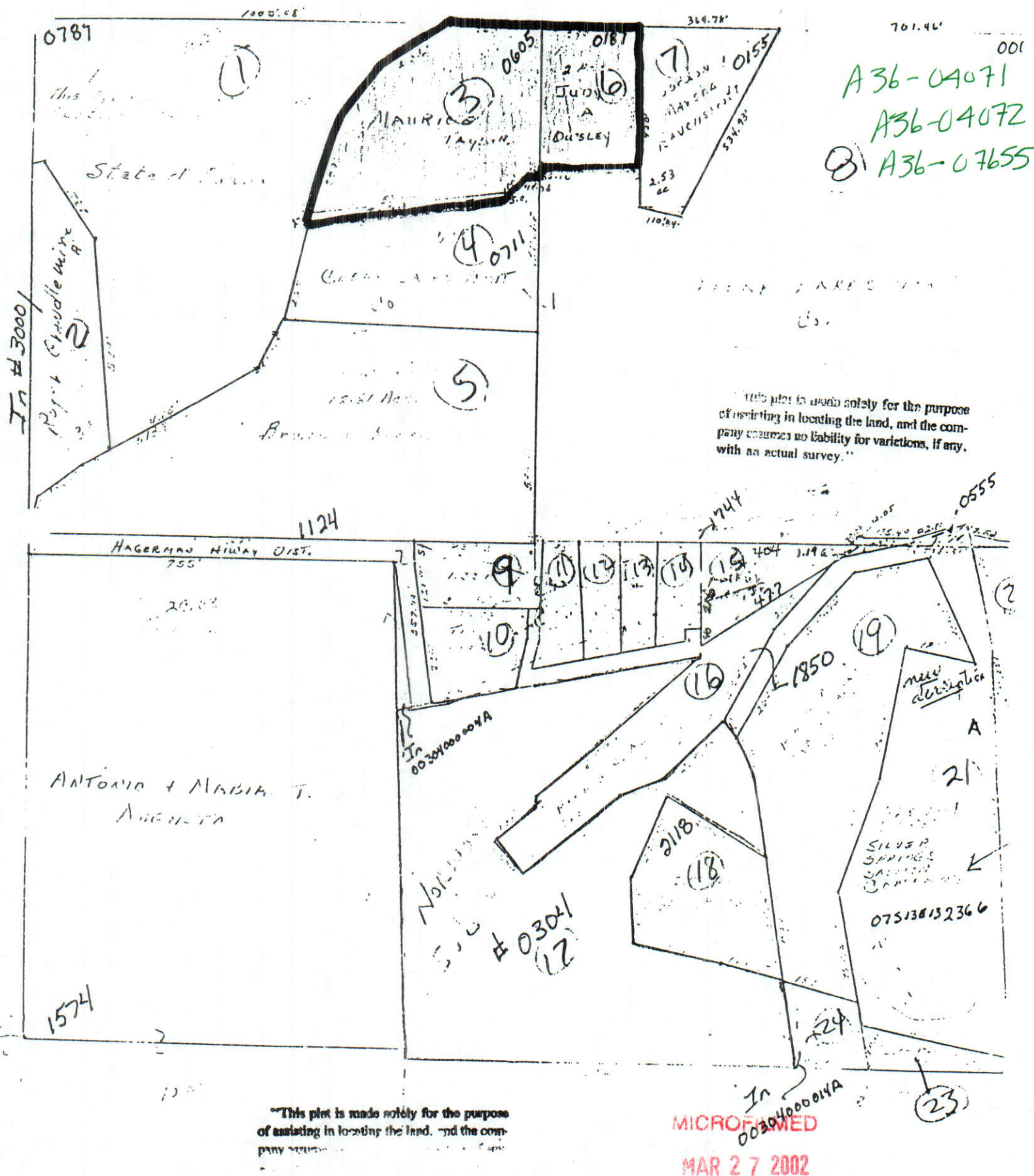


NE $\frac{1}{4}$
Scale 1" = 330'
 $\frac{1}{2}$ mile scale



RECEIVED

FEB - 3 2000

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.

RECEIVED

NOV 15 2000

1. Water Right No(s): A36-04071, A36-04072, A36-07655
580 ft Water Right
 Adjudication Claim No(s): _____

Department of Water Resources

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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is 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 Hagerman Ranch Limited Partnership

759 S. Coral Place Boise, ID 33705

4. New Owner/Claimant(s) Valery M. Webster and John J. Webster

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address 759 S. Coral Place

City, State and ZIP Code Boise, ID 83705

New Telephone Number (208) 385-9248

5. Date you acquired the property December 31, 1999

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.**

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	

7. Signature of New Owner(s) Valery M. Webster
 or Claimant(s)

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

See file 36-04071 for support documentation.

MICROFILMED

NOV 17 2000

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

● QUITCLAIM DEED ●

GOODING COUNTY OF IDAHO

THIS QUITCLAIM DEED, Executed this 31 day of DECEMBER, 1999

by first party, THE HAGERMAN RANCH LIMITED PARTNERSHIP, MARY L. POTHIER, GENERAL PARTNER

whose post office address is 2614 SO. 1050 E. HAGERMAN ID 83332

to second party, VALERY M. WEBSTER AND JOHN J. WEBSTER, HUSBAND AND WIFE AS COMMUNITY PROPERTY

whose post office address is 759 SO. CORAL PLACE, BOISE ID 83705

WITNESSETH, That the said first party, for good consideration and for the sum of \$ _____ paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto

in the County of GOODING, State of IDAHO

to wit: THE FOLLOWING DESCRIBED PREMISES LOCATED AT 2614 SO. 1050 E., HAGERMAN, GOODING COUNTY, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TAX 80 in NW4 NE4 and TAX15 in NE4 NE4 S13-T7S-R13E

SPECIFICALLY REFER TO EXHIBIT "A" ATTACHED

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Witness

State of

County of

Mary L. Pothier, General Partner
by Jimmy Lee Minton her
Attorney in Fact

First Party

Second Party

Valery M. Webster

On December 31 1999

before me, Jim Minton, John Webster, Valery Webster

personally appeared Jim Minton, John Webster, Valery Webster
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that his/her/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

MICROFILMED

MAR 27 2002

Notary Public
My Commission Expires:

Notary Public in and for the State
of Idaho
My Commission Expires 2/25/04

EXHIBIT "A"

PARCEL I:

A part of the Northwest Quarter of the Northeast Quarter of Section 13, Township 7 South, Range 13 East, Boise meridian, Gooding County, Idaho, described as follows:

Beginning at the Northeast corner of the Northwest Quarter of the Northeast Quarter;

Thence South along the East boundary of said Northwest Quarter of the Northeast Quarter, 395.0 feet;

Thence South 82°02' West, 25.35 feet;

Thence South 46°25' West, 100.00 feet;

Thence South 83°58' West, 500.02 feet, more or less to the East right-of-way of said County road;

Thence following County road the following courses and distances:

North 17°06' East, 279.0 feet;

North 37°06' East, 166.2 feet;

North 55°00' East, 210.6 feet to the North boundary of said Northwest Quarter of the Northeast Quarter;

Thence South 89°40' East, 240.0 feet, more or less, to THE POINT OF BEGINNING.

PARCEL II:

That part of the Northeast Quarter of the Northeast Quarter of Section 13, Township 7 South, Range 13, East of the Boise Meridian, Gooding county, Idaho, described as follows:

Beginning at the Northwest corner of said subdivision;

Thence East along the North line thereof, 250 feet;

Thence South 350 feet;

Thence West 250 feet;

Thence North 350 feet along the West line of said subdivision to THE POINT OF BEGINNING.

A36-04071
✓ - 04072
✓ - 07655

184145

Record

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of

Valery Webster

15 min. past *9* o'clock *A*. M. this *21st*

of *January* 20 *00* 9:00

by *Denny Archibald* Deputy

MICROFILMED
FEB 05 1993

"This plot is made solely for the purpose of assisting in locating the land, and the company agrees to..."

RECEIVED

OCT 23 2000

Department of Water Resources

200 OCT 20 AM 9:27
T-SRBA
TWIN FALLS CO., 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

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 36-04071

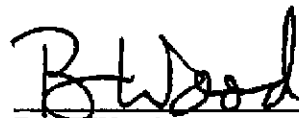
On February 26, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

On August 2, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-04071 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 20, 2000.



Barry Wood
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

OCT 23 2000

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 SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-04071

200 OCT 20 AM 9:27

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: HAGERMAN RANCH LIMITED
PARTNERSHIP
759 S CORAL PL
BOISE, ID 83705

SOURCE: INDIAN SPRINGS TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.12 CFS

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION: T07S R13E S12 SWSSE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Irrigation	PERIOD OF USE 02-15 TO 11-30	QUANTITY 0.12 CFS
-------------------------------	------------------------------	---------------------------------	----------------------

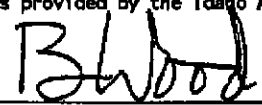
PLACE OF USE: Irrigation Within Gooding County
T07S R13E S13 NWNE 5.0
5.0 Acres Total

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-04071

PAGE 1
Oct-04-2000

SCANNED

Am. ... 2003

MICROFILMED

MAR 27 2002

RECEIVED

OCT 23 2000

Department of Water Resources

2000 OCT 20 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., 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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 36-04071

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-04071 was mailed
on October 20, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

HAGERMAN RANCH LIMITED
PARTNERSHIP
759 S CORAL PL
BOISE, ID 83705
Phone: 208-385-9248

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/20/00

SCANNED

MICROFILMED

MAR 27 2002

A.



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

March 5, 2002

JOHN J WEBSTER
VALERY M WEBSTER
759 S CORAL PL
BOISE ID 83705

RE: Change of Ownership for Water Right 36-4071

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAR 27 2002

MEMORANDUM

Date: January 17, 2002

To: WR File No. 36-4071

From: Jeff Peppersack

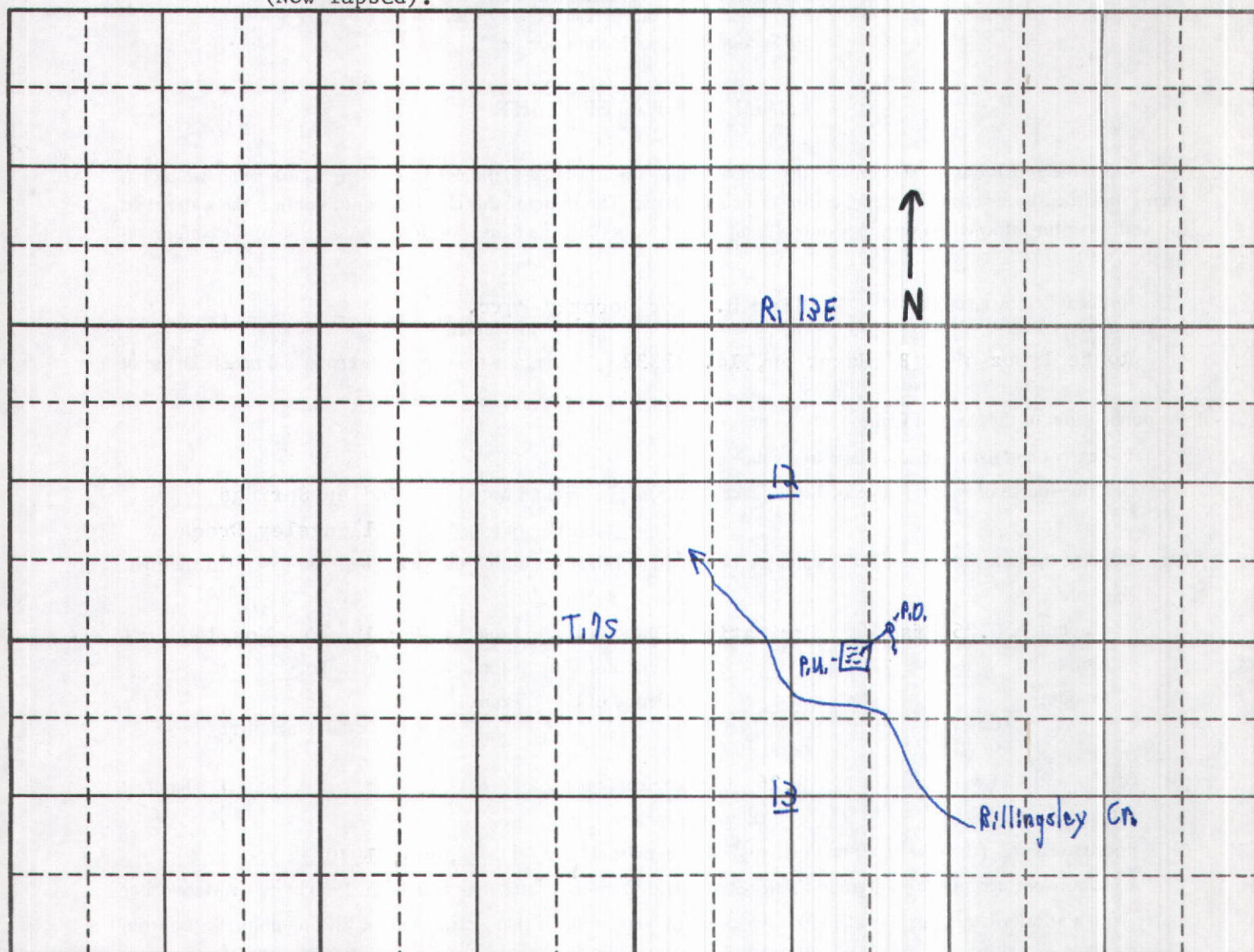
Re: Phone Conversation with Val Webster

I returned a call from Val Webster (387-0004 work, 385-9248 home) regarding the pending ownership change for her right. She received a letter acknowledging ownership change for two other rights and wanted to know about the third one (36-4071). After review, I informed her that the change is still pending, we are waiting for the record to be moved to WR tables before we can proceed. I told her we should be able to complete the change soon.

Ms. Webster also asked about the status of Billingsley Creek Park and how it may affect her water rights. Apparently the area is or will soon be a state park and a land sale would be involved from a private owner. She said she would try to get a legal description for the area so we could research the POU for water rights. I informed her that the new owner (state) would need to notify IDWR regarding an ownership change if and when the change occurs. It is possible that the water rights would be retained by the original owner, so a change in ownership would not necessarily occur. I also informed her that if the new owner plans to change the way the water is used, they would need to file a transfer.

MICROFILMED
MAR 27 2002

(8) Remarks Amount filed on was calculated by Jim Stanton of Dept. of Water
Resources from pressures on 14 sprinkler heads. Pressures supplied
by applicant using Ashcroft hand-held pressure gauge. About 117 gpm.
Water was first used for irrigation by Nathan Scott under Permit 47-7101
(Now lapsed).



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Twin Falls)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

William H Parr
(Claimant)

Sworn to before me this 20th day of July, 19 78.

Sheryl S Merritt
Notary Public

Residing at 2410/82 Twin Falls,
Idaho

My commission expires 2/10/82

For Department Use Only

Received by <u>[Signature]</u>	Date <u>7-20-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>7-24-78</u>		claimant by:	
\$20.00 fee received by <u>Sm</u>	Date <u>7/20/78</u> #10502			
Approved for publication by <u>mk</u>	<u>8/17/78</u>			
Published in <u>Gooding County Leader</u>				
Dates <u>8/3 + 8/10/78</u>				

Dick
Linsell

1536

Notis for A

B. L. N.

They have no record which would indicate when the spring was developed.

7/19/78 ADN

2. Public road

$$SE^4 SE^4$$

10.495 Activities

Public Road

N 26° 41' E

SESE
Sec
12

P.D.

5 Aens

۱۲۳۴۵

PLAN OF SURVEY

~~TRACT 1 SW 1/4 Sec 6~~

SPRING LOCATIONS IN SE⁴ SE⁴

SEC. 1. T. 7 S., R. 13 E., B. 11.

GOODRICH CO., 10/4/10

MAY 19, 1970



AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Kim R. Compton
being first duly sworn,
deposes and says that he is the printer (publisher) of the Gooding
County Leader, a newspaper published every week in Gooding, County
of Gooding, State of Idaho, that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 3 day of August

1978, and the date of the last publication was on the 10

day of August, 1978.

Kim R. Compton

Subscribed and sworn to before me this 10

day of August, 1978.

(SEAL)

Camer Hair

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 40

Number of Insertions 2

Lines tabular at 315c

Lines straight at 40 21c 8.40

Subsequent lines at 40 15c 6-

TOTAL COST 14.40

COPY OF NOTICE

(Paste Here)

W.B. 36-4071 Pam
TITLE OF NOTICE

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4071

Notice is hereby given
that William H. &/or Doro-
thy Parr, Hagerman, ID. has
filed a claim to a water right
established by diversion and
application to beneficial use of
0.26 cubic feet per second of
water from Indian
Springs, tributary to Bil-
lingsley Cr. with point of di-
version in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 12, Twp. 7S, Rge. 13E.,
B.M., Gooding County.

The water is claimed to
be used from Mar. 15 to Nov.
15 for irrigation purposes of 5
acres with a priority of June,
1970; the place of use is
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
13, Twp. 7S, Rge. 13E., B.M.

Any exception to this
claim of water right may be
filed with the Idaho De-
partment of Water Re-
sources, 1041 Blue Lakes
Blvd., North, Twin Falls,
Idaho, 83301.

/s/ C. Stephen Allred
Director

Pub: 8-3, 10

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

26391

Nº 1710

MICROFILMED

1998 MAR 19 AM 9:26

FILED 36-04071
JL 887

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

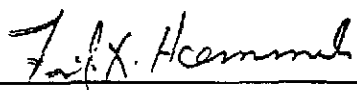
In Re SRBA	)	Subcase 36-04071
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW

Water right 36-04071 was originally claimed by Carl and Mary Pothier. Subsequently the water right was claimed by Hagerman Ranch Limited Partnership. The only dispute for the water right was quantity. The Director's Report recommended .10 cfs and .26 cfs was claimed.

On March 2, 1998, the court held a trial in this matter. At the trial the Idaho Department of Water Resources (IDWR) recommended .12 cfs. The basis of the recommendation was for a quantity to be diverted twenty four hours a day seven days a week. The claimant's did not dispute the Director's Recommendation based on a twenty four hour a day seven days a week diversion rate. However, the Claimants argue that a higher diversion rate is required because the Claimants irrigate only for a few hours a day at a rate of .26 cfs. IDWR agreed that the claimants could divert at a higher diversion rate so long as the quantity of water diverted at the shorter interval did not exceed the quantity of water allowed under the twenty four hour diversion rate of .12 cfs.

Given this understanding between the claimant and IDWR, it was agreed that the right should be decreed with a quantity of .12 cfs. All other elements should be decreed as recommended.

DATED March 19, 1998.


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

1577 FEB 26 AM 11:55
DISTRICT COURT-SRBA
TWIN FALLS CO. 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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 36-04071

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

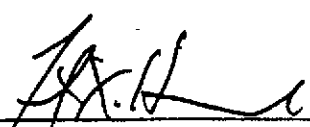
A trial was held in this subcase on March 2, 1998, where the parties stipulated that the quantity should be .12 cfs. The Special Master entered *Findings of Fact and Conclusions of Law* on March 19, 1998, which are incorporated herein by reference.

As to season of use, IDWR has informed the court that it intends to recommended February 15 through November 30 as the season of use in the Hagerman Valley in a forthcoming Director's Report. All parties, including the claimants, will be able to object to that recommendation when the Director's Report is filed. Until that time, the court will recommend February 15 through November 30 for the irrigation use in this water right, with the understanding that the season of use for the irrigation claims is not final.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-04071*.

DATED: February 26, 1999.


MICROFILMED
Fritz X. HAEMMERLE, Special Master
Snake River Basin Adjudication
NOV 20 2001

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-04071

1999 FEB 26 AM 11: 55

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: HAGERMAN RANCH LIMITED
PARTNERSHIP
759 S CORAL PL
BOISE, ID 83705

SOURCE: INDIAN SPRINGS TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 0.12 CFS

PRIORITY DATE: 06/01/1970

POINT OF DIVERSION: T07S R13E S12 SWSESE Within Gooding County

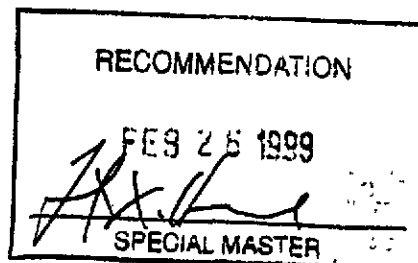
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	02-15 TO 11-30	0.12 CFS

PLACE OF USE: Irrigation Within Gooding County
T07S R13E S13 NWNE 5.0
5.0 Acres Total

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication



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This
Right has been
Decreed in the
SRBA.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that William H. &/or Dorothy Parr,
(name of claimant)
of Route 1 Box 490, W/ Hagerman, Id. 83332, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows.

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Indian Springs
tributary to, Billingsley Creek

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.26 cfs</u>	Use	<u>irrigation</u>	Period of Use: From	<u>Mar 15</u>	To	<u>Nov 15</u>
Amount		Use		Period of Use: From		To	
Amount		Use		Period of Use: From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 0.26 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) June, 1970

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 12 Twp. 7S Rge. 13E B. M. County of Gooding
Additional points of diversion: _____

B) Describe means of diversion of water (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible 4" steel pipe 1200' long to place of use, buried line to solid-set sprinkler system. About 14 sprinkler heads operate at any one time.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	13E	13		5															5
																			5

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water diverted from springs is also used for domestic purposes with an earlier priority. Diversion pipe runs at capacity the year around.

(7) If you are claiming water as a member of an organization, list name of organization: _____

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A hand-drawn map on a grid background. The map shows a route starting from a point labeled 'T. 25' and ending at 'Billingsley Cn'. The route is marked with a line and arrows. Key points along the route include 'R. 13E' and 'R. 13'. A north arrow is present in the upper right corner.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

My commission expires 2/10/82

Received by JS Date 7-20-78 Exception filed by _____ Forwarded to _____ Date _____
 Prelim. check by JS Date 7-24-78 claimant by: _____
 \$20.00 fee received by Sm Date 7/20/78 #10502 _____
 Approved for publication by mh 8/17/78 _____
 Published in Brookings County Leader _____
 Dates 8/3 + 8/10/78 _____

Dick Linsifelt

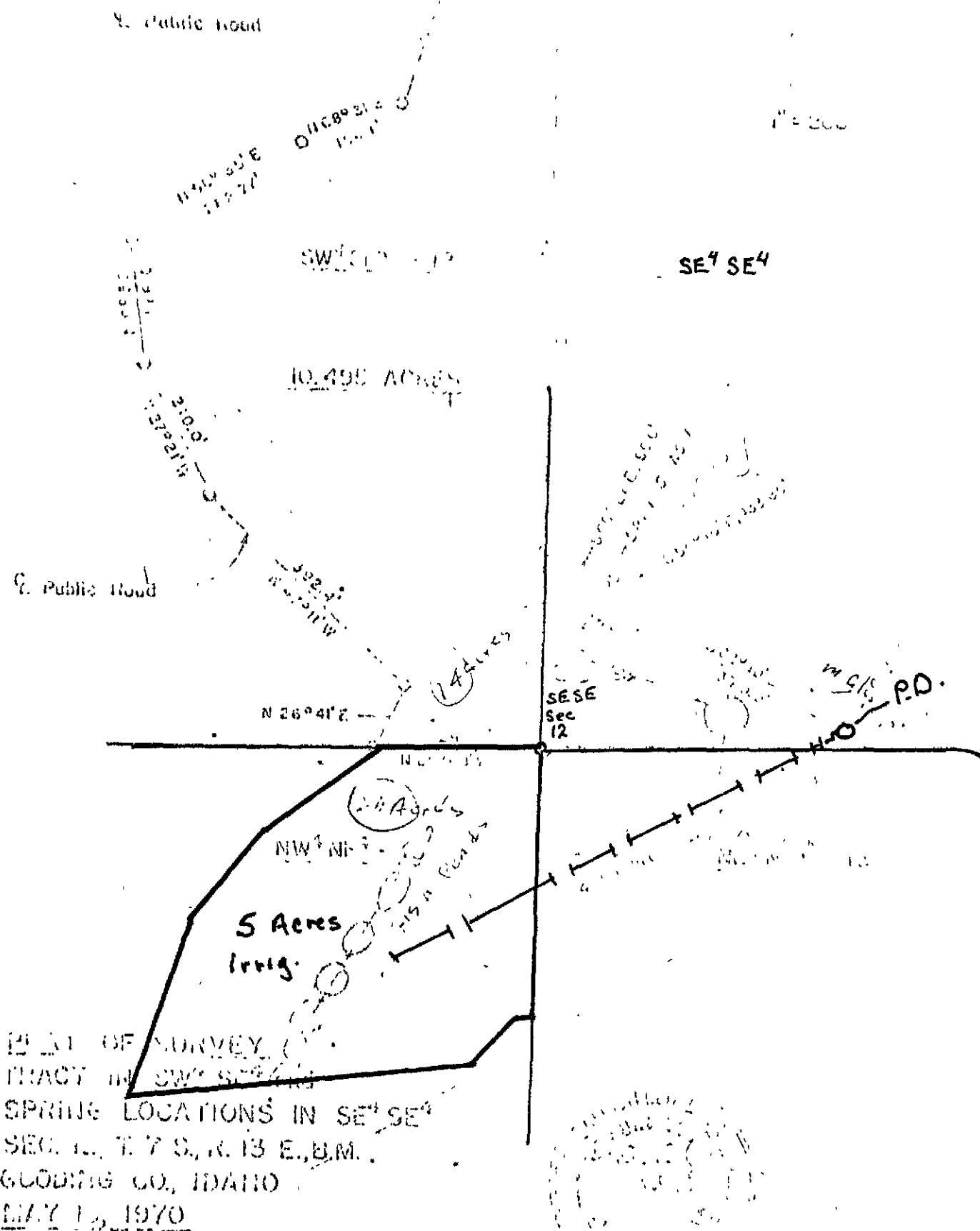
Nothing from f.c. Δ

B. L. M.

They have no record which would indicate when the spring was developed.

7/19/78 ADL

Comp 111
1 in of grazing 60
Company 2528



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	Type	Nozzle Size	Pressure (all on)	Pressure (all others off)
8.95 + 4.9	1 Rainier 865	1/4 - 3/16	22 - 22	34 - 32
9.95 + 5.3	2 Buckner Rainier 860 LA	1/4 - 3/32	29 - 26	
10.0	3 Rainbird 30 EF	1/4	30	47
3.26	4 Rainbird 30 EF	1/8	32	50
2.5	5 Rainbird 25	1/8	31	
5.0 + 9.75	6 Buckner Rainier 865	1/4 - 3/16	28 - 27	
6.06	7 Rainbird 30 EF	3/16	36	
6.06	8 Rainbird 30 EWS	3/16	36	
6.06	9 Rainbird 30 EWS	3/16	36	
10.75 + 6.25	10 Buckner Rainier 860 LA	1/4 - 3/32	33 - 30	
6.0 + 2.5 8.30	11 Rainbird 40 B	13/64 - 1/8	25 - 25	
4.9	12 Rainbird 30 EF (30WS body)	3/16	24	
5.0	13 Rainbird 30 EF (30WS body)	3/16	25	
5.2	14 Rainbird 30 EF (30WS body)	3/16	27	

117 gal = 0.26 cfs

Flow thru winter drains = 0.25 cfs.

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Nº 1710

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This
Right has been
Decreed in the
SRBA.

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NOV 20 2001

DEPARTMENT OF WATER RESOURCES
STAFF ANALYSIS - CLAIM TO A WATER RIGHT

Item Initial Date

Claim No. 36-4071- William H. &/or Dorothy Parr

☒ Name, Address, Telephone
☒ Source
☒ Quantity, Purpose, Period of Use
☒ Priority (Year & Month) (Day Optional)
☒ Point of Diversion
☒ Description of Diverting Works
☒ Place of Use
☒ Map
☒ Signature
☒ Notarized
☒ Fee

(1) RL 2/24/78
(2) ADM 7/26/78
(3) Sm 8/30/78
(4) mk 7/24/78

In Form To Receipt

In Form For Advertising

Exceptions Filed: Yes _____ No ☒

Copy To Boise

UNCLASSIFIED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 1, 1978

William H. &/or Dorothy Parr
Route 1, Box 490
Hagerman, Idaho 83332

Re: Claim to a Water Right - No. 36-4072 - William H. &/or Dorothy Parr
36-4071

Dear Mr. & Mrs. Parr:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions or if this office may be of further assistance, please feel free to contact us.

Yours truly,

LORAN O. HOLMES
Southern Regional Supervisor

Enclosure

ENCLOSURE

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4071

Notice is hereby given that William H. &/or Dorothy Parr

Hagerman, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 0.26 cubic feet per second ~~acre feet per annum~~

of water from Indian Springs, tributary to Billingsley Cr.

with point of diversion in the SE¹/SE¹, Sec. 12, Twp. 7S, Rge. 13E., B.M.,

Gooding County

The water is claimed to be used from Mar. 15 to Nov. 15 for irrigation
purposes of 5 acres

with a priority of June, 1970;

the place of use is within the NW¹/NE¹, Sec. 13, Twp. 7S, Rge. 13E., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,
Idaho, 83301, ~~on or before~~ _____.

C. Stephen Allred

Director

Published in the Gooding County Leader

on ~~August 21, 1978~~ 8/3 and 8/10/78

8/21/78

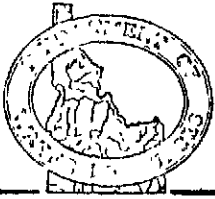
OK/mw
NOTICE OF CLAIM
TO A WATER RIGHT
5/1/78

NO. 36-4071

Notice is hereby given that William H. &/or Dorothy Parr, Hagerman, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.23 cubic feet per second of water from and a Springs, tributary to Billingsley Cr. with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 7S, Rge. 13E, B.M., Gooding County. The water is claimed to be used from B.C.T. 15 to Nov. 15 for irrigation purposes of 5 acres with a priority of June, 1970; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 7S, Rge. 13E, B.M. Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd, North, Twin Falls, Idaho, 83301.

/s/ C. Stephen Allred
Director

Pub: 8-3, 10



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1061 East Lake Blvd. North
Boise, Idaho 83721
(208) 333-1000

July 26, 1978

Gooding County Leader
Box 56
Gooding, ID 83330

Re: Claim to a Water Right No. 36-4071 - William H. &/or Dorothy Parr
" " " " " " " " " " " "

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:sm

Enc.

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