

04/30/2003

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

RIGHT NUMBER: 29-260
NAME AND ADDRESS: FRANK HOUGH
3712 SO OLD HWY 91
MC CAMMON ID 83250

MARY S HOUGH
3649 S OLD HWY 91
MC CAMMON ID 83250

DARLENE SAMUELSON
3577 S OLD HWY 91
MC CAMMON ID 83250

SOURCE: ROBBERS ROOST CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.670 CFS
USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.67 CFS.
THIS RIGHT WHEN COMBINED WITH RIGHT NO.29-13245 SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION:
T08S R36E S23 SWNESE Within BANNOCK County
T08S R36E S23 SWNWSE Within BANNOCK County
T08S R36E S24 NWSWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.670 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S23	SWNE	7.3	T08S R36E S23	SENE	1.1
T08S R36E S23	NESE	5.5	T08S R36E S23	NWSE	19.0

32.9 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 32.9 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THIS RIGHT AND 29-00261 ROTATE THE USE OF ALL OF THE WATERS OF ROBBERS ROOST CREEK AS: 29-00260 (2.5 DAYS); 29-00261 (5 DAYS). AS DECREED 1911, DIST. JUDGE A. BUDGE, AND 1982 AGREEMENT.

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: BASIS OF CLAIM - Decreed

03/25/2003

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

RIGHT NUMBER: 29-260

NAME AND ADDRESS: MARY S HOUGH
3649 S OLD HWY 91
MC CAMMON ID 83250

FRANK H HOUGH
3649 S OLD HWY 91
MC CAMMON ID 83250

SOURCE: ROBBERS ROOST CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.670 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.67 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO.29-13245 SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION:

T08S R36E S23 SWNESE Within BANNOCK County Source: ROBBERS ROOST CREEK

T08S R36E S23 SWNWSE Within BANNOCK County Source: ROBBERS ROOST CREEK

T08S R36E S24 NWSWSW Within BANNOCK County Source: ROBBERS ROOST CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.670 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S23	SWNE	7.3	T08S R36E S23	SENE	1.1
T08S R36E S23	NESE	5.5	T08S R36E S23	NWSE	19.0

32.9 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 32.9 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THIS RIGHT AND 29-00261 ROTATE THE USE OF ALL OF THE WATERS
OF ROBBERS ROOST CREEK AS: 29-00260 (2.5 DAYS); 29-00261 (5
DAYS). AS DECREED 1911, DIST. JUDGE A. BUDGE, AND 1982
AGREEMENT.

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

03/12/2002

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

RIGHT NUMBER: 29-260

NAME AND ADDRESS: MARY S HOUGH
3649 S OLD HIGHWAY 91
MC CAMMON ID 83250

FRANK H HOUGH
3649 S OLD HIGHWAY 91
MC CAMMON ID 83250

SOURCE: ROBBERS ROOST CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.67 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.67 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-13245 SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/17/1902

POINT OF DIVERSION:

T08S R36E S23 SWNESE Within BANNOCK County

T08S R36E S23 SWNWSE Within BANNOCK County

T08S R36E S24 NWSWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.670 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T08S R36E S23
T08S R36E S23

SWNE
NESE

7.5
5.5

T08S R36E S23
T08S R36E S23

SENE
NWSE

1.5
18.9

33.4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 33.4 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT AND 29-00261 ROTATE THE USE OF ALL OF THE WATERS OF
ROBBERS ROOST CREEK AS: 29-00260 (2.5 DAYS); 29-00261 (5 DAYS).
AS DECREED 1911, DIST. JUDGE A. BUDGE, AND 1982 AGREEMENT.

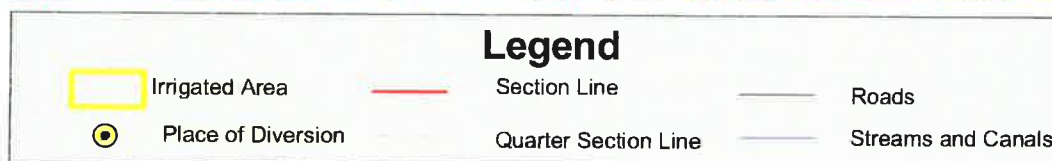
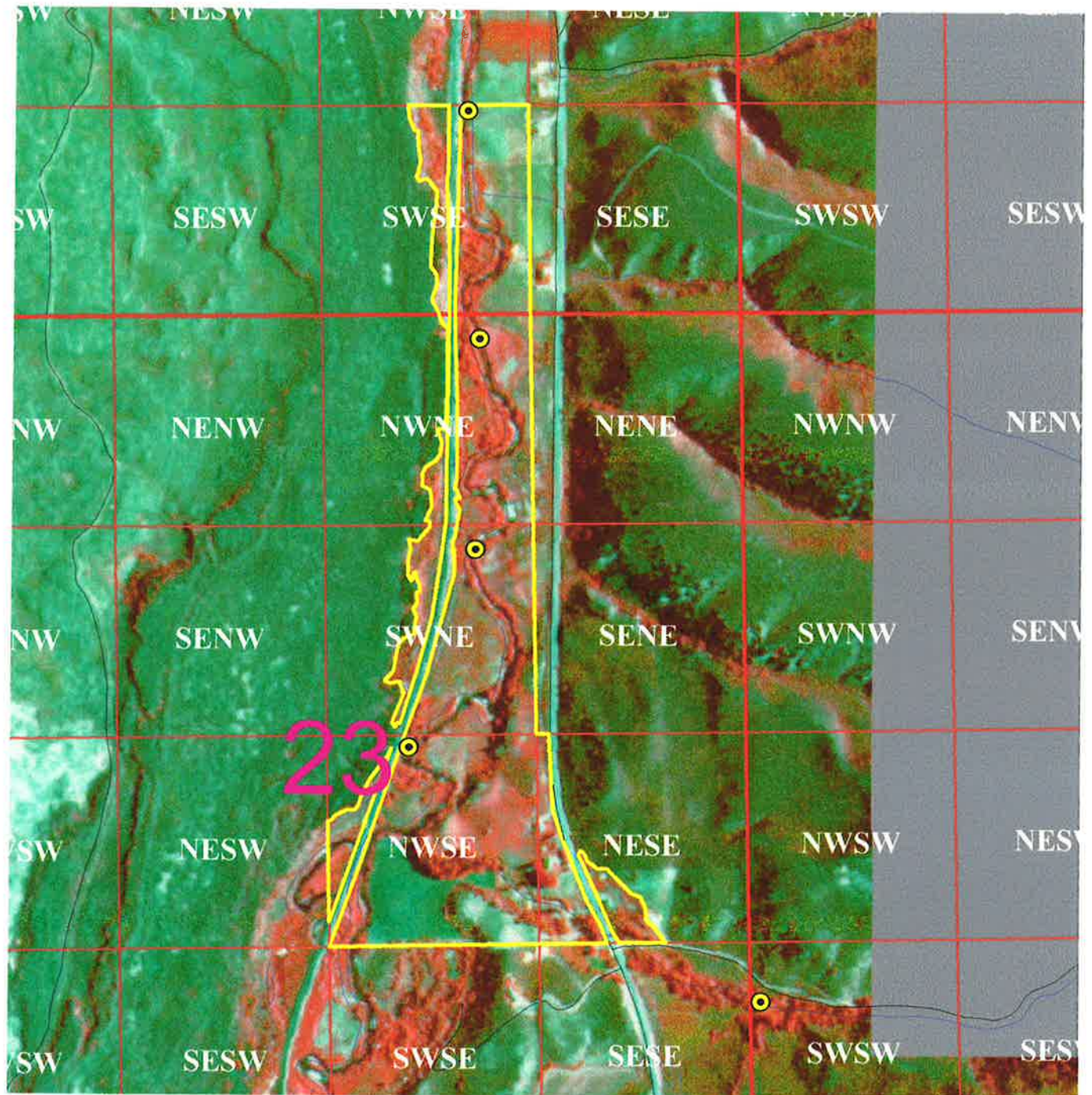
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL:

Water Right Claim Number A29-00260

08/09/2000

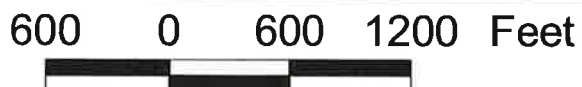
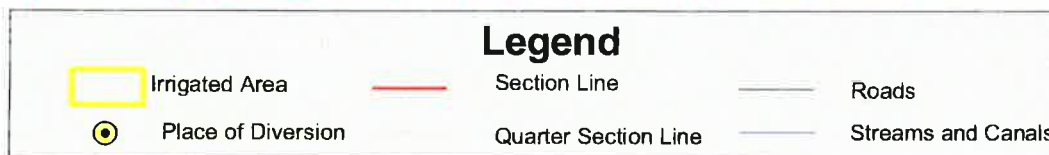
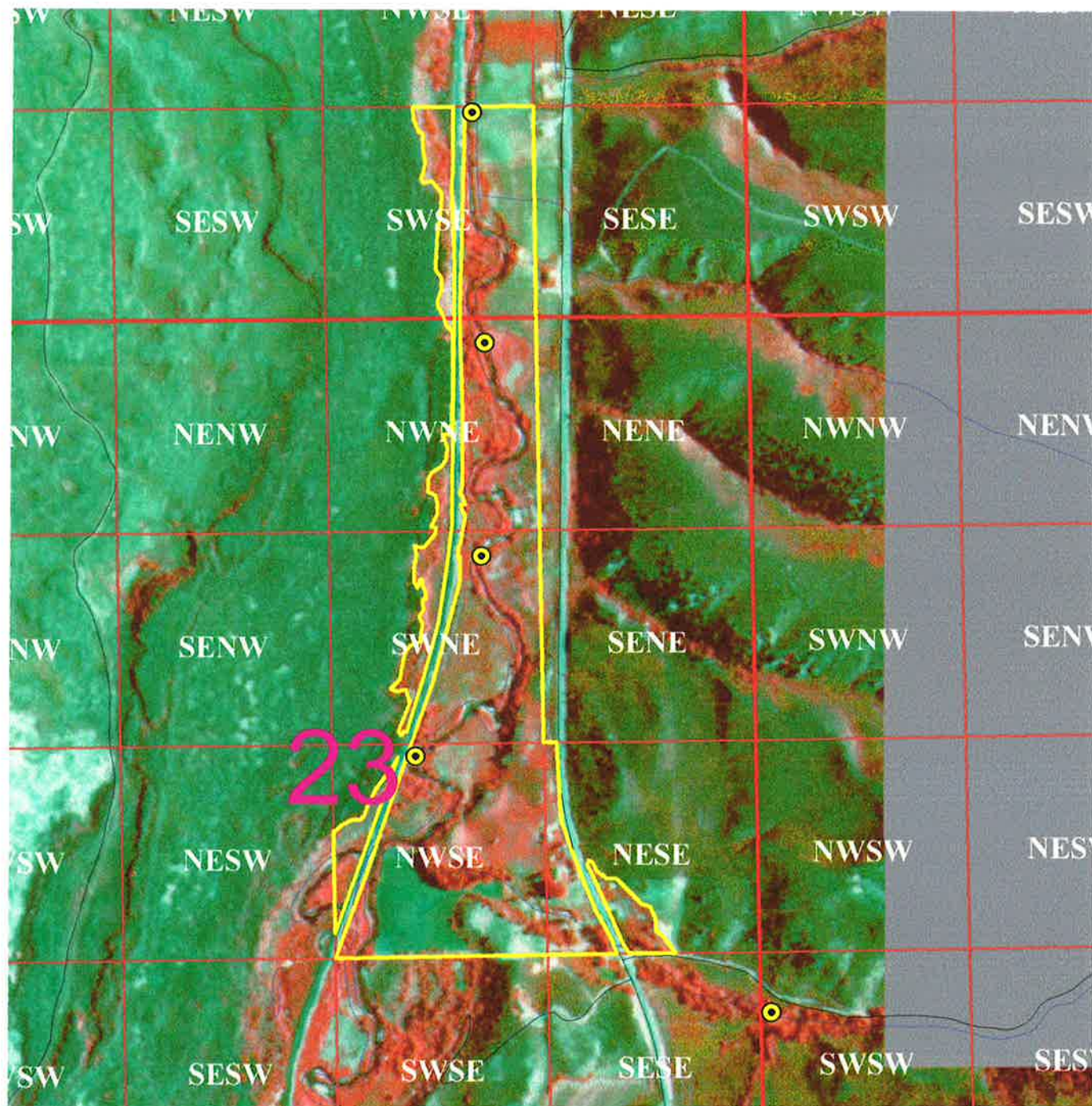
Township , 8S36E



600 0 600 1200 Feet



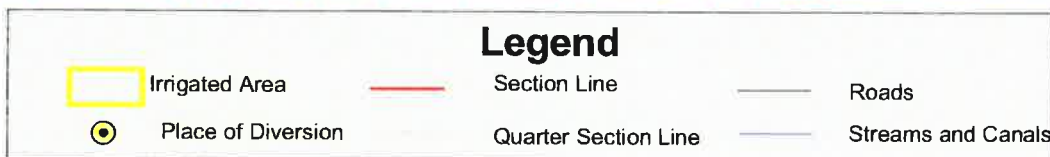
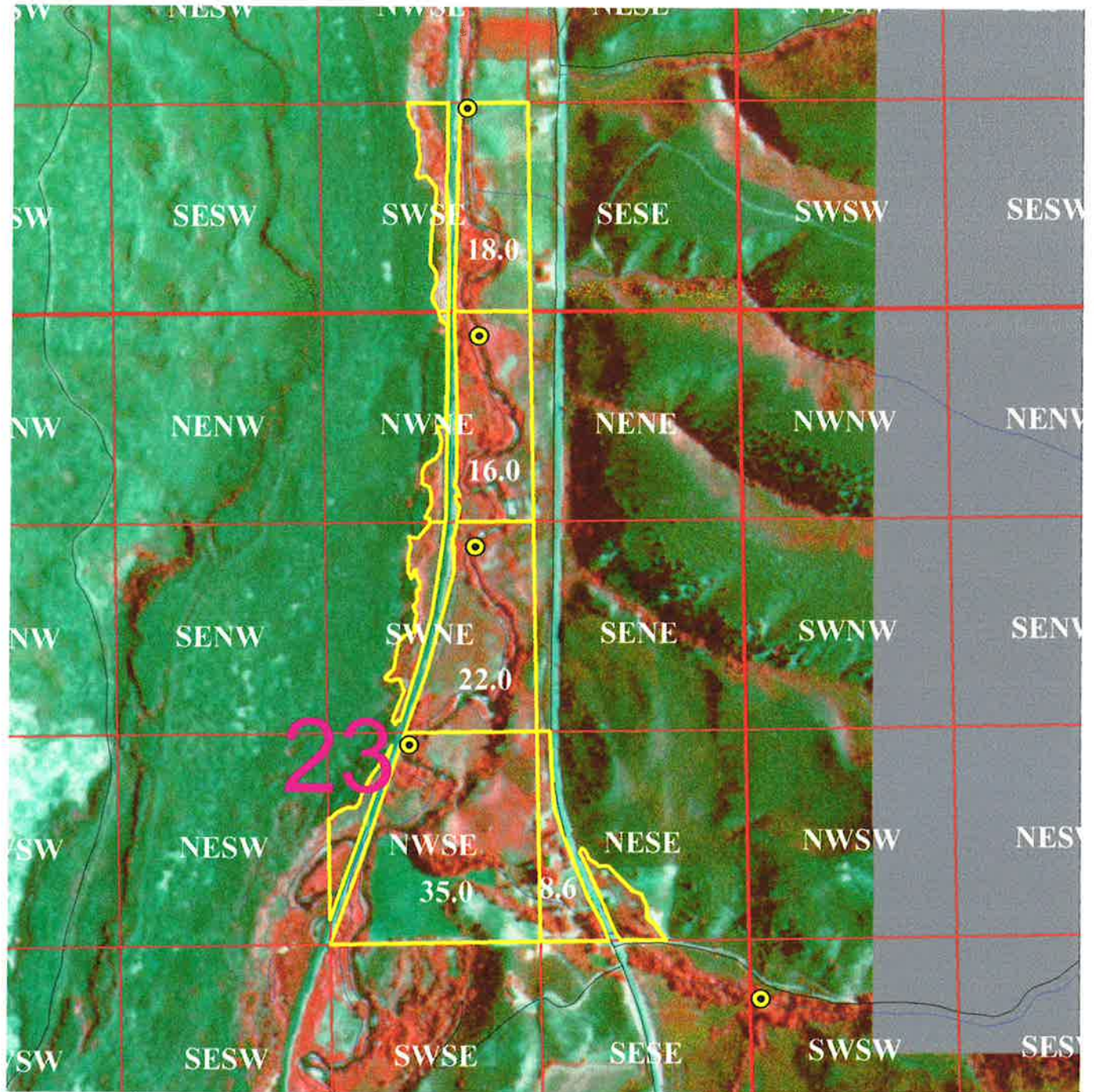
Township , 8S36E



Water Right Claim Number A29-00260

08/09/2000

Township , 8S36E





State of Idaho

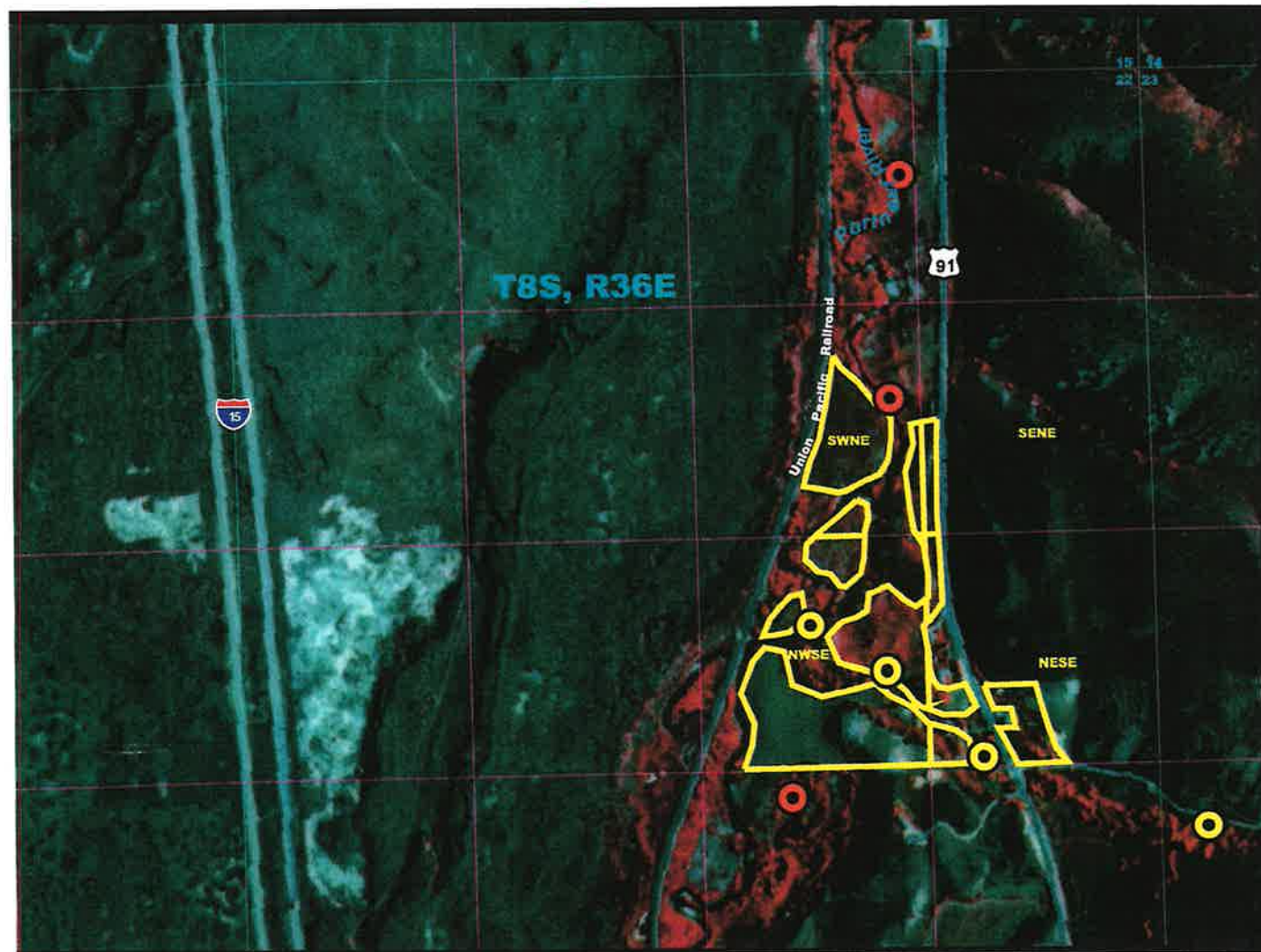
Department of Water Resources

Eastern Region

JUL 14 2005

SCANNED

RECEIVED



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 Feet

Water Right(s):
29-13245, 29-00260

Place of Use: (parts of): T8S, R36E
Sections 23 S2NE, N2SE

Point(s) of Diversion: T8S, R36E
Sec. 23 NWSE (Portneuf River),
Robbers Roost creek;
Sec. 23 NWSE, NESE,
Sec. 24 SWSW



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: March 2003

Frank Hough 29-000260, 29-02221E

SWNE
7.5

SENE
1.4

Place of Use

Points of Diversion ○

NWSE
19.0

NESE
5.5



02/08/2003

NOTICE OF ERROR
REPLY

Allen

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-260

MARY S HOUGH
3649 S OLD HWY 91
MC CAMMON ID 83250
Telephone Number: (208) 775-3596

Add: Frank N. Hough, Son
3712 So Old Hwy 91
McCammon, Id 83250

~~FRANK H HOUGH~~
~~3649 S OLD HWY 91~~
~~MC CAMMON ID 83250~~
~~Telephone Number: (208) 775-3596~~

deceased
7-31-02

Add: Darlene Samuelson, Daughter
3577 So Old Hwy 91
McCammon, Id 83250

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

*Addition of Childrens names
and removal of Frank H. Hough who is deceased*

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made. *except changes above*

DATE: 4-15-03

SIGNATURE: *Mary Hough*

Please print your name: Mary Hough

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

4/30/03
Done
ABR

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APR 24 2003

Department of Water Resources
Eastern Region

29-260

DISCLOSED

I. THIS IS ONLY A ROBBOR'S ROOST CROOK RIGHT. NO PART OF PORTNOUR RIVER.

a. POD'S ON CROOK - NONE FROM RIVER

B. POOL (SOME LANDS) AND SOLD OFF w/ ONLY A PART OF 29-02221 (AS SPLIT) - NO SPLITS OF THIS RT.

[29-260].

1. POOL WOODS RIVER - REDUCE FOR PPL.
OTHER LANDS SOLD OFF w/ PORTIONS
of this RT.

II. PERIOD OF USE (AS SEASON OF USE) IS NOT DETERMINED BY EITHER THE 1911 DECREE (REF. ALBERT BUDGET, DIST. JUDGE) OR THE 1982 AGREEMENT. THEREFORE, THE DEPARTMENT (EDWR) STANDARD SEASON OF USE OR APRIL 1 TO OCTOBER 31 IS RECOMMENDED w/ LANGUAGE TO DOMINIC 1982 AGREEMENT ROTATION PG 5 AND DECREE PG 5. SAID - DONE.

3/25/03 CLAIM REDUCED BY $\frac{1}{2}$ AC AND 0.01 AC FOR DODD TO DONNIS HILL AND MANT BORG, SEE 29-2221 G.
ALSO 29-13245 WAS REDUCED AS ABOVE -

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29-00260~~DISCLOSE~~

I. NOTE TO FILE (DC 9/9/92)

- a. Source is only ROBBERS ROOST CK
- b. Adjust POU BY CLAIMANT & HEANSU

II. CLAIM NOTE: MENTIONS ROTATION SCHEDULES w/
29-00261 (2.5 DAYS OR 7.5 DAYS). SEE STIPULATION
ENTITLED 'LAST T RANCH vs Frank H. Hough ...

Now copy attached.

Q: ~~OK~~

Q: 's

III. Questions REFERRED TO LEGAL STAFF

1. SEASON OR USE
2. DIV. RATE

NOTE: SEE COURT STIPULATION AND E-MAIL RESPONSE
FROM LEGAL STAFF.IV. DISCLOSE SPECIFICS USES AS: Domestic, Stock
AND IRRIGATION (@ 0.02 cfs/ac).Amend to ADD
Stock?

7/20/01 Met w/ Frank Sr. AND Mrs. Hough AND Son Frank Jr.
Discussed ADDITION OF CAMORON AS CO-OWNER - Done so by
CHANGE OF ADDRESS w/ Frank Sr. Signature.

Discussed ROBBERS ROOST Stipulation, ASK FOR CC OF AN
'out-of-court' Settlement letter. CC to BS SONY.

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FILED

29-261

Dieng Norman 2H

29-260

Frank Hough



DIVERSION FOR DECROSO Rts., JUDGEMENT 3/20/1911, 29-260
AND 29-261.

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JUL 14 2005

23 July 2001

Frank N. Hough
960 E Robbers Roost Cr
McCammon ID 83250

Re: SRBA Claim A29-02221E and 29-000260

Dear Mr. Hough:

I have amended your Robbers Roost Creek claim (29-00260) to add the additional two Points of Diversion and changed the address to add both you and your sister (on both referenced claims). In addition, I have ran an ArcView boundary around the parcels you indicated are irrigated. My program shows a total of 33.4 acres irrigated. Copies enclosed.

If I can be of assistance to you in this matter please feel free to contact me at the above office telephone number. Thank you for your attention in this important matter.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

CC; file

Enclosures: GIS copy
29-00260 copy
29-02221E copy

PROFILE

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CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): A29-00260, A29-02221E

[] Old Mailing Address:

[] New Mailing Address: 1 - 2 Below

[] Telephone Number: 208-775-3373

[] Signature of Claimant: Frank H. Hough

[] Date: 7-20-01

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:

Done
7/23/01
ABR

(1) Frank H. Hough
960 E Robbers Roost cr
1/1 Cammon, ID
832 50

(2) Darlene Samuelson
3577 50th Hwy 91
1/1 Cammon ID
832 50

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Ruberry, Allen

From: McHugh, Candice
Sent: Thursday, June 21, 2001 9:25 AM
To: Music, Vicky; Ruberry, Allen
Subject: RE: Decree 29-B-1

I agree with Vicky. We do not recommend year-round irrigation but there is likely year-round domestic. The irrigation season, if the decree does not specify an irrigation season, should be our standard for that area. If the claimant insists, however, that he/she should have a longer irrigation season then we would need compelling evidence of beneficial use and historical practice to deviate from our standard. The quantity to recommend should be a proportionate share of the 8 cfs, it appears that there is less than 400 acres between the two claimants and 8 cfs is an inch/acre if there is 400 acres so we may have to do a Hubbell analysis if the claimants want more than an inch per acre. The only other question I have is how you were planning to address the rotation system: were you planning to recommend the rotation system or let the claimants work out an agreement between themselves to memorialize the practice set forth in the decree?

Let me know.

ADDRESS BY REMARKS - GENERAL - DIST STIPULATION

Candice

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You

-----Original Message-----

From: Music, Vicky
Sent: Tuesday, June 12, 2001 2:53 PM
To: Ruberry, Allen
Cc: McHugh, Candice
Subject: RE: Decree 29-B-1

Hey Al. CMM is gone for the rest of the week, so here is my 2 cents.

Due to other language in the decree, I interpreted the "...absolute and unrestricted ...at all times..." language to not mean year round irrigation. See paragraph 4- last 2 lines which state "...that it will require all of the waters of said Robbers Roost Creek **during the whole of each and every irrigating season** ..." [emphasis added]. It appears that this refers to a definite though unspecified irrigation season, not year round. Also, how does this "absolute and unrestricted" language translate in the real world? I cannot imagine it means no domestic/stockwater use for 5 days, so assumed it meant irrigation water.

Also, in paragraph 3, it states that the land is arid in nature and requires 1 inch/acre to raise a profitable crop. How do we reconcile that with the high water language? Do we have historical info re when do they get high water?

Bye now.

-----Original Message-----

From: Ruberry, Allen
Sent: Tuesday, June 12, 2001 2:01 PM
To: Music, Vicky; McHugh, Candice
Subject: Decree 29-B-1

Re: 29-00260 and 29-00261.

This is the Decree for Robber's Roost Creek in Basin 29.

Vicky, as you detailed on your decree outline there is no Season of Use mentioned, rather, the decree states "absolute and unrestricted right at all times" ... also discusses "all of the waters of (Robber's Roost Creek) said stream" and ..."varies from 2 (cfs) to 6 (cfs) or 8 (cfs)... during high water".

Questions:

1. Season of Use to recommend? 1/1 to 12/31 'at all times'; 4/15 to 9/15 (1932 Union Grain... decree [does not

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include Robber's Roost Creek]; or, IDWR standard for BU claims as 4/1 to 10/31?

2. How much CFS to recommend, 2 or 8? These two claims (29-00260 and 29-00261) are on a court recognized stipulation of rotational use so who gets what is not the issue. One get it all for 2.5 days the other gets all for 5 days: so decreed, nuff said.

Your thoughts please,

later.....al

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T8S, R36E

**SWSE
21**

**SESE
11**

**NWNE
38**

**NENE
26**

**SENE
29**

**SWNE
21**

**NWSE
14**

23 24
26 25

Water Right Number - 29-00260

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
HOUGH

FRANK H.

1 -
2 -
3 -

City-
Phone -

State- Zip-

HOUGH

MARY H.

1 -
2 -
3 -

City-
Phone -

State- Zip-

*** O - ORIGINAL OWNER ***
PEARSON

PETER SKOG

1 -
2 -
3 -

City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/17/1902 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
ROBBERS ROOST CREEK PORTNEUF RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 36E 14 SW SE 01 IRRIGATION (5) BANNOCK
08S 36E 23 NW NE 01 IRRIGATION (5) BANNOCK
08S 36E 23 SW NE 01 IRRIGATION (5) BANNOCK
08S 36E 23 NW SE 01 IRRIGATION (5) BANNOCK

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - 29-00260

Prefix Translation: WATER RIGHT

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

GEN P/D & P/U INCOMPLETE. THIS RIGHT HAS ROTATING USE WITH 29-0261.
USE PERIOD 2.5 DAYS FOR EACH 7.5 DAYS. SEE STIPULATION ENTITLED
LAZY T RANCH VS. FRANK H. HOUGH CASE NO. 38021-C DATED 7/30/1982.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
PETER SKOG PEARSON T. M. EDWARDS 03/20/1911

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 07/15/85 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 07/15/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag -
SRBA Decreed Flag -		

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO IN AND FOR BANNOCK COUNTY.

PETER SKOG PEARSON,
Plaintiff,
vs
T. M. EDWARDS;
Defendant.

D E C R E E .

This cause coming on regularly this 20th day of March, 1911,
for trial, Geo. E. Gray, Esq., appearing as counsel for plaintiff, and Standrod & Terrell ap-
pearing as counsel for defendant.

It appearing to the Court by stipulation in writing filed in open Court and signed by
plaintiff and defendant, in which said stipulation it is stipulated that said stipulation
be treated and considered as the Court's findings of fact and conclusions of law, and all
other findings of fact and conclusions of law are waived, and stipulating that judgment in the
the above entitled cause be entered up in accordance with such stipulation; and it appearing
from said stipulation;

1st:- That the plaintiff and his predecessors in interest has at all times since the
17th day of June, 1902, and still is, the owner of and entitled to the possession of the fol-
lowing described premises, situated in Bannock County, Idaho, to-wit: The Northwest quar-
ter of the Southeast Quarter and the West half of the Northeast quarter of Section Twenty-
three (23); and the Southwest quarter of the Southeast Quarter of Section fourteen (14), all
in Township eight (8), South, of Range thirty-six (36) E.B.M.

2nd:- That the defendant, T.M. Edwards, and his predecessors in interest have been at all
times since the 17th day of June, 1902, and still is, the owner of and entitled to the poss-
ession of the following described real estate, situated in Bannock County, Idaho, to-wit:
The southwest quarter of the southeast quarter of Section twenty-three (23) and the West
half of the Northeast quarter of Section Twenty-six (26), and the Northwest quarter of the
southeast quarter of Section twenty-six (26), all in Township eight (8) South, of Range thi-
rty-six (36) E.B.M. and the Southeast quarter of the Southeast quarter of Section twenty-
three (23) and the East Half of the Northeast quarter of Section twenty-six (26) and the
Southwest quarter of the northwest quarter of section twenty-five (25), all in Township
eight (8) South of Range thirty-six (36) E.B.M.

3rd:- That all of the land and premises hereinbefore described is arid in character,
and requires one (1) inch of water per acre in order to raise and produce a profitable
crop, and all said land is susceptible of irrigation from the waters of what is known as
Robbers Roost Creek, in Bannock County, Idaho, and situated near the premises above des-
cribed.

4th:- That the amount of waters in said Robbers Roost Creek varies from Two (2) Cubic

Southwest quarter of the northwest quarter of section twenty-five (25), all in Township eight (8) South of Range thirty-six (36) E.B.M.

3rd:- That all of the land and premises hereinbefore described is said in character, and requires one (1) inch of water per acre in order to raise and produce a profitable crop, and all said land is susceptible of irrigation from the waters of what is known as Robbers Roost Creek, in Bannock County, Idaho, and situated near the premises above described.

4th:- That the amount of waters in said Robbers Roost Creek varies from Two (2) Cubic feet of water per second of time during low water, to six (6) Cubic feet of water or eight (8) Cubic feet of water per second of time during high water, and that it will require all of the waters of said Robbers Roost Creek during the whole of each and every irrigating season to successfully irrigate the above described lands.

5th:- That on the 17th day of June, 1902, the said plaintiff and the said defendant and their respective grantors and predecessors in interest, went upon the waters of said Robbers Roost Creek, and by means of ditches and some of sufficient capacity, diverted all of the waters of said stream and conveyed the same to and upon their respective lands hereinbefore described, and have during each and every irrigation season since said date, used all of the waters of said Robbers Roost Creek upon said lands for the purpose or irrigating the same and for domestic and stock purposes thereon.

6th:- That from and after the date of this stipulation, the said parties shall rotate or alternate in the use of the waters of said stream; that is to say, the plaintiff shall have the absolute and unrestricted right at all times to the use of the whole of the waters of said Robbers Roost Creek for a period of two and one-half consecutive days, and the said defendant shall have and absolute and unrestricted right at all times to the use of all the waters of said Robbers Roost Creek for a period of five consecutive days for the purpose aforesaid; and it shall be the duty of the plaintiff, after having used said waters for the period of two and one-half days as aforesaid, to cease the use thereof and permit the defendant to use the same for a period of five days consecutively, following the said use of the plaintiff, and like wise, it shall be the duty of the defendant, after having used said waters during the five days herein provided, to cease the use thereof and permit the plaintiff to again take and use said water for the period of time herein provided for his use of the same.

7th:- That the judgment entered by the court as hereinbefore provided, shall adjudge that each of the parties hereto, and each of their agents, servants and employees, shall be forever and perpetually enjoined from in anywise using any of the waters of said creek, except as herein stipulated, and from in anywise molesting or interfering with the one with the other in his use of said waters as herein stipulated.

8th:- That this stipulation shall become the findings of fact in said court and all other findings of fact and conclusions of law are hereby expressly waived.

9th:- And judgment may be entered by said court in accordance with this stipulation. Wherefore, by reason of said stipulation and the law and the premises, it is hereby ordered, adjudged and decreed that plaintiff for domestic and culinary purposes and for the purpose of irrigating said land in Bannock County Idaho, do hereby waive all other

alternate in the use of the waters of said stream; that is to say, the plaintiff shall have the absolute and unrestricted right at all times to the use of the whole of the waters of said Robbers Roost Creek for a period of two and one-half consecutive days, and the said defendant shall have and absolute and unrestricted right at all times to the use of all the waters of said Robbers Roost Creek for a period of five consecutive days for the purpose aforesaid; And it shall be the duty of the plaintiff, after having used said waters for the period of two and one-half days as aforesaid, to cease the use thereof and permit the defendant to use the same for a period of five days consecutively, following the said use of the plaintiff, and like wise, it shall be the duty of the defendant, after having used said waters during the five days herein provided, to cease the use thereof and permit the plaintiff to again take and use said water for the period of time herein provided for his use of the same.

7th:- That the judgment entered by the court as hereinafter provided, shall adjudge that each of the parties hereto, and each of their agents, servants and employees, shall be forever and perpetually enjoined from in anywise using any of the waters of said creek, except as herein stipulated, and from in anywise molesting or interfering the one with the other in his use of said waters as herein stipulated.

8th:- That this stipulation shall become the findings of fact in said court and all other findings of fact and conclusions of law are hereby expressly waived.

9th:- And judgment may be entered by said court in accordance with this stipulation.

Wherefore, by reason of said stipulation and the law and the premises, it is hereby ordered, adjudged and decreed that plaintiff for domestic and culinary purposes and for the purpose of irrigating said land in Bannock County, Idaho, described as follows, to-wit: The Northwest quarter of the Southeast quarter and the west half of the Northeast quarter of Section Twenty-three (23); and the Southwest quarter of the Southeast quarter of section fourteen (14), all in Township eight (8) South of Range Thirty-six (36) E.B.M., shall be entitled to the absolute and unrestricted right at all times to the use of all the waters of said Robbers Roost Creek for the period of two and one-half consecutive days; and the said defendant shall, for the purpose of irrigating his said land in Bannock County, Idaho, described as follows, to-wit: The Southwest quarter of the southeast quarter of Section Twenty-three (23) and the West half of the Northeast quarter of Section Twenty-six (26) and the northwest quarter of the southeast quarter of section twenty-six (26), all in Township Eight (8) South of Range Thirty-six (36) E.B.M. And the Southeast quarter of the Southeast quarter of Section twenty-three (23) and the East Half of the Northeast quarter of Section twenty-six (26) and the Southwest quarter of the Northwest quarter of Section Twenty-five (25) all in Township eight (8) South of Range thirty-six (36) E.B.M.,

NW 1/4 Sec. 23
W 1/2 NE 1/4 Sec. 23
SW 1/4 Sec. 14

29-0261

and for domestic and culinary purposes, have the absolute and unrestricted right at all times to the use of all of the waters of said Robbers Roost Creek for a period of five consecutive days, and the right of said parties to the use of said waters to date from the 17th day of June, 1902.

It shall be the duty of the plaintiff, after having used said waters as aforesaid for the period of two and one-half days, to cease the use thereof and permit the defendant to use the same for a period of five days consecutively, following the said use of the plaintiff, and like wise, it shall be the duty of the defendant after having used said waters during the five days herein provided, to cease the use thereof and permit the plaintiff to again take the use of said water for the period of time herein provided for his use of the same.

It is further ordered, adjudged and decreed herein that each of the parties hereto and each of their agents, servants and employees, shall be forever and perpetually enjoined from in anywise using any of the waters of said creek, except as herein decreed, and from in anywise molesting or interfering the one with the other in his use of said waters; and each party shall pay his own costs.

Done in open Court this 20th day of March, 1911.

Alfred Budge.
District Judge.

RECEIVED

AUG 10 1982

Department of Water Resources
Eastern District Office

CLERK OF DISTRICT COURT
CLERK OF DISTRICT COURT
CLERK OF DISTRICT COURT

AUG 5 1982

BY *Shirley Anderson*
CLERK

JONES and CHRISTENSEN, Chartered
P. O. BOX 967 - 405 WEST WHITMAN
POCATELLO, IDAHO 83201
TELEPHONE: (208) 232-5911

ATTORNEYS FOR Plaintiff

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

2 LAZY T. RANCH, a partnership,)
Plaintiff,)

Case No. 38021-C

vs

STIPULATION FOR DISMISSAL
AND
ORDER

FRANK H. HOUGH and MARY S.
HOUGH, husband and wife,)

Defendants.)

COMES NOW, attorneys of record for the respective parties above-named,
and stipulate and agree that the above-entitled cause may be dismissed upon the
grounds that the parties have compromised their dispute by written Agreement,
a copy of which is attached.

DATED this 30th day of July, 1982.

Lamont Jones
Lamont Jones, Attorney for Plaintiff

John B. Kugler
John B. Kugler, Attorney for Defendants

ORDER

Upon reading the foregoing Stipulation and good cause appearing,

IT IS HEREBY ORDERED that the above-entitled cause be dismissed with
each party to bear their own costs.

DATED this 4th day of August, 1982.

Cliff O. McDermott
DISTRICT JUDGE
STATE OF IDAHO

County of Bannock

I hereby certify that the foregoing is a full, true, and
correct copy of an instrument as the same now remains
on file in my records in my office.

this 5th day of August, 1982
CLIFF O. McDERMOTT, District Judge
BY *Shirley Anderson*
CLERK

STIPULATION FOR DISMISSAL
AND ORDER

AGREEMENT

THIS AGREEMENT, entered into this 1st day of May, 1982, between 2 LAZY T RANCH, a partnership, hereafter called First Party, and FRANK H. HOUGH and MARY H. HOUGH, husband and wife, hereafter called Second Parties;

WITNESSETH:

WHEREAS, First Party is the Plaintiff, and Second Parties are the Defendants in litigation presently pending in Case No. 38021C before the Sixth Judicial District Court, Bannock County, Idaho; and

WHEREAS, the parties desire to settle their differences amicably and without the aid of the Court;

NOW, THEREFORE, the parties mutually agree as follows:

1. That First Party is the owner of the following described real property situate in Bannock County, Idaho:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, Township 8 South, Range 36 E.B.M., and a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 8 South, Range 36 E.B.M., and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, Township 8 South, Range 36 E.B.M., Bannock County, Idaho, and a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 8 South, Range 36 E.B.M., more particularly described as follows:

Commencing at the Southwest corner of the Southwest quarter of the Northwest quarter of Section 25, Township 8 South, Range 36 East, Boise Meridian; thence North 89°57'35" West along the latitudinal centerline of Section 26, 320.26 feet, more or less, to the intersection of said latitudinal centerline and the West right-of-way of Highway 30 North; thence continuing North 89°57'35" West along said Latitudinal centerline 153.88 feet to the True Point of Beginning; thence continuing North 89°57'35" West along said Latitudinal centerline, 832.47 feet, more or less, to the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 26; thence North 0°20'59" East along the East 1/16 line of said Section, 2650.22 feet, more or less, to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 26; thence South 89°48'10" West along the North line of said Section 1282.35 feet, more or less to the Southwest corner of the

Southwest Quarter of the Southeast Quarter of said Section 23; thence North $0^{\circ}56'04''$ West along the meridional centerline of said Section 23, 968.38 feet; thence South $89^{\circ}55'37''$ East, 60.00 feet; thence North $0^{\circ}52'30''$ East, 340.00 feet; thence South $89^{\circ}55'37''$ East parallel to the South $1/16$ line of said Section 23, 1396.34 feet, more or less; thence South $23^{\circ}56'50''$ East, 180.00 feet; thence South $89^{\circ}55'37''$ East, 120.00 feet, more or less, to the West right of way of Highway 30 North; thence South $23^{\circ}56'50''$ East along said West right of way, 95.36 feet; thence continuing along said West right of way Southeasterly along a curve concave to the right, said curve having a central angle of $16^{\circ}05'20''$ a radius of 1806.12 feet, a long chord of 505.50 feet, for an arc length of 507.16 feet; thence continuing along said West Right of Way South $7^{\circ}51'30''$ East, 605.50 feet, more or less, to and Idaho Highway Department Right of Way Monument stamped Station 1025+46.30; thence East 10.00 feet; thence continuing along said West right of way South $7^{\circ}51'30''$ East 2367.79 feet, more or less; thence North $89^{\circ}57'35''$ West, 154.03 feet; thence South $7^{\circ}51'30''$ East, 285.91 feet, more or less, to the True Point of Beginning.

2. That Second Parties are the owners of the following described real property situate in Bannock County, Idaho:

The Northwest Quarter of the Southeast Quarter and the West Half of the Northeast Quarter of Section Twenty-three (23); and the Southwest Quarter of the Southeast Quarter of Section Fourteen (14), all in Township Eight (8), South of Range Thirty-six (36) E.B.M.

3. That the parties hereto are the owners of all the water of Robbers Roost Creek, Bannock County, Idaho, under the Decree (hereafter called "Budge Decree") entered on March 20, 1911, by the Honorable Alfred Budge, District Judge of the Fifth Judicial District Court, of the State of Idaho, in and for the County of Bannock, in the case of Peter Skog Pearson vs. T. M. Edwards, defendant; First Party being the successor in interest of T. M. Edwards and Second Party being the predecessors in interest of Peter Skog Pearson.

4. The parties agree that their decreed rights insofar as the rotation or alternate use of the waters of Robbers Roost Creek now commences after the first day of July, and consequently, the Schedule of Water Turns attached hereto as Exhibit "A" and by reference incorporated herein, shall be the schedule to be followed whenever the same is implemented as described hereafter.

5. So long as there is sufficient high water to fill the irrigation requirements of both parties, First Party shall have the right to the continuous use of two-thirds of the water of Robbers Roost Creek, and Second Parties shall have the right to the continuous use of one-third of said water. If either party determines that his share of the continuous flow of Robbers Roost Creek is not adequate to provide for the operation of his ditch and sprinkler distribution systems, as the same was used as of January 1, 1981, then such party shall notify the other party, at least twenty-four (24) hours before reverting to the rotation or alternate use of the water, as set forth in the attached Schedule of Water Turns. (Reference to the distribution system of the parties is not intended to restrict either party from improving or upgrading their respective systems to better utilize the quantity of waters which the respective systems used as of January 1, 1981). The party giving notice shall, on the date of his next scheduled water turn, have the absolute unrestricted right, at all times, to the use of so much of the waters of said Robbers Roost Creek during each of his water turns for the remainder of the regular irrigation season of the year in which the notice is give as is required to operate his respective sprinkler system. The Twenty-four (24) hour notice is intended

choose
for title
to Decree
29-B-1

to afford the adverse affected party an opportunity to fill his pipes in order to operate a portion of his sprinkler system on the stream flow, if any, not required to maintain the system of the party entitled to the stream waters on the rotation basis.

6. That, except as expressly modified herein, the parties covenant and agree that all the terms and conditions of the Budge Decree shall remain in full force and effect and shall not be further modified or amended, except by an instrument in writing, signed by both parties.

7. It is agreed that defendant's claim for damages may be held for naught and a judgment may be entered in accordance herewith, with each of the parties to pay his own costs.

8. This agreement is intended to establish a cooperative basis for taking their decreed waters of Robbers Roost Creek and shall be binding upon the parties, their heirs, successors and assigns.

IN WITNESS WHEREOF, this Agreement is executed the day and year first above written.

2 LAZY T RANCH, a partnership

By *Ed. Taysom*
Ed. Taysom

By *Wayne E. Taysom*
Wayne E. Taysom

Frank H. Hough
Frank H. Hough

Mary H. Hough
Mary H. Hough

Dear Al

RECEIVED

FEB 06 2002

Department of Water Resources
Eastern Region

- Enclosed find copy of
Agreement between the two parties
concerning Robbers Roost.

- still working on priority date
of well & pond.

Thank

Douglas Norman

SCANNED

JUL 14 2005

PROFILED

AHO DEPARTMENT OF WATER RESOURCES

MEMO-REPLY

Date

9/9/92

To

From

DAVE CARLSON

☐ Take Appropriate Action

☐ Draft A Reply

☐ Action Required By _____

☐ See Me

☐ Call Me

☐ Return To Me

☐ For Your Information

☐ For Your Approval

☐ For Your Comments

☐ As You Requested

☐ Copy (____ Copies)

☐ File

Comments

This claim should be for just Robbers Roost Creek. Field Exam on 9/9/92 indicated the ~~area~~ pan was the area in the SE 1/4 of sec 23. as indicated on the map.

Reply

Which is the land around the claimants house. Perched above the portuget River. Reduce the pan accordingly

Signed

DC

Date

9/9/92

MICROFILMED

NOV 13 1992

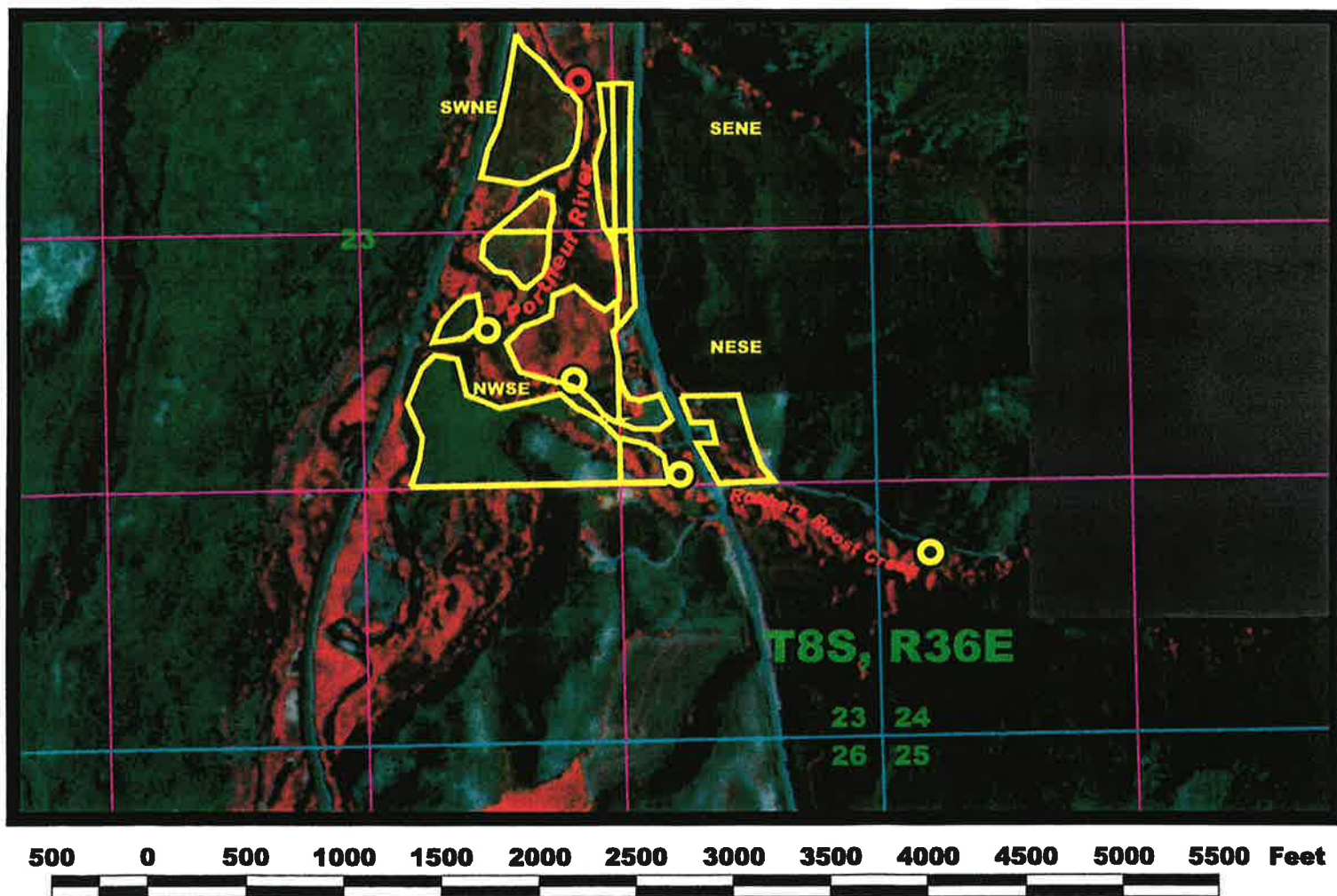


STATE OF IDAHO

Department of Water Resources

Eastern Region

**Water Right(s): 29-13245
29-00260**



LEGEND

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

Place of Use: T8S, R36E
(parts of) Sec. 23 S2NE, N2SE

Point(s) of Diversion: T8S, R36E
Sec. 23 NWNE Portneuf River,
Robbers Roost Creek;
Sec. 23 NWNE, NESE,
Sec. 24 SWSW

PROFILE

SCANNED

JUL 14 2005



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2001

SCANNED

MAY 18 2001

Log for claim A29-00260

Spatial Dynamics AMH

8/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	14	SWSE	16	18	
08s36e	23	NWNE	16	16	
08s36e	23	SWNE	18	22	
08s36e	23	NESE	5	8.6	
08s36e	23	NWSE	30	35	
Totals:			85	99.6	

AJ5809NP
No. A29-00260

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 99

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK H HOUGH	06/17/1902	IRRIGATION	03-15 11-15	8.000 CFS	
C	MARY S HOUGH					
	3649 S OLD HIGHWAY 91					
	MC CAMMON ID 83250			TOTAL DIVERSION:	8.000 CFS	
	(208) 775-3596					

Water Source: ROBBERS ROOST CREEK
PORTNEUF RIVER

Tributary to: PORTNEUF RIVER
SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:	T08S R36E S14	SWSE				BANNOCK County
	S23	NWNE	SWNE	NWSE		BANNOCK County
	S24	SWSW				BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENE	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
08S	36E	14	:					:					:					:			16		:	16.0
08S	36E	23	:			16	18	:					:					:	05	30			:	69.0
																				TOTAL ACRES				85.0

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 15 CATTLE.

Other Rights: A29-02221

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00261 A29-02221B A29-02221D A29-02221E A29-02221F A29-02221G

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02221B A29-02221C A29-02221D A29-02221E A29-02221F A29-02221G

Remarks: GEN P/D & P/U INCOMPLETE. THIS RIGHT HAS ROTATING USE WITH 29-0261.
USE PERIOD 2.5 DAYS FOR EACH 7.5 DAYS. SEE STIPULATION ENTITLED
LAZY T RANCH VS. FRANK H. HOUGH CASE NO. 38021-C DATED 8/04/1982.
THE RIGHT IS BEING DELIVERED IN THIS MANNER TODAY. THE AMOUNTS I
ENTERED IN THE COMPUTER FOR FLOW AND CONSUMPTIVE USE WERE MERELY
PLACED THERE TO SATISFY THE COMPUTERS DEMAND AND DESIRE FOR A FLO
W RATE AND A CONSUMPTIVE USE; DMD 6 AUGUST 1990.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

AJ5809NP
No. A29-00260

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 100

=====

Audit:	04/06/90 DUNN	07/31/92 DCARLSON	09/09/92 DCARLSON	04/04/94 THOMPSON
	03/29/95 POST-STD			

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 29-260
Date Received: 4/6/1990
Receipt No: E012941
Received By:

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

1. Name of Claimant(s)

MARY S HOUGH Phone: (208)775-3596

3649 S OLD HIGHWAY 91
MC CAMMON ID USA 83250

FRANK H HOUGH Phone: (208)775-3596

3649 S OLD HIGHWAY 91
MC CAMMON ID USA 83250

FRANK HOUGH Phone:

960 E ROBBERS ROOST CR
MCCAMMON ID USA 83250

DARLENE SAMUELSON Phone:

3577 S OLD HWY 91
MCCAMMON ID USA 83250

2. Date of Priority: 06/17/1902

3. Source: PORTNEUF RIVER , ROBBERS ROOST CREEK Trib. to: SNAKE RIVER , PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	36E	23	NW SE	BANNOCK	
08S	36E	23	NW NE	BANNOCK	
08S	36E	23	SW NE	BANNOCK	
08S	36E	24	SW SW	BANNOCK	
08S	36E	23	SW NE SE	BANNOCK	
08S	36E	23	SE NW SE	BANNOCK	
08S	36E	14	SW SE	BANNOCK	

PROFILED

SCANNED

JUL 14 2005

5. Description of diverting works:

HEADGATE AND CANAL; MOBIL PUMP IN THE RIVER. TWO SMALL HEADGATES OFF ROBBERS ROOST CK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	8	

7. Total Quantity Appropriated is:
8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	36E	14	SW	SE	IRRIGATION	16
					Section Acres	16
08S	36E	23	NW	NE	IRRIGATION	16
			SW	NE	IRRIGATION	18
			NW	SE	IRRIGATION	30
			NE	SE	IRRIGATION	5
					Section Acres	69
					Total Acres	85

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

P/D & P/U INCOMPLETE. THIS RIGHT HAS ROTATING USE WITH 29-0261. USE PERIOD 2.5 DAYS FOR EACH 7.5 DAYS. SEE STIPULATION ENTITLED LAZY T RANCH VS. FRANK H. HOUGH CASE NO. 38021-C DATED 8/04/1982. THE RIGHT IS BEING DELIVERED IN THIS MANNER TODAY. THE AMOUNTS I ENTERED IN THE COMPUTER FOR FLOW AND CONSUMPTIVE USE WERE MERELY PLACED THERE TO SATISFY THE COMPUTERS DEMAND AND DESIRE FOR A FLOW RATE AND A CONSUMPTIVE USE; DMD 6 AUGUST 1990

15. Basis of Claim: Decreed

SCANNED

JUL 14 2005

PROFILED

FIELD AMENDMENT FORM

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): *Frank M. Hough* Date: 7-20-01
 _____ Date: _____

For Organizations:

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

 Signature of Authorized Agent

 Title and Organization

 Date

State of Idaho)
 County of Bennett) SS.

Subscribed and sworn (or affirmed) before me this 20 day
 of July 20 01

Aaron B. Ruberry
 Notary Public

Seal

Residing at *20440 Fair Rd*

My Commission Expires 9/23/03



SCANNED
 JUL 14 2005

PROFILED

Note: This Amendment ADDS two POD's
 to 29-00260 AS:
 SWNE SE, AND SEWSE Both in
 Sec. 23 T. 8S., R. 36E.

Aaron

MAY 18 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A29-00260**
Date Received: 4/ 6/1990
Receipt No: **E012941**
Received By: _____

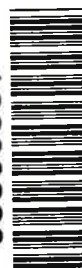
AMENDED

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

AMENDED

1. Name:	FRANK H. HOUGH	208-775-3596
Address:	3649 SOUTH OLD HIGHWAY 91 MC CAMMON ID 83250	
OR		
Name:	MARY S. HOUGH	208-775-3596
Address:	3649 SOUTH OLD HIGHWAY 91 MC CAMMON ID 83250	

A2900260



2. Date of Priority: JUN 17, 1902

3. Source: ROBBERS ROOST CREEK Trib. to: PORTNEUF RIVER
PORTNEUF RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	14	SW	SE			BANNOCK
		23	NW	NE			BANNOCK
			SW	NE			BANNOCK
			NW	SE			BANNOCK
		24	SW	SW			BANNOCK

5. Description of diverting works:
HEADGATE AND CANAL; MOBIL PUMP IN THE RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	8.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 15 CATTLE.

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	14	SW	SE		IRR	16.0
						Section Acres	16.0
		23	NW	NE		IRR	16.0
			SW	NE		IRR	18.0
			NE	SE		IRR	5.0
			NW	SE		IRR	30.0
						Section Acres	69.0
						Total Acres	85.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
A29-02221

14. Remarks:

P/D & P/U INCOMPLETE. THIS RIGHT HAS ROTATING USE WITH 29-0261. USE PERIOD 2.5 DAYS FOR EACH 7.5 DAYS. SEE STIPULATION ENTITLED LAZY T RANCH VS. FRANK H. HOUGH CASE NO. 38021-C DATED 8/04/1982. THE RIGHT IS BEING DELIVERED IN THIS MANNER TODAY. THE AMOUNTS I ENTERED IN THE COMPUTER FOR FLOW AND CONSUMPTIVE USE WERE MERELY PLACED THERE TO SATISFY THE COMPUTERS DEMAND AND DESIRE FOR A FLOW RATE AND A CONSUMPTIVE USE; DMD 6 AUGUST 1990.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/ 4/1982

2 LAZY T RANCH
Decree Plaintiff

FRANK H. AND MARY S. HOUGH
vs Decree Defendant

MICROFILMED

NOV 13 1992

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: A29-00260
Date Received: 4/06/1990
Receipt No: E012941
Received By: DMD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK H. HOUGH 208-775-3596
Address: 3649 SOUTH OLD HIGHWAY 91
MC CAMMON, ID 83250

OR

Name: MARY S. HOUGH 208-775-3596
Address: 3649 SOUTH OLD HIGHWAY 91
MC CAMMON, ID 83250

2. Date of Priority: JUN 17, 1902

3. Source: ROBBERS ROOST CREEK Trib. to: PORTNEUF RIVER
PORTNEUF RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	14	SW	SE			BANNOCK
		23	NW	NE			BANNOCK
			SW	NE			BANNOCK
			NW	SE			BANNOCK
		24	SW	SW			BANNOCK

5. Description of diverting works:
HEADGATE AND CANAL; MOBIL PUMP IN THE RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.002		8.00 CFS J. HA.

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

A.F.A.

8. Total consumptive use is 9.00 CFS J. HA. 9-9-92

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 15 CATTLE.

A29-00260

Page 1

Date: 04/06/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	14	SW	SE		IRR	16.0
						Section Acres	16.0
		23	NW	NE		IRR	16.0
			SW	NE		IRR	18.0
			NE	SE		IRR	5.0
			NW	SE		IRR	30.0
						Section Acres	69.0
						Total Acres	85.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
A29-02221

14. Remarks:

P/D & P/U INCOMPLETE. THIS RIGHT HAS ROTATING USE WITH 29-0261. USE PERIOD 2.5 DAYS FOR EACH 7.5 DAYS. SEE STIPULATION ENTITLED LAZY T RANCH VS. FRANK H. HOUGH CASE NO. 38021-C DATED 8/04/1982. THE RIGHT IS BEING DELIVERED IN THIS MANNER TODAY. THE AMOUNTS I ENTERED IN THE COMPUTER FOR FLOW AND CONSUMPTIVE USE WERE MERELY PLACED THERE TO SATISFY THE COMPUTERS DEMAND AND DESIRE FOR A FLOW RATE AND A CONSUMPTIVE USE; DMD 6 AUGUST 1990.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/04/1982

2 LAZY T RANCH

Decree Plaintiff

vs

FRANK H. AND MARY S. HOUGH

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): Frank H. Hough Date: 4-6-90

Date: _____

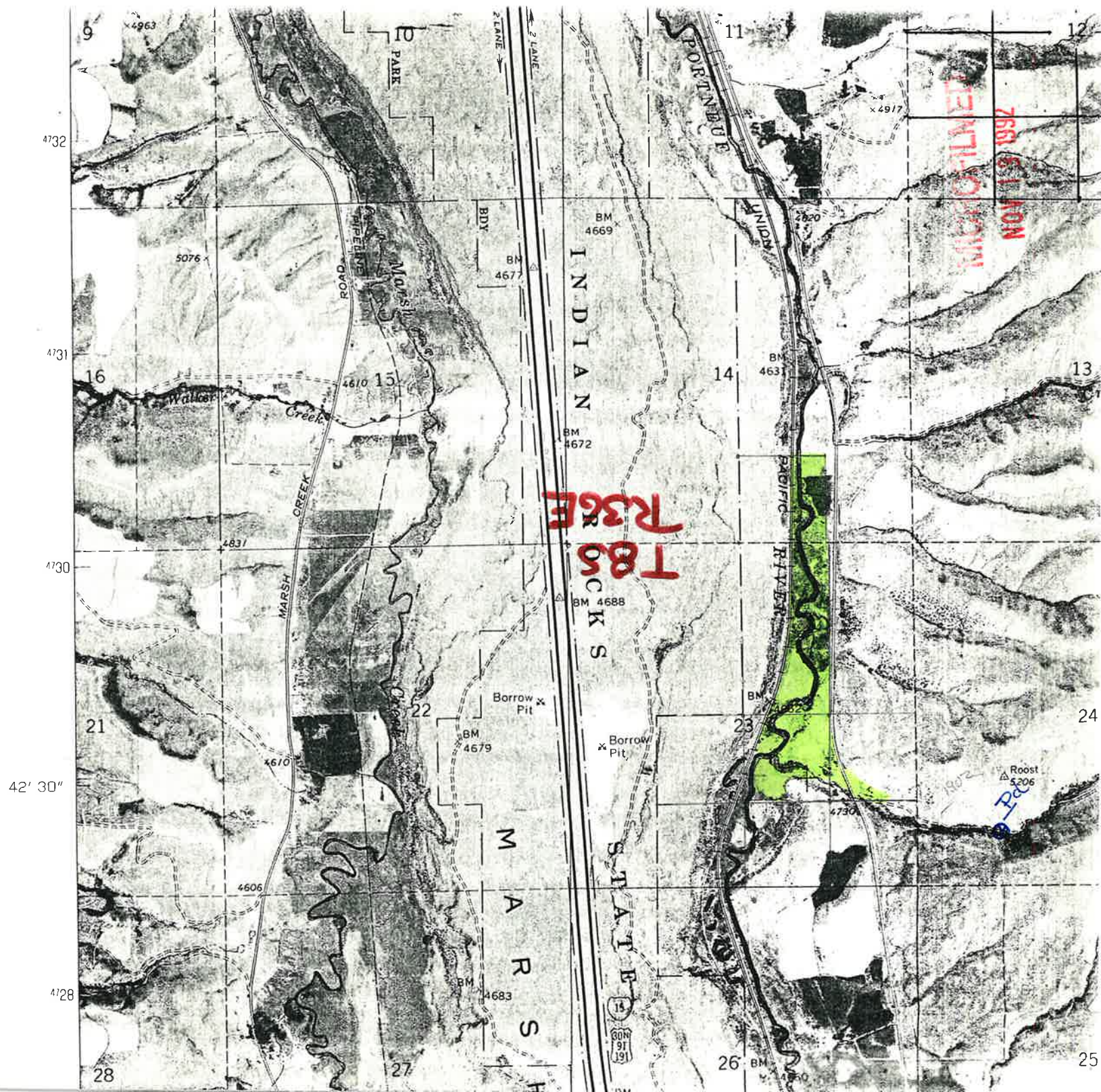
State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of April 19 90

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994



T OF WATER RESOURCES

9/9/92

R36E R37E

MICROFILMED
NOV 13 1992

ES
INTERIOR
RVEY

