

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: 39356
Ident. Number A36-00123A
Date Received 7-22-88
Receipt Number g

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

**COPY
FOR YOUR FILES
DO NOT RETURN**

Please type or print clearly

1. Name of Claimant (s) FRANK S. RAWSON & CAROL A. RAWSON Phone (208) 837-4514
Mailing Address Route #1, Hagerman, Idaho Zip 83332
2. Date of Priority (Only one (1) per claim) April 1, 1886
3. Source of water supply (a) Spring along Spring Creek
which is tributary to (b) Billingsley Creek
4. a. Location of existing point of diversion is: Township 7 South Range 14 East Section 31,
NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Gooding
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. From a concrete diversion at the head of the
Spring, the water is transported by use of a steel pipeline that services our property
along with other property.

MICROFILMED

OCT 12 1994

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 0.2 or _____
For Domestic purposes from Jan. 1 to Dec. 31 amount 0.04 or _____
For Livestock purposes from Jan. 1 to Dec. 31 amount 0.02 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) 28 (acre feet)

8. Total consumptive use claimed is 21 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There is one (1) household and two to three calves on the property at times.

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7 S	14 E	31						D-S 7											7

Total number of acres irrigated 7 acres

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

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

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

or None (X)

14. Remarks:

Last Name RAWSON Ident No. _____

MICROFILMED
Copies: White - State, Yellow - Claimant
OCT 12 1994

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
OCT 12 1994
Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Beneficial Use ☐ Posted Notice ☐ License ☐ Permit ☒ Decree
If applicable provide IDWR Water Right Number Part of 36-0123
Court U.S. District Court Case Number 1602 Decree Date March 22, 1932
Plaintiff vs Defendant New International Mortgage Bank vs Idaho Power Company

16. Signature (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 two (2)

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

Signature of Claimant (s)

Frank S. Rawson
Carol A. Rawson

Date 7/22/88

Date 7-22-88

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

of _____ Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

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

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

SEAL

Notary Public [Signature]

Residing at Hagerman, Idaho

My Commission Expires 5-10-91

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name RAWSON Ident. Number _____

MICROFILMED

MICROFILMED

OCT 12 1994
Copies White-State, Yellow-Claimant

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

MICROFILMED
OCT 12 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)

9
10
11
12
13
14
15
16
17
18
19
20
21
22
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

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

NOTICE OF APPEARANCE

19 Petitioner,

20 vs.

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

Respondents.

* * * * *

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



Hepworth,
Nungester,
& Lezamiz

NOTICE OF APPEARANCE - 1

MICROFILMED

OCT 12 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
4	Big Bend Irrigation & Mining Co.	A36-00192
	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
8	Brooks, Allen L. & Andree	A35-00060
	Brooks, Allen L. & Andree	A36-07346
9	Bybee, Gertrude B. Owsley	A36-00042A
	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



Hepworth,
Nungester,
& Lezamiz

MICROFILMED

OCT 12 1994

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
	Strange, Wm. (Penelope Turner-remainder man)	A36-00008
23	Veenendaal, Dick J.	A36-00108A
	Veenendaal, Dick J.	A36-00039C



Hepworth,
Nungester,
& Lezamiz

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



1 February, 1993, to:

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

6 Clive Strong
7 Chief Natural Resources Division
8 Office of Attorney General
9 Statehouse
10 Room 210
11 Boise, Idaho 83720

12 David Shaw
13 Adjudications Bureau Chief
14 Department of Water Resources
15 1301 North Orchard
16 Boise, Idaho 83706

17 United States Department of Justice
18 Environment and Natural Resources Division
19 550 West Fort Street, Box 33
20 Boise, ID 83734

21 
22 Patrick D. Brown



Hepworth,
Nungester,
& Lezamiz

MICROFILMED

OCT 12 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

MICROFILMED
OCT 12 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)

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 Turn- 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 12 1994

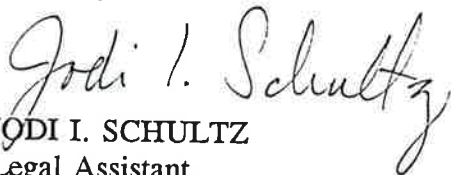
Mr. Patrick D. Brown
March 1, 1993
Page 4

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 12 1994

DEED

FOR VALUE RECEIVED,

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF TWIN FALLS, a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto FRANK S. RAWSON and CAROL A. RAWSON, husband and wife, whose address is: Route 1, Hagerman, Idaho 83422, grantees, the following described real estate, to-wit:

See the attached EXHIBIT "A"

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever

IN WITNESS WHEREOF The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this



Richard L. Allen
PRESIDENT
ATTEST: *Kenneth L. Leonard*
SECRETARY

STATE OF IDAHO, COUNTY OF TWIN FALLS,
on this 12th day of April 1988
before me, a notary public in and for said State, personally appeared Richard L. Allen and Kenneth L. Leonard, known to me to be the President and Secretary of the corporation that executed this instrument, or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Kenneth L. Leonard
Notary Public
Residing at Twin Falls, Idaho
Comm. Expires 12-19-93

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for a
the request of First American Title Company
this 14th day of April 1988
in my office and that the instrument is a
of Deeds at page

John A. Myers
Ex-Officio Recorder
By *William K. Platt*
Fees \$ 6.00
Mail to: Frank B. Rawson
Route 1, Box 271E, Hagerman, Id

POOR ORIGINAL

First American Title Company of Idaho

MICROFILMED
OCT 12 1994

13-123

17 Vader, Earl .0 Spring April 1, 1936 Spring along Spring Creek,
and Ethel .1 Spring Dec. 12, 1901 Weatherby Springs;
Vader (Hoagland Tunnel)

(The Spring along said Spring Creek is situated on the land of Fred Vader described as the $\frac{1}{2}$ of the $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the East 12.75 acres of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 14 E. B. M.)

The West thirty acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the East ten acres of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 14 E. B. M.

119 Vader .2 Spring Dec. 12, 1901 Weatherby Springs;
Frank S. (Hoagland Tunnel)
and Katie .3 Spring July 3, 1915 Weatherby Springs;
Vader .1 Spring April 1, 1936 Spring along Spring Creek;

(Said spring along Spring Creek is the same as described above.)

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 14 E. B. M.

22 Vader, .3 Spring April 1, 1936 Spring along Spring Creek,
Fred

(Said Spring along Spring Creek is the same as described above.)

W $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the East 12.75 acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 14 E. B. M.

123 Vader, 1.2 Spring April 1, 1936 Spring along Spring Creek,
Harvey W.
and Mabel
Vader

(Said Spring along Spring Creek is the same as described above.)

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 15 E. B. M. and the West 30 acres of Sec. 31, Twp. 7 S. R. 14 E. B. M.

124 Vader, .3 Spring April 1, 1936 Spring along Spring Creek,
Verona

(Said Spring along Spring Creek is the same as described below.)

The West 7.25 acres of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 31, and the East 12.75 acres of Lot 1, all in Sec. 31, Twp. 7 S. R. 14 E. B. M.

Lead, .2 Billingsley Creek Sept. 15, 1934 Buckeye Ditch

NOT RECORDED
JAN 21 1935
MICROFILMED

TRACT I

Township 7 South, Range 14 East of the Boise Meridian

Section 31: Part of Lots 1 and 2, lying North of the
Curran Ditch, described as follows:

Beginning at the Northwest corner of Section 31;
thence S 89° 43' E, 1,079.8 feet to the Northeast
corner of Lot 1;

thence S 0° 1' E, along the East line of Lot 1,
981.0 feet to the True Point of Beginning;

thence continuing S 0° 1' E, along said East
line of Lot 1, 574.0 feet;

thence N 66° 39' W, 359.3 feet;

thence N 56° 02' W, 100.5 feet;

thence N 48° 02' W, 22.9 feet;

thence N 0° 17' E, 617.2 feet to a point on a
curve;

thence N 55° 17' E, 100.0 feet, along the cord
of a curve having a 50 foot radius an arc length of 157.0 feet
to a point on said curve;

thence S 47° 41' E, 466.4 feet to the True Point
of Beginning.

TRACT II

Together with a road for ingress and egress for benefit of Tract I
as created by deed recorded February 22, 1979 as Instrument No.
75007, records of Gooding County, over and upon the following
described land:

Township 7 South, Range 14 East of the Boise Meridian

Section 31: Part of Lot 1 described as follows:

Beginning at the Northwest corner of said Lot 1;
thence S 89° 43' E, along the North boundary of
said Lot 1, 550.0 feet;

thence S 0° 01' E, 25.00 feet to the True Point
of Beginning;

thence S 0° 01' E, 386.0 feet;

thence S 35° 35' 50" E, 318.00 feet to the point
of curvature of a 50.0 foot radius curve, the radius point of
said curve lies S 55° 17' W, 50.00 feet;

thence to the right along the arc of said curve,
235.5 feet to a point;

thence N 34° 43' W, 294.2 feet;

thence N 0° 01' W, 390.0 feet;

thence S 89° 43' E, 50.0 feet to the True Point
of Beginning.

IN THE COUNTY OF GOODING, STATE OF IDAHO

MICROFILMED

JAN 22 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-00123A
Date Received: 7/27/1988
Receipt No: 5001120
Received By: js

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CAROL A. RAWSON 208-837-4514
Address: RT. 1
HAGERMAN, ID 83332

AND

Name: FRANK S. RAWSON 208-837-4514
Address: RT. 1
HAGERMAN, ID 83332

2. Date of Priority: APR 01, 1886

3. Source: SPRING Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	14E	31	NE	NE	NW		GOODING

5. Description of diverting works:
CONC. DIV. @ SPRING DELIVERING TO STEEL PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE, S/ 3 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	14E	31			DOMEST STOCK	
			NW	NW	1 IRR	7.0
					Section Acres	7.0
					Total Acres	7.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BAN
Decree Plaintiff

vs

IDAHO POWER COMPANY
Decree Defendant

MICROFILMED
JAN 22 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

September 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. BREWER
Director

SEP 21 2001

RECEIVED Department of Water Resources
SEP 18 2001

FRANK S RAWSON
CAROL A RAWSON
1121B E 2900 S

HAGERMAN ID 83332

RE: Snake River Basin Adjudication (SRBA)
Water Right #36-123A

Department of Water Resources

Record Modified 9-19-01

Dear Water Right Holders:

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by October 28, 2001. Thank you for your help.

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

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

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

Water Right Holder's Signature

Frank & Carol Rawson

Telephone No. 208 832-4514

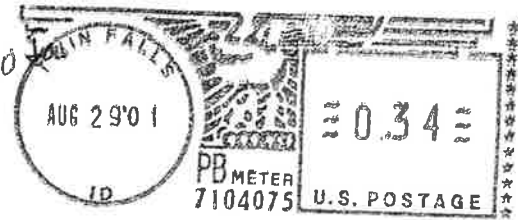
STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

 RETURNED TO SENDER

☐ MOVED, LEFT NO ADDRESS
☐ NOT DELIVERABLE AS ADDRESSED
☐ UNABLE TO FORWARD
☐ ATTEMPTED NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET
☐ DO NOT REPAIR IN THIS ENVELOPE
☒ INSUFFICIENT ADDRESS
☐ NO MAIL RECEIPT
☐ BOX CLOSED BY OWNER

FRANK S RAWSON
CAROL A RAWSON
RT 1
HAGERMAN, ID 83332

1121-B E, 2900



36-123A



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

DATE: DEC-29-1997

PAGE: A-1

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: BILLINGSLEY CREEK

RIGHT NUMBER: 36-00123A

NAME AND ADDRESS: CAROL A RAWSON
FRANK S RAWSON
RT 1
HAGERMAN ID 83332

SOURCE: SPRING TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.12 CFS
0.09 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY USED FOR: STOCKWATER, 3 RANGE CATTLE, 3 PIGS, 2 SHEEP, AND CHICKENS.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED, SO LONG AS THE QUANTITY DIVERTED AT THE POINT OF DIVERSION DOES NOT CONSTITUTE UNREASONABLE WASTE.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.31 CFS.

OTHER RIGHT NOS.: 36-00123B, 36-00123C, 36-00123D, 36-00123E, 36-00123F & 36-00123G.

PRIORITY DATE: 04/01/1886

POINT OF DIVERSION: T07S R14E S31 NENENW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.12 CFS
		03/13 11/13	0.09 CFS
STOCKWATER		01-01 12-31	0.02 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T07S R14E S31 Lot 1 (NWNW) 4
Lot 11 (NWNW) 3

4 ACRES TOTAL
3 ACRES TOTAL

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

DATE: DEC-29-1997

PAGE: A-2

36-00123A (CONT.)

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE:

910 AFS

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

SOURCE IS ALSO KNOWN AS SPRING CREEK.

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 0.37 CFS.
OTHER RIGHT NOS.: 36-00123B, 36-00123C, 36-00123D, 36-00123E, 36-00123F & 36-00123G.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

SOURCE IS ALSO KNOWN AS SPRING CREEK.

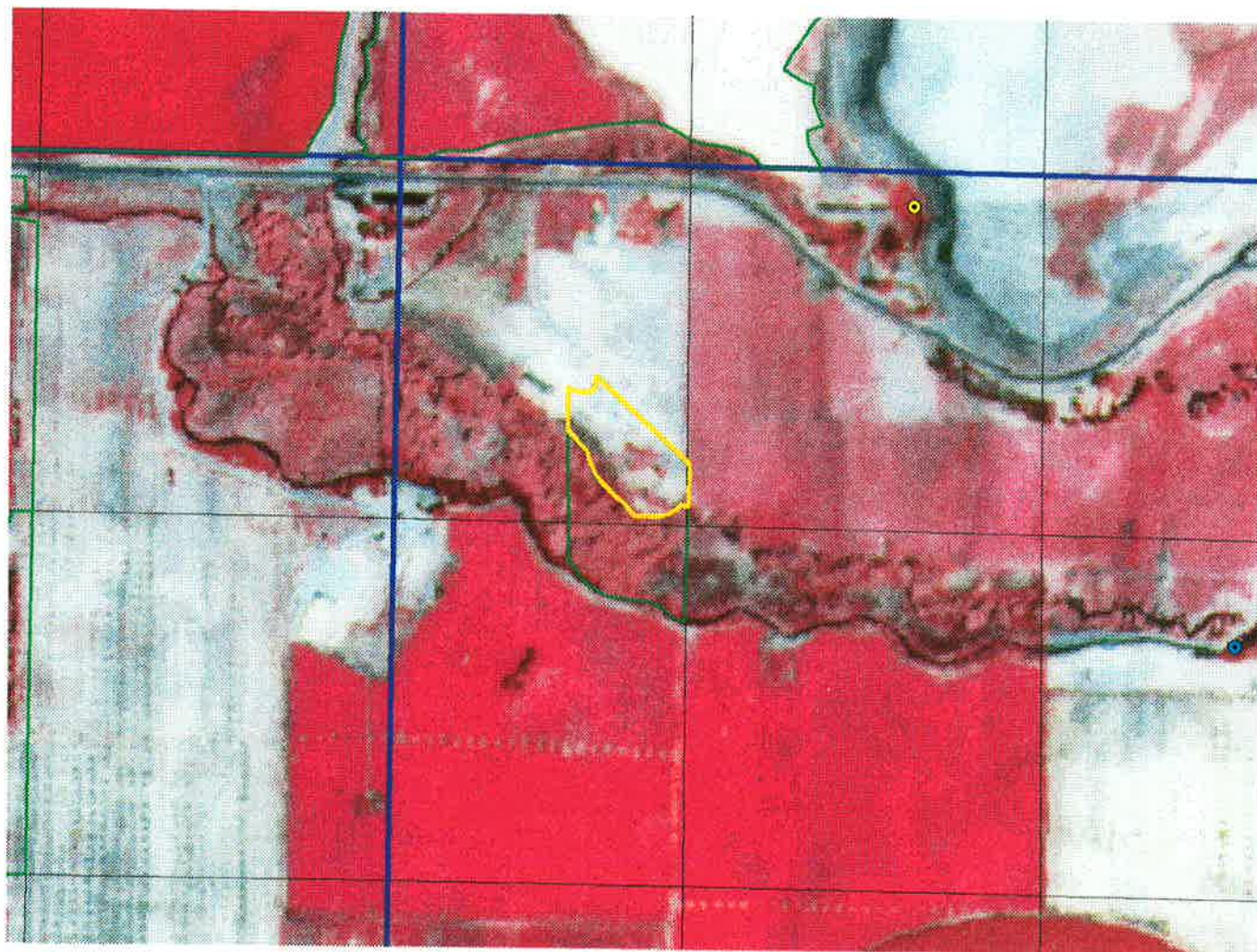
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

OTHER RIGHT NOS.: 36-00123B, 36-00123C, 36-00123D, 36-00123E, 36-00123F & 36-00123G.

STOCKWATER, 5 RANGE CATTLE, 5 PIGS, 2 SHEEP, AND CHICKENS.

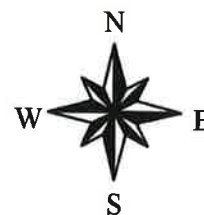
IDAHO DEPARTMENT OF WATER RESOURCES

36-00123A
RAWSON



660 0 660 1320 Feet

TNS 7S, RNG 14E, SEC 31 NWNW



⊙ RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES &/OR TRACT LINES

QUARTER/QUARTER LINES

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

SUBCASE NO. 36-00123A

	CLAIM (7/22/88)	AMENDED CLAIM	RECOMMENDATION	OBJECTION
NAME	Frank & Carol Rawson	N/A	Frank & Carol Rawson	
BASIS OF CLAIM	Decree		Decree	
SOURCE	Spring along Spring Creek		Spring	
QUANTITY	0.2 cfs		.09 cfs	XX at decreed amounts &/or as beneficially used
PRIORITY DATE	4/1/1886		4/1/1886	
PURPOSE OF USE	Irrigation/Domestic/ Livestock		Irrigation/Stockwater	XX beneficially used for purposes set forth in notice of claim
PERIOD OF USE	Irr.: 3/15 - 11/15 Dom.: 1/1 - 12/31 L.S.: 1/1 - 12/31		Irr.: 3/15 - 11/15 S.W.: 1/1 - 12/31	XX 1/1 - 12/31 (all uses)
POINT OF DIVERSION	T07S R14E S31		T07S R14E S31	
PLACE OF USE	T07S R14E S31 7 acres		T07S R14E S31 3.0 acres	XX 6 acres
REMARKS			+ see below	XX strike all comments except "source is also known as Spring Creek"

+ The appropriator is entitled to the amount of water described above for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described above.

The portion of this right for stockwater purposes may be diverted so long as the amount of water diverted at the point of unreasonable waste and does not conflict with the public interest, as determined by the director.

Source is also known as Spring Creek.

Rights listed below are also diverted through point of diversion described above, and the total combined rate of diversion of these rights is limited to 0.31 cfs.

Other right nos.: 36-00123B, 36-00123C, 36-00123D, 36-00123E, 36-123F & 36-00123G.

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

WATER RIGHT NOS. 36-00123A

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)

100 %

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

 %

My total acreage is 4 acres.

(3 acres RB)

Frank S. Boushon
Signature of Claimant

Oct 22 1997
Date

Signature of Claimant

Date

Quane Brown 10/22/97
Signature of IDWR agent

Date

HAGERMAN

Surface Irrigation Diversion Rate Analysis Sheet

WR#'s 36-00123A

SOIL	SOIL AC.	% ROW	ROW AC.	FIR ROW	CFS ROW	% FOR.	FOR. AC.	FIR FOR.	CFS FOR.
CHB	2.36			0.035		100	2.36	0.024	0.057
FAB	0.57			0.046		100	0.57	0.030	0.017
TOTALS	2.93								0.074

REC.
FIR

0.08 *

CFS

=

SUM

0.074

CFS

X

3

REC. AC.

2.93

GIS AC.

DATE 10/22/97

INIT. JF

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

DIVERSION CAPACITY OR LIC./DEC. AMOUNT MAY LIMIT

36 00123A

<i>Pou_id</i>	<i>Soil_type</i>	<i>Acres_deci</i>	<i>Mad_row</i>	<i>Mad_for</i>	<i>Fir_row</i>	<i>Fir_for</i>	<i>Soil_pou</i>
574	CHB	2.36	1.34	2.48	0.035	0.024	574 CHB
574	FAB	0.57	0.91	1.71	0.046	0.030	574 FAB

CLAIM NUMBERS 36-00123ADATE 10/6/97

TRANSFER NUMBER _____

OBJECTION FILED _____

AGENT DJTOTAL ACRES FROM RECOMMENDATION 3GEOGRAPHIC INFO SYSTEM 3

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	<u>75</u>	<u>14E</u>	<u>31</u>						<u>3</u>										<u>3</u>
GIS								<u>2.93</u>											<u>3</u>
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

POLYGON CREATED ON 604 ()

B36-DBPOU.DBF

ATTRIBUTES OF B36-POU.SHP (574)10/14/97

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP (581)10/14

2.93 Spring Cr Tunnel source
3.78 between Curren Ditch & Billingsley Cr
6.71

P/U CONFLICT yes () no (X)P/D CONFLICT yes () no (X)

READY FOR DECREE yes () no ()

SENT FOR DECREE yes () no ()

R PROOF
CVR
MAPS
PHOTOS
MISC

MICROFILMED

OCT 12 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 the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 36-00123A -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)

MICROFILMED
OCT 12 1994

2. Person who filed objection:

Name: FRANK S & CAROL A RAWSON
Address: ROUTE 1
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

3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ 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. ☒ Place of Use: I respond to the objection concerning:
- 9b. ☒ The number of irrigated acres within each forty (40) acre subdivision.
10. ☒ 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 BY THE CLAIMANTS' ANSWER,
AFFIRMATIVE DEFENSES AND PRAYER FOR RELIEF.

REASONS SUPPORTING EACH BOX CHECKED

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 the claimed domestic use was not made prior to commencement of the adjudication and therefore cannot be recommended as part of this right.

In response to Statement of the Objection item 8, and all allegations of the objection regarding that 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.

(Over)

MICHOENLD

In further response to this item 8, IDWR responds that it recommended the irrigation and stockwater seasons of use as claimed. By now seeking a year round irrigation season of use, 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 response to Statement of the Objection item 10 and all allegations of the objection regarding that 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 there is an error in the remarks in the decription of this water right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law". IDWR further 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 remaining 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.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

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

(Over)

OCT 15 1993
RECEIVED

No. of
Pages

Notice of Claim No. A36-00123A	7
IDWR's Response to Answer, Affirmative Defenses and Prayer for Relief of Claimant	4
Recommended Water Rights Acquired under State Law	1

VERIFICATION (Must be Completed)

State of IDAHO

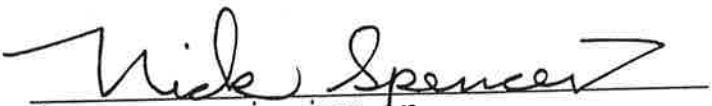
County of ADA

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 9th day of September,
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 10th day of SEPTEMBER, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
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

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: 39356
Ident. Number A36-001234
Date Received 7-22-88
Receipt Number g

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) FRANK S. RAWSON & CAROL A. RAWSON Phone (208) 837-4514
Mailing Address Route #1, Hagerman, Idaho Zip 83332
2. Date of Priority (Only one (1) per claim) April 1, 1886
3. Source of water supply (a) Spring along Spring Creek
which is tributary to (b) Billingsley Creek
4. a. Location of existing point of diversion is: Township 7 South Range 14 East Section 31,
NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Gooding
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. From a concrete diversion at the head of the
Spring, the water is transported by use of a steel pipeline that services our property
along with other property.

MICROFILMED
JAN 22 1993

OCT 12 1994

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 0.2 or _____
For Domestic purposes from Jan. 1 to Dec. 31 amount 0.04 or _____
For Livestock purposes from Jan. 1 to Dec. 31 amount 0.02 or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) 28 (acre feet)

8. Total consumptive use claimed is 21 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There is one (1) household and two to three calves on the property at times.

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7 S	14 E	31						D-S											7
								7											

Total number of acres irrigated 7 acres

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

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

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

14. Remarks: _____ or None (X)

Last Name RAWSON Ident No. _____

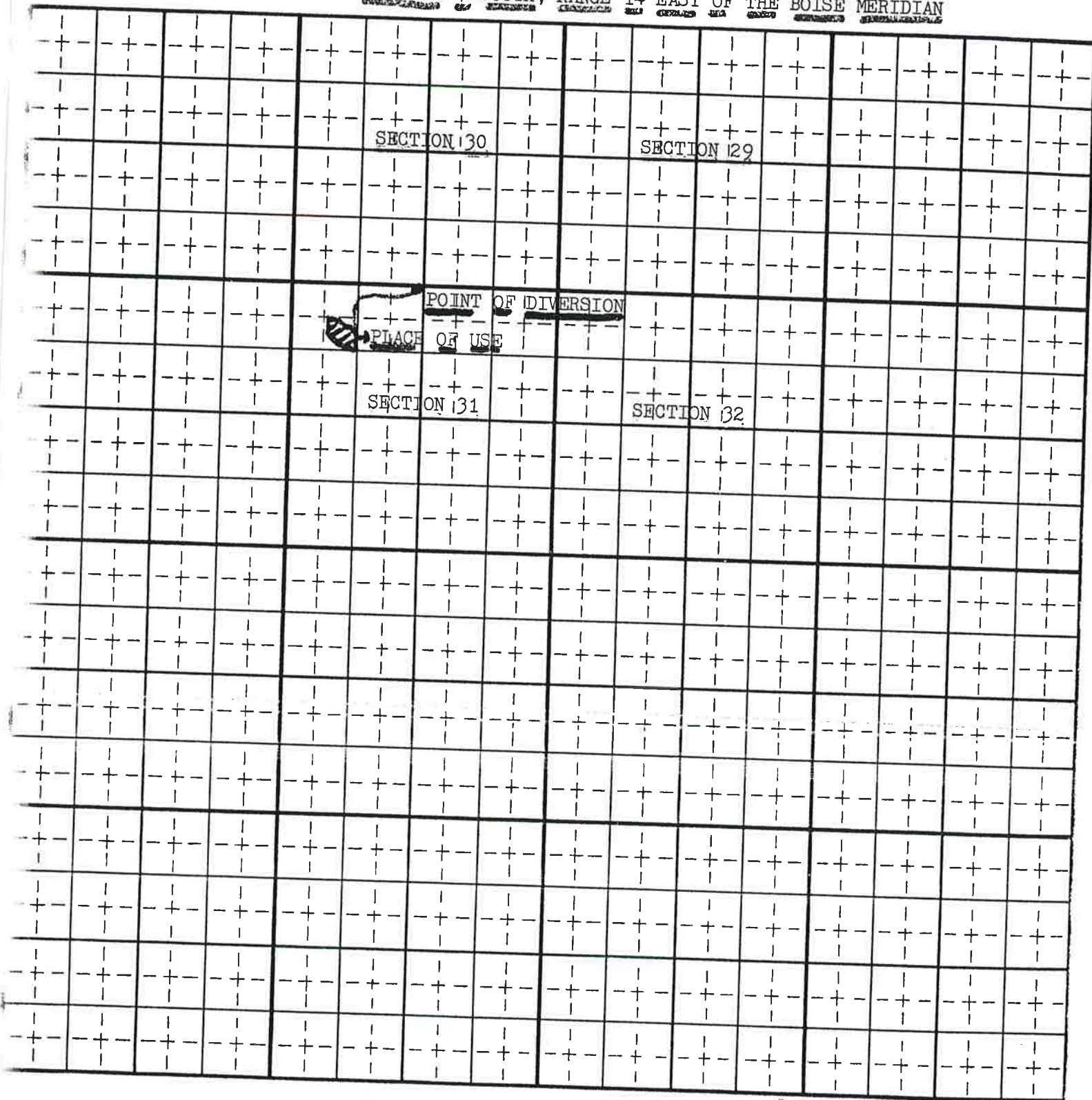
MICROFILMED

JAN 2 1998

Copies: White -State Yellow-Claimant
OCT 12 1994

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

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN



MICROFILMED
JAN 22 1993
MICROFILMED
OCT 12 1994
Copies: White-State, Yellow-Claimant

Last Name RAWSON Ident No. _____

15. Basis of Claim (check one) Decree ☒ Use Posted Notice ☐ License ☐ Permit ☐
If applicable provide IDWR Water Right Number Part of 36-0123
Court U.S. District Court Case Number 1602 Decree Date March 22, 1932
Plaintiff vs Defendant New International Mortgage Bank vs Idaho Power Company

16. Signature (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 two (2)

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

Signature of Claimant (s)

Frank S. Rawson
Carol A. Rawson

Date 7/27/88

Date 7-22-88

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

of _____ Title _____
Organization _____, that I have signed the foregoing

document in the space below as _____ of _____
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

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

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

SEAL

Notary Public Clifton E. Jensen

Residing at Hagerman, Idaho

My Commission Expires 5-10-91

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name RAWSON Ident. Number _____

MICROFILMED

JAN 22 1993

Copies White-State, Yellow-Claimant MICROFILMED

OCT 12 1994

DEED

FOR VALUE RECEIVED,

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF TWIN FALLS
a corporation duly organized and existing under the laws of the State of Idaho, grants, sells, hereby Grant,
Bargain, Sell and Convey unto FRANK S. RAWSON and CAROL A. RAWSON, husband and wife,
whose address is: Route 1, Hagerman, Idaho 83422
granted, the following described real estate, to-wit:

See the attached EXHIBIT, map

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee,
their heirs and assigns forever.

IN WITNESS WHEREOF The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its
Secretary this



By Kenneth L. Leonard
PRESIDENT
Attest: Kenneth L. Leonard
SECRETARY

STATE OF IDAHO, COUNTY OF TWIN FALLS,
in this 12th day of April 19 88
before me, a notary public in and for said State, personally
appeared Richard L. Allen and
Kenneth L. Leonard known to me to
be the President and Secretary of the corporation that exe-
cuted this instrument, or the persons who executed the instru-
ment on behalf of said corporation, and acknowledged to me
that such corporation executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, the day and year in this certificate
first above written.
Richard L. Leonard
Notary Public
Residing at Twin Falls, Idaho
Comm. Expires 11-19-93

STATE OF IDAHO, COUNTY OF TWIN FALLS
I hereby certify that this instrument was filed for
the request of First American Title Company
at 4 o'clock p.m. on April 12, 1988, in my office and that the same was
of Deeds at page
John A. Myers
Deputy Register
By Helene K. Platt



First American Title Company of Idaho

MICROFILMED
OCT 12 1994

and Stadel
Vader

Dec. 12, 1901

Weatherby Springs;
(Hoagland Tunnel)

(The Spring along said Spring Creek is situated on the land of Fred vader described as the $\frac{1}{2}$ of the $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the East 12.75 acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the Sec. 31, Twp. 7 S. R. 14 E. B. M.)

The West thirty acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the East ten acres of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 14 E. B. M.

119 Vader

.2

Spring

Dec. 12, 1901

Weatherby Springs;
(Hoagland Tunnel)

Frank J.

.3

Spring

July 3, 1915

Weatherby Springs;

and Katie

.1

Spring

April 1, 1886

Spring along Spring Creek;

121 Vader

(Said spring along Spring Creek is the same as described above.)

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 14 E. B. M.

122

Vader

.9

Spring

April 1, 1886

Spring along Spring Creek;

Fred

(Said Spring along Spring Creek is the same as described above.)

$\frac{1}{2}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the East 12.75 acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 14 E. B. M.

123

Vader

1.2

Spring

April 1, 1886

Spring along Spring Creek;

Harvey W.

and Label

Vader

(Said Spring along Spring Creek is the same as described above.)

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 31, Twp. 7 S. R. 15 E. B. M. and the West 30 acres of Lot 1 of Sec. 31, Twp. 7 S. R. 14 E. B. M.

124

Vader

.3

Spring

April 1, 1886

Spring along Spring Creek;

Verdon

(Said Spring along Spring Creek is the same as described below.)

The West 7.25 acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 31, and the East 7.25 acres of Lot 1, all in Sec. 31, Twp. 7 S. R. 14 E. B. M.

MICROFILMED

POOL ORIGINAL 12 1994

JAN 22 1981

POOR ORIGINAL

TRACT I

Township 7 South, Range 14 East of the Boise Meridian
Section 31: Part of Lots 1 and 2, lying North of the

Curran Ditch, described as follows:

Beginning at the Northwest corner of Section 31;
thence S 89° 43' E, 1,079.8 feet to the Northeast

corner of Lot 1;

thence S 0° 1' E, along the East line of Lot 1,
981.0 feet to the True Point of Beginning;

thence continuing S 0° 1' E, along said East
line of Lot 1, 574.0 feet;

thence N 66° 39' W, 359.3 feet;

thence N 56° 02' W, 100.5 feet;

thence N 48° 02' W, 22.9 feet;

thence N 0° 17' E, 617.2 feet to a point on a

curve;

thence N 55° 17' E, 100.0 feet, along the cord
of a curve having a 50 foot radius an arc length of 157.0 feet
to a point on said curve;

thence S 47° 41' E, 466.4 feet to the True Point
of Beginning.

TRACT II

Together with a road for ingress and egress for benefit of Tract I
as created by deed recorded February 22, 1979 as Instrument No.
75007, records of Gooding County, over and upon the following
described land:

Township 7 South, Range 14 East of the Boise Meridian
Section 31: Part of Lot 1 described as follows:

Beginning at the Northwest corner of said Lot 1;
thence S 89° 43' E, along the North boundary of

said Lot 1, 550.0 feet;

thence S 0° 01' E, 25.00 feet to the True Point
of Beginning;

thence S 0° 01' E, 386.0 feet;

thence S 35° 35' 50" E, 318.00 feet to the point
of curvature of a 50.0 foot radius curve, the radius point of
said curve lies S 55° 17' W, 50.00 feet;

thence to the right along the arc of said curve,
235.5 feet to a point;

thence N 34° 43' W, 294.2 feet;

thence N 0° 01' W, 390.0 feet;

thence S 89° 43' E, 50.0 feet to the True Point
of Beginning.

IN THE COUNTY OF GOODING, STATE OF IDAHO

MICROFILMED
JAN 22 1993
OCT 12 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

- 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.

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

DATE: SEP-7-1993

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: SPRING		TRIBUTARY: BILLINGSLEY CREEK				
36-00123A	FRANK S RAWSON CAROL A RAWSON RT 1 HAGERMAN ID 83332	04/01/1886	IRRIGATION	03-15 11-15	.09 CFS	DECREED
			STOCKWATER	01-01 12-31	.02 CFS	
NON-IRRIGATION-USSES:					TOTAL QUANTITY:	.09 CFS
STOCKWATER, 5 RANGE CATTLE, 5 PIGS, 2 SHEEP, AND CHICKENS.					CONSUMPTIVE USE:	9.0 AFY
POINT OF DIVERSION:						
T07S R14E S31		NENENW				
PLACE OF USE: IRRIGATION						
T07S R14E S31 Lot 1 (NWNW) 3.0						
3.0 ACRES TOTAL						
PLACE OF USE: STOCKWATER						
T07S R14E S31 Lot 1 (NWNW)						
REMARKS:	~~THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE.~~ ~~THE PORTION OF THIS RIGHT FOR STOCKWATER PURPOSES MAY BE DIVERTED SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF DIVERSION FOR STOCKWATER PURPOSES DOES NOT CONSTITUTE UNREASONABLE WASTE AND DOES NOT CONFLICT WITH THE PUBLIC INTEREST, AS DETERMINED BY THE DIRECTOR.~~ SOURCE IS ALSO KNOWN AS SPRING CREEK. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 0.31 CFS. OTHER RIGHT NOS.: 36-00123B, 36-00123C, 36-00123D, 36-00123E, 36-00123F & 36-00123G.					

MICROFILMED
 OCT 12 1994

7
RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No:

S015306

RECEIVED

JAN 25 1993

Department of Water Resources
Southern Region Office

Date:
Time:

1/25/1993
11:28:39

Received
From:

RAWSON CAROL

Type of Payment

Program Acct Class

Amount

FEE FOR COPY OF ADJUDICATION CLAIM

64100

229 21 1760

5.10

Total

CHECK

607

\$5.10

Region: SOUTHERN

Signature:

R. Foster

MICROFILMED
OCT 12 1994



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-Jan-1993

FRANK RAWSON
RT 1 BOX 271-2
HAGERMAN ID 83332

RE: Copy of SRBA File(s): 36-00123A

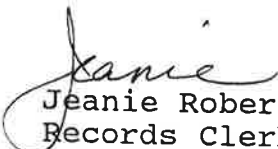
Dear Mr. Rawson:

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:

\$5.10

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

Rawson
52 x 5 = 260
post. 2.36
env. .14
5.10

MICROFILMED

OCT 12 1994

RECEIVED

JAN 14 1993

Department of Water Resources
Southern Region Office

January 12, 1993
(Date)

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

Dear Idaho Department of Water Resources:

Please provide me with a copy of all information included in
my file as it relates to water right number A36-00123A.

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,

Frank D. Bauson
(Name)

Route #1, Box #271-2
(Address)

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

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

MICROFILMED

OCT 12 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 the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. A36-00123A
(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,

36-00123A -0001/
93-04-0111

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)

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: Frank S. Rawson & Carol A. Rawson

Address: Route #1

Hagerman, Idaho 83332

Briefly describe your interest in this water right:

Date of priority 4/01/1886; Judicial Decree

Jones & Lemmon v. Cook et al., 1910; Water right

decreed 3/22/32 in New International Mortgage

Bank v. Idaho Power Company;

2. Owner of the water right:

Name: Frank S. Rawson & Carol A. Rawson

Address: Route #1

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)

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

REASONS SUPPORTING EACH BOX CHECKED

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

See page 7.

CHANGES TO THE DIRECTOR'S REPORT

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

Irrigation from 1/01 to 12/31; Domestic from 1/01 to 12/31;

Stockwater from 1/01 to 12/31 at decreed amounts and/or as

beneficially used; Place of use- 6 acres; Remarks- strike

all comments except "source is also known as Spring Creek"

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 Owner's, Inc.'s

Compendium "A"

VERIFICATION (Must be Completed)

State of Idaho

County of Gooding

FRANK S. RAWSON, being first duly
(Name of person filing objection)

sworn, upon oath, deposes and says:

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

Frank S. Rawson
Signature of person filing objection

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

Subscribed and sworn to before me this 20th day of April,
1993.

[Signature]
Notary Public for Idaho
Residing at: HAGERMAN, IDAHO
My Commission Expires: 5-10-97

(Over)

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: Frank S. Rawson & Carol A. Rawson

Owner's address: Route #1

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 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 9b - 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.

MICROFILMED
OCT 12 1994

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.

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.

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

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.

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,

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.

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.

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.

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.

MICROFILMED
OCT 12 1994

(WATER\21530ANS)

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

JAN 22 1993

NOTICE OF ERROR FORM

AUG-24-1992

RECEIVED

SEP 10 1992

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

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: *A36-00123A*
2. Name: *Frank S. & Carol A. Rawson*
Address: *Rt 1 Box 271-2*

Weekday Telephone Number: *837-4514*

MICROFILMED

JAN 22 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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

3. Describe the portion of proposed recommendation with which you disagree:

Domestic & Stock water ~~CF 50.200~~ 0.040
0.020

4. Describe the changes you wish to have made in the proposed recommendation:

Domestic & Stock water returned

5. Describe why you disagree with the proposed recommendation:

Because we have 5 Herd of cows + 3 calf,
also 5 pigs - 2 sheep and chickens.

6. Date: Sep 6, 1992

SIGNATURE

Frank A. Ransom



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

18-Oct-1992

FRANK S RAWSON
RT 1 BOX 271-2
HAGERMAN ID 83332

RE: RESPONSE TO NOTICE OF ERROR FOR CLAIM 36-00123A

Dear Mr Rawson

After reviewing your claim file and your NOE I feel that it would be appropriate to include the stockwater portion of your request. However, information in the file indicates that the home was not in existence in 1987. Based upon currently available information, I cannot add the domestic use to your claim.

If you still do not agree with the proposed IDWR recommendations to the court, you may file an objection with the court after you receive the final recommendation of your water right. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

MICROFILMED
JAN 22 1993

Water Right Number - R36-00123A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
RAWSON

FRANK S

1 - RT 1

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4514

RAWSON

CAROL A

1 - RT 1

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4514

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/01/1886 ERROR IN REGION D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING BILLINGSLEY CREEK

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

TwN	Rng	Sec	Tract	Lot	RFlg	County
07S	14E	31	NE NE NW		(47)	GOODING

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.090	
04 - STOCKWATER		01/01	12/31	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.090 9.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	14E	31	NW NW	1	3.0	01	IRRIGATION	(47) GOODING
07S	14E	31	NW NW	1		04	STOCKWATER	(47) GOODING

Total Acres: 3.0

+ - - Diversion Means - CONC. DIV. @ SPRING DELIVERING TO STEEL PIPELINE, SPRINKLERS

+ - - Non-Irrigation Use - STOCKWATER, 5 RANGE CATTLE, 5 PIGS, 2 SHEEP, AND CHICKENS.

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
SOURCE IS ALSO KNOWN AS SPRING CREEK.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF

MICROFILMED

JAN 22 1993

add cond
code
N 81
N 82
KRC
10-21-92

Prefix Translation: RESEARCH

	Remarks
	DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 0.31 CFS. OTHER RIGHT NOS.: 36-00123B, 36-00123C, 36-00123D, 36-00123E, 36-00123F & 36-00123G.

+----- Old Water Right Numbers -----+

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

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - +
NEW INTERNATIONAL MORTGAGE BANK	IDAHO POWER COMPANY	03/22/1932

		Comments
Date: 01/02/1991	User Id: BEDKE Subject: SCC-STAFF REVIEW	
Date: 09/14/1992	User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)	
RECEIVED NOE 9/10/92. CHANGED NOE FLAG FROM BLANK TO A.		CLAIM VERIFIED 8/7/92. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/18/1992	User Id: CHRISTEN Subject: RESPONSE TO NOE	
I HAVE ADDED THE STOCKWATER PORTION OF THEIR REQUEST TO THIS THIS TIME. KKC 10-18-92.		CLAIM BUT DID NOT ADD DOMESTIC USE. NO OTHER CHANGES MADE AT

+ - - Audit Fields - - +
10/18/92 CHRISTEN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/18/1992	Old Judicial District	-
Claim Received Date	- 07/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001120	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	- C

MICROFILMED
JAN 22 1993

R PROOF



CVR



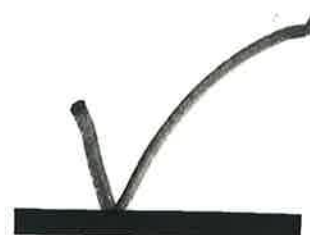
MAPS



PHOTOS



MISC



MICROFIL

JAN 22 19

Water Right Number - R36-00123A Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
RAWSON CAROL A 1 - RT 1
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-4514
RAWSON FRANK S 1 - RT 1
2 -
3 -
City- HAGERMAN State- ID Zip- 83332
Phone - 208-837-4514

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/01/1886 ERROR IN REGION D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING BILLINGSLEY CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 14E 31 NE NE NW (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.090

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.090 9.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 14E 31 NW NW 1 3.0 01 IRRIGATION (47) GOODING

Total Acres: 3.0

+ - - Diversion Means - CONC. DIV. @ SPRING DELIVERING TO STEEL PIPELINE, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
SOURCE IS ALSO KNOWN AS SPRING CREEK.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF
DIVERSION OF THESE RIGHTS IS LIMITED TO 0.31 CFS.

MICROFILMED

JAN 22 1993

Water right number - R36-00123A

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
OTHER RIGHT NOS.: 36-00123B, 36-00123C, 36-00123D, 36-00123E,
36-00123F & 36-00123G.

+ - - - - Old Water Right Numbers - - - - - +
3600123

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
NEW INTERNATIONAL MORTGAGE BANK IDAHO POWER COMPANY 03/22/1932

+ - - - - Comments - - - - - +
Date: 01/02/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW

+ - - Audit Fields - - +
08/07/92 WORSTELL

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/07/1992	Old Judicial District	-
Claim Received Date	- 07/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001120	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JAN 22 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:58:41
06/30/90

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00123A

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			8-21-90			HHT		
POINT OF DIV	Y		SCC/HHT	N		8/6/92		
SOURCE	N			N				
PLACE OF USE	Y			N	5			
DIV. AMOUNT CFS/VOLUME	Y			Y	1, 2, 4, 5, 6			
CONSUMPTIVE USE	-			Y				
PURPOSES	Y			Y				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM	Y			N				
REMARKS				N				

SCC
7-20-90

"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.

MICROFILMED

JAN 22 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:58:41
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-00123A

LAST: RAWSON
ADDRESS: RT. 1
CITY: HAGERMAN
PHONE NUMBER: 208-837-4514

FIRST: CAROL A.
STATE: ID ZIP: 83332

OWNER CODE: C

LAST: RAWSON
ADDRESS: RT. 1
CITY: HAGERMAN
PHONE NUMBER: 208-837-4514

FIRST: FRANK S.
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
JAN 22 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED

JAN 22 1993

A. AJ CLAIM: # A36-00123A PRIORITY DATE: 04-01-1886 STAGE: D
B. WR RECORD: # 36-00123 PRIORITY DATE: 04-01-1886 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
04-01-1886

REVIEWED BY

su

DATE

7-20-90

MICROFILMED
JAN 22 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-00123A	07S	14E	31	NE	NE	NW		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A36-00121 NONE

A36-00123B

A36-00123C

A36-00123D

A36-00123E

A36-00123F

A36-10293

WR RECORDS IN SAME 40 ACRE TRACT

36-00117

36-00121

36-00122

36-00124

36-07315

36-08392

SOURCE: SPRING

TRIB: SPRING CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-00123	07S	14E	31	NE	NW			GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

36-00117

36-00121

36-00122

36-00124

36-07315

A36-10305

A36-00121

A36-00123B

A36-00123C

A36-00123D

A36-00123E

A36-00123F

A36-10293

A36-00124A

NONE

SOURCE: SPRING

TRIB: SPRING CREEK

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

N
N

MICROFILMED
JAN 22 1993

REMARKS:

Per orthophoto quad, the tributary is Billingsley Ck. HHT 7/27/92
(first named source)

MICROFILMED

JAN 22 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SAME AS CLAIMED

SOURCE: SPRING

TRIB: SPRING CREEK

REVIEWED BY:

SC

DATE:

12-18-9

A. ROOT WATER RIGHT NUMBERS: A36-00123A
A36-00123B
A36-00123C
A36-00123D
A36-00123E
A36-00123F

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	14E	31	NW	NW	1	RAWSON , CAROL A.	A36-00123A / 7.0	-			
						WOLINE , HAROLD V.	A36-10305 / 1.1	-			
						MORRIS , HOWARD L.	A36-00061 / 5.0	-			
						MEEK , CLARK D.	A36-00123B / 2.9	-			
						SUMMERS , RONALD OWEN	A36-00123C / 5.0	-			
						SUMMERS , RONALD OWEN	A36-00123D / 3.5	-			
						SIMPSON , OWEN	A36-00123E / 6.0	-			
						JOHNSON , CHARLES P.	A36-00123F / 13.0	-			
						MORRIS , HOWARD L.	A36-00062 / 5.0	-			
						MORRIS , HOWARD L.	A36-00063 / 5.0	-			
						VADER , HARVEY W.		36-00123			
						VADER , VERNON		36-00124			
						GROVER , GEORGE H.		36-00182			
						GROVER , GEORGE H.		36-00197			
07S	14E	31				RAWSON , CAROL A.	A36-00123A /	-			
						CRANDLEMIRE , ROGER C.	A36-10140 /	-			
						CRANDLEMIRE , ROGER C.	A36-10141 /	-			
						CRANDLEMIRE , ROGER C.	A36-10142 /	-			
						SUMMERS , RONALD OWEN	A36-00123C /	-			
						SUMMERS , RONALD OWEN	A36-00123D /	-			
						NORTH SIDE CANAL CO.		01-00212			
						NORTH SIDE CANAL CO.		01-00213			
						NORTH SIDE CANAL CO.		01-00215			
						NORTH SIDE CANAL CO.		01-00220			
07S	14E	31				RAWSON , CAROL A.	A36-00123A /	-			
						CRANDLEMIRE , ROGER C.	A36-10140 /	-			
						CRANDLEMIRE , ROGER C.	A36-10141 /	-			
						CRANDLEMIRE , ROGER C.	A36-10142 /	-			
						SUMMERS , RONALD OWEN	A36-00123C /	-			
						SUMMERS , RONALD OWEN	A36-00123D /	-			
						NORTH SIDE CANAL CO.		01-00212			
						NORTH SIDE CANAL CO.		01-00213			
						NORTH SIDE CANAL CO.		01-00215			
						NORTH SIDE CANAL CO.		01-00220			
TOTAL ACRES							A36-00123A	7.00			

MICROFILMED
JAN 22 1993

in only

31
(per Remote Sensing)

3.00

3

Delete Stockwater

Delete Domestic

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
YES

PRESUMPTION FLAG:

REMARKS:

Verify Acres + POU.

RECOMMENDATIONS:

TOTAL ACRES: 3.0

REVIEWED BY: Sec

DATE: 12-31-90

Notes:

MICROFILMED

JAN 22 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-00123A IRRIGATION	FROM 03-15 TO 11-15	.200 CFS
~~A36-00123A DOMESTIC~~	~~FROM 01-01 TO 12-31~~	~~.040 CFS~~
~~A36-00123A STOCKWATER~~	~~FROM 01-01 TO 12-31~~	~~.020 CFS~~
TOTAL DIVERSION RATE/VOLUME CLAIMED		.200 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-00123 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)	Y	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>YES</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in remarks, below.

REMARKS:

IRRIGATION ONLY!

MICROFILMED

JAN 22 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.200 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

MICROFILMED

JAN 22 1993

B.

FLOW MEASUREMENT

MEASUREMENT METHOD Sonic Flow, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00123A	SPRING	RAWSON , CAROL A.	0.200	0.028		
A36-10305	SPRING	WOLINE , HAROLD V.	0.040	0.036		
A36-00123B	SPRING	MEEK , CLARK D.	0.240	0.082		
A36-00123C	SPRING	SUMMERS , RONALD OWEN	0.144	0.028		
A36-00123D	SPRING	SUMMERS , RONALD OWEN	0.113	0.032		
A36-00123E	SPRING ALONG SPRING CREEK	SIMPSON , OWEN	0.400	0.066		
A36-00123F	SPRING	JOHNSON , CHARLES P.	0.290	0.022	13.60	1.04
A36-00062	SPRINGS	MORRIS , HOWARD L.	0.280	0.002		
A36-00063	SPRINGS	MORRIS , HOWARD L.	0.800	0.006		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-00123A	DOMESTIC	RAWSON , CAROL A.	FROM 01-01 TO 12-31	.040 CFS	
A36-00123A	STOCKWATER	RAWSON , CAROL A.	FROM 01-01 TO 12-31	.020 CFS	
A36-10305	DOMESTIC	WOLINE , HAROLD V.	FROM 01-01 TO 12-31	.040 CFS	
A36-00123E	DOMESTIC	SIMPSON , OWEN	FROM 01-01 TO 12-31	.200 CFS	
A36-00123E	STOCKWATER	SIMPSON , OWEN	FROM 01-01 TO 12-31	.020 CFS	
A36-00061	STOCKWATER	MORRIS , HOWARD L.	FROM 01-01 TO 12-31	.070 CFS	
A36-00061	DOMESTIC	MORRIS , HOWARD L.	FROM 01-01 TO 12-31	.040 CFS	
A36-00062	STOCKWATER	MORRIS , HOWARD L.	FROM 01-01 TO 12-31	.070 CFS	
A36-00062	DOMESTIC	MORRIS , HOWARD L.	FROM 01-01 TO 12-31	.040 CFS	

A36-00063 STOCKWATER
A36-00063 DOMESTIC
A36-10140 STOCKWATER
A36-10141 STOCKWATER
A36-10142 STOCKWATER
A36-00123C DOMESTIC
A36-00123D DOMESTIC

MORRIS , HOWARD L.
MORRIS , HOWARD L.
CRANDLEMIRE , ROGER C.
CRANDLEMIRE , ROGER C.
CRANDLEMIRE , ROGER C.
SUMMERS , RONALD OWEN
SUMMERS , RONALD OWEN

FROM 01-01 TO 12-31 .070 CFS
FROM 01-01 TO 12-31 .040 CFS
FROM 01-01 TO 12-31 .050 CFS
FROM 01-01 TO 12-31 .050 CFS
FROM 01-01 TO 12-31 .100 CFS
FROM 01-01 TO 12-31 .040 CFS
FROM 01-01 TO 12-31 .040 CFS

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 0.03
ACRES 3.0 x 0.02 CFS/ACRE = 0.09 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***

No. C.L.

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 21.0 AF/A
ACRES 3 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 9 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 3 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 12 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

MICROFILMED

JAN 22 1993

REC.
PURPOSES

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

$$\begin{array}{r} 4-1 \quad 10-31 \\ \underline{3-15} \quad \underline{11-15} \end{array}$$

DATABASE EXAMINER
0.09

DATABASE EXAMINER
12

DATABASE EXAMINER
 9

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE :

MICROFILMED

JAN 22 1993

See ~~A36-000123~~ attached for split Review

AUTHENTICATION:

SIGNATURE:

Steve Allen

DATE:

12-31-90

NAME OF FIELD EXAMINER:

TITLE:

MICROFILMED

JAN 22 1991

REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS R36 00123 A B C D E F G

AGENT INITIALS HHT

DATE 8/6/82

[illegible]

Add Water District 36A

MICROFILMED
JAN 22 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP

FORFEIT/ABANDON

ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED()
()
()NEEDS
REVIEW(X)
(X)
(X)

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00123

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.200

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	ACRES	WR RIGHT NUMBERS	DIVERSION RATE
A36-00123	A36-00123A RAWSON	0.200	-	0.09	3 Ac.	36-00123	1.200
A36-00123	A36-00123B MERIC	0.240	-	* 0.08	2.7	36-00123	1.200
A36-00123	A36-00123C SUMMERS	0.144	-	0.05	1.75	36-00123	1.200
A36-00123	A36-00123D SUMMERS	0.113	-	0.09	3.0	36-00123	1.200
A36-00123	A36-00123E SIMPSON	0.400	-	* 0.12	6.0	36-00123	1.200
A36-00123	A36-00123F JOHNSON	0.290	-	0.05	1.5	36-00123	1.200
	A36-10305 WOLINE	0.04		0.04	1.1		
	TOTAL CFS	1.387	TOTALS	0.52	19.05		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
NFIELD
EXAMINER

REMARKS:

Based on the sonic flows measurement taken, this system has a Capacity of 0.31 cfs.
When combined these rights cannot exceed this flow rate.
Individually each right can be used at various times as shown above in the
recommendations.

Steve Chella 12-31-90

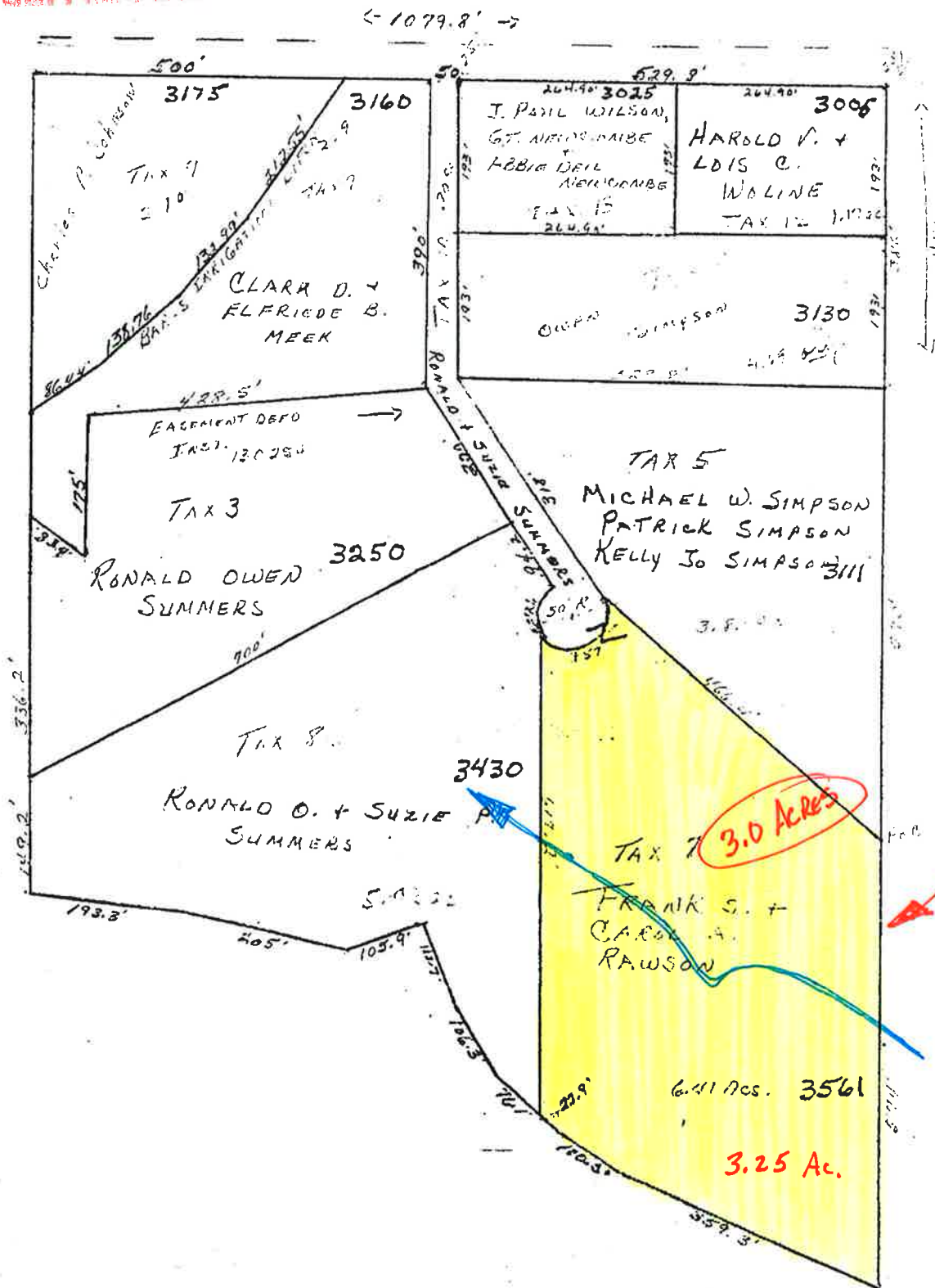
MICROFILMED
JAN 2 1993

Lot 1

Section 31
Township 7
Range 14

JAN 2 1993
MICROFILMED

07S14E31-



A36-00123A
RAWSON

Water Right Number - A36-00123

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT1 -
2 -
3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
VADER

MABEL

1 -
2 -
3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

VADER

HARVEY W.

1 -
2 -
3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - +
04/01/1886+ - - Region - - - +
17

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS+ - - Source - - - - - +
SPRING
SPLIT RIGHT+ - - Tributary - - - - - +
SPRING CREEK

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
07S	14E	31	NE NW			(47)	GOODING	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			1.200	

Total Div. Rate - +	Total Div. Volume - +	Total Div. Capacity - +	Total Consumptive Use - +	KW Usage - +
1.200				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
07S	13E	36	NE NE			01	IRRIGATION	(47) GOODING
07S	14E	31	NW NW	1		01	IRRIGATION	(47) GOODING

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

OLD FARM
EST. 27 Ac. - 30 Ac.
@ 0.02 cfs/Ac.flood exam + claims
= 28.5 Ac.MICROFILMED
JAN 22 1993

Water right number - A36-00123

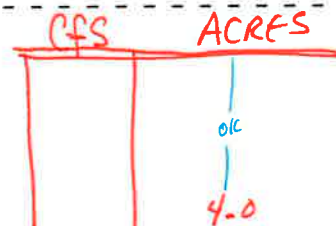
Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Remarks - - - - -

P/U INCOMPLETE. SEE FILE.

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-00123A: RAWSON, ²⁸20 CFS, 7 AC.
A36-00123B: MEEK, ¹¹⁶24 CFS, 2.9 AC.
A36-00123C: SUMMERS, ²144 CFS, 5 AC.
A36-00123D: ANDERSON, ¹⁴113 CFS, 3.5 AC.
A36-00123E: SIMPSON, ²⁴40 CFS, 6 AC.
A36-00123F: JOHNSON, ²⁵25 CFS, ~~13~~ AC.



+ - - - - Old Water Right Numbers - - - - -

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

NEW INTERNATIONAL MORTGAGE BANK

+ - - - - Decree Defendant - - - +

IDAHO POWER COMPANY

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - -

No Comments Found

+ - - Audit Fields - 06/07/90 HARRINGT

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/12/1985	Old Judicial District	-
Claim Received Date	- 06/07/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Claims Tape Error Flg	-	Receipt Number	- X777777	Water District	- 36A
Fee Exempt Flag	-	POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

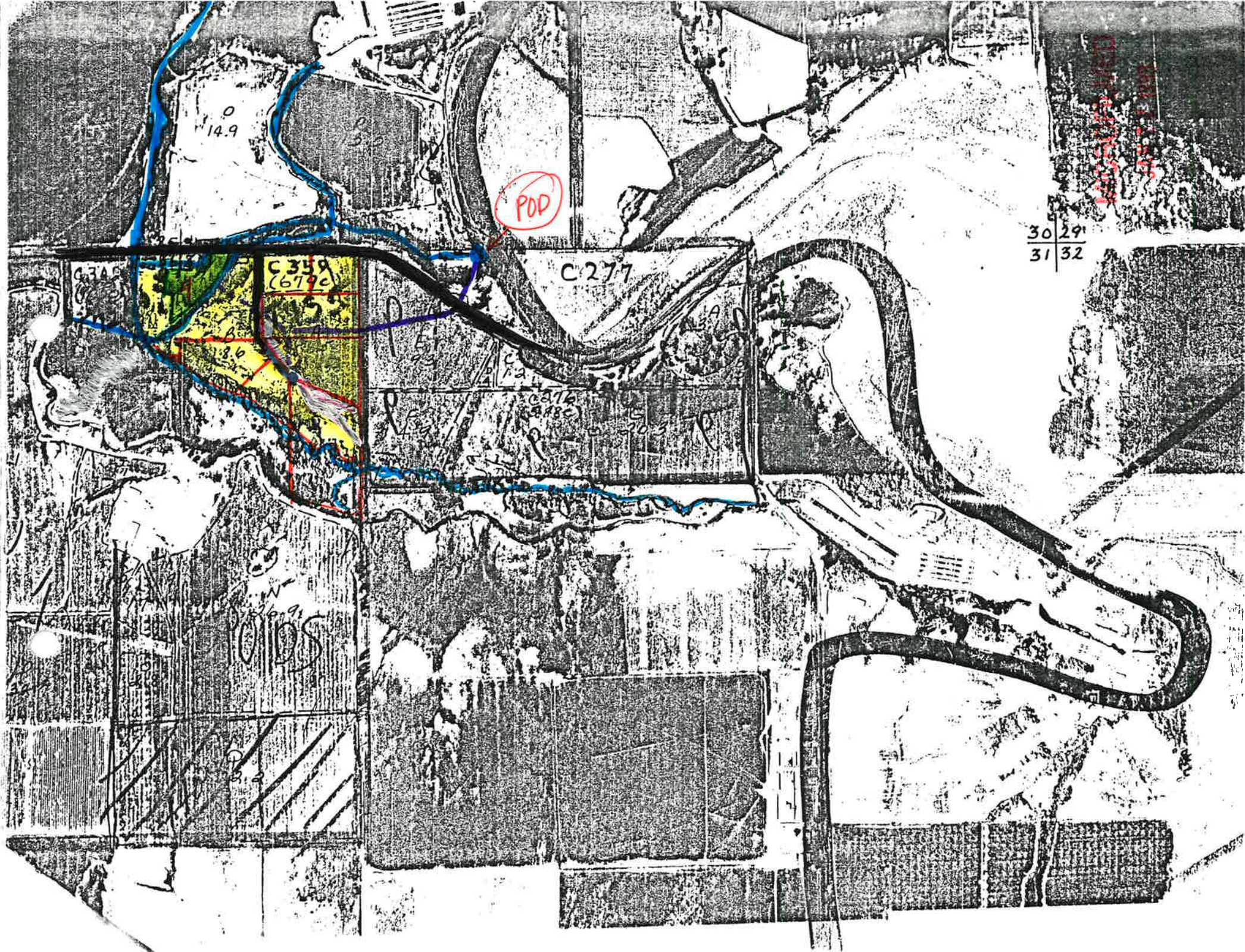
CLAIMED 1.35 cfs

WR ROOT 1.20

MEASURED 0.31

ACRES 28.5

MICROFILMED
JAN 22 1993



14.9

POD

C 359
(6790)

C 277

30	29
31	32

PODS

AGREEMENT

JAN 22 1983

MICROFILM

I, the undersigned, HAROLD W. SMITH, as past owner and Director of the Vader property Distribution, appoint CHARLES P. JOHNSON as resident water manager and representative of the four undeveloped property particulars plus his own.

The Forty-two (42) plus acres of the Fred Vader farm are decreed 59.944 inches of water or 489.496 gallons per min. (in a normal water-flow year). This constitutes minus 37% of the Spring Creek Springs water. Cliff Edwards' property is allotted minus 63%.

Division of the 59.944 inches of water is determined by property size, present required household, balance of trout ponds, fire protection, gardening, etc. needs. Also, consideration of a year round spring on the West Meeks' property.

Division is as follows:

PARCEL #1- Harold V. Woline	4.69 acres - 7.10 inches water
PARCEL #2- Elmer & David Bentler	1.82 acres - 5.424 inches water
PARCEL #3- Genevieve Harper	6.41 acres - 8 inches water
PARCEL #4- E. Reed Nielson	5.93 acres - 7.24 inches water
PARCEL #5- Don Louder	4. acres - 5.68 inches water
PARCEL #6- Clark D. Meek	Approx. 11. acres - 12 inches water
PARCEL #7- Charles E. Johnson	4.90 acres - 14.50 inches water
	40.75 <u>59.944</u>

(Additional allowance from year round household, trout pond balance, fire protection, gardening, etc., requirements).

Mr. Johnson has agreed to work closely with the other two property holders to maintain the 37% total appropriated water to everyone's benefit.

DATED this 17th day of April, 1978.

Harold W. Smith
Harold W. Smith

Proportional SHARE
STILL = 1 1/2" / AC.

(0.029 cfs / AC.)

-10305 1.1 AC. 0.04

B- 2.9 AC. 0.24

F- 13.0 AC. 0.29



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

8-22-90 SCL/HHT

MODE SELECT
INPUT

OUTER DIAMETER
6.7224 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.13400 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
4.740 IN U

00-00 02:5000 *R
+152.691E 00GPM

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

MM-DD HH:MM
08-22 09:02

08-22 09:0200 *R
+002.30 % A12

MODE SELECT
T0 CHECK

0241.2 MMSEC
100.03 % T0

08-22 09:0300 *R
+141.332E 00GPM

08-22 09:0300 *R
+139.747E 00GPM

6" Subd. pipe WIR 186-00123

SCL/HHT

THIS 6" PIPELINE STARTS AT THE
COLLECTION BOX AT THE HEAD OF SPRING
CREEK. IT SERVES THE SUBDIVISION
ACROSS THE ROAD WITH DOMESTIC & SMALL
IRRIGATION USES.

THIS PIPELINE BRANCHES INTO 2-4" LINES.
WE PULLED THE CAPS OFF THESE ENDS
TO OBTAIN MAXIMUM FLOW.

THE FOLLOWING PERSONS WERE PRESENT
AT THE MEASUREMENT:

RONALD SUMMERS

DOUG SCHRANK

HAROLD WOLINE

FRANK RAWSON & CHARLES JOHNSON WERE
ASSISTING SINCE THEY CONTROL THE
ENDS OF THE 4" LINES.

$\bar{X} = 140.5 \text{ GPM}$

$= 0.31 \text{ cfs}$

$= 15.7 \text{ inches}$

JAN 22 1993

MICROFILMED

CONVERSATION MEMORANDUM

NAME OF PARTY

'Memo To Files'

DATE

12-28-90

EMPLOYEE:

STEVE CLELLAND

FILE

A36-00123

RE:

Uses and acres of Subdivision Lots.

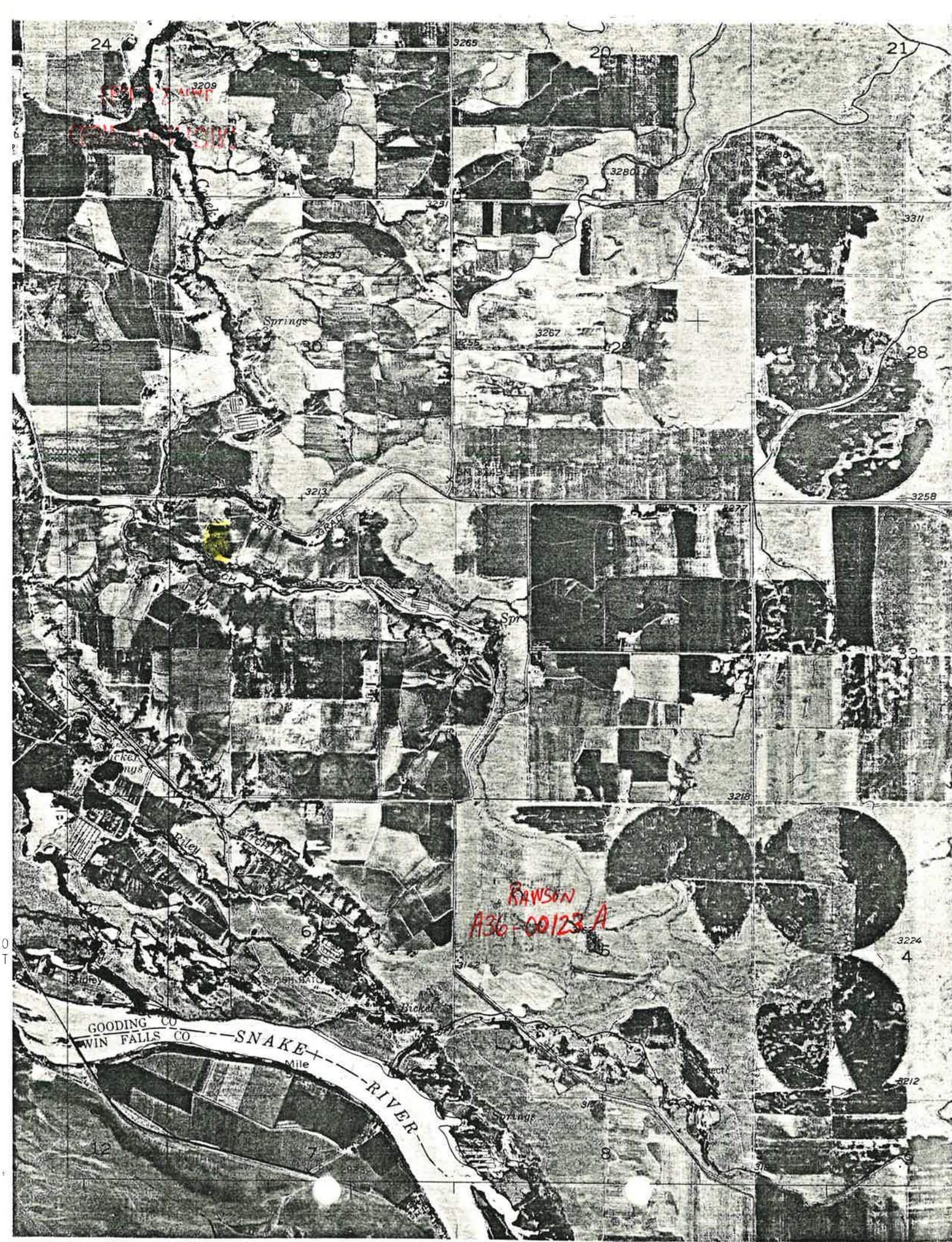
Based on Review of this file information it appears this pasture land was irrigated in the past; prior to most building occurred. I estimate 22 acres may have been irrigated. Diversion methods unclear at this point.

Woline's house was present at the start of SRBA. Possibly his Neighbor's house also. (no claim) A. Johnson's House was there but all others have been added since then.

Total DIV.

15.7 "

0.31 cfs



Johnson
BAR & DITCH

NORTH
↑

N 0° 01' W 386.00'

193.00'

PARCEL 1
1.174 AC.

PARCEL 2
1.174 AC.

WOLINE

Access Easement

193.00'
S 0° 01' E

15'
15'

5'
5'

Utility Easement

Utility Easement
193.00'

MEEX

193.00'

PARCEL 4
1.174 AC.

PARCEL 3
1.174 AC.

193.00'
S 0° 01' E

SIMPSON

264.90'

264.90'

N 89° 43' W 529.80'

Summers

PARCEL 5
1.27 AC.

106.00'

N 34° 43' W

S 35° 35' 30" E
106.00'

294.2'

318'

N 83° 09' 15" W - 471.50'

SIMPSON

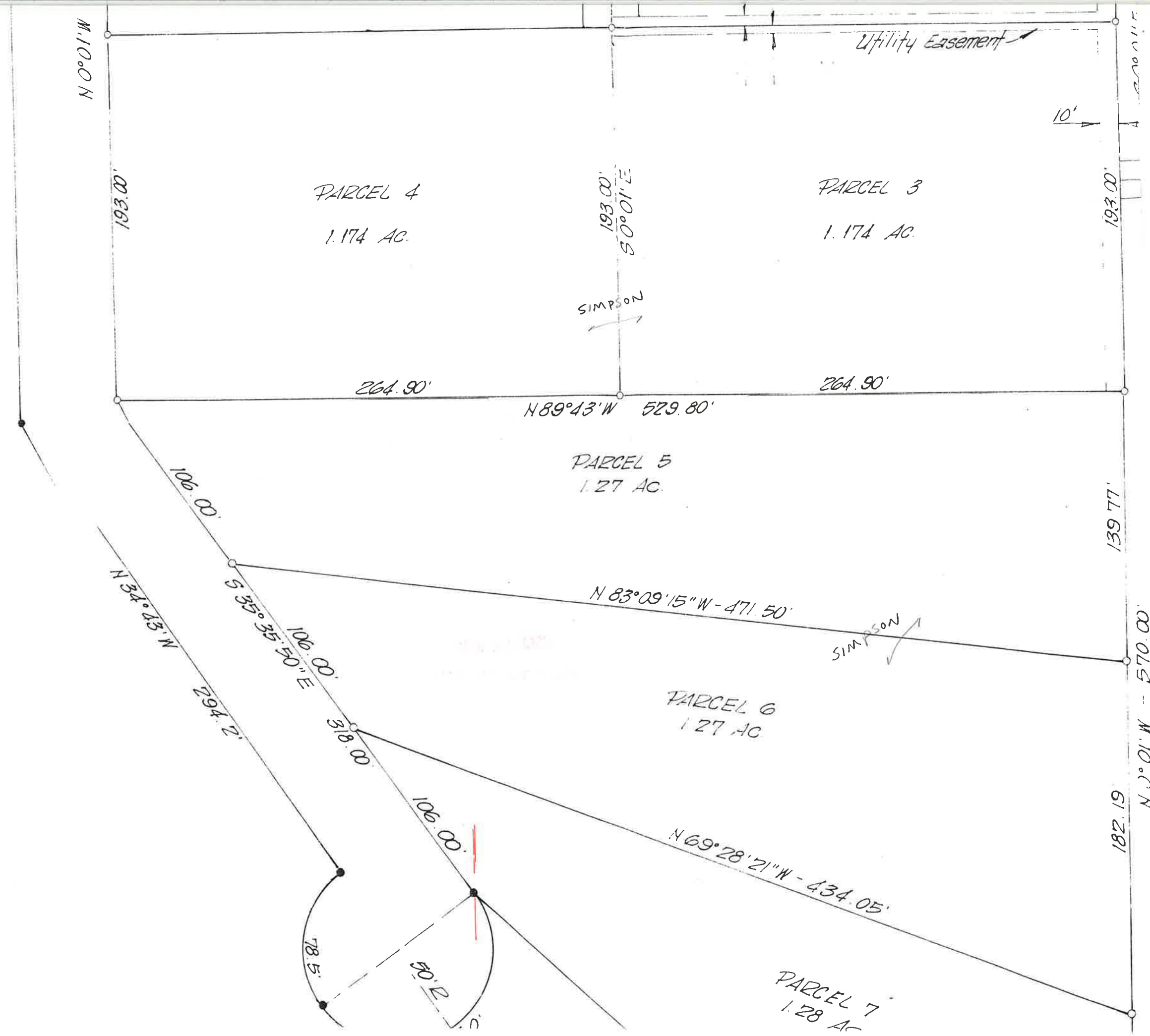
PARCEL 6
1.27 AC.

193.00'

139.77'

570.00'

MEER
SWMMERS



COUNTY RECORD
STATE OF IDAHO
COUNTY OF GOODING
Recorded this _____
at _____ m, Instr _____

CERTIFICATE
I do hereby certify
licensed by the State
has been prepared
ground under my supervision
representation of said

Dennis Carroll Zimmer
Dennis Carroll Zimmer

K RAWSON
E #1, BOX #271-2
RMAN, IDAHO 83332



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

MICROFILMED

