

IN THE MATTER OF
NOTICE OF CLAIM TO
A WATER RIGHT NO.
67-10978.
State of Idaho
County of Washington.

AFFIDAVIT

Gerald L. Hagans being first duly sworn, deposes and says: I was born July 24, 1933 and do hereby verify that as a young man did indeed help my Father, Ernest A. Hagans, dig the well in question. The well digger, Mr DeBord, had an old car that had been rigged with a boom attached so that the reverse gear lifted the bucket, with a trip bottom and a the forward gear lowered the bucket into the well. I operated the bucket for my Father and Mr. Debord while they were down inside the well digging and filling the bucket. The well was put to use on June 01, 1941. My Father, since deceased, used this water for domestic purposes for his home situate at 1441 Mann Creek Road Weiser, Idaho. He also irrigated the surrounding four acres. He had an orchard beside and behind the well. Also, within this four acres lies the lawn for the house. This water is still being used to supply said house, yard and irrigation of the aforementioned land.

The mailing address of the corporation has changed to 1388 Mann Creek Road, Weiser, Idaho, 83672.

n.o need to change
address 10/06/05.
MVB.

Gerald L. Hagans
(Signature)

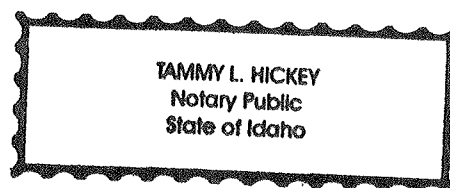
Subscribed and sworn to before me this

Day 9th of September, 2005.

Tammy L. Hickey
(Notary Public)

Residing at Weiser, ID 83672.

My Commission Expires 8/5/2010



SCANNED

SEP 13 2005

IN THE MATTER OF
NOTICE OF CLAIM TO
A WATER RIGHT NO
67-10978.

State of Idaho,
County of Washington.

AFFIDAVIT

Robert L. Stout being first duly sworn, deposes and says: I Robert L. Stout being born August 29, 1919, do hereby verify that I have personal knowledge of the digging and use of the well in question. It indeed was in operation on June 01, 1941. Ernest L. Hagans did use said water to irrigate his cherry orchard and the lawn surrounding his home plus for household use. It is still being used for irrigation and household use.

I was born and have lived in the area called Mann Creek for all of my life.

Robert L Stout
(Signature)

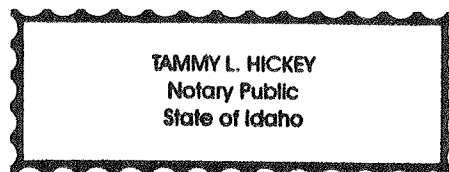
Subscribed and sworn to before me this

Day 9th of September, 2005.

Tammy L Hickey
(Notary Public)

Residing at Weiser, Idaho.

My Commission Expires 8/5/2010.



SCANNED

SEP 13 2005

RECEIVED

SEP 13 2005

Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A67-10978

Date Received: 10/18/1989

Receipt No: W006387

Received By: DWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAGANS FARMS, INC. 208-549-2150
Address: 1819 JACKSON RD.
WEISER, ID 83672

2. Date of Priority: JUN 01, 1941

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	04W	19	NE	NW	SW		WASHINGTON

5. Description of diverting works:
DUG WELL, PUMP TO GRAVITY FLOW SYSTEM AND TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 1 HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04W	19	NW	SW		IRR	4.0
			NW	SW		DOMEST	

Section Acres 4.0.

10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
MANN CREEK WATER.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Gerald L. Hagan Date: 10-18-89

Date: _____

State of Idaho)
County of Ada) ES.

Subscribed and sworn (or affirmed) before me this 18th day
of Oct 19 89

David P. Tuttle
Notary Public

Seal

Residing at Boise Id
My Commission Expires 9/15/94



Idaho Department of Water Resources

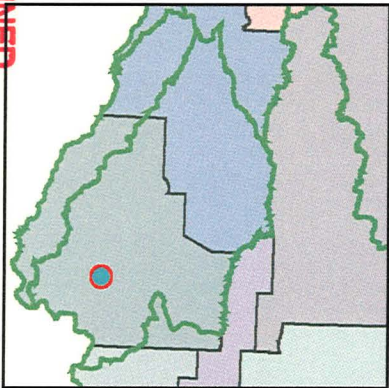
T12N R04W

Adjudication Claim Number:

67-10978

Legend

- PLS Sections
- GCDBQuarter Quarters



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Thursday, September 1, 2005
1987 Aerial Photography

SFP 1 3 2005

SCANNED

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: **A67-10978**
Date Received: 10/18/1989
Receipt No: W006387
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: HAGANS FARMS INC
Address: 1388 MANN CREEK RD
WEISER ID

208-549-2150

83672

2. Date of Priority: JUN 1, 1941

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	04W	19	NE	NW	SW		WASHINGTON

5. Description of diverting works:

DUG WELL, PUMP TO GRAVITY FLOW SYSTEM AND TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.160 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC FOR 1 HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12N	04W	19	NW	SW		IRR	4.0
			NW	SW		DOMEST	

SCANNED
APR 09 2004

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

11. Place of use in counties: WASHINGTON

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

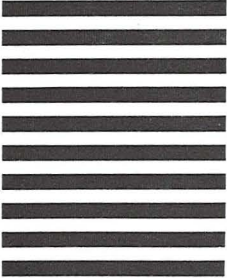
13. Other Water Rights Used:
MANN CREEK WATER.

14. Remarks:
ADDRESS CHANGED PER CLAIMANT LETTER. 6/7/99 DB

15. Basis of Claim: BENEFICIAL USE



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 1148 BOISE ID

POSTAGE WILL BE PAID BY ADDRESSEE

SRBA

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE ID 83707-9815

Attn: C. Saxton



Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED
JUN 07 1999
WATER RESOURCES
WESTERN REGION

[] Water Right Number(s): 67-10981
And- 67-10980
Al67-00520 67-10979
Al67-10978

[] Old Mailing Address: HAGANS FARMS INC
1819 JACKSON RD
WEISER, ID 83672

[] New Mailing Address: HAGANS FARMS INC
1388 MAIN CREEK RD
WEISER, ID 83672

Telephone Number: (208) 549-2150

[] Signature of Claimant: Shirley L. Hagans

Date: 6-1-99

PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST
REGION OFFICE:

IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082
(208) 334-2190

IDWR SOUTHERN REGION
222 SHOSHONE ST EAST
TWIN FALLS ID 83301-6602
(208) 736-3033

IDWR EASTERN REGION
900 N SKYLINE
IDAHO FALLS ID 83402-3653
(208) 525-7161

IDWR NORTHERN REGION
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814-2615
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY _____

DATE _____

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: A67-10978
Date Received: 10/18/1989
Receipt No: 006387
Received By: Dm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAGANS FARMS, INC. 208-549-2150
Address: 1819 JACKSON RD.
WEISER, ID 83672

2. Date of Priority: JUN 01, 1941

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	04W	19	NE	NW	SW		WASHINGTON

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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 1 HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04W	19	NW	SW		IRR	4.0
			NW	SW		DOMEST	

Section Acres 4.0

10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

MANN CREEK WATER.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Gerald L. Hagan Date: 10-18-89

Date: _____

State of Idaho)
County of Ada) SS.
_____)

Subscribed and sworn (or affirmed) before me this 18th day

of Oct 19 89

D. R. Tuttle
Notary Public

Seal

Residing at Bosch Id

My Commission Expires 9/15/94

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 10, 1999

RE: Water Right No. 67-10979, 67-10980 & 67-10981

HAGANS FARMS INC
1388 MANN CREEK RD
WEISER ID 83672

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note, the address has also been changed on claim numbers A67-00520 and A67-10978, and copies are enclosed.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10978 V1

WATER RIGHT NUMBER: 67-10978 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAGANS FARMS INC 1388 MANN CREEK RD WEISER, ID 83672 (208)549-2150

Priority Date: 06/01/1941

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
IRRIGATION	03/01 to 11/15	0.090 CFS	13.50 AF
	<u>Total Diversion:</u>	0.130 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SW1/4	Sec. 19, Twp 12N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04W	19											X						

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04W	19																	3.0

Total Acres: 3

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10978 V1

2. E62 This right when combined with Right No. 67-520 shall provide no more than .02 cfs per acre.
3. E55 Right Nos. 67-520 and 67-10978 are limited to the irrigation of a combined total of 30.5 acres in a single irrigation season.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		30.5
Combined Water Rights: 67-520 , 67-10978		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	3/21/2006 1:56:53 PM	dnarsavage			Active
POD	3/21/2006 1:58:00 PM	dnarsavage			Active
Source	3/21/2006 2:10:15 PM	dnarsavage			Active
POU	3/21/2006 2:24:46 PM	dnarsavage			Active
Use	3/21/2006 2:30:07 PM	dnarsavage			Active
Season	3/21/2006 2:32:50 PM	dnarsavage			Active
Quantity	3/21/2006 2:43:17 PM	dnarsavage			Active
Summary			03/21/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/21/2006 1:58:17 PM	dnarsavage	Updated shape
POU	3/21/2006 2:26:05 PM	dnarsavage	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10978 V1

Source	3/21/2006 2:10:16 PM	dnarsavage	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Affidavits from Gerald Hagans and Bob Stout
POU	3/21/2006 2:24:46 PM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Map & affidavit provided by claimant
POU	3/21/2006 2:26:30 PM	dnarsavage	Updated shape for Active POU
POU	3/21/2006 2:42:48 PM	dnarsavage	Updated MaxDiversionVolume in wrUseLimit.
General	3/21/2006 1:56:53 PM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Gerald Hagans, who helped dig the well and lived on the property. Also affidavit from Bob Stout, who lived in the area most of his life.
POD	3/21/2006 1:58:01 PM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10978 V1

Use	3/21/2006 2:30:07 PM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Affidavits supplied by Gerald Hagans and Bob Stout
Season	3/21/2006 2:32:50 PM	dnarsavage	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	3/21/2006 2:33:20 PM	dnarsavage	Edited Season Of Use
POU	3/21/2006 2:45:16 PM	dnarsavage	Updated MaxDiversionVolume in wrUseLimit.
Quantity	3/21/2006 2:43:17 PM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Dave Tuthill, any claims < 0.2 CFS need not a flow measurement. Description for Question 10 - I asked ArcView and it did everything for me
Summary	3/21/2006 2:47:58 PM	dnarsavage	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-10978 V1

Water Supply Bank:



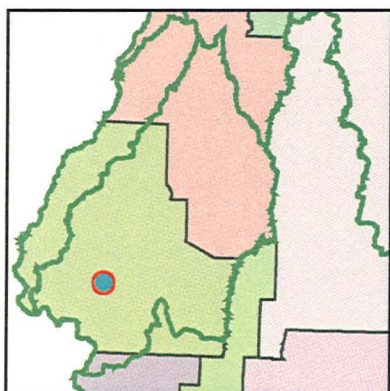
Idaho Department of Water Resources

Adjudication Claim:

67-10978

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by D. Narsavage
On Tuesday, March 21, 2006
1987/88 Aerial Photography