

RECEIVED

MAR 31 2004

Department of the Interior
Bureau of Reclamation
Southern Region
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 37-21287
Date Received: 3/31/2004
Receipt No: 502646
Received By: D Jones

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JENNIFER J CLARK Phone: (208)764-2507

PO BOX 428
FAIRFIELD ID USA 83327

BRIAN CLARK Phone: (208)764-2507

PO BOX 428
FAIRFIELD ID USA 83327

2. Date of Priority: 06/01/1886

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	14E	33	SE SE	CAMAS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.82	

7. Total Quantity Appropriated is:
0.82 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01S	14E	3	NE SW	IRRIGATION	10
			NW SW	IRRIGATION	18

SW	SW	IRRIGATION	1.2
SE	SW	IRRIGATION	12
		Section Acres	41.2
		Total Acres	41.2

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim part of 37-646. Place of use also know as Lots 1, 2, 9, 10, 11 of the Mountain View Acres Subdivision.

15. Basis of Claim: Decreed

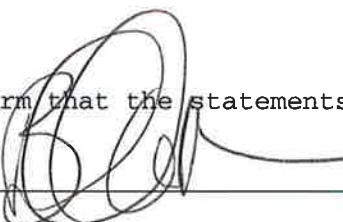
16. Signature(s)

(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:

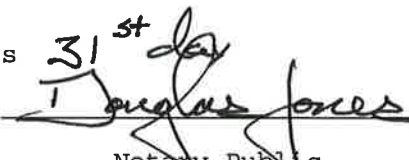
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 3-31-04

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 31st day of March

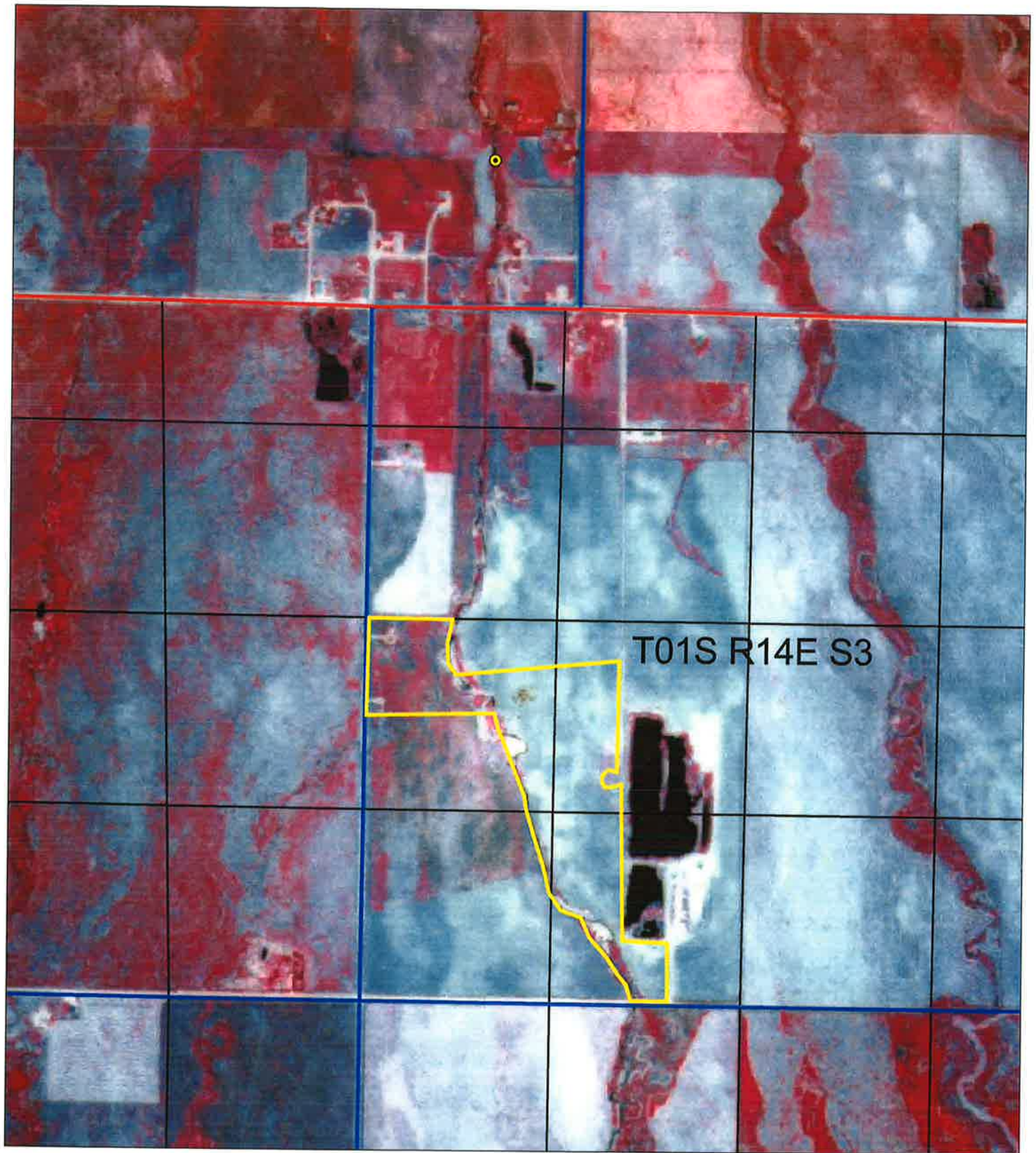



Notary Public

Residing at Buhl ID

My commission Expires 8/8/2007

IDAHO DEPARTMENT OF WATER RESOURCES



1320 0 1320 Feet



37-21287

3/31/04, D Jones

06/19/2006

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

RIGHT NUMBER: 37-21287
NAME AND ADDRESS: JENNIFER J CLARK
PO BOX 428
FAIRFIELD ID 83327

BRIAN CLARK
PO BOX 428
FAIRFIELD ID 83327

SOURCE: SOLDIER CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 0.160 CFS
PRIORITY DATE: 06/01/1886
POINT OF DIVERSION:

T01N R14E S33 NESESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.160 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01S R14E S03 NWSW 8.00

8 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: BASIS OF CLAIM - Decreed



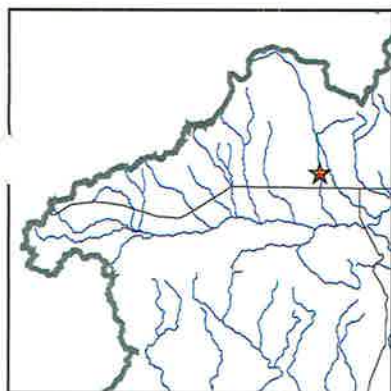
Idaho Department of Water Resources

SRBA Recommendation:

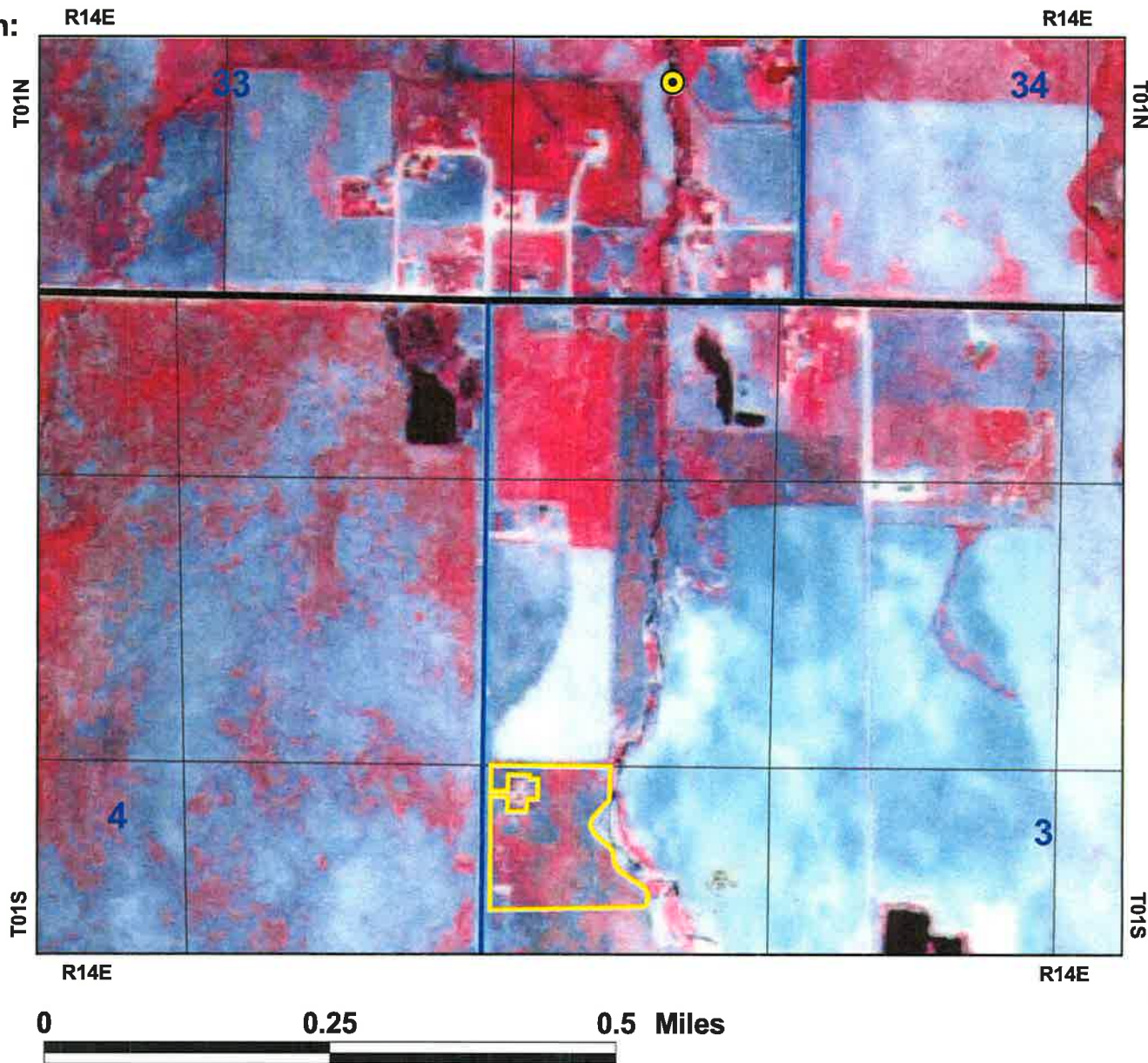
37-21287

Legend

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



Camas County
IDWR Basin 37



Prepared by M. Anders
On Monday, June 19, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-21287

Background Data

- Source is Soldier Creek tributary to Camas Creek
- A priority date search indicates:
 - 37-646 originally decreed for 3.2 cfs on 4 QQ
 - 37-21287 claimed for 0.82 cfs for irrigation of 41 acres
 - 37-21779 claimed for 0.14 cfs for irrigation of 4.8 acres

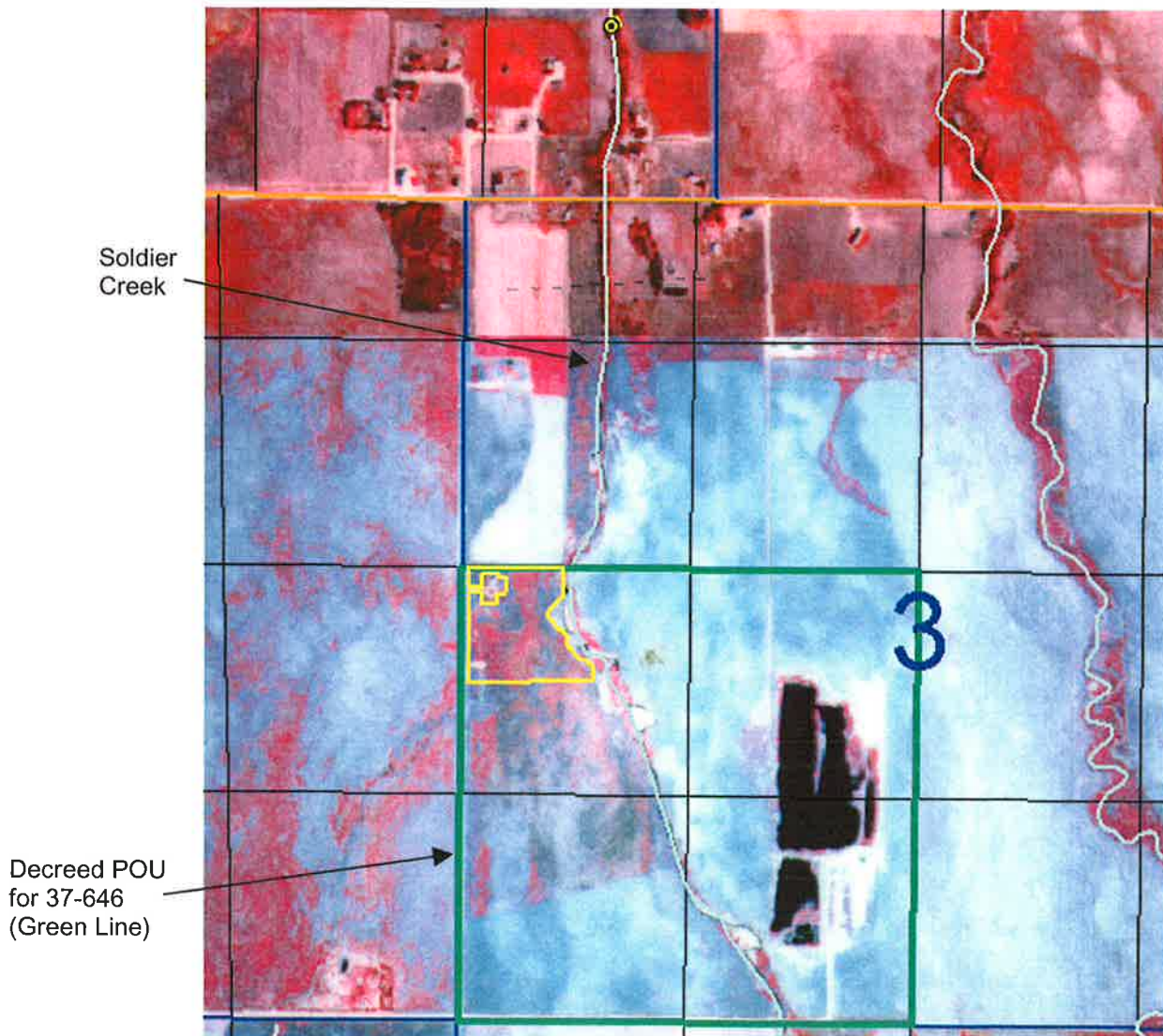
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



$$\begin{array}{r} \text{Late/obj Right} \\ \text{FOX 37-21779} \\ \hline = 0.20 \\ 0.82 \\ 0.14 \\ \hline \text{Total: 1.16 cfs} \end{array}$$

Notes

T1S R14E Section 3

- Found 8 acres. POU & POD based on claim filed 3/31/2004.
- 4/06 – Talked with Doug Jones. Transfer No. 71197 is pending for this claim. Doug said that the transfer involves changes that occurred after 1987, so we should proceed with the SRBA review and make a recommendation. The transfer will be evaluated later.
- The portion of the claimed POU west of Soldier Creek appears irrigated at the time of the 1987 aerial photo. Portion of claimed POU east of Soldier Creek was not irrigated at the time of the 1987 aerial photo, looks like it might be cultivated in the 1992 aerial photo, and it not irrigated in the 2004 aerial photo. Parallel lines on the portion of the POU east of Soldier Creek when you zoom into the 1992 aerial photo indicate cultivation, but there is no evidence of irrigation such as a distribution system.
- 6/16/06 – Talked with Sally and Ken Stephens, the former owners. The Stephens said that the SW quarter of Section 3 was farmed and watered with 37-646 until 1978, when it was subdivided into 5-10 acre parcels. They have not done any irrigation on the land since 1978, but they are unsure if the owners of the parcels they sold have irrigated with 37-646.
- Decided to recommend only the portion of the POU on the west side of Soldier Creek for 0.16 cfs for Irrigation of 8 acres.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-646

WATER RIGHT NUMBER: 37-646

Owner Type Name and Address
 Current Owner LESTER STOTT
 , ZZ

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

Source Tributary
 SOLDIER CREEK CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion
 SOLDIER CREEK

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	14E	3									X	X	X	X					

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-646

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

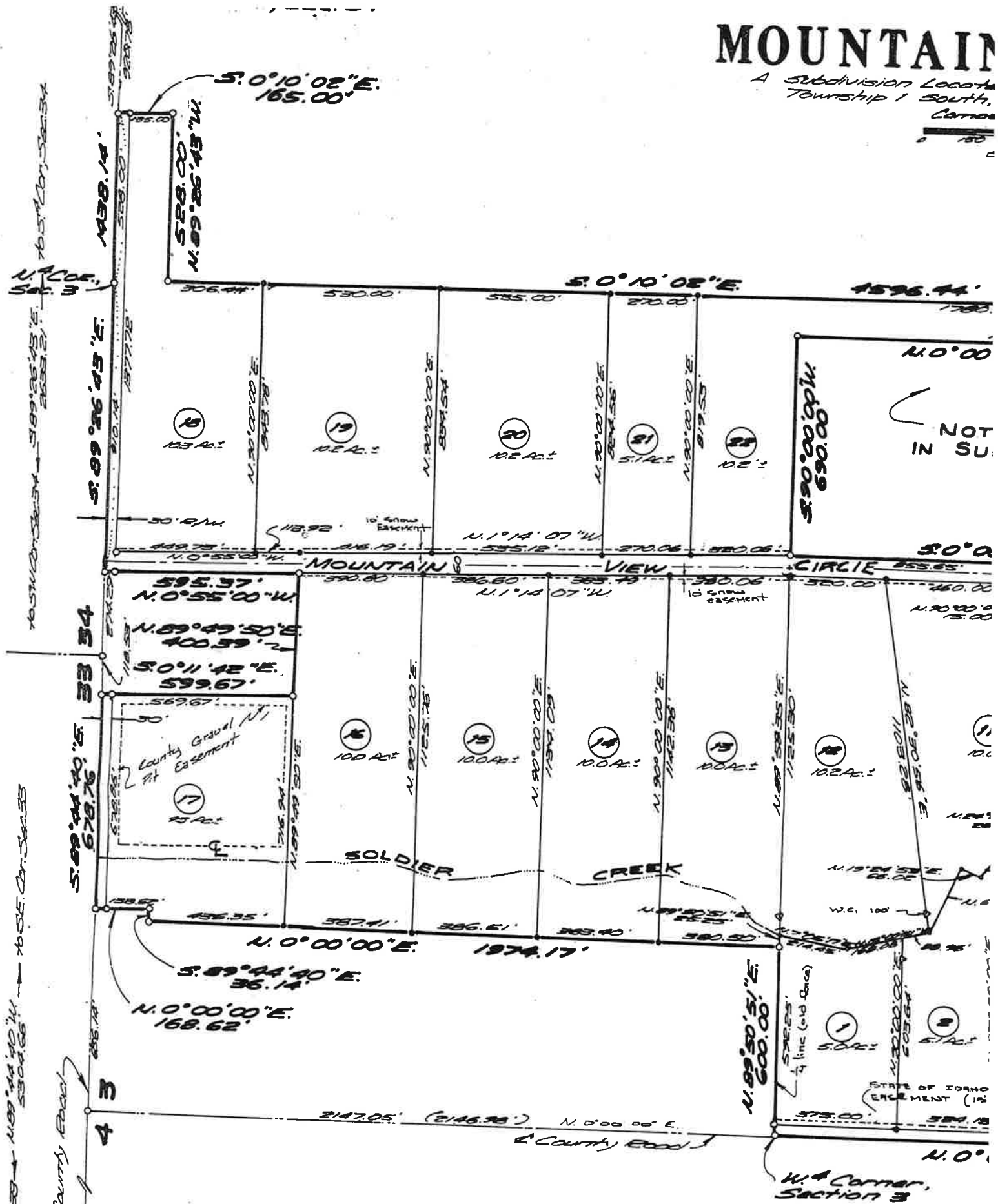
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

MOUNTAIN

A Subdivision Locata
Township 1 South,
Canon

150



LEGEND

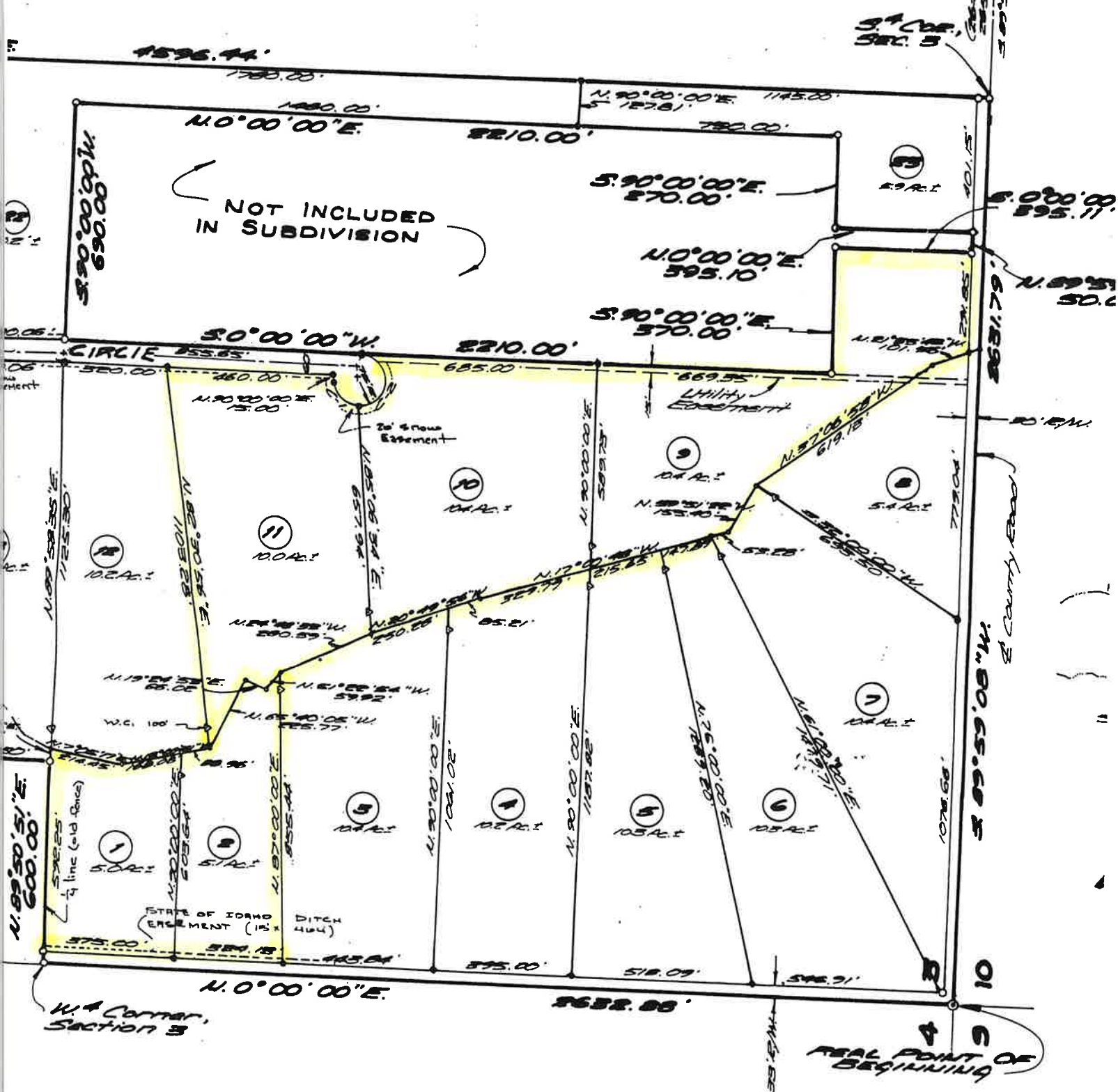
- 1/2" Rebar set
- 3/8" Rebar set
- 2" Iron Pipe w/ Cross Cap set
- 1/2" Rebar set (Witness Corner 50')
- Subdivision Boundary
- Approximate Centerline of Soldier Creek
- Section Line
- ⑭ Lot Number
- (2146.8') Record Measurement (94.0')
- Angle Point
- + 3/4" Rebar set

150

MOUNTAIN VIEW ACRES

A Subdivision Located in a Portion of Section 3,
Township 1 South, Range 14 East of the E.M.,
Cass County, Idaho

1979
SCALE IN FEET



CURVE DATA

CURVE	E	D	T	L	Ch. L.	Ch. B.
C-1	75.00'	90°00'00"	75.00'	178.1'	106.07'	N. 45°00'00" E.
C-2	75.00'	120°00'00"	75.00'	225.12'	150.00'	N. 90°00'00" W.

NOTES

- 1.) 7' a public county to build an embankment which a Soldier strip a wide a line of Mountain
- 2.) Power underground

SAK