

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: A37-02649B
Date Received: 9/28/1988
Receipt No: 5003190
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN F. STEVENSON 208-788-4826
Address: 36 HILLSIDE RANCH RD.
BELLVUE, ID 83313

2. Date of Priority: JAN 27, 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	19E	20	NW	NW	NE		BLAINE
		21	SE	SW	SW		BLAINE

5. Description of diverting works:
WELL AND PUMP, OPEN STREAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 400.0 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	19E	21	SW	NW		IRR	15.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

A37-02649B

Page 1

Date: 09/30/88

MICROFILMED
FEB 23 1989

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	21	SE	SW		IRR	40.0
					Section Acres		135.0
		28	NE	NW		IRR	25.0
					Section Acres		25.0
					Total Acres		160.0

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:
A37-02649A

14. Remarks:

TRANS. 2057.

WATER MUST BE MEASURED AT THE PT. OF INJECTION & PT. OF
REDIVERSION.

THE AMOUNT OF WATER REDIVERTED FROM THE CK. SHALL BE 2% LESS THAN
THE AMOUNT INJECTED INTO THE CK. TO PROVIDE FOR CONVEYANCE LOSS.
UNRECORDED TRANS. MOVED WR FROM SWNW, S.21 TO NENW, S.28.

15. Basis of Claim: LICENSE
Water Right Number: 29372

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: 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): John F. Stevens Date: Oct 24, 1988

Date: _____

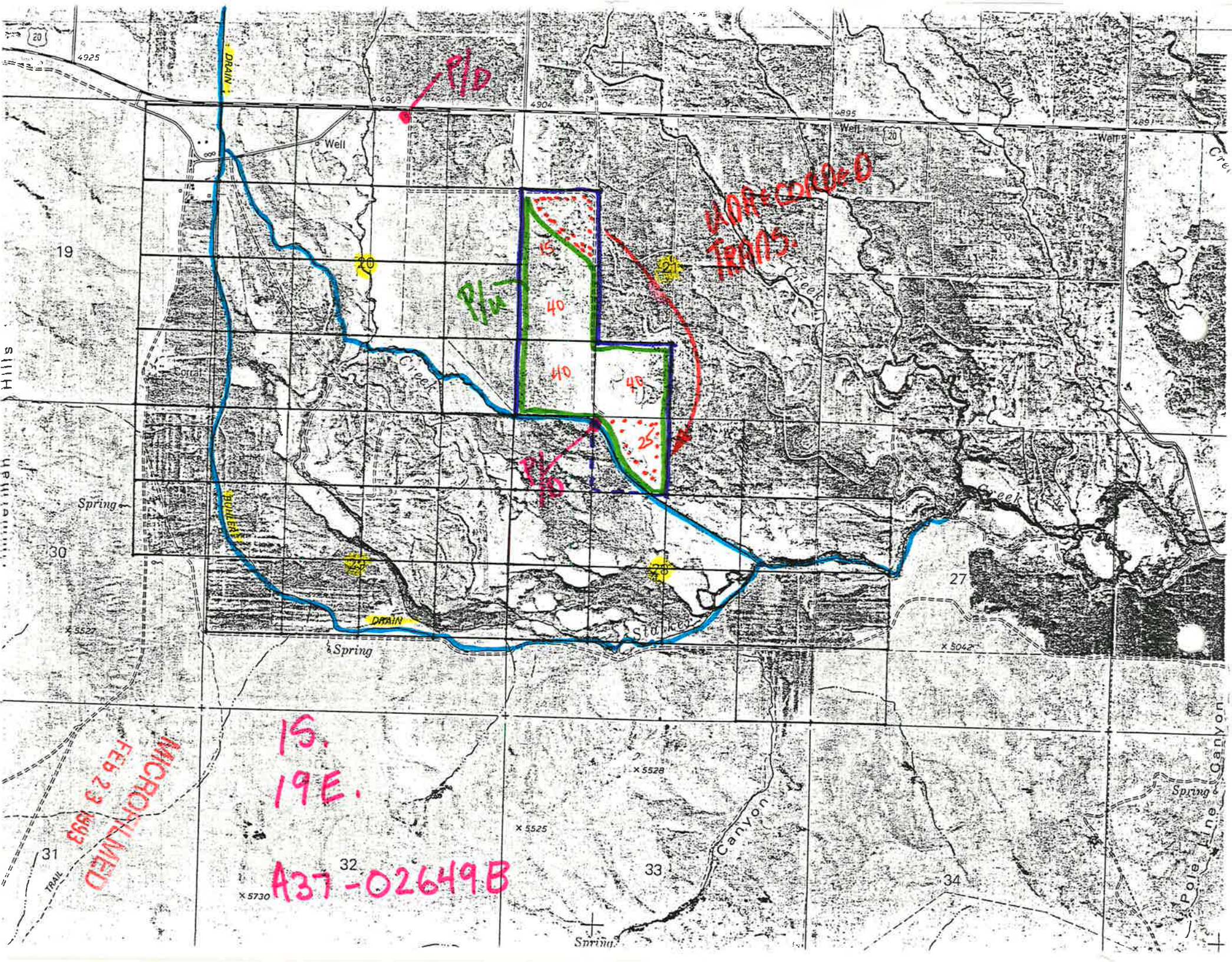
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of October 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94



MORE CORDED
TRANS.

P/D

P/D

15.
19E.

A37-02649B

MICROFILMED
FEB 23 1993

11/25/2006

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

RIGHT NUMBER: 37-2649B

NAME AND ADDRESS: JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY: 3.200 CFS
560.00 AFY

The portion of Right 37-2649B used for conveyance losses is 2%.

Rights 37-7644, 37-2649A, 37-2649B and 37-7014 when combined shall not exceed a total diversion rate of 5.0 cfs.

The right holder shall maintain measuring devices at the points of injection into and redirection from Patton Creek and shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

PRIORITY DATE: 01/27/1961

POINT OF DIVERSION:

T01S R19E S20 NWNWNE Injection Within BLAINE County

T01S R19E S20 NWNWNE Within BLAINE County

T01S R19E S21 SESWSW Rediversion Within BLAINE County

Rights 37-2649A, 37-7014 and 37-7644 are also diverted through the point of diversion described above.

Point of diversion is locally known as The Lucke Well.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	3.200 CFS 560.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R19E S21	SWNW	15.00	T01S R19E S21	NWSW	40.00
T01S R19E S21	SWSW	40.00	T01S R19E S21	SESW	40.00
T01S R19E S28	NENW	25.00			

160 ACRES TOTAL

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

11/25/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

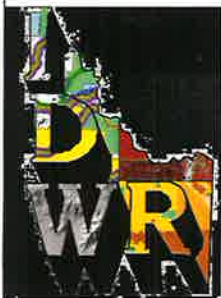
Water diverted under this right is injected into Patton Creek then rediverted from Patton Creek to the place of use. The amount of water rediverted from Patton Creek under this right shall not exceed 98% of the amount of water injected into Patton Creek.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37-M.

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

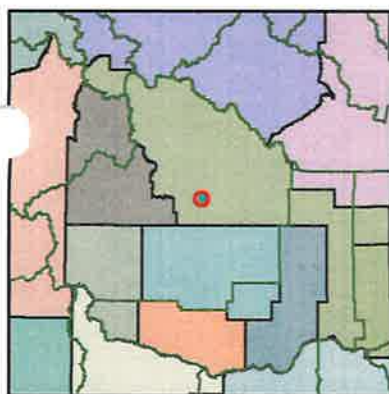
SRBA Recommendation:

37-2649B

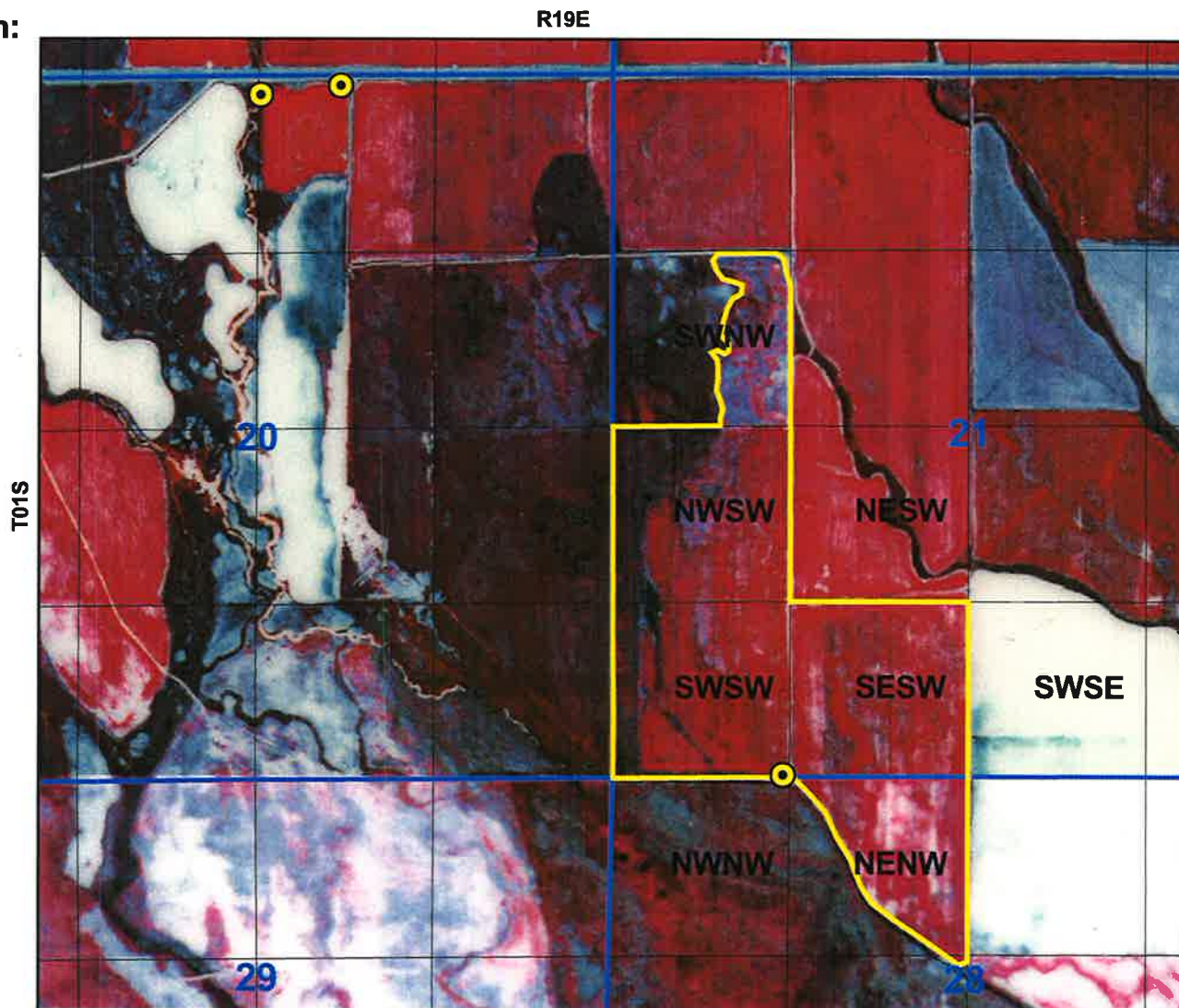
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.6 1.2 Miles

Prepared by J. Roberts
On Saturday, November 25, 2006
1987/88 Aerial Photography

Owner: John F Stevenson

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-2649B V1

WATER RIGHT NUMBER: 37-2649B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN F STEVENSON 36 HILLSIDE RANCH RD BELLEVUE, ID 83313 (208)788-4826

Priority Date: 01/27/1961

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	3.200 CFS	560.00 AF
	<u>Total Diversion:</u>	3.200 CFS	560.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4NE1/4	Sec. 20, Twp 01S, Rge 19E, B.M.
BLAINE County	(Injection)	
GROUND WATER	NW1/4NW1/4NE1/4	Sec. 20, Twp 01S, Rge 19E, B.M.
BLAINE County		
GROUND WATER	SE1/4SW1/4SW1/4	Sec. 21, Twp 01S, Rge 19E, B.M.
BLAINE County	(Rediversion)	

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	19E	21							15.0			40.0	40.0	40.0					135.0
01S	19E	28					25.0												25.0

Total Acres: 160

Conditions of Approval:

1. Water diverted under this right is injected into Patton Creek then rediverted from Patton Creek to the place of use. The amount of water rediverted from Patton Creek under this right shall not exceed 98% of the amount of water injected into Patton Creek.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37-M.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-2649B V1

3. X56 The portion of Right 37-2649B used for conveyance losses is 2%.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. X35 Rights 37-7644, 37-2649A, 37-2649B and 37-7014 when combined shall not exceed a total diversion rate of 5.0 cfs.
6. X36 Rights 37-2649A, 37-7014 and 37-7644 are also diverted through the point of diversion described above.
7. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. R43 The right holder shall maintain measuring devices at the points of injection into and redirection from Patton Creek and shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. C18 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.
10. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. X59 Point of diversion is locally known as The Lucke Well.

Remarks:

Comments:

1. jroberts 11/24/2006 copied from remarks

Comment: See remarks for additional conditions of approval.

TRANS. 2057.

WATER MUST BE MEASURED AT THE PT. OF INJECTION & PT. OF REDIVERSION.

THE AMOUNT OF WATER REDIVERTED FROM THE CK. SHALL BE 2% LESS THAN THE AMOUNT INJECTED INTO THE CK. TO PROVIDE FOR CONVEYANCE LOSS. UNRECORDED TRANS. MOVED WR FROM SWNW, S.21 TO NENW, S.28.

2. jroberts 11/24/2006 Basis of Recommendation

Comment: PoU as claimed. Volume calculated at 160 ac X 3.5 AF/ac = 560.0 AF. Some remarks borrowed from other rights sharing the PoD.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2649B

WATER RIGHT NUMBER: 37-2649B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN F STEVENSON 36 HILLSIDE RANCH RD BELLEVUE, ID 83313 (208)788-4826
Original Owner	HAROLD J LUCKE

, ZZ

Priority Date: 01/27/1961

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 20, Twp 01S, Rge 19E, B.M.
BLAINE County		
GROUND WATER	SW1/4SW1/4	Sec. 21, Twp 01S, Rge 19E, B.M.
BLAINE 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	
01S	19E	21							40.0			40.0	40.0	40.0					160.0

Total Acres: 160

Conditions of Approval:

1. TRANS. 2057.
WATER MUST BE MEASURED AT THE PT. OF INJECTION & PT. OF REDIVERSION.
THE AMOUNT OF WATER REDIVERTED FROM THE CK. SHALL BE 2% LESS THAN THE
AMOUNT INJECTED INTO THE CK. TO PROVIDE FOR CONVEYANCE LOSS.
2. 016 See remarks for additional conditions of approval.

Remarks:

8537+

Before any transfer
See letter in folder
dated - 6-23-67.

State of Idaho License and Certificate of Water Right

Water License No. G-29372.....

Amount 7.44 c.f.s.....

Water District No.....

Priority January 27, 1961

THIS IS TO CERTIFY that HAROLD J. LUCKE - Assignee - DON D. & WAYNE BALDWIN of Gooding, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 27, 1961; that Permit No. G-29372 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 7.44 second feet, was issued thereunder on August 1, 1966, showing that said works were completed on the 25th day of January, 1966; and that on the 25th day of January, 1966, DON D. & WAYNE BALDWIN

of Picabo, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-29372 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 13 of Licenses at page 8537, on the 1st day of August, 1966;

The right hereby confirmed dates from January 27, 1961;

The Point of Diversion is located

in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Tp. 1 S, R. 19 E, B. M. County Blaine

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 7.44 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	19 E	20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20	20
			S $\frac{1}{2}$ NE $\frac{1}{4}$	80	80
			N $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	32
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			S $\frac{1}{2}$ SW $\frac{1}{4}$	80	80
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		372

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 State Reclamation Engineer, affixed at Boise, Idaho, this

1st day of August, 1966.

/s/ R. Keith Higginson
Deputy State Reclamation Engineer.

(SEAL)

37 2049

Transfer No. 2057
Application No. 37-2649

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use **APPROVED**

Name of applicant John E. Stankerson Phone 788-4826
Post office address Route 1 Box 310 Balloune, Idaho 83313

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
 - a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
 - b. License No. 37-2649 6-29372 issued by the Idaho Department of Water Resources
 - c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water Groundwater tributary to _____
4. Date of priority 1-27-1961
5. Water is used for the following purposes:
amount 7.44 c.f.s for Irrigation purposes from April 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 7.44 cubic feet per second
b. _____ &/or
acre feet per annum
7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20
Township 1S Range 19 E, B.M., in Blaine County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1-5	19E	20		20	40	40									40	40		32	212
		21						40			40	40	40						160

Total number of acres to be irrigated 372

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 3.2 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20 Township 15
Range 19 E, B.M., Blaine County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
1-S	19E	21							40				40	40	40					160

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21 Township 15
Range 19 E, B.M., Blaine County
Additional points NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 15, Rge 19 E. B.M.

- c. Description of diverting works check dam, Pump, motor & sprinkler System.
- d. Describe the reasons for applying for a change in the point(s) of diversion to more beneficially apply the water to the land.

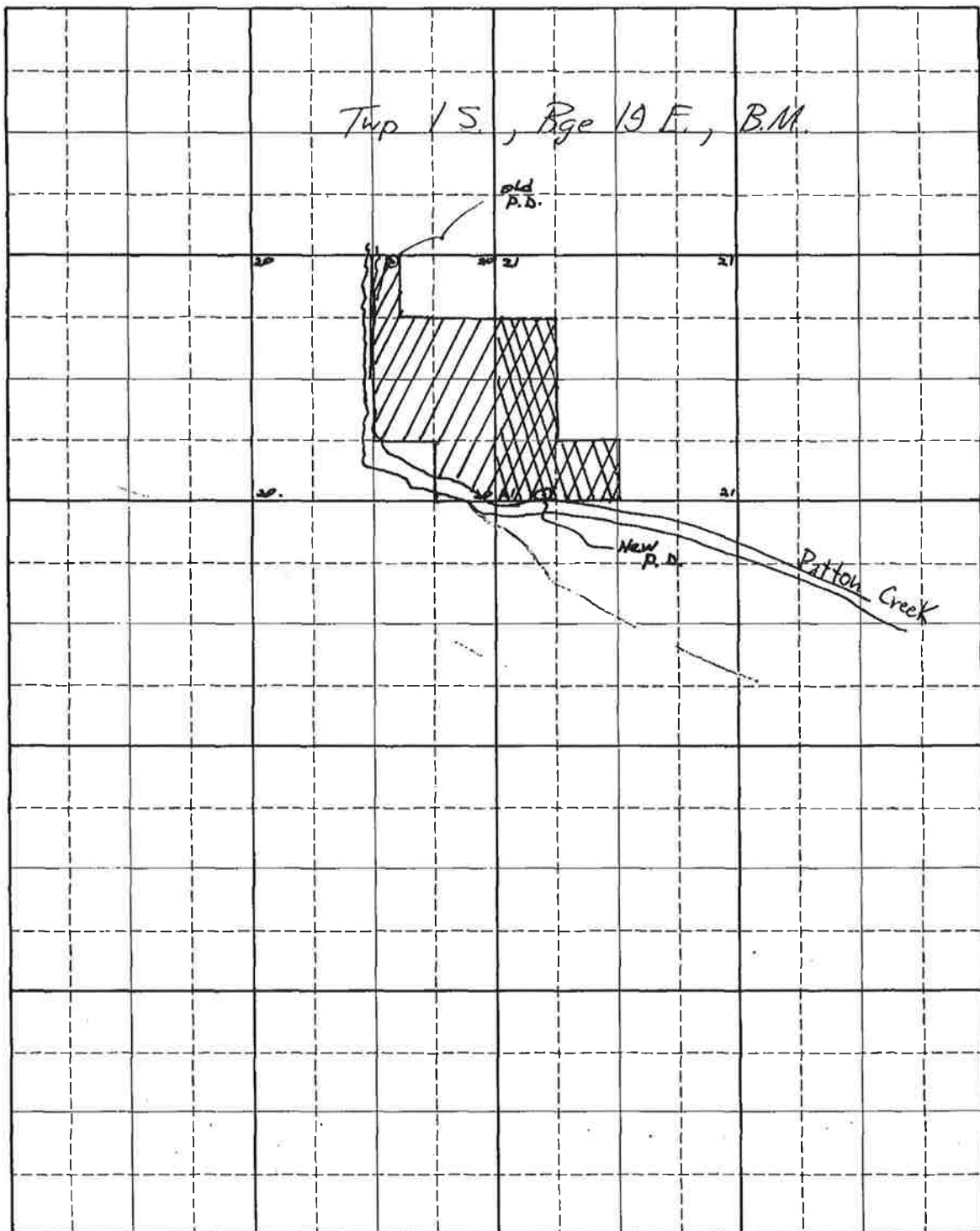
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
1-S	19E	21							40				40	40	40					160

Total number of acres to be irrigated 160

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks Application is for change of point of diversion
for a portion of license # 624372. (No change
of place of use.)

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

John Ford Stinson
(Signature of applicant)

Subscribed and sworn to before me this 23 day of February, 19 77

Carol O. Jones
(Notary public)

My commission expires October 1977

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2649,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

Water must be measured at the point of injection and point of redirection.

The amount of water redirected from the creek shall be 2% less than the
amount injected into the creek to provide for conveyance loss.

Witness my hand this 18 day of July, 19 77

[Signature]
RECEIVED
FEB 25 1977

FOR DEPARTMENT USE ONLY

Department of Water Resources
Southern District Office

Received by <u>SB</u>	Date <u>2/25/77</u>	Protest filed by _____
Prelim. check by <u>ADM</u>	Fee <u>30.00</u>	_____
	<u>Rec'd. #2360</u>	_____
Received by <u>SB</u>	Date <u>3/1/77</u>	_____
Published in <u>Wood River Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>3/10 & 3/17/77</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> <u>denial</u>	
_____ rec'd.	by <u>Michael L. Steele</u> <u>gg</u>	