

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: A37-02680B
Date Received: 10/18/1988
Receipt No: Mo 01744
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLEN S. DILWORTH 208-823-4530
Address: P.O. BOX 43
CAREY, ID 83320

AND/OR
Name: CARMENE B. DILWORTH 208-823-4530
Address: P.O. BOX 43
CAREY, ID 83320

2. Date of Priority: MAR 29, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	21E	22	SW	SW	NW		BLAINE

5. Description of diverting works:

WELL & PUMP DELIVERING WATER TO EAST CANAL FOR DEL. TO LAND BELOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.080		

7. Total Quantity Appropriated is:

1.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 182.5 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	10	NE	NE		IRR	35.0
			NW	NE		IRR	38.0
						Section Acres	73.0
						Total Acres	73.0

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:
A37-00618 PART

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30773

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: See Map A37-00618A

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): Alvin S. Schubert Date: 10-18-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this

of Oct. 19 88

Alvin S. Schubert
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

Water Right Number - 37-02680B Adj. Flag Translation: Standard Water Right Number Old (D) Number - 30773
+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - + - - +

*** C - CURRENT OWNER ***
DILWORTH ARLEN S. 1 - P.O. BOX 43
2 -
3 -
City- CAREY State- ID Zip- 83320
Phone -

*** O - ORIGINAL OWNER ***
DILWORTH JOSEPH G. 1 -
2 -
3 -
City- State- Zip-
Phone -
DILWORTH ERNEST 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/29/1963 17 L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
01S 21E 22 SW NW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.080 218.70

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.080 218.70

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02S 21E 10 NE NE 37.0 01 IRRIGATION (13) BLAINE
02S 21E 10 NW NE 36.0 01 IRRIGATION (13) BLAINE

Total Acres: 73.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

MICROFILMED
FEB 23 1993

Adj. flag translation: Standard Water Right Number

+-----+ Conditions of Approval -----+

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 05/20/85 05/28/88 CONVERT

[illegible]

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/20/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/15/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
FEB 23 1993



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

JULY 11, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ARLEN S DILWORTH
CARMENE B DILWORTH
PO BOX 43
CAREY ID 83320

RE: NOTICE OF ERROR REPLY FOR 37-2680A & 37-2680B

Dear Mr. & Mrs. Dilworth,

After reviewing your Notice of Error reply form your requests are best addressed separately by water right number.

37-2680A - You stated it was for the entire 80 acres. The licensed acreage did not include the hill portion in SENW as you indicated on the map. In fact the license was only for 60 acres. The additional acres as licensed are for properties lying south of the POU recommended to you, specifically in the NWSW area.

37-2680B - You indicate you want more land included in the mapped area. The shape described by the GIS line drawing already includes more acres than is allowed under this right. The original licensed acres do not indicate this area (the homestead) was to be part of the original development either. IDWR can only recommend the number of acres as originally licensed and found to be currently irrigated.

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

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

06/19/2002

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

RIGHT NUMBER: **37-2680B**

NAME AND ADDRESS: ARLEN S DILWORTH
PO BOX 43
CAREY ID 83320

CARMENE B DILWORTH
PO BOX 43
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.08 CFS
218.7 AFY

PRIORITY DATE: 03/29/1963

POINT OF DIVERSION:

T01S R21E S22 SWSNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.080 CFS 218.70 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T02S R21E S10	NENE	35.0	T02S R21E S10	NWNE	38.0
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73 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

WATER IS DELIVERED THROUGH EAST CANAL.
RIGHT NO. 37-2680A IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
CANAL CO.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
IRRIGATION DIST.

06/22/2002

RECEIVED

JUL 11 2002

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Department of Water Resources

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 23, 2002

Water right number: 37-2680A

ARLEN S DILWORTH
PO BOX 43
CAREY ID 83320
Telephone Number: (208) 823-4530

CARMENE B DILWORTH
PO BOX 43
CAREY ID 83320
Telephone Number: (208) 823-4530

*Please note the desired corrections
as indicated on the maps.*

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: July 3, 2002 SIGNATURE: *Arlen S. Dilworth*
Please print your name: Arlen S. Dilworth

IDWR State Office, PO Box 83720, Boise ID 83707-9815

*see
7/11/02*

(ALSO: 37-2680B w/ map)

GIS shape already includes more acreage than allowed by this right. Original licensed acres do not indicate this area was part of the original development either. IDWR cannot allow more acres than originally licensed. (Acres = 73 Ac. limit)

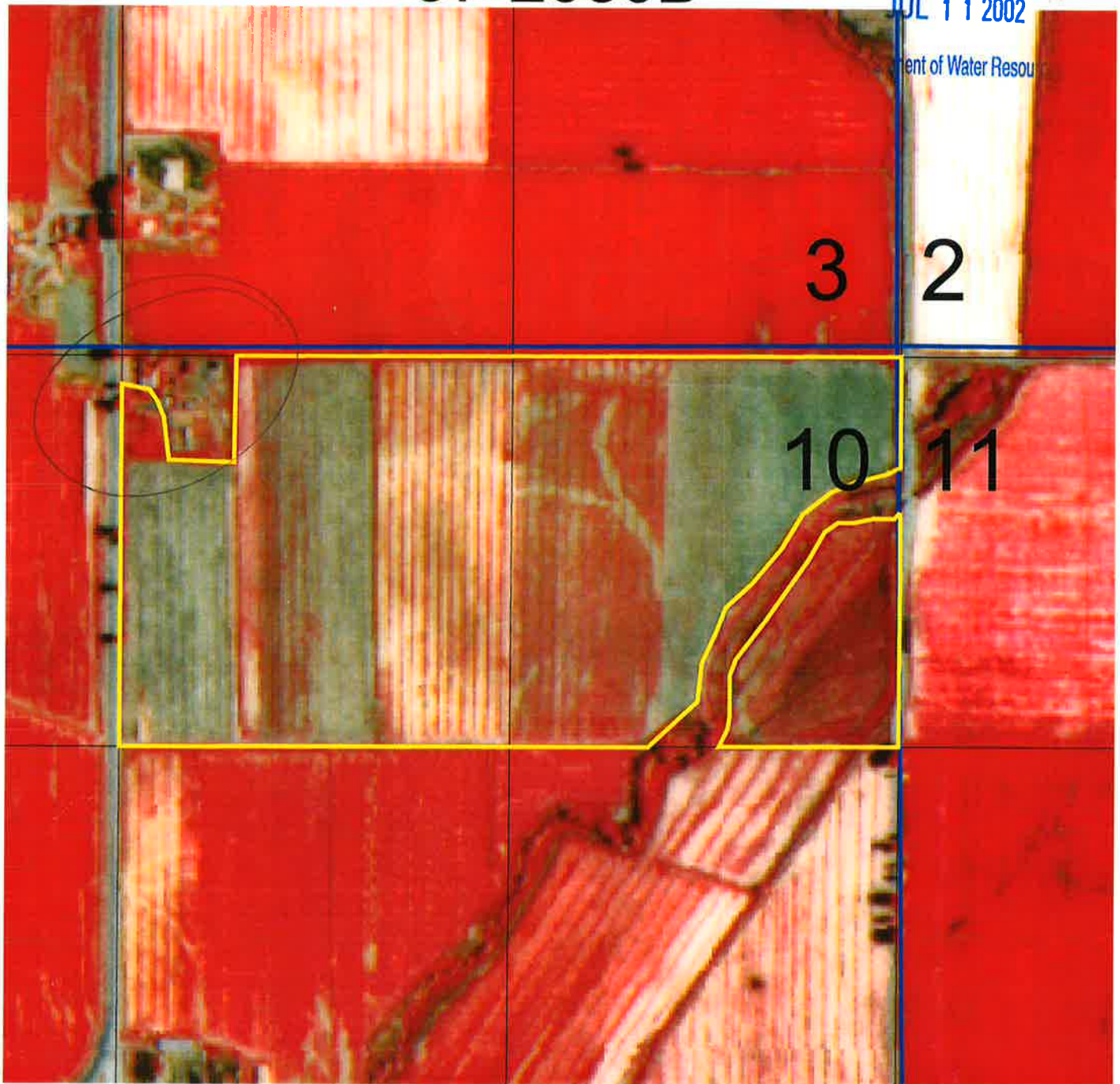
IDAHO DEPT OF WATER RESOURCES

37-2680B

RECEIVED

JUL 11 2002

Department of Water Resources



1320 0 1320 Feet

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

*Please note on Parcel 10
the house and lot are
seemingly not included
as having well
water rights.
I would appreciate
having it included.*
Alan S. Dittman

TWN: 2S
RNG: 21E
SEC: 10

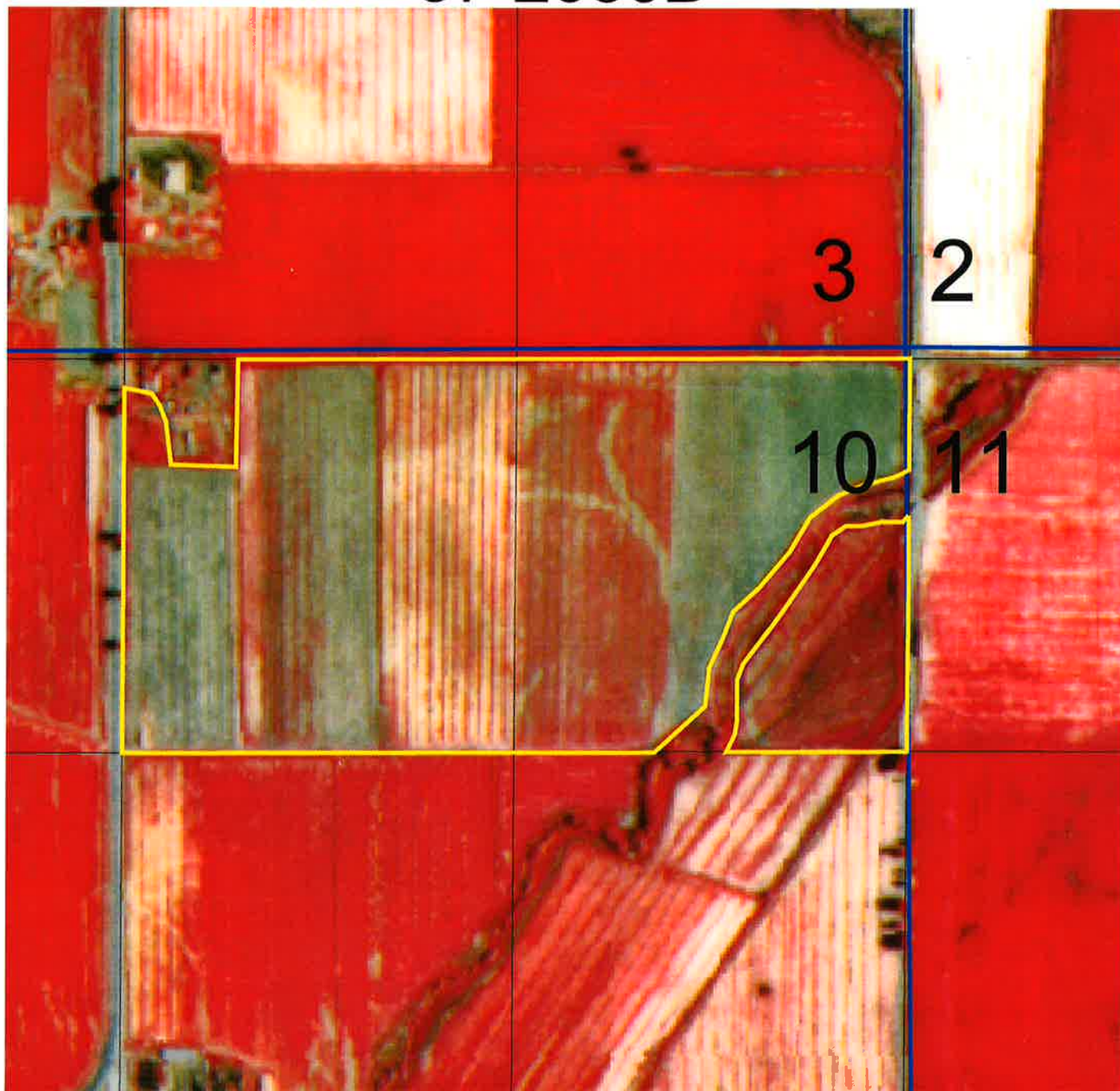


GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 19, 2002

IDAHO DEPT OF WATER RESOURCES

37-2680B



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: 10

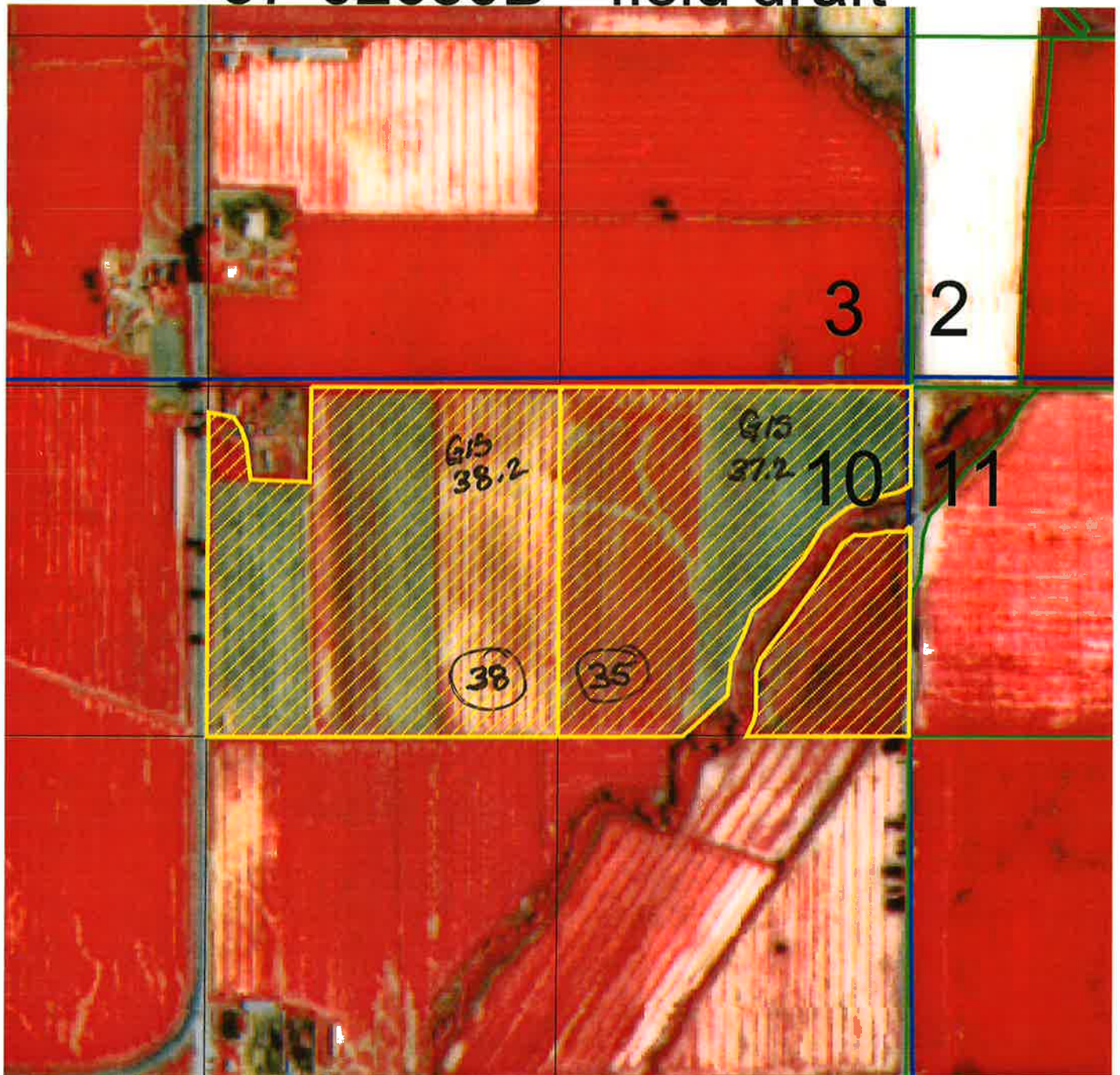


GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 19, 2002

IDAHO DEPT OF WATER RESOURCES

37-02680B - 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

GIS AC. = 75.4
LIC AC. = 72.9

TWN: 15 2S
RNG: 21E
SEC: 10



*See map in
file 37-618A*

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

Date: October 26, 2001

IDAHO DEPT OF WATER RESOURCES

37-02680B - 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

*Confirmed w/
Lie. Exam
6/19/02
SCC*

TWN: 1S
RNG: 21E
SEC: 10



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

Date: October 26, 2001

PARTIAL

WATER LICENSE

Water License No. G-30773/37-2680 Priority March 29, 1963 Amount 1.08 c.f.s.
 (partial) (late proof)

THIS IS TO CERTIFY, that ARLEN S. DILWORTH

of Carey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 12, 1963; that Permit G-30773/37-2680 was issued pursuant to said application; that the proposed works were completed on or about 1957 with a storage/or carrying capacity of 3,387 c.f.s., said works consisting of well, pump, and motor; and that on April 12, 1968

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 218.7 when combined with all other rights appurtenant to the same land and shall not exceed 1.08 acre feet per season, with a maximum rate of diversion of 1.08 cubic feet per second of the waters of ground-water, tributary of that amount

for the purpose of Irrigation from April 1 to October 31; and for from to to; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 1 S, R. 21 E, B.M., and other additional points Blaine, in the County of Blaine

; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 218.7 acre feet per year, when combined with all other rights appurtenant to the same land and shall not exceed that amount.
 Description and location of 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 $\frac{1}{4}$	
2 S	21 E	10	36.9	36															72.9

Total number of acres irrigated 72.9

The right to the use of the water 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 22nd day of December, 19 69.

R. Keith Higg
 State Reclamation Engineer

37-2680 B

30773
 37-2680