

08/25/2006

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

RIGHT NUMBER: 37-425

NAME AND ADDRESS: DONALD TABER
312 E 20 N
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.200 CFS

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION:

T05S R18E S32 SENESE Within LINCOLN County

T05S R18E S33 NENWNE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

2.200 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R18E S28	SWSE	1.10	T05S R18E S28	SESE	4.80
T05S R18E S32	SENE	9.10	T05S R18E S32	NESE	35.00
T05S R18E S33	NENE	38.00	T05S R18E S33	NWNE	18.00
T05S R18E S33	SWNE	35.00	T05S R18E S33	SENE	40.00
T05S R18E S33	NENW	6.60	T05S R18E S33	SWNW	7.40
T05S R18E S33	SENW	31.00	T05S R18E S33	NESW	9.20
T05S R18E S33	NWSW	25.00	T05S R18E S34	NWNW	40.00
T05S R18E S34	SWNW	27.00			

327.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 327.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-59B, 37-423 & 37-424.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Place of use does not include federal public lands

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

03/19/2003

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

RIGHT NUMBER: 37-425

NAME AND ADDRESS: DONALD TABER
312 E 20 N
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.200 CFS

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION:

T05S R18E S32 SENESE Within LINCOLN County Source: LITTLE WOOD RIVER
T05S R18E S33 NENWNE Within LINCOLN County Source: LITTLE WOOD RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.200 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R18E S28	SWSE	1.1	T05S R18E S28	SESE	4.8
T05S R18E S32	SENE	9.5	T05S R18E S32	NESE	35.0
T05S R18E S33	NENE	38.0	T05S R18E S33	NWNE	17.0
T05S R18E S33	SWNE	35.0	T05S R18E S33	SENE	40.0
T05S R18E S33	NENW	7.8	T05S R18E S33	SWNW	7.8
T05S R18E S33	SENE	30.0	T05S R18E S33	NESW	9.2
T05S R18E S33	NWSW	25.0	T05S R18E S33	NESE	3.2
T05S R18E S33	NWSE	3.3	T05S R18E S34	NWNW	40.0
T05S R18E S34	SWNW	27.0			

333.7 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 333.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-59B, 37-423 & 37-424.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

37-59 B ETAL

3/7/03 SCC
Pg. 1

		WR	WR	
-59 B	BWR	4.16 cfs	295	Combined AC Limit = 295 Combined AC Limit = 334 PPU
-423	LWR	0.30 cfs	295 AC.	
-424	"	2.2	295	
-425	"	2.2	+ 120	
			415 ac (per transfer)	

POU confirmed
in Lic. Exam
for 37-8401.

trans # 2203 c. 1978

(POU is not accurate)
GIS $\approx$ Claimed acres

308-2427

Don Taber
(cell phone)

Exam: map. 3/10/03

886-2427

3/11/03

3 miles East, turn right to dairy office
(actually go straight - highway)
beers off left.

Appt. @ Noon

3/12/03

-59B POD:
(G#2 Source)

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

(27% Conv. Loss LWR)

3/12/03 Appt. w/ DON TABER

Supplemented well? S. 33 NENEWE

Where is filing? get info to Don Taber

Call
Back
37-8401

Rec'd w/ BLM ground

he has purchased most & still initiates the rest.

3/19/03

Rediv. were okay as shown.

Called Don Taber: everything is okay w/ ^{Permit} license and pending license
is in the hands of IDWR to finish.

37-59B

2/19/03
see

pg 2

Remarks:

Combined POU limits (see pg.1)

E11 POU
E1A

CØ5

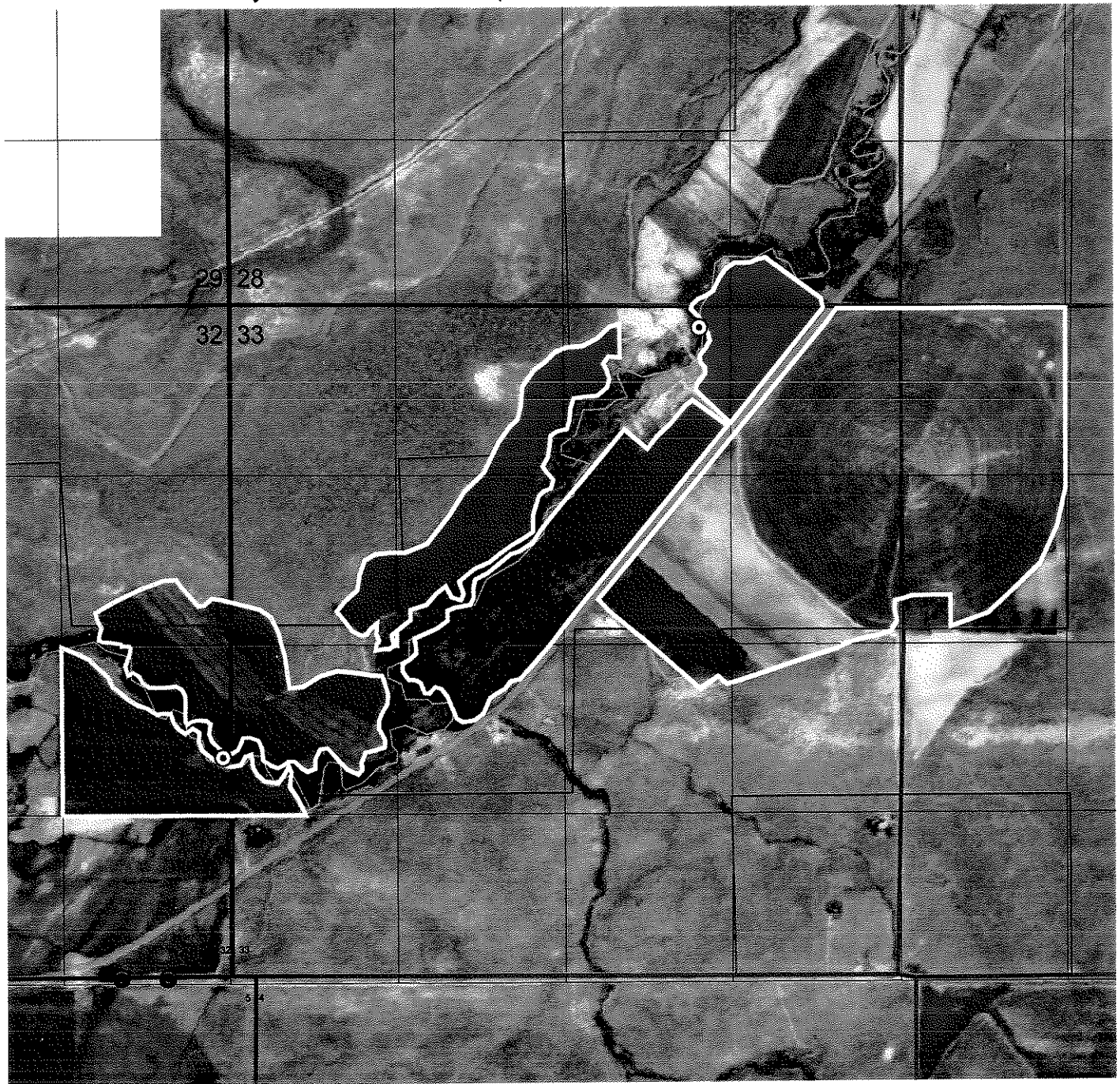
SØ5 BWCC

KØ6

/

IDAHO DEPT OF WATER RESOURCES

37-59B, 37-423, 37-424 & 37-425



1320 0 1320 Feet

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

TWN: 5S
RNG: 18E



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

Date: MARCH 19, 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-425

WATER RIGHT NUMBER: 37-425

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD TABER 312 E 20 N SHOSHONE, ID 83352 (208)886-2427
Original Owner	LITTLE WOOD RIVER SWINE RAISING CO

, ZZ

Priority Date: 04/01/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.200 CFS	
	<u>Total Diversion:</u>	2.200 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER	NW1/4NE1/4	Sec. 33, Twp 05S, Rge 18E, B.M.
LINCOLN County		
LITTLE WOOD RIVER	NE1/4SE1/4	Sec. 32, Twp 05S, Rge 18E, B.M.
LINCOLN County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	18E	32													40.0				40.0
05S	18E	33									40.0	40.0							80.0

Total Acres: 120

Conditions of Approval:Remarks:

- General TRANS. 719, 2008, 2203.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-425

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
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

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: A37-00425
Date Received: 6/29/1988
Receipt No: 5000615
Received By: ADM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-886-2427

1. Name: DONALD TABER
Address: BOX 474 HWY 93
SHOSHONE, ID

83352

2. Date of Priority: APR 01, 1887

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	18E	32	SE	NE	SE		LINCOLN
		33	NE	NW	NE		LINCOLN

5. Description of diverting works:
TABER #1 & TABER #2 PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.200		

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

8. Total consumptive use is 1002.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	18E	28	SW	SE		IRR	1.0
			SE	SE		IRR	6.0

Section Acres 7.0

A37-00425

Page 1

Date: 06/29/88

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	18E	32	SE	NE		IRR	6.0
			NE	SE		IRR	33.0
			Section Acres				39.0
		33	NE	NE		IRR	38.0
			NW	NE		IRR	16.0
			SW	NE		IRR	36.0
			SE	NE		IRR	40.0
			NE	NW		IRR	8.0
			SW	NW		IRR	4.0
			SE	NW		IRR	32.0
			NE	SW		IRR	18.0
			NW	SW		IRR	23.0
			Section Acres				215.0
		34	NW	NW		IRR	40.0
			SW	NW		IRR	33.0
			Section Acres				73.0
			Total Acres				334.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
37-0423, 37-0424, 37-0059 PART, SHARES IN BIG WOOD CANAL CO

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Donald Taber Date: 6/29/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of June 19 88

Seal

Mary A. Baldwin
Notary Public

Residing at Gooding, Id

My Commission Expires 10/16/1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 17, 2002

DON TABER
BEVERLY TABER
312 E 20 N
SHOSHONE ID 83352

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 37-59B, 37-423, 37-424, 37-425, 37-7617
Decreed Water Right 37-10221, 37-10334, 37-10335, 37-10336
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED
DEC 11 2001
Department of Water Resources
Southern Region

Claim Number(s):

Previous Mailing Address:

Don Taber CID 101034

Box 474 Hwy 93

Shoshone, ID 83352

Beverly =
CID 153924

New Mailing Address:

Don Taber

Donley Farms, Inc.

312 East 20 North
Shoshone, Idaho 83352

Telephone Number:

(208) 586-~~2427~~ 2427

Signature of Claimant(s):

Don Taber

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177