

2001 MAY 18 AM 7:55

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING
TWIN FALLS, IDAHO
FILED

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

In Re SRBA	)	SUBCASE NO. 36-07883, 36-07883A,
	)	36-07883B
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

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

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

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

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

Dated: _____

5/14/01



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/18, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Idaho Ag Inc
PO Box 123
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Orlo H Maughan Family Revocable Trust
453 W 900 N
Rupert ID 83350
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

4/13/01

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

RIGHT NUMBER: 36-07883

SPLIT RIGHT: SEE RIGHT NOS. 36-07883A AND 36-07883B.

04/13/2001

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

RIGHT NUMBER: 36-7883A

NAME AND ADDRESS: IDAHO AG INC
PO BOX 123
RUPERT, ID 83350

SOURCE: GROUND WATER

QUANTITY: 8 CFS
1544 AFY

USE OF RIGHT NOS. 36-02398, 36-02403 AND 36-07883A IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 8.0 CFS.

PRIORITY DATE: 01/15/1980

POINT OF DIVERSION: T07S R22E S13 SENE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	8.00 CFS
		1,544.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within LINCOLN County

T07S R22E S12	SWSW	4	T07S R22E S12	SESW	3
T07S R22E S12	SWSE	29	T07S R22E S13	NWNE	15
T07S R22E S13	SWNE	25	T07S R22E S13	SENE	32
T07S R22E S13	NENW	2	T07S R22E S13	NWNW	40
T07S R22E S13	SWNW	29	T07S R22E S13	SENW	25
T07S R22E S13	NESE	21	T07S R22E S13	NWSE	4
T07S R22E S13	SWSE	8	T07S R22E S13	SESE	33
T07S R23E S7	SESE	1	T07S R23E S18	LOT 2	SWNE
T07S R23E S18	LOT 3	NWSE	36	T07S R23E S18	LOT 4
					SWSE
					41

386 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED
BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL
UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NOS. 36-02398 AND 36-02403 ARE ALSO DIVERTED THROUGH POINT
OF DIVERSION DESCRIBED ABOVE.

04/13/2001

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

RIGHT NUMBER: 36-7883B

NAME AND ADDRESS: ORLO H MAUGHAN FAMILY REVOCABLE TRUST
453 W 900 N
RUPERT, ID 83350

SOURCE: GROUND WATER

QUANTITY: 1.49 CFS
448 AFY

PRIORITY DATE: 01/15/1980

POINT OF DIVERSION: T07S R22E S12 SESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	1.49 CFS 448.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

<u>IRRIGATION Within LINCOLN County</u>			
T07S R23E S7	LOT 4	SWSE	37
T07S R23E S18	LOT 1	NWNE	41
			T07S R23E S18 NENE 34

112 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO 36-07669 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

APR 06 1999

Department of Water Resources
Southern Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right Number(s) 36-07669 and 36-07883B
 Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Idaho Ag, Inc.
P.O. Box 123
Rupert, Idaho 83350
4. New Owner/Claimant(s) Orlo H. Maughan Family Revocable Trust
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
 New Mailing Address 453 West 900 North
 City, State and ZIP Code Rupert, Idaho 83350
 New Telephone Number () -
5. Date you acquired the property March 25, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
ORLO H. MAUGHAN FAMILY REVOCABLE TRUST
7. Signature of New Owner/Claimant(s) By: Orlo H. Maughan Date 3/26/99
Orlo H. Maughan, Trustee Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

EC-908-B

RECEIVED

APR 06 1999

Department of Water Resources
Southern Region

For Value Received

IDAHO AG, INC., an Idaho corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ORLO H. MAUGHAN FAMILY REVOCABLE TRUST

Address: 453 West 900 North
Rupert, Idaho 83350

Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho, to-wit:

**TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 7: Lot 4

Section 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Nos. 36-07669, 2.36 CFS and 36-07883B, 1.49 CFS.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1999 and subsequent years.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 22, 1999

IDAHO AG, INC.

By: [Signature]
Randy Bauscher, President

ATTEST

[Signature]
Tom Haynes, Secretary

STATE OF IDAHO)
) ss.
COUNTY OF)

On this 24th day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **RANDY BAUSCHER** and **TOM HAYNES**, known or identified to me to be the President and Secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Larry Roberts
Notary Public
State of Idaho

[Signature]
Notary Public
Residing at: Burley
My Commission expires: 6-30-03

For Value Received

IDAHO AG, INC., an Idaho corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ORLO H. MAUGHAN FAMILY REVOCABLE TRUST

Address: 453 West 900 North
Rupert, Idaho 83350

Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho, to-wit:

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 18: Lot 1

Grantor retains all appurtenant water rights.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1999 and subsequent years.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 22, 1999

IDAHO AG, INC.

By: [Signature]
Randy Bauscher, President

ATTEST

[Signature]
Tom Haynes, Secretary

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 26th day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared RANDY BAUSCHER and TOM HAYNES, known or identified to me to be the President and Secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Larry Roberts
Notary Public
State of Idaho

[Signature]
Notary Public

Residing at: [Signature]

My Commission expires: 6-30-03



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 18, 2001

ORLO H MAUGHAN FAMILY REVOCABLE TRUST
453 W 900 N
RUPERT ID 83350

RE: SRBA Claim(s) 36-7883 PART

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Idaho Ag Inc