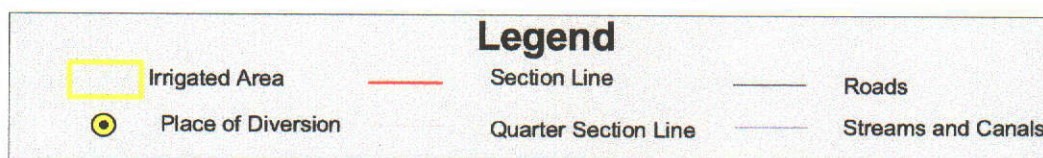
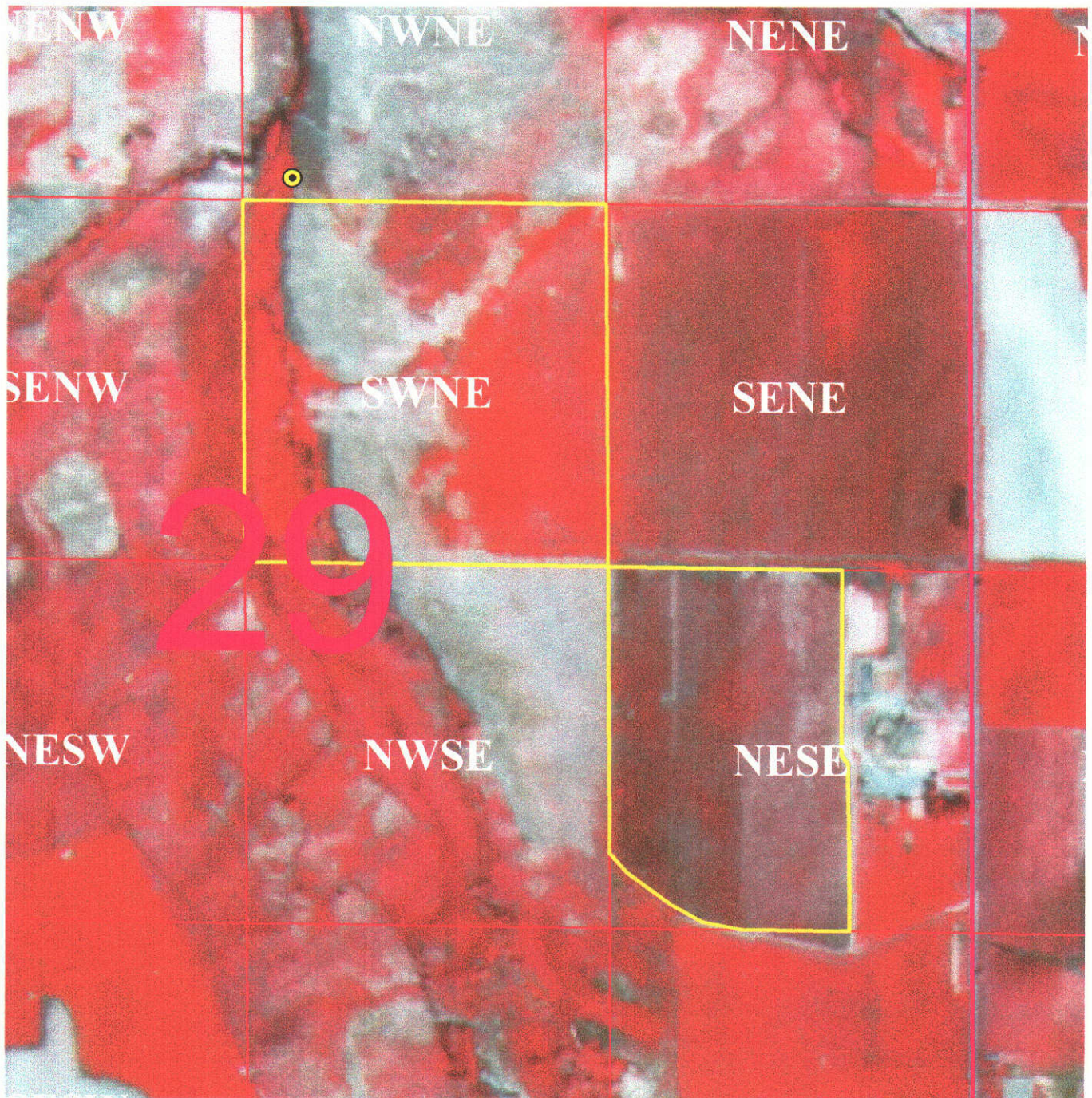


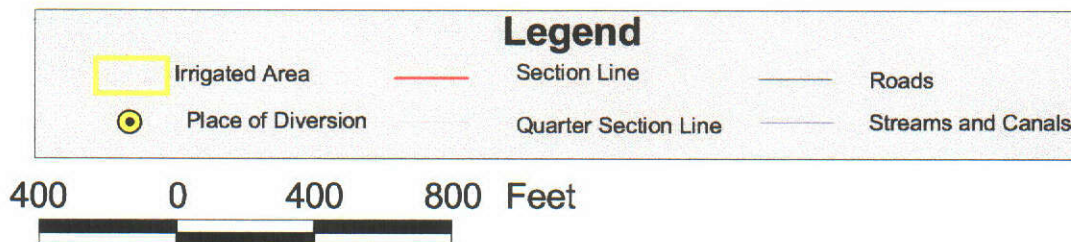
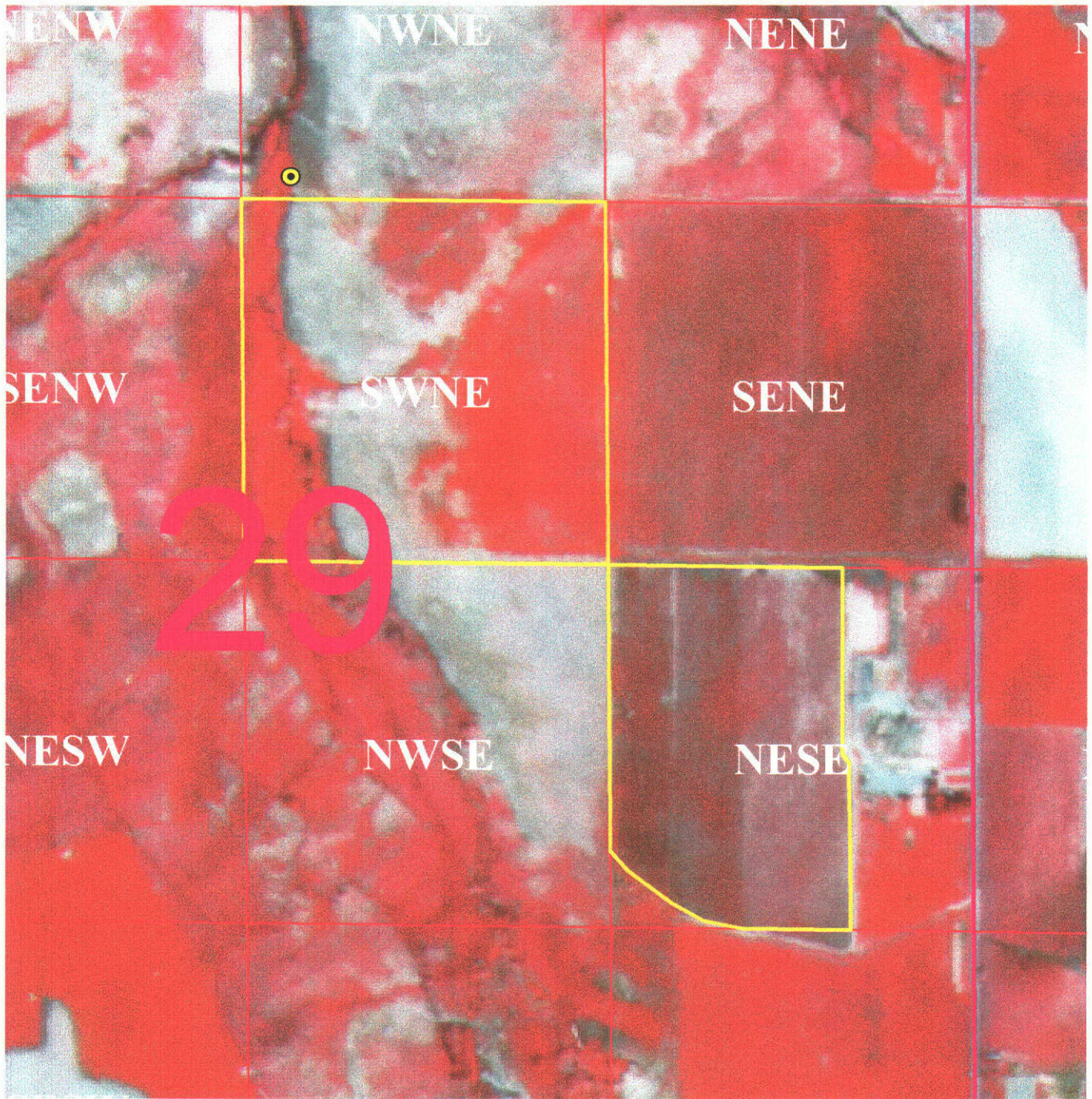
Water Right Claim Number A47-02298
Township , 11S18E

10/03/2000



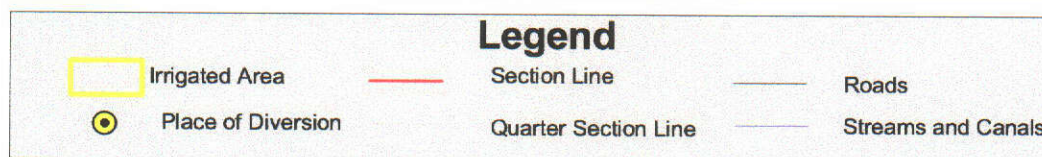
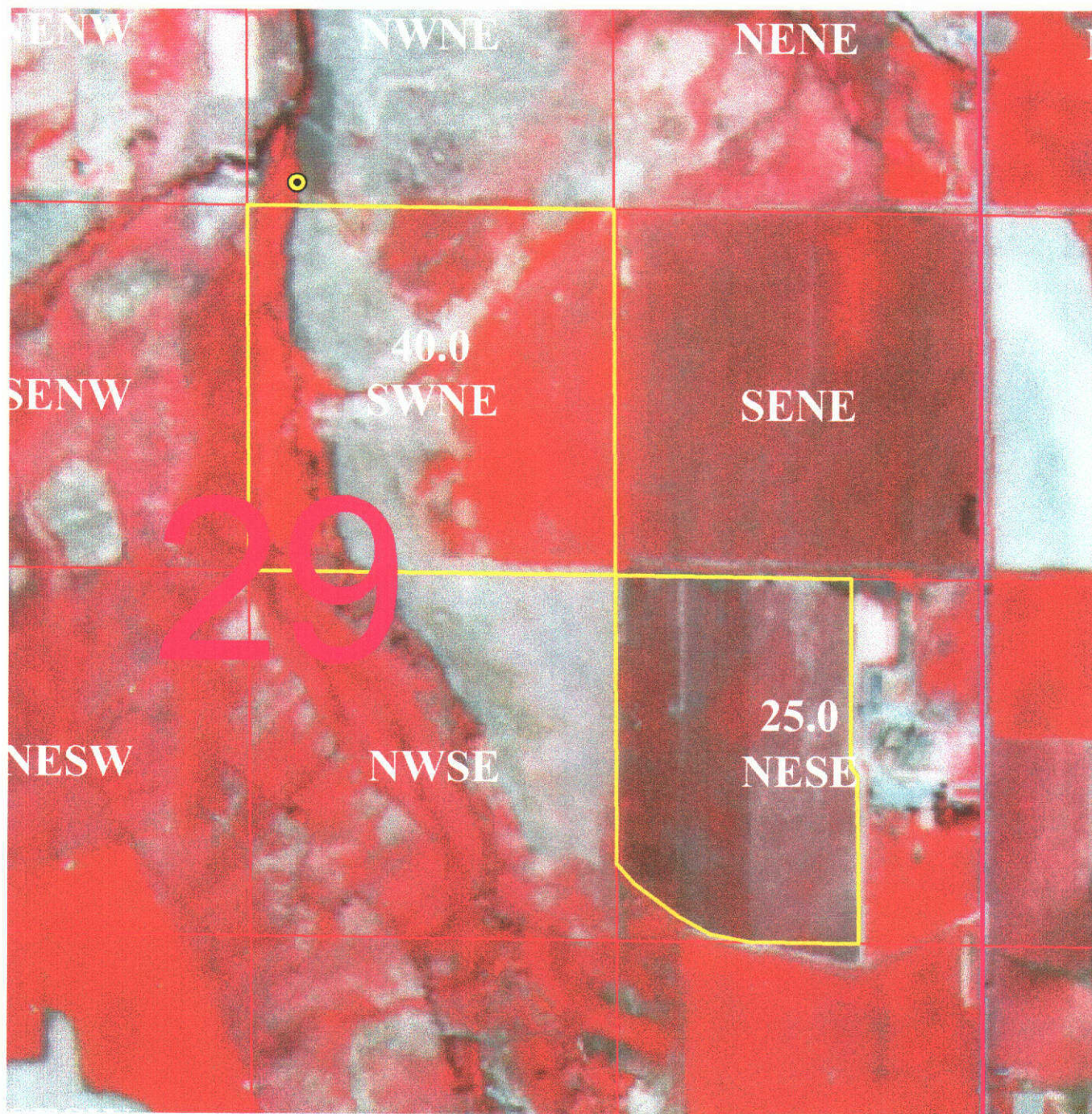
Water Right Claim Number A47-02298
Township , 11S18E

10/03/2000



Water Right Claim Number A47-02298
Township , 11S18E

10/03/2000



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: A47-02298

Date Received: 10/11/1988

Receipt No: 5002870

Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MATHERS RANCH INC. 208-423-5847
Address: RT. 2
KIMBERLY, ID 83341
AND/OR
Name: DOUGLAS L. MATHERS
Address: KIMBERLY, ID 83341
2. Date of Priority: MAR 07, 1957
3. Source: MC MULLEN CREEK Trib. to: COTTONWOOD CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	18E	29	SW	NW	NE		TWIN FALLS
5. Description of diverting works:
CHECK DAM, 50 HP PUMP, BURIED MAINLINE TO GATED PIPE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/31	0.560		
7. Total Quantity Appropriated is:
0.560 C.F.S. (and/or) 112.00 A.F.A.
8. Total consumptive use is 84.0 Acre Feet Per Annum.
9. Non-irrigation uses:

A47-02298

Page 1

Date: 10/11/88

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	29	SW	NE		IRR	5.0
			NE	SE		IRR	23.0
					Section Acres		28.0
					Total Acres		28.0

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:
47-2279, TWIN FALLS CANAL CO. SHARES

14. Remarks:
P/U WAS LICENSED INCORRECTLY, AS IT WAS NEVER POSSIBLE TO IRRIG-
ATE THE SE/SE SEC. 29 WITH THIS SYSTEM. 5 ACRES CLAIMED IN SW/NE
SEC. 29 IS IN ADDITION TO THE 95 AC. CLAIMED UNDER A47-02279, AS
THE SYSTEM IRRIGATES 100 ACRES TOTAL. THE 23 AC. CLAIMED IN THE
NE/SE SEC. 29 IS COVERED UNDER A47-02279. WE DON'T WANT TO GIVE
UP ANY PRIORITY, AS WOULD BE NEEDED TO CLAIM THIS SYSTEM UNDER
ONE CLAIM. SYSTEM CAPACITY IS 2.16 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 26119

16. Signature(s)

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Vice President of
Title
Mathers Ranch, Inc., that I have signed the foregoing
Organization
document in the space below as Vice President of
Title
Mathers Ranch, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Luther L. Mathers
Signature of Authorized Agent

V.P. - Mathers Ranch, Inc.
Title and Organization

10-11-88
Date

State of Idaho)
County of Thur Falls) SS.

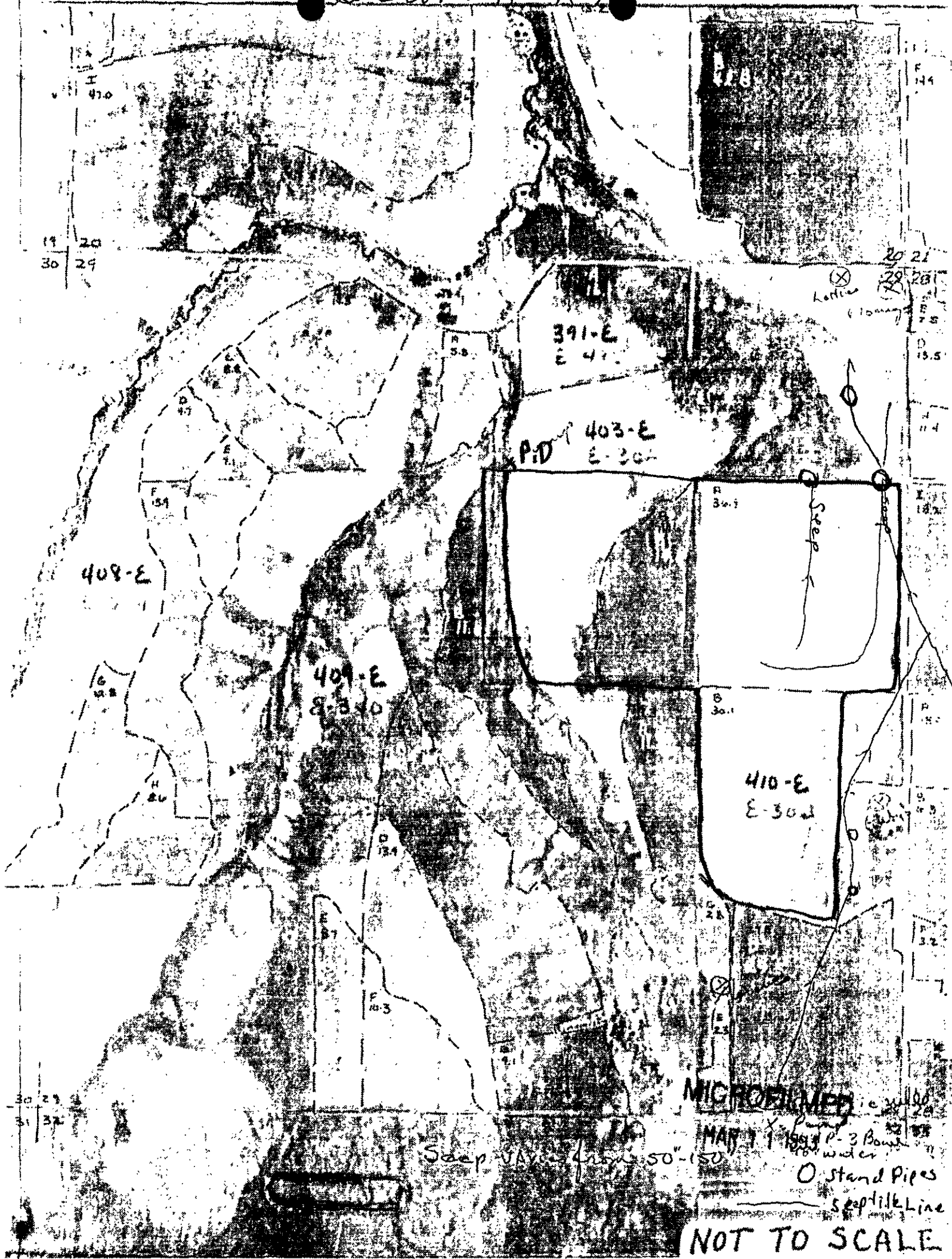
Subscribed and sworn (or affirmed) before me this 11th day
of Oct. 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/91

Sec 29 T11 R18



Log for claim A47-02298

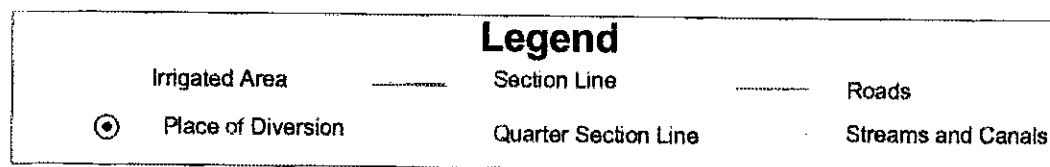
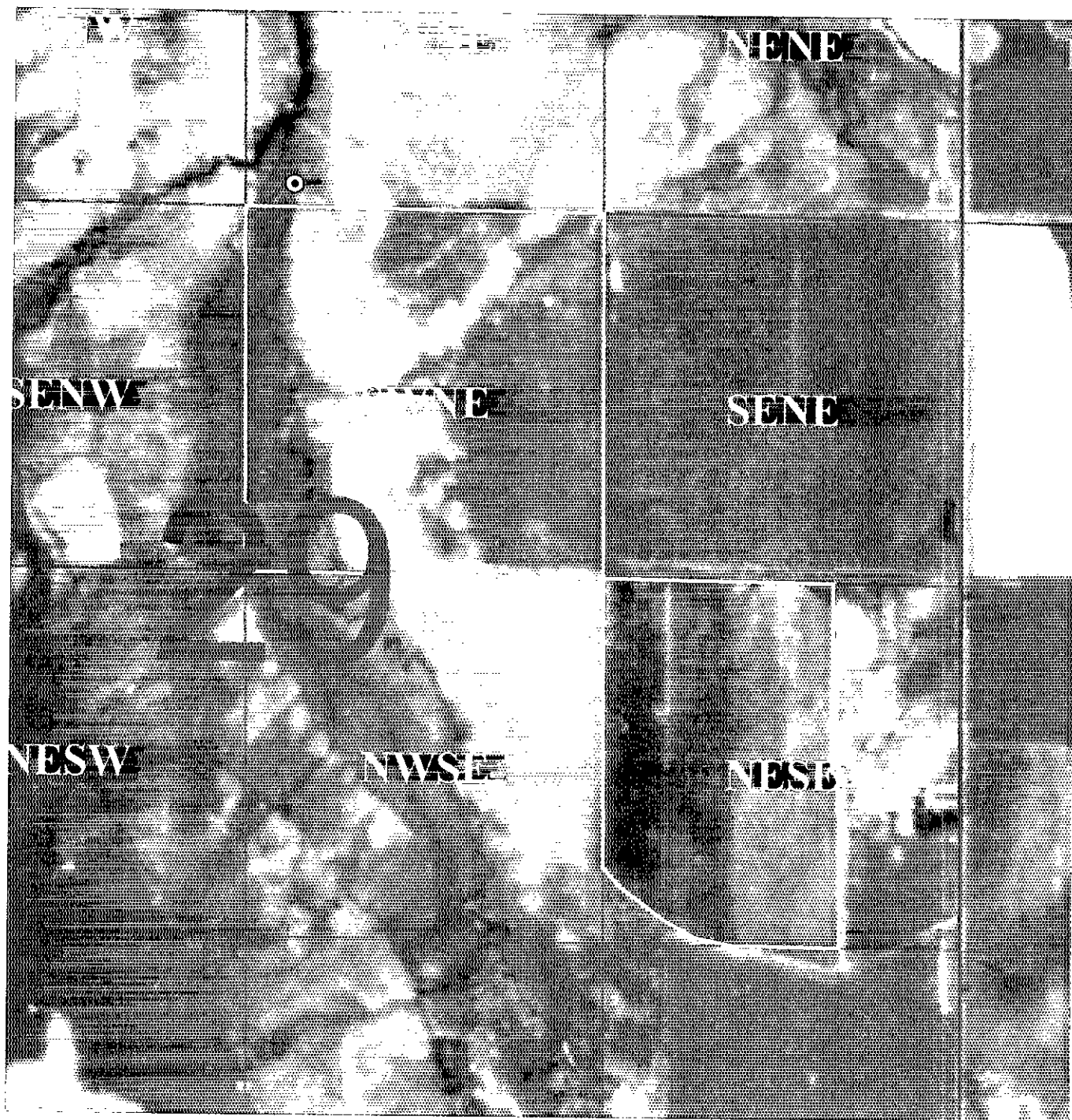
Spatial Dynamics BTD

10/3/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s18e	0	NESE	23	25	
11s18e	29	SWNE	5	40	Indiscernible
Totals:			28	65	

Water Right Claim Number A47-02298
Township , 11S18E

10/03/2000

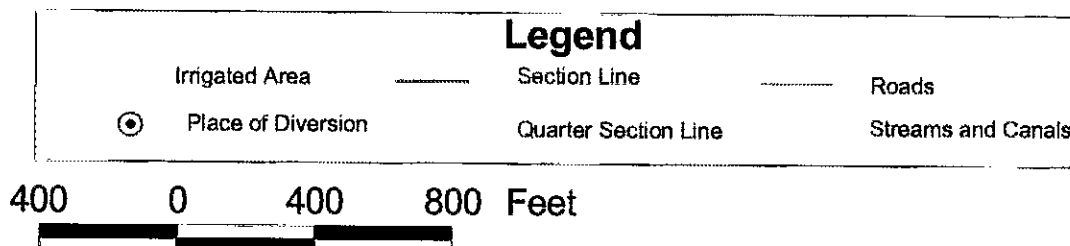
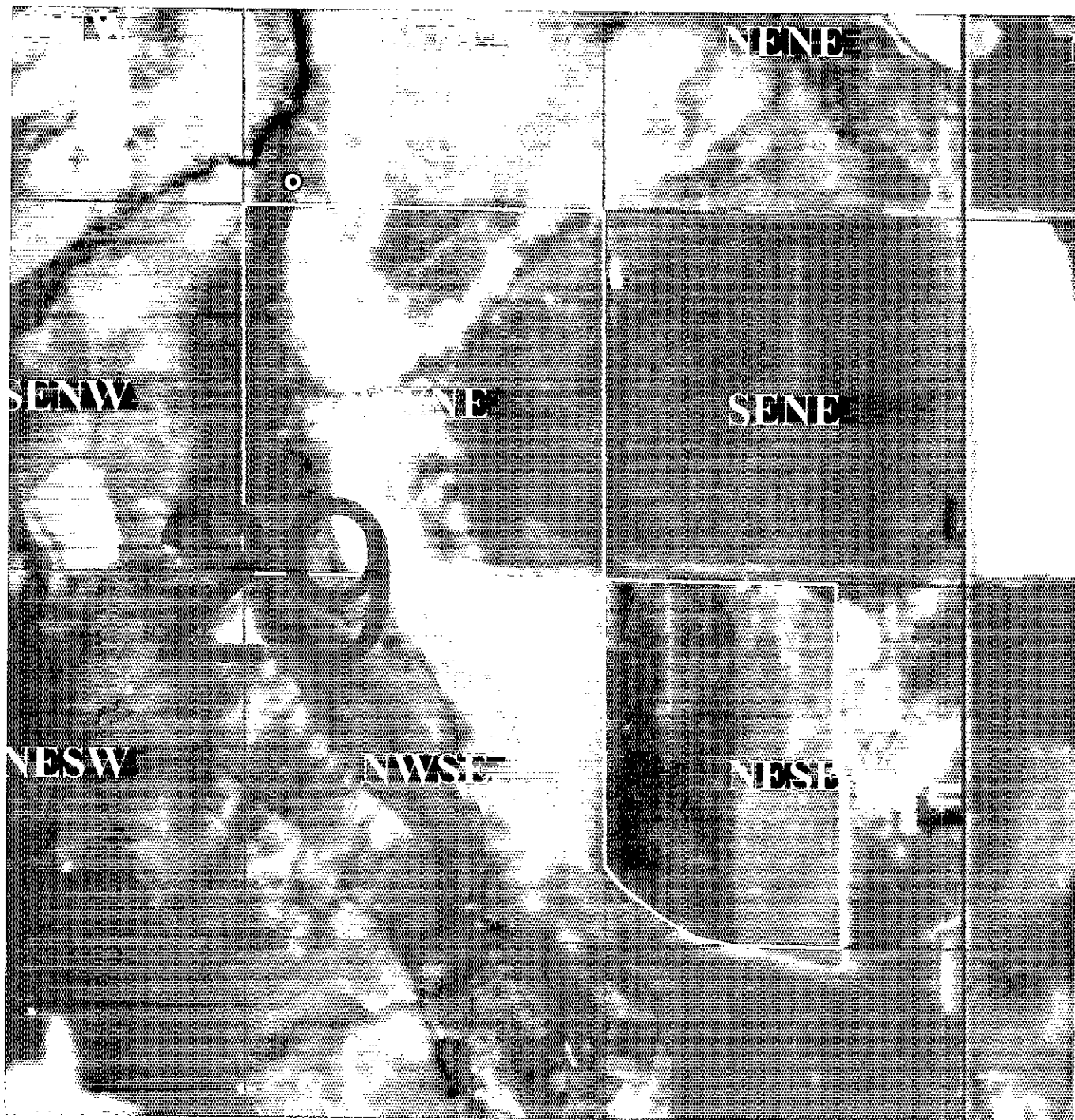


400 0 400 800 Feet



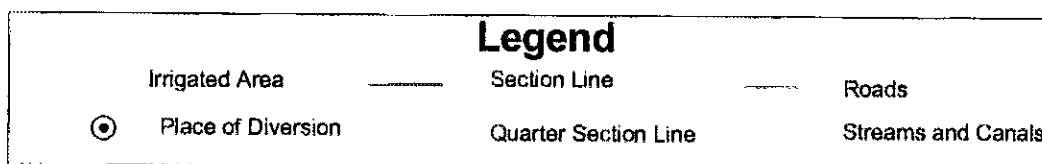
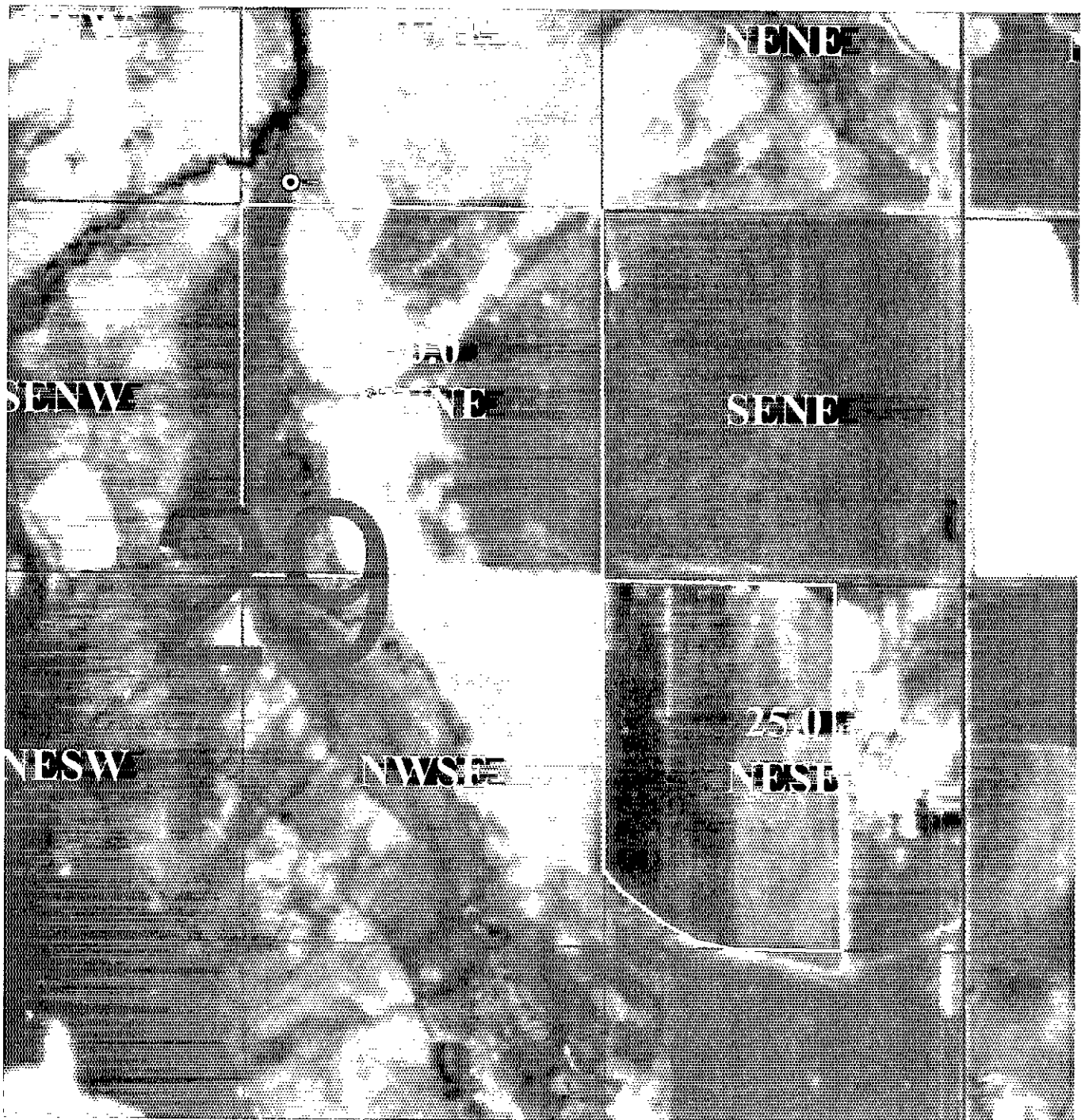
Water Right Claim Number A47-02298
Township , 11S18E

10/03/2000



Water Right Claim Number A47-02298
Township , 11S18E

10/03/2000



400 0 400 800 Feet



AJ5809NP
No. A47-02298

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 190

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MATHERS RANCH INC RT 2 KIMBERLY ID 83341 (208) 423-5847	03/07/1957	IRRIGATION	03-15 10-31	0.560 CFS	
				TOTAL DIVERSION:	0.560 CFS	112.00 AFA
				CONSUMPTIVE USE:		84.00 AFA

C DOUGLAS L MATHERS
KIMBERLY ID 83341

Water Source: MC MULLEN CREEK

Tributary to: COTTONWOOD CREEK

Stage: LICENSE

AJ5809NP
No. A47-02298

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 191

Point(s) of Diversion: T11S R18E S29 SWNWNE TWIN FALLS 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	: SUM
11S	18E	29	:				05	:			:						:	23	:				28.0
																				TOTAL ACRES	28.0		

POU County: TWIN FALLS

Other Rights: 47-2279, TWIN FALLS CANAL CO. SHARES

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-14823 A47-02279 A47-10006 A47-14823

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020925 A47-02279 A47-10672

Remarks: GEN P/U WAS LICENSED INCORRECTLY, AS IT WAS NEVER POSSIBLE TO IRRIG-
ATE THE SE/SE SEC. 29 WITH THIS SYSTEM. 5 ACRES CLAIMED IN SW/NE
SEC. 29 IS IN ADDITION TO THE 95 AC. CLAIMED UNDER A47-02279, AS
THE SYSTEM IRRIGATES 100 ACRES TOTAL. THE 23 AC. CLAIMED IN THE
NE/SE SEC. 29 IS COVERED UNDER A47-02279. WE DON'T WANT TO GIVE
UP ANY PRIORITY, AS WOULD BE NEEDED TO CLAIM THIS SYSTEM UNDER
ONE CLAIM. SYSTEM CAPACITY IS 2.16 CFS.

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

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

Audit: 10/11/88 STANTON 03/30/95 POST-STD 02/17/00 RBROWN

State of Idaho

License and Certificate of Water Right

Water License No. 26119

Amount .56 c.f.s.

Water District No.

Priority March 7, 1957

THIS IS TO CERTIFY that LEE MATHERS of Kimberly, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 22, 1955; that Permit No. 26119 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.9 second feet, was issued thereunder on November 27, 1957, showing that said works were completed on the 15th day of November, 1957; and that on the 13th day of March, 1961,

LEE MATHERS

of Kimberly, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of McMullen Creek, a tributary of , for the purpose of irrigation, under Use Permit No. 26119 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 7096, on the 13 day of June, 1961; The right hereby confirmed dates from March 7, 1957;

The Point of Diversion is located in the NW ¼ NE ¼, Sec. 29, Tp. 11S, R. 18E, 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 .56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E	29	SW ¼ NE ¼	40	5
			SE ¼ SE ¼	40	39
Total number of acres to be irrigated:				44	44

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 13th day of June, 1961.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)



47-2298

26119

1976 John Hansen

No.

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

Application No. 34000
Permit No. 26119
District No.

1. Name of Applicant: LEE MATHERS

Postoffice address: Route #2, Kimberly 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:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 95 inches or 1.9 cubic feet per second.

3. Source of water supply: McMullen Creek which is a tributary of

4. Location of point of diversion: 300 feet North and 40 feet East of the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section Twenty-Nine (N¹/4 NE¹/4) of Sec. 29 T 11 S, Range Eighteen (18) E, R. 11, which is in the Northwest Quarter of the Northeast Quarter (N¹/4 NE¹/4) of Section 29, Township 11 South, Range 18 E, B. M., County of Twin Falls.

5. Water is to be used for Irrigation

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: \$3000.00

8. Kind of works: Earth dam, 1800 ft. 12" steel pipe and 1300 ft. 8" steel pipe and ditches

9. Height of dam nine feet; length of dam at top Thirty feet; length of dam at bottom thirty feet; material used in dam: Earth, steel and concrete

10. Size of headgate: Width None feet; height feet;

11. Ditch: Width at bottom 1-1/2 feet; width at water line two feet; depth of water one feet; dimensions of flume: None Diameter of pipe 12 & 8 inches; length of conduit See remarks miles. Average grade per mile See remarks feet.

12. The time required for the completion of such work is two years.

13. The time required for the complete application of the water to the proposed use is two additional years.

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 80 inches represented by Permit No. 25133 as amended and 100 inches represented by 100 shares of Twin Falls Canal Company of which, however, 95 in. represented by shares in T.F. Canal Company are in the process of being transferred to the N¹/4 SW¹/4, N¹/4 SE¹/4, and SW¹/4, SW¹/4, Sec. 33, Twp. 11 S., Range 18 E.B.M. and Lots 2 and 3 in

15. (a) -Is reservoir to be used? No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

LEE MATHERS

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:30 A.M. Dec. 22, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26119

Recorded in Book 92 Page 26119 Approved Dec. 28, 1955

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 approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before February 29, 1956 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 December 28, 1956

The whole of said work to be completed on or before December 28, 1957

Beneficial use of water appropriated in accordance herewith, to be made on or before December 28, 1959

Witness my hand this 28th day of December, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SEYDLIE, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th

day of December, 1956.

STATE OF IDAHO

Countersigned:

(SEAL)

By ROBERT E. SEYDLIE

Governor

By IRA H. MASTERS

Secretary of State.

By Paul L. Fleener

Deputy Secretary of State.

Remarks: From point of diversion water to be lifted by electric motor centrifugal pump into 12" steel pipeline and carried 1800 feet to a diversion box 30 feet higher than point of diversion. Pipe will run in SE direction from point of diversion to South line of S1 NW1 where diversion box located and then flow by gravity in ditch along said South line in an easterly direction. Water will then flow from this ditch in corrugations in a northerly direction. Water will be pumped from this ditch in a South easterly direction in a 12" steel pipe and then flow in ditches northerly and westerly on lands to be irrigated.

Twp.	Range	Sec.	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	Totals
11 S.	18 E.	29		20	40	40						40	40		180 acres.

Permit No. 26119

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that LEE MATHERS of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. 26119, issued upon Application No. 34000 bearing date of priority of December 22, 1955, authorizing the diversion of 1.9 second feet of the waters of McMullen Creek County of Twin Falls, State of Idaho, for irrigation 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 1.9 second feet of the waters of McMullen Creek that the point of diversion of said waters NW1/4 NE1/4 of Section 29, Township 11 South, Range 18 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 180 acres in the S1 NW1/4, SW1/4, SE1/4 NE1/4, NE1/4 SE1/4 and SE1/4 SE1/4 of Section 29, Township 11 South, Range 18 East, B.M. Proof of Completion of Works made: November 15, 1957

Witness my hand this 27th day of November, A.D. 1957

MARK R. KULP
State Reclamation Engineer
By: E. N. Humphrey
Deputy State Reclamation Engineer

Proof of Completion of Works made: November 15, 1957

Certificate of Completion of Works issued: November 27, 1957.

COPIES ISSUED FOR 56 SEC. 8.

Page 7096

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

Permit No. 26119

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Lee Mathers

2. Source of water supply: McMullen Creek

3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 29

T. 11 S. R. 18 EBM County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: 30 HP. F.M. Motor
#595325, F.M. Pump & P.F. 8488. 6" discharge 1320' x 122' at full pipe. reduced to 8"
600' Use Barnes water lift pump powered by tractor on relief.

5. Water is used for: irrigation

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):

NW 1/4 NE 1/4, S 1/4 NE 1/4, E 1/4 SE 1/4 Sec. 29., Twp. 11 S., Rge. 18 E.B.M.

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

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

Remarks: Mr. Bill Mathers (son) along

There are 45 shares (8 1/2 per share) Twin Falls Canal Co on this place.

Measured by Current Meter. Ditches only capable of carrying ^{at 100' water} ~~at 100' water~~
Could not use Spacing Meter or weir.

This examination was made on the 25 day of May, 1961.

(Signed) Leopold Johnson Examiner.

26119

Lee Mathers
R. #2
Kimberly, Idaho
Permit No. 26119

Examination for Beneficial Use

County Twin Falls

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.

Q 1.9 a. c.

S. McMillan

1. D. NW. 1/4 Sec. 55 T. 8. N. R. 15. E. 1/4

35. Irrigation

Filed 1. 11. 22, 1955

1. 11. 22, 1955

Q 1. 11-21-5

1. 11. 22, 1955

100' in 1/4 Sec. 55

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26119

REPORT ON PROOF OF Beneficial Use

Quantity:
Source:
P.D.:
Use:
Filed:
Due:
Extension:
Completion of Works:
Other Rights:

Sec. 29. T. 11 S. R. 18 E. 18 N