

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: A27-02015
Date Received: 2/16/1990
Receipt No: E012076
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALLENTINE FAMILY LTD. 801-750-2949
Address: GENERAL PARTNER, P.T. BLOTTER
3250 N. 12TH E.
LOGAN, UT 84321

2. Date of Priority: AUG 19, 1909

3. Source: JOHNSON CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	43E	26	NE	SE			CARIBOU

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.400		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ INC. STOCKWATER 1000 CATTLE/ 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	43E	25	NE	SE		IRR	25.0
			NW	SE		IRR	20.0
			SW	SE		IRR	15.0

A27-02015

Page 1

Date: 05/18/90

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	43E	25	SE	SE		IRR	10.0
Section Acres							70.0
Total Acres							70.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
27-04075, 04080

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 5089

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

NOV 12 1992

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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: A27-02015
Date Received: 1/29/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~HEBER A. SMITH~~ *Wallentine Family LTD*
Address: ~~SODA SPRINGS, ID~~ 83276

2. Date of Priority: AUG 19, 1909

3. Source: JOHNSON CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	43E	26		NE	SE		BANNOCK

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.400		
DOMESTIC					

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	43E	25	NE	SE		IRR	25.0
			NW	SE		IRR	20.0
			SW	SE		IRR	15.0

A27-02015

Page 1

Date: 01/29/90

ENCLOSURE

NOV 12 1992

Wallentine 3 of 4

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	43E	25	SE	SE		IRR	10.0
Section Acres							70.0
Total Acres							70.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 5089

AJ0749NP
No. A27-02015

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	P THOMAS BLOTTER FAMILY LIMITED PARTNERS 3250 N 1200 E LOGAN UT 84341 (435) 753-3008	08/19/1909	IRRIGATION	04-15 10-15	1.400 CFS	
TOTAL DIVERSION:					1.400 CFS	
CONSUMPTIVE USE:						140.00 AFA

Water Source: JOHNSON CREEK

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion: T08S R43E S26 NESE

CARIBOU County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE											
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
08S	43E	25	:								:						:	25	20	15	10	:			70.0
																							TOTAL ACRES	70.0	

POU County: CARIBOU

Non-Irrigation Uses: S/ INC. STOCKWATER 1000 CATTLE/ 10 HORSES

Other Rights: 27-04075, 04080

Remarks: GEN CHANGE OF OWNERSHIP 02/03/00.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 27

Field Inspection Flag:
Presumption Flag:

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

A27-02015

Date Received

2-14-1990

Receipt Number

8012076

RECEIVED

FEB 14 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 14 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Wallentine Family Ltd., Phone (801) 753-3008
General Partner, P.T. Blotter 750-2949
- Mailing Address 3250 N. 12th East Logan, UT. Zip 84321
2. Date of Priority (Only one (1) per claim) AUGUST 19, 1909
3. Source of water supply (a) JOHNSON CREEK
which is tributary to (b) SINKS
4. a. Location of existing point of diversion is: Township 8S Range 43E Section 26
1/4 of NE 1/4 of SE 1/4, Govt. Lot, CARIBOU (see #14)
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
- Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
- ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

ditch

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04-15 to 10-15 amount 1.400 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.400 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 140 acre feet per annum.

9. Non-irrigation uses: describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Incidental stockwater use: 1000 cattle, 10 horses.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>8S</u>	<u>43E</u>	<u>25</u>													<u>25</u>	<u>20</u>	<u>15</u>	<u>10</u>	<u>70</u>

Total number of acres irrigated 70

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

12. Do you own the property listed above as place of use? Yes XX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
27-04075, 27-04080 or None ()

14. Remarks:

see attachments 1-3.

RECORDED

NOV 12 1992

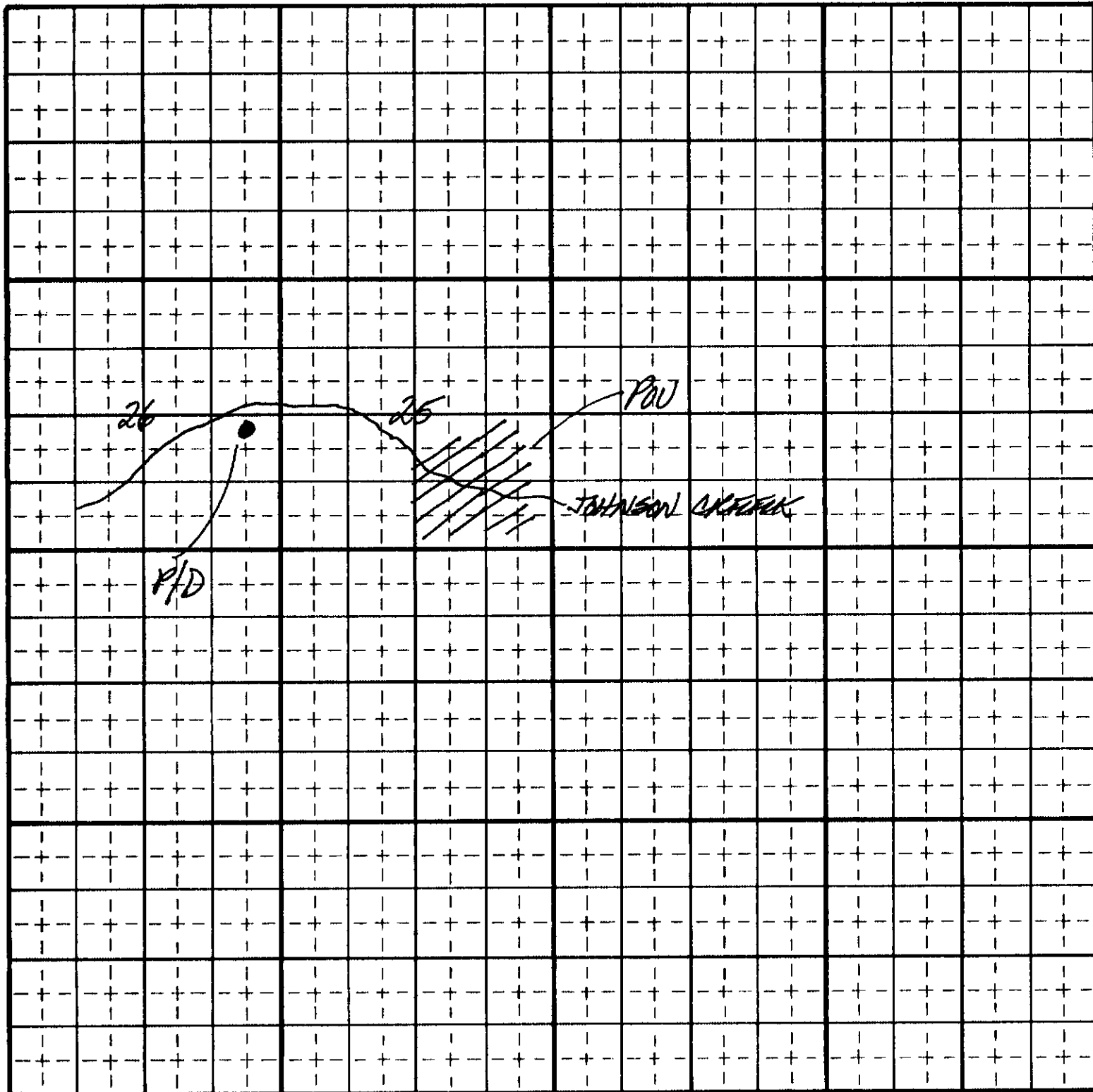
Last Name Wahlentine Ident No. _____

Copies: White - State, Yellow - Claimant

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

Scale: 2 inches equals 1 mile

43E



MONOFILMED

NOV 12 1992

Last Name

Wallentine

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License XX Permit _____
Decree _____
If applicable provide IDWR Water Right Number 27-02015
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 4

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am General Partner

of Wallentine Family Ltd. that I have signed the foregoing
Organization

document in the space below as General Partner of Wallentine Family Ltd.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Paul Thomas Blöcher

Title and Organization General Partner Wallentine Family Ltd. Date 02-01-90

State of Idaho/or _____)
County of Twain Falls) SS.

Subscribed and sworn (or affirmed) before me this 1st day of February 19 90

SEAL

Notary Public Amy J. Meulenz

Residing at Twain Falls

My Commission Expires 2-7-95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Paul Thomas Blöcher

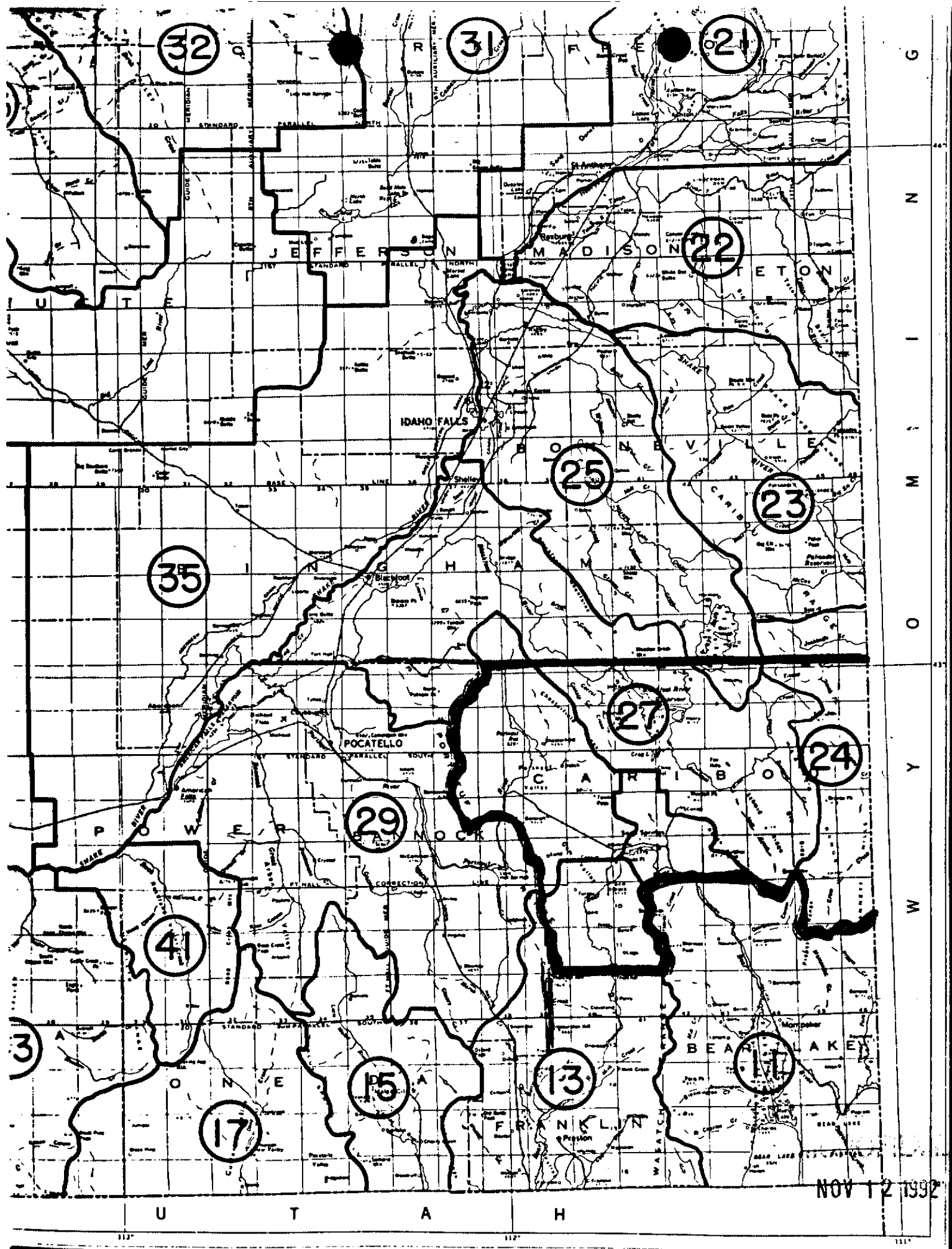
Address _____

Date _____

Last Name Wallentine Ident. Number _____

Copies White-State, Yellow-Claimant

REPROFILMED
NOV 12 1992



Wallentine 2 of 4

Log for claim 27-02015

Spatial Dynamics LTD

11/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s43e	25	NESE	25	37	Indiscernible
08s43e	25	NWSE	20	40	Indiscernible
08s43e	25	SWSE	15	40	Indiscernible
08s43e	25	SESE	10	40	Indiscernible
Totals:			70	157	

Bannock County
Johnson Creek
1.4 cubic feet per second
Irrigation and domestic
Priority 8-19-1909

S T A T E O F I D A H O

WATER LICENSE NO. 5089

WHEREAS, On the 19th day of August, A. D. 1909, HEBER A. SMITH, of Soda Springs, County of Bannock, State of Idaho, duly made application (No. 7324) to me for a permit to use three (3) cubic feet per second of the waters of JOHNSON CREEK, County of Bannock, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 19th day of August, A. D. 1909, Permit No. 5089 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 19th day of August, A. D. 1911, and for the application to beneficial use of said water on or before the 19th day of August, A. D. 1911, and,

WHEREAS, On the 19th day of August, A. D. 1911, HEBER A. SMITH, the holder of said permit duly made proof of the completion of adequate works for the diversion of three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 5089, dated September 12, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three (3) cubic feet per second of water, with date of priority of August 19, 1909, and,

WHEREAS, On the 19th day of August, A. D. 1911, HEBER A. SMITH, the holder of said permit duly made proof of the application to beneficial use of 1.4 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to HEBER A. SMITH, of Soda Springs, County of Bannock, State of Idaho, the holder and owner of said Permit No. 5089, a perpetual right, dating from August 19, 1909, to the use of one and four-tenths (1.4) cubic feet per second of the waters of JOHNSON CREEK, in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Northeast quarter of the Southeast quarter (NE4 SE4) Section 26, Township 8 South, Range 43 East of Boise Meridian, and conducted to and upon 70 acres as follows: (20 acres in NW4 of SE4; 15 acres in SW4 SE4; 25 acres in NE4 SE4; 10 acres in SE4 SE4. All in Section 26, Township 8 South, Range 43 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 12th day of September, A. D. Nineteen hundred and eleven.

A. E. Robinson,
State Engineer

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Heber A. Smith
Postoffice address: Soda Springs
County: Benneock State: Idaho
2. The quantity of water claimed is 3 cubic feet per second.
3. Source of water supply: Johnson Creek
County of Benneock
4. Location of point of diversion: 1064 ft., in a westerly direction from N.W. corner NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T. 8 S.R. 43 E.B.M., in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, T. 8 S.R. 43 E.
5. To be used for:
I. Irrigation and domestic use:
(a) Amount of land to be irrigated: 200 acres.
(b) In the following legal subdivisions: NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 25, T. 8 S.R. 43 E.B.M.
6. Estimated cost of works: \$200. 0
7. Description of works for diversion:
I. Kind of works: Ditch and dam
II. Dimensions of works:
(a) Height of dam 3 feet, length of dam at top 8 feet, length of dam at bottom 6 feet. Material used in construction: wood, earth & stone.
(b) Conduit, ditch, width at bottom 2 $\frac{1}{2}$ feet, width at water line 3 $\frac{1}{2}$ feet, depth of water 1 $\frac{1}{2}$ feet. Average grade per mile is 7 feet. Length of conduit is 5/4 mile and it crosses the following quarter sections: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26)
and
NW $\frac{1}{4}$ SE $\frac{1}{4}$ " 25) T. 8 S.R. 43 E.B.M.
- to land described in 5 I (b) above which is the point of intended use.
8. The time required for the completion of the construction of such work is three years.
9. Time required for the complete application of the water to the proposed use is...
additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Heber A. Smith,
Applicant.
By Chas. B. Wilson.,
Agent.

Remarks:

Time asked for in section 8 above is hereby reduced to 2 years.

Jas. Stephenson, Jr.
State Engineer.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5089.

Date of first receipt of application: 9.a.m. August 19, 1909

Recorded in Book 14. Page 5089. Approved August 19, 1909

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before October 18, 1909, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 19, 1910.

The whole of said work to be completed on or before August 19, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to August 19, 1911.

Witness my hand this nineteenth day of August, 1909.

Jas. Stephenson, Jr.

State Engineer.

Notice of proof of completion of works and beneficial use of water received June 9, 1911, fixing August 19, 1911, as date and Soda Springs as place of proof.

Publication notice mailed the Soda Springs Chieftain July 11th.

Deposition blanks mailed H. Drewery, N. P. July 11th

Water Commissioner notified July 19th to make examination of works

Depositions, Affidavit of publication, and fees received August 21, 1911

Report of water commissioner received August 24, 1911

Certificate and License issued September 12, 1911

Permit No. 5089

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that HILBER A. SMITH, of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 5089, issued upon Application No. 7324, bearing date of priority of August 19, 1909, authorizing the diversion of three (3) second feet of the waters of JOHNSON CREEK, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use three (3) second-feet of the waters of JOHNSON CREEK, that the point of diversion of said waters is at a point in the Northeast quarter of Southeast quarter (NE4 SE4) Section 26, Township 8 South, Range 43 East of Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast quarter (SE4), North half of Northeast quarter of Southwest quarter (N2 NE4 SW4), Section 25, Township 8 South, Range 43 East of Boise Meridian,

Witness my hand this 12th day of September, A. D. 1911

A. E. Robinson,

State Engineer of the

State of Idaho

License issued for 14 second feet

REPORT OF ENGINEER

1. State name of applicant and number of permit: Heber A. Smith - 5089
2. State source of water supply: Johnson Creek
3. Location of point of diversion: 1064 ft. in a westerly direction from NW Cor.
NW 1/4 SW 1/4, Sec. 25, Tp. 8 S., R. 43, E., B.M., in NE 1/4 SE 1/4, Sec. 26, Tp. 8 S.,
R. 43, E., B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: 4'
 - (b) Width at water line: 5'
 - (c) Depth of water: 9"
 - (d) Grade per mile: 7'
 - (e) Capacity of ditch: About 200" second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
Used continuously since 1909
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:
- | | | | |
|----------------------------|--------------------|-----------|--------------|
| <u>N. W. 1/4 S. E. 1/4</u> | <u>Under water</u> | <u>20</u> | <u>acres</u> |
| <u>S. W. 1/4 S. E. 1/4</u> | <u>"</u> | <u>15</u> | <u>"</u> |
| <u>N. E. 1/4 S. E. 1/4</u> | <u>"</u> | <u>25</u> | <u>"</u> |
| <u>S. E. 1/4 S. E. 1/4</u> | <u>"</u> | <u>10</u> | <u>"</u> |
- all in Sec 25 T-8-S, R. 43, E. B.M.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: All water under this permit was used
used on the above described land and
owing to the crumbly character of the
soil, this amount is not sufficient

Eng. H. T. Hamer
Water Comm. Div No 1.

STATE OF IDAHO,

County of _____

ss.

5089

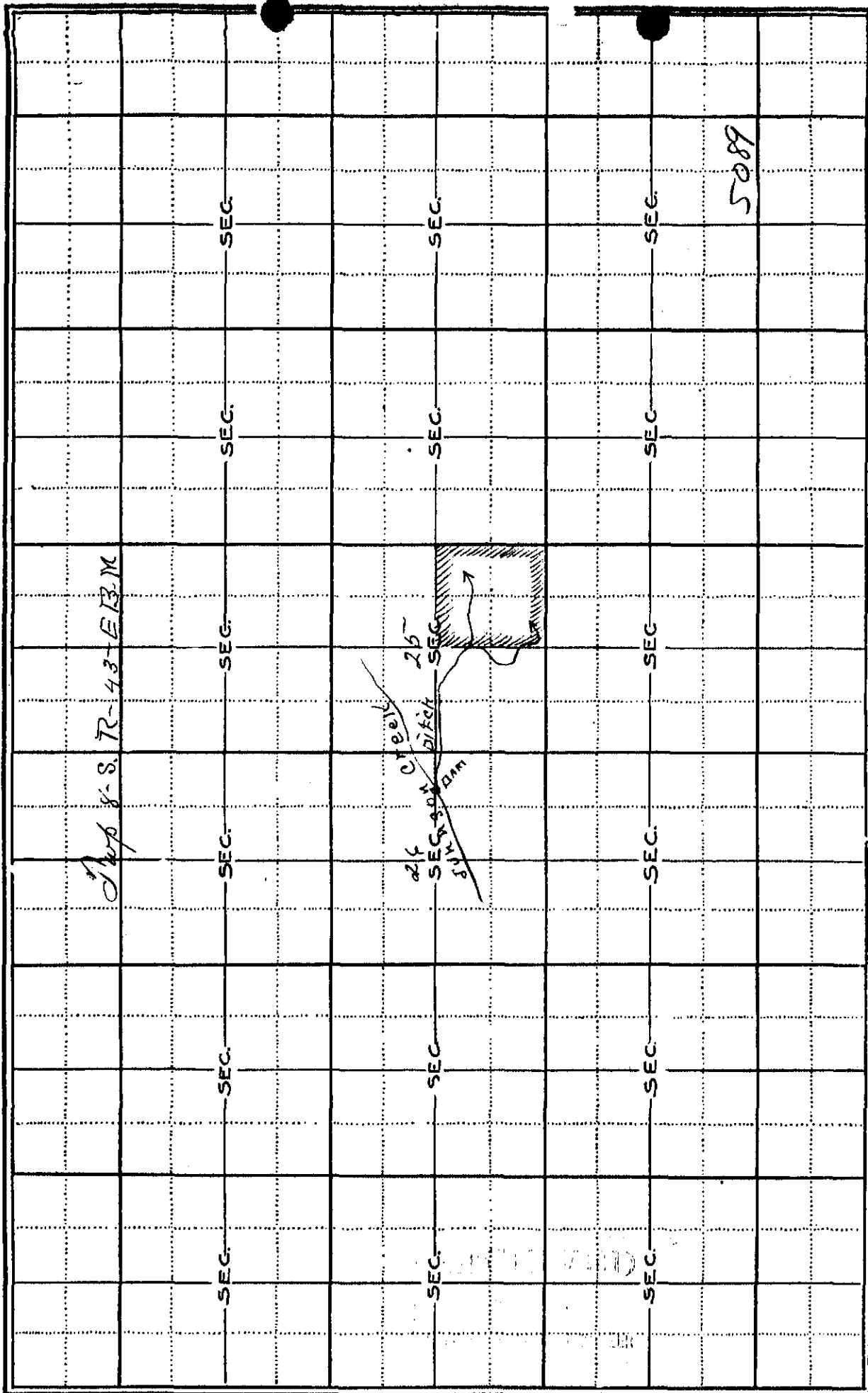
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

OFFICE OF STATE ENGINEER

Notary Public



5089

Top 8-S. R-43-EBM



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 8, 2000

P THOMAS BLOTTER FAMILY LTD PARTNERSHIP
3250 N 1200 E
LOGAN UT 84341

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A27-02003, A27-02008,
A27-02015, A27-02041, A27-04075, A27-04080, A27-04124, A27-
11357

Dear Mr. Blotter:

The request for Change of Water Right Ownership concerning the
above-referenced Notice of Claim has been processed and the
Department's records updated to reflect you as the new claimant.

A27-02003 and A27-02041 were split in the following manner:

A27-02003A, 4.44 cfs, 222 acres, Blotter
A27-02003B, 0.56 cfs, 28 acres, Stucki

A27-02041A, 0.12 cfs, 6 acres, Blotter
A27-02041B, 0.48 cfs, 24 acres, Stucki

The enclosed report shows this change along with the elements of the
water right being claimed. Please review this report and contact this
office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,


Jennifer Crabtree
Technical Records Specialist

DELOG AR 6/23/99

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 No(s).: A27-02015
Adjudication Claim No(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 attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Wallentine Family LTD

4. New Owner/Claimant(s) P. Thomas Blatter Family Limited Partnership

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

New Mailing Address 3250 North 1200 East

City, State and ZIP Code Logan, UT 84341

New Telephone Number 435 753 3008

5. Date you acquired the property 31 Dec 1991

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 you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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.

7. Signature of New Owner P. Thomas Blatter Date 21 June 1999
or Claimant(s) Carol Blatter Date _____

(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..

RECEIVED

JUN 23 1999

Department of Water Resources
Eastern Region

WARRANTY DEED

JAMES C. WALLENTINE and LENA D. WALLENTINE, husband and wife,
grantor of Logan County of Cache
State of Utah, hereby CONVEY and WARRANT to WALLENTINE FAMILY ASSOCIATES, LTD.,
a Utah limited partnership,

grantees of 564 North 200 East, Logan, Cache County, Utah,
for the sum of Ten Dollars and other good and valuable consideration,
the following described tract of land in Caribou County, State of Idaho:

The South Half of Section 25, Township 8 South, Range 43 East of the
Boise Meridian, Idaho, Lots 3 and 4; the East half of the Southwest
Quarter; and the Northwest Quarter of the Southeast Quarter of
Section 30; and the Northeast Quarter of the Northwest Quarter of
Section 31, all in Township 8 South, Range 44 East of the Boise
Meridian, Idaho.

Twenty-five percent (25%) of the oil, gas and mineral rights on the
aforescribed property are retained by Dean T. Kunz and Laura T.
Kunz.

WITNESS, the hand of said grantor, this 28th day of December, A.D. 19 83

Signed in the presence of

James C. Wallentine
Lena D. Wallentine

STATE OF UTAH

County of Cache

On the 28th day of December,
A.D. 19 83 personally appeared before me

JAMES C. WALLENTINE and LENA D.
WALLENTINE,

The signers of the within instrument, who duly
acknowledged to me that they executed the same.

[Signature]
Notary Public

Commission expires: 10-3-87
Residing in: Provo, Utah

RECORDING DATA

Entry No.

Fee \$2.00

RECORDED ☒ INDEXED ☐
PLATTED ☐ ABSTRACTED ☐
COMPARED ☐ DELIVERED ☐

STATE OF IDAHO } 119462
County of Caribou

I hereby certify that the foregoing was filed
in the office of the County Clerk of Caribou County, Idaho,
on the 28th day of December, A.D. 19 83,
at Caribou, Idaho, in the presence of
myself, County Clerk, and the following witnesses:
[Signature]
County Clerk

Land Title Company

WARRANTY DEED

WALLENTINE FAMILY ASSOCIATES, LTD., a Utah Limited Partnership, Grantor of Logan, County of Cache, State of Utah, hereby CONVEYS AND WARRANTS to P. THOMAS BLOTTER FAMILY LIMITED PARTNERSHIP, Grantee of 3250 North 1200 East, North Logan, Utah, 84321, for the sum of Ten Dollars and other good and valuable consideration. The following described tracts of land in Caribou County, State of Idaho:

The South half of Section 25, Township 8 South, Range 43 East of the Boise Meridian, Idaho, Lots 3 and 4; the East half of the Southwest Quarter; and the Northwest Quarter of the Southeast Quarter of Section 30; and the Northeast Quarter of the Northwest Quarter of Section 31, all in Township 8 South, Range 44 East of the Boise Meridian, Idaho.

Twenty-five percent (25) of the oil, gas and mineral rights on the above-described property are retained by Dean T. Kunz and Laura T. Kunz.

WITNESS, the hand of said Grantor, this 31 day of December, A.D. 1991.

Signed in the presence of

WALLENTINE FAMILY ASSOCIATES, LTD.

By

P. Thomas Blanton
Its General Partner

STATE OF UTAH

County of Cache

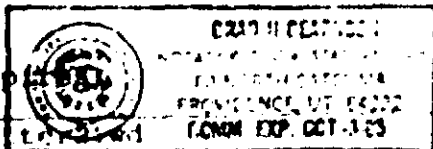
RECORDING DATA

On the 31 day of December, A.D. 1991, personally appeared before me

known to me to be the General Partner in the partnership of VALENTINE FAMILY ASSOCIATES, LTD., a Utah Limited Partnership, and the Partner who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name and that said partnership executed the same

NOTARY PUBLIC

Commission Ex
Residing in
and/bbb/blo



STATE OF TEXAS
County of _____

• T42989

I hereby certify that this instrument was filed at the request
of W. J. 1991-1999 P.C.

At _____ County of _____ State of _____
 I, _____, County Clerk, do hereby certify that _____
 is the true and correct copy of the _____

File No. _____

Yves L. L. L. 3
 Ex-Exhibitor Exhibitor

M E M O R A N D U M

TO: IDWR Reviewing Agent
FROM: Frank Hitchcock, Legal Assistant
RE: Bannock County Identification of Original Licenses

The original paperwork for the following licenses lists Bannock County as the county in which the diversion and usage occurs.

1. 27-02003
-02008
-02015
-02026
-02041

Idaho Code Title 31-105. Bannock county. -- the Compiler's notes. states that:

"Caribou County created therefrom 1919, ch. 5 p. 28. Election was held in November, 1920, to decide whether certain territories should be detached from Bannock County and Caribou County organized therefrom, 1919, ch. 5, § 23-28, pp. 40, 41."

I enclose one of your Department's basin maps with the place of use, township and range highlighted to show that the lands are in Caribou County and within the Department's Basin 27.

Idaho Code Title 31-117. Caribou county. -- the Compiler's notes. states that:

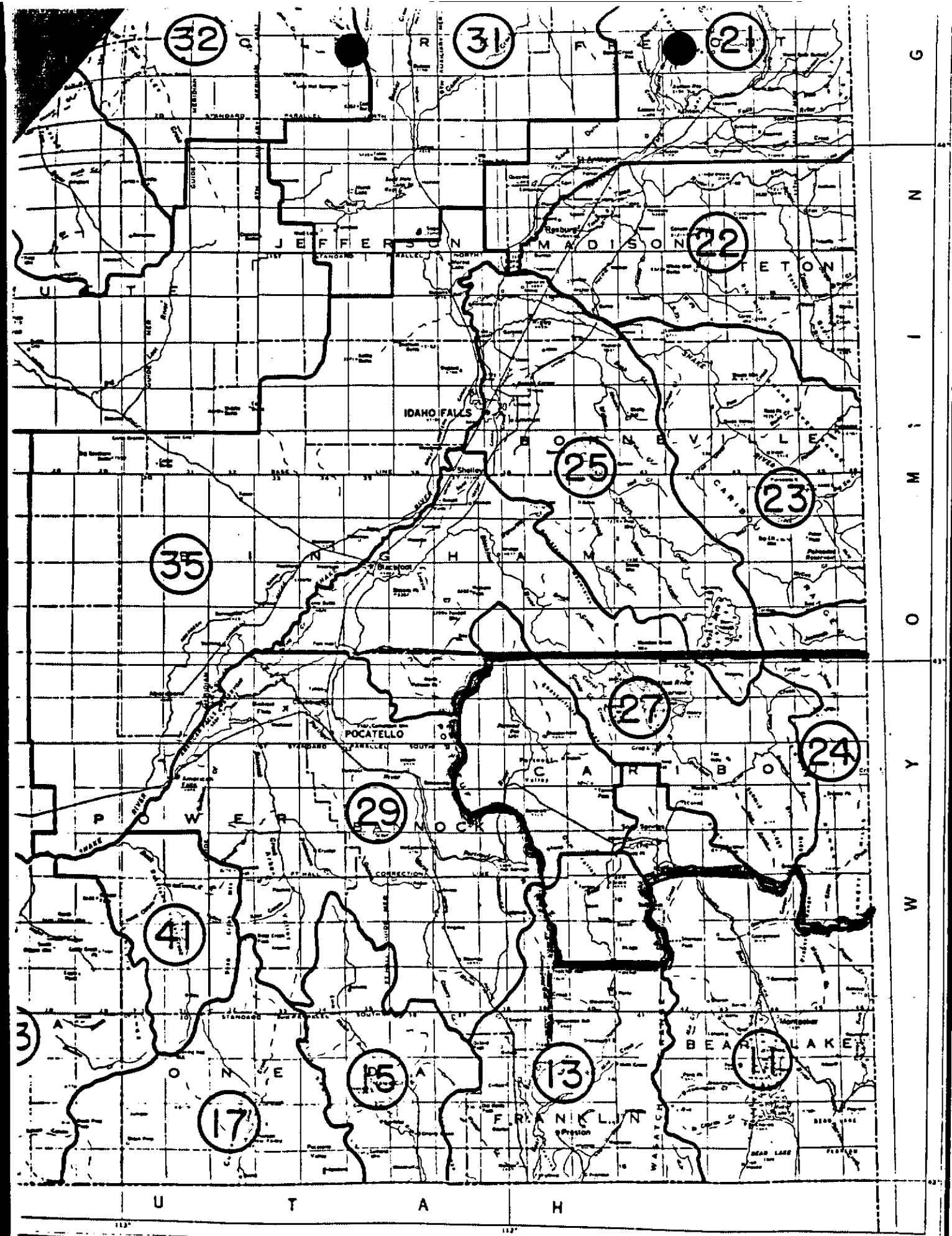
"The remainder of S.L. 1919, ch. 5 is omitted as temporary. Election was held in November, 1920, to decide whether above described territory should be detached from Bannock County and Caribou County organized therefrom, 1919, ch. 5, §§ 24, 28, pp. 40, 41.

It appears that claimant's lands were taken into the formation of Caribou County at this time, although there is no way of documenting the lands without additional expense in terms of time and effort.

3168m

WALLENTINE

10/4



Wallentine 2 of 4

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: A27-02015
Date Received: 1/29/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HEBER A. SMITH
Address: SODA SPRINGS, ID 83276
2. Date of Priority: AUG 19, 1909
3. Source: JOHNSON CREEK Trib. to: SINKS
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	43E	26	NE	SE			BANNOCK

5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION			1.400		
DOMESTIC					

7. Total Quantity Appropriated is:
1.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	43E	25	NE	SE		IRR	25.0
			NW	SE		IRR	20.0
			SW	SE		IRR	15.0

A27-02015

Page 1

Date: 01/29/90

Wallentine 3 of 4

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	43E	25	SE	SE	IRR	10.0
Section Acres						70.0
Total Acres						70.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 5089

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
F. BRUCE COVINGTON
JERRY JENSEN
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
GARY L. QUIGLEY
TIM J. WILLIAMS
SHARON F. DUNKIN
JUSTIN R. SEAMONS

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 7, 1990

RECEIVED

MAY - 8 1990

Mr. Ernest Carlsen, Adjudication Supervisor
Idaho Department of Water Resources
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls ID 83402

Department of Water Resources
Eastern District Office

Dear Mr. Carlsen:

In our telephone conversation of May 4, 1990, you stated that the license 27-02008 for 1.100 cfs to irrigate and water stock as filed timely in the Snake River Basin Adjudication in your offices on February 14, 1990, in the name of the J.C. Wallentine Family Trust, Lena D. Wallentine Trustee, c/o P.T. Blotter and/or Ezra Stucki was not entered into the database record on the AJ side of the computer. Would you please do so and send me a copy of the claim in the Fifth District Court filing format for our client and our records.

In reviewing the similar forms printed out for me at southern region in order to check the accuracy of the data entry as well as provide our client with copies of his claims, I note that the claimant name(s) in Field No. 1 are incomplete compared to the carbon copies of our claims. I have checked Field 14 under Remarks to see if there would be a continuation of the additional information and find no continuation that fully describes the original as filed claim. Please tell me the status of the Blotter claims with regard to this method of data entry.

Our client has had a change in trustee status for a number of his claims as filed originally. While this will not be a change in ownership to the extent that it will remove the entire claimant name as filed, there will be a change in one of the trustee names for a portion of the claims as originally filed.

RECEIVED

NOV 12 1992

Mr. Ernest Carlsen, Adjudication Supervisor
Idaho Department of Water Resources
Eastern Region
May 7, 1990
Page - 2

Thanks for your past help and attention to this rather large filing and I look forward to hearing from you regarding the status and completeness of the claims.

Best wishes.

Very truly yours,



FRANCIS G. HITCHCOCK
LEGAL ASSISTANT

FGH/dcb
54781

cc: Thomas P. Blotter

NOV 12 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME W. CantineCLAIM NO. A27-02015DATE RECEIVED 2-15-90

CK # _____

AMOUNT \$ _____

YES NO Required Info?

1. Is the name and address complete with zip code?
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered?
(b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient?
5. Is there a description of the diverting works?
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.
Is the period of use included?
Is a quantity claimed for each use?
7. Is a total quantity claimed entered?
8. If required is a consumptive use entered? N/A
Is the consumptive use correct? N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A
10. Is (are) the place(s) of use and purpose(s) indicated?
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" indicated?
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A
15. Is the basis of the claim indicated?
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.
18. Has the claim been signed, sealed, and dated by a notary?
19. Was this claim filed on time, or was an extension granted?
20. Is the fee enclosed correct? Exempt
21. If this claim is based on an existing water right, has the identification number been entered? N/A
22. Should this claim be data entered?

Claim checked by: EMCDate: 2-16-90

Claim must be returned to claimant: _____

(Yes) ☒ (No)

Claimant must be notified of modifications: _____

(Yes) ☒ (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: _____

NOV 12 1992

M E M O R A N D U M

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3168m

WALLENTINE

10/4