

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: A37-00597A
Date Received: 10/24/1988
Receipt No: S003190
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARC H. MONHEIMER TRUSTEE 208-788-4826
Address: C/O JOHN F. STEVENSON
36 HILLSIDE RANCH RD.
BELLEVUE, ID 83313

2. Date of Priority: MAY 01, 1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
HEADGATE #45, DISTRICT CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	32	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							80.0

10. Place of Use: Continued

Total Acres 80.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
SEE REF. RT. A37-00501D

14. Remarks:
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
SEE FEDERAL LAND BANK OF SPOKANE VS UNION CENTRAL LIFE INS. CO.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

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: 2

For Organizations:

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

J. F. Stinson
Signature of Authorized Agent
Operator for Membrane Trust
Title and Organization
OCT. 24, 1988
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of October 19 88

Roxanne Stoney
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

IN.
19E.

#45
CANAL
✓

Print

~~PLA~~

MICROFILM
FEB 23 1953

A37-00597A

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	30	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	320.0
		31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	320.0
						Total Acres	720.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

ORIGINALLY DECREED TO W. Y. MORGAN IN THE FROST DECREE.
EXACT P/U UNKNOWN; ALL OF ORIGINAL LANDS ARE UNDER 37-0501A,B,C.
RT. IS PRESENTLY DELIVERED TO JOHN STEVENSON'S TRIANGLE RANCH.
P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
THIS IS ALSO REFERENCE RT. TO THE FOLLOWING OTHER WR USED AT
SAME P/U. A37-07658B, A37-07856, A37-07645, A37-02656, A37-00117
A37-00886D, A37-00577AP, A37-00418C, A37-00419C, A37-00158D,
A37-00833F, A37-00115G, A37-00597A, A37-02668, A37-00664B,
A37-00665I, A37-00666G, A37-00666H, A37-00667L, A37-00667M.

15. Basis of Claim: DECREED
Case Number:

A37-00501D

Page 2

Date: 10/21/88

A37-00 597 A

MICROFILMED

FEB 23 1993

02/15/2007

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

RIGHT NUMBER: 37-597A

NAME AND ADDRESS: MARC H MONHEIMER TRUSTEE
C/O JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

WILLIAM J BOZZUTO
PO BOX 909
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S32	SWSE	38.00	T01N R19E S32	SESE	39.00
---------------	------	-------	---------------	------	-------

77 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1171 acres in a single irrigation season. Combined Right Nos.: 37-115G, 37-117, 37-158D, 37-418C, 37-419C, 37-501D, 37-577AP, 37-597A, 37-664B, 37-665I, 37-666G, 37-666H, 37-667L, 37-667M, 37-886D, 37-2656, 37-7645, 37-7658B, and 37-7856.

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

11/22/2006

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

RIGHT NUMBER: 37-597A

NAME AND ADDRESS: MARC H MONHEIMER TRUSTEE
C/O JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

WILLIAM J BOZZUTO
PO BOX 909
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S32	SWSE	38.00	T01N R19E S32	SESE	39.00
---------------	------	-------	---------------	------	-------

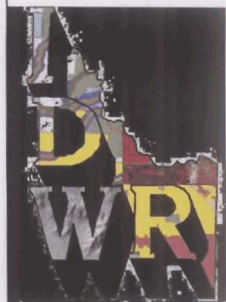
77 ACRES TOTAL

~~Right Nos. 37-597A, 37-2631, 37-2664A, 37-2668, and 37-19735 are limited~~
to the irrigation of a combined total of 602 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 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

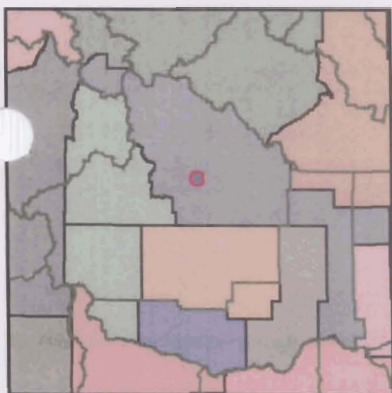
SRBA Recommendation:

37-597A

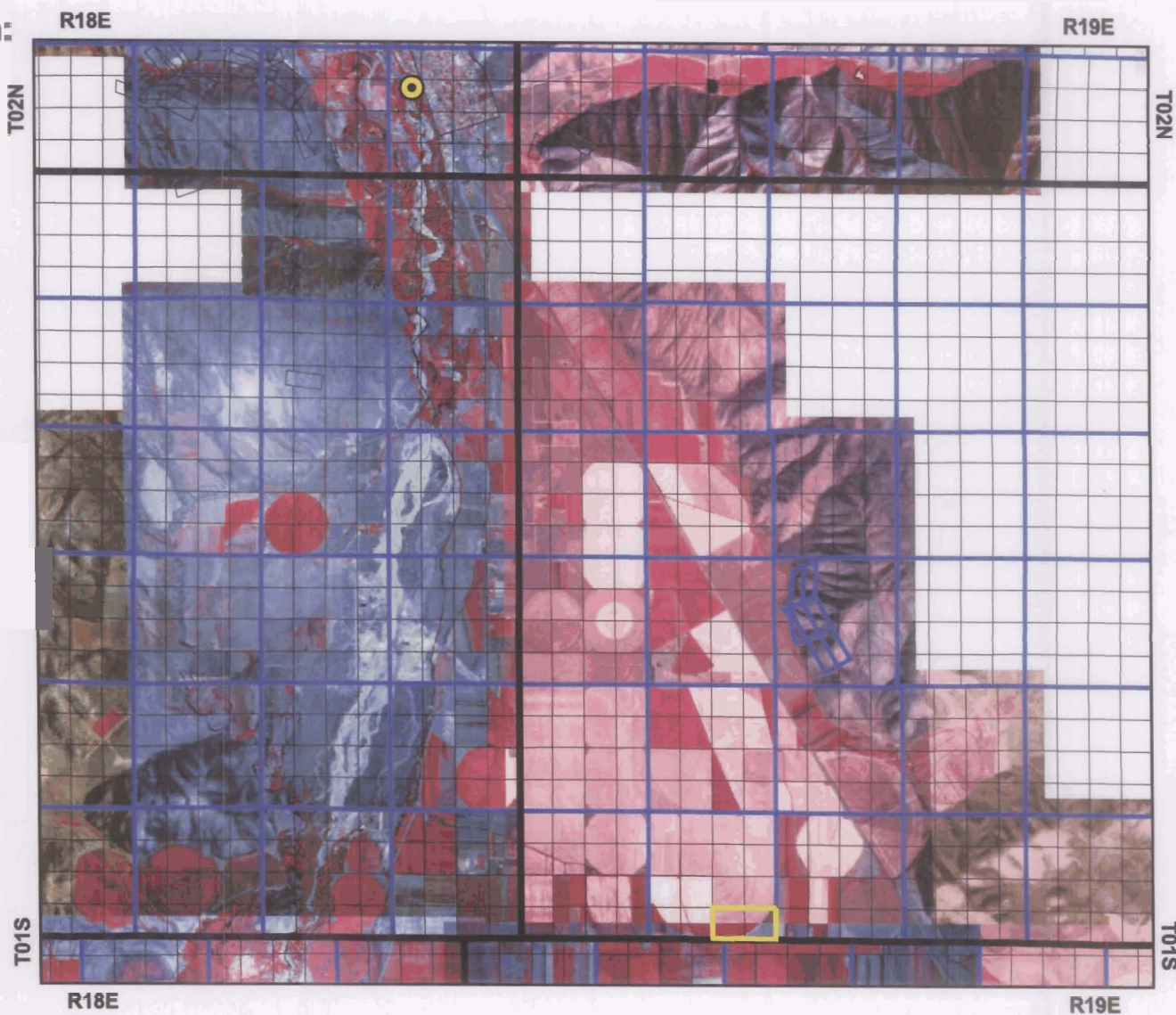
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 3 6 Miles

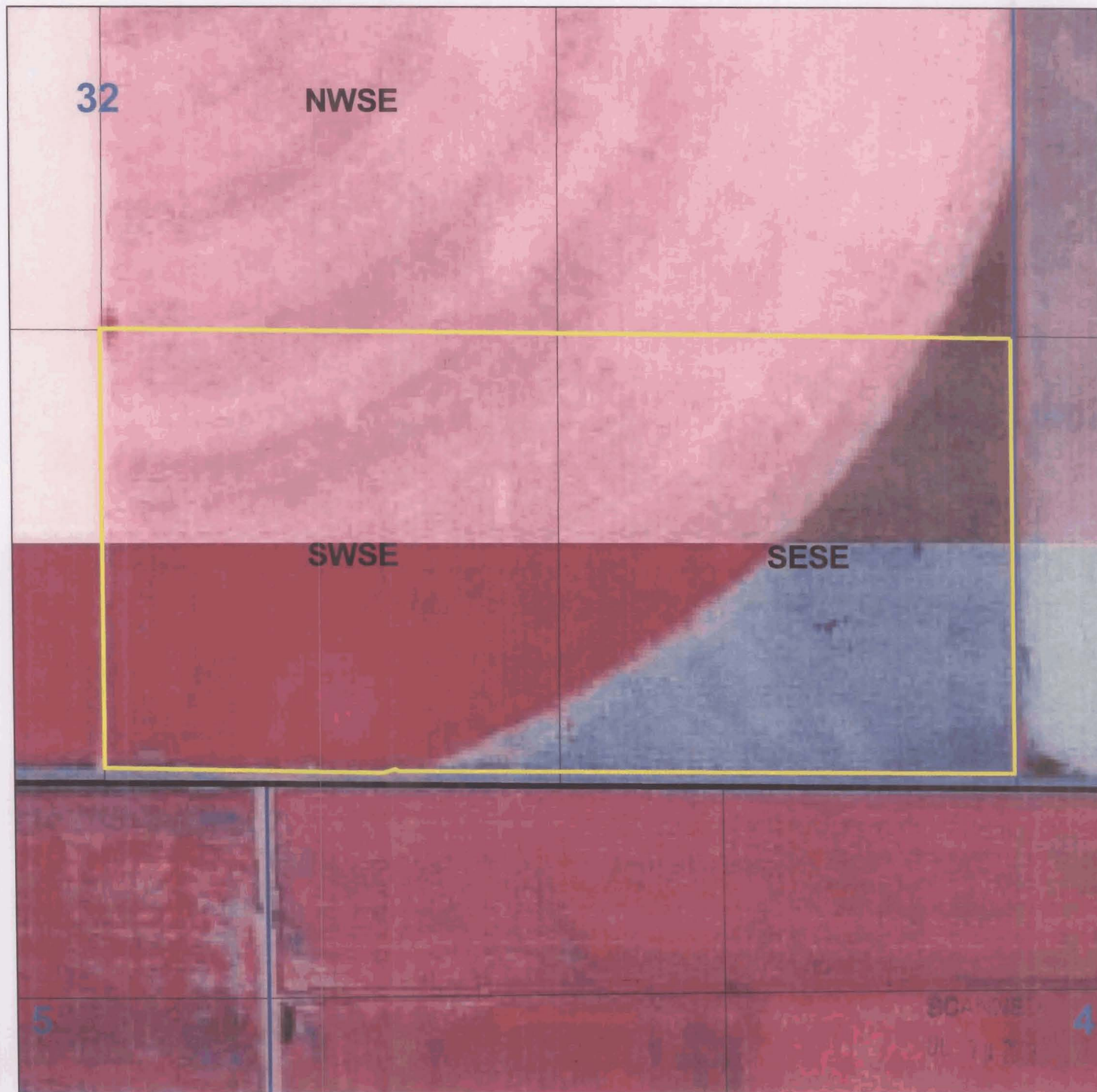
Owner: Marc H Monheimer Trustee

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

SCANNED
OCT 21 2008

Prepared by J. Roberts
On Wednesday, November 22, 2006
1987/88 Aerial Photography

37-597A



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-597A V1

WATER RIGHT NUMBER: 37-597A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARC H MONHEIMER TRUSTEE C/O JOHN F STEVENSON 36 HILLSIDE RANCH RD BELLEVUE, ID 83313 (208)788-4826
Present Owner	WILLIAM J BOZZUTO PO BOX 909 HAILEY, ID 83333

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER L3 (NE1/4SW1/4NW1/4) Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE 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	
01N	19E	32															38.0	39.0	77.0

Total Acres: 77

Conditions of Approval:

1. C18 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.
2. E55 Right Nos. 37-597A, 37-2631, 37-2664A, 37-2668, and 37-19735 are limited to the irrigation of a combined total of 602 acres in a single irrigation season.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-597A V1

Comments:

1. jroberts 11/22/2006 copied from remarks

Comment: P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
SEE FEDERAL LAND BANK OF SPOKANE VS UNION CENTRAL LIFE INS. CO.

2. jroberts 11/22/2006 Basis of Recommendation

Comment: Transfer 4214 was approved in 1994 which tied four GW licenses (-2632, -2664A, -2668, and -19735) together into a 602 acre ppu but did not address this overlapping SW right. Since the transfer set the SWSE as 38 acres and the SESE as 39 acres, I recommended this right the same with a total of 77 acres. Put combined acre limit with the SW rights. Ownership on this may need some work. Tax lot layer in Arcview shows Bozzuto an a 59.5% trustee so added him as a P owner. Names may need to match those of the transferred GW rights.

Water Supply Bank:

45	E	DISTRIC	52-A4		MONHEIME	37-0666	UTAH &	06	12	1886	39.60	0.79	0.79
45	E	DISTRIC	70-B2		MONHEIME	37-0418	HORACE	06	23	1888	44.02	0.88	1.67
45	E	DISTRIC	78-A1		MONHEIME	37-0419	HORACE	08	02	1889	23.30	0.47	2.14
45	E	DISTRIC	86-B4		MONHEIME	37-0667	UTAH &	06	15	1891	79.60	1.59	3.73
45	E	DISTRIC	9-A	JOHN	STEVENSO	37-0158	E.CRAM	07	01	1881	47.00	0.94	0.94
45	E	DISTRIC	19-A16	JOHN	STEVENSO	37-0577	W.T.RILE	03	24	1883	71.50	1.43	2.37
45	E	DISTRIC	35-A1	JOHN	STEVENSO	37-0886	W.D.SCH	06	01	1884	6.20	0.12	2.49
45	E	DISTRIC	42-A3	JOHN	STEVENSO	37-0665	UTAH &	10	15	1884	40.00	0.80	3.29
45	E	DISTRIC	49-C1	JOHN	STEVENSO	37-0501	W.Y.MOI	05	01	1886	210.00	4.20	7.49
45	E	DISTRIC	52-A7	JOHN	STEVENSO	37-0666	UTAH &	06	12	1886	40.00	0.80	8.29
45	E	DISTRIC	86-B8	JOHN	STEVENSO	37-0667	UTAH &	06	15	1891	80.00	1.60	9.89
45	E	DISTRIC	98-A	JOHN	STEVENSO	37-0117	R.F.& RC	05	01	1902	225.00	4.50	14.39
45	E	DISTRIC	750-ROC	JOHN	STEVENSO	37-0833	ROCKW	11	12	1936	65.00	1.30	15.69
45	E	DISTRIC	52-A12	JOHN F	STEVENSO	37-0666	UTAH &	06	12	1886	19.60	0.39	0.39
45	E	DISTRIC	52-A12	JOHN F	STEVENSO	37-0418	HORACE	06	23	1888	21.56	0.43	0.82
45	E	DISTRIC	78-A2	JOHN F	STEVENSO	37-0419	HORACE	08	02	1889	11.40	0.23	1.05
45	E	DISTRIC	86-B14	JOHN F	STEVENSO	37-0667	UTAH &	06	15	1891	39.00	0.78	1.83
45	E	DISTRIC	40-A1		TRIANGLE	37-0664	UTAH &	07	10	1884	20.00	0.40	0.40
45	E	DISTRIC	42-A4		TRIANGLE	37-0665	UTAH &	10	15	1884	120.00	2.40	2.80
45	E	DISTRIC	49-C3		TRIANGLE	37-0501	W.Y.MOI	05	01	1886	40.00	0.80	3.60
45	E	DISTRIC	49-D2		TRIANGLE	37-0597	A.H.SAM	05	01	1886	80.00	1.60	5.20
45	E	DISTRIC	52-A1		TRIANGLE	37-0666	UTAH &	06	12	1886	140.00	2.80	8.00
45	E	DISTRIC	52-D		TRIANGLE	37-0115	R.F.& RC	06	12	1886	440.00	8.80	16.80
45	E	DISTRIC	86-B1		TRIANGLE	37-0667	UTAH &	06	15	1891	280.00	5.60	22.40
45	E	DISTRIC	98-A1		TRIANGLE	37-0117	R.F.& RC	05	01	1902	75.00	1.50	23.90

-597A

-664B, -665I, -666G, -667L = 1200 Ac (1171)

-117, -501D = 0 Ac (698)

-418C, -419C = 180 Ac (159)

-577P = 558 Ac. (limit to 31.1)

-2656 = 151 Ac.

-7645 = 158 Ac.

-7658B = 30 Ac.

-7856 = 79 Ac.

158D = 40 Ac.

-501E = 132 Ac.

RIGHT
NO

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	01N	19E	19											40	40					80
664B, -665I 666G, -667L														40	40					80
117, -501D														40	40					80
418C, -419C														40	40					80
-577P														31	31					62
-2656														39	36					75

RIGHT
NO

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	01N	19E	30					40	39	39	40	40	39	39	40					316
664B, -665I 666G, -667L								40	40	40	40	40	40	40	40					320
117, -501D								40	40	40	40	40	40	40	40					320
418C, -419C								40	40											80
-577P								31	31	31	31	31	31	31	31					248
-2656								39	37											76

-7645

-7856
RIGHT-158D
NO

RIGHT NO				NE				NW 39 40				SW 40				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	01N	19E	31	36	37	36	36	40	39	38	40									302
664B, -665I 666G, -667L				40	40	40	40	40	40	40	40									320
117, -501D				40	40	40	40	40	40	40	40									320
-577P				31	31	31	31	31	31	31	31									248
-7658B				36	37	36	36	40	39	38	40									302

RIGHT
NO

RIGHT NO				NE				NW				SW 129				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	01N	19E	32	38	40	40	40	40	39	39	40	40	38	16	35	40	40	38	39	602
664B, -665I 666G, -667L				40	40	40	40	40	40	40	40					40	40	40	40	480
-501E												40	39	13	40					132

Stevenson overlaps.

11/22/2006

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

RIGHT NUMBER: 37-597A
NAME AND ADDRESS: MARC H MONHEIMER TRUSTEE
C/O JOHN F STEVENSON
36 HILLSIDE RANCH RD
BELLEVUE ID 83313

WILLIAM J BOZZUTO
PO BOX 909
HAILEY ID 83333

WR - OK
WM - OK
(Triangle Stevenson)

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 1.600 CFS
PRIORITY DATE: 05/01/1886
POINT OF DIVERSION:

T02N R18E S36 NESWNW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S32	SWSE	40.00	T01N R19E S32	SESE	40.00
---------------	------	-------	---------------	------	-------

80 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of [REDACTED] acres in a single irrigation season. Combined Right Nos.: 37-597A, 37-2664A, and 37-2668.

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

Water Right Report 37-597A

WATER RIGHT NUMBER: 37-597A

Owner Type Name and Address
 Current Owner A H SAMS
 GANNETT, ID

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

Source Tributary
 BIG WOOD RIVER MALAD RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to / 1.600 CFS
 Total Diversion: 1.600 CFS

Location of Point(s) of Diversion

BIG WOOD RIVER SW1/4NW1/4 Sec. 36, Twp 02N, Rge 18E, B.M.
 BLAINE County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01N 19E 32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															X	X	
01S 19E 5			X														
			L2														

Conditions of Approval:

1. P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.
SEE FEDERAL LAND BANK OF SPOKANE VS UNION CENTRAL LIFE INS. CO.

Remarks:Comments:

overlaps w/ -2631
 -2664A } Stevenson
 -2668
 -19735

P. Jones · Wm T Box 909
 Naaleg
 Box 2-1113
 RUC-2