

**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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

RECEIVED

OCT 06 2023

IDWR/Preston

Ident. Number: 11-7637
Date Received: 10-6-2023
Receipt No: 7000478
Claim Fee: \$105.00
Received By: JW

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DESTROY HAYES
3595 E 893 N
MENAN ID 83434-1202

Phone: (208) 251-6504

OR

TRAVIS HAYES
127 ANTELOPE DR
EVANSTON WY 82930

Phone: (208) 317-7887

OR

CHAD MILT HAYES
796 E HIGHWAY 26
RICHFIELD ID 83349-5440

Phone: (530) 957-6667

OR

TYSON HAYES
3844 EAST 137 NORTH
RIGBY ID 83442

Phone: (208) 317-8949

2. Date of Priority: 5/1/1885

3. Source:
STAUFFER CREEK
STAUFFER CREEK

Trib. to:
BEAR RIVER
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
11S	43E	27	SE NW		BEAR LAKE	
11S	43E	27	NE NW		BEAR LAKE	

5. Description of diverting works:

TRUCK BED DAM WITH 2x6'S TO BACK-UP WATER INTO A DITCH TO FLOOD IRRIGATE FIELD. STOCK
DRINK DIRECTLY FROM THE DITCH.
PLASTIC DAM TO LIFT INTO THE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/15	10/31	0.8		
STOCKWATER	04/15	10/31	0.02		

7. Total Quantity Appropriated is:

0.8 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

50 COWS

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
11S	43E	27	NW		NE		22.5
11S	43E	27	NE		NW		30

Total Acres = 52.5

STOCKWATER same as IRRIGATION

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

11-7639

12. Remarks:

Priority Date Explanation: SEE DECREE IT IS A SPLIT OFF 11-311.

Source also known as Nounan Creek

13. Basis of Claim: Decreed

14. 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 BEAR 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-MAP

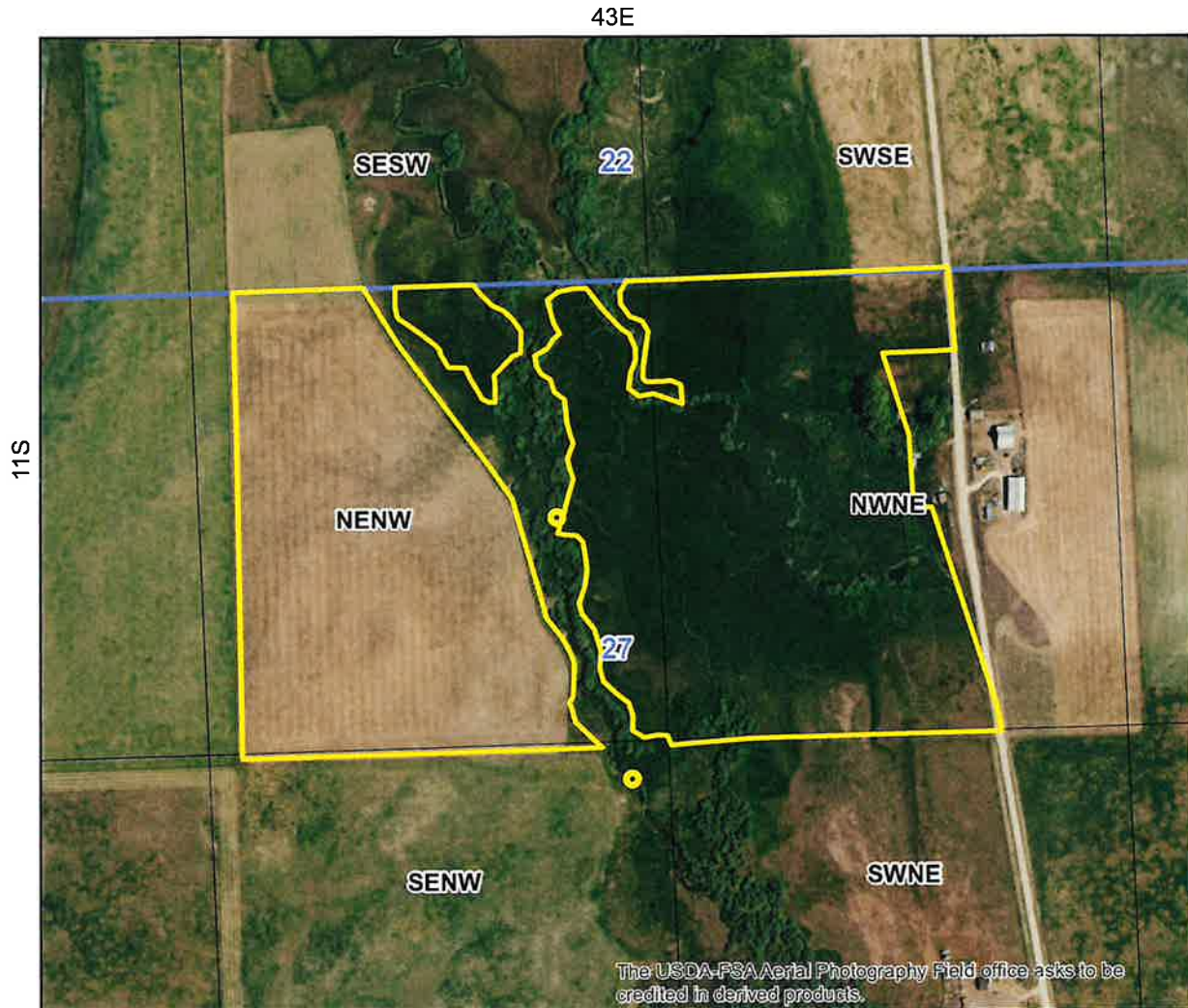
For Individuals:

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Dustin L Hayer* Date: *8-28-23*

Date: _____

State of Idaho
Department of Water Resources
Adjudication Claim
11-7637



0 0.05 0.1 0.2 Miles

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



An Affidavit referring to:

State of Idaho

Department of Water Resources

Notice of change in Water Right Ownership

June 21, 2007

Since we, Milton and Carol Hayes, purchased this property with its water rights almost 40 years ago, we have been the only owners. To our knowledge there was never a change of ownership of the property or splits of any water rights. The two sheets of paper in question are incorrect. The numbers are not attached to the right properties. The acreage is an incorrect discription. It just doesn't make sense and we never would knowingly sign a change in water right ownership. Therefore we believe these documents incorrect and in error.

Milton Hayes

October 6, 2023

Carol A. Hayes

RECEIVED

split

JUN 21 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Apr. 15 → Oct 31
Seasonal use

Water Right No(s)	Adjudication Claim No(s)	Split(s)
11-312	11-7636	11-7637
11-311	11-7638	11-7639
11-312	7638	7714
	7639	7715
	52.5 acres	0.3 CFS

Water Right No(s)	Adjudication Claim No(s)	Split(s)
11-311	7636	7713 .42 CFS
	7637	7712 .78 CFS
	7637	52.5 acres
		.8 CFS
		360 gpm

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **\$200-**
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Charles Bartschi

4. New Owner/Claimant(s)

Milton and/or Carol Hayes

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

983 Hayes Lane Noonan

City, State and ZIP Code

Montpelier Idaho, 83254

New Telephone Number

(208) 847-0887

SUPPORT DATA

FILE # 11-311

5. Date you acquired the property

6-14-1985
6-5-1997.

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>11-311</u>		
Irrigation	<u>2 cfs</u>	<u>13.3 acres</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>11-312</u>		
Irrigation	<u>17 cfs</u>	<u>7 acres</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) Milton L Hayes (title if applicable)
Carel D. Hayes (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by CB
 Received by AMB
 Processed by _____ AJ

Date 6/19/07
 Date 6-21-07
 Date _____

Receipt Amt. 200.00
 Receipt No. C084391
 WR _____ Date _____