

11/05/2003

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

RIGHT NUMBER: 23-9B
NAME AND ADDRESS: REX G MAUGHAN
7091 EMERALD
BOISE ID 83704

SOURCE: KELLY CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 2.000 CFS
PRIORITY DATE: 10/21/1899
POINT OF DIVERSION:

T04N R41E S32 NESWSW Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER		
IRRIGATION	04/01 10/31	2.000 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R41E S05	NWNE	0.2	T03N R41E S05	SWNE	4.0
T03N R41E S05 Lot 5	NENW	4.8	T03N R41E S05 Lot 6	SENE	25.0

STOCKWATER same as IRRIGATION

34 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

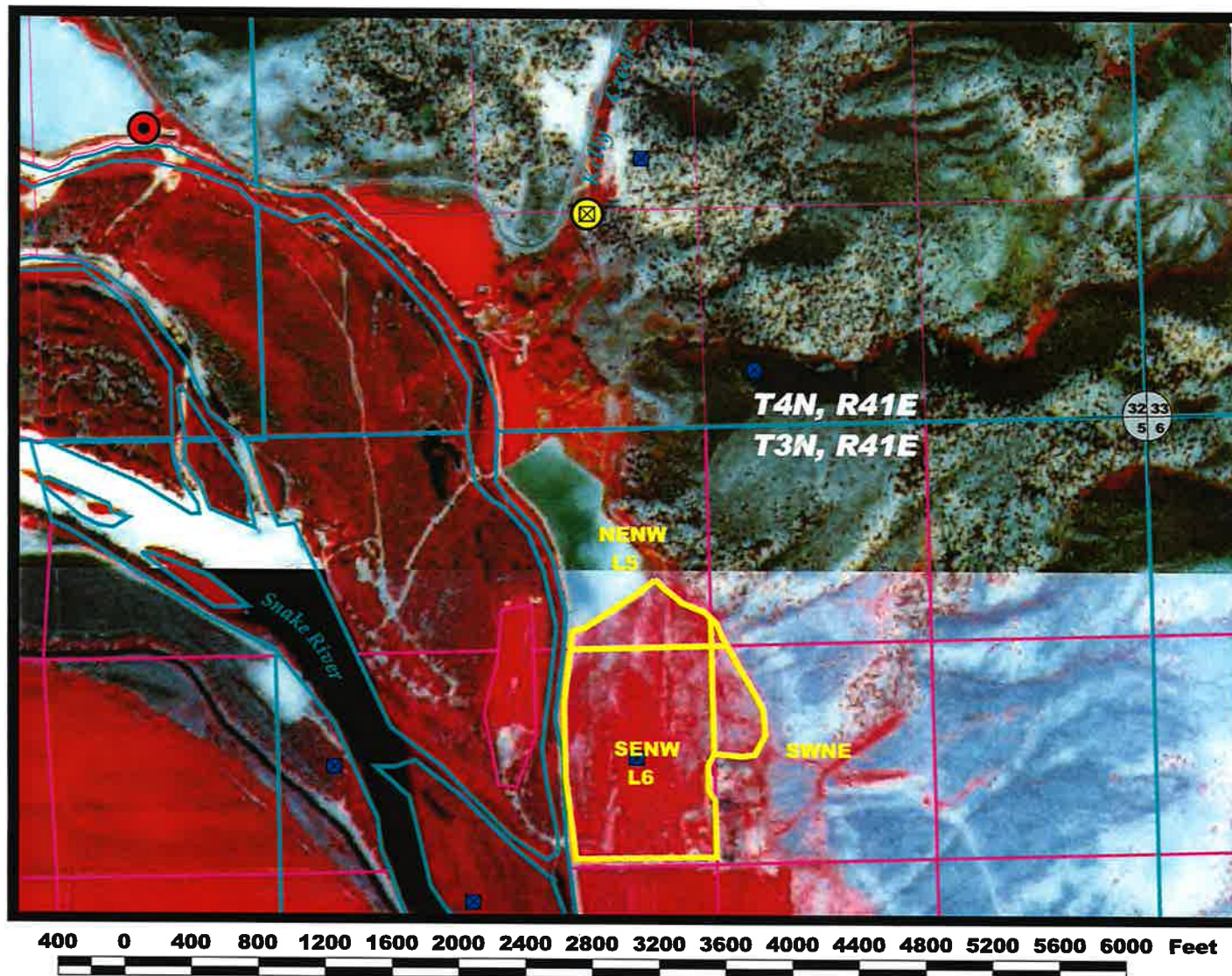


SCANNED
JUL 2 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-00009B

Place of Use: (parts of)
T3N, R41E Sec. 5 NENW (L5),
SENW (L6), SWNE

Point(s) of Diversion: T4N, R41E
Sec. 32 NESWSW (L2)



LEGEND

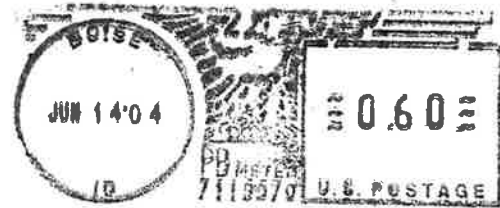
- Point of Diversion**
- SESE** **Place of Use**
- Section**
- Quarter-Quarter**

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: November 2003

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



RECEIVED
JUN 16 2004
DEPARTMENT OF
WATER RESOURCES

*Return to sender:
Not at this address*

R JAY LLOYD
~~REDACTED~~
~~REDACTED~~

*Recommendation
23-9B
Attorney for
Claimant*

Contacts Data Entry Form

Water Right No. 23-09B

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>Rex Maughan</u>					
Name connector: and _____, or _____, and/or _____						
Current Owner						
Current Owner						
Representing Attorney:						Phone Number:

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

NEEDS CHANGE OF
ADDRESS.

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

DISCUSSED UNDER W.S. BLAKELY vs L. CHANDALL, 10 MARCH 1939.
(DECREE 23-E), 2^o cts OF KELLY CK, 21 Oct. 1899.

THERE IS A CLAIM FOR 23-0009A - HOWEVER, IT IS DISALLOWED.
SEE NOTES ATTACHED WITH CC OF DISALLOWED RECOMM.

B/12/05 MET w/ MARION BLAKELY, PREVIOUS OWNER; DISCUSSED THE
MOVING OF KELLY CK RT TO RIVER AND 1952 pump AND
1964 pump. This is still somewhat unclear how/when
the Kelly CK Rt. was moved - AND NOW TO THE 1952
pump only.

X THIS CLAIM, FILED 1980, CLAIMS KELLY CK w/ ASSOCIATED
POD. THE DISCUSSION OF THE RIGHT MOVED TO THE RIVER
DON'T GOT IT. NO TX'S, CLAIM 1990 FROM KELLY CK. POD. SOURCES,
POD MATCH RECORDS WR (VERSUS) => SO RECOMMENDED - ALTHOUGH

Reviewer: _____

Date: _____

Some one could allege Confusion/Agreement

SCANNED
 11/11/04 2 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-9

WATER RIGHT NUMBER: 23-9

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COLLINS BLAKLEY
	, ZZ

Priority Date: 10/21/1899

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
KELLY CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion
KELLY CREEK

Place of UseIRRIGATION Within BONNEVILLE County

T03N R41E S05	SWNE	T03N R41E S05	NENW
T03N R41E S05	SENE		

Conditions of Approval:Remarks:

1. General P/D INCOMPLETE.
P/U INCOMPLETE.

*NO RECORDED SLOTS OR
TRANSFERS.*

Comments:Dates and Other Information:

Contacts Data Entry Form

Water Right No. 23-09A

Owner Type _____ Full Name Marion Blakely Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____
Name connector: and _____, or _____, and/or _____
Current Owner _____
Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

DESCRIBED UNDER W.S. Blakely vs. L. CHANDALL,
10 March 1939. (DECREET 23-E), 2nd cfs OF KELLY
CROOK, 21 Oct 1899

Q? DECREED AS 2nd cfs - Claims 0.40 cfs; 23-00098 claims
ENTIRE 2nd cfs

533-

4/15/03 CAUSED Marion Blakely - Discuss Parts A & B claims -
0925 MR Blakely states He no longer uses this (RIGHT) claim
AND THAT FOX MAUGHAN HAS THE ENTIRE 2nd cfs - I
TOLD MR. BLAKELY I WOULD DISALLOW HIS CLAIM SINCE
MR. MAUGHAN APPARENTLY GETS ALL OF IT. HIS RESPONSE
WAS "ACRIGHT."

Reviewer: _____

Date: _____

23-0009

It is further ORDERED, ADJUDGED and DECREED, that the plaintiff, Collins Blakely, is entitled to, and is hereby awarded two cubic feet per second of time (or 100 miners inches) of the waters of Kelly Creek, with priority date of October 21, 1899, for the irrigation of his real property, situated in the county of Bonneville, state of Idaho, and more particularly described as follows, to-wit:

SE 1/4 NW 1/4

SE 1/4 NW 1/4

SW 1/4 NE 1/4

The South Half of the Northeast Quarter of the Northwest Quarter (S 1/2 NE 1/4 NW 1/4); the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4); the Southwest Quarter of the Northeast Quarter, (SW 1/4 NE 1/4), all of Section Five, Township Three North, Range 41, East Boise Meridian;

and

It is further ORDERED, ADJUDGED and DECREED, that the foregoing adjudication of water be made subject only to the Decrees, in a certain action in the District Court of the Sixth Judicial District of the state of Idaho, in and for the county of Fremont, entitled "Rexburg Irrigation Company, et al., Plaintiffs, vs. Teton Irrigation Canal Company, et al., Defendants," dated and filed December 16, 1910; in a certain action instituted in the District Court of the Fourth Judicial District of the state of Idaho, in and for the county of Twin Falls, entitled "Twin Falls Canal Company, Plaintiff, vs., Charles N. Foster, et. al., Defendants", filed on the 20th day of June, 1913, and the amended decree thereto, dated September 12, 1916, and filed September 21, 1916; and in a certain action, instituted in the United States District Court of Idaho, Eastern Division, entitled "Woodville Canal Company, a corpora-

EXCERPT FROM: BLAKELY vs CRANDALL,
10 MARCH 1939.

FREMONT.
DISTRICT OF

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: Oct 21, 1899 Claimed Basis: Decree

Recommended Priority Date: 10/21/1899 Recommended Basis: Decree

_____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Matanzas Decree

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T 4N, R 41E, Sec. 32, NE, SW, SW ^{LOT 2}, County: JACKSONSource: Kelly Ck Tributary: Snake River

____ Use Claimed POD and Source as Recommended POD and Source

Same POD as 23-00008

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
					<u>Bonne</u>	

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? River Pump TAG# AO012413

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT DEFINED BY DEGREE.River Pump: 100HP 8" pipePump: Pump Tech. 8" to 10" pipe100HP US Elec. MotorsSN: 210-0775High Thrust ID# R-9983-00-834MOO: BJR 2098790No Gauge

Transfers Changing POD _____

Reviewer: _____

Date: _____

DIFF. OWNERS.

GPS TAG#

AO012412

Does Not Apply to the Recommendation of this Right.

These Pumps Palisades Storage Water Only!

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
3N	4E	5	NBSW		Jeff	7	23	Range
			SBSW		"	8	20	
			NWSB		"		15	
			SWSB		"		22	

Total Acres 81²

Document how the POU was verified:

NOT SO DECIDED w/ Stochmator

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Innes	4/1	11/1	2.00	_____
Stock	1/1	12/31	0.03	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Innes	4/1	10/31	2.0	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate 2.0

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

NO stock by Dec 31

Reviewer: _____

Date: _____



U.S. POSTAGE

1260 P83523907
8926s00.830 FEB 26 2004
0222 MAILED FROM ZIP CODE 83402

Department of Water Resources
Eastern Region

RECEIVED
MAR 08 2004

ADDRESS SERVICE
REQUESTED

2C-11233

23-9B

Return to Sender
not at this
address

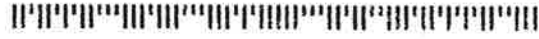
IDAHO DEPT. OF WATER RESOURCES
Eastern Region
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
(208) 525-7161

To

R JAY LLOYD
7091 EMERALD
BOISE ID 83704

LLOYD091 837042215 IN 03 03/05/04
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER



Attorney
ex M aughan

Meridian ID

(208) 866-

0313

Wing #

Log for claim 23-00009B

Spatial Dynamics CAT

1/8/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n41e	5	NWNE	0	0.7	Small acreage, fit with claim
04n41e	5	SWNE	25	27	
04n41e	5	NENW	35	25	
04n41e	5	SEnw	35	36	
Totals:			95	88.7	



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 12 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water rights in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 23.

You are invited to attend a **public meeting to be held on March 10 at 2:00 p.m. in the Swan Valley Elementary School Gymnasium, 3389 Swan Valley Hwy, Irwin.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 23. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

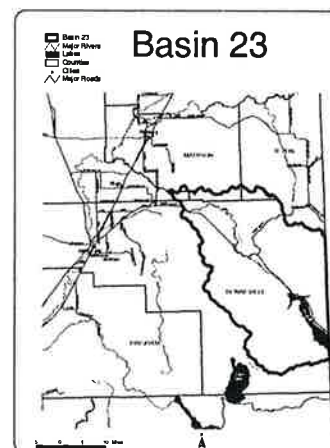
This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins, including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and Portneuf River.

Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosures: Information Brochure



DURABLE GENERAL POWER OF ATTORNEY

STATE OF ARIZONA)
) ss
County of Maricopa)

KNOW ALL MEN BY THESE PRESENTS that I, REX G. MAUGHAN, the undersigned, do hereby make, constitute and appoint my attorney, RJAY LLOYD whose address is 7091 Emerald, Boise, Idaho 83704 my true and lawful attorney in fact for me and in my name, place and stead and on my behalf and for my use and benefit.

1. To exercise or perform any act, power, duty, right or obligation whatsoever that I now have, or may hereafter acquire the legal right, power or capacity to exercise or perform, in connection with, arising from or relating to any person, item, transaction, thing, business property, real or personal, tangible or intangible, or matter whatsoever.

2. To request, ask, demand, sue for, recover, collect, receive and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, any and all documents of title, choices in action, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, as now are, or shall hereafter become, owned by, or due, owing, payable or belonging to me or in which I have or may hereafter acquire interest, to have, use and take all lawful means and equitable and legal remedies, procedures, and writs in my name for the collection and recovery thereof, and to adjust, sell, compromise and agree for the same, and to make, execute and deliver for me, on my behalf, and in my name, all endorsements, acquittances, releases, receipts or other sufficient discharges for the same.

3. To lease, purchase, exchange and acquire, and to agree, bargain and contract for the lease, purchase, exchange and acquisition of, and to accept, take, receive and possess any real or personal property whatsoever, tangible or intangible, or interest thereon, on such terms and conditions, and under such covenants, as said attorney in fact shall deem proper.

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NOV 07 1990

4. To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens; mortgage, subject to deeds of trust, and hypothecate, and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or any interest therein, that I now own or may hereafter acquire, for me, in my behalf and in my name and under such terms and conditions and under such covenants as said attorney in fact shall deem proper.

5. To conduct, engage in and transact any and all lawful business of whatever nature or kind for me, on my behalf and in my name.

6. To make, receive, sign, endorse, execute, acknowledge, deliver and possess such applications, contracts, agreements, options, covenants, conveyances, deeds, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of, banks, savings and loan or other institutions or associations, proofs of loss, evidences of debts, releases and satisfactions of mortgages, liens, judgments, security agreements and other debts and obligations and such instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted.

7. To make health care decisions for me as authorized in this document. For the purposes of this document, "health care decision" means consent, refusal of consent, or withdrawal of consent to any care, treatment, service, or procedure to maintain, diagnose, or treat an individual's physical condition. I hereby grant to my agent full power and authority to make health care decisions for me to the same extent that I could make such decisions for myself if I had the capacity to do so. In exercising this authority, my agent shall make health care decisions that are consistent with my desires as stated in this document or otherwise made known to my agent, including, but not limited to:

(a) My desires concerning obtaining or refusing or withdrawing life-prolonging care and treatment;

(b) Request, review, and receive any information, verbal or written, regarding my physical or mental health, including, but not limited to, medical and hospital records.

(c) Execute on my behalf any releases or other documents that may be required in order to obtain this information.

(d) Consent to the disclosure of this information.

(e) Consent to the donation of any of my organs for medical purposes.

8. Where necessary to implement the health care decisions that my agent is authorized by this document to make, my agent has the power and authority to execute on my behalf all of the following:

(a) Documents titled or purporting to be a "Refusal to Permit Treatment" and "Leaving Hospital Against Medical Advice".

(b) Any necessary waiver or release from liability required by a hospital or physician.

9. If the person designated as my agent in paragraph 1 is not available or becomes ineligible to act as my agent or loses the mental capacity to make decisions for me, or if I revoke that person's appointment or authority to act as my agent, then I designate and appoint the following person to serve as my agent to make health care decisions for me as authorized in this document:

A. Alternate Health Care Agent:

My wife - RUTH G. MAUGHAN

10. I hereby revoke any prior Durable General Powers of Attorney and any Durable Powers of Attorney for Health Care.

11. I grant to said attorney in fact full power and authority to do, take and perform all and every act and thing whatsoever requisite, proper or necessary to be done, in the exercise of

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NOV 6 7 1996

any of the rights and powers herein granted, as full to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or the substitute or substitutes of said attorney in fact, shall lawfully do or cause to be done by virtue of this Power of Attorney and the rights and powers herein granted.

12. This instrument is to be construed and interpreted as a Durable General Power of Attorney and shall not be affected by my subsequent disability or incapacity. The enumeration of specific items, rights, acts or powers herein is not intended to, nor does it, limit or restrict and is not to be construed or interpreted as limiting or restricting the general powers herein granted to said attorney in fact.

13. The rights, powers and authority of said attorney in fact herein granted shall commence and be in full force and effect on the 6th day of September, 1989, and such rights, powers and authority shall remain in full force and effect thereafter until December 31, 1989 or termination by a court appointed fiduciary who has been charged with the management of my property.

14. I agree to reasonable compensate, fully indemnify and hold liable only for gross negligence my said attorney in fact in the performance of above.

DATED this 6th day of September, 1989.



REX G. MAUGHAN

At the request of REX G. MAUGHAN and in the presence of each other, we, Licki J. Van Dam and Diana L. Souza, as witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that REX G. MAUGHAN signs and executes this instrument in the presence and hearing of each of us and that to the best of our knowledge he is eighteen (18) years of age or older, signs willingly, is of sound mind and under no constraint or undue influence.

Wicki J. Van Dam
Witness

Diana L. Souza
Witness

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NOV 07 1990

STATE OF ARIZONA)
) ss
County of Maricopa)

SUBSCRIBED, SWORN TO and ACKNOWLEDGED before me by, REX G. MAUGHAN, and subscribed and sworn to before me by Vicki J. Van Dam and Diana L. Sowa, witnesses, this 6th day of September, 1989.

N. D. Ghazwalle
Notary Public
Residing at: Phoenix, AZ
Comm. Expires: 9/17/89

MICROFILMED
NOV 07 1989

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: **A23-00009B**
Date Received: 2/20/1990
Receipt No: W005987
Received By: _____

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

1. Name: REX G MAUGHAN 208-322-4333
Address: 7091 EMERALD
BOISE ID 83704

2. Date of Priority: OCT 21, 1899

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	41E	32	NW	SE	SW		JEFFERSON

5. Description of diverting works:
DRAINAGE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 237.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER; 500 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	41E	5	SW	NE		IRR	25.0
			NE	NW		IRR	35.0
			SE	NW		IRR	35.0

REPROFILMED
NOV 07 1990

10. Place of Use: Continued

Section Acres 95.0

Total Acres 95.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
PALISADES STORAGE RIGHTS

14. Remarks:

CLAIMANT IS PURCHASING REAL ESTATE AND WATER RIGHTS ON CONTRACT FROM MARION W AND BONNIE L BLAKLEY, UNRECORDED DEEDS ARE IN ESCROW ATTACHED IS A PHOTO MAP SHOWING POD AND POU. ATTACHED IS POWER OF ATTORNEY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

W. S. BLAKELY ET AL
Decree Plaintiff

LYNN CRANDALL.
vs Decree Defendant

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: _____

NOV 07 1990

ORIGINAL CLAIM
SENT TO COURT

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 23-00098Date Received 9-18-89Receipt Number W005987

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 20 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) REX G. MAUGHAN Phone (208) 322-4333Mailing Address 7091 Emerald, Boise, Idaho Zip 837042. Date of Priority (Only one (1) per claim) October 21, 18993. Source of water supply (a) Kelly Creek
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 4N Range 41E Section 32,
NW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of JeffersonAdditional points of diversion if any: Snake River

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

Township Range Section , 1/4 of 1/4 of 1/4,Govt. Lot B.M., County of ending point is: Township Range Section , 1/4 of 1/4 of 1/4, Govt. Lot B.M., County of 5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, 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. Drainage Ditch

A2300009B

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NOV 07 1990

Scale: 2 inches equals 1 mile

[illegible]

NOV 07 1996

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 2 . or _____

For Stockwater purposes from 1-1 to 12-31 amount .03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.03 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 237.5 acre feet per annum. (2.5 x 95)

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - Range cattle up to 500 head.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	41E	5			25s		35s			35s									95

Total number of acres irrigated 95

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

12. 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.
Palisades Storeage Rights. or None ()

14. Remarks: Claimant is purchasing real estate and water rights on contract from Marion W. and Bonnie L. Blakley. Unrecorded deeds are in escrow.
Attached are two (2) photo maps showing point of diversion and use.
Attached is a six (6) page Durable Power of Attorney from Claimant to Rjay Lloyd.

MICROFILMED

NOV 07 1990

Last Name MAUGHAN Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 23-00009

Court Freemont County

Case Number _____

Decree Date March 10, 1939

Plaintiff vs Defendant Collins Blakley as Plaintiff

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 X do not _____

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Rex S. Maughan by

Date 9-18-89

Rjay Lloyd at P.O.A.

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title _____

of _____

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/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18TH day of September 19 89

SEAL

Notary Public Debbie Frieze

Residing at Boise, Idaho

My Commission Expires 9/16/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, RJAY LLOYD 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 Rjay Lloyd

Address 7091 Emerald, Boise, Idaho 83704

Date 9-18-89

MICROFILMED

NOV 07 1989

Last Name MAUGHAN Ident. Number _____

Copies White-State, Yellow-Claimant

R40E

R41E

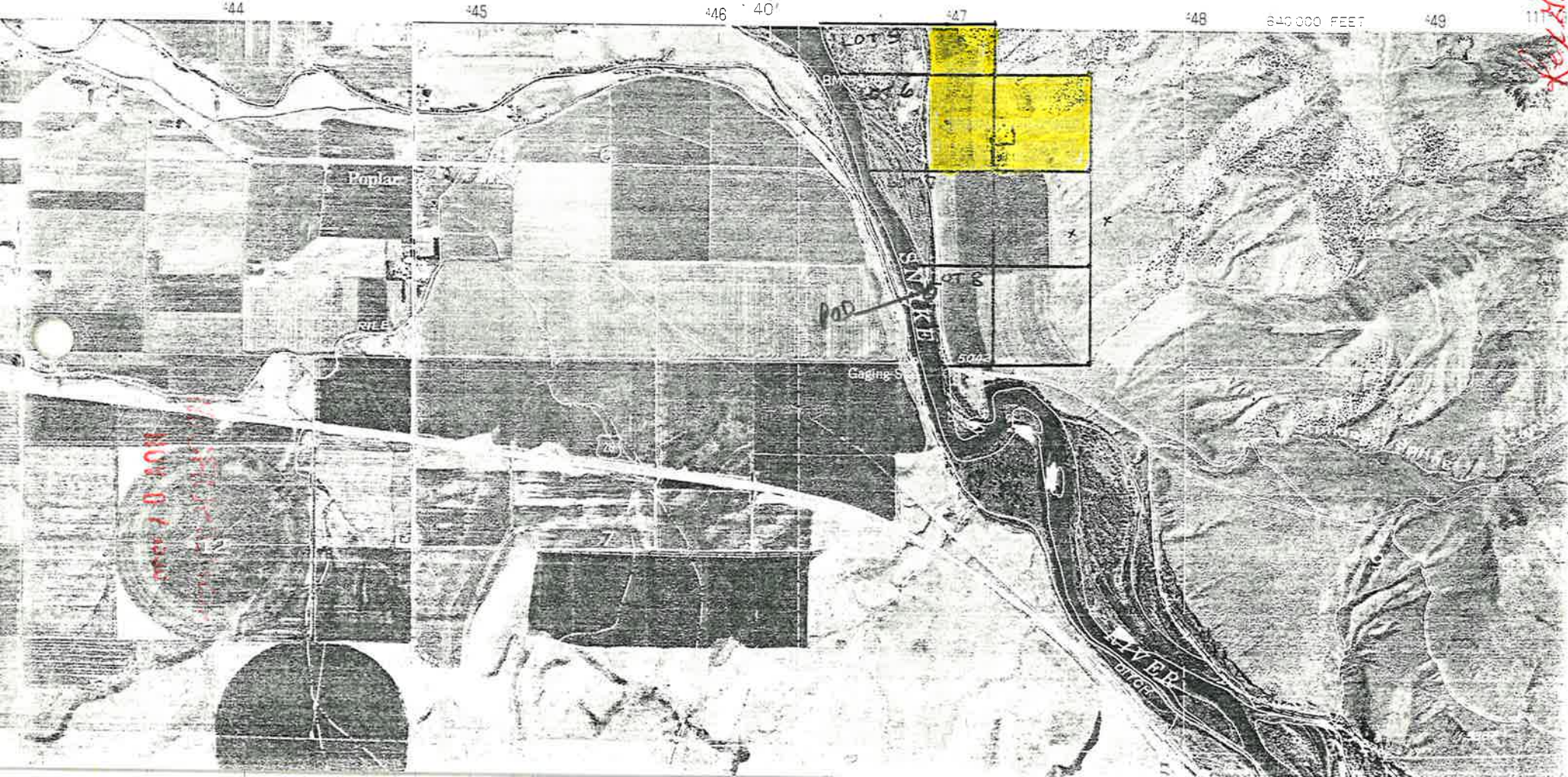
 Area of Use

T3N R41E S5

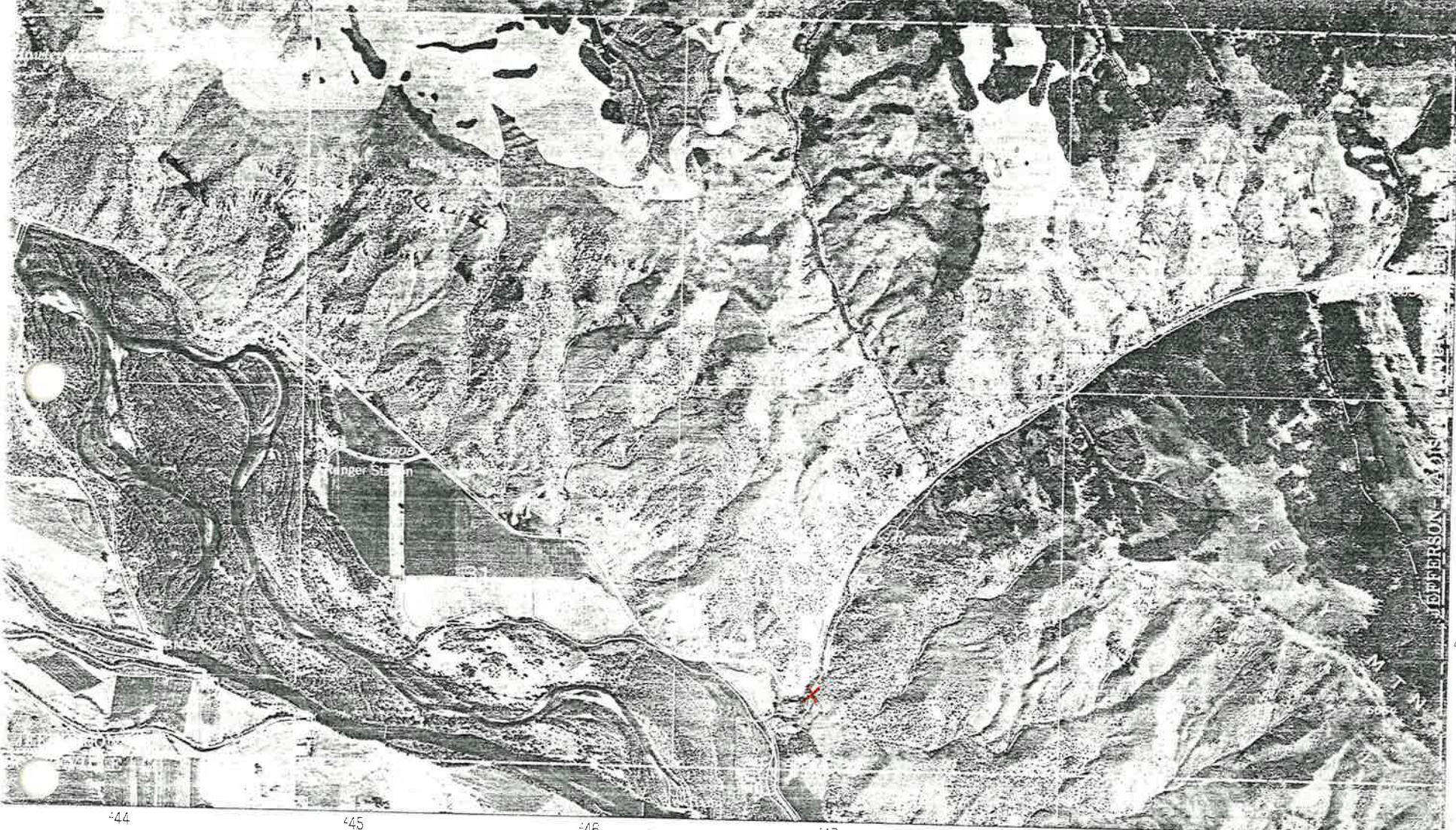
SW 1/4 of NE 1/4 and NE 1/4 of NW 1/4
and SE 1/4 of NW 1/4

POPLAR QUADRANGLE
IDAHO

7.5 MINUTE SERIES (ORTHOPHOTOQUAD)



see 70 NW



4833

4832

4831020m N

43° 37' 30"

111° 37' 30"

Rex H. Mangham

T3

SCALE 1:24 000



*X Point of Diversion
T4N R41E S32
NW 1/4 of SE 1/4 of SW 1/4
Jefferson County*

IDAHO
QUADRANGLE LOCATION

HEISE, IDAHO
N4337.5—W11137.5/7.5

1976

ADVANCE PRINT

NOV 07 1930