

SEP 11 2001

Department of Water Resources

Important Information About Your Water Right

August 27, 2001

SLOPE COMPACTION
A CALIFORNIA CORP
C/O DENNIS M MCCOY
23622 CALABASAS RD #239
CALABASAS, CA 91302

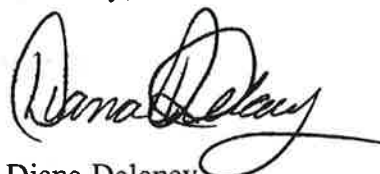
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-00098. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order*** in combination with the ***Partial Decree*** that was issued for this water right on March 31, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of the water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued the same date that the ***Partial Decree*** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
)
Case No. 39576)

Water Right 36-00098

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on March 31, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 02-15 11-30

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

August 27, 2001

SLOPE COMPACTION
A CALIFORNIA CORP
C/O DONALD L MCCOY
23622 CALABASAS RD #239
CALABASAS, CA 91302

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Dated August 27, 2001



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

August 27, 2001

GARY COOK CORP
A CALIFORNIA CORP
110 NEWPORT CENTER DR #250
NEWPORT BEACH, CA 92660

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Dated August 27, 2001



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

36-00098
ROSS COOPER
KATHLEEN COOPER
6773 PORTSHEAD DR
MALIBU CA 90265

RE: Water Rights in Reporting Area 3, Basin 36
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources supplemental recommendations for your water right(s) in basin 36 (the area north of the Snake River from near Lake Walcott on the east to near Hagerman on the west). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area.

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5 after most water rights in Basin 36 had been decreed, the SRBA Court requested me to file supplemental reports for Basin 36 regarding the period of use for irrigation water uses and general provisions applying to all water rights in Basin 36. The enclosed documents fulfill that request. The general provision enclosed is in addition to those already adopted by the Court.

Note you have just over 30 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Hailey, Arco, Jerome, Rupert, Gooding, and Shoshone and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

RIGHT NUMBER: 36-00098

NAME AND ADDRESS: M J & SHARON WIENS JR FAMILY TRUST
1701 LAS VEGAS BLVD S
LAS VEGAS NV 89104

SARAH ELLEN ARCHIE
JOSEPH PATRICK ARCHIE
2309 WOODROW DR
RALEIGH NC 27609-7626

E A COLLINS
2933 COASTLINE COURT
LAS VEGAS NE 89117

ROSS COOPER
KATHLEEN COOPER
6773 PORTSHEAD DR
MALIBU CA 90265

GARY COOK CORP
A CALIFORNIA CORP
110 NEWPORT CENTER DR #250
NEWPORT BEACH CA 92660

SLOPE COMPACTION
A CALIFORNIA CORP
C/O DENNIS M MCCOY
23622 CALABASAS RD #239
CALABASAS CA 91302

SLOPE COMPACTION
A CALIFORNIA CORP
C/O DONALD L MCCOY
23622 CALABASAS RD #239
CALABASAS CA 91302

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
02-15 11-30

**NOTICE OF FILING SUPPLEMENTAL REPORTS
FOR REPORTING AREA 3 (IDWR BASIN 36) REGARDING
REVISION OF THE FOLLOWING:**

- ▶ **Period of Use (For Irrigation Water Uses)**
- ▶ **Conjunctive Management General Provision**

EXPLANATION

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5, the Snake River Basin Adjudication (SRBA) District Court requested the Director of the Idaho Department of Water Resources (IDWR) to file supplemental reports for Basin 36 regarding the period of use for irrigation water uses and the conjunctive management general provision. This notice is to inform you that IDWR has filed those reports with the SRBA District Court.

Irrigation Season of Use

The supplemental report on irrigation season of use changes IDWR's recommendation for the irrigation season of use for irrigation water rights in Basin 36. Even water rights that have received partial decrees are receiving a new irrigation season recommendation because the Idaho Supreme Court determined that the use of the term "irrigation season" is not acceptable and specific dates must be set. The irrigation season of use recommendations only affect the season of use, and no other elements of the irrigation water rights.

If you claimed an irrigation water right a description of the Director's irrigation season of use recommendation for your claim is attached to this Notice. You need to carefully review the new season of use recommended for your irrigation right. The complete Irrigation Season of Use Supplemental Report for Basin 36 is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

Conjunctive Management General Provisions

Additionally, the Director of IDWR has filed with the SRBA District Court his supplemental report on conjunctive management for Basin 36. This Report is the Director's recommendation for the conjunctive management general provision that should be decreed for Basin 36. Attached to this Notice is a complete copy of the conjunctive management general provision the Director recommends for Basin 36.

INSTRUCTIONS FOR REVIEWING THESE REPORTS

You are free to agree or disagree with the Director's recommendations. If you agree with the Director's recommendations you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendations, you need to file an objection as described below. **You may only object to the Director's recommendations on irrigation season of use and conjunctive management.** You may not object to any other elements of your water right under this notice unless you have evidence that the irrigation season of use or conjunctive management recommendations affect other elements of your right.

INSTRUCTIONS FOR TAKING AN ISSUE TO COURT

What do I do if I disagree with a conjunctive management provision or a season of use recommendation?

If you disagree with a conjunctive management provision, or the season of use recommendation for your water right or anyone else's water right, and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form attached to this Notice. Copies are available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your objection to IDWR's conjunctive management provision, or the irrigation season of use for the rights listed above must be **received** by the SRBA Court on or before **September 10, 1999**.

What do I do if someone else objects to a conjunctive management provision or a season of use recommendation?

If someone files an objection to a conjunctive management provision, or the season of use recommendation for your water right or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court. Your response must be **received** by the SRBA Court on or before **November 12, 1999**.

What happens if there are no objections to a recommendation?

After the deadline for filing objections, the SRBA Court will hear the uncontested recommendations on **November 16, 1999, at 1:30 P.M.** at the **SRBA Courthouse**. Any part of the report to which no objections are filed may be decreed by the district court.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations. Additional information regarding the SRBA can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA. The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

Snake River Basin Adjudication

District Court

253 Third Avenue North
P.O Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources

1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

Idaho Department of Water Resources

Western Region

2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Idaho Department of Water Resources

Northern Region

1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

Idaho Department of Water Resources

Southern Region

1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

Idaho Department of Water Resources

Eastern Region

900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Blaine County Courthouse

1st and Croy St.
Hailey, ID 83333

Butte County Courthouse

248 W. Grand Ave.
Arco, ID 83213

Jerome County Courthouse

300 N. Lincoln, Rm. 301
Jerome, ID 83338

Lincoln County Courthouse

111 W. B St.
Shoshone, ID 83352

Minidoka County Courthouse

715 G St.
Rupert, ID 83350

Gooding County Courthouse

624 Main St.
Gooding, ID 83330

BASIN 36 GENERAL PROVISION

The director recommends that the following general provision be included in the decree determining rights to water from Basin 36:

The following water rights from the following sources of water in Basin 36 shall be administered separately from all other water rights in Basin 36:

Water Right No.

None

Source

None

The following water rights from the following sources of water in Basin 36 shall be administered separately from all other water rights in the Snake River Basin:

Water Right No.

None

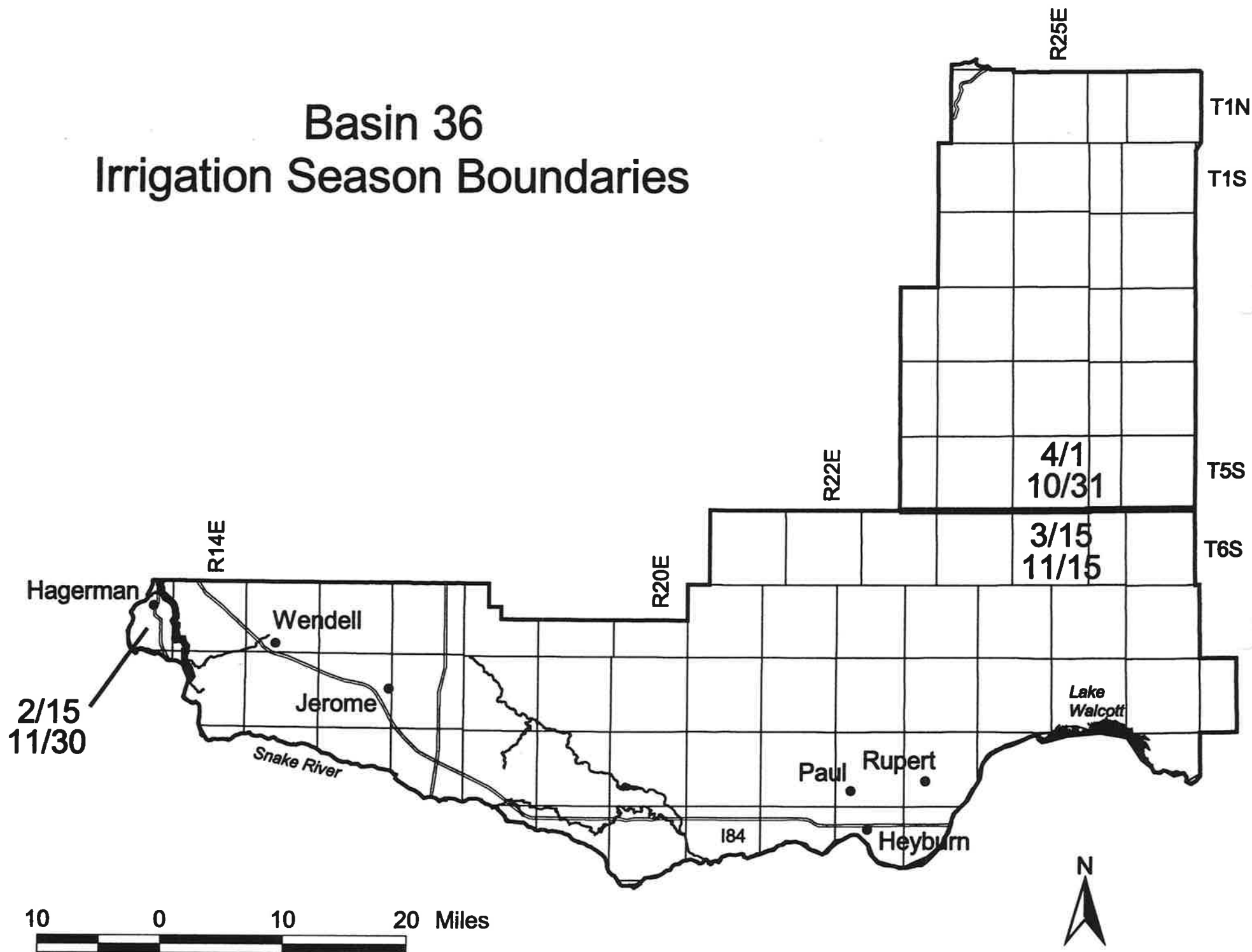
Source

None

All water rights with Basin 36 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Basin 36

Irrigation Season Boundaries



**INSTRUCTIONS FOR FILING
OBJECTIONS TO WATER RIGHTS IN THE
SNAKE RIVER BASIN ADJUDICATION
BASED UPON THE SUPPLEMENTAL DIRECTOR'S REPORT**

The attached form is for your use if you file an objection to irrigation season recommendations and/or general provisions, as recommended in the Supplemental Director's Report. You may copy or reproduce this blank form.

To object to more than one water right, you must use a **separate form for each objection** and there must be **only one objector** for each form.

Your objection must be **received and filed** by the court on or before the deadline specified in the notice that the Idaho Department of Water Resources mailed to you. If you are filing 25 or more objections you must contact the Clerk of the SRBA court at least 14 days before the filing deadline and arrange an appointment for filing.

You may attach any explanation or documentation that you feel is necessary to support your objection.

INSTRUCTIONS FOR COMPLETING THE OBJECTION FORM

- A. **Subcase.** Fill in the water right number to which you are objecting at the top of the form in the blank following Subcase. The water right number will become the Subcase Number.
- B. **Name and Address of Person Objecting.** Enter your name, address and daytime telephone in the blanks provided.
- C. **Claimant of Water Right As Listed in Supplemental Director's Report.** Fill in the claimant/owner blank of the water right to which you are objecting as it is listed in the Supplemental Director's Report.
- D. **Elements of the Water Right.** If you disagree with irrigation season or general provisions listed in the Supplemental Director's Report, check the appropriate box(es) and write in the space provided what you think the element should be. If objecting to a general provision, please indicate the number of the provision, and the basin it was reported in.
- E. **Reasons supporting objection.** Attach to the objection form a separate sheet explaining why you are objecting. (this is optional)
- F. **Verification.** You must sign the objection form in front of a notary. By filing this objection form, you are certifying that the objection is well-grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.
- G. **Certificate of Mailing.** Fill in the appropriate blanks for the date and the owner of the water right, and sign the form. Remember that the original objection form must be mailed to the Clerk of the SRBA District Court with copies mailed to the parties listed in this section.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase _____

STANDARD FORM 1a

**OBJECTION TO IRRIGATION SEASON
AND/OR CONJUNCTIVE MANAGEMENT
GENERAL PROVISIONS**

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: _____

Address: _____

Daytime Phone: (____) _____

Name & address of attorney, if any: _____

**C. CLAIMANT OF WATER RIGHT AS LISTED IN
SUPPLEMENTAL DIRECTOR'S REPORT**

Name: _____

Address: _____

D. ELEMENTS OBJECTED TO:

8. Period (Irrigation Season) of Use

Should be: _____

12. General Provision

Number: _____ Reported in Basin: _____

Comments: _____

E. REASONS SUPPORTING OBJECTION: (if you have additional reasons, please attach to this form)

This standard form is for the sole purpose of objecting to the Director's supplemental recommendations on irrigation season of use and general provisions. This form may not be used to object to any other elements of your water right.

If you have evidence that the recommendations on irrigation season of use and/or conjunctive management adversely affect other elements of your water right, please contact the Snake River Basin Adjudication at 208-736-3011. A deputy clerk of the court will inform you of how to proceed.

F. VERIFICATION (Must be Completed)

State of _____)
)ss.
County of _____)

_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Subscribed and sworn to before me on: _____

(Attorney signing in representative capacity)

Notary Public
for _____

Residing at: _____

My Commission Expires: _____

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on _____, 199__, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right
at the following address:

Name: _____

Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

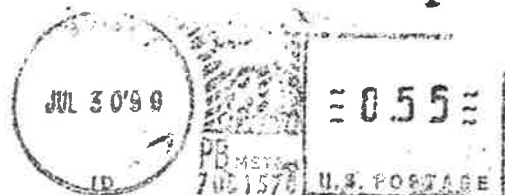
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Signature of Objector or attorney

U.S. POSTAL SERVICE
First-Class Mail
Permit No. 100
San Francisco, CA 94111

ADDRESS SERVICE
REQUESTED



RETURNED
TO
SENDER
UNDELIVERABLE AS ADDRESSED.
FORWARDING ORDER EXPIRED

- | | |
|---|---|
| ☐ Attempted-Not Known | ☐ No Mail Receptacle |
| ☐ No Such Number | ☐ Temporarily Away |
| ☐ Insufficient Address | ☐ Vacant |
| ☐ Refused | ☒ Addressed-Unable to Forward |
| ☐ Not Deliverable As Addressed | Initials <u>ROE</u> |
| Route Number <u>CC</u> | |

R36-00098
ROSS COOPER
R36-00098
KATHLEEN COOPER
6778 PORTSHEAD DR
MALIBU

CA 90265

RECEIVED

AUG 10 1999

Department of Water Resources

THIS IS AN IMPORTANT LEGAL NOTICE CONCERNING YOUR WATER RIGHT CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Case No. 39576
)
) NOTICE OF FILING AMENDED DIRECTOR'S
) FOR REPORTING AREAS 1, 2, AND 3
) (BASINS 34, 57 AND 36)

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN REPORTING AREAS 1, 2 AND 3
(BASINS 34, 57 AND 36)

The Idaho Department of Water Resources has filed Amended Director's Reports for Reporting Areas 1, 2, and 3 (Basins 34, 57, and 36, also known as the test basins) with the SRBA District Court. One of the purposes of the Amended Reports is to conform the director's reports to the requirements of the adjudication statute, Title 42, chapter 14, Idaho Code, which was amended in 1994.

The Amended Reports amend the "preamble" to the director's reports, which include "general provisions." The general provisions apply to all water rights or certain classes of water rights, and are recommended to be included in the court's decree of water rights. The amendments significantly reduce the general provisions, and include some changes in the text of the remaining general provisions. The remainder of the preamble consists of explanatory material. The Amended Reports do not change the list of water rights in the report. IDWR will file amended reports at a later date that revise the list of water rights in the reports.

The SRBA District Court has entered an order granting the amendments to the Director's Report for Basin 57 in part. The order further provides that no additional objections to the remaining general provisions in the Basin 57 report will be allowed. The court has entered an order setting a hearing on the Amended Reports for Basins 34 and 36 on January 16, 1996, at 1:30 p.m., at the SRBA Courthouse. **The order provides that any party opposing the amendments to the report shall file with the court a notice and brief in opposition by 5:00 p.m. January 8, 1996;** any party wishing to file a response to the objections shall file their briefs prior to 5:00 p.m., January 15, 1996.

Some claimants have filed a motion asking the court to designate the general provisions as "Basin Wide Issue No. 5" for determination by the court. The court has entered an order designating the general provisions in Basin 57 as Basin Wide Issue No. 5. (One of the general provisions, concerning the Reynolds Creek Decree, was referred to the special master for Basin 57.) A hearing on the designation of general provisions in Basins 34 and 36 as part of Basin Wide Issue No. 5 will be held January 16, 1996, at 1:30 p.m. at the SRBA Courthouse.

The court's order also sets forth a schedule for the resolution of Basin Wide Issue No. 5. All parties to the SRBA who intend to participate must file with the SRBA District Court a notice of intent to participate by 5:00 p.m., January 5, 1996. The notice must state whether the party supports or opposes the inclusion of each general provision in the court's decree, and clearly and briefly explain their position. Briefs in support of the general provisions must be filed with the court by 5:00 p.m., January 26, 1996. Briefs in opposition to general provisions must be filed with the court by 5:00 p.m., February 9, 1996. Responsive briefs must be filed with the court by 5:00 p.m., February 16, 1996. A pretrial conference will be held at 9:00 a.m. on February 20, 1996, and hearing will be held at 9:00 a.m. on March 12, 1996, at the SRBA Courthouse.

A copy of each amended report is available for inspection at the locations listed on this notice. Copies of all or a portion of the amended reports and/or the court's orders are available from the offices of IDWR listed on this notice, subject to payment of costs of mailing and/or copying.

If you have questions about the SRBA, please call any office of IDWR listed in this notice; if you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

December 29, 1995
Karl J. Dreher
Director, Idaho Department of Water Resources

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 34 IS AVAILABLE FOR INSPECTION**

MOORE POST OFFICE, 321 MAIN STREET, MOORE
BUTTE COUNTY ASCS, 125 S WATER, ARCO
CUSTER COUNTY ASCS, 716 W CUSTER, MACKAY
CUSTER COUNTY CLERK'S OFFICE, CUSTER COUNTY
COURTHOUSE, 9TH & MAIN, CHALLIS
AUDITOR & RECORDER'S OFFICE, BUTTE COUNTY
COURTHOUSE, 248 W GRAND, ARCO
BIG LOST RIVER IRRIGATION DISTRICT OFFICE, 101 MAIN,
MACKAY
BIG LOST RIVER ELECTRIC CO-OP, 302 PINE, MACKAY

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 57 IS AVAILABLE FOR INSPECTION**

OWYHEE COUNTY ASSESSOR'S OFFICE, OWYHEE
COUNTY COURTHOUSE, MURPHY
U.S. POST OFFICE, MURPHY
U.S. POST OFFICE, 7 NORTH MAIN, HOMEDALE
U.S. POST OFFICE, MARSING
OWYHEE COUNTY ASCS, REICH STREET, MARSING
GEM IRRIGATION DISTRICT, 119 SOUTH FIRST, HOMEDALE
U.S. POST OFFICE, GRANDVIEW

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 36 IS AVAILABLE FOR INSPECTION**

A&B IRRIGATION DISTRICT, 11TH & E STREETS, RUPERT
DISTRICT COURT CLERK, BLAINE COUNTY COURTHOUSE,
202-2 AVE. S, HAILEY
DISTRICT COURT CLERK, BUTTE COUNTY COURTHOUSE,
248 W GRAND, ARCO
HAGERMAN POST OFFICE, 444 NORTH STATE, HAGERMAN
DISTRICT COURT CLERK, JEROME COUNTY COURTHOUSE,
300 N LINCOLN, JEROME
DISTRICT COURT CLERK, MINIDOKA COUNTY COURT
HOUSE, 8TH & G STREET, RUPERT
NORTHSIDE CANAL COMPANY, 921 N LINCOLN, JEROME
DISTRICT COURT CLERK, LINCOLN COUNTY COURT
HOUSE, 111 W S, SHOSHONE

MICROFILMED
DEC 03 1996

**THIS IS AN IMPORTANT LEGAL NOTICE CONCERNING
YOUR WATER RIGHT CLAIMS IN THE SNAKE RIVER
BASIN ADJUDICATION**

OFFICES OF IDWR AND SRBA DISTRICT COURT

IDWR State Office, 1301 N. Orchard St., Statehouse Mail, Boise, ID 83720-9000;
(208) 327-7906, or toll-free (800) 451-4129.
IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082; (208) 334-2190.
IDWR Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301-6602; (208) 736-3033.
IDWR Eastern Region, 900 N. Skyline, Ste. A, Idaho Falls, ID 83402-3653; (208) 525-7161.
SRBA DISTRICT COURT, P.O. Box 2707, 253 3rd Ave. North, Twin Falls, ID 83303-2707;
(208) 736-3011.

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Presorted
First Class Mail
U.S. Postage Paid
Permit No. 1
Boise, ID

UNDELIVERABLES ADDRESSED-
POSTAL ORDER EXPIRED

R36-00098
ROSS COOPER
6773 PORTSHEAD DR
MALELU

CA 90265

RECEIVED
JAN 16 1996

Department of Water Resources

MICROFILMED
DEC 03 1996

Water Right Number - R36-00098

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GARY COOK CORP

1 - A CALIFORNIA CORP
2 - 110 NEWPORT CENTER DR #250
3 -
City- NEWPORT BEACH CA State- CA Zip- 92660
Phone - 208-000-0000

ARCHIE

SARAH ELLEN

1 - 3417 WILLIAMSBOROUGH COURT
2 -
3 -
City- RALEIGH State- NC Zip- 27609
Phone - 208-000-0000

COOPER

ROSS

1 - 6773 PORTSHEAD DR
2 -
3 -
City- MALIBU State- CA Zip- 90265
Phone - 208-000-0000

SLOPE COMPACTION

1 - A CALIFORNIA CORP
2 - C/O DONALD L MCCOY
3 - 23622 CALABASAS RD #239
City- CALABASAS State- CA Zip- 91302
Phone - 208-000-0000

SLOPE COMPACTION

1 - A CALIFORNIA CORP
2 - C/O DENNIS M MCCOY
3 - 23622 CALABASAS RD #239
City- CALABASAS State- CA Zip- 91302
Phone - 208-000-0000

M J AND SHARON WIENS JR FAMILY TRUST

1 - 1701 LAS VEGAS BLVD SOUTH
2 -
3 -
City- LAS VEGAS State- NV Zip- 89104
Phone - 208-000-0000

ARCHIE

JOSEPH PATRICK

1 - 3417 WILLIAMSBOROUGH COURT
2 -
3 -
City- RALEIGH State- NC Zip- 27609
Phone - 208-000-0000

COOPER

KATHLEEN

1 - 6773 PORTSHEAD DR
2 -
3 -
City- MALIBU State- CA Zip- 90265
Phone - 208-000-0000

COLLINS

E A

1 - 2933 COASTLINE COURT
2 -
3 -
City- LAS VEGAS State- NE Zip- 89117
Phone - 208-000-0000

MICROFILMED
OCT 12 1994

Water right number - R36-00098

Prefix Translation: RESEARCH

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** O - ORIGINAL OWNER ***
COOK

RICHARD L

1 - RT 1 BOX 22

2 -

3 -

City- HAGERMAN

Phone - 208-837-6164

State- ID Zip- 83332

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1895 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
07S 13E 11 NW SW NE (47) GOODING SANDS DITCH+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 7.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
7.000 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 13E 15 SW NW 5 13.0 01 IRRIGATION (47) GOODING
07S 13E 15 SE NW 1.0 01 IRRIGATION (47) GOODING
07S 13E 15 NW SW 33.0 01 IRRIGATION (47) GOODING
07S 13E 15 SW SW 18.0 01 IRRIGATION (47) GOODING
07S 13E 15 SE SW 10.0 01 IRRIGATION (47) GOODING
07S 13E 16 NE SE 18.0 01 IRRIGATION (47) GOODING

Total Acres: 93.0

+ - - Diversion Means - VIA SANDS DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-00097 & 36-00101

+ - - - - Remarks - - - - - +
WATER IS DELIVERED THROUGH SANDS DITCH.
2.88 CFS OF RIGHT NOS. 36-00097 & 36-00101 IS LIMITED TO USE
FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.MICROFILMED
OCT 12 1994

Water right number - R36-00098

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

USE OF THIS RIGHT WITH RIGHT NOS. 36-00097 & 36-00101 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.10 CFS, A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 279 AF, AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 93 ACRES IN A SINGLE
IRRIGATION SEASON.

A DIVERSION RATE OF 7.22 CFS AT THE FIELD HEADGATE IS RECOM-
MENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +

3600141
3600098
A3615384

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

NEW INTERNATIONAL MORTGAGE BANK

+ - - - - Decree Defendant - - - +

IDAHO POWER COMPANY

+ - Decree Date - +

00/00/0000

+ - - - - - Comments - - - - - +

Date: 02/07/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW

Date: 02/07/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW

Date: 09/04/1991 User Id: GIVENS Subject: OWNERSHIP CHANGE

OWNERSHIP CHANGE 9/4/91 BY JG.

Date: 08/20/1993 User Id: CLELLAND Subject: CHANGE IN NUMBER AND RECOMMENDATION

THIS CLAIM WAS COMBINED WITH 36-00141 UNDER THE NUMBER 36-15384
WATER RIGHT UNDER DIFFERENT DECREE DATES AND IS NOT ACCURATE.

SINCE IT IS A DUPLICATE OF THIS RIGHT, AND 36-00097 & 36-00101
36-00141 PORTION OF 36-15384.

FOR THE DIRECTOR'S REPORT. THESE TWO NUMBERS DESCRIBE THE SAME
THEREFORE, THIS RIGHT REMAINS AS CLAIMED, 36-00141 IS DISALLOWED
ARE RECOMMENDED TO REPLACE THE RIGHT PREVIOUSLY DESCRIBED BY THE

+ - - Audit Fields - - +

08/20/93 CLELLAND

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/20/1993	Old Judicial District	-
Claim Received Date	- 08/18/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001534	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED
OCT 12 1994



Department of Water Resources
222 Shoshone Street E.
Twin Falls, ID 83301

Date April 20, 1993

Name HEPWORTH NUNGESTER & LEZAMIZ
133 SHOSHONE N
Address TWIN FALLS ID 83301

No. of Copies	Material	Cost
120	copies of RED FILE Documents as requested by Hagerman Water Right Owners @ .05 ea.	\$ 6.00
TOTAL		\$ 6.00

Please find enclosed the form(s) and/or information you requested. The charge, if any, is indicated above.

If we may be of further assistance, please contact us.

Sincerely,

MICROFILMED
OCT 12 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

20-Apr-1993

HEPWORTH NUNGESTER & LEZAMIZ
133 SHOSHONE N
TWIN FALLS ID 83301
ATTN: CHRIS HERNANDEZ

Dear Chris:

Enclosed please find the copies of the contents from the RED FILES in the adjudication folders, as requested by the Hagerman Water Right Owners. If I can be of any further assistance, please give me a call at the office.

Sincerely,


Jeanie Robertson
Records Clerk

MICROFILMED
OCT 12 1994

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 5015407

RECEIVED

FEB 22 1993

Department of Water Resources
Southern Region Office

Date: 2/22/1993
Time: 11:18:57

Received

From: WIENS M.J. JR.

Type of Payment	Program Acct Class	Amount
FEE FOR COPIES OF ADJUDICATION CLAIM 64100	229 21 1760	21.08

Total

CHECK 1032

\$21.08

Region: SOUTHERN

Signature:

R. Foster

MICROFILMED

OCT 12 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-Jan-1993

M J WIENS JR
1701 LAS VEGAS BLVD S
LAS VEGAS NV 89104

RE: Copy of SRBA File(s): 36-00097, ~~36-00098~~, 36-00101,
36-00141, 36-02002, 36-07081,
36-07229, 36-08317, 36-10520

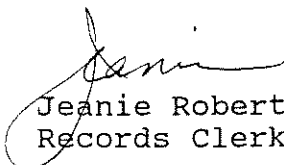
Dear Mr. Wiens:

Please find enclosed the copies of documents you recently requested contained in the above referenced SRBA file(s) as of this date. Please note that copies of orthophoto quad maps or NAPP photography or aerial slides which may have been used in the review of your claim(s) have not been included since they are not easily reproduced. These items are however available for your review at our office. Please also note that in some situations some water rights may have other associated files which contain privileged information between IDWR staff and our legal council which has not been copied.

Please remit the following for the cost of the copies and postage:

\$21.08

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

Wiens
3
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53
48
34
324 x 5 =
post
enc

1620
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MICROFILMED
2108
OCT 12 1994

RECEIVED

JAN 19 1993
Department of Water Resources
Southern Region Office

1-12-93
(Date)

IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE ST. EAST
TWIN FALLS, IDAHO 83301

Dear Idaho Department of Water Resources:

Please provide me with a copy of all information included in
my file as it relates to water right number SEE BELOW.

Please advise me of any documents in my file which you are not
releasing to me and why they are not being released.

Please bill me for the copy charge.

WATER RIGHT NO. 36-07229
36-07081
36-80317
36-00098
36-00097
36-02002
36-00101
36-00141
36-10520

Sincerely,

M.J. WIENS JR.
(Name)

1701 LAS VEGAS BLVD. So.
(Address)

LAS VEGAS NV 89109
(City, State, Zip Code)

cc: David B. Shaw, Adjudication Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
Statenhouse Mail
Boise, Idaho 83720-9000

MICROFILMED

OCT 12 1994

Phone
DIRECTOR'S REPORT CONVERSATION MEMO (702) 364-1066

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Bill Botsford
"The Mark Group"
1919 So. Jones Blvd. - Suite A
Las Vegas, NV 89102

2. SUBJECT OF INQUIRY: Mr. Botsford has compared the areas of the
PLU of claims with the ownership records he has for these properties.
He found that claim 36-02002 (which was disallowed because
it was covered by 36-00098) was not in fact covered by
the place of use description described by 36-00098.
He also is concerned that the reduction in diversion
rates is not warranted since some of the decrees
have priority dates which are prior to Idaho Power's
priority date. He referred to previous conversations with
Helen H. Thornton and has received explanatory letters
from Roxanne McCarthy and Kelly Christensen of IDWR.
He asked for copies of the original claims, a copy of
the 1932 Federal Decree, and copies of the explanatory
correspondence.

3. RESPONSE TO INQUIRY:

I suggested he return notice of objection forms with the court
which he indicated was being done.

I will send him the copies he requested

4. IDWR STAFF AND DATE:

Robert Worstell 11/16 and 11/17/92

Print name and initial

ROBERT V. WORSTELL

WATER RIGHT CLAIM (Nos.):

36-00097, 36-00098, 36-00141, 36-02002, + 36-15384

MICROFILMED

OCT 12 1994

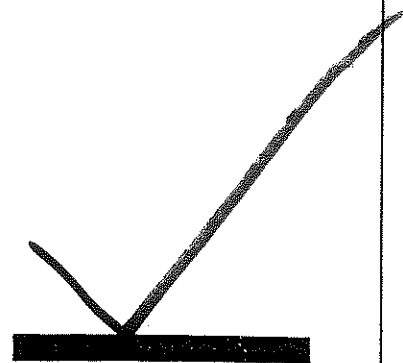
R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED
JAN 21 1993



AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/04/92 17:50:48
Page 1

VERIFIED BY

HH

Water Right Number - R36-00141

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

M J AND SHARON WIENS JR FAMILY TRUST

1 - 1701 LAS VEGAS BLVD SOUTH

2 -

3 -

City- LAS VEGAS

State- NE Zip- 89104

Phone - 208-000-0000

1 - 3417 WILLIAMSBOROUGH COURT

2 -

3 -

City- RALEIGH

State- NC Zip- 97609

Phone - 208-000-0000

1 - 6773 PORTSHEAD DR

2 -

3 -

City- MALIBU

State- CA Zip- 90265

Phone - 208-000-0000

1 - 6773 PORTSHEAD DR

2 -

3 -

City- MALIBU

State- CA Zip- 90265

Phone - 208-000-0000

1 - A CALIFORNIA CORP

2 - 110 NEWPORT CENTER DR #250

3 -

City- NEWPORT BEACH

State- CA Zip- 92660

Phone - 208-000-0000

1 - A CALIFORNIA CORP

2 - C/O DONALD L MCCOY

3 - 23622 CALABASAS RD #239

City- CALABASAS

State- CA Zip- 91302

Phone - 208-000-0000

1 - 2933 COASTLINE COURT

2 -

3 -

City- LAS VEGAS

State- NE Zip- 89117

Phone - 208-000-0000

1 - A CALIFORNIA CORP

2 - C/O DENNIS M MCCOY

3 - 23622 CALABASAS RD #239

City- CALABASAS

State- CA Zip- 91302

Phone - 208-000-0000

1 - 3417 WILLIAMSBOROUGH COURT

2 -

3 -

City- RALEIGH

State- NC Zip- 97609

Phone - 208-000-0000

ARCHIE

SARAH ELLEN

COOPER

ROSS

COOPER

KATHLEEN

GARY COOK CORP

SLOPE COMPACTION

COLLINS

E A

SLOPE COMPACTION

ARCHIE

JOSEPH PATRICK

+ - - Priority Date - - +
04/01/1895

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS

UNRECORDED
JAN 21 1993

Water right number - R36-00141

Prefix Translation: RESEARCH

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
BILLINGSLEY CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 13E 11 SW NE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 6.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
6.000 273.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 13E 15 SW NW 5 10.0 01 IRRIGATION (47) GOODING
07S 13E 15 NE SW 3.0 01 IRRIGATION (47) GOODING
07S 13E 15 NW SW 33.0 01 IRRIGATION (47) GOODING
07S 13E 15 SW SW 36.0 01 IRRIGATION (47) GOODING
07S 13E 15 SE SW 9.0 01 IRRIGATION (47) GOODING

Total Acres: 91.0

+ - - Diversion Means - VIA SANDS DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A36-02002, A36-00101, A36-00097, A36-00098.

+ - - - - Remarks - - - - - +
RECOMMENDED AS RIGHT NO. 36-15384.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
P06 - RECOMMENDED AS RIGHT NO. ____: This is included for a
- claim that is PROPOSED to be disallowed because the right claimed
- is recommended pursuant to another right. The remark indicates
- the water right number of the OTHER right that is proposed to be
- recommended. If you are not mailed a notice of the recommendation
- of the OTHER right, then the OTHER right is recommended in
- another claimant's name.

+ - - - - Decree Plaintiff - - - +
MARTHA A. SANDS, ET. AL.

+ - - - - Decree Defendant - - - +
CHARLES N. DILATUSH, ET. AL.

+ - Decree Date - +
00/00/0000

MICROFILMED

Prefix Translation: RESEARCH

```

+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
-Comments-
Date: 02/07/1991 User Id: BEDKE      Subject: SCC-STAFF REVIEW
Date: 09/04/1991 User Id: GIVENS     Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE 9/4/91 BY JG.
Date: 07/30/1992 User Id: WORSTELL   Subject: COPIED FROM REMARKS
AC. IRRIG. NOT SPECIFIED. FARM = 149.04 AC.
```

+ - - Audit Fields - - +
08/04/92 THORNTON

+ - - - - - + - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 08/04/1992 | Old Judicial District | - |
| Claim Received Date | - 08/18/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S001534 | Water District | - 36A |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

MICROFILMED
JAN 21 1997

Memo to File

HHT 8/4/92

Claims A36-00098 (7.0 cfs) and A36-00141 (6.00) have been combined and recommended as R36-15384. Both rights are diverted from Sands Ditch, have priority date of 4/1/1895, and irrigate a total of 93 acres as shown in the respective CVRS. Actual break down of the diversion rates is as follows

| | |
|--|-------------|
| Div. Rate allowed by Irrigation Analysis | <u>7.22</u> |
| A36-00098 (limited by amt claimed) | 7.00 |
| A36-00141 (balance of div. rate) | 0.22 |
| A36-00141 (conveyance loss) | <u>2.88</u> |
| R36-15384 | 10.1 cfs |

w/ Remarks

F01 - Sands Ditch

D02 - 2.88 cfs

P15 - 36-00098 & 36-00141

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JAN 21 1993

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|------------|------------|------------|------------|------------|------------|------------|------------|-------------|-------------|
| A36-00003B | A36-00003C | A36-00003E | A36-00003F | A36-00003G | A36-00003J | A36-00006 | A36-00007 | A36-00008 | A36-00021B |
| A36-00022 | A36-00023 | A36-00033F | A36-00034B | A36-00035J | A36-00039C | A36-00039D | A36-00039E | A36-00039J | A36-00039M |
| A36-00039N | A36-00041A | A36-00041C | A36-00042A | A36-00048A | A36-00049 | A36-00050D | A36-00051D | A36-00055AF | A36-00055BC |
| A36-00060 | A36-00061 | A36-00062 | A36-00063 | A36-00064B | A36-00068 | A36-00069 | A36-00070 | A36-00071A | A36-00075 |
| A36-00077C | A36-00079 | A36-00086C | A36-00089A | A36-00090A | A36-00090F | A36-00092 | A36-00094A | A36-00096A | A36-00097 |
| A36-00098 | A36-00099 | A36-00100 | A36-00101 | A36-00103C | A36-00103F | A36-00106 | A36-00108A | A36-00108B | A36-00110A |
| A36-00110B | A36-00111A | A36-00111B | A36-00112A | A36-00112B | A36-00113H | A36-00113J | A36-00119 | A36-00120 | A36-00121 |
| A36-00123A | A36-00123E | A36-00133 | A36-00134A | A36-00134C | A36-00135B | A36-00135C | A36-00141 | A36-00192 | A36-02002 |
| A36-02038 | A36-02169 | A36-04091 | A36-04142 | A36-04260 | A36-07071 | A36-07081 | A36-07089 | A36-07092A | A36-07142 |
| A36-07142A | A36-07172 | A36-07229 | A36-07233 | A36-07346 | A36-07658 | A36-07875 | A36-08099 | A36-08317 | A36-10055 |
| A36-10119 | A36-10120 | A36-10140 | A36-10141 | A36-10168 | A36-10231 | A36-10249 | A36-10283 | A36-10283B | A36-10405 |
| A36-10520 | A36-10906 | A36-15166 | A36-15168 | A36-15240 | A36-15463 | | | | |

TOTAL RECORDS IN SELECTION FILE: 116

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MAR 20 1993

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FEB 10 1993

Department of Water Resources

1 HEPWORTH, NUNGESTER & LEZAMIZ,
2 CHARTERED
3 133 Shoshone St. North
4 P.O. Box 389
5 Twin Falls, ID 83303-0389
6 Telephone: (208)734-7510
7 Attorneys for Claimant
8 (PPK\HAGERMAN.NOA\lmr)

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23
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

* * * * *

10 In Re the General Adjudication)
11 of Rights to the Use of Water)
12 from the Snake River Basin)
13 Water System)

Case No. 39576

14 The State of Idaho, ex rel.)
15 R. Keith Higginson in his)
16 official capacity as director)
17 of the Idaho Department of)
18 Water Resources,)

NOTICE OF APPEARANCE

19 Petitioner,)

20 vs.)

21 United States; State of Idaho;)
22 and all claimants to the use)
23 of water from the Snake River)
Basin Water System,)

Respondents.)

* * * * *

PLEASE BE NOTIFIED that the firm of Hepworth, Nungester
& Lezamiz, Chartered, hereby appears on behalf of Hagerman Water

NOTICE OF APPEARANCE - 1



Hepworth,
Nungester,
& Lezamiz

MICROFILMED

MAR 20 1993

1 Users, Inc. and its individual members:

| | | |
|----|-----------------------------------|-------------|
| 2 | Anderson, Anita G. | A36-00050D |
| | Babington Lynn J. & Kathy | A36-00003C |
| 3 | Banbury Pipe Co., Inc. | A36-10906 |
| | Banbury Pipe Co., Inc. | A36-02038 |
| | Big Bend Irrigation & Mining Co. | A36-00192 |
| 4 | Big Bend Irrigation & Mining Co. | A36-00133 |
| | Big Spring Water User's Assoc. | A36-00022 |
| 5 | Big Springs Water User's Assoc. | A36-00023 |
| | Big Springs Water User's Assoc. | A36-15166 |
| 6 | Blastock, Alma E. | A36-00108B |
| | Bolduc, Mark E. | A36-00103C |
| 7 | Boyer, Dale E. & Elaine M. | A36-00079 |
| | Brailsford, Robert H. | A36-04260 |
| | Brooks, Allen L. & Andree | A35-00060 |
| 8 | Brooks, Allen L. & Andree | A36-07346 |
| | Bybee, Gertrude B. Owsley | A36-00042A |
| 9 | Bybee, Gertrude B. Owsley | A36-00041C |
| | Candy, Walter W. & Margaret | A36-00135B |
| 10 | Candy, Walter W. & Margaret | A36-00134A |
| | Clouser, Doris H. & John F. | A36-00090A |
| 11 | Clouser, Doris H. & John F. | A36-00089A |
| | Crandlemire, Roger C. & George C. | A36-00113H |
| 12 | Crandlemire, Roger C. & George C. | A36-00112B |
| | Crandlemire, Roger C. & George C. | A36-00111B |
| | Crandlemire, Roger C. & George C. | A36-00113J |
| 13 | Crandlemire, Roger C. & George C. | A36-00110B |
| | Crandlemire, Roger C. | A36-00134C |
| 14 | Crandlemire, Roger C. | A36-00135C |
| | Crandlemire, Roger C. | A36-10140 |
| 15 | Crandlemire, Roger C. | A36-10141 |
| | DeVries, Abraham & Hermina | A36-00055AF |
| 16 | Dice, Philip F. & Judith A. | A36-00041A |
| | Dice, Philip F. & Judith A. | A36-10405 |
| | Erwin, Frank C. & Peggy | A36-00092 |
| 17 | Fleming, Michael J. & Paul F. | A36-00064B |
| | Flint, William E. and Vera C. | A36-00110A |
| 18 | Flint, William E. and Vera C. | A36-00111A |
| | Flint, William E. and Vera C. | A36-00112A |
| 19 | Flint, William E. and Vera C. | A36-10168 |
| | Fuell, Keith L. & Jolene | A36-00086C |
| 20 | Gardner, Barbara & Robert B. | A36-00003B |
| | Gardner, Barbara | A36-00003J |
| 21 | Gisler, Harry R. | A36-00021B |
| | Gisler, Bradley | A36-00077C |
| | Glauner, Frank L. & Joan | A36-00039E |
| 22 | Grigg, Mattie P. & Golden T. | A36-10283B |
| | Gustafson Family Trust/Gustafson | A36-00033F |
| 23 | Ivan J. & Lucille co-trustees | |
| | Hagerman Gun Club | A36-00100 |



Hepworth,
Nungester,
& Lezamiz

| | | |
|----|--|-------------|
| 1 | Hagerman Gun Club | A36-00099 |
| | Hagerman Gun Club | A36-07233 |
| 2 | Hagerman Gun Club | A36-07172 |
| | Hagerman Gun Club | A36-10249 |
| 3 | Hagerman Water Users Assoc. | A36-15168 |
| | Jensen, Alice | A36-00055BC |
| | Johnson, Ira L. & Huguette M. | A36-07142 |
| 4 | Joint Hagerman School Dist 233 | A36-15463 |
| | Jones, John W., Jr. | A36-00068 |
| 5 | Jones, John W., Jr. | A36-00069 |
| | Jones, John W., Jr. | A36-07071 |
| 6 | Jones, John W., Jr. | A36-00070 |
| | Kipp, Rudy B. & Elberta M. | A36-10119 |
| 7 | Kipp, Rudy B. & Elberta M. | A36-10120 |
| | Kipp, Rudy B. & Elberta M. | A36-07658 |
| | Kiser, John & Karl Woodall & Sons, Inc | A36-00071A |
| 8 | Kiser, John & Karl Woodall & Sons, Inc | A36-00075 |
| | Korbis, George J. & Nellie W. | A36-00039N |
| 9 | Laughlin, Craig J. & Rita D. | A36-7089 |
| | Laughlin, Craig J. & Rita D. | A36-00051D |
| 10 | Littlefair, Larry & Tara | A36-0121 |
| | Littlefair, Larry & Tara | A36-10055 |
| 11 | Littlefair, Larry & Tara | A36-00119 |
| | Littlefair, Larry & Tara | A36-00120 |
| 12 | Lloyd, Cleave C. | A36-04142 |
| | Lloyd, Cleave C. | A36-00003G |
| | McFaddan, Dan H. & Irma R. | A36-2169 |
| 13 | McFaddan, Dan H. & Irma R. | A36-00048A |
| | McFaddan, Dan H. & Irma R. | A36-00049 |
| 14 | Morris, Howard & Rhonda | A36-00063 |
| | Morris, Howard & Rhonda | A36-00061 |
| 15 | Morris, Howard & Rhonda | A36-00062 |
| | Mueller, Manfred | A36-00035J |
| 16 | Norwood Subdivision/
Ruby Springs Water Company | A36-15240 |
| | Potter, Mark B. & Susan H. | A36-07092A |
| 17 | Rawson, Frank S. & Carol A. | A36-00039J |
| | Reese, Bruce W. & LaRose A. | A36-00123A |
| 18 | Reese, Bruce W. & LaRose A. | A36-04091 |
| | Rue, James O. & Beverly Jane | A36-10231 |
| 19 | Shaffer, Roger | A36-07142A |
| | Simcoe, Doyt H. & Roxie J. | A36-00034B |
| 20 | Simpson, Michael, on behalf of
Josephine Simpson Estate | A36-00003F |
| | Simpson, Michael, on behalf of
Josephine Simpson Estate | A36-0123E |
| 21 | Strange, Wm. (Penelope Turner-remainder man) | A36-0096A |
| 22 | Strange, Wm. (Penelope Turner-remainder man) | A36-00006 |
| | Strange, Wm. (Penelope Turner-remainder man) | A36-00007 |
| | Strange, Wm. (Penelope Turner-remainder man) | A36-00008 |
| 23 | Veenendaal, Dick J. | A36-00108A |
| | Veenendaal, Dick J. | A36-00039C |



Hepworth,
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& Lezamiz

| | | |
|---|---------------------------------|-------------|
| 1 | Vernon, Edith L. | A36-00003E |
| | Walmsley, Fred J. & Susan K. | A36-00039D |
| 2 | Ward, John P. & Rush, Ruth E. | A36-00094-A |
| | Ward, John P. & Rush, Ruth E. | A36-00090F |
| 3 | Watkins, Paul E. & Inez S. | A36-00106 |
| | Watkins, Paul E. & Inez S. | A36-08099 |
| 4 | Wiens, M.J., Jr. | A36-07229 |
| | Wiens, M.J., Jr. | A36-07081 |
| | Wiens, M.J., Jr. | A36-80317 |
| 5 | Wiens, M.J., Jr. | A36-00098 |
| | Wiens, M.J., Jr. | A36-00097 |
| 6 | Wiens, M.J., Jr. | A36-02002 |
| | Wiens, M.J., Jr. | A36-00101 |
| 7 | Wiens, M.J., Jr. | A36-00141 |
| | Wiens, M.J., Jr. | A36-10520 |
| | Woolley, Max J. & Blanche | A36-00039M |
| 8 | Ya-Ta-Hay Investments, Inc. | A36-10283A |
| | Ya-Ta-Hay Investments, Inc. | A36-07875 |
| 9 | Zink, Basil Lester & Myrle Hyde | A36-00103F |

10 the respondents in the above-entitled action, as counsel of record
 11 for said Hagerman Water Users, Inc. and said individuals.

12 DATED This 9 day of February, 1993.

13 HEPWORTH, NUNGESTER & LEZAMIZ

14
 15 By 
 16 PATRICK D. BROWN
 Attorneys for Respondents

17
 18 CERTIFICATE OF MAILING

19 The undersigned, a resident attorney of the State of
 20 Idaho, with offices at 133 Shoshone St. North, P.O. Box 389, Twin
 21 Falls, Idaho 83303, and one of the attorneys for the respondents
 22 in this matter, certifies that she caused to be mailed a copy of
 23 the above and foregoing NOTICE OF APPEARANCE on the 9 day of



Hepworth,
 Nungester,
 & Lezamiz

MICROFILMED
 MAR 20 1993

1 February, 1993, to:

2 Snake River Adjudication
3 District Court
4 P.O. Box 27070
5 Twin Falls, ID 83303-0126

6 Clive Strong
7 Chief Natural Resources Division
8 Office of Attorney General
9 Statehouse
10 Room 210
11 Boise, Idaho 83720

12 David Shaw
13 Adjudications Bureau Chief
14 Department of Water Resources
15 1301 North Orchard
16 Boise, Idaho 83706

17 United States Department of Justice
18 Environment and Natural Resources Division
19 550 West Fort Street, Box 33
20 Boise, ID 83734

21 
22 Patrick D. Brown



Hepworth,
Nungester,
& Lezamiz

NOTICE OF APPEARANCE - 5

MICROFILMED

MAR 20 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 1, 1993

Patrick D. Brown
Hepworth, Nungester and Lezamiz
133 Shoshone St. N.
P.O. Box 389
Twin Falls, ID 83303-0389

Re: Notice of Appearance

Dear Mr. Brown:

We received your Notice of Appearance on behalf of Hagerman Water Owners, Inc. and its individual members on February 10, 1993. The records listed on the notice were updated with some exceptions.

Claim numbers with "A" prefixes identify claims filed in the SRBA. Claim numbers without prefixes identify recommendations in the Director's Report. The following table identifies claimants for which you filed a notice of appearance, but the number you referred to is actually the identification of the recommendation. They have been updated with the notice information.

| Claimant's Name | Recommendation No.
(no "A" prefix) |
|---|---------------------------------------|
| Bybee, Gertrude B. Owsley | 36-00042A
36-00041C |
| Candy, Walter W. & Margaret | 36-00135B |
| Crandlemire, Roger C. | 36-00134C
36-00135C |
| Gustafson Family Trust/Gustafson, Ivan J. & Lucille co-trustees | 36-00033F |
| McFaddan, Dan H. & Irma R. | 36-00048A |
| Muller, Manfred | 36-00035J |
| Zink, Basil Lester & Myrle Hyde | 36-00103F |

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MAR 20 1993

Mr. Patrick D. Brown
March 1, 1993
Page 2

The following is a list of claims that have been updated with the notice information, however, there is a discrepancy between IDWR records and the notice list (see third column).

| Claimant's Name
as listed on
Notice of Appearance | As Claimed/
As Recommended | Claim No. or
Claimant's Name in
IDWR's Records |
|---|--|--|
| Anderson, Anita G. | A36-00050D/36-00050D | Andersen (name spelling is different) |
| Brailsford, Robert H. | A36-04260/36-04260 | A36-04260B/36-04260B
(claim was split--"B" suffix) |
| Brooks, Allen L. & Andree | A35-00060 | A36-00060/36-00060
(Basin 36 instead of Basin 35) |
| Crandlemire, Roger C. & George C. | A36-00113J/36-00113J | Crandlemire, Roger C.
(George C. not listed as claimant) |
| Gisler, Harry R. | A36-00021B/36-00021B | A36-00021/36-00021
(claim was renumbered) |
| Glauner, Frank L. & Joan | A36-00039E/36-00039E | Jean instead of Joan |
| Gustafson Family Trust/
Gustafson, Ivan J. & Lucille co-trustees | A36-00011C/36-00033F | Gustafson, Ivan J. (not listed as a trust) |
| Johnson, Ira L. & Huguette M. | A36-07142/36-07142 | Johnson, Ira L.
(Huguette M. not listed as claimant) |
| Joint Hagerman School Dist. 233 | A36-15463/36-15463 | Original claim & IDWR records show school dist. as #3. |
| Jones, John W., Jr. | A36-00068/36-00068
A36-00069/36-00069
A36-07071/36-07071
A36-00070/36-00070 | Jones, John W. Jr. & Deloris D. (Deloris D. is included as a claimant) |

MICROFILMED

MAR 20 1993

Mr. Patrick D. Brown
 March 1, 1993
 Page 3

| Claimant's Name
as listed on
Notice of Appearance | As Claimed/
As Recommended | Claim No. or
Claimant's Name in
IDWR's Records |
|---|--|--|
| Mueller, Manfred | A36-00034D/36-00035J | Muller (name spelling is
different in IDWR records) |
| Strange, Wm. (Penelope Turn-
er-remainder man) | A36-00006/36-00006
A36-00007/36-00007
A36-00008/36-00008 | Strange, Wm. & Louise
(Louise is included as a
claimant, Penelope Turner
is not in records) |
| Veenendaal, Dick J. | A36-00108A/36-00108A
A36-00039C/36-00039C | Veenendaal, Dick J. &
Sigrid E. (Sigrid E. is
included as a claimant) |
| Wiens, M. J., Jr. | A36-80317 | A36-08317/36-08317
(no. was transposed on
notice) |
| Wiens, M. J., Jr. | A36-00098/36-15384 | 36-15384
(claim was combined with
no. 36-00141 into no. 36-
15384) |
| Wiens, M. J., Jr. | A36-00141/36-15384 | 36-15384
(claim was combined with
no. 36-00098 into no. 36-
15384) |

The following claims have not been updated with the notice information because of the discrepancies listed in the third column.

| Claimant's
Name | Claim No.
as listed on
Notice of Appearance | Discrepancy Between
Notice of Appearance
and IDWR Records |
|--------------------|--|---|
| Hagerman Gun Club | A36-00100/36-00100
A36-00099/36-00099
A36-07233/36-07233
A36-07172/36-07172
A36-10249/36-10249 | Owners are listed as Bob
Porter and Fred Surbaugh |

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 MAR 20 1993

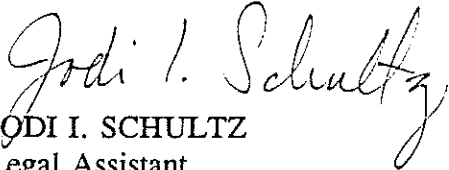
Mr. Patrick D. Brown
March 1, 1993
Page 4

| Claimant's Name | Claim No.
as listed on
Notice of Appearance | Discrepancy Between
Notice of Appearance
and IDWR Records |
|-----------------------------|---|--|
| Ya-Ta-Hay Investments, Inc. | A36-07875/36-07875 | No record of this claim no.,
nor any other claim no. for
claimant other than A36-
10283A/36-10283A (as
listed) |

Please review the claimants and claim numbers and let me know if you have any questions or problems with the claims as listed in IDWR's records. Also, please review the claims in the last table. We need to solve these discrepancies before IDWR's records are updated with the notice information. My phone number is 327-5444.

Please note we have received your supplemental and second supplemental notices of appearance and are currently working to update those records. We will inform you if there are any discrepancies.

Sincerely,


JODI I. SCHULTZ
Legal Assistant
Idaho Department of Water Resources

cc: IDWR Southern Region

MICROFILMED
MAR 20 1993

See file

A36-00097

for Deeds &
Attachments for
Change of Ownership

MICROFILMED

MAR 20 1993