



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

September 13, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Jim Peterson
Watermaster, Water District 37-0
Box 67
Carey, ID 83320

Re: Water Right No. 37-01048 and Snake River Basin Adjudication
Claims (SRBA)

Dear Jim:

Enclosed are computer printouts of the SRBA claims which you and Grant Ellsworth filed on decreed right no. 37-01048. Also included is a computer printout of right 37-01048 with information as originally decreed and recorded with the Department.

Your inspection of the attached printouts will verify that the place of use in the SRBA claims do not match the place of use as originally recorded. I suggest that you review ownership information or documents and work with Mr. Ellsworth or Mr. McCowan and determine who owns the appropriate lands and portions of right 37-01048. If the parties can agree on who owns the right or portions of the right, then the SRBA claims should be amended.

A separate letter is being sent to you and other water users regarding our meeting last week and your appointment as watermaster.

Sincerely,

A handwritten signature in cursive script that reads "Tim Luke".

Tim Luke
Water Allocations

cc: Gary McCowan

Water Right Number - A37-01048A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
ELLSWORTH GRANT
1 - BOX 246
2 -
3 -
City- CAREY
Phone - 208-788-3125
State- ID Zip- 83320

Priority Date - 04/01/1984
Region - 17 SOUTHERN
Stage - D - DECREED
Status -

Source - MULDOON CREEK
Tributary - LITTLE WOOD RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
02N	21E	3	SE SW NE		(13)	BLAINE		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		2.000	
Total Div. Rate - 2.000		Total Div. Volume -		Total Div. Capacity -		Total Consumptive Use - 3885.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
02N	20E	13	SW NE			01	IRRIGATION		(13) BLAINE

Diversion Means - DIVERSION DAM, HEADGATE, DITCH

Non-Irrigation Use - NONE

Other Rights for Same Use - A37-01139, 01005, 01051, 02247, 07006, 02007.

Remarks
THE LEGAL LAND DESCRIPTION FOR THE POU FOR THIS CLAIM IS THE
SAME AS FOR CLAIM NUMBER A37-01139. INCIDENTAL STOCK USE.

Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff - N. R. WOODWORTH ET. AL.
Decree Defendant - FRANK ANTHONY ET. AL., AMENDED
Decree Date - 00/00/0000

Audit Fields - 06/30/89 MERRITT

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

09/13/94 11:38:01
Page 1

Water Right Number - 37-01048

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
SMITHAM JAMES
1 -
2 -
3 -
City-
Phone - State- Zip-

Priority Date - 04/01/1884
Region - 17 SOUTHERN
D - DECREED
Stage -
Status -

Source - MULDOON CREEK
Tributary - LITTLE WOOD RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion
Diversion Name Diversion Rate Diversion No.

Code Description Period From Period To Water Use
Diversion Rate Diversion Volume

01 - IRRIGATION

Total Div. Rate - 2.000
Total Div. Volume - 2.000
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
02N	21E	8	SE SE				01	IRRIGATION	13 BLAINE
02N	21E	9	SW SW				01	IRRIGATION	13 BLAINE
02N	21E	17	NE NE				01	IRRIGATION	13 BLAINE
02N	21E	17	NW NE				01	IRRIGATION	13 BLAINE

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks
No Remarks found.

Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff - N. R. WOODWORTH ET. AL.
Decree Defendant - FRANK ANTHONY ET. AL., AMENDED
Decree Date - 11/10/1903

Water right number - 37-01048

Prefix Translation: WATER RIGHT

- - -Comments- -
No Comments Found

+ - - Audit Fields - 05/21/86 05/28/88 CONVERT

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

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protected Date	-	00/00/0000	Shan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	- P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	05/21/1986	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	- 370
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	11/10/1903	Name Connector	-		POU Ownership Flag	-
Presumption Flag	-						

Prefix Translation: ADJUDICATION CLAIM

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/21/1986	Old Judicial District	-
Claim Received Date	- 10/28/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 370
Licensed Date	- 00/00/0000	Receipt Number	- S003332	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Persumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

Water Right Number - A37-01048

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
MULDOON LIVESTOCK, INC.
Last Name - First Name - Address -

1 - BOX 67
2 -
3 -
City- CAREY
Phone - 208-823-4425
State- ID Zip- 83320

Priority Date - 04/01/1884
Region - 17 SOUTHERN
Stage - D - DECREED
Status -

Source - MULDOON CREEK
Tributary - LITTLE WOOD RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
02N	21E	3	SE SE SW			(13) BLAINE		
		10	SE SW NW			(13) BLAINE		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		2.000	

Total Div. Rate - 2.000
Total Div. Volume - 300.0
Total Div. Capacity -
Total Consumptive Use - KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
02N	21E	9	NE SW		4.0		01	IRRIGATION	(13) BLAINE
02N	21E	9	SE SW		30.0		01	IRRIGATION	(13) BLAINE
02N	21E	9	NE SE		20.0		01	IRRIGATION	(13) BLAINE
02N	21E	9	NW SE		20.0		01	IRRIGATION	(13) BLAINE
02N	21E	9	SW SE		10.0		01	IRRIGATION	(13) BLAINE
02N	21E	9	SE SE		15.0		01	IRRIGATION	(13) BLAINE
02N	21E	10	NW SW		13.0		01	IRRIGATION	(13) BLAINE
02N	21E	10	SW SW		8.0		01	IRRIGATION	(13) BLAINE

Total Acres: 120.0

- - - Diversion Means - OPEN DITCHES
- - - Non-Irrigation Use -
- - - Other Rights for Same Use - A37-00099, A37-01141
Remarks -
No Remarks found.

Water right number - A37-01048

Prefix translation: ADJUDICATION CLAIM

----- Old Water Right Numbers ----- +
----- Old Water Right Numbers ----- +
----- No Old Water Right Numbers found. ----- +

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

+ - - - - Decree Plaintiff - - - +
N. R. WOODMORTH ET. AL. FRANK ANTHONY ET. AL., AMENDED + - Decree Date - +
11/10/1903

+ - - Audit Fields - 09/27/88 CLELAND

+ - - - - Comments - - - - - +
----- No Comments Found ----- +

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 05/21/1986 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 10/18/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District - 370
Licensed Date - 00/00/0000 Receipt Number - S003009 Federal/State Indicator - S
Claims Tape Error Flag - PCU Ownership Flag - Y Presumption Flag - D
Fee Exempt Flag - Name Connector - Notice of Error Flag -