
A. D. nineteen hundred and fifteen.

Herbert Wing,

(Seal)

Acting State Engineer:

37-2266

Name of Applicant

T-3.5 R-15E.

SEG.

-SEC.

-SEC-

- 356 -

-SEG-

-SEG

SEC.

SEC

SEC.

— 54 —

SEC.

- SEC.

SEC.

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SEC.

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B/ =

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2206

WATER RIGHT NUMBER: 37-2206

Owner Type Name and Address
 Current Owner LAURA M GOODING
 GOODING, ID

Priority Date: 03/24/1911

Basis: License

Status: Active

Source Tributary
 SCHOOLER CREEK THORN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3.000 CFS	
DOMESTIC	/ to /		
	<u>Total Diversion:</u>	3.000 CFS	

Location of Point(s) of Diversion

SCHOOLER CREEK	SW1/4SE1/4	Sec. 4,	Twp 03S,	Rge 15E, B.M.
GOODING County				
SCHOOLER CREEK	NE1/4SE1/4	Sec. 4,	Twp 03S,	Rge 15E, B.M.
GOODING County				

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	
03S	15E	4													20.0	40.0	40.0		100.0
03S	15E	9			40.0	40.0	30.0	40.0											150.0

Total Acres: 250

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments: