

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-00051F**
Date Received: 8/16/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CRAIG J LAUGHLIN 208-837-4863
Address: PO BOX 121
HAGERMAN ID 83332

2. Date of Priority: JUN 26, 1881

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

4. Point of Diversion:

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

5. Description of diverting works:
VIA JOHN BELL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	2	NE	SE		IRR	6.0
			SE	SE		IRR	2.0
Section Acres							8.0

10. Place of Use: Continued

Total Acres 8.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A36-07089A

14. Remarks:

THIS IS A PORTION OF THE JOHN GLAUNER RIGHT WHO OWNED THE
PROPERTY BEFORE THE CLAIMANT.

CLAIM IS SPLIT BY CHANGE OF OWNERSHIP. 2/2/98 SCC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

NEW INTERNATIONAL MORTGAGE BA
Decree Plaintiff

IDAHO POWER COMPANY
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: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

February 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CRAIG LAUGHLIN
PO BOX 121
HAGERMAN ID 83332

RE: CHANGE OF OWNERSHIP SRBA CLAIM NO. A36-00051F & A36-07089A

DEAR MR. LAUGHLIN,

Pursuant to a request for a change in ownership and/or the notification that you recently sold property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records and a copy of the portions that were sold to new owners.

Please refer to the new SRBA claim number in future correspondence: A36-00051F & A36-07089A.

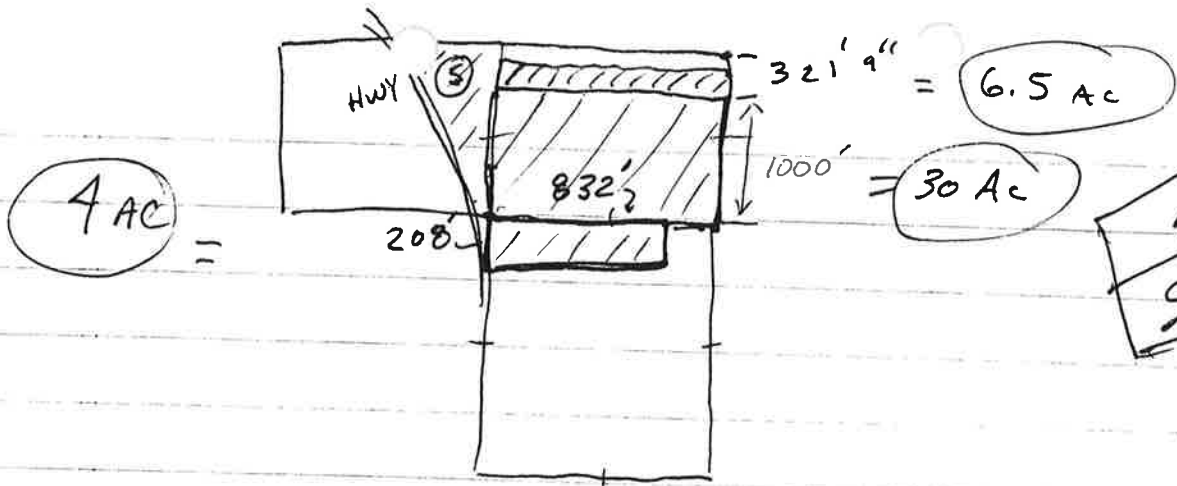
If you have any further corrections or questions please contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Clelland'.

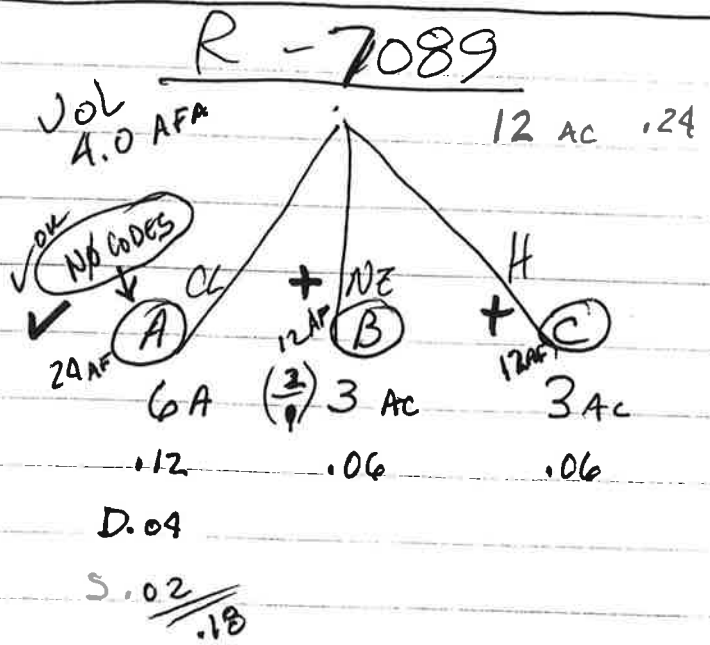
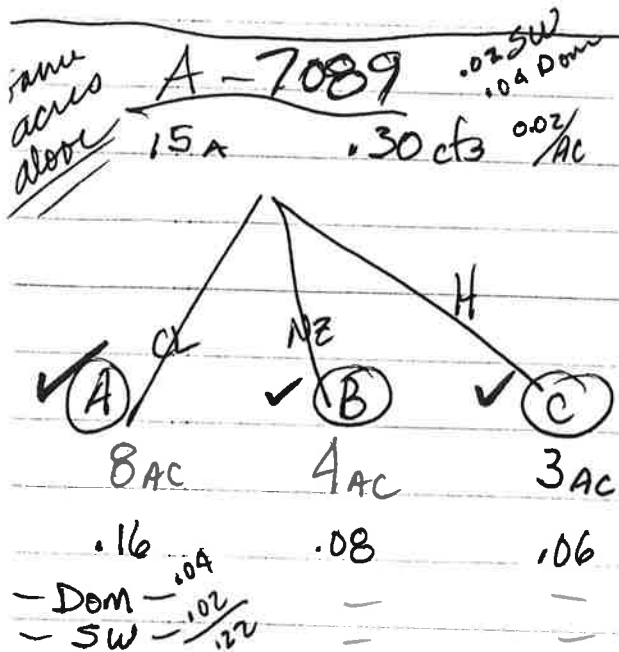
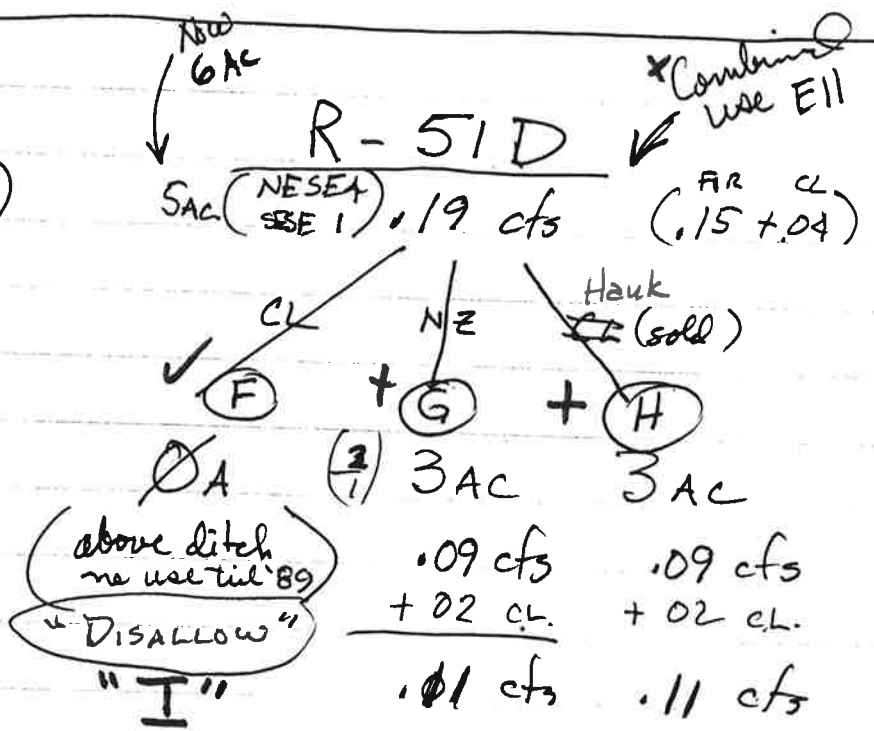
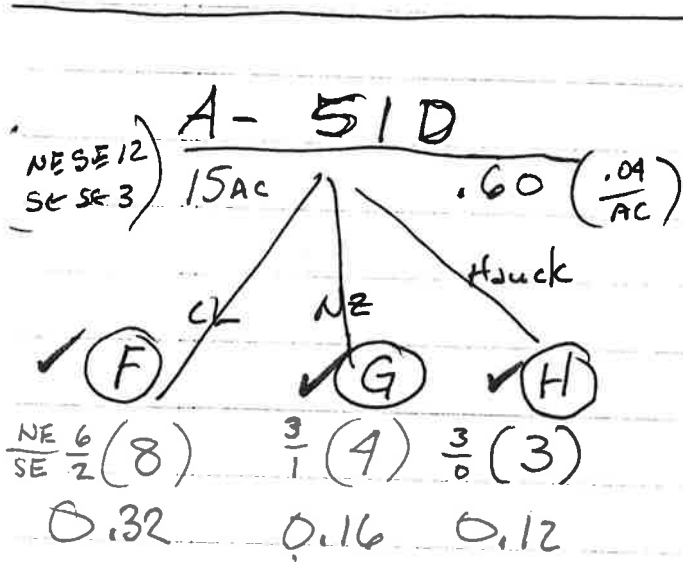
STEVE CLELLAND
Water Resource Agent

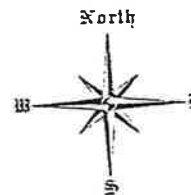
ENC:



SIDE 7089
SPLIT NOTES
see
2/2/98

Deer POU - 51-74 1.2 cfs 45.5 Ac = .026 cfs / Ac





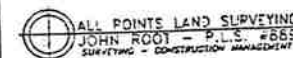
SCALE
1" = 100'

LOCATED IN
SE⁴ SECTION 2,
TOWNSHIP 7 SOUTH,
RANGE 13 EAST,
BOISE MERIDIAN
GOODING COUNTY, IDAHO
1996

LEGEND

SURVEY BOUNDARY LINE	_____
CENTERLINE OF HIGHWAY	_____
RIGHT-OF-WAY LINE	_____
SECTION LINE	_____
1/4 SECTION LINE	_____
1/16 SECTION LINE	_____
FOUND BRASS CAP	⊙
FOUND ALUM. CAP	⊙
FOUND 1/2" STEEL PIN	⊙
SET 1/2" REBAR & CAP	•
ANGLE POINT - NOT SET	Δ

I, JOHN O. ROOT, DO HEREBY CERTIFY THAT THIS MAP IS A TRUE AND ACCURATE MAP OF THE LAND SURVEYED UNDER MY SUPERVISION AND DIRECTION.



RECORD OF SURVEY FOR
CRAIG LAUGHLIN

LOCATED IN: SE1/4 SEC. 2,
T. 7 S., R. 13 E., B.M.

NAME: S. HASKELL

DATE: 02/15/95

JOB NO.: 86-65

SHEET NO. 1 OF 1

PARCEL #3
1.264 Ac

PARCEL #1
15.003 Ac

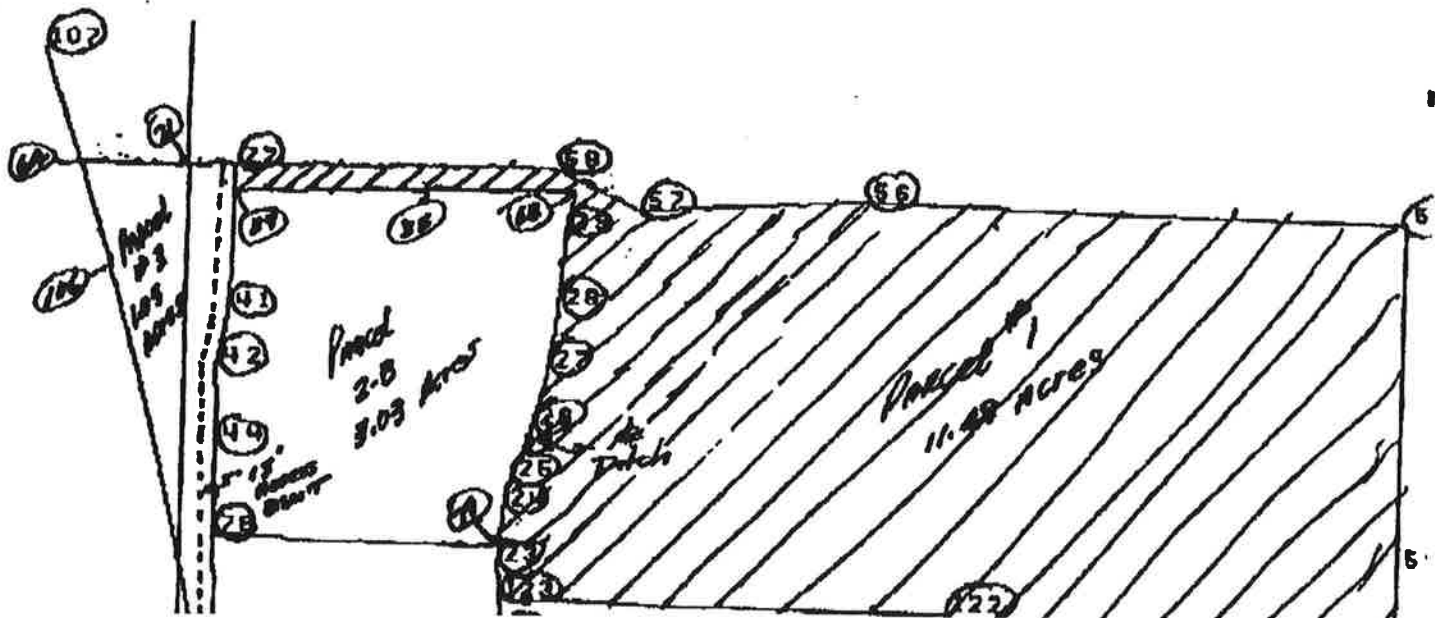
PARCEL #2
6.053 Ac

CURVE DATA
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JAN-02-97 10:58A

P.10





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

October 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FIRST AMERICAN TITLE CO
DENENE M DIXON
PO BOX 446
GOODING ID 83330

RE: CHANGE OF OWNERSHIP FORMS FOR SRBA CLAIM A36-00051D

Dear Ms. Dixon,

Enclosed you will find the change of ownership information you submitted to our office on January 24, 1997. I apologize for the late response in this matter and the file has only recently been forwarded to me for review.

After reviewing the documents submitted I am unable to complete this change in ownership at this time for following reasons:

1. The SRBA claim A36-00051D is recorded in the name of Craig J. and/or Rita D. Laughlin of Hagerman, ID. None of the deeds show any conveyance of property from the Laughlins to other parties. Without a deed from the Laughlins no ownership can be established by other persons for this right.

2. The ownership form states a map showing the properties involved is required when submitting a request for a change in ownership. This is especially important when a right is being split as appears to be the case with this claim.

If the persons named in these initial documents wish to continue to establish ownership of all or part of this right, please notify them and ask them to show the complete chain of title from Mr. & Mrs. Laughlin to the current owner(s). Also have them provide the appropriate maps to show the changes that have occurred with this property as described by the water right claim.

Thank you for your assistance in this matter, if you have further questions please contact our office as needed.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

*Hope this helps!
Thank!*



First American Title Company

P.O. BOX 446, 342 MAIN STREET, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

RECEIVED

JAN 24 1997

Department of Water Resources
Southern Region

January 23, 1997

Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Water Right #36-00051D

Dear Sir or Madame:

Enclosed please find two Notice of Change of Water Right Ownership forms along with a copy of the recorded Warranty Deed and Personal Representative's Deed reflecting the transfer.

Should you have any questions, please feel free to contact our office.

Thank you.

Sincerely,

FIRST AMERICAN TITLE CO.

DeNene M. Dixon
Escrow Officer

/dmd

Encl.

COPY

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

JAN 24 1997 NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP.

Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

NOV 05 1997

Department of Water Resources
 Southern Region

1. Water Right Number(s) 36-00051D
 Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - ☒ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND**
 - ☒ B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Craig J. Laughlin

4. New Owner/Claimant(s) Barbara J. Hauck and the Estate of Carlos Monte Hauck, deceased
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address _____
 City, State and ZIP Code Hagerman, ID 83332
 New Telephone Number (208) 837 - 6258
5. Date you acquired the property January 3, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 7.0 Number and type of stock 10-14 Cattle/calves

Diversion rate in CFS see QCD's Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Barbara J. Hauck Date January 22, 1997
Frank C. Erwin, PR of the Estate of Carlos Monte Hauck Date January 22, 1997
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

2
Order No. G-004265

QUIT CLAIM DEED

FOR VALUE RECEIVED

CRAIG J. LAUGHLIN, a single man

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

BARBARA J. HAUCK, a single woman; AND FRANK J. ERWIN AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF CARLOS MONTE HAUCK

GRANTEE(S)

Whose address is: P.O. Box 121, Hagerman, ID 83332

The following ~~described~~ premises, to-wit:

Eleven (11) inches of water from Idaho Department of Water Resources Permit No. 36-00051D from the John Bell ditch currently owned by Craig J. Laughlin.

However, it is understood that the Idaho Department of Water Resources has recommended that only five (5) inches of water be attached to this property. The final amount of water to be owned by Barbara J. Hauck and the Estate of Carlos Monte Hauck will be determined by the Water Adjudication Court.

Said water is attached to the property described on the attached EXHIBIT A.

169177

Together with their appurtenances.

Dated: **January 3, 1997**

Craig J. Laughlin
Craig J. Laughlin

STATE OF IDAHO COUNTY OF GOODING FIRST AMERICAN TITLE
Filed for record at the request of _____
57 min. past 4 o'clock P m. this 3rd
of January, 19 97 1200
By Penny Watson Deputy

State of IDAHO }
 } ss.
County of Gooding }

On this 3rd day of January, in the year 1997, before me, Susan M. Bolton, personally appeared Craig J. Laughlin, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton

Notary Public
Residing At: Gooding, ID
Commission Expires: 10/16/98



ERICAL
G-004266
Pt of RPO7S13E027611A

EXHIBIT "A"

PARCEL I

Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the E1/2SE1/4, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;

Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;

Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 946.88 feet to the center of an irrigation ditch and being the TRUE POINT OF BEGINNING;

Thence along the center of the irrigation ditch on the following courses:

South 11°44'08" East, 18.91 feet;

South 02°07'33" West, 141.60 feet;

South 02°36'53" East, 36.87 feet;

South 04°39'53" East, 11.19 feet to a point on a line that is parallel with and

208.0 feet South of the North boundary of the SE1/4SE1/4 of Section 2;

Thence leaving the center of the irrigation lateral and along the line that is parallel with and 208.0 feet South of the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of North 89°53'32" West for a distance of 313.18 feet to a point on the arc of a curve of the Easterly right-of-way boundary of Highway U.S. 30;

Thence Northwesterly along the arc of the curve left for a distance of 163.03 feet, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 07°32'36" West, 163.02 feet;

Thence along an existing fence line on the following courses:

North 00°33'52" West, 87.58 feet;

North 00°45'18" West, 161.61 feet;

Thence leaving the fence line and parallel with the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of South 89°53'32" East for a distance of 308.39 feet to a point in the center of an irrigation ditch;

Thence along the center of the irrigation ditch on the following courses:

South 04°24'37" West, 22.00 feet;

South 03°49'32" East, 57.65 feet;

South 11°55'36" East, 66.92 feet;

South 11°44'08" East, 59.10 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH An easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the Easterly right-of-way boundary of Highway U.S. 30 and traverses adjacent to and on the Westerly side of the Westerly boundary of the before described parcel.

CONTINUED 1

EXHIBIT A CONTINUED

SUBJECT TO a 10.0 foot wide easement for the use and maintenance of the existing irrigation ditch that lays along the easterly boundary of the described parcel.

ALSO SUBJECT TO a 25.0 foot wide access easement for the purpose of ingress and egress on, over and across the 25.0 foot wide strip of land, said easement being adjacent to and on the Northerly side of the Southerly boundary of the before described parcel.

AND

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the SE1/4 more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;
Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;
Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 1,280.73 feet to a point on an existing fence line and being the TRUE POINT OF BEGINNING;
Thence South 00°33'52" East along the existing fence line for a distance of 46.43 feet to a point on the arc of the Easterly right-of-way boundary of Highway U.S. 30;
Thence Northwesterly along the arc of the Easterly right-of-way boundary of Highway U.S. 30 for a distance of 552.01 feet to the point of curve to a spiral curve, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 12°50'12" West, 551.54 feet;
Thence along the arc of the spiral curve and parallel with the centerline of Highway U.S. 30 for a distance of 117.64 feet, said arc having a long chord bearing and distance of North 17°40'15" West, 117.84 feet;
Thence North 88°28'28" East for a distance of 167.20 feet;
Thence along the existing fence line on the following courses:
 South 00°49'47" West, 160.83 feet;
 South 11°54'00" West, 59.39 feet;
 South 00°57'26" East, 85.00 feet;
 South 00°45'18" East, 263.02 feet;
 South 00°33'52" East, 41.15 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO an easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the Easterly right-of-way boundary of Highway U.S. 30 and being centered on the following described line:

COMMENCING at a point on the Easterly right-of-way boundary of Highway U.S. 30, said point being located North 00°15'36" West, 1,351.31 feet and North 89°44'24" East, 25.38 feet from the Southwest corner of the SE1/4SE1/4 of Section 2 and being the TRUE POINT OF BEGINNING;

CONTINUED 2



EXHIBIT A CONTINUED

Thence North $05^{\circ}48'31''$ East for a distance of 13.10 feet;
Thence North $01^{\circ}57'07''$ West for a distance of 269.12 feet;
Thence North $02^{\circ}01'20''$ East for a distance of 127.90 feet;
Thence North $00^{\circ}15'24''$ East for a distance of 113.58 feet;
Thence North $15^{\circ}09'46''$ East for a distance of 27.33 feet;
Thence North $64^{\circ}58'19''$ East for a distance of 19.10 feet more or less to the intersection with
the Westerly boundary of the before described parcel and being the terminus of said
easement.

Side lines of said easement shall be lengthened or shortened as needed to intersect the Highway
right-of-way and the Westerly boundary of the before described parcel.

2
This Deed is being re-recorded to correct the legal description.
Order No. G-004265

WARRANTY DEED

For Value Received

COPY

CRAIG J. LAUGHLIN, A SINGLE MAN

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

~~BARBARA~~
~~BARBARA~~ J. HAUCK, A SINGLE WOMAN AND FRANK C. ERWIN, PERSONAL
REPRESENTATIVE OF THE ESTATE OF CARLOS MONTE HAUCK, DECEASED

the grantee(s), whose current address is: P.O. Box 638, Hagerman, ID 83332

the following described real estate, situated in GOODING County, Idaho, to-wit:

See EXHIBIT A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 01/03/97

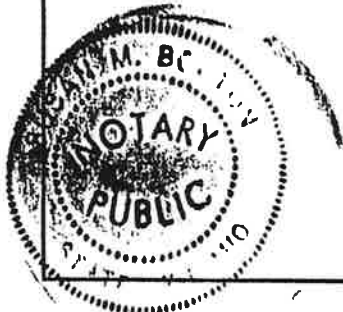
Craig J. Laughlin
Craig J. Laughlin

State of IDAHO }
 } ss.
County of Gooding }

On this 3rd day of January, in the year 1997, before me, Susan M. Bolton personally appeared Craig J. Laughlin, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton
Notary Public
Residing At: Gooding, ID
Commission Expires: 10/16/98



169175

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

55 min. past 4 o'clock P.m. this 3rd
of January, 1997. 15.00
By Penny Watson Deputy



EXHIBIT "A"

PARCEL I

Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the E1/2SE1/4, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;
Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;
Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 946.88 feet to the center of an irrigation ditch and being the TRUE POINT OF BEGINNING;
Thence along the center of the irrigation ditch on the following courses:
 South 11°44'08" East, 18.91 feet;
 South 02°07'33" West, 141.60 feet;
 South 02°36'53" East, 36.87 feet;
 South 04°39'53" East, 11.19 feet to a point on a line that is parallel with and 208.0 feet South of the North boundary of the SE1/4SE1/4 of Section 2;
Thence leaving the center of the irrigation lateral and along the line that is parallel with and 208.0 feet South of the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of North 89°53'32" West for a distance of 313.18 feet to a point on the arc of a curve of the Easterly right-of-way boundary of Highway U.S. 30;
Thence Northwesterly along the arc of the curve left for a distance of 163.03 feet, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 07°32'36" West, 163.02 feet;
Thence along an existing fence line on the following courses:
 North 00°33'52" West, 87.58 feet;
 North 00°45'18" West, 161.61 feet;
Thence leaving the fence line and parallel with the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of South 89°53'32" East for a distance of 308.39 feet to a point in the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
 South 04°24'37" West, 22.00 feet;
 South 03°49'32" East, 57.65 feet;
 South 11°55'36" East, 66.92 feet;
 South 11°44'08" East, 59.10 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH An easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the Easterly right-of-way boundary of Highway U.S. 30 and traverses adjacent to and on the Westerly side of the Westerly boundary of the before described parcel.

CONTINUED 1



EXHIBIT A CONTINUED

SUBJECT TO a 10.0 foot wide easement for the use and maintenance of the existing irrigation ditch that lays along the easterly boundary of the described parcel.

ALSO SUBJECT TO a 25.0 foot wide access easement for the purpose of ingress and egress on, over and across the 25.0 foot wide strip of land, said easement being adjacent to and on the Northerly side of the Southerly boundary of the before described parcel.

AND

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the SE1/4 more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;

Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;

Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 1,280.73 feet to a point on an existing fence line and being the TRUE POINT OF BEGINNING;

Thence South 00°33'52" East along the existing fence line for a distance of 46.43 feet to a point on the arc of the Easterly right-of-way boundary of Highway U.S. 30;

Thence Northwesterly along the arc of the Easterly right-of-way boundary of Highway U.S. 30 for a distance of 552.01 feet to the point of curve to a spiral curve, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 12°50'12" West, 551.54 feet;

Thence along the arc of the spiral curve and parallel with the centerline of Highway U.S. 30 for a distance of 117.64 feet, said arc having a long chord bearing and distance of North 17°40'15" West, 117.84 feet;

Thence North 88°28'28" East for a distance of 167.20 feet;

Thence along the existing fence line on the following courses:

South 00°49'47" West, 160.83 feet;

South 11°54'00" West, 59.39 feet;

South 00°57'26" East, 85.00 feet;

South 00°45'18" East, 263.02 feet;

South 00°33'52" East, 41.15 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO an easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the Easterly right-of-way boundary of Highway U.S. 30 and being centered on the following described line:

COMMENCING at a point on the Easterly right-of-way boundary of Highway U.S. 30, said point being located North 00°15'36" West, 1,351.31 feet and North 89°44'24" East, 25.38 feet from the Southwest corner of the SE1/4SE1/4 of Section 2 and being the TRUE POINT OF BEGINNING;

CONTINUED 2



EXHIBIT A CONTINUED

Thence North 05°48'31" East for a distance of 13.10 feet;
Thence North 01°57'07" West for a distance of 269.12 feet;
Thence North 02°01'20" East for a distance of 127.90 feet;
Thence North 00°15'24" East for a distance of 113.58 feet;
Thence North 15°09'46" East for a distance of 27.33 feet;
Thence North 64°58'19" East for a distance of 19.10 feet more or less to the intersection with
the Westerly boundary of the before described parcel and being the terminus of said
easement.

Side lines of said easement shall be lengthened or shortened as needed to intersect the Highway
right-of-way and the Westerly boundary of the before described parcel.

169189

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

02 min. past 4 o'clock P m. this 16th

of January, 1997 1200

By Penny Watson Deputy

Order No. G-004265

COPY

QUIT CLAIM DEED

FOR VALUE RECEIVED

CRAIG J. LAUGHLIN, a single man

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

BARBARA J. HAUCK, a single woman; AND FRANK J. ERWIN AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF CARLOS MONTE HAUCK

GRANTEE(S)

Whose address is: P.O. Box 121, Hagerman, ID 83332

The following ~~described~~ premises, to-wit:

Eleven (11) inches of water from Idaho Department of Water Resources Permit No. 36-00051D from the John Bell ditch currently owned by Craig J. Laughlin.

However, it is understood that the Idaho Department of Water Resources has recommended that only five (5) inches of water be attached to this property. The final amount of water to be owned by Barbara J. Hauck and the Estate of Carlos Monte Hauck will be determined by the Water Adjudication Court.

Said water is attached to the property described on the attached EXHIBIT A.

169177

Together with their appurtenances.

Dated: **January 3, 1997**

Craig J. Laughlin
Craig J. Laughlin

STATE OF IDAHO COUNTY OF GOODING **FIRST AMERICAN TITLE**

Filed for record at the request of 57 min. past 4 o'clock P m. this 3rd

of January, 19 97 1200

By Penny Watson Deputy

State of IDAHO }
 } ss.
County of Gooding }

On this 3rd day of January, in the year 1997, before me, Susan M. Bolton, personally appeared Craig J. Laughlin, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton
Notary Public
Residing At: Gooding, ID
Commission Expires: 10/16/98





EXHIBIT "A"

PARCEL I

Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the E1/2SE1/4, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;

Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;

Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 946.88 feet to the center of an irrigation ditch and being the TRUE POINT OF BEGINNING;

Thence along the center of the irrigation ditch on the following courses:

South 11°44'08" East, 18.91 feet;

South 02°07'33" West, 141.60 feet;

South 02°36'53" East, 36.87 feet;

South 04°39'53" East, 11.19 feet to a point on a line that is parallel with and

208.0 feet South of the North boundary of the SE1/4SE1/4 of Section 2;

Thence leaving the center of the irrigation lateral and along the line that is parallel with and 208.0 feet South of the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of North 89°53'32" West for a distance of 313.18 feet to a point on the arc of a curve of the Easterly right-of-way boundary of Highway U.S. 30;

Thence Northwesterly along the arc of the curve left for a distance of 163.03 feet, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 07°32'36" West, 163.02 feet;

Thence along an existing fence line on the following courses:

North 00°33'52" West, 87.58 feet;

North 00°45'18" West, 161.61 feet;

Thence leaving the fence line and parallel with the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of South 89°53'32" East for a distance of 308.39 feet to a point in the center of an irrigation ditch;

Thence along the center of the irrigation ditch on the following courses:

South 04°24'37" West, 22.00 feet;

South 03°49'32" East, 57.65 feet;

South 11°55'36" East, 66.92 feet;

South 11°44'08" East, 59.10 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH An easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the Easterly right-of-way boundary of Highway U.S. 30 and traverses adjacent to and on the Westerly side of the Westerly boundary of the before described parcel.

CONTINUED 1



EXHIBIT A CONTINUED

SUBJECT TO a 10.0 foot wide easement for the use and maintenance of the existing irrigation ditch that lays along the easterly boundary of the described parcel.

ALSO SUBJECT TO a 25.0 foot wide access easement for the purpose of ingress and egress on, over and across the 25.0 foot wide strip of land, said easement being adjacent to and on the Northerly side of the Southerly boundary of the before described parcel.

AND

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the SE1/4 more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;

Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;

Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 1,280.73 feet to a point on an existing fence line and being the TRUE POINT OF BEGINNING;

Thence South 00°33'52" East along the existing fence line for a distance of 46.43 feet to a point on the arc of the Easterly right-of-way boundary of Highway U.S. 30;

Thence Northwesterly along the arc of the Easterly right-of-way boundary of Highway U.S. 30 for a distance of 552.01 feet to the point of curve to a spiral curve, said arc having a radius of 3,869.72 feet and a long chord bearing and distance of North 12°50'12" West, 551.54 feet;

Thence along the arc of the spiral curve and parallel with the centerline of Highway U.S. 30 for a distance of 117.64 feet, said arc having a long chord bearing and distance of North 17°40'15" West, 117.84 feet;

Thence North 88°28'28" East for a distance of 167.20 feet;

Thence along the existing fence line on the following courses:

South 00°49'47" West, 160.83 feet;

South 11°54'00" West, 59.39 feet;

South 00°57'26" East, 85.00 feet;

South 00°45'18" East, 263.02 feet;

South 00°33'52" East, 41.15 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO an easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the Easterly right-of-way boundary of Highway U.S. 30 and being centered on the following described line:

COMMENCING at a point on the Easterly right-of-way boundary of Highway U.S. 30, said point being located North 00°15'36" West, 1,351.31 feet and North 89°44'24" East, 25.38 feet from the Southwest corner of the SE1/4SE1/4 of Section 2 and being the TRUE POINT OF BEGINNING;

CONTINUED 2



EXHIBIT A CONTINUED

Thence North $05^{\circ}48'31''$ East for a distance of 13.10 feet;
Thence North $01^{\circ}57'07''$ West for a distance of 269.12 feet;
Thence North $02^{\circ}01'20''$ East for a distance of 127.90 feet;
Thence North $00^{\circ}15'24''$ East for a distance of 113.58 feet;
Thence North $15^{\circ}09'46''$ East for a distance of 27.33 feet;
Thence North $64^{\circ}58'19''$ East for a distance of 19.10 feet more or less to the intersection with
the Westerly boundary of the before described parcel and being the terminus of said
easement.

Side lines of said easement shall be lengthened or shortened as needed to intersect the Highway
right-of-way and the Westerly boundary of the before described parcel.

Order No. G-004265

WARRANTY DEED

COPY

For Value Received

CRAIG J. LAUGHLIN, A SINGLE MAN

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

BARBARA

BARBARA J. HAUCK, A SINGLE WOMAN AND FRANK C. ERWIN, PERSONAL REPRESENTATIVE OF THE ESTATE OF CARLOS MONTE HAUCK, DECEASED

the grantee(s), whose current address is:

P.O. Box 638, Hagerman, ID 83332

the following described real estate, situated in **GOODING** County, Idaho, to-wit:

See **EXHIBIT A** attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 01/03/97

Craig J. Laughlin
Craig J. Laughlin

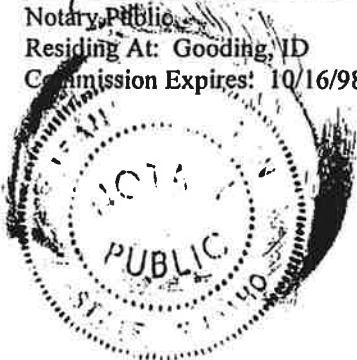
State of IDAHO }
 } ss.
County of Gooding }

On this 3rd day of January, in the year 1997, before me, Susan M. Bolton personally appeared Craig J. Laughlin, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton

Notary Public
Residing At: Gooding, ID
Commission Expires: 10/16/98



169190

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE
03 min. past 4 o'clock P m. this 10th
of January, 19 97 9:00
By Penny Watson Deputy

PARCEL II

Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the E1/2SE1/4, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;
Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;
Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 946.88 feet to the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
 North 11°44'08" West, 59.10 feet;
 North 11°55'36" West, 66.92 feet;
 North 03°49'32" West, 57.65 feet;
 North 04°24'37" East, 22.00 feet to the TRUE POINT OF BEGINNING;
Thence leaving the center of the irrigation ditch and parallel with the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of North 89°53'32" West for a distance of 308.39 feet to a point on an existing fence line;
Thence along the existing fence line on the following courses:
 North 00°45'18" West, 101.41 feet;
 North 00°57'26" West, 85.00 feet;
 North 11°54'00" East, 59.39 feet;
 North 00°49'47" East, 133.01 feet;
 North 88°01'19" East, 184.09 feet;
 North 87°58'47" East, 181.98 feet to a point in the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
 South 10°25'15" West, 46.71 feet;
 South 02°43'41" West, 85.10 feet;
 South 08°34'06" West, 67.08 feet;
 South 13°31'19" West, 66.23 feet;

CONTINUED 3



EXHIBIT A CONTINUED

South 20°44'43" West, 60.61 feet;

South 11°15'34" West, 32.11 feet;

South 04°24'37" West, 41.12 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH an easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the easterly right-of-way boundary of highway U.S. 30 and traverses adjacent to and on the Westerly side of the Westerly boundary of the before described parcel.

SUBJECT TO a 10.0 foot wide easement for the use and maintenance of the existing irrigation ditch that lays along the Easterly boundary of the described parcel.

Order No. G-004265

QUIT CLAIM DEED

FOR VALUE RECEIVED

CRAIG J. LAUGHLIN, a single man

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

BARBARA J. HAUCK, a single woman; AND FRANK J. ERWIN AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF CARLOS MONTE HAUCK

GRANTEE(S)

Whose address is: P.O. Box 121, Hagerman, ID 83332

The following described premises, to-wit:

Nine (9) inches of water from Idaho Department of Water Resources Permit No. 36-00051D from the John Bell ditch currently owned by Craig J. Laughlin.

However, it is understood that the Idaho Department of Water Resources has recommended that only four and one-half (4 1/2) inches of water be attached to this property. The final amount of water to be owned by Barbara J. Hauck and the Estate of Carlos Monte Hauck will be determined by the Water Adjudication Court.

Said water is attached to the property described on the attached EXHIBIT A.

169176

Together with their appurtenances.

Dated: **January 3, 1997**

Craig J. Laughlin
Craig J. Laughlin

STATE OF IDAHO COUNTY OF GOODING **FIRST AMERICAN TITLE**

Filed for record at the request of _____
of 56 min. past 4 o'clock P m. this 3rd
January 19 97 9:00
By Penny Watson Deputy

State of IDAHO }
 }ss.
County of Gooding }

On this 3rd day of January, in the year 1997, before me, Susan M. Bolton, personally appeared Craig J. Laughlin, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton
Notary Public
Residing At: Gooding, ID
Commission Expires: 10-16-98





EXHIBIT A

PARCEL II

Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the E1/2SE1/4, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;
Thence North 00°06'13" West along the East boundary of the SE1/4 of Section 2 for a distance of 1,318.47 feet to the Northeast corner of the SE1/4SE1/4 of Section 2;
Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 946.88 feet to the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
 North 11°44'08" West, 59.10 feet;
 North 11°55'36" West, 66.92 feet;
 North 03°49'32" West, 57.65 feet;
 North 04°24'37" East, 22.00 feet to the TRUE POINT OF BEGINNING;
Thence leaving the center of the irrigation ditch and parallel with the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of North 89°53'32" West for a distance of 308.39 feet to a point on an existing fence line;
Thence along the existing fence line on the following courses;
 North 00°45'18" West, 101.41 feet;
 North 00°57'26" West, 85.00 feet;
 North 11°54'00" East, 59.39 feet;
 North 00°49'47" East, 133.01 feet;
 North 88°01'19" East, 184.09 feet;
 North 87°58'47" East, 181.98 feet to a point in the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
 South 10°25'15" West, 46.71 feet;
 South 02°43'41" West, 85.10 feet;
 South 08°34'06" West, 67.08 feet;
 South 13°31'19" West, 66.23 feet;

CONTINUED 3

EXHIBIT A CONTINUED

 South 20°44'43" West, 60.61 feet;
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 South 04°24'37" West, 41.12 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH an easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the easterly right-of-way boundary of highway U.S. 30 and traverses adjacent to and on the Westerly side of the Westerly boundary of the before described parcel.



SUBJECT TO a 10.0 foot wide easement for the use and maintenance of the existing irrigation ditch that lays along the Easterly boundary of the described parcel.

END 4

Order No. G-004265

COPY

QUIT CLAIM DEED

FOR VALUE RECEIVED

CRAIG J. LAUGHLIN, a single man

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

BARBARA J. HAUCK, a single woman; AND FRANK J. ERWIN AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF CARLOS MONTE HAUCK

GRANTEE(S)

Whose address is: P.O. Box 121, Hagerman, ID 83332

The following ~~described premises~~, to-wit:

Nine (9) inches of water from Idaho Department of Water Resources Permit No. 36-00051D from the John Bell ditch currently owned by Craig J. Laughlin.

However, it is understood that the Idaho Department of Water Resources has recommended that only four and one-half (4 1/2) inches of water be attached to this property. The final amount of water to be owned by Barbara J. Hauck and the Estate of Carlos Monte Hauck will be determined by the Water Adjudication Court.

Said water is attached to the property described on the attached EXHIBIT A.

169176

Together with their appurtenances.

Dated: January 3, 1997

Craig J. Laughlin
Craig J. Laughlin

STATE OF IDAHO COUNTY OF GOODING FIRST AMERICAN TITLE

Filed for record at the request of
56 min. past 4 o'clock P.m. this 3rd
of January 19 97 9:00
By Penny Watson Deputy

State of IDAHO }
 } ss.
County of Gooding }

On this 3rd day of January, in the year 1997, before me, Susan M. Bolton, personally appeared Craig J. Laughlin, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton

Notary Public
Residing At: Gooding, ID

Commission Expires: 10-16-98





EXHIBIT A

PARCEL II

Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 2: A parcel of land located in the E1/2SE1/4, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 2;
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Thence North 89°53'32" West along the North boundary of the SE1/4SE1/4 of Section 2 for a distance of 946.88 feet to the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
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 North 11°55'36" West, 66.92 feet;
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 North 04°24'37" East, 22.00 feet to the TRUE POINT OF BEGINNING;
Thence leaving the center of the irrigation ditch and parallel with the North boundary of the SE1/4SE1/4 of Section 2 on a bearing of North 89°53'32" West for a distance of 308.39 feet to a point on an existing fence line;
Thence along the existing fence line on the following courses:
 North 00°45'18" West, 101.41 feet;
 North 00°57'26" West, 85.00 feet;
 North 11°54'00" East, 59.39 feet;
 North 00°49'47" East, 133.01 feet;
 North 88°01'19" East, 184.09 feet;
 North 87°58'47" East, 181.98 feet to a point in the center of an irrigation ditch;
Thence along the center of the irrigation ditch on the following courses:
 South 10°25'15" West, 46.71 feet;
 South 02°43'41" West, 85.10 feet;
 South 08°34'06" West, 67.08 feet;
 South 13°31'19" West, 66.23 feet;

CONTINUED 3

EXHIBIT A CONTINUED

 South 20°44'43" West, 60.61 feet;
 South 11°15'34" West, 32.11 feet;
 South 04°24'37" West, 41.12 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH an easement for the purpose of ingress and egress, said easement being on, over and across an existing 15.0 foot wide access road that commences at the easterly right-of-way boundary of highway U.S. 30 and traverses adjacent to and on the Westerly side of the Westerly boundary of the before described parcel.



SUBJECT TO a 10.0 foot wide easement for the use and maintenance of the existing irrigation ditch that lays along the Easterly boundary of the described parcel.

END 4

1 **PERSONAL REPRESENTATIVE'S DEED**

2 THIS DEED, made by FRANK C. ERWIN, as personal representative of the
3 Estate of Carlos Monte Hauck, deceased, Grantor, to CRAIG J. LAUGHLIN, a single man,
4 whose address is P.O. Box 121, Hagerman, ID 83332, Grantee;

5 WHEREAS, Grantor is the qualified personal representative of said estate, filed
6 as Probate Number SP 96-119, in Gooding County, Idaho;

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

9 See Exhibit "A" attached hereto and by this reference made a part hereof.
10 with all appurtenances.

11 EXECUTED this 3rd day of January, 1997.

12 Frank C. Erwin P.R.
13 FRANK C. ERWIN
14 Personal Representative of the
15 Estate of Carlos Monte Hauck, deceased.

16 STATE OF IDAHO)
17) ss.
18 County of Gooding)

19 On this 3rd day of January, 1997, before me, the undersigned, a notary
20 public in and for said county and state, personally appeared FRANK C. ERWIN, known to
21 me to be the person whose name is subscribed to the foregoing instrument as personal
22 representative and acknowledged to me that he executed the same as personal
23 representative.

24 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
25 seal, the same day and year in this certificate first above written.

26 Doreen M. Belt
27 NOTARY PUBLIC FOR IDAHO
28 Residing at: Gooding, ID
29 My Commission Expires: 10-16-98

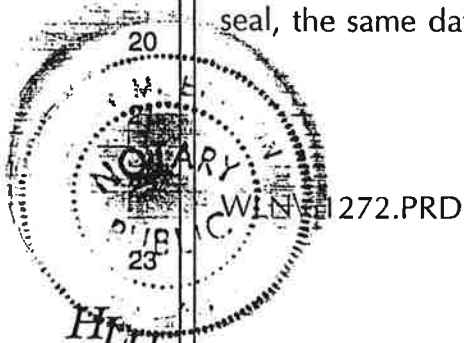


EXHIBIT "A"

PARCEL I

The North 257.56 feet of Block A-104, also known as Tracts A-117 and A-118 of Block A-104 of HAGERMAN TOWNSITE, Gooding County, Idaho, according to the plat thereof, recorded in the Office of the County Recorder of said County.

PARCEL II

That part of Block A-104 known as Tracts A-119 and A-120 of HAGERMAN TOWNSITE, Gooding County, Idaho, according to the plat thereof, recorded in the Office of the County Recorder of said County, described as follows:

BEGINNING at the Southwest corner of said Block A-104;
Thence North along the West line of Block A-104 for 128.78 feet to the TRUE POINT OF BEGINNING;
Thence North along the West line of Block A-104 for 257.56 feet;
Thence East parallel with the South line of Block A-104 for 328.3 feet to the East line of Block A-104;
Thence South 257.56 feet;
Thence West 328.3 feet, more or less, to the TRUE POINT OF BEGINNING.

TOGETHER with 8 shares of Hagerman Water Users Association water.



169188

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

01 min. past 4 o'clock P m. this 6th
of January, 19 97. \$ 6.00
By Penny Watson Deputy

H^cL^cH
Chartered

Hepworth,
Lezamiz &
Hohnhorst

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
 Adjudication Claim No(s).: A36-00051D A36-07089

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant CRAIG J. OR Rita D Laughlin
P.O. Box 121

4. New Owner/Claimant(s) CRAIG J. Laughlin
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO Box 121
 City, State and ZIP Code TWIN FALLS HAGERMAN ID
 New Telephone Number () SAME

5. Date you acquired the property CHANGE IN MARITAL STATUS

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Craig J. Laughlin
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

- Recd by SEC 12/18/97
- Data Entry 2/2/98

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-00051D

Date Received: 8/16/1988

Receipt No: 500 1464

Received By: AD~

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

1. Name: CRAIG J. LAUGHLIN 208-837-4863
Address: P.O. BOX 121
HAGERMAN, ID 83332

AND/OR

Name: RITA D. LAUGHLIN 208-837-4863
Address: P.O. BOX 121
HAGERMAN, ID 83332

2. Date of Priority: JUN 26, 1881

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

4. Point of Diversion:

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

5. Description of diverting works:
VIA JOHN BELL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	2	NE	SE		IRR	12.0
			SE	SE		IRR	3.0
Section Acres							15.0
Total Acres							15.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A36-07089

14. Remarks:

THIS IS A PORTION OF THE JOHN GLAUNER RIGHT WHO OWNED THE
PROPERTY BEFORE THE CLAIMANT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

NEW INTERNATIONAL MORTGAGE BAN
Decree Plaintiff

vs

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

Number of attachments: 1

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): x Craig J. Laughlin Date: Aug 16, 88

Date: _____

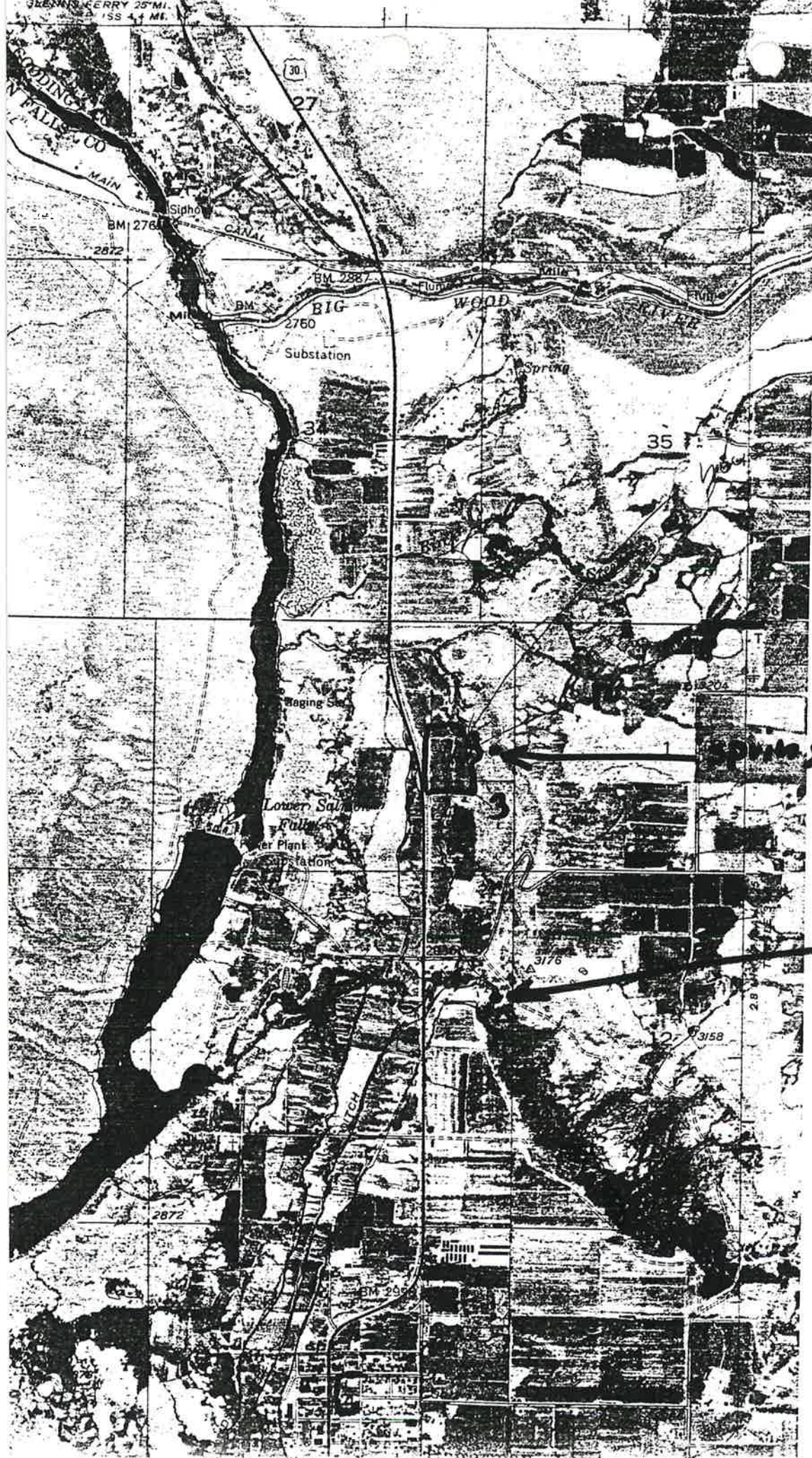
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of Aug 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94



POOR ORIGINAL

served by domestic water from springs

AXG-07089

P/D
Billingsley CK.
AXG-000510

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OCT 11 1994

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

TOTAL RECORDS IN SELECTION FILE: 116

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OCT 11 1994

RECEIVED
FEB 10 1993
Department of Water Resources

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

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

* * * * *

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

Case No. 39576

12
13 The State of Idaho, ex rel.
14 R. Keith Higginson in his
15 official capacity as director
16 of the Idaho Department of
17 Water Resources,

NOTICE OF APPEARANCE

15
16
17
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23
Petitioner,

vs.

17 United States; State of Idaho;
18 and all claimants to the use
19 of water from the Snake River
20 Basin Water System,

21
22
23
Respondents.

* * * * *

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



Hepworth,
Nungester,
& Lezamiz

NOTICE OF APPEARANCE - 1

MICROFILMED
OCT 11 1994

1 Users, Inc. and its individual members:

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



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



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

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

12 DATED This 9 day of February, 1993.

13 HEPWORTH, NUNGESTER & LEZAMIZ

14
 15 By 
 16 PATRICK D. BROWN
 Attorneys for Respondents

17
 18 CERTIFICATE OF MAILING

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



Hepworth,
 Nungester,
 & Lezamiz

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 OCT 11 1994

1 February, 1993, to:

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

4 Clive Strong
5 Chief Natural Resources Division
Office of Attorney General
6 Statehouse
Room 210
Boise, Idaho 83720

7 David Shaw
8 Adjudications Bureau Chief
Department of Water Resources
1301 North Orchard
9 Boise, Idaho 83706

10 United States Department of Justice
Environment and Natural Resources Division
11 550 West Fort Street, Box 33
Boise, ID 83734

12
13 
14 Patrick D. Brown



Hepworth,
Nungester,
& Lezamiz

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OCT 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 1, 1993

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

Re: Notice of Appearance

Dear Mr. Brown:

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

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

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

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OCT 11 1994

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

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

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OCT 11 1994

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

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

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

MICROFILMED
OCT 11 1994

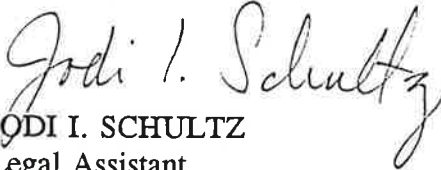
Mr. Patrick D. Brown
March 1, 1993
Page 4

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

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

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

Sincerely,


JODI I. SCHULTZ
Legal Assistant
Idaho Department of Water Resources

cc: IDWR Southern Region

MICROFILMED
OCT 11 1994

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

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-00051F

1999 FEB 26 AM 11:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: CRAIG LAUGHLIN
PO BOX 121
HAGERMAN, ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.31 CFS

PRIORITY DATE: 06/26/1881

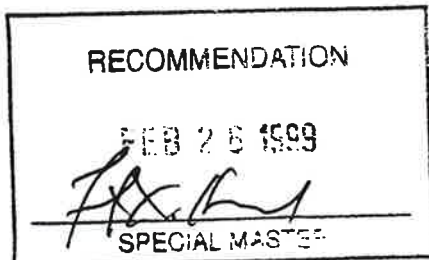
POINT OF DIVERSION: T07S R13E S11 NESENE Within Gooding County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	02-15 TO 11-30	0.31 CFS

PLACE OF USE:	Irrigation	Within Gooding County
	T07S R13E S02	SESE 2.0
	6.0 Acres Total	

RULE 54(b) CERTIFICATE

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



Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

SOUTH
S.C.C.

1979 FEB 26 AM 11: 43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

In Re SRBA
Case No. 39576

Water Right(s): 36-00051D
36-00051F 36-00051G 36-00051H

PAGE 1
02/26/99

1999 FEB 26 AM 11: 43
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED _____

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

In Re SRBA	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION
Case No. 39576	)	
	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS 36-00051D,
	)	36-00051F, 36-00051G, and 36-00051H

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to water right 36-00051D were resolved by stipulation of the parties with a *Standard Form 5* which resulted in splitting the water right into F, G and H portions. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

As to season of use, IDWR has informed the court that it intends to recommend February 15 through November 30 as the season of use in the Hagerman Valley in a forthcoming Director's Report. All parties, including the claimants, will be able to object to that recommendation when the Director's Report is filed. Until that time, the court will recommend February 15 through November 30 for the irrigation use in these water rights, with the understanding that the season of use for the irrigation claims is not final.

MAIL



II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that water right 36-00051D not be confirmed in any partial or final decree. IT IS FURTHER RECOMMENDED that water rights 36-00051F, 36-00051G, and 36-00051H be decreed with the elements as set forth in the attached *Partial Decrees*.

DATED: February 26, 1999.

A handwritten signature in black ink, appearing to read "A. L.", is written over a horizontal line.

Special Master

Snake River Basin Adjudication

1999 FEB 26 AM 11: 44

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-00051D
36-00051F 36-00051G 36-00051H

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 26, 1999, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

CRAIG J. LAUGHLIN
CRAIG LAUGHLIN
PO BOX 121
HAGERMAN, ID 83332

CERTIFICATE OF MAILING

PAGE 1
02/26/99

CARMEN ZABALA
IGNACIO ZABALA
PO BOX 262
HAGERMAN, ID 83332

LAMAR LOVELAND
RAIDA LOVELAND
100 N 250 E
RUPERT, ID 83350


TERI HRANAC
Deputy Clerk

RECEIVED

MAR 02 1999

Department of Water Resources

RECEIVED

MAR 08 1999

Department of Water Resources
Southern Region

South
DJ
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

1999 FEB 26 AM 11:43

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 36-00051D
36-00051F 36-00051G 36-00051H

On February 26, 1999, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED February 26, 1999.


TERI HRANAC
Deputy Clerk

1999 FEB 26 AM 11: 43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION
Case No. 39576	)	
	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS 36-00051D,
	)	36-00051F, 36-00051G, and 36-00051H

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All objections to water right 36-00051D were resolved by stipulation of the parties with a *Standard Form 5* which resulted in splitting the water right into F, G and H portions. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

As to season of use, IDWR has informed the court that it intends to recommend February 15 through November 30 as the season of use in the Hagerman Valley in a forthcoming Director's Report. All parties, including the claimants, will be able to object to that recommendation when the Director's Report is filed. Until that time, the court will recommend February 15 through November 30 for the irrigation use in these water rights, with the understanding that the season of use for the irrigation claims is not final.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that water right 36-00051D not be confirmed in any partial or final decree. IT IS FURTHER RECOMMENDED that water rights 36-00051F, 36-00051G, and 36-00051H be decreed with the elements as set forth in the attached *Partial Decrees*.

DATED: February 26, 1999.

A handwritten signature in dark ink, appearing to be "A. H.", is written over a horizontal line.

Special Master

Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-00051F

1999 FEB 26 AM 11:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: CRAIG LAUGHLIN
PO BOX 121
HAGERMAN, ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.31 CFS

PRIORITY DATE: 06/26/1881

POINT OF DIVERSION: T07S R13E S11 NESENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.31 CFS

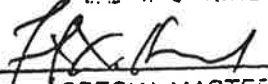
PLACE OF USE:	Irrigation		Within Gooding County
	T07S R13E S02	NESE 4.0	SESE 2.0
	6.0 Acres Total		

RULE 54(b) CERTIFICATE

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RECOMMENDATION

FEB 26 1999


SPECIAL MASTER

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-00051G

1999 FEB 26 AM 11: 43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: CARMEN ZABALA
IGNACIO ZABALA
PO BOX 262
HAGERMAN, ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.14 CFS

PRIORITY DATE: 06/26/1881

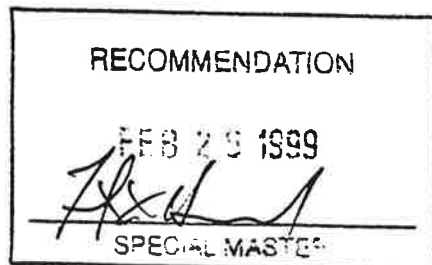
POINT OF DIVERSION: T07S R13E S11 NESENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.14 CFS

PLACE OF USE:	Irrigation		Within Gooding County
	T07S R13E S02	NESE 2.0 NWSE 1.3	SESE 1.0
	4.3 Acres Total		

RULE 54(b) CERTIFICATE

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Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-00051H

1999 FEB 26 AM 11:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: LAMAR LOVELAND
RAIDA LOVELAND
100 N 250 E
RUPERT, ID 83350

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.11 CFS

PRIORITY DATE: 06/26/1881

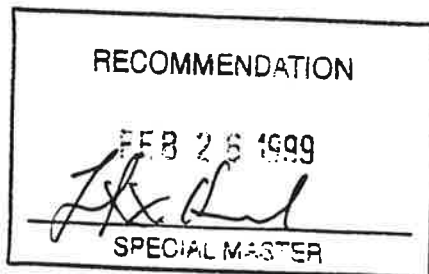
POINT OF DIVERSION: T07S R13E S11 NESENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.11 CFS

PLACE OF USE: Irrigation Within Gooding County
T07S R13E S02 NESE 3.0
3.0 Acres Total

RULE 54(b) CERTIFICATE

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Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

1999 FEB 26 AM 11: 44

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-00051D
36-00051F 36-00051G 36-00051H

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 26, 1999, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

CRAIG J. LAUGHLIN
CRAIG LAUGHLIN
PO BOX 121
HAGERMAN, ID 83332

CERTIFICATE OF MAILING

PAGE 1
02/26/99

RECEIVED
APR 14 1993
Department of Water Resources

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

In Re SRBA

Case No. 39576

Subcase 36-00051F

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Craig J. Laughlin 4/10/98
Objector/Claimant date

Robert Brown 4-8-98
IDWR Concurrence date

Objector/Claimant date

Mike Spencer 4-8-98
Attorney for IDWR date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAR-25-1998

PAGE: A-1

GHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

GHT NUMBER: 36-00051F

NAME AND ADDRESS: CRAIG J LAUGHLIN
PO BOX 121
HAGERMAN ID 83332SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVERQUANTITY: 0.31 CFSPRIORITY DATE: 06/26/1881POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	<u>IRRIGATION</u>	<u>Irrigation Season</u>	<u>0.31</u> <u>CFS</u>

PLACE OF USE:	<u>IRRIGATION</u>	<u>Within GOODING County</u>
	<u>T07S R13E S02</u>	<u>NESE 4</u> <u>SESE 2</u>
	<u>6 ACRES TOTAL</u>	

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREEWATER IS DELIVERED THROUGH JOHN BELL DITCH.*RB**CSL*
NRS

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on April 15, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Craig J. Laughlin
P.O. Box 121
Hagerman, ID 83332



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/20/98
PAGE: 1

POU County: GOODING

Other Rights: 36-07089

Remarks: EXP WATER IS DELIVERED THROUGH JOHN BELL DITCH.

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number: 36A

Field Inspection Flag:
Presumption Flag:

MEMO

TO: A36-00051F SRBA FILE
FROM: STEVE CLELLAND
DATE: March 24, 1998

RE: USE OF WATER RIGHT ABOVE JOHN BELL DITCH

=====

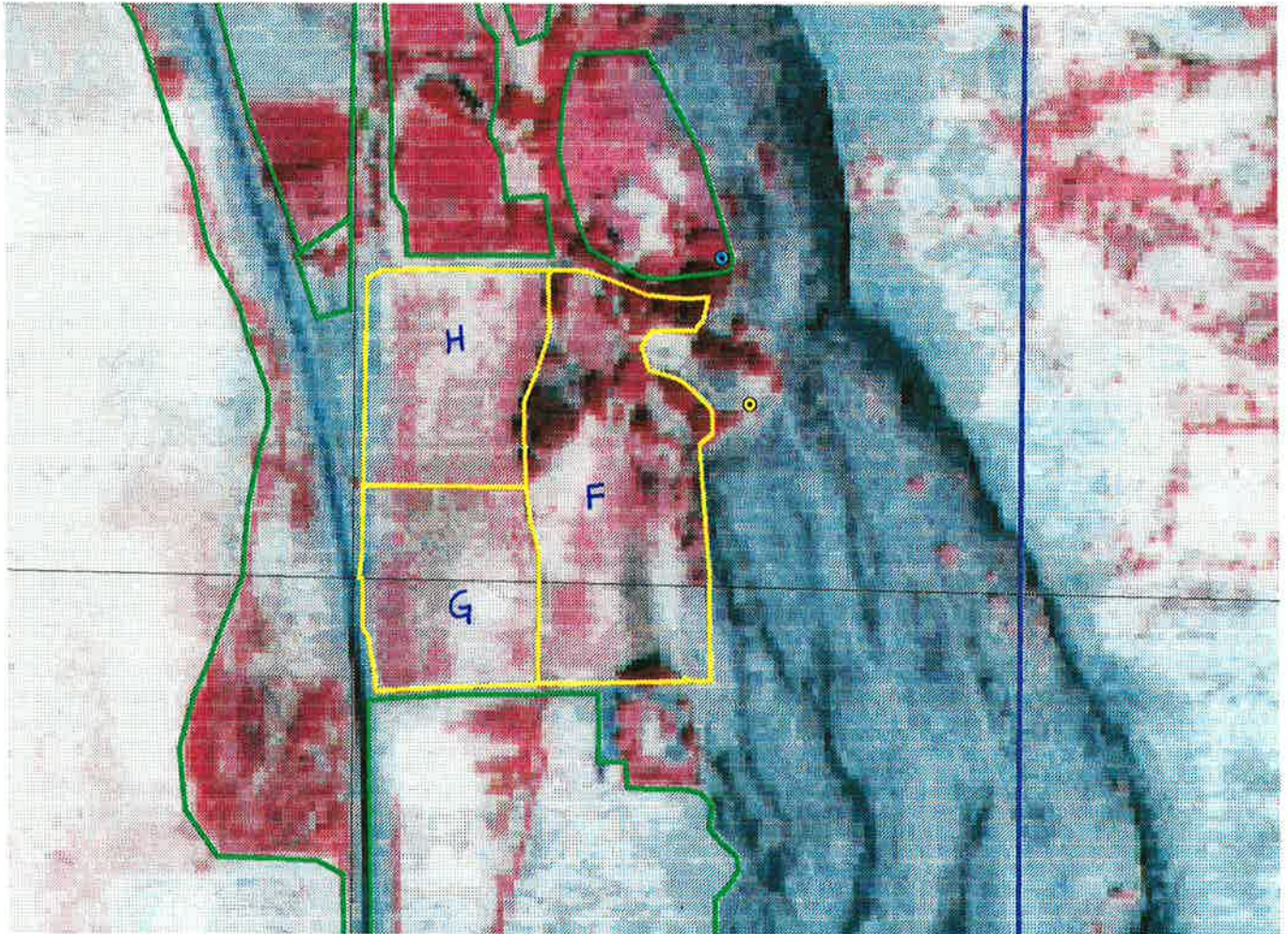
Craig Laughlin met with me on 3-20-98 at 11:00 am to provide some supporting evidence of the use of this water and water right above the John Bell Ditch as claimed. He brought statements from Glauner, Gossi and Zabala which describe use of the water above the ditch. He provided his own statement and included a letter from Harry LeMoyne which documents the common practice of the John Bell Ditch users to use water above the ditch.

My own observations found remnants of a ditch along the east side that could have been used to irrigate the upper lands. I also reviewed the USGS topo map AA69 for contour lines of the fields. It is possible the ditch flowed across the farms as stated in the affidavits to irrigate above the ditch.

Recommend this right be allowed at the 0.31 cfs rate on 6 acres as found by GIS. Flow rate based on MAD analysis of 0.052 cfs/acre.

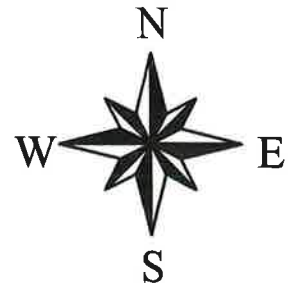
IDAHO DEPARTMENT OF WATER RESOURCES

**36-00051D & 36-07089
(with splits shown)**



660 0 660 Feet

**TNS 7S, RNG 13E
SEC 02, NESE & SESE**



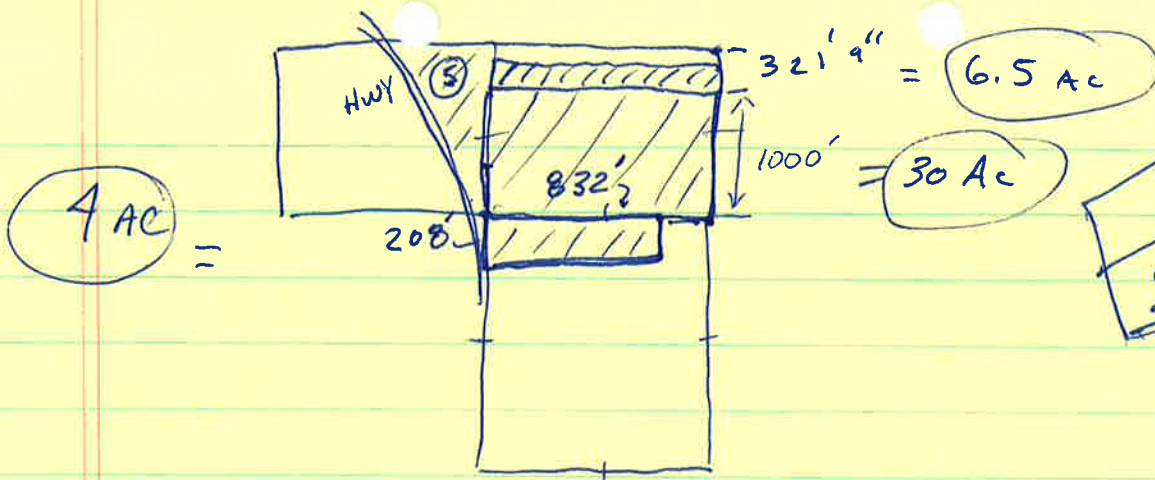
⊙ **Recommended Point of Diversion**

 **RECOMMENDED Place of use**

 **Section lines**

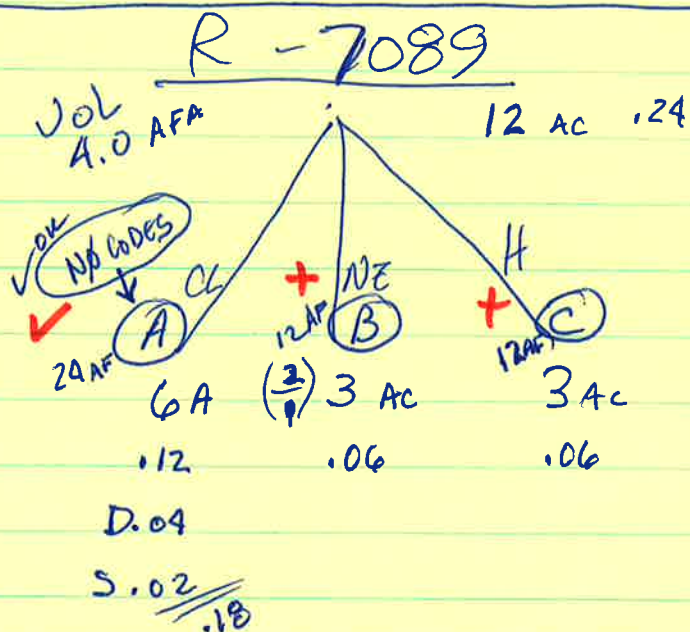
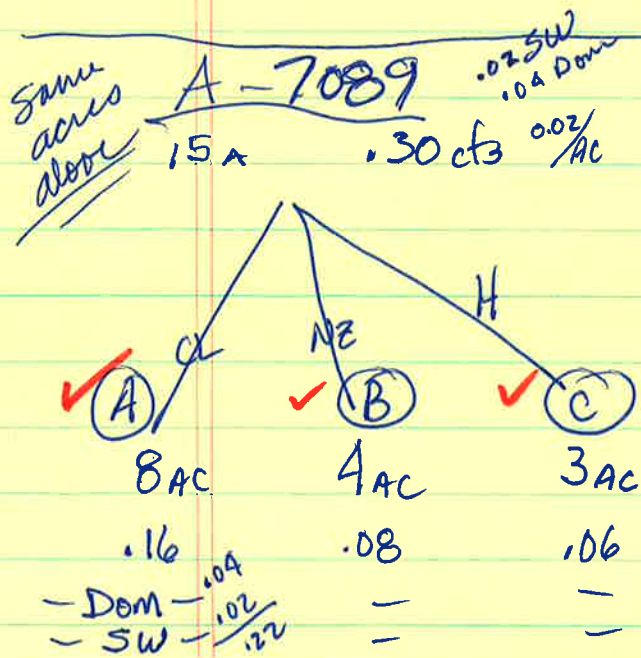
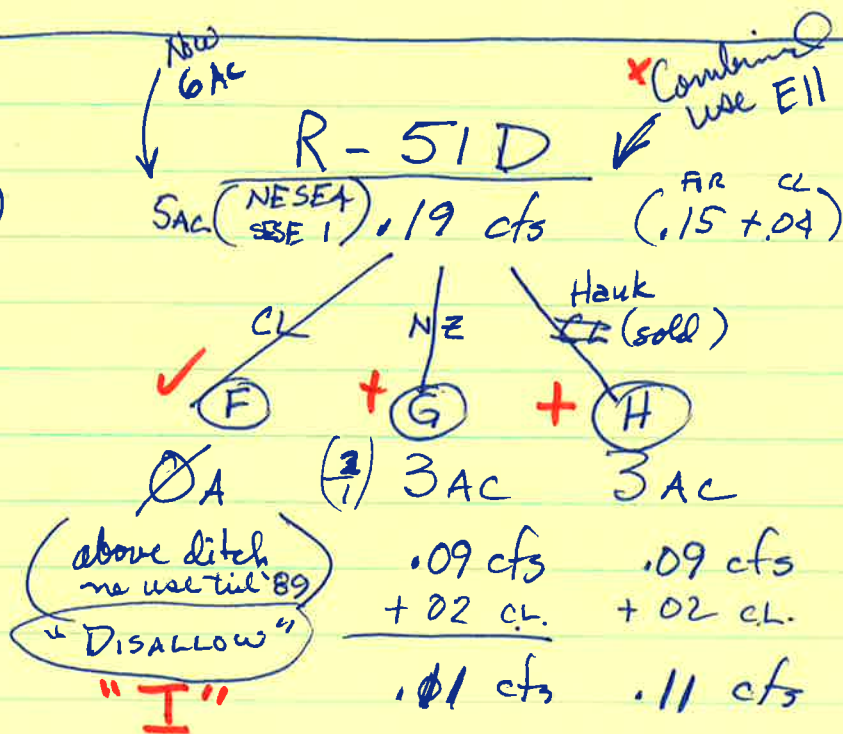
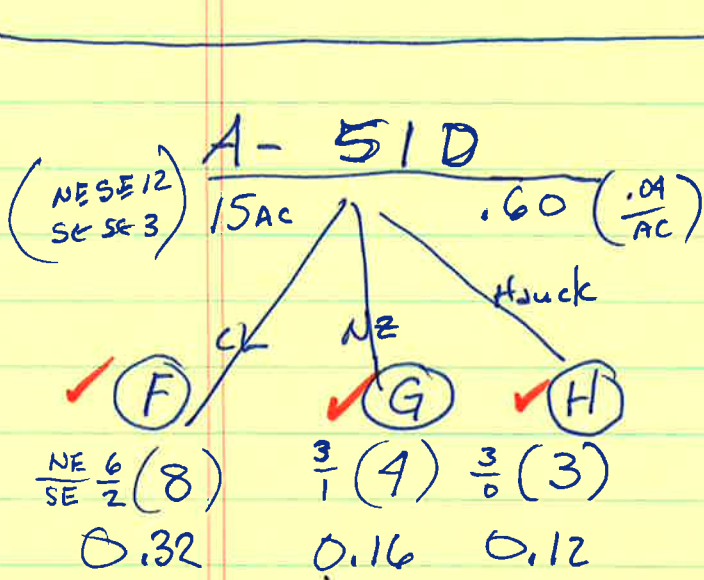
 **Quarter/Quarter Lines**

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATE: JANUARY 23, 1998
BY: STEVE CLELLAND



SID 7089
SPLIT NOTES
see
2/2/98

Deer POU ~~51~~ 1.2 cfs 45.5 Ac = .026 cfs / Ac



IN THE MATTER OF:

Water Right 36-00051

State of Idaho

County of _____

AFFIDAVIT

Frank Glauner

being first duly sworn,

deposes and says:

The Glauner Family owned the property,
presently owned by Craig Laughlin, from 1909 to 1947.
Water was brought across the top of the Glauner
place by a ditch that came from the Justice
Place. The Justice Place is the first place south
of the property in question (which now belongs to
Craig Laughlin and formerly, Glauvers). This ditch
runs north and south and lies east of the John
Bell Ditch. Water from this ditch was used by the
Glauvers to grow melons, hay and pasture for livestock.
In 1947 Frank Glauner sold this property to Ivan
Dunham. Glauvers know that Ivan installed a pipe
to help deliver water to the land above the ditch but
are not sure where the pipe was installed. Ivan has
since deceased therefore we can not obtain
his statement.

Frank & Ivan Glauner
(signature)

Subscribed and sworn to before me this 18 day of Mar

1978

(notary public)

Residing at _____

My commission expires _____

IN THE MATTER OF:

Water Right 36-00051

State of Idaho

County of _____

AFFIDAVIT

Phil Gossi

being first duly sworn,

deposes and says: I know that Dave Nicholson surface irrigated the property now owned by Craig Haughlin until 1971. At this time, he added sprinkler irrigation. From 1971 until his death (about 1982), Dave used both surface and sprinkler irrigation above and below the ditch. After his death I continued to surface and sprinkle irrigate the land above and below the ditch. I used this land as pasture for livestock until 1986, when Craig Haughlin bought the property.

Phillip Gossi 3-19-98
(signature)

Subscribed and sworn to before me this _____ day of _____ 19 _____

(notary public)

Residing at _____

My commission expires _____

IN THE MATTER OF:

Water Right 36-00051

State of Idaho

County of _____

AFFIDAVIT

Nick Zabala

being first duly sworn,

deposes and says:

I, Nick Zabala, owned the land south
of the property presently owned by Craig Laughlin
and previously owned by John Glauner. I filled in
a ditch which traversed the east side of my
property and ran from south to north. The ditch
carried water to my place and across to the
property north of my place (which now belongs to
Craig Laughlin).


(signature)

Subscribed and sworn to before me this _____ day of _____ 19 _____

(notary public)

Residing at _____

My commission expires _____

WATER RIGHT

Craig Laughlin

36-00051D AND 36-07089

HISTORY OF WATER RIGHT

When I purchased my property with water right 36-00051D and 36-07089, there was two watering practices in place, surface irrigation and sprinkler irrigation. At one time surface irrigation was the only watering method used. In about 1971 Dave Nicholson began using sprinkler irrigation with the surface irrigation.

When I purchased this property in April of 1986, Idaho was in a drought and the springs were on the decline. Plus, I feel that the fish propagation people, in the process of expanding their springs, have lowered the aquifer (I have a fish facility located just to the west of my place). I also feel that the Department of Water Resources has over-estimated and over-allocated the amount of water in our aquifer. All of these items have contributed to the change in my practices of irrigating my place. Also the construction of houses in old established water ways has forced relocation of ditches plus forced me to pump water to areas that once were gravity fed.

Harry Le Moynes

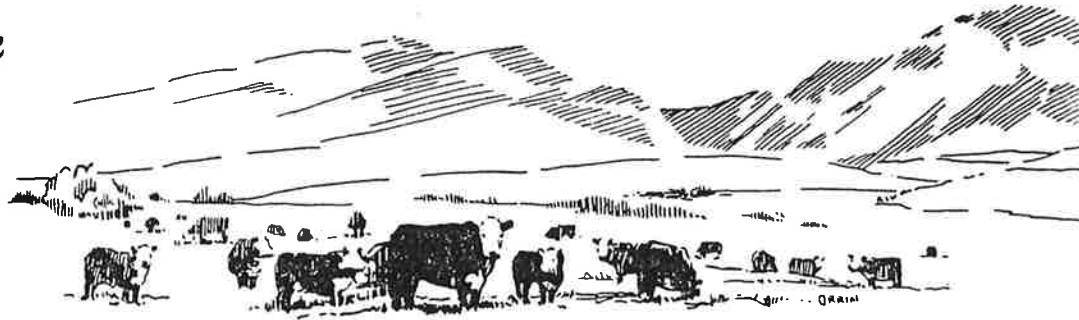
FARM MANAGEMENT CONSULTANT

1418 BLUE LAKES BLVD. NORTH

PHONE (208) 733-0874

TWIN FALLS, IDAHO

83301



May 13, 1996

Mr. Steve Clelland
Department of Water Resources
Twin Falls, Idaho

Dear Mr. Clelland:

Mr. Robert L. Harney of Twin Falls, Idaho has recently purchased a 14 acre parcel of land in Hagerman, Idaho that formerly belonged to Ignacio (Nick) Zabala. The owner prior to Mr. Zabala was Mr. John Kiser. Mr. Harney has retained me as an Accredited Land Consultant to help him with his water right problems. Mr. Harney has filed a change of ownership form with your office.

In futherance of Mr. Harney's claim, I am submitting a number of exhibits for your consideration. Exhibit No. 1 regards Water Right No. 36-00075. This was apparently submitted by Owen Simpson and the audit date shows May 20, 1985. The claim was for irrigation of 14 acres and under remarks it shows acres irrigated equals 14.2. The point of diversion is listed as being in the SE1/4 SE1/4 of Section 2, Township 7 South, Range 13 East. The record appears to show that on May 13, 1992 you declared the water right abandoned and forfeited.

Exhibit No. 2 is a letter to John Kiser dated 16 October 1992 signed by Kelly Christensen. I note that on Page 2 of this exhibit, which is dated August 24, 1992, John Kiser states that he was presently using the water for irrigation and wishes to have the record corrected. Also on the following page with is also listed as Page 2, the senior water agent, a Mr. Worstell, apparently noted that the stock water use by seven horses is incidental to your irrigation water use as there is no water in the John Bell ditch during the winter months for stock water. Apparently Mr. Worstell never visited this property during the winter months as the spring runs the year around and empties into the John Bell ditch and there is water all winter in the ditch which has historically been used for livestock.

Exhibit No. 3 is a copy of an aerial photo from the ASCS office in Gooding. One of the clerks in the Gooding office whose name is Jill informed me on May 13, 1996 that that aerial map was

flown in the summer of 1987. This map shows rather conclusively that the property was being cleared and irrigated at that point in time.

Mr. Harney and I interviewed Mr. John Kiser on May 12, 1996 and he told us that he put the present irrigation system in the spring of 1992 and that several people had leased that property prior to his acquisition. Consequently, Mr. Harney and I visited with Mr. Gene Swenson who lives approximately 3/4 mile north of the Harney property. Mr. Swenson stated to us that he rented the property from Mr. Simpson who was a former owner and that he irrigated this property by putting a pump in the ditch and pumping water on the 6 acres located east of the John Bell ditch. Mr. Swenson further stated that he did this in the late 1980s and probably 1987 and '88.

Mr. Harney and I further interviewed a Mr. Emmett Long. Mr. Long lives in Bliss, Idaho and he stated that he leased the property from a Mrs. Anderson who was a former owner and that he irrigated the property with sprinkler irrigation in the early 1980s. He did not cultivate the property at that time as he used it for pasture and he has been a cattle buyer and operator all of his life. He indicated there were other people who had probably leased the property at other times.

Exhibit No. 4 is 36-0071A. This water right claim has apparently been approved by Water Resources for a total diversion rate of .44 cfs or 22 inches of water for only 8 acres of irrigated land. Mr. Harney plans to run livestock on the 14 acres of land and is building a home on it at the present time. The water right of 22 inches is sufficient for the 8 acres but Mr. Harney would like you to reconsider the action on the spring water right as the evidence shows that land has historically been irrigated by water from the spring. The portions of the old pipeline are still lying adjacent to the southeast quarter of this property. The aerial map, Exhibit No. 3, plainly shows a tree line where the old water right was delivered to the southeast corner of the property and after the pipeline was abandoned because it was hard to maintain the water from the spring went on down to the John Bell ditch and the various lessees pumped water from the ditch back on the land. In other words, it is Mr. Harney's contention that this water right has never been abandoned and it should be appurtenant to the property. Thank you for your consideration of this matter.

Very truly yours,

Harry F. LeMoyne
Accredited Land Consultant

HFL:mlc
enclosures

pou ID 561

HAGERMAN

Surface Irrigation Diversion Rate Analysis Sheet
Based on Brochu Regression Equation

WR#'s 36-00051F

SOIL	SOIL AC.	% ROW	ROW AC.	FIR ROW	CFS ROW	% FOR.	FOR. AC.	FIR FOR.	CFS FOR.
KOB	0.90	20	0.18	0.035	0.006	80	0.72	0.026	0.019
394	4.91	20	0.98	0.079	0.077	80	3.93	0.050	0.197
TOTALS	5.81		1.16		0.083		4.65		0.216

Post-IT Fax Note	7671	Date	2/17/98	# of pages	3
To: Steve Clalland		From:	Jeff Peterson		
Co/Dept: Southern		Co:	State of OR		
Phone #		Phone #			
Fax #		Fax #			

REC.
FIR

0.31 *

CFS

=

SUM

0.299

CFS

X

6

REC. AC.

5.81

GIS AC.

DATE 2/17/98INIT. J

*ADD CONVEYANCE LOSS (IF APPLICABLE) FOR
TOTAL IRRIGATION DIVERSION REQUIREMENT

.052 cfs / AC

DIVERSION CAPACITY OF IIC / REC. AMOUNT MAY LIMIT

**IDAHO DEPARTMENT OF WATER RESOURCES
SURFACE IRRIGATION ANALYSIS WORKSHEET**

WATER RIGHT NOS.

36-00051 F

The following information is submitted to the Idaho Department of Water Resources to allow it to form an opinion regarding the amount of water needed to irrigate my fields using a surface water irrigation system.

My fields were historically irrigated using a surface water system: ☐ Yes ☐ No

My typical cropping pattern, based upon the percentage of my total acreage, is as follows:

FORAGE/GRAIN/OTHER (hay, pasture, grain, mint)

90 %

ROW CROPS (beans, potatoes, sugar beets, corn) melons

20 %

My total acreage is 6 acres.

Craig Laughlin
Signature of Claimant

2-13-98
Date

Signature of Claimant

Date

Shirley
Signature of IDWR agent

2/13/98
Date

1998 FEB -4 PM 2: 46

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-00051D

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Craig J Laughlin
Rita D Laughlin
PO Box 121
Hagerman ID 83332
Phone: 837-4863

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Craig J Laughlin
Rita D Laughlin
PO Box 121
Hagerman ID 83332
Phone: 837-4863

Ignacio Nick Zabala
Carmen Zabala
PO Box 262
Hagerman ID 83332
Phone: 837-6654

Barbara J Hauck
Estate of Carlos M Hauck
PO Box 638
Hagerman ID 83332

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 2/4/98


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-4, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Patrick D Brown
Hepworth Lezamiz & Hohnhorst
PO Box 389
Twin Falls ID 83303-0389
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Ignacio Nick Zabala
Carmen Zabala
PO Box 262
Hagerman ID 83332
Barbara J Hauck
Estate of Carlos M Hauck
PO Box 638
Hagerman ID 83332
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5859NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-4-1998
PAGE: A-1

RIGHT NUMBER:

36-00051D

SPLIT RIGHT: SEE RIGHT NOS. 36-00051F, 36-00051G AND 36-00051H.

AJ5857NP

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS/RIGHTS NOT RECOMMENDED

DATE: FEB-3-1998
PAGE: B-1

W.R. NUMBER

NAME & ADDRESS

CLAIM DISPOSITION

REASON

36-00051F LAUGHLIN, CRAIG J
LAUGHLIN, RITA D
PO BOX 121
HAGERMAN ID 83332

DISALLOWED

NO LAWFUL APPROPRIATION SHOWN.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-4-1998
PAGE: A-1

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00051G

NAME & ADDRESS: CARMEN ZABALA
IGNACIO NICK ZABALA
PO BOX 262
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.11 CFS

PRIORITY DATE: 06/26/1881

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.11 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S02 NESE 2 SESE 1
3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07089B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE
IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH THE JOHN BELL DITCH.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-4-1998

PAGE: A-2

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00051H

NAME & ADDRESS: BARBARA J HAUCK
ESTATE OF CARLOS M HAUCK
PO BOX 638
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.11 CFS

PRIORITY DATE: 06/26/1881

POINT OF DIVERSION: T07S R13E S11 NESENE

Within GOODING County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.11 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S02 NESE 3
3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07089C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE
IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH THE JOHN BELL DITCH.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

February 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CRAIG J LAUGHLIN
RITA D LAUGHLIN
PO BOX 121
HAGERMAN ID 83332

RE: SRBA Claim(s) 36-00051D and 36-07089

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Ignacio Nick and Carmen Zabala
Barbara Hauck

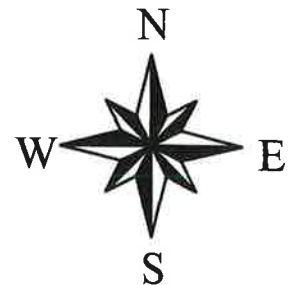
IDAHO DEPARTMENT OF WATER RESOURCES

36-00051D & 36-07089
(with splits shown)



660 0 660 Feet

TNS 7S, RNG 13E
SEC 02, NESE & SESE



⊙ **Recommended Point of Diversion**

 **RECOMMENDED Place of use**

 **Section lines**

 **Quarter/Quarter Lines**

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATE: JANUARY 23, 1998
BY: STEVE CLELLAND

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-00051D

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 28, 1998 9:35am

NAME:

CRAIG LAUGHLIN

CALLIN

RE:

STATUS OF RIGHT

I TOLD HIM I WILL PREPARE THE WRITE-UP TODAY ALONG WITH THE OTHER RIGHTS I HAVE RECENTLY EXAMINED. I TOLD HIM THE ACRES FOUND UNDER THE GIS PROGRAM AFTER MAKING THE CHANGES WE HAD DISCUSSED CAME OUT TO BE ABOUT 6 ACRES. HE THOUGHT THERE WAS MORE. HE WILL MAKE SOME MEASUREMENTS OF HIS OWN TO DETERMINE THE ACREAGE, HE DOESN'T BELIEVE THE GIS MAP IS ACCURATE. I ASKED HIM TO DOCUMENT HOW THE MEASUREMENTS WERE MADE SO IF WE RELIED UPON THOSE FIGURES FOR THE FINAL ACREAGE IT WOULD BE DOCUMENTED FOR THE FILE.

CLAIM: A36-00051D

laughlin

837-6103 (wk)

539 0403 (cell)

837-4863 (#)

DEPT. OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder **David P. Nicholson**

Post office address: Box 215, Hagerman, ID

Personnel contact

Phone

Phone

2. Source of water supply: Groundwater ☐ Surface water ☒ 2 small springs (approx. 200' apart)
Tributary to unnamed creek (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount .30 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use from **Apr. 1** to **Nov. 1**
(mo.-day) inclusive (mo.-day)

Amount .04 c.f.s. for domestic
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount .02 c.f.s. for stockwater (30 cows & calves)
AF/Annum (nature of use)

Period of Use from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Other uses

4. Total amount to be appropriated

Max Rate of Diversion 0.36 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion

Township	7S	N/S, Range	13E	E/W, B.M., Section	2	Subdivision	SE 1/4	SE 1/4	Gooding
Township		N/S, Range		E/W, B.M., Section		Subdivision	1/4	1/4	County
Township		N/S, Range		E/W, B.M., Section		Subdivision	1/4	1/4	County
Other Points of Diversions:									County

Other Points of Diversions:

Description of diverting works: 4" & 6" pipes to place of use.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **15**

A36-00051D

DATE OF EXAM Dec 6 - 1974

ACREAGE
Found 15
Recommended 15

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = .30 c.f.s. V = 6.0 AF/Ann. from April - 1 to Nov. - 1 ²¹⁴
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from Jan. - 1 to Dec. - 31
Livestock Q = .02 c.f.s. V = .7 AF/Ann. from Jan. - 1 to Dec. - 31

Is water co-mingled? yes ☒ no ☒

Name source:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County
Exchange? yes ☐ no ☒

Name source exchanged with:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of injection:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of exchange:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Total Q measured .82 c.f.s. Method of measurement Weir

Total Q recommended .36 c.f.s. Meter No. ☒ Type 90° V Condition good

Total V recommended 61.9 Ac Ft / Ann

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other ☒
None ☒

MEASUREMENT CALCULATION:

$Q = .82 \text{ c.f.s. (meas.)}$
 $\text{Total } Q = .36 \text{ c.f.s. Irr. } 15 \text{ Acre} + .04 \text{ Domestic} + .02 \text{ c.f.s. 30 Head Cattle.}$
 $\text{Total } V = 61.9 \text{ Ac Ft / Ann. } = (.36 \text{ c.f.s.} \times 15 \text{ Acre} \times 12 \text{ in.} \times 5280 \text{ ft} \times 12 \text{ in.}) + (.04 \text{ c.f.s.} \times 1 \text{ Acre} \times 12 \text{ in.} \times 5280 \text{ ft} \times 12 \text{ in.}) + (.02 \text{ c.f.s.} \times 30 \text{ Head} \times 12 \text{ in.} \times 5280 \text{ ft} \times 12 \text{ in.})$

SYSTEM DESCRIPTION:

Springs all divert into pipes used for Irrigation
and ext.
90° V-notched Weir. at inlet.

REMARKS:

Examiner's Signature

Sam Lundberg
Michael L. Steel

Date 12-6-74

Checked by

Date 1-28-75

Approved by

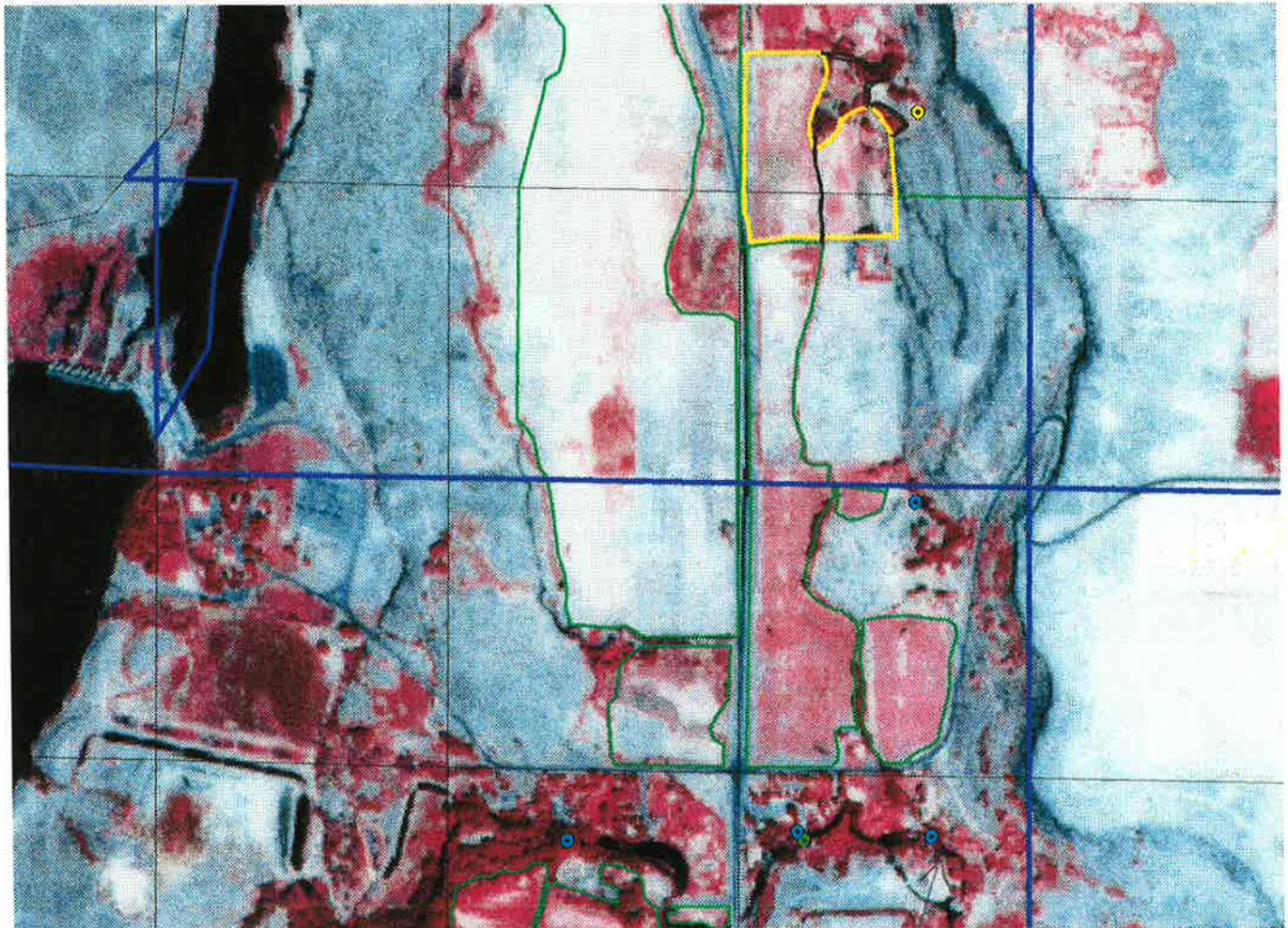
Date

IDAHO DEPARTMENT OF WATER RESOURCES

07089

36-00051D & 36-078089

CRAIG & RITA LAUGHLIN



660 0 660 1320 Feet

agreed to
add acres
based on correction
of GIS shape file.
Notes made at Exam
1/14/98 sc

TNS 7S, RNG 13E, SEC 2



● RECOMMENDED POINT OF DIVERSION



RECOMMENDED PLACE OF USE



SECTION LINES



QUARTER/QUARTER LINES

GIS revised
per Exam
1/23/98
sc

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 1997
BY JEANIE ROBERTSON

SUBCASE NO. 36-00051D

	CLAIM (8/16/88)	AMENDED CLAIM	RECOMMENDATION	OBJECTION
NAME	Craig & Rita Laughlin	N/A	Craig & Rita Laughlin	XX Craig only - delete Rita. Change of address.
BASIS OF CLAIM	Decree		Decree	
SOURCE	Billingsley Creek		Billingsley Creek	
QUANTITY	0.60 cfs		0.19 cfs	XX as decreed
PRIORITY DATE	6/26/1881		6/26/1881	
PURPOSE OF USE	Irrigation		Irrigation	XX add stockwater
PERIOD OF USE	3/15 - 11/15		3/15 - 11/15	XX requests year round
POINT OF DIVERSION	T07S R13E S11		T07S R13E S11	
PLACE OF USE	T07S R13E S2 15.0 acres		T07S R13E S2 5.0 acres	XX - requests 23.0 acres
remarks	"This is a portion of the John Glauner right who owned the property before the claimant."		"0.04 cfs of this right is limited to use for conveyance losses in delivery of this right. Use of this right with right no. 36-07089 is limited to a total combined annual consumptive use volume of 33.0 af. Water is delivered through the John Bell Ditch."	XX requests all remarks be struck except for last sentence.

CLAIM NUMBERS 36-07089 36-00051D DATE 10/9/97
 AGENT JR

TRANSFER NUMBER _____

OBJECTION FILED _____

TOTAL ACRES FROM RECOMMENDATION 11

GEOGRAPHIC INFO SYSTEM 10

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	07S	13E	2													8			3
GIS																7.39		3.08	10.47
																-1			12
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

revised Acres =

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

561/762/763

POLYGON CREATED ON 604 ()

ATTRIBUTES OF B36-POU.SHP (561)

B36-DBPOD.DBF

458 ✓ 36-00051D

ATTRIBUTES OF B36-POD.SHP (458)

NESENE-11

571 ✓ 36-07089

36-00051D

7 (John Bell Ditch)

36-07089 → (571) SENESE-2

1/23/98 ^{see} Revised GIS shape per 1/14/98 exam and split property per pending ownership resolution.

* no John Bell water → #561 = Laughlin POU = 6 AC
John Bell water only → #762 = {SOLD OFF} = 3 AC
used below the ditch → #763 = {ZABALA} = 3 AC

2/2/98 see

P/U CONFLICT yes () no (✓)

P/D CONFLICT yes () no (✓)

READY FOR DECREE yes (✓) no ()

SENT FOR DECREE yes () no ()



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

October 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FIRST AMERICAN TITLE CO
DENENE M DIXON
PO BOX 446
GOODING ID 83330

RE: CHANGE OF OWNERSHIP FORMS FOR SRBA CLAIM A36-00051D

Dear Ms. Dixon,

Enclosed you will find the change of ownership information you submitted to our office on January 24, 1997. I apologize for the late response in this matter and the file has only recently been forwarded to me for review.

After reviewing the documents submitted I am unable to complete this change in ownership at this time for following reasons:

1. The SRBA claim A36-00051D is recorded in the name of Craig J. and/or Rita D. Laughlin of Hagerman, ID. None of the deeds show any conveyance of property from the Laughlins to other parties. Without a deed from the Laughlins no ownership can be established by other persons for this right.

2. The ownership form states a map showing the properties involved is required when submitting a request for a change in ownership. This is especially important when a right is being split as appears to be the case with this claim.

If the persons named in these initial documents wish to continue to establish ownership of all or part of this right, please notify them and ask them to show the complete chain of title from Mr. & Mrs. Laughlin to the current owner(s). Also have them provide the appropriate maps to show the changes that have occurred with this property as described by the water right claim.

Thank you for your assistance in this matter, if you have further questions please contact our office as needed.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:



First American Title Company

P.O. BOX 446, 342 MAIN STREET, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

RECEIVED

JAN 24 1997

Department of Water Resources
Southern Region

January 23, 1997

Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Water Right #36-00051D

Dear Sir or Madame:

Enclosed please find two Notice of Change of Water Right Ownership forms along with a copy of the recorded Warranty Deed and Personal Representative's Deed reflecting the transfer.

Should you have any questions, please feel free to contact our office.

Thank you.

Sincerely,

FIRST AMERICAN TITLE CO.

DeNene M. Dixon
Escrow Officer

/dmd
Encl.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 36-00051D
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Craig J. Laughlin

4. New Owner/Claimant(s) Barbara J. Hauck and the Estate of Carlos Monte Hauck, deceased
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address _____
City, State and ZIP Code Hagerman, ID 83332
New Telephone Number (208) 837 - 6258
5. Date you acquired the property January 3, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 7.0 Number and type of stock 10-14 Cattle/calves
Diversion rate in CFS See OGD's Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Barbara J. Hauck Date January 22, 1997
Frank C. Erwin, PR Date January 22, 1997
Frank C. Erwin, PR of the Estate of Carlos Monte Hauck
(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

COPY

R E C E I V E D

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

JAN 24 1997 NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 36-00051D
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Barbara J. Hauck and the Estate of Carlos Monte Hauck

4. New Owner/Claimant(s) Ignacio Nick Zabala and Carmen Zabala
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address _____
City, State and ZIP Code Hagerman, ID 83332
New Telephone Number (208) 837 - 6654
5. Date you acquired the property January 22, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 4.0 Number and type of stock 6-8 cattle/calves
Diversion rate in CFS See QCD Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Ignacio Nick Zabala Date January 22, 1997
Carmen M. Zabala Date January 22, 1997
Carmen M. Zabala
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

COPY

42-248 and
Resources
with IDWR.
of a water right
file the needed

Order No. G970026

WARRANTY DEED

RECEIVED

JAN 24 1997

Department of Water Resources
Southern Region

For Value Received

BARBARA J. HAUCK, a single woman

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

IGNACIO NICK ZABALA AND CARMEN M. ZABALA, husband and wife

the grantee(s), whose current address is:

P. O. Box 262, Hagerman, ID 83332

the following described real estate, situated in **GOODING** County, Idaho, to-wit:

See **EXHIBIT A** attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 01/22/97

Barbara J. Hauck

Barbara J. Hauck

State of IDAHO

}
} ss.

County of Gooding

On this 22nd day of January, in the year 1997, before me, Susan M. Bolton, personally appeared Barbara J. Hauck, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton

Notary Public

Residing At: Gooding, ID

Commission Expires: 10/16/98



169360

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

42 min. past 3 o'clock P.m. this 22nd

of January, 19 97 12:00

By Penny Whitcox Deputy

COPY

Order No. G970026

RECEIVED

JAN 24 1997

QUIT CLAIM DEED

Department of Water Resources
Southern Region

FOR VALUE RECEIVED

BARBARA J. HAUCK, a single woman; AND FRANK J. ERWIN, PERSONAL REPRESENTATIVE OF THE ESTATE OF CARLOS MONTE HAUCK, DECEASED

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

IGNACIO NICK ZABALA AND CARMEN M. ZABALA, husband and wife

GRANTEE(S)

Whose address is: P.O. Box 262 Hagerman, Idaho 83332

The following, to-wit:

Eleven (11) inches of water from the Idaho Department of Water Resources Permit No. 36-00051D from the John Bell ditch currently owned by Barbara J. Hauck and Frank J. Erwin, Personal Representative of the Estate of Carlos Monte Hauck

However, it is understood that the Idaho Department of Water Resources has recommended that only five (5) inches of water be attached to this property. The final amount of water to be owned by Ignacio Nick Zabala and Carmen M. Zabala will be determined by the Water Adjudication Court.

Said water is attached to the property described on the attached EXHIBIT A.

Together with their appurtenances.

Dated: January 22, 1997


Barbara J. Hauck

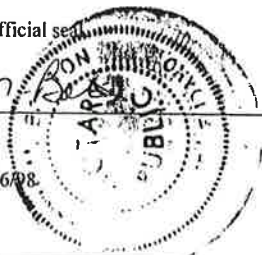

Frank C. Erwin, Personal Representative of
of the Estate of Carlos Monte Erwin

State of IDAHO }
County of Gooding } ss.

On this 22nd day of January, in the year 1997, before me, Susan M. Bolton, personally appeared Barbara J. Hauck, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal


Notary Public
Residing At: Gooding, Id
Commission Expires: 10/16/98



169362

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

44 min. past 3 o'clock P.m. this 22nd

of January, 1997 15.00

By Penny Watson Deputy

COPY

12-248 and

RECEIVED

JAN 24 1997

G9T0026

PERSONAL REPRESENTATIVE'S DEED Department of Water Resources
Southern Region

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THIS DEED, made by FRANK C. ERWIN, as personal representative of the
Estate of Carlos Monte Hauck, deceased, Grantor, to IGNACIO NICK ZABALA and
CARMEN M. ZABALA, husband and wife, whose address is P. O. Box 262, Hagerman
17876 U.S. Highway 30, Bldg,
ID 83332, Grantee;

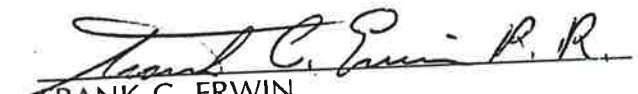
WHEREAS, Grantor is the qualified personal representative of said estate, filed
as Probate Number SP 96-119, in Gooding County, Idaho;

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

See Exhibit A attached hereto and by this reference made a part
hereof as though set forth fully herein.

with all appurtenances.

EXECUTED this 22nd day of January, 1997.


FRANK C. ERWIN
Personal Representative of the
Estate of Carlos Monte Hauck, deceased.

STATE OF IDAHO)
County of Gooding) ss.

On this 22nd day of January, 1997, before me, the undersigned,
a notary public in and for said county and state, personally appeared FRANK C. ERWIN,
known to me to be the person whose name is subscribed to the foregoing instrument as
personal representative and acknowledged to me that he executed the same as personal
representative.

COPY

H_LH
Chartered
Hepworth,
Lezamiz &
Hohnhorst

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 36-00051D

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

October 23, 1997 10:10am

NAME:

NICK ZABALA

CALLIN

RE:

WANTS TO KNOW ABOUT RIGHTS

HE WANTED TO KNOW WHAT IS GOING ON WITH HIS PORTION OF THE LAUGHLIN RIGHTS... I TOLD HIM WE MET WITH CRAIG LAUGHLIN DURING OUR RECENT HEARINGS AND THE QUESTION AROSE ABOUT THE CHANGES IN OWNERSHIP OF PORTIONS OF THE RIGHTS. BEFORE THE RIGHTS CAN BE SETTLED WE MUST GET THE PROPER CHANGE OF OWNERSHIP RECORDS. LAUGHLIN CANNOT SETTLE YOUR RIGHT AND YOU CANNOT SETTLE IT UNTIL YOU CAN SHOW THE OWNERSHIP. HE SAID HE WOULD LIKE TO GET THIS SETTLED WITHOUT GOING TO COURT, LIKE WE DID BEFORE, AND I TOLD HIM WE NEED TO GET THE CHANGE OF OWNERSHIP ON FILE TO DO THAT. HE REQUESTED THE FORM NECESSARY, I WILL MAIL IT OUT.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

October 23, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NICK ZABALA
PO BOX 262
HAGERMAN ID 83332

RE: CHANGE OF OWNERSHIP OF SRBA CLAIM

DEAR MR. ZABALA,

Enclosed please find the form 42-1409(6) used to change the ownership of an SRBA claim to a water right within the SRBA as you requested.

Please complete the form and sign as indicated and return to our office with a copy of proof of ownership, such as a warranty deed, and a map of your property, such as a plat map. Complete instructions are included with this form.

If you have any questions please call our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-00051 D
A36-7089

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 23, 1997 9:50am

NAME:
NICK ZABALA CALLIN

RE:
QUESTIONS ON RIGHTS

HE BOUGHT SOME PROPERTY WE HAD DISCUSSED EARLIER THAT PREVIOUSLY BELONGED TO CRAIG LAUGHLIN. I HAD MENTIONED THEN THAT IF THE DEED FAILS TO RESERVE THE SPRING WATER RIGHT IT WOULD GO PROPORTIONATELY WITH THE ACRES IT WAS APPURTENANT TO. THIS SEEMS TO HAVE OCCURRED. I REMINDED MR. ZABALA THE WATER RIGHT DID NOT GIVE HIM THE NECESSARY EASEMENTS THAT MAY BE NEEDED TO DELIVER THE RIGHT.

I PLAN TO VISIT THE POU AND SEE SOME OTHER POSSIBLE IRRIGATION THAT MAY NEED TO BE INCLUDED IN THE RIGHT THAT LAUGHLIN FAILED TO INCLUDE; A 1.0 ACRE PIECE BETWEEN THE ROAD AND THE HIWAY. WILL TRY TO ARRANGE THIS WITHIN 30 DAYS OF TODAY.

A36-00051 D

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-00051D &
A36-07089

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

April 5, 1996 2:00pm

NAME:
CRAIG LAUGHLIN CAMEIN

RE:
INFORMAL SETTLEMENT CONF.

WE MET TO DISCUSS THE SETTLEMENT OF HIS RIGHTS A36-00051D & A36-07089. THE DISCUSSION REVOLVED AROUND THE ASCS MAP FOUND IN THE CLAIMS. WE AGREED THE HISTORICAL PLACE OF USE WAS THE LAND BELOW THE JOHN BELL DITCH. TOTAL ACRES BELOW THE DITCH COULD BE CLOSER TO 6.0 CFS INSTEAD OF THE 5.0 REC'D. USE OF THE JOHN BELL DITCH WATER ABOVE THE DITCH DID NOT OCCUR UNTIL MR. LAUGHLIN INSTALLED A PUMP TO LIFT THE WATER IN 1989. (HE ESTIMATES IT WAS 1989 OR 1990; NO PUMP WAS IN PLACE AT MY EXAM IN 3/12/91.)

HE COMPLETED A IRRIGATION FLOW RATE QUESTIONNAIRE SO I CAN REVISE THE REC'D FLOW AMOUNT TO THE 6 ACRES. IT DOES NOT APPEAR THIS WAS DONE AT THE TIME THE CLAIM WAS RESCUED FROM DISALLOWAL STATUS. I WILL RUN A HUBBLE ANALYSIS AND REPORT THE FINDINGS TO HIM WITHIN THE NEXT FEW WEEKS.

THE FACTS OF THIS RIGHT APPEAR TO BE AGREED UPON BY MR. LAUGHLIN AND THE DEPT. WHAT IS AT ISSUE MAY BE A LEGAL DECISION THAT REQUIRES RESOLUTION BY THE SPECIAL MASTER OF THE SRBA COURT. THE DEPARTMENT'S POSITION IS THAT THE 6.0 ACRES IS THE PLACE OF USE AND THE AMOUNT OF WATER REMAINING VALID UNDER THIS DECREED RIGHT IS THE AMOUNT THAT IS BENEFICIALLY USED.

MR. LAUGHLIN'S POSITION IS THAT HE HAS THE ENTIRE 30 INCHES FOR USE UPON HIS ENTIRE 23 ACRE PARCEL. HE AGREED THE INITIAL RECOMMENDATION OF ONE INCH PER ACRE ON THE 5.0 ACRES IS ADEQUATE; THEREFORE 10 INCHES ARE USED HERE. THAT WOULD ALLOW HIM TO USE ANOTHER 10 INCHES ON THE LAND ABOVE THE DITCH THAT HE BEGAN TO IRRIGATE IN 89/90. HE WOULD STILL RETAIN ANOTHER 10 INCHES UNTIL SOME FUTURE DATE WHEN THE WATER COULD BE PUT TO USE.

WE BOTH TRIED TO ILLUSTRATE OUR RESPECTIVE POSITIONS AND FINALLY DETERMINED THE ISSUE CANNOT BE RESOLVE ON THE FACTS ALONE. WE WILL CONTINUE TO FINALIZE THE FACTS AND DETAILS SO THE COURT CAN ADDRESS THE CONCLUDING POINTS.

RT CAN
MICROFILMED
DEC 04 1996

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

April 4, 1996 10:45am

RE:
SETTLEMENT OF RIGHTS

I ASK HIM IF HE IS REPRESENTED BY PAT BROWN AND HE SAID MR. BROWN WAS NOT HIRED BY HIM. MR. BROWN DOES REPRESENT HIM THROUGH THE HWRO GROUP.

HE WOULD LIKE TO SELL PART OF THE PROPERTY AND NEEDS TO RESOLVE THE RECOMMENDATIONS BEFORE THE SALE IS COMPLETE.

CLAIMS: A36-00051D & A36-07089

DEC 04 1966

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-00051D &

A36-07089

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

April 2, 1996 10:33am

NAME:
JERROD VAUGHAN

CALLIN

RE:
PROPERTY QUERY ON PURCHASE

HE HAD SEVERAL QUESTIONS ON SOME LANDS OWNED BY CRAIG LAUGHLIN AND WHAT THE WATER RIGHTS WERE AS FILED AT IDWR. HE WAS AWARE SOME SRBA ISSUES HAVE CAUSED QUITE A STIR IN THE AREA. AFTER SEARCHING I FOUND THE RIGHTS **A36-00051D AND A36-07089**. I DESCRIBED THE FLOWS AND ACRES IRRIGATED BY THE RIGHTS. HE ASKED WHAT A PERSON SHOULD DO TO PROTECT THEMSELVES FOR THE VARIOUS OUTCOMES OF THE SRBA DECISIONS... I TOLD HIM I CAN'T ADVISE HIM ON THE CHOICES I CAN ONLY PROVIDE THE INFORMATION ON FILE HERE. HE MAY WANT TO GET LEGAL ADVICE TO PROTECT HIS PURCHASE. I OFFERED TO SEND HIM COPIES OF THE MAPS AND RECOMMENDATIONS FROM THE FILES AND HE ACCEPTED.

ADDRESS: 902 E JUSTICE GRADE, HAGERMAN.

MICROFILMED

DEC 04 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

April 2, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JERROD VAUGHAN
902 E JUSTICE GRADE
HAGERMAN ID 83332

RE: REQUEST FOR INFORMATION ON SRBA CLAIMS A36-00051D & A36-07089

DEAR MR. VAUGHAN,

Enclosed please find the profile reports of the claims for the above mentioned claims and also the recommended profile reports. I have included a map from each of the respective files and outlined the recommended place of use in red for your information.

Please feel free to call me if you have further questions.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

MICROFILMED

DEC 04 1996

TECH: _____

ph = 7.4 - 8.4

OM = 1-2

SL

FLOOD = 2

FURROW = 0.55

SOIL: KOA		
DEPTH	AVAILABLE WATER	
INCHES	IN/IN	INCHES
0	.13	0
10	.14	1.3
12		1.58
24		3.26
36		4.94
45	.075	6.20
48		6.43
60		7.33

SOIL: PVB	
DEPTH	INCHES
0	
6	
12	
15	
24	
30	
36	
47	
48	
60	

TECH: _____

SLOPE = 2-4

SLOPE = 4-8

ph = 7.4 - 8.4

OM = 1-2

FSL

FLOOD = 2

FURROW = 0.55

SOIL: KOB KOC		
DEPTH	AVAILABLE WATER	
INCHES	IN/IN	INCHES
0	.13	0
9	.14	1.17
12		1.59
21	.075	2.85
24		3.08
36		3.98
48		4.88
60		5.78

SOIL: QU	
DEPTH	INCHES
0	
2	
12	
24	
36	
48	
60	

MICROFILMED
DEC 04 1996

6.

CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)

Inflow (gallons per minute) 1.8 30" & 7' spacing (inches) 400' average length (feet)
 slope (%) 4 days 12 & 24 hrs set time (hours) _____ number of corrugations per set
 frequency (days) _____

7.

SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)

TYPE center pivot ☐ solid set ☐
 lateral move ☐ gun/boom ☐
 average nozzle flow (gallons per minute) 400' 40' nozzle spacing (feet)
 average lateral length (feet) 3 & 4 50' lateral spacing (feet)
 Number of laterals 35 circle length (feet)
 Number of impact heads _____ number of spray heads
 set time (hours) _____ 4 days frequency (days)

8.

CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)

Inflow (cfs) _____ field slope (%)
 ditch length (feet) _____ distance between ditches (feet)
 application depth (inches) _____ set time (hours)
 frequency (days) _____

9.

CONVEYANCE FROM SOURCE TO FARM

UNLINED DITCH

length (feet) _____ average depth (inches) _____ average width (inches)

LINED DITCH

length (feet) _____ average depth (inches) _____ average width (inches)

PIPELINE

length (feet) _____ diameter (inches)

10.

ON-FARM DISTRIBUTION

UNLINED DITCH

length (feet) _____ average depth (inches) _____ average width (inches)

LINED DITCH

length (feet) _____ average depth (inches) _____ average width (inches)

PIPELINE

length (feet) _____ diameter (inches)

11. HAVE YOU CHANGED YOUR IRRIGATION SYSTEM FROM THE ONE HISTORICALLY USED? (FOR EXAMPLE, LAND LEVELING, CHANGING LENGTH OF RUNS, CHANGE FROM FURROW TO SPRINKLER, ETC.)
 IF YES, PLEASE DESCRIBE yes 1987

12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?
 IF YES, PLEASE DESCRIBE OR ATTACH COPIES no

MICROFILMED

DEC 8 4 1996

IRRIGATION FLOW RATE QUESTIONNAIRE

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

CLAIM NO (S). A36-00051 D & A36-07089
 NAME Craig Laughlin
 ADDRESS PO Box 121 Hagerman 83332
 PHONE 837-4863

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 15 ACRES.

2. TYPICAL CROPS GROWN

CROP	PERCENT OF TOTAL ACRES	CROP	PERCENT OF TOTAL ACRES
Alfalfa	100%	Pasture	100% 9/15
Alfalfa Seed		Peas/Lentils	
Beans		Melons	6/15
Field Corn		Potatoes	
Silage		Sugar Beets	
Sweet Corn		Tomatoes	
Spring Grain		Lettuce/Radishes	
Winter Wheat		Cabbage/Broccoli	
Hops		Carrots/Turnips	
Orchard		Other ()	

3. IRRIGATION SYSTEM TYPE

TYPE	PERCENT OF TOTAL ACRES	
Graded Border		PLEASE COMPLETE ITEM 4.
Level Border		PLEASE COMPLETE ITEM 4.
Furrow		PLEASE COMPLETE ITEM 5.
Corrugation	6/15	PLEASE COMPLETE ITEM 6.
Sprinkler	9/15	PLEASE COMPLETE ITEM 7.
Contour Ditch		PLEASE COMPLETE ITEM 8.
Trickle or Drip		
Sub-Irrigation		

4. BORDER (COMPLETE BELOW BASED ON PEAK USE)

Inflow (cfs) _____ width (feet) _____ average length _____
 slope (%) _____ set time (hours) _____ number of borders per _____
 frequency (days) _____

5. FURROW (COMPLETE BELOW BASED ON PEAK USE)

Inflow (gallons per minute) _____ spacing (inches) _____ average length _____
 slope (%) _____ set time (hours) _____ number of furrows per _____
 frequency (days) _____

at times the entire farm has been alfalfa

confirmed 6.0 Acres lower field
 est. 9.0 acres upper field

'96 Current use split crops

'96 Current use

Run Hubble Rev.

on MICROFILME

DEC 04 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILME

OCT 11 1994

RECEIVED

APR 30 1994

Department of Water Resources
Adjudication Bureau

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

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. A36-00051D
(You must insert the
water right number you
are objecting to)

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

OBJECTION

Petitioner,

vs.

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

36-00051D -0001/
93-04-0059

Respondents.

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

MICROFILMED

OCT 11 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Craig J. Laughlin

Address: P. O. Box 121

Hagerman, Idaho 83332

Briefly describe your interest in this water right:

Priority date of 6/26/1881;

Water right decreed 3/22/32 pursuant to

New International Mortgage Bank v.

Idaho Power Company

2. Owner of the water right:

Name: Craig J. Laughlin

Address: P. O. Box 121

Hagerman, Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name: Patrick D. Brown & Penelope Parker

Attorney Address: Hepworth, Nungester & Lezamiz

P.O. Box 389, Twin Falls, ID 83303

Attorney Phone No.: (208) 734-7510

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

II. STATEMENT OF THE OBJECTION

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

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

(Over)

MICROFILMED

OCT 11 1994

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

REASONS SUPPORTING EACH BOX CHECKED

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

See Page 7

CHANGES TO THE DIRECTOR'S REPORT

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

Remarks: strike all except last sentence "water is delivered..."; maximum quantity: as decreed &/or beneficially used;

purpose of use: stockwater; period of use: 1/01 - 12/31; place

of use: 23 acres; name: delete Rita Laughlin as owner

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

☒

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

See Hagerman Water Right Owners, Inc.'s

Compendium "A"

VERIFICATION (Must be Completed)

State of Idaho

County of ~~Twin Falls~~ Gooding

Craig J. Laughlin

(Name of person filing objection)

sworn, upon oath, deposes and says:

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

Craig J. Laughlin
Signature of person filing objection

By: [Signature]

(Attorney signing in
representative capacity)

1993.

Subscribed and sworn to before me this 20th day of April,

[Signature]
Notary Public for Idaho
Residing at: HAGERMAN, IDAHO
My Commission Expires: 5-18-97

(Over)

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INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: Craig J. Laughlin & Rita D. Laughlin

Owner's address: P. O. Box 121

Hagerman, Idaho 83332

3. One copy to:

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

4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf

REASONS SUPPORTING EACH BOX CHECKED, page 4

Box 1 - See Paragraph 2, page 2 for correct name and/or address.

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

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

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

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

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

CHANGES TO DIRECTOR'S REPORT, page 4

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

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Question 14., page 4, Other

I.

GENERAL RESPONSE

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

II.

DESCRIPTIVE SUMMARY

(DIRECTOR'S REPORT PART I)

(hereinafter DRP-I)

(DRP-I at first unnumbered page)

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

III.

TABLE OF CONTENTS

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

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

indefinite that it prevents the objectors from knowing what would be admitted or denied.

IV.

INTRODUCTION

1. INSTRUCTIONS FOR USING THIS REPORT PART I. (DRP-I at page 1)

The objectors admit that Part I consists of seven sections; that the description of the water system includes a brief description of Reporting Area 3 and an illustration of the boundaries of the reporting area; that the water rights and the list of the recommended rights are grouped alphabetically by source and listed chronologically by priority date; that the rights or claims in the list of claims/rights not recommended are listed numerically by water right number; and that brief instructions are found at the beginning of the applicable sections. The objectors deny that any description or any implication that the description of the water system or the illustrations are true and accurate due to lack of knowledge or information regarding the truth of the averment; deny that the general provisions apply to all water rights or define or limit classes of water rights; and deny that the general provisions "will affect your water right," based upon insufficient knowledge or information upon which to form a belief as to the truth of the averments.

2. SCOPE OF THE ADJUDICATION. (DRP-I at page 1 - 3)

The objectors deny all averments in paragraph a., due to lack of sufficient knowledge or information upon which to form a belief as to the truth of the averments.

Regarding paragraph b., the objectors lack sufficient information or knowledge upon which to form a belief as to whether water rights which are not claimed in the adjudication will or will not exist upon entry of the court's decree and, therefore, deny such averment. The objectors admit that the court entered an order dated January 17, 1989, but presently lack sufficient knowledge to know whether any of the other averments concerning the court's order are true or accurate and, therefore, deny the same. The objectors deny that a right must be adjudicated before water may be distributed by the director. The objectors deny all other averments in paragraph b.

3. PURPOSE OF THIS REPORT PART I. (DRP-I at page 3 - 4)

The objectors admit that portion of the first sentence which states "This report contains the Director's recommendations to the SRBA District Court as to the nature and extent of water rights," but deny that such recommendations "are necessary for administration of water rights in Reporting Area 3," and further deny the Director has authority to "administer" such rights.

Regarding the second paragraph, the objectors admit that all water rights remain subject to the applicable law generally, but deny the remainder of the second paragraph.

Regarding the third paragraph of this section, the objectors deny all averments therein based upon lack of knowledge or information upon which to form a belief as to the truthfulness of the averments.

V.

DESCRIPTION OF THE WATER SYSTEM: BASIN 36

1. **BOUNDARIES OF BASIN.** (DRP-I at pages 4 - 6)

Regarding the first paragraph of this section, the objectors deny all averments due to a lack of knowledge or information upon which to admit or deny.

Regarding the second, third and fourth paragraphs of this section, the objectors admit that as broad statements, those paragraphs are generally accurate but the statements are so broad and attenuated from any matter relevant to the objectors' water right that the objectors are unable to know what would be implicitly admitted or denied and therefore, deny the same.

With respect to the fifth paragraph of this section, the objectors lack sufficient knowledge or information upon which to form a belief as to the truth of any matter averred and, therefore, deny the averments.

2. **WATER SOURCES.** (DRP-I at page 6)

The objectors admit that the Snake River Plain Aquifer is the source of outflows of springs located along the Snake River Canyon Wall in the Hagerman Valley. The objectors presently lack sufficient knowledge or information upon which to form an opinion as to the truth of the other averments set out in this section and, therefore, deny the same.

3. **DEVELOPMENT OF WATER USE.** (DRP-I at pages 6 - 9)

The objectors admit that numerous factual and historical averments are set out in this section, which may be accurate, but

these objectors have no basis for knowing whether some or all of the averments are intended to relate to the objectors' claims and, thus, are prevented from knowing what would be admitted or denied. Therefore, the averments are denied.

VI.

GENERAL PROVISIONS

GENERAL PROVISIONS 1 - 8 APPLY TO ALL WATER RIGHTS IN BASIN 36.
(DRP-I at page 9)

The objectors deny that "General Provisions 1 - 8" apply to all water rights in Basin 36 as the statements are so broad and attenuated from any matter relevant to the objectors' water rights, that the objectors are unable to know what would be explicitly admitted or denied. The objectors also specifically deny that general provisions 1-8 apply to the objectors' right.

1. EFFECT OF ADJUDICATION. (DRP-I at page 9)

With respect to paragraph a., the objectors presently have no knowledge or information upon which to form a belief as to the truth of whether a future decree would supersede prior decrees, or whether unclaimed rights would cease to exist and, therefore, deny the same.

Regarding paragraph b., the objectors deny that the Director has any powers to administer water rights other than those specifically delegated by the Legislature of the State of Idaho, and which do not violate the objectors' state and federal constitutional rights, and therefore the averments are denied.

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2. **GENERAL ADMINISTRATIVE PROVISIONS.** (DRP-I at pages 9 - 10)

The objectors admit paragraphs a. and b.

3. **CONJUNCTIVE ADMINISTRATION** (DRP-I at page 10)

The objectors deny the conjunctive administration provisions based upon the objectors' lack of sufficient knowledge or information upon which to form a belief as to the truth of the averments and because any averment expressed or implied is so indefinite that it prevents the objectors from fairly understanding what would be admitted or denied. Additionally, the objectors deny that the Department of Water Resources has any statutory or regulatory authority for the "conjunctive administration" as therein described.

4. **ADMINISTRATION OF GROUND WATER RIGHTS** (DRP-I at page 10)

The objectors deny the averments within this section.

5. **ADMINISTRATION OF BASIN 36 RELATIVE TO THE SNAKE RIVER** (DRP-I at page 10)

The objectors admit that the springs are hydrologically interconnected with the Snake River Aquifer, but deny all other averments based upon the objectors' lack of sufficient information or knowledge upon which to form a belief as to the averments herein. The objectors additionally deny any said averments expressed or implied because the averments are so indefinite and generalized as to prevent the objectors from fairly understanding what would be admitted or denied.

6. ADMINISTRATION OF SMALL DOMESTIC AND STOCK WATER RIGHTS (DRP-I at page 11)

The objectors admit that part of the first sentence of subparagraph a. to the effect that "small domestic and stock water rights from surface water are not subject to administration," but deny the balance of said sentence and said paragraph.

The objectors admit the first sentence of paragraph b., and deny the balance of that paragraph because the criteria set forth therein ("if the director determines that administration is necessary") is so ambiguous, indefinite and uncertain that it prevents the objectors from knowing what would be admitted or denied, and by further reason of the fact that no statutory or regulatory authority exists conferring such sweeping and unlimited authority upon the Director or the Department.

The objectors deny the averments in paragraph c. as the averments are inaccurate and because the objectors lack sufficient knowledge or information upon which to form a belief as to the truth of the matters averred.

7. MEASURING DEVICES AND CONTROL WORKS (DRP-I at page 11)

The objectors deny all averments contained herein as such averments are based upon an indeterminate subjective standards which are so ambiguous and indefinite as to prevent the objectors from fairly knowing what would be admitted or denied. Additionally, no statutory or regulatory authority exists conferring such sweeping and unlimited authority upon the Director or the Department as is alleged in this paragraph.

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8. FIRE FIGHTING PURPOSES (DRP-I at page 11)

The objectors admit that subparagraph a. and subparagraph b. are generally accurate statements of present law, but deny the averments are in any way relevant to defining the objectors' right.

9. CONSUMPTIVE USE (DRP-I at page 12)

The objectors lack sufficient knowledge or information upon which to form a belief as to the truth of any matter averred and, therefore, deny the same.

GENERAL PROVISION 10 APPLIES TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH DOMESTIC USE AS A PURPOSE OF USE (DRP-I at page 12)

The objectors deny that "General Provision 10" applies to all water rights in Basin 36 shown with domestic use as a purpose of use as the statements are so broad and attenuated from any matter relevant to the objectors' water rights, that the objectors are unable to fairly understand what would be explicitly admitted or denied and, therefore, deny the same.

10. DOMESTIC USE (DRP-I at page 12)

The objectors deny that the definition of "domestic use" contained in paragraphs a., b., and c. is consistent or in conformity with the definition of such term for purposes of the Idaho Constitution, or statutory definition contained in I.C. Section 42-111 as now, or as heretofore in effect at relevant times. The objectors further deny that the limitations set forth therein exist, are in force, or apply or serve in any way to limit objectors' rights.

GENERAL PROVISION 11 APPLIES TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH STOCK WATER USE AS A PURPOSE OF USE. (DRP-I at page 13)

The objectors deny that "General Provision 11" applies to all water rights in Basin 36 shown with stock water use as a purpose of use as the statements are so broad and attenuated from any matter relevant to the objectors' water right, that the objectors are unable to fairly understand what would be admitted or denied and, therefore, deny the same.

11. STOCK WATER USE (DRP-I at page 13)

The objectors deny the averments herein as beyond the scope and applicability of the definition as provided by Idaho law as now, or as heretofore in effect at relevant times. The objectors further deny that the limitations set forth therein limit the objectors' right or are relevant to the right.

GENERAL PROVISIONS 12 - 16 APPLY TO ALL WATER RIGHTS IN BASIN 36 SHOWN WITH IRRIGATION AS A PURPOSE OF USE (DRP-I at page 13)

The objectors deny that "General Provisions 12 - 16" apply to all water rights in Basin 36 shown with irrigation as a purpose of use as the statements are so broad and attenuated from any matter relevant to the objectors' water right that the objectors are unable to fairly understand what would be admitted or denied.

12. IRRIGATION USE. (DRP-I at pages 13 - 14)

The objectors deny all averments based upon the objectors' lack of sufficient knowledge or information upon which to form a belief as to the truth of the averments and because

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prevent the objectors from fairly knowing what would be admitted or denied; because the standard utilized ("as determined by the director") is ambiguous, subjective and indefinite so as to prevent objectors from knowing what would be admitted or denied; and because it is both expressly and implicitly in excess of the power and authority conferred upon the State of Idaho, the Director or the Department by the Constitutions of the United States and State of Idaho, pertinent provisions of the Idaho Code or valid applicable regulations, if any, adopted by the Department in conformity with law. Therefore, the objectors deny the same.

13. DIVERSION VOLUME FOR IRRIGATION. (DRP-I at page 14)

The objectors admit that Figure 1 generally depicts certain lands in Basin 36; however, the objectors deny all other averments including that the amounts set forth are the maximum annual volume of water reasonably required at the field headgate for irrigation, either within Basin 36 in general, or upon objectors' real property in particular. The objectors additionally deny that the maximum annual volumes per acre set forth is that which is "reasonably required for irrigation unless a higher annual diversion volume is reasonably required due to conveyance losses, method of irrigation or field conditions;" because the standard utilized ("as determined by the director") is ambiguous, subjective and indefinite so as to prevent objectors from knowing what would be admitted or denied; and because it is both expressly and implicitly in excess of the power and authority conferred upon the State of Idaho, the Director or the Department

by the Constitutions of the United States and State of Idaho, pertinent provisions of the Idaho Code or valid applicable regulations, if any, adopted by the Department in conformity with law. Therefore, the objectors deny the same.

14. CONSUMPTIVE USE FOR IRRIGATION. (DRP-I at page 14 and 15)

The objectors admit that the recommended water rights contained within the Director's Report show only the irrigation use listed unless otherwise indicated in "Remarks." The objectors deny all other averments contained within this section, including the amount of maximum annual volume of consumptive use per acre in the northern and southern portions of the basin, all of which is beyond the scope of any power or authority vested in the Director or the Department, and contrary to fact; historical use; established, vested, decreed, licensed or permitted rights.

15. AMOUNT OF COMBINED WATER RIGHTS FOR IRRIGATION. (DRP-I at page 15)

The specific averments have no relationship to or basis in fact relating to the individual needs or rights of the objectors, and accordingly, objectors deny this section in its entirety. In addition, no statutory or regulatory authority exists conferring upon the Director, or the Department, the power to limit use and ownership of objectors' private property rights as alleged.

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16. DIVERSION RATES IN EXCESS OF .02 CFS PER ACRE. (DRP-I at page 15 - 16)

The objectors deny the averments contained in this section in its entirety.

17. INSTRUCTIONS FOR USE OF LIST OF RECOMMENDED WATER RIGHTS. (DRP-I at page A-i, A-ii and A-iii)

The objectors admit that each water right in the list of recommended water rights includes a description including right number, name and address, source, maximum quantity, consumptive use, priority date, point of diversion, purpose of use, period of use, place of use, basis of right and others. The objectors lack sufficient knowledge or information upon which to form a belief as to the truth of any matter averred in said descriptions other than that the descriptions allegedly include the Director's or Department's version of the facts as they relate to the matters identified. Objectors deny the accuracy of the substantive allegations or information set forth with regard to the objectors' right.

18. IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW. (DRP-I, pages A-1 - B-25)

The objectors lack sufficient knowledge or information upon which to form a belief as to the truth of any matter averred in said recommended water rights other than those specific admissions contained in Questions 1 - 12 of the attached individual objection, and therefore deny the same.

DIRECTOR'S REPORT FOR REPORTING AREA 3 (BASIN 36)

(DIRECTOR'S REPORT PART II)

I.

Objectors do not understand the allegations, averments or contents of Part II of the Director's Report for Reporting Area 3 (Basin 36) to pertain or relate to objectors or their claims, and do not believe any response is required. To the extent a response is required, objectors deny the same in its entirety.

DIRECTOR'S REPORT FOR REPORTING AREA 3 (BASIN 36)

(DIRECTOR'S REPORT PART III)

I.

No report denominated as Part III of the Director's Report for Reporting Area 3 (Basin 36) has been filed, and accordingly objectors are unable to admit, deny or otherwise response to the same. Objectors do not understand that the contemplated subject matter of such Part III will relate or pertain to objectors or their claims, and no response is required in any case. To the extent any response is required, objectors deny the same in its entirety.

VIII.

AFFIRMATIVE DEFENSES

Pursuant to I.R.C.P. 8(c), objectors herewith state the following matters of affirmative defense or avoidance:

AFFIRMATIVE DEFENSE NO. 1

The objectors' water right is an incorporeal form of real property (as defined by Idaho Code Sections 7-703, 73-114, 55-101,

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and like statutes) protected by Section 14, Article 1, of the Idaho Constitution, and the Fifth Amendment to the United States Constitution, and allege that the actions of the Director in recommending, limiting and/or regulating said rights is an unconstitutional infringement upon and a taking of private property, without just compensation and violation thereof.

AFFIRMATIVE DEFENSE NO. 2

The adjudication authorization legislation, I.C. Section 42-1401, et seq., on its face and as applied by the Director and the Department constitutes an improper delegation of constitutional power and authority conferred upon the executive, legislative and/or judicial branches of government and as such violate the provisions governing separation of powers set forth in Article 2, Section 1, Idaho Constitution.

AFFIRMATIVE DEFENSE NO. 3

The procedure set forth in the adjudication authorization legislation, statutes, I.C. Section 42-1401, et seq., and any rules, regulations, procedures, policies or standards promulgated by the Director and/or the Department, if any, are vague and so lacking in reasonable specificity so as to render them impossible of reasonable comprehension, or consistent and meaningful application.

AFFIRMATIVE DEFENSE NO. 4

The procedures, rules, regulations, policies or standards, if any, adopted, implemented and applied by the Department and/or the Director violate the equal protection and due

process clauses of the Fourteenth Amendment, United States Constitution, and Article 1, Sections 2 and 13, Idaho Constitution.

AFFIRMATIVE DEFENSE NO. 5

The adjudication authorization legislation, Idaho Code Section 42-1401, et seq., and the actions of the Director and Department in recommending, limiting and/or regulating the objectors' water right constitutes a violation of 42 U.S.C. Section 1983.

AFFIRMATIVE DEFENSE NO. 6

The water right owned by the objectors is the subject of valid existing decrees issued by the Director and Department, which decrees are binding upon the State of Idaho, the Department and the Director. As a result, the State of Idaho, the Department and the Director are precluded by the doctrines of res judicata, collateral estoppel, judicial estoppel and the like from relitigating or questioning the validity, existence or priority of such right, and/or from taking any position in the Director's Report, or otherwise, which is inconsistent with such decrees.

AFFIRMATIVE DEFENSE NO. 7

The Director's recommendations are contrary to decreed rights, historical use and extent licenses and permits issued by the Department. There has been no forfeiture nor abandonment of the objectors' water rights, nor have the objectors' water rights been prescriptively or adversely possessed, nor have such decrees been vacated or such licenses and permits revoked.

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AFFIRMATIVE DEFENSE NO. 8

The Directors' Report fails to state a claim to the extent the same asserts a forfeiture, abandonment, prescriptive or adverse acquisition or loss, or loss resulting from estoppel, of the objectors' water right in the absence of any fact upon which forfeiture, abandonment, prescriptive or adverse acquisition for loss, or loss resulting from estoppel, may be based or asserted.

AFFIRMATIVE DEFENSE NO. 9

The objectors' water right is an incorporeal form of real property, as defined by Idaho Code Sections 7-703, 73-114, 55-101, and like statutes, and, as such, pursuant to Idaho Code Section 7-904, et. seq., the actions of the Director in attempting to limit, reduce and/or regulate such rights, and the assertion of some inconsistent proprietary ownership or right to use or control by the State of Idaho, constitutes an unauthorized and invalid taking of private property without the payment of just compensation, or compliance with statutory requirements, all in violation of Title 7, Chapter 7, Idaho Code.

AFFIRMATIVE DEFENSE NO. 10

The actions of the Director, the Department and their agents, servants and employees in recommending, limiting, reducing and/or regulating objector's water rights, either as alleged in the Director's Report or as in fact applied, violates objectors' rights as secured by Art. 1, Section 1; Art. 15, Sections 3, 4 and/or 5; and/or as otherwise provided in the Constitution of the State of Idaho.

AFFIRMATIVE DEFENSE NO. 11

The various allegations, statements and assertions contained in the Director's Report concerning the Department and/or the Director's position or intentions with regard to the adjudication, as well as the implementation of statutes and/or regulations, as well as the administration of water or management of water rights or claims to the beneficial uses of water, if implemented, constitute a violation of various provisions the United States and Idaho constitutions, and/or a violation of the letter, spirit and/or intent of various statutes enacted by the legislature, and/or constitute an exercise of purported authority or powers either in excess of those conferred by law, or in a manner inconsistent with those conferred by law, or both.

AFFIRMATIVE DEFENSE NO. 12

The individual recommendations relating to the specific water right of the objectors as set forth in the Director's Report are (1) not based upon substantial evidence and/or are not, in fact, the product of any reasonable, complete or accurate investigation as required by law; (2) are the product of arbitrary and capricious action on the part of the Department or the Director; (3) have been made in excess of the constitutional and statutory authority of the Department and the Director; (4) have been made upon an unlawful and invalid procedure; (5) are affected by various and sundry errors of law; and/or (6) are clearly erroneous in view of the reliable, probative and substantial evidence.

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AFFIRMATIVE DEFENSE NO. 13

The Director's Report is a pleading subject to the provisions of the Idaho Rules of Civil Procedure, including, but not limited to the requirement of I.R.C.P. 8(a)(1) that such pleadings contain a clear and plain statement of the facts, demonstrating an entitlement to relief. The Director's Report violates such provision.

AFFIRMATIVE DEFENSE NO. 14

The Director's Report fails to state a claim upon which relief may be granted.

AFFIRMATIVE DEFENSE NO. 15

The Director's Report is subject to, and must comply with, the requirements of Idaho Code Section 42-1411. The Director's Report does not comply with the requirements of the statute.

AFFIRMATIVE DEFENSE NO. 16

In conducting the investigation and compiling the Director's Report, the Department and the Director have not complied with the requirements of Idaho Code Section 42-1410.

AFFIRMATIVE DEFENSE NO. 17

In conducting the investigation and compiling the Director's Report, the Department and the Director have not complied with the requirements of Idaho Code Section 42-1416.

AFFIRMATIVE DEFENSE NO. 18

The procedures specified in the authorizing legislation and procedural rules promulgated in accordance therewith serve to

deny objectors due process of law in violation of Amendment Fourteen to the Constitution of the United States and Art. 1, Section 13, Idaho Constitution.

AFFIRMATIVE DEFENSE NO. 19

The "General Provisions" and "Other Statements" contained in the Director's Report, along with the Claims Investigation Manual, Adjudication Memoranda and other materials of a similar nature used or employed by the Department, the Director and/or their agents, servants and/or employees constitute rules and regulations which were required to be proposed, promulgated, adopted and approved in conformity with the Administrative Procedures Act and other applicable statutory provisions. The Department, Director and their agents, servants and employees have failed to comply with such requirements, and accordingly, the "General Provisions," "Other Statements", Claims Investigation Manual and the like are invalid, void and of no force or effect.

AFFIRMATIVE DEFENSE NO. 20

Neither the "General Conditions," the Claims Adjudication Manual, Adjudication Memoranda or other promulgations, adoptions, policies, or the like have been submitted to or approved by the Legislature as required by Idaho Code Section 67-5217.

AFFIRMATIVE DEFENSE NO. 21

The relief requested by the Department and the Director in the Director's Report are beyond and in excess of the subject matter jurisdiction of the Court.

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AFFIRMATIVE DEFENSE NO. 22

The actions of the Legislature, or the Department and the Director to enact, adopt, implement or enforce statutes, regulations, rules or policies subsequent to November 19, 1987, and to apply or enforce the same for the purpose of, or with the effect of recommending, diminishing or altering objectors' water rights, constitute a violation of Amendment Fourteen, United States Constitution; Art. 1, Section 13, Idaho Constitution; the SRBA authorization legislation; and Idaho Code Sections 73-101 and 73-106.

AFFIRMATIVE DEFENSE NO. 23

These proceedings are subject to the requirements and provisions of Idaho Code Sections 12-117, 12-121, 12-123 and I.R.C.P. 11, and the provisions of the private attorney general doctrine, and other related doctrines, and the Department, Director and State of Idaho are obligated to objectors for the payment and reimbursement of any and all reasonable costs or attorney fees incurred herein.

AFFIRMATIVE DEFENSE NO. 24

The Director's Report asserts what amounts to be a taking of private property by power of eminent domain as governed by Idaho Code Section 7-701 et seq., and as such, venue is therefore improper.

AFFIRMATIVE DEFENSE NO. 25

The Department and the Director are equitably estopped from seeking any reduction in the quantity, quality or priority of

objectors' water rights by virtue of prior statements, representations and actions of the Department, Director or their agents, servants and employees.

AFFIRMATIVE DEFENSE NO. 26

The Department and the Director are barred by laches and the applicable statutes of limitation, including, but not limited to, Idaho Code Sections 5-202, 5-203, 5-204, 5-206, 5-207, 5-208, 5-215, 5-218, 5-219(2), 5-224 and/or 5-241.

AFFIRMATIVE DEFENSE NO. 27

Objectors hereby reserve the right to assert any further affirmative defenses not expressly stated herein, but which subsequently become apparent.

WHEREFORE, the objectors pray for judgment as follows:

1. That the State of Idaho take nothing by reason of its Directors' Report, and that this action, and any claims asserted against objectors, be dismissed.

2. That a decree be entered adjudicating the existence, validity, amount and priority of objectors' water rights in accordance with objectors' claims.

3. That to the extent the acts of the Department or Director constitute a taking of objectors' property for public use, that objectors be allowed and awarded just compensation therefor.

4. That the objectors be allowed all costs of suit and reasonable attorney fees incurred herein.

5. For such further relief to which the Court finds objectors justly entitled.

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(WATER\21530ANS)

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

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

Case No. 36-00051D -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

Name: CRAIG J LAUGHLIN
Address: PO BOX 121
HAGERMAN ID 83332

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. |X| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
3. |X| Quantity: I respond to the objection concerning:
- 3a. |X| The total quantity of water used in cubic feet per second.
7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |X| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. |X| Place of Use: I respond to the objection concerning:
- 9b. |X| The number of irrigated acres within each forty (40) acre subdivision.
10. |X| Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.

14. ☒ Other: I respond to the objection concerning:

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

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 1, and all allegations regarding this item, IDWR responds as follows: No notice of change of ownership has been filed with IDWR by the owner of the right as required by Idaho Code Sec. 42-1409(7). IDWR therefore lacks sufficient information to form a belief as to the truth of the matter asserted. Upon the filing of a notice of change of ownership, IDWR will correct the name and address of the owner of this water right accordingly. The claimant may also need to file a Standard Form 3 with the SRBA Court.

In response to Statement of the Objection items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommended the amount of water it determined was being beneficially used; (2) the claimant is not entitled to any amount greater than that which is beneficially used (Idaho Code Secs. 42-104 and 42-1402); (3) the recommendation of the director to the SRBA Court as to how the right should be decreed does not constitute a taking because it is simply a recommendation and not a final determination of the right; and (4) the eventual decree by the SRBA Court of the amount of water beneficially used, even if less than the amount previously decreed, will not constitute a taking because the right is limited to that amount beneficially used.

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

(Over)

recommendation to the court.

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: The decree asserted by the claimant does not contain a period of use decreed for this water right. Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The irrigation season of use cannot exceed the period in which water may be beneficially used. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. Water may be used for irrigation outside the standard season of use, subject to the conditions set forth in general provision 12b of the director's report. IDWR further responds that it recommended the season of use as claimed. By identifying in the objection a longer season of use than was claimed the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection 9 and 9.b, and all allegations of the objection regarding those items, IDWR responds that the recommended water right accurately describes the total number of acres within each 40 acre subdivision upon which IDWR found water was beneficially used for irrigation under this water right. In further response to this objection item, IDWR responds that on the notice of claim the claimant identified 15 irrigated acres. By now seeking to claim 23 irrigated acres, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection item 10 and all allegations of the objection regarding this item, IDWR responds as follows: (1) The decree asserted by the claimant did not set an annual volume of consumptive use for this water right. (2)

Idaho Code Sec. 42-1411(2)(i) requires the director to determine the annual volume of consumptive use for each water right acquired under state law and recommended in the director's report. (3) Idaho Code Sec. 42-1401A(2) provides that the quantification of consumptive use "is included as a rebuttable presumption in a decree only for the purpose of transfers pursuant to section 42-222, Idaho Code"; therefore, the consumptive use recommended for this water right is included solely for use in future transfer proceedings. (4) The annual volume of consumptive use claimed and recommended for this right is 3 acre feet per acre. This is the maximum volume of water consumed by the most water consumptive crop (pasture) that can be grown in the area during the period of year when water is used for irrigation, as provided for by Idaho Code Sec. 42-1401A(2). (5) The recommendation of the director to the SRBA Court as to how the right should be decreed does not constitute a taking because it is simply a recommendation and not a final determination of the right. (6) The eventual decree by the SRBA Court of the amount of water beneficially used, even if less than the amount previously decreed, will not constitute a taking because the right is limited to that amount beneficially used.

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

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

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

(Over)

CHANGES TO THE DIRECTOR'S REPORT

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

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

	No. of Pages
Notice of Claim No. A36-00051D	4
IDWR's Response to Answer, Affirmative Defenses and Prayer for Relief of Claimant	4

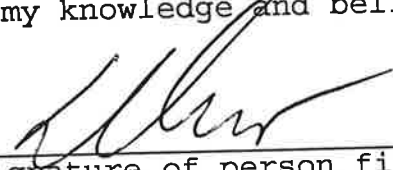
VERIFICATION (Must be Completed)

State of IDAHO

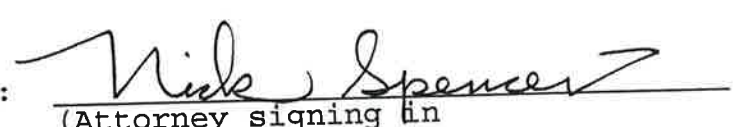
County of ADA

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

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



Signature of person filing response

By: 

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 30th day of August,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

See No. 3

Name: RITA D LAUGHLIN
Address: PO BOX 121
HAGERMAN ID 83332

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

Name: HEPWORTH NUNGESTER & LEZAMIZ
Address: PATRICK D BROWN
& PENELOPE PARKER
PO BOX 389
TWIN FALLS ID 83303

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-00051D
Date Received: 8/16/1988
Receipt No: 500 1464
Received By: ADP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRAIG J. LAUGHLIN 208-837-4863
Address: P.O. BOX 121
HAGERMAN, ID 83332

AND/OR

Name: RITA D. LAUGHLIN 208-837-4863
Address: P.O. BOX 121
HAGERMAN, ID 83332

2. Date of Priority: JUN 26, 1881

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

4. Point of Diversion:

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

5. Description of diverting works:
VIA JOHN BELL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	2	NE	SE		IRR	12.0
			SE	SE		IRR	3.0
Section Acres							15.0
Total Acres							15.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A36-07089

14. Remarks:

THIS IS A PORTION OF THE JOHN GLAUNER RIGHT WHO OWNED THE
PROPERTY BEFORE THE CLAIMANT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

NEW INTERNATIONAL MORTGAGE BAN
Decree Plaintiff

vs

IDAHO POWER COMPANY
Decree Defendant

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OCT 21 1988
JAN 21 1989

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

Number of attachments: 1

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): x Craig J. Laughlin Date: Aug 16, 88
Date: _____

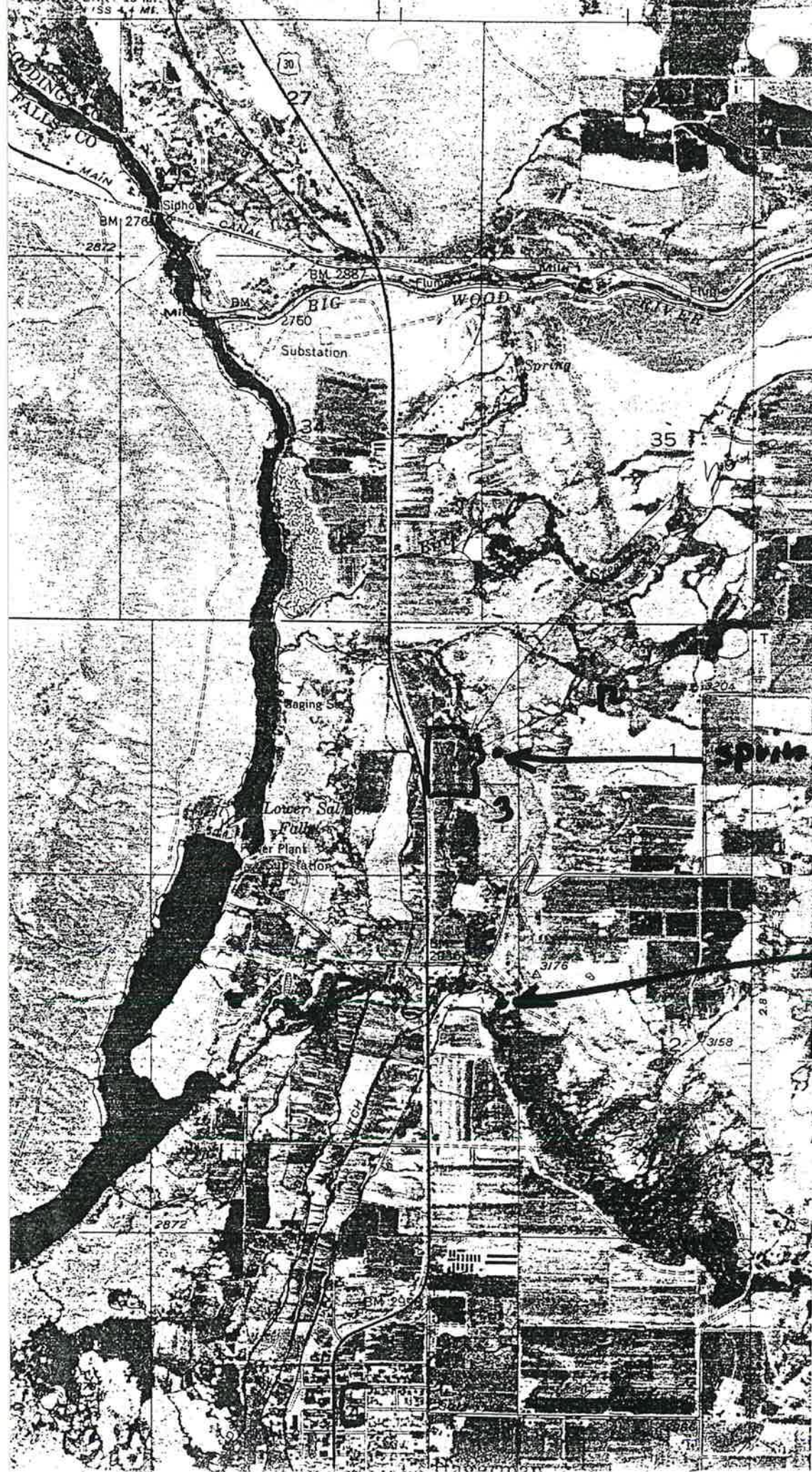
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of Aug 19 88
[Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94

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OCT 11 1994



served by domestic water from springs

AXG-07089

P/D
Billingsley CK
AXG-000510

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JAN 21 1993
OCT 11 1994

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

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

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

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

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

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

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

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

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

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

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Dec-1992

CRAIG LAUGHLIN
PO BOX 121
HAGERMAN ID 83332

RE: Copy of SRBA File(s): 36-00051D, 36-07089

Dear Mr. Laughlin:

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

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

\$5.45

Sincerely,

Jeanie
Jeanie Robertson
Records Clerk

Encl:

*paid 1/6/93
receipt # 3015259*

LAUGHLIN
32
27
59x5 = 2.95
post. 2.36
lw. .14
5.45

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DEC 14 1992

Department of Water Resources
Southern Region Office

December 12, 1992
(Date)

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

Dear Idaho Department of Water Resources:

Please provide me with a copy of all information included in my file as it relates to water right number 36-00051D, 36-07089.

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

Please bill me for the copy charge.

Sincerely,

Craig Laughlin
(Name)

PO Box 121
(Address)

Hagerman, Idaho 83332
(City, State, Zip Code)

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

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NOTICE OF ERROR



RESPONSE



CORRECTED R PROOF



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JAN 21 1983

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RITA D LAUGHLIN	06/26/1881	IRRIGATION	03-15 11-15	0.19 CFS	
C	CRAIG J LAUGHLIN					
	PO BOX 121					
	HAGERMAN ID 83332					
	(208) 837-4863					
				TOTAL DIVERSION:	0.19 CFS	

Water Source: BILLINGSLEY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R13E S11

NESENE

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
07S	13E	2	:																	:			
																			04		01	:	5.0
																			TOTAL ACRES			5.0	

POU County: GOODING

Other Rights: 36-07089

Remarks: 0.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHT NO. 36-07089 IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 33.0 AF.
WATER IS DELIVERED THROUGH THE JOHN BELL DITCH.

Dates: Exam Made Date: 03/12/1991 Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/27/1991 User-ID: BEDKE Subject: SCC-STAFF REVIEW

Date: 02/06/1992 User-ID: CLELLAND Subject: COPIED FROM REMARKS
THIS IS A PORTION OF THE JOHN GLAUNER RIGHT WHO OWNED THE
PROPERTY BEFORE THE CLAIMANT.

Date: 02/06/1992 User-ID: CLELLAND Subject: DISALLOWAL
THIS PASTURE IS IRRIGATED UNDER RIGHT 36-07089 FROM THE SPRING.
NO USE IS FOUND FROM THE JOHN BELL DITCH.

Date: 10/23/1992 User-ID: SOUTH3 Subject: RE-EXAM/RECOMMENDATION CHANGED
CHECKS AND CORRUGATES WERE CONFIRMED FOR IRRIGATION FROM THE JOHN
BELL DITCH. THIS RIGHT HAS BEEN CONDITIONED TO INDICATE OVERLAP
WITH 36-07089. RMC

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JAN 21 1993

AJ0749NP
No. R36-00051D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/23/92
PAGE: 2

Audit: 10/23/92 SOUTH3

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JAN 21 1993

CONVEYANCE LOSS - WORSTELL

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	300	4.0	2.00	0.03	0.12	1.96	0.0155	0.00	2.37
2	200	4.0	2.00	0.02	0.22	1.84	0.0110	0.01	2.22
3	1500	4.0	2.00	0.15	0.24	1.62	0.0936	0.03	1.98
4	600	3.0	2.00	0.05	0.38	1.38	0.0330	0.06	1.58
5	600	3.0	2.00	0.05	0.21	1.00	0.0455	0.04	1.16
6	400	3.0	2.00	0.03	0.15	0.79	0.0384	0.04	0.90
7	100	3.0	2.00	0.01	0.16	0.64	0.0118	0.04	0.72
8	1000	3.0	2.00	0.08	0.48	0.48	0.1579	0.20	0.56
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	4700			0.41	1.96			0.41	

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
 DELIVERY = TOTAL DELIVERIES IN REACH
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
 DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
 REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH
 FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

Re-exam: 10-22-92
 Irrigation from John Bell Ditch was
 confirmed on 3.0 acres below the ditch.
 (See map in 36-07089).
 Ryanne McCarthy

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JAN 21 1993

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE 436-00051D

RE: NOE RESPONSE

DATE 10-7-92

NAME OF PARTY

CRAIG LAUGHLIN

He called the office and spoke to Allen Merritt. I then spoke with him about his John Bell Ditch Water.

I told him the fields appeared to be irrigated from the spring. There were no ditch checks or corrugations at the time of my field exam. Mr. Laughlin admitted one of the checks was placed soon after my field exam.

I agreed to come back and take a second look with him and re-examine the situation.

I will call before the exam to confirm his presence.

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JAN 21 1993

IRRIGATION ANALYSIS WORKSHEET

CLAIM NO. A36-000356DATE 10-22-92

AGENT _____

CLAIMANT/SYSTEM DESCRIPTION _____

IRRIGATION SYSTEM ----- FloodANALYSIS METHOD ----- BORDER / FURROWTYPE OF CROP ----- PastureMAXIMUM PROFILE DEPTH ----- 36 INCHESINTAKE FAMILY ----- .70

SOIL TYPE RFF _____ SYSTEM TOTALACRES PER TYPE 5 _____ 5 ACRESSOIL PROFILE WHC 3.36 _____DESIGN IRR $\frac{1}{2}$ WHC 1.68 _____

CROP REQUIREMENT:

REPORT AREA & FIGURE NO. ----- Bliss

DAILY CROP REQUIREMENT:

6.44 (MM/DAY) / 25.4 (FACTOR IN MM/IN) ----- 0.25 IN/DAY

ACTUAL ROTATION PRACTICED ----- DAYS

DRY DAY ROTATION _____ IRR DAY ROTATION _____

THEORETICAL ROTATION:

1.68 DESIGN IRR / 0.25 CROP REQ = 6.72 DAYS

DESCRIPTION OF FIELD:

AVERAGE LENGTH RUN ----- 250TOTAL WIDTH OF FIELD ----- 900

CHECK _____ L * _____ W / 43,560 = _____ ACRES

% SLOPE ----- 3%

BORDER WIDTH -----

_____ WIDTH OF FIELD / _____ DAYS OF ROTATION

FURROW / CORRUGATION WIDTH ----- 2.5'

SET TIME -----

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JAN 21 1993

INTAKE FAMILY	DESIGN APPLIC.	FURROW SLOPE	FURROW SPACING	FURROW LENGTH	INFLOW RATE	APPROXIMATE INFLOW TIME	ADVANCE TIME	GROSS	NET	RUNOFF	DEEP PERC.	IRRIGATION EFFICIENCY
								IRRIGATION APPLICATION	IRRIGATION APPLICATION			
	Inches	Ft/Ft	Feet	Feet	Gpm	Hours	Minutes	Inches	Inches	Inches	In.	%
~~0.70~~	~~1.68~~	~~.030~~	~~2.50~~	~~250~~	~~1~~	~~12~~	~~85.8~~	~~1.85~~	~~3.62~~	~~0.01~~	~~2.00~~	~~45.46~~
0.70	1.68	.030	2.50	250	<u>2</u>	12	28.0	3.70	3.62	0.01	<u>2.00</u>	<u>45.46</u>
0.70	1.68	.030	2.50	250	3	12	19.3	5.54	3.84	1.66	2.21	30.30
0.70	1.68	.030	2.50	250	4	12	16.0	7.39	4.01	3.34	2.37	22.73

$$FIR = 4.2 \left(\frac{CU}{FAE} \right)$$

$$= 4.2 \left(\frac{.125}{45} \right)$$

$$= 0.02 / ac.$$

= allow .03 cfs/ac due to # of acres

$$= .15 cfs$$

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NOTICE OF ERROR FORM

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

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

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number:

36-00051D

2. Name: Craig Haughlin

Address: P.O. Box 121 - Hagerman

Weekday Telephone Number: 837-4863 or 837-6103
home work

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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JAN 21 1993

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on a copy.)

3. Describe the portion of proposed recommendation with which you disagree:
No Benifical use
4. Describe the changes you wish to have made in the proposed recommendation:
Benifical use restored.
5. Describe why you disagree with the proposed recommendation:
With out this water, I lack enough water to irrigate my place. The spring that were use have dried up concidable.
6. Date: 9-18-92

SIGNATURE Craig Laughlin

R PROOF



CVR



MAPS



PHOTOS



MISC



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JAN 21 1993

Water Right Number - R36-00051D Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***

LAUGHLIN RITA D 1 - PO BOX 121
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-4863

LAUGHLIN CRAIG J 1 - PO BOX 121
2 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-4863

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

06/26/1881 ERROR IN REGION I - DISALLOWED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

BILLINGSLEY CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

Tw	Rng	Sec	Tract	Lot	RFlg	County
07S	13E	11	NE SE NE		(47)	GOODING

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.600	

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

0.600 45.0

+ - - - - Place of Use - - - - - +

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	13E	2	NE SE		12.0	01	IRRIGATION	(47) GOODING
07S	13E	2	SE SE		3.0	01	IRRIGATION	(47) GOODING

Total Acres: 15.0

+ - - Diversion Means - VIA JOHN BELL DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07089

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

NO BENEFICIAL USE FOUND.

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JAN 21 1993

Water right number - R36-00051D

Prefix Translation: RESEARCH

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

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

3600051

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

P03 - NO BENEFICIAL USE FOUND: This is included for a claim based on
- beneficial use that is PROPOSED to be disallowed because
- beneficial use of water was not confirmed by IDWR's field
- examination or by other evidence submitted by the claimant.

+ - - - Decree Plaintiff - - - +
NEW INTERNATIONAL MORTGAGE BANK

+ - - - Decree Defendant - - - +
IDAHO POWER COMPANY

+ - Decree Date - +
00/00/0000

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

Date: 03/27/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW

Date: 02/06/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS

THIS IS A PORTION OF THE JOHN GLAUNER RIGHT WHO OWNED THE PROPERTY BEFORE THE CLAIMANT.

Date: 02/06/1992 User Id: CLELLAND Subject: DISALLOWAL

THIS PASTURE IS IRRIGATED UNDER RIGHT 36-07089 FROM THE SPRING. NO USE IS FOUND FROM THE JOHN BELL DITCH.

+ - - Audit Fields - - +

03/13/92 ROBERTSO

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 03/12/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/13/1992	Old Judicial District	-
Claim Received Date	- 08/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001464	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:02:28
06/29/90

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00051D

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		RE EXAM SCC 3-12-91	N	DISALLOW 3-25-91 SC			
SOURCE				N				
PLACE OF USE	Y		7-24-90 SCC/HHT	Y	1,2,4,5			
DIV. AMOUNT CFS/VOLUME	Y			Y	6. DECREE			
CONSUMPTIVE USE	-			Y				
PURPOSES				Y				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

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

DISALLOW

JAN 21 1993

RECORDED

NO USE FOUND

FOR WATER IN JOHN BELL DITCH

* irrigation use is from
spring covered by 36-7089

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:02:28
06/29/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-00051D

LAST: LAUGHLIN
ADDRESS: P.O. BOX 121
CITY: HAGERMAN
PHONE NUMBER: 208-837-4863

FIRST: CRAIG J.

STATE: ID ZIP: 83332

OWNER CODE: C

LAST: LAUGHLIN
ADDRESS: P.O. BOX 121
CITY: HAGERMAN
PHONE NUMBER: 208-837-4863

FIRST: RITA D.

STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS IS A PORTION OF THE JOHN GLAUNER RIGHT WHO OWNED THE
PROPERTY BEFORE THE CLAIMANT.

MICROFILMED
JAN 21 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: NO ONE Home

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

2ND EXAM: 3-12-91 Spoke to Mrs. Laughlin. Ask permission to Look at
the irrigation system. She said she knew nothing about how it works.
See A36-07089

MICROFILMED

JAN 21 1993

A. AJ CLAIM: # A36-00051D PRIORITY DATE: 06-26-1881 STAGE: D
B. WR RECORD: # 36-00051 PRIORITY DATE: 06-26-1881 STAGE: D

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
06-26-1881

REVIEWED BY scL

DATE 11-23-90

MICROFILMED

JAN 21 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-00051D	07S	13E	11	NE	SE	NE		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A36-10119 NONE

WR RECORDS IN SAME 40 ACRE TRACT

A36-10120	36-00003
A36-10751	36-00005
A36-10752	36-00019
A36-10755	36-00021
A36-10061	36-00024
A36-00103B	36-00025
A36-00108A	36-00026
A36-00003G	36-00027
A36-00027	36-00034
A36-00039C	36-00035A
A36-00090E	36-00035B
A36-00051B	36-00039A
A36-00076A	36-00039B
A36-00089B	36-00040
A36-00089D	36-00052
A36-10283	36-00064
A36-10312	36-00065
A36-00090A	36-00067
A36-00003D	36-00071
A36-00090B	36-00076
A36-00090C	36-00077
A36-00090D	36-00082
A36-00090F	36-00083
A36-00108F	36-00085
A36-00125A	36-00087
A36-00026	36-00088
A36-00051C	36-00089
A36-00071A	36-00090
A36-00089A	36-00091
A36-00108C	36-00094
A36-00108D	36-00095
A36-00108E	36-00096
A36-00108H	36-00103
A36-04008	36-00108
	36-00112A
	36-00112B
	36-00113B
	36-00113C
	36-00113D
	36-00125
	36-04008
	36-04115
	36-04261
	36-07271
	36-07658
	36-07739

MICROFILMED

JAN 21 1993

36-07834
36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-00051	07S	13E	11		SE	NE		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-00003	A36-00025	NONE
36-00005	A36-00087	
36-00019	A36-07658	
36-00021	A36-10409	
36-00024	A36-10119	
36-00025	A36-10120	
36-00026	A36-10751	
36-00027	A36-10752	
36-00034	A36-10755	
36-00035A	A36-10061	
36-00035B	A36-00103B	
36-00039A	A36-00108A	
36-00039B	A36-00003G	
36-00040	A36-00027	
36-00052	A36-00039C	
36-00064	A36-00090E	
36-00065	A36-00051B	
36-00067	A36-00076A	
36-00071	A36-00089B	
36-00076	A36-00089D	
36-00077	A36-10283	
36-00082	A36-10312	
36-00083	A36-00090A	
36-00085	A36-00003D	
36-00087	A36-00090B	
36-00088	A36-00090C	
36-00089	A36-00090D	
36-00090	A36-00090F	
36-00091	A36-00108F	
36-00094	A36-00125A	
36-00095	A36-00026	
36-00096	A36-00051C	
36-00103	A36-00071A	
36-00108	A36-00089A	
36-00112A	A36-00108C	
36-00112B	A36-00108D	
36-00113B	A36-00108E	
36-00113C	A36-00108H	

MICROFILMED
JAN 21 1993

36-00113D
36-00125
36-04008
36-04115
36-04261
36-07271
36-07658
36-07739
36-07834
36-07840
36-07853
36-07875
36-07957
36-08058
36-08319
36-08335

A36-04008
A36-04115
A36-04261
A36-00113B
A36-10316
A36-10588
A36-00039J
A36-00096A
A36-00113F
A36-00113G
A36-10559
A36-00048B
A36-00048C
A36-10223
A36-00103A
A36-00003B
A36-00003C
A36-00003E
A36-00003F
A36-00003J
A36-00039G

MICROFILMED

JAN 21 1993

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

N
N

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

REVIEWED BY:

Sec

DATE:

11-23-90

VIA JOHN BELL DITCH

* NO DIVERSIONS FOUND From John Bell Ditch. (3-25-91 sec)

A. ROOT WATER RIGHT NUMBERS: A36-00051
A36-00051B

A36-00051C

A36-00051D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	13E	2	SE	SE		LAUGHLIN , CRAIG J.	A36-00051D / 3.0	- /	14.0	3.0	~~3.0~~
						ANDERSON , ANITA	A36-00073 /	36-00073 /22.0			
						KISER , JOHN F.	A36-10356 /	- /			
						SIMPSON , OWEN	A36-00071A /14.0	- /			
						KNEELAND , GEORGE	A36-00075 /14.0	36-00075 /14.0			
						LAUGHLIN , CRAIG J.	<u>A36-07089</u> / 3.0	36-07089 /15.0			
						ANDERSEN , ANITA	A36-00074 / 1.5	36-00074 /22.0			
						GLAUNER , JOHN		36-00051 /			
						GLAUNER , JOHN		36-00054 /			
						JUSTICE , WILLA		36-00071 /			
						ANDERSEN , JACKIE RAY		36-00072 /22.0			
07S	13E	2	NE	SE		LAUGHLIN , CRAIG J.	A36-00051D /12.0	- /	23.0	8.0	~~8.0~~
						GOSSI , PHILLIP C.	A36-04033 /	36-04033 /			
						DAHLGREN , KATHARYN	A36-10199 /	- /			
						GOSSI , PHILLIP C.	A36-10260 /	- /			
						DAHLGREN , KATHARYN	A36-00051B /	- /			
						DAHLGREN , KATHARYN	A36-00054B / 4.0	- /			
						GOSSI , MARILYN L.	<u>A36-00076A</u> / 1.0	- /			
						LAUGHLIN , CRAIG J.	<u>A36-07089</u> /12.0	- /			
						MILDREN , MARJORIE J.	A36-00051 / 4.0	36-00051 /			
						MILDREN , MARJORIE J.	A36-00054 / 4.0	36-00054 /			
						MILDREN , WALTEN E.	A36-07323 / 1.0	36-07323 / 1.0			
						LEWELLEN , ROY		36-00076 /			
TOTAL ACRES							A36-00051D	15.00	37.00		~~15.00~~

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(~~X~~)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
~~Y~~

all irrigation is from spring and gravity system
Claimed under A36-07089.

FILED
JAN 21 1993

PRESUMPTION FLAG:

REMARKS:

confirmed acres by NAPP, OPQ, field Exam, ASCS

RECOMMENDATIONS:

TOTAL ACRES:

~~11.0~~ 0

REVIEWED BY:

See
See

DATE:

11-23-90
3-25-91

(Revised)

MICROFILMED

JAN 21 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-00051D IRRIGATION	FROM 03-15 TO 11-15	.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.600 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-00051 IRRIGATION	FROM TO	1.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.200 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(~~X~~) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(~~X~~) Explain in remarks, below.

REMARKS:

MICROFILMED
JAN 21 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-07089

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00051D	BILLINGSLEY CREEK	LAUGHLIN , CRAIG J.	0.600	0.040		
A36-00071A	BILLINGSLEY CREEK	SIMPSON , OWEN	0.560	0.040		
A36-07089	SPRINGS	LAUGHLIN , CRAIG J.	0.360	0.024		
A36-00074	SPRING NO. THREE	ANDERSEN , ANITA	0.400	0.026		
A36-00054B	SPRINGS	DAHLGREN , KATHARYN	0.050	0.012		
A36-00076A	BILLINGSLEY CREEK	GOSSI , MARILYN L.	0.480	0.048		
A36-00051	BILLINGSLEY CREEK	MILDREN , MARJORIE J.	1.200	0.300		
A36-00054	SPRINGS	MILDREN , MARJORIE J.	0.400	0.100		
A36-00051B	BILLINGSLEY CREEK	DAHLGREN , KATHARYN	0.150	0.037	16.10	4.02
A36-07323	SPRING	MILDREN , WALTE E.	0.060	0.060	4.60	4.60

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-00073	DOMESTIC	ANDERSON , ANITA	FROM 01-01 TO 12-31	.200 CFS	
A36-00073	STOCKWATER	ANDERSON , ANITA	FROM 01-01 TO 12-31	.100 CFS	
A36-10356	DOMESTIC	KISER , JOHN F.	FROM 01-01 TO 12-31	.040 CFS	
A36-00075	DOMESTIC	KNEELAND , GEORGE	FROM 01-01 TO 12-31	.020 CFS	
A36-00071A	STOCKWATER	SIMPSON , OWEN	FROM 01-01 TO 12-31	.020 CFS	
A36-04033	STOCKWATER	GOSSI , PHILLIP C.	FROM 01-01 TO 12-31	.020 CFS	
A36-04033	DOMESTIC	GOSSI , PHILLIP C.	FROM 01-01 TO 12-31	.040 CFS	
A36-10199	DOMESTIC	DAHLGREN , KATHARYN	FROM 01-01 TO 12-31	.040 CFS	

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A36-10260 DOMESTIC
A36-10260 STOCKWATER
A36-00051B STOCKWATER

GOSSI , PHILLIP C.
GOSSI , PHILLIP C.
DAHLGREN , KATHARIN

FROM 01-01 TO 12-31 .040 CFS
FROM 01-01 TO 12-31 .020 CFS
FROM 04-01 TO 08-31 .020 CFS

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 11 x 0.02 CFS/ACRE = 0.22 CFS
(Taken from p/u review)

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

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 45.0 AF/A

ACRES 11 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 33 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 11 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 44 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15	11-15	DATABASE 0.600 EXAMINER 0.22	DATABASE 44 EXAMINER 44	DATABASE 45.0 EXAMINER 33
TOTAL FOR THIS RIGHT			0.600		45.0

REVIEWED BY:

SC

DATE:

11-23-90

NO USE FOUND (3-25-91 SCC)

$$WR \text{ proportional Rate} = \frac{1.2 \text{ cfs}}{120 \text{ Ac}} = 0.01 \text{ cfs/Ac}$$

* allow 0.02 cfs/Ac see split AB6-00051 Review

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	(X)
ADDITIONAL DIV. AMOUNT _____	()	(X) legal Review

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00051

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
	1.200		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-00051	1.200	-		36-00051	1.200
A36-00051	A36-00051B	0.150	-		36-00051	1.200
-	A36-00051C	0.150	-		-	
-	A36-00051D	0.600	-		-	
TOTAL CFS		2.100				1.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	

REMARKS:

See A36-00051 for Split Review

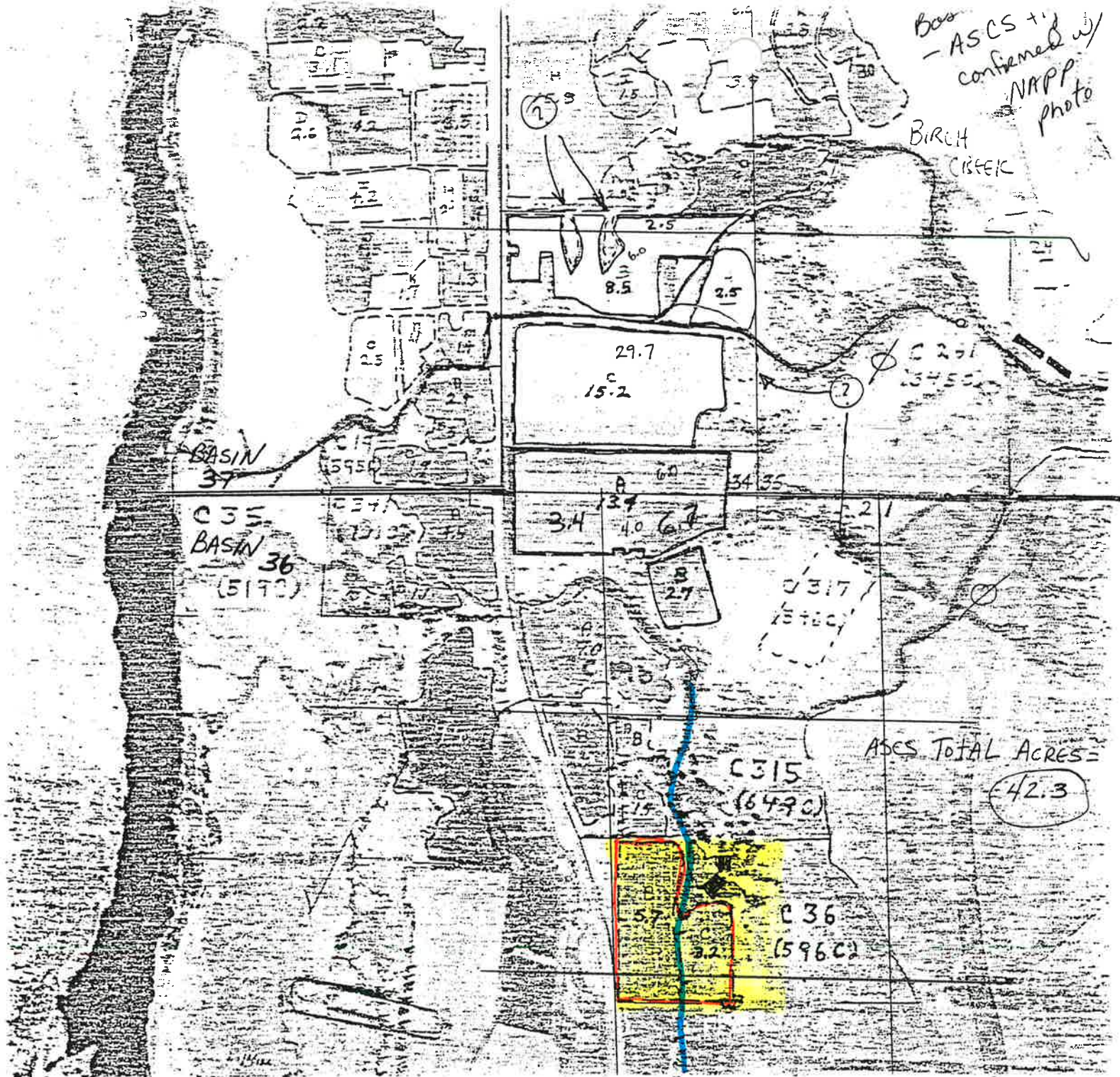
AUTHENTICATION:

SIGNATURE: Steve [Signature]

DATE: 11-23-90

NAME OF FIELD EXAMINER: _____ TITLE: _____

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ASCS ACRES =
8.9

CRAIG LAUGHLIN

A36-00051D

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JAN 21 1993

Craig Laughlin
PO Box 121
Hagerman Idaho
83332



PLEASE MAIL
EARLY FOR
CHRISTMAS

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

RECEIVED

DEC 14 1992
Department of Water Resources
Southern Region Office

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Craig Laughlin
PO Box 121
Hagerman, Id. 83332



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JAN 06 1993
Department of Water Resources
Southern Region Office

Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho
83301

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