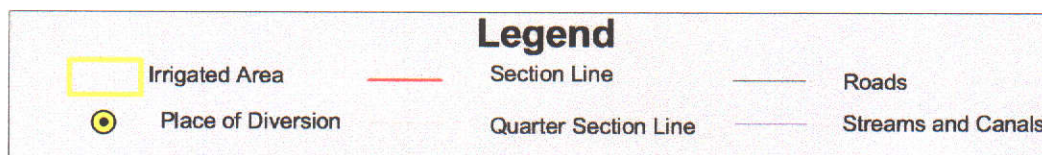
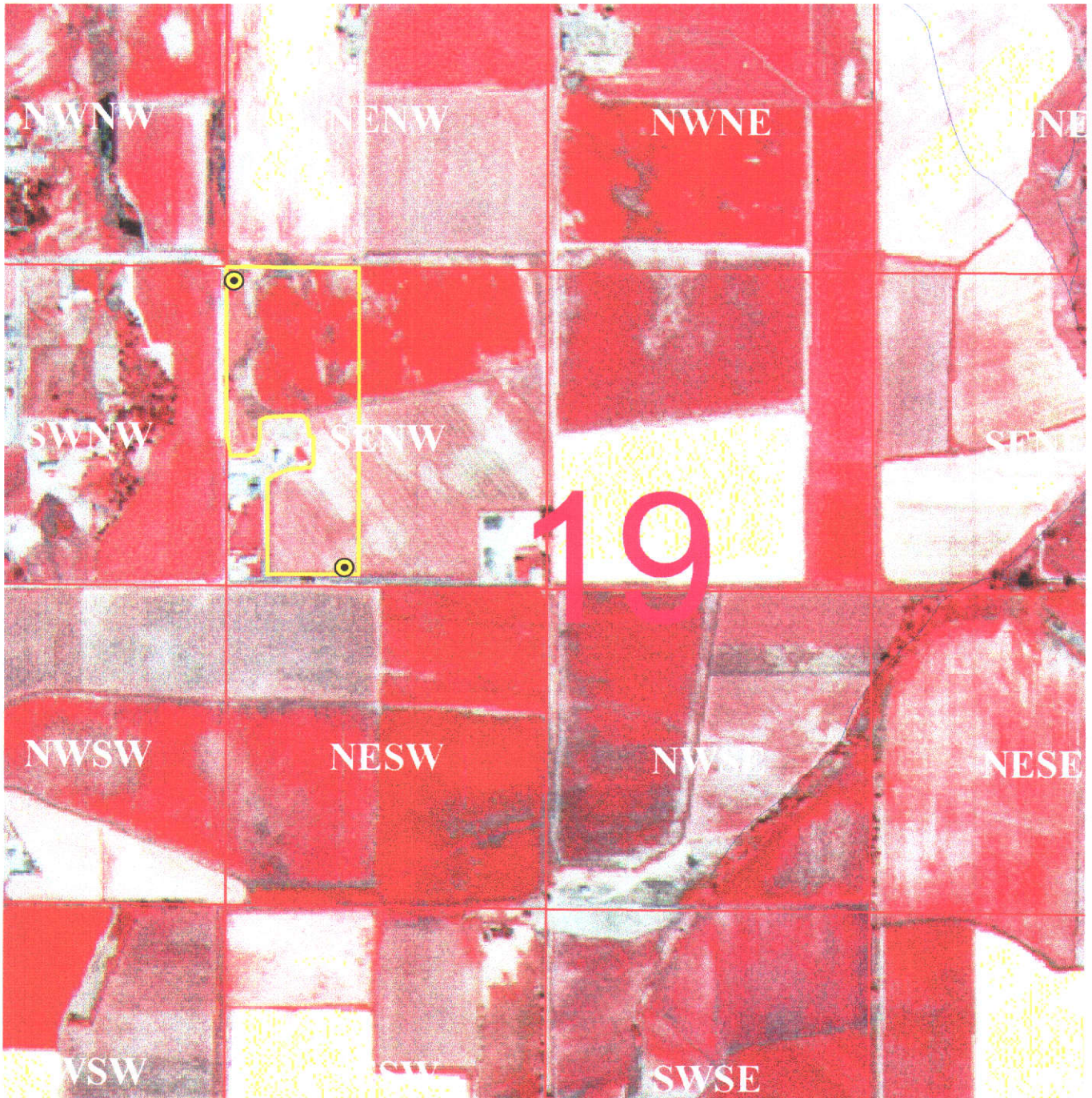


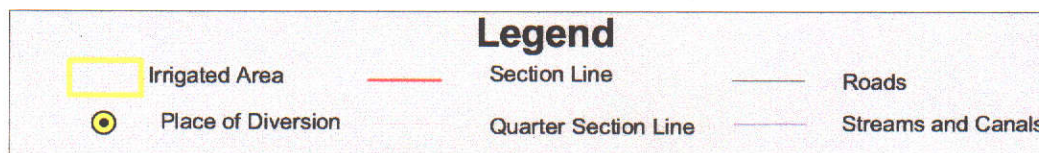
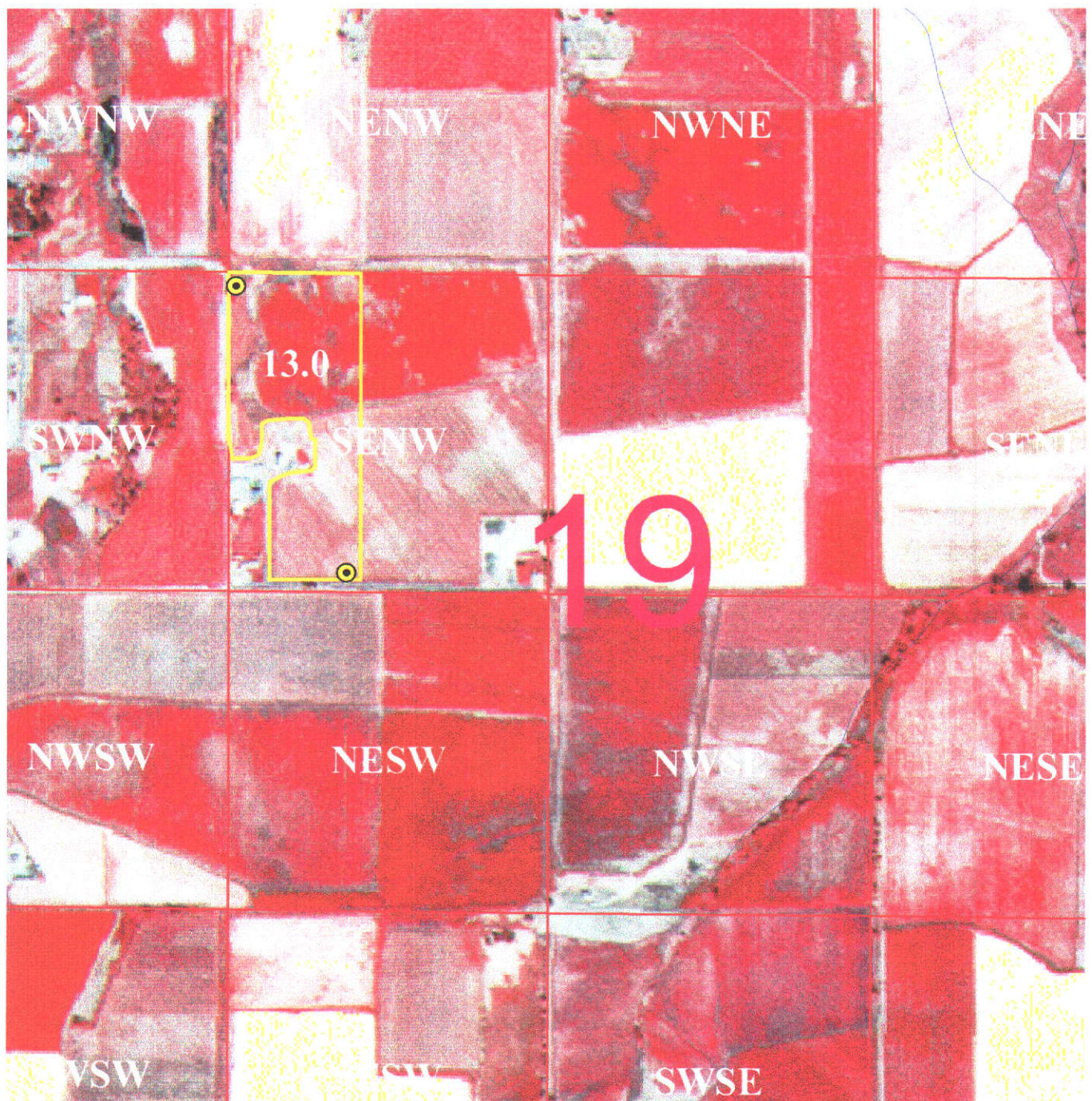
Water Right Claim Number 47-04238
Township , 9S15E

01/15/2001



Water Right Claim Number 47-04238
Township , 9S15E

01/15/2001



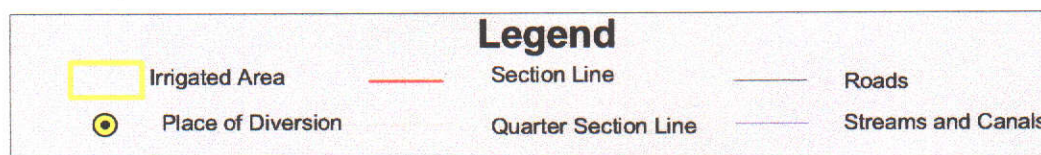
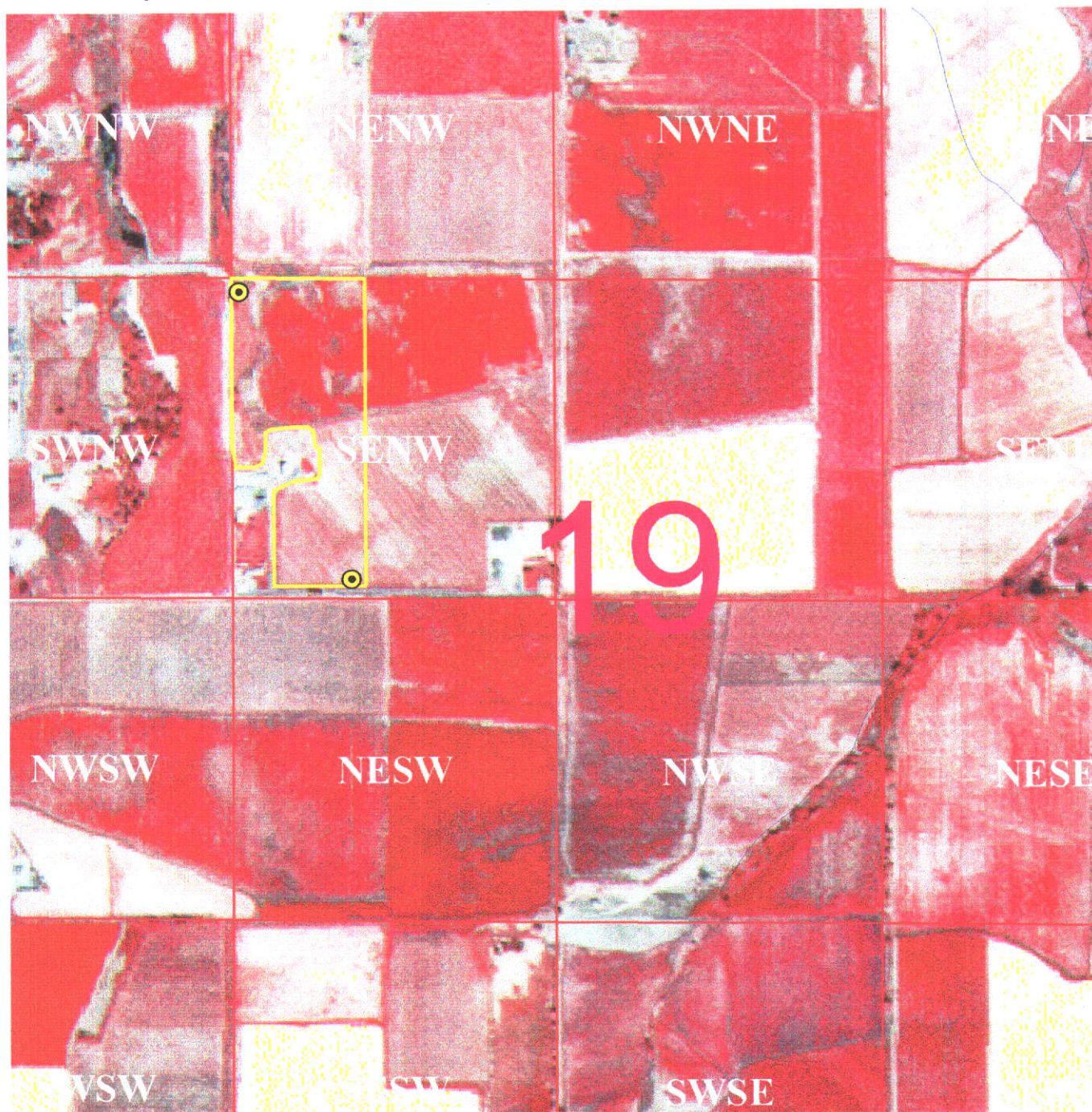
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04238
Township , 9S15E

01/15/2001



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: A47-04238
Date Received: 12/15/1988
Receipt No: 5004513
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY BAGGETT 208-543-5740
Address: RT. 4 BOX 198
BUHL, ID 83316

AND/OR

Name: DELORES BAGGETT 208-543-5740
Address: RT. 4 BOX 198
BUHL, ID 83316

2. Date of Priority: MAR 15, 1960

3. Source: WASTE WATER Trib. to: MUD CREEK
UNNAMED STREAM (SEEP TUNNEL MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	15E	19	NW	SE	NW		TWIN FALLS
			SW	SE	NW		TWIN FALLS

5. Description of diverting works:
DITCHES & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 RANGE

A47-04238

Page 1

Date: 12/15/88

MICROFILMED
MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	19	SE	NW		IRR	15.0
Section Acres							15.0
Total Acres							15.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
SHARES IN TWIN FALLS CANAL CO.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 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): Larry Baggett Date: 12-15-88

Date: _____

State of Idaho)
County of Twila Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Dec 19 88 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/88

S



Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 20, 1976

Projection and 10,000-foot grid ticks: Idaho coordinate

MAY 11 1993

10000 FEET

89

COMMUNICATION DOCUMENTATION

Claim No.

A47-04230

A47-04238

A47-04448

A47-12296

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 1/13/95Contact Person(s) Delores & Larry BaggettNature of Contact office visit

Substance of Communication They came in with questions on their
'evidence of priority' letters... I went over the pamphlet
with them on what evidence they might submit.
These were all wastewater, unnamed streams, seep
tunnels - claims so affidavits may be their
best bet...

MICROFILMED

NOV 29 1996

COMMUNICATION DOCUMENTATION

Claim No. _____

A47-04230
A47-04238
A47-04448
A47-12296

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 3/6/95Contact Person(s) Larry & Delores BaggettNature of Contact office visit (Evidence of Priority)

Substance of Communication they were in again with more questions on Evidence of Priority. I suggested they might try the TFCC to see if there are any old records or contracts that might provide some evidence. I also gave them some blank affidavit forms for neighbors to fill out.

MICROFILMED

NOV 29 1996

A47-0428 A47-12296

To whom it may concern this
is to ~~state~~ show that Oscar
Bartlett did use the waste water
coming from the Henry Mendini farm
entering on the south end of the place

The spring on the north west corner
was also used for livestock water and
irrigation.

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

March 28, 1981

Oscar Bartlett MICROFILMED

Carrie A. Bartlett NOV 29 1996

State of Idaho)
County of Twin Falls)

On this 15th day of March, 1995,
before me, a Notary Public in and for said State,
personally appeared Carrie A. Bartlett

the person whose name is/are known to me to be
the within instrument, and acknowledged to me
that She executed the same.

Andrea L. Candell

Notary Public

Residing: Buhl, Idaho

Commission Expires: 11-14-98

To whom it may concern,

This is to notify that the
waste water from the Henry
Mendine place coming on to
the old Oscar Bartlett place,
which I used from 1970-74
entirely on this property.

March 30, 1981

Loyal R. Kaunhofer

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

A47-04238
- 12296

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. see below

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE	CUSTOMER
March 15, 1995 4:02pm	LARRY BAGGETT

SUBJECT: evidence of priority FOR A47-04238 A47-12296
phone call (.) walk-in (X)

<He left affidavits for A47-04238 and A47-12296 but the one did not have any dates within the affidavit. We discussed the issues and the uses on his property and he indicated that he would get another affidavit. Another affidavit was submitted for A47-04230 and A47-04448.

MICROFILMED

NOV 29 1996

5/9/94

COMMUNICATION DOCUMENTATION

Claim No.

A47-04230

A47-04238

A47-04448

A47-12296

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 3/23/95

Contact Person(s) Larry & Delores Baggett

Nature of Contact office visit

Substance of Communication they brought in some evidence of priority on above claims. There was an affidavit from Connie Bartlett for A47-04238 and A47-12296, and some contracts with the TFCC.

MICROFILMED

NOV 29 1996

RECEIVED

MAR 23 1995

IN THE MATTER OF:

~~A47-04238~~, A47-12296

Department of Water Resources
Southern Region

State of Idaho

AFFIDAVIT

County of Twin Falls

Carrie Bartlett being first duly sworn, deposes and
says:

In Regard to a note submitted by Larry Baggett
from Oscar and I concerning waste water from the
Henry Mendini place -- and a seep tunnel coming up
on the property. This along with canal water is used for
irrigating and stock water.

This land was purchased by Larry Baggett -
Legal description is: located in T 9 S - Range 15 E.
in section 19.

Division: NW SE NW SW SE NW.

Carrie A. Bartlett (signature)

On this 23rd day of March, in the year of 1995

personally appeared Carrie A. Bartlett known or
identified to me to be the person whose name is subscribed to the
within instrument and acknowledged to me that he executed the same.

Stephen L. Cundell (notary public) My commission expires:

Residing at Booth, Idaho 11-14-98

Contract # 100
E. L. Green
Buhl Odoko
SE. NW 19-9-15.

117-04238
A47-12296

Fourteen wells have been drilled and
the following tile laid on this place:-

Tile

<u>6"</u>	<u>8"</u>	<u>10"</u>
258 ft.	89 ft.	346 ft.

This work was done during the
highwater season, fall 1917. The
response was immediate and
indications are that it will be
permanent.

May 31 1918

Chasie.

87 acres drained

RECEIVED

MAR 23 1995

Department of Water Resources
Southern Region

POOR ORIGINAL

RECEIVED

MAR 23 1995

A47-04238
A47-12296

Department of Water Resources
Southern Region

AGREEMENT

This Agreement, Made this 20th day of August 1917
by and between the TWIN FALLS CANAL COMPANY, an Idaho corporation,
party of the first part, and E. L. Greene

party of the second part, witnesseth:

Whereas, the following described land, to-wit: S. E 1/4 NW 4
Sec 19-9-15

in Twin Falls County, Idaho, is at present being injured by seepage; and, whereas,
the first party is about to bore one or more wells on or near said land under the
direction of _____, a drainage engineer, for the pur-
pose of determining the effect of such wells in draining said seeped land;

Now therefore, in consideration of the premises, it is hereby agreed:

(1) That the first party may at its option and under the direction of said en-
gineer bore one or more wells on or near said land, the number, size, depth, character,
and location to be designated by said engineer, that the first party shall have the right
to enter on said lands and do and perform any and all things reasonably necessary in
the judgment of said engineer in the furtherance of said work.

(2) The cost of boring said wells shall in the first instance be borne by the
first party; but, the second party agrees to reimburse the first party to the extent of
Fifteen + 2/100 dollars (\$15.00) per acre for any and all lands drained,
the number of acres, if any, to be determined by the said engineer.

(3) It is understood that the first party does not in any wise admit or ac-
knowledge that the seepage hereinbefore referred to or any part thereof, is the result
of any neglect or other act or omission on the part of the first party, or that it is in any
wise responsible for same, or that the first party in any wise admits or acknowledges
a liability on account of same, or liability or responsibility to install the said or any
system of drainage, or the right to second party to damage.

(4) It should be understood that should a flow of water be obtained by rea-
son of said well, the same shall be subject to the use of the first party for irrigation,
and second party will grant to the first party a free easement and right of way for
ditches or waterways necessary to carry said water to the place or places desired by
first party in order to utilize or dispose of same.

In Witness Whereof, the first party has caused the same to be executed by the
hand of its secretary; and, the second party has set his hand the day and year
first above written.

TWIN FALLS CANAL COMPANY,

By W. O. Taylor Secretary

POOR ORIGINAL

Contract # 87
Leopold Inc.
Bull Idola.

● A47-04238
A47-12296

NE NW 19-9-15

Thirty (30) wells have been drilled on
this land and the following tile lands:—

Tile.

<u>8"</u>	<u>10"</u>	<u>12"</u>
1938 feet.	996 ft.	482 feet.

The water bearing strata is a decomposed
granite, thru which the water travels
at a low velocity. None of the well
flowed over 8 inches of water when
tapped, however. The water table
responded quickly and apparently
permanently to the work.

12² Acres were drained.

May 31-1918

C. A. Smith

RECEIVED

MAR 23 1995

Department of Water Resources
Southern Region

POOR ORIGINAL

MICROFILMED

NOV 29 1996

MAR 23 1995

Department of Water Resources
Southern Region

AGREEMENT

This Agreement, Made this 11 day of Dec 1916

by and between the TWIN FALLS CANAL COMPANY, an Idaho corporation,
party of the first part, and Leopold Low

party of the second part, witnesseth:

Whereas, the following described land, to-wit: NE 1/4 Sec 19 Tp 9. SR 15 E 1 Bm

in Twin Falls County, Idaho, is at present being injured by seepage; and, whereas, the first party is about to bore one or more wells on or near said land under the direction of _____, a drainage engineer, for the purpose of determining the effect of such wells in draining said seeped land;

Now therefore, in consideration of the premises, it is hereby agreed:

(1) That the first party may at its option and under the direction of said engineer bore one or more wells on or near said land, the number, size, depth, character, and location to be designated by said engineer, that the first party shall have the right to enter on said lands and do and perform any and all things reasonably necessary in the judgment of said engineer in the furtherance of said work.

(2) The cost of boring said wells shall in the first instance be borne by the first party; but, the second party agrees to reimburse the first party to the extent of Fifteen dollars (\$15.00) per acre for any and all lands drained, the number of acres, if any, to be determined by the said engineer.

(3) It is understood that the first party does not in any wise admit or acknowledge that the seepage hereinbefore referred to or any part thereof, is the result of any neglect or other act or omission on the part of the first party, or that it is in any wise responsible for same, or that the first party in any wise admits or acknowledges a liability on account of same, or liability or responsibility to install the said or any system of drainage, or the right to second party to damage.

(4) It should be understood that should a flow of water be obtained by reason of said well, the same shall be subject to the use of the first party for irrigation, and second party will grant to the first party a free easement and right of way for ditches or waterways necessary to carry said water to the place or places desired by first party in order to utilize or dispose of same.

In Witness Whereof, the first party has caused the same to be executed by the hand of its secretary; and, the second party has set his hand the day and year first above written.

TWIN FALLS CANAL COMPANY,

By _____ Secretary

Leopold Low

POOR ORIGINAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

A. KEITH HIGGINSON
Director

January 10, 1995

A47-04238
LARRY BAGGETT
DELORES BAGGETT
RT. 4 BOX 198
BUHL

ID 83316

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED
NOV 29 1996

Log for claim 47-04238

Spatial Dynamics BTD

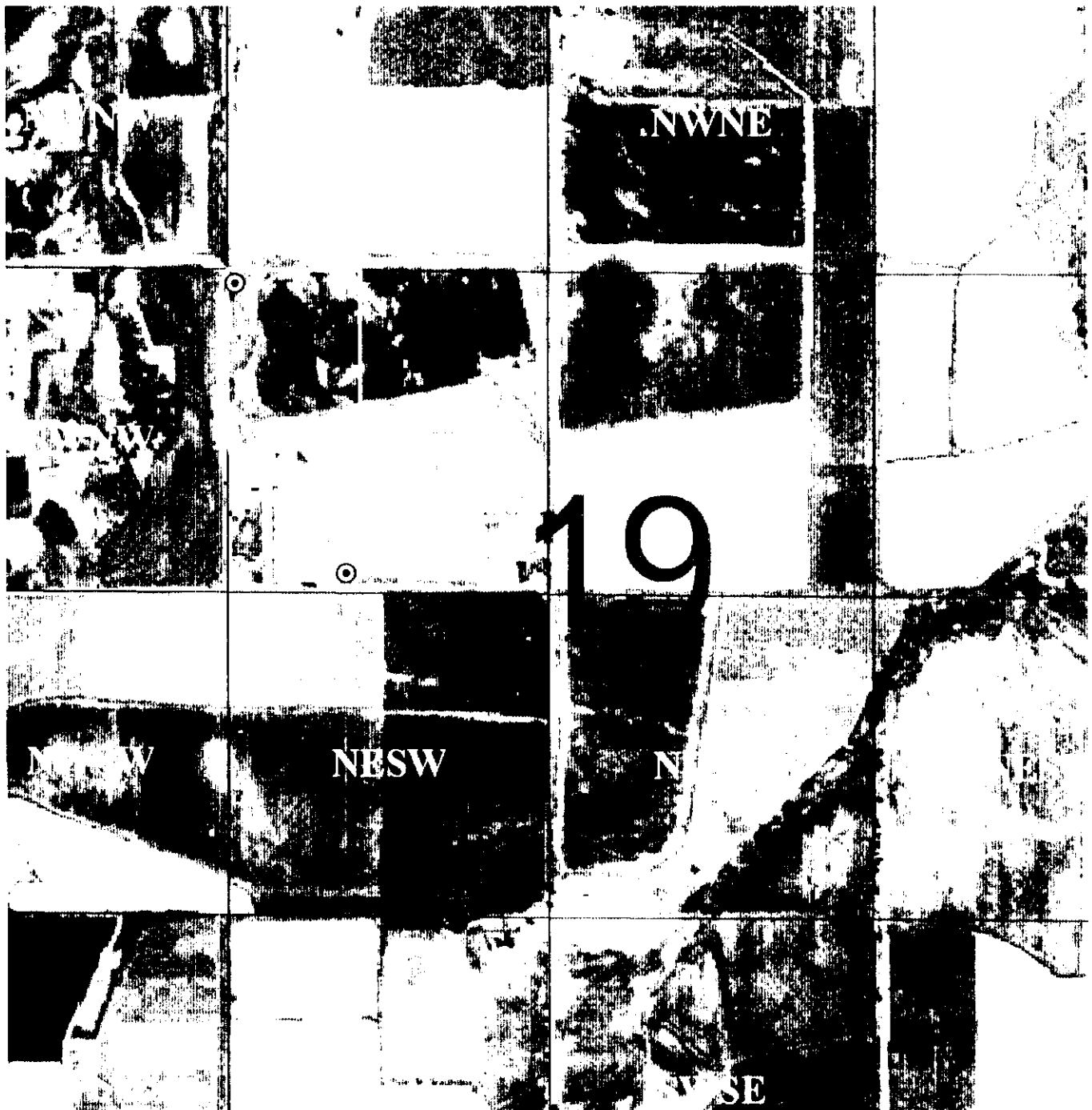
1/15/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s15e	19	SENW	15	13	
Totals:			15	13	

 SPATIAL
DYNAMICS

Water Right Claim Number 47-04238
Township , 9S15E

01/15/2001



Legend

Irrigated Area

Section Line

Roads

⊙ Place of Diversion

Quarter Section Line

Streams and Canals

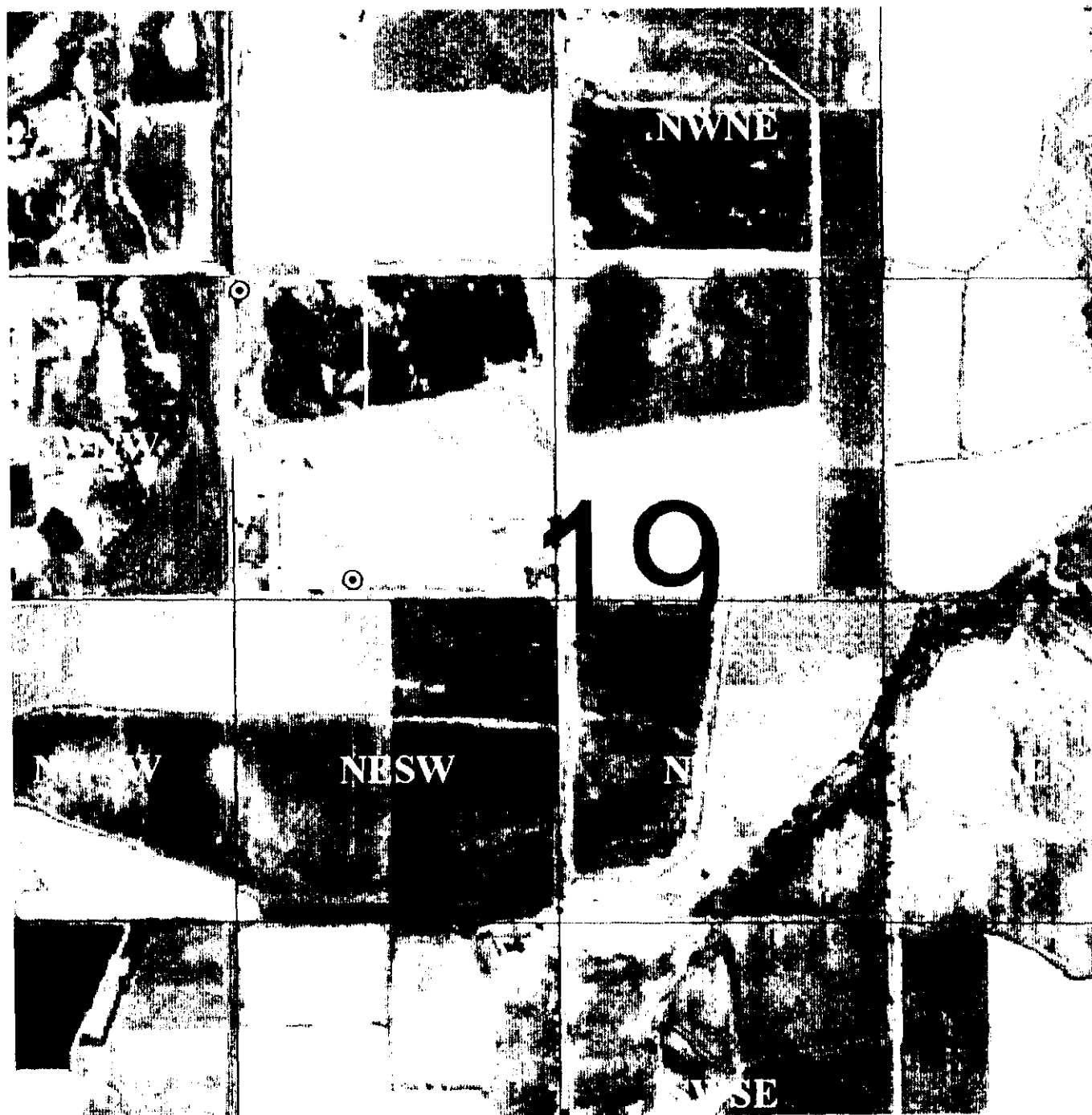


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-04238
Township , 9S15E

01/15/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |

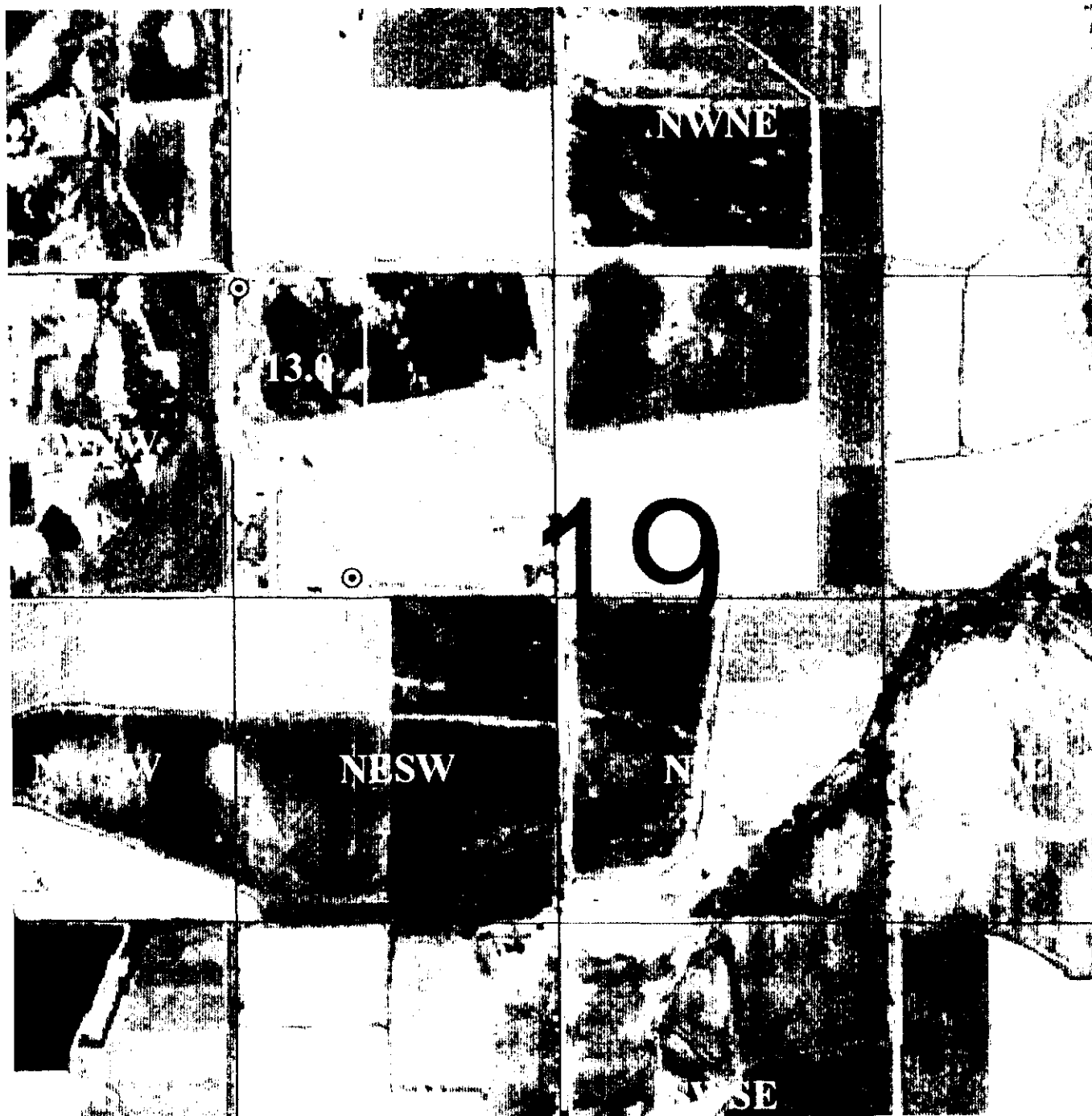
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04238
Township , 9S15E

01/15/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |

400 0 400 800 Feet



*SPATIAL
DYNAMICS*

DATE: 12/06/00
PAGE: 81

Audit: 12/15/88 MERRITT 03/30/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Larry Baggett

(Name of Claimant)

Rt. 4, Buhl, Idaho, 83316

(Mailing Address)

Telephone No. 543-5740

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1960

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Waste water & Seepage from tunnel tributary to Mud Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>4.0 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Mar 15</u>	To <u>Nov 15</u>
Quantity <u>0.02 cfs</u>		Use <u>Stockwater</u>		Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) 4.0 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Twp. 9S Rge. 15E B.M., County of Twin Falls

Additional points of diversion:

(two diversion points for waste water & one from the seepage tunnel)

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Open ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	15E	19								15									15

No. of acres 15

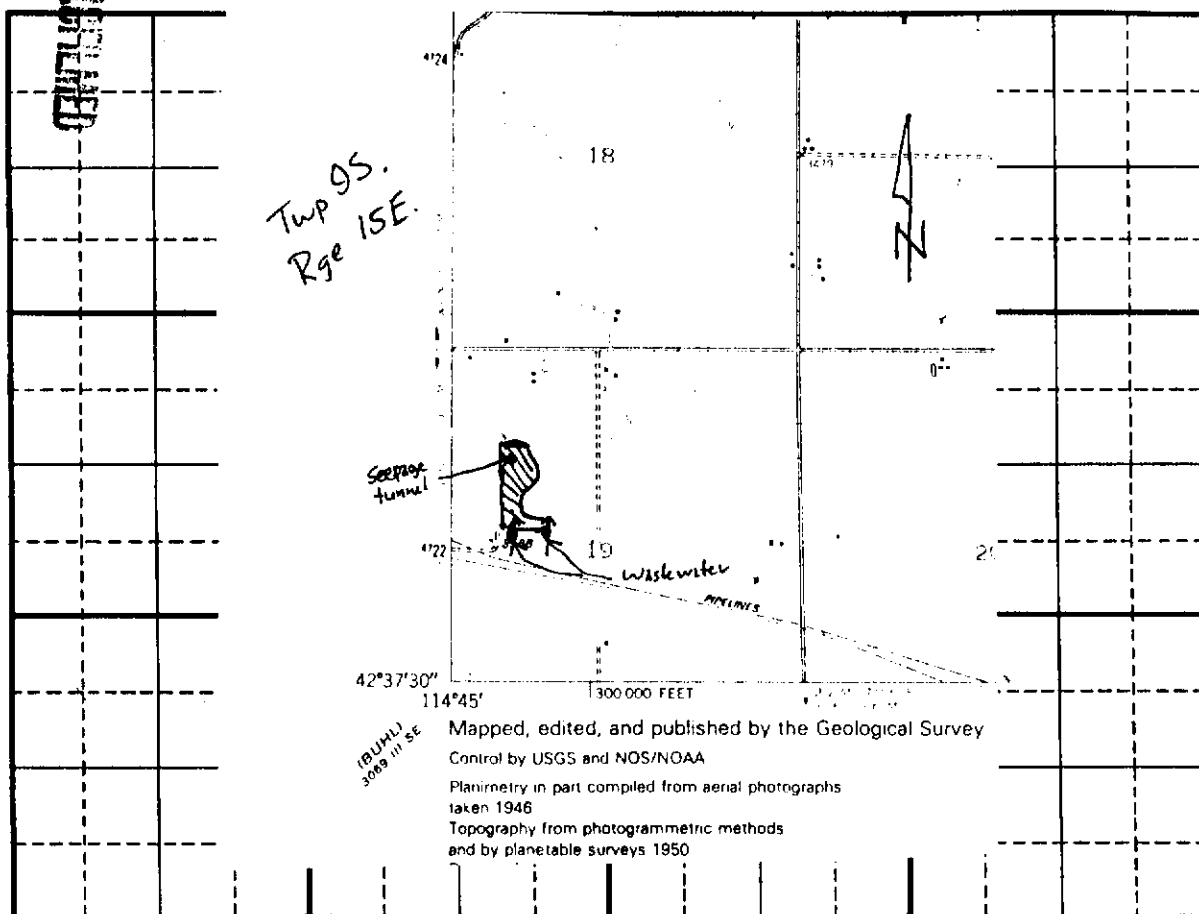
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 50 head drink from ditches & seepage stream

- (7) If you are claiming water as a member of an organization, list name of organization:

RECORDED

(B) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Larry Baggett
(Claimant)

Sworn to before me this 1 day of April, 1981.

Wm. A. Hill
Notary Public
Residing at Twin Falls, id 83301

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by ADM Date 4/1/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by T.G. Sloan Date 4-6-81 claimant by: _____
30.00 \$20.00-fee received by meaga Date 4/1/81 #16935
Published in Twin Falls
Dates 4/30 + 5/2/81