

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAR 7 AM 9 20

**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

SUBCASE NO. 37-2327, 37-2354

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

3-6-07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/7, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Cove Creek Ltd Partnership
PO Box 2277
Ketchum ID 83340



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

03/01/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2354

NAME AND ADDRESS: COVE CREEK LTD PARTNERSHIP
PO BOX 2277
KETCHUM ID 83340

SOURCE: COVE CREEK TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 08/18/1917

POINT OF
DIVERSION: T04N R19E S33 SWSNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S33	NWNW 9.60	T04N R19E S33	SWNW 0.40
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10 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

- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 6, 2007

COVE CREEK LTD PARTNERSHIP
PO BOX 2277
KETCHUM ID 83340

RE: SRBA Claim(s) 37-2327, 37-2354

Dear Claimants:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

**Cove Creek Limited Partnership
P.O. Box 2277
Ketchum, Idaho 83340**

(208) 720-6089

December 5, 2006

Sallie Sherman
Idaho Department of Water Resources
P.O. Box 83720-0098
Boise, Idaho 83720

Re: Address Change

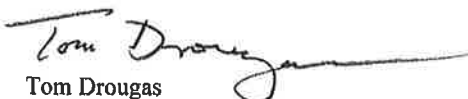
Dear Ms. Sherman:

Please change the address for mailings to Cove Creek Limited Partnership to the address on the letterhead above. The address listed in your file, P.O. Box 4620 Ketchum, ID is no longer active.

Cove Creek Limited Partnership is the owner of Water Rights: 37-2637, 37-2354, and 37-2327.

Please mail Recommendations of the Snake River Basin Adjudication to the address on the letterhead above.

Sincerely,


Tom Drougas
General Partner

S-K

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: **A37-02354**
Date Received: 11/ 5/1992
Receipt No: C025940
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: COVE CREEK LTD PARTNERSHIP *90 Tom Drougas* 720-6089 208-726-6000
Address: PO BOX 4620
KETCHUM ID 83340

2. Date of Priority: AUG 18, 1917

3. Source: COVE CREEK Trib. to: BIG WOOD RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	19E	33		NE	SW		BLAINE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.140		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	19E	33	NE	NW		IRR	5.0
			SE	NW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

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:

LICENSE NO. 37-02327 (2 AC. IN NENW, S33, T4N, R19E, B.M.)

14. Remarks:

DIVERSION WORKS ARE PART OF A SYSTEM OF COLLECTOR DITCHES WHICH GRAVITY FEED AND NATURALLY FLOOD IRRIGATE THE PLACE OF USE.

DIVERSION WORKS: DAM, ROCK AND POLES, 15 FEET LONG, 2 FEET HIGH. HEADGATE, WOOD, 2 FEET WIDE, 2 FEET HIGH, 4 FEET LONG. DITCH, 1 FOOT BOTTOM, 1.5 FEET WIDE AT WATER LINE, 1 FOOT DEEP, CAPACITY 5.0 SECOND FEET.

15. Basis of Claim: LICENSE

Water Right Number: 13156

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name

acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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 37-2354

Date Received 11/5/1992

Receipt Number C025940

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 05 1992
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Cove Creek Limited Partnership Phone (208) 726-6000Mailing Address c/o P.O.Box 4620 Ketchum, Idaho Zip 833402. Date of Priority (Only one (1) per claim) August 18, 19173. Source of water supply (a) Cove Creek
which is tributary to (b) East Fork Big Wood River4. a. Location of existing point of diversion is: Township 4 North Range 19 E. Section 33,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Dam, rock & poles, 15 feet long, 2 feet highHeadgate, wood, 2 feet wide, 2 feet high, 4 feet longDitch, 1 foot bottom, 1½ feet wide at water line, 1 foot deep, capacity
5 second feet

MICROFILMED
FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

BND

(acre feet)

For irrigation purposes from 4/15 to 10/15 amount 0.14 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is ~~0.14~~ 25 BND acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 N	19 E	33					5			5									10

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Blaine County

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
License No. 37-2327 (2 A in NE1/4NW1/4, Sec. 33, T4N, R19E, B.M.) or None ()

14. Remarks: Diversion works are part of a system of collector ditches which gravity
feed and naturally flood irrigate the place of use

Last Name Cove Creek Limited Partnership Ident No. 37-2354

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Copies: White -State, Yellow-Claimant
FEB 23 1993

Scale: 2 inches equals 1 mile

SECTION 33

T 4 N R 19 E

Place of

Use

X ← Point of diversion

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FEB 23 1993

Ident No. 37-2354

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-2354
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) COVE CREEK LIMITED PARTNERSHIP Date _____

By Thomas C. Drayton Date 10/30/92
a general partner

For Organizations: I do solemnly swear or affirm that I am _____ a general partner
Title _____

of COVE CREEK LIMITED PARTNERSHIP , that I have signed the foregoing
Organization
document in the space below as a general partner of COVE CREEK LIMITED PARTNERSHIP
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas C. Drayton
General Partner of COVE CREEK
Title and Organization LIMITED PARTNERSHIP Date 10/30/92

State of Idaho/or Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 30th day of October 19 92

SEAL

Notary Public Jeppanah A. Erickson

Residing at Hailey Idaho

My Commission Expires 09/24/98

Please Print Name

17. Notice of Appearance: Brian L. Ballard of the firm of
Notice is hereby given that I, Hawley Troxell Ennis & Hawley will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Brian L. Ballard
Brian L. Ballard/Hawley Troxell Ennis & Hawley
Address P. O. Box 1617, Boise, Idaho 83701 Ph. (208) 344-6000

Date _____

Cove Creek Limited
Last Name Partnership Ident. Number 37-2354

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FEB 23 1993
Copies White-State, Yellow-Claimant

State of Idaho License and Certificate of Water Right

37 2354

Water License No. 13156Amount 0.14Water District No. 7-BPriority 8/18/17

THIS IS TO CERTIFY that **Anna L. Ellingsen** of **Hailey, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **August 18**, 19 **17**; that Permit No. **13156** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **0.14** second feet, was issued thereunder on **August 20**, 19 **18**, showing that said works were completed on the **24th** day of **July**, 19 **18**; and that on the **10th** day of **September**, 19 **19**,

Anna L. Ellingsen

of **Hailey**, State of **Idaho**, made proof to the satisfaction of the **Commissioner of Reclamation** of Idaho, of a right to the use of the waters of **Cove Creek**, a tributary of **East Fork Big Wood River** for the purpose of **irrigation and domestic uses**, under Use Permit No. **13156** of the **Commissioner of Reclamation**, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the **State Engineer** of Idaho and entered of record in Volume **5** of Licenses, at page **2492**, on the **24th** day of **October**, 19 **19**;

The right hereby confirmed dates from **August 18**, 19 **17**;

The Point of Diversion is located in the **NE** $\frac{1}{4}$ **SW** $\frac{1}{4}$, Sec. **33**, Tp. **4 N.**, R. **19 E.**, B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.14** cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	19 E.	33	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2	5
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	5	5
			Total area irrigated - - - 10 acres		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the **Commissioner of Reclamation**, State Engineer, affixed at Boise, Idaho, this **24th** day of **October**, 19 **19**.

W. G. Swendsen,
Commissioner of Reclamation. State Engineer.

MICROFILMED

FEB 23 1993

37 2354

WATER RIGHT NUMBER 37-2354

D.H.T.

OWNER LAST NAME - ELLINGSEN FIRST NAME - ANNA L. ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - HAILEY STATE - ID ZIP CODE -
SOURCE - COVE CREEK TRIBUTARY OF - BIG WOOD RIVER EAST FORK
STAGE - LICENSE STATUS - PRIORITY - 08-18-1917 COUNTY - BLAINE TOTAL DIV. RATE - .1400 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 37 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NESW 33 04N 19E LOT REDIV - 272.0 386.0 35.0 8.0 0.0 0.0 0.0 0.0 0.0 0.0 1.6
FROM - TO - USE - IRRIGATION USE DIV. RATE - .1400 CFS USE DIV. VOLUME - .00 AFA
FROM - TO - USE - DOMESTIC USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 04N RNG 19E SEC 33 TRACT NEW LOT AC 05 TRACT SENW LOT AC 05
DECREE NAME - DATE - TOTAL ACRES 10
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 13156
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

37 2354

MICROFILMED

REPORT OF ENGINEER

H6

This proof is for beneficial useIn Water District No. 7 B1. State name of applicant and number of permit: Anna L. Ellingsen, Permit: 131562. State source of water supply: Cove Creek3. Location of point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 4 N., R. 19 E. B. M.

4. Describe works as they exist, giving dimensions and capacities of same:

Dam, Rocks & Poles, 15 ft long, 2 ft high.
Head gate, wood, 2 ft wide, 2 ft high, 4 ft long.
Ditch, 1 ft bottom, 1 1/2 ft wide at water line.
1 ft deep. Capacity 5 sec ft.

5. State whether or not water has been turned into works of diversion: Yes.

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 4 N., R. 19 E. B. M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? No other parties

9. Give names and amount of each right:

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FEB 23 1993

10. What large stream would the water here appropriated finally reach? B. Wood River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

East Fork of B. Wood River.

STATE OF IDAHO, }
County of _____ } ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public.

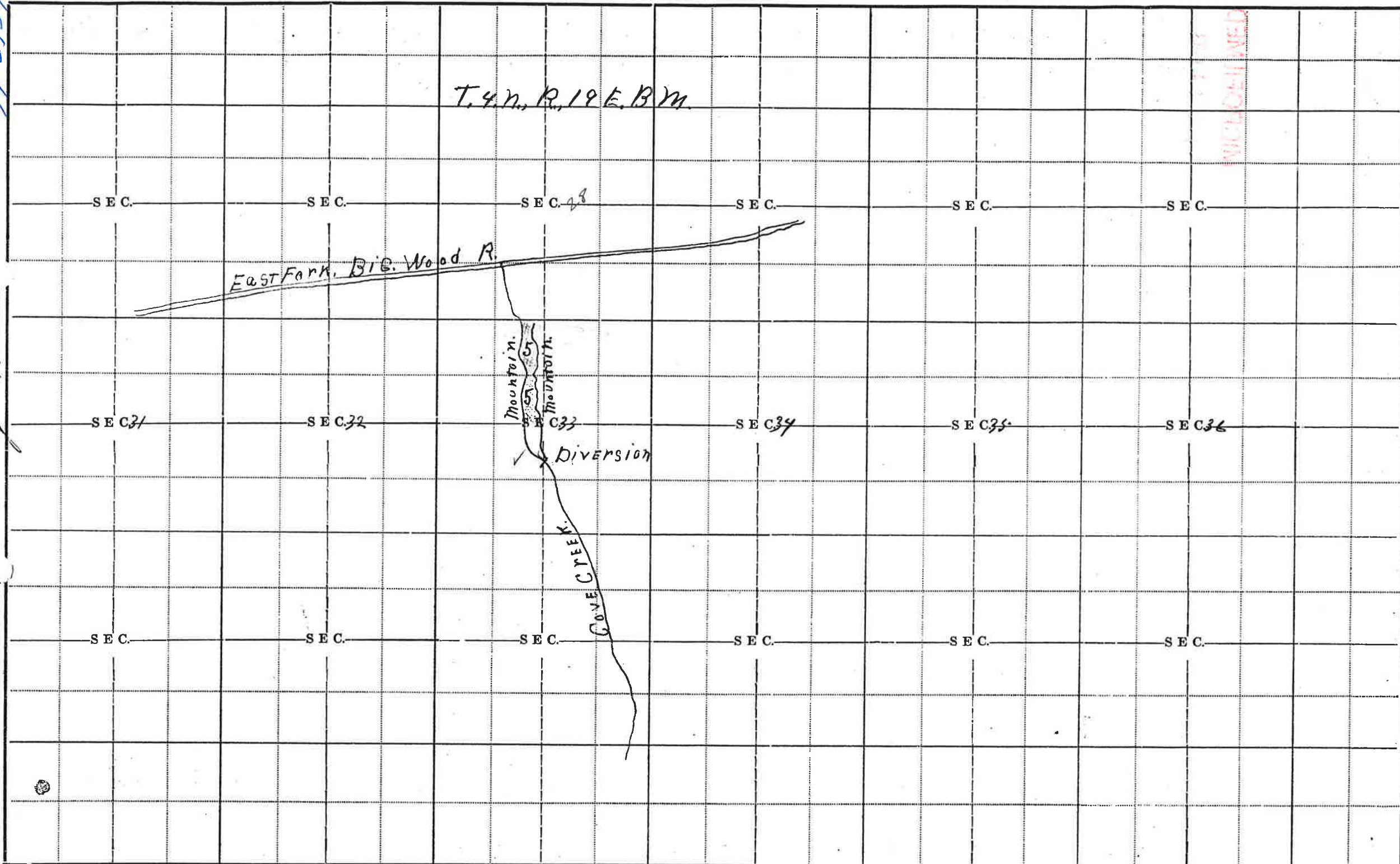
Dist: 7 B

Anne L. Ellingsen
Halley
Permit: 13156

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

NAME OF APPLICANT *Chas. V. Livingston, Heron* 13156 37-2354



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

13156

37-2354

Order No. 15900

A37-02354

WARRANTY DEED

For Value Received Rosita Lecertua, Personal Representative of the Estate of Jess Lecertua, Deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Cove Creek Limited Partnership, a Washington Partnership whose address is: 8808 Lake Washington N.E., Kirkland, WA, 98033

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

S81/4, S1/2 SW1/4 Section 20; N1/2 NE1/4 Section 32; N1/2 Section 33; Township 4 North, Range 19 East, Boise Meridian, Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current year's taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 28, 1992

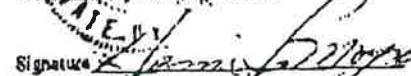

Rosita Lecertua

State of Idaho

County of Blaine

On July 28, 1992 before me, the undersigned, a Notary Public in and for said State, personally appeared Rosita Lecertua, Personal Representative of the Estate of Jess Lecertua, Deceased personally known to me (or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same as Personal Representative.

Witness my hand and official seal.

Signature 

Commission Expires: 5-6-98

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

1992 AUG -3 P 4:04

343324

CLERK

Deed

Post-It™ brand fax transmittal memo 7671		# of pages >
To: Brian Boland	From: Bob B	
Co.	Co. FALCO	
Dept.	Phone #	
Fax # 344-6505	Fax #	

MICROFILMED

FEB 23 1993

01/04/2007

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

RIGHT NUMBER: 37-2354

NAME AND ADDRESS: COVE CREEK LTD PARTNERSHIP
PO BOX 4620
KETCHUM ID 83340

SOURCE: COVE CREEK

TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 08/18/1917

POINT OF DIVERSION:

T04N R19E S33 SWSNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S33	NWNW	9.60	T04N R19E S33	SWNW	0.40
---------------	------	------	---------------	------	------

10 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.

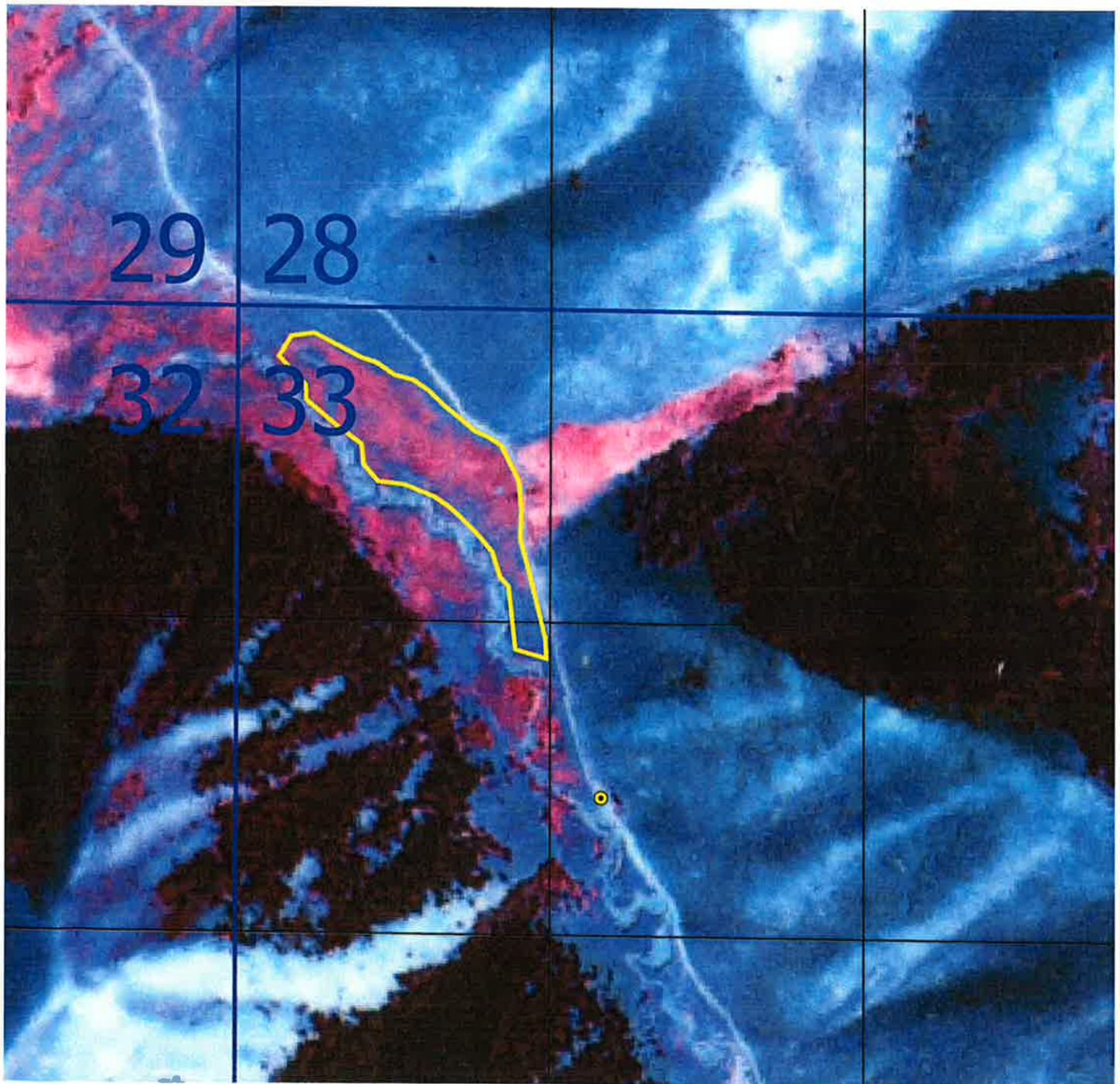
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

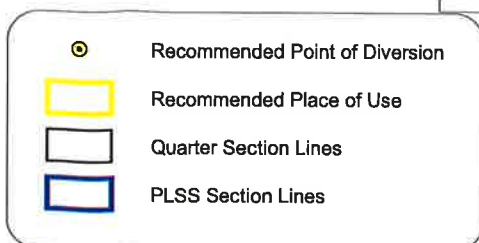
Idaho Department of Water Resources

Right(s): 37-2354

Recommended Place of Use
TWP 04N RNG 19E S33
Prepared January 4, 2007



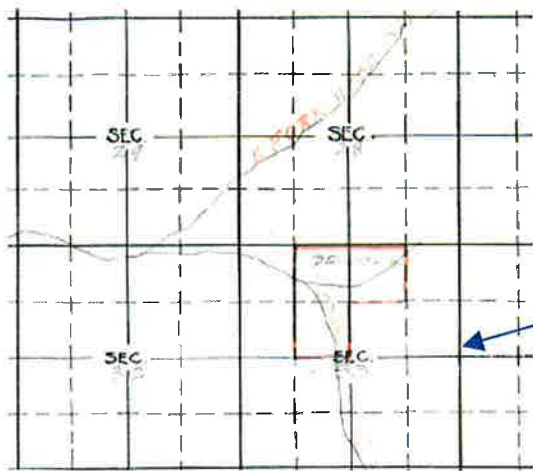
660 0 660 1320 Feet



GIS Place of Use Presentation
1987 NAPP Aerial Photography

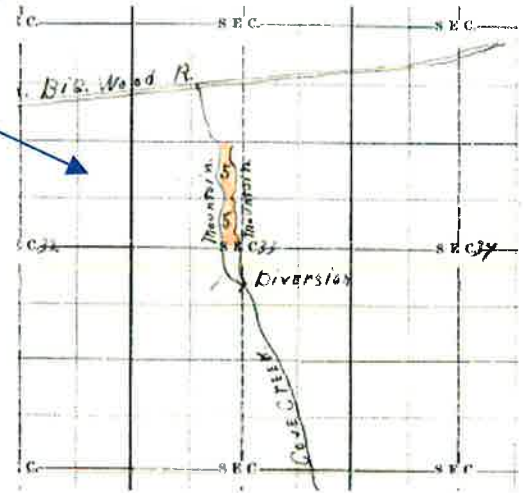
Prepared by Amanda Kriwox

37-2354



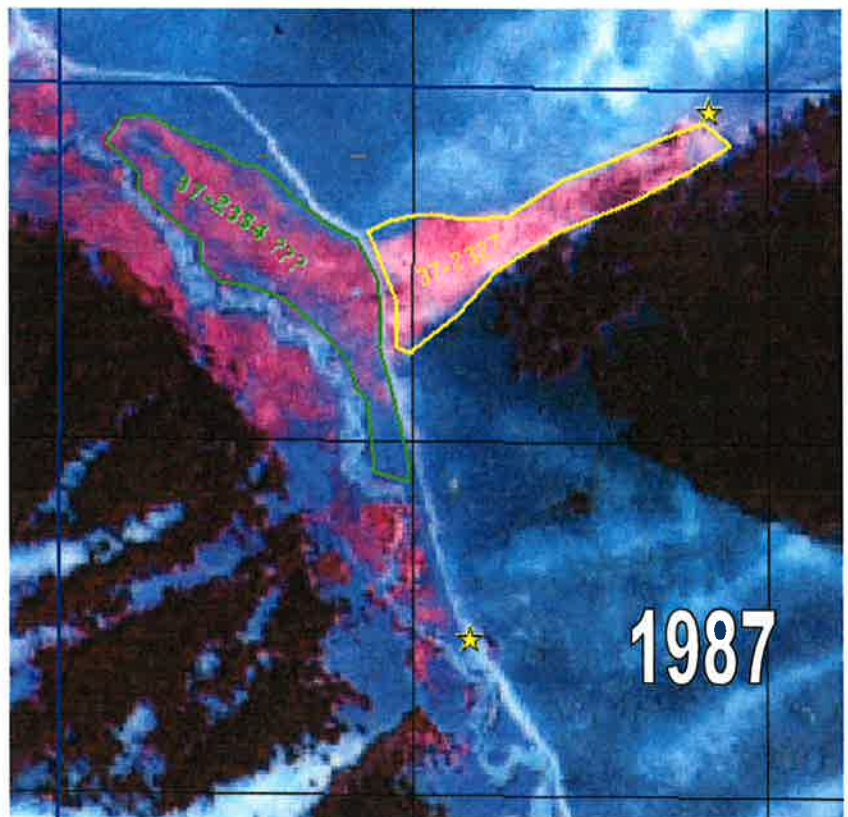
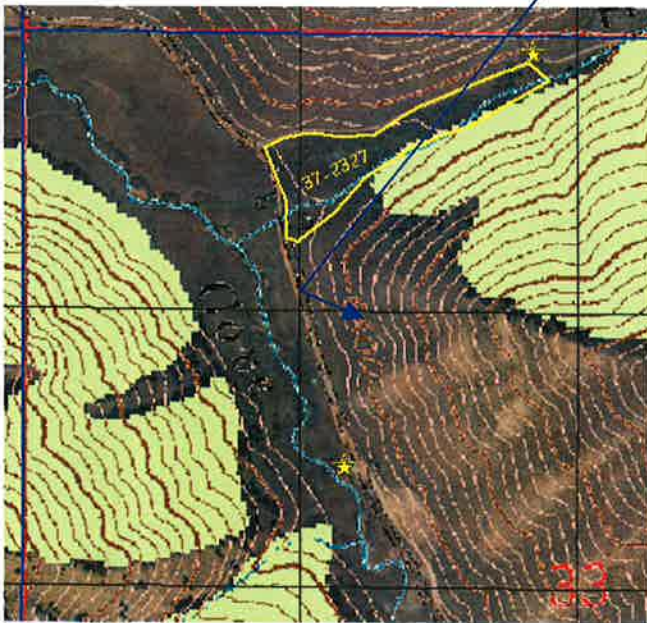
Permit Map

Eng Map???

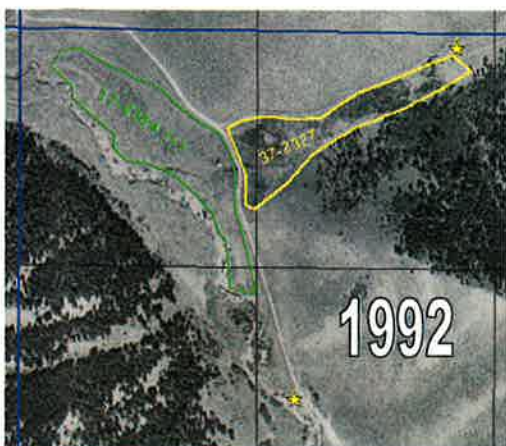


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Season of Use changed to standard season: 5-1 to 10-31



1987



1992

State of Idaho License and Certificate of Water Right

Water License No. 13156
Water District No. 7-B

Amount 0.14
Priority 8/18/17

THIS IS TO CERTIFY that **Anna L. Ellingsen** of **Hailey, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **August 18**, 19 **17**; that Permit No. **13156** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **0.14** second feet, was issued thereunder on **August 20**, 19 **18**, showing that said works were completed on the **24th** day of **July**, 19 **18**; and that on the **10th** day of **September**, 19 **19**,

Anna L. Ellingsen

of **Hailey**, State of **Idaho**, made proof to the satisfaction of the **Commissioner of Reclamation** of Idaho, of a right to the use of the waters of **Cove Creek**, a tributary of **East Fork Big Wood River** for the purpose of **irrigation and domestic uses**, under Use Permit No. **13156** of the **Commissioner of Reclamation**, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the **State Engineer** of Idaho and entered of record in Volume **5** of Licenses, at page **2492**, on the **24th** day of **October**, 19 **19**;

The right hereby confirmed dates from **August 18**, 19 **17**;

The Point of Diversion is located in the **NE** $\frac{1}{4}$ **SW** $\frac{1}{4}$, Sec. **33**, Tp. **4 N.**, R. **19 E.**, B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.14** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	19 E.	33	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2	5
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	5	5
			Total area irrigated	-----	10 acres

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the **Commissioner of Reclamation** of Idaho, affixed at Boise, Idaho, this **24th** day of **October**, 19 **19**.

W. G. Swendsen,
Commissioner of Reclamation. **State Engineer**

(SEAL)

37 2354

REPORT OF ENGINEER

H6

This proof is for beneficial useIn Water District No. 7-B

1. State name of applicant and number of permit: Anna L. Ellingsen, Permit: 13156
2. State source of water supply: Cove Creek
3. Location of point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 4 N., R. 19 E. B. M.

4. Describe works as they exist, giving dimensions and capacities of same:

Dam, Rock & Pole, 15 ft long, 2 ft high.
Head gate, wood 2 ft wide, 2 ft high, 4 ft long.
Ditch, 1 ft bottom, 1 1/2 ft wide at water line.
1 ft deep. Capacity 5 sec ft.

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 4 N., R. 19 E. B. M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? No other parties

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? R. Wood River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

East Fork of R. Wood River

Remarks:

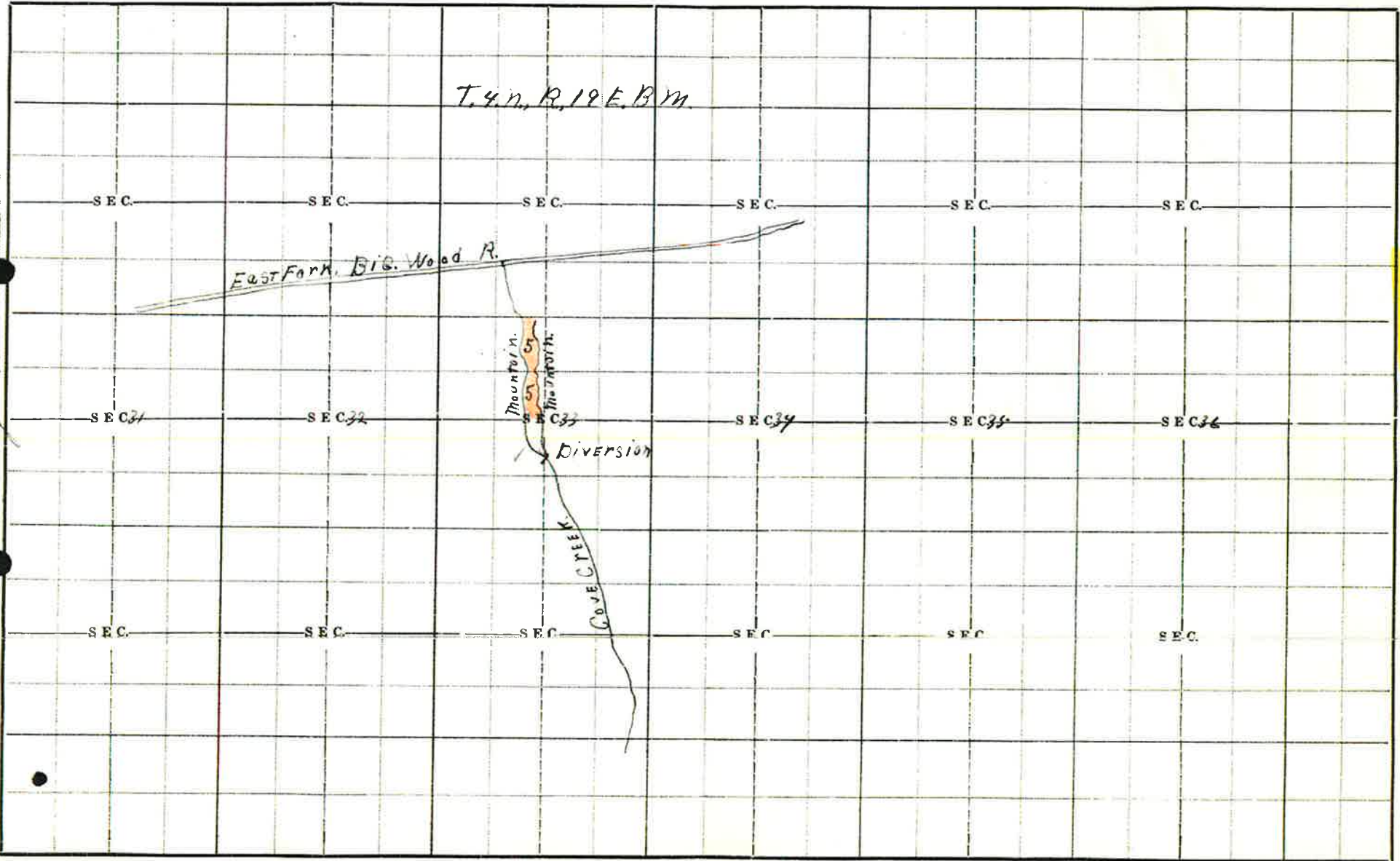
This examination was made on the 13th day of Oct. 1918

(Signed) R. S. Pierce

Examiner.

13156

NAME OF APPLICANT *J. B. Williams, Jr.* 13186



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

13186 = 2354

March 28th 1907

SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
31	32	33	34	35	36

DE- 1124-2

1315/

APPLICATION FOR PERMIT 37-2354

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 18789
Permit No. 13156
District No. 7 B

1. Name of Applicant: **Anna L. Ellingsen**

Postoffice address: **Hailey**

County: **Blaine**

State: **Idaho.**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **7/50** cubic feet per second.

3. Source of water supply: **Cove Creek** which is a tributary of **E. Fork of Wood River.**

4. Location of point of diversion: **approximately 330** feet distant from the **center**
~~corner~~ of Section **33**, T. **4 N.**, R. **19 E.**, B. M., and is in the **unsurveyed NE $\frac{1}{4}$ SW $\frac{1}{4}$**
of Section **33**, T. **4 N.**, R. **19 E.**, B. M., County of **Blaine.**

5. Water is to be used for: **Irrigation and domestic use.**

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: _____ feet distant from _____ corner of Section _____
T. _____, R. _____, B. M., in the _____ of Section _____, T. _____, R. _____, B. M.
- (b) Amount of power generated: _____ H. P., under _____ feet head.
- (c) Water is to be returned to _____ at a point _____ feet
distant from the _____ corner of Section _____, T. _____, R. _____, B. M., in the _____
of Section _____, T. _____, R. _____, B. M.

7. Estimated cost of works: \$ **50.00.**

8. Kind of works: **Dam and ditch.**

9. Height of dam **2** feet; length of dam at top **8** feet; length of dam at bottom **3**
feet; material used in dam **stone and earth.**

10. Size of headgate: Width **1** feet; height **1** feet.

11. Ditch: Width at bottom **1 foot** ~~feet~~; width at water line **1 $\frac{1}{2}$** feet; depth of water **$\frac{1}{2}$**
feet; dimensions of flume

Diameter of pipe _____ inches; length of conduit _____ miles.

Average grade per mile **8 foot drop per mile** ~~feet~~

12. The time required for the completion of such work is **one** years.

13. The time required for the complete application of the water to the proposed use is **one** additional years.

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? **no.** If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Anna L. Ellingsen, Applicant.

By H. D. Smith, Agent.

Date of first receipt at office of State Engineer 9:00 A. M. August 18, 1917.

Returned to applicant for correction August 20, 1917.

Corrected application received August 24, 1917.

APPROVAL OF STATE ENGINEER

The number of this permit is 13156

Recorded in Book 46 Page 13156 Approved September 10, 1917.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **November 9, 1917.**

Work to begin on or before **November 9, 1917.** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **March 10, 1918.**
The whole of said work to be completed on or before **September 10, 1918.**

The whole of said work to be completed, on or before **September 10, 1918.**

Beneficial use of water appropriated in accordance herewith, to be made on or before **September 10, 1919.**

Witness my hand this 10th day of September, 1917.

J. H. SMITH, State Engineer.

Remarks :

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	19 E.	33					2				5								7
Total number of acres to be irrigated - - - - -																			7
The land to be irrigated is embraced in applicant's Desert Land Entry serial number 013402 made at the Hailey, Idaho Land Office on which final proof has not yet been submitted.																			
The applicant herein has already secured permit No. 12201 for the use of water from Willow Spring, for the irrigation of this entry, but now finds that the water therefrom can not be brought on the 7 acres previously mentioned, and it is necessary to secure the additional water herein applied for, for the proper reclamation of the land. It is not the intention to abandon the use of the water under permit number 12201, but to use both in conjunction.																			

01/04/2007

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

RIGHT NUMBER: 37-2354

NAME AND ADDRESS: COVE CREEK LTD PARTNERSHIP
PO BOX 4620
KETCHUM ID 83340

SOURCE: COVE CREEK TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 08/18/1917

POINT OF DIVERSION:

T04N R19E S33 SWSENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R19E S33	NWNW	9.60	T04N R19E S33	SWNW	0.40
---------------	------	------	---------------	------	------

10 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.

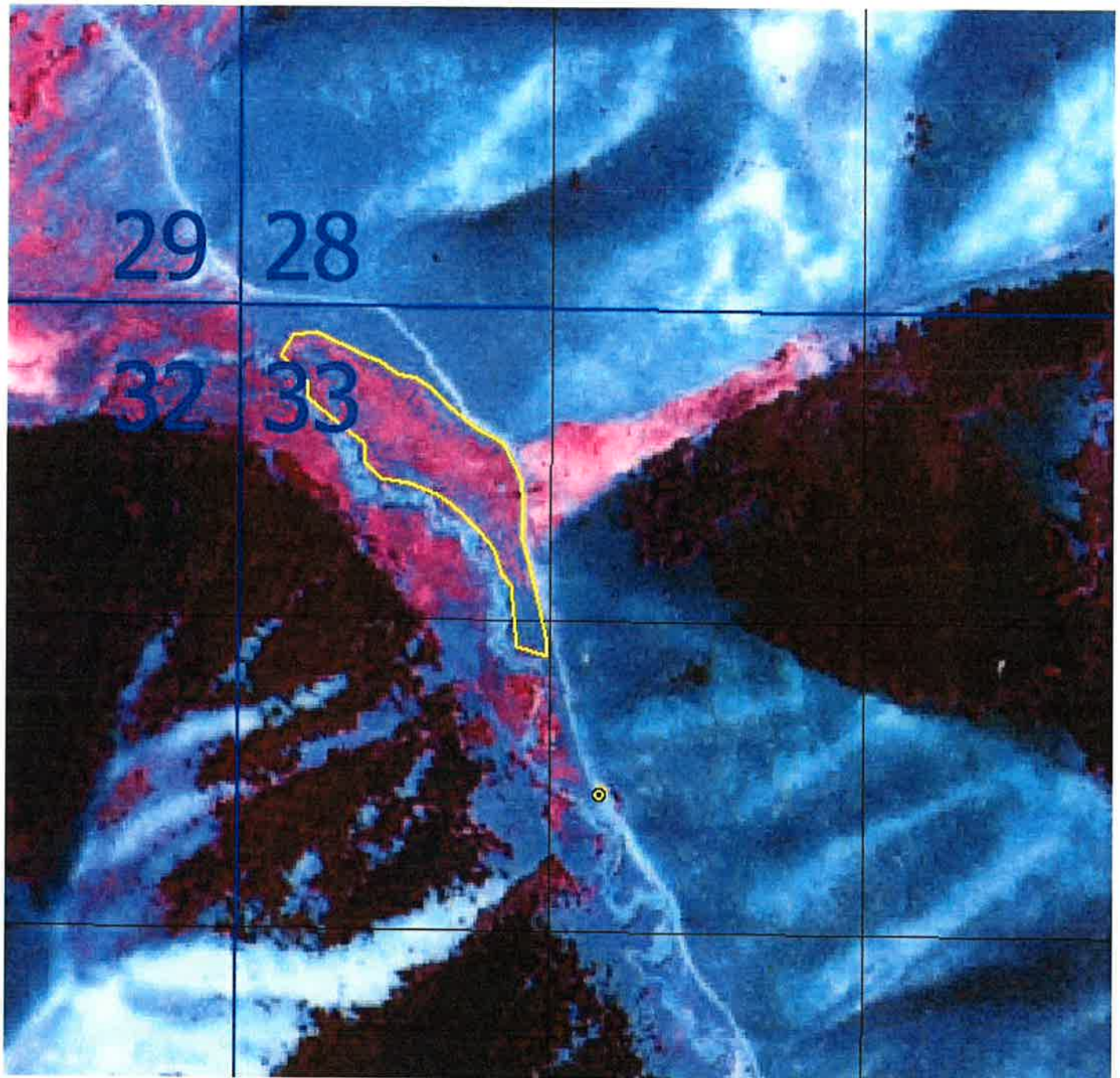
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

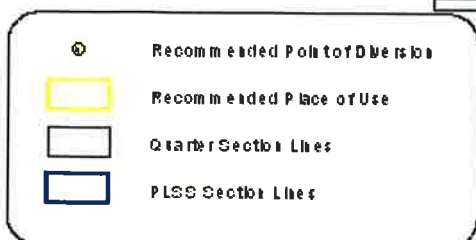
Idaho Department of Water Resources

Right(s): 37-2354

Recommended Place of Use
TWP 04N RNG 19E S33
Prepared January 4, 2007



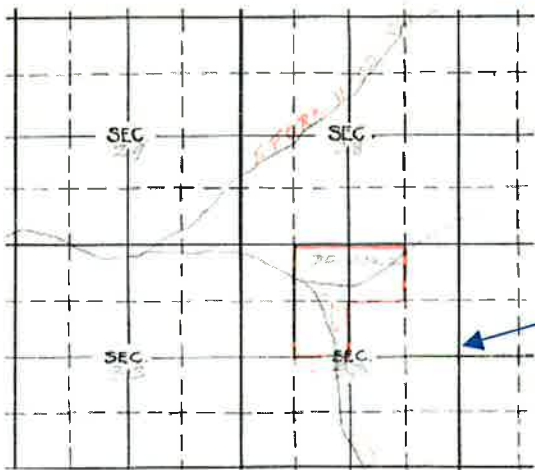
660 0 660 1320 Feet



GIS Place of Use Presentation
1987 NAPP Aerial Photography

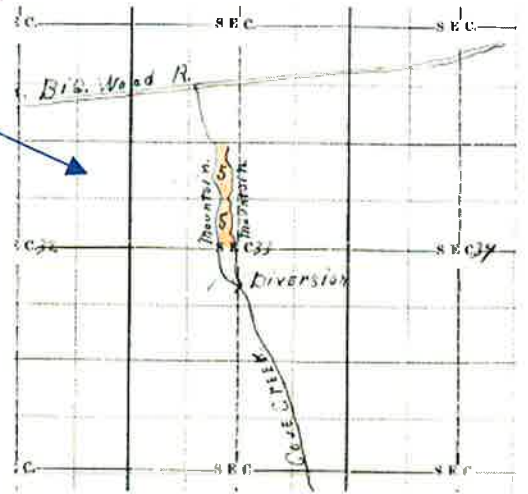
Prepared by Amanda Kriwox

37-2354



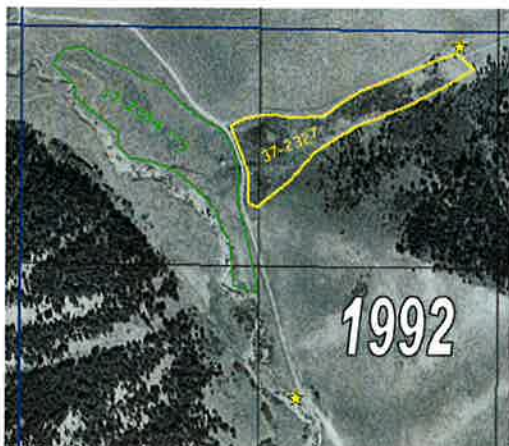
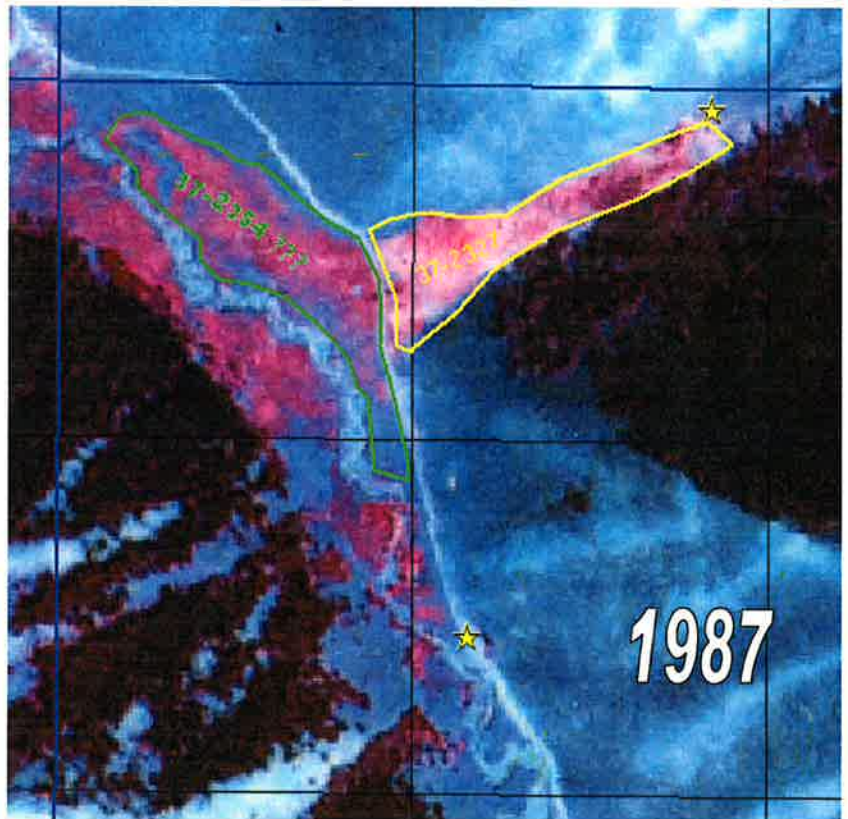
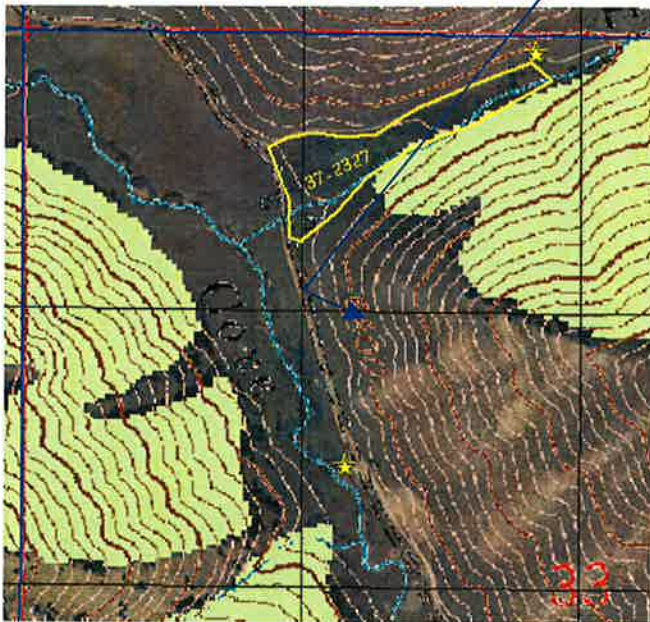
Permit Map

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Season of Use changed to standard season: 5-1 to 10-31



**Cove Creek Limited Partnership
P.O. Box 2277
Ketchum, Idaho 83340**

(208) 720-6089

December 5, 2006

Sallie Sherman
Idaho Department of Water Resources
P.O. Box 83720-0098
Boise, Idaho 83720

Re: Address Change

Dear Ms. Sherman:

Please change the address for mailings to Cove Creek Limited Partnership to the address on the letterhead above. The address listed in your file, P.O. Box 4620 Ketchum, ID is no longer active.

Cove Creek Limited Partnership is the owner of Water Rights: ^{TD}~~37-2637~~, 37-2354, and 37-2327.

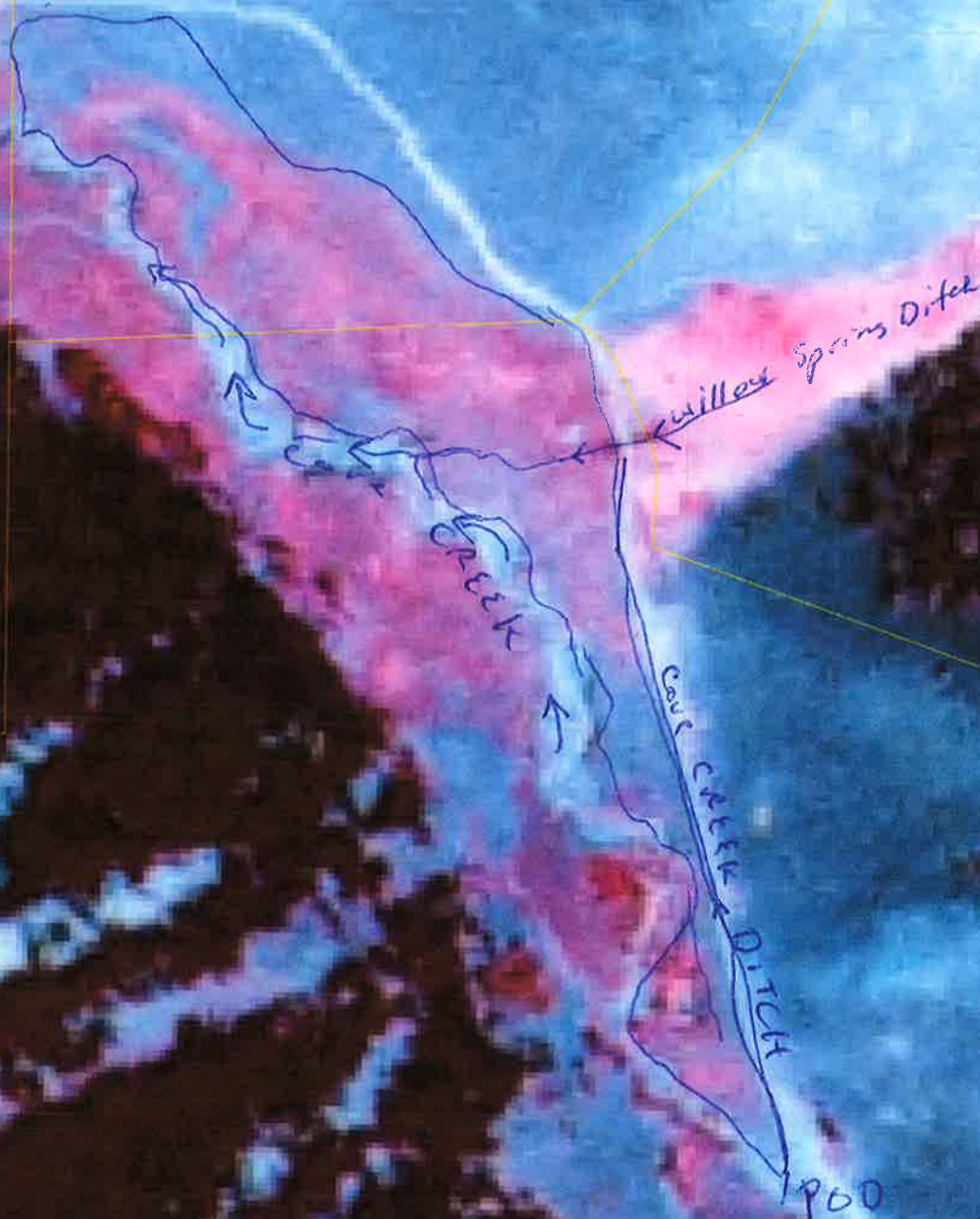
Please mail Recommendations of the Snake River Basin Adjudication to the address on the letterhead above.

Sincerely,


Tom Drougas
General Partner

tdrougas@cox.net
cc. jim speck@cox-internet.com

MAP PROVIDED TO CLAIMANT AT PUBLIC MEETING 12/5/06
ALL NOTES PROVIDED BY CLAIMANT.
-CSC 12/5/06



File No.
A37-02354-2327

Owner
Cove Creek LTD Partnership
% Tom Drougas
P.O. Box 4620
Ketchum

Date
6/24/05

I met Tom at noon at the property location up East Fork of Big Wood River and we looked thru their two water files and on file 2354 Tom said the area marked with small yellow line along the creek looks ok for the place for this water and he drew where the ditch was approx. along the road from the POD as marked on color photo as point no. 1 , this area is now sage and natural grass and does not appear as watered for some time except for rain.

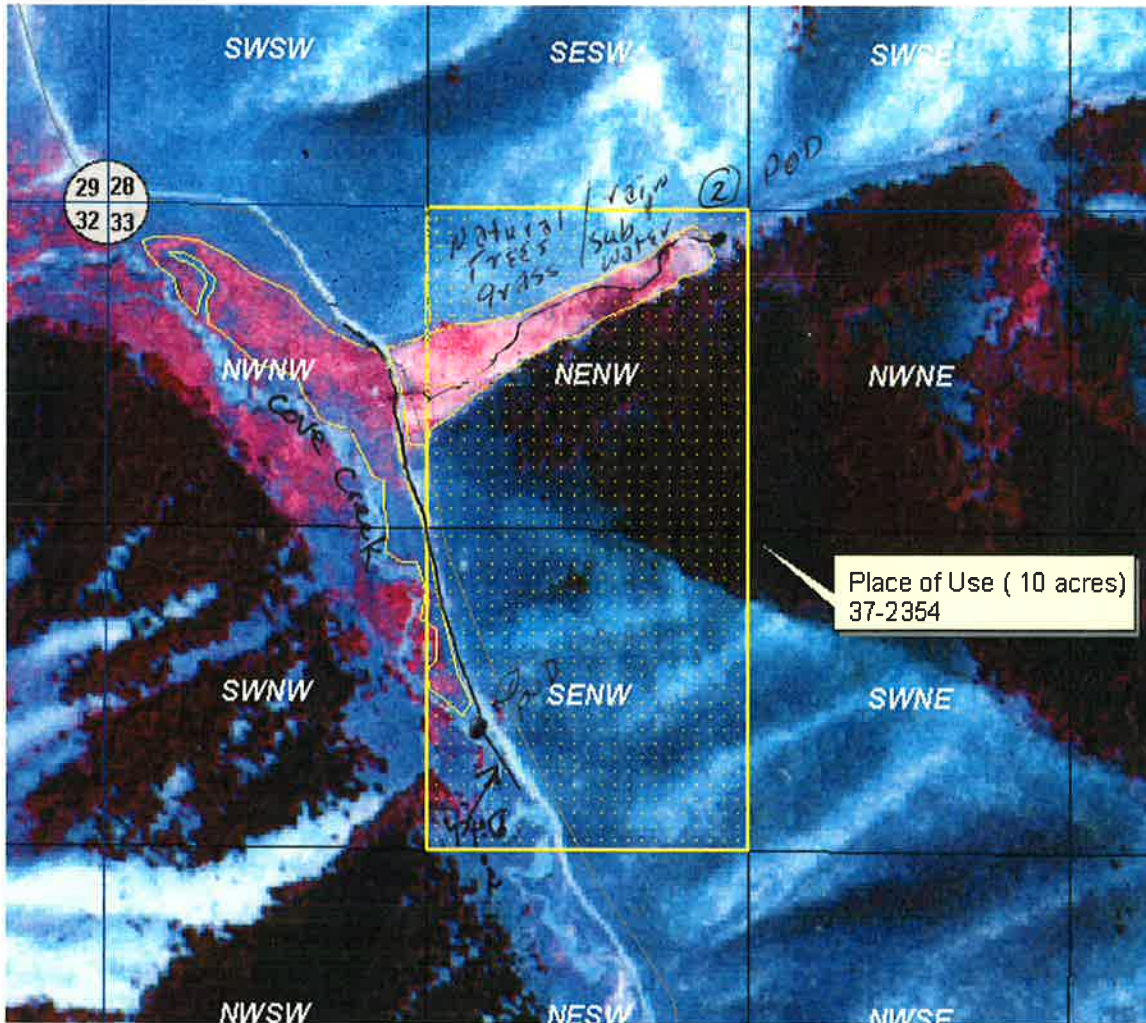
File 2327 is a spring at POD no. 2 and the area is natural grass -trees- brush watered by rain- and sub from creek, this water flows down the canyon into cove creek the ditch mark is the creek approx. He said the area marked looked ok

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Cove no.1	Cove 1	2483721	1381793	A0016251	1060624
Spring 2	Cove 2	2483996	1382391	none	625

Lee R. Peterson

37-2354

↑
North



This is a licensed right for 10 acres. The legal description of the license indicates the POU runs along Cove Creek in the NENW and SENW. However only a sliver of Cove Creek runs into SENW, the majority of anything that looks like is being watered is in the NWNW. (See license map as well). (The watered portion of NENW belongs to right 37-2327.

Verify exact Place of Use.

GPS the Point of Diversion

[Send To Printer](#)

[Back To TerraServer](#)

[Change to 11x17 Print Size](#)

[Show Grid Lines](#)

[Change to Landscape](#)

USGS 16 km NE of Hailey, Idaho, United States 23 Jul 1999



0 100M

0 100yd

Image courtesy of the U.S. Geological Survey

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[Privacy Statement](#)

DATE RECEIVED 11/5/1992 CK # C025940 AMOUNT \$ 20200

YESNORequired Info?

1. Is the name and address complete with zip code? YES ☒ NO ☐ *
2. Is a priority date entered? YES ☒ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates? YES ☒ NO ☐ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. YES ☒ NO ☐ *
3. (a) Is a source entered? YES ☒ NO ☐ *
- (b) Is a tributary to entered? (if required) N/A ☐ ☒ NO ☐ *
4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐ *
5. Is there a description of the diverting works? YES ☒ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES ☒ NO ☐ *
- Is the period of use included? YES ☒ NO ☐ *
- Is a quantity claimed for each use? YES ☒ NO ☐ *
7. Is a total quantity claimed entered? YES ☒ NO ☐ *
8. If required is a consumptive use entered? N/A ☐ ☒ NO ☐ *
- Is the consumptive use correct? N/A ☐ ☒ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? YES ☒ NO ☐ *
11. Is (are) the county(ies) entered? YES ☒ NO ☐ *
12. Is the ownership of p.u. checked? YES ☒ NO ☐ *
13. Are other water rights listed or "none" indicated? YES ☒ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ ☐ NO ☐ *
15. Is the basis of the claim indicated? YES ☒ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. YES ☒ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐ *
19. Was this claim filed on time, or was an extension granted? YES ☒ NO ☐ *
20. Is the fee enclosed correct? Exempt ☐ ☒ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☐ ☒ NO ☐ *
22. Should this claim be data entered? YES ☒ NO ☐ *

Claim checked by: S.W. Keen Date: 11-4-92

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: J. Yarbrough Date: 11/5/1992

Claim data entered by: S.W. Keen Date: 11/6/1992 Checked by: S.W. Keen Date: 11-5-92

Sent to claimant by: S.W. Keen Date: 11/6/1992

Comments: 50 x 10 = \$60. No late fee - Claimant purchased the property after Round 1 and filed the claim before Round 2. (See Memo # 2, Exception # 3).

MICROFILMED

FEB 23 1993