

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

RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02513
Date Received: 10/26/1988
Receipt No: S003252
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. NOLAN VICTOR
Address: 1528 ADDISON AVE E.
TWIN FALLS, ID

208-733-1359

83301

2. Date of Priority: AUG 22, 1950

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	21E	35	NW	NE	NE		BLAINE

5. Description of diverting works:
116'X8" WELL, 25HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	11/01	3.300		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	21E	26	NE	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							80.0

A37-02513

Page

1

Date: 10/26/88

MICROFILMED

FEB 23 1993

1. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	35	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0

Section Acres 180.0

Total Acres 260.0

2. Place of use in counties: BLAINE

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

4. Other Water Rights Used:

A37-00015B, A37-00053, A37-00054, A37-00263E

5. Remarks:

62.6 INCHES LITTLE WOOD RIVER WATER DECREED TO FARM. FARM=260
ACRES

6. Basis of Claim: LICENSE

5. 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 small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

or Individuals:

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

Signature of Claimant(s):

Date:

Date:

State of Idaho

ounty of

SS.

Subscribed and sworn (or affirmed) before me this 26th day

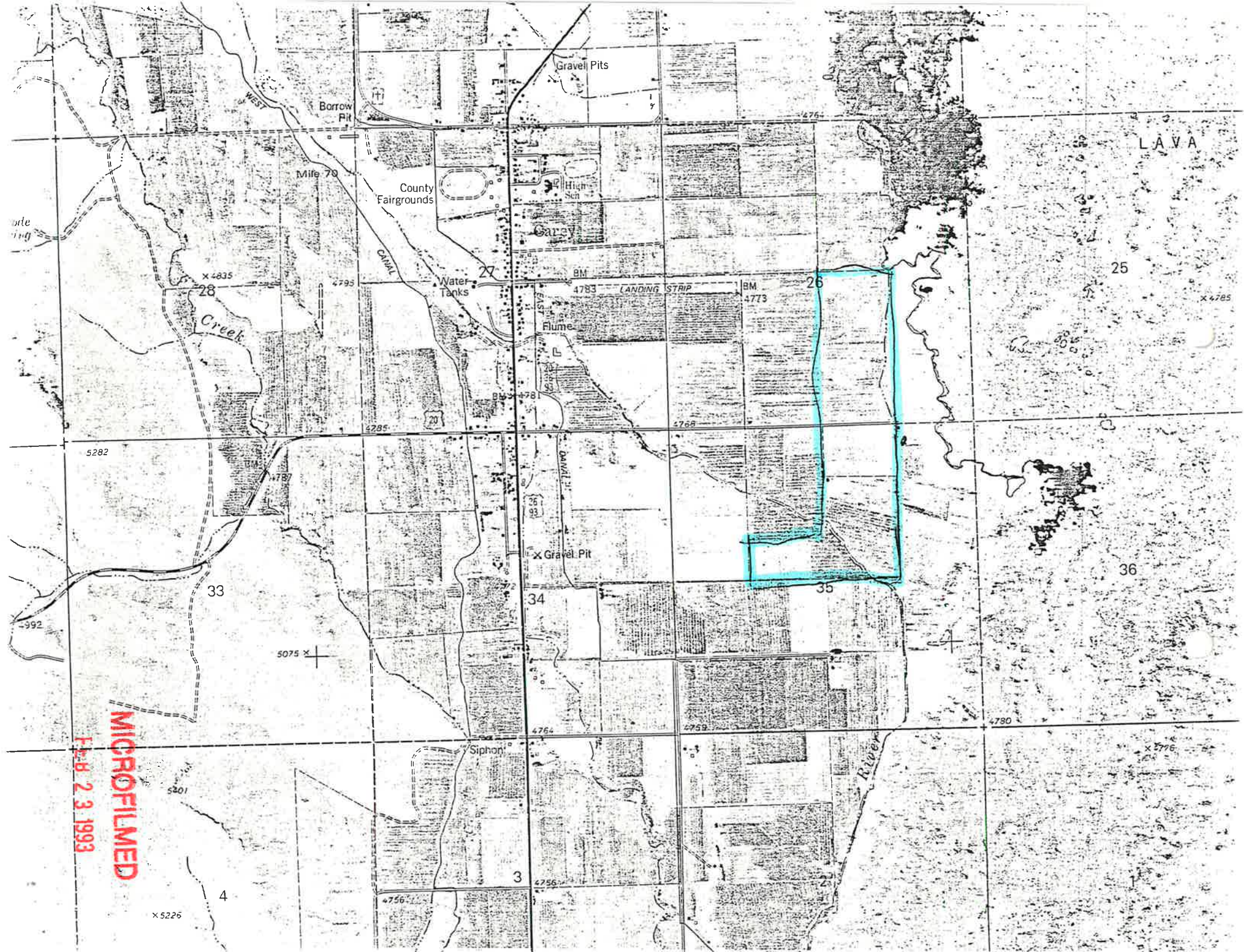
of OK 19 88

Notary Public

Seal

Residing at

My Commission Expires



06/20/2002

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

RIGHT NUMBER: 37-2513

NAME AND ADDRESS: W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.30 CFS
577.5 AFY

PRIORITY DATE: 08/22/1950

POINT OF DIVERSION:

T01S R21E S35 NWNENE 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	3.300 CFS 577.50 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R21E S26	NESE	14.0	T01S R21E S26	SESE	8.0
T01S R21E S35	NENE	24.0	T01S R21E S35	SENE	35.0
T01S R21E S35	NESW	21.0	T01S R21E S35	NESE	26.0
T01S R21E S35	NWSE	37.0			

165 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

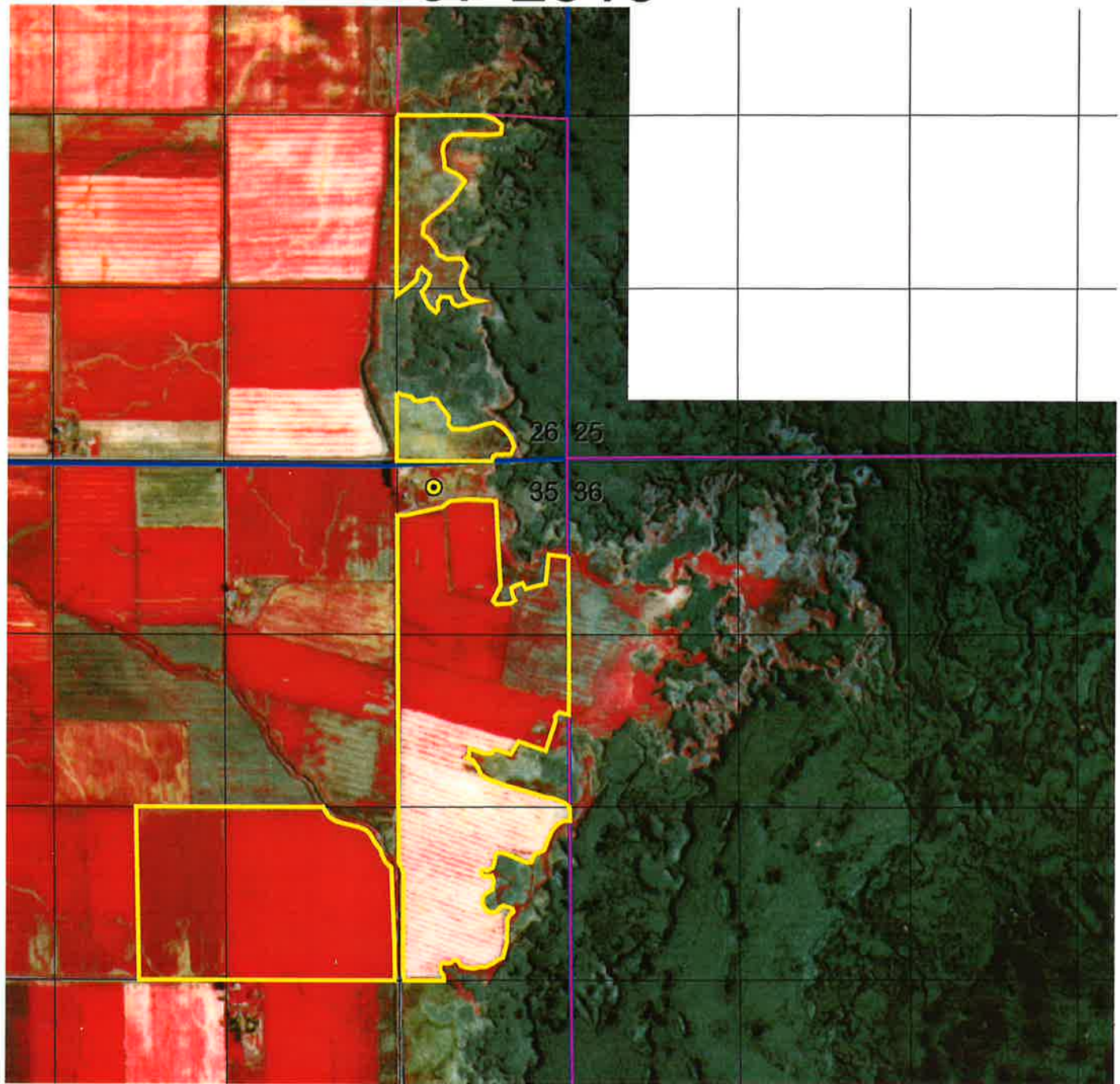
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER.

IDAHO DEPT OF WATER RESOURCES

37-2513



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: 21E
SEC: 26 & 35



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

Date: JUNE 20, 2002

Clelland, Steve

From: Clelland, Steve
Sent: Thursday, June 20, 2002 2:36 PM
To: Merritt, Allen
Subject: voilation of 37-2513 map layout

Allen,

here is the layout for the recd of the right. After a quick review of the overlapping surface water rights they will not by appurtenant to the BLM lands either... most likely the same pou as this right.

steve



37-2513.jpg

MEMO

TO: ALLEN MERRITT & SRBA FILE 37-2513
FROM: STEVE CLELLAND
DATE: JUNE 20, 2002

RE: POSSIBLE VIOLATION OF WATER RIGHTS

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As a result of my review of this file and the query of the database of IDWR, it appears some lands are being irrigated without a proper water right. The irrigation of the BLM lands was noted at the time of the original Beneficial Use Field Exam for 37-2513 in 1957.

Queries of the database failed to identify any water rights appurtenant to the lands listed below.

The land descriptions are these:

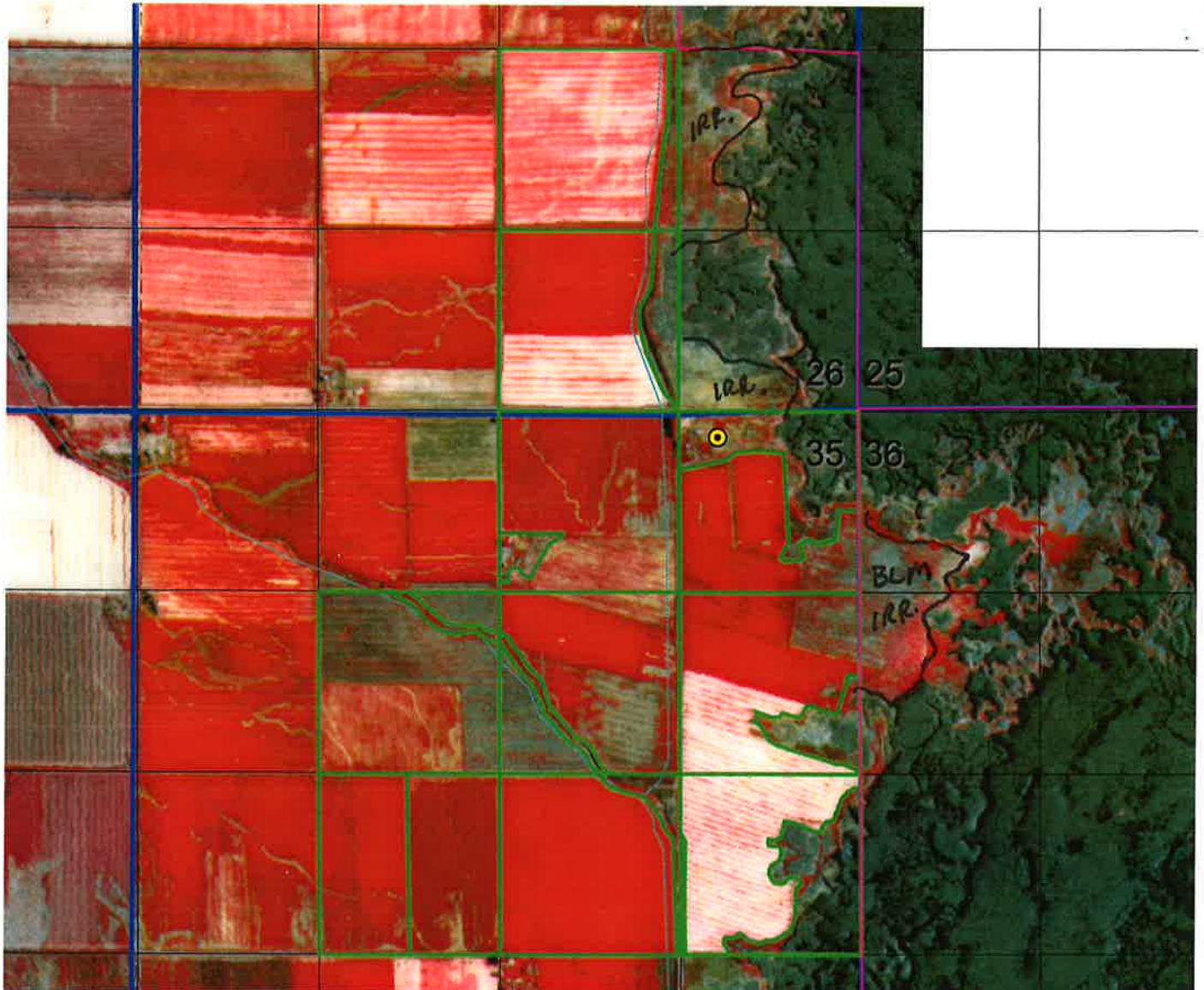
T1S	R21E	S36	NWNW	- No valid right found.
			SWNW	- No valid right found.

Lands appear irrigated in all available aerial photos including the most recent Idahospot-1998200 photo.

I am forwarding this info to Southern Regional Manager for determination of final violation. These lands will not be recommended as part of the SRBA review for this right.

IDAHO DEPT OF WATER RESOURCES

37-2513 - field draft



1320 0 1320 2640 Feet

- Basin 37 part 1-POU
- Basin 37 part 1-POD
- Ownership FED-Private
- Streams
- Section Lines
- Quarter - Quarter lines

* BLM irrig. is noted in Live Exam.
 TWN: 1S
 RNG: 21E
 SEC: 26 & 35
 6/20/02
 SUC

* No WR found for BLM uses - Refer as illegal irrigation use to Southern Mgr.

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

Date: October 11, 2001

FEB 23 1993

MICROFILMED

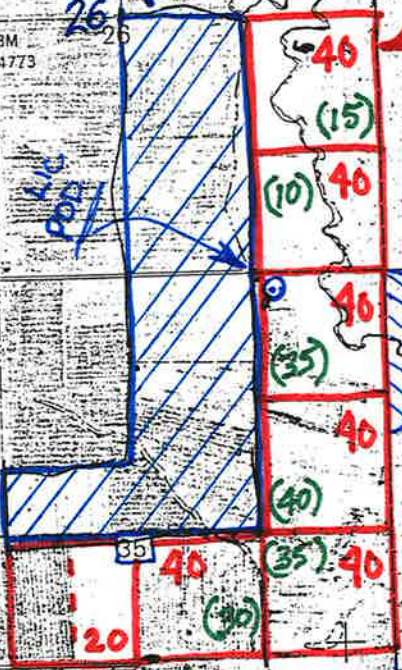
10/11/01 sec
MAP IS
WRONG IS.
Claimed Ac.

CLAIM MAP
POL

CLAIMED
POL
= 260 AC.

(LICENSED
ACRES = 165)

10 AC. IN
ON BLM?
(40 per Lic Exam)



10/11/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2513

WATER RIGHT NUMBER: 37-2513

checked against
Lic. file
6/20/02
SCC

Owner Type Name and Address
 Current Owner M J DILWORTH
 CAREY, ID

Priority Date: 08/22/1950 ✓
 Basis: License
 Status: Active

Source Tributary
 GROUND WATER

Beneficial Use
 IRRIGATION

From To
 / to /

Diversion Rate ✓
 3.300 CFS

Annual Volume

Total Diversion: 3.300 CFS

Location of Point(s) of Diversion

GROUND WATER
 BLAINE County

NE1/4NE1/4

Sec. 35, Twp 01S, Rge 21E, B.M.

Place of Use
 IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01S 21E 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	25.0
01S 21E 35	35.0			40.0									35.0	30.0			140.0

Total Acres: 165 ✓

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2513

Dates and Other Information:

Licensed Date: 5/15/1979

Decreed Date:

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:

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