

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: A37-00612
Date Received: 4/06/1988
Receipt No: S000014

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CORWIN SILVA 208-886-7712
Address: 241 FOUR MILE RD.
SHOSHONE, ID 83352
AND/OR
Name: MERLE SILVA
Address: SHOSHONE, ID 83352

2. Date of Priority: JUN 02, 1903

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	17E	9	SW	NW	SW	R	LINCOLN
			SW	SW	SE	R	LINCOLN
10S	21E	28	SW	SW	NW	5	LINCOLN

5. Description of diverting works:
SEE REMARKS

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		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 402.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 RANGE

A37-00612

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Date: 04/06/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	17E	16	NW	NW		IRR	36.0
			SW	NW		IRR	25.0
			Section Acres				61.0
		17	NE	NE		IRR	21.0
			NW	NE		IRR	28.0
			SW	NE		IRR	7.0
			SE	NE		IRR	17.0
			Section Acres				73.0
			Total Acres				134.0

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:
37-0611

14. Remarks:

TRANS. 79, 170, & 341.
RIGHT IS USED ON SAME P/U AS ORIGINALLY DECREED FROM BIG WOOD RIVER, HOWEVER, WHEN MILNER GOODING CANAL WAS CONSTRUCTED TO BRING AMER. FALLS WATER FROM SNAKE RIVER AN AGREEMENT WAS MADE TO DELIVER THIS WATER FROM THE MILNER GOODING CANAL WITH WATER FROM THE SNAKE RIVER . PRIORITIES REMAIN THE SAME AND PRIORITY CUTS ARE MADE BASED ON DELIVERABLE AMOUNTS IN THE BIG WOOD RIVER.

15. Basis of Claim: DECREED
Water Right Number: 370612
Case Number:
Court : FOURTH
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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: None

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): Corwin Silva Date: 04/6/88
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of April 19 88 Loren O'Halloran
Notary Public

Seal

Residing at Twin Falls
My Commission Expires 3/21/93

03/29/2005

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

RIGHT NUMBER: 37-612

NAME AND ADDRESS: 4 BROS DAIRY INC
C/O ANDREW FITZGERALD
427 N 250 W
SHOSHONE ID 83352

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 06/02/1903

POINT OF DIVERSION:

T04S R18E S15 SWNWSE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.600 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R17E S16	NWNW	36.0	T05S R17E S16	SWNW	25.0
T05S R17E S17	NENE	21.0	T05S R17E S17	NWNE	28.0
T05S R17E S17	SWNE	7.0	T05S R17E S17	SENE	17.0

134 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-611 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 134 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

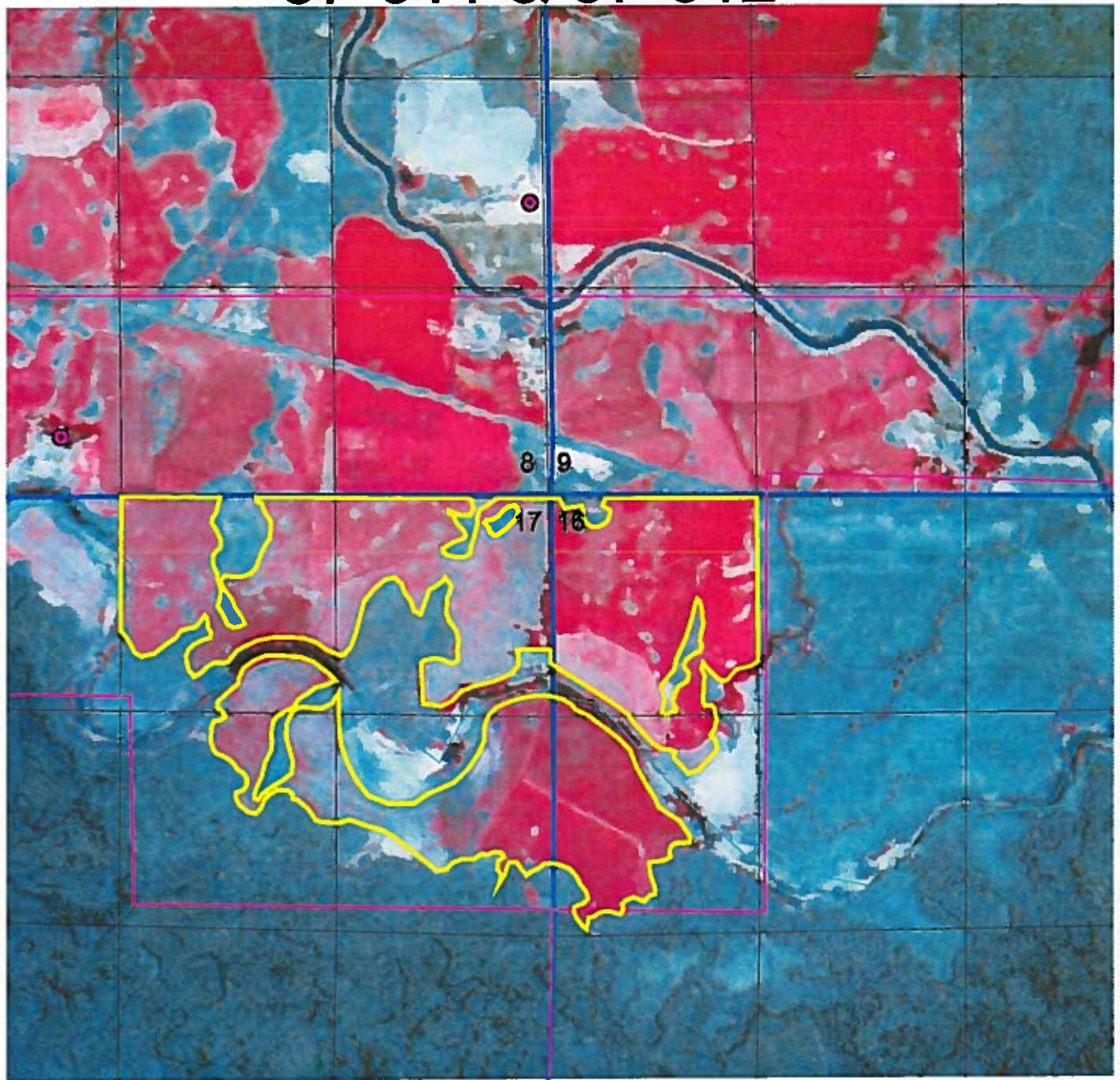
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

IDAHO DEPT OF WATER RESOURCES

37-611 & 37-612



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: 17E
SEC. 16 & 17



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

Date: MARCH 29, 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-612

WATER RIGHT NUMBER: 37-612

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ARTHUR D SILVA
	, ZZ
Current Owner	HATTIE I SILVA
	SHOSHONE, ID 83352

Priority Date: 06/02/1903

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>
DOMESTIC	/ to /		
IRRIGATION	/ to /	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER

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	17E	16						X	X										
05S	17E	17	X	X	X														

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

- General TRANS. 79, 170, & 341.
FILE SHOWS RT. IS USED AS ORIGINALLY DECREED.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-612

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: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False