

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 37-11859
Date Received: 10/20/1988
Receipt No: S003111
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN P TAGLIO Phone: (208) 622-8445
PO BOX 6188
SUN VALLEY ID 83353

101 Willow Dr

CAROL L TAGLIO Phone: (208) 622-8445
PO BOX 6188
SUN VALLEY ID 83353

2. Date of Priority: 09/08/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	29	NW NE	BLAINE	

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	11/01	0.02	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	29	NW	NE	IRRIGATION DOMESTIC	1
					Section Acres	1
					Total Acres	1

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

LT 1, BLK 2, ZINC SPUR RANCH, UNIT 1. CLAIMANT IN PROCESS OF FILING APP ON 1 ACRE OF IRRIG.

15. Basis of Claim: Beneficial Use



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

May 25, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN TAGLIO
CAROL TAGLIO
PO BOX 6188
SUN VALLEY ID 83353

Re: SRBA Claim(s) 37-11859

Dear Mr. and Mrs. Taglio:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED

MAY 20 2005

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	37-11859				

2. The following **REQUIRED** information must be submitted with this form:

~~X~~ The appropriate **FILING FEE**. See instructions for fee amounts.

- * B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

~~X~~ Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Wendell & Connie Harden
6293 Gitana Ave, Camarillo CA 93010

- * 4. New Owner/Claimant(s)

John P. Taglio and Carol L. Taglio, husband & wife.
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 6188

City, State and ZIP Code

Sun Valley, Idaho 83354-6188

New Telephone Number

(208) 622-8445

5. Date you acquired the property

Deed recorded October 31, 1997

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

* 7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *John P. Taglio*
Carol L. Taglio

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEEDDeed
BLAINE CO. REQUEST
OF: **SUN VALLEY TITLE**

FOR VALUE RECEIVED

Wendell J. Harden and Connie J. Harden, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

JOHN P. TAGLIO and CAROL L. TAGLIO, husband and wife

the grantees, whose current address is

2276 Newcastle Gap Drive PO Box 6188
Gold River, CA 95670 Sun Valley ID 83358

'97 OCT 31 AM 9 14

MARY GREEN, CLERK

FEES \$3⁰⁰the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:**Lot 1, Block 2, of ZINC SPUR RANCH UNIT ONE, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho.****SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

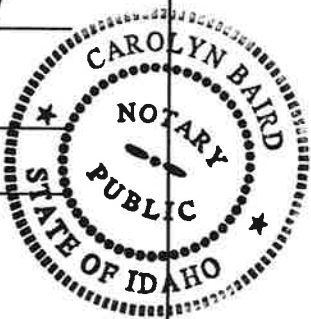
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 7, 1997

Wendell J. Harden
Wendell J. HardenConnie J. Harden
Connie J. Harden

State of Idaho

County of Blaine

On this 6th day of October, 1997, before me a Notary Public in and for said State, personally appeared
Wendell J. Harden and Connie J. Harden
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.Carolyn Baird
Notary PublicResiding at: HaileyComm. expires: 3-14-2003

5-19-05

RECEIVED

MAY 20 2005

Department of Water Resources
Southern Region

Mr Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

RE: Snake River Basin Adjudication Claim 37-11859
For 101 Willow Road, Blaine County, ID. 83354-6188

Dear Mr Jones

Thank you for diligently following through
on the proper ownership transition of the water
rights on this property from the former
owners. (ie Wendell J. & Connie J. Harden)

Per our telephone conversation of 5-18-05,
I have enclosed a copy of the Warranty Deed dated
October 7, 1997. Further, the Ownership Change
form is enclosed per your directions. Note,
the recording was actually October 31, 1997.

Thank you for setting the record straight
for us.

Sincerely,
John P. Taglio

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: A37-11859
Date Received: 10/20/1988
Receipt No: S003111
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WENDELL J. HARDEN 805-987-5113
Address: 6293 GITANA AVE
CAMARILLO, CA 93010

AND/OR

Name: CONNIE J. HARDEN 805-987-5113
Address: 6293 GITANA AVE
CAMARILLO, CA 93010

2. Date of Priority: SEP 08, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	29	NW	NE			BLAINE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & LAWN

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	18E	29	NW	NE	DOMEST IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
LT 1, BLK 2, ZINC SPUR RANCH, UNIT 1. CLAIMANT IN PROCESS OF
FILING APP ON 1 ACRE OF IRRIG.

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Wendell J. Harden Date: 10/20/88

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Oct 19 88,

Notary Public

Seal

Residing at TF
My Commission Expires 5/95

ZINC SPUR RANCH-UNIT ONE

LOCATED IN THE S.W. 1/4 SECTION 20 AND NW 1/4 SECTION 29 T3N, R18E, B.M.
ELAINE COUNTY, IDAHO

SAWTOOTH TITLE CO., INC.

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

owner and developer

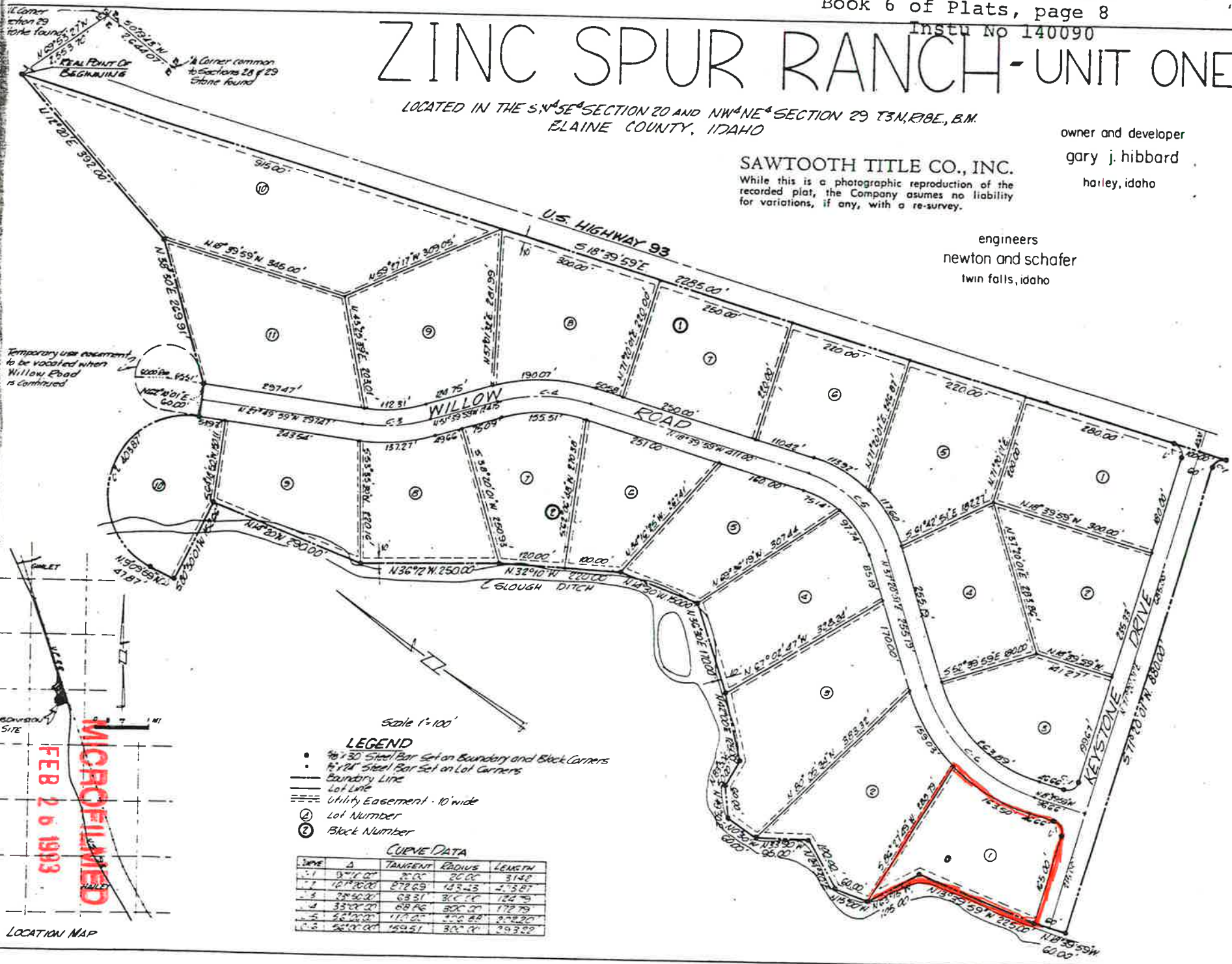
gary j. hibbard

hailey, idaho

engineers

newton and schaefer

twin falls, idaho



ORIGINAL

P.D. 2001, ss

37-11859

done

November 2, 2007

RECEIVED

NOV 15 2007

DEPARTMENT OF
WATER RESOURCES

RE: Our response to Director David
R. Tutthill, Jr., PE. letter of March 6, 2007

RECEIVED

NOV 28 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Mr Tutthill:

1. We agree with the Idaho Department of Water Resources recommendations for our water right(s) in Basin 37 Part 3, covering water right claims largely in the Big Wood River drainage that have been reported to the SRBA Court.

2. We also agree with the Idaho Department of Water Resources recommended water Rights acquired under State Law per the 2-20-2007 statement,

Further, we agree with the Idaho Department of Water Resources recommended water rights acquired under State Law per the statement A55874NP dated

Jun-23-1999 per page: A311; Right

Number 34-00297A. Thank you for help & leadership.

SCANNED

NOV 21 2007

John P. Taglio
John P. Taglio

Sincerely,
Carol L. Taglio
Carol L. Taglio

101 Willow Rd
Blaine County, Idaho
PH: 2087880900

Carol Taglio
6188
Alley, ID 83354-6188



POSTAGE WILL BE PAID BY ADDRESSEE

SRBA

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



34-297A

11/21/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006.

Water right number: 37-11859

JOHN P TAGLIO
PO BOX 6188
SUN VALLEY ID 83353 *208-788-0900*
Telephone Number: (208) 622-8445

CAROL L TAGLIO
PO BOX 6188
SUN VALLEY ID 83353 *208-788-0900*
Telephone Number: (208) 622-8445

- Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *We disagree with the stated period of use being 01/01-12/31. Since we are out of town most of the winter months - mostly on business, so there is no irrigation from 10-15 to 4-15th, Domestic (in house) use is limited to children watching over our property.*
- Describe the changes you wish to make in the proposed recommendation: *We only irrigate from 4-15th (depends on weather) to 10-15. Specifically: 1) alternate days - usually every other day; 2) plus our vehicle - turn off pump also on rainy days.*
- Give a brief explanation as to why you disagree with these portions: *Based on the above we do not exceed 18000 gallons per day even on the days when the sprinklers are on & we are using the most water. Please give me the response to the above circumstances.*

☒ I AGREE with this proposed recommendation: *subject to a understanding & agreement of the above conditions*
no changes need to be made.

DATE: *1-3-07*

SIGNATURE:

Please print your name:

John P. Taglio Carol L. Taglio

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

COANNED

JAN 08 2007

09/14/2005

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

RIGHT NUMBER: 37-11859

NAME AND ADDRESS: JOHN P TAGLIO
PO BOX 6188
SUN VALLEY ID 83353

CAROL L TAGLIO
PO BOX 6188
SUN VALLEY ID 83353

VERIFIED BY ..KKC.....

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/08/1971

POINT OF DIVERSION:

T03N R18E S29 SWNWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BLAINE County

T03N R18E S29	NWNE	T03N R18E S29	SWNE
---------------	------	---------------	------

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

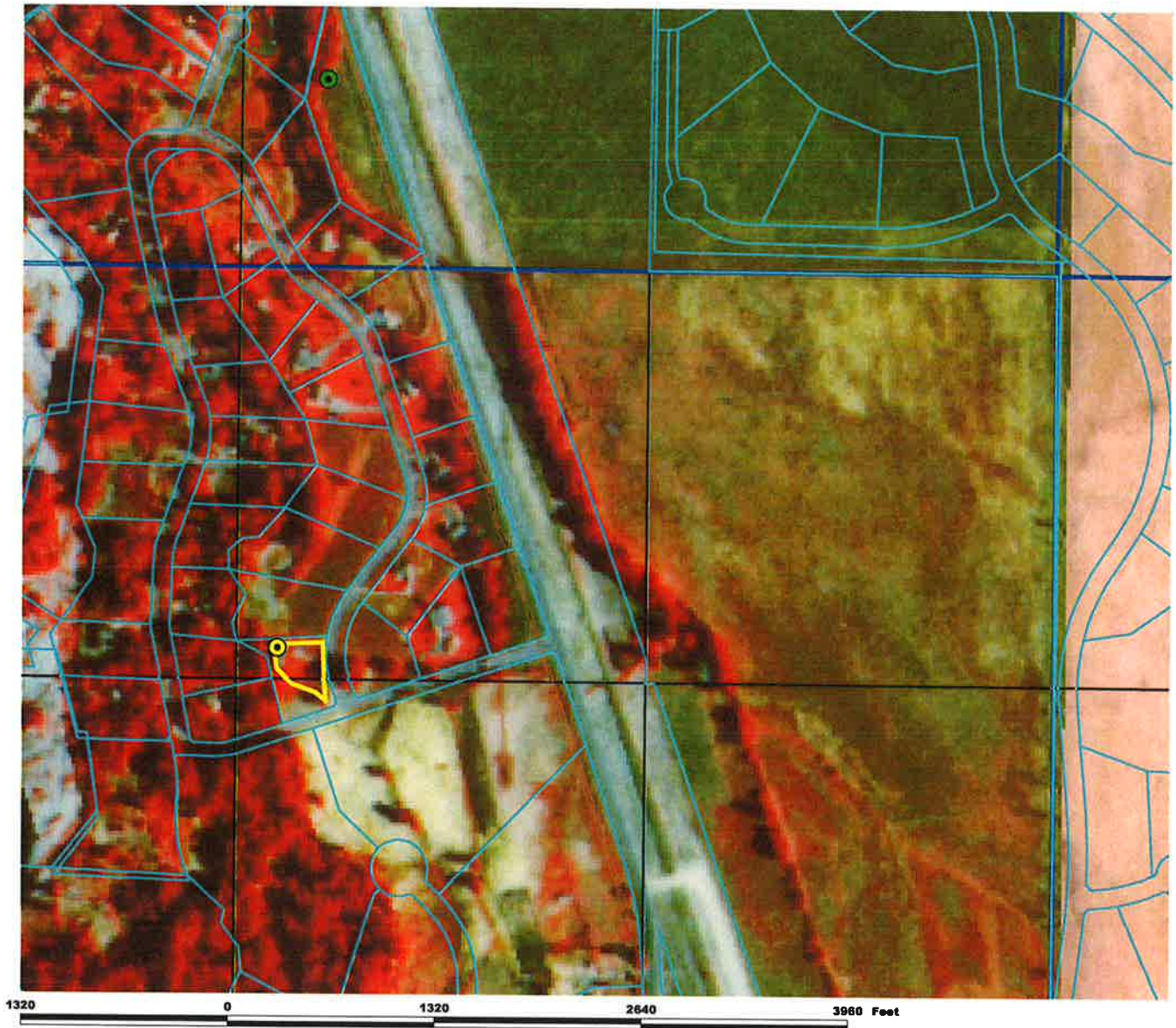
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR
37-11859



PLACE OF USE
TWP 3N, RNG 18E, SEC 29
Data entry on Sept 14, 2005

- RECOMMENDED POINT OF DIVERSION**
- RECOMMENDED PLACE OF USE**
- TOWNSHIP LINES**
- SECTION LINES**
- QUARTER/QUARTER LINES**

LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



File No.
37-11859

Owner
John P. Taglio
P.O.Box 6188
101 Willow Rd
Sun Valley

Date
6/7/05

On Monday evening I contact John and mad appt. to see him today and review his file . I showed John the color photo of his property and ask him to mark on the photo approx. where his property line is so he took my pen and drew where his line is which is real close to marked area on photo which lies within two quarters. John showed me where the well is located and by seeing his home it does not appear to me that he is violating the domestic right for his well. See GPS

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Photo look N	John 1	2472881	1374143	A0016191	1060603

Lee R. Peterson

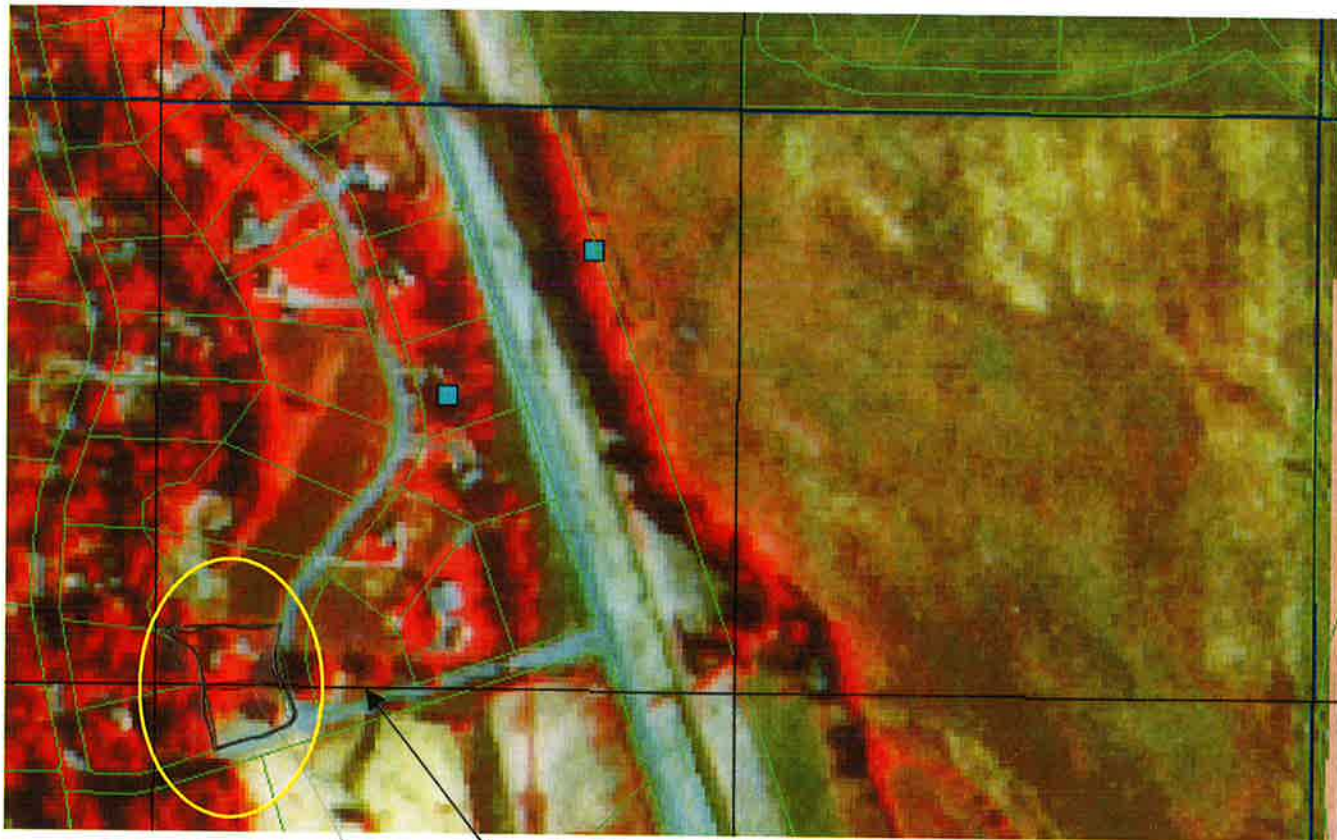
6/7/05

Approx 2 3/4 miles

Place Of Use Data

South of Raily

T03n18e.tif



Note the location of the quarter/quarter line with respect with the lot boundary. It appears that the home is in the NWNE but that the lawn area extends into the SWNE.

8 P S Well

on annex
inside, meg not lot
yes

Contacts Data Entry Form

Claim(s): 37-11859

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

The recommendation will reflect domestic use only which includes up to ½ acre of irrigation. Please note that the property crosses the quarter/quarter line and possibly should be described in both of them.

Approx. 3/4 n. of Deer G. Rd. to Zink Spur Rd
go west to corner of Zink Spur & Willow Rd.

Reviewer: _____

Date: _____

Priority Date Data

Point of Diversion and Source

GPS file name

Easting

Nothing

Plate No.

Photo Id.

[illegible]This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

Reviewer: _____

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

5-9-2005

John Taglio
PO BOX 6188
Sun Valley ID 83354

RE: Snake River Basin Adjudication claim 37-11859

Dear Mr. Taglio:

I have enclosed the Ownership Change form we spoke about last Friday. Please complete the highlighted sections, be sure to sign it and return the form to this office (retain the instructions) with a copy of the deed.

As we discussed on the phone you may disregard the request made in the 4/15 letter from this office regard evidence of priority. IDWR can recommend to the court, with the present information available, a water right from a ground water source (well) for domestic use with a priority date of 9/8/1971. This right provides water for the home and up to ½ acre of landscaping pursuant I.C. §42-111.

Thank you for your attention to these matters and I look forward to completing the ownership change into your name soon.

Sincerely,

Douglas Jones, P. E.
Water Rights Supervisor
Southern Adjudication Unit