

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: A37-07620

Date Received: 10/19/1988

Receipt No: 1001651

Received By: Joe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

OR

Name: CATHERINE SWEAT
Address: P.O. BOX 234
CAREY, ID 83320

2. Date of Priority: JUN 02, 1977

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:
WELL, RES., PUMP, GRAVITY FLOW & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			700.00
IRRIGATION FROM STORAGE	04/01	11/01	7.000		
DIVERSION TO STORAGE	01/01	12/31	7.000		

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

8. Total consumptive use is 1400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A37-07620

Page 1

Date: 10/19/88

MICROFILMED
FEB 24 1988

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	2	NW	SE	2	IRR FS	18.0
			SW	SE		IRR FS	7.0
			Section Acres				25.0
		3	SE	SW		IRR FS	15.0
			SW	SE		IRR FS	32.0
			SE	SE		IRR FS	30.0
			Section Acres				77.0
		10	NW	NE		IRR FS	40.0
			SE	NE		IRR FS	21.0
			NE	NW		IRR FS	38.0
			SE	SW		IRR FS	30.0
			NE	SE		IRR FS	35.0
			NW	SE		IRR FS	13.0
			SW	SE		IRR FS	34.0
			SE	SE		IRR FS	10.0
			Section Acres				221.0
		15	NW	NE		IRR FS	28.0
			SW	NE		IRR FS	26.0
			NE	NW		IRR FS	40.0
			NW	NW		IRR FS	40.0
			SE	NW		IRR FS	40.0
			NE	SW		IRR FS	36.0
			NW	SE		IRR FS	27.0
			Section Acres				237.0
			Total Acres				560.0

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:

37-2676, 37-7367, 37-0732, 37-2765, 37-2777 & FISH CK.

14. Remarks:

RES. LOCATED IN NESE, S34, T1N, R22E & SENW, S10, T1S, R22E.

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): *Mifford Sweat* Date: 10-19-88
Catherine Sweat Date: 10-19-88

State of Idaho)
County of Blaine) SS.

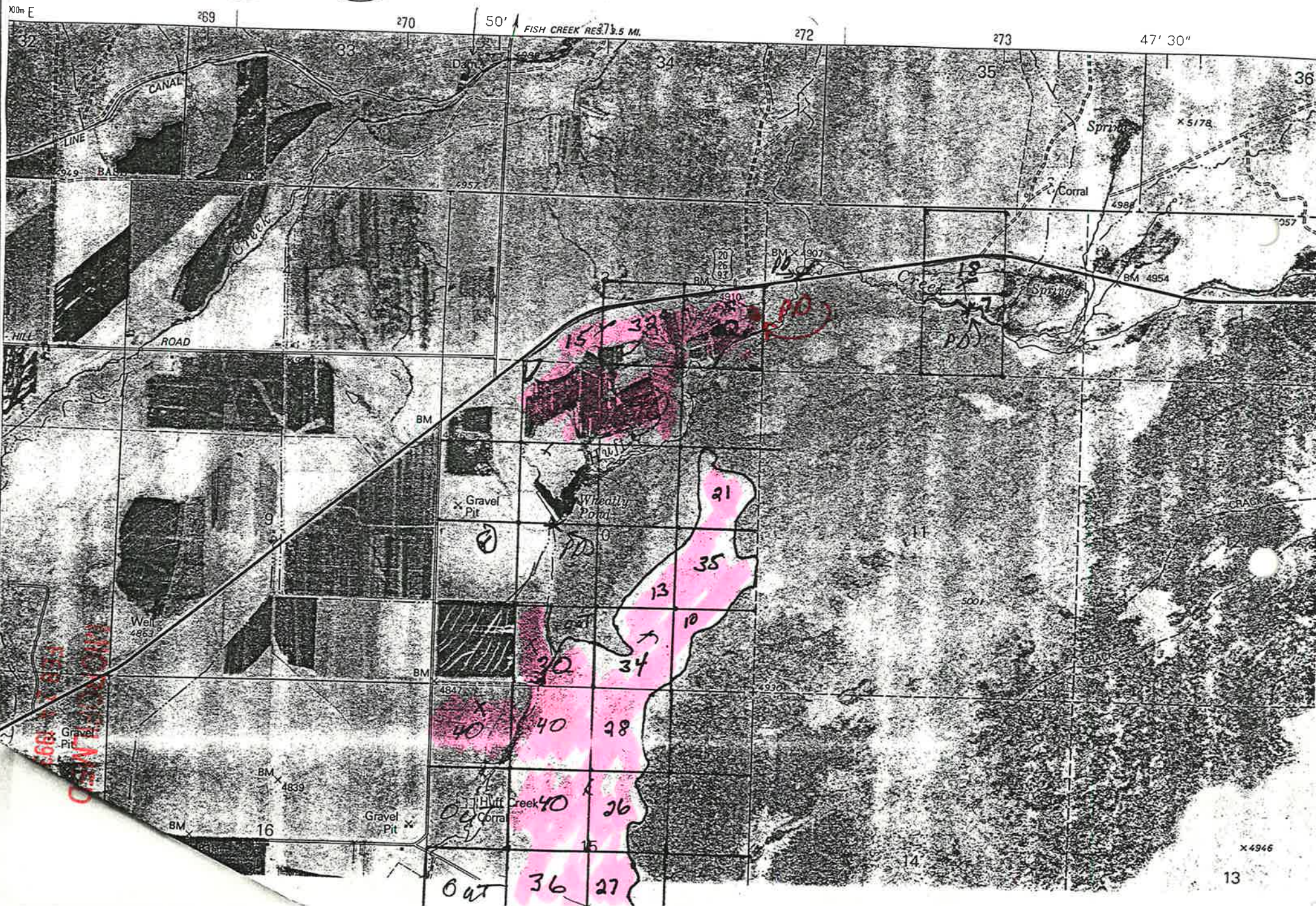
Subscribed and sworn (or affirmed) before me this 19 day
of Oct 19 88

John Dale Carlson
Notary Public

Seal

Residing at Bonanza

My Commission Expires 6/2/94



Water Right Number - 37-07620 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***

SWEAT MILFORD 1 - P.O. BOX 234
2 -
3 -
City- CAREY State- ID Zip- 83320
Phone -

SWEAT CATHERINE 1 - P.O. BOX 234
2 -
3 -
City- CAREY State- ID Zip- 83320
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

06/02/1977 17 P - PERMIT

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

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
01S	22E	2	SW NW	4	(13)	BLAINE	
01S	22E	2	SE NW	3	(13)	BLAINE	

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02 -	IRRIGATION STORAGE	01/01	12/31		700.00
03 -	IRRIGATION FROM STORAGE	04/01	11/01	7.000	
55 -	DIVERSION TO STORAGE	01/01	12/31	7.000	

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

7.000 700.00

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	22E	2	NE SW	3	40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	2	NW SW	4	40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	2	NW SE	2	40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	2	SW SE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	3	SW SE		26.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	3	SE SE		10.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	NW NE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	SW NE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	SE NE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	NE NW		14.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	SE NW		10.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	NE SW		20.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	SE SW		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	NE SE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE

MICROFILMED
FEB 24 1988

Water right number - 37-07620 Adj. flag translation: Standard Water Right Number

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	22E	10	NW SE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	10	SW SE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	15	NW NE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	15	SW NE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	15	NE NW		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	15	NW NW		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	15	SE NW		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	15	NE SW		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE
01S	22E	15	NW SE		40.0	03	IRRIGATION FROM STORAGE	(13) BLAINE

Total Acres: 800.0

+ - - Diversion Means - WELL, RES., PUMP, GRAVITY FLOW & SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-2676, 37-7367, 37-0732, 37-2765, 37-2777 & FISH CK.

+ - - - - - Remarks - - - - -
AC. IRR.=799.5.
RES. LOCATED IN NESE, S34, T1N, R22E & SENW, S10, T1S, R22E.

+ - - - - - Conditions of Approval - - - - -
03A - The rate of diversion of water for irrigation under this permit
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.
01B - The permit holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install and access port or other device as specified by the
- Department.

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

+ - - Microfilm Rolls -

+ - - Audit Fields - 09/22/87 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 09/01/1987	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 09/16/1977	Protested Date - 00/00/0000	Swan Falls - 7
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 04/23/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

MICROFILMED
FEB 24 1993

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

RIGHT NUMBER: 37-7620

NAME AND ADDRESS:

CATHERINE L SWEAT
21292 HWY 26-93
CAREY ID 83320
MILFORD SWEAT
21292 HWY 26-93
CAREY ID 83320

CATHERINE L SWEAT
PO BOX 234
CAREY ID 83320

SOURCE: GROUND WATER

Tributary:

POINT OF INJECTION INTO HUFF CREEK. POINT OF REDIVERSION FROM HUFF CREEK.

QUANTITY: 3.310 CFS
0.000 AFY

Rights 37-2676, 37-2777, and 37-7620 when combined shall not exceed a total annual maximum diversion volume of 1520.4 af at the field headgate.
~~Rights 37-2676, 37-2777, and 37-7620 when combined shall not exceed a total annual maximum diversion volume of 1571.5 af at the field headgate.~~

PRIORITY DATE: 06/02/1977

POINT OF DIVERSION:

T01S R22E S3 NESESE
Within BLAINE County

T01S R22E S3 NESESE
Within BLAINE County

T01S R22E S3 NESESE Injection
Within BLAINE County

T01S R22E S3 NESESE Injection
Within BLAINE County

T01S R22E S10 SENW Rediversion
Within BLAINE County

T01S R22E S10 SESW Rediversion
Within BLAINE County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use

Period of use:

Quantity:

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

IRRIGATION	04/15	10/31	3.310 CFS
IRRIGATION STORAGE	01/01	12/31	25.50 AFY
IRRIGATION FROM STORAGE	04/15	10/31	25.50 AFY
DIVERSION TO STORAGE	01/01	12/31	3.310 CFS

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

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

IRRIGATION STORAGE within BLAINE County

T01S R22E S10 SENW

T01S R22E S10 SESW

IRRIGATION FROM within BLAINE County
STORAGE

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. 37-2676 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 434.4 ACRES IN A SINGLE IRRIGATION SEASON.

~~USE OF THIS RIGHT WITH RIGHT NO. 37-2676 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 449 ACRES 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

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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.

If the surface water right(s) 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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37-U.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1520.4 af at the field headgate for the lands above.

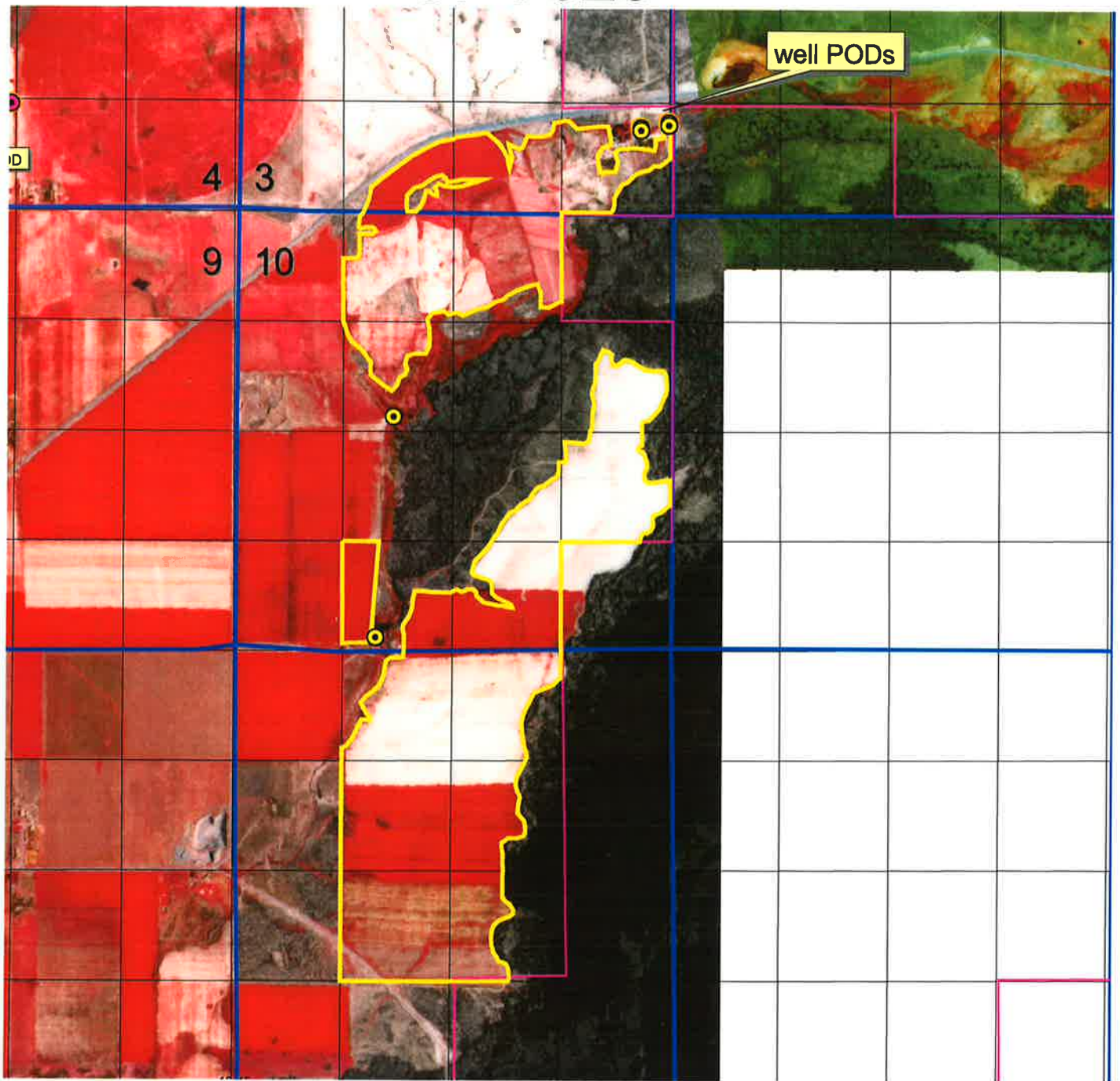
Right 37-2676 is also diverted through the points of diversion described above.

~~This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re evaluate the public interest.~~

~~This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1571.5 af at the field headgate for the lands above.~~

IDAHO DEPT OF WATER RESOURCES

37-7620



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

CHANGE IN ADDRESS

RECEIVED

JAN 02 2003

Department of Water Resources
Southern Region

☐ 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.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 37-7620 & 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

1/7/2003 7:45 AM

NAME:

RE:

CATHERINE SWEAT

CALLIN

OBJ SETTLEMENT

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.
su Will Return 12/27/02 to Return the forms.

12/19/2002

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

RIGHT NUMBER: 37-7620

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

CATHERINE L SWEAT
PO BOX 234
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

POINT OF INJECTION INTO HUFF CREEK. POINT OF REDIVERSION FROM HUFF CREEK.

QUANTITY: 3.310 CFS

Rights 37-2676, 37-2777, and 37-7620 when combined shall not exceed a total annual maximum diversion volume of 1571.5 af at the field headgate.

PRIORITY DATE: 06/02/1977

POINT OF DIVERSION:

T01S R22E S3 NESESE Within BLAINE County
T01S R22E S3 NESESE Within BLAINE County
T01S R22E S3 NESESE Injection Within BLAINE County
T01S R22E S3 NESESE Injection Within BLAINE County
T01S R22E S10 SENW Rediversion Within BLAINE County
T01S R22E S10 SESW Rediversion 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	3.310 CFS
IRRIGATION STORAGE	01/01 12/31	25.50 AFY
IRRIGATION FROM STORAGE	04/15 10/31	25.50 AFY
DIVERSION TO STORAGE	01/01 12/31	3.310 CFS

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			

IRRIGATION STORAGE Within BLAINE County

T01S R22E S10	SENW	T01S R22E S10	SESW
---------------	------	---------------	------

IRRIGATION FROM STORAGE 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

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

T01S R22E S10	NENW	36.0	T01S R22E S10	SENE	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	SENE	40.0	T01S R22E S15	NESW	40.0
T01S R22E S15	NWSE	19.0			

449 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-2676 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 449 ACRES 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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.

If the surface water right(s) 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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37-U.

This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1571.5 af at the field headgate for the lands above.

Right 37-2676 is also diverted through the points of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7620

WATER RIGHT NUMBER: 37-7620

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MILFORD SWEAT PO BOX 234 CAREY, ID 83320 (208)823-4451
Current Owner	CATHERINE L SWEAT PO BOX 234 CAREY, ID 83320 (208)823-4451

Priority Date: 06/02/1977

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 FROM STORAGE	04/15 to 10/31		25.50 AF
IRRIGATION STORAGE	01/01 to 12/31		25.50 AF
DIVERSION TO STORAGE	01/01 to 12/31	3.310 CFS	
IRRIGATION	04/15 to 10/31	3.310 CFS	
	<u>Total Diversion:</u>	3.310 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SE1/4	Sec. 3,	Twp 01S,	Rge 22E, B.M.
BLAINE County				
GROUND WATER	NE1/4SE1/4SE1/4	Sec. 3,	Twp 01S,	Rge 22E, B.M.
BLAINE County				
GROUND WATER	NE1/4SE1/4SE1/4	Sec. 3,	Twp 01S,	Rge 22E, B.M.
BLAINE County	(Injection)			
GROUND WATER	NE1/4SE1/4SE1/4	Sec. 3,	Twp 01S,	Rge 22E, B.M.
BLAINE County	(Injection)			
GROUND WATER	SE1/4NW1/4	Sec. 10,	Twp 01S,	Rge 22E, B.M.
BLAINE County	(Rediversion)			
GROUND WATER	SE1/4SW1/4	Sec. 10,	Twp 01S,	Rge 22E, B.M.
BLAINE County	(Rediversion)			

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7620

01S 22E 3								13.0		26.0	19.0	58.0	
01S 22E 10	2.6	33.0	15.0	36.0		12.0		20.0	32.0	9.4	34.0	12.0	206.0
01S 22E 15		31.0	24.0	31.0		40.0	40.0			19.0			185.0
Total Acres: 449													
IRRIGATION STORAGE													

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	22E	10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X									
														X					

Total Acres: 799.5

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	22E	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														13.0			26.0	19.0	58.0
01S	22E	10	2.6	33.0	15.0	36.0		12.0			20.0	32.0	9.4	34.0	12.0				206.0
01S	22E	15		31.0	24.0	31.0		40.0	40.0					19.0					185.0

Total Acres: 449

DIVERSION TO STORAGE same as IRRIGATIONConditions of Approval:

1. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.
2. 104 If the surface water right(s) 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.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37-U.
4. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1571.5 af at the field headgate for the lands above.
7. X36 Right 37-2676 is also diverted through the points of diversion described above.

Remarks:

1. Water diverted under this right is injected into Huff Creek at two locations in the NESESE, Section 3, Township 1 South, Range 22 East, and rediverted from Huff Creek in the SENW, Section 10, Township 1 South, Range 22 East, and in the SESW, Section 10, Township 1 South, Range 22 East.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7620

2. General Rights 37-2676, 37-2777, and 37-7620 when combined shall not exceed a total annual maximum diversion volume of 1571.5 af at the field headgate and the irrigation of 449 acres.

Comments:

1. S. Keen 6/25/2002 Licensing Review

Comment: Licensing review and data entry completed by S. Keen on 6/25/2002.

There are several overlapping rights. Right 37-2676, as recommended for decree, shares both points of diversion and a place of use with this right. Right 37-1162 and claim 37-14273 represent water delivered by Fish Creek Reservoir Co. Rights 37-732 and 37-743 are natural flow irrigation rights from Fish Creek. Right 37-2777 and claim 27-11762 are storage rights on Huff Creek. Combined use conditions will be added to define the overlaps with 37-2676, 37-732, and 37-2777. Conditions used on supplemental rights will be employed to define the relationship with Fish Creek Reservoir Co. The claims can be addressed when recommendations are prepared in the SRBA process, as will 37-743, for which a change in place of use has been claimed.

Total volume for the 449 acres is: 449 acres * 3.5 af/acre = 1571.5 af
Volume from GW is: 2.68 cfs * 1.98 af/day * 200 days = 1061 af.

The place of use does not include land in T1S, R22E, S.2. See Allen Merritts memo attached to the field report. The place of use recommendation has been adjusted slightly from the field report to reflect the combined use with 37-2676. The number of acres per tract may also differ slightly from the field report because I used the shape file digitized by SRBA staff for the place of use.

2. S. Keen 8/6/2002 Licensing Review Revised

Comment: Milford Sweat provided documentation showing that he may have diverted up to 4.0 cfs from the larger of the two wells during the late 1970s and into the 1980s. He claims to have had a 200 hp pump in place at the time. He replace it with a 125 hp pump to save money when he put much of his land into the federal CRP set-aside program.

It would be hard to verify the 4.0 cfs. Theoretically, he could have been pumping about 3.31 cfs with a dynamic lift of 372 feet under open discharge conditions. The figure of 372 feet comes from the 1977 well test report, which shows a discharge of 4.0 cfs at that level. It does not say what size pump and motor were employed. By my rough calculation, it would take about 250 hp to reach 4.0 cfs with a pumping level of 372 feet. (Note that the right holder stated that he had a 250 hp pump when he submitted his proof of beneficial use form in 1993.)

Dates and Other Information:

Licensed Date: 8/26/2002

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector: And/Or

Water District Number: 37U

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 3.5

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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 37-07620

(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 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.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

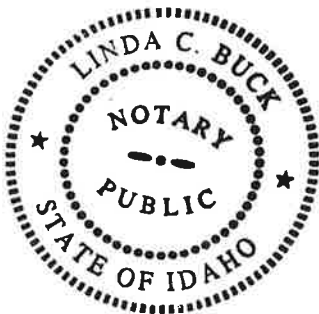
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Cam G. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

October 10, 2002
Linda C. Buck



Linda C. Buck
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

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:

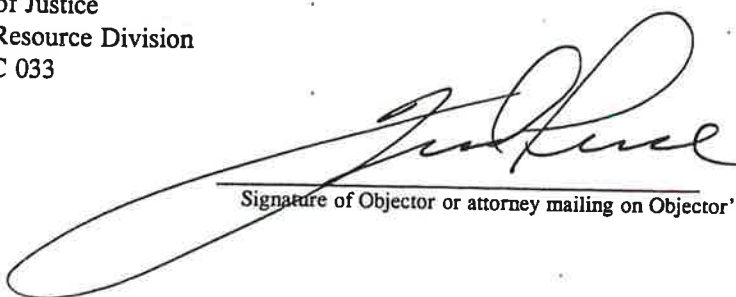
Name: Milford Sweat
Address: PO Box 234; Carey, ID 83320
Name: Catherine Sweat
Address: PO Box 234; Carey, ID 83320
Name:
Address: ;
Name:
Address: ;

3. Copies to:

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

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

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



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: 37-7620
NAME AND ADDRESS: MILFORD SWEAT
PO BOX 234
CAREY ID 83320
CATHERINE 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: 7.000 CFS

PRIORITY DATE: 06/02/1977

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	04/01 11/01	7.000 CFS
IRRIGATION STORAGE	01/01 12/31	700.00 AFY
IRRIGATION FROM STORAGE	04/01 11/01	700.00 AFY
DIVERSION TO STORAGE	01/01 12/31	7.000 CFS

PLACE OF USE: IRRIGATION FROM STORAGE Within BLAINE County

T01S R22E S03	SESW ✓ 13.0	T01S R22E S10	SENE ✓ 15.0
T01S R22E S10	NENW ✓ 24.0	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
<u>T01S R22E S10</u>	<u>SESE ✓ 12.0</u>	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		

356.4 ACRES TOTAL

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

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

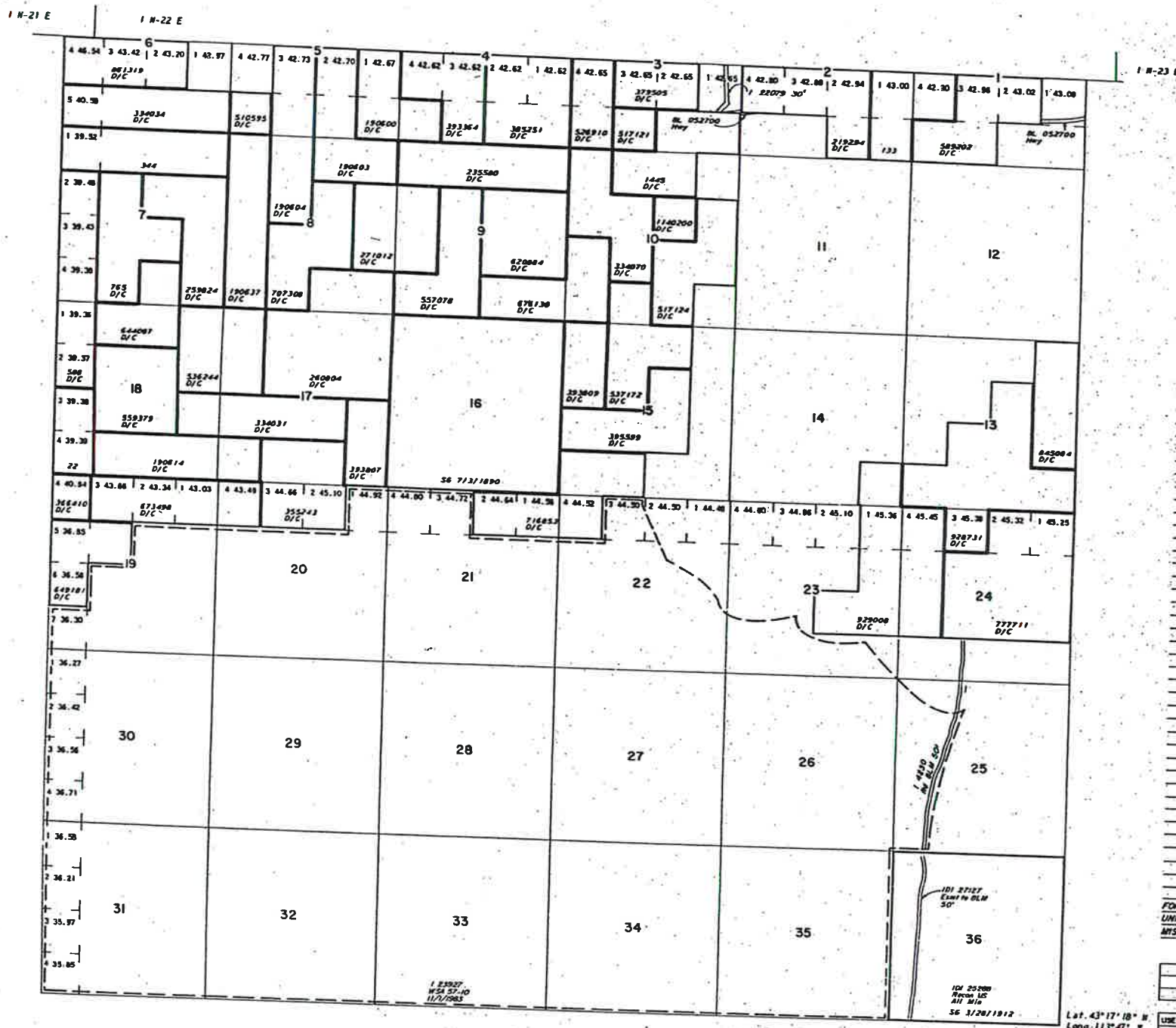
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

BLAINE COUNTY 013
SHOSHONE DISTRICT SEC 3

MT PLAT

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

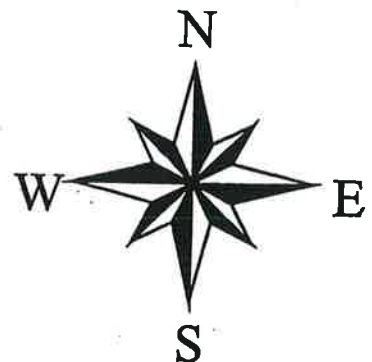
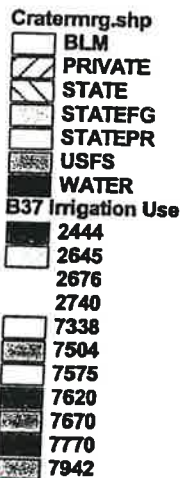
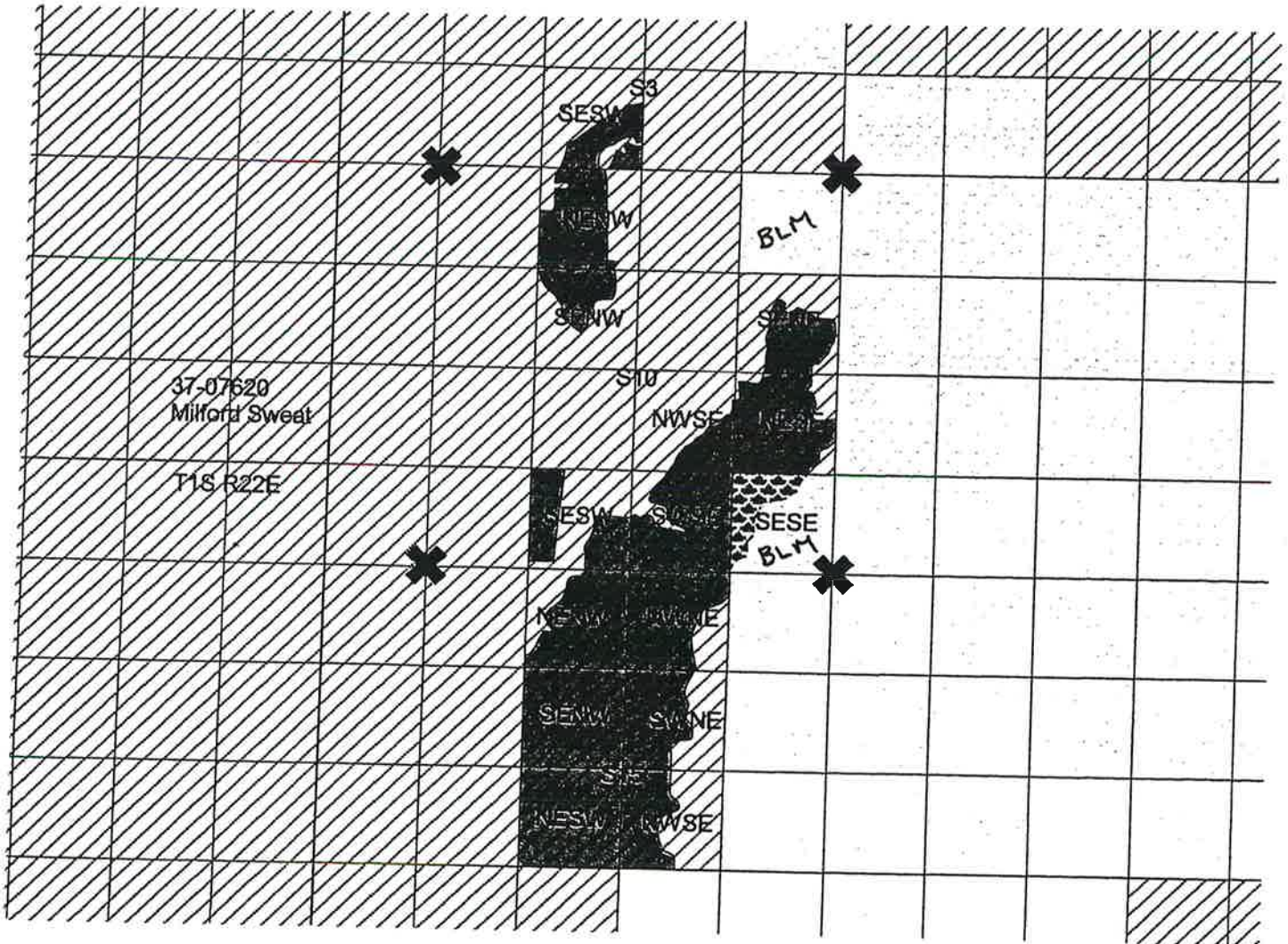
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WARNING STATEMENT

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37-07620



06/22/2002

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

RIGHT NUMBER: 37-7620
NAME AND ADDRESS: MILFORD SWEAT
PO BOX 234
CAREY ID 83320

CATHERINE SWEAT
PO BOX 234
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 7.000 CFS

PRIORITY DATE: 06/02/1977

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 STORAGE	1/01 12/31	700.00 AFY
IRRIGATION FROM STORAGE	4/01 11/01	7.000 CFS
DIVERSION TO STORAGE	1/01 12/31	7.000 CFS

PLACE OF USE: IRRIGATION FROM STORAGE Within BLAINE County

T01S R22E S03	SESW	13.0	T01S R22E S10	SENE	15.0
T01S R22E S10	NENW	24.0	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			

356.4 ACRES TOTAL

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS. 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 - Permit

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 37-7620

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.

06/17/2002

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

RIGHT NUMBER: 37-7620

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

CATHERINE SWEAT
PO BOX 234
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 7.00 CFS

PRIORITY DATE: 06/02/1977

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

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 STORAGE	1/01 12/31	700.00 AFY
IRRIGATION FROM STORAGE	4/01 11/01	7.000 CFS
DIVERSION TO STORAGE	1/01 12/31	7.000 CFS

PLACE OF USE:

IRRIGATION FROM STORAGE Within BLAINE County

T01S R22E S03	SESW	13.0	T01S R22E S10	SENE	15.0
T01S R22E S10	NENW	24.0	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			

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE
DIVERSION TO STORAGE same as IRRIGATION FROM
STORAGE

560 ACRES TOTAL

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

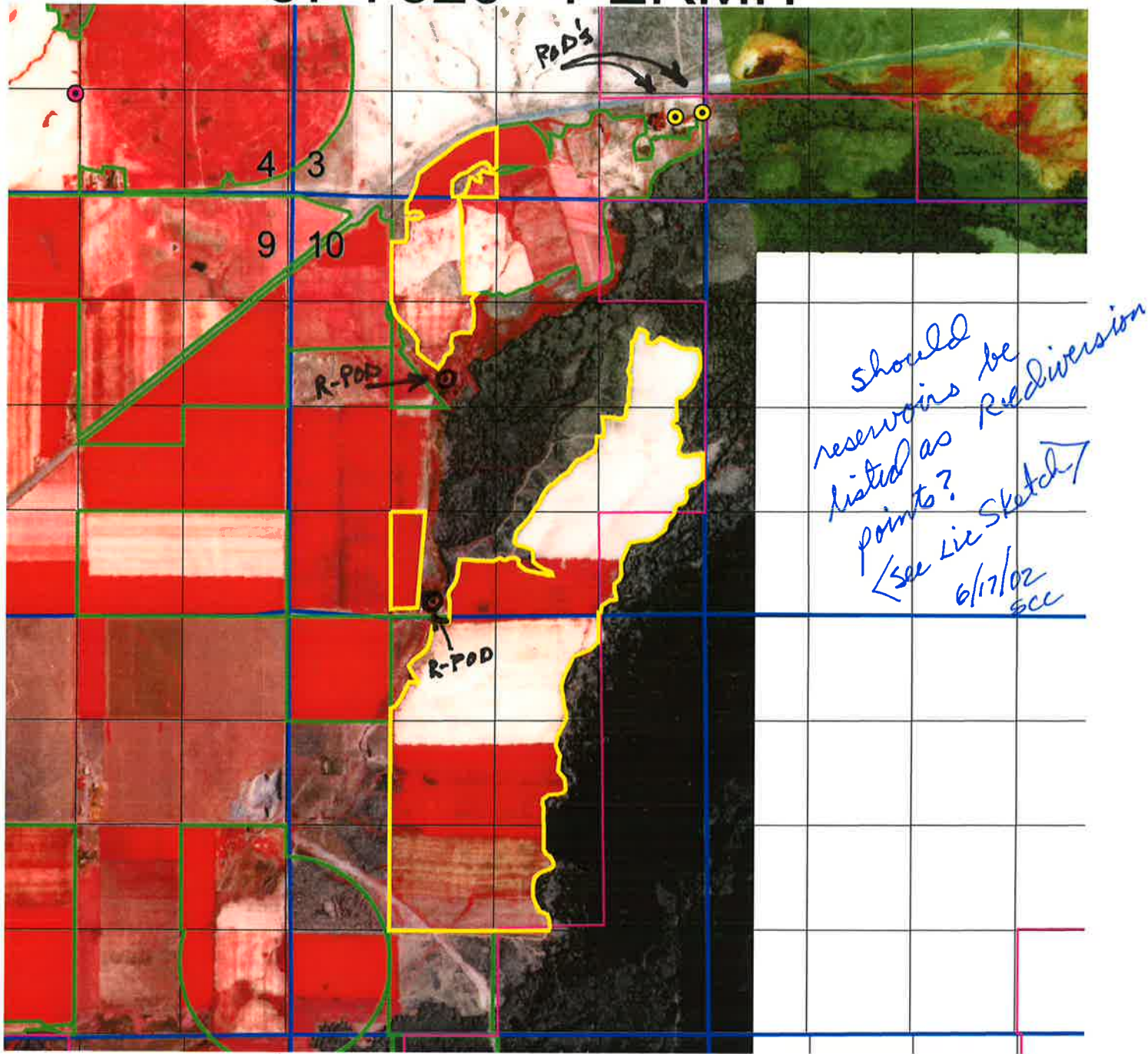
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Permit

*Draft POE
matches G15
shape*

IDAHO DEPT OF WATER RESOURCES

37-7620 - PERMIT



1320 0 1320 Feet



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

*Saved as layout
6/17/02
SCC*

DRAFT POU

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



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

Date: JUNE 17, 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 = 25A.
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	(allows 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	4	—	—	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.
- * PERMIT Rec'd IS SUGGESTED OVERLAP REVIEW — COPY TO PERMIT FILE. (= 25Ac.)
- * GIS AC. Rounded. (92.4 Ac + 357.6 Ac. = 450Ac)

No Service
from
wells

4 3

9 10

12.5

26.2

18.9

36.4

32.5

2.6
BLM

11.7

15

32.3

9.4

34.1

12

10.8

8.1

16 15

?

36.7

31.5

39.8

28.6

39.7

18.9

21 22

DRAFT GIS
ACRES
6/14/02
SCL

North parcel:
= 141 AC.

South Parcel:
= 306 AC.

* TOTAL AC = 447

37-2676
37-7620

37-2676 & 37-7620

6/14/02 SCC

BLM overlaps:

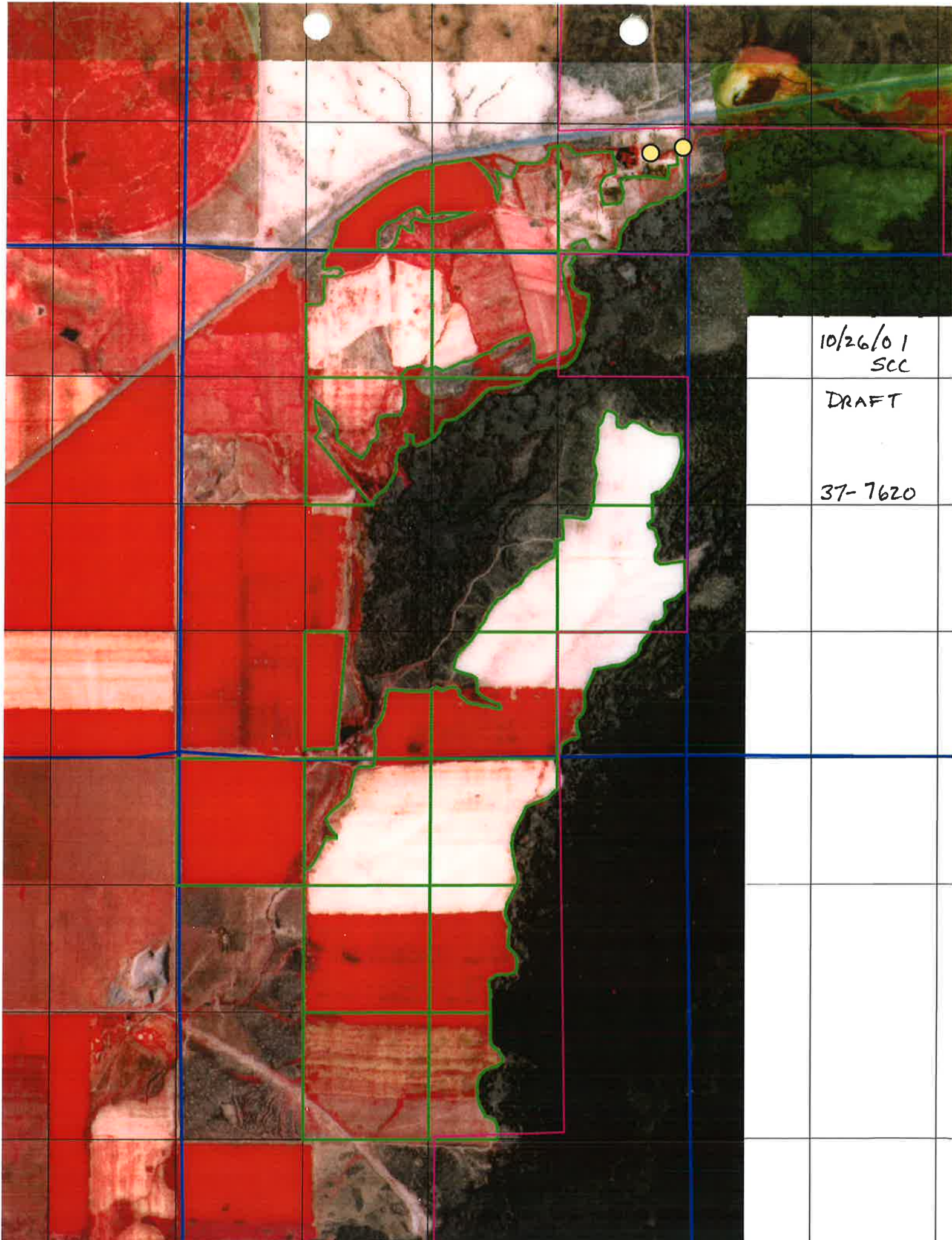
IS 22 E S 10 NENE

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

S 10	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 POY may be BLM but exact details of situation are not known. Since last field examiner (Folsom) shows it as POY so will this recommendation. It has been found to be irrigated by all appearances.



37- 743 (overclaimed ^{743 Sweet} 743A Purdue) 100% overlap w/ -7620

37- 732 (Huff Cr.) 100% overlap w/ -7620

37- 2777 (HUFF CR.)

~~37-2124~~ → <SUPERCEDED BY DECREE>
<NO AJ CLAIM. SEE 37-743>

GW ✓ 37- 2676 (sm. well ^{POD} (west)) A0004605

~~37-7618~~ (PERMIT Lapsed) (NO AJ CLAIM.)

GW ✓ 37- 7620 (Big well - east) A0004606
STORAGE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 28 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-07620

1. Owner: Milford & Catherine Sweat Phone No. 208-823-4451

Current Address: PO Box 234 Carey ID 83320

2. Accompanied by: Brian Wood EXAM DATE: August 14, 2000

Address: _____ Phone No. _____

Relationship to Permit Holder: Grandson

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-02777; -00732; -02676; -00757;
37-02765
2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	3	01S	22E	Blaine	GPS TAG #s
									A0004806
									A0004805

2. Place(s) of Use:

Indicate Method of Determination GIS

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	22E	2									7.3			1.1	16.7	7.7			32.8
		3												14.6			23.7	7.6	45.9
		10	2.4	31.5		15.2	35.7			11			19.9	32.4	9.5	36.1	12.4		206.1
		15		31.4	23.5		31			39.2	39.7				19.3				184.1
																			468.9

Copy from
LIC. EXAM

6/14/02
scc

(AL) = BLM LANDS

E. NARRATIVE/REMARKS/COMMENTS

FILE: 37-07620

FROM: Amanda Folsom

DATE: November 21, 2000

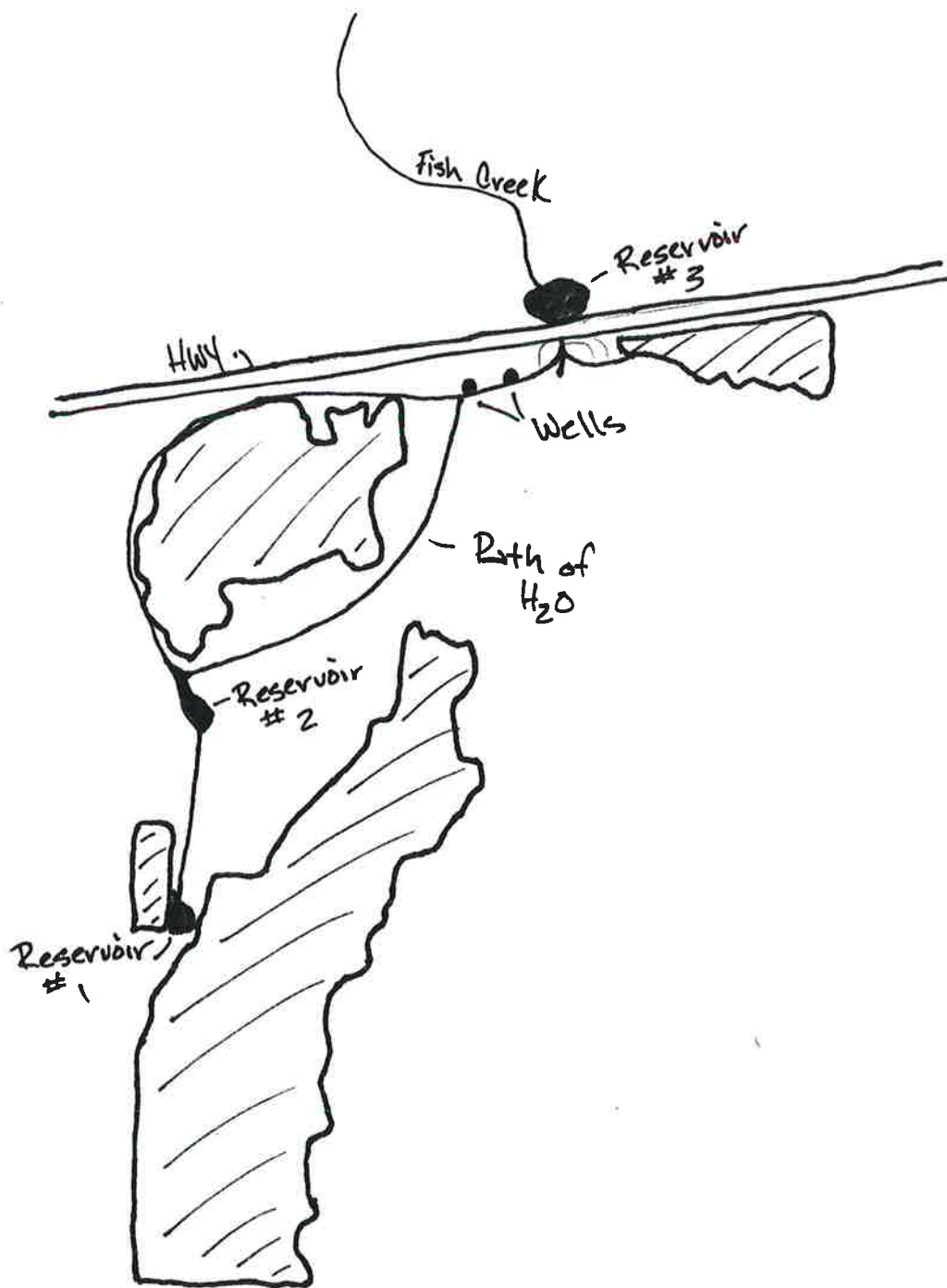
I met with Milford and Catherine Sweat on August 14, 2000. Milford owns the land and wells, however, his grandson helps manage the property. This permit is for two wells that pump open discharge into a creek, which flows down into two large reservoirs. From the reservoirs, the water is pump onto the acres being irrigated. Brian Wood is the name of the Sweat's grandson, and he assisted me with the exam.

The Sweats have several other water rights, which regard Fish and Huff Creek. I listed all these water rights on the Beneficial Report form. The water begins its travel at Fish Creek up in the hills and flows down to what I labeled as Reservoir #3. The water then passes under the highway into a creek that flows past the two wells, which pump open discharge into the creek. The creek forks and the water can either flow parallel to the highway or along the edge of the lava bed. The creek comes together again at Reservoir #2. From this reservoir the water travels south to Reservoir #1 where it is pump with a booster pump and applied to the fields in that area. The Sweats use hand lines and wheel lines for their irrigation.

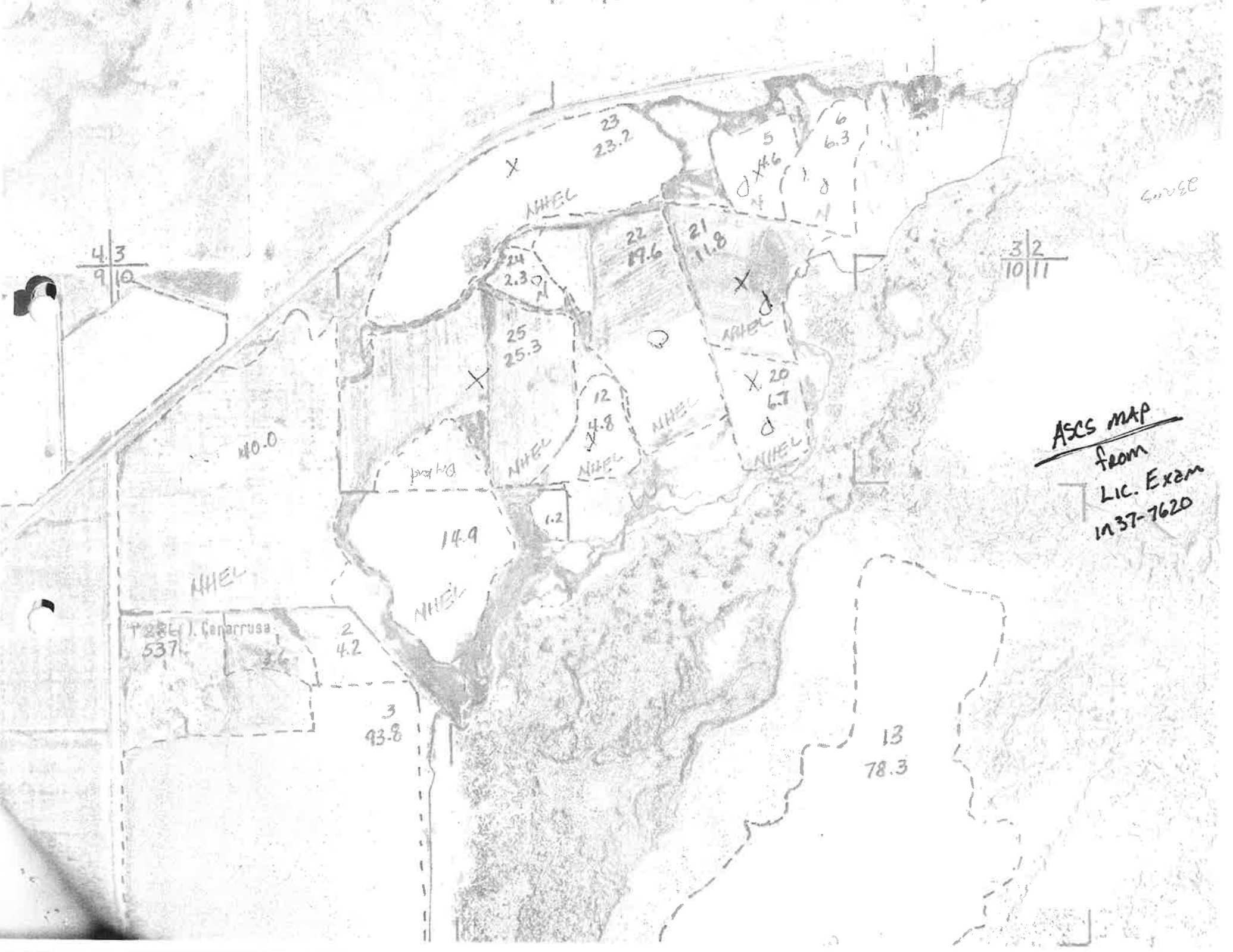
Gregg Moody from the Water Measurement Program took recorded measurements of the two wells this year. I used his documented measurements for my calculations, and included his records with my report. I calculated the system capacity for the two wells to be 2.68cfs. I used GIS to calculate the holding capacity of the two reservoirs, which came to 25.5af.

My recommendation is as follows:

Irrigation	2.68cfs	1142.9afa
Irrigation Storage		25.5af
Irrg. From Storage	1.60cfs	25.5af
Diversion to Storage	2.68cfs	
Total	2.68cfs	1193.9afa



37-07620



ASCS map
from
Lic. Exam
1037-7620