

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: A37-00480A
Date Received: 10/04/1988
Receipt No: M001485
Received By: SCE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MEL HAYOB 208-788-9424
Address: BOX 2072
HAILEY, ID 83333

2. Date of Priority: JUN 15, 1891

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	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	0.400		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	1	NW	SE		IRR	15.0

Section Acres 15.0

Total Acres 15.0

A37-00480A

Page 1

Date: 10/04/88

MICROFILMED
FEB 22 1993

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:
A37-00113N

14. Remarks:

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

S.C. FROST

Decree Plaintiff

vs

ALTURAS WATER COMPANY

Decree Defendant

MICROFILMED
FEB 22 1993

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: 1

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):

[Signature] Date: 10-4-88

Date: _____

State of Idaho)

County of Blain)

SS.

Subscribed and sworn (or affirmed) before me this 4 day

of Oct 19 88

[Signature]
Notary Public

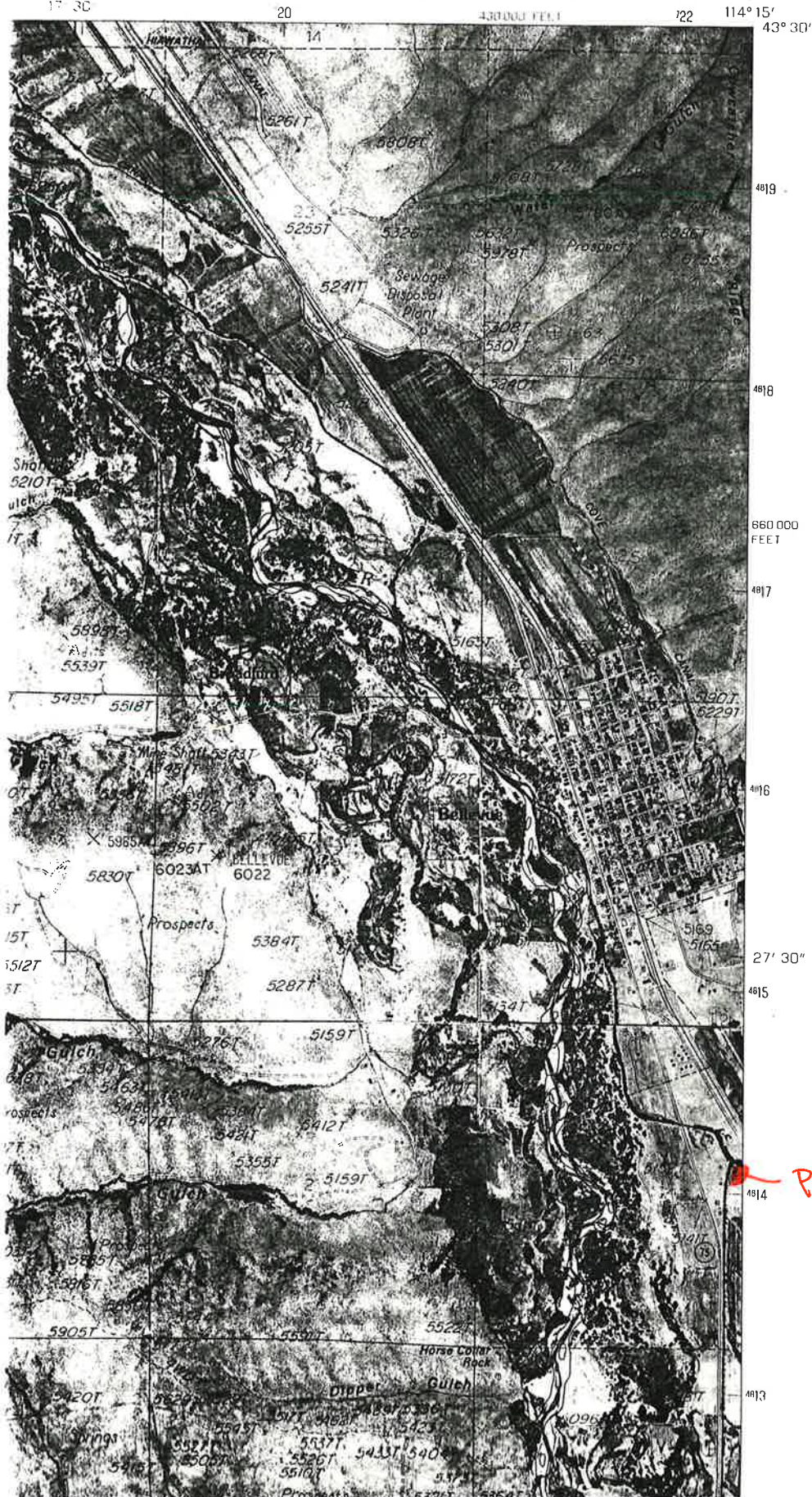
Seal

Residing at Blain ID

My Commission Expires 6/2/94

Y24

BELLEVUE NE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (ORTHO PHOTOQUAD)



A37-00480A

T2N
T1N

10E

P/W

MICROFILMED
FEB 22 1993

02/01/2007

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

RIGHT NUMBER: 37-480A
NAME AND ADDRESS: MEL HAYOB
BOX 2072
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.400 CFS
PRIORITY DATE: 06/15/1891

POINT OF DIVERSION:

T02N R18E S36 SWNW 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	0.400 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S01 SENE 15.00

15 ACRES TOTAL

Right Nos. 37-113N and 37-480A are limited to the irrigation of a combined total of 15 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

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A \$ 00.8
0004810839 DEC 13 2
MAILED FROM ZIP CODE 83

37-480A

37-113W

RECEIVED

DEC 20 2000

DEPARTMENT OF
WATER RESOURCES

MEL HAYOB
BOX 2072
HAILEY ID 83333

 REASON CHECKED
☒ Moved, Left No Address
☐ Unable To Forward
☐ Attempted - Not Known
☐ Unclaimed
☐ No Such Street ☐ Refused
☐ Insufficient Address ☐ No Such Number
Rt. _____ Inp

12/02/2006

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

RIGHT NUMBER: 37-113N
NAME AND ADDRESS: MEL HAYOB
BOX 2072
HAILEY ID 83333

DISALLOWED

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.400 CFS
PRIORITY DATE: 07/10/1884
POINT OF DIVERSION:

T02N R18E S36 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.400 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S01 NWSE 15.00

15 ACRES TOTAL

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

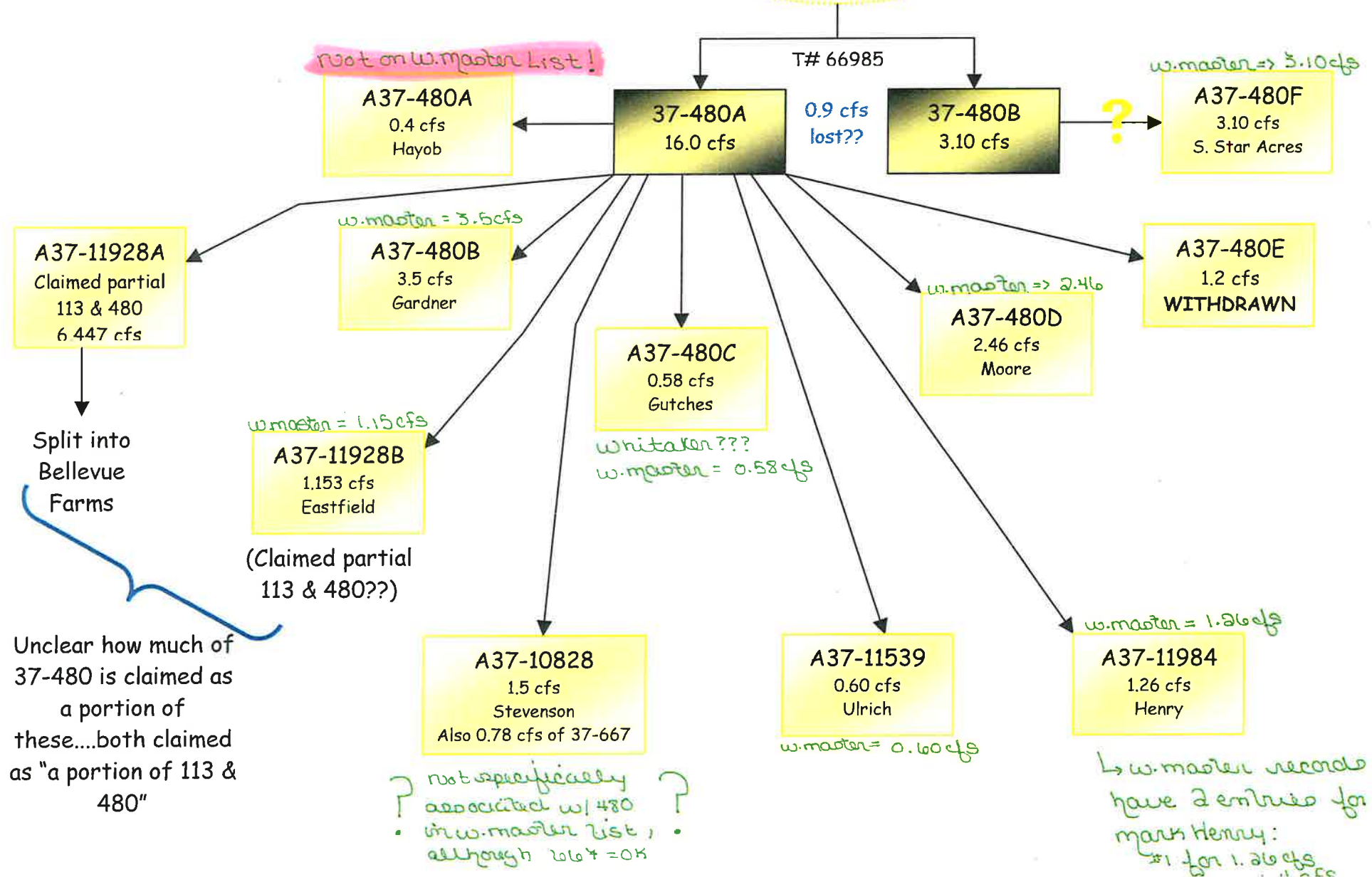
37-113N & 37-480A

Not being delivered water under either right...not on B37 Watermaster list

No such resident on claimed QQ & no such resident listed in Blaine Co tax lot info

Disallowed pending further information

37-480

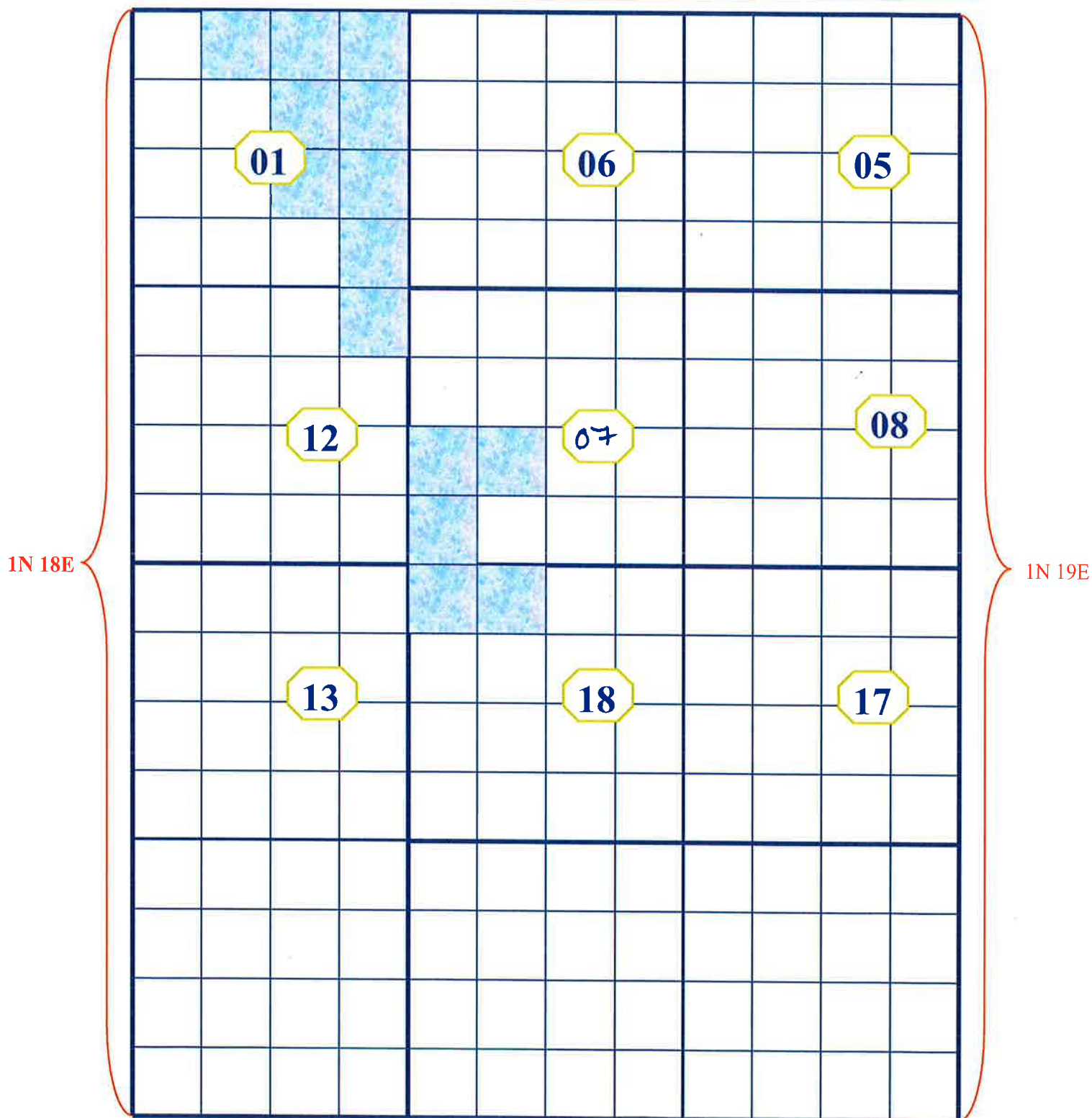


37-480

Frost Decree: Annie I. Miller

Big Wood River 1000" (20 cfs)

POU: 520 acres...1N 18E S01 NE $\frac{1}{4}$, NENW, NWSE, NESE, SESE...S12 NENE...1N 19E S7
NWSW, NESW, SWSW...S18 NWNW, NENW



Right 37-480 Analysis by J. E. Stanton ^{Nov} Dec 2001

1. Right

37-480 20 cfs from District #45 Canal 520 acres 6-15-891

split into A 16 cfs & B 3.10 cfs by T. 66985

2. Claims

37-480 A	0.4 cfs	NW/SE 8, 1	1N 18E 15 ac	Mel Hayab
B	3.5 cfs	1S 19E 8, 1 & 1/2, 1S 20E 8, 7 & 1/8		Robt. Gardner
C	0.58 cfs	1N 19E 8, 7	NW 1/4 9 ac	Bary Dutcher
D	2.46 cfs	1N 19E 8, 7	NE/SW 40 ac	Lloyd Moore
119 ac E	? 1.20 cfs	1N 18E 8, 1	SE/NE, E 1/2 SE, NE/NE 8, 1/2	M. Swanson
96 ac F	? 3.10 cfs	1N 18E 8, 1	E 1/2 SE, NE/NE 8, 1/2	Wood R. Ranches

11928 A	37 cfs	6.447 cfs	1N 19E 8, 7 & 1/8	262.1 ac	Bellvue Farm Sub
B		1.153 cfs	"	46.9 ac	Eastfield

30" 667 (combination of 480 Part & 667 Part)

10828 2.28 cfs 1N 19E 8, 1/9 S 1/2 SE 79 ac John Stevenson
(1.5 cfs of 480 & 0.78 cfs of 667) see claim for more info

11539 0.60 cfs 1N 19E 8, 7 NW 1/4 80 ac Robt Ulrich

? 11953 0.06 cfs loc in District Canal District Canal

11984 1.26 cfs 1N 19E 8, 7 SE/NE 20 ac Mark Henry

17.3 not incl 480 E & F 14.66 not incl 11928 A & B

37-480

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

788-9424

RECEIVED

SEP 20 2004

Department of Water Resources
Southern Region

HAYOB
BOX 2072
HAILEY ID 83333

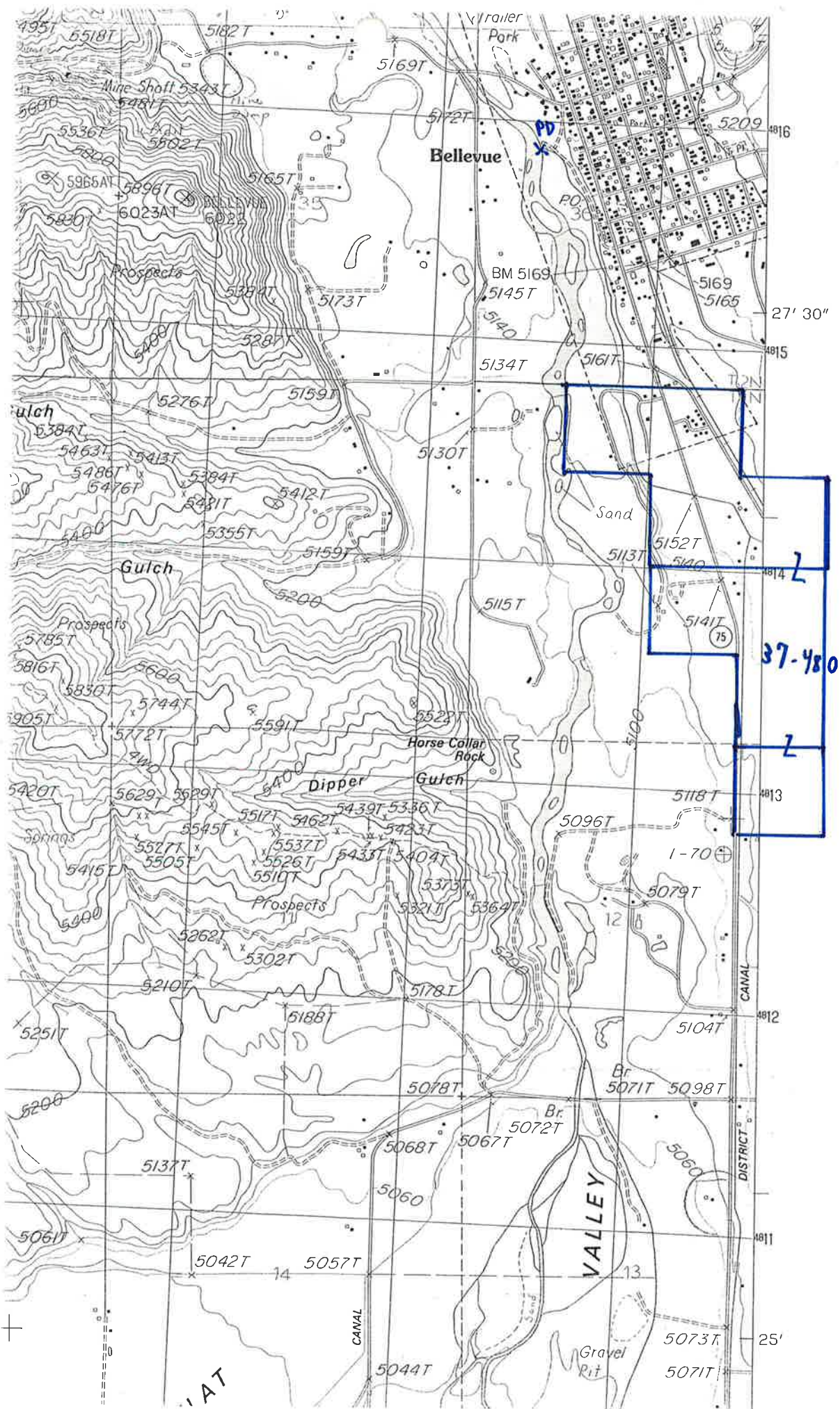
37-113
37-480
NN Southern

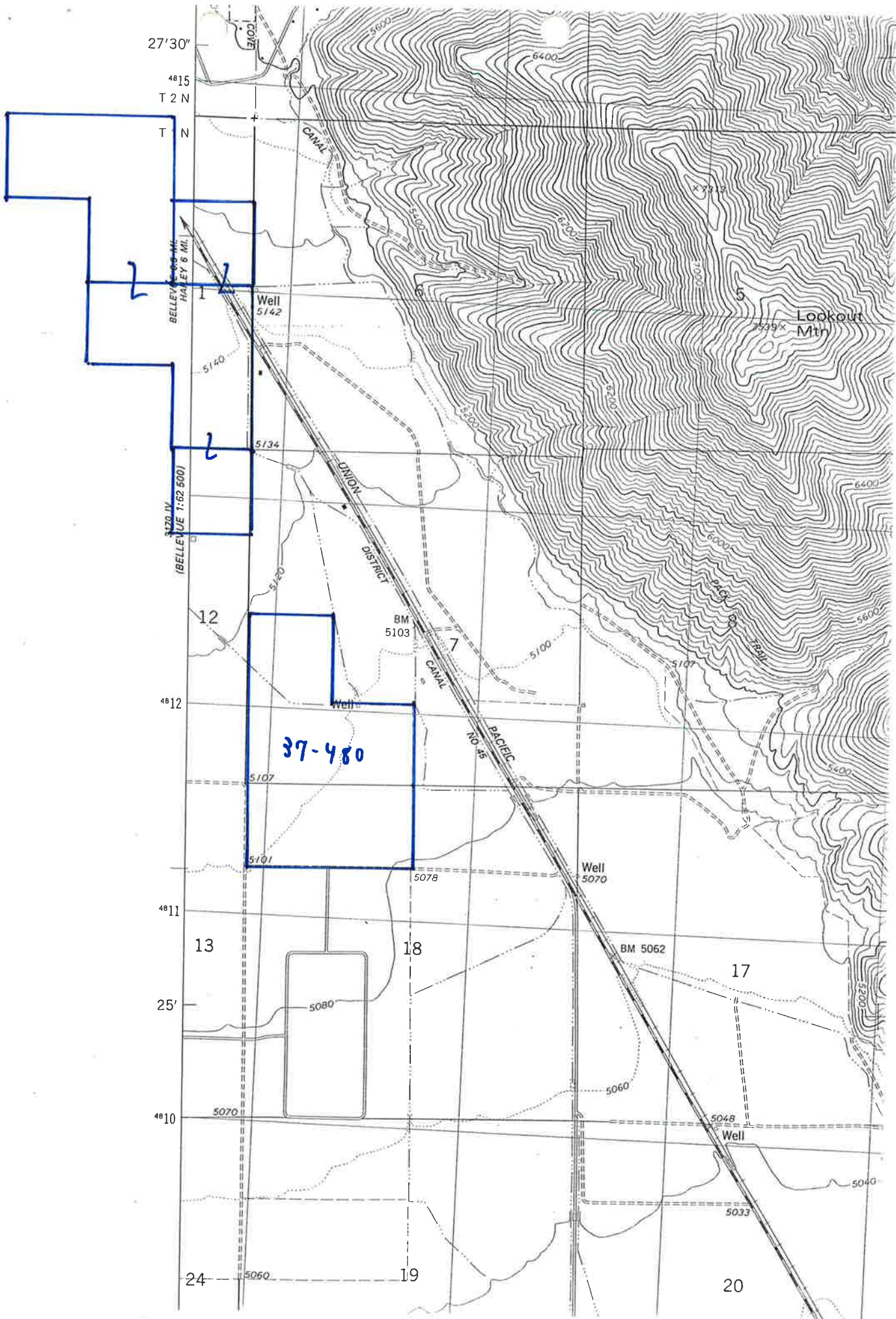


REASON CHECKED
☒ Moved, Left No Address
☐ Unable To Forward
☐ Attempted To Forward
☐ Unclaimed
☐ No Such Street
☐ Insufficient Address
☐ Refused
☐ No Such Address

83333*2072

37-480





IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-480

WATER RIGHT NUMBER: 37-480

Owner Type Name and Address
 Current Owner ANNIE I MILLER

, ZZ

Priority Date: 06/15/1891

Basis: Decreed

Status: Active

Source Tributary
 BIG WOOD RIVER MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	20.000 CFS	
	<u>Total Diversion:</u>	20.000 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			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
01N	18E	1		X	X	X	X											X	X		X	
01N	18E	12	X																			
01N	19E	7								X	X	X										
01N	19E	18					X	X														

Total Acres: 0

Conditions of Approval:Remarks:

1. General AC. IRRIG. NOT SPECIFIED. FARM = 484.75 AC.^^ P/D NOT GIVEN IN DECREE BUT DETERMINED FROM WATERMASTER.^^

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-480B

WATER RIGHT NUMBER: 37-480B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT E GARDNER PO BOX 470 BELLEVUE, ID 83313 (208)788-2568
Current Owner	KATHRYN GARDNER PO BOX 470 BELLEVUE, ID 83313 (208)788-2568

Priority Date: 06/15/1891

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	4/01 to 11/01	3.500 CFS	
	<u>Total Diversion:</u>	3.500 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4SW1/4NW1/4	Sec. 36, Twp 02N, Rge 18E, B.M.
BLAINE County		

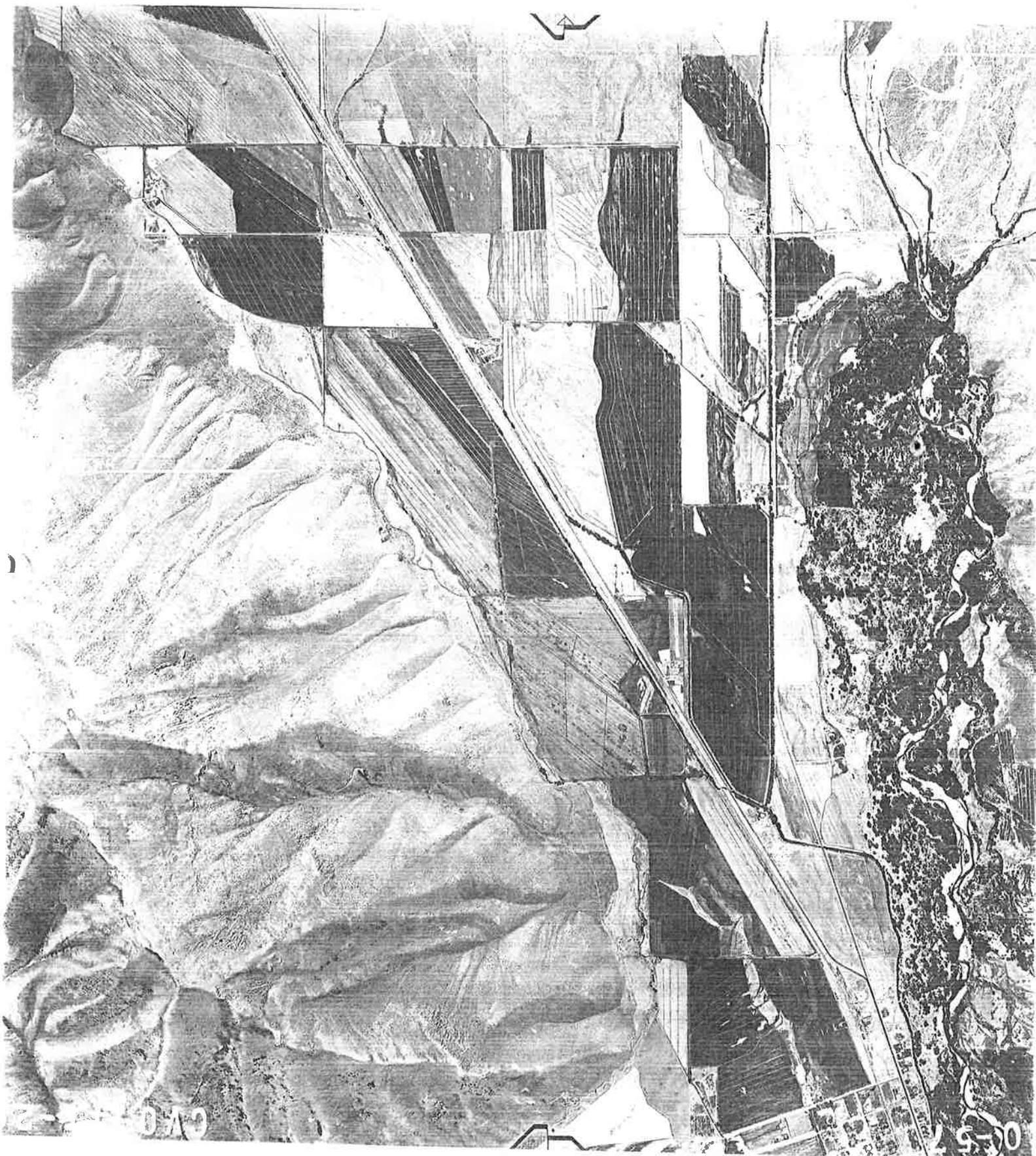
Place of Use

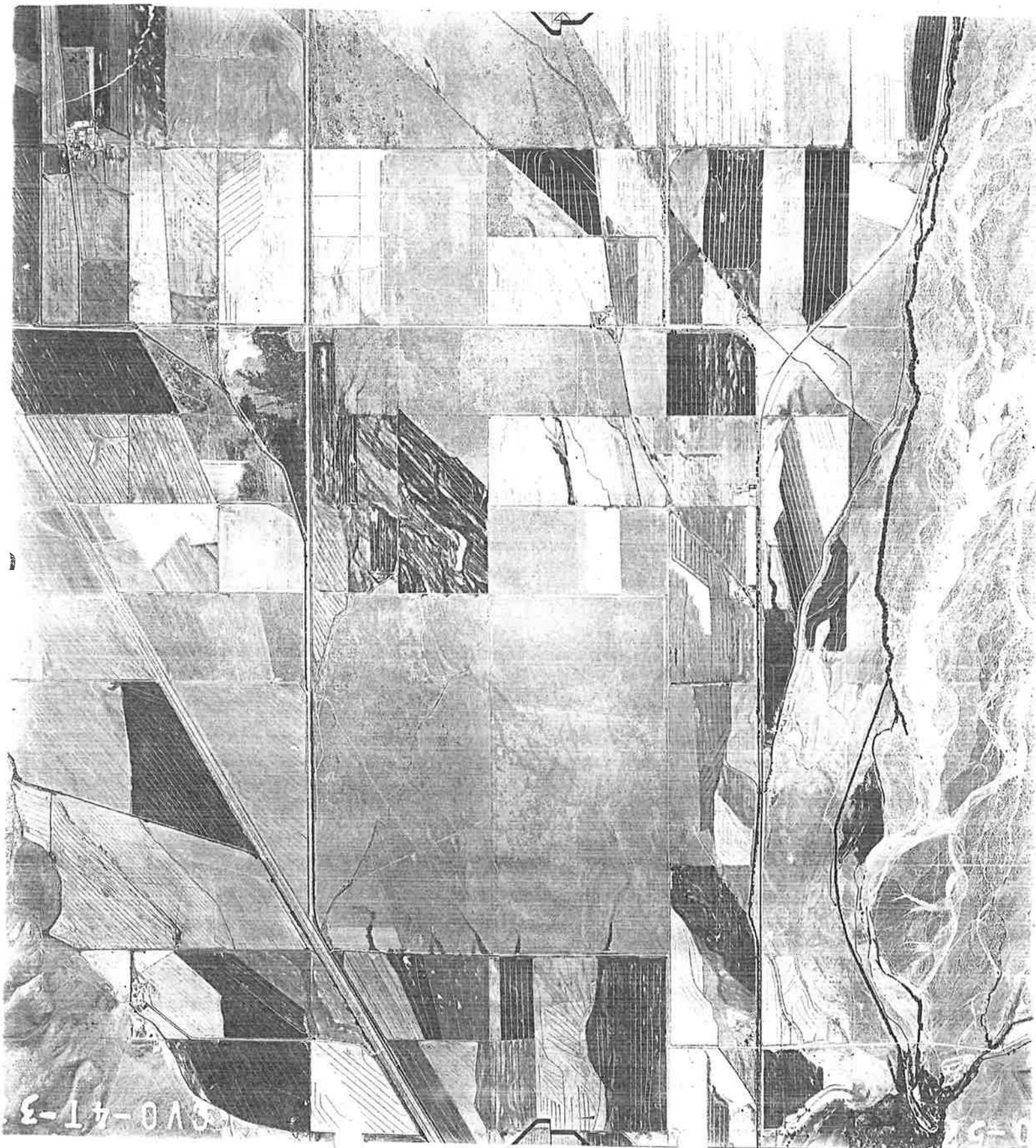
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	19E	1											40.0	40.0					80.0
01S	19E	12					40.0	30.0									30.0		100.0
01S	20E	7									5.5		7.0	38.0			7.0		57.5
01S	20E	18					16.0			5.0	6.0								27.0

Total Acres: 264.5

Conditions of Approval:Remarks:





3VO-41-3

3-57

CVD-37-16

