



IDWR CONCURRENCE:

Steve Clelland 10/5/06  
Steve Clelland Date  
Sr. Water Resource Agent

Nicholas B. Spencer 10-4-06  
Nicholas B. Spencer Date  
Deputy Attorney General  
Attorney for IDWR  
Approved as to form

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

RIGHT NUMBER: 37-59B

NAME AND ADDRESS:

DONALD TABER  
312 E 20 N  
SHOSHONE ID 83352

*DT*

SOURCE:

Source:  
BIG WOOD RIVER

Tributary:  
MALAD RIVER

POINT OF INJECTION INTO JIM BYRNS SLOUGH THAT FLOWS INTO THE LITTLE  
WOOD RIVER. POINT OF REDIVERSION FROM THE LITTLE WOOD RIVER.

QUANTITY:

4.160 CFS  
0.000 AFY

*Fup*

RIGHT SUBJECT TO 27% CONVEYANCE LOSS; 3.04 CFS CAN BE REDIVERTED  
FROM LITTLE WOOD RIVER.

*JAB*

PRIORITY DATE: 05/27/1899

POINT OF DIVERSION:

T02S R18E S30 SWSENE  
Within BLAINE County  
T03S R19E S19 SWNESE Injection  
Within BLAINE County  
T04S R19E S25 SENWSE Injection  
Within BLAINE County  
T05S R18E S32 SENESE Rediversion  
Within LINCOLN County  
T05S R18E S33 NENWNE Rediversion  
Within LINCOLN County

PURPOSE AND  
PERIOD OF USE:

| Purpose of use | Period of use: | Quantity: |
|----------------|----------------|-----------|
| IRRIGATION     | 03/15 11/15    | 4.160 CFS |

PLACE OF USE:

IRRIGATION within LINCOLN County

T05S R18E S28 SWSE 1.1  
T05S R18E S28 SESE 4.8  
T05S R18E S32 SENE 9.1  
T05S R18E S32 NESE 35.0  
T05S R18E S33 NENE 38.0  
T05S R18E S33 NWNE 18.0  
T05S R18E S33 SWNE 35.0  
T05S R18E S33 SENE 40.0  
T05S R18E S33 NENW 6.6

~~T05S R18E S32 SENE 9.5~~

~~T05S R18E S33 NWNE 17.0~~

~~T05S R18E S33 NENW 7.8~~

*NBS*

*SCC*

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED  
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T05S R18E S33 SWNW 7.4  
T05S R18E S33 SENW 31.0  
T05S R18E S33 NESW 9.2  
T05S R18E S33 NWSW 25.0

~~T05S R18E S33 SWNW 7.4~~  
~~T05S R18E S33 SENW 30.0~~

~~T05S R18E S33 NESE 3.2~~  
~~T05S R18E S33 NWSE 3.3~~

T05S R18E S34 NWNW 40.0  
T05S R18E S34 SWNW 27.0

327.2 ACRES TOTAL

333.7 ACRES TOTAL

*FWP*

*LAB*

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 295 ACRES IN A SINGLE IRRIGATION  
SEASON. COMBINED RIGHT NOS.: 37-423 & 37-424.

USE OF THIS RIGHT WITH RIGHT NO. 37-425 IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 327.2 ACRES IN A SINGLE IRRIGATION SEASON.

*NBS*

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 295 ACRES WITHIN THE PLACE  
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

*SCC*

Place of use does not include federal public lands

~~USE OF THIS RIGHT WITH RIGHT NO. 37-425 IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 333.7 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 421412(6), Idaho  
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.  
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
SECTION 42-1425, IDAHO CODE.

~~RIGHT SUBJECT TO 27% CONVEYANCE LOSS; 3.04 CFS CAN BE REDIVERTED  
FROM LITTLE WOOD RIVER.~~

## CERTIFICATE OF SERVICE

I certify that on Oct. 30, 2006, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

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

☒ Overnight Mail  
☐ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

2. Copies to:

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

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

Donald Taber  
312 E. 20 N.  
Shoshone, ID 83352

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

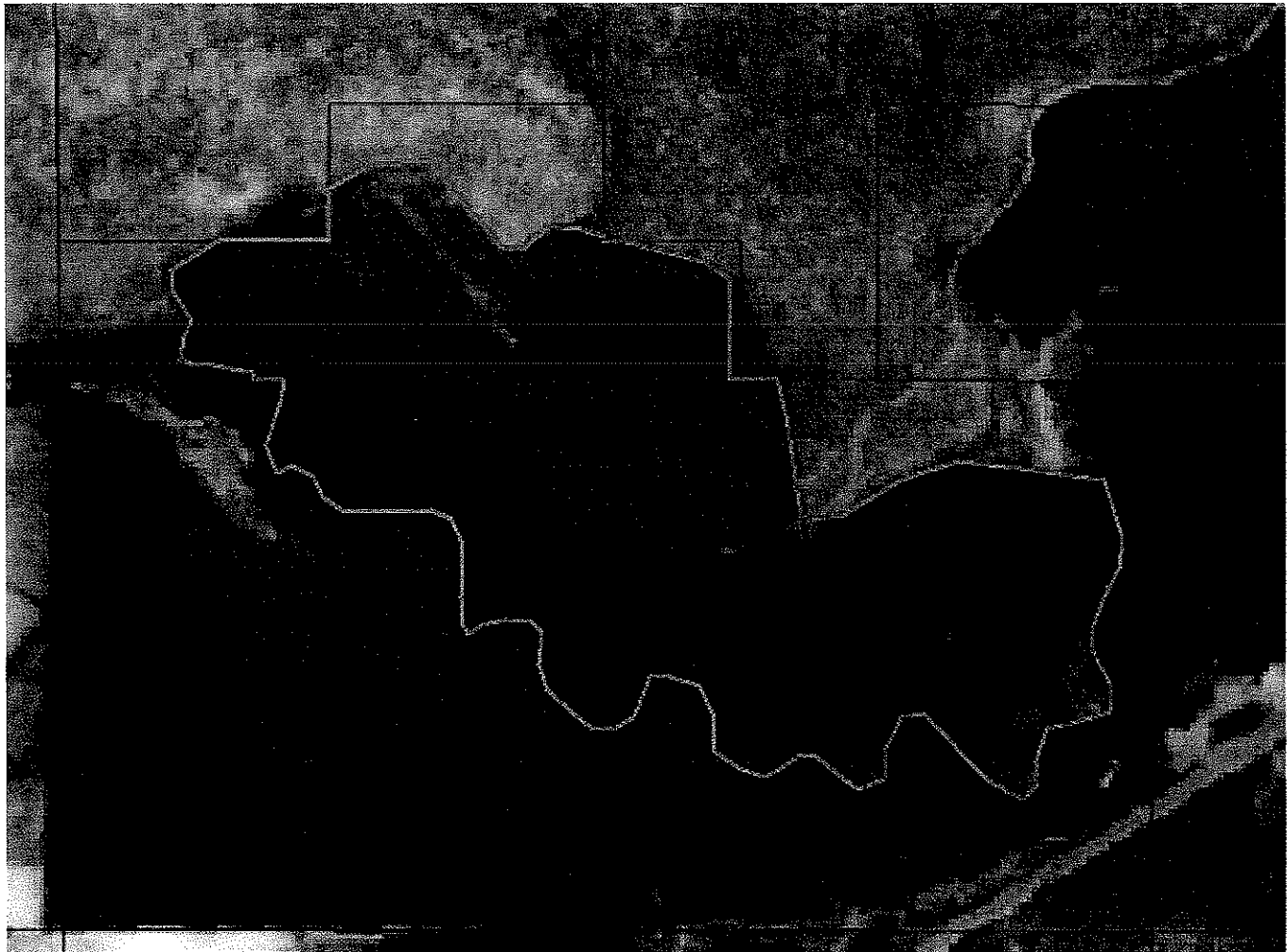
U.S. Department of Justice  
Environment & Nat'l Resources Div.  
550 W. Fort St., MSC 033  
Boise, ID 83724

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

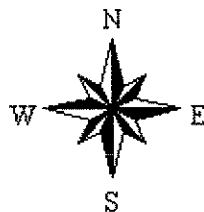


Signature of person or attorney mailing the form

# 37-59B Part



0.1 0 0.1 0.2 Miles



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-  Gcdb\_clip\_idtm83.shp
-  GCDB05S18E GCDB
-  Recommendation POD
-  Administrative BasinsAdminbas.shp

D. Shaff  
10-19-2006  
1987-88 Photography