

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: A37-08203
Date Received: 2/27/1989
Receipt No: C002994
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLOWER'S MILL SUBDIVISION ASSN. INC.
Address: 109 FIR DR.
KETCHUM, ID 83340

2. Date of Priority: FEB 05, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	1	NW	SE	NW		BLAINE

5. Description of diverting works:
WELLS & PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.460		
DOMESTIC	01/01	12/31	0.150		
FIRE PROTECTION	01/01	12/31	1.500		

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

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

9. Non-irrigation uses:
D & F/10 HOUSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	1	SE	NW		IRR	23.0

A37-08203

Page 1

Date: 02/27/89

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FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	17E	1	SE		NW		DOMEST	
			SE		NW		FIRE	
			NE		SW		IRR	7.0
			NE		SW		DOMEST	
			NE		SW		FIRE	
						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? NO

13. Other Water Rights Used:
NONE

14. Remarks:

2 P/D IN SENW, S1, T4N, R17E.

CLAIMANT IS HOMEOWNERS ASSOCIATION PROVIDING WATER TO ITS MEMBER HOMEOWNERS. AUTHORITY TO CLAIM THIS WATER RIGHT ARISES BY TERMS OF THAT SUPPLEMENTAL TO AND RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF FLOWERS'S MILL SUBDIVISION RECORDED SEPTEMBER 29, 1987, AS INSTRUMENT NO. 288329, RECORDS OF BLAINE COUNTY, IDAHO, AS AMENDED.

15. Basis of Claim: PERMIT

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FEB 24 1993

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____,
Organization
document in the space below as _____ of
_____,
Title
and that the statements contained in the
_____,
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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: ³⁹³⁵⁶
Ident. Number 37-8203 A37-08203
Date Received _____
Receipt Number COO 2994

RECEIVED
OCT 20 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Flower's Mill Subdivision Assn., Inc. Phone () _____
Mailing Address 109 Fir Drive, Ketchum, Idaho Zip 83340
2. Date of Priority (Only one (1) per claim) February 5, 1985
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 4N Range 17E Section 1,
NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Blaine
Additional points of diversion if any: Two points of diversion at same location.
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Two wells and pumps.

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Copies: White-State, Yellow-Claimant
FEB 24 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan. 1 to Dec. 31 amount 0.15 or _____

For Irrigation purposes from Apr. 1 to Oct. 15 amount 0.46 or _____

For Fire Protection purposes from Jan. 1 to Dec. 31 amount 1.5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.11 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic use and fire protection for ten households

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	17E	1								23 D,F	7 D,F								

Total number of acres irrigated 30

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: Claimant is homeowners association providing water to its member homeowners.
Authority to claim this water right arises by terms of that Supplemental to and
Restatement of Declaration of Covenants, Conditions and Restrictions of Flower's Mill
Subdivision recorded September 29, 1987, as Instrument No. 288329, records of Blaine
County, Idaho, as amended.

Last Name _____ Ident No. _____

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Copies: White -State, Yellow-Claimant
FEB 24 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 37-8203

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President

Title

of Flower's Mill Subdivision Association, Inc., that I have signed the foregoing

Organization

document in the space below as President of Flower's Mill Subdivision Assn., Inc.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization President Date 10/13/88

State of Idaho or _____)

County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 13th day of October 19 88

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

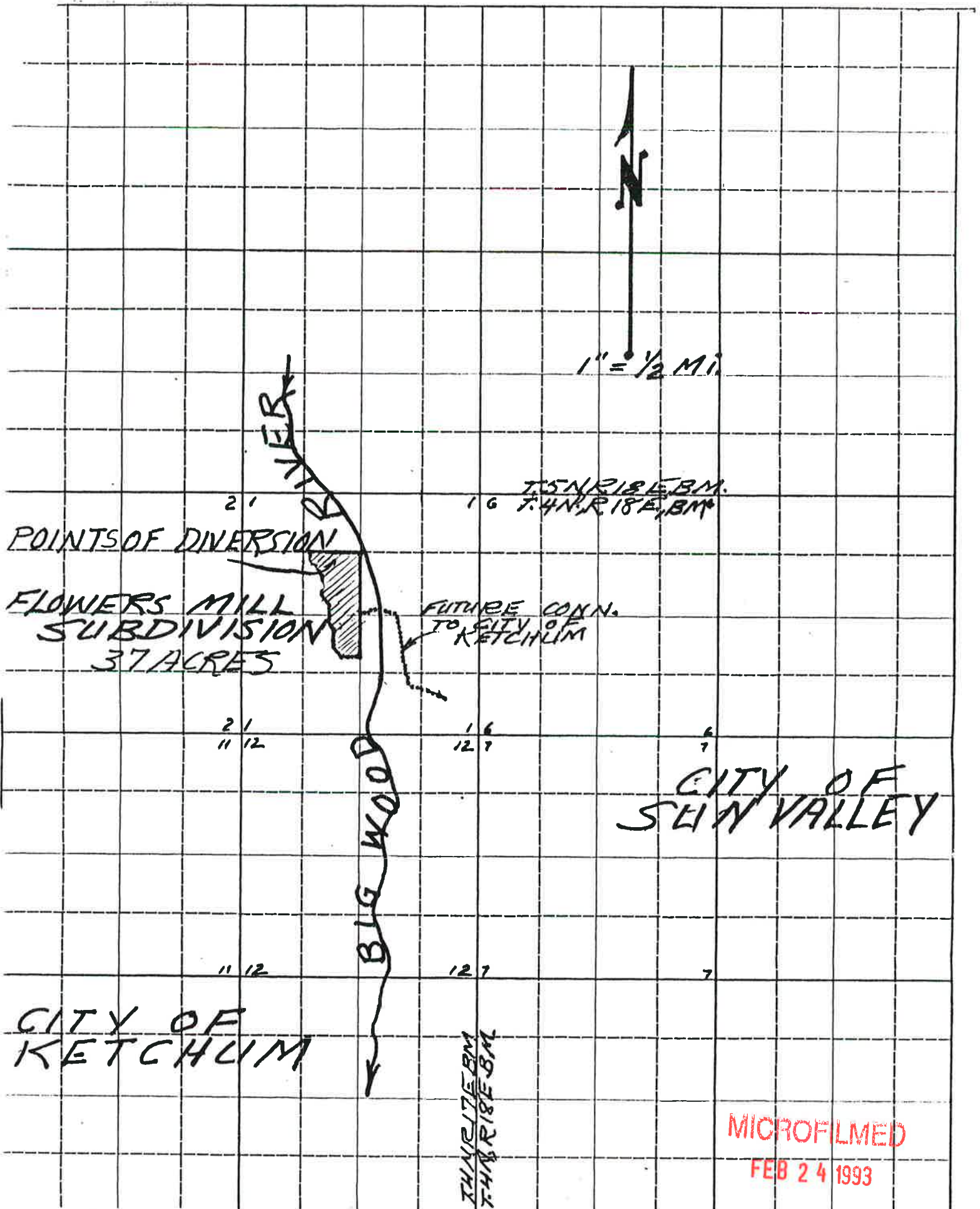
Date _____

Last Name _____ Ident. Number _____

MICROFILMED

Copies White-State, Yellow-Claimant
FEB 24 1993

Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
02 1A
00043106
MAILED FROM

RECEIVED
NOV 27 2006
DEPARTMENT OF
WATER RESOURCES

Bx 19



NO STREET DELIVERY
PLEASE HELP US GIVE YOU BETTER
PO BOX REQUIRED

37-8203

FLOWERS MILL SUBD ASSN
109 FIR DR
KETCHUM ID 83340

12/29/2006

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

RIGHT NUMBER: 37-8203

NAME AND ADDRESS: FLOWERS MILL SUBDIVISION ASSN INC
PO BOX 5921
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.110 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 02/05/1985

POINT OF DIVERSION:

T04N R17E S1 NESENW Within BLAINE County

T04N R17E S1 NESENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	01/01 12/31	1.500 CFS
DOMESTIC	01/01 12/31	0.150 CFS
IRRIGATION	04/15 10/31	0.460 CFS

Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

Irrigation use under this right is authorized only in connection with a domestic use.

PLACE OF USE:

IRRIGATION in BLAINE County

T04N R17E S01	SENW	23.00	T04N R17E S01	NESW	7.00
---------------	------	-------	---------------	------	------

DOMESTIC in BLAINE County

T04N R17E S01	SENW	T04N R17E S01	NESW
---------------	------	---------------	------

FIRE PROTECTION in BLAINE County

T04N R17E S01	SENW	T04N R17E S01	NESW
---------------	------	---------------	------

30 ACRES TOTAL

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

12/29/2006

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

The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

Domestic use is for 9 homes and does not include lawn, garden, landscape, or other types of irrigation.

The irrigation occurring under this right shall not exceed three acres for each subdivision lot upon which a home has been constructed. Where multiple homes have been constructed on a single lot, irrigation under this right is limited to three acres on that lot regardless of the number of homes on the lot. Where a single home is associated with multiple lots, no more than three acres shall be irrigated under this right regardless of the number of lots. This right does not provide for the irrigation of common areas.

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.

Place of use is located within Lots 1-10, Flowers Mill Subdivision.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

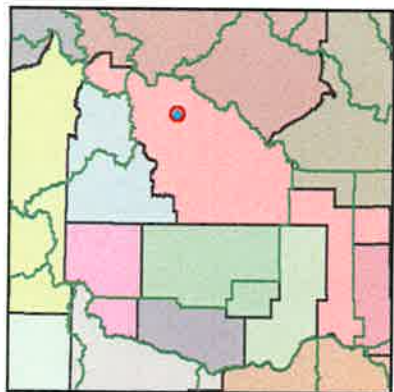
SRBA Recommendation:

37-8203

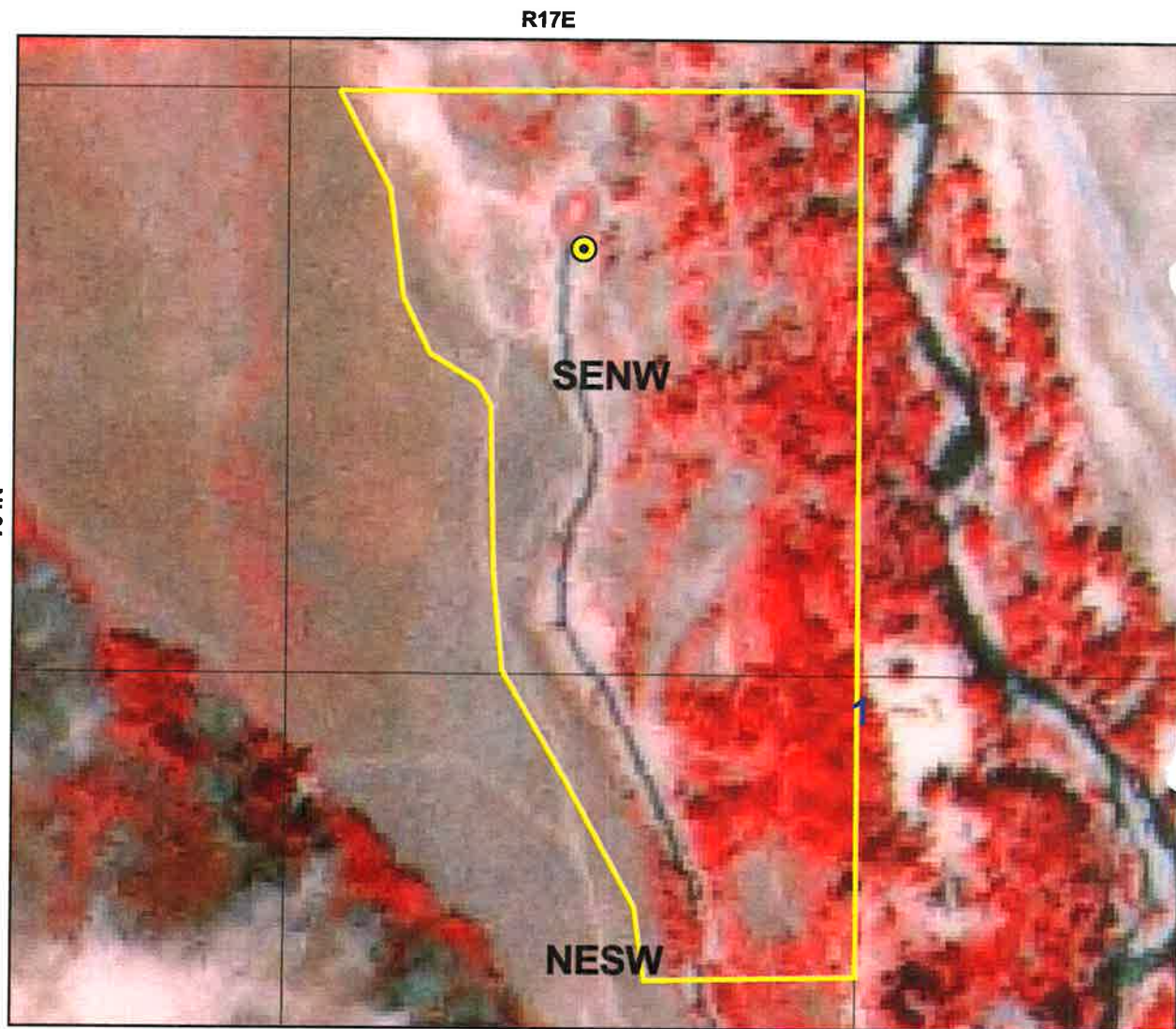
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0

0.2

0.4 Miles



Prepared by C. Clark
On Friday, December 29, 2006
1987/88 Aerial Photography

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

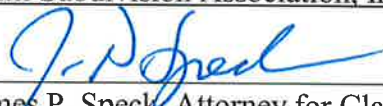
NOTICE OF CHANGE IN ADDRESS

☐ Water Right Number(s): 37-8203

☐ Old Mailing Address: Flowers Mill Subdivision Association, Inc.
109 Fir Drive
Ketchum, Idaho 83340

☐ New Mailing Address: Post Office Box 5921
Ketchum, Idaho 83340

☐ New Telephone Number: _____

☐ Signature of Claimant(s): Flowers Mill Subdivision Association, Inc.
By 
James P. Speck, Attorney for Claimant
Date: 12-15-06

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:

12/12/06

By:

CAE

OF IDAHO
TMENT OF WATER RESOURCES
more Street, Suite 200
s, Idaho 83301-3380

SERVICE REQUESTED

37-8203

Nick



FLOWERS MILL SUBDIVISION ASSN
109 FIR DR
KETCHUM ID 83340

RECEIVED

SEP 20 2004

Department of Water Resources
Southern Region



RECEIVED

OCT 20 1988

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701
October 19, 1988

Department of Water Resources

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SQUYRES, JR.
THOMAS R. LINVILLE
RICHARD A. RILEY
JAMES J. DAVIS
JOSEPH H. UBERUAGA II
T. A. BANDUCCI
JOHN MICHAEL BRASSEY
ROBERT L. BERLIN
SCOTT D. HESS
BRADLEY G. ANDREWS
KATHY PERKINS BROOKS
WILLIAM A. FUHRMAN
RICHARD K. LIERZ
NEIL D. MCFEELEY
STEPHEN A. BRADBURY

Department of Water Resources
250 West State
Boise, Idaho 83720

RE: Permit No. 37-8203

Gentlemen:

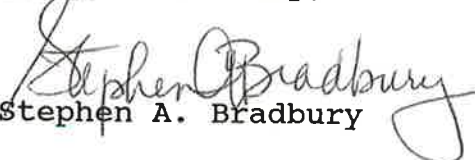
Enclosed please find the following materials
respecting Permit No. 37-8203:

1. Assignment of Permit; -
2. Proof of Beneficial Use; 150-
3. Notice of Claim to a Water Right 95~
Acquired Under State Law; 29+
4. This firm's check in the amount of \$380. 245

Please note that Permit No. 37-8203 is being
assigned by Winn Management Corporation to Flower's Mill
Subdivision Association, Inc. That association is filing its
Proof of Beneficial Use along with the license examination fee
of \$150 and a Notice of Claim to a Water Right along with a
filing fee of \$230.

I trust that these materials are self-explanatory
and sufficient for their intended purpose. If, however, you
detect any error in the content of these documents or our
procedure in filing them, please contact me at your earliest
convenience.

Yours very truly,


Stephen A. Bradbury

SAB/rah
Encl.

cc: Diane Cetera
Stephanie Telesco

MICROFILMED
FEB 24 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 16, 1989

Mr. Stephen A. Bradbury
Eberle, Berlin, Kading and Turnbow and Gillespie
P. O. Box 1368
Boise, ID 83701

RE: Snake River Basin Adjudication
Flower's Mill - A37-08203

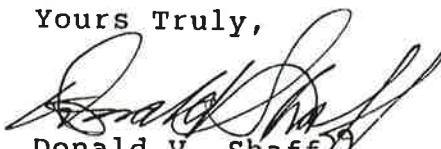
Dear Mr. Bradbury:

You will find enclosed a receipt for the payment of the adjudication fees and proof due fees for this water right. You will note an overpayment of \$135.00. Under separate cover you will receive a refund from the Idaho Auditor's Office.

The adjudication fees were calculated based on the \$50.00 flat fee, plus \$30.00 for the irrigation at \$1.00 per acre plus \$15.00 for the domestic use at \$100.00 per cfs for a total of \$95.00. There is no filing fee for the fire protection use.

Thank you for the clear and complete Notice of Claim you submitted for your clients. If you have any questions about this matter, please feel free to contact me.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures
Rec. #C002994

MICROFILMED
FEB 24 1993

SD-33 LAST NAME: FLO A37-08203
 S O STATE
 E W WATER
 L N RIGHT NO. PRIORITY
 SOURCE TOTAL
 DIVERSION USE
 CODE DESC

FLOWER	FIRST NAME	WATER RIGHT NO.	PRIORITY DATE	SOURCE	TOTAL DIVERSION	USE CODE	DESC
	CARLA	C A27-10528	04/15/1908	GROUNDWATER	0.040	43	DOMEST
	OSCAR E.	C A63-07320	04/07/1970	GROUNDWATER	0.220	04	STOCK
	DUAYNE	C A65-01121	02/07/1969	GROUNDWATER	0.040	43	DOMEST
	BETTY	C A65-01121	02/07/1969	GROUNDWATER	0.040	43	DOMEST
	WILBUR D.	C A63-21971	05/27/1974	GROUNDWATER	0.040	43	DOMEST
	IRMA E.	C A63-21971	05/27/1974	GROUNDWATER	0.040	43	DOMEST
FLOWER'S MILL SUBDIVISION ASSN. INC.							
		C A37-08203	02/05/1985	GROUNDWATER	2.110	01	IRR
						43	DOMEST
						49	FIRE
FLOWERS							
	JEANNE P.	C A37-02165	11/26/1909	ADAMS GULCH	1.200	01	IRR
						43	DOMEST
	JEANNE P.	C A37-11304	01/01/1940	GROUNDWATER	0.080	43	DOMEST

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

12-28-90

For use in permanent file.

Staci White
 State Office

MICROFILMED
 FEB 24 1993

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 12/28/90
Time: 09:21:53

Rec/No - C002994 AR/No -
From: - EBERLE, BERLIN, KADING

Receipt Type - CK Doc/No - 29107
Remarks -

REFUNDED 135.00

Receipt Date: 10/21/1988

Type Of Payment
ADJUDICATION FEE
PROOF FEE
OVERPAYMENT

Program	Acct	Class	Fee
410162	9337	6490	95.00
640122	1238	6490	150.00
410162	9337	6490	135.00

Total Due - 380.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A3708203	95.00				

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

MICROFILMED
FEB 24 1993