

RECEIVED

JUL 16 2002

fee: \$10.00

Department of Water Resources

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 37-2657A
Date Received: 9/19/1988
Receipt No: S002282
Received By: SCC

AMENDED CLAIM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DENNIS G STEWART

Phone: (208) 823-4403

PO BOX 254

CAREY ID USA 83329

CAROLYN STEWART

Phone: (208) 823-4403

PO BOX 254

CAREY ID USA 83329

2. Date of Priority: 07/21/1961

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

WELL WITH 75 H.P. PUMP DELIVERING INTO WEST CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	11/01	2.5	

7. Total Quantity Appropriated is:
2.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	21E	3	NW	SW	IRRIGATION	35
			SW	SW	IRRIGATION	30
					Section Acres	65
02S	21E	10	NW	NW	IRRIGATION	28
			SW	NW	IRRIGATION	29
			SE	NW	IRRIGATION	2
					Section Acres	59
					Total Acres	124

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:

14. Remarks:

THIS WELL IS USED TO SUPPLEMENT THE DECREES. THIS WELL IS SHARED WITH RICHARD SIMPSON. I HAVE 50% OWNERSHIP OF THE WELL AND WATER FROM IT.

AMENDED CLAIM 6-19-02 SCC, AMENDED POU ACRES.

15. Basis of Claim: License

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

Signature of Claimant(s): *Demetri Stewart* Date: 7-9-02
_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this (09) Ninth day
of July 2002 *Merle Barnhart*

Notary Public



Residing at Carey, Id 83320
My Commission Expires 7-20-03

Idaho Department of Water Resources Receipt

Receipt ID C063372

Payment Amount \$10.00 Date Received 7/16/2002 9:56:22 AM Region State Status
Payment Type Check Check Number 1660

Payer RIM VIEW RANCH STEWART DENNIS OR CAROL

Comment NOTICE OF CLAIM
IDENT NO 37-2657A
RECEIPT NO S002282

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$10.00	ADJUDICATION FILING FEE	0337		41503	1155


Signature Line (Dept. Representative)

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: A37-02657A
Date Received: 9/19/1988
Receipt No: 5002282
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS G. STEWART 208-823-4403
Address: P.O. BOX 254
CAREY, ID 83320

AND/OR

Name: CAROLYN STEWART 208-823-4403
Address: P.O. BOX 254
CAREY, ID 83320

2. Date of Priority: JUL 21, 1961

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	21	NE	SW	NW		BLAINE

5. Description of diverting works:
WELL WITH 75 H.P. PUMP DELIVERING INTO WEST CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	2.500		

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

8. Total consumptive use is 286.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	21E	3	NW	SW		IRR	29.7
			SW	SW		IRR	29.2
					Section Acres		58.9
		10	NW	NW		IRR	24.7
			SW	NW		IRR	27.8
			SE	NW		IRR	3.0
					Section Acres		55.5
					Total Acres		114.4

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:
A37-00032A & A37-00561

14. Remarks:

THIS WELL IS USED TO SUPPLEMENT THE DECREES. THIS WELL IS SHARED WITH RICHARD SIMPSON. I HAVE 50% OWNERSHIP OF THE WELL AND WATER FROM IT.

15. Basis of Claim: LICENSE

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: 2

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): James M. Stewart Date: 9-19-88

Date: _____

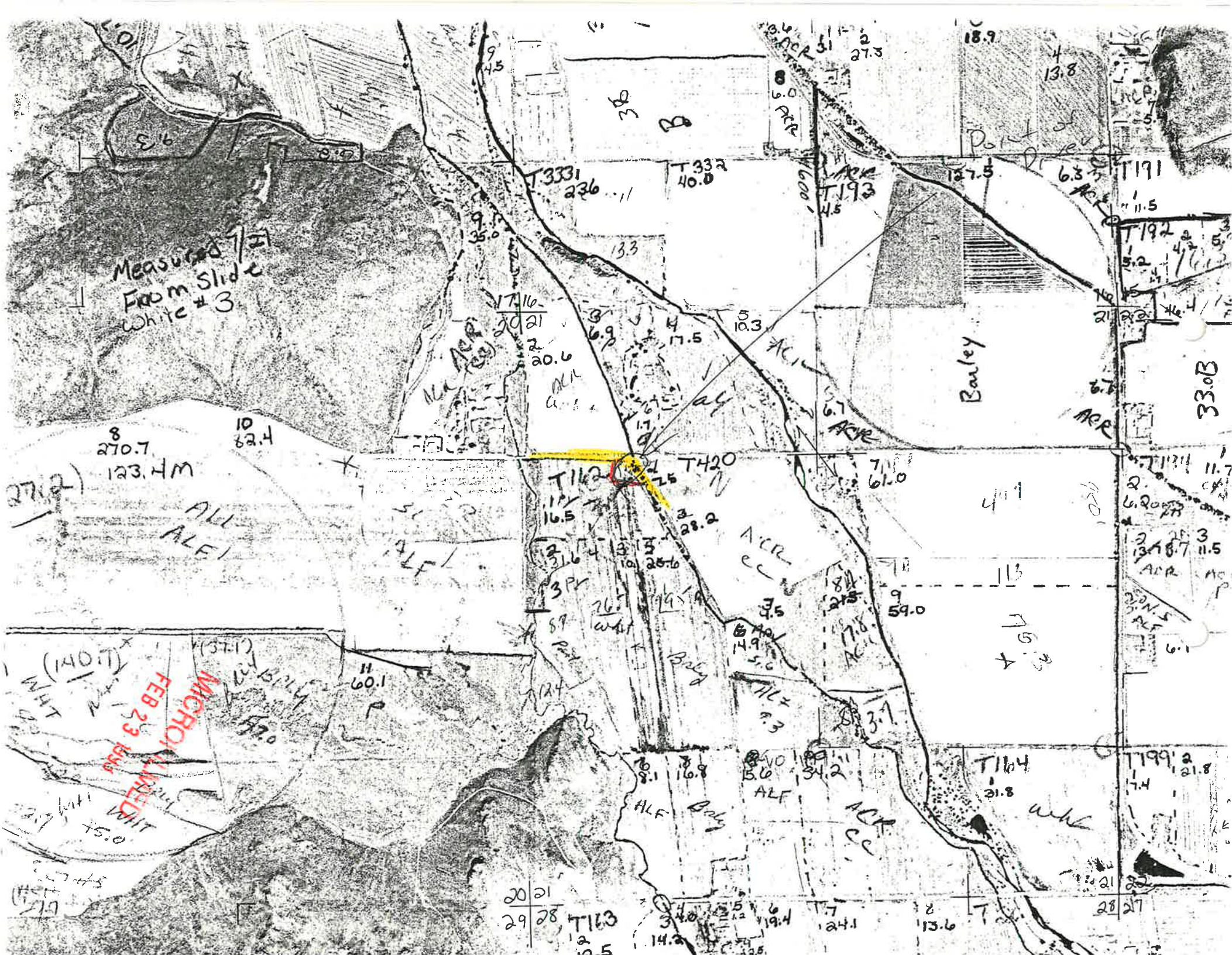
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Sept. 19 88

James M. Stewart
Notary Public

Seal

Residing at Kin Seely, Id
My Commission Expires 6/30/92



under Use Permit No. G-29680 of the Department 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 Reclamation Engineer of Idaho and entered of record in Volume

Twp.	Range	Sec.	Part acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	21 E	3	NE 1/4 Sec 3	30	39
			SE 1/4 Sec 3	31	36
			SW 1/4 Sec 3	32	
		10	NE 1/4 Sec 10	33	
			SE 1/4 Sec 10	34	
			SW 1/4 Sec 10	35	
			NE 1/4 Sec 10	36	
			SE 1/4 Sec 10	37	
			SW 1/4 Sec 10	38	
			NE 1/4 Sec 10	39	
			SE 1/4 Sec 10	40	
			SW 1/4 Sec 10	41	
			NE 1/4 Sec 10	42	
			SE 1/4 Sec 10	43	
			SW 1/4 Sec 10	44	
			NE 1/4 Sec 10	45	
			SE 1/4 Sec 10	46	
			SW 1/4 Sec 10	47	
			NE 1/4 Sec 10	48	
			SE 1/4 Sec 10	49	
			SW 1/4 Sec 10	50	
			NE 1/4 Sec 10	51	
			SE 1/4 Sec 10	52	
			SW 1/4 Sec 10	53	
			NE 1/4 Sec 10	54	
			SE 1/4 Sec 10	55	
			SW 1/4 Sec 10	56	
			NE 1/4 Sec 10	57	
			SE 1/4 Sec 10	58	
			SW 1/4 Sec 10	59	
			NE 1/4 Sec 10	60	
			SE 1/4 Sec 10	61	
			SW 1/4 Sec 10	62	
			NE 1/4 Sec 10	63	
			SE 1/4 Sec 10	64	
			SW 1/4 Sec 10	65	
			NE 1/4 Sec 10	66	
			SE 1/4 Sec 10	67	
			SW 1/4 Sec 10	68	
			NE 1/4 Sec 10	69	
			SE 1/4 Sec 10	70	
			SW 1/4 Sec 10	71	
			NE 1/4 Sec 10	72	
			SE 1/4 Sec 10	73	
			SW 1/4 Sec 10	74	
			NE 1/4 Sec 10	75	
			SE 1/4 Sec 10	76	
			SW 1/4 Sec 10	77	
			NE 1/4 Sec 10	78	
			SE 1/4 Sec 10	79	
			SW 1/4 Sec 10	80	
			NE 1/4 Sec 10	81	
			SE 1/4 Sec 10	82	
			SW 1/4 Sec 10	83	
			NE 1/4 Sec 10	84	
			SE 1/4 Sec 10	85	
			SW 1/4 Sec 10	86	
			NE 1/4 Sec 10	87	
			SE 1/4 Sec 10	88	
			SW 1/4 Sec 10	89	
			NE 1/4 Sec 10	90	
			SE 1/4 Sec 10	91	
			SW 1/4 Sec 10	92	
			NE 1/4 Sec 10	93	
			SE 1/4 Sec 10	94	
			SW 1/4 Sec 10	95	
			NE 1/4 Sec 10	96	
			SE 1/4 Sec 10	97	
			SW 1/4 Sec 10	98	
			NE 1/4 Sec 10	99	
			SE 1/4 Sec 10	100	
			SW 1/4 Sec 10	101	
			NE 1/4 Sec 10	102	
			SE 1/4 Sec 10	103	
			SW 1/4 Sec 10	104	
			NE 1/4 Sec 10	105	
			SE 1/4 Sec 10	106	
			SW 1/4 Sec 10	107	
			NE 1/4 Sec 10	108	
			SE 1/4 Sec 10	109	

07/16/2002

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

RIGHT NUMBER: **37-2657A**

NAME AND ADDRESS: DENNIS G STEWART
PO BOX 254
CAREY ID 83329

CAROLYN STEWART
PO BOX 254
CAREY ID 83329

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.50 CFS
434.0 AFY

PRIORITY DATE: 07/21/1961

POINT OF DIVERSION:

T01S R21E S21 NESWNW 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	2.500 CFS 434.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T02S R21E S03	NWSW	35.0	T02S R21E S03	SWSW	30.0
T02S R21E S10	NWNW	28.0	T02S R21E S10	SWNW	29.0
T02S R21E S10	SENW	2.0			

124 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.
RIGHT NO. 37-2657B IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
CANAL CO.

06/21/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2657A

NAME AND ADDRESS: DENNIS G STEWART
PO BOX 254
CAREY ID 83329

CAROLYN STEWART
PO BOX 254
CAREY ID 83329

7/16/02 SCC
amended Claim

TRIBUTARY:

SOURCE: GROUND WATER

QUANTITY: ~~1.94~~ CFS 2.5
~~400.4~~ AFY 434 AFY

PRIORITY DATE: 07/21/1961

POINT OF DIVERSION:

T01S R21E S21 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

STP ✓
PERIOD OF USE
04/15 10/31

QUANTITY 2.5
~~1.940~~ CFS
~~400.40~~ AFY

PLACE OF USE: IRRIGATION Within BLAINE County

edit
pou
Acres

T02S R21E S03 NWSW 29.7
T02S R21E S10 NWNW 24.7
T02S R21E S10 SENW 3.0

T02S R21E S03 SWSW 29.2
T02S R21E S10 SWNW 27.8

124
114.4 ACRES TOTAL

124 * 3.5 AFY = 434 AFY

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

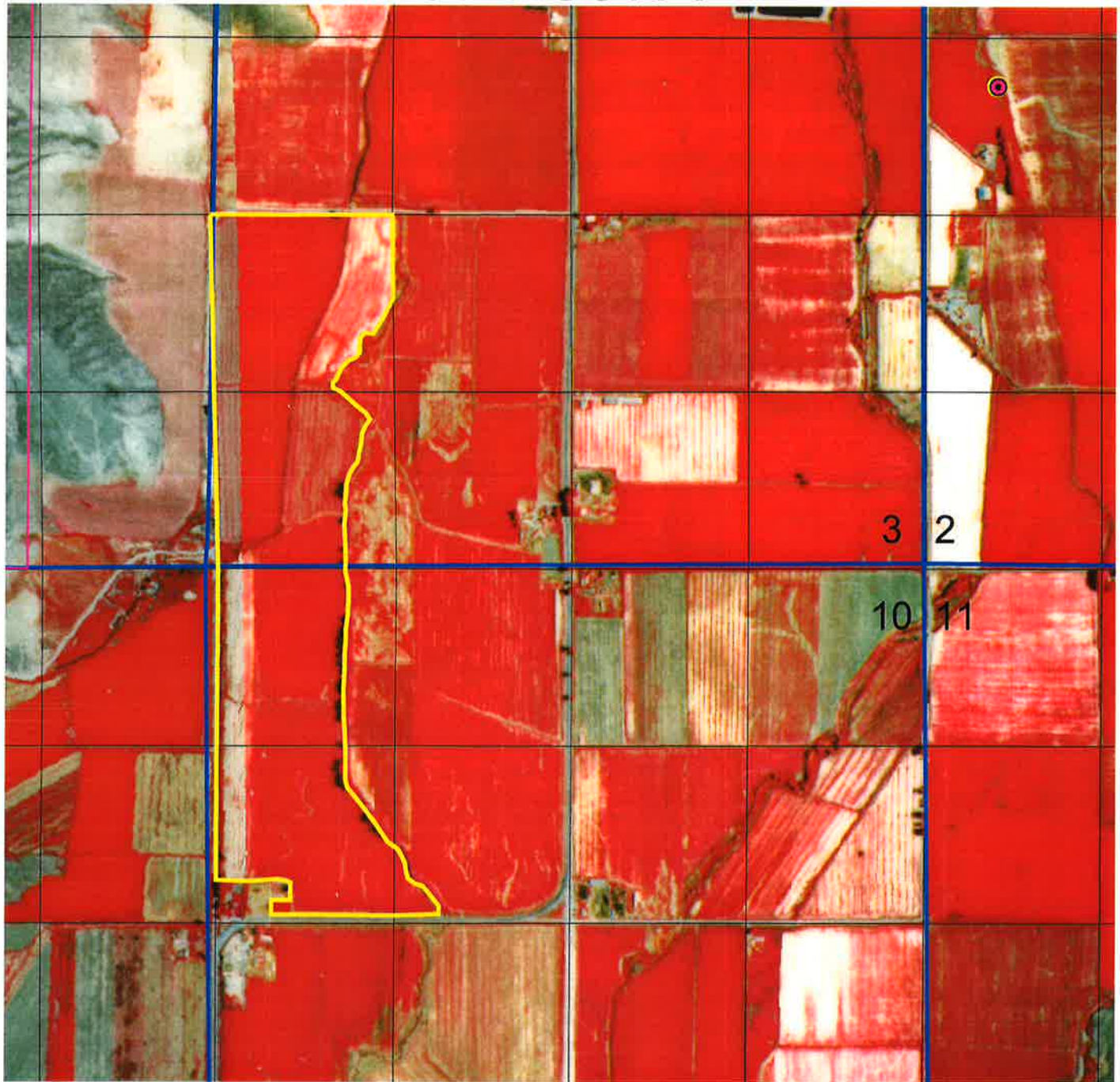
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 37-2657B IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
CANAL CO.

IDAHO DEPT OF WATER RESOURCES

37-2657A



1320 0 1320 Feet

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

TWN: 2S
RNG: 21E
SEC: 3 & 10



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

Date: JUNE 21, 2002

37-2657 A - STEWART

6/19/02
SC

$$2.5 \text{ cfs on } 114 \text{ Ac.} = 0.0219 \text{ cfs/Ac}$$

* this is greater than licensed
& can't be allowed.

$$(\text{Lic} = 5 \text{ cfs on } 293 \text{ Ac} = 0.017)$$

* must increase claimed acres or reduce flow to Lic.

GIS Ac. = 130 Ac. Could amend claim up
(Claim Ac = 114) to 124 Acres as Lic
and be valid.

2:10pm - call to claimant shows number is not valid.
will send mail out w/ Amended claim.

STD Season 4/15 - 10/31

$$\text{Vol.} = 3.5 * \frac{\quad}{\text{Acres}} =$$



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

JUNE 19, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DENNIS G STEWART
CAROLYN STEWART
PO BOX 254
CAREY ID 83320

RE: AMENDED CLAIM NEEDED FOR 37-2657A

Dear Claimants,

Enclosed is a DRAFT map and AMENDED claim form for your groundwater right 37-2657A. In reviewing your claim for recommendation I found the original license was not fully claimed and I cannot recommend your portion of the well as it is currently described. **I have prepared an amended claim for you to sign, notarize and return to me. There is also an additional fee for the acres claimed for the increased place of use of \$10.00.** Please review these materials and respond back to me as soon as possible. The recommendation for this right is being sent very soon. Please note that without the amendment the flow rate for your right will only allow 1.94 cfs and not the 2.5 cfs you claimed.

If you have further questions on this water right then please feel free to call me at our office.

Sincerely,

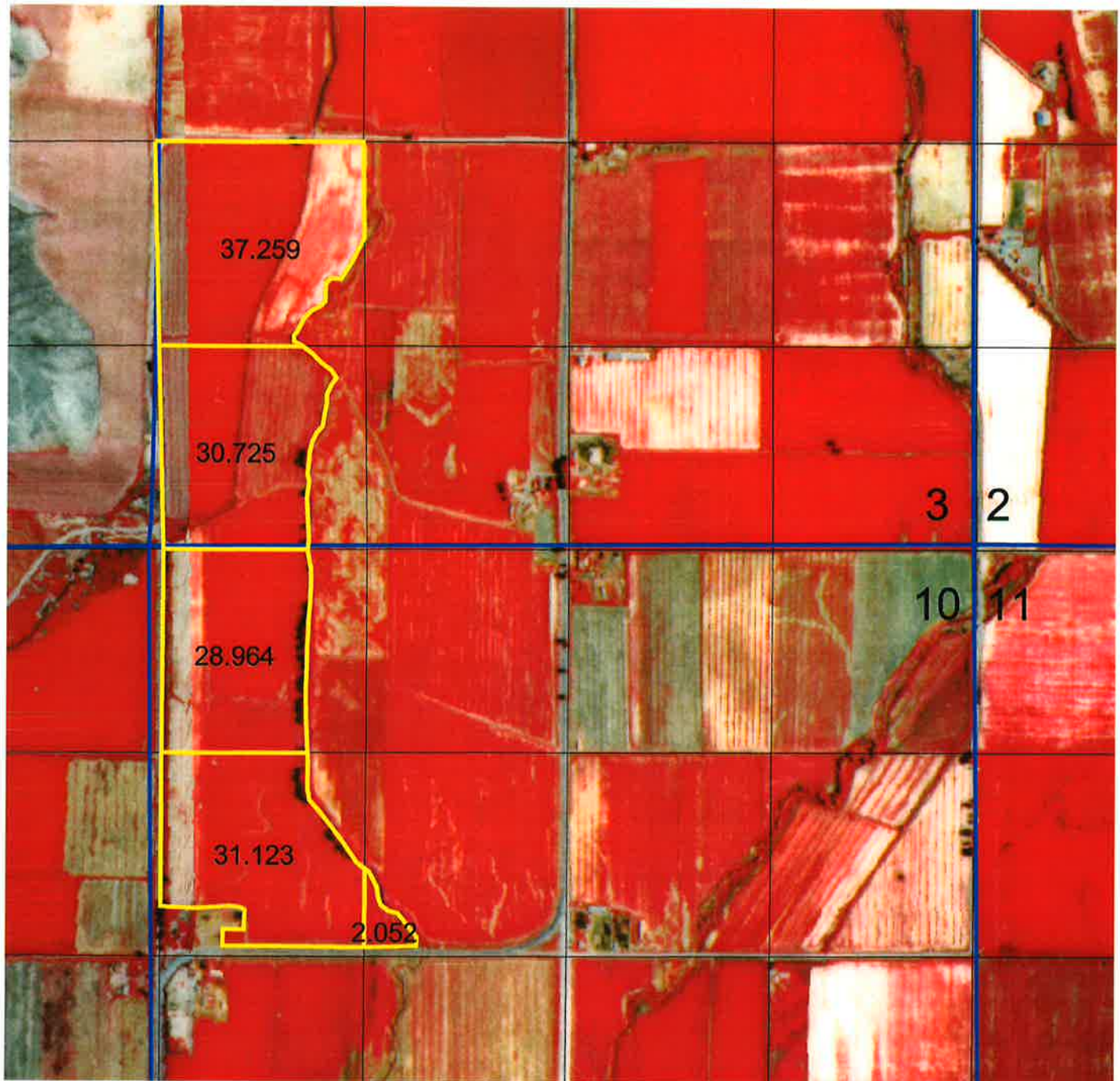
A handwritten signature in black ink, appearing to read 'Steve Clelland', written in a cursive style.

STEVE CLELLAND
Sr. Water Resource Agent

Enc:

IDAHO DEPT OF WATER RESOURCES

37-2657A -DRAFT



1320 0 1320 Feet

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

TWN: 2S
RNG: 21E
SEC: 3 & 10



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

Date: JUNE 19, 2002

IDAHO DEPT OF WATER RESOURCES

37-02657 A & B - field draft



1320 0 1320 Feet

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

Claim = 114.4 Ac
GIS = 130 Ac.

TWN: 2S
RNG: 21E
SEC: 3 & 10



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

Date: October 29, 2001