

07/24/2002

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

RIGHT NUMBER: 37-2526B
NAME AND ADDRESS: TAUNIA D LABAT
1667 STATE HWY 46
GOODING ID 83330-5116

ANTONIO E LABAT
1667 STATE HWY 46
GOODING ID 83330-5116

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.06 CFS
12.0 AFY

PRIORITY DATE: 11/28/1951

POINT OF DIVERSION:

T06S R13E S12 NENENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.060 CFS
12.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S12 NENE 3.0

3 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: License

06/22/2002

NOTICE OF ERROR
REPLY

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: July 23, 2002

Water right number: 37-2526B

TAUNIA LABAT

~~2905 SOUTH 1200 EAST~~

GOODING ID 83330

ANTONIO LABAT

~~1905 SOUTH 1200 EAST~~

GOODING ID 83330

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

Quantity

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

0.060 CFS (3 inches)

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

See the attached recorded Deed agreement guaranteeing us as the "assignees" of Catherine A. Pickett, "three inches of the water produced from the well located on our property."

I AGREE with this proposed recommendation: no changes need to be made.

DATE:

7/16/02

SIGNATURE:

Taunia D. Labat

Please print your name:

Taunia D. Labat

IDWR State Office, PO Box 83720, Boise ID 83707-9815

If you have questions
my work # is 934-5668
home # is 934-9956

Thank you
Taunia Labat

117574

PERSONAL REPRESENTATIVE'S DEED

STATE OF IDAHO
COUNTY OF GOODING, S.S.
RECORDED AT REQUEST
Catherine A. Pickett
'85 OCT 10 PM 3 18
MARGARET F. CLEMENTS, R.
DEP. CLERK FEE 4.00

THIS DEED, made by CATHERINE A. PICKETT, as personal representative of the estate of PAUL J. PICKETT, deceased, Grantor, to CATHERINE A. PICKETT, Grantee, whose address is Post Office Box 109, Bliss, Idaho.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number 19709, in Gooding County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Gooding County, Idaho:

Township 6 South, Range 13 East of the Boise Meridian Section 12: A tract of land in the NE $\frac{1}{4}$, consisting of approximately 5 acres, more or less, described as follows:

Beginning at the Northeast corner of said Section 12; thence S. 0°15' W. 125.0 feet along the East line of said Section 12 to intersect with the South right of way line of U. S. Highways 20 and 26, which point is the true point of beginning of this 5 acre tract; thence S. 89°56' W. 642.0 feet along said right of way; thence S. 0°15' W. 339.0 feet; thence N. 89°56' E. 642.0 feet to the East line of said Section 12; thence N. 0°15' E. 339.0 feet along said East line to the point of beginning, Except a parcel of land, being a well site, described as follows:

Beginning at the Northeast corner of said Section 12; thence S. 0°15' W. 464.0 feet along the East line of said Section 12; thence S. 89°56' W. 110.9 feet; thence N. 0°15' E. 238.0 feet to a point 5.0 feet North of said irrigation well, the true point of beginning; thence N. 89°56' E. 7.5 feet; thence S. 0°15' W. 18 feet; thence S. 89°56' W. 15 feet; thence N. 0°15' E. 18 feet; thence N. 89°56' E. 7.5 feet to the point of beginning. RESERVING an easement for a right of way described as follows:

A strip of land 15 feet in width to provide ingress and egress to said irrigation well site above described, the centerline of said strip being described as follows:

Beginning at the Northeast corner of said Section 12; thence S. 0°15' W. 464.0 feet along the East line of said Section 12; thence S. 89°56' W. 115.4 feet to the true point of beginning; thence N. 0°15' E. 220.0 feet to a point on the south line of said irrigation well site.

Together with rights of way for ingress to and egress from the irrigation well located on the above described well site and necessary easements for laying, operating;

1495
agreement
Recorded

and maintaining pipelines from said well across the well site to conduct irrigation water to the described 5 acre tract for irrigation of 3 acres thereof.

Also together with not to exceed three inches of the water produced from the well located on said well site above described, while it is in operation during each irrigation season, PROVIDED, however, that the use of such water is further limited to an amount necessary for the irrigation of three acres only of the approximately five acres hereby conveyed, to be diverted by two taps of existing pipelines on said well site and on said fifteen foot wide easement, one tap to be at a point approximately ten feet South of the pump and the other tap to be at the high point of the pipeline on and near the South line of said 5 acre tract; and PROVIDED FURTHER that Paul J. Pickett and Catherine A. Pickett, his wife, and their heirs and assigns, shall pay to the owner of said well and well site the reasonable cost, on a proportionate basis, of operating and maintaining said well, it being understood that Paul J. Pickett and Catherine A. Pickett, his wife, have agreed with Richard P. Tschannen and Virginia M. Tschannen, his wife, (who are acquiring from the United States of America, by a Quitclaim Deed, dated on or about the date of this Quitclaim Deed, that portion of said NE¹/₄NE¹/₄ of Section 12, Township 6 South, Range 13 East of the Boise Meridian not herein conveyed to these grantees) that \$21.00 (\$7.00 an acre) each irrigation season payable in advance each season by said Paul J. Pickett and Catherine A. Pickett, his wife, and their heirs and assigns, shall be their proportionate part of the operation and maintenance costs subject to renegotiation between said Picketts and Tschannens, and their respective heirs and assigns, whenever there is a material increase in the electrical power rates.

Subject to exceptions and reservations contained in patents from the United States.

with all appurtenances.

EXECUTED this 8th day of October, 1985.

Catherine A. Pickett
Personal Representative of the
estate of Paul J. Pickett,
deceased.

STATE OF IDAHO)
)ss.
County of Gooding)

On the 8th day of October, 1985, before me, a notary public in and for said State, personally appeared Catherine A. Pickett, known to me to be the person whose name is subscribed to the within instrument, as personal representative of the estate of Paul J. Pickett, and acknowledged to me that she executed the same as such personal representative.



Richard P. Tschannen
Notary Public for Idaho

03/05/2002

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

RIGHT NUMBER: 37-2526B
NAME AND ADDRESS: TAUNIA LABAT
1905 SOUTH 1200 EAST
GOODING ID 83330

ANTONIO LABAT
1905 SOUTH 1200 EAST
GOODING ID 83330

SOURCE: GROUND WATER
QUANTITY: 0.04 CFS
12.0 AFY
PRIORITY DATE: 11/28/1951
POINT OF DIVERSION:

TRIBUTARY:

T06S R13E S12 NENENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS 12.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County
T06S R13E S12 NENE 3.0

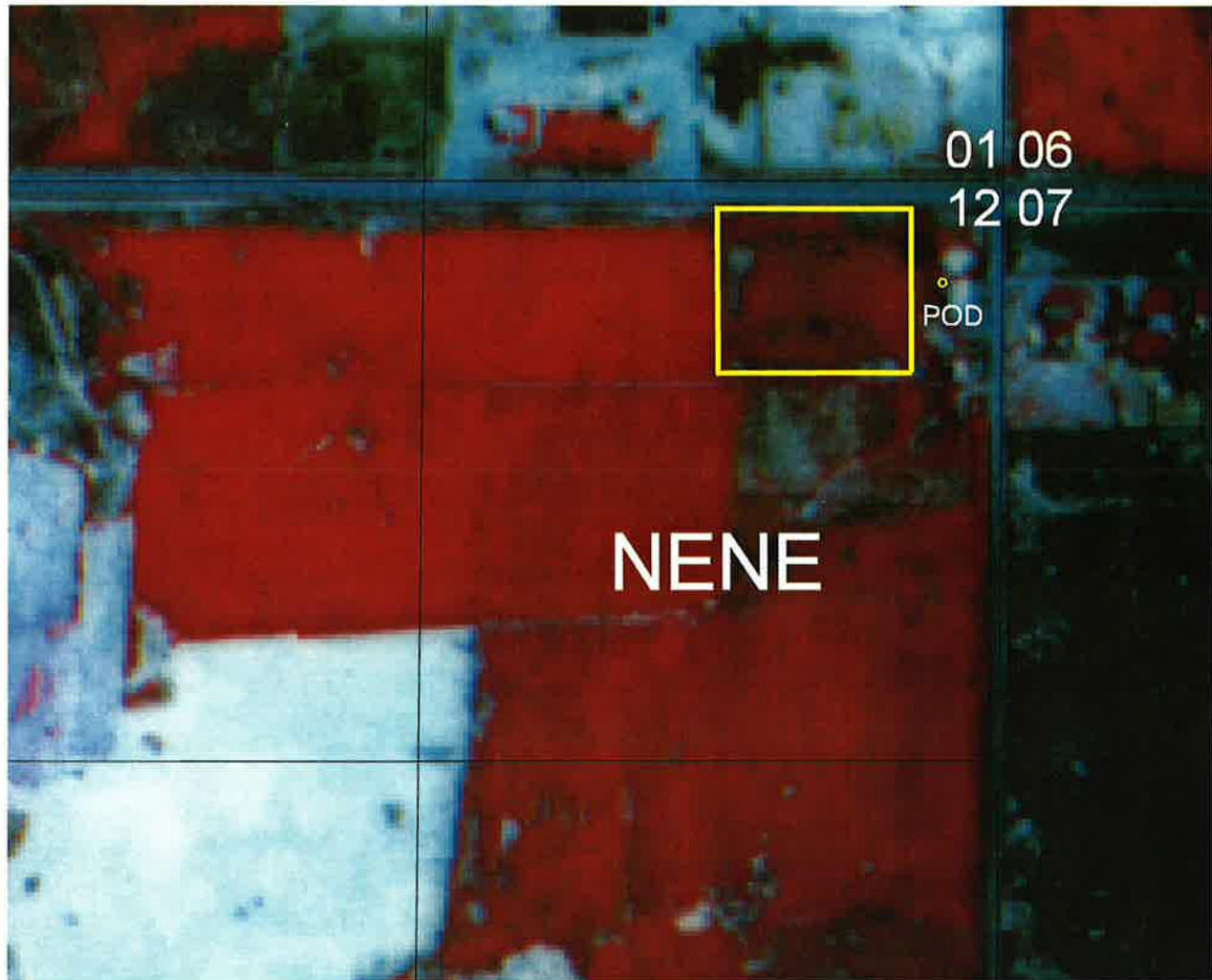
3 ACRES TOTAL

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

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EXPLANATORY MATERIAL: License

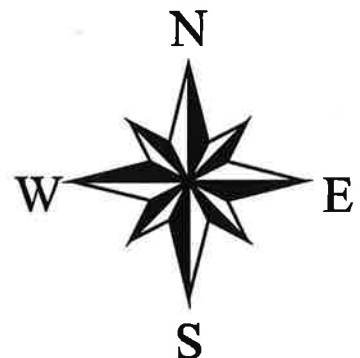
37-2526B



400 0 400 800 1200 Feet

T06S R13E S12

Map prepared by: Carter Fritschle
Date prepared: 03/05/02
1987-1988 NAPP photography
Idaho Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-2526B

WATER RIGHT NUMBER: 37-2526B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANTONIO LABAT 1905 SOUTH_1200 EAST BLISS, ID 83314
Current Owner	TAUNIA LABAT 1905 SOUTH 1200 EAST BLISS, ID 83314
Original Owner	CATHERINE A PICKETT BOX 109 BLISS, ID 83314 (208)352-4207

Location of well
& property - Not
the current owners
mailing address.
7/12/02
sa

Priority Date: 11/28/1951

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of DiversionGROUND WATER
GOODING County

NE1/4NE1/4

Sec. 12, Twp 06S, Rge 13E, B.M.

Place of Use

IRRIGATION

Twp Rge Sec |
06S 13E 12 | NE
| 3.0

Total Acres: 3

Conditions of ApprovalRemarks:

1. General

37-2526

A claimed 3.65 cfs on 208 ac.

B claimed 0.06 cfs on 3 ac.

als
3.0

licensed 3.65 cfs on 255 ac.

$\frac{3.65 \text{ cfs}}{255 \text{ ac}} = 0.0143 \text{ cfs/ac} \times 3 \text{ ac} = 0.04$

$3.65 \text{ cfs} - 0.04 \text{ cfs} = 3.61 \text{ cfs}$

LABAT-NEW OWNER. BOTH SIGNATURES AND WARRANTY DEED INCLUDED.
CHANGED TOWNS REQUESTED BY CLAIMANT. 6/12/95

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-2526B

Comments:Dates and Other Information:

Claim Received Date: 11/9/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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State of Idaho **License and Certificate of Water Right**

Water License No. G-22488Amount 3.65 c.f.s.

Water District No. _____

Priority November 28, 1951

THIS IS TO CERTIFY that HOWARD F. CLIFFORD
of Hagerman, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 28, 19 51; that Permit No. G-22488
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.65 second feet, was issued thereunder on November 22, 19 57, showing that said works
were completed on the 2nd day of December, 19 56; and that on the 2nd
day of December, 19 56, HOWARD F. CLIFFORD

of Hagerman, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
, a tributary of subterranean, for the purpose of Irrigation

, under Use Permit No. G-22488 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6218, on the 22nd day of November, 19 57;

The right hereby confirmed dates from November 28, 19 51;

The Point of Diversion ^{is} located in the NE 1/4 NE 1/4 and
in the NE 1/4 1/4 SE 1/4 1/4 Sec. 12, Twp. 6 S., R. 13 E., B. M. County Gooding

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.65 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	13 E.	12	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	30
			SW 1/4 NE 1/4	40	25
			SE 1/4 NE 1/4	40	35
			NE 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	75
			SE 1/4 SE 1/4	40	30
			SW 1/4 S 1/4	40	30
			Total number of acres irrigated -		255

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of November, 19 57.

MARK B. KULE
State Reclamation Engineer.

(SEAL)

By: E. N. Humphrey
Deputy

37-2526

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-22488

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Howard F. Clifford

2. Source of water supply: Subterranean flow from 2 wells

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12

T. 6 S. R. 13 E. B.M. County of Gooding

4. Describe works as they exist, giving dimensions and capacities of same:

Well #1 - Drilled 200'x16 - Pump: Layne & Bowler #22175 - Column 140'x8" - Pumping lift 140'

Motor: U.S. #10 35433 - P 50 - Meter G.E. 33 212860 - Demand 29X10 = 29 KW = 38.7 HP

Well #2 - Drilled 200'x16 - Pump: Layne & Bowler #22195 - Column 140'x8" -

Motor: U.S. 2478555 - P 30 - Meter: G.E. 33 212879 - Demand 22.25X10

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion:

Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

30 ACRES IN THE NW $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$

35 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$,

25 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ all in Sec. 12, Twp. 6 S.,

Rge. 13 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

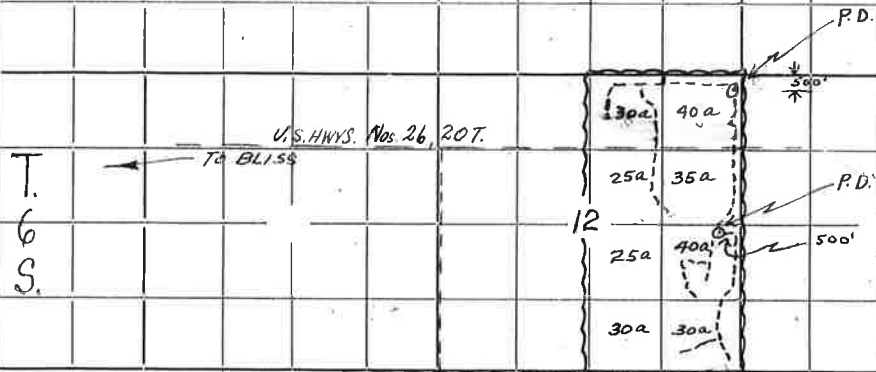
Remarks:

This examination was made on the 22nd day of July, 1957.

(Signed) James Mann Examiner.

22488

R-13E.



Land subdivision 8

Area 255 Acres as shown on map.

Quantity of water as measured
by Sparling meter

Subdivision 8

Area = 255 Acres

Q = 3.65 cfs.

Well #1 - 300 cfs. in 127 $\frac{1}{2}$ sec.

= 2.35 cfs.

= 117 $\frac{1}{2}$ Miners Inches

Well #2 - 300 cfs. during 254 sec

= 1.3 cfs.

= 65 Miners Inches

Total = 182 Miners Inches



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 2, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ANTONIO LABAT
TAUNIA LABAT
1667 STATE HIGHWAY 46
GOODING ID 83330-5116

RECEIVED

JUL 22 2002

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)

Notice of Claim to a Water Right #37-2526B
and Water Rights #37-10816 and 37-19823

Dear Claimants:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter with the enclosed Notice of Error form by July 23, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim referenced above, please call this office toll-free at 1/800-451-4129 so I can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
RECEIVED



Update Tannia:
C10 206296
No place 206297
26873873

RECEIVED
JUL - 2 2002
Department of Water Resources

ANTONIO LABAT
TAUNIA LABAT
1905 SOUTH 1200 EAST
BLISS ID 83314 833142010 1601 07 06/28/02
LABAT 905 TIME EXP RTN TO SEND
FORWARD LABAT STATE HIGHWAY 46
1667 GOODING ID 83330-5116
RETURN TO SENDER

37-2526 B di
10816
19823
15-1-37-
12-01-37-
rec.

Update Antonio:
C10 37-2526B
140238 C105
replace
140239
71041



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 2, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ANTONIO LABAT
TAUNIA LABAT
1667 STATE HIGHWAY 46
GOODING ID 83330-5116

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Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

37-25268

5-16-1992

USGS

1 Meter Resolution

