

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39356
Ident. Number A36-02160A
Date Received 10-6-88
Receipt Number C004814

RECEIVED

MAR 08 1989

Department of Water Resources
Southern Region OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDepartment of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) RALEIGH STEVENS
Mailing Address P.O. Box 539, Hagerman ID Zip 83332UNTIL OCTOBER 5, 1988
CAMPBELL RIVER, B.C.
Phone (604) 287-91412. Date of Priority (Only one (1) per claim) 12-27-19513. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7S Range 14E Section 18,
_____ 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.WELL, PUMP, DITCHES

MICROFILMED

OCT 13 1984

Copies: White-State, Yellow-Claimant

PROBLEM W ACRES: STEVENS
CLAIMED 20.14 ACRES IN §18.
DEED ONLY SHOWS THAT STEVENS
CONVEYED A $\frac{5}{6}$ THS INTEREST IN
.03 ACRES IN 18 TO SMITH.

6. Water is claimed for the following purposes: (both dates are inclusive) (cfs) (acre feet)
- For IRRIGATION purposes from 03-15 to 11-15 amount 2.13 or
- For DOMESTIC purposes from 01-01 to 12-31 amount 2.13 or
- For purposes from to amount or
- For purposes from to amount or
7. Total quantity claimed (a) 2.13 (cfs) and/or (b) (acre feet)
8. Total consumptive use claimed is 360.93 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) one household
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	
7S	14E	7									29.88	9.8							39.68
	13E	12												40				20.49	60.49
	14E	18					.03	20.11											20.14

Total number of acres irrigated 120.31

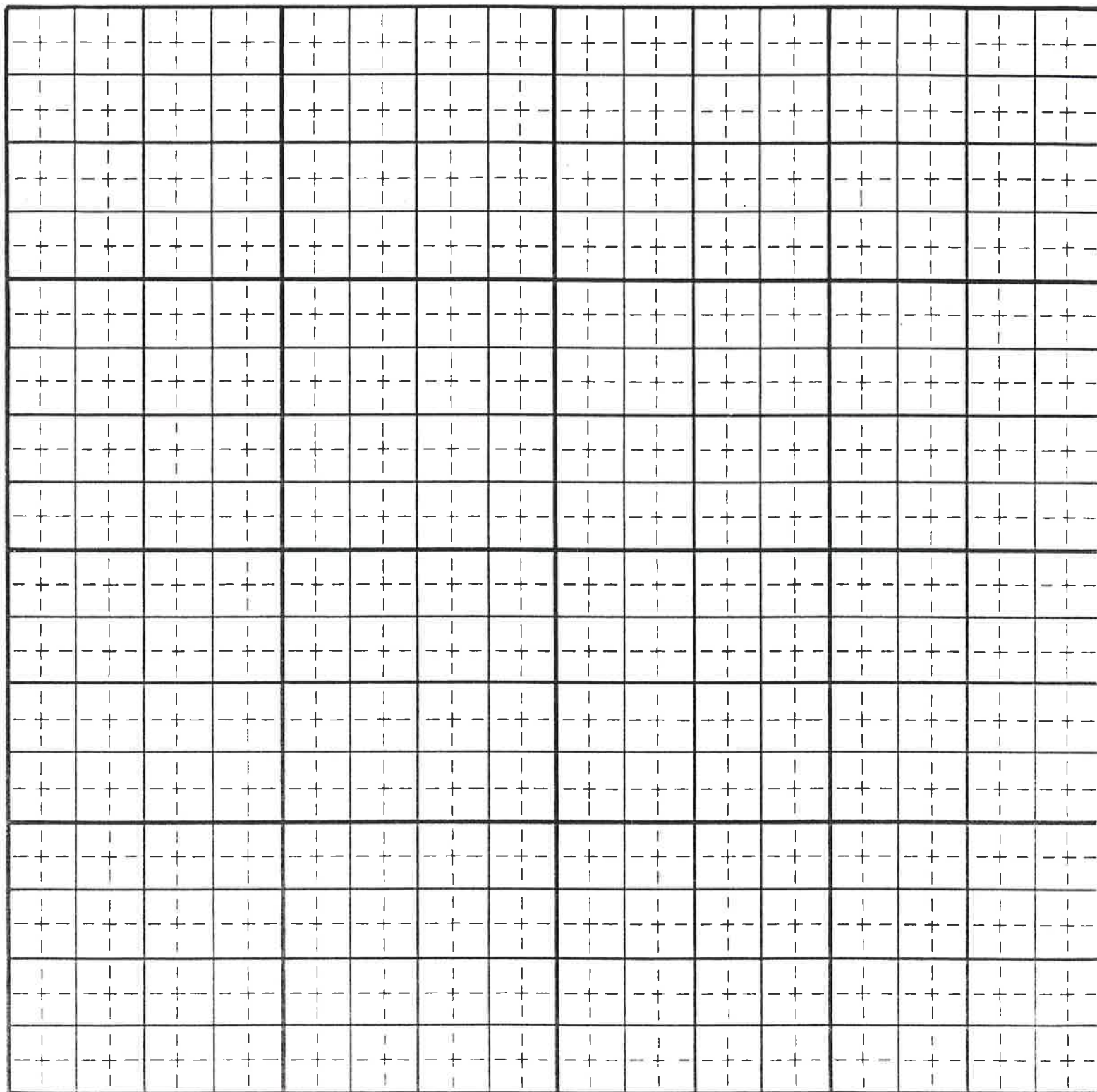
11. In which county (ies) are lands listed above as place of use located? GOODING
12. Do you own the property listed above as place of use? Yes XXXX No
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
or None (XX)
14. Remarks:

st Name STEVENS, R. Ident No.

MICROFILMED
OCT 13 1984
Copies: 100 - State, 100 - Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name STEVENS, R. Ident No. _____

MICROFILMED
OCT 13 1994
Copies: White-State, Yellow-Claims

15. Basis of Claim (check one) Be ☐ Social Use _____ Posted Notice ☐ _____ ☒ License XXX Permit ☐ _____

If applicable provide IDWR Water Right Number 36-2160

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments

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

Signature of Claimant (s) K. P. Stevens Date August 30/88

Date _____

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

of _____, 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 PROVINCE OF COLUMBIA) ^{BRITISH} SS.
County of NANAIMO)

Subscribed and sworn (or affirmed) before me this 30th day of August 19 88

SEAL

Notary Public *[Signature]* R. L. N. EATON
NOTARY PUBLIC

Residing at _____ Box 188
CAMPBELL RIVER B.C.

My Commission Expires _____

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 _____

MICROFILMED

JAN 26 1993

Last Name STEVENS, R. Ident. Number

Copies White-State, Yellow-Claimant

15. Basis of Claim (check one) Be. ☐ Trial Use ☐ Posted Notice ☐ License XXX Permit ☐ Decree ☐

If applicable provide IDWR Water Right Number 36-2160

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) R. L. N. Eaton Date August 30, 88

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ 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 BRITISH COLUMBIA

County of NANAIMO) SS.

Subscribed and sworn (or affirmed) before me this 30th day of August 19 88

SEAL

Notary Public

R. L. N. EATON

NOTARY PUBLIC

Box 188

Residing at

CAMPBELL RIVER, B.C.

My Commission Expires _____

PERMANENT COMMISSION

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 STEVENS, R. Ident. Number _____

MICROFILMED

OCT 13 1994

Copies White-State, Yellow-Claimant

11 min. past 4 o'clock P. M. this 26
of Feb. 1991. fee 15.00

JOHN A. MYERS, Recorder

by Helda M. Schmidt Deputy

RECEIVED

FEB 28 1991

Department of Water Resources
Southern Region Office

WARRANTY DEED

[Signature]

aka Raleigh W. Stevens

FOR VALUE RECEIVED, We, R. W. STEVENS/ and VIRGINIA STEVENS, husband and wife, hereinafter called the Grantors, hereby grant, bargain, sell and convey unto RONNIE D. SMITH and SHARLENE M. SMITH, husband and wife, hereinafter called the Grantees the following described premises in Gooding County, Idaho, to-wit:

PARCEL I:

The East Half of the Southeast Quarter of Section 12, Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

EXCEPT tract described as follows:

Beginning at a brass cap marking the Southeast corner of said Section 12;

THENCE North 0°06'25" East, along the East boundary of said Section 12, 647.57 feet;

THENCE North 89°54'09" West 1,317.01 feet to a point on the West boundary of said East Half of the Southeast Quarter;

THENCE South 0°02'05" West along the West boundary of the East Half of the Southeast Quarter, 196.19 feet;

THENCE South 56°55'23" East, 829.53 feet more or less to a point on the South boundary of said Section 12;

THENCE South 89°56'40" East, along the South boundary of said Section 12, 621.83 feet to the Point of Beginning.

AND EXCEPT that part of the Southeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 13, East of the Boise Meridian, described as follows:

Beginning at a brass cap marking the Southeast corner of said Section 12;
 Thence North 89°56'40" West along the South boundary of said Section 12, 620.83 feet to THE TRUE POINT OF BEGINNING;
 Thence continuing North 89°56'40" West along the South boundary of Section 12, 695.37 feet to the Southwest corner of said Southeast Quarter of the Southeast Quarter;
 Thence North 0°02'05" East along the West boundary of said Southeast Quarter of the Southeast Quarter, 452.05 feet;
 Thence South 57°01'20" East 829.25 feet measured (South 56°55'23" East, 829.53 feet recorded) to THE TRUE POINT OF BEGINNING.

PARCEL II:

Lot 3 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

AND

Lot 4 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

EXCEPT a parcel of land located in part of Lot 4 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the Southwest corner of said Section 7;
 Thence along the westerly boundary of said Section 7 North 0°06'25" East, 440.75 feet;
 Thence North 89°37'32" East, 988.74 feet to a point on the Easterly boundary of Lot 4;
 Thence South 0°08'50" West, 440.75 feet to the Southeast corner of said Lot 4;
 Thence South 89°37'32" West, 988.43 feet to the Real Point of Beginning, subject to

RAYBORN & RAYBORN
 ATTORNEYS AT LAW
 P.O. BOX 321
 FIRST INTERSTATE BANK BLDG.
 TWIN FALLS, IDAHO 83301
 (208) 733-2600

MICROFILMED
 OCT 13 1994

an access easement which consists of the westerly 25 feet and the Southerly 25 feet of said parcel.

AND EXCEPT a parcel of land located in part of Lot 4 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the Southwest corner of said Section 7;
Thence along the Westerly boundary of said Section 7 North 0°06'25" East, 440.75 feet to the Real Point of Beginning;
Thence along the Westerly boundary of Section 7 North 0°06'25" East, 440.75 feet;
Thence North 89°37'32" East, 989.05 feet to a point on the Easterly boundary of said Lot 4;
Thence along the Easterly boundary of said Lot 4 South 0°08'50" West, 440.75 feet;
Thence South 89°37'32" West, 988.74 feet to THE REAL POINT OF BEGINNING subject to an access easement which consists of the westerly 25 feet of said parcel.

PARCEL III:

5/6 interest in the following:

That portion of the Northeast Quarter of the Northwest Quarter of Section 18, Township 7 South, Range 14, East of the Boise Meridian, Gooding County, Idaho, described as follows:

Beginning at the Northeast corner of Lot 1 (Northwest Quarter of the Northwest Quarter) of said Section;
Thence East along the fence marking the South boundary of the County road right-of-way, 780 feet to THE TRUE POINT OF BEGINNING;
Thence due South at a right angle, 35 feet;
Thence due East 40 feet;
Thence due North 35 feet;

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2600

Thence due West along said fence marking said South boundary of said County road, 40 feet to THE TRUE POINT OF BEGINNING.

AND

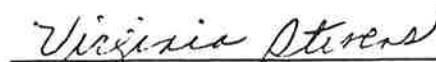
Together with a right-of-way and easement for ditch purposes to convey water from a tract of land 35 by 40 feet located in the Northeast Quarter of the Northwest Quarter of Section 18, to the Northeast corner of Lot 1, Section 18, Township 7 South, Range 14 East of the Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that the Grantors are the owners in fee simple of said premises; they they are free from all encumbrances except as described above and that Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 26th day of February, 1991.



R. W. STEVENS



VIRGINIA STEVENS

Grantors

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2800

STATE OF IDAHO)
County of Hooding : ss.
Twin Falls)

On this 26th day of February, 1991,
personally appeared before me, the undersigned, a notary public
in and for said State, R. W. STEVENS and VIRGINIA STEVENS, husband
and wife, Grantors, known to me to be the signers of the within
instrument, and who duly acknowledged to me that they executed the
same.

Susan M. Fulton

NOTARY PUBLIC

Residence: Hooding, ID

My Commission Expires: 10-16-92

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 793-2600

POOR ORIGINAL



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

114°52'30"
42°52'30"

KING HILL 22 MI
BLISS 5.6 MI

R 13 E R 14 E

50'

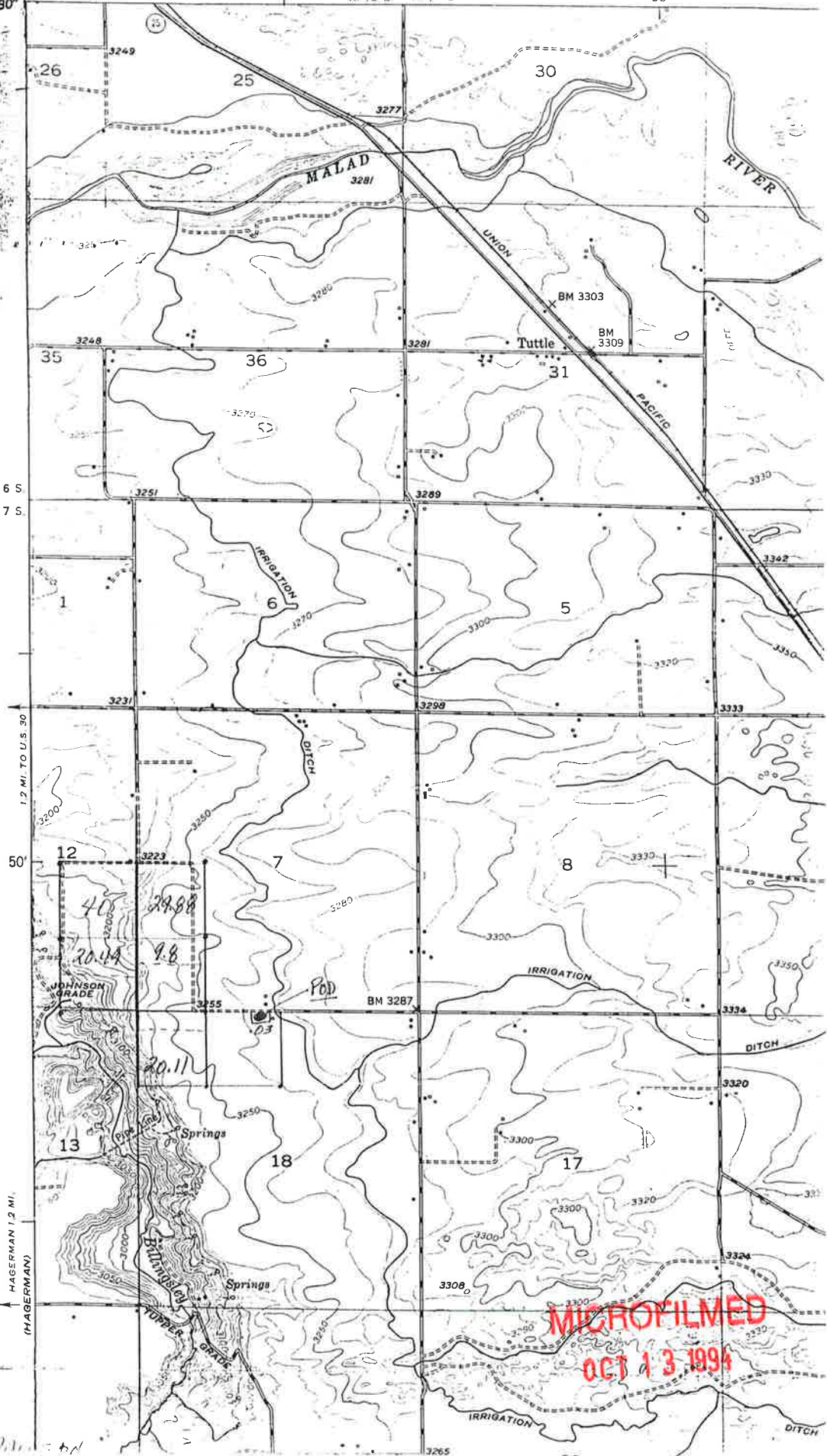
T. 6 S
T. 7 S

1.2 MI. TO U.S. 30

50'

HAGERMAN 1.2 MI.
(HAGERMAN)

Source Data



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: **A36-02160A**
Date Received: 12/29/1988
Receipt No: C004814
Received By: _____

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

1. Name: RONNIE D. SMITH 208-837-4790
Address: 1046 E. 2900 S.
HAGERMAN, ID 83332

2. Date of Priority: DEC 27, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	14E	18		NE	NW		GOODING

5. Description of diverting works:
WELL, PUMP, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.130		
DOMESTIC	01/01	12/31	2.130		

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

8. Total consumptive use is 361.2 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	12	NE	SE		IRR	40.0
			SE	SE		IRR	20.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.5
	14E	7	NW	SW	IRR	29.9
			SW	SW	IRR	9.8
					Section Acres	39.7
		18	NE	NW	IRR	0.1
			NW	NW	IRR	20.1
					Section Acres	20.2
					Total Acres	120.4

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:

EXTENSION OF FILING DEADLINE GRANTED UNTIL MARCH 31, 1989 PER
LETTER FROM DAVE SHAW, ATTACHED.

OWNERSHIP CHANGE 4/19/91 BY JG.

15. Basis of Claim: LICENSE

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 _____

RECEIVED

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

FEB 28 1991

[] Water Right Number(s): A36-02160A

Department of Water Resources
Southern Region Office

[] Name and Address of
Former Claimant: Raleigh W. Stevens

P.O. Box 539

Hagerman, ID 83332

[] New Claimant(s): Ronnie D. Smith

[] New Mailing Address: 1046 E. 2900 S.

Hagerman, ID

83332

New Telephone Number: () 837-4790

[] Does the change in ownership result in a splitting of the
water right claimed? yes ✓ no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

Ronnie D. Smith

[☒] Attach proof of ownership
Describe proof attached: Warranty Deed

[] Signature of New Claimant(s): _____

Date: _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4/19/91

By: SC

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 4/19/91

By: SC

Claim Numbers of Split, if any:

MICROFILMED

JAN 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

17-Sep-1992

R. KEITH HIGGINSON
Director

Ronnie D. Smith
1046 E. 2900 S.
Hagerman, ID 83332

Re: SRBA Claim A36-02160A

Dear Mr. Smith:

Enclosed is a copy of the material contained in your claim file, a copy of Idaho Code section 42-222, and an application for permit form with instructions.

Filing a notice of error on your claim will result in a review of the claim and a response from the department. If, following our response to the notice of error, you still do not agree with the finding, you will be entitled to file an objection after the report is filed with the court.

Filing an application for permit will start a process to appropriate water independent from the adjudication. You may wish to file an application as insurance against an adverse finding in the adjudication.

As to how to proceed in the matter, I can only recommend that you consult with legal counsel of your own choice.

If you need additional information from this office, please let us know.

Sincerely,


Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED

JAN 26 1993



First American Title Company

P.O. BOX 446, 102 FIFTH AVENUE EAST, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

February 25, 1991

RECEIVED

Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

FEB 28 1991

Department of Water Resources
Southern Region Office

RE: Transfer of Ownership
Stevens/Smith

Gentlemen:

Enclosed please find the following documents:

**Change in Ownership of Notice of Claim Form
**Copy of recorded Warranty Deed

If you have any questions, please feel free to call our office.
Thank you for your business.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Susan M. Bolton
Manager

Enclosures

MICROFILMED

JAN 26 1993



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

22-Apr-1991 09:29

Susan M. Bolton
Manager
First American Title Company
P.O. 446
102 Fifth Ave. E.
Gooding, ID 83330

Re: Change of OWNERSHIP Claim(s): A36-02160A - Stevens, Raleigh W.

Dear Ms. Bolton:

Pursuant to the notification that you are representing the owners of the above listed Adjudication Claim to a water right, we have changed the record of the current owner as you have requested. I am enclosing an computerized copy of the claim noting the change in claimant.

Please review the enclosed copy(s), should you have any questions, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Secretary

/jg

Enclosures

MICROFILMED

JAN 26 1993

SD-33

Last Name: STEVENS

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	STEVENS						
-	LEANNE S.	C	A36-10441	04/15/1975	GROUNDWATER	0.040	43 DOMEST
-	MICHAEL D.	C	A36-10441	04/15/1975	GROUNDWATER	0.040	43 DOMEST
-	RALEIGH W.	C	R36-02160A	12/27/1951	GROUNDWATER	2.130	01 IRR
-	RALEIGH W.	C	A36-02160A	12/27/1951	GROUNDWATER	2.130	43 DOMEST
-	R.W.	O	A36-07731	07/08/1977	SPRINGS	18.000	01 IRR
-	RALEIGH W.	O	A36-07800	06/16/1978	INDIAN SPRI	8.000	43 DOMEST
-	D. JAMES	C	A36-12039	06/28/1910	GROUNDWATER	0.040	43 DOMEST
-	SANDRA	C	A36-12039	06/28/1910	GROUNDWATER	0.040	43 DOMEST
-	D. JAMES	C	A36-12040	09/10/1981	GROUNDWATER	0.040	43 DOMEST
-	SANDRA	C	A36-12040	09/10/1981	GROUNDWATER	0.040	43 DOMEST
-	CHAD	C	A36-14364	02/18/1947	GROUNDWATER	0.100	43 DOMEST
-	JEFFERY CHAD	C	A36-14428	04/15/1982	GROUNDWATER	0.040	04 STOCK
-							43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
JAN 26 1993

SD-36	Township: 07S	Range: 14E	Section: 7	Tract:	Lot:
S	L	STATE	O	S	Max # Records 29
E	O	Water	W	T	Priority
L	Tract T	Right No.	N	AC	Date
		Name			Use
		Last, First			Code Desc
---	---	-----	---	---	-----
---	NESW	A01-00212Z0	C	40	D 10/07/1905 01 IRR
---	NWSW	A36-02160A	C	29	L 12/27/1951 01 IRR
---	NWSW	R36-02160A	C	29	L 12/27/1951 01 IRR
---	NWSW	3 A36-02160	O	30	12/27/1951 01 IRR
---	SWSW	A36-02160A	C	9	L 12/27/1951 01 IRR
---	SWSW	R36-02160A	C	9	L 12/27/1951 01 IRR
---	SWSW	4 A36-02160	O	30	12/27/1951 01 IRR
---	SESW	A36-10164	C	J	02/01/1985 43 DOMEST
---			C		

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED

JAN 26 1993

SD-36	Township: 07S	Range: 13E	Section: 12	Tract:	Lot:	Max # Records	38
S	L	STATE	O	S	W	T	Priority
E	O	Name	W	T	G	Priority	Use
L	Tract T	Water Right No.	Last, First	N	AC	Date	Code Desc
NESE	A36-02160A	STEVENSON, RALEIGH W.	C	40	L	12/27/1951	01 IRR
NESE	A36-02160	MILLER, C. R.	O	40		12/27/1951	43 DOMEST
NESE	R36-02160A	SPLIT RIGHT	C				01 IRR
NESE	R36-02160A	STEVENSON, RALEIGH W.	C	40	L	12/27/1951	43 DOMEST
SWSE	A36-08308	KUHN, MAX	C		P	04/28/1986	01 IRR
SESE	A36-02160A	KUHN, NONA	C				43 DOMEST
SESE	A36-02160A	STEVENSON, RALEIGH W.	C	20	L	12/27/1951	01 IRR
SESE	A36-02160	MILLER, C. R.	O	40		12/27/1951	43 DOMEST
SESE	R36-02160A	SPLIT RIGHT	C				01 IRR
SESE	R36-02160A	STEVENSON, RALEIGH W.	C	20	L	12/27/1951	43 DOMEST

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
 (Enter=Continue) (GOLD7=This Query)

(MENU _____)

MICROFILMED

JAN 26 1993

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: A36-02160A
Date Received: 12/29/1988
Receipt No: C004814
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALEIGH STEVENS
Address: P.O. BOX 539
HAGERMAN, ID

83332

2. Date of Priority: DEC 27, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	14E	18		NE	NW		GOODING

5. Description of diverting works:
WELL, PUMP, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.130		
DOMESTIC	01/01	12/31	2.130		

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

8. Total consumptive use is 360.9 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	12	NE	SE		IRR	40.0
			SE	SE		IRR	20.5

Section Acres 60.5

A36-02160A

Page 1

Date: 03/08/89

MICROFILMED

JAN 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	7	NW	SW		IRR	29.9
			SW	SW		IRR	9.8
					Section Acres		39.7
		18	NE	NW		IRR	0.1
			NW	NW		IRR	20.1
					Section Acres		20.2
					Total Acres		120.4

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:

EXTENSION OF FILING DEADLINE GRANTED UNTIL MARCH 31, 1989 PER
LETTER FROM DAVE SHAW, ATTACHED.

15. Basis of Claim: LICENSE

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, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 19, 1989

Mr. Raleigh Stevens
P. O. Box 539
Hagerman, ID 83332

RE: Snake River Basin Adjudication
A36-02160A

Dear Mr. Stevens:

We are returning your Notice of Claim to a Water Right filed for your property in Gooding County and receipt #C004814 in the amount of \$170.00. We have noted some problems with your claim which we would like you to correct.

At Item #9, Non-irrigation uses, you have not listed the number of households served as referenced in Item #6. Please fill in this information. At Item #13, please indicate other water rights used for the same purposes, or check none if applicable.

The last problem we need to address is the matter of the late fee. You were granted one extension until October 1, 1988. The second extension requesting extension to October 15, 1988, was denied. Your claim was received in our southern regional office on October 6, or five days past your initial extended deadline. Therefore, your claim will be subject to the \$50.00 late filing penalty on this claim. We cannot continue with the processing of your claim until we receive this late fee, not later than February 20, 1988.

Please return the documents to this office at my attention. Please do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,

Donald V. Shaff

Adjudication Section Supervisor

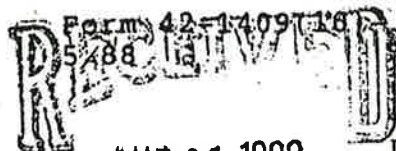
DVS:db

Enclosures

Long Form Completed, A36-02160A
Extension Request, Denied
Receipt #C004814

MICROFILMED

JAN 26 1993



Date Received _____

State of Idaho
Department of Water Resources

AUG 31 1988

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

RALEIGH STEVENS

Name of Claimant

P.O. Box 539

Post Office Address

Hagerman ID 83332

City, State, Zip Code

Gooding

County(s) where Place of Use is located

September 1, 1988

Date Claim Originally Due

36-2160

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

CLIENT IS IN BRITISH COLUMBIA AND CANNOT RETURN CLAIM FORMS

DUE TO DELIVERY PROBLEMS PRIOR TO CLOSING OF FILING

PERIOD.

Claimant requests an extension to OCTOBER 1, 1988.

Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,
and the filing deadline extended to October 1, 1988.

Signed this 7 day of September, 1988.

Director or his designated agent

DAVID B. SHAW

MICROFILMED

JAN 26 1993

Date Received _____

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

• RALEIGH STEVENS

Name of Claimant

P.O. Box 539

Post Office Address

RECEIVED

OCT 6 1988

Hagerman, ID 83332

City, State, Zip Code

Department of Water Resources
Southern Region Office

Gooding

County(s) where Place of Use is located

September 1, 1988

Date Claim Originally Due

36-2160

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Client will not be in United States until some future date in October. Original request (copy enclosed) was sent to client's local address which is forwarding all mail to Canada, a process that is taking almost three weeks. As a result, we have never seen the original again. We are filing at this time due to these circumstances.

Claimant requests an extension to October 15, 1988.

Respectfully submitted,

[Signature]
Signature

Lawyer
Title

=====

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
granted X denied,

and the filing deadline extended to _____, 19____.

Signed this 27 day of December, 1988.

[Signature]
Director or his designated agent

DAVID B. SHAW

MICROFILMED
JAN 26 1993

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
G. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

February 6, 1989

RECEIVED
FEB 09 1989

Mr. Dave Shaw
Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise ID 83720

Department of Water Resources

Dear Dave:

Pursuant to our phone conversation of this afternoon, this is an account of the sequence of events regarding the Raleigh Stevens request for extension of time. After being assured by the Federal Express people that we could get their same overnight service into British Columbia as they provide here in the states, we shipped the Stevens claim on August 23, 1988, from the firm's office. Mr. Stevens called that afternoon and expressed concerns about getting the paperwork prior to the first. We explained to him that we had an extension of time claim that we could file to accommodate any delays that might occur on his end.

Mr. Stevens did not receive the paperwork until August 30 at 1:06 p.m. At that point, we called DWR to confirm that we could ask for an extension of time based on the loss of time experienced in getting the paperwork to Mr. Stevens. We filed our first request for extension of time and requested an extension to October 1, 1988.

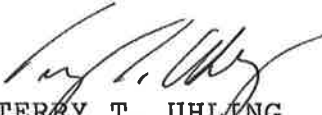
On September 8, 1988, we received the claims paperwork, cover letter and personal check from Mr. Stevens. On September 9, 1988, we had a phone conversation with Allan Merritt, the local Adjudication Supervisor, who told us to hold the claim until we received the exemption and then to file the claims paperwork. We tickled our calendar for September 30, 1988, to see if the request had been approved. When no approval came through from the Department over that weekend, we called the adjudication bureau in Boise on October 3 and talked to Deena Billups who told us to file another request for extension of time with the claim to show the circumstances. We did so with DWR local on October 6, 1988.

MICROFILMED
JAN 26 1993

Mr. Dave Shaw
Idaho Department of Water Resources
February 6, 1989
Page - 2

We would like the late fees not to be assessed for this claim since we were attempting to comply with the Department's direction despite some miscommunication.

Sincerely yours,



TERRY T. UHLING

TTU/FH/dcb
12441

MICROFILMED
JAN 26 1993

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C004814

RECEIVED

Date: 12/29/88
Time: 11:45:51

MAR 08 1989

Department of Water Resources
Southern Region Office

Received

From: STEVENS, RALEIGH/VIRGINIA

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$170.00
	Total	\$170.00

CHECK 1154

WR/NO: A36-02160A

Idaho Department of Water Resources

Region: STATE

Signature:

Carter Fritschle

MICROFILMED
JAN 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 22, 1989

Gooding

Mr. Terry T. Uhling
Nelson, Rosholt, Robertson, Tolman & Tucker
P. O. Box 1906
Twin Falls, ID 83303-1906

RE: Snake River Basin Adjudication
Raleigh Stevens

A36-02160A

Dear Terry:

This letter is in response to your letter of February 6, 1989 requesting an extension of time for Raleigh Stevens.

Your request for an extension of time is granted until March 31, 1989 and no late fees will be assessed Mr. Stevens if his Gooding County claims are properly filed by that date.

Please see enclosed copy of January 19, 1989 letter from Mr. Shaff describing deficiencies with Mr. Stevens' claims. This letter also extends the February 20, 1989 date in Mr. Shaff's letter to March 31, 1989.

Yours Truly,

David B. Shaw
Adjudication Bureau Chief

DBS:db

Enclosures

DVS letter/1-19-89

2 - Request for Extension of Time

MICROFILMED

JAN 26 1993

sent 08-30-88

Form 42-1409(10)
5/88

Date Received _____

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

RALEIGH STEVENS

Name of Claimant

P.O. Box 539

Post Office Address

Hagerman ID 83332

City, State, Zip Code

Gooding

County(s) where Place of Use is located

September 1, 1988

Date Claim Originally Due

36-2160

Identify water right(s) for which extension is requested

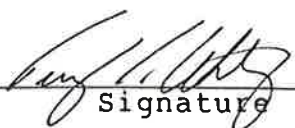
State reason(s) why an extension of time is requested:

CLIENT IS IN BRITISH COLUMBIA AND CANNOT RETURN CLAIM FORMS

DUE TO DELIVERY PROBLEMS PRIOR TO CLOSING OF FILING

PERIOD.

Claimant requests an extension to OCTOBER 1, 1988.


Signature

lawyer
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

granted denied,

and the filing deadline extended to _____, 19 .

Signed this day of _____, 19 .

Director or his designated agent

MICROFILMED
JAN 26 1993



Exposure No. 5

NOB 11/30/90

A36-02160 A

Raleigh Stevens

Looking South East from road on South Budry Section 7 at Point of Diversion. Note Non use and electric Wires severed from Power line.

Exposure No. 6

NOB 11/30/90

A36-02160 A

Raleigh Stevens

At Point of Diversion. Note old pipe and Power System not connected. Electric Meter base has no meter.

Exp. No 8

NOB 11/30/90

A36-02160 A

Raleigh Stevens

Looking South from road on South Side Section 7 at old Pump works and Power Pole #120. Note no connection to Power Supply.

Exposure No. 3

NOB Nov. 30, 1990

A36-02160 A

Raleigh Stevens

Looking SE from road on West Side, in Section 12 across the property. Picture taken from gated entrance to Stevens property.



5 e 1993
OBTAINED

Exposure No. 7

N.O.B. 11/30/90
A36-02160A
R. Stevens

Looking S. E. at POD. Note
Elect. not connected to pump
works

Exposure No. 2

N.O.B. Nov 30 1990
A36-02160A
Raleigh Stevens

Looking SE from West Side across property
in T7S R13E Section 12.

Exposure #4

N.O.B. Nov. 30, 1990
A36-02160A
Raleigh Stevens

Looking South West from dirt
road on East side of property.
Note Realtors For Sale sign.

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Stevens Raleigh CLAI DENT. NO. A36-02160A
 DATE RECEIVED 10-6-88 CK # 1154 AMOUNT \$ 170

1. Is the name and address complete with zip code? YES ☒ NO ☐
 2. Is a priority date entered? YES ☒ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? YES ☒ NO ☐
 (b) Is a tributary to entered? (if required) N/A ☒
 4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐
 5. Is there a description of the diverting works? YES ☒ NO ☐
 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES ☒ NO ☐
 Is the period of use included? YES ☒ NO ☐
 Is a quantity claimed for each use? YES ☒ NO ☐
 7. Is a total quantity claimed entered? YES ☒ NO ☐
 8. If required is a consumptive use entered? N/A ☒
 Is the consumptive use correct? N/A ☒
 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒
 10. Is (are) the place(s) of use and purpose(s) indicated? YES ☒ NO ☐
 11. Is (are) the county(ies) entered? YES ☒ NO ☐
 12. Is the ownership of p.u. checked? YES ☒ NO ☐
 13. Are other water rights listed or "none" indicated? YES ☒ NO ☐
 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒
 15. Is the basis of the claim indicated? YES ☒ NO ☐
 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES ☒ NO ☐
 Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐
 Was this claim filed on time, or was an extension granted? YES ☒ NO ☐
 Is the fee enclosed correct? YES ☒ NO ☐ Exempt ☐ IF Ext. Granted ☒
 If this claim is based on an existing water right, has the identification number been entered? YES ☒ NO ☐
 Should this claim be receipted and data entered? YES ☒ NO ☐

Claim checked by: CA

Comments:

Domestic use not identified

Claim data entered, on Host Temp.
(Receipt # C004814 deleted from claim)

\$50.00

MICROFILMED
JAN 26 1989
late fee needed.

NELSON, ROSHOLT, ROBERTSON, TOLMAN & WICKER
ATTORNEYS AT LAW

P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906



Mr. Dave Shaw
Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise ID 83720

MICROFILMED
JAN 26 1993

324-2303
WILLIAMS

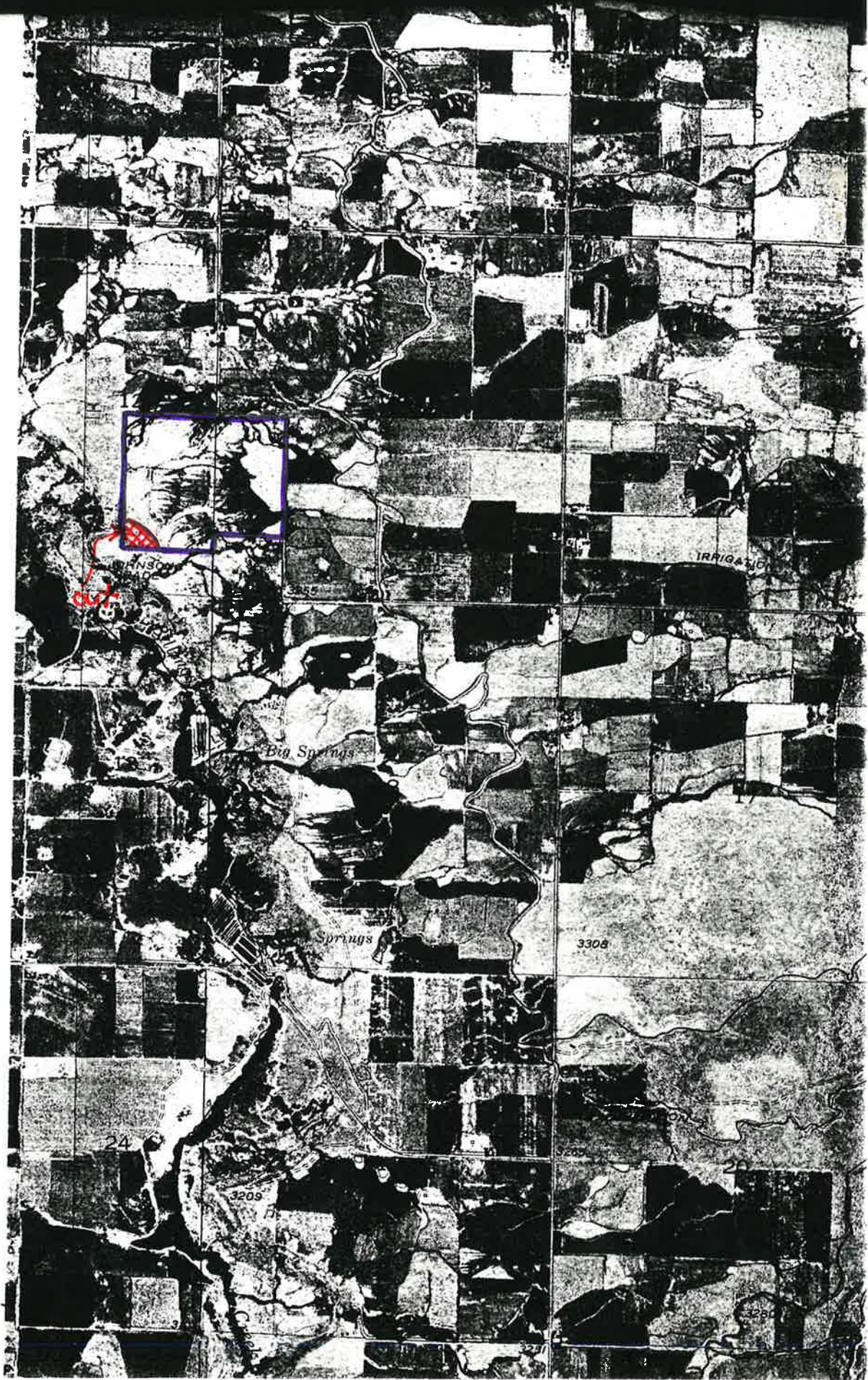
MTG. ON SMITH
TUES AUG 6
@ 10:00 @
RALEIGH ^{PLACE} ~~STREETS~~
327 4TH AVE N.
HAGERMAN

175
36-02160A:

irrigated acreage

approx. 96 ac.
irrigation recom-
mended

approx. 4 ac. is
out



AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/19/96 16:52:24
Page 1

Water Right Number - 36-02160B

Prefix Translation: WATER RIGHT

Old (D) Number - 22535

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

*** C - CURRENT OWNER ***
MILLER

C R

1 -
2 -
3 -

City- HAGERMAN
Phone - 208-000-0000

State- ID Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/27/1951 17 SOUTHERN N - NOT CLAIMED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
SPLIT RIGHT

+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
07S 14E 18 NE NW (47) GOODING

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.870

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.870 0.0

+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 13E 12 SE SE 19.5 01 IRRIGATION (47) GOODING
07S 14E 7 NW SW 3 0.1 01 IRRIGATION (47) GOODING
07S 14E 7 SW SW 4 20.2 01 IRRIGATION (47) GOODING
07S 14E 18 NW NW 1 19.9 01 IRRIGATION (47) GOODING

Total Acres: 59.7

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

GEN FUTURE CLAIM TO THIS RIGHT BARRED.

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

"DO NOT FILM"

09/19/96 16:52:42
Page 2

Prefix Translation: WATER RIGHT

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

| + - - - Decree Plaintiff - - - + | + - - - Decree Defendant - - - + | + - Decree Date - +
00/00/0000 |
|----------------------------------|----------------------------------|-----------------------------------|
|----------------------------------|----------------------------------|-----------------------------------|

+ - - Audit Fields - 08/11/92 CHRISTEN 10/28/92 FRITSCHL 11/02/92 CPSHAW 12/05/92 ADT-SHAW

+ -Comments- +

Date: 07/22/1992 User Id: THORNTON Subject: COPIED FROM REMARKS

AC. IRR. = 169.81.

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-02160A: STEVENS, 2.13 CFS, 120.4 AC.

Date: 10/28/1992 User Id: FRITSCHL Subject: CURRENT OWNER

CURRENT OWNER CHANGED FROM "SPLIT RIGHT" TO THE WR RECORD OWNER.

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 11/02/1992 | 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 | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 06/07/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District | - |
| Licensed Date | - 00/00/0000 | Receipt Number | - X777777 | Federal/State Indicator | - S |
| | | POU Ownership Flag | - Y | Presumption Flag | - |
| | | Name Connector | - | Notice of Error Flag | - |

"DO NOT FILM"

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Prefix Translation: WATER RIGHT

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 11/02/1992 | 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 | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 06/07/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District | - |
| Licensed Date | - 00/00/0000 | Receipt Number | - X777777 | Federal/State Indicator | - S |
| | | POU Ownership Flag | - Y | Presumption Flag | - |
| | | Name Connector | - | Notice of Error Flag | - |

"DO NOT FILM"

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/19/96 16:48:30
Page 1

Water Right Number - 36-02160B

Prefix Translation: WATER RIGHT

Old (D) Number - 22535

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

*** C - CURRENT OWNER ***
MILLER

C R

1 -
2 -
3 -

City- HAGERMAN
Phone - 208-000-0000

State- ID Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/27/1951 17 SOUTHERN N - NOT CLAIMED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER
SPLIT RIGHT

+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
07S 14E 18 NE NW (47) GOODING

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.870

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.870 0.0

+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 13E 12 SE SE 19.5 01 IRRIGATION (47) GOODING
07S 14E 7 NW SW 3 0.1 01 IRRIGATION (47) GOODING
07S 14E 7 SW SW 4 20.2 01 IRRIGATION (47) GOODING
07S 14E 18 NW NW 1 19.9 01 IRRIGATION (47) GOODING

Total Acres: 59.7

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

GEN FUTURE CLAIM TO THIS RIGHT BARRED.

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

"DO NOT FILM"

09/19/96 16:52:06
Page 1

Old (D) Number - 22535

[illegible]

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

No Old Water Right Numbers found.

"DO NOT FILM"

09/19/96 16:52:06
Page 2

| | | | | | | | | |
|-------------------|---|------------|-----------------|---|------------|--------------------|---|---|
| Proof Due Date | - | 00/00/0000 | Field Exam Made | - | 00/00/0000 | Field Exam Fee | - | |
| Approved/Denied | - | 00/00/0000 | Protested Date | - | 00/00/0000 | Swan Falls | - | |
| Proof Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - | P |
| Exam to S.O. Date | - | 00/00/0000 | Verified Date | - | 06/03/1985 | DLE/Carey Act | - | |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District | - | |
| Licensed Date | - | 04/24/1979 | Appl Received | - | 00/00/0000 | Transfer/Amended | - | |
| Decree Date | - | 00/00/0000 | Name Connector | - | | POU Ownership Flag | - | |
| Presumption Flag | - | | | | | | | |

"DO NOT FILM"

M. Sterling
9/3/96

Excluded acres for 36-02160A (based on conversation with Raleigh Stevens - 8/6/96)

1. 1-1/2 acre fenced-in area on east edge of Lot 3, Section 7 $\Rightarrow$ 1.25 ac.
2. 1/2 - 2 acres of trees in Section 12 watered with neighbor's waste water $\Rightarrow$ 1.75 ac.
3. 25-30 ft. strip on north edge of Lot 3, Section 7 & NESE Section 12
NESE Sect. 12: $27.5 \text{ ft} \times 1317 \text{ ft} = 36217.5 \text{ ft}^2 = 0.83 \text{ ac.}$
Lot 3 Sect. 7: $27.5 \text{ ft} \times 988 \text{ ft} = 27170 \text{ ft}^2 = 0.62 \text{ ac.}$
 $\Rightarrow$ 1.45 ac.

Total exclusions: $1.25 \text{ ac.} + 1.75 \text{ ac.} + 1.45 \text{ ac.} = 4.45 \text{ ac.}$ or 4.5 ac.

We don't know if trees were in NESE or SESE of Section 12. New owner will have to file a transfer, since his excluded acres are all in the SESE Section 12. Maybe when he does that, he can specify which 1/4 1/4 the trees were in.

Total acres of irrigation: $60.4 \text{ ac.} + 39.7 \text{ ac.} - 4.5 \text{ ac.} = 95.6 \text{ ac.}$

$$95.6 \times 0.02 = 1.91$$

Previous owner (Stevens) claimed 2.13 cfs for 120.2 acres, or 0.018 cfs/ac. He sold only 100.1 acres to the current owner, Smith, but the claim was not amended aside from the name change. It is unclear whether Smith wants more than 1 in./ac, since he has agreed that the additional 20 ac. are not his. (2.13 cfs over 100.1 ac. is 0.021 cfs/ac.) (0.02 cfs/ac for 95.6 ac = 1.91 cfs)

1.93 ?

MEMO

FROM: Marci Sterling

DATE: August 7, 1996

RE: Notes from meeting on Aug. 6, 1996 with Raleigh Stevens, Ronnie Smith, & Robert Williams

The meeting at the home of Raleigh Stevens was held at approximately 10:00 a.m. on August 6th and was attended by Mr. Stevens, Ronnie Smith, Robert Williams, and myself. Several issues related to claim number A36-02160A were discussed including irrigation methods of the prior owner, Mr. Stevens, irrigation methods of the current owner, Mr. Smith, and the 20 acre discrepancy between the adjudication claim and the deed.

ACREAGE DISCREPANCY

The first issue discussed was the fact that 20 acres were claimed by Mr. Smith for irrigation that were not actually purchased by him, according to the property deed. Mr. Williams explained that they had resolved that problem and Mr. Smith was not pursuing the inclusion of those lands in the acreage description of this right. Mr. Stevens explained that those 20 acres had been sold to a Mr. Kirkman, who to Mr. Stevens' knowledge had never irrigated the property and is now deceased.

IRRIGATION PRACTICES OF FORMER OWNER

Irrigated Acreage

I asked Mr. Stevens to describe to me the areas which he recalls irrigating. He answered by describing the areas which were not irrigated. He explained that there was a small fenced-in area on the eastern edge of Lot 3 in Section 7 that was never irrigated while he owned the property. He estimated that area to be approximately 1 to 1 1/2 acres in size. Mr. Smith has since put that area into production. Mr. Stevens also described a small ravine in Lot 3 where water would build up. He stated that he didn't intentionally irrigate that area and that cattle used to graze there. He also described a small pond where waste water would run from both his own and his neighbor's property and fill the pond to a depth of about 12-14 inches. This area sounded to be less than an acre in size and Mr. Stevens explained that it shrunk in size as time passed. This pond was in the northeast corner of Lot 3, but is no longer in existence. Mr. Stevens also had 1 1/2 to 2 acres of trees in Section 12 that received a neighboring property's waste water; he did not irrigate those trees with water from his own pump. The trees are no longer standing. He also explained that there were high spots, or knobs, throughout the property, many of which were not irrigated. Mr. Smith then stated that he has knocked those knobs down. In addition, Mr. Stevens described a 25 to 30 foot wide strip of land across the entire

1-1.5

?

<1 (6.5)

1.5-2

?

0.6-0.7 ac.

982 D

~the size of his house (negligible)

north edge of his property which got enough waste water from his neighbor's property that he did not have to apply water to that strip. That strip is now being irrigated by Mr. Smith.

Crop History

Mr. Stevens owned the property from approximately 1979 to 1991 and grew only pasture during that time. Until 1982 or 1983, he had up to 51 head of cattle and up to 4 horses grazing on the property and irrigated from six to ten times per year. According to Mr. Stevens, he stopped doing any heavy irrigating in about 1986, and only irrigated once or twice a year from that point on. Mr. Stevens explained in the meeting that when he sold the property to Mr. Smith, he told Mr. Smith that he would need to irrigate in 1991.

Delivery and Irrigation Systems

Mr. Stevens used two larger ditches to deliver water to his property. The first of those ditches ran west from the well to the eastern edge of Lots 3 and 4, then turned and ran north along the entire east edge of his property. Mr. Smith has removed the section of ditch which ran along the east edge of the property, but I observed that the ditch segment running west along the bottom of Section 7 still exists. Mr. Stevens also constructed another ditch which began at the point where the first ditch turned north. This ditch ran northwest through the property immediately to the south of Mr. Stevens' property, then ran along a small ridge on Mr. Stevens' property to irrigate the lands not covered by the first ditch. I also viewed this ditch, which is still in existence on the neighboring property, but is no longer used. The portion of ditch which remains is lined with Russian olive trees and is approximately 2 to 3 feet wide.

Mr. Stevens explained that each ditch irrigated between 40 and 60 percent of the property. In addition to those two main ditches, he used a combination of smaller ditches and widely spaced corrugations to spread the water over the entire property. The corrugations were not the traditional type commonly used. He could not tell me the corrugation spacing because it was not consistent throughout the field and the equipment he generally used to create the corrugates was not a typical "corrugator". It sounded as if the corrugations followed the contour of the land somewhat and often contoured around the high spots on the ground. He also mentioned that the previous owner had irrigated the property using corrugations.

Pumping Information

The pump and well used to irrigate the property were never operated using electrical power when Mr. Stevens owned the property. He had Idaho Power unhook the power supply to the pump when he first bought the property and used his own source of power after that time. When he was irrigating on a regular basis, he told me that he used "a D-6 Caterpillar diesel off an E-12" as a power source. This was apparently equipment that he had sent up from California, where he had worked in the oil business and had

access to equipment which could be utilized on his property in Idaho. In the years after 1986 when he stopped irrigating heavily, he rented gas or diesel generators for his infrequent irrigations. He remembered renting the equipment in Boise, but could not remember the name of the business from which he rented the equipment. Mr. Stevens did not have any information regarding the pump or pumps that he used, but believed that a 50 horsepower pump was the largest pump he used at any time.

Details as to actual irrigation practices used by Mr. Stevens were difficult to gather. One reason may be that it sounded as if he frequently had others do his irrigating, and another reason may be that he did not use traditional irrigation methods. He admitted that he did not have a farming background and didn't operate to earn a living, so the most efficient or productive practices were not likely used. He did explain that they would operate the pump for hours at a time, then shut it down for a while, and start up again later. This was due to the noise level produced by pumping. They tried to run the pump when the neighbors were away from home and he did not believe that he ever ran the pump for more than two to three days at a time. The property was not all irrigated at once, but instead in sections. Certain sections were typically irrigated more frequently than others.

IRRIGATION PRACTICES OF CURRENT OWNER

Irrigated Acreage

Ronnie Smith told me that he has been irrigating the property every year since 1991. He put a sprinkler system in the first year he owned the property, and at that time he bulldozed off the rock outcroppings that Mr. Stevens had irrigated around. He also explained that there were ditches and corrugations all over the property which he removed at the same time. Those ditches and corrugations made driving a pickup across the land difficult. There is one small area in the southwest corner of the property that Mr. Smith does not irrigate. He estimated it to be three to five acres in size. He emphasized that it can be irrigated, but he does not irrigate it because it is rocky ground. The remainder of the property is all irrigated.

Crop History

Mr. Smith has used a crop rotation of potatoes, beans, and grain. He hasn't grown alfalfa since he bought the property, but says it's due to go into hay now. He plants the entire parcel in only one crop each year.

Delivery and Irrigation Systems

Both of the main ditches originally supplying water to the lands have been removed from the point those ditches reached the property. The ditches still exist from the location of the well to the point they reach the property, but are not used by Mr. Smith for water delivery. Instead, the sprinkler system used by Mr. Smith consists of a pipe that goes underground just a few feet from

the well and resurfaces at the southeast corner of the property. A mainline then runs west along the southern edge of the property until it reaches the eastern edge of Section 12. The mainline then turns north along the eastern edge of Section 12 (the western edge of Section 7) and extends to the north edge of the property. Three handlines irrigate to the east and four irrigate to the west of that mainline. There is a 50 foot spacing between laterals and 5/32 nozzles are used. He runs all seven lines at once, with set times of 12 hours and a five to six day rotation with no dry days. He did say, however, that he used 8 hour set times in the past when he grew potatoes.

ANALYSIS OF AVAILABLE INFORMATION

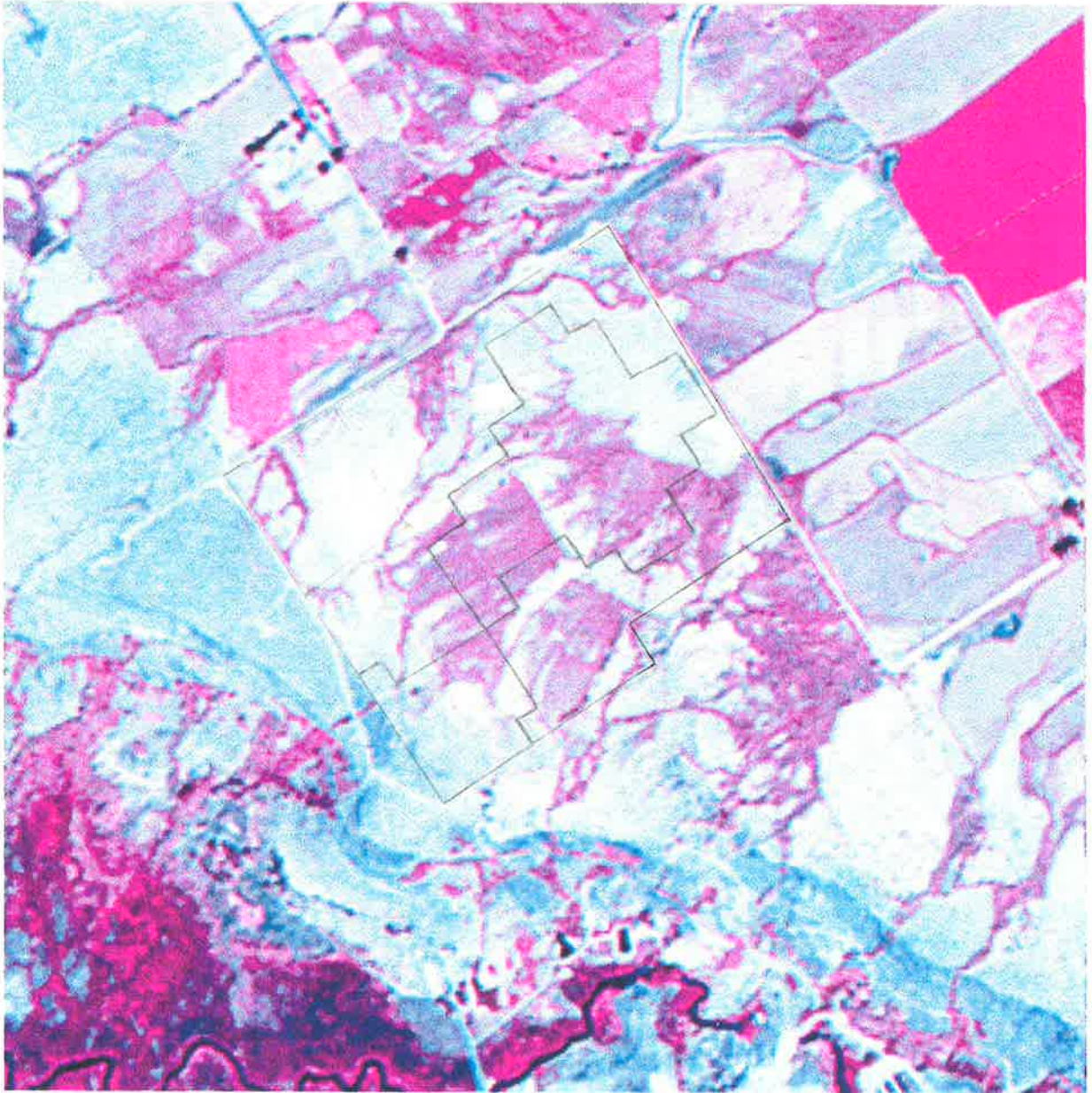
Infrared aerial photography for this area is available for the years 1975, 1977, 1980, 1983, and 1987. Unfortunately, the photography did not provide any definitive answers as to irrigation. The 1975 photography showed that portions of the property were likely being irrigated that year. There did not appear to be irrigation occurring in 1977, according to the photography for that year, but the areas around the main ditches did appear to have live vegetation. The photograph taken in 1980 did not show any irrigation occurring, but the same general areas around the ditches showed vegetation. Interpretation of the 1983 photograph was difficult, because the entire photo seems to have a reddish cast. The area looked as if irrigation may have been occurring, but certainly not on a frequent basis. There was no evidence of plant growth on the property in the 1987 photo.

The Landsat data that IDWR has, which is based on information from 1986, gave conflicting results. Those images are interpreted on a county by county basis, so since there are two counties on the quad map where this land lies, there were two interpretations made of that quad. The interpretation produced for Twin Falls County showed almost the entire acreage as being irrigated, while the interpretation for Gooding County showed less than half of the property being irrigated.

The ortho photo quad map seems to indicate that the area was at least partially irrigated at the time of the photo. It appears that a flood irrigation method was used. The date of that photo is August of 1974, before Mr. Stevens owned the property.

I contacted a local heavy equipment dealer to find out what I could about Mr. Stevens' description of the "D-6 Caterpillar diesel off an E-12". They were familiar with the D-6 Caterpillar, which is a track type bulldozer and can be purchased with a ripper on the back. The D-6 is apparently a model that has been built for many years now. None of the individuals with whom I spoke were familiar with the E-12, however.

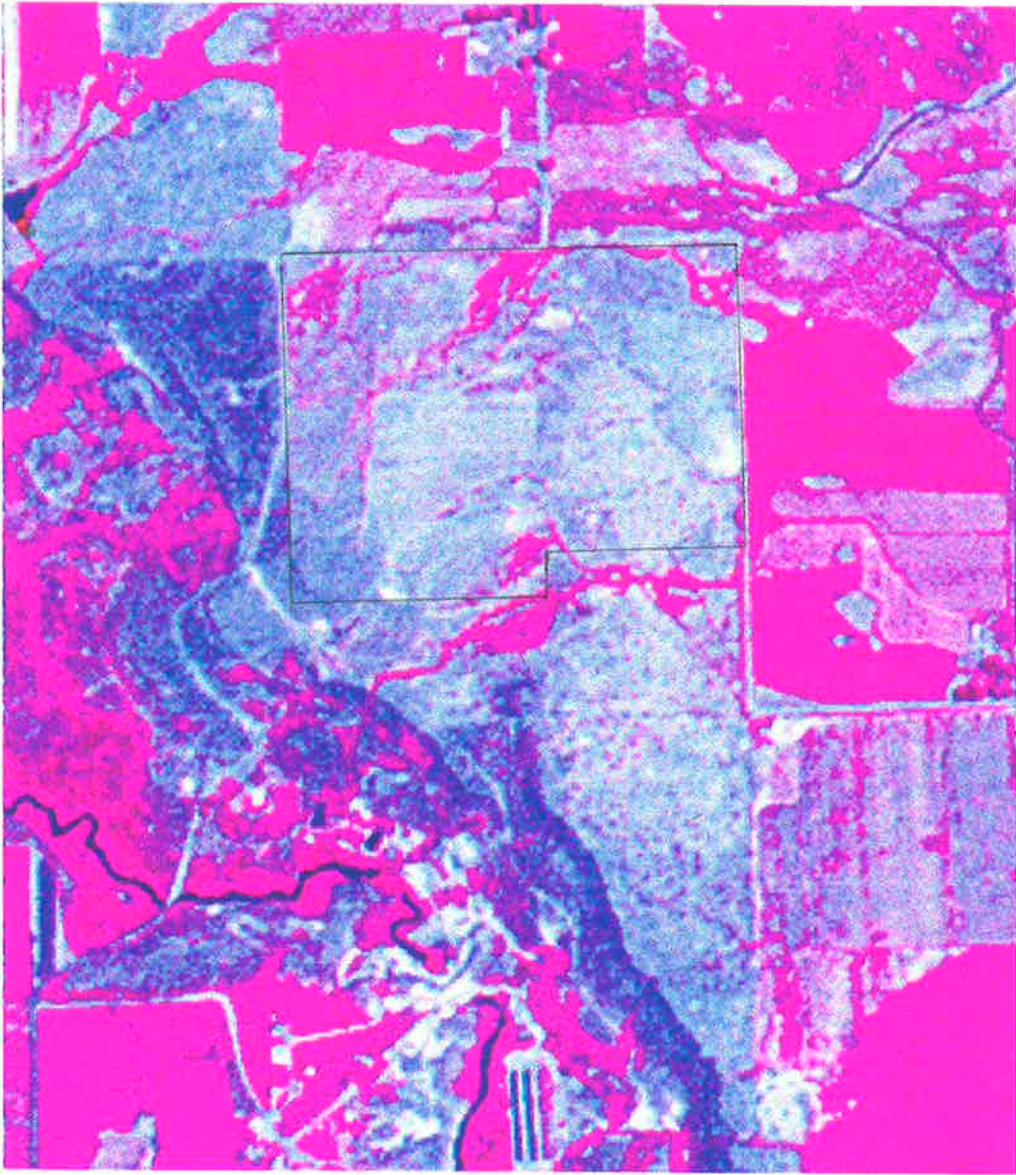
6/8/1975



6700

10/8/1975

N
↑

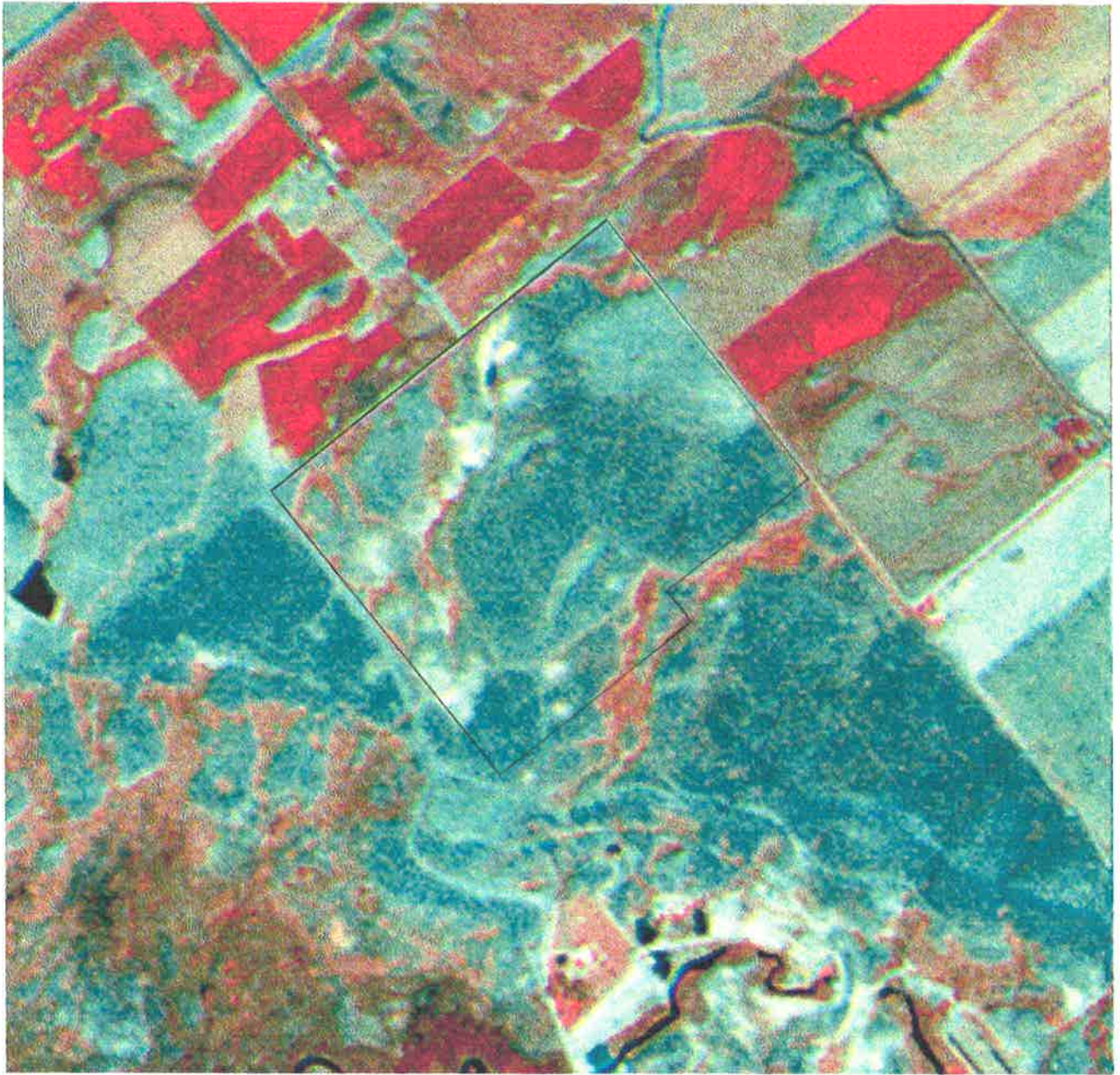


↑
N



use acres according to Stevens
minus roads

9/17/1980



POU = 100 ac.

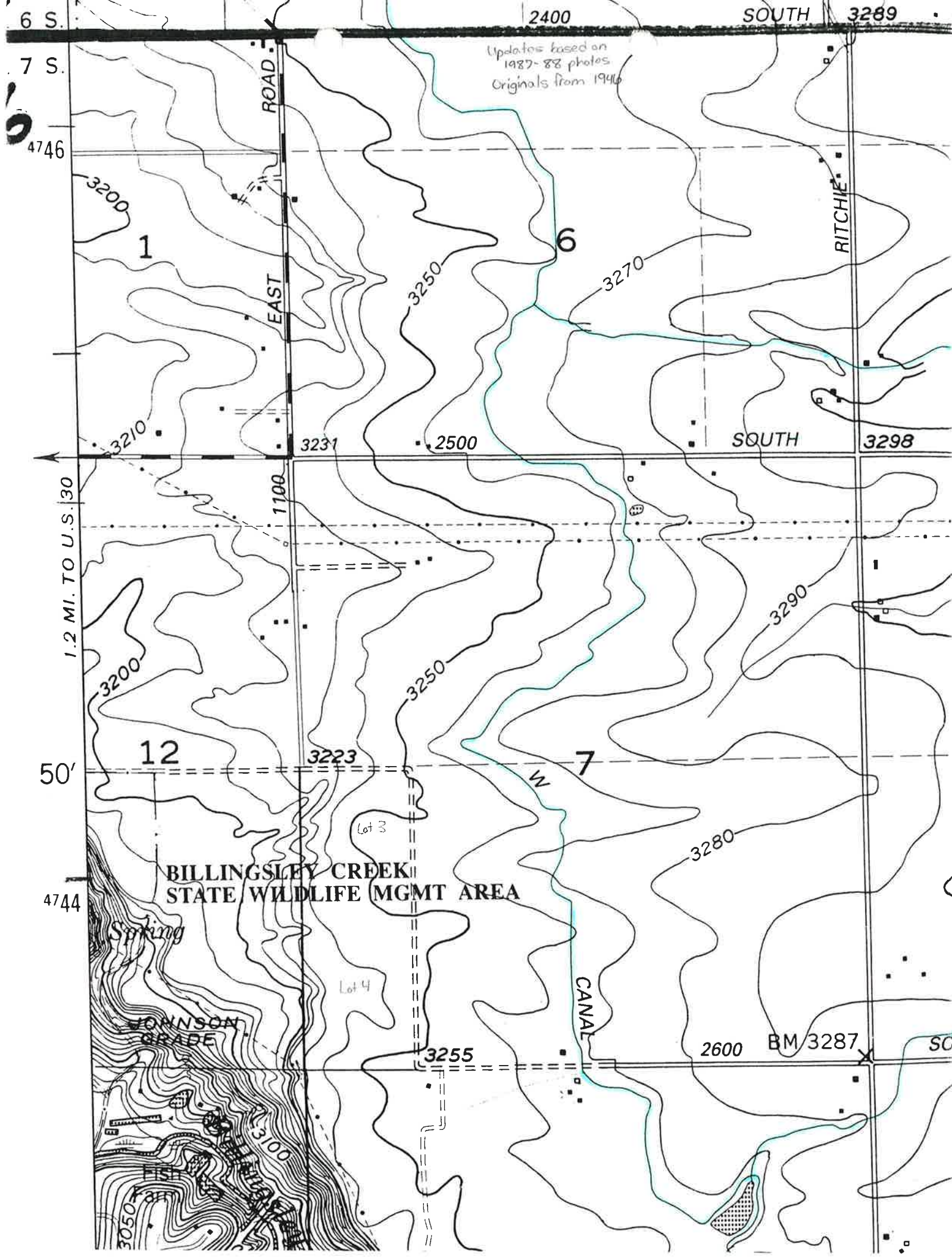
6/8/1975



2000 2000

670





MEMO

FROM: Marci Sterling

DATE: August 7, 1996

RE: Notes from meeting on Aug. 6, 1996 with Raleigh Stevens, Ronnie Smith, & Robert Williams

The meeting at the home of Raleigh Stevens was held at approximately 10:00 a.m. on August 6th and was attended by Mr. Stevens, Ronnie Smith, Robert Williams, and myself. Several issues related to claim number A36-02160A were discussed including irrigation methods of the prior owner, Mr. Stevens, irrigation methods of the current owner, Mr. Smith, and the 20 acre discrepancy between the adjudication claim and the deed.

ACREAGE DISCREPANCY

The first issue discussed was the fact that 20 acres were claimed by Mr. Smith for irrigation that were not actually purchased by him, according to the property deed. Mr. Williams explained that they had resolved that problem and Mr. Smith was not pursuing the inclusion of those lands in the acreage description of this right. Mr. Stevens explained that those 20 acres had been sold to a Mr. Kirkman, who to Mr. Stevens' knowledge had never irrigated the property and is now deceased.

IRRIGATION PRACTICES OF FORMER OWNER

Irrigated Acreage

I asked Mr. Stevens to describe to me the areas which he recalls irrigating. He answered by describing the areas which were not irrigated. He explained that there was a small fenced-in area on the eastern edge of Lot 3 in Section 7 that was never irrigated while he owned the property. He estimated that area to be approximately 1 to 1 1/2 acres in size. Mr. Smith has since put that area into production. Mr. Stevens also described a small ravine in Lot 3 where water would build up. He stated that he didn't intentionally irrigate that area and that cattle used to graze there. He also described a small pond where waste water would run from both his own and his neighbor's property and fill the pond to a depth of about 12-14 inches. This area sounded to be less than an acre in size and Mr. Stevens explained that it shrunk in size as time passed. This pond was in the northeast corner of Lot 3, but is no longer in existence. Mr. Stevens also had 1 1/2 to 2 acres of trees in Section 12 that received a neighboring property's waste water; he did not irrigate those trees with water from his own pump. The trees are no longer standing. He also explained that there were high spots, or knobs, throughout the property, many of which were not irrigated. Mr. Smith then stated that he has knocked those knobs down. In addition, Mr. Stevens described a 25 to 30 foot wide strip of land across the entire

"DO NOT FILM"

Nick -

Here's a copy of the report for 36-02160A (Ronnie Smith). I didn't give a copy to anyone else. Let me know what the next step should be.

Marci

EXCELLENT REPORT. I MADE A COPY SO I CAN GO THROUGH AND ANNOTATE IT WITH VARIOUS EVIDENTIARY NOTES I NEED TO MAKE FOR MY OWN USE.

I SUGGEST THAT WE MEET WITH DAVE IN THE NEXT FEW DAYS TO DISCUSS WHAT WE OUGHT TO DO WITH THIS RIGHT. DAVE PROBABLY WILL WANT TO REVIEW YOUR REPORT AND LOOK THRU THE CLAIM FILE IN PREPARATION FOR THE MEETING.

NBS

north edge of his property which got enough waste water from his neighbor's property that he did not have to apply water to that strip. That strip is now being irrigated by Mr. Smith.

Crop History

Mr. Stevens owned the property from approximately 1979 to 1991 and grew only pasture during that time. Until 1982 or 1983, he had up to 51 head of cattle and up to 4 horses grazing on the property and irrigated from six to ten times per year. According to Mr. Stevens, he stopped doing any heavy irrigating in about 1986, and only irrigated once or twice a year from that point on. Mr. Stevens explained in the meeting that when he sold the property to Mr. Smith, he told Mr. Smith that he would need to irrigate in 1991.

Delivery and Irrigation Systems

Mr. Stevens used two larger ditches to deliver water to his property. The first of those ditches ran west from the well to the eastern edge of Lots 3 and 4, then turned and ran north along the entire east edge of his property. Mr. Smith has removed the section of ditch which ran along the east edge of the property, but I observed that the ditch segment running west along the bottom of Section 7 still exists. Mr. Stevens also constructed another ditch which began at the point where the first ditch turned north. This ditch ran northwest through the property immediately to the south of Mr. Stevens' property, then ran along a small ridge on Mr. Stevens' property to irrigate the lands not covered by the first ditch. I also viewed this ditch, which is still in existence on the neighboring property, but is no longer used. The portion of ditch which remains is lined with Russian olive trees and is approximately 2 to 3 feet wide.

Mr. Stevens explained that each ditch irrigated between 40 and 60 percent of the property. In addition to those two main ditches, he used a combination of smaller ditches and widely spaced corrugations to spread the water over the entire property. The corrugations were not the traditional type commonly used. He could not tell me the corrugation spacing because it was not consistent throughout the field and the equipment he generally used to create the corrugates was not a typical "corrugator". It sounded as if the corrugations followed the contour of the land somewhat and often contoured around the high spots on the ground. He also mentioned that the previous owner had irrigated the property using corrugations.

Pumping Information

The pump and well used to irrigate the property were never operated using electrical power when Mr. Stevens owned the property. He had Idaho Power unhook the power supply to the pump when he first bought the property and used his own source of power after that time. When he was irrigating on a regular basis, he told me that he used "a D-6 Caterpillar diesel off an E-12" as a power source. This was apparently equipment that he had sent up from California, where he had worked in the oil business and had

access to equipment which could be utilized on his property in Idaho. In the years after 1986 when he stopped irrigating heavily, he rented gas or diesel generators for his infrequent irrigations. He remembered renting the equipment in Boise, but could not remember the name of the business from which he rented the equipment. Mr. Stevens did not have any information regarding the pump or pumps that he used, but believed that a 50 horsepower pump was the largest pump he used at any time.

Details as to actual irrigation practices used by Mr. Stevens were difficult to gather. One reason may be that it sounded as if he frequently had others do his irrigating, and another reason may be that he did not use traditional irrigation methods. He admitted that he did not have a farming background and didn't operate to earn a living, so the most efficient or productive practices were not likely used. He did explain that they would operate the pump for hours at a time, then shut it down for a while, and start up again later. This was due to the noise level produced by pumping. They tried to run the pump when the neighbors were away from home and he did not believe that he ever ran the pump for more than two to three days at a time. The property was not all irrigated at once, but instead in sections. Certain sections were typically irrigated more frequently than others.

IRRIGATION PRACTICES OF CURRENT OWNER

Irrigated Acreage

Ronnie Smith told me that he has been irrigating the property every year since 1991. He put a sprinkler system in the first year he owned the property, and at that time he bulldozed off the rock outcroppings that Mr. Stevens had irrigated around. He also explained that there were ditches and corrugations all over the property which he removed at the same time. Those ditches and corrugations made driving a pickup across the land difficult. There is one small area in the southwest corner of the property that Mr. Smith does not irrigate. He estimated it to be three to five acres in size. He emphasized that it can be irrigated, but he does not irrigate it because it is rocky ground. The remainder of the property is all irrigated.

Crop History

Mr. Smith has used a crop rotation of potatoes, beans, and grain. He hasn't grown alfalfa since he bought the property, but says it's due to go into hay now. He plants the entire parcel in only one crop each year.

Delivery and Irrigation Systems

Both of the main ditches originally supplying water to the lands have been removed from the point those ditches reached the property. The ditches still exist from the location of the well to the point they reach the property, but are not used by Mr. Smith for water delivery. Instead, the sprinkler system used by Mr. Smith consists of a pipe that goes underground just a few feet from

the well and resurfaces at the southeast corner of the property. A mainline then runs west along the southern edge of the property until it reaches the eastern edge of Section 12. The mainline then turns north along the eastern edge of Section 12 (the western edge of Section 7) and extends to the north edge of the property. Three handlines irrigate to the east and four irrigate to the west of that mainline. There is a 50 foot spacing between laterals and 5/32 nozzles are used. He runs all seven lines at once, with set times of 12 hours and a five to six day rotation with no dry days. He did say, however, that he used 8 hour set times in the past when he grew potatoes.

ANALYSIS OF AVAILABLE INFORMATION

Infrared aerial photography for this area is available for the years 1975, 1977, 1980, 1983, and 1987. Unfortunately, the photography did not provide any definitive answers as to irrigation. The 1975 photography showed that portions of the property were likely being irrigated that year. There did not appear to be irrigation occurring in 1977, according to the photography for that year, but the areas around the main ditches did appear to have live vegetation. The photograph taken in 1980 did not show any irrigation occurring, but the same general areas around the ditches showed vegetation. Interpretation of the 1983 photograph was difficult, because the entire photo seems to have a reddish cast. The area looked as if irrigation may have been occurring, but certainly not on a frequent basis. There was no evidence of plant growth on the property in the 1987 photo.

The Landsat data that IDWR has, which is based on information from 1986, gave conflicting results. Those images are interpreted on a county by county basis, so since there are two counties on the quad map where this land lies, there were two interpretations made of that quad. The interpretation produced for Twin Falls County showed almost the entire acreage as being irrigated, while the interpretation for Gooding County showed less than half of the property being irrigated.

The ortho photo quad map seems to indicate that the area was at least partially irrigated at the time of the photo. It appears that a flood irrigation method was used. The date of that photo is August of 1974, before Mr. Stevens owned the property.

I contacted a local heavy equipment dealer to find out what I could about Mr. Stevens' description of the "D-6 Caterpillar diesel off an E-12". They were familiar with the D-6 Caterpillar, which is a track type bulldozer and can be purchased with a ripper on the back. The D-6 is apparently a model that has been built for many years now. None of the individuals with whom I spoke were familiar with the E-12, however.

"DO NOT FILM"



12

JOHNSON ROAD

Big Springs

Springs

3308

APPRAISAL

Owner: R. W. Stevens
Route # 1 Box 402
Hagerman, Idaho 83332

- Legal: (1) Part of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12, T7S, R13 EBM, 60 Acres More or Less
(2) Part of the Lots 3 and 4, Section 7, T7S, R14 EBM, 39.82 Acres More or Less
(3) Part of Lot 1, Section 18, T7S, R14 EBM, 20.16 Acres More or Less

Total Acres 120.08 More or Less

Attached Survey Map dtd 10/8/79 by Richard W. Carlson Accurate Surveys
Jerome and Wendell, Idaho

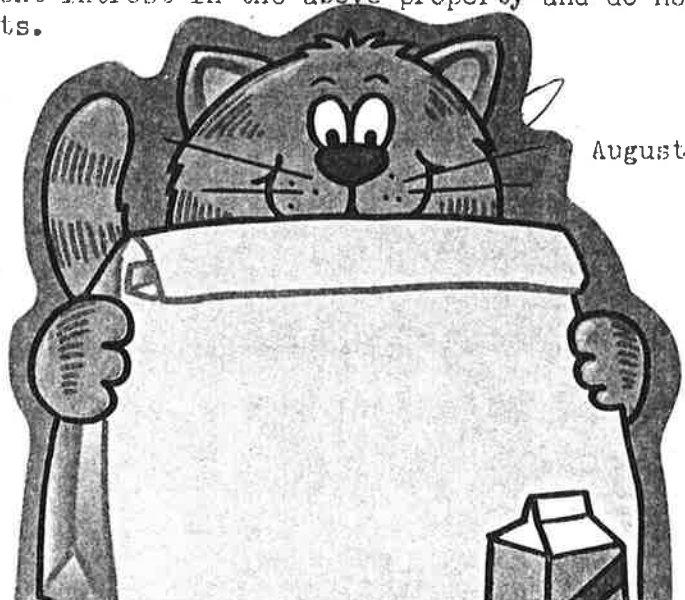
Appurtenant Water Rights: Irrigation and/or Potable water Well Data License # 36-2160 to C.R. Miller
Depth 187 feet, Cased to 42 feet, Licensed for (3) three Cubic Feet Second.
Cost data for well 187' X \$35 = \$6,545.00 plus 42' 16" casing X \$17.00 = \$714.00.
Pump data: (50) fifty HP, 3 Phase, Electric pump, Power Panel overhauled 1980, Pump has (120) one hundred twenty feet of (10) ten inch column and (3) three stages of (12) twelve inch Bowls with screen on bottom. Overhaul cost 1980 \$2,500.00.
Pressure Pump data: (40) forty HP, 3 Phase Electric pump and Power Panel Installed New 1980, complete with all piping and concrete pad. Installed Cost \$4,660.00
Estimated total value of Well and Pumps:

| | |
|------------|---------------------|
| Well | \$6,545.00 |
| Casing | 714.00 |
| Pump 50 HP | 8,000.00 |
| Pump 40 HP | 4,660.00 |
| | <u>\$13, 374.00</u> |

Light and Best Use: Use as Row Crop and Irrigated pasture and within a three year span subdivide into five acre Mini Ranches. There is quite a demand for Mini Ranches and the South West Slope and Rolling Terrain makes this ideally suited for this type of Rim View development. These would sell for approximately \$22,500.00 per five acre parcel with five shares of well water.

Estimated Price: (120.08) acres of potential development land at \$2,250.00 per acre including well, pump and fixtures 120.08 X \$2,250.00 = \$270,180.00

I have no financial or investment interest in the above property and do not contemplate having such interests.



August 1981



12

JOHNSON
GRADE

3255

13

Big Springs

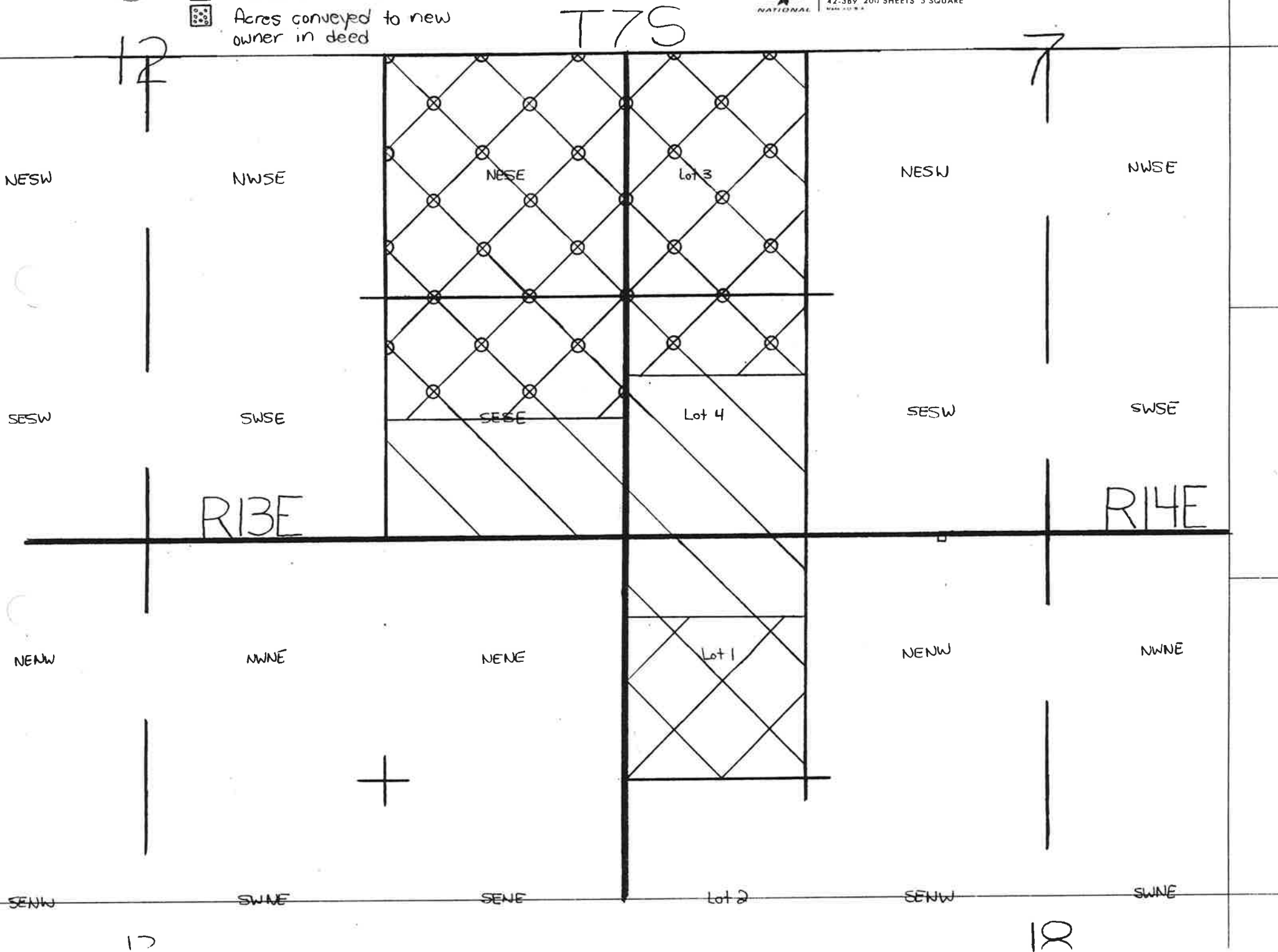
Springs

3308

-  Claimed acres
-  Licensed acres
-  Acres conveyed to new owner in deed



42-381 50 SHEETS 5 SQUARE
 42-382 100 SHEETS 5 SQUARE
 42-389 200 SHEETS 5 SQUARE
 MADE IN U.S.A.



42.381 50 SHEETS 5 SQUARE
 42.382 100 SHEETS 5 SQUARE
 42.389 200 SHEETS 5 SQUARE
 42.390 200 SHEETS 5 SQUARE



| | Total acres
in $\frac{1}{4}$ $\frac{1}{4}$ | Licensed | Claimed | Conveyed
in deed |
|-------------------------------|---|----------|---------|---------------------|
| NESE
Section 12
7S 13E | 40 | 40 | 40 | 40 |
| SESE
Section 12
7S 13E | 40 | 40 | 20.5 | 20.41 |
| Lot 3
Section 7
7S 14E | 29.88 | 29.88 | 29.9 | 29.88 |
| Lot 4
Section 7
7S 14E | 29.82 | 29.82 | 9.8 | 9.81 |
| Lot 1
Section 18
7S 14E | 30.11 | 30.11 | 20.1 | 0 |
| NENW
Section 18
7S 14E | 40 | 0 | 0.1 | 0.03 |



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

Brent King
Deputy Attorney General
Department of Water Resources
1301 N. Orchard
P.O. Box 83706-0098
(208) 327-7900
fax (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Robert E. Williams III
Fredericksen, Williams & Meservy
Attorneys at Law
P.O. Box 168
Jerome, Id. 83338

RE: Water Right No. 36-02160A

April 12, 1996

Dear Mr. Williams,

In our last conversation, I indicated that I would send a letter which would outline the status of Mr. Smith's water right no. 36-02160A and send a list of questions which, if answered sufficiently, should enable IDWR to determine the extent of beneficial use. I have contacted an engineer here at IDWR to be sure that a complete list can be forwarded. To that end, enclosed is a "Irrigation Flow Rate Questionnaire," and questions related to Mr. Smith's pump capacity. Please have Mr. Smith completely answer these questions.

As to the current status of Mr. Smith's water right, IDWR has several issues that need to be clarified. First, an analysis of the legal descriptions of the claimed place of use and the land that was conveyed to Mr. Smith shows that there is an area of approximately 20 acres that he apparently does not own for which he is claiming water. (See Lot 1, Section 18 7S 14E). Since Idaho law prohibits a private water right being obtained by trespass, IDWR would need proof that Mr. Smith either owns that property or the existence of a rental agreement between Mr. Smith and the current owner that establishes that the right has been severed from the underlying ground and that Mr. Smith is the owner of the right.

Also, there is a discrepancy between the amount of land that Mr. Stevens indicates he watered by means of diesel generator and the amount of land that could be watered from the then existing pump. More specifically, Mr. Stevens, in his affidavit, states that he

watered "portions" of his property "for two or three days at a time." See Stevens affidavit dated October 24, 1995. Our engineering staff, however, indicates that the pump probably would not be able to produce enough water in that period to sufficiently irrigate all the land within the claimed place of use.

Further, Mr. Stevens indicates that the reason he pumped water once every five years was, "to irrigate the property on a temporary basis and thus avoid forfeiture or abandonment of the water right." (October, 1995 affidavit). Idaho law does not recognize the mere pumping of water onto the ground to avoid forfeiture as a beneficial use. Instead, the irrigation of land must produce some observable gain to the water user; otherwise the use is classified as waste. Although Mr. Smith's description of cows on the property between 1976 and 1991 (June, 1995 affidavit of Smith) could be evidence of beneficial use, IDWR has identified areas of the Smith property as being sub-irrigated. Thus, Mr. Smith could have seen cows on those sub-irrigated pieces of property. IDWR therefore needs to know what areas were irrigated with the pump and whether those areas benefitted from the irrigation to the extent that the irrigation caused an observable increase in pasturage. Mr. Smith's statement that the cows he observed were grazed in the same areas that were irrigated from the diesel pump would establish this.

In conclusion, IDWR still has insufficient information to be able to determine the extent of beneficial use on Mr. Smith's property. I understand Mr. Smith's frustration. However, IDWR is doing its best within the limits of the law and the information Mr. Smith has provided to be able to clear up this matter. We appreciate Mr. Smith's cooperation. If you or your client has any questions, please feel free to write or give a call.

Sincerely

A handwritten signature in dark ink, appearing to read 'Brent King', with a stylized, flowing script.

Brent King

INSTRUCTIONS FOR IRRIGATION FLOW RATE QUESTIONNAIRE

The information required in this questionnaire will describe your water delivery system and irrigation methods. This information is essential in order for staff of IDWR to evaluate your irrigation water requirements. Much of the information is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with this form.

Please provide your name, address, and phone number where you may be contacted for further information or clarification. Include the claim number(s) for those claims where the irrigation flow rate is more than 0.02 cfs (1 miner's inch) per acre.

1. provide the total number of acres irrigated for the claims listed.
2. provide a breakdown in acres of the types of crops grown in a typical irrigation season for each of your irrigation system types.

Items 3 through 8 must be completed for each of the irrigation system types you specified in item 2. This information must be completed as accurately as possible. All information must be based on peak water use during the irrigation season.

inflow -

this is the flow of water applied to an individual furrow, border, ditch, etc.; proper evaluation requires good accuracy

spacing or width -

this is the distance between individual furrows, border ridges, sprinkler laterals, etc.

length -

this is the maximum length of run of furrows, corrugations, borders etc.

field slope -

this is the slope of the field in the direction of the run of furrows, borders, etc.; specify in percent or give units if specified otherwise

set time -

this is the number of hours that water is applied during an irrigation set

frequency -

this is the number of days between irrigation start times of the same set of furrows or border(s) etc.

9. complete the appropriate items for the main ditch from the point of diversion to the farm; if this ditch is shared by other water users a more complete description of the system will be required

Items 10, 11, 12, and 13 see questionnaire.

IRRIGATION FLOW RATE QUESTIONNAIRE

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

CLAIM NO(S). _____

NAME _____

ADDRESS _____

PHONE _____

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

2. SHOW THE NUMBER OF ACRES OF CROPS GROWN FOR YOUR IRRIGATION SYSTEM(S) DURING A TYPICAL SEASON

| | Border | Furrow | Corrugation | Sprinkler | Contour Ditch | Other |
|--------------|--------|--------|-------------|-----------|---------------|-------|
| Alfalfa | | | | | | |
| Beans | | | | | | |
| Field Corn | | | | | | |
| Silage | | | | | | |
| Spring Grain | | | | | | |
| Winter Wheat | | | | | | |
| Orchard | | | | | | |
| Pasture | | | | | | |
| Potatoes | | | | | | |
| Sugar Beets | | | | | | |
| Other | | | | | | |

PLEASE COMPLETE ITEMS 3 THROUGH 8 FOR EACH OF THE IRRIGATION SYSTEM TYPES SPECIFIED ABOVE

3. BORDER (COMPLETE BELOW BASED ON PEAK USE)

| | | |
|------------------------|---------------------|---------------------------|
| inflow to border (cfs) | border width (feet) | border length (feet) |
| field slope (%) | set time (hours) | number of borders per set |
| frequency (days) | | |

4. FURROW (COMPLETE BELOW BASED ON PEAK USE)

| | | |
|------------------------|-------------------------|---------------------------|
| inflow to furrow (gpm) | furrow spacing (inches) | furrow length (feet) |
| field slope (%) | set time (hours) | number of furrows per set |
| frequency (days) | | |

5. CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)

| | | |
|-----------------------|------------------------|--------------------------------|
| inflow to corr. (gpm) | corr. spacing (inches) | corr. length (feet) |
| field slope (%) | set time (hours) | number of corrugations per set |
| frequency (days) | | |

6. SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)

| | | |
|----------------------------|-----------------------|------------------------|
| average nozzle flow (gpm) | 40 ft. between risers | nozzle spacing (feet) |
| lateral length (feet) | 50 ft spacings | lateral spacing (feet) |
| number of laterals per set | | set time (hrs.) |
| frequency (days) | 990 ft, 3 line | |

7. CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)

| | |
|---------------------------|---------------------------------|
| inflow to ditch (cfs) | field slope (%) |
| ditch length (feet) | distance between ditches (feet) |
| number of ditches per set | set time (hours) |
| frequency (days) | |

8. OTHER IRRIGATION SYSTEM TYPE (specify)
(COMPLETE BELOW BASED ON PEAK USE)

| | |
|------------------|--------------------------------------|
| inflow (cfs) | total area irrigated per set (acres) |
| field slope (%) | set time (hrs.) |
| frequency (days) | |

9.

CONVEYANCE FROM SOURCE TO FARM

UNLINED DITCH-SPECIFY SOIL TYPE _____

length (feet) _____

ave. depth from land surface (Inches) _____

ave. top width of water surface (Inches) _____

LINED DITCH-SPECIFY TYPE OF LINING _____

length (feet) _____

ave. depth from land surface (Inches) _____

ave. top width of water surface (Inches) _____

PIPELINE

length (feet) _____

_____ diameter (Inches)

IS THIS CONVEYANCE SYSTEM SHARED BY OTHER WATER USERS? _____

IF YES, PLEASE DESCRIBE OR SKETCH THE SYSTEM SHOWING THE NUMBER OF WATER USERS, LOCATION OF HEADGATES, LENGTHS ETC.

10. ON-FARM DISTRIBUTION SYSTEM-DRAW A SIMPLE SKETCH OF YOUR ON-FARM WATER DISTRIBUTION SYSTEM. AN AERIAL PHOTO/FARM PLAN WITH THE IRRIGATION SYSTEM SKETCHED ON IT MAY BE USED. THIS SKETCH MUST INCLUDE THE FOLLOWING INFORMATION FOR EACH REACH: LENGTH, TOP WIDTH OF WATER SURFACE, DEPTH FROM LAND SURFACE, SOIL TYPE OR LINING, AND PERCENT OF TOTAL FLOW DURING USE. Also include the type of system used on each field, where the head ditch runs on the field, & the direction of water flow for all ditches on field.

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

IF YES, PLEASE DESCRIBE:

12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?
IF YES, PLEASE DESCRIBE OR ATTACH COPIES

13. PLEASE INCLUDE ANY FURTHER COMMENTS WHICH WILL AID IN THE EVALUATION OF YOUR WATER REQUIREMENTS.

PLEASE RETURN FORMS TO:

Required information for diversion rate calculation for pumps:

1. Pressure at well head.
2. Pump horsepower.
3. Pumping water level.

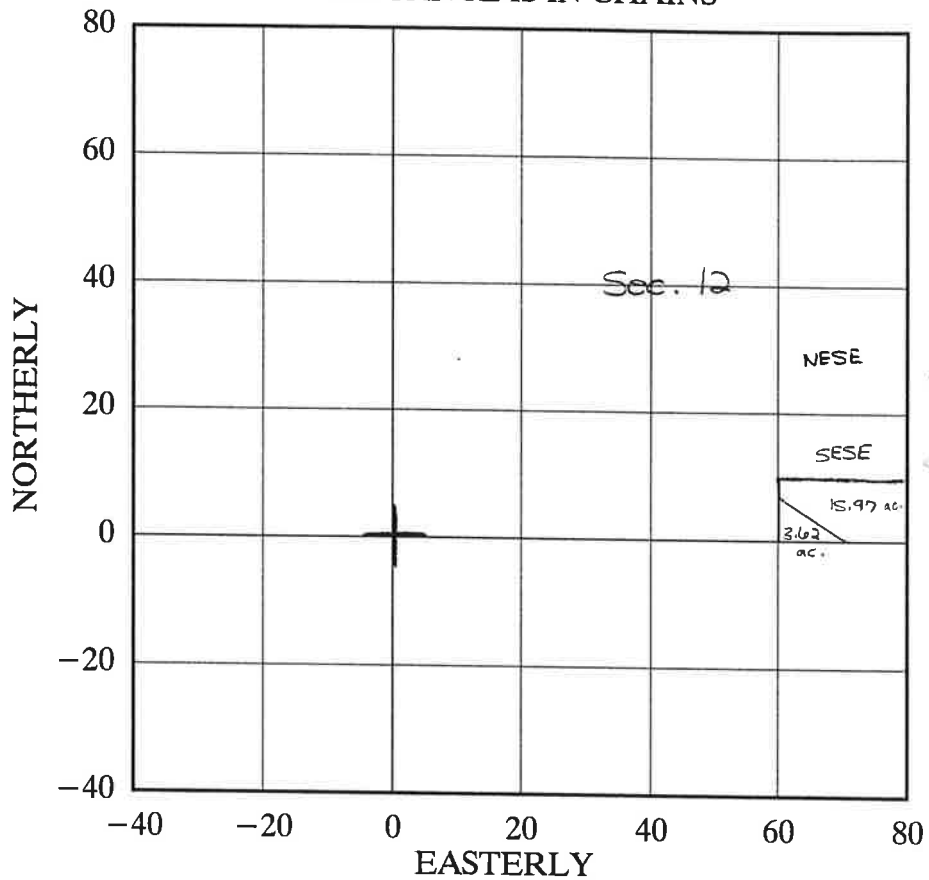
PARCEL 1

T 7 S R 13 E Sec. 12

NESE & SESE minus exceptions equalling 19.6 ac.

$$\begin{aligned}\text{Total acres} &= 40.0 + 40.0 - 19.59 \\ &= 60.41 \text{ ac.}\end{aligned}$$

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



PARCEL 2
T7S R14E Sec. 7

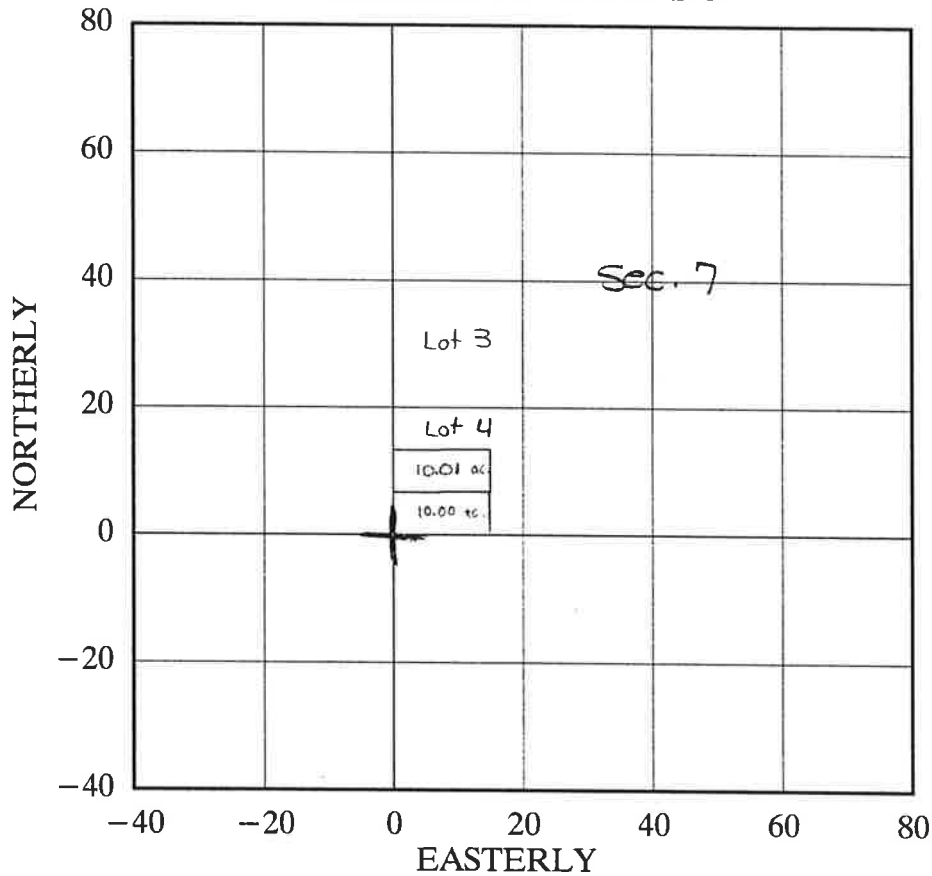
Lots 3+4 minus exceptions equalling 20.01 ac.

Lot 3 = 29.88 ac.

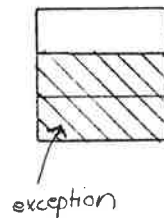
Lot 4 = 29.82 ac.

Total acres = $29.88 + 29.82 - 20.01$
= 39.69 ac.

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



16 ac.
24 ac.



Lot 4 actually looks
something like this -
not a full 40 ac. tract

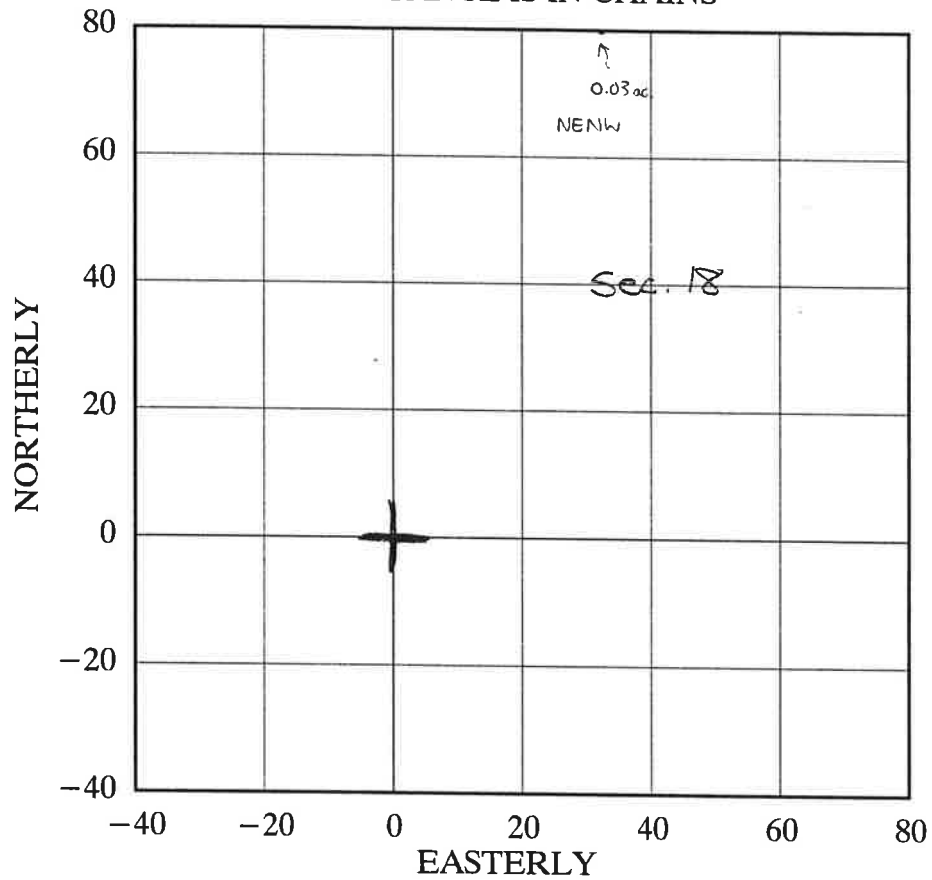
PARCEL 3

T7S R14E Sec. 18 NENW

Total acres = 0.03 ac.

($\frac{5}{16}$ interest)

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



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

Permit No. G- 22535This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant C. R. Miller Hagerman, Idaho
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NE 1/4 NW 1/4 of Section 18
T. 7 S R. 14 E County of Gooding

4. Describe works as they exist, giving dimensions and capacities of same: G. E. Motor #PRJ6919086
50 hp, 440 volts, 61 amps, 60 cycle, 3 phase, 1765 r.p.m.; Layne Bowler
pump, Vertical Turbine #7001; G. E. Panel #30-295-593; Flow Checked with
Sparling Meter 100 c.f. every 28 Sec. or 3.57 c.f.s.; 187' deep, 16"
diam., casing 14" by 42 feet, delivery to N. thru 10" c.i.p., S- 102'
DD = 110, pump setting = 130', Bows = 12", Stages = 3, Column =
10" x 130'.

5. Water is used for: Irrigation only
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Lots 3 & 4 section 7;Lot 1 section 18;Township 7 S Range 14 E B. M.Rt SE 1/4 section 12;Township 7 S Range 14 E B. M.169.81 acres (Federal Land office)

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

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

Remarks: _____

This examination was made on the 22nd day of May, 1953(Signed) [Signature]

Examiner.

G-22535

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

08/05/96 17:01:55
Page 1

Water Right Number - 36-02160A

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
SMITH

RONNIE D

1 - 1046 E 2900 S

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-4790

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
12/27/1951 ERROR IN REGION I - DISALLOWED

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

07S 14E 18 NE NE NW (47) GOODING

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

01 - IRRIGATION 04/01 10/31 2.060 412.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.060 412.00 309.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | |
|-----|-----|----|-------|---|------|----|------------|--------------|
| 07S | 13E | 12 | NE SE | | 29.0 | 01 | IRRIGATION | (47) GOODING |
| 07S | 13E | 12 | SE SE | | 24.0 | 01 | IRRIGATION | (47) GOODING |
| 07S | 14E | 7 | NW SW | 3 | 16.0 | 01 | IRRIGATION | (47) GOODING |
| 07S | 14E | 7 | SW SW | 4 | 24.0 | 01 | IRRIGATION | (47) GOODING |
| 07S | 14E | 18 | NW NW | 1 | 10.0 | 01 | IRRIGATION | (47) GOODING |

Total Acres: 103.0

+ - - Diversion Means - WELL, PUMP, DITCHES

+ - - Non-Irrigation Use - DOMESTIC/ 1 HOME

+ - - Other Rights for Same Use - NONE

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

GEN FORFEITED/ABANDONED.

+ - - - - - Old Water Right Numbers - - - - - +
3602160

“DO NOT FILM”

Water right number - 36-02160A

Prefix Translation: WATER RIGHT

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

P04 - FORFEITED/ABANDONED: This is included for a claim based on a
- decree or license that is PROPOSED to be disallowed on the basis
- that the water right no longer exists because forfeiture of the
- right by nonuse was confirmed and a defense to forfeiture was not
- confirmed, or because abandonment of the right was confirmed.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 09/28/90 BEDKE 07/29/91 WORSTELL 07/30/91 WORSTELL 08/30/91 MERRITT 03/16/92 ROBERTSO
06/12/92 CHRISTEN 07/10/92 CWU-PROD 07/18/92 POST-STD 08/10/92 CHRISTEN 08/28/92 PR-PROD
09/24/92 SCHULTZ 10/14/92 CHRISTEN 11/02/92 CPSHAW 12/05/92 ADT-SHAW 06/03/93 CM1-SEIF
09/17/93 UPD-SCHU 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 258803 08/24/92

+ - - - - Comments - - - - - +

| | |
|--|--|
| Date: 07/29/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS
EXTENSION OF FILING DEADLINE GRANTED UNTIL MARCH 31, 1989 PER | LETTER FROM DAVE SHAW, ATTACHED. |
| Date: 06/12/1992 User Id: CHRISTEN Subject: DISALLOWAL ANALYSIS
INFORMATION OBTAINED BY NORM BROWN 8-30-91; IDAHO POWER RECORDS
1990. A FIELD EXAM BY NORM BROWN IN NOV OF 1990 INDICATED NO | INDICATE THAT POWER WAS NOT SUPPLIED TO THIS SYSTEM SINCE 1971 TO
IRRIGATION OF THE CLAIMED GROUND EVIDENT. {DATA ENTERED BY KKC} |
| Date: 09/24/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/23/92. CHANGED NOE FLAG FROM BLANK TO A. | CLAIM VERIFIED 8/10/92. DID NOT REVERIFY ANY PART OF CLAIM. |
| Date: 10/14/1992 User Id: CHRISTEN Subject: RESPONSE TO NOE
NO EVIDENCE OF USE WAS FOUND DURING FIELD EXAM. EVIDENCE
SUPPLIED SINCE 1981 AND POSSIBLY EARLIER. FIELD EVIDENCE DOES
TO RECOMMENDATION MADE AT THIS TIME. KKC 10-14-92. | SUPPLIED BY IDAHO POWER INDICATES THAT POWER HAS NOT BEEN
NOT SUPPORT A DIESEL GENERATOR USED TO SUPPLY POWER. NO CHANGE |

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

| | | |
|-----------------------------------|------------------------------------|-----------------------------|
| Court Report Filing - 11/02/1992 | Field Inspection Made - 00/00/0000 | Civil Case Number - 39576 |
| Objection Filed Date - 04/30/1993 | Field Inspection Flag - | Old Case Number - |
| Response Filed Date - 09/10/1993 | Verified Date - 10/14/1992 | Old Judicial District - |
| Claim Received Date - 12/29/1988 | Last Amended Date - 00/00/0000 | Temporary Right - P |
| Proof Due Date - 00/00/0000 | Proof Made Date - 00/00/0000 | Water District - |
| Licensed Date - 00/00/0000 | Receipt Number - C004814 | Federal/State Indicator - S |
| | POU Ownership Flag - Y | Presumption Flag - C |
| | Name Connector - OR | Notice of Error Flag - B |

"DO NOT FILM"

METE-2

→ 20 acres not owned by Smith?

How did he water the property with the pump we have info. for?

→ Copy of pump info, theoretical equation

Sub-irrigation? What areas were irrigated? How? What was grown?

→ Take pictures?

Get irrigation information?

Smith - what is he irrigating?

Stevens - did he bring in pump? Pump info? How often & how long did he irrigate? Did cattle graze on lands that were irrigated or only on sub-irrigated land

8/6/96 - 10:00 am - meeting with Raleigh Stevens, Ronnie Smith, Robert
 20 acres not owned by Smith, owned by Kirkman - hasn't used
 the water, has since died

1-1½ acres never irrigated, fairly rocky, fenced in; eastern edge of
 Lot 3

ravine in Lot 3 - made a little lake out of it - cattle fed down in
 ravine

little lake - about 12-14 in. deep, waste water from him & neighbor
 about size of his home; located on road area on east edge of Lot 3

(200 ft x
 100 ft approx)

1½-2 acres of trees; used water from the north; NESE of Sec. 12
 west edge of property

ditch along entire eastern edge of property

high spots (knobs) weren't irrigated

property to south of his wasn't his, he didn't irrigate it, but
 ran a ditch through it - 2-3 ft. wide; wasn't intentionally irrigated

corrugated entire property (except maybe high spots); had been corrugated
 before he bought it

from east ditch water ran east to west - irrigated probably 60%^{40% to};
~~ditch~~

How often? - ~~1979~~ - ?

Since he owned it, he's always had pasture

1979 → 82 or 83 - ran cattle through property (about 50 head); ^{irrigated} ~~during~~
about 6-10 times per year

PTC HP rating

about 1984, he stopped irrigating as much; ^{about} 1986 he stopped doing
any heavy irrigating (Bill Rice did his irrigating); maybe once or twice
each year after that time; rented gas or diesel generator

50 hp or a little smaller has been used

He took casing out of existing system when he bought it

Stevens told Smith to irrigate in 1991 when he bought it

off an E-12 ^{generator} ~~alternator~~
model → D-6 Caterpillar diesel used as power source before he started
renting equipment to pump

Operated pump hours at a time, then stopped for a while because of the
noise for the neighbors; ran 2-3 days at a time at the most

Property was irrigated in sections at a time to keep it from drying
up

All of "ditch pipe" was oil drilling pipe; only some was aluminum
pipe

25-30 ft strip along north edge of property got enough waste from
neighbor's property that he didn't have to apply water

at most - ⁴3 horses ; up to 51 cattle ; used entire property for grazing ; ran cattle for a whole year one year (second year)

started irrigated in 1979 - year he bought property

always used his own power when he owned property

Ronnie Smith -

irrigating every year since '91

put in a sprinkler system first year ; dozed off rock outcropping
took out ditches & corrugates

all hand lines - 6 to 7 lines

930 ft per line on east side ; 23 joints of pipe there
32 joints on west side

$\frac{5}{32}$ nozzles

run all 7 lines at once ; 5-6 day rotation ; set time is 12 hrs.

potatoes, beans, grain - all property in same crop in one year
for potatoes - 8 hr. sets ; everything else is 12 hr. sets

hasn't grown alfalfa since he owned it - due to go to hay now

3-5 acre piece that can be irrigated, but is rocky

Original intent was to make a natural wildlife sanctuary ; until his wife became ill

Have one of our attorneys call Williams.

Caterpillar

Steven Barry -

D-6 Caterpillar diesel off an E-12

← truck shop

track-type dozer - ripper on the back

current version
of the D-6

D-6 H

43000 lbs (equiped with ripper)

165 HP ? PTO horsepower

How many kwatts does it produce?

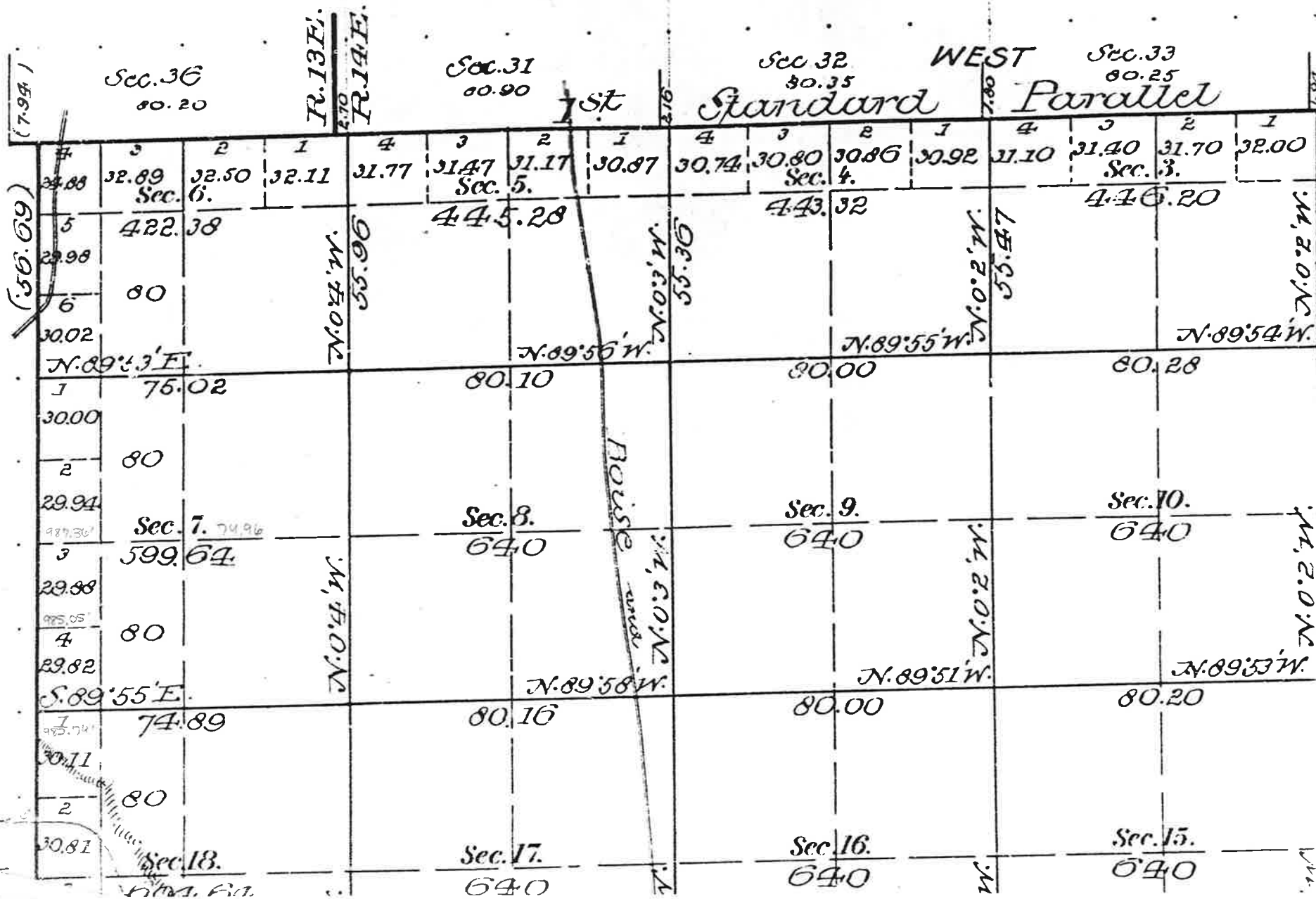
Did he use generator or angle drive?

↑
HP

↑
HP rating?

Township N^o 7 South, Range N^o 14 East of the

G f F e E d D c C



PARCEL 2
T7S R14E Sec. 7

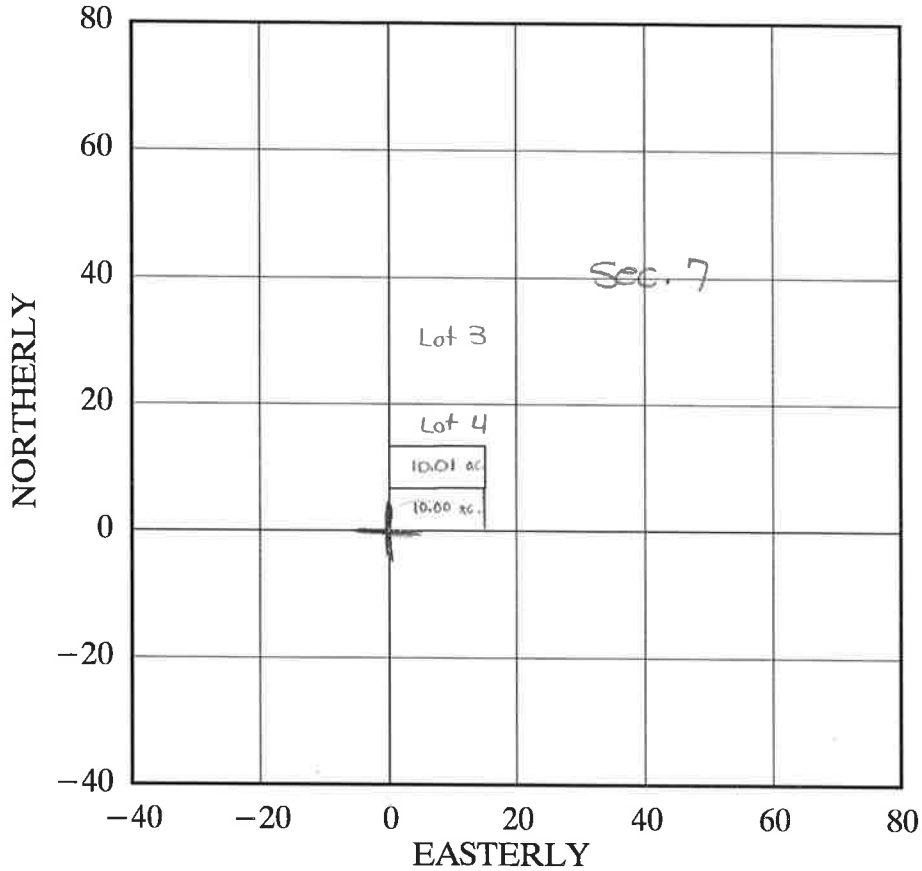
Lots 3+4 minus exceptions equalling 20.01 ac.

Lot 3 = 29.88 ac.

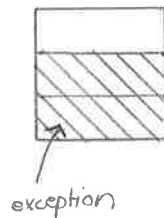
Lot 4 = 29.82 ac.

Total acres = 29.88 + 29.82 - 20.01
= 39.69 ac.

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



29.88
29.82
10.01
10.00
39.69



Lot 4 actually looks something like this - not a full 40 ac. tract

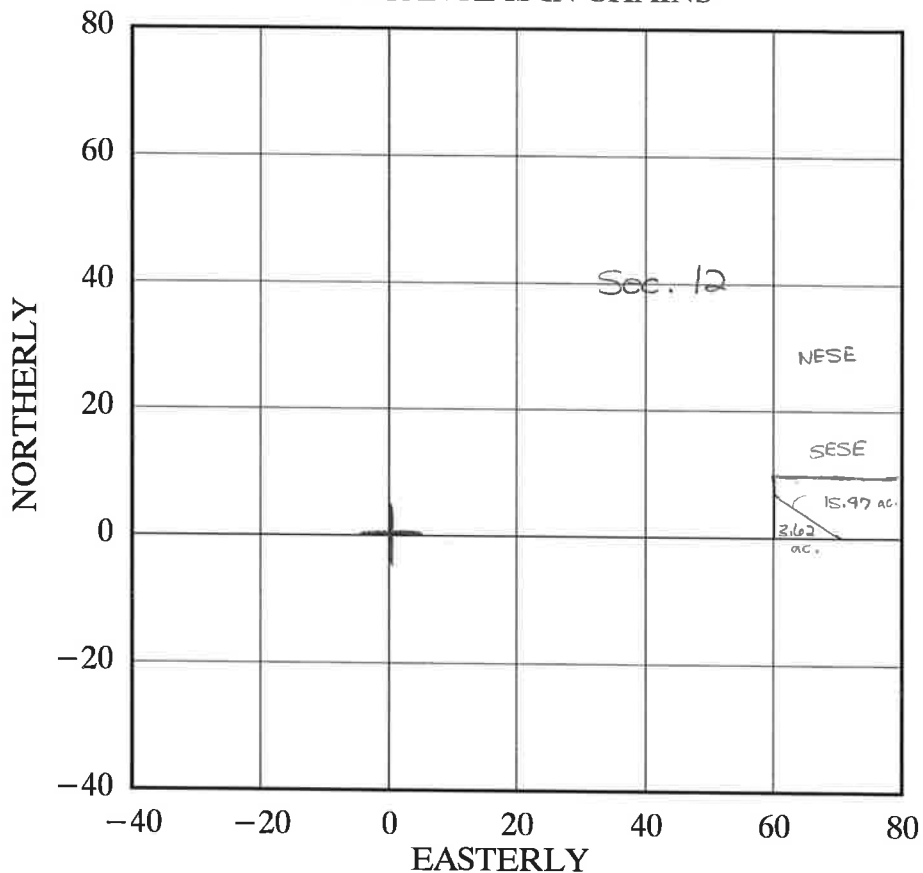
PARCEL 1

T7S R13E Sec. 12

NESE & SESE minus exceptions equalling 19.6 ac.

$$\begin{aligned}\text{Total acres} &= 40.0 + 40.0 - 19.59 \\ &= 60.41 \text{ ac.}\end{aligned}$$

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



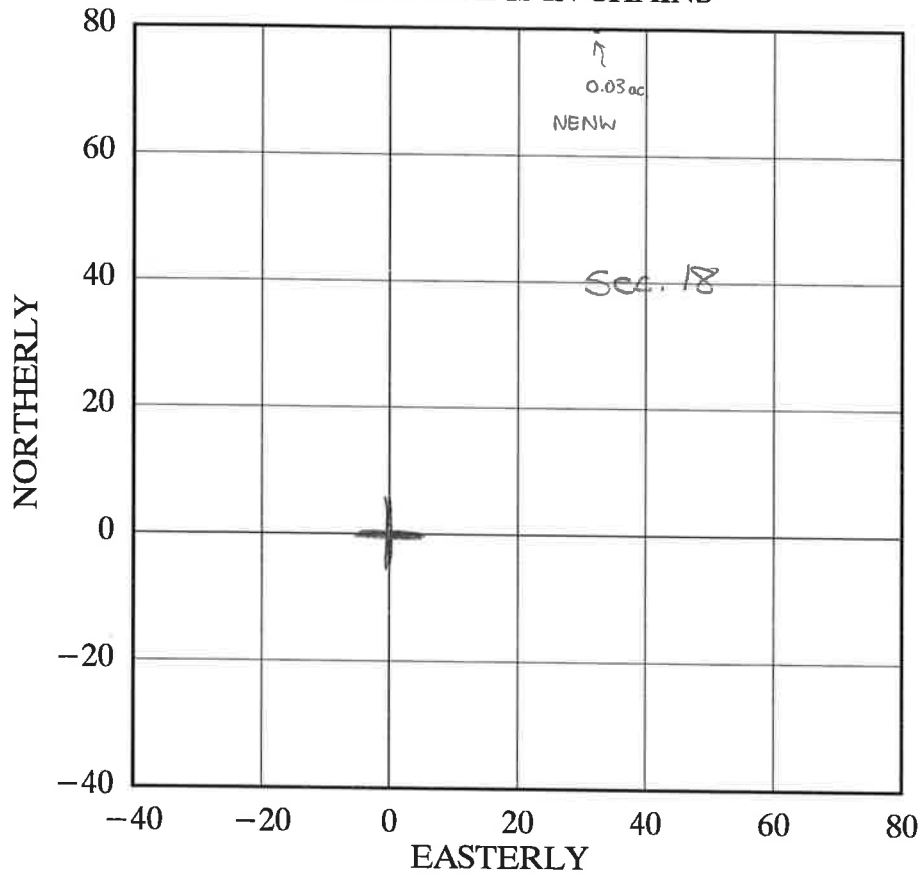
PARCEL 3

T7S R14E Sec. 18 NENW

Total acres = 0.03 ac.

(5/16 interest)

PARCEL PLOT – METES & BOUNDS DISTANCE IS IN CHAINS



R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFIL ME

OCT 13 1994







LARRY ECHOHAWK
Attorney General
State of Idaho

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

NICHOLAS B. SPENCER
DANIEL L. STECKEL
Deputy Attorneys General
Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 327-7900

1994 JAN 19 PM 1:01

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

RECEIVED

JAN 20 1994

Department of Water Resources
Adjudication Bureau

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

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

Sub-case No.
36-02160A -0001

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

NOTICE OF SERVING
IDWR'S ANSWERS TO FIRST
SET OF INTERROGATORIES
AND RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS

Petitioner,)

vs.)

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

Respondents.)

DESCRIPTIVE SUMMARY

This document evidences the fact that on the 18th day of
January, 1994, IDWR served (1) IDWR's Answers to First Set of
Interrogatories and Response to Request for Production of Documents

NOTICE OF SERVING IDWR'S ANSWERS TO FIRST SET OF INTERROGATORIES
AND RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS, Page 1

and the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents on Robert E. Williams, III via facsimile and (2) copies of the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents in accordance with the docket sheet procedure.

NOTICE OF SERVING AND CERTIFICATE OF SERVICE

On the 18th day of January, 1994, IDWR served IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents and the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents on Robert E. Williams, III via facsimile. I further certify that on the 18th day of January, 1994, I served a true and correct copy of this Notice of Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents by placing a true and correct copy thereof in the United States mail, postage prepaid, to the following:

U.S. Department of Justice
Env't. and Nat. Resources Div.
550 W. Fort Street, Box 33
Boise, ID 83724



NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 11, 2001

RECEIVED

SEP 18 2001

RECEIVED

Department of Water Resources

SEP 21 2001

Department of Water Resources
Southern Region

SHARLENE SMITH
RONNIE D SMITH
1046 E 2900 S
HAGERMAN ID 83332

RE: Snake River Basin Adjudication (SRBA)
Water Rights #36-104B, 36-105, 36-2160A, 36-2366 and 36-10790

Dear Water Right Holders:

Records Modified

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
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

Sharon Smith

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

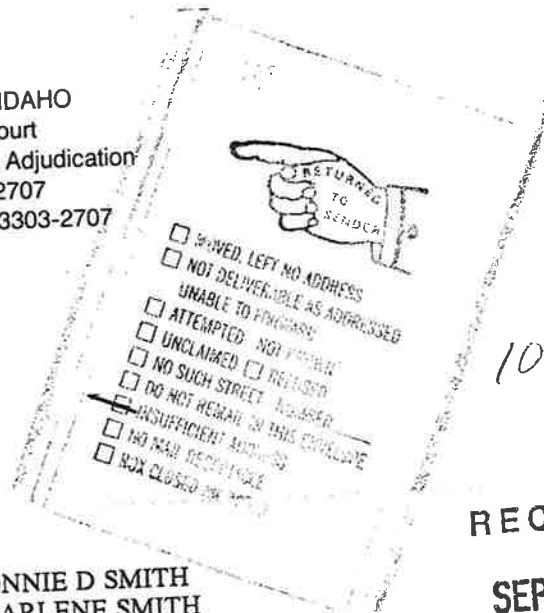
Water Right Holder's Signature

Ronnie Smith

Telephone No.

208(837-4790)

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

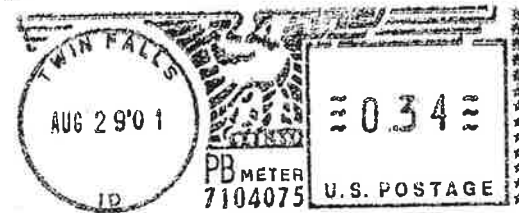


RONNIE D SMITH
SHARLENE SMITH
RT 1 BOX 230
HAGERMAN, ID 83332

RECEIVED

SEP - 7 2001

Department of Water Resources



36-104B
36-105
36-10790
36-2364
36-2160A



Jrdi

RECEIVED
DEC 02 1993
Department of Water Resources
Adjudication Bureau

Robert E. Williams III
FREDERICKSEN, WILLIAMS & MESERVY
Attorneys at Law
117 South Adams Street
P. O. Box 168
Jerome, Idaho 83338
Telephone: (208) 324-2303
C:\WP51\LITIGATN\INTERROG.SMI

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

Case No: 39576
Water Right #A36-02160A
**FIRST SET OF INTERROGATORIES
& REQUEST FOR PRODUCTION
OF DOCUMENTS DIRECTED TO
PETITIONER**

TO: Petitioner State of Idaho, et rel. R.. Keith Higginson in his official
capacity as Director of the Idaho Department of Water Resources:

YOU WILL PLEASE TAKE NOTICE that Respondents Ronnie D. Smith and Sharlene M. Smith, husband and wife, require you to answer, under oath, the following interrogatories within fifteen (15) days from the service hereof, and in conformance with all provisions of Rule 33 of the Idaho Rules of Civil Procedure.

In answering these interrogatories, furnish all information available to you, including information in the possession of your attorneys and investigators, experts, etc., retained by you and your attorneys, not merely information known of your own personal knowledge.

If you cannot answer the following interrogatories in full, after exercising due diligence to secure the information to do so, so state, and answer to the extent possible, specifying your inability to answer the remainder, and stating whatever information and knowledge you have concerning the unanswered portion.

These interrogatories are deemed continuing interrogatories and your answers thereto are to be supplemented as additional information and knowledge becomes available or known to you.

*K. Christensen
Norm Brown
Adj. agent
Nick*

INTERROGATORY NO. 1: Please identify by name, address, telephone number and occupation each person known to you or to your attorney who has information relevant to this action or the alleged incident comprising the subject matter of Petitioner's Complaint against Respondents Smith, filed and of record herein.

*Field exam
claim file
Evidence from
Idaho Power*

INTERROGATORY NO. 2: As to each individual identified by and within Petitioner's response to the immediately preceding Interrogatory, please state the substance of the facts and/or opinions known or claimed to be known by said individual; the grounds for each fact and/or opinion; and, whether there is in existence any written statements or written memoranda setting forth the alleged facts and/or opinions of said individual and the identity and address of the custodian thereof.

*Norm Brown
field exam*

INTERROGATORY NO. 3: Please identify by name, address and educational and vocational qualification each individual who has conducted an investigation with regard to the events which are the subject matter of Petitioner's Complaint herein and, for each individual, please state said individual's finding, if any, relevant to such investigation; please state whether said individual was retained by Petitioner and/or is to be compensated thereby and, whether there is in existence any written memoranda, findings or reports prepared by or upon behalf of said individual and

relating to such inspection and/or investigation and identify the current custodian thereof by name, address, telephone number and occupation.

*- forfeiture/
abandonment.
evidence from
Idaho Power
field exam*

INTERROGATORY NO. 4: For each expert witness to be called by Petitioner or expected to be called by Petitioner as a witness in the instant litigation, please state the subject matter of the expected testimony; the substance of the facts to which it is believed the witness will testify; whether there are in existence any written opinions, findings, memoranda and/or reports regarding said findings, opinions and/or beliefs; and, please set forth each and every qualification, whether academic or vocational, qualifying or tending to qualify said individual as an expert with respect to that subject upon which said individual is expected to testify.

INTERROGATORY NO. 5: Please give the name or other means of identification, address, telephone number and occupation of each person not heretofore mentioned who has personal knowledge of facts material or relevant to this action and whether such person intends to be called at the trial of this action or not.

INTERROGATORY NO. 6: As to all persons whose names are set forth in the answers to these preceding Interrogatories, have you, your agents, investigators or attorneys, or anyone acting on your behalf, obtained statements of any kind, whether written, recorded, stenographically transcribed, oral or otherwise, from any of the persons so named in these Answers to Interrogatories?

INTERROGATORY NO. 7: If your answer to the preceding Interrogatory is in the affirmative, please state, separately for each such person:

- (a) The name, address and occupation;
- (b) The type of statement which was taken (whether written, recorded or transcribed);
- (c) The name and address of the present custodian of each statement so taken;
- (d) The date on which the statement was taken; and
- (e) Please attach a copy of each statement to your Answers to these Interrogatories, or in the alternative, indicate your willingness to allow Respondents Smith's attorney to inspect and copy each such statement.

INTERROGATORY NO. 8: Please identify by names, addresses and telephone numbers each and every witness you intend to call to testify on behalf of the Petitioner in the trial of this matter.

INTERROGATORY NO. 9: Please identify each and every letter, writing or other document that you intend to offer as an exhibit at the trial of this action, and provide such identification by giving the names of the parties to the document, the date of the document, who has possession of a copy or the original of the document and a summary of the facts, statements or opinions contained in any such letter, writing or other document. In lieu of answer to this Interrogatory, you may attach copies of such items to your Answer hereto.

* * * * *

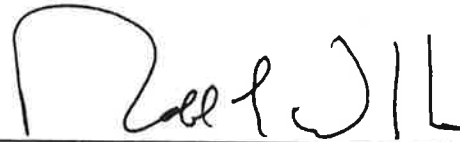
Pursuant to Rule 34(a) of the Idaho Rules of Civil Procedure, the Respondents Ronnie D. Smith and Sharlene M. Smith, husband and wife, hereby submit the following request for production of documents to the Petitioner above named:

REQUEST NO. 1: Please produce and make available for copying and inspection all documents referred to in your answers to Interrogatories No. 7 and 9 above.

DATED this 30th day of November, 1993.

FREDERICKSEN, WILLIAMS & MESERVY

BY:



ROBERT E. WILLIAMS III

Attorney for Respondents Smith

Summary of Investigation

A36-D2160A

12-14-93 CA

1 of 3

- 11-30-90 Norm Brown field examined lands and found no evidence of recent irrigation. Took 7 photographs including 4 photos of the well site showing an electric motor mounted on the pump. No power was connected to the motor.
- 12-4-90 Norm Brown conversation memo with Doyle Pugmire, Gooding County Assessor. No recent irrigation according to county records. Records include photograph of the well & pump.
- 12-5-90 (Date assumed because memo makes reference to 11-30-90 field exam. The month was "punched out", but it is reasonable to conclude the date is 12-5-90.) This memo deals with summarizing the non-use found when the field exam was conducted 11-30-90
- 8-8-91 Norm Brown telephone conversation - called Idaho Power office at Wendell to find out when power was disconnected. Told to call back on Monday.
- 8-12-91 Norm Brown called IPC & requested info on power disconnect.
- 8-13-91 Norm Brown called IPC to give them

names of adjoining land owners to assist in locating service site.

8-15-91 IPC informed IDWR that a new pump was installed 4-29-91.

8-19-91 Norm Brown called IPC again requesting the service disconnect date.

8-19-91 Norm Brown called county assessor's office and learned the the well is $\frac{5}{6}$ owned by Ronnie D. Smith and $\frac{1}{6}$ owned by Richard Kirkman. Still no irrigation however according to county recorder.

8-19-91 Norm Brown memo to Loren Holmes describing information he has obtained.

8-23-91 Norm Brown called Julie at IPC office in Wendell. She said she needed more time to research micro-fiche records.

8-30-91 Followup call to Julie at IPC found disconnect date to be around 1970 - 71 timeframe.

CVR information

8-27-90 Lori White (Lori Graves) appears to have conducted a review of the claim. Lori states that a place of use inspection conducted 8-24-90

7-29-91

confirmed diversion works & well.

Bob Worstell added that 1984 Landsat data indicated 103 acres of irrigation. Allen Merritt also initialed this.

last page of CUR is initialed but not signed by Lori White and dated 8-27-90.

Carter Fritschle

12-14-93

AJ

Idaho Department of Water Resources
Comment Inquiry

Date: 12/08/93
Time: 12:58:56

Water Right Number: 36-02160A

Comment Date: 6/12/1992 User ID: CHRISTEN

Subject: DISALLOWAL ANALYSIS

INFORMATION OBTAINED BY NORM BROWN 8-30-91; IDAHO POWER RECORDS
INDICATE THAT POWER WAS NOT SUPPLIED TO THIS SYSTEM SINCE 1971 TO
1990. A FIELD EXAM BY NORM BROWN IN NOV OF 1990 INDICATED NO
IRRIGATION OF THE CLAIMED GROUND EVIDENT. {DATA ENTERED BY KKC}

(ENTER=Continue/Exit)

(Gold4=Prev) (Gold5=Next)

Alt-Z FOR HELP° VT320

° FDX ° 9600 N81 ° LOG CLOSED ° PRINT OFF ° OFF-LINE

Idaho Department of Water Resources
Comment Inquiry

Date: 12/08/93
Time: 12:59:53

Water Right Number: 36-02160A

Comment Date: 10/14/1992 User ID: CHRISTEN

Subject: RESPONSE TO NOE

NO EVIDENCE OF USE WAS FOUND DURING FIELD EXAM. EVIDENCE
SUPPLIED BY IDAHO POWER INDICATES THAT POWER HAS NOT BEEN
SUPPLIED SINCE 1981 AND POSSIBLY EARLIER. FIELD EVIDENCE DOES
NOT SUPPORT A DIESEL GENERATOR USED TO SUPPLY POWER. NO CHANGE
TO RECOMMENDATION MADE AT THIS TIME. KKC 10-14-92.

(ENTER=Continue/Exit)

(Gold4=Prev) (Gold5=Next)

Alt-Z FOR HELP° VT320 ° FDX ° 9600 N81 ° LOG CLOSED ° PRINT OFF ° OFF-LINE

SD-4104
INQUIRY

Idaho Department of Water Resources
Objection Participant Inquiry

Date: 12/08/93
Time: 12:42:48

Objection Number: 36-02160A -001-

FIRST PAGE

Last Name: SMITH
First Name: RONNIE D & SHARLENE

Address: 1046 E 2900 S

City: HAGERMAN
Phone: (208)

State: ID ZIP: 83332-

Role Code: OC Description: OBJECTOR/CLAIMANT
Mailing Status: N

(GOLD4=Prev Screen)

(GOLD6=End of Data)

(Enter=Exit)

(GOLD5=Next Screen)

(GOLD8=Cancel)

Alt-Z FOR HELP° VT320 ° FDX ° 9600 N81 ° LOG CLOSED ° PRINT OFF ° OFF-LINE

SD-4104
INQUIRY

Idaho Department of Water Resources
Objection Participant Inquiry

Date: 12/08/93
Time: 12:42:52

Objection Number: 36-02160A -001-

FIRST PAGE

Last Name: WILLIAMS III
First Name: ROBERT E

Address: 117 S ADAMS ST
PO BOX 168

City: JEROME
Phone: (208) 324-2303

State: ID ZIP: 83338-

Role Code: YOC Description: OBJECTOR/CLAIMANT
Mailing Status: Y

(GOLD4=Prev Screen)
(GOLD5=Next Screen)

(GOLD6=End of Data)

(Enter=Exit)

(GOLD8=Cancel)

Alt-Z FOR HELP ° VT320 ° FDX ° 9600 N81 ° LOG CLOSED ° PRINT OFF ° OFF-LINE

SD-4106-1
SELECT EVENT

Idaho Department of Water Resources
Objection Event Selection

Date: 12/08/93
Time: 12:43:00

Objection Number: 36-02160A -001-

FIRST PAGE

| S | E | L | Code | Description | Date From
Date Due | Date To
Date Filed | Location | S | Evnt
T No |
|---|-------|---|------|----------------|-----------------------|-----------------------|----------|---|--------------|
| = | ===== | | | | | | | | |
| - | | | OBJT | OBJECTION | / / | 04/30/1993 | | P | 1 |
| - | | | MOTI | MOTION: IDWR | / / | 09/01/1993 | | G | 2 |
| - | | | MRDR | MOTION: ORDER | / / | 09/01/1993 | | L | 2 |
| - | | | RSPI | RESPONSE: IDWR | 09/10/1993 | 09/10/1993 | | L | 1 |
| - | | | ORDR | OTHER: ORDER | / / | 11/04/1993 | | L | 3 |
| - | | | DISC | DISCOVERY | / / | 12/02/1993 | | L | 4 |
| - | | | | | / / | / / | | | |
| - | | | | | / / | / / | | | |
| - | | | | | / / | / / | | | |
| - | | | | | / / | / / | | | |
| - | | | | | / / | / / | | | |

(Enter=Select/Exit) (GOLD4=Prev Screen)
Alt-Z FOR HELP° VT320 (GOLD5=Next Screen) (GOLD8=Cancel)
° FDX ° 9600 N81 ° LOG CLOSED ° PRINT OFF ° OFF-LINE

SD-4108
INQUIRY

Idaho Department of Water Resources
Objection Motion Inquiry

Date: 12/08/93
Time: 12:43:28

Objection Number: 36-02160A -001-

FIRST PAGE

Motion Type: MOTI Motion Desc: MOTION: IDWR Status: G Event Nbr: 0002
Text: IDWR'S EX PARTE MOTION FOR AN EXTENSION OF TIME FOR FILING
RESPONSES TO OBJECTIONS IN BASIN 36

```
=====
Motion Due:      /  /      Motion Filed: 09/01/1993
Response Due:    /  /      Response Filed:  /  /
Brief Due:       /  /      Brief Filed:   /  /
Reply Due:       /  /      Reply Filed:  /  /
Stipulation Filed: /  /      Order Filed: 09/01/1993
Hearing Date:    /  /      Hearing Time:   :
Hearing Site:
Conference--From: /  /      Conference--To:  /  /      Time:      :
Conference Site:
Mem Decision Filed: /  /
```

(Enter=Exit) (GOLD4=Prev Screen) (GOLD5=Next Screen) (GOLD6=End of Data)
Alt-Z FOR HELP ° VT320 ° FDX ° 9600 N81 ° LOG CLOSED ° PRINT OFF ° OFF-LINE
(GOLD8=Cancel)



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

January 18, 1994

Diana Delaney
Clerk of the SRBA Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: Snake River Basin Adjudication, Case No. 39576
Sub-case No. 36-02160A -0001

Dear Diana:

Enclosed for filing with the court is an original of the following document:

NOTICE OF SERVING IDWR'S ANSWERS TO FIRST SET OF INTERROGATORIES AND RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

Please file this document in the above entitled matter. Also enclosed is a copy to be conformed and returned to me. A self-addressed stamped envelope is enclosed.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Jodi I. Schultz".

JODI I. SCHULTZ

Legal Assistant

Idaho Department of Water Resources

Encls.

LARRY ECHOHAWK
Attorney General
State of Idaho

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

NICHOLAS B. SPENCER
DANIEL L. STECKEL
Deputy Attorneys General
Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 327-7900

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.)

Sub-case No.
36-02160A -0001

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

NOTICE OF SERVING
IDWR'S ANSWERS TO FIRST
SET OF INTERROGATORIES
AND RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS

Petitioner,)

vs.)

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

Respondents.)

DESCRIPTIVE SUMMARY

This document evidences the fact that on the 18th day of
January, 1994, IDWR served (1) IDWR's Answers to First Set of
Interrogatories and Response to Request for Production of Documents

NOTICE OF SERVING IDWR'S ANSWERS TO FIRST SET OF INTERROGATORIES
AND RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS, Page 1

and the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents on Robert E. Williams, III via facsimile and (2) copies of the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents in accordance with the docket sheet procedure.

NOTICE OF SERVING AND CERTIFICATE OF SERVICE

On the 18th day of January, 1994, IDWR served IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents and the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents on Robert E. Williams, III via facsimile. I further certify that on the 18th day of January, 1994, I served a true and correct copy of this Notice of Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents by placing a true and correct copy thereof in the United States mail, postage prepaid, to the following:

U.S. Department of Justice
Env't. and Nat. Resources Div.
550 W. Fort Street, Box 33
Boise, ID 83724



NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

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

3. Describe the portion of proposed recommendation with which you disagree:
The water right has not been forfeited.
4. Describe the changes you wish to have made in the proposed recommendation:
Reinstate the water right in full as originally claimed.
5. Describe why you disagree with the proposed recommendation:
The previous owner has advised me that he used a diesel generator to deliver water to the real property and did not abandon or forfeit the right. Prior to purchasing the real property in 1991, I inquired of DWR as to the status of the right and was told it was fully intact.
6. Date: September 22, 1992

SIGNATURE

Ronnie Smith

Make a
Call to Dasher Realty
on listing of Raleigh Stearns
Property. 73K-2922

T7S R 14E Sect 7 SW $\frac{1}{4}$
Dasher Realty

Is there a water right
w/ the property?

MICROFILMED

JAN 26 1993

Letter requesting
Late Fee claim will
be returned if
\$50⁰⁰ Late Fee is
not submitted within
30 days.

(Don't return claim
at this time)

CL

Plz be sure a
copy of this
letter gets in
claim file since
I extended 30
day period as well
as deadline. Thx
Dave

LARRY ECHOHAWK
Attorney General
State of Idaho

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

NICHOLAS B. SPENCER
DANIEL L. STECKEL
Deputy Attorneys General
Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 327-7900

RECEIVED

JAN 21 1994
Department of Water Resources
Southern Region Office

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.)

Sub-case No.

36-02160A -0001

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

NOTICE OF SERVING
IDWR'S ANSWERS TO FIRST
SET OF INTERROGATORIES
AND RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS

Petitioner,)

vs.)

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

Respondents.)

DESCRIPTIVE SUMMARY

This document evidences the fact that on the 18th day of
January, 1994, IDWR served (1) IDWR's Answers to First Set of
Interrogatories and Response to Request for Production of Documents

NOTICE OF SERVING IDWR'S ANSWERS TO FIRST SET OF INTERROGATORIES
AND RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS, Page 1

MICROFILMED

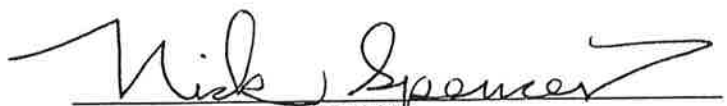
86113-1994

and the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents on Robert E. Williams, III via facsimile and (2) copies of the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents in accordance with the docket sheet procedure.

NOTICE OF SERVING AND CERTIFICATE OF SERVICE

On the 18th day of January, 1994, IDWR served IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents and the Notice Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents on Robert E. Williams, III via facsimile. I further certify that on the 18th day of January, 1994, I served a true and correct copy of this Notice of Serving IDWR's Answers to First Set of Interrogatories and Response to Request for Production of Documents by placing a true and correct copy thereof in the United States mail, postage prepaid, to the following:

U.S. Department of Justice
Env't. and Nat. Resources Div.
550 W. Fort Street, Box 33
Boise, ID 83724



NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

MICROFILMED

OCT 12 1994

LARRY ECHOHAWK
Attorney General
State of Idaho

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

NICHOLAS B. SPENCER
DANIEL L. STECKEL
Deputy Attorneys General
Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 327-7900

RECEIVED

JAN 21 1994

Department of Water Resources
Southern Region Office

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.)

Sub-case No.

36-02160A -0001

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

IDWR'S ANSWERS TO FIRST
SET OF INTERROGATORIES
AND RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS

Petitioner,

vs.

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

Respondents.

DESCRIPTIVE SUMMARY

This document constitutes IDWR's answers to Ronnie D. and
Sharlene M. Smith's First Set of Interrogatories and response to
Request for Production of Documents.

IDWR'S ANSWERS TO FIRST SET OF INTERROGATORIES AND
RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS, Page 1

MICROFILMED

OCT 13 1994

The State of Idaho, ex rel. R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources (IDWR), pursuant to the provisions of Rules 33 and 34, Idaho Rules of Civil Procedure, hereby responds to respondents Ronnie D. Smith's and Sharlene M. Smith's First Set of Interrogatories and Request for Production of Documents Directed to Petitioner, dated November 30, 1993, as follows:

INTERROGATORY NO. 1: Please identify by name, address, telephone number and occupation each person known to you or to your attorney who has information relevant to this action or the alleged incident comprising the subject matter of Petitioner's Complaint against Respondents Smith, filed and of record herein.

ANSWER:

1. Norm Brown, P.O. Box 563, Cottonwood, ID 83522, 962-5360, former Senior Water Resource Agent.
2. Kelly K. Christensen, IDWR, Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301, 736-3033, Senior Water Resource Agent.
3. Steve Clelland, IDWR, Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301, 736-3033, Senior Water Resource Agent.
4. Carter Fritschle, IDWR, 1301 N. Orchard, Boise, ID 83706, 327-7900, Water Rights Supervisor.
5. Judy Givens, IDWR, Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301, 736-3033, Secretary.

6. Lori Graves (formerly Lori White), IDWR, Western Region, 2735 Airport Way, Boise, ID 83705, 334-2190, Senior Water Resource Agent.
7. Loren Holmes, IDWR, Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301, 736-3033, Regional Manager.
8. Allen Merritt, IDWR, Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301, 736-3033, Water Rights Supervisor.
9. Donald V. Shaff, IDWR, 1301 N. Orchard, Boise, ID 83706, 327-7900, Adjudication Technical Section Manager.
10. Jodi Schultz, IDWR, 1301 N. Orchard, Boise, ID 83706, 327-7900, Legal Assistant.
11. David B. Shaw, IDWR, 1301 N. Orchard, Boise, ID 83706, 327-7900, Adjudication Bureau Chief.
12. Nicholas B. Spencer, IDWR, 1301 N. Orchard, Boise, ID 83706, 327-7900, Deputy Attorney General.
13. Daniel L. Steckel, IDWR, 1301 N. Orchard, Boise, ID 83706, 327-7900, Deputy Attorney General.
2. Robert Worstell, IDWR, Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301, 736-3033, Senior Water Resource Agent.

IDWR is still attempting to determine (1) who the person was who Mr. Smith spoke to at IDWR in February, 1991, and (2) whether any other IDWR employee has information relevant to this action. This answer will be supplemented if, and at such time as, such employee or employees become known.

INTERROGATORY NO. 2: As to each individual identified by and within Petitioner's response to the immediately preceding Interrogatory, please state the substance of the facts and/or opinions known or claimed to be known by said individual; the grounds for each fact and/or opinion; and, whether there is in existence any written statements or written memoranda setting forth the alleged facts and/or opinions of said individual and the identity and address of the custodian thereof.

ANSWER:

1. NORM BROWN. Mr. Brown was assigned to complete the investigation of the subject claim after Lori Graves transferred to the Western Region Office (see item 6, below). He conducted a complete field examination which revealed (1) that electrical service to the pump observed by Ms. Graves had been disconnected, apparently for a number of years; and (2) the pasture observed by Ms. Graves was apparently the result of sub-irrigation from adjoining properties. Mr. Brown thereafter acquired information from Idaho Power Company establishing that the pump at the claimed point of diversion had not been used since 1970-1971. Mr. Brown also acquired information from the Gooding County Assessor regarding the subject property, and reviewed property tax records for the property. All known documentation of Mr. Brown's investigation and the conclusions he reached is contained in claim file A36-02160A.

2. KELLY K. CHRISTENSEN. After Mr. Brown left IDWR, Mr. Christensen reviewed Mr. Brown's recommendation for disallowal and verified that there was information in the claim file supporting

that recommendation. Mr. Christensen subsequently reviewed the Notice of Error filed by the Smiths and responded to it. Mr. Christensen has knowledge of the factual information contained in the claim file that supports the recommendation for disallowal. Documentation of Mr. Christensen's review of the file and response to the Notice of Error is contained in claim file A36-02160A.

3. STEVE CLELLAND. Mr. Clelland prepared a notice of claim form for the subject property in March, 1989, after IDWR had agreed to accept a late claim from the Smiths' predecessor in interest, Mr. Raleigh Stevens, and Mr. Stevens had supplied IDWR with clarifying information regarding two items in his original notice of claim. Mr. Clelland therefore has knowledge of the information contained in Mr. Stevens' notice of claim. The notice of claim form prepared by Mr. Clelland is contained in claim file A36-02160A.

4. CARTER FRITSCHLE. Mr. Fritschle received and receipted payment of the claim filing fee paid by Mr. Stevens. Mr. Fritschle thereafter reviewed Mr. Stevens' claim for completeness. He subsequently reviewed portions of the claim file to obtain information needed for preparation of IDWR's response to the Smiths' objection to the recommendation of disallowal. Mr. Fritschle has again reviewed portions of the claim file to supply information used in preparation of these responses to the Smiths' discovery requests. Mr. Fritschle therefore has knowledge of the facts as they are related and described in the documents contained in claim file A36-02160A.

5. JUDY GIVENS. Ms. Givens updated IDWR records to reflect the change of ownership from the Stevens to the Smiths in 1991. She therefore has knowledge regarding that updating of records. Documents reflecting the updating of those records are contained in claim file A36-02160A.

6. LORI GRAVES. Ms. Graves did a preliminary visual examination of the claimed place of use. She observed ditches and some apparent pasture on the subject property, but did not determine whether the water source for that pasturage was ground water provided by the well and pump she observed at the claimed point of diversion. Documentation regarding Ms. Graves' observations is contained in claim file A36-02160A. She thereafter transferred to IDWR's Western Region Office in Boise, and Mr. Brown was assigned to complete the examination and recommendation of this claim.

7. LOREN HOLMES. Mr. Holmes prepared a letter transmitting a copy of material contained in the claim file, and an application for water permit, to the Smiths in 1992. The letter also provided information regarding the notice of error process. A copy of that letter is contained in claim file A36-02160A. Mr. Holmes also was informed by Mr. Brown of the possibility of an illegal diversion of water at the claimed place of use. A handwritten memo to this effect is located in the claim file.

8. ALLEN MERRITT. Mr. Merritt discussed issues concerning the late filing of Mr. Stevens' notice of claim with legal counsel for Mr. Stevens. Mr. Merritt also reviewed aerial photographic data for the claimed place of use to verify the accuracy of acreage

calculations derived therefrom. Mr. Merritt therefore has knowledge of the information provided by those data sources. Written documentation regarding the aerial photographic and mapping data for the claimed place of use is located in claim file A36-02160A. The infrared aerial photos and orthophotoquad map covering the claimed place of use are located at IDWR's Southern Region Office. ASCS aerial photos covering the subject property are located at the Gooding County ASCS Office, 130 Fourth Avenue West, Gooding, Idaho, telephone 934-8472.

9. DONALD V. SHAFF. Mr. Shaff reviewed Mr. Stevens' notice of claim for factual completeness and returned it to him for corrections. Mr. Shaff has also reviewed the claim file in order to verify the accuracy of the present discovery responses. Mr. Shaff therefore has knowledge of the facts as they are related in the documents contained in claim file A36-02160A.

10. JODI SCHULTZ. Ms. Schultz reviewed the claim file to gather information necessary for the preparation of the present discovery responses. She therefore has knowledge of the facts as they are related in the documents contained in claim file A36-02160A.

11. DAVID B. SHAW. Mr. Shaw reviewed and granted Mr. Stevens' applications for leave to file a late claim. He also reviewed the claim file in order to verify the accuracy of the response prepared by IDWR to the Smiths' objection to IDWR's recommendation for disallowal. He therefore has knowledge of the facts as they are related in the documents contained in claim file A36-02160A.

12. NICHOLAS B. SPENCER. As legal counsel to IDWR, Mr. Spencer was responsible for the preparation of IDWR's response to the Smiths' objection to IDWR's recommendation for disallowal. He also is responsible for the preparation of these discovery responses. He therefore has knowledge of the facts gathered pursuant to his carrying out those responsibilities, but such information is protected from disclosure by the attorney-client privilege and the attorney work product doctrine.

13. DANIEL L. STECKEL. As legal counsel to IDWR, Mr. Steckel has assisted in the preparation of these discovery responses. Any knowledge of the facts that he has gained thereby is protected from disclosure by the attorney-client privilege and the attorney work product doctrine.

14. ROBERT V. WORSTELL. Mr. Worstell also reviewed aerial photographic data for the claimed place of use to verify the accuracy of acreage calculations derived therefrom. Mr. Worstell therefore has knowledge of the information provided by those data sources. Documentation regarding his review of those data is contained in claim file A36-02160A.

In further response, other IDWR documents used in reviewing claims are as follows:

1. Adjudication Rules and Regulations.
2. Claims Investigation Manual.
3. Adjudication Memorandums.
4. Administrator's Memorandums.
5. Idaho Water Law Handbook.

6. ASCS Aerial Photographic Transparencies (Slides).

Each of these are available for public inspection at IDWR's Southern Regional Office.

All documentation of Mr. Brown's investigation and the conclusions he reached is contained in the claim file. The public claim file A36-02160A is located at the Adjudication Bureau, IDWR, Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301. Any person may inspect these records during normal business hours.

IDWR is still reviewing its records regarding the subject claim. If and at such time additional documents may be located, this answer will be supplemented.

INTERROGATORY NO. 3: Please identify by name, address and educational and vocational qualification each individual who has conducted an investigation with regard to the events which are the subject matter of Petitioner's Complaint herein and, for each individual, please state said individual's finding, if any, relevant to such investigation; please state whether said individual was retained by Petitioner and/or is to be compensated thereby and, whether there is in existence any written memoranda, findings or reports prepared by or upon behalf of said individual and relating to such inspection and/or investigation and identify the current custodian thereof by name, address, telephone number and occupation.

ANSWER: IDWR reads this interrogatory as appertaining to outside consultants that may have been retained to investigate the subject claim. No such consultants have been retained. The investigation of the subject claim was undertaken by the individu-

als listed in the answer to interrogatory number 1. Their findings are listed in the answer to interrogatory number 2. If the educational backgrounds of these individuals is what is being sought, they will be provided on request. The minimum educational and vocational qualifications for water resource agents are as follows:

1. Good knowledge of hydrology as it relates to water measurements.
2. Good knowledge of algebra, geometry and trigonometry to calculate water flow rates.
3. Experience interpreting public land survey legal descriptions utilizing at least one of the following:
 - a. aerial photos
 - b. topographic maps
 - c. other related cartographic products

Copies of the State of Idaho's most recent employment announcements for Water Resource Agent and Senior Water Resource Agent are attached. These announcements contain more detailed information regarding job duties and minimum qualifications.

INTERROGATORY NO. 4: For each expert witness to be called by Petitioner or expected to be called by Petitioner as a witness in the instant litigation, please state the subject matter of the expected testimony; the substance of the facts to which it is believed the witness will testify; whether there are in existence any written opinions, findings, memoranda and/or reports regarding said findings, opinions and/or beliefs; and, please set forth each and every qualification, whether academic or vocational, qualifying

or tending to qualify said individual as an expert with respect to that subject upon which said individual is expected to testify.

ANSWER: Expert witnesses have not been identified at this time. At such time as expert witnesses have been identified the answer to this interrogatory will be supplemented.

INTERROGATORY NO. 5: Please give the name or other means of identification, address, telephone number and occupation of each person not heretofore mentioned who has personal knowledge of facts material or relevant to this action and whether such person intends to be called at the trial of this action or not.

ANSWER: At this time IDWR is aware of the following individuals that it knows or believes may have personal knowledge of facts material or relevant to this action.

1. Raleigh W. Stevens and Virginia Stevens. Last address known to IDWR: P.O. Box 539, Hagerman, Idaho 83332. Mr. and Mrs. Stevens conveyed the subject property to the Smiths in 1991. Mr. Stevens filed the original notice of claim for water right with IDWR. As predecessors in interest to the Smiths the Stevens should have personal knowledge of prior irrigation practices on the subject property.

2. Julie [last name unknown]. Employed by Idaho Power Company in its Wendell, Idaho, office. Telephone 536-5711. Julie provided information to Mr. Brown regarding the history of electric power use by the pump on the well constituting the claimed point of diversion.

3. Richard Kirkman. Address and telephone number not listed in the claim file. Mr. Kirkman is identified as a co-owner, with the Smiths, of the well at the claimed point of diversion.

4. Doyle Pugmire. Gooding County Assessor. Mr. Pugmire provided Mr. Brown with property tax records and other information regarding the claimed place of use.

5. Mrs. August Lapp. Address and telephone number not listed in the claim file, but she is reputed to live in the first house to the east of the claimed point of diversion. As such, Mrs. Lapp may have information regarding historical irrigation practices on the claimed place of use.

6. Mrs. Ralph Miller. Address and telephone number not listed in the claim file, but she is reputed to live near Hagerman. Mrs. Miller is said to be the widow of Ralph Miller, who in turn is reputed to be the well driller who drilled the well at the point of diversion. As such, Mrs. Miller may have information regarding the use of the subject well.

The information IDWR has in its possession regarding the individuals is contained in claim file A36-02160A.

IDWR has not yet determined whether it will call any of these individuals as witnesses at trial. At such time as it should make that determination it will supplement its answer to this interrogatory.

INTERROGATORY NO. 6: As to all persons whose names are set forth in the answers to these preceding Interrogatories, have you, your agents, investigators or attorneys, or anyone acting on your behalf, obtained statements of any kind, whether written, recorded,

stenographically transcribed, oral or otherwise, from any of the persons so named in these Answers to Interrogatories?

ANSWER: IDWR has taken no statements, as such, from the individuals listed in its answer to interrogatory number 5, or from anyone else. All of the information IDWR has regarding the facts that may be in the possession of these individuals is contained in claim file A36-02160A, particularly in the conversation memos and notes of Mr. Brown.

INTERROGATORY NO. 7 If your answer to the preceding Interrogatory is in the affirmative, please state, separately for each such person:

- (a) The name, address and occupation;
- (b) The type of statement which was taken (whether written, recorded or transcribed);
- (c) The name and address of the present custodian of each statement so taken;
- (d) The date on which the statement was taken; and
- (e) Please attach a copy of each statement to your Answers to these Interrogatories, or in the alternative, indicate your willingness to allow Respondents Smith's attorney to inspect and copy each such statement.

ANSWER: Not applicable. See answer to interrogatory no. 6. However, to the extent that Mr. Brown's conversation memos and notes may be deemed to constitute "statements" within the contemplation of interrogatory no. 7, IDWR responds as follows: Since materials from claim file A36-02160A have already been photocopied and provided to the Smiths, IDWR has reason to believe that counsel

for the Smiths already has in his possession copies of Mr. Brown's conversation memos and notes. If this is not the case, IDWR responds pursuant to Rule 33(c), Idaho Rules of Civil Procedure, that the burden of deriving from IDWR's records the information requested by subparts (a) through (d) of interrogatory no. 7 is substantially the same for counsel for the Smiths as it is for IDWR. Accordingly, as is provided for by Rule 33(c), Idaho Rules of Civil Procedure, IDWR will make available for inspection and copying Mr. Brown's conversation memos and notes, along with the other documents contained in claim file A36-02160A.

INTERROGATORY NO. 8: Please identify by names, addresses and telephone numbers each and every witness you intend to call to testify on behalf of the Petitioner in the trial of this matter.

ANSWER: Witnesses have not been identified at this time. At such time as IDWR determines whom it will call as witnesses at trial it will supplement its answer to this interrogatory.

INTERROGATORY NO. 9: Please identify each and every letter, writing or other document that you intend to offer as an exhibit at the trial of this action, and provide such identification by giving the names of the parties to the document, the date of the document, who has possession of a copy or the original of the document and a summary of the facts, statements or opinions contained in any such letter, writing or other document. In lieu of answer to this Interrogatory, you may attach copies of such items to your Answer hereto.

ANSWER: IDWR has not yet identified the exhibits it intends to offer at trial. At such time as it does, it will supplement its answer to this interrogatory.

REQUEST NO. 1: Please produce and make available for copying and inspection all documents referred to in your answers to Interrogatories No. 7 and 9 above.

RESPONSE: IDWR has not yet identified any documents in response to interrogatory number 9. However, documents referred to in IDWR's answers to interrogatories number 2 and 7 are contained in the claim file A36-02160A or are located elsewhere in the Southern Region Office of IDWR. Any person may inspect them during normal business hours. On reasonable notice by legal counsel, IDWR will assemble in one place for inspection and copying all documents, maps and any related materials, and will provide during that inspection an explanation of how the various materials are used by IDWR in investigating claims.

DATED this 18th day of January, 1994.


NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

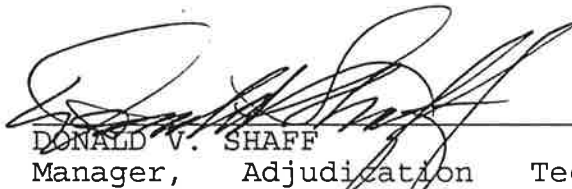
VERIFICATION

STATE OF IDAHO)
) ss.
County of Ada)

Donald V. Shaff, being first duly sworn on oath, deposes and states:

I am the Manager of the Adjudication Technical Section of the Idaho Department of Water Resources and an authorized representative for the Idaho Department of Water Resources. I have read the foregoing answers to interrogatories and response to request for production and believe to the best of my knowledge and belief that the answers to the interrogatories and response to the request for production are true and correct.

IDAHO DEPARTMENT OF WATER RESOURCES


DONALD V. SHAFF
Manager, Adjudication Technical
Section

Subscribed and sworn to before me this 18th day of January, 1994.


Notary Public for Idaho
Residing in Boise, Idaho
My Commission expires: 11-14-1998



RELEASED: December 22, 1993
CLOSING DATE: January 7, 1994

PLEASE POST
AN# 93-03136-1069 O

STATE OF IDAHO ANNOUNCES

WATER RESOURCE AGENT DEPARTMENT OF WATER RESOURCES



CURRENT OPENING - TWIN FALLS*

The register established from this announcement, when combined with existing registers, will be used to fill future statewide openings.

Salary Range: \$721.60 - \$966.40 every two weeks (\$9.02 - \$12.08 hourly)

*Current position is funded by grants. Employment time will be limited to the amount of time grant money is available.

This position is used for recruitment and training for Water Resource Agent, Senior.

Salary Range: \$966.40 - \$1,296.00 every two weeks (\$12.08 - \$16.20 hourly)

DUTIES: To learn and perform technical aspects of field and office duties in enforcement of Idaho water laws; provide technical assistance to the public; perform related work. Field and office work. Conducts scientific field examinations to measure the rate of water diversion and determine location, method, purpose and frequency of appropriation and makes recommendations regarding extent of beneficial use; interprets legal descriptions, survey plats, aerial photographs and maps to locate points of diversion and places of use; evaluates new-use applications, amendments, transfers and adjudication claims pertaining to water appropriations; reviews various department regulatory program applications for correctness, and compliance with state and federal laws; researches documents including county records, federal land patents, court decrees and water right licenses to process adjudication claims; measures ground water levels; investigates unauthorized water diversions and water right disputes; conducts stream flow measurements and calculates reservoir storage capacity; calculates pumping system efficiencies; inspects construction, operation, and maintenance of wells; seeks restitution, repair, or abandonment of well; collects water samples for laboratory testing; may be assigned to special projects to collect data and compile findings. Technical assistance. Responds to questions from the public regarding the regulatory programs of the department and assist with compliance procedures; explains water laws and regulations to individuals and groups.

APPLICATION: The application (PC-1) and announcement forms can be obtained from your local Idaho Job Service office or the Idaho Personnel Commission (IPC). Be sure to respond to the questions on the back of the announcement. Telephone: (208) 334-2263. Toll free: 1-800-554-5627. Telecommunications Device for the Deaf: 1-800-542-5738. Fax: (208) 334-3182. The State of Idaho encourages applications from individuals who qualify with or without reasonable accommodation. Applicants are encouraged to apply prior to the closing date. The IPC does not accept late applications or assume responsibility for delays in the mail or Fax machine transmissions. (Due to large numbers of applicants faxing applications, you may not be able to transmit the material.) Applications mailed or delivered in person to IPC must be received by 5 p.m., Mountain time, on the closing date. Faxed applications must be received by 12 midnight, Mountain time, on the closing date. Mail applications to:

Idaho Personnel Commission
700 West State Street
Boise, Idaho 83720-2700

EXAMINATION: 100% Rating of education and experience. A minimum score of 70 is required to place on the register.

COMPETITIVE BENEFIT PACKAGE AVAILABLE

MICROFILMED
OCT 13 1994

WATER RESOURCE AGENT
Examination Scoring Information

Ass Code: 03136

1. You must completely answer all of the following questions. A resume will not substitute.
2. Use a separate sheet of paper. Answer each item. Be specific.
3. *To achieve your highest possible score, describe fully all of your pertinent education and/or experience for this position. Once your application has been scored, no additional information will be accepted.* Indicate dates, and name and phone number of person(s) who can verify it. Items listed are minimum qualifications.
4. Retain a copy of your entire application. We will not return it or make copies for you.

~~~~~  
*Some knowledge* means a basic understanding of a subject area, gained through training, education, or experience. *Good knowledge* is that possessed by a well-trained person in a specific field of work. *Considerable knowledge* would allow one to perform all but a very limited number of job tasks that might arise. *Comprehensive knowledge* would qualify a person as a recognized expert in the field.  
 ~~~~~

The Water Resource Agent classification performs field and office duties relating to enforcement of Idaho water law. Submitting an application for this position indicates your willingness to work in all weather conditions, around noisy and dangerous equipment and high electrical voltage.

SPECIAL REQUIREMENTS

1. Incumbents must hold a valid motor vehicle operator's license at the time of appointment. Please give the year you last were licensed and the state.
2. Incumbents must be able to walk to points of diversion in performing field work duties. Do you have the physical ability to:
 - a. walk over rough and steep terrain for distances up to three miles?
 - b. lift and carry objects such as water measuring equipment weighing up to 40 pounds?

HYDROLOGIC FIELD WORK

3. Please describe how you have gained good knowledge of:
 - a. hydrology as it relates to water measurement;
 - b. algebra, geometry and trigonometry to calculate water flow rates.
4. Describe your experience interpreting public land survey legal descriptions utilizing at least one of the following:
 - a. aerial photos;
 - b. topographic maps
 - c. other related cartographic products.

The following area is not a minimum qualification but could increase your test score if you have related background.

5. Describe any experience you may have with writing technical reports. Please address the format, content, and purpose of the reports, approximate numbers written, and whether you wrote them independently.

6/93
TRAEX

***** MICROFILMED *****
 Please indicate any accommodation you request to satisfy the above requirements or for testing.
 For further information, call (208) 334-2263, or TDD 1-800-542-5738. OCT 19 1994



RELEASED April 28, 1993
CLOSING DATE: May 19, 1993

PLEASE POST
AN# 93-03137-0340 OC

STATE OF IDAHO ANNOUNCES

WATER RESOURCE AGENT, SENIOR

DEPARTMENT OF WATER RESOURCES



CURRENT OPENING - BOISE*
REGISTER WILL BE USED TO FILL FUTURE STATEWIDE OPENINGS.

SALARY RANGE: \$947.20 - \$1,270.40 every two weeks (\$11.84 - \$15.88 hourly)
Effective June 6, 1993 the salary range will be:
\$966.40 - \$1,296.00 every two weeks (\$12.08 - \$16.20 hourly)

*CURRENT OPENING IS A NON-CAREER POSITION. DURATION IS LIMITED TO
AVAILABILITY OF SPECIFIC, FEDERAL GRANTS.

DUTIES: To enforce Idaho water laws; provide technical assistance to the public; perform related work. Field and office work. Conducts scientific field examinations to measure rate of water diversion and determine location, method, purpose and frequency of appropriation to establish extent of beneficial use; interprets legal descriptions, survey plats, aerial photographs and maps to locate points of diversion and places of use; evaluates applications and adjudication claims pertaining to water appropriations; researches documents to process adjudication claims; measures ground water levels; investigates, mediates and recommends action on unauthorized water diversions and water right disputes; conducts stream flow measurements and calculates reservoir storage capacity; reviews water districts' water use and assessment reports; trains water masters in proper methods of water measurements and distribution; calculates pumping system efficiencies; prepares petitions and orders; issues citations; inspects wells for compliance with construction and ground water contamination standards; initiates action for the reconstruction, repair, or abandonment of wells; collects water samples for laboratory testing. Technical assistance. Responds to technical questions from the public; explains water laws and regulations to individuals and groups; trains water resource agents and temporary staff; may act as team leader; testifies in court.

APPLICATION: The application (PC-1) and announcement forms can be obtained from your local Idaho Job Service office or the Idaho Personnel Commission. Be sure to respond to the questions on the back of the announcement. Telephone: (208) 334-2263. Toll free: 1-800-554-5627. Telecommunications Device for the Deaf: 1-800-542-5738. Fax: (208) 334-3182. The state of Idaho encourages applications from individuals who qualify with or without reasonable accommodation. Applications must be received by the Idaho Personnel Commission by the closing date, May 19, 1993. Mail applications to:

Idaho Personnel Commission
700 West State Street
Boise, Idaho 83720-2700

EXAMINATION: 100% Rating of education and experience. A minimum score of 70 is required to place on the register.

COMPETITIVE BENEFIT PACKAGE AVAILABLE.

EEO/AA Employer

MICROFILMED

OCT 13 1994

WATER RESOURCE AGENT, SENIOR

Class Code: 03137

Examination Scoring Information

1. You must completely answer all of the following questions. A resume will not substitute.
2. Use a separate sheet of paper. Answer each item. Be specific.
3. *To achieve your highest possible score, describe fully all of your pertinent education and/or experience for this position. Once your application has been scored, no additional information will be accepted.* Indicate dates, and name and phone number of person(s) who can verify it. Items listed are minimum qualifications.
4. Retain a copy of your entire application. We will not return it or make copies for you.

~~~~~  
*Some knowledge* means a basic understanding of a subject area, gained through training, education, or experience. *Good knowledge* is that possessed by a well-trained person in a specific field of work. *Considerable knowledge* would allow one to perform all but a very limited number of job tasks that might arise. *Comprehensive knowledge* would qualify a person as a recognized expert in the field.  
 ~~~~~

HYDROLOGIC FIELD WORK. Incumbents locate and inspect irrigation and water-use facilities to determine amount and use of water diversion. Incumbents also inspect waste wells for compliance with state codes.

1. Describe how you obtained the background required to perform hydrologic field work by responding to each of the following.

Good knowledge of:

- a. hydrology as it relates to water diversion, well drilling, and surface and ground water;
- b. algebra, geometry, and trigonometry to calculate water-flow rates, land areas pump efficiencies, and storage capacity;
- c. methods and impact of stream channel alterations;
- d. chemistry and biology as applied to environmental impact of wastewater injection, water diversion and water-use facilities;
- e. well-drilling equipment, construction procedures, and geological formations;
- f. pump and water system design and measurement.

Describe your experience with:

- g. installing and operating water measurement devices;
- h. interpreting legal descriptions, aerial photos, and topographic and property ownership maps.

WATER RIGHTS ADJUDICATION AND REPORTS. Incumbents in this classification perform complex water right searches, evaluate new use applications, and prepare reports.

2. Describe how you have gained the following required background:
 - a. good knowledge of water right adjudication process;
 - b. good knowledge of federal and state regulations and laws pertaining to water appropriation and use;
 - c. writing technical reports;
 - d. experience requiring you to understand and apply laws and regulations.

PUBLIC SPEAKING. Incumbents in this classification investigate and help settle volatile water right disputes. They also explain law and department regulations to individuals and groups.

3. Describe your experience making group presentations.

SPECIAL REQUIREMENTS.

1. Incumbents must hold a valid motor vehicle operator's license at the time of appointment. Give the date you last were licensed and the state.
2. Incumbents walk to points of diversion in performing field work duties.
 - a. Can you walk over rough and steep terrain for distances up to three miles and lift and carry objects such as water measuring equipment weighing up to 40 pounds?
 - b. Are you willing to work in inclement weather and work around high electrical voltage and water pressure?

4/93

TRAEX

MICROFILMED

Please indicate any accommodation you request to satisfy the above requirements or for testing.

For further information, call (208) 334-2263, or TDD 1-800-542-5738.

OCT 13 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. 36-02160A -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 13 1994

2. Person who filed objection:

Name: RONNIE D & SHARLENE SMITH
Address: 1046 E 2900 S
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

12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12b. ☒ This water right not being recommended.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 12 and 12.b and all allegations of the objection regarding this item, IDWR responds as follows.

IDWR's investigation of this claim yielded evidence of use for irrigation in 1990 and 1991. The claim was recommended for disallowal based on evidence of nonuse from at least 1980 until 1990. The right claimed is based on a license issued by IDWR, which license has not been revoked pursuant to Idaho Code section 42-350. IDWR denies the objection; IDWR denies, or lacks sufficient information to form a belief as to the truth of the matter asserted and therefore denies, all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

Notice of Claim No. A36-02160A

11

(Over)

RESPONSE TO OBJECTION NO. 36-02160A -0001 - PAGE 3

MICROFILMED

OCT 13 1994

FILED
RECORDED

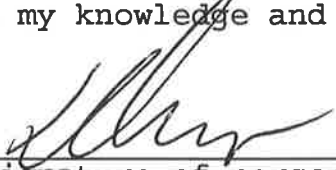
VERIFICATION (Must be Completed)

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 10th 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

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: ROBERT E WILLIAMS III
Address: PO BOX 168
117 S ADAMS ST
JEROME ID 83338

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 436-02160A
Date Received 10-6-88
Receipt Number C004814

RECEIVED

MAR 08 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM

TO A

WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 6 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) RALEIGH STEVENS
Mailing Address P.O. Box 539, Hagerman ID Zip 83332
2. Date of Priority (Only one (1) per claim) 12-27-1951
3. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 7S Range 14E Section 18,
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. _____

WELL, PUMP, DITCHES

MICROFILMED
MICROFILMED
JAN 26 1993
OCT 13 1994

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following () uses:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 03-15 to 11-15 amount 2.13 or _____
For DOMESTIC purposes from 01-01 to 12-31 amount 2.13 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.13 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 360.93 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) one household

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 | |
| 7S | 14E | 7 | | | | | | | | | | 29.88 | 9.8 | | | | | | 39.68 |
| | 13E | 12 | | | | | | | | | | | | | 40 | | | 20.49 | 60.49 |
| | 14E | 18 | | | | | .03 | 20.11 | | | | | | | | | | | 20.14 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 120.31

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

12. Do you own the property listed above as place of use? Yes XXXX 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 (XX)

14. Remarks:

MICROFILMED

OCT 2 6 1993

Last Name STEVENS, R. Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
OCT 13 1994
JAN 26 1993
Copies: White-State, Yellow-Claimant

If applicable provide IDWR Water Right Number 36-2160
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant

(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.

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

Date _____

document in the space below as _____ of _____

Title Organization

Title and Organization _____ Date _____

Subscribed and sworn (or affirmed) before me this 30th day of August 19 88

Please Print Name

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.

Date _____

MICROFILMED
0 JAN 26 1993

Copies White-State, Yellow-Claimant

143836

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

11 min. past 4 o'clock P.M. this 26
of Feb. 1991. fee 15⁰⁰

JOHN A. MYERS, Recorder

By Velda M. Schmidt Deputy

RECEIVED

FEB 28 1991

Department of Water Resources
Southern Region Office

WARRANTY DEED



aka Raleigh W. Stevens

FOR VALUE RECEIVED, We, R. W. STEVENS/ and VIRGINIA

STEVENS, husband and wife, hereinafter called the Grantors, hereby grant, bargain, sell and convey unto RONNIE D. SMITH and SHARLENE M. SMITH, husband and wife, hereinafter called the Grantees the following described premises in Gooding County, Idaho, to-wit:

PARCEL I:

The East Half of the Southeast Quarter of Section 12, Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

EXCEPT tract described as follows:

Beginning at a brass cap marking the Southeast corner of said Section 12;

THENCE North 0°06'25" East, along the East boundary of said Section 12, 647.57 feet;

THENCE North 89°54'09" West 1,317.01 feet to a point on the West boundary of said East Half of the Southeast Quarter;

THENCE South 0°02'05" West along the West boundary of the East Half of the Southeast Quarter, 196.19 feet;

THENCE South 56°55'23" East, 829.53 feet more or less to a point on the South boundary of said Section 12;

THENCE South 89°56'40" East, along the South boundary of said Section 12, 621.83 feet to the Point of Beginning.

AND EXCEPT that part of the Southeast Quarter of the Southeast Quarter of Section 12, Township 7 South, Range 13, East of the Boise Meridian, described as follows:

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2600

MICROFILMED

OCT 13 1991 MICROFILMED

JAN 26 1993

Beginning at a brass cap marking the Southeast corner of said Section 12;
Thence North 89°56'40" West along the South boundary of said Section 12, 620.83 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 89°56'40" West along the South boundary of Section 12, 695.37 feet to the Southwest corner of said Southeast Quarter of the Southeast Quarter;
Thence North 0°02'05" East along the West boundary of said Southeast Quarter of the Southeast Quarter, 452.05 feet;
Thence South 57°01'20" East 829.25 feet measured (South 56°55'23" East, 829.53 feet recorded) to THE TRUE POINT OF BEGINNING.

PARCEL II:

Lot 3 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

AND

Lot 4 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

EXCEPT a parcel of land located in part of Lot 4 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Beginning at a brass cap marking the Southwest corner of said Section 7;
Thence along the westerly boundary of said Section 7 North 0°06'25" East, 440.75 feet;
Thence North 89°37'32" East, 988.74 feet to a point on the Easterly boundary of Lot 4;
Thence South 0°08'50" West, 440.75 feet to the Southeast corner of said Lot 4;
Thence South 89°37'32" West, 988.43 feet to the Real Point of Beginning, subject to

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2800

MICROFILMED
OCT 15 1984
JAN 26 1993

an access easement which consists of the westerly 25 feet and the Southerly 25 feet of said parcel.

AND EXCEPT a parcel of land located in part of Lot 4 of Section 7, Township 7 South, Range 14 East of the Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the Southwest corner of said Section 7;
Thence along the Westerly boundary of said Section 7 North 0°06'25" East, 440.75 feet to the Real Point of Beginning;
Thence along the Westerly boundary of Section 7 North 0°06'25" East, 440.75 feet;
Thence North 89°37'32" East, 989.05 feet to a point on the Easterly boundary of said Lot 4;
Thence along the Easterly boundary of said Lot 4 South 0°08'50" West, 440.75 feet;
Thence South 89°37'32" West, 988.74 feet to THE REAL POINT OF BEGINNING subject to an access easement which consists of the westerly 25 feet of said parcel.

PARCEL III:

5/6 interest in the following:

That portion of the Northeast Quarter of the Northwest Quarter of Section 18, Township 7 South, Range 14, East of the Boise Meridian, Gooding County, Idaho, described as follows:

Beginning at the Northeast corner of Lot 1 (Northwest Quarter of the Northwest Quarter) of said Section;
Thence East along the fence marking the South boundary of the County road right-of-way, 780 feet to THE TRUE POINT OF BEGINNING;
Thence due South at a right angle, 35 feet;
Thence due East 40 feet;
Thence due North 35 feet;

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2600

Thence due West along said fence marking said
South boundary of said County road, 40
feet to THE TRUE POINT OF BEGINNING.

AND

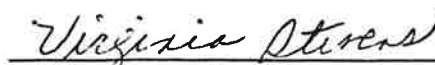
Together with a right-of-way and easement for
ditch purposes to convey water from a tract
of land 35 by 40 feet located in the Northeast
Quarter of the Northwest Quarter of Section
18, to the Northeast corner of Lot 1, Section
18, Township 7 South, Range 14 East of the
Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto the said Grantees and to the Grantees, their
heirs and assigns forever. And the said Grantors do hereby
covenant to and with the said Grantees, that the Grantors are the
owners in fee simple of said premises; they they are free from
all encumbrances except as described above and that Grantors will
warrant and defend the same from all lawful claims whatsoever.

DATED this 26th day of February, 1991.



R. W. STEVENS



VIRGINIA STEVENS

Grantors

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2600

MICROFILMED

OCT 13 1994

MICROFILMED

JAN 26 1993

STATE OF IDAHO)
 Hooding : ss.
County of ~~Twin Falls~~)

On this 26th day of February, 1991,
personally appeared before me, the undersigned, a notary public
in and for said State, R. W. STEVENS and VIRGINIA STEVENS, husband
and wife, Grantors, known to me to be the signers of the within
instrument, and who duly acknowledged to me that they executed the
same.

Susan M. Feltner

NOTARY PUBLIC

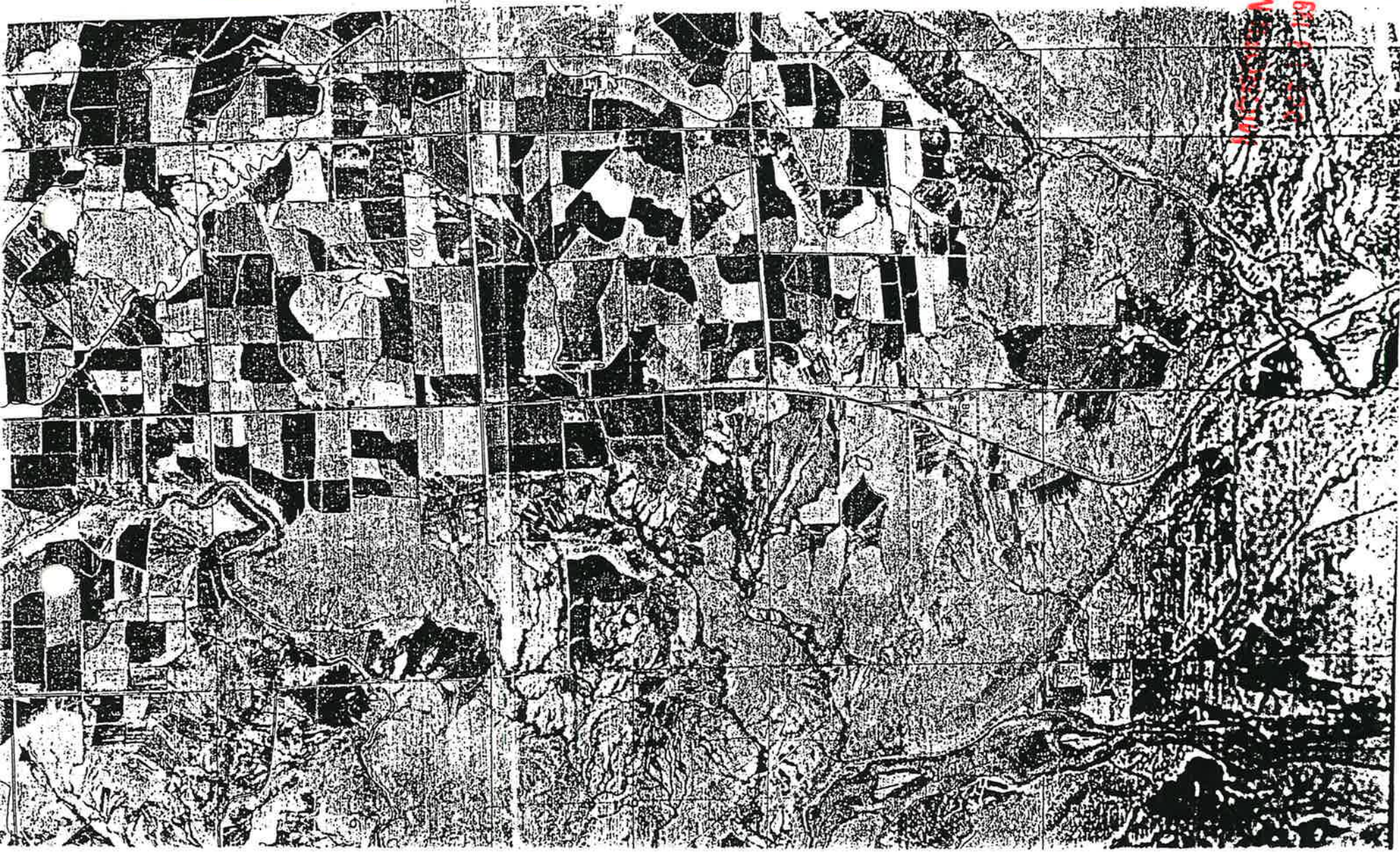
Residence: *Hooding, ID*

My Commission Expires: *10-16-92*

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2600

MICROFILMED
MICROFILMED
OCT 13 1994
JAN 26 1993

POOR ORIGINAL



MISSOURI MED
1953-1-1994

1994
MICROFILMED

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

KING HILL 22 MI.
BLISS 5.6 MI.

R. 13 E. R. 14 E.

50'

T. 6 S.
T. 7 S.

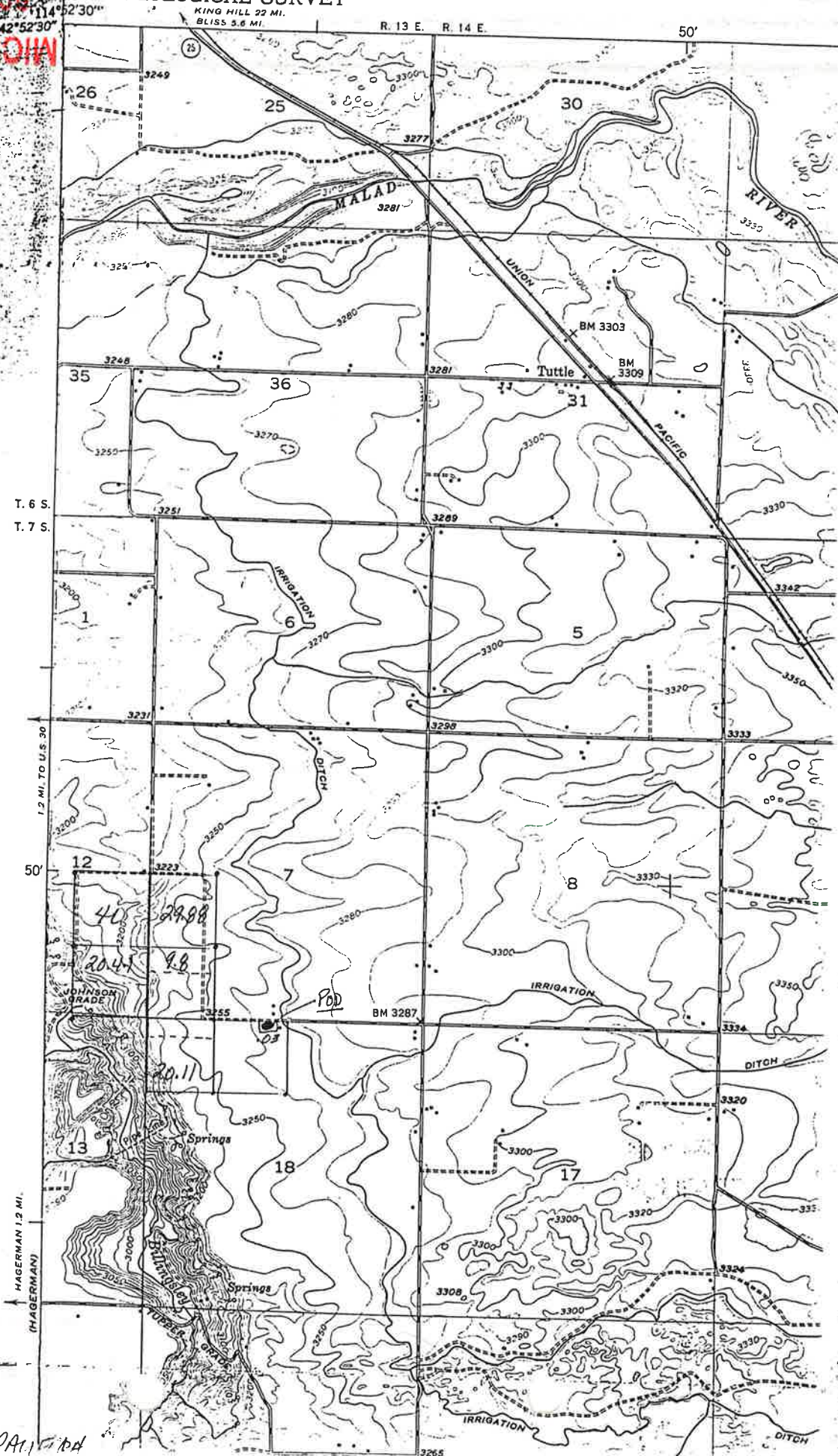
1.2 MI. TO U.S. 30

50'

POOR ORIGINAL

HAGERMAN 1.2 MI.
(HAGERMAN)

STEVENS, PAID



RECEIVED

MAY 03 1993

Department of Water Resources
Adjudication Bureau

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

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

Case No. A 36-02160A
(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,

36-02160A -0001/
93-04-0173

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.

OBJECTION - 1

(Over)

MICROFILMED

COPY 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Ronnie D. Smith and Sharlene M. Smith, husband and wife

Address: 1046 East 2900 South

Hagerman, Idaho 83332

Briefly describe your interest in this water right:

Fee simple owner of water right by virtue of

agreement of sale and warranty deed dated

February 26, 1991

2. Owner of the water right:

Name: Ronnie D. Smith and Sharlene M. Smith

Address: 1046 East 2900 South

Hagerman, Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name: Robert E. Williams III

Attorney Address: P. O. Box 168 - 117 South Adams St.

Jerome, Idaho 83338

Attorney Phone No.: (208) 324-2303

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.

MICROFILMED
OCT 13 1994

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

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.

Please see attachment hereto of two pages

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.

Allow full water right as set forth on

Notice of Claim to a Water Right,

Receipt No. C004814, a copy of which is

attached hereto as Exhibit "A".

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. _____

VERIFICATION (Must be Completed)

State of IDAHO

County of Jerome

RONNIE D. SMITH, 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. § 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.

Ronnie D. Smith
Signature of person filing objection

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

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

[Signature]
Notary Public for IDAHO
Residing at: JEROME
My Commission expires: 2/9/99

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 30th 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:

Ronnie D & Sharlene H. Smith

Owner's address:

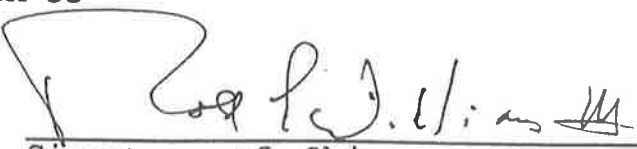
1046 E 2900 S
Hagerman ID 83332

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, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 23 1992

Department of Water Resources

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

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

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS:

SEP-24-1992

1. Water right number: 36-02160A

2. Name: Ronnie D. Smith

Address: 1046 E 2900 S
Hagerman, ID 83332

Weekday Telephone Number: (208) 837-4790

RECEIVED

SEP 23 1992

Department of Water Resources
Southern Region Office

MICROFILMED

JAN 26 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 marked on the cr)

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

The water right has not been forfeited.

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

Reinstate the water right in full as originally claimed.

5. Describe why you disagree with the proposed recommendation:

The previous owner has advised me that he used a diesel generator to deliver water to the real property and did not abandon or forfeit the right. Prior to purchasing the real property in 1991, I inquired of DWR as to the status of the right and was told it was fully intact.

6. Date: September 22, 1992

SIGNATURE

Ronnie Smith

REASONS SUPPORTING NO. 12 of OBJECTION:

The water right has not been forfeited or abandoned because:

- (a) At intervals of no more than five (5) years apart from the inception of the water right, water has been applied to the beneficial use for which the right was originally obtained, i.e., irrigation. At times, the application has been by the use of a diesel powered pump and motor rather than an electrically powered pump and motor;
- (b) Ronnie D. Smith and Sharlene Smith have since April, 1991, applied the full amount of the water right to the beneficial use of irrigation during the growing seasons. To the knowledge of the claimants, no other person or entity had, prior to April, 1991, claimed an interest in or applied to appropriate the water subject to the water right;
- (c) On or about February, 1991, claimant Ronnie D. Smith went to the Twin Falls office of the Idaho Department of Water Resources to inquire as to the present status of the water right which is the subject of this action. Mr. Smith was in the process of completing a transaction with Mr. and Mrs. R.W. Stevens for the acquisition of the real property to which the subject water right is appurtenant. Mr. Smith's plans for the real property were to farm it utilizing the water right which is the subject of this action for irrigation. Mr. Smith was advised on the above stated date by the employees of the IDWR then present that the water right was presently in effect and valid. Relying on this representation, Mr. Smith purchased the real

MICROFILMED
OCT 13 1994

property to which the water right is appurtenant from Mr. and Mrs.

R.W. Stevens. Because of these and related facts, the State of Idaho, acting through the Department of Water Resources, is estopped to deny the existence of the claimed water right.

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: A36-02160A

Date Received: 12/29/1988

Receipt No: C004814

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONNIE D. SMITH 208-837-4790
Address: 1046 E. 2900 S.
HAGERMAN, ID 83332

2. Date of Priority: DEC 27, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07S | 14E | 18 | NE | NW | | | GOODING |

5. Description of diverting works:
WELL, PUMP, DITCHES

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.130 | | |
| DOMESTIC | 01/01 | 12/31 | 2.130 | | |

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

8. Total consumptive use is 361.2 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07S | 13E | 12 | NE | SE | | IRR | 40.0 |
| | | | SE | SE | | IRR | 20.5 |

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

*no changes recommended
at this time 10-14-92
KKC*

MICROFILMED

JAN 26 1993



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

14-Oct-1992

RONNIE D SMITH
1046 E 2900 S
HAGERMAN ID 83332

RE: RESPONSE TO NOTICE OF ERROR FOR CLAIM 36-02160A

Dear Mr Smith

Your claim was recommended for disallowal based upon a field exam by a department employee. His field work, plus additional research determined that the Idaho Power has not supplied power to the system as far back as 1981. There is no physical evidence that a diesel generator has been used on this system. The abandonment issue is based upon 5 continuous years of non use starting as early as 1981 and possibly even earlier. The condition of the place of use does not support a claim that beneficial use of irrigation water has been applied to the ground.

Based upon the currently available information I am unable to recommend this claim for reinstatement. 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 26 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

JAN 28 1993

Water Right Number - R36-02160B Prefix Translation: RESEARCH Old (D) Number - 22535

+ - - - - 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 ***
MILLER

C R

1 -
2 -
3 -
City- HAGERMAN State- ID Zip- 0
Phone - 208-000-0000+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/27/1951 17 SOUTHERN N - NOT CLAIMED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
SPLIT RIGHT+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 14E 18 NE NW (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.870+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.870 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 13E 12 SE SE 19.5 01 IRRIGATION (47) GOODING
07S 14E 7 NW SW 3 0.1 01 IRRIGATION (47) GOODING
07S 14E 7 SW SW 4 20.2 01 IRRIGATION (47) GOODING
07S 14E 18 NW NW 1 19.9 01 IRRIGATION (47) GOODING

Total Acres: 59.7

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED

JAN 26 1993

Water right number - R36-02160B

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
FUTURE CLAIM TO THIS RIGHT BARRED.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 07/22/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
AC. IRR. = 169.81. THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A36-02160A: STEVENS, 2.13 CFS, 120.4 AC.

+ - - Audit Fields - - +
08/11/92 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 | 08/11/1992 | Old Judicial District | - |
| Claim Received Date | - 06/07/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - X777777 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

MICROFILMED
JAN 26 1993

Water Right Number - R36-02160A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
SMITH

RONNIE D.

1 - 1046 E. 2900 S.
2 -
3 -
City- HAGERMAN
Phone - 208-837-4790VERIFIED BY KC
6-12-92
State- ID Zip- 83332+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/27/1951 ERROR IN REGION I - DISALLOWED+ - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 14E 18 NE NE NW (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.060 412.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.060 412.00 309.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 13E 12 NE SE 29.0 01 IRRIGATION (47) GOODING
07S 13E 12 SE SE 24.0 01 IRRIGATION (47) GOODING
07S 14E 7 NW SW 3 16.0 01 IRRIGATION (47) GOODING
07S 14E 7 SW SW 4 24.0 01 IRRIGATION (47) GOODING
07S 14E 18 NW NW 1 10.0 01 IRRIGATION (47) GOODING

Total Acres: 103.0

+ - - Diversion Means - WELL, PUMP, DITCHES

+ - - Non-Irrigation Use - DOMESTIC/ 1 HOME

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
FORFEITURE/ABANDONMENT.+ - - - - Old Water Right Numbers - - - - - +
3602160MICROFILMED
JAN 26 1993

Water right number - R36-02160A

Prefix Translation: RESEARCH

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

P04 - FORFEITED/ABANDONED: This is included for a claim based on a
- decree or license that is PROPOSED to be disallowed on the basis
- that the water right no longer exists because forfeiture of the
- right by nonuse was confirmed and a defense to forfeiture was not
- confirmed, or because abandonment of the right was confirmed.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 07/29/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS
EXTENSION OF FILING DEADLINE GRANTED UNTIL MARCH 31, 1989 PER LETTER FROM DAVE SHAW, ATTACHED.
Date: 06/12/1992 User Id: CHRISTEN Subject: DISALLOWAL ANALYSIS
INFORMATION OBTAINED BY NORM BROWN 8-30-91; IDAHO POWER RECORDS INDICATE THAT POWER WAS NOT SUPPLIED TO THIS SYSTEM SINCE 1971 TO
1990. A FIELD EXAM BY NORM BROWN IN NOV OF 1990 INDICATED NO IRRIGATION OF THE CLAIMED GROUND EVIDENT. (DATA ENTERED BY KKC)

+ - - Audit Fields - - +

06/12/92 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 | - 06/12/1992 | Old Judicial District | - |
| Claim Received Date | - 12/29/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - C004814 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - OR | Presumption Flag | - C |
| | | | | Notice of Error Flag | - |

MICROFILMED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:48:36
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02160A

LAST: STEVENS
ADDRESS: P.O. BOX 539
CITY: HAGERMAN
PHONE NUMBER: 208-000-0000

FIRST: RALEIGH W.
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: EXTENSION OF FILING DEADLINE GRANTED UNTIL MARCH 31, 1989 PER
LETTER FROM DAVE SHAW, ATTACHED.

FIELD EXAMINATION INFORMATION

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 26 1993

A. AJ CLAIM: # A36-02160A PRIORITY DATE: 12-27-1951 STAGE: L
B. WR RECORD: # 36-02160 PRIORITY DATE: 12-27-1951 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
✓

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
12-27-1951

REVIEWED BY lw

DATE 8/27/90

=====

MICROFILMED
JAN 26 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----------|-----|-----|-----|---------|
| A36-02160A | 07S | 14E | 18 | <i>Ne</i> | NE | NW | | GOODING |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|---------|
| 36-02160 | 07S | 14E | 18 | | NE | NW | | GOODING |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

MICROFILMED

JAN 26 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|-----------|------------|-----------|-----------|-----------|-----------|------------|-----------|
| <u>75</u> | <u>14e</u> | <u>18</u> | <u>Ne</u> | <u>Ne</u> | <u>NW</u> | <u>---</u> | <u>47</u> |

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: lw DATE: 8/27/90

MICROFILMED
JAN 26 1993

A. ROOT WATER RIGHT NUMBERS: A36-02160A

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--|--------------------------------------|---|------------------|----------------|------------------|
| 07S | 14E | 7 | SW | SW | 4 | STEVENS , RALEIGH W. | A36-02160A / 9.8 | - / | 24 | | 24 |
| 07S | 14E | 18 | NE | NW | | STEVENS , RALEIGH W.
NORTH SIDE CANAL COMPANY LTD. | A36-02160A / 0.1
A01-00212Z0/40.0 | - /
- | ~~41.0~~ | | 0 |
| 07S | 14E | 7 | NW | SW | 3 | STEVENS , RALEIGH W. | A36-02160A / 29.9 | - / | 16 | | 16 |
| 07S | 14E | 18 | NW | NW | 1 | STEVENS , RALEIGH W. | A36-02160A / 20.1 | - / | 10 | | 10 |
| 07S | 13E | 12 | NE | SE | | STEVENS , RALEIGH W.
MILLER , C. R. | A36-02160A / 40.0 | - /
36-02160 / 40.0 | 29.0 | | 29 |
| 07S | 13E | 12 | SE | SE | | STEVENS , RALEIGH W.
MILLER , C. R.
REESE , BRUCE W. | A36-02160A / 20.5 | - /
36-02160 / 40.0
36-04091 / 13.0 | 24.0 | | 24 |
| TOTAL ACRES | | | | | | | A36-02160A | 120.40 | ~~94.00~~ | | 103. |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

103 ac,

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

been claimed for pasture irrigation.
it are in ~~the~~ used for down. ~~being~~ less
than 1/2 acre. No Domestic Use found
Napp photo shows no irrig - claimant stated that
irrig has not occurred in last year but has been

RECOMMENDATIONS:

TOTAL ACRES: 120.4

REVIEWED BY: lu

DATE: 8/27/90

irrigated in last 5 years and on/off in last 15
years. P/M inspection 8/24/90 confirmed diversion
works + well. Land Sat Shows 103 acres irrigated (1984).

R/VW
ADM 7/29/91

MICROFILMED

JAN 26 1993

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A36-02160A IRRIGATION | FROM 03-15 TO 11-15 | 2.130 CFS |
| A36-02160A DOMESTIC | FROM 01-01 TO 12-31 | 2.130 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 2.130 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 36-02160 IRRIGATION | FROM TO | 3.000 CFS |
| 36-02160 DOMESTIC | FROM TO | 3.000 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 3.000 CFS |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | N | <u>N</u> |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | Y | <u>N</u> |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y | <u>N</u> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

MICROFILMED
JUN 26 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 2.130 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.000 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?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE *Not Claimed*

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-------------|-------------|-------------------------------|-----------|----------------|-----------|----------------|
| A36-02160A | GROUNDWATER | STEVENS , RALEIGH W. | 2.130 | 0.017 | | |
| A01-00212Z0 | SNAKE RIVER | NORTH SIDE CANAL COMPANY LTD. | 2250.000 | 0.081 | | |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MICROFILMED
JAN 26 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 120.4 x 0.02 CFS/ACRE = 2.408 CFS
103 (Taken from p/u review) 2.06

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 361.2 AF/A

ACRES 120.4 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
103.0
TOTAL CONSUMPTIVE USE 361.2 AF/A
309

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 120.4 x DIVERSION VOL. AF/A FOR AREA 4 =
103.0
TOTAL DIVERSION VOLUME 481.6 AF/A
412

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

MICROFILMED

JAN 26 1993

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|--|----------------------------|---------------------------------------|
| IRRIGATION | 03-15 11-15 | DATABASE EXAMINER
2.130 <u>2.06</u> | DATABASE EXAMINER
481.6 | DATABASE EXAMINER
361.2 <u>309</u> |
| DOMESTIC | 01-01 12-31 | 2.130 | 412 | |
| TOTAL FOR THIS RIGHT | | 2.130 | | |

REVIEWED BY: RVW.

DATE: 8/27/90

7/29/91

MICROFILMED

JAN 26 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

| ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------|-----------------|
| () | () |
| () | () |
| () | () |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02160

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.000

EXAMINER
✓

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| A36-02160 | A36-02160A | 2.130 | - | | 36-02160 | 3.000 |
| TOTAL CFS | | 2.130 | | | | 3.000 |

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
N

FIELD
EXAMINER
✓

REMARKS:

portion.
only 1 split claimed - nothing for
comparison

AUTHENTICATION:

SIGNATURE: lu

DATE: 8/27/90

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:48:36
06/30/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02160A

| 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 | | | | N | | DB
9-28-90 → | | |
| POINT OF DIV | Y | | | Y | 6, 2 | | | |
| SOURCE | | | | N | | | | |
| PLACE OF USE | Y | | | ~~Y~~ Y | 6 | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | ~~Y~~ Y | | | | |
| CONSUMPTIVE USE | - | | | ~~Y~~ Y | | | | |
| PURPOSES | | | | ~~Y~~ Y | | | | |
| PERIOD OF USE | Y | | | N | | | | |
| BASIS OF CLAIM | Y | | | N | | | | |
| REMARKS | Y | | | N | | | | |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

~~605~~ 605
C09

MICROFILMED

JAN 26 1993

AA70NW
NAAP
439-45
8/1/88



MICROFILMED

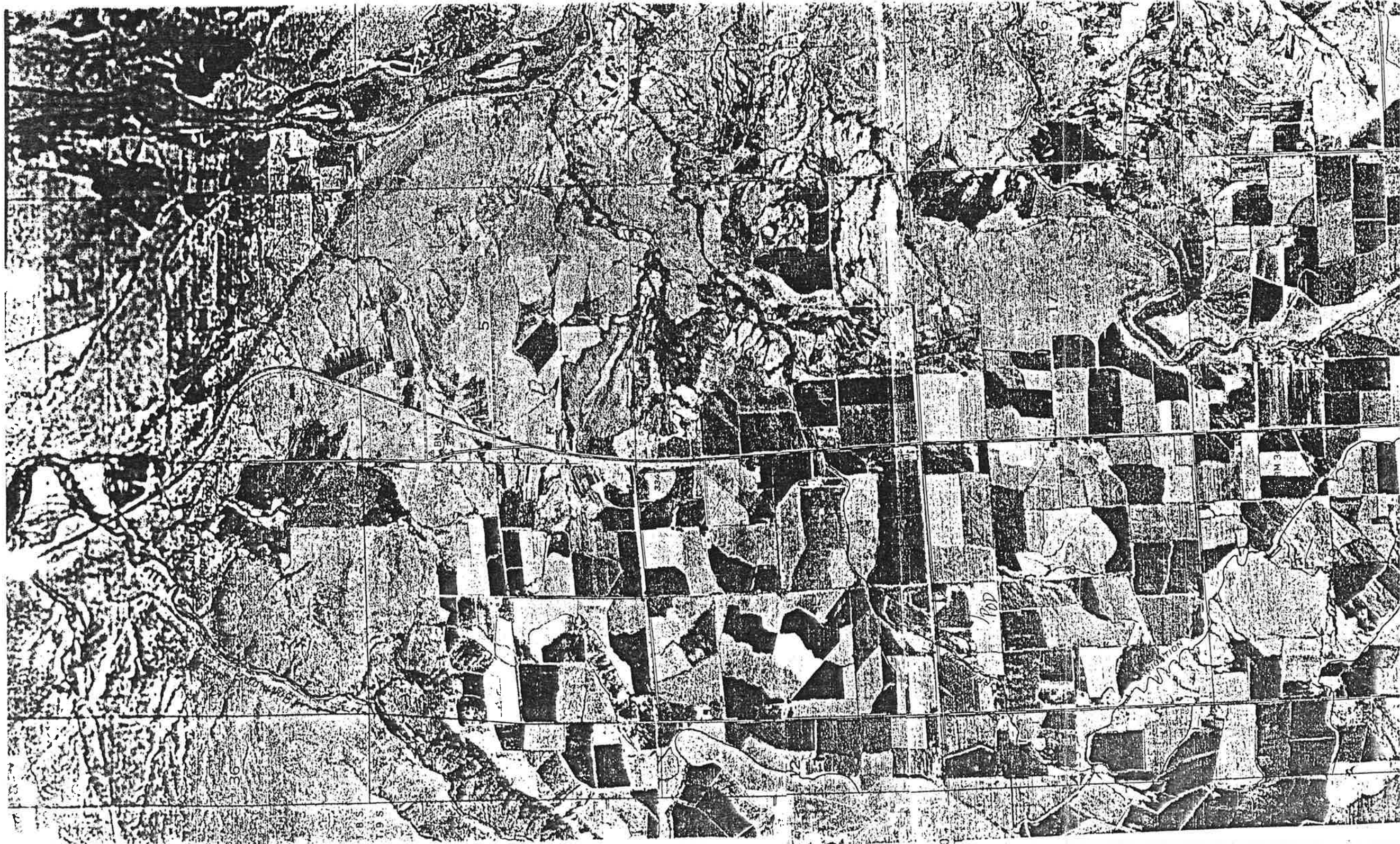
JAN 26 1993

045

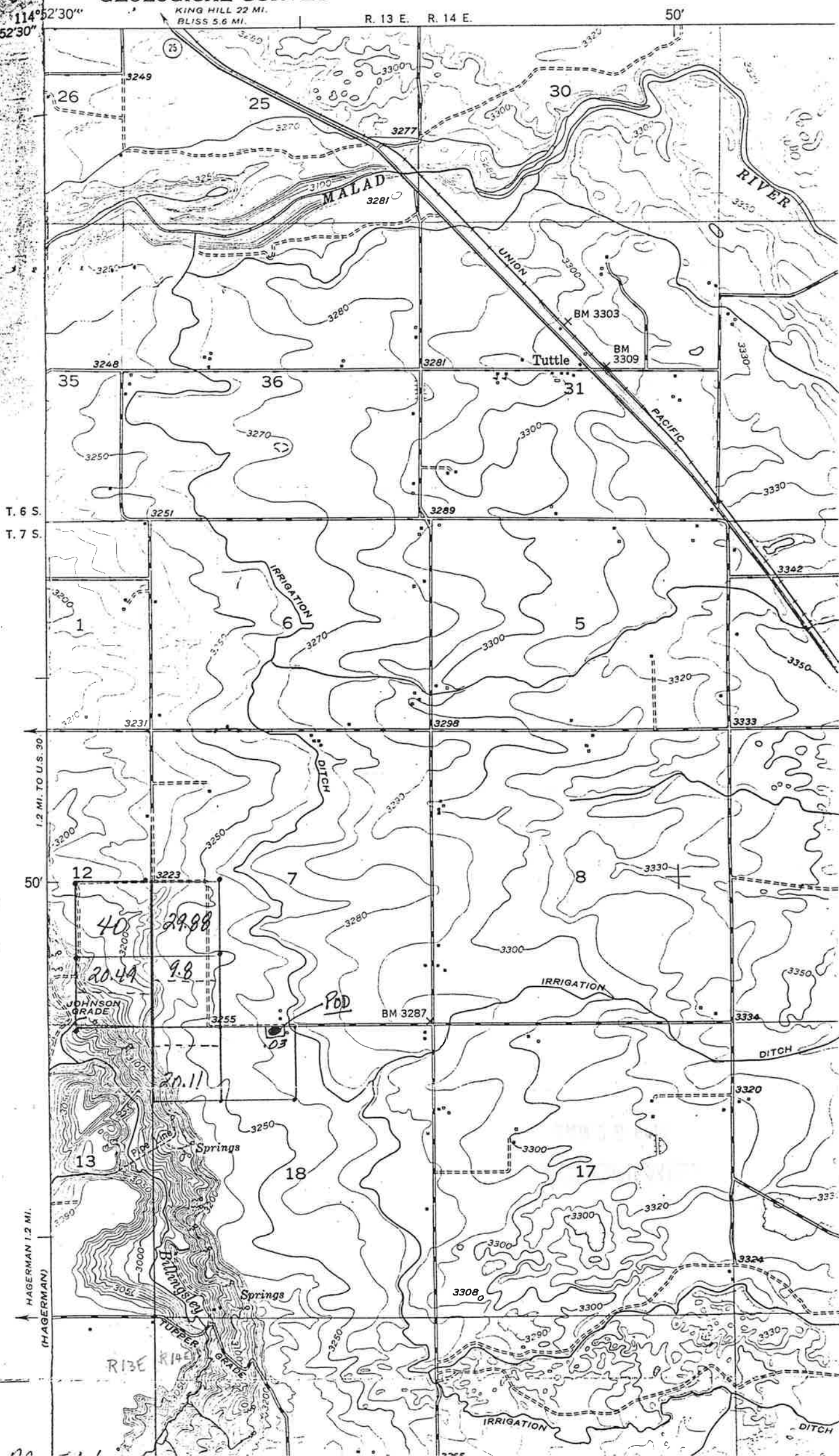
Summary



JAN 26 1993



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22535.....

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. C.R. Miller; Hagerman; Farmer; Hagerman, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G-22535; Jan. 2, 1952; December 27, 1951

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. subterranean flow; NE 1/4 NW 1/4, Sec. 18, Twp 7 S., R. 14 E.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Well and pump: 3 cu. ft.; unnamed ditches: Well-187 feet deep; approx. 3 ft. of casing; 110 ft. lift; 3 cu. ft.--measured by well drillers

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic--Lot 3 (29.88) and Lot 4 (29.82) of Sec. 7, Twp 7 S., R. 14 E.; Lot 1 (30.12) in Sec. 18, Twp 7 S., R. 14 E.; and E 1/2 (80), Sec. 12, Twp 7 S., R. 13 E., Coaling County, Idaho--all cultivated

G-22535

MICROFILMED

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. -----

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 3 cu. ft.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -----

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During the irrigation season of 1952, all of the water filed on was used in plowing land under cultivation.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. 29.82 shares of the North Side Canal Co. are appurtenant to Lot 4, Sec. 7, Twp 7, S., R. 14 E.

(Sign) C. R. Miller

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Gooding, County of Gooding, State of Idaho, on this 26th day of September, A. D. 1953,

Carl R. Miller
Notary Public

My commission expires 10-9-54

7-22535

MICROFILM
JAN 26 1954

Ralph Stevens
A 36-02160A

State of Idaho

License and Certificate of Water Right

Water License No. G-22535.....

Amount Three (3) second feet

Water District No.....

Priority December 27, 1951

THIS IS TO CERTIFY that **O. R. MILLER**
of **Hagerman, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **December 27, 1951**; that Permit No. G-22535
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
three (3) second feet, was issued thereunder on **June 16, 1953**, showing that said works
were completed on the **26th** day of **September, 1952**; and that on the **26th**
day of **September, 1952**,

O. R. MILLER
of **Hagerman, State of Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~XXXXXXXXXX~~ (subterranean flow) for the purpose of irrigation and
domestic use, under Use Permit No. G-22535 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page **8069**, on the **16th** day of **June, 1953**;
The right hereby confirmed dates from **December 27, 1951**;

The Point of Diversion is located
in the **NE 1/4 NW 1/4, Sec. 18, Tp. 7 S., R. 14 E., B.M. Gooding**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **Three (3) cubic feet per second**.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract | No. Acres
Described in Permit | No. Acres
Actually Irrigated |
|--|-------|------|------------------|----------------------------------|---------------------------------|
| 7 S. | 14 E. | 7 | Lot 3 | 29.68 | 29.68 |
| | | | Lot 4 | 29.68 | 29.68 |
| | | | Lot 1 | 30.11 | 30.11 |
| 7 S. | 13 E. | 12 | NE 1/4 SE 1/4 | 40.00 | 40.00 |
| | | | SE 1/4 SE 1/4 | 40.00 | 40.00 |
| Number of Acres Actually Irrigated - - - | | | | 149.81 | |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
16th day of **June, 1953**.

(SEAL)

Mark H. Kulp
State Reclamation Engineer

MICROFILMED
JAN 26 1993
36 2160

Make a
call to Doshier Realty
on listing of Raleigh Stearns
Property. 734-2922

T7S R 14E Sect 7 SW $\frac{1}{4}$
Doshier Realty

Is there a water right
w/ the property?

MICROFILMED

JAN 26 1993

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed this
day of January, 1952.

Countersigned:

STATE OF IDAHO

(SEAL)

By

IRA H. MASTERS

By

LEN JORDAN

Secretary of State.

Governor

12

| Twp. | Range | Sec. | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | Totals |
|---|-------|------|---|---|---|---|--------|
| | | | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | |
| 7 S. | 14 E. | 7 | | 30.11 | 29.38-29.82 | | 59.49 |
| | | 15 | | | | | 30.11 |
| 7 S. | 13 E. | 12 | | | | 40 40 | 80.00 |
| Total Number of Acres to be Irrigated - | | | | | | | 169.60 |

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that C. R. MILLER of Hagerman, County of Wooding, and State of Idaho, the holder of Permit No. U-22535, issued upon Application No. U-30274 bearing date of priority of December 27, 1951, authorizing the diversion of three (3) second feet of the waters of a well (subterranean flow) County of Wooding, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Three (3) second feet of the waters of said well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, Township 7 South, Range 14 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lots 3 and 4, Section 7; Lot 1, Section 18; Twp. 7 South, Range 14 East, B.M. E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 12, Township 7 South, Range 13 East, B.M.

Witness my hand this 16th day of June, A.D. 1953.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made September 26, 1952.
Certificate of completion of works made June 16, 1953.

INDEXED UNDER 3 SEC. 17.

pg 5089

02160
MICROFILMED
JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G- 22535

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

1. Name of applicant C. R. Miller Hagerman, Idaho
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NW 1/4 of Section 18
T. 7 S R. 14 E County of Gooding
4. Describe works as they exist, giving dimensions and capacities of same: G.E. Motor #1EHJ6910086
50 hp, 440 volts, 61 amps, 60 cycle, 3 phase, 1765 r.p.m.; Layne Bowler
pump, Vertical Turbine #7001; G.E. Panel #30-295-593; Flow Checked with
Sparling Meter 100 c.f. every 28 Sec. or 3.57 c.f.s.; 187' deep, 16"
diam., casing 14" by 42 feet, delivery to N. thru 10" c.i.p.; S = 102'
D = 110, pump setting = 130', Bowls = 12", Stages = 3, Column =
10" x 130'.

5. Water is used for: Irrigation only
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Lots 3 & 4 section 7;

Lot 1 section 18;

Township 7 S Range 14 E B. M.

N 1/2 SW 1/4 section 18;

Township 7 S Range 14 E B. M.

169.81 acres (Federal Land office) ✓

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

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

Remarks:

This examination was made on the 22 day of July

(Signed)

Examiner

1953
MICROFILME

A36-02160

NAME OF APPLICANT

C. R. Miller

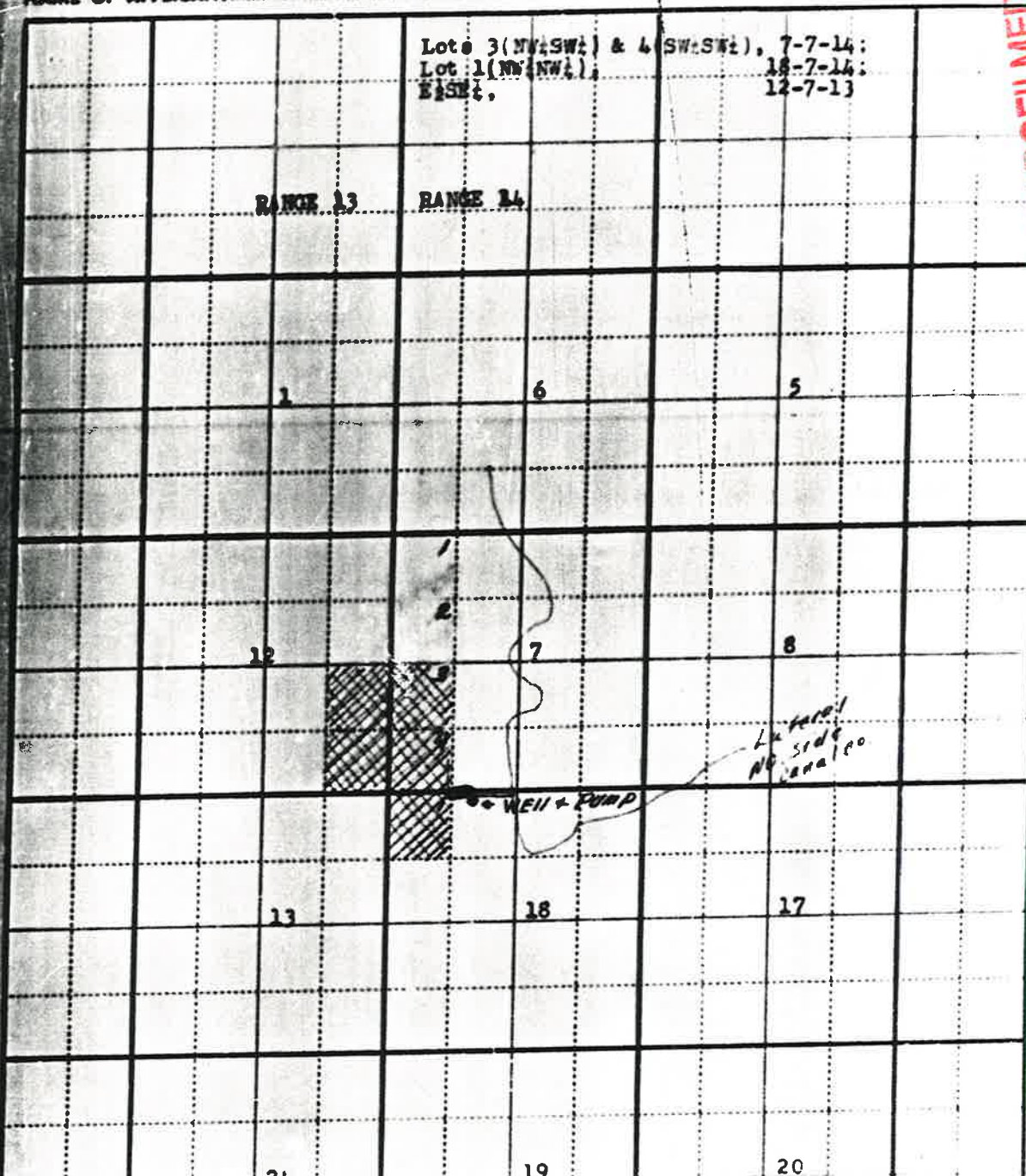
Form No. 0

Lots 3 (NW:SW) & 4 (SW:SW), 7-7-14:
 Lot 1 (NW:SW), 18-7-14:
 E:SW, 12-7-13

RANGE 13

RANGE 14

MICROFILMED



DEC 27 1951
 Department of Reclamation

of C. R. Miller

of Nugerman,

appropriate

of \$5.50, filing

7 years,

to 81m

Paul H. Haldy

f *f* *e* *E* *d* *D*



18

R 13 E

R 14 E

T
7
S

12

13

6

7

15



10 acres in the high water

Lot 3

This ditch picks up waste water

Allow 3.68. amt. of filing

Area - 169.81 acres

Temp - 60°

True P.D. = 780' E. NE 1/4, NW 1/4, Sec. 18 T. 7 S. R. 14 E. S. 14

Lot 3 = 29.88 acres
Lot 4 = 29.82 acres
NW 1/4 NW 1/4 Sec. 18 = 30.11
Fed Land - private measures

MICROFILMED

JAN 26 1993

Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

11:30 A 8/23/91

Call to Julie at Wendell Office
of Idaho Power # 1-536-5711.

She had time to pursue the
micro-fiche research req'd. I
volunteered to help - but their
system of filing would not be
understood easily. It's a cycle
system of connect and disconnect
rather than a geographic system.

She said to call her on 8/29[±]
and she may have the information.

Contact Date
→

Norm -
8/30/91 - 9 AM - Call to Julie. Idaho
Power records on micro fiche cards were
checked in the name of Raleigh Stevens
as far back as 1981. The only use of
Idaho Power was for residential use
since 1981. No pumping for irrigation
by Mr. Stevens was done during that time
frame. Pumps for irrigation as this
120 was, are numbered. Another # 120
was issued in 1972 to a different
user at a different location for
irrigation by pump.

(continued)

MICROFILMED

JAN 26 1993

pg 22

W) Julie @ Idaho Power (Continued)

Based on that # 120 being reissued to a different Customer, Idaho Power assumes that the Raleigh Stevens #120 was not used after 1970-71.

No further checking was done by Idaho Power on Mr. Stevens' pump at this location.

I believe there has not been power used at this Point of Diversion from the period of 1970-71 on until my field exam made on the site in November 1990.

Norman D. Brown
Water Resource Agent.

MICROFILMED

JAN 26 1993

dated 8/30/91

pg 282

(Cp. to A36-02160A file)

8/19/91

Loren Halmer

Based on information from Idaho Power's Wendell Office (Julie), there has been a new pump put on an old Well located @ T7S R14E Section 18 in Gooding County.

The well is the P/D for A36-02160A claimed by and Licensed to Raleigh W. Stevens of Hazerman.

P/see is in sections 7 & 18 of T5S 14E and section 12 of T5S 13E.

The property, or a portion of it has been sold in Feb 1991 to Ronnie D. and Sherlene M. Smith.

The County Assessor today told me that Smith owns and uses $\frac{5}{6}$ th of the Water and Richard Kirkman uses $\frac{1}{6}$ th of it with the new pump. He also said it had been 20 years $\pm$ since the well had been used.

MICROFILMED

JAN 26 1993

ps 192

When I investigated this claim (A 36-02160A) in Nov. 1990 it was evident that there had been no use of the well for many years. The lands it was purported to be used on were arid and showed no sign of irrigation from the P/D for an estimated 10 years[±]. Therefore I contacted Idaho Power for their records.

Now, with the new pump it appears this may be an illegal diversion.

I had recommended the claim as a forfeiture and abandonment situation. I have yet to hear from Julie at Idaho Power on the disconnect date of the original pump.

I've attached a copy of the USGS topo showing the area in question

Norm Brown

MICROFILMED

JAN 26 1993

p8272

☒ - Telephone
☐ - In person

Phone # 536-5711
Address: Wendell Office
Idaho Power Co

CONVERSATION MEMORANDUM

NAME OF PARTY Raliegth Stevens
EMPLOYEE: Norm Brown

DATE Aug 8 1991
FILE A36-02160A

RE: A36-02160A

A call to Idaho Power in regards to a date of disconnect on power at the Point of Diversion -

T75 R14E Sec 18

934-5661 Gooding IPC office Kathy said call Wendell next Monday for Julie and she can help me. This is due to time lapse since disconnect. (Est 5-10 years) 536-5711

I called on 8/12/91 and requested info from Julie, she'll get back to me soon.

8/13 I called and gave names of two adjoining land owners to help serviceman locate the proper P/D and disconnected service.

8/15 a message from Julie @ Id. Power that a new pump had been installed here 4/24/91. Julie gone until 8/19/91. When I called back and asked again for the disconnect date. She'll go to the microfiche and try to find that disconnect date. I don't know what could be irrigated there from a new pump, as there is no system to deliver the water, and there is no cultivated land to irrigate. The lands are barren with nothing but native weeds brush and Russian Olive trees visible during my 11/90 investigation of it. N.O.B. 8/19/91 A confirming call to Co. assessor states that Well is now owned by Ronnie D. Smith (5/6 ownership) and Richard Kirkman (1/6 owner). The place of use land has not changed hands, by County records nor is it being irrigated. This may now be an illegal diversion of water from the Stevens P/D.

8/19/91

N.O.B.

MICROFILMED
JAN 26 1993

1. The Records

Raleigh Stevens Property
A36-02160A

On Nov 30, 1990 I took pictures of the property on which waters are purportedly being used. I found, and the pictures show that the lands are not being irrigated as claimed.

At the Point of Claimed Diversion the pictures clearly show the pump works not being connected to the power source.

There are small portions of the Stevens property that are sub irrigated from waters being used on the adjoining Cultivated lands on the North and East sides.

It ^{seems evidently} ~~is clear~~ that the subject lands have not been irrigated from the Pointy Diversion in over five years. There is evidence of flood irrigation, many years ago on small portions of the land. An old 12-14" Redwood pipe lays near an old fill on the property.

MICROFILMED
JAN 26 1993

Ground Cover today appears to be native grasses and mainly Russian Olive trees.

Information from Goshute County Assessor confirms my findings. Copies of Assessor's valuation sheets and Idaho Property Records with pictures are attached.

Overall Analysis: No waters from the Claimed Point of Diversion have been put to beneficial use on these lands for over five years.

Norman D. Brown
W.R. Agent IDWR

Attachments:

- Photographs (7) exposures # 2 - 8 - 4 pages
- County Assessor Records for 3 parcels (#1 thru #10) (marked Exhibits)
- Mike's notes of records and conversations

MICROFILMED

JAN 26 1993

CONVERSATION MEMORANDUM

NAME OF PARTY Doyle Pugmire

DATE 12/4/90

EMPLOYEE: NORMAN BROWN

FILE _____

A 36-10664

RE: A 36-02160 A } Raleigh Stevens Real Property

I met with Gooding County Assessor Doyle Pugmire and reviewed his records on the above named persons property.

Mr. Pugmire furnished copies of County records relating to the irrigation or non irrigation of all lands under Water Right numbers 36-02160A and 36-10664. Copies are attached to my findings report.

- 1) T7S R14E Sec 7 has the following described acres.
- | | | |
|-------------------|------------------|----------------|
| Category 4 | Meadow land | 4.400 acres |
| " 5 | Dry Grazing land | 33.727 acres |
| " 19 | Waste land | 1.573 acres |
| Section # 7 Total | | = 39.700 acres |

Of the total only 4.4 acres have been irrigated in the recent past (over 50 or more years). It is assumed that these 4.4 acres are sub-irrigated from adjoining lands on the North East.

- 2) T7S R14E Sec. 18 has 0.030 acres that is the claimed point of diversion for both Water rights - None of it is irrigated from the POLD and Well System, nor has it been for many years.

MICROFILMED

JAN 26 1993

Pugmire

Sheet 1 of 2

CONVERSATION MEMORANDUM

NAME OF PARTY

Wayle Pugmire

EMPLOYEE:

Norm Brown

DATE

12/4/90

FILE

A36-10664

RE: A36-021604

Calleigh Stevens continued

3) T7S R13E Sec 12:

| | | |
|------------|--------|--------------|
| Category 4 | Meadow | 12.750 acres |
| " 5 | Dry | 46.357 " |
| " 19 | Waste | 1.383 " |

Section 12 Total = 60.490 acres

of the sections total only 12.750 acres have been irrigated recently (over 5 or more years). It is believed that the 12.750 acres are sub-irrigated from adjoining lands of other owners.

Pugmire has lived in Hagerman for many years and knows their property very well. He stated that further information on irrigation or the Well and delivery system could be obtained from Mrs. August Lapp at the first house East of the P.O.D. Mr. Lapp is now deceased. The driller was believed to be Ralph Miller (deceased?). Mrs. Miller still lives near Hagerman and could confirm this.

These lands were once planned for a subdivision but waters from wells drilled on the property were not adequate. That is when the existing (and unused) well was drilled and the 0.030 acres were purchased to supply water.

Mr. Pugmire could furnish more info from memory if desired, or could testify in a hearing.

Norm Brown Wk Agent

MICROFILMED

JAN 26 1993

Pugmire

Sheet 2 of 2

Adjudication Claim A36-12160 A
Raleigh Stevens Claimant
T7S R 13 and 14 E 120.4 ac Claimed



Exp #2
Taken
11/30/90

Picture taken looking South East from
dirt road on West Side Property in
T7SR13E Section 12. NOTE: Total
lack of crops, cultivation or visible
irrigation.

Photographs **MICROFILMED**
4 pages
JAN 26 1993

A26-02160A, Raleigh Stevens

Exp #3
Taken 11/30/90



Looking SE from road on West Side of property in Section 12. Picture taken from gated entrance to Raleigh Stevens lands- NOTE: Lack of irrigation, crops or cultivation.

Exp. #4



Looking SW from dirt road on East Side Stevens property. NOTE: Realtors For Sale sign, Lack of crops, Cultivation or irrigation.

MICROFILMED

JAN 26 1993

P8 2 of 4

A36-02160A (Stevens)
Point of Claimed Diversion 11/30/90

Exp # 5
Taken 11/30/90



Looking South East from road on South Bndry
of Section No. 7 at old Point of Diversion.
NOTE: Non Use and Electric Wires Severed from
Power Line.

Exp # 6
Taken
11/30/90



As above. NOTE: old pipe and power
Source not connected. Electric Meter Base has
no meter installed.

JAN 26 1993

MICROFILMED

A-5-02160 A Point OF
Diversion 11/30/90 (Stevens)

Exp #8
Taken
11/30/90



Looking South from the road on
South side Section 7 at old
Pump works and power pole #120

Exp. #7
Taken
11/30/90



SAME POD - Note Electric Line not
Connected to old pump works.

MICROFILMED
JAN 26 1993

Gooding County

VALUATION SUMMARY SHEET

TIME 17:25:48

DATE 10/23/90

PARCEL RP07S14E0754001 PROPERTY ADDRESS

EFFECTIVE DATE 3/01/91 EXPIRE DATE 0/00/00 CAT YR QUANTITY UNIT VALUE TREND

| | | | | | | | |
|------|----------------------|--------|----|----|--------|----|-----|
| NAME | STEVENS, RALEIGH W & | MEADOW | 4 | 91 | 4.400 | AC | 370 |
| | STEVENS, VIRGINIA | Dry | 5 | 91 | 33.727 | AC | 575 |
| | P O BOX 537 | WASTE | 19 | 91 | 1.573 | AC | |
| | HAGERMAN, ID | 83332 | | | | | |

MICROFILMED

JAN 26 1993

Gooding County Assessor's Exhibit # 1310

DESC T 7S R 14E SEC 7
LOT 3
LOT 4 LESS SO 20 ACRES

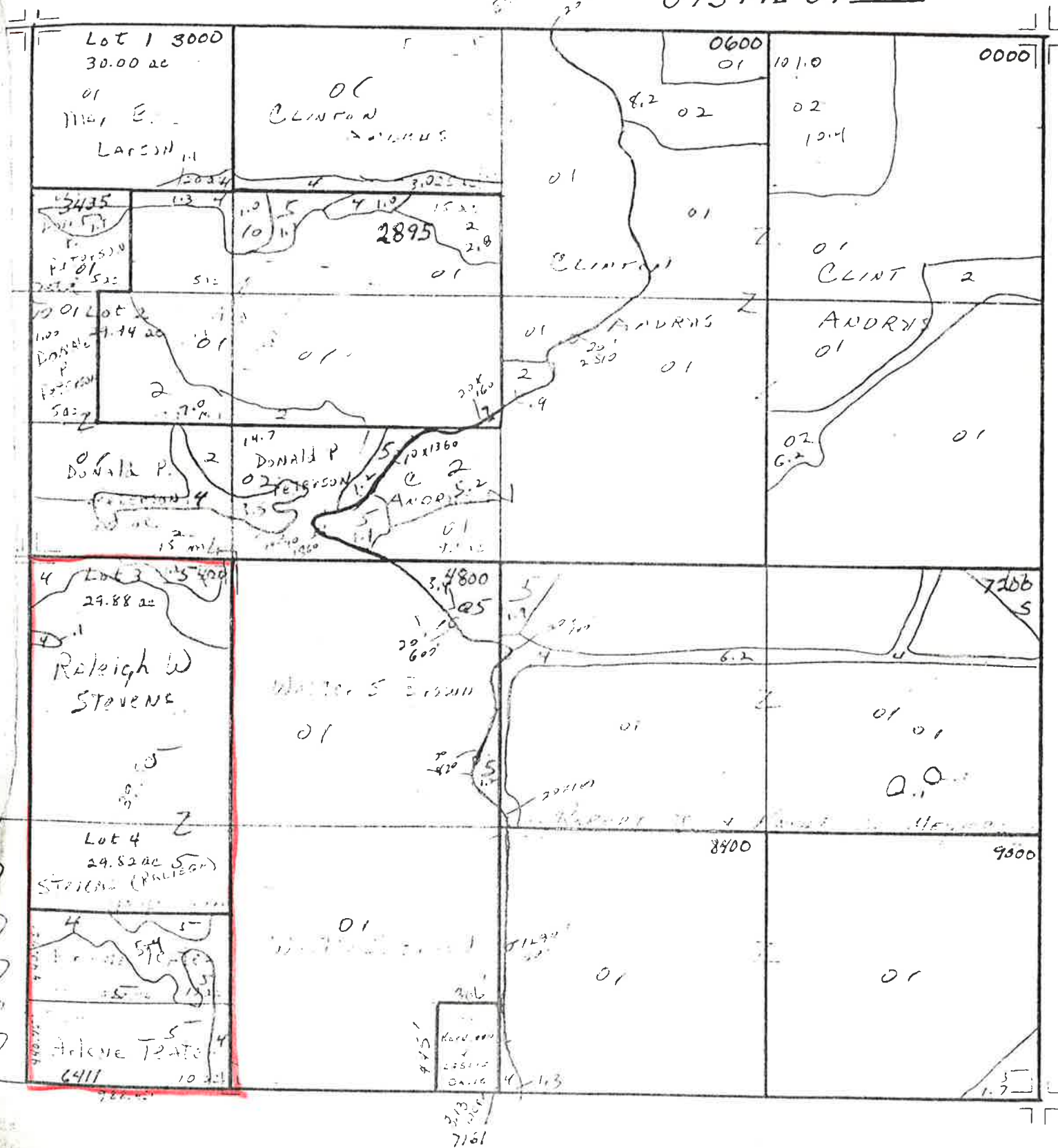
TOTALS -----
39.700 \$1,045

TAX CODE AREA 12-00
PREVIOUS PARCEL # RP07S14E075400A
COMMENTS TV

**** SUB-SYSTEMS PRESENT ****
** NONE **

MAP #
PHOTO #
DEED #-NEW
SUBDIVISION 0000
PARCEL TYPE LOCATION CODE 2

ZONE
OLD
EXEMPTIONS: ** NONE **
SPECIALS :



PARCEL NO:
OWNER NAME:
ADDRESS:

RP07514E 07 5400
Stevens, Raleigh W. &
Virginia

LEGAL: 7-7-14

Lt. 3

Lt. 4 LESS 50.20 AC. 5

| CLASSIFICATION
CAT LOC CLASS USE | QUANTITY | BASE COST | ADJUSTMENTS: | | | | | | | | | | | ADJ %
TOTAL | \$ ADJ | NET
VALUE
PER
ACRE | VALUE | | |
|---------------------------------------|----------|---------------|--------------|-------|--------|---------|----------|-------|------|-------|-------|------|--|----------------|--------|-----------------------------|-------|-------|---------|
| | | | DITCHES | CANAL | FENCES | P. LINE | DRAINAGE | ROADS | ROCK | BRUSH | SLOPE | MISC | | | | | | | |
| 04 | 4.400 | 84 | | | | | | | | | | | | | | | 84 | 370 | |
| | 33.727 | 20 | | | | | | | | | | | | | | | 20 | 675 | |
| 19 | 1.573 | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| RES OCCUPIED: | | OUTBUILDINGS: | | | | | | | | | | | | | | | | | |
| 1 OWNER | | 1 OWNER | | | | | | | | | | | | | | | | | |
| 2 TENANT | | 2 TENANT | | | | | | | | | | | | | | | | | |
| 3 VACANT | | 3 VACANT | | | | | | | | | | | | | | | | | |
| 0 NONE | | 0 NONE | | | | | | | | | | | | | | | | | |
| LAND OPERATED | | MILES TO ROAD | | | | | | | | | | | | | | | | | |
| 1 OWNER | | | | | | | | | | | | | | | | | | | |
| 2 TENANT | | | | | | | | | | | | | | | | | | | |
| UTILITIES | | | | | | | | | | | | | | | | | | | |
| 1 ELECTRICITY | | | | | | | | | | | | | | | | | | | |
| 2 GAS | | | | | | | | | | | | | | | | | | | |
| 3 COMBINATION | | | | | | | | | | | | | | | | | | | |
| REMARKS Mixture of | | | | | | | | | | | | | | | | | | TOTAL | 1045 |
| Meadow & Dry. used for livestock | | | | | | | | | | | | | | | | | | | |
| Grazing. 191 (28X2740)/435604 = 1.573 | | | | | | | | | | | | | | | | | | | |
| Inspected By PH | | | | | | | | | | | | | | | | | | Date | 10/4/90 |
| Computed By | | | | | | | | | | | | | | | | | | Date | 10/5/90 |
| Certified Appraiser | | | | | | | | | | | | | | | | | | Date | |
| Assessor | | | | | | | | | | | | | | | | | | Date | |
| Reinspection | | | | | | | | | | | | | | | | | | Date | |

MICROFILMED

JAN 26 1993

Gooding County

VALUATION SUMMARY SHEET

TIME 9:19:25

DATE -5/25/90

#4

PARCEL RP07S13E127200A PROPERTY ADDRESS

EFFECTIVE DATE 3/01/90 EXPIRE DATE 0/00/00 CAT YR QUANTITY UNIT VALUE TREND

| | | | | | | | | |
|------|----------------------|---------------|----|----|--------|----|-------|--|
| NAME | STEVENS, RALEIGH W & | <i>Meadow</i> | 4 | 90 | 12.750 | AC | 1,071 | |
| | STEVENS, VIRGINIA | <i>Dry</i> | 5 | 90 | 46.357 | AC | 927 | |
| | P O BOX 539 | <i>WASTE</i> | 19 | 90 | 1.383 | AC | | |
| | HAGERMAN, ID 83332 | | | | | | | |

MICROFILMED
JAN 26 1993

DESC T 7S R 13E SEC 12
NE1/4 SE1/4, N2 SE4 SE4

TOTALS -----
50.490 \$1,998

TAX CODE AREA 7-00
PREVIOUS PARCEL # RP07S13E127200A
COMMENTS TV

**** SUB-SYSTEMS PRESENT ****
** NONE **

MAP #
PHOTO #
DEED #-NEW
SUBDIVISION
PARCEL TYPE LOCATION CODE 3

ZONE
OLD

EXEMPTIONS: ** NONE **
SPECIALS :

PARCEL NO: *R0075 BE 12 7200*
 OWNER NAME: *Stevens, Raleigh W.*
 ADDRESS: *Virginia*

LEGAL: *12-7-13*
NE SE, N2 SE SE

#6

| CLASSIFICATION
CAT LOC CLASS USE | QUANTITY | BASE COST | ADJUSTMENTS: | | | | | | | | | | | ADJ %
TOTAL | \$ ADJ | NET
VALUE
PER
ACRE | VALUE |
|-------------------------------------|---------------|-----------|--------------|-------|--------|---|----------|-------|------|-------|-------|------|--|----------------|-------------|-----------------------------|-------------|
| | | | DITCHES | CANAL | FENCES | P. LINE | DRAINAGE | ROADS | ROCK | BRUSH | SLOPE | MISC | | | | | |
| <i>04</i> | <i>12.750</i> | <i>84</i> | | | | | | | | | | | | | | <i>84</i> | <i>1071</i> |
| <i>2</i> | <i>46.357</i> | <i>20</i> | | | | | | | | | | | | | | <i>20</i> | <i>927</i> |
| <i>19</i> | <i>1.383</i> | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| <i>Total 60.490</i> | | | | | | | | | | | | | | | | | |
| RES OCCUPIED: | OUTBUILDINGS: | | | | | REMARKS <i>11-28-89 PH</i> | | | | | | | | TOTAL | <i>1998</i> | | |
| 1 OWNER | 1 OWNER | | | | | <i>Area is Level w/ slopes - most of parcel is</i>
<i>Dry Grass Grazing. Some areas w/ Brush, Trees,</i>
<i>& Naturally irrigated grass. (cat. 04)</i>
<i>Evidence of use for grazing.</i>
<i>19) 25' x 2410' / 435004 = 1.383 Ac. Rdmaster</i> | | | | | | | | | | | |
| 2 TENANT | 2 TENANT | | | | | | | | | | | | | | | | |
| 3 VACANT | 3 VACANT | | | | | | | | | | | | | | | | |
| 0 NONE | 0 NONE | | | | | | | | | | | | | | | | |
| LAND OPERATED | MILES TO ROAD | | | | | | | | | | | | | | | | |
| 1 OWNER | | | | | | | | | | | | | | | | | |
| 2 TENANT | | | | | | | | | | | | | | | | | |
| UTILITIES | | | | | | | | | | | | | | | | | |
| 1 ELECTRICITY | | | | | | | | | | | | | | | | | |
| 2 GAS | | | | | | | | | | | | | | | | | |
| 3 COMBINATION | | | | | | | | | | | | | | | | | |

MICROFILMED

JAN 26 1993

54

11261993

MICROFILMED

GOODING COUNTY

wy. Dist. _____ City _____ Sec. _____ Twp. _____ Rng. _____
sh. Dist. 253 Cem. Dist. 17
Fire Dist. _____
075 13E 12



VALUATION SUMMARY SHEET

TIME 9:19:25

DATE 5/25/90

| PARCEL | RP07S14E182435A | PROPERTY ADDRESS |
|--------|-----------------|------------------|
|--------|-----------------|------------------|

| | | | | | | | | | |
|----------------|---------|-------------|---------|-----|----|----------|------|-------|-------|
| EFFECTIVE DATE | 4/15/88 | EXPIRE DATE | 0/00/00 | CAT | YR | QUANTITY | UNIT | VALUE | TREND |
|----------------|---------|-------------|---------|-----|----|----------|------|-------|-------|

| | | | | | | |
|------|---|----|----|------|----|-----|
| NAME | STEVENS, RALEIGH W & <i>Other Rural Lands</i> | 18 | 90 | .030 | AC | 116 |
|------|---|----|----|------|----|-----|

| | | | | |
|-------------------|------|----|----|-------|
| STEVENS, VIRGINIA | Pump | 32 | 90 | 3,651 |
|-------------------|------|----|----|-------|

P O BOX 539

HAGERMAN, ID 83332

DESC T 7S R 14E SEC 18

TAX 6 IN NE1/4NW1/4

| | | |
|--------|-------|---------|
| TOTALS | ----- | ----- |
| | .030 | \$3,767 |

TAX CODE AREA 12-00
PREVIOUS PARCEL #
COMMENTS TV

```

**** SUB-SYSTEMS PRESENT ****
** NONE **

```

| | | | |
|-------------|---------------|------|--------|
| MAP # | | | |
| PHOTO # | | ZONE | |
| DEED #-NEW | | JLD | 137969 |
| SUBDIVISION | | | E |
| PARCEL TYPE | LOCATION CODE | | 2 |

EXEMPTIONS: ** NONE **
SPECIALS :

MICROFILMED

JAN 26 1993

✓ #

Parcel No. DP 075146182 Code Area _____Name/Address Steven S. Kaseigh w.4 VirginiaLegal Description 18-7-14Tax 6 in NE NW

Property Address _____

Inspected By PH Date 4/13/90Computed By PH Date 4/24/90Certified Appraiser PH Date 4/24/90

Assessor _____ Date _____

Reinspection _____ Date _____

IDAHO RESIDENTIAL PROPERTY RECORD

Sheet No. _____

MISCELLANEOUS DATA

Class _____
Use Code _____
Market Grade _____
Shape Code _____
Year Built _____
Year Remodeled _____
Effective Age _____
Zoning Code _____
Date Occupied _____

Prebuilt

Building Permit

Interior Inspect.

Under Construct.

Photo No. _____

| YES | NO |
|-----|----|
| | |
| | |
| | |

VALUES SUMMARY

| | YEAR <u>90</u> | YEAR |
|---------------------|----------------|----------|
| Residence | \$ _____ | \$ _____ |
| Garage | \$ _____ | \$ _____ |
| Carport | \$ _____ | \$ _____ |
| Other Improve. | \$ <u>3651</u> | \$ _____ |
| Total Improve. | \$ <u>3651</u> | \$ _____ |
| Land | \$ <u>116</u> | \$ _____ |
| MARKET VALUE | \$ <u>3767</u> | \$ _____ |

PURCHASE INFORMATION

| | | | |
|--------|-------|------|-------|
| Price | _____ | Date | _____ |
| Price | _____ | Date | _____ |
| Asking | _____ | Date | _____ |
| Rent | _____ | Per | _____ |
| Rent | _____ | Date | _____ |

| | |
|---|--|
| Investigation well
all information
Furnished by Owner
for telephone 4/26/90
Depth 120'
Casing: 8"
Pumps: 1) Submersible pump to carry
water up (5 hp)
2) Booster pump to transfer
to adjoining properties
(50 hp)
Well is 50 years old
Submersible pump is 50 yrs old
Booster pump on top is 10 yrs old &
cost \$2,100 to install
along w/ 25 feet of new casing | PS. 106 in. manual
Well casing 8" @ 120' = \$960
Booster Pump (Turbine) 50 hp = \$9500
up to 50' depth
Additional Depth
7 x 300 = \$2100
Submersible 5 hp = \$4500
Additional Depth
7 x 170 = \$1190
4 hp Injection pump = \$4000
Hydrant value
8" = \$170
2 ~ Elec. panels = \$1920
PS. 138 9600.
\$24,340
x 1.15 % Good
\$3651 |
|---|--|

LAND INFORMATION

| | | | | | | | | | | | | | | |
|---------------------------------|---------------|----------------------------|---------------------|-----------------------|----------------|-------------------------|-----------------------------------|----------------------|-------------|----------|---------------|----------|-----------------|---------------|
| 01 NEIGHBORHOOD | | 02 OFF-SITE IMPROVEMENTS | | 03 TOPOGRAPHY | | 04 WATER FRONT PROPERTY | | 05 ON-SITE UTILITIES | | | | | | |
| 01 Urban | 5 Zoned _____ | Street: _____ | 04 Asphalt/Concrete | 01 Low | 01 Lake | 6 Beach: _____ | 01 Electricity | 05 Public Water | | | | | | |
| 02 Suburban | 06 Stable | 01 None | 05 Gravel/Dirt | 02 Level | 02 River/Creek | None P F A G E | 02 Gas | 06 Private Well | | | | | | |
| 03 Rural | 07 Improving | 02 Public Access | 06 Sidewalks | 03 Moderate Slope | 03 Accretion | 7 Grade: _____ | 03 Underground
Elect/Telephone | 07 Public Sewer | | | | | | |
| 04 Recreational | 08 Declining | 03 Private Access | 07 Curb/Gutters | 04 Steep Slope | 04 Bluff Land | P F A G E | 04 Cable TV | 08 Septic System | | | | | | |
| 90 | | 90 | | 90 | 05 Flood Plain | 90 | 90 | | | | | | | |
| 06 SUBJECT DIMENSIONS | | 07 SITE INFORMATION | | 08 REMARKS | | | | | | | | | | |
| Eff. Frontage _____ Depth _____ | | 1 Location F A G | | | | | | | | | | | | |
| Other _____ | | 2 Amenities F A G | | | | | | | | | | | | |
| | | 3 Landscaping F A G | | | | | | | | | | | | |
| | | 4 Detriments Few Many None | | | | | | | | | | | | |
| 09 COMPOSITE ADJUSTMENT | | | | 10 SITE ADJUSTMENTS | | | | | | | | | | |
| CAT | LOC | CLASS | TYPE | UNIT | QTY | COST | BASE
VALUE | 01 Location | 10 Access | 20 View | 30 Topography | 40 Width | TOTAL
FACTOR | EXT.
VALUE |
| | | | | | | | | 50 Depth | 60 Plottage | 70 Beach | 80 Corner | 90 | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| APPRaiser: _____ | | | | APPRAISAL DATE: _____ | | | | | | | | | | |

LAND VALUE \$ #8

| GARAGE | | FOUND-
ATION | FLOOR | ROOF | EXTERIOR WALL
COVERING | | MISC. | DIMEN-
SIONS | AREA | RATE | BASE COST | REMARKS | | | | | | |
|---------------------|-------------|-------------------------|--------------|-------------|-----------------------------------|--|--------------|-------------------------|-------------|-------------|------------------|-----------------------|---------------|-------------------------------|--------------------|-------------------|-------------------|----|
| CLASS _____ | | | | | | | | | | \$ | \$ | | | | | | | |
| ATT DET BSMT | | | | | | | | X | | \$ | \$ | | | | | | | |
| [1] | UNFINISHED | | | | | | | | | \$ | \$ | | | | | | | |
| [2] | MIN. FINISH | | | | | | | | | \$ | \$ | | | | | | | |
| [3] | FINISHED | | | | | | | | | \$ | \$ | | | | | | | |
| YEAR BUILT _____ | | | | | | | | | | \$ | \$ | | | | | | | |
| | | | | | | | | | | \$ | \$ | QUALITY FACTOR | L.C.M. | REPLACEMENT COST - NEW | MARKET ADJ. | % COMPLETE | MARKET VAL | |
| | | | | | | | | | | | \$ | \$ | | | \$ | | | \$ |
| GARAGE TOTAL | | | | | | | | | | | \$ | | | | | | | \$ |

| CARPORT | | FOUND-
ATION | FLOOR | ROOF | MISC. | DIMEN-
SIONS | AREA | RATE | BASE COST | REMARKS | | | | | |
|-----------------------------|--|---|-------|------|-------|-----------------|------|------|-----------|----------------|--------|------------------------|-------------|------------|-------------|
| CLASS _____ | | | | | | | | | | | | | | | |
| 1 2 3
ATT DET BSMT | | | | | | X | | \$ | \$ | | | | | | |
| [1] BUILT INTO UNFINISHED | | \$ | \$ | \$ | \$ | | | | \$ | | | | | | |
| [2] FLAT ROOF | | | | | | | | | \$ | | | | | | |
| [3] HIP/GABLE ROOF | | | | | | | | | \$ | | | | | | |
| YEAR BUILT _____ | | | | | | | | | \$ | | | | | | |
| | | EXTERIOR WALL: ☐ Curtain ☐ Screen | | | | X | | \$ | \$ | | | | | | |
| | | STORAGE ROOM | | | | L.F. | | \$ | \$ | | | | | | |
| | | STORAGE CABINET | | | | L.F. | | \$ | \$ | QUALITY FACTOR | L.C.M. | REPLACEMENT COST - NEW | MARKET ADJ. | % COMPLETE | MARKET VAL. |
| | | | | | | | | \$ | \$ | | | \$ | | | \$ |

CARPORT TOTAL

| | USE CODE/
DESCRIPTION | FOUND.
FOUN. | FLOOR | ROOF | WALLS | MISC. | DIMENSIONS | AREA | RATE | BASE COST | QUALITY
FACTOR | L.C.M. | REPLACEMENT
COST - NEW | MARKET
ADJ. | MARKET VAL. |
|----|--------------------------|-----------------|-------|------|-------|-------|------------|------|------|-----------|-------------------|--------|---------------------------|----------------|-------------|
| 8 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| 9 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| 10 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| 11 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |

A black and white photograph showing a construction site at night or dusk. A tall crane stands prominently against a dark sky. The ground is uneven and covered with debris, possibly from demolition work.

MICROFILMED

REMARKS

OTHER IMPROVEMENTS TOTAL

MICROFILMED

IAN 2 C 4000

 π

Highway Dist. 3
School Dist. 233
Fire Dist. H

19

Sec. 18 Twp. 7 Rng 14

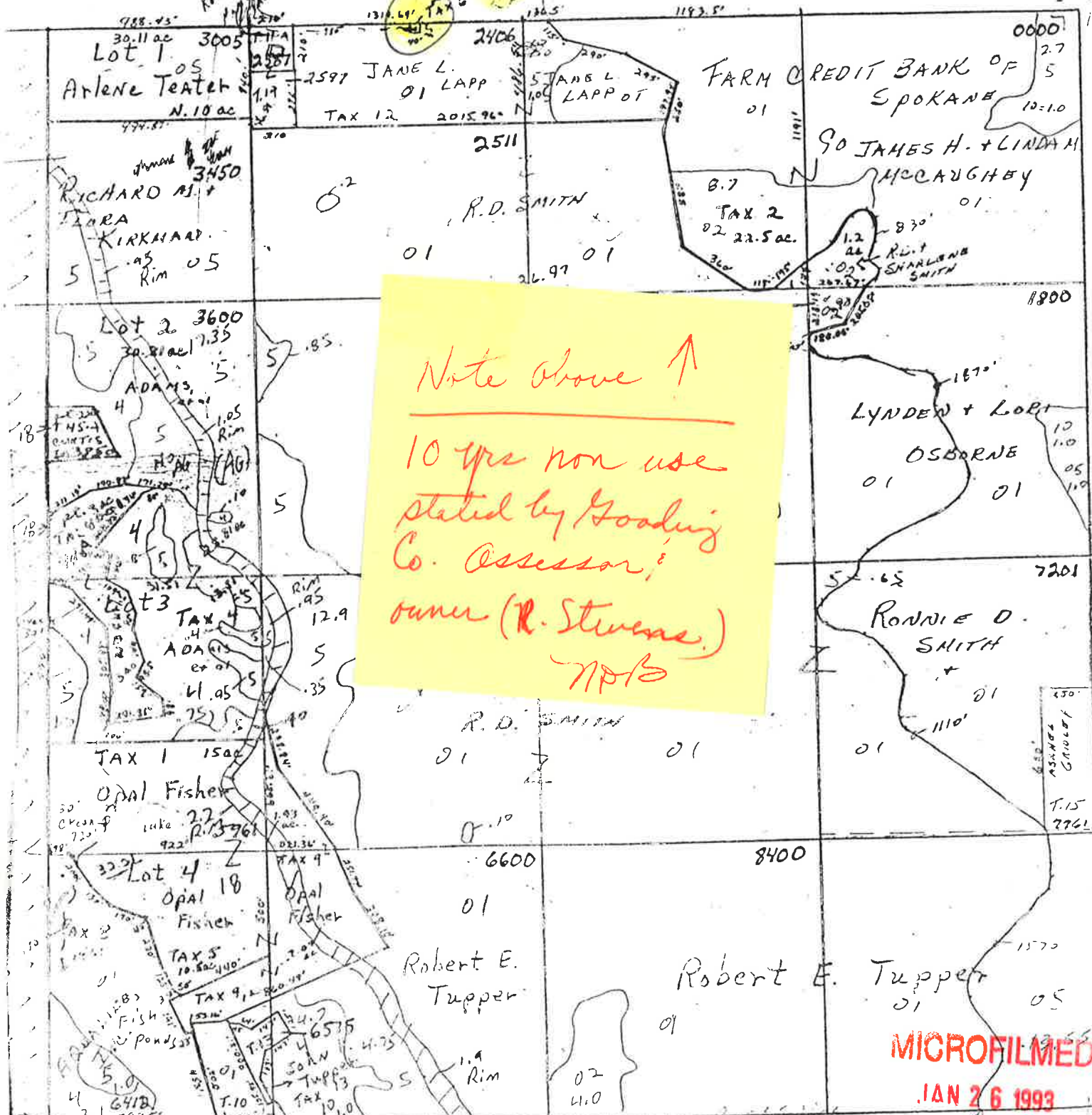
Fire Dist: W
except w/w² = H Fire Dist

(Not used for 10 yrs
For actual
irrigation)

201
canal
one
well / 2 pumps
9-1077.5

07S 14E 18

604.1



Gooding County Exhibit

#10 of 10 pages

A36-02160A

NDB
11/30/90

Stevens

Pictures of lands claimed to be irrigated and P.O.D. pump motor

#2 looking SE from West side property

#3 " " " " " "

#4 looking SW from East side w/ Realty sign

and dry lands
#5 Motor & Elect Works (disconnected) w/ P.O.D.

It is clear that these lands have not been irrigated in years, if ever by pump other than flood irrigation.

* The Elect supply is not connected to the motor. see photo #5

IPC Meter No meter in box (see picture) #5

Property does sub. some water and the ~~wet area~~ supports a growth of ~~Chinese Elm~~ ^{Quercus alba} trees visible on Napp and Ortho photos quad as well as exposures #2, 3, & 4. Ground subs from irrigated & cultivated lands on N and East sides

Listed for sale w/ Dasher Realty

734-2922 (over)

MICROFILMED 1 of 3

MICROFILMED
JAN 26 1993

Exposure
#1 wasted

Looking SE
from road

Stevens Continued.

This land has been irrigated
to some extent approx 20-30 years ago
as ditches are visible - and old
old Redwood pipe approx 12" diameter x 12'
has been used long ago, and still
lays by the old old ditch and NS road
on the East side of property.

Exposure 6 and 7 show old pipe
at P.O.D. and the Power pole and
Pump works not ^{being} connected to Power.

There is no meter in the meter box
Power Pole # 120 in Exp. #7 or 8?
(belong picture at this subject.)

This
or else
may be
wrong

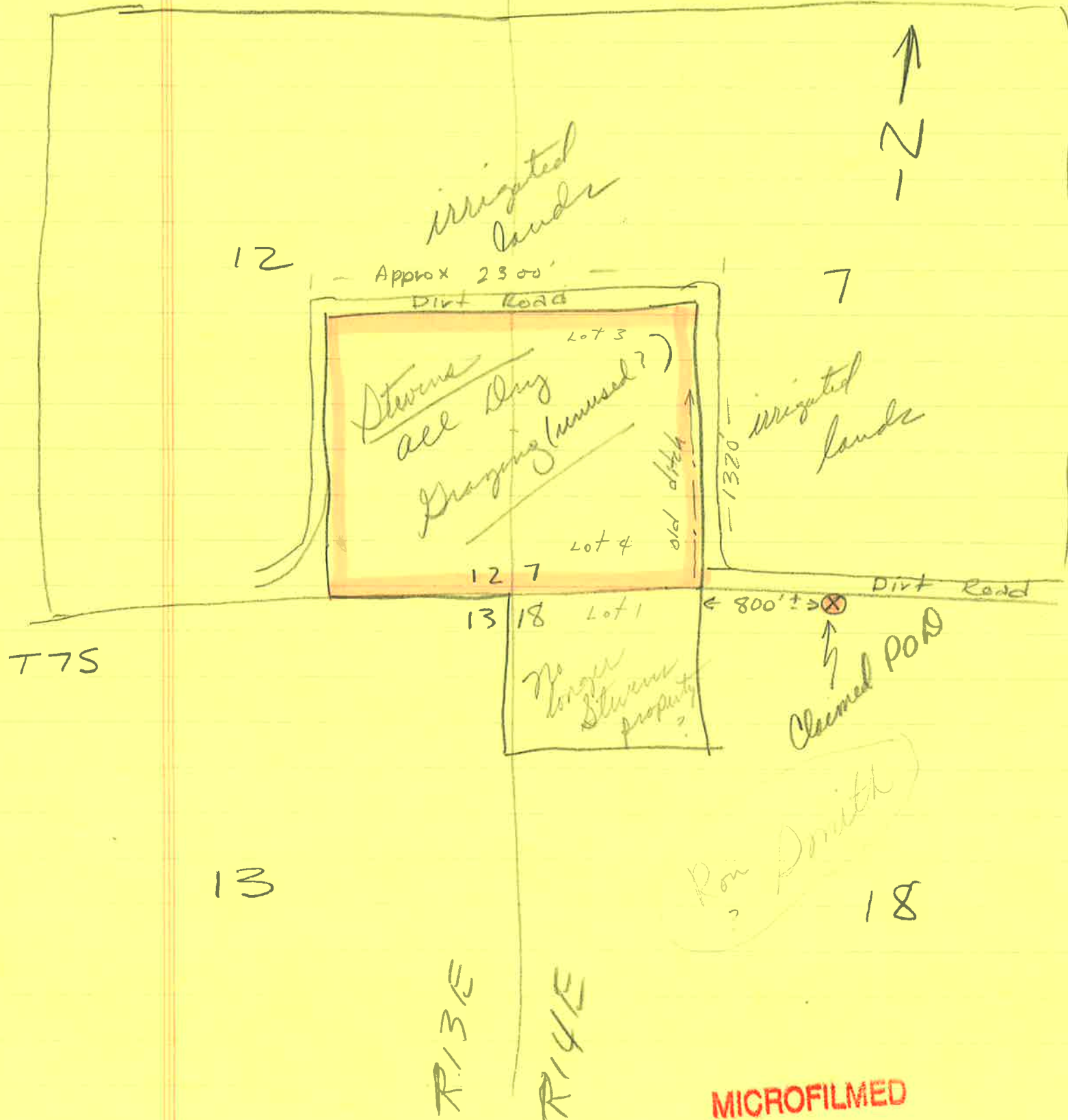
MICROFILMED

JAN 5 8 1983

MICROFILMED

02160A

Stevens



MICROFILMED

JAN 26 1993

47000
383

W. W. Dayle Pugmire Co. Assessor

12-4-90

Raleigh Street Investigation

Driller, Ralph Miller & Violet
of Hagerman - Mr Miller Deceased?

For
Info

August Lapp - See Mrs. Lapp
15th house East of pump. for
details - Mr. Lapp deceased now?

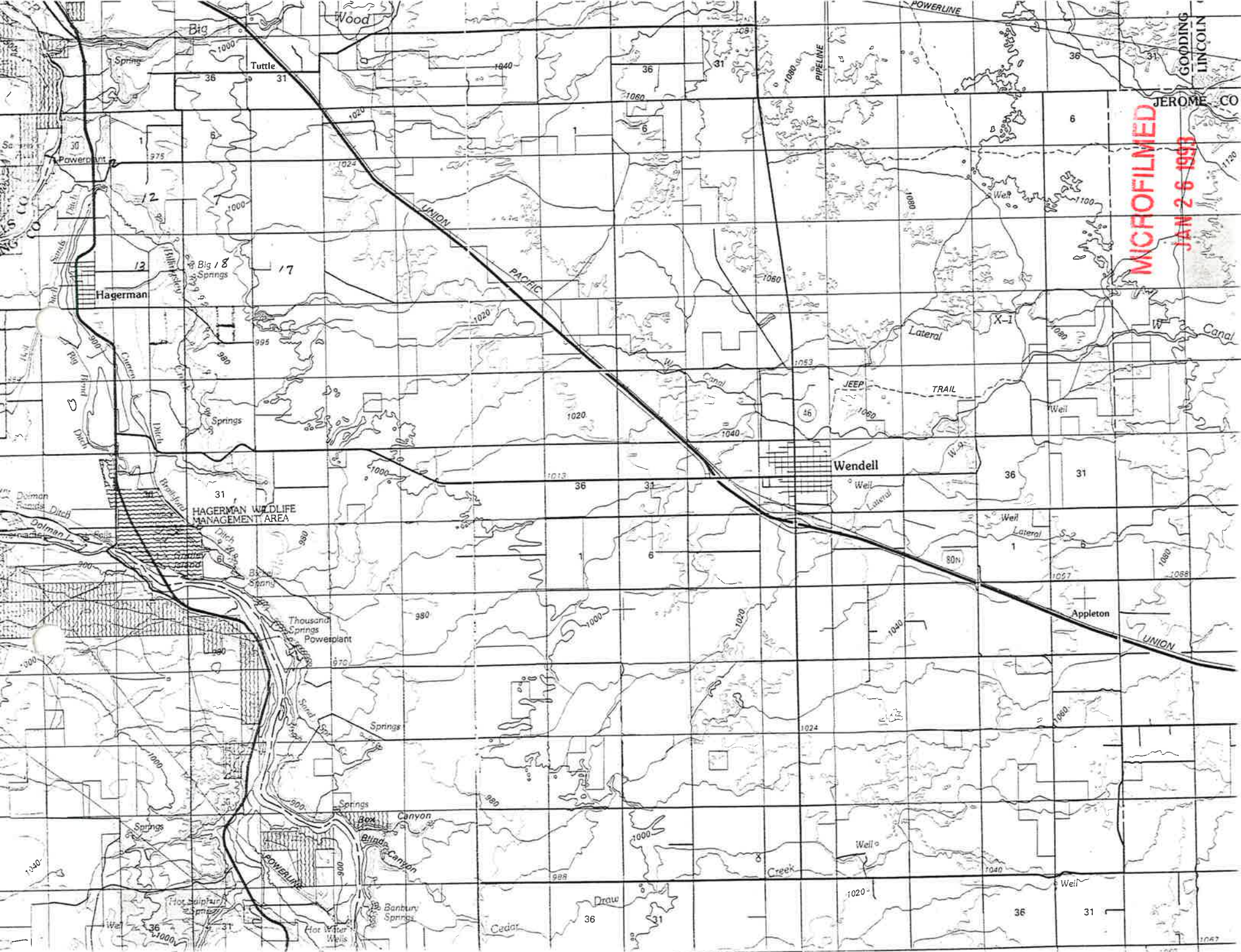
N. D. B.

~~713127200~~

MICROFILMED

JAN 26 1993





MICROFILMED
JAN 26 1993

T75 R14E

STEVENS

P.D.
#02160A

