

Sec 15 T9 R14

NOT TO SCALE

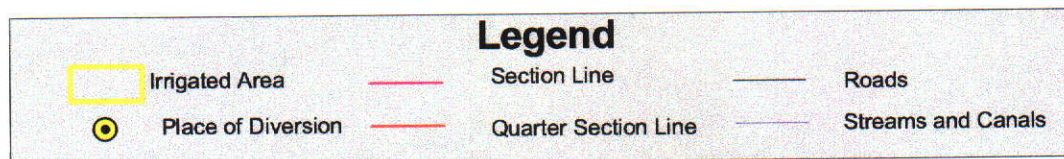
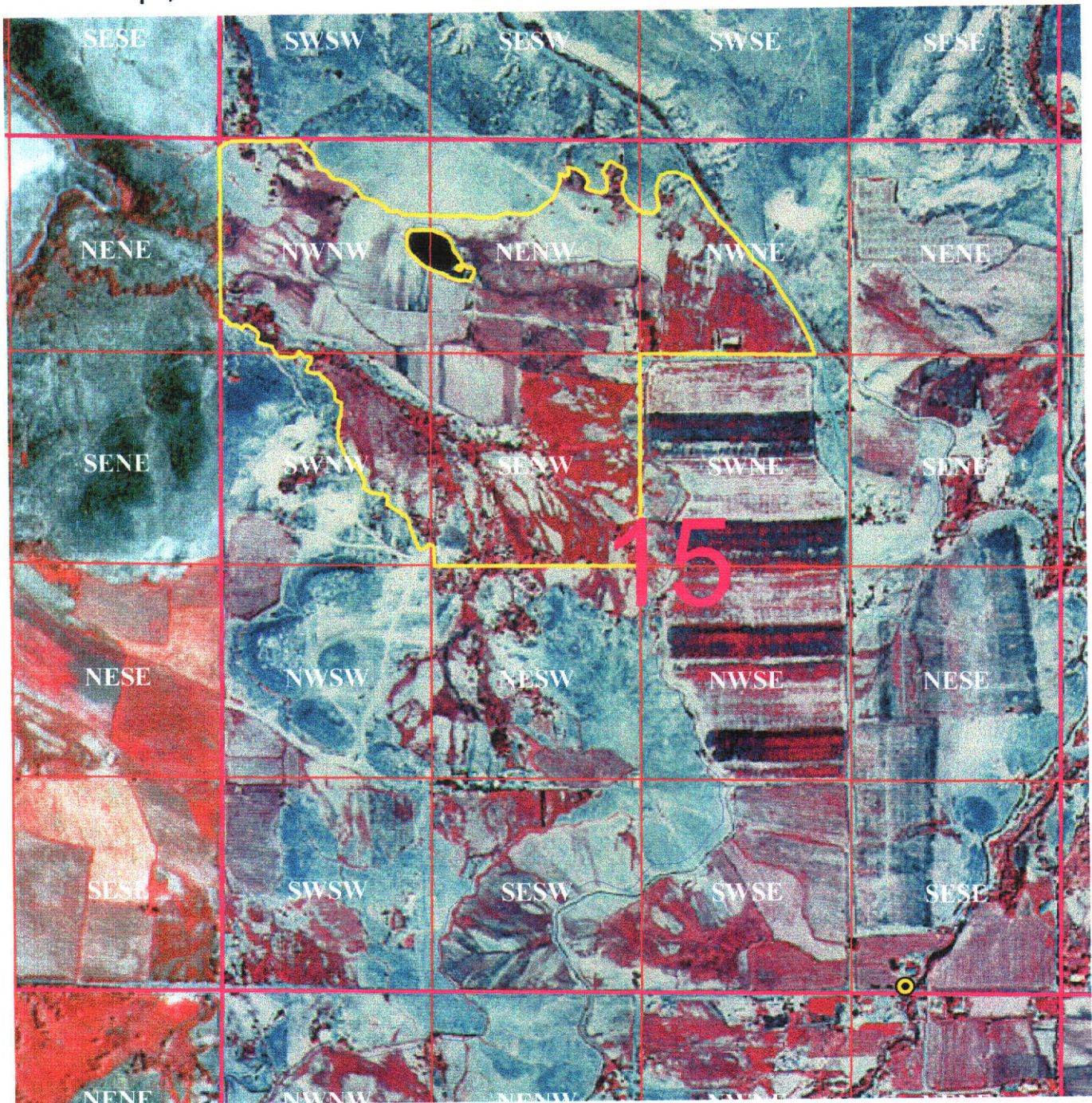
A47-02264

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MAR 11 1993



Water Right Claim Number 47-02264
Township , 9S14E

02/14/2001



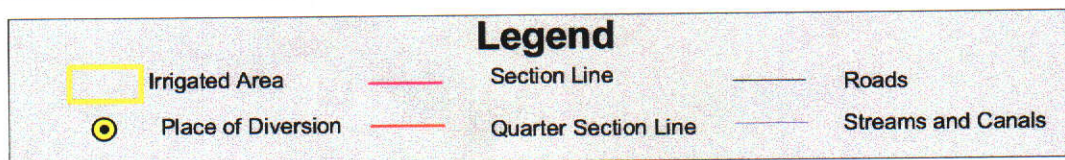
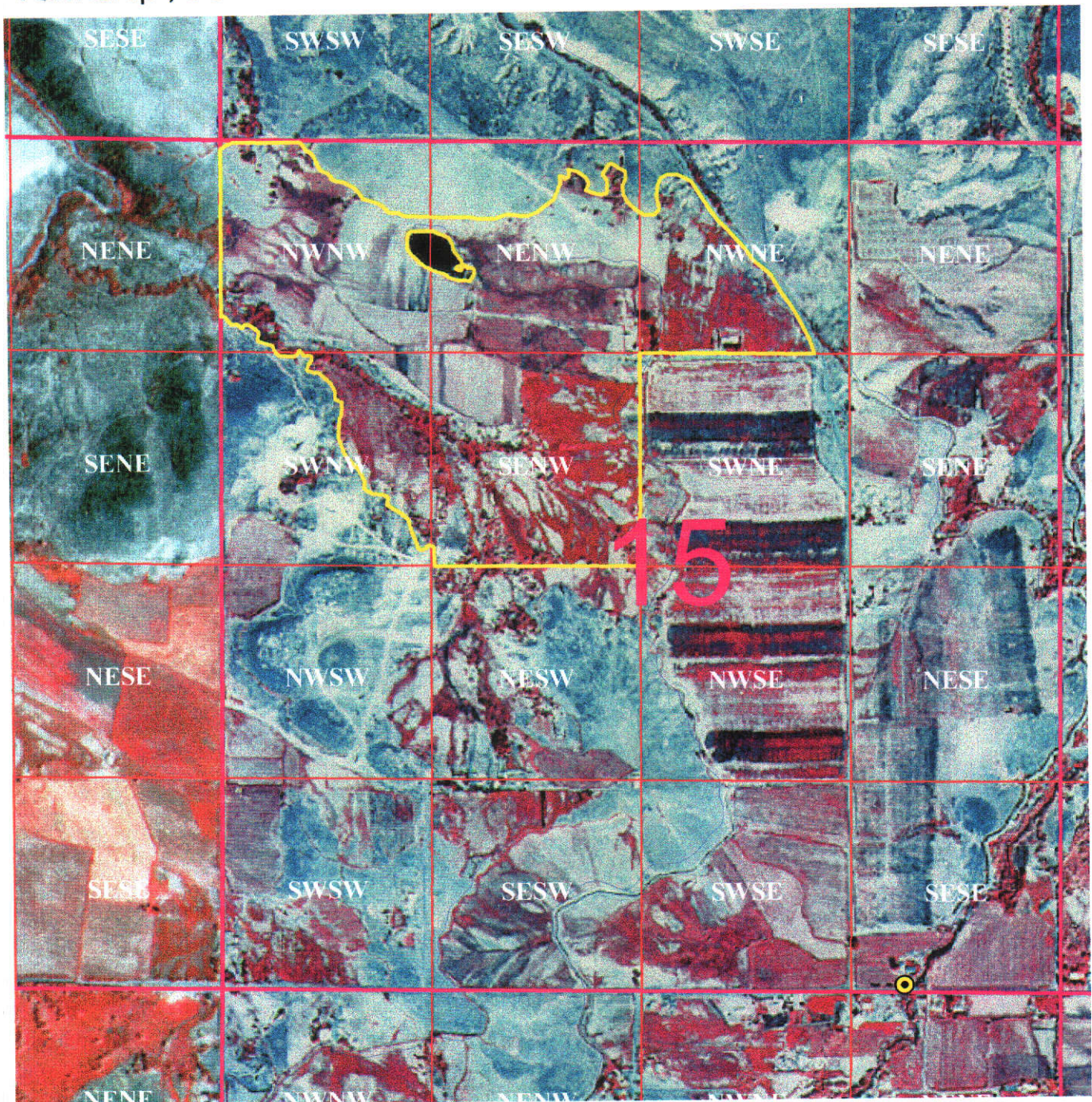
700 0 700 1400 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-02264
Township , 9S14E

02/14/2001



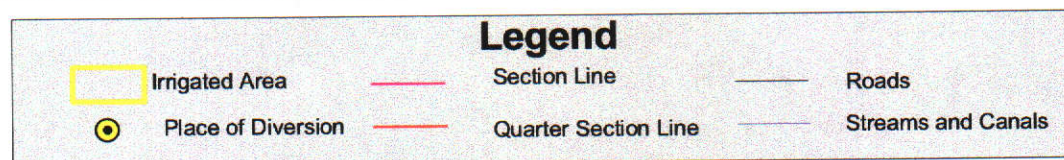
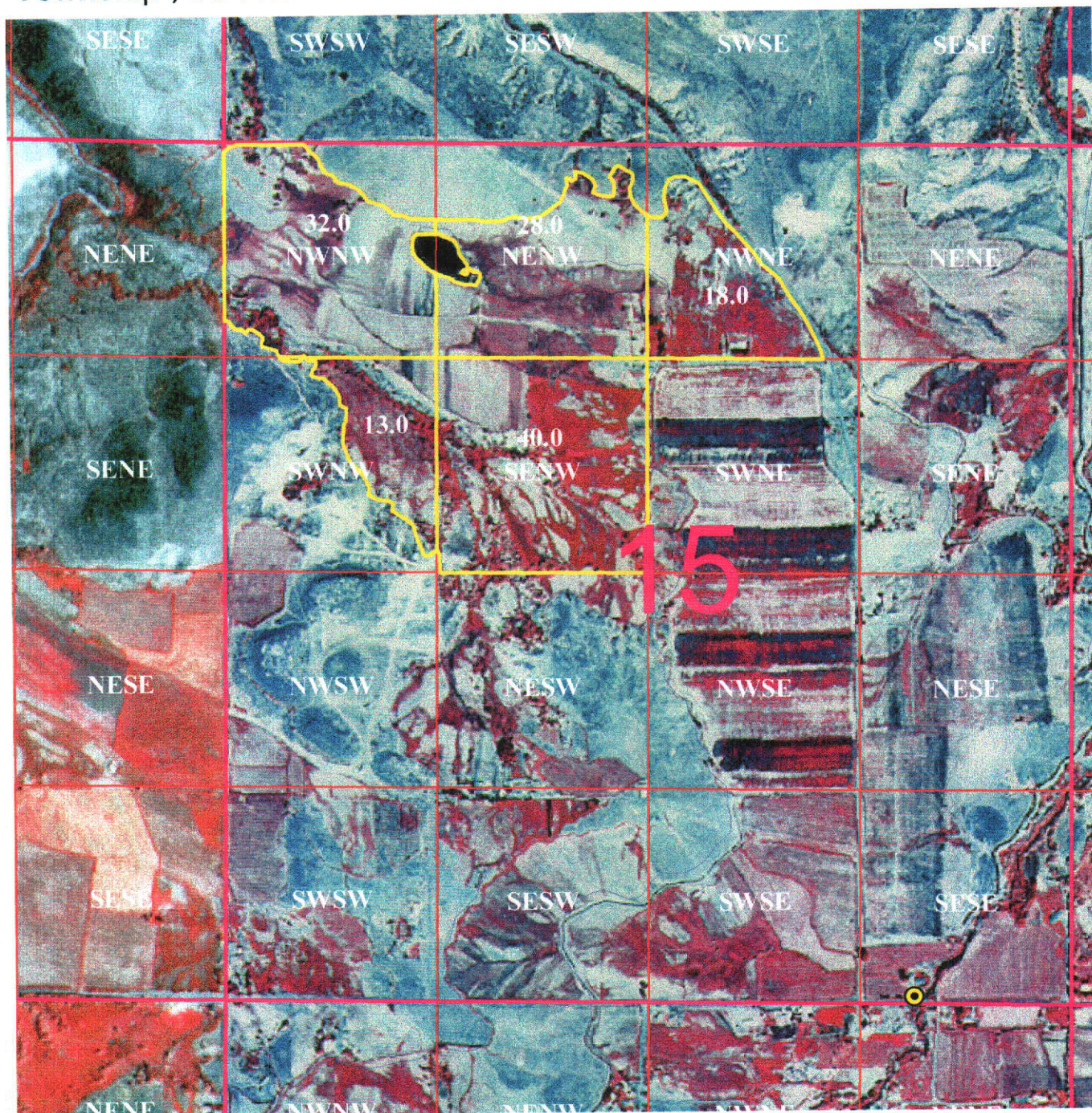
700 0 700 1400 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-02264
Township , 9S14E

02/14/2001



700 0 700 1400 Feet



SPATIAL
DYNAMICS

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: **A47-02264**
Date Received: 8/16/1988
Receipt No: S001469
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROY CASEL 208-543-6664
Address: 4475 RIVER RD.
RT. 3 BOX 228A
BUHL ID 83316

Name: ELVIA CASEL 208-543-6664
Address: 4475 RIVER RD.
RT. 3 BOX 228A
BUHL ID 83316

2. Date of Priority: JUL 16, 1952

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	15		SE	SE		TWIN FALLS

5. Description of diverting works:
PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	14E	15	NW		NE		IRR	20.0
			NE		NW		IRR	30.0
			NW		NW		IRR	30.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0

Section Acres 140.0

Total Acres 140.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 3093. SOME ACREAGE HAS BEEN TRANSFERED.

OWNERSHIP CHANGE 11/15/91 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 22918

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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MAR 11 1993

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 _____

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MAR 11 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 09S Range 14E
Section 15, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A47-02264
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Foster & Kienlen, A Partnership
C/o George R. Foster
P O Box 10 Jerome, ID 83338
- ☐ New Owner/Claimant (Purchaser):
Roy &/or Elvia Casel
- ☐ New Mailing Address:
4475 River Rd.
Rt. 3 Box 228A
Buhl, ID 83316
- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Roy Casel Date 6/13/91
Elvia Casel Date 6-13-91
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11/15/91 By: SC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11/15/91 By: SC

Claim Numbers of Split, if any:

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MAR 11 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

PARCEL II

Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho,

SECTION 15: A parcel of land in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and being more particularly described as follow:

COMMENCING at the brass cap marking the Quarter Section Corner common to Sections 10 and 15, Township 9 South, Range 14, EBM, from which point the brass cap marking the Northwest corner of said Section 15 bears North 89° 57' West; THENCE South 0° 03' West 980.0 feet to a piont; THENCE South 89° 57' East 400.0 feet to the REAL POINT OF BEGINNING; THENCE continuing South 89° 57' East 489.2 feet; THENCE South 25° 39.8' East 377.2 feet; THENCE North 89° 57' West 653.0 feet; THENCE North 0° 03' East 340.0 feet to the POINT OF BEGINNING.

PARCEL III

Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho,

SECTION 15: The North 300 feet of the East 300 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$,

AND a strip of land 30 feet wide running East and West all in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section described as commencing at the point where the existing county road intersects the North boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, Township 9 South, Range 14, E.B.M., and running in a Westerly direction along the North boundary line of the North quarter section line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the West boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$.

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MAR 11 1993

EXHIBIT A

The land referred to in this Commitment is described as follows:

PARCEL 1

Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho,

SECTION 15: N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; and that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying Southwesterly of the centerline of a county road 50 feet in width, which centerline is described as follows:

COMMENCING at the Northwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15; THENCE North 89° 38' 29" East 175.95 feet along the Northerly boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ to the center of said county road; THENCE Southeasterly along the center of said county road the following courses and distances South 28° 44' 02" East 122.28 feet; THENCE 562.03 feet on the arc of a curve to the left with a central angle of 16° 51' 39", a radius of 1909.86 feet and a chord which bears South 37° 09' 52" East 560.00 feet to a point of tangency; THENCE South 45° 35' 41" East 118.29 feet; THENCE 99.10 feet on the arc of a curve to the right with a central angle of 2° 58' 23", a radius of 1909.86 feet, and a chord which bears South 44° 06' 30" East 99.08 feet; THENCE 138.88 feet along the arc of a curve to the right with a central angle of 4° 09' 59" a radius of 1909.86 feet and a cord which bears South 40° 32' 19" East 138.85 feet; THENCE 183.80 feet along the arc of a curve to the right with a central angle of 5° 30' 30", a radius of 1909.86 feet and a chord which bears South 35° 41' 53" West 183.73 feet to a point of tangency; THENCE South 32° 56' 28" West for a distance of 177.38 feet; THENCE along the arc of a curve to the right with a central angle of 13° 43' 59", a radius of 954.93 feet and a chord which bears South 26° 04' 29" East 228.34 feet to the terminus, point of said centerline, being a point on the South line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ from which the Southeast corner bears North 89° 18' 24" East 204.72 feet.

EXCEPT a parcel of land in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and being more particularly described as follows:

COMMENCING at the brass cap marking the Quarter Section Corner common to Sections 10 and 15, Township 9 South, Range 14, EBM, from which point the brass cap marking the Northwest corner of said Section 15 bears North 89° 57' West; THENCE South 0° 03' West 980.0 feet to a piont; THENCE South 89° 57' East 400.0 feet to the REAL POINT OF BEGINNING; THENCE continuing South 89° 57' East 489.2 feet; THENCE South 25° 39.8' East 377.2 feet; THENCE North 89° 57' West 653.0 feet; THENCE North 0° 03' East 340.0 feet to the POINT OF BEGINNING.

(continued on next page)

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MAR 11 1993

QUITCLAIM DEED

For Value Received CHARLES A. DANA and BETTY DANA, husband and wife

do hereby convey, release, remise and forever quitclaim unto
ROY CASEL and ELVIA CASEL, husband and wife
whose current address is 4475 River Road., Buhl, Idaho 83311
the following described premises, to-wit:

Township 9 South, Range 14 East of the Boise Meridian
Twin Falls County, Idaho

SECTION 10: That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of the centerline of that certain road which extends in a Northwesterly direction to a point which lies 175.95 East along the line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ from the South line thereof.

TWIN FALLS COUNTY, IDAHO
RECORDED FOR *Case*

1991 OCT 15 AM 11 44

91 009303

EX-ONE TO RECORDER
FEE: *300* DEPUTY: *CP*

MICROFILMED

MAR 11 1993

TWIN FALLS COUNTY, IDAHO
RECORDED FOR *Ch Soc*

1991 09 15 A 11:44

91 009303

EX-OFFICIO RECORDER
FEE: *300* DEPUTY: *UP*

together with their appurtenances.

Dated: September *26*, 1991

Charles A. Dana
CHARLES A. DANA

Betty Dana
BETTY DANA

STATE OF IDAHO
COUNTY OF Twin Falls } ss.

On this *26* day of September in the
year 19 *91*, before me, a Notary Public, personally appeared

CHARLES A. DANA and BETTY
DANA

known or identified to me to be the person whose name s are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Notary Public
Residing At _____, Idaho
Comm. Expires *7-93*

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed
the request of

at _____ minutes past
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____

Fees \$

Mail to:

SAFECO STOCK NO. IDL-0516 (Rev. 6-86)

MAR 11 1993
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SD-33	Last Name: FOSTER		STATE				
S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
-	FOSTER						
-	GEORGE R.	C	A47-10187	03/10/1967	GROUNDWATER	0.040	43 DOMEST
-	KENNETH G.	C	A47-12207	06/14/1942	GROUNDWATER	0.040	43 DOMEST
-							04 STOCK
-	LELAND W.	C	A47-07814	02/22/1978	GROUNDWATER	0.200	10 COMMER
-							22 HEAT
-							46 REC
-							43 DOMEST
-	VIENO S.	C	A47-07814	02/22/1978	GROUNDWATER	0.200	10 COMMER
-							22 HEAT
-							46 REC
-							43 DOMEST
-	FOSTER & KIENLEN, A PARTNERSHIP						
-		C	A47-02264	07/16/1952	MUD CREEK	3.200	01 IRR

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
 (Enter=Continue) (GOLD7=This Query)

(MENU _____)

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MAR 11 1993

SD-36		Township: 09S		Range: 14E		Section: 15		Tract:		Lot:	
S	L			STATE	O	S	Max #	Records	40		
E	O	Water	Name		W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
---	---	---	---	---	---	---	---	---	---	---	---
---	SE	---	A47-02264	FOSTER & KIENLEN, A PA	C	40	L	07/16/1952	01	IRR	
---	NE	---	A01-00209Z0	TWIN FALLS CANAL CO.	C	30	D	10/11/1900	01	IRR	
---	NW	---	A01-00209Z0	TWIN FALLS CANAL CO.	C	16	D	10/11/1900	01	IRR	
---	SW	---	A47-13403	HUNT, GENE L.	C			12/15/1973	43	DOMEST	
---		---		HUNT, LINDA M.	C				04	STOCK	
---	SW	---	A47-13403	HUNT, GENE L.	C			12/15/1973	43	DOMEST	
---		---		HUNT, LINDA M.	C				04	STOCK	
---	SW	---	A01-00209Z0	TWIN FALLS CANAL CO.	C	7	D	10/11/1900	01	IRR	
---	SW	---	R47-13403	HUNT, GENE L.	C			12/15/1973	43	DOMEST	
---		---		HUNT, LINDA M.	C				04	STOCK	
---	SW	---	R47-13403	HUNT, GENE L.	C			12/15/1973	43	DOMEST	
---		---		HUNT, LINDA M.	C				04	STOCK	
---	SE	---	A01-00209Z0	TWIN FALLS CANAL CO.	C	40	D	10/11/1900	01	IRR	
---	NE	---	A47-10198	SMITH, GREG	C		J	01/01/1950	43	DOMEST	
---		---		FLEMING, MICHAEL	C				04	STOCK	
---	NE	---	R36-10447	FLEMING, MICHAEL	O			01/01/1950	43	DOMEST	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

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MAR 11 1993

SD-36		Township: 09S		Range: 14E		Section: 15		Tract:		Lot:	
S	L			STATE	O	S	Max #	Records	40		
E	O	Water	Name		W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
-	SENE		A47-04066	HARMS, GARY EUGENE	C		S	05/01/1936	01	IRR	
-	SENE		A47-04371	HARMS, GARY	C	5	S	01/01/1935	01	IRR	
-	SENE		A47-04371	HARMS, GARY	C		S	01/01/1935	01	IRR	
-	SENE		A47-12560	HARMS, GARY	C		J	03/31/1981	43	DOMEST	
-	SENE		A01-00209Z0	TWIN FALLS CANAL CO.	C	5	D	10/11/1900	01	IRR	
-	~~SENE~~		~~A47-02264~~	FOSTER & KIENLEN, A PA	C	30	L	07/16/1952	01	IRR	
-	~~SENE~~		~~A47-02264~~	FOSTER & KIENLEN, A PA	C	30	L	07/16/1952	01	IRR	
-	NWNW		A47-14684	HUNT, E. J.	C		J	06/06/1931	43	DOMEST	
-	NWNW		A47-14684	HUNT, E. J.	C		J	06/06/1931	43	DOMEST	
-	~~SENE~~		~~A47-02264~~	FOSTER & KIENLEN, A PA	C	20	L	07/16/1952	01	IRR	
-	SWNW		A01-00209Z0	TWIN FALLS CANAL CO.	C	5	D	10/11/1900	01	IRR	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 11 1993

SD-36		Township: 09S		Range: 14E		Section: 15		Tract:		Lot:	
S	L			STATE	O	S	Max #	Records	40		
E	O	Water	Name		W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
			A47-10198	SMITH, GREG	C		J	01/01/1950	43	DOMEST	
				FLEMING, MICHAEL	C				04	STOCK	
			A36-10447	SMITH, GREG	O			01/01/1950	43	DOMEST	
				FLEMING, MICHAEL	O				04	STOCK	
				NUMBER NOT USED	C						
	NENE		A47-04066	HARMS, GARY EUGENE	C	40	S	05/01/1936	01	IRR	
									04	STOCK	
	NENE		A47-04066	HARMS, GARY EUGENE	C		S	05/01/1936	01	IRR	
									04	STOCK	
	~~SWNE~~		~~A47-02264~~	FOSTER & KIENLEN, A PA	C	20	L	07/16/1952	01	IRR	
	NWNE		A47-10187	FOSTER, GEORGE R.	C		J	03/10/1967	43	DOMEST	
				NOET, MARY VEDA	C						
	SWNE		A47-02260	NOET, JENS	C	32	L	12/17/1950	01	IRR	
	SWNE		A01-00209Z0	TWIN FALLS CANAL CO.	C	2	D	10/11/1900	01	IRR	
	SENE		A47-04066	HARMS, GARY EUGENE	C	20	S	05/01/1936	01	IRR	
									04	STOCK	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

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hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)
EARNEST MONEY.

- (a) Buyer hereby deposits as earnest money and a receipt is hereby acknowledged of Ten Thousand dollars (\$ 10,000.00) evidenced by: ☐ Cash ☒ Personal Check ☐ Cashiers Check ☐ Note Due ☐ or _____
- (b) Earnest Money to be deposited in trust account upon acceptance by all parties and shall be held by ☐ Listing Broker ☒ Selling Broker ☐ Other _____ for the benefit of the parties hereto, and Cecil Patterson (Broker) shall hold the completely executed broker's copy of this agreement and is responsible for the closing.
- (c) If all conditions have been met by Buyer, Buyer and Seller agree that the earnest money (less credit report fees, and any other Buyer's costs) shall be refunded to Buyer in the event the financing contemplated herein by Buyer is not obtainable.
- (d) The parties agree that Security Title Company shall provide said title policy and preliminary report of commitment and the "closing agent" for this transaction shall be Security Title Co. If a long-term escrow/collection is involved, then the escrow holder shall be _____

1. TOTAL PURCHASE PRICE IS One Hundred Twenty Five Thousand DOLLARS (\$ 125,000.00) payable as follows:

- a. \$ 50,000.00 Cash down, including above Earnest Money (Closing costs are additional).
- b. \$ 75,000.00 Balance of the purchase price (M.I.P. not included).

2. FINANCING. This agreement is contingent upon Buyer qualifying for:

☐ FHA ☐ VA ☐ Conventional ☐ IHA. Purchase loan balance as noted above for a period of _____ years at _____ % per annum. (If FHA or VA loan is sought, read the applicable provisions on the reverse side hereof.) Buyer shall pay no more than _____ points plus origination fee if any. Seller to pay only the discount points necessary in order to obtain above described financing but not to exceed _____ %.

☐ Buyer to ASSUME and ☐ will ☐ will not be required to qualify for an EXISTING LOAN(S) of approximately \$ _____ at no more than _____ % with monthly payments of approximately \$ _____. ☐ P ☐ I ☐ T ☐ O ☐ This agreement ☐ is ☐ is not contingent upon Lender releasing Seller's liability.

Type of loan _____. Buyer shall apply for such loan or assumption within three (3) banking days after Seller's acceptance of this agreement.

OTHER FINANCING, TERMS & CONDITIONS: Balance to be paid within one year at eight, (8%) interest, no pre payment penalty. Secured by note due and payable June 17, 1992

It is common knowledge that seller Jim Kielen is a license Real Estate sales person.

3. THIS AGREEMENT ☐ is ☐ is not CONTINGENT upon sale and closing of _____ on or before _____

_____ listed with _____
(If a contingency is noted please read applicable conditions in Paragraph # 15 on reverse side. NOTE: Any waiver by the Buyer under this section will be a waiver of ALL contingencies, including financing.)

4. ITEMS SPECIFICALLY INCLUDED IN THIS SALE (If FHA/VA financing is sought see Item # 14 on reverse side): _____

5. ITEMS SPECIFICALLY EXCLUDED IN THIS SALE: none

6. COSTS PAID BY: Costs in addition to those listed below may be incurred by Buyer and Seller. Unless otherwise agreed herein, or provided by law or required by lender, Buyer shall purchase Seller's reserve account if loan assumption.

☒ Yes ☐ No. Purchaser's Extended Coverage Title Policy requested. Additional premium paid by _____. See item # 17 on reverse side.

If requested by lender or otherwise stated herein, the below costs will be paid as indicated.

Costs Paid By	Appraisal	Loan Assumpt.	Well Inspect.	Pump/Inspect Septic	City/County Code Inspect. If required	Contract and/or Document Prep.	Closing Agent's Fee	Long Term Escrow Fees	Lender or Code Repairs
BUYER									
N/A	XX	XX	XX					XX	XX
SELLER				XX	XX				
SHARE EQUALLY						XX	XX		

Cost of lender or code repairs not to exceed \$ _____. Discount points to be paid as agreed on line 29 and 30. SELLER UNDERSTANDS that as a result of any city or county inspections HE MAY BE REQUIRED TO MAKE REPAIRS to the property in order to comply with the housing code WHETHER OR NOT A SALE IS COMPLETED UNDER THIS AGREEMENT.

7. POSSESSION. Buyer shall be entitled to possession on ☒ closing ☐ other on or before closing. "Closing" means the date on which all documents are either recorded or accepted by an escrow agent and the sale proceeds are available to Seller. Taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of _____

June 17, 1991 Buyer shall pay for fuel in tank, amount to be determined by the supplier at Seller's expense.

8. CLOSING. On or before the closing date, Buyer and Seller shall deposit with the closing agent all funds and instruments necessary to complete the sale. The closing date shall be no later than June 17, 1991.

9. ACCEPTANCE. Buyer's offer is made subject to the acceptance of Seller on or before 12:00 o'clock midnight of May 16, 1991. If Seller does not accept this agreement within the time specified, the entire Earnest Money shall be refunded to Buyer on demand. Seller's counter offer (if any) is made subject to the acceptance of Buyer on or before 12:00 o'clock midnight of May 17, 1991. TIME IS OF THE ESSENCE OF THIS AGREEMENT.

10. IMPORTANT - AGENCY DISCLOSURE. At the time of signing this agreement the agent working with the buyer represented seller

and the agent working with the seller represented seller. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

Listing Agency: High Country & Associates

Selling Agency: Ranchers Realty

By: Jim Kielen

Phone: 734-66228

By: Cecil Patterson

Phone: 736-1719

Buyer: _____

Buyer's Address: 40593 Road 64

Buyer: _____

Buyer's Phone: Residence 209-591-1173 Business _____

On this date, I/We hereby approve and accept the sale set forth in the above agreement and agree to carry out all the terms thereof on the part of the Seller and the undersigned further agrees to pay a total brokerage fee of six (6) percent of selling price to the above named Broker(s) for services. Brokerage fee will be paid in cash unless otherwise agreed in writing.

I/We further acknowledge receipt of a true copy of this agreement signed by both parties.

Seller: _____

Date: _____

Seller's Address: _____

Mary Kielen Noet



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

13-Nov-1991 13:47

ROY &/OR ELVIA CASEL
4475 RIVER RD
RT 3 BOX 228A
BUHL ID 83316

RE: CHANGE OF OWNERSHIP - Foster & Kienlen, A Partnership

Dear Mr. & Mrs Casel:

I am writing to you in reference to the Change of Ownership on your Water Right A47-02264. Mr. Patterson with Farm Realty brought the form in to this office June 13, 1991. I am just now doing the computer work on the Change. Mr. Patterson submitted an Exhibit A form but I do need a copy of the Warranty Deed or Agreement, something to show the exchange of the property.

Should you have any questions, please feel free to call me at 736-3033. I apologize for any inconvenience this may have caused you.

Thank you,

Judy Givens
Adjudication Secretary

/jg

MICROFILMED

MAR 11 1993

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: A47-02264
Date Received: 8/16/1988
Receipt No: S001469
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FOSTER & KIENLEN, A PARTNERSHIP 208-324-5708
Address: C/O GEORGE R. FOSTER
P.O. BOX 10
JEROME, ID 83338

2. Date of Priority: JUL 16, 1952

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	15	SE	SE			TWIN FALLS

5. Description of diverting works:
PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	15	NW	NE		IRR	20.0
			NE	NW		IRR	30.0
			NW	NW		IRR	30.0

A47-02264

Page 1

Date: 08/16/88

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	15	SW	NW		IRR	20.0
			SE	NW		IRR	40.0
						Section Acres	140.0
						Total Acres	140.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 3093. SOME ACREAGE HAS BEEN TRANSFERED.

15. Basis of Claim: LICENSE
Water Right Number: 22918

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: 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): George R. Faltu Date: 8-16-88
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of August 19 88

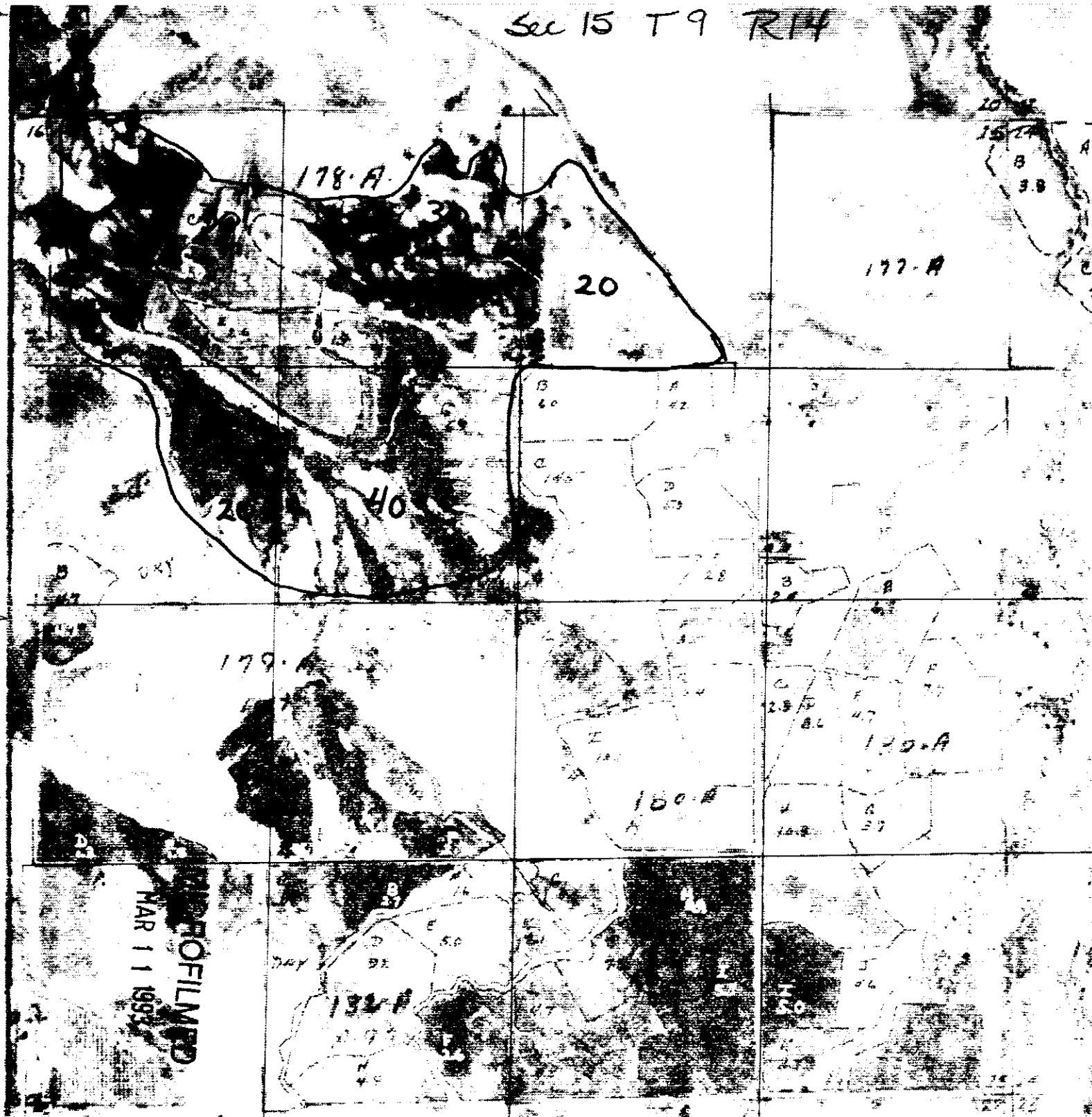
Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

Sec 15 T9 R14

A47-02264



REPROFILMED
MAR 11 1993

Log for claim 47-02264

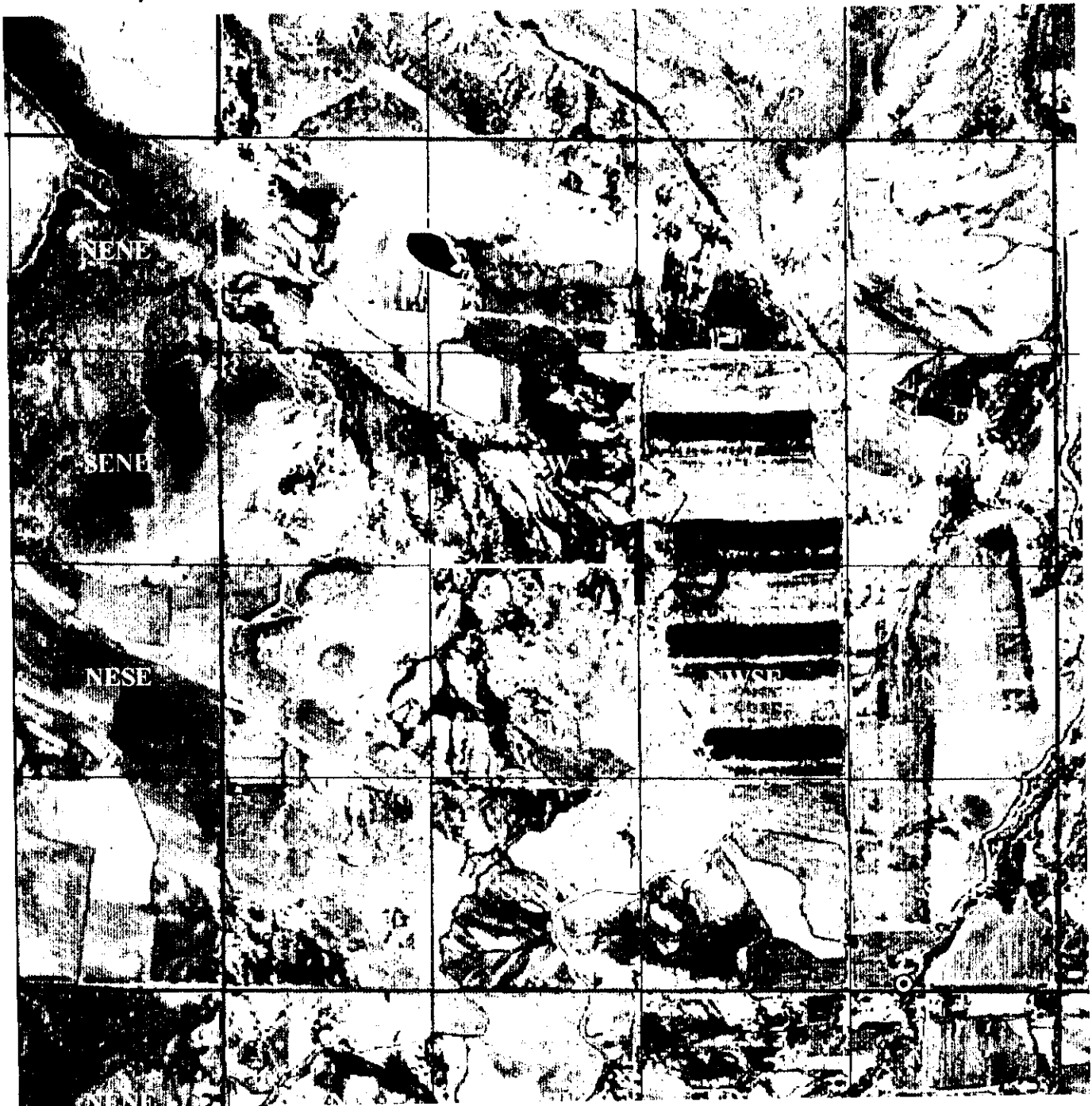
Spatial Dynamics BTD

2/14/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	15	NWNE	20	18	
09s14e	15	NENW	30	28	
09s14e	15	NWNW	30	32	
09s14e	15	SWNW	20	13	
09s14e	15	SEnw	40	40	
Totals:			140	131	

Water Right Claim Number 47-02264
Township , 9S14E

02/14/2001



Legend

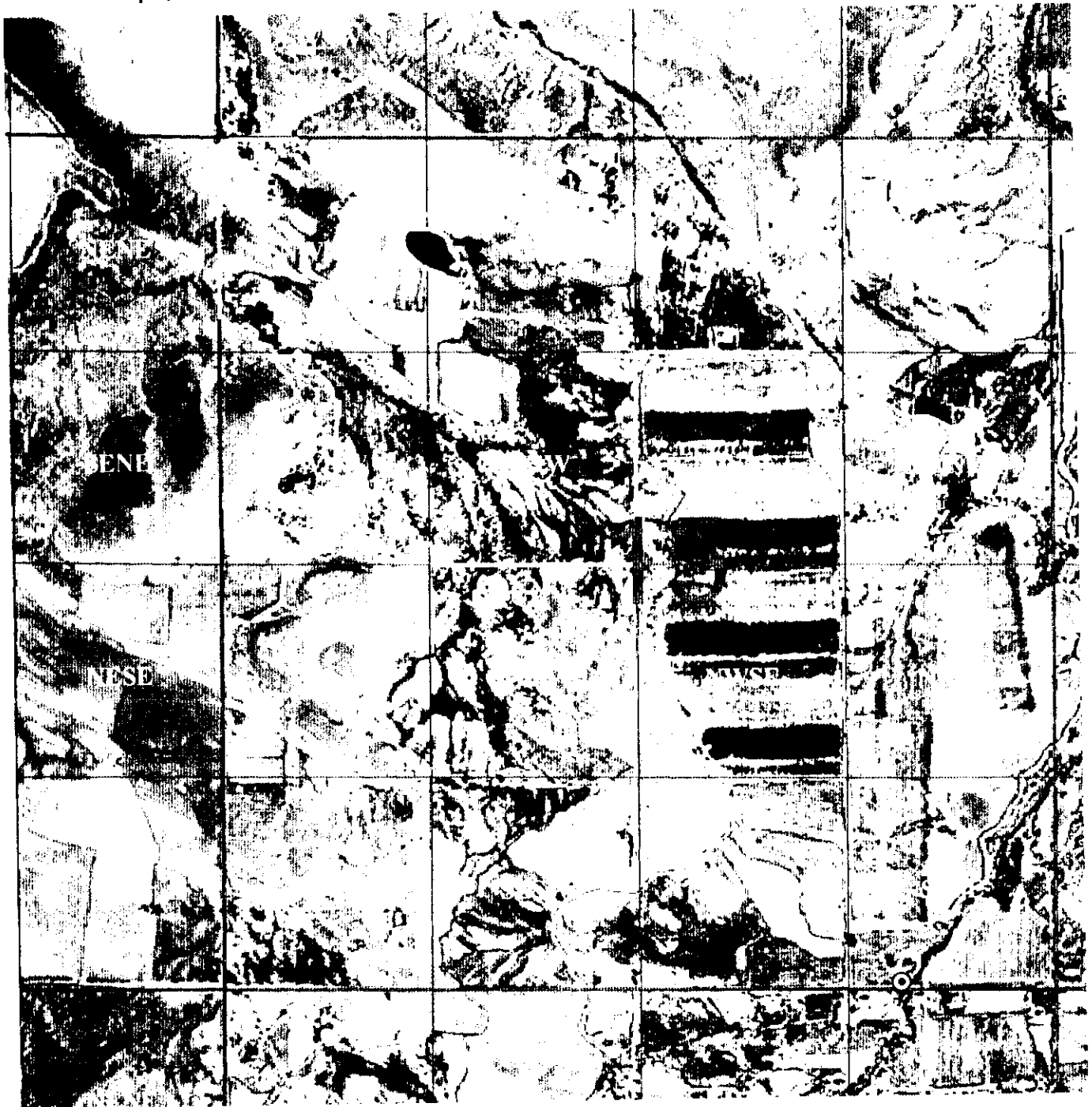
Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals

700 0 700 1400 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-02264
Township , 9S14E

02/14/2001



Legend

Irrigated Area

Section Line

Roads



Place of Diversion

Quarter Section Line

Streams and Canals

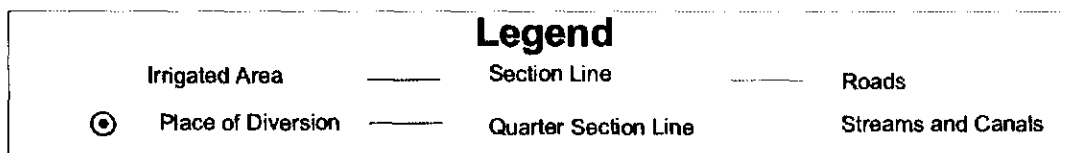
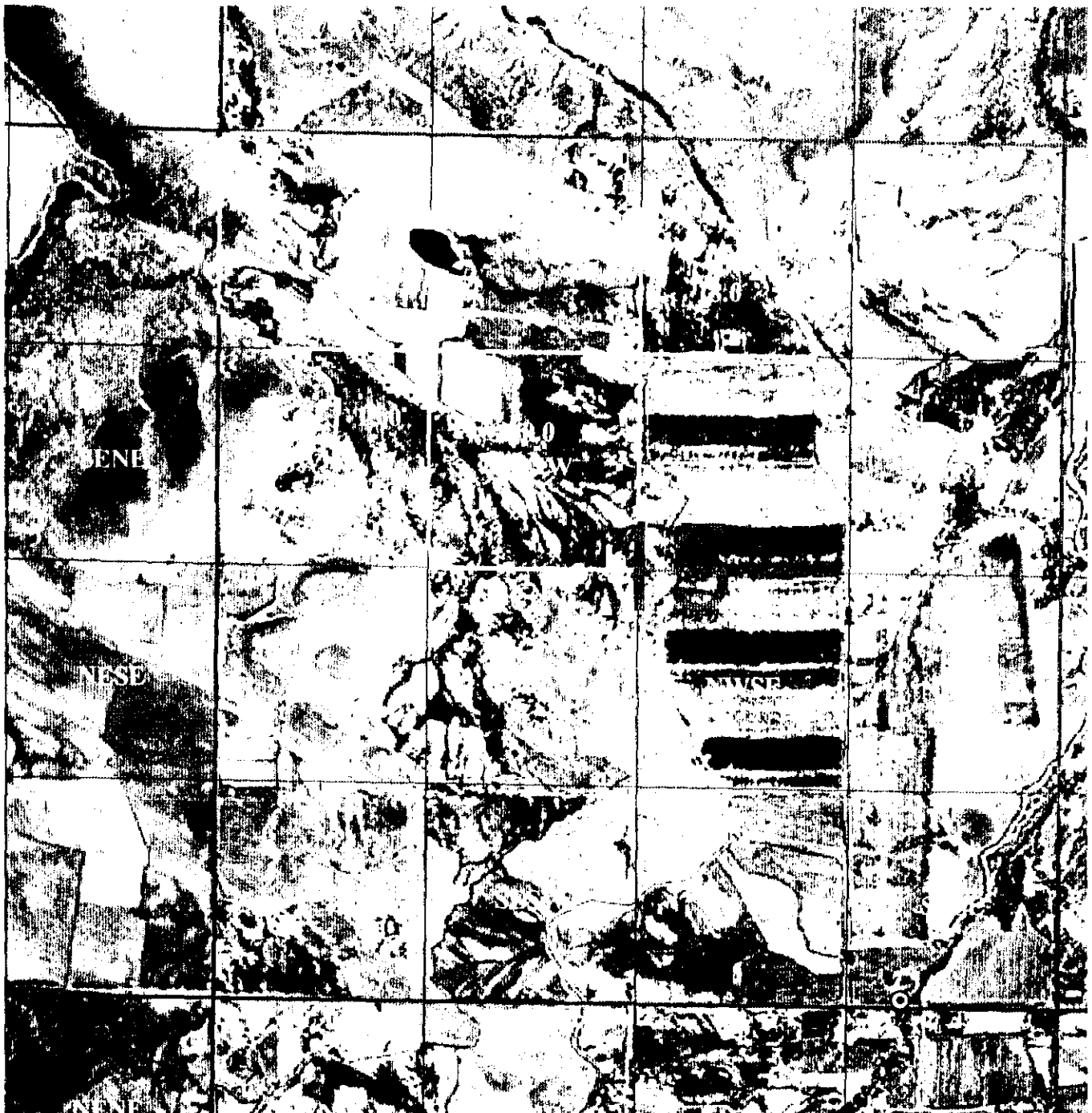


700 0 700 1400 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-02264
Township , 9S14E

02/14/2001



700 0 700 1400 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-02264

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	ROY CASEL	07/16/1952	IRRIGATION	03-15 11-15	3.200 CFS
C	ELVIA CASEL				
	4475 RIVER RD				
	RT 3 BOX 228A				
	BUHL ID 83316				
	(208) 543-6664				
				TOTAL DIVERSION:	3.200 CFS
				CONSUMPTIVE USE:	

Water Source: MUD CREEK

Tributary to: SNAKE RIVER

Stage: LICE

Point(s) of Diversion:

T09S R14E S15

SESE

TWIN FALLS C

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac
09S	14E	15	:			20		:	30	30	20	40	:					:				

TOTAL ACRES

POU County: TWIN FALLS

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

47-10088 47-10886 A47-02259 A47-02260 A47-04066 A47-04267A A47-07700 A47-10088 A47-10886

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0020920

Remarks: GEN TRANS. 3093. SOME ACREAGE HAS BEEN TRANSFERED.

OWNERSHIP CHANGE 11/15/91 BY JG.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 08/16/88 CLELLAND 11/15/91 GIVENS 03/30/95 POST-STD

69 13 1952 State of Idaho License and Certificate of Water Right

Water License No. 22918

Amount 3.2 c.f.s.

Water District No.

Priority July 16, 1952

THIS IS TO CERTIFY that

JOHNNIE SHARP TURNER

of Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 16, 1952; that Permit No. 22918 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on July 26, 1954, showing that said works were completed on the 26th day of July, 1954; and that on the 12th day of July, 1958,

JOHNNIE SHARP TURNER

of Buhl, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Mud Creek

, a tributary of Snake River, for the purpose of irrigation & stock water, under Use Permit No. 22918 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6971, on the 23 day of September, 1960;

The right hereby confirmed dates from July 16, 1952;

The Point of Diversion is located

in the NE 1/4, NE 1/4, Sec. 22, Tp. 9 S, R. 14 E., B. M. County Twin Falls

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	10	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	10
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	20	10
		15	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
					20
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of September, 1960.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

47-2264

APPLICATION No. 30667
 PERMIT No. 22918
 DISTRICT No.

1. Name of Applicant: **JOHNNIE SHARP TURNER**

Postoffice address: **Box 1469, Buhl**

County: **Twin Falls**

State: **Idaho**

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: **160 inches or 3.2**

cubic feet per second.

3. Source of water supply: **Mud Creek**

which is a tributary of **Snake River**

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$**

of Section **15** , T. **9 S.** , R. **14 E.** , B.M., County of **Twin Falls**

5. Water is to be used for **Irrigation and stock watering purposes**

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
 of Section , T. , R. , B.M.

7. Estimated cost of works: \$ **2,000.00**

8. Kind of works: **Ditch and pipe line**

9. Height of dam **None** feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom **3** feet; width at water line **6** feet; depth of water **1** feet;

dimensions of flume:

Diameter of pipe **16** inches; length of conduit **500 ft. pipe line** miles.

Average grade per mile feet.

12. The time required for the completion of such work is **Two (2)** years.

13. The time required for the complete application of the water to the proposed use is **Four (4)** additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**

Permit No. 22918
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JOHNNIE SHARP TURNER of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. 22918, issued upon Application No. 30667 bearing date of priority of July 16, 1952, authorizing the diversion of 3.2 second feet of the waters of Mud Creek, a tributary of Snake River, County of Twin Falls, State of Idaho, for irrigation and stock watering 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 3.2 second feet of the waters of Mud Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 9 South, Range 14 East, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ (2 $\frac{1}{2}$ acres), N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15; Twp. 9 South, Range 14 East, B. M.

Witness my hand this 26th day of July, A. D. 1954.

MARK R. KULP
 State Reclamation Engineer

Proof of Completion of Works made July 26, 1954.
 Certificate of Completion of Works issued July 26, 1954.

Application for Amendment

POINT OF DIVERSION ✓
 Permit No. 22918

Comes now JOHNNIE SHARP TURNER and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 22918.

That the point of diversion is described in said Permit as being located SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 9 S., R. 14 E., B. M.

That he now requests that the point of diversion be changed to a point located: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 9 S., Rge. 14 E., B. M.

That the reason for desiring to make such change is as follows: Diversion taken from point just south of the section line.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 23rd day of September, 1960.

JOHNNIE SHARP TURNER by

Mrs. Johnnie Sharp Turner

Date of Receipt at Department of Reclamation: 9-23-60

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. W. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 22918. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. W. CARTER
 State Reclamation Engineer

Recorded: September 23, 1960

COPIES ISSUED FOR REC. SEC. 71
 Page 6971

Transfer No. 3093Water Right No. 47-2264

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Foster & Kienlen, a partnership Phone 837-4583Post Office address c/o Jim Kienlen, Route #1 Box 32, Hagerman, ID 83332**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____ (Name of court)

b. License No. 47-2264 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenantpurchase of land & water**3. Source of water** Mud Creek tributary to Fork River**4. Date of priority** 7-16-1952**5. Water is used for the following purposes:**amount 3.2 cfs for Irrigation purposes from Mar 15 to Nov 15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum**7. Location of original point of diversion is** NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22Township 9S Range 14E, B.M., in Twin Falls County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>9S</u>	<u>14E</u>	<u>10</u>												<u>10</u>			<u>10</u>		<u>20</u>
		<u>15</u>		<u>40</u>			<u>40</u>	<u>40</u>	<u>20</u>										<u>140</u>

Total number of acres to be irrigated 160**9. Describe any other water rights used for the same purpose as described above****10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years**of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

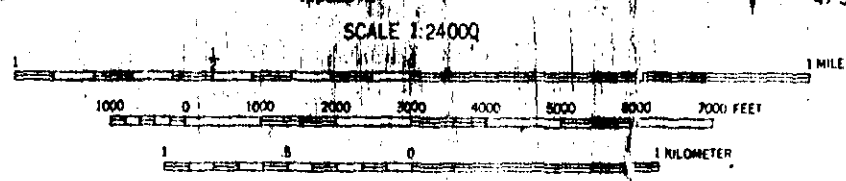
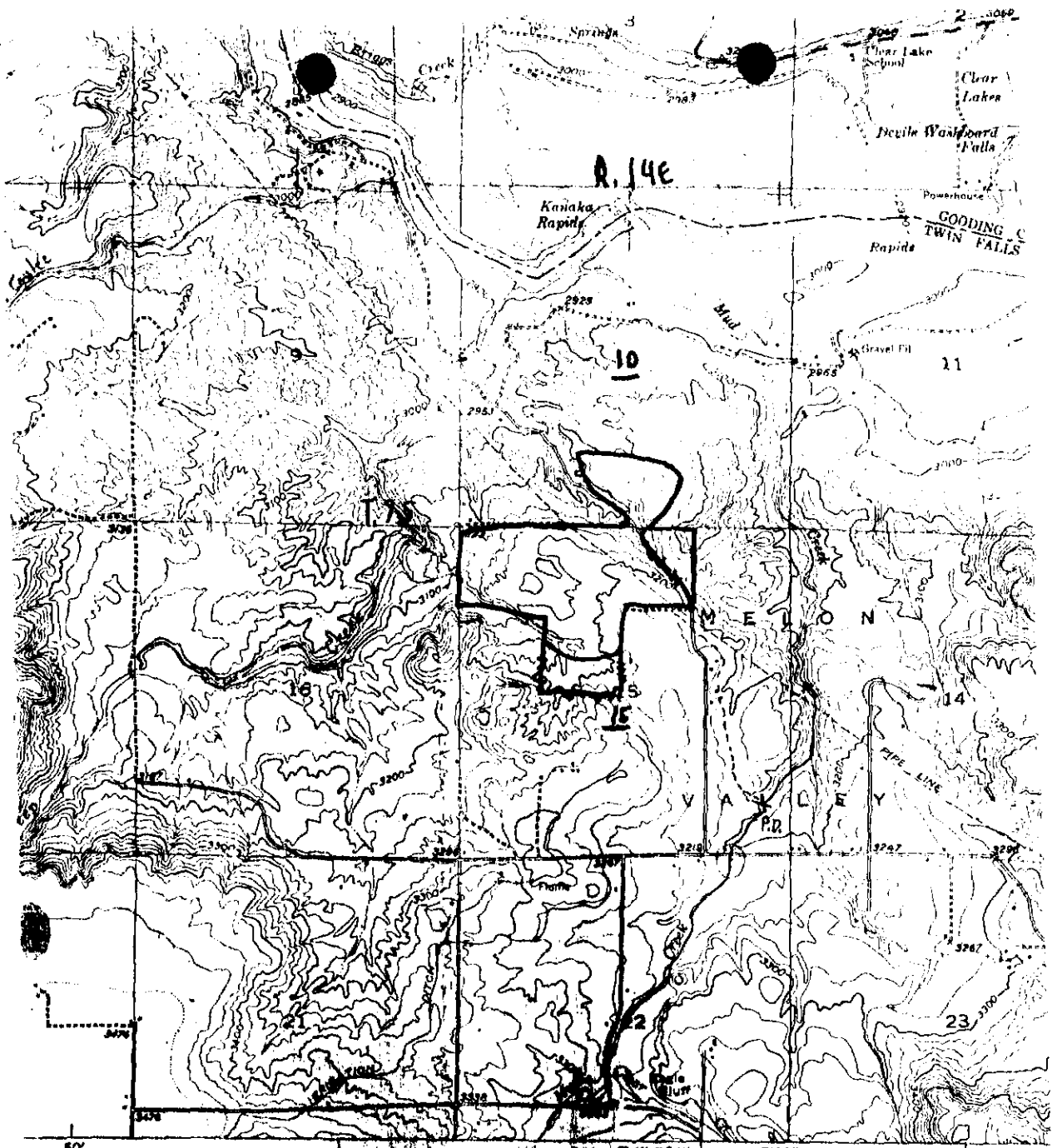
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Pump & pipeline to sprinkler system
 - c. Describe the reasons for the proposed changes Upper end of ditch is no longer usable due to later developments on the stream. Also, the old system has been abandoned in favor of a more-efficient sprinkler system. A pump on our land is needed for the sprinkler system.
2. Change in point of diversion

Point of diversion SE ¼ SE ¼, Section 15 Township 9S
Range 14E, B.M., Twin Falls County
Additional points _____
3. Change in place of use No Change
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer



CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT HALF-INTERVAL CONTOURS
CONTOUR INTERVAL ON RIVER SURFACE 5 FEET

c. Describe the lands and place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

()

UNRECORDED

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

James K. Carter
(Signature of Applicant)

Subscribed and sworn to before me this 21 day of December, 19 84

Mary A. Newby
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-2264
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 18th day of April, 19 85

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>JB</u>	Date <u>12-21-84</u>	Protest filed by <u>None</u>
Prelim. check by <u>JB</u>	Fee <u>\$50.00</u>	
Receipted by <u>JB</u>	Date <u>12-21-84</u> <u>\$35244</u>	
Published in <u>Times News</u>	Copies of protest forwarded by _____	
Pub. dates <u>1/12 + 1/24/85</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>(approval)</u> denial	
_____ rec'd.	by <u>ADM Jim Dyer</u>	

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22918

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Johnnie Sharp Turner
2. Source of water supply: Mud Creek - Tributary of Snake River
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15
T. 9 South R. 14 East, B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: 18" culvert pipe under road from P/R. pipe for approx. 100 yds then open ditch to pump. Water divides here and part goes thru a pipe line syphon to N. East by gravity and irrigator approx 25 a by gravity. Balance of water is lifted by pump thru pipe line to South West then by gravity to fields.
5. Water is used for: Irrigation and stock watering
6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp. 9 South,
Range 14 East, B. M.

There is also a small re-lift pump in the field to the West that lifts water back into ditch to South North

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This is a very rough piece of land and is farmed under very adverse conditions. It is rented this year and irrigated from a different ditch leading in over high ground to South.

F. H. A. loaned Turner the money to put this system in. He says the Harms people had agreed to pay for half of the pipe that would carry water to them. This they did not do. F. H. A. closed in. It took all of

This examination was made on the 24 day of June, 1959

Turner's cattle and machine (Signed) E. H. Humphrey
to pay the bills. It broke him. Examiner.

22918

Johnnie Sharp Turner
Box 469, Buhl, Idaho

Permit No. 22988

Examination for Beneficial Use

County Twin Falls,

15-9S-14E

Q = 3.2

S = Small Creek

PD = SE⁴SE⁴ sec 15-9S-14E

Use = Irrigation & Domestic

Subst. Sub. = 9, 1952

Due = July 19, 1954

Reb. Sub. & Measure

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Turner says Mrs. H. went to a lawyer and the lawyer came to him and was going to force a set of way there, but gave it up when he learned C/S Sub. 76, 1954. Turner had not touched the old syphon.

Turner's statement is that he refused to let them use water thru a syphon that he put in entirely at his own expense.

There is an old leaky wooden syphon (now wrapped pipe) about 15' west of his that had formerly been used. He said they could use it if they would not pay half on the new one. He says no controversy over open ditch. This is a family affair. The Hams boy married Turner's niece. They

