

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: A37-02676
Date Received: 10/19/1988
Receipt No: MOO1651
Received By: Joe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILFORD SWEAT 208-823-4451
Address: BOX 234
CAREY, ID 83320

OR
Name: SWEAT 208-823-4451
Address: CATHERINE L.
CAREY, ID 83320

2. Date of Priority: DEC 11, 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	22E	3	NE	SE	SE		BLAINE

5. Description of diverting works:
12" WELL 63' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.850		277.20

7. Total Quantity Appropriated is:
1.850 C.F.S. (and/or) 277.20 A.F.A.

8. Total consumptive use is 230.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A37-02676

Page 1

Date: 10/19/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	3	SW	SE		IRR	30.0
			SE	SE		IRR	14.0
			Section Acres				44.0
		10	NW	NE		IRR	20.0
			SW	NE		IRR	2.0
			NE	NW		IRR	26.0
			Section Acres				48.0
			Total Acres				92.0

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:
A3700743,00732,02777,02124,02676,07618,07620.

14. Remarks:
TOTAL AC. IRR. = 92.4.

15. Basis of Claim: LICENSE
Water Right Number: 30329

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): Mufford Sweet Date: 10-19-88
Catherine Sweet Date: 10-19-88

State of Idaho)
County of Bolton) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of Oct 19 88

John Dale Corlier
Notary Public

Seal

Residing at Bolton Id

My Commission Expires 6/2/94

STATES
OF THE INTERIOR
AL SURVEY



Fish Creek



Water Right Number - 37-02676 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 30329

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
EDWARDS

LAFELL H.

1 -
2 -
3 -

City- CAREY
Phone -

State- ID Zip- 83320

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/11/1961 17 L - LICENSE

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

+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01S 22E 3 SE SE (13) BLAINE

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/01 | 11/01 | 1.850 | 277.20 |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.850 277.20

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 01S | 22E | 3 | SW SE | | 30.0 | 01 | IRRIGATION | (13) BLAINE |
| 01S | 22E | 3 | SE SE | | 14.0 | 01 | IRRIGATION | (13) BLAINE |
| 01S | 22E | 10 | NW NE | | 20.0 | 01 | IRRIGATION | (13) BLAINE |
| 01S | 22E | 10 | SW NE | | 2.0 | 01 | IRRIGATION | (13) BLAINE |
| 01S | 22E | 10 | NE NW | | 26.0 | 01 | IRRIGATION | (13) BLAINE |

Total Acres: 92.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - Remarks - - - - - +
TOTAL AC. IRR. = 92.4.

+ - - - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

MICROFILMED
FEB 23 1993

MICROFILMED
FEB 23 1993

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

RIGHT NUMBER: 37-2676

NAME AND ADDRESS:

CATHERINE L SWEAT
21292 HWY 26-93
CAREY ID 83320

CATHERINE L SWEAT
PO BOX 234
CAREY ID 83320

MILFORD SWEAT
21292 HWY 26-93
CAREY ID 83320

SOURCE: GROUND WATER

Tributary:

QUANTITY: 1.850 CFS
277.200 AFY

PRIORITY DATE: 12/11/1961

POINT OF DIVERSION:

T01S R22E S3 NESESE
Within BLAINE County

T01S R22E S3 NESESE
Within BLAINE County

**PURPOSE AND
PERIOD OF USE:**

| Purpose of use | Period of use: | Quantity: |
|----------------|----------------|----------------------|
| IRRIGATION | 4/01 11/01 | 1.850 CFS 277.20 AFY |

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

PLACE OF USE:

IRRIGATION within BLAINE County

T01S R22E S03 SESW 13.0

T01S R22E S03 SWSE 26.0

T01S R22E S03 SESE 19.0

~~T01S R22E S10 NENE 2.6~~

T01S R22E S10 NWNE 33.0

T01S R22E S10 SENE 15.0

T01S R22E S10 NENW 36.0

T01S R22E S10 SENW 12.0

T01S R22E S10 SESW 20.0

T01S R22E S10 NESE 32.0

T01S R22E S10 NWSE 9.4

T01S R22E S10 SWSE 34.0

~~T01S R22E S10 SESE 12.0~~

T01S R22E S15 NWNE 31.0

T01S R22E S15 SWNE 24.0

T01S R22E S15 NENW 31.0

T01S R22E S15 SENW 40.0

T01S R22E S15 NESW 40.0

T01S R22E S15 NWSE 19.0

434.4 ACRES TOTAL

~~449 ACRES TOTAL~~

USE OF THIS RIGHT WITH RIGHT NO. 37-7620 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 434.4 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 92.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

~~USE OF THIS RIGHT WITH RIGHT NO. 37-7620 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 449 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 92.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

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.

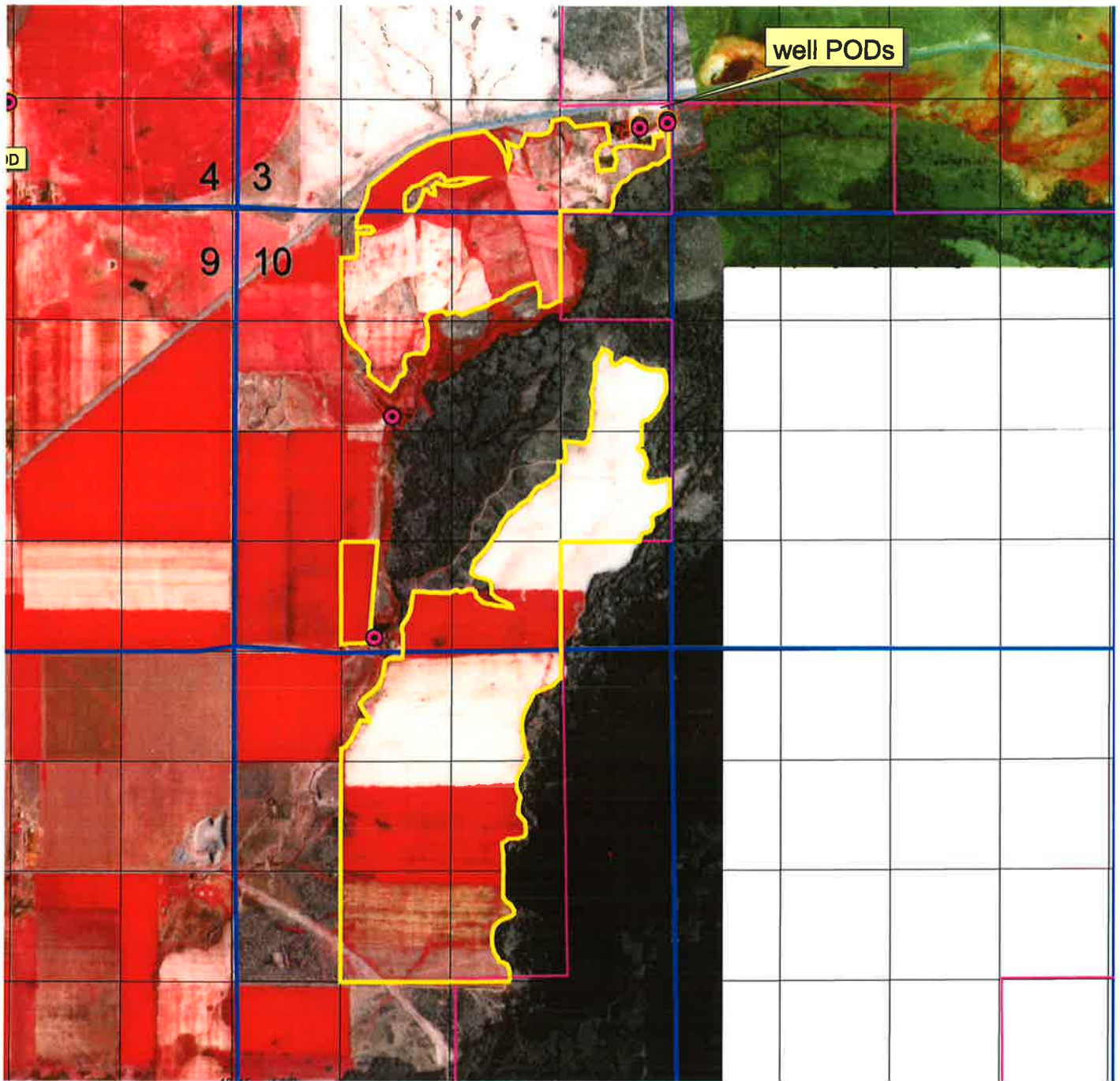
IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

IDAHO DEPT OF WATER RESOURCES

37-2676



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: 22E
SEC: 3 & 10



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland
REVISED
Date: JANUARY 7, 2003



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

DIRK KEMPTHORNE
GOVERNOR

JAN - 8 2003

KARL J DREHER
DIRECTOR

Department of Water Resources

RECEIVED

JAN 02 2003

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s): 37-743 37-11762 - 37-732

37-2676 37-2777 37-7620

37-11784 37-11788

☐ Old Mailing Address: P.O. Box 224 Carey, Idaho 83320

☐ New Mailing Address: 21292 Hwy 26-93 Carey, Idaho 83320

☐ New Telephone Number: (208) 823-4451

☐ Signature of Claimant(s): Catherine L. Sweat

Date: 1-2-2003

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

CID updates:

Catherine 83805

Miford 175551

✓ sent to Grindle

1/8/03 gcc

Byron Wood - cell phone
481-1360

MEMORANDUM

TO: Steve Clelland, Nick Spencer, Shelley Keen, and Doug Jones

FROM: Corey Skinner

DATE: January 2, 2003

SUBJECT: Conversation with claimants

This day, Jeanie Robertson and I met with Catherine Sweat and Bryan Wood regarding SRBA recommendations 37-2676 and 37-7620. Mrs. Sweat is listed as a claimant/owner for these two rights and Mr. Wood is Mrs. Sweat's grandson who farms the property involved with SRBA recommendations 37-2676 and 37-7620. Part of the place of use of these two recommendations includes land owned by the Bureau of Land Management. The BLM objected to recommendations 37-2676 and 37-7620 because BLM land was included with part of the place of use. The land in question is specifically identified as...

2.6 acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 01 South, Range 22 East

and

12.0 acres in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 01 South, Range 22 East

After discussing the situation and options with Mrs. Sweat and Mr. Wood, it was agreed upon that the 2.6 acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10 and the 12.0 acres in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10 would be removed from the place of use for the two recommendations. This will have to be accomplished through the SF5 process. Note that the recommendation for 37-7620 is based on a permit and references pending IDWR administrative action regarding the issuance of a license (condition A01). Water right license 37-7620, issued on August 26, 2002, lists the same place of use as recommendation 37-2676, since the 37-2676 GIS shape was used as the source for the place of use. Apparently, 37-2676 can be modified through the SF5 process, but the license for 37-7620 supercedes the SRBA recommendation, and the SRBA is bound by the licensed amounts and locations. The Sweats will have to submit a signed and notarized statement discontinuing the use of water in the 2.6 acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10 and the 12.0 acres in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10. Since 37-7620 is for less than 0.02 cfs per acre, the BLM land should be able to be removed from the place of use, without affecting the licensed diversion rate and irrigation from storage volume.

This day, Mrs. Sweat also amended claims 37-732, 37-743, and 37-11762 (all surface water sources, not yet reviewed in the SRBA) to remove the BLM land from the place of use in Section 10, Township 01 South, Range 22 East. In addition, Mrs. Sweat filed an address change for the above-mentioned claims and other claims.

I called to confirm their wishes to drop the acres of irrigated BLM lands... she wants then dropped from the recommendations. I told her I will prepare the necessary records to be signed at the meeting in Shoshone on Thursday. Phone is 823-4451.

From: Brown, Larry [Larry.Brown@usdoj.gov]
Sent: Tuesday, December 17, 2002 10:25 AM
To: 'Casey_OBrien@blm.gov'; 'Fred_Price@blm.gov'; 'nspencer@idwr.state.id.us';
'cfritschle@idwr.state.id.us'; 'sclelland@idwr.state.id.us'
Subject: 37-02676 and 37-07620 - Milford and Catherine Sweat

Called & talked with Catherine. Explained that 37-02676 had two places of use that describes a total of 14.6 acres of public land (T01S, R22E, S10, NENE 2.6 acres and SESE 12.0 acres); and 37-07620 had one place of use that describes 12 acres of public land (T01S, R22E, S10, SESE 12.0 acres). Told her BLM would like the public land POUs removed from the water right, and that might result in a significant reduction in quantity. She said there was about 12 acres around the house where acres could be moved. I asked her to visit with the IDWR Office in Twin Falls to see if a transfer was possible.

Steve: she will be giving you a call to see if she can do a transfer. If it isn't possible, then do an SF-5 removed the BLM POUs from the water rights and reducing the quantity as necessary. Same mailing routine as before.

Fred: same routine as before unless IDWR starts a transfer proceeding and files a NAP with the Court. A NAP gets me out of a trip to Shoshone on these two.

12/18/02 Sweat's met w/ Doug Jones to file TRANS.
see Will Return 12/27/02 to Return the forms.

RECEIVED

OCT 16 2002

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 SRBA

Case No. 39576

A. Subcase 37-02676

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Milford Sweat

Address: PO Box 234; Carey, ID 83320

Name: Catherine L Sweat

Address: PO Box 234; Carey, ID 83320

Name:

Address: ;

Name:

Address: ;

SCANNED
OCT 16 2002

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 10-11, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Milford Sweat
Address: PO Box 234; Carey, ID 83320

Name: Catherine L Sweat
Address: PO Box 234; Carey, ID 83320

Name:
Address: ;

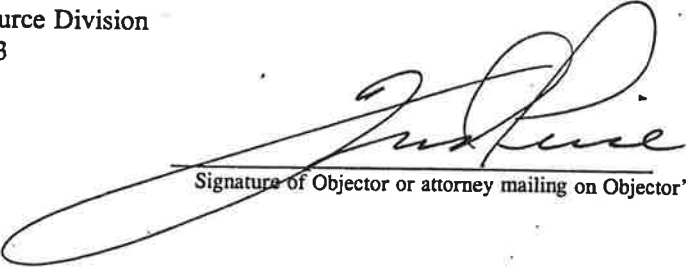
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

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

08/05/2002

RIGHT NUMBER: 37-2676
NAME AND ADDRESS: MILFORD SWEAT
PO BOX 234
CAREY ID 83320
CATHERINE L SWEAT
PO BOX 234
CAREY ID 83320

-UNAUTHORIZED USE

-CLAIMANT IS NOT AUTHORIZED
TO FARM PUBLIC LANDS.

-REMOVE THESE POU_s FROM THE CLAIM

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.850 CFS
277.20 AFY

PRIORITY DATE: 12/11/1961

POINT OF
DIVERSION: T01S R22E S3 NESESE Within BLAINE County
T01S R22E S3 NESESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
1.850 CFS
277.20 AFY

PLACE OF USE:

IRRIGATION Within BLAINE County

| | | | | | |
|---------------|--------|------|---------------|--------|------|
| T01S R22E S03 | SESW ✓ | 13.0 | T01S R22E S03 | SWSE ✓ | 26.0 |
| T01S R22E S03 | SESE ✓ | 19.0 | T01S R22E S10 | NENE ✓ | 2.6 |
| T01S R22E S10 | NWNE ✓ | 33.0 | T01S R22E S10 | SENE ✓ | 15.0 |
| T01S R22E S10 | NENW ✓ | 36.0 | T01S R22E S10 | SENW ✓ | 12.0 |
| T01S R22E S10 | SESW ✓ | 20.0 | T01S R22E S10 | NESE ✓ | 32.0 |
| T01S R22E S10 | NWSE ✓ | 9.4 | T01S R22E S10 | SWSE ✓ | 34.0 |
| T01S R22E S10 | SESE ✓ | 12.0 | T01S R22E S15 | NWNE ✓ | 31.0 |
| T01S R22E S15 | SWNE ✓ | 24.0 | T01S R22E S15 | NENW ✓ | 31.0 |
| T01S R22E S15 | SENW ✓ | 40.0 | T01S R22E S15 | NESW ✓ | 40.0 |
| T01S R22E S15 | NWSE ✓ | 19.0 | | | |

449 ACRES TOTAL

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

USE OF THIS RIGHT WITH RIGHT NO. 37-7620 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 449 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 92.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

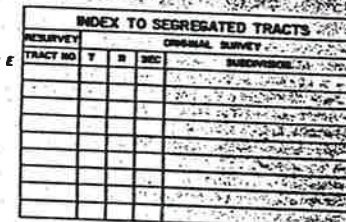
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

BLAINE COUNTY 013
SHOSHONE DISTRICT SEC 3

MT PLAT



FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

| | |
|--------------|------------|
| CURRENT TO | CURRENT TO |
| JUN 8 3 1936 | |

USE PLATS:

Lat. 43° 17' 18" N

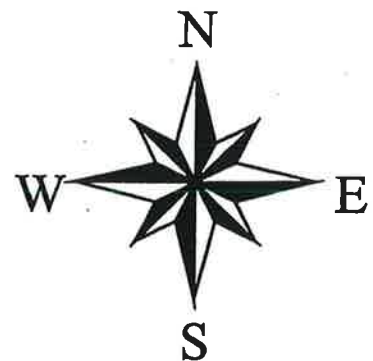
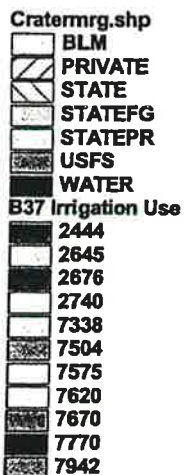
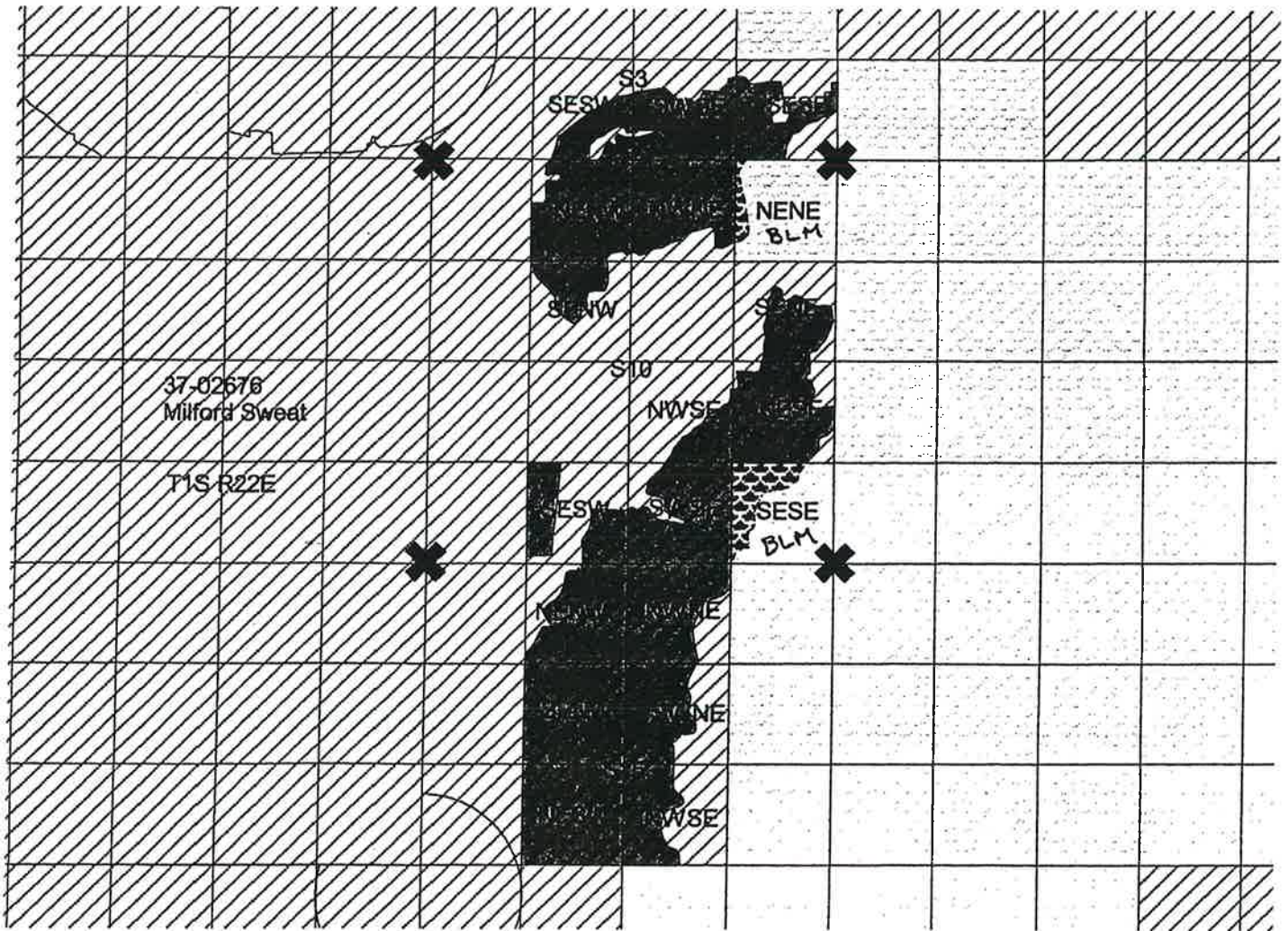
SCALE in Chords

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used

THE NOTATION SHOWN ON WITHDRAWAL'S REPRESENT THE LAST

Bring Me

37-02676



06/22/2002

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

RIGHT NUMBER: 37-2676
NAME AND ADDRESS: MILFORD SWEAT
PO BOX 234
CAREY ID 83320

CATHERINE L SWEAT
PO BOX 234
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.850 CFS
277.20 AFY

PRIORITY DATE: 12/11/1961

POINT OF DIVERSION:
T01S R22E S3 NESESE Within BLAINE County
T01S R22E S3 NESESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
1.850 CFS
277.20 AFY

PLACE OF USE:

IRRIGATION Within BLAINE County

| | | | | | |
|---------------|------|----------|---------------|------|---------|
| T01S R22E S03 | SESW | 13.0 | T01S R22E S03 | SWSE | 26.0 |
| T01S R22E S03 | SESE | 19.0 | T01S R22E S10 | NENE | 2.6 BLM |
| T01S R22E S10 | NWNE | 33.0 | T01S R22E S10 | SENE | 15.0 |
| T01S R22E S10 | NENW | 36.0 | T01S R22E S10 | SENW | 12.0 |
| T01S R22E S10 | SESW | 20.0 | T01S R22E S10 | NESE | 32.0 |
| T01S R22E S10 | NWSE | 9.4 | T01S R22E S10 | SWSE | 34.0 |
| T01S R22E S10 | SESE | 12.0 BLM | T01S R22E S15 | NWNE | 31.0 |
| T01S R22E S15 | SWNE | 24.0 | T01S R22E S15 | NENW | 31.0 |
| T01S R22E S15 | SENW | 40.0 | T01S R22E S15 | NESW | 40.0 |
| T01S R22E S15 | NWSE | 19.0 | | | |

449 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-7620 IS LIMITED TO THE
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IRRIGATION SEASON.

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PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 37-2676

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

7/10/2002 1:00 PM

NAME:

RE:

MILFORD SWEAT

CALLBACK

NOE 37-2676

He called Twin Falls and they referred him to me. I called back and they had phone problems so I called back at 3:15 PM -

He did not understand the PPU idea so I explained it to him how the permit and the old License are used together. But, when he offered to send in the \$50 check I realized he had more than the SRBA mailing on hand. I suspect he got a letter and amendment for his permit from Shelley Keen (Mr. Sweat confirmed this letter) and that required a \$50 fee to process. I told him to return the amendment as soon as possible so the license can be issued before the Director's Report in Aug. He said he would be sending it in today.

06/21/2002

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

RIGHT NUMBER: 37-2676

NAME AND ADDRESS: MILFORD SWEAT
PO BOX 234
CAREY ID 83320

CATHERINE L SWEAT
PO BOX 234
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.85 CFS
277.2 AFY

PRIORITY DATE: 12/11/1961

POINT OF DIVERSION:

T01S R22E S3 NESESE Within BLAINE County

T01S R22E S3 NESESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-------------------------|
| IRRIGATION | 4/01 11/01 | 1.850 CFS
277.20 AFY |

PLACE OF USE: IRRIGATION Within BLAINE County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T01S R22E S03 | SESW | 13.0 | T01S R22E S03 | SWSE | 26.0 |
| T01S R22E S03 | SESE | 19.0 | T01S R22E S10 | NENE | 2.6 |
| T01S R22E S10 | NWNE | 33.0 | T01S R22E S10 | SENE | 15.0 |
| T01S R22E S10 | NENW | 36.0 | T01S R22E S10 | SENW | 12.0 |
| T01S R22E S10 | SESW | 20.0 | T01S R22E S10 | NESE | 32.0 |
| T01S R22E S10 | NWSE | 9.4 | T01S R22E S10 | SWSE | 34.0 |
| T01S R22E S10 | SESE | 12.0 | T01S R22E S15 | NWNE | 31.0 |
| T01S R22E S15 | SWNE | 24.0 | T01S R22E S15 | NENW | 31.0 |
| T01S R22E S15 | SENW | 40.0 | T01S R22E S15 | NESW | 40.0 |
| T01S R22E S15 | NWSE | 19.0 | | | |

449 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-7620 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 449 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 92.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

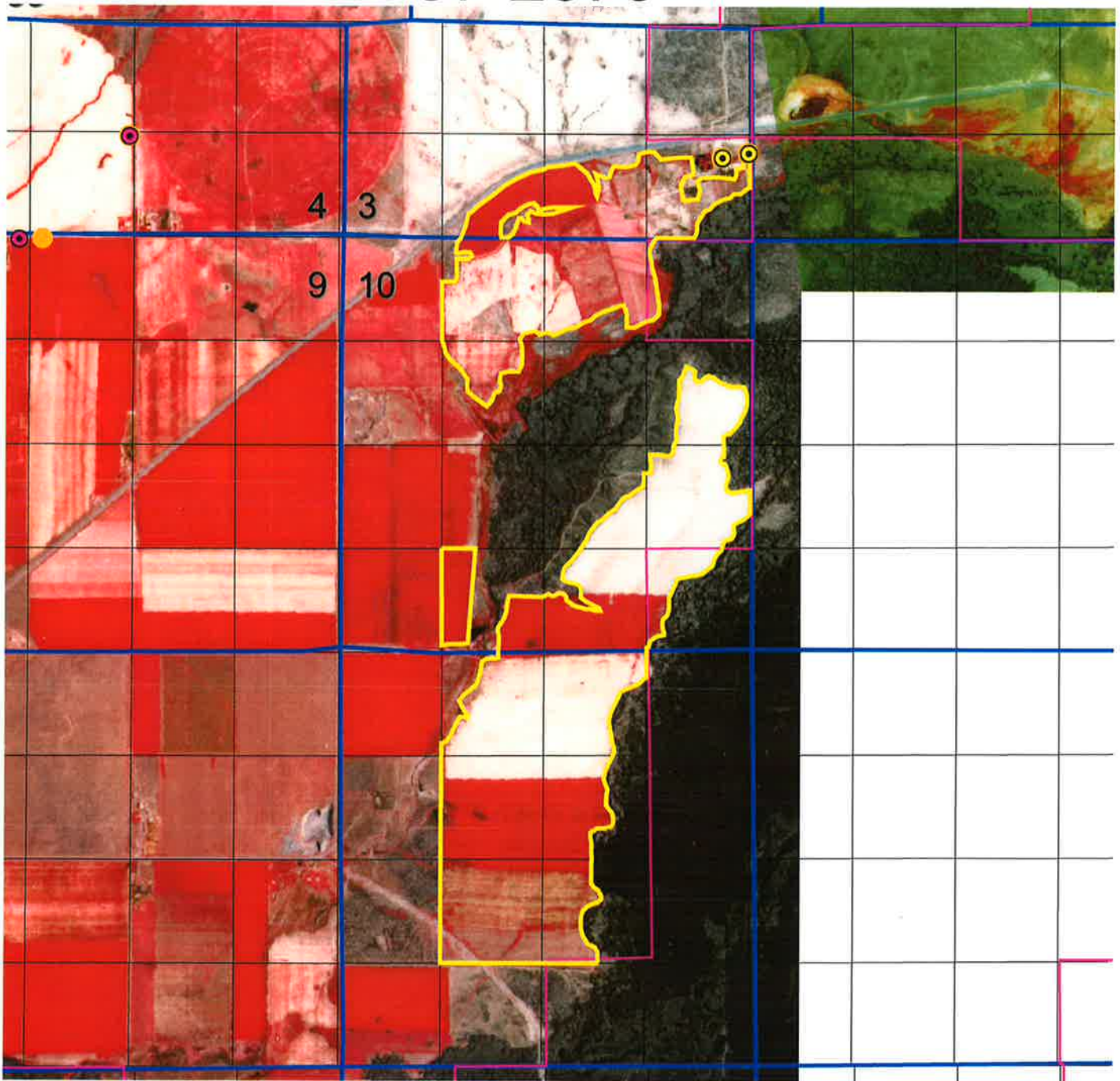
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPT OF WATER RESOURCES

37-2676



1320 0 1320 Feet



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

*Revised for
SFS
drop BLM lands
1/1/03
sec*

TWN: 1S
RNG: 22E
SEC: 3 & 10

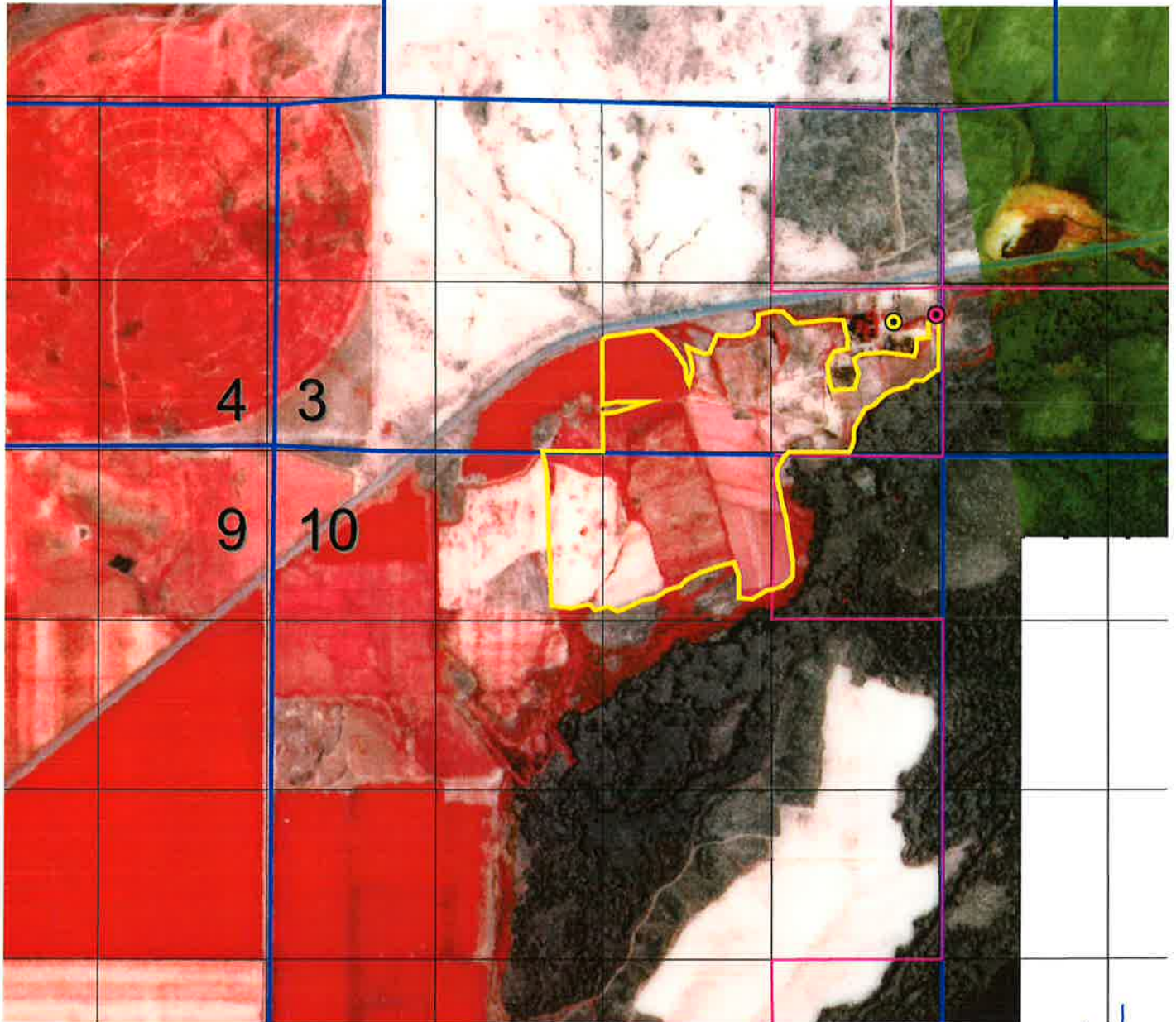


GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 21, 2002

IDAHO DEPT OF WATER RESOURCES

37-2676



1320 0 1320 Feet

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

** Revised
to PPU
w/ 37-7620*

TWN: 1S
RNG: 22E
SEC: ~~23~~ & 10

*6/21/02
see*



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

Date: JUNE 14, 2002

DRAFT

Groundwater Review: 37-2676 & 37-7620

6/14/02
SCL

| | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|-------|---------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|-------------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| CLAIM | 2676 | 1S | 22E | 3 | | | | | | | | | | | | | | | 30 | 14 | 44 | |
| CLAIM | 7620 | | | 3 | | | | | | | | | | | | 15 | | | 32 | 30 | 77 | * Sec. 2 = 25 ac. |
| GIS | | | | 3 | | | | | | | | | | | | 13 | | | 26 | 19 | 58 | |
| Rec'd | 7620 (Permit) | | | 3 | | | | | | | | | | | | 13 | | | — | — | 13 | |

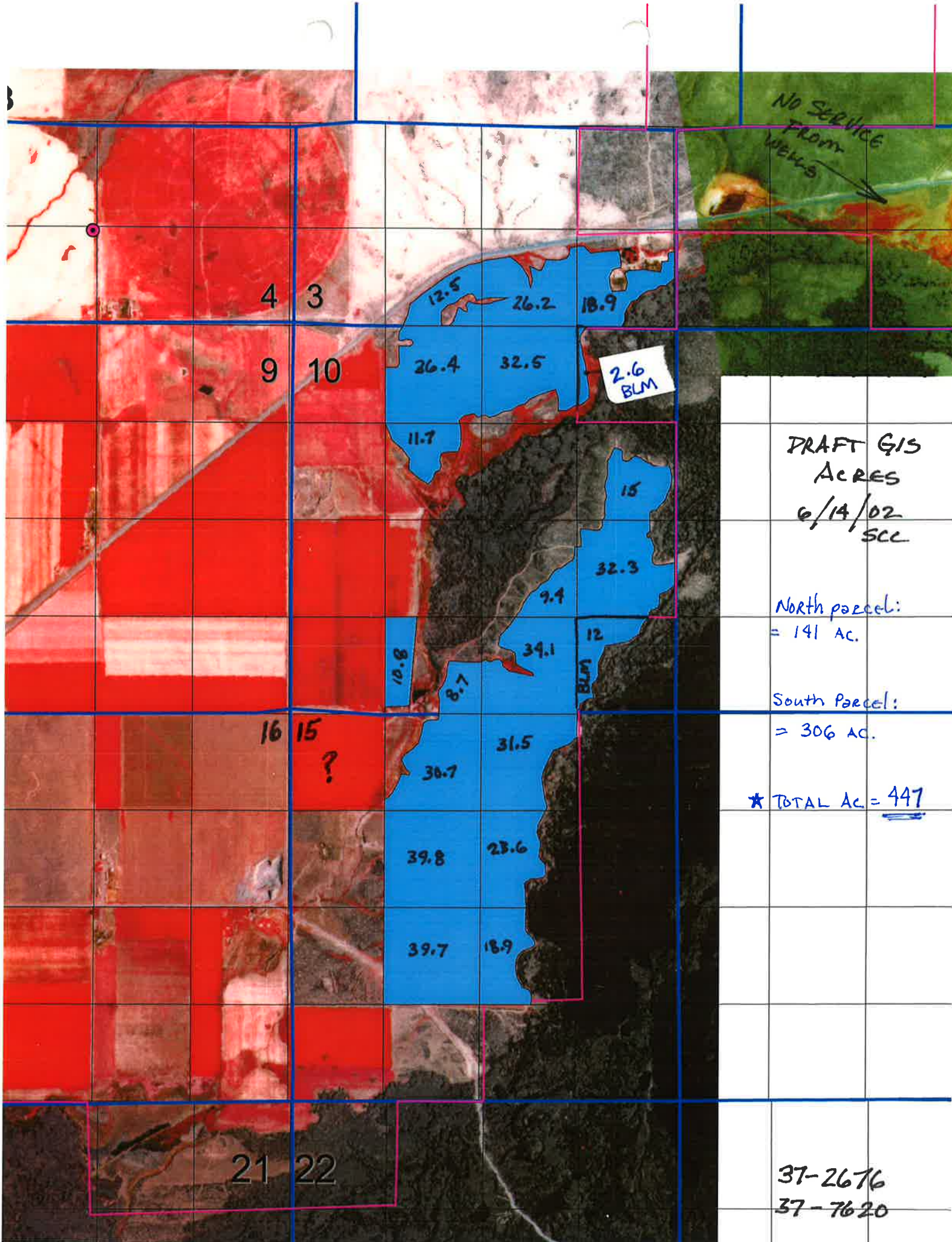
| | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|-------|---------------|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|-------|---------------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| CLAIM | 2676 | 1S | 22E | 10 | | 20 | 2 | | 26 | | | | | | | | | | | | 48 | (allow 0.4 as Lic.) |
| CLAIM | 7620 | | | 10 | | 40 | | 21 | 38 | | | | | | | 30 | 35 | 13 | 34 | 10 | 221 | |
| GIS | | | | 10 | 3 | 33 | 0 | 15 | 36 | | | 12 | | | | 20 | 32 | 9 | 34 | 12 | 206 | |
| Rec'd | 7620 (Permit) | | | 10 | — | — | — | 15 | 246 | | | 12 | | | | 20 | 32 | 9 | 34 | 12 | 158.6 | BLM |

| | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|-------|---------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| CLAIM | 2676 | 1S | 22E | 15 | | | | | | | | | | | | | | | | | 0 | = 92.4 |
| CLAIM | 7620 | | | 15 | | 28 | 26 | | 40 | 40 | | 40 | 36 | | | | | 27 | | | 237 | = 560 |
| GIS | | | | 15 | | 32 | 24 | | 31 | ? | | 40 | 40 | | | | | 19 | | | 186 | = 450 |
| Rec'd | 7620 (Permit) | | | 15 | | 32 | 24 | | 31 | — | | 40 | 40 | | | | | 19 | | | 186 | = 357.6 |

| | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|-------|--------|-----|-----|-----|----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| Rec'd | 2676 | 1S | 22E | 3 | | | | | | | | | | | | | | | 26 | 19 | 45 | |
| | | | | 10 | 3 | 33 | — | — | 11.4 | | | | | | | | | | | | 47.4 | |
| | | | | 15 | | | | | | | | | | | | | | | | | 0 | 92.4 |

(BLM LANDS ARE IN PERMIT REVIEW AS POLY)

- * ALL LANDS IN Sec. 2 ARE NOT SERVICED BY WELLS!! Not shown above. (37-7620)
- * PERMIT Rec'd is SUGGESTED OVERLAP REVIEW — COPY TO PERMIT FILE. (= 25 ac.)
- * GIS AC. Rounded. (92.4 ac + 357.6 ac. = 450 ac)



No Service
From
Wells

4 3

9 10

2.6
BLM

DRAFT GIS
ACRES
6/14/02
SCL

North parcel:
= 141 Ac.

South parcel:
= 306 Ac.

* TOTAL AC = 447

16 15
?

21 22

37-2676
37-7620

37-2676 & 37-7620

6/14/02 SCC

BLM overlaps:

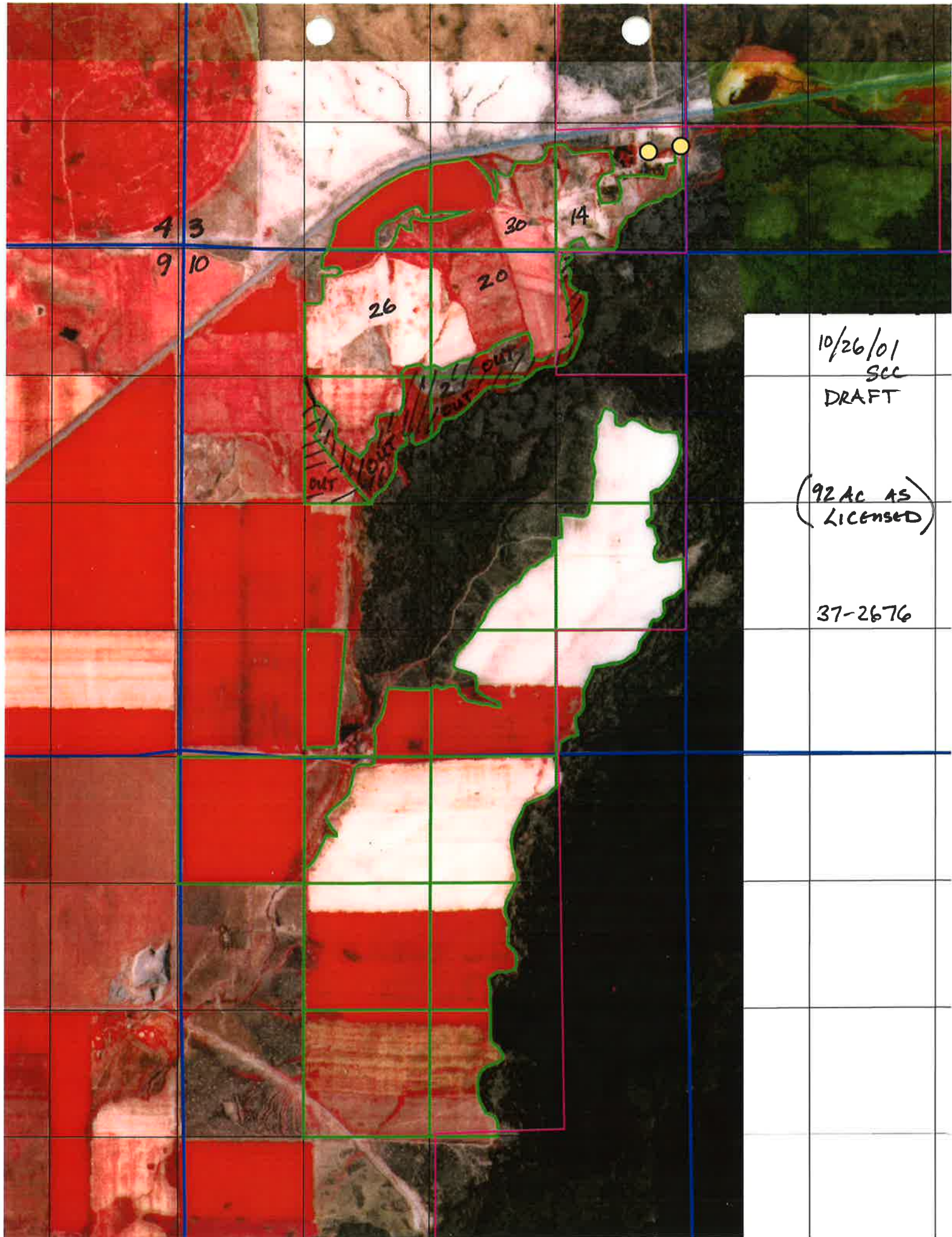
1 S 22 E S 10 NENE

- ^{WR}~~claim~~ for Carey Valley Res. 37-1162
- USA STOCK WATER

| S10 | SESE | |
|----------|-------|----------------|
| 37-14273 | claim | } FISH CR RES. |
| 37-1162 | claim | |
| 37-732 | " | |
| - 743 | " | } SWEAT |
| - 7620 | " | |
| - 11762 | " | |

6/14/02 SCC

Appears that some of this land in the proposed POU may be BLM but exact details of situation are not known. Since last field examiner (Folsom) shows it as POU so will this recommendation. It has been found to be irrigated by all appearances.



| |
|----------|
| 10/26/01 |
| SCC |
| DRAFT |

| |
|------------------------|
| (92 AC AS
LICENSED) |
|------------------------|

| |
|---------|
| 37-2676 |
|---------|

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30329/37-2676 Priority Dec. 11, 1961 Amount 1.85 cfs

THIS IS TO CERTIFY, that LAFELL H. EDWARDS
of Carey, Idaho, has complied with the terms and conditions of Permit
No. 30329/37-2676 issued pursuant to Application for Permit dated December 11, 1961
and has submitted proof to the Department of Water Administration on September 20, 1966
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.91 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.85 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.85 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE¹/₄ SE¹/₄ Sec. 3, Twp. 1 S, Rge. 22 E, B.M.

in the county of Blaine; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 277.2 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE ¹ / ₄ | | | | NW ¹ / ₄ | | | | SW ¹ / ₄ | | | | SE ¹ / ₄ | | | | TOTALS |
|------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
| | | | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ | NE ¹ / ₄ | NW ¹ / ₄ | SW ¹ / ₄ | SE ¹ / ₄ | |
| 1 S | 22 E | 3 | | | | | | | | | | | | | | | 30.114.4 | | 44.5 |
| | | 10 | | | 19.9 | 2 | | | 26 | | | | | | | | | | 47.9 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 92.4

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19th day of

December, 19 72.


Deputy Director

37 2676

← Vol @
3 AFA
(Std is 3.5)