

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: A37-11984

Date Received: 10/25/1988

Receipt No: M001716 5010447

Received By: AD

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARK W. HENRY
Address: 182 GANNETT PICABO RD.
BELLEVUE, ID 83313 208-788-2820

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 of	Lot	County
02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
BASELINE CANAL - CONCRETE HEADGATE, OPEN CHANNEL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.260		

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

8. Total consumptive use is 50.0 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
01N	19E	7	SE	NW		IRR	20.0
Section Acres							20.0

A37-11984

Page 1

Date: 11/14/89

MICROFILMED
FEB 25 1993

10. Place of Use: Continued

Total Acres 20.0

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:
NONE

14. Remarks:

I AM CLAIMING THAT PORTION OF WATER RIGHT 37-0480 WHICH I HAVE BEEN PAYING WATER ASSESSMENTS ON SINCE 1979 WHEN I PURCHASED THE PROPERTY. MY ASSESSMENT STATES THAT 32 INCHES OF THIS RIGHT IS APPURTENANT TO THE 10 ACRES I OWN. THE RIGHT WAS ORIGINALLY DECREE TO AN ANNIE I. MILLER. I RECEIVE MY ASSESSMENT FROM THE WOOD RIVER VALLEY IRR. DISTRICT NO. 45.

11/14/89 AMMENDED CLAIM

ON 5/12/1989 I PURCHASED THE ADJOINING PROPERTY FROM EDNA ANN SWEET WHICH IS LOT 2 BLK 1 OF BEVERSTOCK ACRES SUBD. WHICH IS ANOTHER 10 ACRES. THIS LAND ALSO HAS A PORTION OF 37-0480; THE PORTION BEING 31 INCHES. IN CHECKING THE RECORDS IT WAS FOUND THAT THIS WATER WAS NOT CLAIMED IN THE ADJUDICATION SO I AM HEREBY AMMENDING MY ORIGINAL CLAIM TO INCLUDE THIS LAND AND WATER INWHICH I NOW OWN.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST ET AL

Decree Plaintiff

vs

ALTURAS WATER CO. ET AL

Decree Defendant

MICROFILMED
FEB 25 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 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): Mark W. Harvey Date: 11-14-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Nov. 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92

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02N	18E	36	NE	SW	NW		BLAINE

5. Description of diverting works:
BASELINE CANAL - CONCRETE HEADGATE, OPEN CHANNEL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.640		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	7	SE	NW		IRR	10.0

Section Acres 10.0

Total Acres 10.0

A37-11984

Page 1

Date: 10/25/88

MICROFILMED
FEB 25 1993

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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): Mark W. Hargis Date: 10-25-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of October 19 88

Ernest Carlson
Notary Public

Seal

Residing at Alto Falls, ID
My Commission Expires 14 June 1994



Twp 1 N, Rge 19 E

MICROFILMED
FEB 25 1983

5103
Sec 7

A37-11984

18

12/02/2006

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

RIGHT NUMBER: 37-11984

NAME AND ADDRESS: MARK W HENRY
182 GANNETT PICABO RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.260 CFS

PRIORITY DATE: 06/15/1891

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	1.260 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S07 SENW 18.00

18 ACRES TOTAL

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

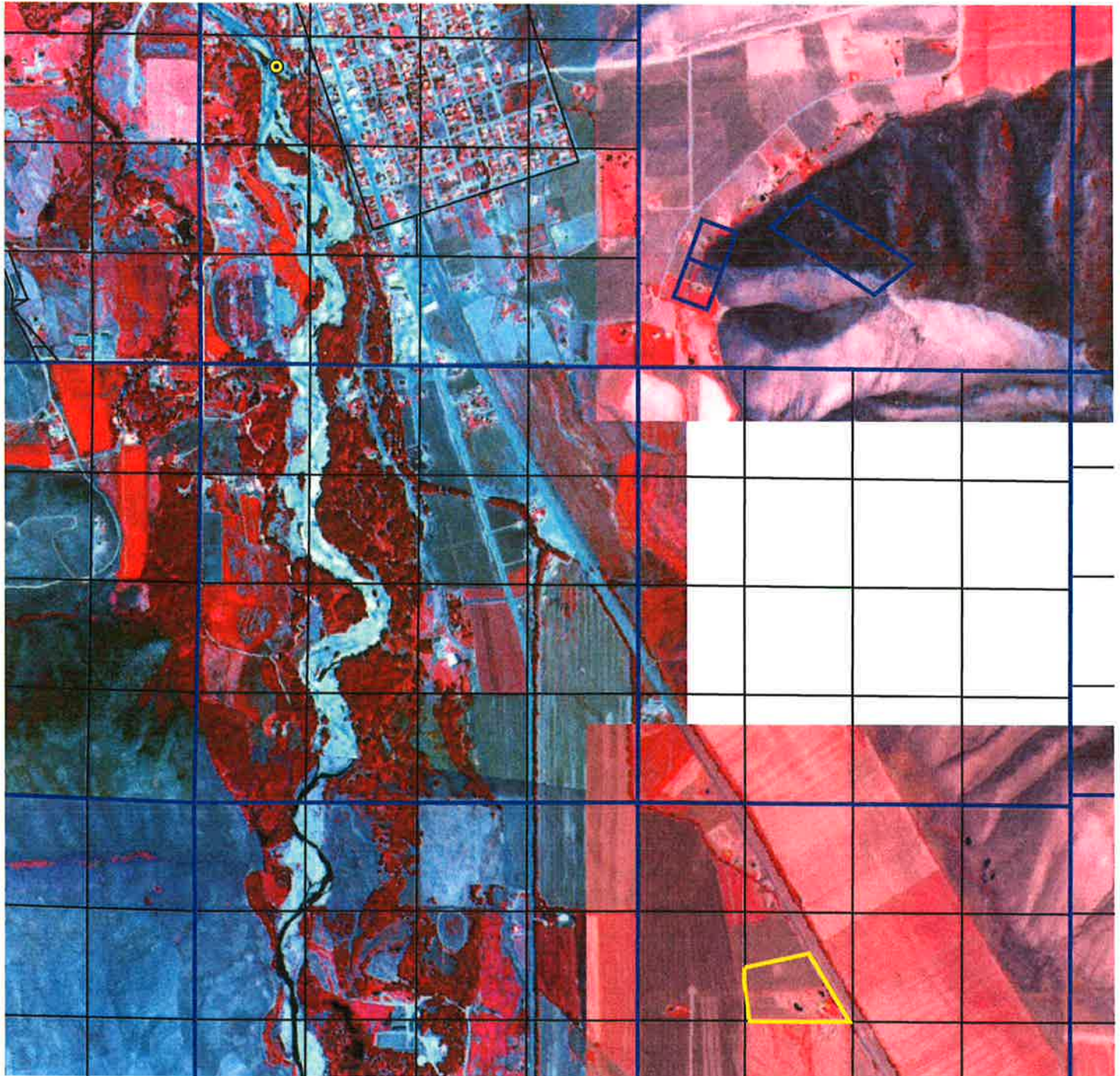
This right is a portion of right 37-480.

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

Idaho Department of Water Resources

Right(s): 37-11984

Recommended Place of Use
TWP 01N RNG 19E S07
Prepared December 2, 2006



660 0 660 1320 Feet



① Recommended Point of Diversion

Recommended Place of Use

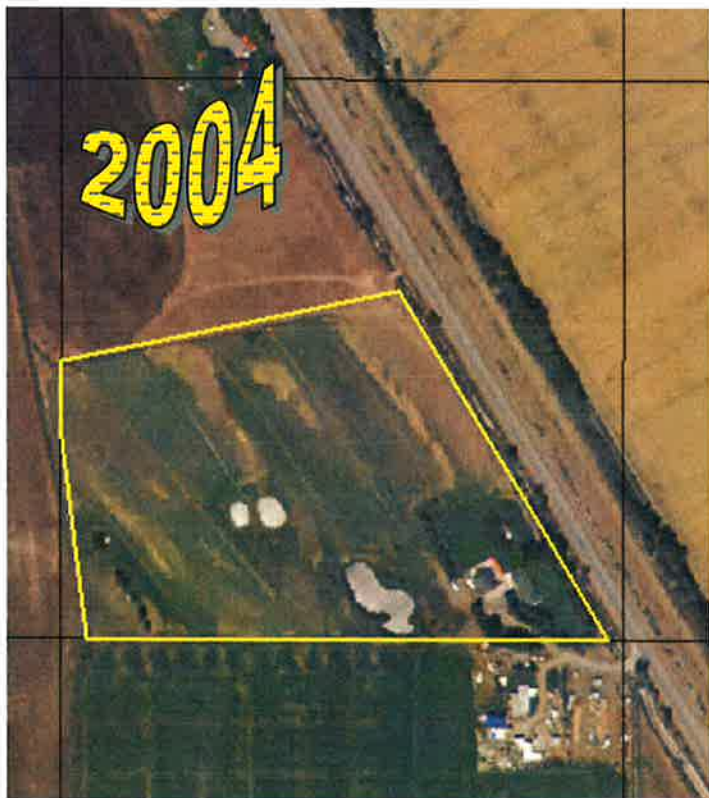
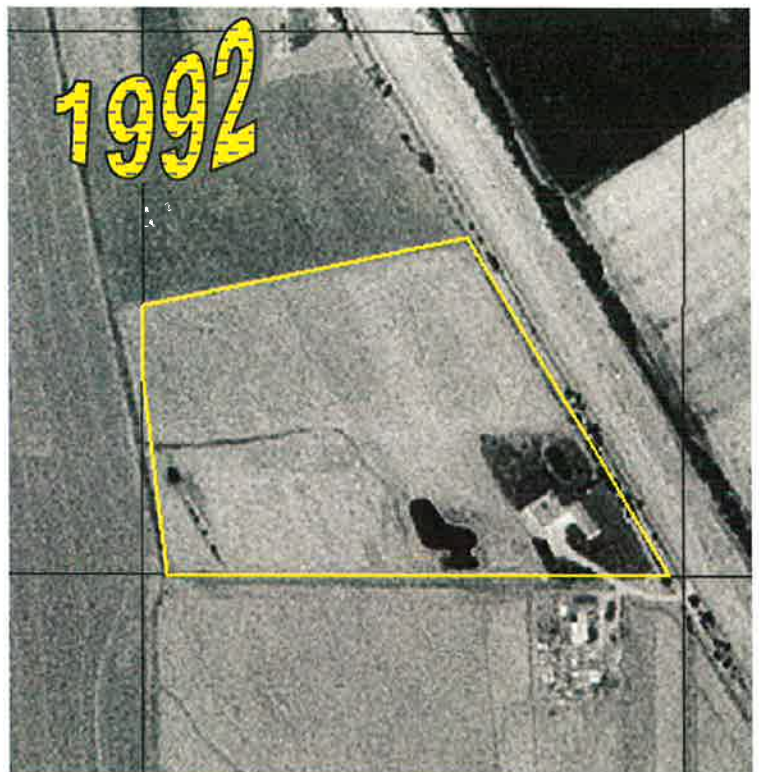
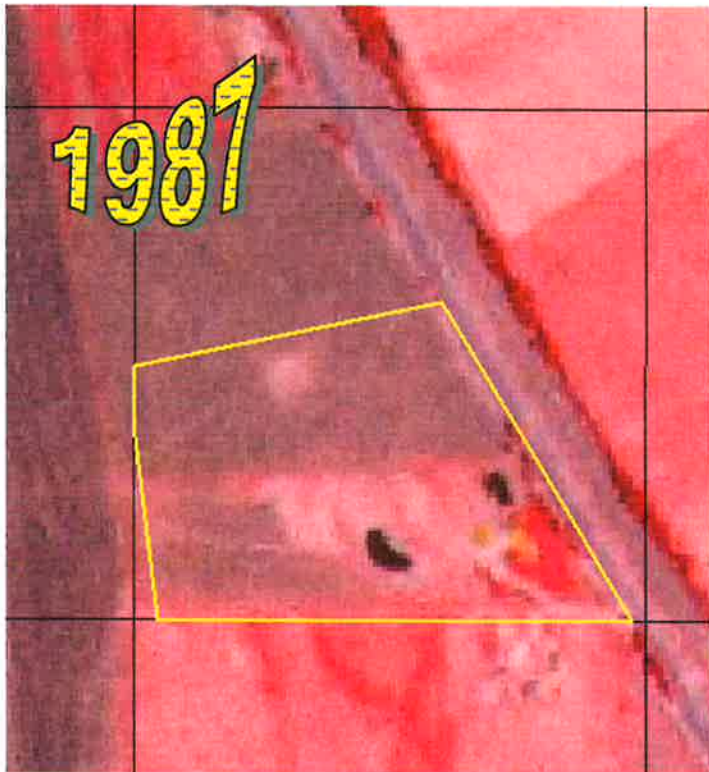
Quarter Section Lines

PLSS Section Lines

GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

37-11984



Less acres being irrigated than claimed...claimed cfs of 1.26 cfs is being delivered, per B37 watermaster records.

Claimed POU not located on any portion of decreed 37-480 POU...accomplished transfer??

3"/acw?

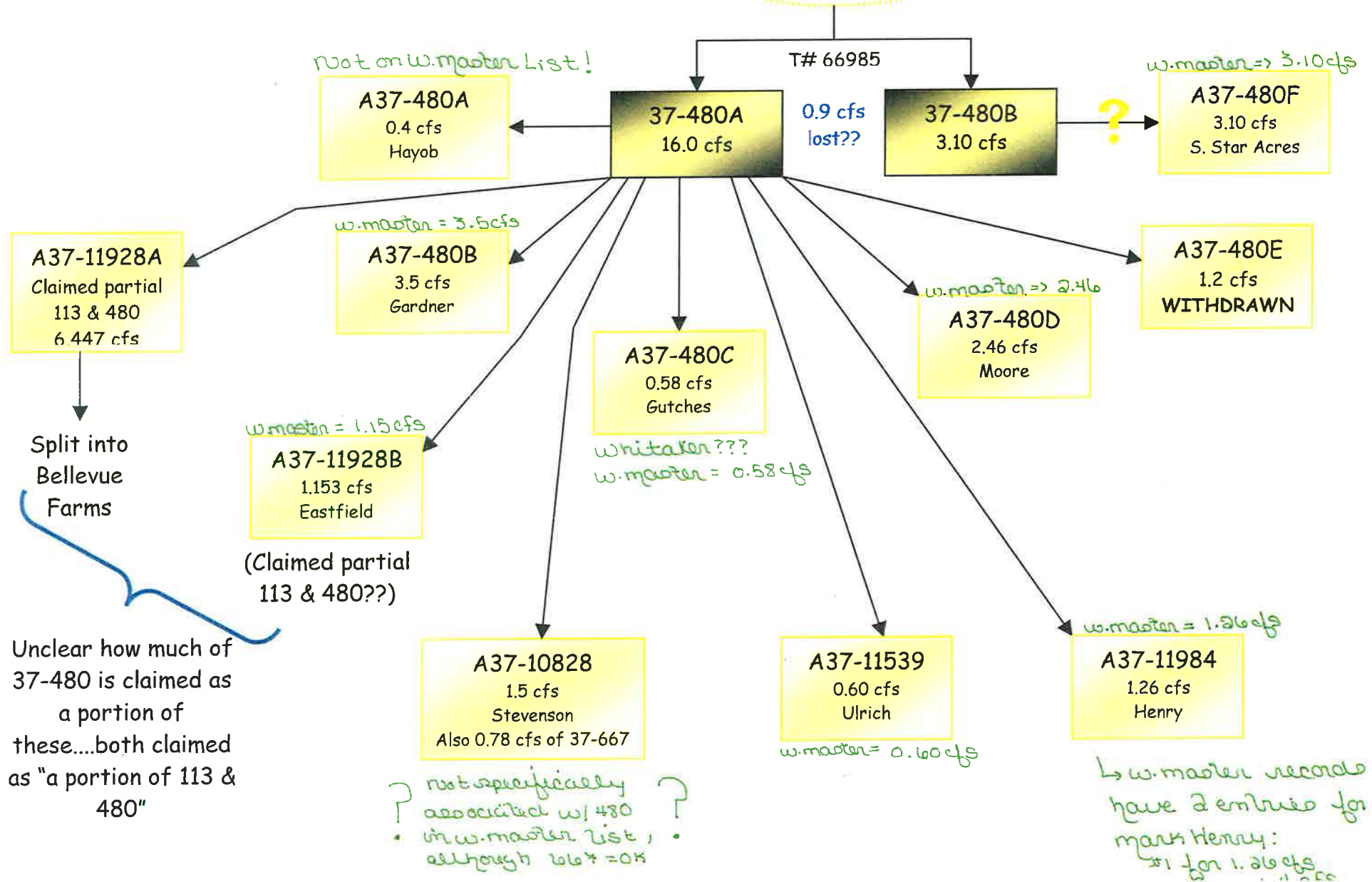
386	JOHN BROWN	37-0479	J.W.MELLER	06	/	10	/	1887	1.60	2.80	20.30
387	BELLEVUE FARMS	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	7.00	9.80	27.30
388	LLOYD MOORE	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	2.46	2.46	22.76
389	MARK HENRY	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	0.64	~~0.64~~	27.94
390	MARK HENRY	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	0.62	1.26	28.56
391	ROBERT GARDNER	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	3.50	4.76	32.06
392	ROBERT ULRICH	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	0.60	0.60	29.16
393	SOUTHERN STAR ACRES	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	3.10	3.70	32.26
394	WILLIAM C WHITAKER III	37-0480	ANNIE I.MILLER ET AL	06	/	15	/	1891	0.58	0.58	29.74

37-480 watermaster records

mark Henry = 1.26 cfs should be all he
is delivered.

$$0.64 + 0.62 = 1.26 \text{ cfs}$$

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...S12 NENE...1N 19E S7
NWSW, NESW, SWSW...S18 NWNW, NENW

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