

Movant's Name
May Farms, Ltd.

Attorney's Name & Addresses
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8-18

**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. 36-10283A
	)	
Case No. 39576	)	AFFIDAVIT OF JOSEPHINE
	)	BEEMAN
	)	
_____	)	

Josephine Beeman, duly sworn on oath, states as follows:

1. I am the attorney for May Farms, Ltd., the Movant in this matter.
2. Attached are true and correct copies of documents maintained by the Idaho Department of Water Resources with respect to SRBA claim 36-10283A.

DATED: August 18, 1995

15/
Josephine Beeman

STATE OF IDAHO)
) ss
County of Ada)

Subscribed and sworn before me on August 18, 1995.

151

Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires: _____

**MOVANT'S RESPONSE TO ANSWER, AFFIRMATIVE DEFENSES AND PRAYER
FOR RELIEF OF CLAIMANT**

This portion of the response addresses the multi-page attachment to the objection (hereinafter "the attachment"), wherein the claimant admits or denies all sections of Parts I, II, and III of the director's report, asserts 27 affirmative defenses, and alleges a prayer for relief. The attachment contains the following sections, corresponding to the various sections of the director's report:

- (1) I. **GENERAL RESPONSE**
- (2) II. **DESCRIPTIVE SUMMARY**, (first unnumbered page of Part I of the director's report)
- (3) III. **TABLE OF CONTENTS** (second and third unnumbered pages of Part I of the director's report)
- (4) IV. 1. **INSTRUCTIONS FOR USING THIS REPORT PART I** (page 1 of Part I of the director's report)
- (5) IV. 2. **SCOPE OF THE ADJUDICATION** (pages 1-3 of Part I of the director's report)
- (6) IV. 3. **PURPOSE OF THIS REPORT PART I** (pages 3-4 of Part I of the director's report)
- (7) V. 1. **BOUNDARIES OF BASIN** (pages 4-6 of Part I of the director's report)
- (8) V. 2. **WATER SOURCES** (page 6 of Part I of the director's report)
- (9) V. 3. **DEVELOPMENT OF WATER USE** (pages 6-9 of Part I of the director's report)
- (10) VI. **GENERAL PROVISIONS 1-8 APPLY TO ALL WATER RIGHTS IN BASIN 36** (page 9 of Part I of the director's report)
- (11) VI. General Provision 1. **EFFECT OF ADJUDICATION** (page 9 of Part I of the director's report)
- (12) VI. General Provision 2. **GENERAL ADMINISTRATIVE PROVISIONS** (pages 9-10 of Part I of the director's report)
- (13) VI. General Provision 3. **CONJUNCTIVE ADMINISTRATION** (page 10 of Part I of the director's report)
- (13) VI. General Provision 4. **ADMINISTRATION OF GROUND WATER RIGHTS** (page 10 of Part I of the director's report)
- (14) VI. General Provision 5. **ADMINISTRATION OF BASIN 36 RELATIVE TO THE SNAKE RIVER** (page 10 of Part I of the director's report)
- (15) VI. General Provision 6. **ADMINISTRATION OF SMALL DOMESTIC AND STOCK WATER RIGHTS** (page 11 of Part I of the director's report)

- (16) VI. General Provision 7. **MEASURING DEVICES AND CONTROL WORKS** (page 11 of Part I of the director's report)
- (17) VI. General Provision 8. **FIRE FIGHTING PURPOSES** (page 11 of Part I of the director's report)
- (18) VI. General Provision 9. **CONSUMPTIVE USE** (page 12 of Part I of the director's report)
- (19) VI. **GENERAL PROVISION 10 APPLIES TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH DOMESTIC USE AS A PURPOSE OF USE** (page 12 of Part I of the director's report)
- (20) VI. General Provision 10. **DOMESTIC USE** (page 12 of Part I of the director's report)
- (21) VI. **GENERAL PROVISION 11 APPLIES TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH STOCK WATER USE AS A PURPOSE OF USE** (page 13 of Part I of the director's report)
- (22) VI. General Provision 11. **STOCK WATER USE** (page 13 of Part I of the director's report)
- (23) VI. **GENERAL PROVISIONS 12-16 APPLY TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH IRRIGATION AS A PURPOSE OF USE** (page 13 of Part I of the director's report)
- (24) VI. General Provision 12. **IRRIGATION USE** (pages 13-14 of Part I of the director's report)
- (25) VI. General Provision 13. **DIVERSION VOLUME FOR IRRIGATION** (page 14 of Part I of the director's report)
- (26) VI. General Provision 14. **CONSUMPTIVE USE FOR IRRIGATION** (pages 14-15 of Part I of the director's report)
- (27) VI. General Provision 15. **AMOUNT OF COMBINED WATER RIGHTS FOR IRRIGATION** (page 15 of Part I of the director's report)
- (28) VI. General Provision 16. **DIVERSION RATES IN EXCESS OF .02 CFS PER ACRE** (pages 15-16 of Part I of the director's report)
- (30) VI. 17. **INSTRUCTIONS FOR USE OF LIST OF RECOMMENDED WATER RIGHTS** (pages A-i through A-iii of Part I of the director's report)
- (31) VI. 18. **IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW** (pages A-1 through B-25 of Part I of the director's report)
- (32) **DIRECTOR'S REPORT FOR REPORTING AREA 3 (BASIN 36), (DIRECTOR'S REPORT PART II)**
- ~~(33) **DIRECTOR'S REPORT FOR REPORTING AREA 3 (BASIN 36), (DIRECTOR'S REPORT PART III)**~~

The attachment also contains part VIII, **AFFIRMATIVE DEFENSES** (pp. 20 through 28) and a **PRAYER FOR RELIEF** (untitled, p. 28).

MOVANT'S RESPONSE TO ANSWER, AFFIRMATIVE DEFENSES AND PRAYER FOR RELIEF OF CLAIMANT - 2

In response to each of the items enumerated above Movant responds that pursuant to Section 4 a.(2)(c) of SRBA Administrative Order 1, Rules of Procedure, Movant generally denies each and every allegation, if any, contained in each enumerated portion of the attachment. Movant affirmatively responds that neither SRBA Administrative Order 1, Rules of Procedure, nor Title 42, Chapter 14, Idaho Code, make provision for Movant to affirm, amplify, or otherwise respond to the claimant's admissions, or to deny the claimant's denials, and that Movant therefore does not believe that it is required to do so. Title 42, Chapter 14, Idaho Code solely defines the content and scope of the director's report. It is to contain a description of the water system and is to provide a recommendation as to each water right claimed and as to those matters necessary for administration of those water rights. Therefore, the content and scope of the objection is limited to those same matters. The attachment to the present objection asserts or otherwise raises matters not directly addressing the elements of the water right as recommended, the description of the water system, or the general provisions. Rather, the attachment raises broad issues as to the constitutional, statutory and administrative efficacy of the entire adjudication process. All such issues should be raised by means of motions to designate basinwide issues and similar procedural vehicles specifically designed to provide for basinwide notice and participation. They should not be permitted to divert the focus of any individual subcase away from the issues directly connected to the elements of the water right and the administration thereof. Therefore, because the attachment to the present objection is not within the scope of the statutory purpose of an objection it should be stricken.

However, in the event that the court should determine that all or part of the attachment is properly within the scope of the objection, Movant further responds as follows:

Movant affirmatively responds that all statements within the director's report are properly included therein pursuant to Title 42, Chapter 14, Idaho Code, and in particular pursuant to Idaho Code §§ 42-1411 and 42-1412(8); and that the provisions of the Idaho Rules of Civil Procedure regarding pleadings are inapplicable to the extent that they are in conflict with the statutory requirements. Therefore Movant denies all allegations directed at the contents of the director's report.

As to the enumerated portions of the attachment addressing the listings of recommended water rights, abstracts of federal reserved water right claims, or negotiated agreements, other than the individual recommendation that is the subject of this objection, Movant responds that such claims or agreements are not brought before this court by this objection.

Responding to the 27 affirmative defenses asserted in the attachment, Movant generally denies each and every affirmative defense asserted. Movant further responds that affirmative

defense numbers 1, 2, 4, 5, 10, 11, 12, 18, and 22, asserting various violations of civil or constitutional rights, fail to comply with the requirements I.R.C.P. 9(b) providing that in all averments of violation of civil or constitutional rights the factual circumstances constituting such violation must be stated with particularity. Accordingly, Movant asserts that those affirmative defenses should be stricken.

In response to that portion of the multi-page attachment to the objection wherein the claimant asserts a prayer for relief, Movant responds as follows:

1. Movant denies that the director's report asserts any claims against the claimant; rather, the director's report contains only the recommendation of the director as to how the claimant's water right should be decreed and administered.
2. Movant denies that the claimant is entitled to have the water right decreed as claimed unless in the director's report the water right has been recommended as claimed.
3. Movant denies that any acts upon its part constitute the taking of private property for which just compensation should be allowed and awarded.
4. Movant denies that the claimant is entitled to recover court costs and reasonable attorney fees.
5. Movant denies that the claimant by this objection has raised any claims entitling such claimant to any relief other than the eventual judicial determination and decree of the various elements of the claimant's water right, if any, and of those related matters necessary to describe and administer that water right.

36-10283A

YA-TA-HAY INVESTMENTS INC

MARY RUTH BARRETT

813 W KIOWA

HOBBS NM 88240

06/26/1881

IRRIGATION

03-15 11-15

1.3

CFS

DECREED

SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

NON-IRRIGATION-USES:

STOCKWATER, 500 CATTLE

POINT OF DIVERSION:

T07S R13E S11

NESENE

NWSENE

PLACE OF USE: IRRIGATION

T07S R13E S02

Lot 2 (SWNE) 2.0

S11

NWNE 10.0

54.0 ACRES TOTAL

PLACE OF USE: STOCKWATER

T07S R13E S02

Lot 2 (SWNE)

S11

NWNE

PLACE OF USE: STOCKWATER

SAME AS OTHER USE

REMARKS:

WATER IS DELIVERED THROUGH THE PADGETT DITCH AND 0.19 CFS OF

THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY

OF THIS RIGHT.

WATER IS DELIVERED THROUGH THE JOHN BELL DITCH AND 0.03 CFS

OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN

DELIVERY OF THIS RIGHT.

A DIVERSION RATE OF 1.08 CFS AT THE FIELD HEADGATE IS

RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 36-00094,

36-00095 AND 36-00096.

TOTAL QUANTITY:

1.3

CFS

CONSUMPTIVE USE:

162.0

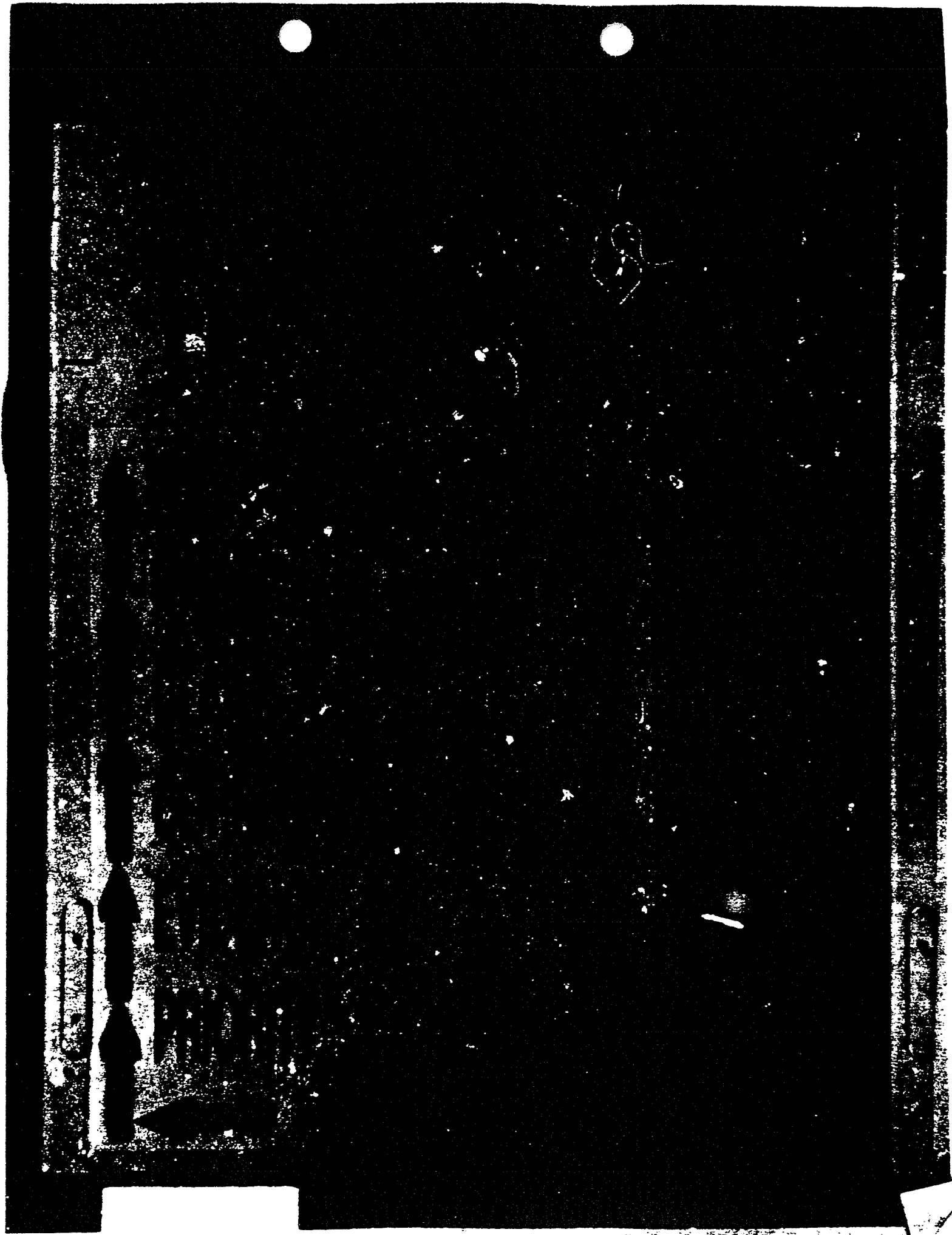
AFY

RECEIVED

AUG 2 5 1995

Department of Water Resources

Adjudication Bureau



IN THE DISTRICT COURT OF THE STATE OF NEW YORK, IN AND FOR THE COUNTY OF ALBANY

IN SENIOR COURT OF THE DISTRICT COURT OF THE STATE OF NEW YORK, IN AND FOR THE COUNTY OF ALBANY

OF RECORD IN SENIOR COURT OF THE DISTRICT COURT OF THE STATE OF NEW YORK, IN AND FOR THE COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK, PLAINTIFFS

1. Name: [illegible] Inc. [illegible]
 Address: [illegible]
 City: [illegible]
 State: [illegible]
 Zip: [illegible]

2. Date of [illegible] [illegible]

3. Source: [illegible] [illegible]

4. Point of diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4
075	124	11	SW	SW	SW	SW	SW	SW	SW

5. Description of diversion work:
 VIA JOHN GARD, SR., 100 HENRY STREET

6. Water is used for the following purposes:

Purpose	From	To	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4	1/4 of 1/4 of 1/4
IRRIGATION	01/75	11/75	1.000	1.000	1.000	1.000	1.000	1.000	1.000
STOCKWATER	01/75	11/75	0.000	0.000	0.000	0.000	0.000	0.000	0.000

7. Total Quantity Appropriated for
 7.100 C.F.S. (and/or)

8. Total consumptive use is 400.0 [illegible] [illegible]

9. Non-irrigation uses:
 STOCKWATER, 500 CATTLE

10. Place of work

[illegible]

11. Place of the 1st printing: Moscow

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A SPLIT FROM A26-10263.

15. Basis of Claim: ~~NO CLAIM~~

Case Number: 1603

Court **1**

Decree date: / /

SECRET

2

ALFA ROMEO

0000 0000 0000

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

0000 0000 0000

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: A36-10283A

Date Received: 7/28/1988

Receipt No: 8999999

Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: YA-YA-HAY INVESTMENTS, INC. 505-392-1132
Address: 813 W. KIONA
BOBBS, MN 88240
OR
Name: MARY EUTH BARRETT 505-392-1132
Address: 813 W. KIONA
BOBBS, MN 88240

2. Date of Priority: JUN 26, 1881

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	NE	SE	NE		GOODING
			NW	SE	NE		GOODING

5. Description of diverting works:
VIA JOHN BELL, PIPE, AND PADGETT DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	7.500		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is 387.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 500 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
878	138	2	SW NE	2	IRR	6.0
			SW NE	2	STOCK	
			SE NW	3	STOCK	
			SE NW	3	IRR	2.0
			NE SW	6	IRR	21.0
			NE SW	6	STOCK	
			SE SW	7	IRR	0.0
			SE SW	7	STOCK	
			NW SE		IRR	30.0
			NW SE		STOCK	
			SW SE		IRR	40.0
			SW SE		STOCK	
			Section Acres		107.0	
		11	NW NE		IRR	20.5
			NW NE		STOCK	
			Section Acres		20.5	
			Total Acres		135.5	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM COMBINES THESE LICENSES: 36-0094, 36-0095, & 36-0096.

THIS CLAIM IS A SPLIT FROM A36-10203.

15. Basis of Claim: DECREE

Case Number: 1602

Court :

Decree date: 1/22/1932

NEW INTERNATIONAL MORTGAGE BANK
Decree Plaintiff

vs

IBARO POWER COMPANY
Decree Defendant

0000 0000 0000

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "Now you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

0000 0000 0000

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

- A36-10283
- [] Water Right Number(s): Part of #26-0091 & Part of #26-0026
- [] Name and Address of
Former Claimant: Ya-Ta-Nay Investments, Inc., c/o Mary Ruth Barrett
813 West Elmer
Albuquerque, New Mexico 87102
- [] New Claimant(s): Golden T. Grise or Nettie P. Grise
- [] New Mailing Address: P. O. Box #276
Marathon, Idaho 83332
- New Telephone Number: (208) 837 - 6237
- [] Does the change in ownership result in a splitting of the
water right claimed? X yes no
- If yes, then describe the portion of the water right that is
now claimed by the new owner:
- #26-0091, which comes from the Pipe Ditch, 0.20 cfs is to be transferred.
- #26-0026, which comes from the Padgett Ditch, 0.10 cfs is to be transferred.
- [] Attach proof of ownership
Describe proof attached: Copy of the recorded Warranty Deed
- [] Signature of New Claimant(s): Golden T. Grise

Date: September 17, 1990

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

AM 4012

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: A36-10282A
Date Received: 7/20/1980
Receipt No: 1392792
Received By: *Paul J. [unclear]*
Corrected change of
Owner.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: YA-TA-HAY INVESTMENTS, INC. 505-392-1132
Address: 813 W. RIONA
BOSS, NH 00240

OR

Name: MARY BETH BARRETT 505-392-1132
Address: 813 W. RIONA
BOSS, NH 00240

2. Date of Priority: JUN 26, 1981

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of NE	1/4 of SE	1/4 of NW	Lot	County
07S	13E	11	NE	SE	NE		GOODING
			NW	SE	NE		GOODING

5. Description of diverting works:
VIA JOHN BELL, PIPE, AND FARGETT DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	03/15	11/15	7.200	
STOCKWATER	01/01	12/31	0.120	

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

8. Total consumptive use is 387.8 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 500 CATTLE

0000 0000 0000

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
078	13E	2	SW	NE	2	IRR	6.0
			SW	NE	2	STOCK	
			SE	NW	3	STOCK	
			SE	NW	3	IRR	2.0
			NE	SW	6	IRR	21.0
			NE	SW	6	STOCK	
			SE	SW	7	IRR	0.0
			SE	SW	7	STOCK	
			NW	SE		IRR	30.0
			NW	SE		STOCK	
			SW	SE		IRR	40.0
			SW	SE		STOCK	
			Section Acres				107.0
		11	NW	NE		IRR	20.5
			NW	NE		STOCK	
			Section Acres				20.5
			Total Acres				135.5

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM COMBINES THESE LICENSES: 36-0094, 36-0095, & 36-0096.
THIS CLAIM IS A SPLIT FROM A36-10203.

15. Basis of Claim: DECREED

Case Number: 1602

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BANK
Decree Plaintiff

vs

IDARO POWER COMPANY
Decree Defendant

0000 0000 0672

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "Now you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) ss.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

0000 11 06 13

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 SHARKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 19576

SPLIT

Ident. Number: A36-10283

Date Received: 7/28/1988

Receipt No: 8801162

Received By: _____

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

1. Name: YA-YA-MAY INVESTMENTS, INC. 505-392-1132
Address: 813 W. KIDNA
BOODE, MN 80240
OR
Name: MARY BOTE BARETT 505-392-1132
Address: 813 W. KIDNA
BOODE, MN 80240

2. Date of Priority: JUN 26, 1981

3. Source: BILLINGSLEY CREEK Trib. to: SHARKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	NE	SE	NE		GOODING
			NW	SE	NE		GOODING

5. Description of diverting works:
VIA JOHN BELL, PIPE, AND PADGETT DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	7.500		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:
8/ 250 PR. CATTLE

A36-10283

Page 1

Date: 07/28/88

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres		
07S	13E	2	SW	NE	2	IRR	6.0	
			SW	NE	2	STOCK		
			SE	NW	3	IRR	2.0	
			SE	NW	3	STOCK		
			NE	SW	6	IRR	21.0	
			NE	SW	6	STOCK		
			SE	SW	7	IRR	0.0	
			SE	SW	7	STOCK		
			NW	SE		IRR	30.0	
			NW	SE		STOCK		
			SW	SE		IRR	40.0	
			SW	SE		STOCK		
			Section Acres					107.0
			11	NW	NE		IRR	40.0
				NW	NE		STOCK	
			Section Acres					40.0
Total Acres					147.0			

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM COMBINES THESE LICENSES: 36-0094, 36-0095, & 36-0096.

15. Basis of Claim: DECREED
Case Number: 1602
Court :
Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BANK
Decree Plaintiff

vs

IDAMO POWER COMPANY
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "Now you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 ABANDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SAGWA RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER 70056
Next Number 10283
Date Received 7-22-79
Receipt Number 500163-500

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

Please type or print clearly

1. Name of Claimant (s) TA-CA-80 INVESTMENT, S. INC., A TEXAS CORP. Phone (505) 786-1128
SALE, BULL, BARNETT

Mailing Address 222 East Elmore, Boise, New Mexico Zip 88602

2. Date of Priority (day, month & year) June 26, 1981

3. Source of water supply (s) John Ball Ditch, Pipe Ditch & Padgett Ditch
which is tributary to (s) Millingdaley Creek

4. a. Location of existing point of diversion is: Township 7 South Range 13 East Section 11

NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot S.M. County of Cassida

Additional points of diversion if any: The point of diversion of the John Ball Ditch is: Township 7 South,
Range 13 East, S.M., Section 11, NE 1/4 of NE 1/4 of NE 1/4. The Pipe Ditch
is diverted out of the John Ball Ditch.

b. If between flow, beginning point of claimed between flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4

Govt. Lot _____ S.M. County of _____

ending point is: Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4

_____ 1/4, Govt. Lot _____ S.M. County of _____

5. Description of existing diversion works (dams, Reservoirs, Ditches, Weirs, Pumps, Pipelines, Headgates, etc.)
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water is diverted from Millingdaley Creek to the
property by open ditch. Some of the property is irrigated by use of water diverted from
open ditch and some of the property is irrigated by the use of a sprinkler system
consisting of a 40 H.P. pump and motor, mainline, handlines and sublines. The dimensions
are concrete and the Pipe Ditch, which is diverted from the John Ball Ditch, delivers the
water to the property through a pipeline.

Copy furnished to:

Long Term

For purposes from to amount or

8. Total compensation was obtained in _____ and has been received _____

2. Non-Indigenous species: 100% (20/20) collected. One number of *Leptocryptus curvatus* (Schneider); 14 other numbers of *Leptocryptus* sp. 1, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

19. Description of place of work

4. I want to be informed of any changes to such categories in the information system.

1. Freeway is used for other purposes, please a report of use _____ by Department _____

in the corresponding place of one below. See instructions for standard symbols.

[illegible]Total number of scores included 147 scores

11 In which county (ies) are lands listed above as place of use located? Goodling County

12 Do you own the property listed above as place of use? Yes 1 No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13 Describe any other water rights used at the same place and for the same purposes as described above.

14. Summary

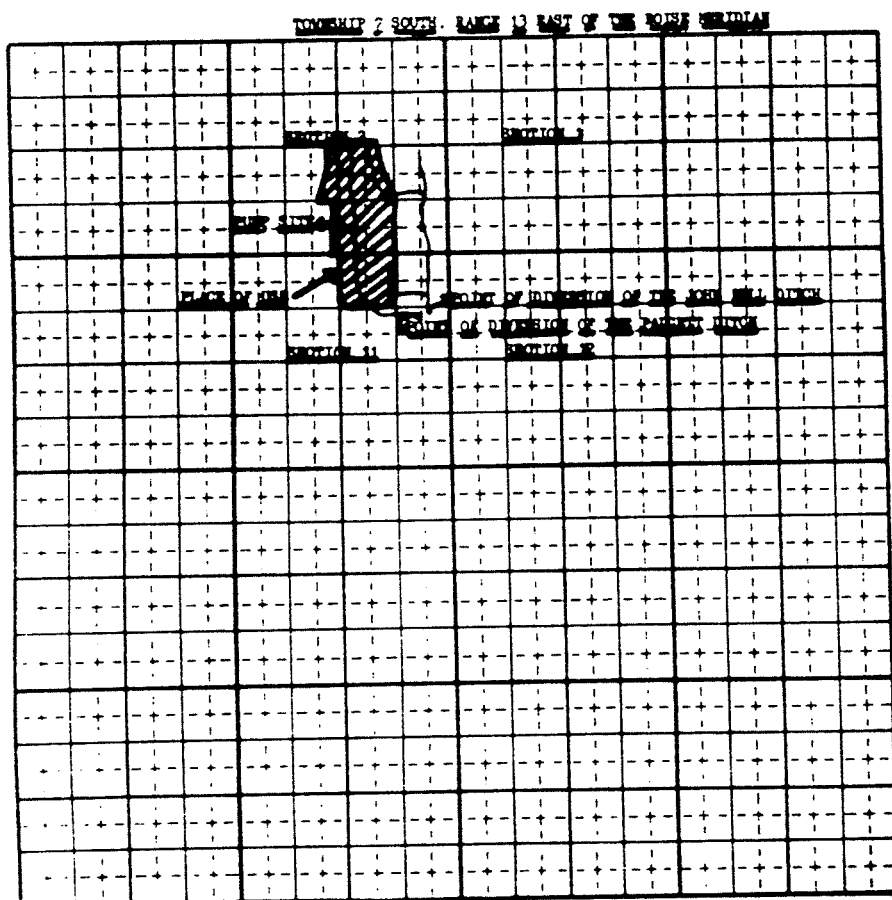
Last Name: FIRST:

Inform No. 136-10290

Order: *Myxogastrea*

Map of Project: show clearly the points of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name BARETT Ident No. 436-10283 Color White-Red, Yellow-Orange

15. Basis of Claim (check one) Bank and Use Posted Notice License Permit
Decree X
If applicable provide OVER Water Right Number 35-0095, 35-0095 & 35-0096
Court U.S. District Court Case Number 1608 Decree Date March 22, 1938
Plaintiff vs Defendant Int. International Harvester Bank vs Idaho Power Company

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understood the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of affidavits 500 (2)
Per Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Mary Ruth Bennett Date 9-22-88
Date _____

For Organizations: I do solemnly swear or affirm that I am _____
of _____, that I have signed the foregoing
document in the space below:
Signature _____ of _____
Title and Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/for _____ } ss.
County of Cassia }

Subscribed and sworn (or affirmed) before me this 22nd day of July 19 88

SEAL

Notary Public: [Signature]

Residing at Bozeman, Idaho

My Commission Expires 5-10-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant sign- above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

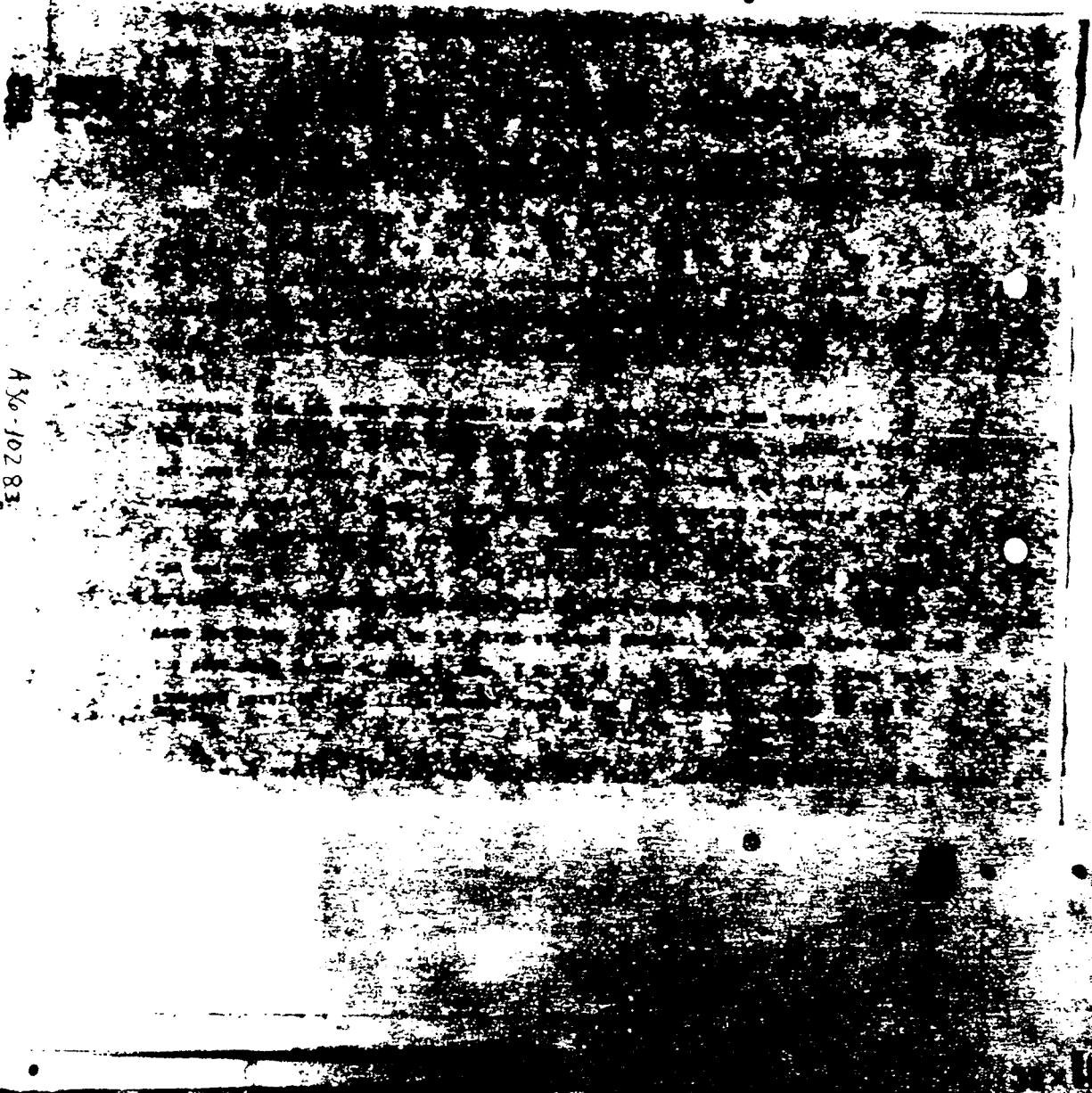
Last Name BENNETT Ident. Number 426-18283

Copy 1100-Form, 1100-01000

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POOR ORIGINAL

A30-10283



POOR ORIGINAL

A. F. JAMES
Attorney at Law
Coeur d'Alene, Idaho

March 25, 1922.

Mr. John Sanborn,
Barnes, Idaho.

Dear Mr. Sanborn:

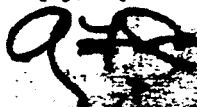
After spending several months corresponding and meeting with the attorneys for the other parties in the Hagerman Valley water suit and making a number of trips to Boise, we have finally been able to work out the details of a decree in that matter, without the necessity of you and your witnesses making a trip to Boise for submitting proof, and on Tuesday of this week, Judge Cavanaugh, the United States District Judge at Boise, Idaho, signed the Findings of Fact, Conclusions of Law, and Decree and the entire matter is fully adjusted. The water right decreed to you is as follows:

- 30 inches of Billingsley Creek diverted through the John Bell Ditch, with a priority of June 25, 1921;
- 50 inches of Billingsley Creek, diverted through the Pipe line, with a priority of June 25, 1921;
- 200 inches of Billingsley Creek, diverted through the Padgett Ditch, with a priority of June 25, 1921;

As you will remember, the fee which you were to pay me was \$40.00, on which you have paid \$20.00, leaving a balance of \$20.00. Will you therefore kindly forward me your check to cover this balance?

Very truly yours,

A.F.J.



A.F.J.

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



0000 0000 0000

NOTICE OF ERROR FORM

Please type or print clearly, fill out completely, and return to:
Idaho Department of Water Resources
Statehouse Mall
Boise, Idaho 83720-8000

RECEIVED
SEP 23 1992

The notice of error must be received at IDWR by the deadline date printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS:

Water right number: 36-10283A

Name: Ya-Ta-May Investments, Inc.
MARY BETH BARRETT

Address: 813 West Kiowa, Hobbs, New Mexico 88240

Weekday Telephone Number: 505-392-1132

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

SIGNATURE _____



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Sheehy St. East, Twin Falls, Idaho 83301 (208) 736-5900

CICIL B. ANDERSON

OCTOBER 14, 1992

A. RICHARDSON

- MARY RUTH BARRETT
- YA-TA-HAY INVESTMENTS, INC.
- 813 W. KIMWA
- HOBBS, NEW MEXICO 88240

RE: NOTICE OF ERROR FOR SEASON OF USE AND DIVERSION AMOUNTS
WATER RIGHT NO(S): 36-10283A

DEAR Ms BARRETT:

THIS LETTER IS IN RESPONSE TO THE NOTICE OF ERROR (NOE) YOU RECENTLY FILED WITH IDWR REGARDING THE DIRECTOR'S PROPOSED RECOMMENDATION OF THE CLAIM LISTED ABOVE. YOUR NOE QUESTIONS TWO POINTS; 1) YOUR NOE INDICATES THAT YOU WOULD LIKE THE RECOMMENDATION TO SHOW A LONGER SEASON OF USE FOR IRRIGATION. AND 2) THE BASIS FOR RECOMMENDATION OF AN AMOUNT THAT IS LESS THAN THE AMOUNT SHOWN IN A PREVIOUS DECREE.

- 1) THE DIRECTOR HAS APPROVED EXTENDING THE PERIOD OF USE FOR THE HAGENMAN VALLEY TO 3/15 TO 11/15.

THE PROPOSED RECOMMENDATION IS BASED ON IRRIGATION SEASON OF USE STANDARDS ADOPTED BY THE DIRECTOR FOR THE VARIOUS REGIONS THROUGHOUT THE STATE. THESE STANDARDS ARE BASED ON THE PERIOD OF THE YEAR IN WHICH THERE IS LESS THAN A 75% CHANCE OF A 24 DEGREE F. FROST.

IN ADDITION, SINCE THERE ARE SOME YEARS IN WHICH WATER CAN BE BENEFICIALLY USED FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON, THE PROPOSED DIRECTOR'S REPORT INCLUDES A GENERAL PROVISION WHICH PROVIDES FOR IRRIGATION OUTSIDE THE IRRIGATION SEASON UNDER CERTAIN CONDITIONS. THE CONDITIONS ARE THAT THE WATER IS BENEFICIALLY USED, AS DETERMINED BY THE DIRECTOR; THAT ALL WATER RIGHTS WITH A PERIOD OF USE OUTSIDE THE IRRIGATION SEASON REGARDLESS OF PRIORITY, ARE SATISFIED; AND THAT THE USE DOES NOT CONFLICT WITH THE PUBLIC INTEREST AS DETERMINED BY THE DIRECTOR. THIS PROPOSED GENERAL PROVISION WILL BE INCLUDED IN THE DIRECTOR'S REPORT.

- 2) UNDER IDAHO LAW, A WATER RIGHT IS LIMITED TO THE AMOUNT OF WATER BENEFICIALLY USED FOR THE PURPOSES FOR WHICH THE WATER RIGHT WAS ESTABLISHED. THE AMOUNT OF WATER BENEFICIALLY USED IS LIMITED TO THE AMOUNT THAT IS ACTUALLY USED AND IS REASONABLY REQUIRED. FOR IRRIGATION PURPOSES, A REASONABLE AMOUNT IS THE

STATE OF
INVESTIGATION MEMORANDUM THAT ARE NEARLY
EXHAUSTIVE OF THE FACTS. IF THE AMOUNT OF A WATER
CLAIM IS GREATER THAN THE AMOUNT THAT IS
NEARLY EXHAUSTIVE, THEN THE PORTION THAT IS NOT NEARLY EXHAUSTIVE
WILL BE

THE AMOUNT THAT IS NOT NEARLY EXHAUSTIVE FOR YOUR CLAIM IS 25% OF
THE AMOUNT THAT IS NEARLY EXHAUSTIVE TO BE NEARLY EXHAUSTIVE FOR THE
AMOUNT THAT IS NEARLY EXHAUSTIVE AND CURRENT MEMORANDUM OF

THE AMOUNT THAT IS NEARLY EXHAUSTIVE WITH YOUR RECOMMENDATIONS YOU WILL
BE NEARLY EXHAUSTIVE TO THE DIRECTOR'S REPORT WITH
THE AMOUNT THAT IS NEARLY EXHAUSTIVE IS FILED WITH THE COURT, AND
THE AMOUNT THAT IS NEARLY EXHAUSTIVE WILL CONTAIN MORE INFORMATION ABOUT THE
AMOUNT THAT IS NEARLY EXHAUSTIVE

SINCERELY,

Robert W. H. H. H.

SERIAL WATER AGENT

CONFIDENTIAL

THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

MEMORANDUM FOR THE SECRETARY OF DEFENSE
SUBJECT: [Illegible]

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CVR

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MAPS

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PHOTOS

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MISC

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STATE DEPARTMENT OF WATER RESOURCES
ADMINISTRATIVE CHARGE (FORM FIVE) (REVISED 12/1/66)

04/17/82 14:00:24
Page 2

Profile Translation: Signature

1. Name of the person who is the subject of the charge: [REDACTED]

2. Name of the person who is the subject of the charge: [REDACTED]

3. Description of the charge: [REDACTED]
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Conditions of Approval
In Conditions of Approval Form.

Notes: 04/17/82 Day 12: 00:00:00; 04/17/82 Day 12: 00:00:00
This charge is a result of the 04/17/82.

Amended Fields: 04/17/82 14:00:24

Administrative Charge Dates and Flag Area

Start Report Filed	04/17/82	Field Inspection Date	04/17/82	Old Case Number	10775
Charge Filed Date	04/17/82	Field Inspection Flag	04/17/82	Old Case Number	10775
Response Filed Date	04/17/82	Verified Date	04/17/82	Old Federal Number	10775
Claim Settled Date	04/17/82	Last Inspected Date	04/17/82	Temporary Right	10775
		Geographic Number	10775	Water Right	10775
		Field Ownership Flag	10775	Federal/State Indicator	10775
		Bank Ownership	10775	Prescription Flag	10775
			10775	Notice of Error Flag	10775

OFFICE OF THE
 SECRETARY OF THE ARMY
 WASHINGTON, D. C. 20315

10-40-50
 11-1-50

10-40-50
 11-1-50

NAME OF SUBJECT: SP-1
 GRADE: SP-1
 SERVICE NUMBER: 100-100000

NO.	NAME	GRADE	DATE	REMARKS	INITIALS	SIGNATURE	DATE
1	SP-1	SP-1	7-14-50	604/BAIT			
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"REVIEWED BY" CODE

NAME AND GRADE OF REVIEWER: SP-1
 GRADE: SP-1
 SERVICE NUMBER: 100-100000
 DATE: 7-14-50
 SIGNATURE: [Signature]

THESE CODES ARE USED TO INDICATE THE FIELD NUMBER WHICH THE INFORMATION
 WAS FOR THIS (CODE) INFORMATION. INDICATED ARE ALL CODES WHICH APPLY.

SP-1:
 100-100000
 100-100000

STATE OF TEXAS
DEPARTMENT OF WATER RESOURCES
AUTOMATIC CLASS VERIFICATION SYSTEM

01/01/80

CLASS NUMBER: 130-00000

FORM: 1
GENERAL INFORMATION

LAST: 10-00-000
ADDRESS: 100 N. 100th St.
CITY: 100th St.
STATE: 100th St.
ZIP: 100th St.

FORM: 1
CLASS: 100th St.

LAST: 100th St.
ADDRESS: 100th St.
CITY: 100th St.
STATE: 100th St.
ZIP: 100th St.

FORM: 1
CLASS: 100th St.

FORM: 1

FORM: 1

FORM: 1

VERIFICATION SYSTEM: 100th St.

CLASS NUMBER: 100th St. 100th St. 100th St.

CLAIM NUMBER: 206-10303

FROM OFFICE: () _____

ATTACHMENT FILE: 8(____) 01____

TIME: _____ A(____) P(____)

FOUO INFORMATION: () _____

REPORT NUMBER: ()

REMARKS ON SIGNATURE / ENDORSEMENT:

1111

GLASS NUMBER: 236-48363

[illegible]

2000-2001

8

7

Abstract

Arthur D. O. B.

RECOMMENDED FLIGHTS ON

WORTHINGTON 80

149

10. Place of Use:

Township
078

138

Section
2

DATE

20

Recommended

DELETE

11

Section Across

SECRET

W-2

Abstract

Abstract

WILLIAM B. BROWN

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

0000 0000 0696

0

16-07841
16-07840
16-07853
16-07875
16-07887
16-08000
16-08119
16-08135

SOURCE: BILLINGSLEY CREEK

TRIS: SHAW RIVER

B. ON POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIS: NO TRIBUTARY FOR RECORD

C. FIELD TEAM REQUIRED?

DUE TO POG DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. R44. SEC.

1/4 1/4 1/4

LOT

COUNTY

SOURCE:

REVIEWED BY:

TRIS:

DATE:

VIA JOHN BELL DITCH
PADGETT DITCH

A36-10283A

32x10

0000 0000 0000

STUTTEGART, JOYCE	A36-000150 / 13.0	36-000300 / 13.0	
SANDHORN, JOHN C.		36-000004	
SANDHORN, JOHN C.		36-000093	
SANDHORN, JOHN C.		36-000096	
TA TA HAY INVESTMENTS INC		36-07070	
070 130 11 00 00			35.0
TA-CA-HAY INVESTMENTS, INC.	A36-10201 /		
STUTTEGART, JOYCE	A36-000150 / 13.0	36-000300 / 13.0	
SANDHORN, JOHN C.		36-000004	
SANDHORN, JOHN C.		36-000093	
SANDHORN, JOHN C.		36-000096	
TA TA HAY INVESTMENTS INC		36-07070	
070 130 1 00 00			35.0
TA-CA-HAY INVESTMENTS, INC.	A36-10201 / 3.0		
SANDHORN, JOHN C.		36-000004	
SANDHORN, JOHN C.		36-000093	
SANDHORN, JOHN C.		36-000096	
SANDY, EARL H.		36-00110	
TOTAL ACRES	A36-10201	147.00	351.00

ARE INDICATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)

IF YES SEE ATTACHED SHEET:

C. FIELD TEAM REQUESTED: ☐ YES TO FOR DISCREPANCY (Y/N) ☐ NO

PRELIMINARY FLAG: ☒ FIELD EXAMINER

REMARKS:

Field exam photos taken 7-24-90

Sprinklers

RECOMMENDATIONS:

TOTAL ACRES: 54.0 54

REVIEWED BY: SCL

DATE: 14-91

SPLIT PART 'A' = 54.0 Acres

0000 1000 1111

CLAIM NUMBER: A30-10307

PAGE: 9
PURPOSE: REVIEW REPORT

A. AS CLAIMED USE:

PURPOSE: A30-10307
A30-10307

DATE/DAY
FROM 05-15 TO 15-15
FROM 07-01 TO 15-11

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
7,500 CFS
.120 CFS
7,500 CFS

B. WE RECORDED USE:

PURPOSE:

DATE/DAY

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY

C. FIELD DATA REQUIRED:

FIELD DATA REQUIRED	DATE/DAY	FIELD DATA
DUE TO WATER-GAGE DISCREPANCY? (Y/N)	1	Y
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	1	Y
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	1	Y

D. PERIOD OF USE:

RECORDED AS CLAIMED?

RECORDED TO WE STANDARDS OR OTHER?

(X) ()
() (X)

Explosive in comments, below.

REMARKS:

calc for flood is indicated slightly less than 1" per C 63.8 off
recommended 1" per acre for flood
1" per acre for sprinkler
the entire P/4 = 54 acres
1.08 CFS - Recommended Div rate
for irrigation loss
KKC
7-28-92

0000 0000 0000

PAGE: 10
DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A36-10263

A. DOES DIVERSION RATE CLAIMED AGREE WITH SHIPPING RECORDS? ☒ YES ☐ NO

AL TOTAL CLAIMED DIVERSION RATE: 7.500 CFS
VS SHIP RECORD TOTAL DIVERSION RATE: CFS

*** IF NO OR IF SUBSTANTIAL CLAIM OR DISCREPANCY SEE THEN flow measurement required. ***
** IF an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? ☐ YES ☒ NO
DATE TO BE ON DIVERSION RATE DISCREPANCY? (Y/N) ☐ YES ☒ NO

0.60
1.20
5.70
7.5

B. FLOW MEASUREMENT
MEASUREMENT METHOD ☐ ☒ SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? ☒ YES ☐ NO IF YES COMPLETE OVERLAP REVIEW.
OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION ORIGIN:

CLAIM	PURPOSE	NAME	DEV. RATE	DEV. DATE	DEV. VOL.	DEV. VOL./ACRE
A36-10263	BILLINGSLEY CREEK	TA-TA-BAY INVESTMENTS, INC.	7.500	01-01	0.000	0.000
A36-04033	CHANDLER STREAM	ELIAS, DOUGLAS L.	0.500	01-01	0.000	0.000
A36-10212	BILLINGSLEY CREEK	BARALA, CARRON H.	0.050	01-01	0.000	0.000
A36-00051C	BILLINGSLEY CREEK	BARALA, CARRON H.	0.150	01-01	0.000	0.000
A36-000350	BILLINGSLEY CREEK	STUTTERVANT, JONCE	0.600	01-01	0.000	0.000

LIST ALL RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSE	NAME	ROUTE/DATE	DATE	VOLUME
A36-10263	STOCKWATER	TA-TA-BAY INVESTMENTS, INC.	FROM 01-01 TO 12-31	120 CFS	
A36-04033	STOCKWATER	00001, PHILLIP C.	FROM 01-01 TO 12-31	010 CFS	
A36-04033	DOMESTIC	00001, PHILLIP C.	FROM 01-01 TO 12-31	040 CFS	
A36-10260	STOCKWATER	00001, PHILLIP C.	FROM 01-01 TO 12-31	030 CFS	
A36-02001A	POWER	IDAHO POWER CO.	FROM 01-01 TO 12-31	1700.000 CFS	
A36-02001B	POWER	IDAHO POWER CO.	FROM 01-01 TO 12-31	1000.000 CFS	
A36-02001C	POWER	IDAHO POWER CO.	FROM 01-01 TO 12-31	1000.000 CFS	
A36-00120	DOMESTIC	BARALA, CARRON H.	FROM 01-01 TO 12-31	040 CFS	0.00 MPD
A36-10214	DOMESTIC	BARALA, CARRON H.	FROM 01-01 TO 12-31	030 CFS	
A36-00051C	STOCKWATER	BARALA, CARRON H.	FROM 01-01 TO 12-31	030 CFS	
A36-10263	DOMESTIC	TA-TA-BAY INVESTMENTS, INC.	FROM 01-01 TO 12-31	000 CFS	

0000 0000 0703

PAGE: 11
DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUMBER: A36-10283

10. IRRIGATION RATE DATE/VOLUME CALCULATIONS: (IRRIGATION)

ACRES 59 x 0.82 CFS/ACRE = 483.8 CFS
(Taken From 9/4 report)

DOES AMOUNT CLAIMED EXCEED 0.82 CFS/ACRE? ☒ YES ☐ NO

*** IF THE ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(☒) ***

11. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 428.8 AF/A

ACRES 59 x CONSUMPTIVE VOL. AF/A FOR AREA 2

TOTAL CONSUMPTIVE USE 177 AF/A

12. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 59 x DIVERSION VOL. AF/A FOR AREA 4

TOTAL DIVERSION VOLUME 236 AF/A

13. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

see attached Engineer analysis sheet

15. CALCULATIONS

1.08
1.17
1.27

32x12

FORM NO. 10
EXCHANGE RATE REPORT (SEE INSTRUCTIONS)

CLASS NUMBER: 100-10000

DATE	EXCH. RATE FROM TO	EXCH. RATE FROM TO	EXCH. RATE FROM TO	EXCH. RATE FROM TO
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27
1-1-71	2.36	1.27	2.36	1.27

$$\text{with proportional Rate} = \frac{7.5 \text{ kg}}{175 \text{ kg}} = 0.0428 \text{ kg/kg}$$

(discontinued)

PART -10283A:
(2.04 x 54 kg = 2.16 kg)

$$\begin{array}{r} 1.08 \\ + 0.19 \text{ c.c.} \\ \hline 27 \end{array}$$

0000 0000 0000

PAGE: 13
BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A36-10203

A. CHECK ONLY THE FOLLOWING THAT APPLY:

CORRUPT/PROPERTY/ADDITIONAL DEV. REVIEW

ACCEPTED AS CLAIMED ☒ ☐
REVIEW ☐ ☒

B. SPLIT UNDER BASIC REVIEW

BASIC UNDER BASIC NUMBER: 36-10203

DAMAGE 7.500

REMARKS

CPS

TOTAL DEVIATION BASE OF THE SPLIT

SPLITS:

OLD BASIC NUMBER	CORRUPT CLAIM NUMBER	DEVIATION BASE	CORRUPT "B" CLAIM NO.	"B" DEV. BASE	DEVIATION BASE	DEVIATION BASE
A36-00004	A36-10203	7.500	-	-	16-00004	0.000
A36-00005	A36-10203	7.500	-	-	16-00005	1.500
A36-00006	A36-10203	7.500	-	-	16-00006	5.500
TOTAL CPS		22.500				7.000

DEVIATION BASE REVIEW

DO THE OLD CPS BASE OF THE SPLIT EQUAL THE BASIC BASIC CPS BASE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DAMAGE 7

FIELD OK

REMARKS:

see attached sheet for split review

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 1-4-91

NAME OF FIELD CLERK:

TITLE:

[illegible]

0000 0000 0000

BOARD OF INQUIRY
DEPARTMENT OF WATER RESOURCES
ADJUSTING CLAIM VERIFICATION BOARD

SPLIT

02:00:00
07/01/00

CLAIM NUMBER: A36-10203

FORM: 14
QUICK CLAIM INFORMATION

IN CLAIM	FIELD CLAIM T/V	RESPONSE DATE/REMARKS BY CLAIMANT	FIELD CLAIM BY NAME/DATE	CLAIM T/V	VERIFIED BY NAME	COMPLETED DATE/REMARKS BY NAME	COMPLETED DATE/REMARKS BY NAME	VERIFIED DATE/REMARKS
CLAIMANT NAME	T			N				
DATE OF BIRTH	T			N	46			
ADDRESS	T			N				
PLACE OF BIRTH	T		1-18-46 SAC/NAT	Y	46			
ST. ADDRESS CITY/STATE	T			Y	L. DODGE			
EDUCATION	T			Y				
PROFESSION	T			N				
DATE OF DEATH	T			N				
DATE OF CLAIM	T			N				
REMARKS	T							

"VERIFIED BY" CODES

- VERIFIED BY NAME - 1
- VERIFIED BY DATE - 2
- VERIFIED BY RECORDS - 3
- VERIFIED BY FIELD - 4
- VERIFIED BY FIELD CLAIM - 5
- VERIFIED BY FIELD CLAIM (SEE REMARKS) - 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD CLAIMANT VERIFIED THE INFORMATION
FOR THIS FIELD VERIFICATION. INDICATED ARE ALL CODES WHICH APPLY.

SPLIT:

A36-10203A YK-TA-NAY
A36-10203B 6X46

02:05:50
07:03:00

CLAIM NUMBER: A36-00002

FIRST: _____
 SECOND: _____ OR ZIP: 00200

FIRST: NAME BUCH
STATE: IN EXP: 10240

FIELD USE REQUIRED? _____ REASON: _____ FIELD
VERIFICATION REQUIRED DUE TO DEFECT? _____
CLASS NUMBER: THIS CLASS CARRIES THREE LICENSES: 34-0004, 34-0005, & 34-0006.

1111 1111 1111

PAGE: 1
FIELD OPERATIONS REPORT

CLAIM NUMBER: 120-10001

CUSTOMER NAME: _____

DATE OF FIELD USE: _____

ACCOMMODATION NO: _____

RELATIONSHIP TO CLAIMANT: _____

DESCRIPTION OF INCIDENT / DAMAGE: _____

APPROXIMATE TIME: () () ()

DATE OF INCIDENT: () () ()

TIME: () () () ()

DATE OF REPORT: () () ()

DATE: 7
PROPERTY CASE REVIEW PAGE

CLASS NUMBER: A36-10003

A. AT CLASS: 0 A36-10003 PROPERTY CASE: 00-05-1000 FORM: B
B. IN RECORD: NO OTHER CASES RECORD TO REVIEW THIS AT CLASS

C. FIELD CASE REQUIRED
DOES TO PROPERTY CASE DISCREPANCY (1/1) ☒ YES ☐ NO

ARE THERE OTHERS REASON TO QUESTION THE PROPERTY CASE CLASSIFY IT ☒ YES ☐ NO
IF YES EXPLAIN:

REASON: Matches Daniel R. E.

RECOMMENDED PROPERTY CASE

REVIEWED BY

SCC

DATE 1-4-91

CLARK NUMBER: 435-10201

DATE	TIME	FROM	TO	BY	REMARKS	STATUS
10-10-68	10:00	100	100	100	100	100
10-10-68	10:00	100	100	100	100	100
10-10-68	10:00	100	100	100	100	100

OTHER 12 CLASSES WITH SOME 25 PPS

WE REQUESTED THE STATE TO HAVE THESE

A. J. JENSEN
 100 - 1000

2000

25-00000
25-00000

[illegible][illegible]

0000 0000 0711

36-07088
36-07130
36-07034
36-07040
36-07083
36-07076
36-07087
36-06054
36-08319
36-06135

SOURCE: BILLINGSLEY CREEK

THIS: BRACK RIVER

1. THE POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

THIS: NO TRIUNYART FOR RECORD

C. FIELD EXAM RESULTS:

USE TO FOR DISCREPANCY? (Y/N)	DATABASE	FIELD
USE TO SOURCE DISCREPANCY? (Y/N)	Y	EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

WATER	SEC.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	—	—	—	—	—

SOURCE:

NOTED BY: SCY

THIS:

DATE: 11-11

VIA JOHN BELL DITCH
PADGETT DITCH

0000 0000 07 12

PAGE: 6
PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A36-10203

A. BOOT WATER RIGHT NUMBERS: A36-10203

B. FOW LISTING

YR	MO	SEC	1/4	1/4	LOT	NAME	AJ S/ACRES	UB S/ACRES	DATA	EXAM.	RECORD ACRES
1975	12	1	00	00	1	VA-VA-HAY INVESTMENTS, INC.	A36-10203 / 6.0	-	/	2.0	2.0
						00001, PHILLIP C.	A36-00033 /	-	/		
						00001, PHILLIP C.	A36-10209 /	-	/		
						ELAM, DOUGLAS L.	A37-00366 / 7.0	17-00366 / 7.0			
						00001, MARILYN L.	A36-00076A / 6.0	-	/		
						CLAUDE, JOHN		36-00052 /			
						CLAUDE, JOHN		36-00053 /			
						LOVELL, BOY		36-00076 /			
						SANDERS, JOHN C.		36-00094 /			
						SANDERS, JOHN C.		36-00095 /			
						SANDERS, JOHN C.		36-00096 /			
1975	12	1	00	00	1	VA-VA-HAY INVESTMENTS, INC.	A36-10203 /	-	/		
						00001, PHILLIP C.	A36-00033 /	-	/		
						00001, PHILLIP C.	A36-10209 /	-	/		
						ELAM, DOUGLAS L.	A37-00366 / 7.0	17-00366 / 7.0			
						00001, MARILYN L.	A36-00076A / 6.0	-	/		
						CLAUDE, JOHN		36-00052 /			
						CLAUDE, JOHN		36-00053 /			
						LOVELL, BOY		36-00076 /			
						SANDERS, JOHN C.		36-00094 /			
						SANDERS, JOHN C.		36-00095 /			
						SANDERS, JOHN C.		36-00096 /			
1975	12	1	00	00	1	VA-VA-HAY INVESTMENTS, INC.	A36-10203 /	-	/		
						SANDERS, JOHN C.		36-00094 /			
						SANDERS, JOHN C.		36-00095 /			
						SANDERS, JOHN C.		36-00096 /			
						SANDERS, JOHN C.		36-00097 /			
						SANDERS, JOHN C.		36-00098 /			
						SANDERS, JOHN C.		36-00099 /			
						SANDERS, JOHN C.		36-00100 /			
1975	12	1	00	00	6	VA-VA-HAY INVESTMENTS, INC.	A36-10203 / 21.8	-	/		
						SANDERS, JOHN C.		36-00094 /			
						SANDERS, JOHN C.		36-00095 /			
						SANDERS, JOHN C.		36-00096 /			
						SANDERS, JOHN C.		36-00097 /			
						SANDERS, JOHN C.		36-00098 /			
						SANDERS, JOHN C.		36-00099 /			
						SANDERS, JOHN C.		36-00100 /			
1975	12	1	00	00	6	VA-VA-HAY INVESTMENTS, INC.	A36-10203 /	-	/		
						SANDERS, JOHN C.		36-00094 /			
						SANDERS, JOHN C.		36-00095 /			
						SANDERS, JOHN C.		36-00096 /			
						SANDERS, JOHN C.		36-00097 /			
						SANDERS, JOHN C.		36-00098 /			
						SANDERS, JOHN C.		36-00099 /			
						SANDERS, JOHN C.		36-00100 /			
1975	12	1	00	00	1	VA-VA-HAY INVESTMENTS, INC.	A36-10203 / 5.8	-	/		
						ELAM POWER CO.	A07-02001A /	-	/		
						ELAM POWER CO.	A07-02001B /	-	/		
						ELAM POWER CO.	A07-02001C /	-	/		
						SANDERS, JOHN C.		36-00094 /			

[illegible]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-01-2001 BY 60322 UCBAW

C. FIELD USE REQUIRED

DO NOT FOR SECURITY/INTELLIGENCE PLAN

PRESCRIPTION FLAG:

REMARKS:

End ~~area~~ ~~photo~~ ~~index~~ 7-24-90

PACKAGE
Y

FIELD
REMARKS
Y

NOCHLAGENSTÄTTE :
 TOTAL ARBEIT : 59.0
 BEFINDER SICH : SC DATE : 11-91

11-11-11 11-11-11

FORM: 3
PURPOSE: REVENUE REPORT

CLAIM NUMBER: 888-0000

1. AT CLAIMS TIME:

ADDRESS	DATE/TIME	REVENUE QUANTITY
ADD-10001	FROM 01-01 TO 11-11	1.000 CTS
ADD-10002	FROM 01-01 TO 11-11	1.000 CTS
TOTAL REVENUE DATE/TIME CLAIMED		2.000 CTS

2. IN REVENUE REPORT:

ADDRESS	DATE/TIME	REVENUE QUANTITY
TOTAL REVENUE DATE/TIME CLAIMED		

3. REVENUE REPORT:

4. FIELD DATA REQUIRED:

	DATE/TIME	FIELD
DUE TO REVENUE-DATE DISCREPANCY? (Y/N)	Y	Y
DUE TO REVENUE-DATE DISCREPANCY? (Y/N)	Y	Y
DUE TO REVENUE-DATE DISCREPANCY? (Y/N)	Y	Y

5. PURPOSE OF USE:

REVENUE AS CLAIMED

REVENUE TO BE FORWARDED ON CHECK?

Y (X) N ()
Y () N (X)

Explain in remarks, below.

REMARKS:

PAGE: 10
DIVERSION ADJUST REVIEW SHEET

CLAIM NUMBER: A36-10001

A. DOES DIVERSION DATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION DATE: 7.500 CFS
BE BEST KNOWN TOTAL DIVERSION DATE: CFS

*** IF NO or IF SUBSTANTIAL CLAIM or DIFFERENTIAL USE then flow measurement required. ***
** IS an amount smaller than the original diversion rate is **
** obtained and on claim is not required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD
DUE TO SPACE OR DIVERSION DATE DISCREPANCY? (Y/N) T

0.60
1.20
5.70
7.5

B. FLOW MEASUREMENT
REASONING REVIEW SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? (Y/N) D. IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A NAME FOR AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DEV. DATE	DEV. RATE/ACRE	DEV. VOL.	DEV. ACRE
A36-10201	BILLINGSLEY CREEK	EL-TH-GRAY INVESTMENTS, INC.	7.500	0.051		
A37-04164	UNNAMED STREAM	ELIAS, DONALD L.	8.000	0.071		
A36-10312	BILLINGSLEY CREEK	SADALA, CARLOS R.	8.050	0.050		
A36-00031C	BILLINGSLEY CREEK	SADALA, CARLOS R.	8.100	0.037		
A36-000370	BILLINGSLEY CREEK	STURTEVANT, JOTCH	8.000	0.044		

LIST ALL RIGHTS WITH NAME FOR BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	START/DATE	DATE	VOLUME
A36-10201	STOCKWATER	EL-TH-GRAY INVESTMENTS, INC.	FROM 01-01	TO 12-31	.120 CFS
A36-04033	STOCKWATER	GOODE, PHILLIP C.	FROM 01-01	TO 12-31	.030 CFS
A36-04033	DOMESTIC	GOODE, PHILLIP C.	FROM 01-01	TO 12-31	.040 CFS
A36-10204	DOMESTIC	GOODE, PHILLIP C.	FROM 01-01	TO 12-31	.040 CFS
A36-10204	STOCKWATER	GOODE, PHILLIP C.	FROM 01-01	TO 12-31	.040 CFS
A36-01041A	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1700.000 CFS
A36-01041B	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041C	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041D	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041E	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041F	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041G	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041H	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041I	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041J	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041K	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041L	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041M	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041N	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041O	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041P	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041Q	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041R	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041S	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041T	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041U	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041V	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041W	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041X	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041Y	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS
A36-01041Z	POWER	IRASH POWER CO.	FROM 01-01	TO 12-31	1000.000 CFS

0000 0000 0000

PAGE: 11
DIVERSION ADJUST REVIEW SHEET CONTINUED

CLJ: NUMBER: AOS-00303

9. RATE/VOLUME CALCULATIONS: (DESCRIPTION)

1a. IRRIGATION RATE
AREA 59 @ 0.02 CFS/ACRE = 1.18 CFS
(Based from p/a review)

1b. CALCULATIONS

DOES ADJUST CLAIMED EXCEED 0.02 CFS/ACRE? Y X N()

*** IF THE ADJUSTMENT REQUIRES MORE FORM FILES AND ATTACHMENTS? Y X N() ***

2. IRRIGATION CONDUCTIVITY USE

CLAIMED CONDUCTIVITY USE = 120.0 M/A

AREA 59 @ CONDUCTIVITY VOL. M/A FOR AREA 2

TOTAL CONDUCTIVITY USE 177 M/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = M/A

AREA 59 @ DIVERSION VOL. M/A FOR AREA 4

TOTAL DIVERSION VOLUME 236 M/A

4. CALCULATIONS FOR USE OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y X N()

REMARKS: (Provide limitations on CONDUCTIVITY USE for combined rights.)

DATE: 12
 DIVISION: ADJUTANT GENERAL'S OFFICE

CLASS NUMBER: 120-0000

REMARKS:

NO.	DATE	NO.	DATE	NO.	DATE
1	1-15	2	1-15	3	1-15
4	1-15	5	1-15	6	1-15
7	1-15	8	1-15	9	1-15
10	1-15	11	1-15	12	1-15
13	1-15	14	1-15	15	1-15
16	1-15	17	1-15	18	1-15
19	1-15	20	1-15	21	1-15
22	1-15	23	1-15	24	1-15
25	1-15	26	1-15	27	1-15
28	1-15	29	1-15	30	1-15
31	1-15	32	1-15	33	1-15
34	1-15	35	1-15	36	1-15
37	1-15	38	1-15	39	1-15
40	1-15	41	1-15	42	1-15
43	1-15	44	1-15	45	1-15
46	1-15	47	1-15	48	1-15
49	1-15	50	1-15	51	1-15
52	1-15	53	1-15	54	1-15
55	1-15	56	1-15	57	1-15
58	1-15	59	1-15	60	1-15
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64	1-15	65	1-15	66	1-15
67	1-15	68	1-15	69	1-15
70	1-15	71	1-15	72	1-15
73	1-15	74	1-15	75	1-15
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268	1-15	269	1-15	270	1-15
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283	1-15	284	1-15	285	1-15
286	1-15	287	1-15	288	1-15
289	1-15	290	1-15	291	1-15
292	1-15	293	1-15	294	1-15
295	1-15	296	1-15	297	1-15
298	1-15	299	1-15	300	1-15

$$\text{proportional Rate} = \frac{7.5 \text{ lbs}}{175 \text{ Ac.}} = 0.0428 \text{ lbs/Ac.}$$
 (Round this rate)

7.5 lbs	175	206	226	162
0.20	175	206	226	162
2.36	175	206	226	162

DATE: 23
NAME OF CLAIMANT: [REDACTED]

CLAIM NUMBER: A36-00000

6. CHECK ONLY ONE FOLLOWING THAT APPLIES:

UNRECOVERED
PROPERTY/REVENUE
INVESTIGATION NO. [REDACTED]

ACCEPTED
AS CLAIMED ☒
UNDER
REVIEW ☒

7. COPY FROM COURT REPORT

DATE UNDER REVIEW: 20-10-201

REVENUE
7.000

REVENUE

CPY

TOTAL REVENUE FROM CPY

REVENUE:

OLD COURT REVENUE	COURT CLASS NUMBER	REVENUE DATE	COURT "E" CLASS NO.	"E" REV. DATE	IN COURT REVENUE	REVENUE DATE
A3-00000	A36-00000	7.000	-	-	36-00000	0.000
A3-00000	A36-00000	7.000	-	-	36-00000	1.000
A3-00000	A36-00000	7.000	-	-	36-00000	0.700
TOTAL CPY		21.000				7.000

REVENUE IN REVENUE:

DO THE OLD CPY DATE OF THE FILING EQUAL THE NEW COURT CPY DATE? (Y/N)
IF NO, IN CL. WITHIN FIVE (5) DAYS OF ATTACHED? (Y/N)

REVENUE
0

FIELD
REVENUE
[REDACTED]

REVENUE:

[REDACTED]

APPROVATION:

SIGNATURE: [REDACTED]

DATE: 1-4-91

NAME OF FIELD REVENUE:

FIELD: [REDACTED]

0000 1111 1111

AA6

INSTRUMENTS

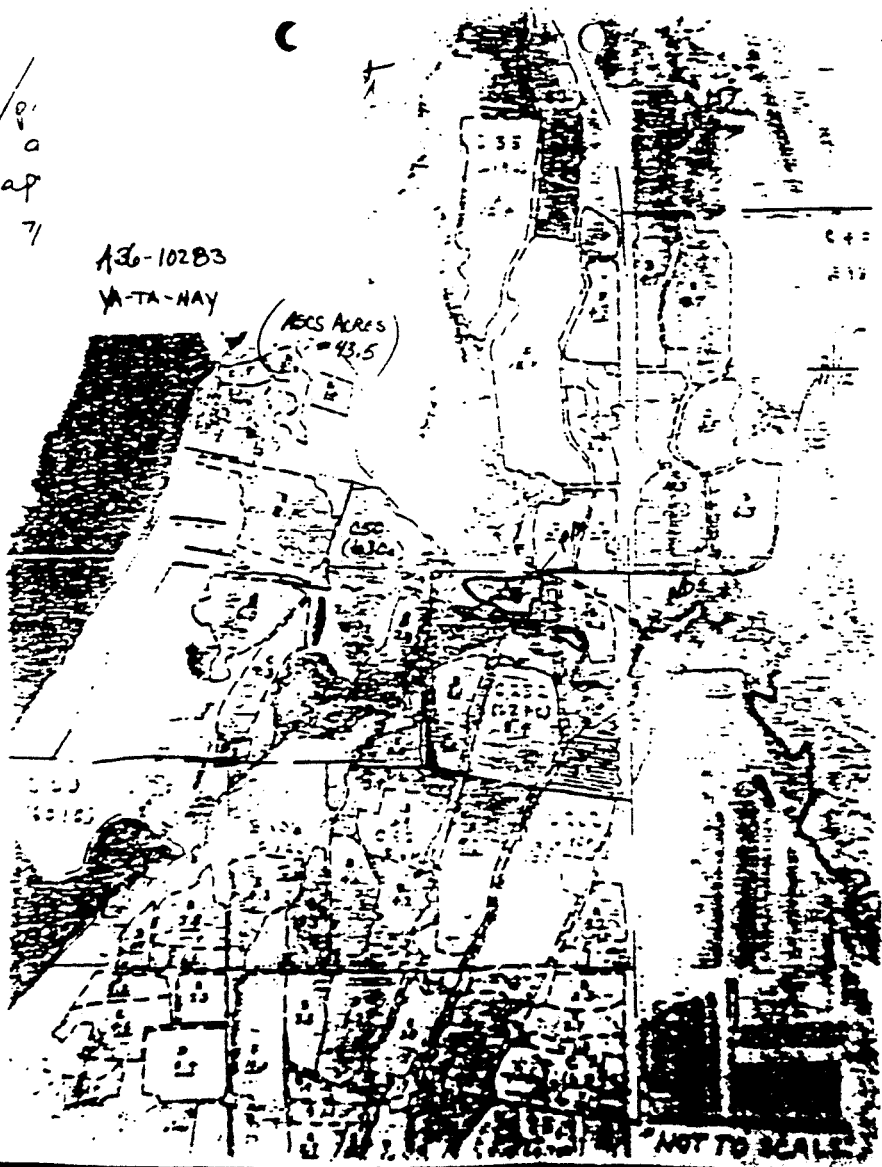
NO 00 1002

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22x10

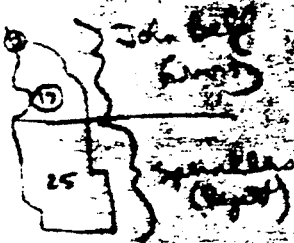
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0000 0000 0723



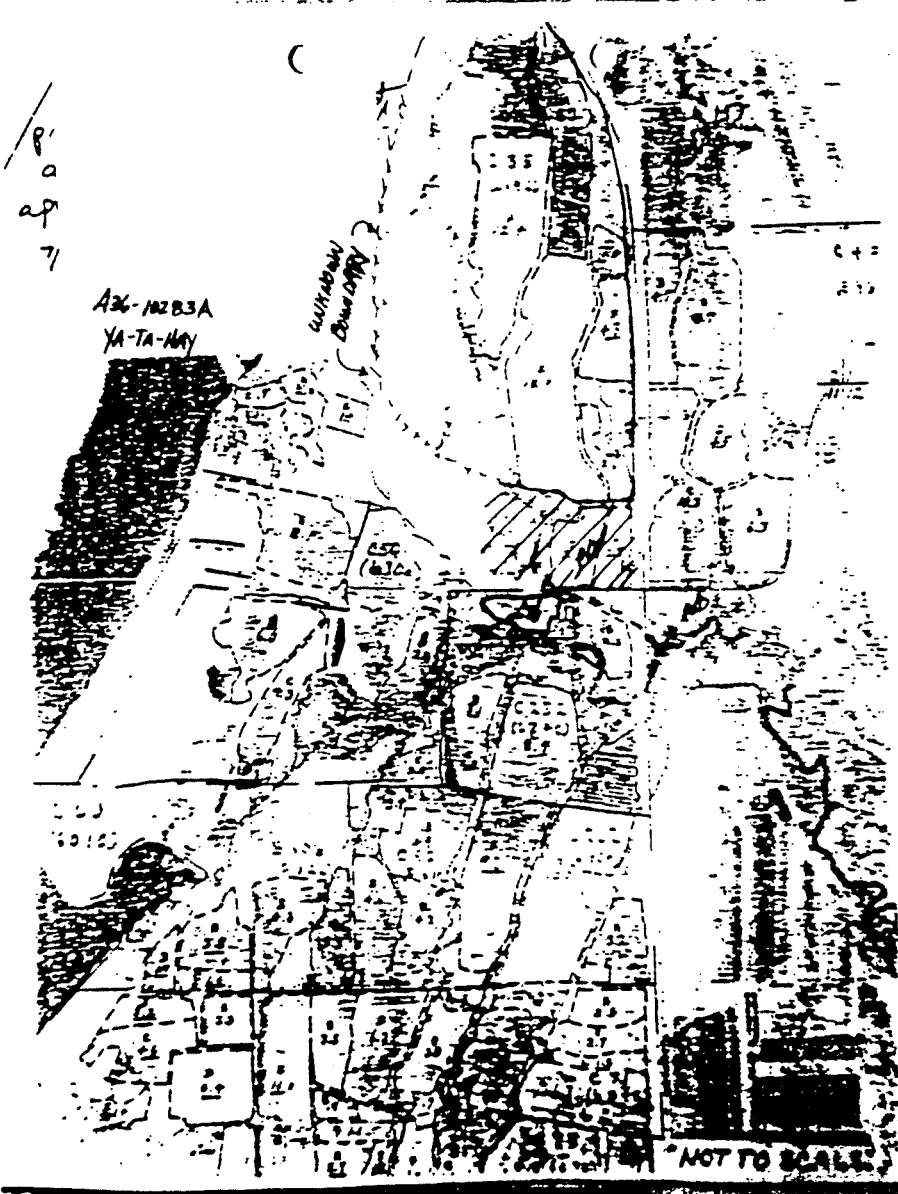
12x10



- ① location pump in Bay?
- ② survey on north side?

8/0
29
7

0000 0000 0025



2x10

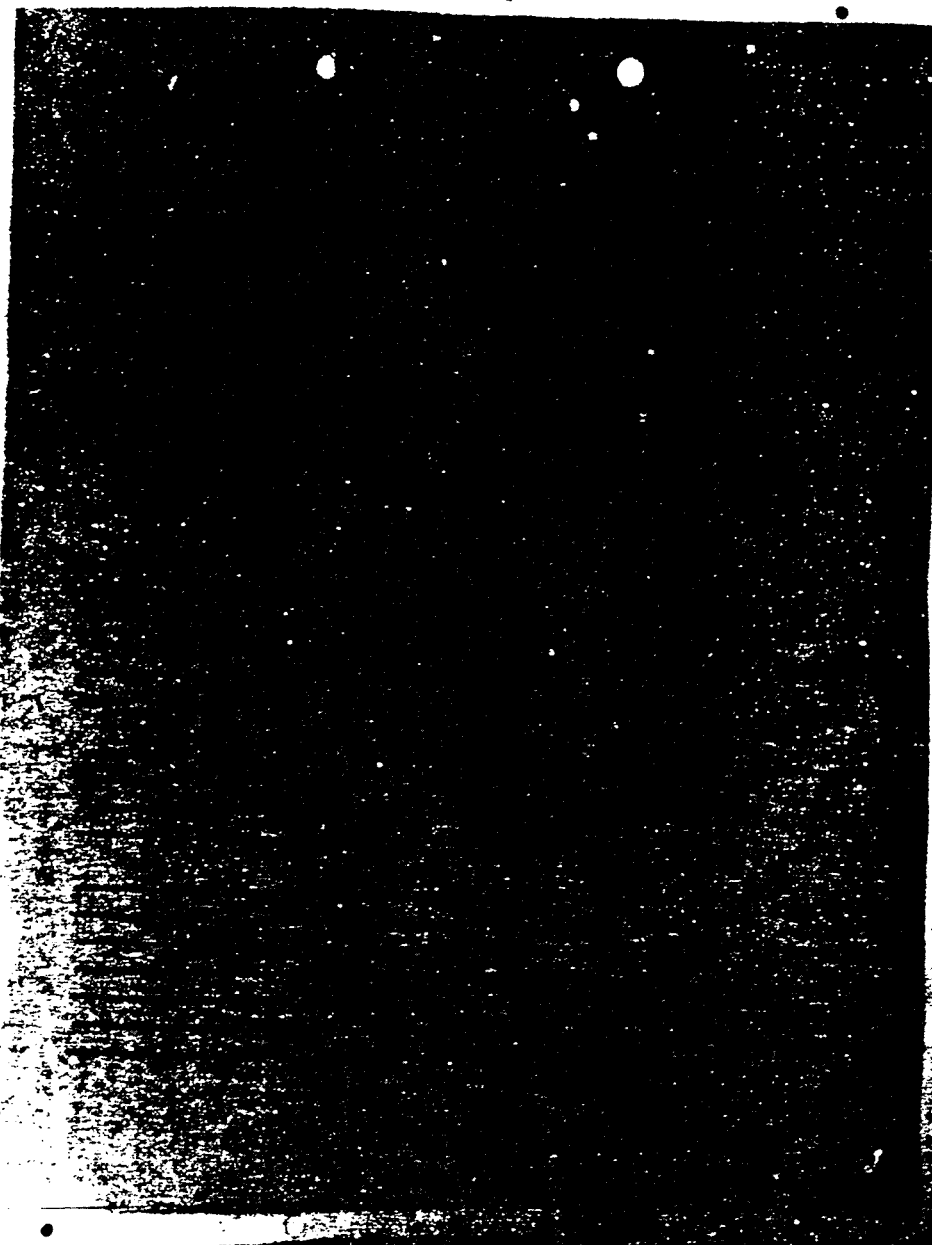
32x10

POOR ORIGINAL



OVERVIEW OF YR-M-DAY POW
A36-10283A
7-23-90
By SCC

0000 0000 0000



[illegible]

Ans: $2R - \frac{1}{2}$ total mass

0000 0000 0130

(6-92 306)

IRRIGATION ANALYSIS WORKSHEET

CLAIM NO. A34-10283A
 DATE 7/14/92
 AGENT HWT
 CLAIMANT/SYSTEM DESCRIPTION W. T. Hays Investments
 IRRIGATION SYSTEM Flood
 ANALYSIS METHOD BORDER / FURROW
 TYPE OF CROP Alfalfa
 MAXIMUM PROFILE DEPTH 60 INCHES
 INTAKE FAMILY 55

.....
 SOIL TYPE LoS SYSTEM TOTAL
 ACRES PER TYPE 12 12 ACRES
 SOIL PROFILE WHC 57E
 DESIGN IRR & WHC 2.80

CROP REQUIREMENT:

REPORT AREA & FIGURE NO. 2.80 12-5

DAILY CROP REQUIREMENT:

1/2 (MM/DAY) / 25.4 (FACTOR IN MM/IN) 12.7 IN/DAY

ACTUAL ROTATION PRACTICED _____ DAYS

DRY DAY ROTATION _____ IRR DAY ROTATION _____

THEORETICAL ROTATION:

DESIGN IRR / 12.7 CROP REQ = 14.7 DAYS

DESCRIPTION OF FIELD:

AVERAGE LENGTH RUN _____

TOTAL WIDTH OF FIELD _____

CHECK 2.80 L = 12.7 W / 43,560 = 2 ACRES

& SLOPE _____

BORDER WIDTH _____

WIDTH OF FIELD / _____ DAYS OF ROTATION

FURROW / CORRUGATION WIDTH _____

SET TIME _____

32x10

0000 0000 2064

Ya-Ta-Hay
NAME: *Investment, Inc.*

CLAIM: *A 36-10283A*

CORRESPONDENCE *0*

EVIDENCE OF

PRIORITY

0000 0000 2065

ALERT
SELECTED FILE: 00-000-0000

DATA DEPARTMENT OF STATE
SELECTED FILE: 000000

DATE: 05/05/95
TIME: 12:00:00
PAGE: 1

00-0000	00-0001	00-0002	00-0003	00-0004	00-0005	00-0006	00-0007	00-0008	00-0009
00-0010	00-0011	00-0012	00-0013	00-0014	00-0015	00-0016	00-0017	00-0018	00-0019
00-0020	00-0021	00-0022	00-0023	00-0024	00-0025	00-0026	00-0027	00-0028	00-0029
00-0030	00-0031	00-0032	00-0033	00-0034	00-0035	00-0036	00-0037	00-0038	00-0039
00-0040	00-0041	00-0042	00-0043	00-0044	00-0045	00-0046	00-0047	00-0048	00-0049
00-0050	00-0051	00-0052	00-0053	00-0054	00-0055	00-0056	00-0057	00-0058	00-0059
00-0060	00-0061	00-0062	00-0063	00-0064	00-0065	00-0066	00-0067	00-0068	00-0069
00-0070	00-0071	00-0072	00-0073	00-0074	00-0075	00-0076	00-0077	00-0078	00-0079
00-0080	00-0081	00-0082	00-0083	00-0084	00-0085	00-0086	00-0087	00-0088	00-0089
00-0090	00-0091	00-0092	00-0093	00-0094	00-0095	00-0096	00-0097	00-0098	00-0099
00-0100	00-0101	00-0102	00-0103	00-0104	00-0105	00-0106	00-0107	00-0108	00-0109
00-0110	00-0111	00-0112	00-0113	00-0114	00-0115	00-0116	00-0117	00-0118	00-0119
00-0120	00-0121	00-0122	00-0123	00-0124	00-0125	00-0126	00-0127	00-0128	00-0129
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00-0140	00-0141	00-0142	00-0143	00-0144	00-0145	00-0146	00-0147	00-0148	00-0149
00-0150	00-0151	00-0152	00-0153	00-0154	00-0155	00-0156	00-0157	00-0158	00-0159
00-0160	00-0161	00-0162	00-0163	00-0164	00-0165	00-0166	00-0167	00-0168	00-0169
00-0170	00-0171	00-0172	00-0173	00-0174	00-0175	00-0176	00-0177	00-0178	00-0179
00-0180	00-0181	00-0182	00-0183	00-0184	00-0185	00-0186	00-0187	00-0188	00-0189
00-0190	00-0191	00-0192	00-0193	00-0194	00-0195	00-0196	00-0197	00-0198	00-0199

TOTAL RECORDS IN SELECTED FILE: 194

0000 0000 2066

RECEIVED
FEB 18 1933
Department of Water Resources

1 HEPWORTH, HUNGEFESTER & LEZAMIZ,
2 CHARTERED
3 133 Shoshone St. North
4 P.O. Box 309
5 Twin Falls, ID 83303-0389
6 Telephone: (208)734-7510
7 Attorneys for Claimant
8 (PPE\HUNGEFESTER.HOA\lhr)

9
10 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
11 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
12 * * * * *

13 In Re the General Adjudication
14 of Rights to the Use of Water
15 from the Snake River Basin
16 Water System

Case No. 39576

17 The State of Idaho, ex rel.
18 E. Keith Higgsom in his
19 official capacity as director
20 of the Idaho Department of
21 Water Resources,

NOTICE OF APPEARANCE

Petitioner,

vs.

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

Respondents.

24 * * * * *
25 PLEASE BE NOTIFIED that the firm of Hepworth, Hungefester
26 & Lezamis, Chartered, hereby appears on behalf of Hungefester Water
27

Hepworth
Hungefester
& Lezamis

NOTICE OF APPEARANCE - 1

0000 0000 2067

1 Users, Inc. and its individual members:

- 2 Anderson, Anita G.
- 3 Babington Lynn J. & Kathy
- 4 Banbury Pipe Co., Inc.
- 5 Banbury Pipe Co., Inc.
- 6 Big Bend Irrigation & Mining Co.
- 7 Big Bend Irrigation & Mining Co.
- 8 Big Springs Water User's Assoc.
- 9 Big Springs Water User's Assoc.
- 10 Big Springs Water User's Assoc.
- 11 Blalock, Alma E.
- 12 Bolduc, Mark E.
- 13 Boyer, Dale E. & Elaine M.
- 14 Brailford, Robert H.
- 15 Brooks, Allen L. & Andree
- 16 Brooks, Allen L. & Andree
- 17 Bybee, Gertrude B. Owsley
- 18 Bybee, Gertrude B. Owsley
- 19 Candy, Walter W. & Margaret
- 20 Candy, Walter W. & Margaret
- 21 Clouser, Doris E. & John F.
- 22 Clouser, Doris E. & John F.
- 23 Crandlemire, Roger C. & George C.
- 24 Crandlemire, Roger C. & George C.
- 25 Crandlemire, Roger C. & George C.
- 26 Crandlemire, Roger C. & George C.
- 27 Crandlemire, Roger C. & George C.
- 28 Crandlemire, Roger C.
- 29 Crandlemire, Roger C.
- 30 Crandlemire, Roger C.
- 31 Crandlemire, Roger C.
- 32 DeVries, Abraham & Hermina
- 33 Dice, Philip F. & Judith A.
- 34 Dice, Philip F. & Judith A.
- 35 Erwin, Frank C. & Peggy
- 36 Fleming, Michael J. & Paul F.
- 37 Flint, William E. and Vera C.
- 38 Flint, William E. and Vera C.
- 39 Flint, William E. and Vera C.
- 40 Flint, William E. and Vera C.
- 41 Puell, Keith L. & Jalene
- 42 Gardner, Barbara & Robert B.
- 43 Gardner, Barbara
- 44 Gislser, Harry E.
- 45 Gislser, Bradley
- 46 Glouner, Frank L. & Joan
- 47 Grieg, Mattie P. & Seldon T.
- 48 Gustafson Family Trust/Gustafson
- 49 Ivan J. & Leslie co-trustees
- 50 Kagerman Gun Club

A36-00050D
A36-00003C
A36-10906
A36-02038
A36-00192
A36-00133
A36-00022
A36-00023
A36-15166
A36-00108B
A36-00103C
A36-00079
A36-04260
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A36-00111C
A36-00110B
A36-00134C
A36-00135C
A36-10140
A36-10141
A36-00055AF
A36-00041A
A36-10405
A36-00092
A36-00044B
A36-00110A
A36-00111A
A36-00112A
A36-10148
A36-00006C
A36-00003B
A36-00003J
A36-00021B
A36-00077C
A36-00039B
A36-10303B
A36-00011P
A36-00100

H&L
Hepworth
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& Leisner

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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	A36-00058C
	Johnson, Ira L. & Bequette 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 & Earl Woodall & Sons, Inc	A36-00071A
8	Kiser, John & Earl Woodall & Sons, Inc	A36-00075
	Korbis, George J. & Nellie W.	A36-00039M
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
	McFadden, Dan H. & Irma R.	A36-2169
13	McFadden, Dan H. & Irma R.	A36-00048A
	McFadden, 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
	Petters, Mark B. & Susan H.	A36-07092A
17	Raeon, Frank S. & Carol A.	A36-00038J
	Raeon, Bruce W. & LaRose A.	A36-00123A
18	Raeon, Bruce W. & LaRose A.	A36-04091
	Rae, James O. & Beverly Jane	A36-10231
19	Shaffer, Roger	A36-07142A
	Simpson, Doyt H. & Bonnie J.	A36-00034B
20	Simpson, Michael, on behalf of Josephine Simpson Estate	A36-00003P
	Simpson, Michael, on behalf of Josephine Simpson Estate	A36-0123E
21	Strang, Wm. (Ponslope Turner-remainder man)	A36-0096A
22	Strang, Wm. (Ponslope Turner-remainder man)	A36-00006
	Strang, Wm. (Ponslope Turner-remainder man)	A36-00007
23	Veendorst, Dick J.	A36-00000
	Veendorst, Dick J.	A36-00100A
		A36-00030C

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& Lutz

NOTICE OF APPEARANCE - 3

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1	Vernon, Edith L.	A36-00003E
	Walmley, Fred J. & Susan E.	A36-00039D
2	Ward, John P. & Ruth E.	A36-00094-A
	Ward, John P. & 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
	Wiens, M.J., Jr.	A36-00141
7	Wiens, M.J., Jr.	A36-10520
	Woolley, Max J. & Blanche	A36-00039M
8	Ya-Ta-May Investments, Inc.	A36-10283A
	Ya-Ta-May Investments, Inc.	A36-07875
9	Zink, Basil Lester & Myrtle Hyde	A36-00103P

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, HUNGERFERT & LEZAMIZ

14 
15 PATRICIA D. BROWN
16 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,
Hungerfirt
& Lezamiz

NOTICE OF APPEARANCE - 4

0000 0000 2070

1 February, 1993, to:

2 Snake River Adjudication
3 District Court
4 P.O. Box 27870
5 Twin Falls, ID 83303-0126

6 Clive Strong
7 Chief Natural Resources Division
8 Office of Attorney General
9 Statehouse
10 Room 218
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

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22 Patrick D. Brown
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NOTICE OF APPEARANCE - 9

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720-9000
Phone: (208) 327-7940 FAX: (208) 327-7866

CAROL R. ANDRUS
DIRECTOR
B. KEITH BRIDGEMAN
DIRECTOR

March 1, 1993

Patrick D. Brown
Bepworth, Mangum and Laramie
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, Garret B. Owsley	36-00042A 36-00041C
Candy, Walter W. & Margaret	36-00135B
Crandall, Roger C.	36-00134C 36-00135C
Gustafson Family Trust/Gustafson, Ivan J. & Lucille co-trustees	36-00033F
McFadden, Don H. & Jean R.	36-00048A
Muller, Manfred	36-00033J
Zink, Beal Lester & Myrtle Elyse	36-00403F

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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 EDWR 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 EDWR's Records
Anderson, Anita G.	A36-00050D/36-00050D	Anderson (name spelling is different)
Brinkford, Robert H.	A36-04260/36-04260	A36-04260B/36-04260B (claim was split--"B" suffix)
Brooks, Allen L. & Andrea	A35-00060	A36-00060/36-00060 (Basis 36 instead of Basis 35)
Crandall, Roger C. & George C.	A36-00113J/36-00113J	Crandall, Roger C. (George C. not listed as claimant)
Galar, Harry R.	A36-00021B/36-00021B	A36-00021/36-00021 (claim was renumbered)
Glanzer, Frank L. & Joan	A36-00039B/36-00039B	Joan instead of Joan
Gustafson Family Trust/Gustafson, Ivan J. & Lucille co-trustees	A36-00011C/36-00033B	Gustafson, Ivan J. (not listed as a trust)
Johnson, Im L. & Eugene M.	A36-07142/36-07142	Johnson, Im L. (Eugene M. not listed as claimant)
Joint Hagerman School Dist. 233	A36-15463/36-15463	Original claim & EDWR records show school dist. as F3.
Jones, John W., Jr.	A36-00068/36-00068 A36-00089/36-00089 A36-07071/36-07071 A36-08070/36-00070	Jones, John W. Jr. & Debra D. (Debra D. is included as a claimant)

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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 EDWR's Records
Muller, Manfred	A36-00034D/36-00033	Muller (name spelling is different in EDWR records)
Strang, Wm. (Penelope Turner- remainder same)	A36-00006/36-00006 A36-00007/36-00007 A36-00008/36-00008	Strang, Wm. & Louise (Louise is included as a claimant, Penelope Turner is not in records)
Vannest, Dick J.	A36-00108A/36-00108A A36-00039C/36-00039C	Vannest, Dick J. & Sigrid E. (Sigrid E. is included as a claimant)
Winn, M. J., Jr.	A36-00317	A36-00317/36-00317 (no. was transposed on notice)
Winn, M. J., Jr.	A36-00098/36-153	36-15384 (claim was combined with no. 36-00141 into no. 36- 15384)
Winn, 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 EDWR Records
Hagerman Gun Club	A36-00100/36-00100 A36-00009/36-00009 A36-07230/36-07230 A36-07173/36-07173 A36-10040/36-10040	Owners are listed as Bob Pomer and Paul Gough

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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,

John I. Schultz
JOHN I. SCHULTZ
Legal Assistant
Idaho Department of Water Resources

cc: IDWR Southern Region

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R PROOF

CVR

MAPS

PHOTOS

MISC

0000 0000 2076

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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-10283A -0001

The State of Idaho, by and
R. Keith Higgins in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINS, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

RESPONSE TO OBJECTION NO. 36-10283A -0001 PAGE 1

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2. Person who filed objection:

Name: TA TA HAY INVESTMENTS
Address: HAY RUTH BARRETT
613 W KILDA
BOISE NM 83240

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection concerning:
3a. ☒ The total quantity of water used in cubic feet per second.
3c. ☒ The total quantity of water reserved for each and every purpose, including all present and future uses.
7. ☒ Purpose of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Use: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
9a. ☒ The legal description of the place of use.
10. ☒ Consumption Use: I respond to the objection concerning the annual volume of consumptive use.

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14. [X] Answer: I respond to the objection concerning the "wages" listed with the water right.

15. [X] Answer: I respond to the objection concerning:

ALL MATTERS RAISED IN THE CLAIMANT'S ANSWER,
AFFIRMATIVE DEFENSES, AND PRAYER FOR RELIEF.

ANSWER DEFENDING EACH ONE OBJECT

In response to Statement of the Objection items 3 and 3.a. and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommends the amount of water it determined was being beneficially used; (2) the claimant is not entitled to any amount greater than that which is beneficially used (Utah Code Ann. 42-124 and 42-142); (3) the recommendation of the Director to the SUPA Court as to how the right should be decreed does not constitute a taking because it is simply a recommendation and not a final determination of the right; and (4) the eventual decree by the SUPA Court of the amount of water beneficially used, even if less than the amount previously decreed, will not constitute a taking because the right is limited to that amount beneficially used.

In response to Statement of the Objection item 3a., and all allegations of the objection regarding that item, IDWR responds as follows: Since this water right is not a federal reserved water right, this objection item is inapplicable and the claimant's allegation of it is in error. IDWR further responds that under public law water cannot be reserved for future use, but must be appropriated and put to beneficial use before the user can acquire a water right.

In response to Statement of the Objection item 7, and all allegations of the objection regarding that item, IDWR responds that it recommended the same purpose or purposes of use that were identified on the notice of claim and that were found when the claim was investigated. By identifying in the objection an additional use or uses that the claimant did not list on the notice of claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR will investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree Fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. Water may be used for irrigation outside the standard season of use, subject to the conditions set forth in general provision 11b of the director's report. In further response to this objection item, IDWR responds that it recommended stockwater use year-round, and that is recommended the period of use for irrigation as claimed. By now asserting a year-round season of use for irrigation, the claimant improperly seeks to use the objection process to amend the notice of claim. A claimant must obtain leave of court to amend a notice of claim just as a party must obtain leave of court to file a late claim after the director's report is filed. Once leave of court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection 9 and 9.a, and all allegations of the objection regarding these items, IDWR responds that the recommended water right accurately describes the place of use of the right.

In response to Statement of the Objection item 14 and all allegations of the objection regarding that item, IDWR responds as follows: (1) The decrees asserted by the claimant did not set an annual volume of consumptive use for this water right. (2) Idaho Code Sec. 42-1411(2)(a) requires the director to determine the annual volume of consumptive use for each water right acquired under state law and recommended in the director's report. (3) Idaho Code Sec. 42-1401A(2) provides that the quantification of consumptive use "is included as a rebuttable presumption in a decree only for the purpose of transfers pursuant to section 42-223, Idaho Code"; therefore, the consumptive use recommended for this water right is included solely for use in future transfer proceedings. (4) The annual volume of consumptive use recommended for this right is 3 acre feet per acre. This is the maximum volume of water consumed by the most water consumptive crop (pasture) that can be grown in the area during the period of year when water is used for irrigation, as provided for by Idaho Code Sec. 42-1401A(2). (5) The recommendation of the director to the State Court as to how

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the right should be decreed does not constitute a taking because it is simply a recommendation and not a final determination of the right. (6) The eventual decree by the SRBA Court of the amount of water beneficially used, even if less than the amount previously decreed, will not constitute a taking because the right is limited to that amount beneficially used.

In response to Statement of the Objection item 11, and all allegations of the objection regarding that item, IDWR responds that it has authority pursuant to Idaho Code Sec. 42-1411(2)(j) to include in its recommendations of water rights acquired under state law and recommended in the director's report "such other matters as are necessary to define the right." The remark or remarks objected to are necessary to adequately describe and define this water right.

In response to Statement of the Objection item 14, and all allegations of the objection regarding that item, see attached "IDWR's Response to Answer Affirmative Defenses and Prayer for Relief of Claimant".

In response to the sentence listed in Changes to the Director's Report, when by the claimant attempts to "reserve the right to claim all purposes of use and quantities of use as shown by the evidence at trial," IDWR responds as follows: Insofar as this purported reservation of rights may constitute an attempt to reserve the right to amend at trial the claimant's notice of claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim just as a party must obtain leave of the court to file a late claim after the director's report is filed.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

- [X] Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

(Over)

0000 0000 2081

Notice of Claim No. A36-10203A
IDRM's Response to Answer, Affirmative Defenses and Prayer
For Relief of Claimant

No. of
Pages

6

4

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, depose and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing response

By: 
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 10th day of September
1993.


Notary Public for Idaho
Residing at:
My Commission expires: March 1, 1994
David B. Shaw, Adm. Code
Residing at Boise, Idaho
My Commission Expires December 1, 1994

0000 0000 2083

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of September, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
251 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you MUST fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you MUST fill in the following information:

Name: HENRY W. HONCHER & LEECH
Address: PATRICK D. BROWN
& FENELONE PARKER
PO BOX 288
TWIN FALLS ID 83303

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724


Signature of Respondent or attorney
mailing on Respondent's behalf

Form No. 10-100-100-100

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 SNARE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER 73-102928-9
Dist. Number AD-10283
Date Received 7-22-79
Receipt Number 5001167 sec.

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) TA-TA-BAY INVESTMENTS, INC., A TEXAS CORP. Phone (505) 792-1132

2. Date of Priority (Only one (1) per claim) June 25, 1981

3. Source of water supply (if John Ball Hatch, Pine Hatch & Redoubt Hatch
which is tributary to (a) Millington Creek

4. a. Location of existing point of diversion to: Township 7 North Range 13 East Section 11

NE 1/4 of NE 1/4 of NE 1/4, Sect 11, T.7N, R.13E, S.44N
The point of diversion of the John Ball Hatch is: Township 7 North
Additional points of diversion if any: Range 13 East, S.44N, Section 11, NE 1/4 of NE 1/4 of NE 1/4. The Pine Hatch is diverted out of the John Ball Hatch.

b. Flow from flow, beginning point of claimant's flow is:

Township 7 North Range 13 East Section 11, NE 1/4 of NE 1/4 of NE 1/4

Sect 11, S.44N, County of _____

existing point to: Township 7 North Range 13 East Section 11, NE 1/4 of NE 1/4 of NE 1/4

NE 1/4 of NE 1/4 of NE 1/4, Sect 11, T.7N, R.13E, S.44N

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Weirs, Pumps, Flumes, Headgates, etc.)
including the date of any change or enlargement to use, the diversion of the diversion works
constructed and so enlarged and the depth of cut-work. John is diverted from Millington Creek to the
reservoir by some diversion. None of the property is included in any of the diversion flow.
John is diverted from the reservoir to the Pine Hatch by a diversion. The Pine Hatch is
diverted out of the John Ball Hatch. The Pine Hatch is diverted out of the John Ball Hatch.
and the Pine Hatch, which is diverted out of the John Ball Hatch.
order to the property through a ditch.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 7.50 or _____For Stockwater purposes from Jan. 1 to Dec. 31 amount 0.12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.50 (cfs) and/or (b) 5.88 (acre feet)8. Total consumptive use claimed is 420 acre feet per annum.9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock etc.) At times, we have had 200 to 250 pairs of cattle on the property.

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	
7 S	13 E	11																	
7 S	13 E	2																	

Total number of acres irrigated 147 acres11. In which county (ies) are lands listed above as place of use located? Gooding County12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.13. Describe any other water rights used at the same place and for the same purposes as described above.
or None (X)

14. Remarks:

MICROFILMED

FEB 87 1987

Last Name DAWITT

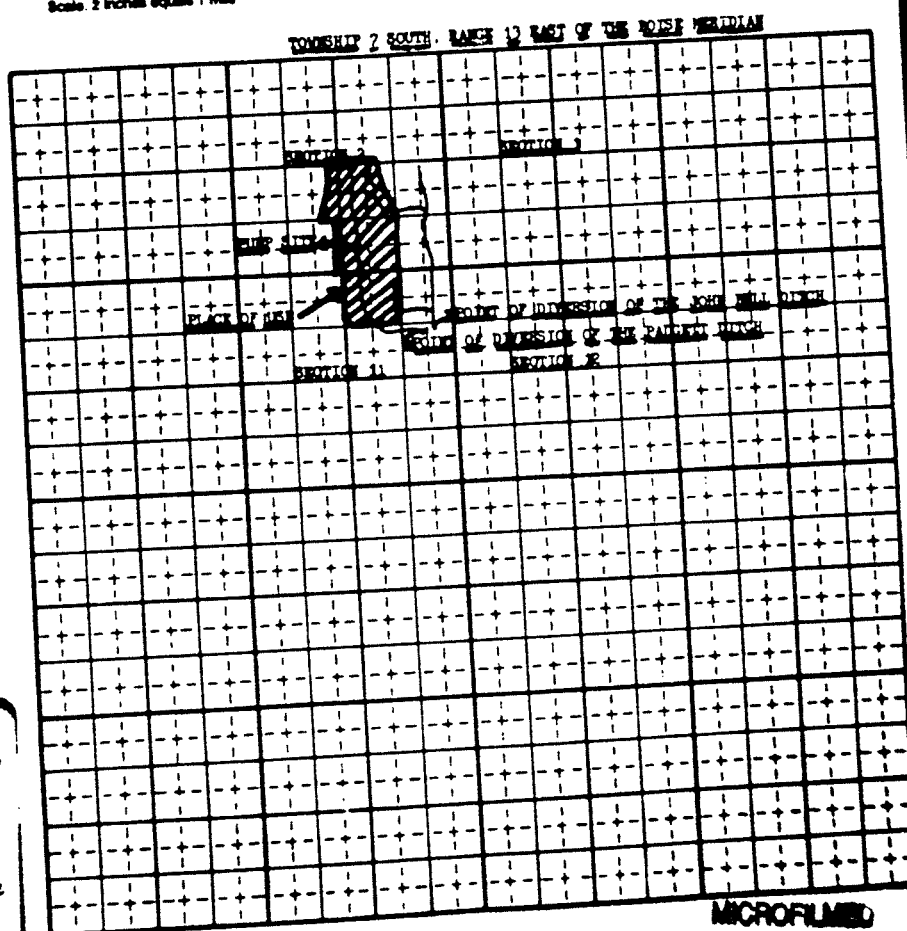
Ident No.

136-10283

Copy Title Jan. 1988

0000 0000 2086

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.
Scale: 2 inches equals 1 mile



MICROFILMED
FEB 8 7 000

Last Name BARETT

Map No. 486-10283

Copy this map, please

0000 0000 2087

15. Basis of Claim (check one) ☒ Decree ☐ Pooled Notice ☐ License ☐ Permit
If applicable provide IDWR Water Right Number 36-0094, 36-0095 & 36-0096
Court U.S. District Court Case Number 1602 Decree Date March 22, 1932
Plaintiff vs Defendant New International Mortgage Bank vs Idaho Power Company

16. Signature (a)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments two (2)
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (a) Mary Keith Burnett Date 7-22-88

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ of _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____) ss.
County of Gooding)

Subscribed and sworn (or affirmed) before me this 22nd day of July 19 88

SEAL

Notary Public [Signature]
Residing at Blackfoot, Idaho
My Commission Expires 5-30-91

Please Print Name

17. Notice of Appearance
Notice is hereby given that I _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

MICROFILMED
FEB 07 1989

Last Name SAKETY Ident. Number 426-18288

Copy With-Don, Title-Claimant

0000 0000 2088

450-70283

1200 07 000

0000 0000 2089

A. F. JAMES
Attorney at Law
Boise, Idaho

POOR ORIGINAL

March 25, 1932.

Mr. John Sanborn,
Boise, Idaho.

Dear Mr. Sanborn:

After spending several months corresponding and meeting with the attorneys for the other parties in the Hagerman Valley water suit and making a number of trips to Boise, we have finally been able to work out the details of a decree in that matter, without the necessity of you and your witnesses making a trip to Boise and submitting proof, and on Tuesday, of this week, Judge Cavanaugh, the United States District Judge at Boise, Idaho, signed the Findings of Fact, Conclusions of Law, and Decree and the entire matter is fully adjusted. The water right decreed to you is as follows:

20 inches of Billingsley Creek diverted through the John Ball Ditch, with a priority of June 25, 1881;
60 inches of Billingsley Creek, diverted through the Pipe line, with a priority of June 25, 1881;
200 inches of Billingsley Creek, diverted through the Padgett Ditch, with a priority of June 25, 1881;

As you will remember, the fee which you were to pay me was \$40.00, on which you have paid \$20.00, leaving a balance of \$20.00. Will you therefore kindly forward me your check to cover this balance?

Very truly yours,

A.F.J.

97
MICROFILMED

FEB 27 1966

43-10283

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**INDEE'S RESPONSE TO ANSWER, AFFIRMATIVE DEFENSES AND PRAYER FOR
RELIEF OF CLAIMANT**

This portion of the response addresses the multi-page attachment to the objection (hereinafter "the attachment"), wherein the claimant admits or denies all sections of Parts I, II, and III of the director's report, asserts 27 affirmative defenses, and alleges a prayer for relief. The attachment contains the following sections, corresponding to the various sections of the director's report:

- (1) I. **GENERAL RESPONSE**
- (2) II. **DESCRIPTIVE SUMMARY**, (first unnumbered page of Part I of the director's report)
- (3) III. **TABLE OF CONTENTS** (second and third unnumbered pages of Part I of the director's report)
- (4) IV. 1. **INSTRUCTIONS FOR USING THIS REPORT PART I** (page 1 of Part I of the director's report)
- (5) IV. 2. **SCOPE OF THE ADJUDICATION** (pages 1-3 of Part I of the director's report)
- (6) IV. 3. **PURPOSE OF THIS REPORT PART I** (pages 3-4 of Part I of the director's report)
- (7) V. 1. **BOUNDARIES OF BASIN** (pages 4-6 of Part I of the director's report)
- (8) V. 2. **WATER SOURCES** (page 6 of Part I of the director's report)
- (9) V. 3. **DEVELOPMENT OF WATER USE** (pages 6-9 of Part I of the director's report)
- (10) VI. **GENERAL PROVISIONS 1-8 APPLY TO ALL WATER RIGHTS IN BASIN 36** (page 9 of Part I of the director's report)
- (11) VI. General Provision 1. **EFFECT OF ADJUDICATION** (page 9 of Part I of the director's report)
- (12) VI. General Provision 1. **GENERAL ADMINISTRATIVE PROVISIONS** (pages 9-10 of Part I of the director's report)
- (13) VI. General Provision 3. **CONJUNCTIVE ADMINISTRATION** (page 10 of Part I of the director's report)
- (14) VI. General Provision 4. **ADMINISTRATION OF GROUND WATER RIGHTS** (page 10 of Part I of the director's report)
- (15) VI. General Provision 5. **ADMINISTRATION OF BASIN 36 RELATIVE TO THE SNAKE RIVER** (page 10 of Part I of the director's report)
- (16) VI. General Provision 6. **ADMINISTRATION OF SMALL DOMESTIC AND STOCK WATER RIGHTS** (page 11 of Part I of the director's report)
- (17) VI. General Provision 7. **MEASURING DEVICES AND CONTROL**

**INDEE'S RESPONSE TO ANSWER, AFFIRMATIVE DEFENSES AND PRAYER FOR
RELIEF OF CLAIMANT, Page 1**

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- WORKS (page 11 of Part I of the director's report)
- (17) VI. General Provision 9. FIRE FIGHTING PURPOSES (page 11 of Part I of the director's report)
 - (18) VI. General Provision 9. CONJECTIVE USE (page 12 of Part I of the director's report)
 - (19) VI. GENERAL PROVISION 10 APPLIES TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH DOMESTIC USE AS A PURPOSE OF USE (page 12 of Part I of the director's report)
 - (20) VI. General Provision 10. DOMESTIC USE (page 12 of Part I of the director's report)
 - (21) VI. GENERAL PROVISION 11 APPLIES TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH STOCK WATER USE AS A PURPOSE OF USE (page 13 of Part I of the director's report)
 - (22) VI. General Provision 11. STOCK WATER USE (page 13 of Part I of the director's report)
 - (23) VI. GENERAL PROVISIONS 12-14 APPLY TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH IRRIGATION AS A PURPOSE OF USE (page 13 of Part I of the director's report)
 - (24) VI. General Provision 12. IRRIGATION USE (pages 13-14 of Part I of the director's report)
 - (25) VI. General Provision 13. DIVERSION VOLUMES FOR IRRIGATION (page 14 of Part I of the director's report)
 - (26) VI. General Provision 14. CONJECTIVE USE FOR IRRIGATION (pages 14-15 of Part I of the director's report)
 - (27) VI. General Provision 15. AMOUNT OF COMBINED WATER RIGHTS FOR IRRIGATION (page 15 of Part I of the director's report)
 - (28) VI. General Provision 16. DIVERSION RATES IN EXCESS OF .08 CFS PER ACRE (pages 15-16 of Part I of the director's report)
 - (29) VI. 17. INSTRUCTIONS FOR USE OF LIST OF RECOMMENDED WATER RIGHTS (pages A-i through A-iii of Part I of the director's report)
 - (31) VI. 18. IDEAL DISTRIBUTION OF WATER RESOURCES RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW (pages A-1 through A-25 of Part I of the director's report)
 - (32) DIRECTOR'S REPORT FOR REPORTING AREA 3 (BASIN 36), (DIRECTOR'S REPORT PART II)
 - (33) DIRECTOR'S REPORT FOR REPORTING AREA 3 (BASIN 36), (DIRECTOR'S REPORT PART III)

The attachment also contains part VIII, AFFIRMATIVE DEFENSES (pp. 20 through 28) and a PRAYER FOR RELIEF (untitled, p. 28).

IDWR'S RESPONSE TO ANSWER, AFFIRMATIVE DEFENSES AND PRAYER FOR RELIEF OF CLAIMANT, Page 2

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In response to each of the items enumerated above IDWR responds that pursuant to Section 4 a.(3)(c) of SARA Administrative Order 1, Rules of Procedure, IDWR generally denies each and every allegation, if any, contained in each enumerated portion of the attachment. IDWR affirmatively responds that neither SARA Administrative Order 1, Rules of Procedure, nor Title 42, Chapter 14, Idaho Code, make provision for IDWR to affirm, amplify, or otherwise respond to the claimant's admissions, or to deny the claimant's denials, and that IDWR therefore does not believe that it is required to do so. Title 42, Chapter 14, Idaho Code solely defines the content and scope of the director's report. It is to contain a description of the water system and is to provide a recommendation as to each water right claimed and as to those matters necessary for administration of those water rights. Therefore, the content and scope of the objection is limited to these same matters. The attachment to the present objection asserts or otherwise raises matters not directly addressing the elements of the water right as recommended, the description of the water system, or the general provisions. Neither, the attachment raises broad issues as to the constitutional, statutory and administrative efficacy of the entire adjudication process. All such issues should be raised by means of motions to designate basinwide issues and similar procedural vehicles specifically designed to provide for basinwide notice and participation. They should not be permitted to divert the focus of any individual subcase away from the issues directly connected to the elements of the water right and the administration thereof. Therefore, because the attachment to the present objection is not within the scope of the statutory purpose of an objection it should be stricken.

However, in the event that the court should determine that all or part of the attachment is properly within the scope of the objection, IDWR further responds as follows:

IDWR affirmatively responds that all statements within the director's report are properly included therein pursuant to Title 42, Chapter 14, Idaho Code, and in particular pursuant to Idaho Code §§ 42-1411 and 42-1412(8); and that the provisions of the Idaho Rules of Civil Procedure regarding pleadings are inapplicable to the extent that they are in conflict with the statutory requirements. Therefore IDWR denies all allegations directed at the contents of the director's report.

As to the enumerated portions of the attachment addressing the listings of recommended water rights, abstracts of federal reserved water right claims, or negotiated agreements, other than the individual recommendation that is the subject of this objection, IDWR responds that such claims or agreements are not brought before this court by this objection.

IDWR'S RESPONSE TO ANSWER, AFFIRMATIVE RESPONSE AND PRAYER FOR RELIEF OF CLAIMANT, Page 3

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Responding to the 27 affirmative defenses asserted in the attachment, IDWR generally denies each and every affirmative defense asserted. IDWR further responds that affirmative defense numbers 1, 2, 4, 5, 10, 11, 12, 18, and 22, asserting various violations of civil or constitutional rights, fail to comply with the requirements I.R.C.P. 9(b) providing that in all averments of violation of civil or constitutional rights the factual circumstances constituting such violation must be stated with particularity. Accordingly, IDWR asserts that those affirmative defenses should be stricken.

In response to that portion of the multi-page attachment to the objection wherein the claimant asserts a prayer for relief, IDWR responds as follows:

1. IDWR denies that the director's report asserts any claims against the claimant; rather, the director's report contains only the recommendation of the director as to how the claimant's water right should be decreed and administered.
2. IDWR denies that the claimant is entitled to have the water right decreed as claimed unless in the director's report the water right has been recommended as claimed.
3. IDWR denies that any acts upon its part constitute the taking of private property for which just compensation should be allowed and awarded.
4. IDWR denies that the claimant is entitled to recover court costs and reasonable attorney fees.
5. IDWR denies that the claimant by this objection has raised any claims against IDWR entitling such claimant to any relief other than the eventual judicial determination and decree of the various elements of the claimant's water right, if any, and of those related matters necessary to describe and administer that water right.

0000 0000 2044

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES 36-10283A

Receipt No. 0017545

Date: 2/2/1993
Time: 11:33:02

Received From:

JENSEN, ET AL.
Type of Payment

Program Acct Class

Amount

COPIES/GISLER \$8.00; JENSEN \$4.80	04100	229 21 176	17.80
COPIES/SIMPSON \$16.00; DEPRIES \$8.00	04100	229 21 176	24.00
COPIES/YA-TA-HAY \$8.00; JOHNSON \$8.00	04100	229 21 176	16.00
		Total	\$57.80

CHECK \$17

Region: SOUTHERN

Signature: *Janis Robertson*

The combined
total of these
checks will pay
for the 6
statements
enclosed.

Thanks
CH

0000 0000 2095

HARRY R. OR ARLENE B. EISLER
SAVINGS ACCOUNT
NO. 1 233 5 07-000
MEMPHIS, TN 38101

423

Jan 12 1993

Dept of Water Resources

Eight & 1/2

For Water, Tenn.

Harry R. Eisler

0123403249C 0123 05084 288P

MARKET RATE SAVINGS

154

1-13 1993

Dept of Water Resources

Sixteen

Michael Simpson

0123403716C 58053 406P 0154

VA-TA-NAV INVESTMENTS INC. 1-84 1493

P. O. BOX 1000
FARMER, NEW BRUNSWICK 08840

1-12 1993

Dept of Water Resources

Eight

Mike Barlett

0122203216C 200 0569 5P 1493

DA L. JORDAN
SAVINGS ACCOUNT
NO. 233 5 07-000
MEMPHIS, TN 38101

5380

1-9 1993

Dept of Water Resources

Eight dollars & 00/10

EL DORADO BANK

Joe J. Jett

0122203249C 5380-347 012257P

POOR ORIGINAL 76

A. AND H. DE VRIES
SAVINGS ACCOUNT
NO. 1 233 5 07-000

Jan 12 1993

Dept of Water Resources

Eight & 1/2

For Water, Tenn.

Harry R. Eisler

0123403249C 0123 05084 288P

3174

Feb 1 1993

Dept of Water Resources

Eight & 1/2

For Water, Tenn.

Harry R. Eisler

0123403249C 0123 05084 288P

0000 0000 2096



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3033

CRAIG R. ANDERSON
Director

R. KEITH HARRISON
Deputy Director

29-Jan-1993

JENSEN REAL ESTATE
PO BOX 201
KAGENMAN ID 83332

RE: Copy of SRBA File(s): 36-10283A

Dear Mr. Jensen:

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:

\$7.19

Sincerely,

Janie
Janie Robertson
Records Clerk

Encl:

cc: MARY BETH BARRETT
813 W KIDWA
ROOSE NM 88240

0000 0000 2097

RECEIVED

JAN 20 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 A36-10253A.

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.

NOTE: Please send the requested information Sincerely,

to: Jensen Real Estate
P. O. Box #201
Nagerman, Idaho 83332

Mary Ruth Barrett
(Name)

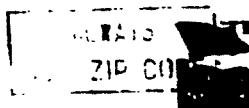
813 West Kiowa
(Address)

Hobbs, New Mexico 88240
(City, State, Zip Code)

cc: David B. Shaw, Adjudication Bureau Chief
Idaho Department of Water Resources
1501 North Orchard Street
Statehouse Mall
Boise, Idaho 83720-4000

0000 0000 2048

KARY RUTH BARNETT
813 WEST KILMA
BOONE, NEW MEXICO 88400



RECEIVED

JAN 20 1983

Department of Water Resources
Southern Region Office

IDaho DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SPOONERS STREET EAST
TWIN FALLS, IDAHO 83301

0000 0000 2099



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Sheehy St. East, Twin Falls, Idaho 83301 (208) 734-3033

CARL B. ANDERSON
Director

A. KATHY HARRISON
Deputy Director

29-Jan-1993

JENSEN REAL ESTATE
PO BOX 201
HAGERMAN ID 83332

RE: Copy of SRBA File(s): 36-10283A

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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 NAAPP photography or aerial slides which may have been used in the review of your claims 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.

\$7.12

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', is written over the typed name.
Jeanie Robertson
Records Clerk

Encl:

cc: MARY RUTH BARRETT
813 W KIOMA
BOISE NM 88240

0000 0000 2 100

RECEIVED

APR 30 1993

Department of Water Resources
Adjudication Bureau

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

Case No. 316-10283A
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higgins in his
official capacity as Director
of the Idaho Department of
Water Resources,

OBJECTION

Petitioner,

28-10883A-0001/
28-04-0000

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be examined by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(over)

OBJECTION - 1

By filing an objection form, you are certifying that the objection is well-grounded in fact; 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 needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. **Person objecting:**

Name: Ya-Ta-Hay Investments, Inc.

Address: Mary Ruth Barrett

811 W. Klamath, Hobbs, NM 88240

Briefly describe your interest in this water right:

Decreased water right pursuant to New

International Mortgage Bank v. Idaho Power

Company, with a priority date of 6/26/1881.

2. **Owner of the water right:**

Name: Ya-Ta-Hay Investments, Inc.

Address: Mary Ruth Barrett

811 W. Klamath, Hobbs, NM 88240

3. **If this objection is filed by an attorney:**

Attorney Name: Patrick D. Brown & Pamela Ann Parker

Attorney Address: Hammerth, Manchester & Loomis

P.O. Box 382, Twin Falls, ID 83301

Attorney Phone No.: (208) 734-7818

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

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II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☒ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

(Over)

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12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: See attached

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

See page 7.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

See page 7.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

- ☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

See Newspaper Water Right Owner's, Inc.'s Compendium "A"

VERIFICATION (Must be Completed)

State of New Mexico

County of San

Gary Rich Bennett, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. Sec 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Gary Rich Bennett
Signature of person filing objection

By: [Signature]
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 27 day of April,
1992.

[Signature]
Notary Public for New Mexico
Residing at: San Antonio, Texas, 78201
My Commission Expires: 2-27-94

(Over)

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INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FBI filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 23 day of April, 1992, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Ya-Ta-Ray Investments, Inc.

Owner's address: Mary Ruth Barrett

811 W. Kicwa, Hobbs, NM 83240

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Post Street, Box 33
Boise, ID 83724


Signature of Objecter or attorney
mailing on Objecter's behalf

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REASONS SUPPORTING EACH BOX CHECKED, page 4

Box 3, 3a and 10 - IDWR recommends an amount less than decreed and/or beneficially used. A reduction in water right would constitute a taking.

Box 7 - Beneficially used for purposes set forth in notice of claim.

Box 8 - IDWR recommends a period of use less than decreed and/or beneficially used. A reduction in water right would constitute a taking.

Box 9 - Director's Report fails to accurately state the place of use.

Box 11 - This is beyond the statutory authority vested in the Director.

CHANGES TO DIRECTOR'S REPORT, page 4

Maximum Quantity- as decreed and/or beneficially used; Purpose of Use- add aesthetic, wildlife habitat and subdivision development; Period of Use- 1/1 to 12/31; Place of Use- 63 acres; Remarks- strike all remarks after "water is delivered through the Padgett Ditch" and "water is delivered through John Bell Ditch".

Objectors reserve the right to claim all purposes of use and quantities of use as shown by the evidence at trial.

Question 14., page 4, Other

I.

GENERAL RESPONSE

Except as specifically admitted herein, objectors deny each and every allegation contained in the Director's Report, any related or subsidiary pleadings, and/or any attachments thereto.

II.

DESCRIPTIVE SUMMARY

(DIRECTOR'S REPORT PART I)

(hereinafter DRP-I)

(DRP-I at first unnumbered page)

The objectors admit that Part I of the Director's recommendation contains some claims to water rights appropriated under state law from Reporting Area 3. The objectors deny all other averments because the objectors lack sufficient knowledge or information upon which to form a belief as to the truth of the averments.

III.

TABLE OF CONTENTS

(DRP-I at 2nd and 3rd unnumbered pages)

The objectors admit that the Table of Contents reflects the page numbers of the referenced sections and deny all other averments based upon the objectors' lack of sufficient knowledge or information upon which to form a belief as to the truth of the averments and because any averment, expressed or implied, is so