

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: A37-07621G
Date Received: 12/20/1988
Receipt No: C004214
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD L. GREEN 208-823-4685
Address: BOX 181
CAREY, ID 83320
AND/OR
Name: MARY S. GREEN 208-823-4685
Address: BOX 181
CAREY, ID 83320
2. Date of Priority: JUN 07, 1977
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 NW SW SW BLAINE
5. Description of diverting works:
WELL PUMP, LITTLE WOOD RIVER EAST CANAL OR INTO DITCH.
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/01 11/01 0.600
7. Total Quantity Appropriated is:
0.600 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.

A37-07621G

Page 1

Date: 01/19/89

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	22	SW	SW		IRR	30.0
Section Acres							30.0
Total Acres							30.0

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:

37-0636 A PORTION OF. THIS RIGHT IS A PORTION OF 37-07621C.

14. Remarks:

THIS RIGHT IS EXPANDED.

* MEMO TO FILE *
* THIS CLAIM WAS INITIALLY DATA ENTERED AS A37-07621F. A CLAIM *
* HAS ALREADY BEEN SPLIT TO THAT NO. WHICH HAD TRANSFERRED TO *
* THE HOST MASTER. THIS CLAIM STAYED AT THE REGION. HOWEVER, *
* I DON'T KNOW IF ANY COPIES WERE SENT OR GIVEN TO CLAIMANT. *
* HLHT 1/19/1989 *

15. Basis of Claim: PERMIT

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

RECEIVED
OCT 26 1988

RECEIVED
OCT 26 1988

Ident. Number: A37-07621F
Date Received: 10/11/1988
Receipt No: 004214
Received By: EMC 26 Oct 1988
ck#693

Department of Water Resources

Department of Water Resources
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DONALD L. GREEN 208-823-4685
Address: BOX 181
CAREY, ID 83320
AND/OR
Name: MARY S. GREEN 208-823-4685
Address: BOX 181
CAREY, ID 83320

2. Date of Priority: JUN 07, 1977

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	NW	SW	SW		BLAINE

5. Description of diverting works:
WELL PUMP, LITTLE WOOD RIVER EAST CANAL OR INTO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	22	SW	SW		IRR	30.0

Section Acres 30.0

Total Acres 30.0

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:

37-0636 A PORTION OF. THIS RIGHT IS A PORTION OF 37-07621C.

14. Remarks:

THIS RIGHT IS EXPANDED.

15. Basis of Claim: PERMIT

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): Mary L. Green Date: 10-25-88
Donald L. Green Date: 10-25-88

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of Oct 19 88

Gail L. Peterson
Notary Public

Seal

Residing at Carey, Id

My Commission Expires 4-25-91

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Green CLAIM I.D. NO. A37-07621G

DATE RECEIVED 10-11-88 CK # 0004214 AMOUNT \$ _____

1. Is the name and address complete with zip code? YES NO
2. Is a priority date entered? YES NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? YES NO
(b) Is a tributary to entered? (if required) N/A

4. Is the legal description of the p.d. sufficient? YES NO

5. Is there a description of the diverting works? YES NO

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES NO

Is the period of use included? YES NO

Is a quantity claimed for each use? YES NO

7. Is a total quantity claimed entered? YES NO

8. If required is a consumptive use entered? N/A YES NO

Is the consumptive use correct? N/A YES NO

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A YES NO

10. Is (are) the place(s) of use and purpose(s) indicated? YES NO

11. Is (are) the county(ies) entered? YES NO

12. Is the ownership of p.u. checked? YES NO

13. Are other water rights listed or "none" indicated? YES NO

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A YES NO

15. Is the basis of the claim indicated? YES NO

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES NO

Has the claim been signed, sealed, and dated by a notary? YES NO

Was this claim filed on time, or was an extension granted? YES NO

Is the fee enclosed correct? Exempt YES NO

If this claim is based on an existing water right, has the identification number been entered? N/A YES NO

Should this claim be receipted and data entered? YES NO

MICROFILMED

Claim checked by:

FEB 24 1989

Comments: See remarks on claim regarding claim no. split

RECEIVED

JUN 23 1995

Department of Water Resources
Southern Region CFS

WATER RIGHT NO. 37-07621C

Maximum Diversion Rate:

749.0 AF

PO BOX 181
CAREY ID 83320

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

IRRIGATION

04/15 to 10/15

4.20 CFS

749.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 22, Township 01S, Range 21E
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

01S 21E 22

SWSW 30

SESW 34

64

02S 21E 3

SWSE 17

SESE 20

37

11

NWNE 15.

SWNE 6

NENW 38

11

SENW 38

NESW 16

113

Total number of acres irrigated:

214

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The following rights are also diverted through the point of diversion described above: 37-07621B and 37-07621D.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-07621C

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 749.0 afa.
7. Lands irrigated in Section 3, T2S, R21E are supplied water from the West Canal, and lands irrigated in Section 22, T1S, R21E, and Section 11, T2S, R21E are supplied water from the East Canal.
8. Water diverted under this right is exchanged with Little Wood River diverted into both the East and West Canals.
9. The Department retains the jurisdiction to change the amount of canal conveyance loss assessed to this right to an amount greater or lesser than the 20 percent that has historically been assessed.
10. The right holder shall first use the full allotment of surface water appurtenant to the above lands prior to using water under this right. The surface water cannot be sold, leased, or removed from the lands above without the approval of the Director.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 20TH day of JUNE, 1995

Acting for

KARL J. DREHER, Director

RECEIVED

06/22/2002

AUG - 2 2002

Department of Water Resources

NOTICE OF ERROR
REPLY

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

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: 37-7621G

DONALD L GREEN
PO BOX 181
CAREY ID 83320
Telephone Number: (208)823-4685

MARY S GREEN
PO BOX 181
CAREY ID 83320
Telephone Number: (208)823-4685

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: 7-23-02

SIGNATURE: Donald L Green

Please print your name: Donald L Green

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

IDAHO DEPARTMENT OF WATER RESOURCES 12/20/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right **37-7621G**

1

NAME AND ADDRESS: DONALD L GREEN
BOX 181
CAREY ID 83320

MARY S GREEN
BOX 181
CAREY ID 83320

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.59 CFS
105.0 AFY
PRIORITY DATE: 06/07/1977
POINT OF DIVERSION:

T01S R21E S22 NWSWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.590 CFS 105.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BLAINE County
T01S R21E S22 SWSW 30.0

30 ACRES TOTAL

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

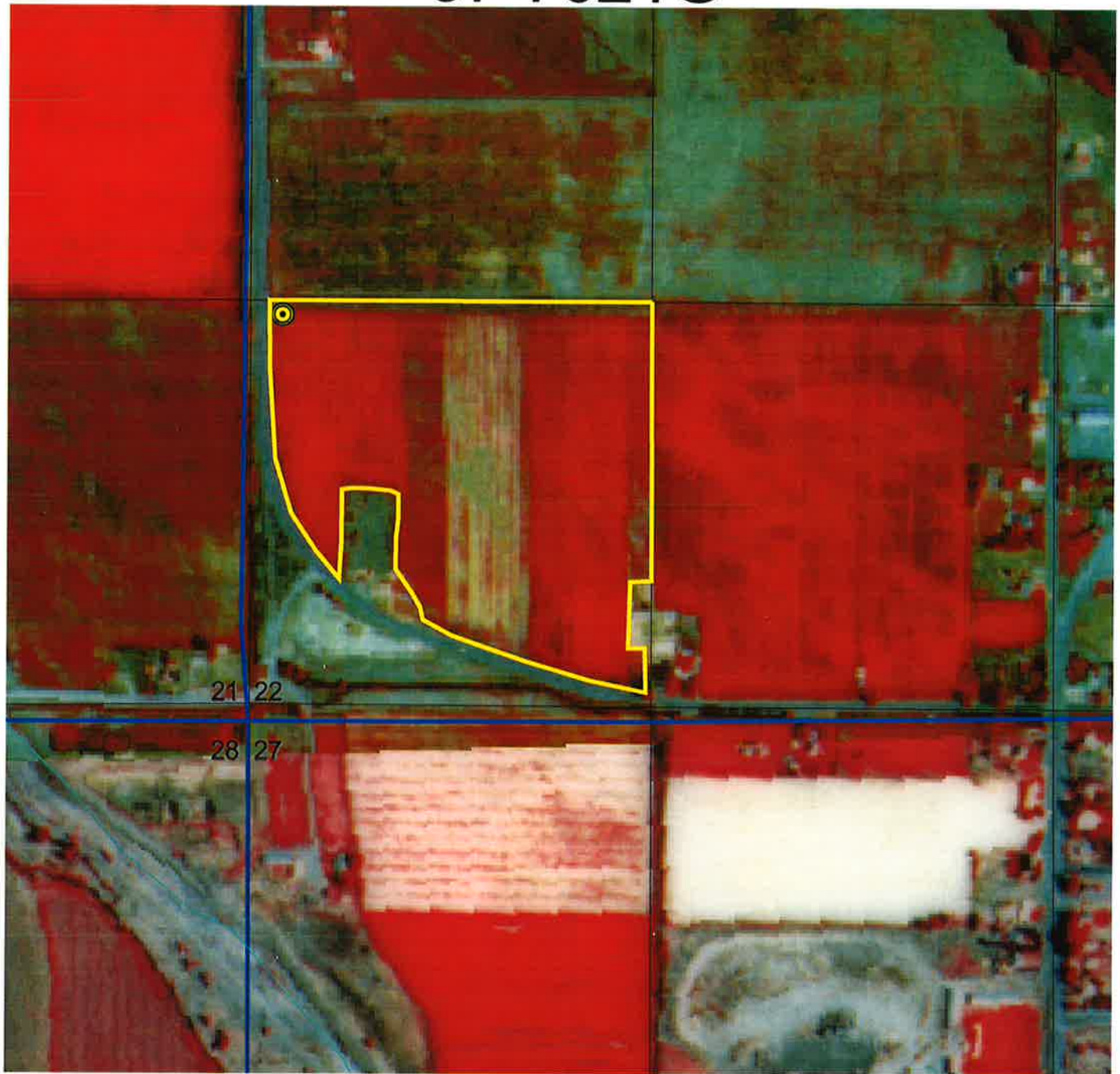
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

RIGHT NO. 37-7621 PARTS D, E, & F ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.

IDAHO DEPT OF WATER RESOURCES

37-7621G



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: 22 SWSW

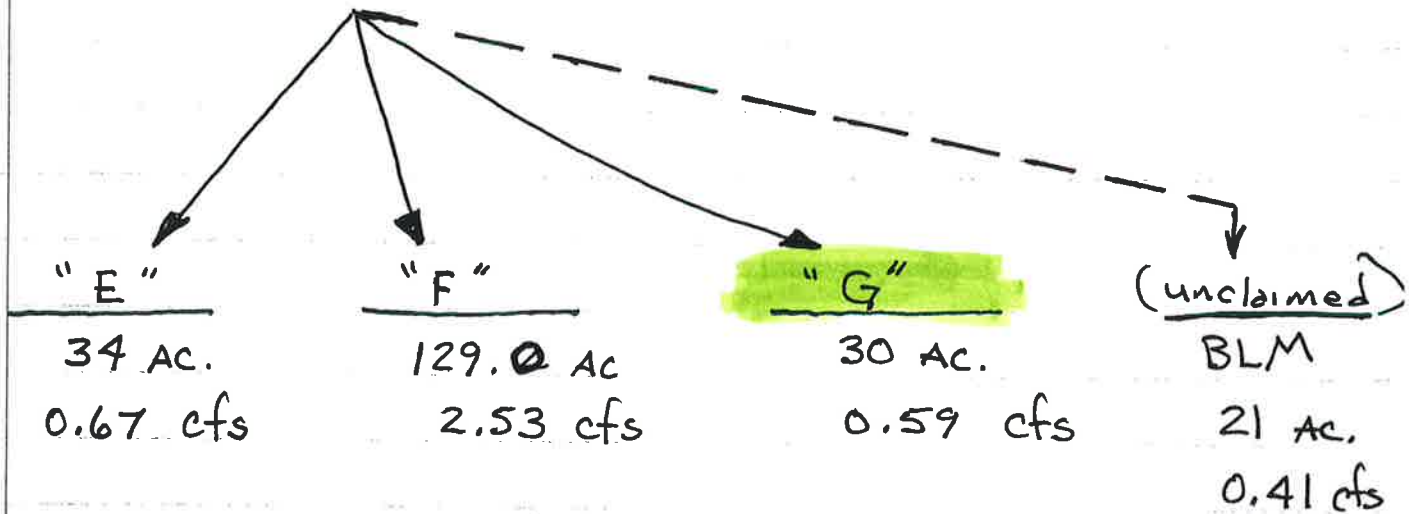


GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: December 20 2001

12/20/01
SEC

37-7621 C (SPLIT REVIEW)



TOTAL ACRES = 214 Ac.
TOTAL CFS = 4.20 cfs } PART C

BLM portion is unclaimed at this time.

37-7621 G

12/20/01
scc

30 Acres claimed is part of Lic. POU.
Excludes ~~includes~~ the cemetery in SW corner
that does not appear irrigated. ~~I will~~
(see map) ~~include that since the lic. did~~ but I have
excluded the Houses. (GIS = 28.5 acres)

Licensed pro rata share:

(whole) $5.62 \text{ cfs} / 286 = 0.0197 \text{ cfs/AC.}$

(PARTIC) $4.20 / 214 = 0.0196$

claimed 0.02 cfs/AC., limit to license rate

$$30 \text{ AC} \times 0.0196 = \underline{0.59 \text{ cfs}}$$

(RIGHT IS OVERCLAIMED)

$$\text{Volume: } 3.5 \text{ AFA} \times 30 \text{ AC} = \underline{105 \text{ AFA}}$$

Std Season: 4/15 to 10/31

Lic. : 4/15 to 10/15 add shoulder runoff.

⊛ Water Right is SUPPLEMENTAL to Surface Rights.

pt of RD from west
canal

15.21E

A
12.3

B
13.6

C
25

FHA

34A

A
4.0

B
3.6

C
6.0

D
6.4

91
92

A
3.4

B
14.4

C
6.0

D
2.5

Corcoran

Young

C-227

3660

3650

C-226

D
1.8

C-227

0.7

C-33

1-3

3830

C
15.3

A
11.0

3520

C-236

A
20.6

B
18.3

12.4

G
8.2

H
5.2

A
9.1

C-27C

B
6.9

F
11.0

J
9.0

Copy from
Lic. file
12/20/01
see

37-7621G

MEMORANDUM

Date: June 9, 1995
From: Jim Johnson
To: File 37-07621
Subject: Review of field exams

=====

After reviewing the complete file and the recommendations made by the examiner I am of the opinion that the rate licensed for each portion of the water should be prorated using 5.62 cfs (well diversion) and total acres irrigated using 286 acres. This is a departure from the examiner recommendations, but I think it is justified.

The rates for each portion is summarized as follows:

37-07621B Richard Olsen	33 acres	0. ⁶⁵ ~~66~~ cfs
37-07621C Ray Sweat etal	214 acres	4.2 ~~0~~ cfs
37-07621D Rod Mc Coy	39 acres	0.77 cfs

Other components of the license will fall in place using these adjustments.

Standard conditions reflecting the well water used in exchange for Little Wood River should also be used along with the Watermaster control condition.

Conveyance loss considerations should be reflected on the licenses but the loss should not be calculated. Actual loss amounts have not been determined they are only estimated.

The volumes listed for irrigation should be identified as field head gate volumes and do not include conveyance loss.

APPROVED
JUN 27 1995

MEMORANDUM

Date: June 9, 1995
From: Jim Johnson
To: File 37-07621
Subject: Conversation with Rod Mc Coy

=====

Rod explained to me how the watermaster administers the delivery of water under this right.

When the well is turned on, the watermaster measures the discharge and keeps an account on how much volume is being supplied to the East Canal. When the users sharing the ownership of the well divert water from the West Canal, the watermaster releases water from storage.

For example, Mr. Mc Coy will inform the watermaster when he wants to turn on his pump to divert water from the West Canal. The watermaster will release water from the reservoir and deliver it to the head of the West Canal.

Mr. Mc Coy didn't have any knowledge what the rates of diversion the water master was using when releasing the water from the reservoir.

Conveyance Loss

The field examiner identified a 20% loss was assessed by the watermaster. How the watermaster applies the loss to the storage credit is not known, or even if 20% is even used.

I do not propose to identify a conveyance loss on the licenses since we do not have any confirmed information. I don't think it is necessary based upon the procedure used by the watermaster in the accounting of water diverted under this right. The use of water under this right and its relationship to surface water delivery has been occurring without problems for many years. If problems do occur in the future the watermaster has enough latitude to make adjustments.

JUN 27 1995