

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 47-2478
Date Received: 12/22/1988
Receipt No: S004987
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KATHI L MEYERS Phone: (208)733-4952
3024 WOODRIDGE DR
TWIN FALLS ID 83301

ROBERT J MEYERS Phone: (208)733-4952
3024 WOODRIDGE DR
TWIN FALLS ID 83301

2. Date of Priority: 07/18/1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	18E	23	NW SE SE	TWIN FALLS	

5. Description of diverting works:

HEADGATE, DITCH & GRAVITY IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	9.1	

7. Total Quantity Appropriated is:

9.1 C.F.S. and/or 2268 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

47-2478

03/23/2006

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Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	18E	14	NE	NW	IRRIGATION	23
			NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	23
			NE	SW	IRRIGATION	34
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	38
			SE	SW	IRRIGATION	38
Section Acres						275
11S	18E	15	SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	35
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	39
			NE	NE	IRRIGATION	39
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			Section Acres			
11S	18E	23	NE	NW	IRRIGATION	18
			NW	NW	IRRIGATION	2
Section Acres						20
Total Acres						567

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

P/D CENTER OF SE1/4, S23, T11S, R18E.

LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416 IDAHO CODE. THE PERMIT WAS FOR 640 ACRES, AS WAS THE PROOF OF BENEFICIAL USE AND THE ENGINEER'S REPORT. ALL OF THIS LAND SHOULD HAVE BEEN LICENSED, SINCE THIS SYSTEM HAS REMAINED BASIC- ALLY THE SAME SINCE THE ORIGINAL DECREE WAS MADE. WE ARE THERE- FORE CLAIMING ALL THE LAND UNDER THIS DITCH AS THE PLACE OF USE FOR THIS RIGHT. THE WATERMASTER HAS STATED THAT ABOUT HALF OF THIS RIGHT HAS BEEN DELIVERED; SINCE WE ARE NOT SURE ON THIS, THE WHOLE FLOW IS CLAIMED. THIS IS A FLOOD RIGHT (LATE PRIORITY) IN THIS WATER DISTRICT. ALL THE LAND CLAIMED IS NORTH OF ROCK CR.

***** OWNERSHIP CHANGE
7/12/90 BY JG.

***** LIENHOLDER ADDED 10/25/94 ADM | ADDRESS CHANGE
FOR MISSOURI OFFICE OF MONY BY CLAIMANT LETTER SS 7/29/99.

15. Basis of Claim: License

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s)	Adjudication Claim No(s)	Split
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<u>ATTACHED</u>		

Water Right No(s)	Adjudication Claim No(s)	Split
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RECEIVED
 MAR 17 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

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

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

OR

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

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

Kenneth & Jennifer MullBenny

4. New Owner/Claimant(s)

Robert Meyer

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

New Mailing Address

3024 Woodlodge Dr

City, State and ZIP Code

Twin Falls, ID 83301

New Telephone Number

(208) 733-4952

5. Date you acquired the property

10-1-04

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

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

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Robert J. Meyers

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

For Office Use Only

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

All Robert J. on Kaluul. Meyers

**WATER RIGHTS AND CANAL SHARES - KENNETH & JENNIFER MULBERRY
MONEY LOAN #12113**

**TWIN FALLS CANAL CO.
357 6TH AVE. WEST
TWIN FALLS, ID 83301**

**CERTIFICATE #30040 FOR 56.90 SHARES
CERTIFICATE #30041 FOR 9.10 SHARES
CERTIFICATE #30461 FOR 501.34 SHARES
CERTIFICATE #18255 FOR 40.00 SHARES
CERTIFICATE #30570 FOR 37.00 SHARES
CERTIFICATE #31209 FOR 80.00 SHARES**

**BENEFICIAL USE #A47-13605 (Stockwater/Domesite)
LICENSE #A47-02548 (Irrigation)
LICENSE #A47-02468 (Irrigation)
LICENSE #A47-02257 (Irrigation)
LICENSE #A47-02550 (Irrigation)
LICENSE #A47-02137 (Irrigation)
LICENSE #A47-02502 (Irrigation)
LICENSE #A47-00129 (Irrigation)
LICENSE #A47-00132 (Irrigation)
LICENSE #A47-00130 (Irrigation)
LICENSE #A47-00131 (Irrigation)
LICENSE #A47-02478 (Irrigation)
BENEFICIAL USE #A36-15131 (Domestic) -
BENEFICIAL USE #A47-14363 (Domestic) - *WR***

*47-12721-WR
47-12094-WR*

T040052

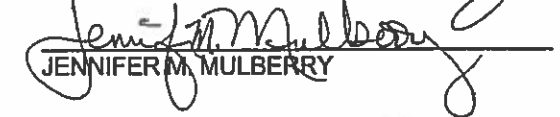
Twin Falls County, Idaho
Recorded for:
TWIN FALLS TITLE
09:37am Oct.01,2004
2004-021426
No. of Pages: 16 Fee: \$48.00
KRISTINA GLASCOCK
County Clerk
Deputy: KM

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED KENNETH A. MULBERRY and JENNIFER M. MULBERRY, husband and wife, hereinafter called the Grantors, hereby grant, bargain, sell, and convey unto ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife, whose address is 3024 Woodridge Drive, Twin Falls, Idaho, hereinafter called the Grantees, all interest in that certain real property situated in the County of Twin Falls, State of Idaho, as described on Exhibit A attached hereto.

TO HAVE AND TO HOLD the said premises unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, except as mentioned above, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 1 day of October, 2004.


KENNETH A. MULBERRY

JENNIFER M. MULBERRY

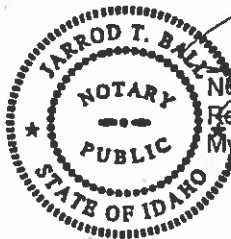
STATE OF IDAHO)

) ss.

County of Twin Falls)

On this 1st day of October, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH A. MULBERRY and JENNIFER M. MULBERRY, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC FOR IDAHO

Residing in: Twin Falls

My commission expires: 7-25-2008

EXHIBIT A

TWIN FALLS COUNTY

PARCEL NO. 1

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 8: All that portion North of the Twin Falls Low Line Canal, also known as Lots 1-21, 22, 24, 25, 27-32, 34, 36 and 39 of UTAH CONSTRUCTION COMPANY SUBDIVISION, plat recorded as Instrument No. 222470 on December 23, 1929.

EXCEPTING THEREFROM Lots 1, 16, 18, 20 and 39 of UTAH CONSTRUCTION COMPANY SUBDIVISION, Twin Falls County, Idaho, plat recorded as Instrument No. 222470 on December 23, 1929, in the official records of Twin Falls County, Idaho

ALSO EXCEPT a strip of land along the North bank of the Low Line Canal located in Lots 32, 34 and 36 of Utah Construction Company Subdivision in Section 8, Township 11 South, Range 18 East, Boise Meridian, and being more particularly described as follows:

BEGINNING at the Southwest corner of said subdivision and said Section 8;
THENCE North 00°04'00" West for a distance of 269.70 feet along the Westerly boundary of said subdivision and said Section 8 to the Southwest corner of said Lot 32 and the TRUE POINT OF BEGINNING;
THENCE along the Southerly boundary of said Lots 32, 34 and 36 the following courses and distances:
North 81°35'00" East for a distance of 332.70 feet;
THENCE North 76°34'00" East for a distance of 396.70 feet;
THENCE South 89°05'00" East for a distance of 199.30 feet;
THENCE North 78°49'00" East for a distance of 451.00 feet;
THENCE North 88°14'00" East for a distance of 199.40 feet;
THENCE North 81°41'00" East for a distance of 680.30 feet;
THENCE North 87°22'00" East for a distance of 80.30 feet;
THENCE North 79°26'00" East for a distance of 429.70 feet;
THENCE North 59°51'00" East for a distance of 221.80 feet;
THENCE North 45°53'00" East for a distance of 300.00 feet;
THENCE North 39°33'34" West for a distance of 90.00 feet to a point on the North bank of said Low Line Canal;
THENCE South 64°33'48" West for a distance of 708.60 feet;
THENCE South 08°46'19" East for a distance of 15.00 feet;
THENCE South 81°13'41" West for a distance of 975.26 feet;
THENCE South 80°52'24" West for a distance of 414.37 feet;

47-13605

THENCE North 09°07'36" West for a distance of 15.00 feet;
THENCE South 80°52'24" West for a distance of 300.00 feet;
THENCE South 71°39'59" West for a distance of 250.00 feet;
THENCE South 80°52'24" West for a distance of 542.06 feet to a point on the
Westerly boundary of said Lot 32 and the Westerly boundary of said Section 8;
THENCE South 00°04'00" East for a distance of 70.78 feet along the Westerly
boundary of said Section 8 to the TRUE POINT OF BEGINNING.

PARCEL NO. 2

Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 20: A tract of land located in the SW¼NW¼ more particularly described
as follows:

BEGINNING at the Southwest corner of said SW¼NW¼;
THENCE North 0°07'58" East for a distance of 731.56 feet along the Westerly
boundary of said SW¼NW¼ to the TRUE POINT OF BEGINNING;
THENCE North 0°07'58" East for a distance of 589.07 feet to the Northwest
corner of said SW¼NW¼;
THENCE South 89°24'18" East for a distance of 449.88 feet along the Northerly
boundary of said SW¼NW¼;
THENCE South 0°07'58" West for a distance of 527.56 feet parallel with the
Westerly boundary of said SW¼NW¼;
THENCE South 76°58'48" East for a distance of 70.60 feet;
THENCE South 1°54'22" East for a distance of 285.66 feet;
THENCE South 44°40'12" East for a distance of 131.71 feet;
THENCE South 41°27'06" East for a distance of 228.03 feet;
THENCE South 18°29'59" East for a distance of 243.67 feet along the Southerly
boundary of said SW¼NW¼;
THENCE North 89°24'59" West for a distance of 108.93 feet along the Southerly
boundary of said SW¼NW¼;
THENCE North 45°02'33" West for a distance of 1,046.05 feet to the TRUE
POINT OF BEGINNING.

EXCEPTING THEREFROM a strip of land 4 feet wide along the North side as
described in Quitclaim Deed to W.H. Jones and Katherine Jones recorded July
23, 1913 as Instrument No. 44564.

SUBJECT TO the right of public roads which affect the Southerly and Westerly
25.00 feet thereof.

PARCEL NO. 3

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

47-14363

Section 22: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

BEGINNING at the North $\frac{1}{4}$ Section corner of Section 22, said corner marked by a $\frac{1}{2}$ " rebar which shall be the POINT OF BEGINNING;
THENCE South 0°11'28" West along the $\frac{1}{4}$ Section line for 1,319.45 feet to a 5/8" rebar at the SE corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
THENCE North 89°16'37" West along the East line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 20.00 feet to a point;
THENCE North 00°11'28" West parallel to the East line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 208.71 feet to a point;
THENCE North 89°16'37" West for 208.71 feet to a $\frac{1}{2}$ " rebar;
THENCE South 00°11'28" East for 199.51 feet to a $\frac{1}{2}$ " rebar;
THENCE South 00°11'28" East for 9.20 feet to a point on the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
THENCE North 89°16'37" West along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 1,098.92 feet to a 5/8" rebar at the SW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
THENCE North 00°07'52" West along the West line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 199.39 feet to a $\frac{1}{2}$ " rebar;
THENCE South 80°33'44" West for 535.18 feet to a $\frac{1}{2}$ " rebar;
THENCE South 88°44'27" West for 799.40 feet to a P.K. nail on the Section line;
THENCE North 0°04'18" West along the Section line for 1,006.61 feet to a P.K. Nail, said nail lying South 00°04'18" East for 235.00 feet from the NW corner of Section 22;
THENCE South 89°17'15" East for 235.00 feet to a $\frac{1}{2}$ " rebar;
THENCE North 00°04'18" West for 235.00 feet to a P.K. nail on the Section line;
THENCE South 89°17'15" East along the Section line for 2,417.48 feet to the POINT OF BEGINNING.

TOGETHER WITH an easement for ingress and egress described as follows:

BEGINNING at the North $\frac{1}{4}$ Section corner of Section 22, Township 11 South, Range 18 East, Boise Meridian, said corner marked by a $\frac{1}{2}$ " rebar which shall be the POINT OF BEGINNING;
THENCE South 00°11'28" East along the $\frac{1}{4}$ Section line for 1,095.63 feet to a point;
THENCE North 89°16'37" West for 20.00 feet to a point;
THENCE South 00°11'28" East for 208.71 feet to a point on the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
THENCE South 89°16'37" East along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 20.0 feet to a 5/8" rebar at the SE corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;
THENCE South 89°13'44" East along the South line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 25.00 feet to a point;
THENCE North 00°11'28" West for 1,319.44 feet to a point on the Section line;
THENCE North 89°11'58" West along the Section line for 25.00 feet to the POINT OF BEGINNING.

PARCEL NO. 4

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 14: NE $\frac{1}{4}$ NW $\frac{1}{4}$ EXCEPT the East one acre thereof; NW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ and all of the SW $\frac{1}{4}$

Section 15: NE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all of the SE $\frac{1}{4}$

EXCEPT that parcel of land beginning at a point South 00°48' East 38 feet and South 89°12' West 51 feet from the Northeast corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15; THENCE South 10°45' East 62 feet to the South side county road to the REAL POINT OF BEGINNING;

THENCE South 10°45' East 193 feet to a point;

THENCE South 79°15' West 83 feet to a point;

THENCE North 18°57' West 210 feet to a point;

THENCE North 84°50' East 116.4 feet to the POINT OF BEGINNING.

Section 22: NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 23: NW $\frac{1}{4}$

TOGETHER WITH an access easement recorded April 12, ¹⁹⁹⁰ ~~1980~~ as Instrument No. 968886 more particularly described as follows:

COMMENCING at the Northwest corner of Section 23, said point lies North 90°00'00" West 2,639.94 feet from the North Quarter corner of Section 23; THENCE South 90°00'00" East 413.16 feet to the REAL POINT OF BEGINNING; THENCE South 55°31'48" East 253.50 feet; THENCE South 50°13'43" East 123.49 feet; THENCE South 45°10'13" East 186.63 feet; THENCE South 00°00'00" West 21.15 feet; THENCE North 45°10'13" West 200.88 feet; THENCE North 50°13'43" West 122.13 feet; THENCE North 55°31'48" West 274.65 feet to the North boundary of Section 23; THENCE South 90°00'00" East 26.50 feet to the REAL POINT OF BEGINNING.

SUBJECT TO an access easement recorded April 18, ¹⁹⁹⁰ ~~1980~~ as Instrument No. 969133 more particularly described as follows:

COMMENCING at the Northwest corner of Section 23, said point lies North 90°00'00" West 2,639.94 feet from the North Quarter corner of Section 23; THENCE South 90°00'00" East 413.16 feet to the REAL POINT OF BEGINNING; THENCE South 55°31'48" East 253.50 feet; THENCE South 50°13'43" East 123.49 feet;

THENCE South 45°10'13" East 186.63 feet;
THENCE North 00°00'00" East 21.15 feet;
THENCE North 45°10'13" West 172.38 feet;
THENCE North 50°13'43" West 124.85 feet;
THENCE North 55°31'48" West 232.34 feet to the North boundary of Section 23;
THENCE South 90°00'00" East 26.50 feet to the REAL POINT OF BEGINNING.

ALSO SUBJECT TO the rights of a public road which affects the Northerly 25.00 feet thereof and also is subject to and includes use of an easement for the purpose of ingress, egress and public utilities over a strip of land 30 feet in width and located in the NW¼NW¼ of Section 23, Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho and lying 15 feet right and is 15 feet left of the following described centerline:

BEGINNING at the Northwest corner of said NW¼NW¼;
THENCE North 90°00'00" East a distance of 413.16 feet along the Northerly boundary of said NW¼NW¼ to the TRUE POINT OF BEGINNING of said centerline;
THENCE South 55°31'48" East a distance of 253.50 feet;
THENCE South 50°13'43" East a distance of 123.49 feet;
THENCE South 45°10'13" East a distance of 186.63 feet;
THENCE South 49°39'13" East a distance of 174.37 feet to a point on the Easterly boundary of the above described parcel and terminus of said easement.

EXCEPTING THEREFROM a parcel of land located in the NW¼NW¼ more particularly described as follows:

BEGINNING at the Northwest corner of said NW¼;
THENCE North 90°00'00" East a distance of 413.16 feet along the Northerly boundary of said NW¼NW¼ to the TRUE POINT OF BEGINNING;
THENCE North 90°00'00" East a distance of 607.31 feet along the Northerly boundary of said NW¼NW¼;
THENCE South 4°40'15" West a distance of 506.49 feet;
THENCE North 69°32'28" West a distance of 138.54 feet to the East boundary of property owned by the Idaho State Historical Society;
THENCE North 00°00'00" East a distance of 102.34 feet to the center of an access road;
THENCE along the center of said access road the following courses and distances:
North 45°10'13" West a distance of 186.63 feet;
THENCE North 50°13'43" West a distance of 123.49 feet;
THENCE North 55°31'48" West a distance of 253.50 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING a parcel of land located in the NW¼NW¼ more particularly described as follows:

BEGINNING at the Northwest corner of said NW¼;
THENCE North 90°00'00" East a distance of 1,020.47 feet along the Northerly boundary of said NW¼NW¼ to the TRUE POINT OF BEGINNING;
THENCE North 90°00'00" East a distance of 275.19 feet along the Northerly boundary of said NW¼NW¼;
THENCE South 5°56'47" West a distance of 317.86 feet;
THENCE South 9°30'24" West a distance of 256.12 feet;
THENCE North 80°36'04" West a distance of 127.11 feet;
THENCE North 69°32'57" West a distance of 123.59 feet;
THENCE North 4°40'15" East a distance of 506.49 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING a parcel of land located in the NW¼NW¼ more particularly described as follows:

COMMENCING at the Northwest corner of Section 23, said point lies North 90°00'00" West 2,639.94 feet from the North Quarter corner of Section 23;
THENCE South 90°00'00" East 370.00 feet to the REAL POINT OF BEGINNING;
THENCE South 90°00'00" East 43.16 feet;
THENCE South 55°31'48" East 253.50 feet;
THENCE South 50°13'43" East 123.49 feet;
THENCE South 45°10'13" East 186.63 feet;
THENCE South 00°00'00" West 109.95 feet;
THENCE South 21°32'00" West 210.71 feet;
THENCE North 90°00'00" West 353.12 feet to the center of Rock Creek;
THENCE North 00°42'40" East 16.90 feet along the center of Rock Creek;
THENCE North 31°01'00" East 84.70 feet along the center of Rock Creek;
THENCE South 72°41'22" East 30.36 feet along the center of Rock Creek;
THENCE North 52°47'44" East 77.43 feet along the center of Rock Creek;
THENCE North 16°56'23" West 74.97 feet along the center of Rock Creek;
THENCE North 48°42'26" West 81.06 feet along the center of Rock Creek;
THENCE South 82°37'41" West 76.01 feet along the center of Rock Creek;
THENCE South 54°11'02" West 55.82 feet along the center of Rock Creek;
THENCE North 00°00'00" East 350.05 feet;
THENCE South 90°00'00" East 20.00 feet;
THENCE North 00°00'00" East 100.00 feet to the REAL POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide county roadway easement parallel with and adjoining the Section line along the North boundary of the above described parcel.

PARCEL NO. 5

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 15: A part of the NE $\frac{1}{4}$ more particularly described as follows:

BEGINNING at a point South 00°48' East 38 feet and South 89°12' West 51 feet from the Northeast corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15;
THENCE South 10°45' East 62 feet to the South side county road;
THENCE South 10°45' East 193.00 feet to a point;
THENCE South 79°15' West 83 feet to a point;
THENCE North 18°57' West 210 feet to a point;
THENCE North 84°50' East 116.4 feet to the POINT OF BEGINNING.

PARCEL NO. 6

Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 20: A parcel of land located in the SW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the Southwest corner of said Section 20 and being the TRUE POINT OF BEGINNING;
THENCE North 00°07'59" East along the West boundary of Section 20 for a distance of 1,878.48 feet to a point on the Southerly right-of-way line of the Oregon Shortline Railroad;
THENCE South 80°47'13" East along the South right-of-way line of the Oregon Shortline Railroad for a distance of 1,333.93 feet to a point on the East boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE South 00°04'41" West along the East boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 358.07 feet to the Northeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE South 89°23'36" East along the North boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 263.05 feet to a point that lies North 89°23'36" West 395.75 feet from the Northeast corner of the W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE South 00°03'02" West parallel with the East line of the W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 889.61 feet;
THENCE North 86°49'49" West for a distance of 233.08 feet;
THENCE South 00°29'26" West for a distance of 123.61 feet;
THENCE North 88°13'44" West for a distance of 314.02 feet;
THENCE South 47°23'08" West for a distance of 53.18 feet;
THENCE South 00°58'18" East for a distance of 288.46 feet to a point on the South boundary of Section 20;
THENCE North 89°22'12" West along the South boundary of Section 20 for a distance of 1,001.29 feet to the Southwest corner of Section 20 and the TRUE POINT OF BEGINNING.

TOGETHER WITH a 20.00 foot wide access easement for the purpose of ingress and egress, said easement is centered on the following described line:

COMMENCING at a point on the South boundary of Section 20, said point being located South 89°22'12" East 1,324.86 feet from the Southwest corner of Section 20;

THENCE North 5°06'48" East for a distance of 165.65 feet;

THENCE North 0°06'28" West for a distance of 152.60 feet to the intersection of the Southerly boundary of the above described parcel. (Said easement is to be in effect only if the ingress and egress is for farming purposes.)

PARCEL NO. 7

Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 20: A parcel of land located in the SW¼ of Section 20, more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 20 and being the TRUE POINT OF BEGINNING;

THENCE South 89°24'59" East along the North boundary of the NW¼SW¼ for a distance of 568.09 feet;

THENCE South 00°07'59" West for a distance of 748.16 feet to a point on the North right-of-way line of the Oregon Shortline Railroad;

THENCE North 80°47'13" West along the North boundary of the Oregon Shortline Railroad for a distance of 575.28 feet to a point on the West boundary of the NW¼SW¼ of Section 20;

THENCE North 00°07'59" East along the West boundary of the NW¼SW¼ for a distance of 661.84 feet to the West Quarter corner of Section 20 and being the TRUE POINT OF BEGINNING.

PARCEL NO. 8

Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 6: A parcel of land located in the E½SE¼ more particularly described as follows:

COMMENCING at the Southeast corner of said Section 6;

THENCE North 00°14'19" East along the East boundary of Section 6 for a distance of 159.50 feet to the TRUE POINT OF BEGINNING;

THENCE North 88°56'15" West for a distance of 699.85 feet;

THENCE North 11°46'35" West for a distance of 76.34 feet;

THENCE North 51°08'19" West for a distance of 771.97 feet to a point of the West boundary of the E½SE¼ of Section 6;

THENCE North 00°11'07" East along the West boundary of the E½SE¼ of Section 6 for a distance of 1,097.31 feet;

THENCE South 74°28'21" East for a distance of 1,215.24 feet;

THENCE North 00°14'19" East for a distance of 20.42 feet;

THENCE South 89°45'41" East for a distance of 147.58 feet to a point on the East boundary of Section 6;
THENCE South 00°14'19" West along the East boundary of Section 6 for a distance of 1,363.86 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide county road right of way along the Easterly boundary thereof.

PARCEL NO. 9

Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 6: Lot 1

SUBJECT TO a 25 foot right of way on the South side of the property.

PARCEL NO. 10

Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 6: SE¼NE¼

SUBJECT TO a 25 foot right of way along the North and East side of said property.

EXCEPTING THEREFROM THE FOLLOWING described property:

Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 6: A parcel of land in the E½E½NE¼SE¼ and the SE¼NE¼ more particularly described as follows:

COMMENCING at the Southeast corner of said Section 6;
THENCE North 00°13'43" East along the East boundary of the SE¼ of Section 6 for a distance of 2,132.39 feet to the TRUE POINT OF BEGINNING;
THENCE North 38°29'53" West for a distance of 96.63 feet;
THENCE North 37°31'00" West for a distance of 47.93 feet;
THENCE North 32°15'11" West for a distance of 52.08 feet;
THENCE North 24°34'59" West for a distance of 93.85 feet;
THENCE North 21°44'57" West for a distance of 26.38 feet;
THENCE North 42°11'41" West for a distance of 29.04 feet;
THENCE North 64°56'07" West for a distance of 41.20 feet;
THENCE North 76°29'38" West for a distance of 40.48 feet;
THENCE North 84°05'49" West for a distance of 104.28 feet;
THENCE North 80°28'37" West for a distance of 51.49 feet;
THENCE North 73°43'29" West for a distance of 47.40 feet;

THENCE North 63°35'49" West for a distance of 65.02 feet;
THENCE North 51°41'32" West for a distance of 67.26 feet;
THENCE North 54°34'07" West for a distance of 47.70 feet;
THENCE North 62°02'34" West for a distance of 45.91 feet;
THENCE North 73°33'44" West for a distance of 44.40 feet;
THENCE North 83°31'26" West for a distance of 44.33 feet;
THENCE South 89°47'47" West for a distance of 107.26 feet;
THENCE South 00°12'54" West for a distance of 150.0 feet;
THENCE North 88°57'50" West for a distance of 473.24 feet;
THENCE North 00°10'31" East for a distance of 384.95 feet;
THENCE South 88°57'50" East for a distance of 470.61 feet;
THENCE South 00°12'54" East for a distance of 195.00 feet;
THENCE North 89°47'47" East for a distance of 109.60 feet;
THENCE South 83°31'26" East for a distance of 50.15 feet;
THENCE South 73°33'44" East for a distance of 51.92 feet;
THENCE South 62°02'34" East for a distance of 52.56 feet;
THENCE South 54°34'07" East for a distance of 51.32 feet;
THENCE South 51°41'32" East for a distance of 64.90 feet;
THENCE South 63°35'29" East for a distance of 57.30 feet;
THENCE South 73°43'29" East for a distance of 41.49 feet;
THENCE South 80°28'37" East for a distance of 47.87 feet;
THENCE South 84°05'49" East for a distance of 105.67 feet;
THENCE South 76°29'38" East for a distance of 47.19 feet;
THENCE South 64°56'07" East for a distance of 53.29 feet;
THENCE South 42°11'41" East for a distance of 44.29 feet;
THENCE South 21°44'57" East for a distance of 32.61 feet;
THENCE South 24°34'49" East for a distance of 90.18 feet;
THENCE South 32°15'11" East for a distance of 47.56 feet;
THENCE South 32°31'00" East for a distance of 45.75 feet;
THENCE South 38°29'53" East for a distance of 46.41 feet to a point on the East boundary of the SE¼ of Section 6;
THENCE South 00°13'43" West along the East boundary of the SE¼ of Section 6 for a distance of 63.94 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 11

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 28: SE¼.

SUBJECT TO the Twin Falls County Highway right-of-way.

EXCEPTING THEREFROM a parcel of land located in the SE¼SE¼ of said Section 28 more particularly described as follows:

COMMENCING at the Southeast corner of said Section 28 and being the TRUE POINT OF BEGINNING;
THENCE North 89°31'48" West along the South boundary of the SE¼ of Section 28 for a distance of 270.00 feet;
THENCE North 00°26'33" West parallel with the East boundary of the SE¼ of Section 28 for a distance of 453.09 feet;
THENCE North 37°47'33" East for a distance of 84.12 feet;
THENCE South 89°31'48" East parallel with the South boundary of the SE¼ of Section 28 for a distance of 217.93 feet to a point on the East boundary of the SE¼ of Section 28;
THENCE South 00°26'33" East along the East boundary of the SE¼ of Section 28 for a distance of 520 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 12

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 28: NE¼NW¼; S½NW¼; NW¼NW¼

SUBJECT TO a 25.0 foot wide county road easement along the Westerly boundary.

ALSO SUBJECT TO a Twin Falls County Highway right-of-way.

EXCEPTING THEREFROM the West 660 feet of the North 396 feet thereof.

ALSO EXCEPTING THEREFROM a parcel of land located in the NW¼NW¼ more particularly described as follows:

COMMENCING at the Northwest corner of said Section 28;
THENCE South 01°26'30" East along the West boundary of the NW¼ of Section 28 for a distance of 396.00 feet to the TRUE POINT OF BEGINNING;
THENCE North 90°00'00" East parallel with the North boundary of the NW¼ of Section 28 for a distance of 200.00 feet;
THENCE South 01°26'30" East parallel with the West boundary of the NW¼ of Section 28 for a distance of 177.00 feet;
THENCE North 90°00'00" West parallel with the North boundary of the NW¼ of Section 28 for a distance of 200.00 feet to a point on the West boundary of the NW¼ of Section 28;
THENCE North 01°26'30" West along the West boundary of the NW¼ of Section 28 for a distance of 177.00 feet to the TRUE POINT OF BEGINNING.

AND ALSO EXCEPTING THEREFROM a parcel of land located in the NE¼NW¼ more particularly described as follows:

COMMENCING at the N $\frac{1}{4}$ corner of said Section 28, from which the Northwest corner of said Section 28 bears North 89°05'57" West 2,654.32 feet, said N $\frac{1}{4}$ corner being the TRUE POINT OF BEGINNING;

THENCE South 00°00'00" West along the East boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 466.39 feet;

THENCE North 56°19'42" West along the center of a concrete ditch for a distance of 212.26 feet to the point of a curve of a curve left;

THENCE Northwesterly along the center of the concrete ditch and along the arc of the curve left for a distance of 89.68 feet to the point of tangent, said arc having a radius of 149.15 feet and a long chord bearing and distance of North 73°33'10" West 88.33 feet;

THENCE South 89°13'23" West along the center of the concrete ditch for a distance of 205.56 feet;

THENCE leaving the center of the concrete ditch on a bearing of North 00°51'06" East for a distance of 333.78 feet to a point on the North boundary of the NW $\frac{1}{4}$ of Section 28;

THENCE South 89°05'57" East along the North boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 462.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road easement along the North boundary of the before described parcel.

AND SUBJECT TO a 10.0 foot wide easement for the use and maintenance of the concrete ditch, said easement being adjacent to and on the Northerly side of the South boundary of the before described parcel.

PARCEL NO. 13

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 28: A parcel of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and more particularly described as follows:

COMMENCING at the Northwest corner of said Section 28;

THENCE North 90°00'00" East along the North boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 660.00 feet;

THENCE South 01°26'30" East parallel with the West boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 240.00 feet to the TRUE POINT OF BEGINNING;

THENCE continuing South 01°26'30" East parallel with the West boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 156.00 feet;

THENCE North 90°00'00" West parallel with the North boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 173.00 feet;

THENCE North 01°26'30" West parallel with the West boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 156.00 feet;

THENCE North 90°00'00" East parallel with the North boundary of the NW $\frac{1}{4}$ of Section 28 for a distance of 173.00 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 14

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 5: A parcel of land located in the SE¼ being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 5 and being the REAL POINT OF BEGINNING;

THENCE South 89°56'56" West 2,642.12 feet to the South Quarter corner of Section 5;

THENCE North 01°28'54" West 1,990.80 feet along the West boundary of the SE¼ of Section 5;

THENCE North 89°56'56" East 2,658.04 feet to a point on the East boundary of Section 5;

THENCE South 01°01'25" East 1,990.47 feet to the REAL POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county roadway easement parallel with and adjoining the East and the South boundaries of the above described property.

PARCEL NO. 15

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 5: A parcel of land located in the SE¼ and being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 5;

THENCE South 89°56'56" West 2,642.12 feet to the South Quarter corner of Section 5;

THENCE North 01°28'54" West 1,990.80 feet along the West boundary of the SE¼ of Section 5 to the REAL POINT OF BEGINNING;

THENCE North 01°28'54" West 653.52 feet to the center of Section 5;

THENCE South 89°53'50" East 2,663.40 feet to the East Quarter corner of Section 5;

THENCE South 01°01'25" East 646.25 feet along the East boundary of Section 5;

THENCE South 89°56'56" West 2,658.04 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM a parcel of land located in the SE¼ and being more particularly described as follows:

Adw 92

COMMENCING at the center of Section 5, the REAL POINT OF BEGINNING;
THENCE South $89^{\circ}53'50''$ East 2,663.40 feet to the East Quarter corner of
Section 5;

THENCE South $01^{\circ}01'25''$ East 392.52 feet;

THENCE West on a line parallel with the North boundary of the SE $\frac{1}{4}$ of Section 5
until reaching the West boundary of the SE $\frac{1}{4}$ of Section 5;

THENCE North along the West boundary of the SE $\frac{1}{4}$ of Section 5 until reaching
the center of Section 5, the REAL POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county roadway easement parallel with and
adjoining the East boundary of the above described parcel.

FILED**CERTIFICATE OF ASSUMED BUSINESS NAME**

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 83-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

1. The assumed business name which the undersigned used in the transaction of business is:

KEN MULBERRY ENTERPRISES, a partnership

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

<u>Name</u>	<u>Complete Address</u>
KENNETH A. MULBERRY	P. O. BOX 11, KIMBERLY, ID 83341
JENNIFER MULBERRY	P. O. BOX 11, KIMBERLY, ID 83341

3. The general type of business transacted under the assumed business name is marked only below the dash.

☐ Retail Trade	☐ Manufacturing	☐ Transportation and Public Utilities
☐ Wholesale Trade	☐ Agriculture	☐ Finance, Insurance, Real Estate
☐ Services	☐ Education	☐ Mining

4. The name and address to which future correspondence should be addressed:

Kenneth A. Mulberry
P. O. Box 11
Kimberly, Idaho 83341

Submit Certificate of
Assumed Business
Name and \$20.00 fee to:

Secretary of State
700 West Jefferson
Boise, ID 83720
Boise ID 83720-0000

5. Name and address for this acknowledgment copy is, if different as above.

Signature: [Signature]
Printed Name: Kenneth A. Mulberry
Capacity: Partner
new list under 28 or back of form.

Secretary of State 8/3/06

STATE OF IDAHO
08/03/2006 09:00
ID: 83341 01 101 1000
- 1 1000 - 01 01 1000

01321

SCANNED

FEB 12 1982

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: A47-02478
Date Received: 12/22/1988
Receipt No: S004987
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEN MULBERRY ENTERPRISES 208-423-5555
Address: P.O. BOX H
KIMBERLY, ID 83341

2. Date of Priority: JUL 18, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	18E	23	NW	SE	SE		TWIN FALLS

5. Description of diverting works:
HEADGATE, DITCH & GRAVITY IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	9.100		

7. Total Quantity Appropriated is:
9.100 C.F.S. (and/or) 2268.00 A.F.A.

8. Total consumptive use is 1701.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	14	NE	NW		IRR	23.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	23.0
			NE	SW		IRR	34.0

A47-02478

Page 1

Date: 07/12/90

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	14	NW	SW		IRR	40.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
			Section Acres				275.0
		15	NE	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	39.0
			SE	SE		IRR	35.0
			Section Acres				272.0
		23	NE	NW		IRR	18.0
			NW	NW		IRR	2.0
			Section Acres				20.0
			Total Acres				567.0

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:
CLAIM A47-00131

14. Remarks:

P/D CENTER OF SE1/4, S23, T11S, R18E.
LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416 IDAHO CODE. THE PERMIT WAS FOR 640 ACRES, AS WAS THE PROOF OF BENEFICIAL USE AND THE ENGINEER'S REPORT. ALL OF THIS LAND SHOULD HAVE BEEN LICENSED, SINCE THIS SYSTEM HAS REMAINED BASICALLY THE SAME SINCE THE ORIGINAL DECREE WAS MADE. WE ARE THEREFORE CLAIMING ALL THE LAND UNDER THIS DITCH AS THE PLACE OF USE FOR THIS RIGHT. THE WATERMASTER HAS STATED THAT ABOUT HALF OF THIS RIGHT HAS BEEN DELIVERED; SINCE WE ARE NOT SURE ON THIS, THE WHOLE FLOW IS CLAIMED. THIS IS A FLOOD RIGHT (LATE PRIORITY) IN THIS WATER DISTRICT. ALL THE LAND CLAIMED IS NORTH OF ROCK CR.

OWNERSHIP CHANGE 7/12/90 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 6422

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: _____

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 _____

RECEIVED

JUN 28 1990

Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A 47-00131 A 47-00129 A 47-00130
A-47-00132 A 47-02478 A 47-02548
[] Name and Address of A-47-02550 A 47-12694 A 47-12721
Former Claimant(s): STRICKER ESTATE

[] New Claimant(s): Ken Mulberry ENTERPRISE

[] New Mailing Address: P.O. Box H
Kimberly, Idaho 83341

New Telephone Number: (208) 423-5555

[] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now 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 claimant.)

[] Signature of New Claimant(s): Ken Mulberry Enterprise

Date: 6-17-90

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

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: 7/11/90 By: AC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 7/11/90 By: AC

Claim Numbers of Split, if any:

WARRANTY DEED

For Value Received CLIFTON HAYNES, MAURICE HAYNES and SHIRLEY PUCKETT, each as 1/3 in 1/3 interest

the grantors do hereby grant, bargain, sell and convey unto
KEN MULDERBY ENTERPRISES, a partnership consisting of KEN and JENNIFER
JENNIFER MULDERBY, husband and wife

the grantee is, whose current address is P.O. Box 11, Nibbs, ID 83411

the following described premises, in Twin Falls County Idaho to wit:

See legal description attached to and made a part hereof as "Exhibit A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
its heirs and assigns forever. And the Grantors do hereby covenant to and
with the said Grantee that they are the owners in fee simple of said premises, that they are free from all
encumbrances except current year's taxes, levies and assessments and except reservations,
restrictions and easements of record and easements visible upon the premises.

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

Dated: May 18th, 1989

Clifton Haynes
Clifton Haynes
Maurice Haynes
Maurice Haynes

Shirley Puckett
Shirley Puckett
Ken Mulderby
Ken Mulderby

STATE OF IDAHO, COUNTY OF TWIN FALLS
Subscribed and sworn to before me on this 18th day of May 1989
I, Clifton Haynes, being duly sworn, depose and say that the foregoing is a true and correct copy of the original of the foregoing instrument, and that the same is a true and correct copy of the original of the foregoing instrument.

Subscribed and sworn to before me on this 18th day of May 1989
I, Shirley Puckett, being duly sworn, depose and say that the foregoing is a true and correct copy of the original of the foregoing instrument, and that the same is a true and correct copy of the original of the foregoing instrument.

Ken Mulderby
Ken Mulderby
Jennifer Mulderby
Jennifer Mulderby

STATE OF IDAHO, COUNTY OF TWIN FALLS, IDAHO
I, _____, being duly sworn, depose and say that the foregoing is a true and correct copy of the original of the foregoing instrument, and that the same is a true and correct copy of the original of the foregoing instrument.

FIRST AMERICAN TITLE COMPANY

RECORDED A 1986

MAY 22 1989

RECORDED

RECORDED

RECORDED

First American Title Company of Idaho

MICROFILMED
MAR 10 1993

PARCEL 1

EXHIBIT "A"

Township 11 South, Range 18 East of the Boise Meridian, Twin Falls County, Idaho,

Section 14: NE $\frac{1}{4}$ SW $\frac{1}{4}$,

EXCEPT the East one acre thereof, NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$ and all of the SW $\frac{1}{4}$,

Section 15: NE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all of the SE $\frac{1}{4}$,

EXCEPT that parcel of land beginning at a point South 0°48' East 38 feet and South 89°12' West 51 feet from the Northwest corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 15;

Thence South 10°45' East 62 feet to South side county road the REAL POINT OF BEGINNING;

Thence South 10°45' East 191 feet to a point;

Thence South 79°15' West 81 feet to a point;

Thence North 18°57' West 210 feet to a point;

Thence North 84°50' East 116.4 feet to POINT OF BEGINNING.

Section 22: NE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$,

Section 23: SE $\frac{1}{4}$

EXCEPT

Township 11 South, Range 18 East of the Boise Meridian, Twin Falls County, Idaho,

Section 23: A parcel of land in SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

BEGINNING at a point on the North line of Section 23, 100 feet East from the Northwest corner (with sections 11, 15, and 21);

Thence East 479 feet 6 inches to section line;

Thence South 660 feet;

Thence West 499 feet 6 inches;

Thence North 560 feet;

Thence East 20 feet;

Thence North 100 feet to POINT OF BEGINNING;

EXCLUDING all land North of the proved section line that lies within the Northwest corner of the described parcel;

A triangle beginning 461 feet South of the Northwest corner with a Western boundary bearing South 21°12' West for 221 feet 6 inches and all land West of Rock Creek.

PARCEL 2

Township 11 South, Range 18, East of the Boise Meridian, Twin Falls County, Idaho,

Section 15: A part of the Northwest quarter, more particularly described as follows:

BEGINNING at a point South 0°18' East 10 feet and South 89°12' West 51 feet;

Thence South 10°45' East 62 feet to South side county road;

Thence South 10°45' East 191 feet to a point;

Thence South 79°15' West 81 feet to a point;

Thence North 18°57' West 210 feet to a point;

Thence North 84°50' East 116.4 feet to POINT OF BEGINNING.

MICROFILMED

MAR 10 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

COPY

Ident. Number: A47-02478
Date Received: 12/20/1988
Receipt No: 5004987
Received By: g

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STRICKER ESTATE
Address: C/O RON JONES
RT. 1, 3400 N. 2338 E.
TWIN FALLS, ID

208-326-4659

83301

2. Date of Priority: JUL 18, 1910

3. Source: ROCK CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	18E	23	NW	SE	SE		TWIN FALLS

5. Description of diverting works:
HEADGATE & DITCH TO P/U, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	9.100		

7. Total Quantity Appropriated is:
9.100 C.F.S. (and/or) 2268.00 A.F.A.

8. Total consumptive use is 1701.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	14	NE	NW		IRR	23.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0

A47-02478

Page 1

Date: 12/21/88

MICROFILMED
MAR 11 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	14	SE	NW		IRR	23.0
			NE	SW		IRR	34.0
			NW	SW		IRR	40.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0
						Section Acres	275.0
		15	NE	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	39.0
			SE	SE		IRR	35.0
						Section Acres	272.0
		23	NE	NW		IRR	18.0
			NW	NW		IRR	2.0
						Section Acres	20.0
						Total Acres	567.0

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:
CLAIM A47-00131

14. Remarks:

P/D CENTER OF SE1/4, S23, T11S, R18E.
LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416
IDAHO CODE. THE PERMIT WAS FOR 640 ACRES, AS WAS THE PROOF OF
BENEFICIAL USE AND THE ENGINEER'S REPORT. ALL OF THIS LAND
SHOULD HAVE BEEN LICENSED, SINCE THIS SYSTEM HAS REMAINED BASIC-
ALLY THE SAME SINCE THE ORIGINAL DECREE WAS MADE. WE ARE THERE-
FORE CLAIMING ALL THE LAND UNDER THIS DITCH AS THE PLACE OF USE
FOR THIS RIGHT. THE WATERMASTER HAS STATED THAT ABOUT HALF OF
THIS RIGHT HAS BEEN DELIVERED; SINCE WE ARE NOT SURE ON THIS, THE
WHOLE FLOW IS CLAIMED. THIS IS A FLOOD RIGHT (LATE PRIORITY) IN
THIS WATER DISTRICT. ALL THE LAND CLAIMED IS NORTH OF ROCK CR.

15. Basis of Claim: LICENSE

A47-02478

Page

2

Date: 12/21/88

MICROFILMED

MAR 11 1993

Water Right Number: 6422

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: _____

For Organizations:

I do solemnly swear or affirm that I am Farm manager/agent of Stricker Estate, that I have signed the foregoing document in the space below as Farm manager/agent of Stricker Estate and that the statements contained in the foregoing document are true and correct.

Ronald S. Jones
Signature of Authorized Agent

Farm manager/agent Stricker Estate
Title and Organization

12-22-88
Date

State of Idaho)
County of Twila T216) SS.

Subscribed and sworn (or affirmed) before me this 22nd day.

of Dec. 19 88

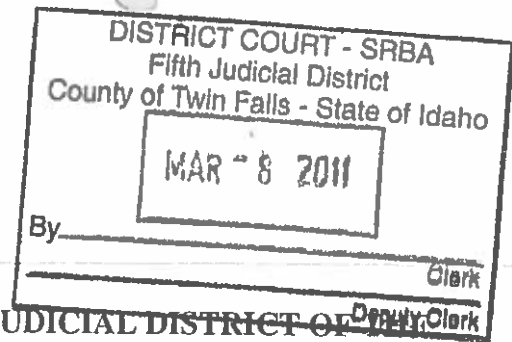
[Signature]
Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/30/92

COPY



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

In Re SRBA	)	SUBCASE NO. 47-129, 47-130,
	)	47-131, 47-132, 47-2257, 47-2468,
Case No. 39576	)	<u>47-2478</u> , 47-2548, 47-2550, 47-17302
	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

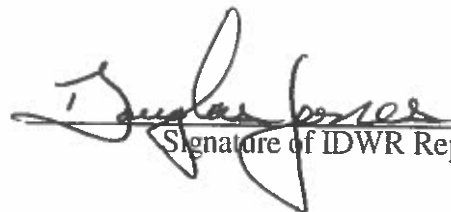
IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

3/8/11


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3.8, 2011, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Michael C. Creamer
Givens Pursley LLP
PO Box 2720
Boise ID 83701-2720

William L. Mauk
Mauk & Burgoyne
PO Box 1743
Boise ID 83701-1743



Signature of person or attorney mailing the form

03/03/2011

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-2478
NAME AND ADDRESS: KATHI L MEYERS
3921 N 3300 E
TWIN FALLS ID 83301
ROBERT J MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 9.100 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.

PRIORITY DATE: 07/18/1910

POINT OF
DIVERSION:

T11S R18E S23 NWSESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/15 11/15	9.100 CFS
PLACE OF USE:	<u>IRRIGATION in TWIN FALLS County</u>		
	T11S R18E S14 NENW 23.00	T11S R18E S14 NWNW	39.00
	T11S R18E S14 SWNW 40.00	T11S R18E S14 SENW	23.00
	T11S R18E S14 NESW 34.00	T11S R18E S14 NWSW	40.00
	T11S R18E S14 SWSW 38.00	T11S R18E S14 SESW	38.00
	T11S R18E S15 NENE 39.00	T11S R18E S15 SWNE	40.00
	T11S R18E S15 SENE 40.00	T11S R18E S15 NESE	40.00
	T11S R18E S15 NWSE 39.00	T11S R18E S15 SWSE	39.00
	T11S R18E S15 SESE 35.00	T11S R18E S22 NENE	6.00
	T11S R18E S22 SENE 16.00	T11S R18E S23 NENW	18.00
	T11S R18E S23 NWNW 6.00	T11S R18E S23 SWNW	32.00
	T11S R18E S23 SENW 1.00		

626 ACRES TOTAL

This right is limited to the irrigation of 455 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 626 acres in a single irrigation season. Combined Right Nos: 47-129, 47-130, 47-131, 47-132, 47-2478, 47-2468, 47-2257, 47-2550, 47-2548

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Twin Falls Canal Co.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

March 8, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

MICHAEL CREAMER
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701-2720

RE: SRBA Claim(s) 47-129, 47-130, 47-131, 47-132, 47-2257,
47-2468, 47-2478, 47-2548, 47-2550, 47-17302
Robert and Kathi Meyers

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: William Mauk
Mauk & Burgoyne
PO Box 1743
Boise ID 83701-1743

03/30/2006

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Twin Falls Canal Co.

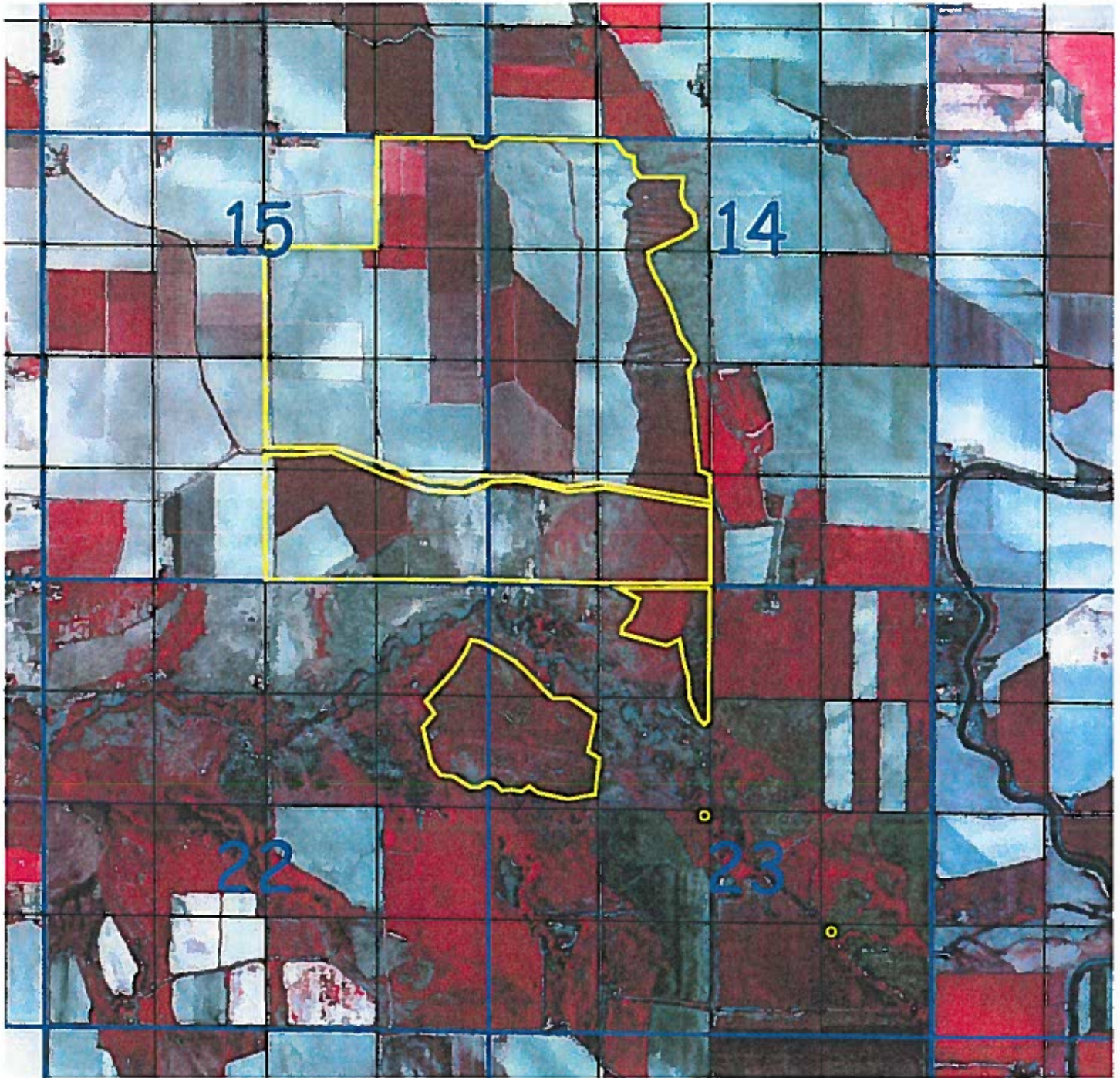
GEOGRAPHIC INFO ACRES

License Claim (if diff from license)

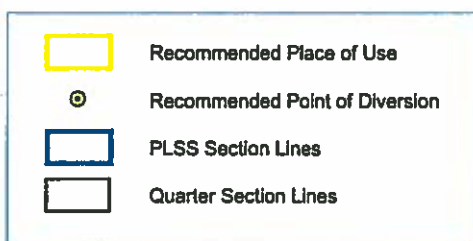
Idaho Department of Water Resources

Right(s): 47-129, 47-130, 47-131
47-132, 47-2478

Recommended Place of Use
TWP 11S RNG 18E S14, 15, 22, 23
Prepared February 28, 2006



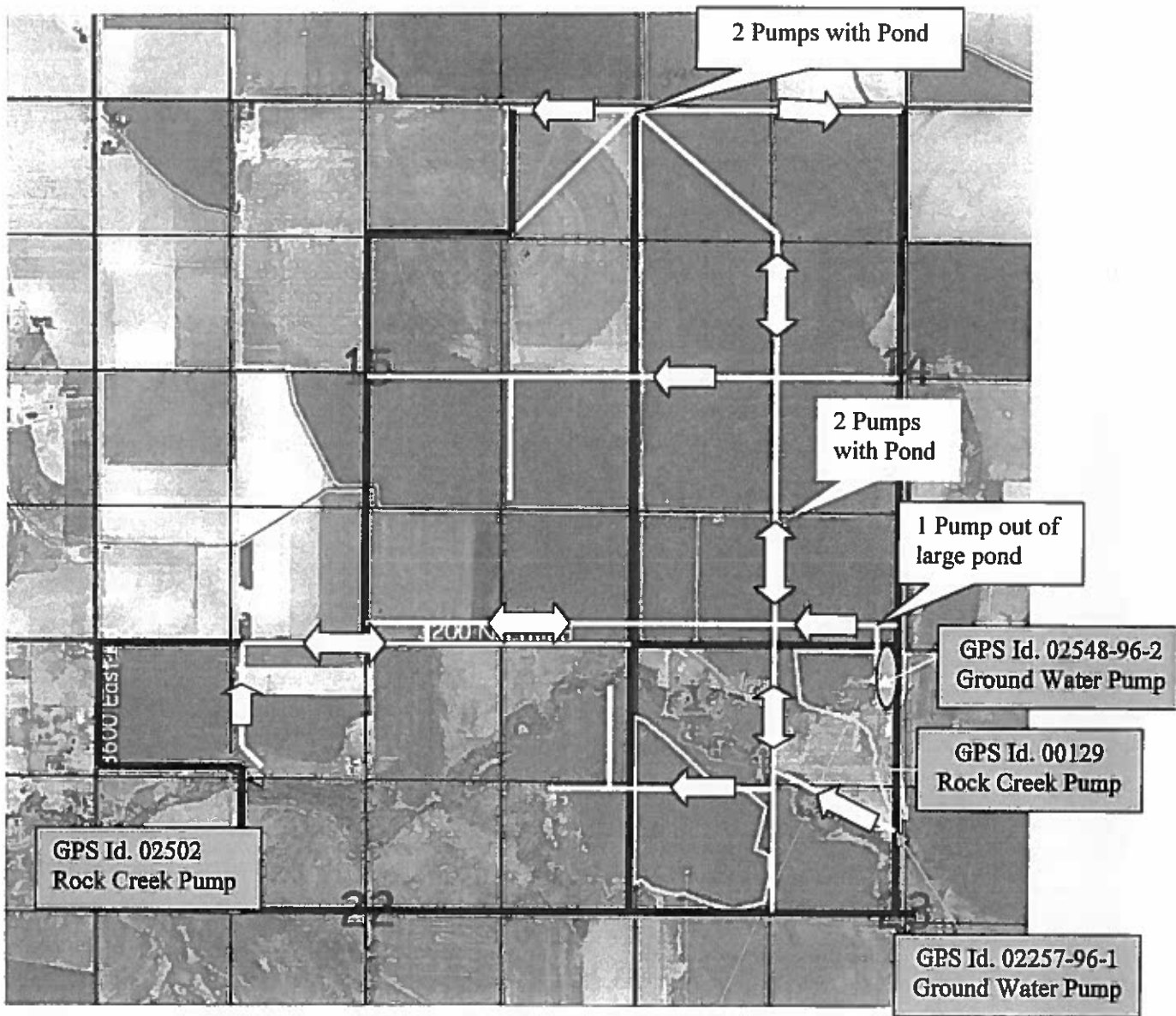
660 0 660 1320 Feet



GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

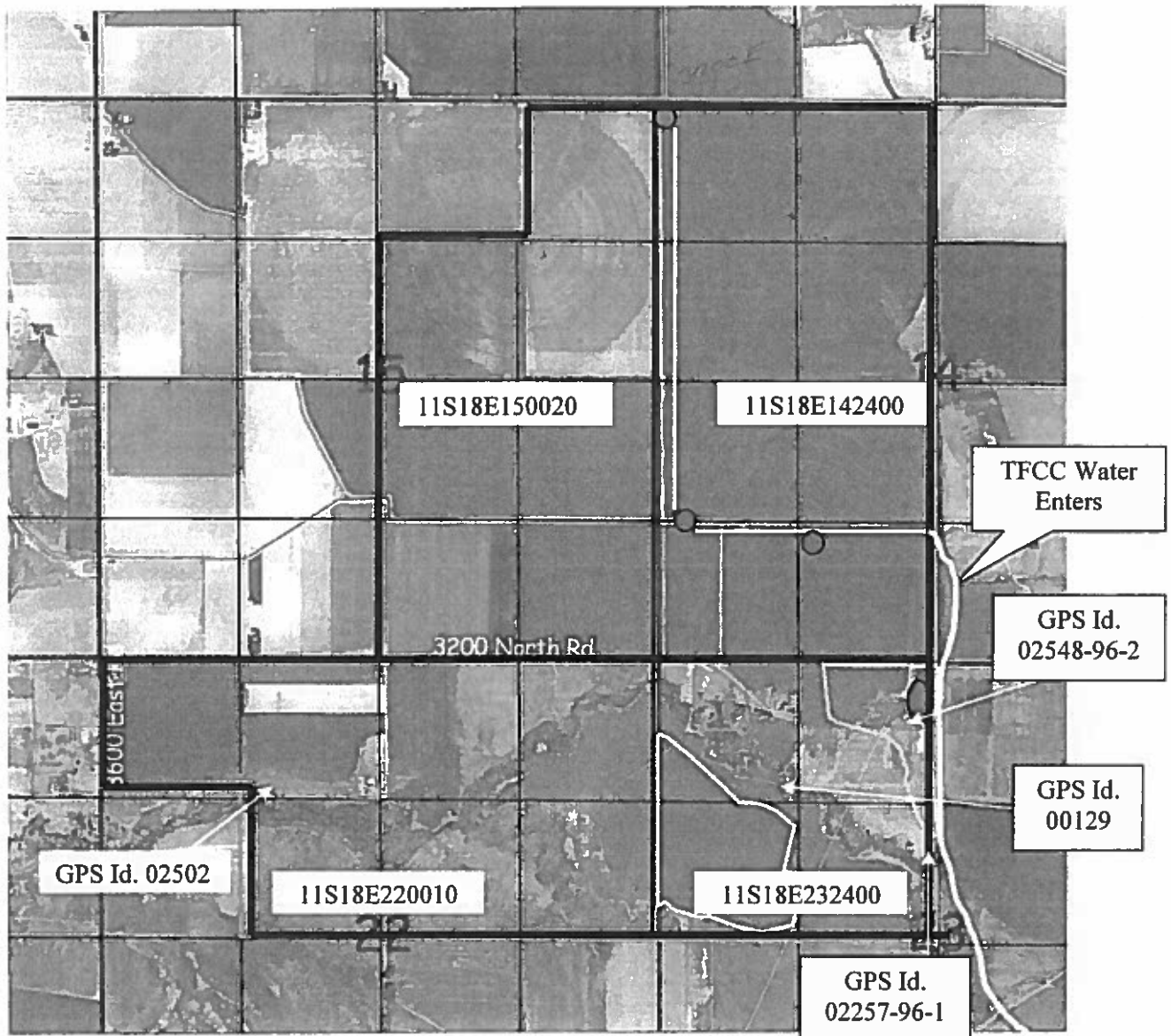
Ken Mulberry Distribution



GPS Water Right Pump sites in light blue.

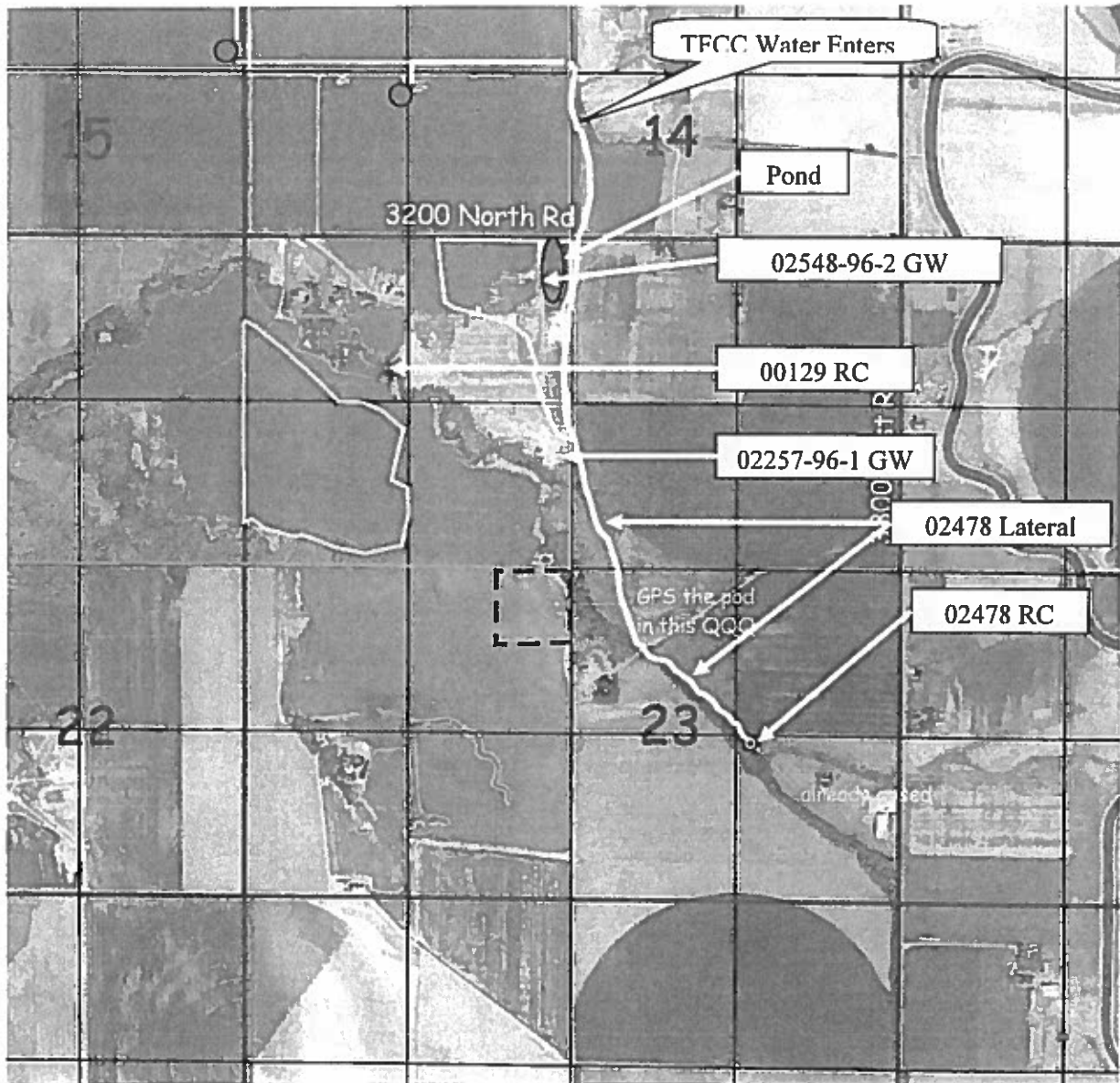
White lines show the distribution of water thru pressurized lines. As shown on the map the water can go to all locations that the lines go as shown by the bidirectional arrows. There were times in the last few years that Rock Creek went dry. Because of the lines all connecting he is able to move water any where in the system from either Ground Water or Twin Falls Canal Co. water rights.

Gravity Flow Water North



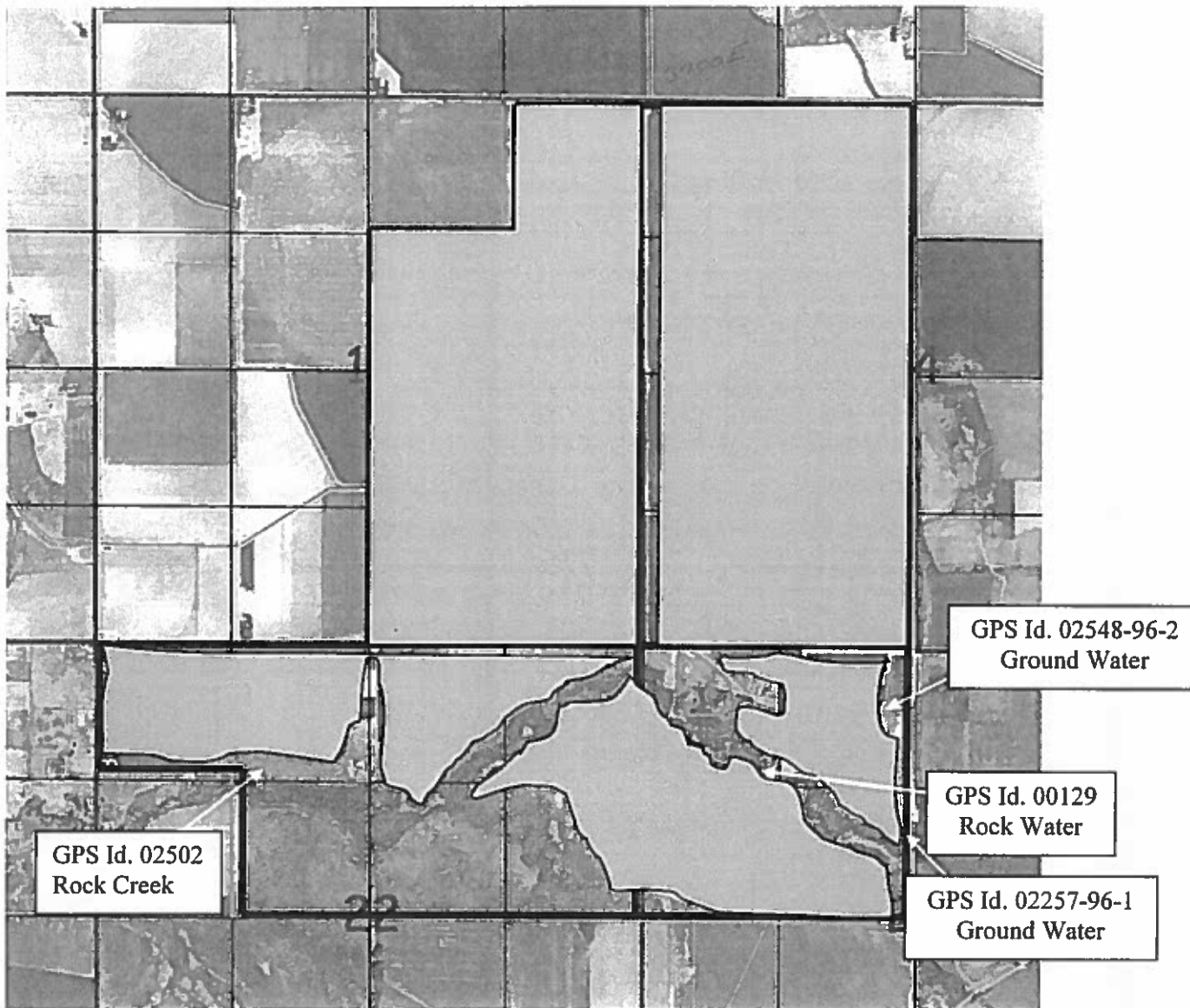
The white line shows the flow of water from the Rock Creek diversion (GPS Id. # 02478), flowing north where it can enter the large pond by the road or flow north into section 14 than picking up Twin Falls Canal Company water (217 shares) and than flowing west to the first center pivot pond, than flowing into under ground pipeline heading west to the next pond where it than goes under ground north for one mile to the ponds on the north boundary of sections 14 & 15. It enters a pond to be pumped and pressurized for sprinkler use.

Gravity Flow Water



The white line shows the flow of water from the Rock Creek diversion (GPS Id. # 02478), flowing north where it can enter the large pond by the road or flow north into section 14 than picking up Twin Falls Canal Company water (217 shares) and then flowing west to the first center pivot pond, then flowing into under ground pipeline heading west to the next pond where it then goes under ground north for one mile to the ponds on the north boundary of sections 14 & 15. It enters the pond to be pumped and pressurized for sprinkler use.

Ground Irrigated with all the Water



All the areas shaded in with light green are irrigated with all the water; *Ground Water, Rock Creek Water, Twin Falls Canal Co. Water, some Waste Water and Spring Water*. He can use any one of the above Waters if he lost the other four, to irrigate any of the areas shaded in light green.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER

February 23, 2006

Robert Meyers
3024 Woodridge Dr
Twin Falls, Idaho
83301

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM(S): 47-129, 130, 131, 132,
2137, 2257, 2468, 2478, 2502, 2548, & 2550

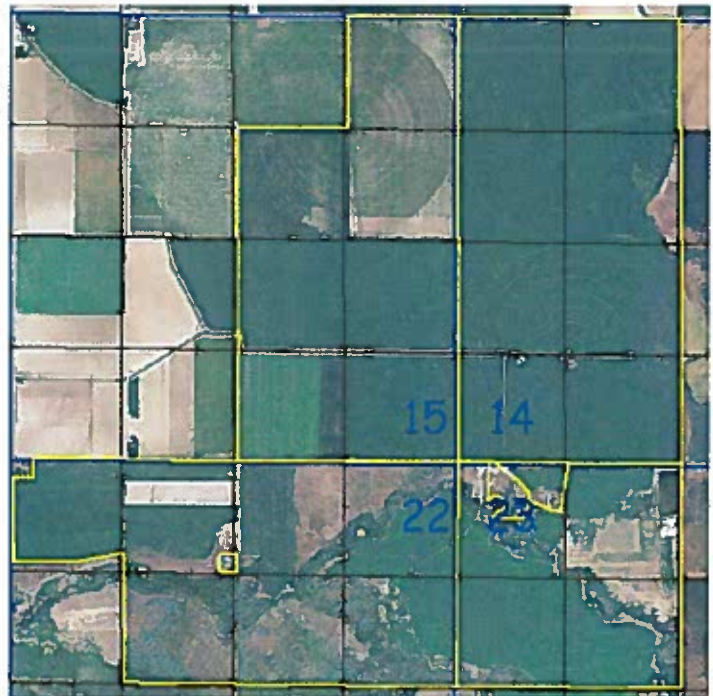
Dear Mr. Meyers,

The Idaho Department of Water Resources (IDWR) is presently investigating water right claims in the Twin Falls County area in preparation for submittal of Director's Report recommendations to the SRBA Court this Spring. Glen Gier conducted a field exam of the above mentioned water rights in January and met with Kenneth Mulberry to discuss his water use. However, according to Twin Falls County tax lot information, it appears that you are the new owner of the place of use for the above mentioned water rights; 11S 18E S14, 15, 22, & 23. Currently our records show this property belonging Kenneth Mulberry. If you are the owner of this property, please submit to this office a change of ownership form. If no change of ownership form is received, the SRBA recommendation for said water right will be in the name of the previous owner. While the SRBA is active there is no charge to change ownership of water rights, however after these recommendations have been decreed by the SRBA court it will cost \$25 per right to have the ownership changed into your name. I have included a change of ownership form for you to fill out and attach the necessary documentation.

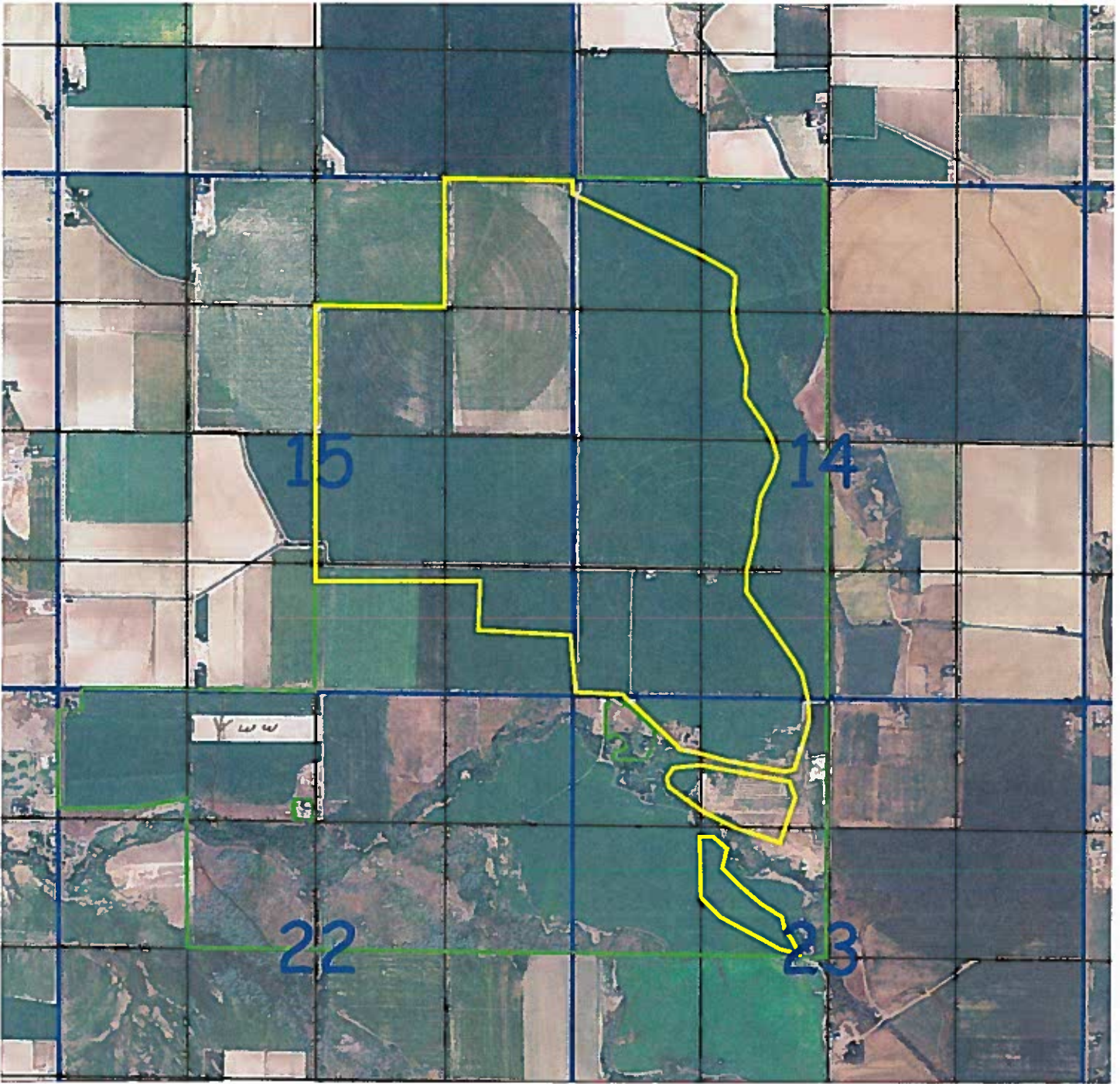
If you have any questions, please feel free to contact this office.

Sincerely,

Amanda Kriwox
Water Resource Agent
Idaho Department of Water Resources



2004 imagery of claimed place of use

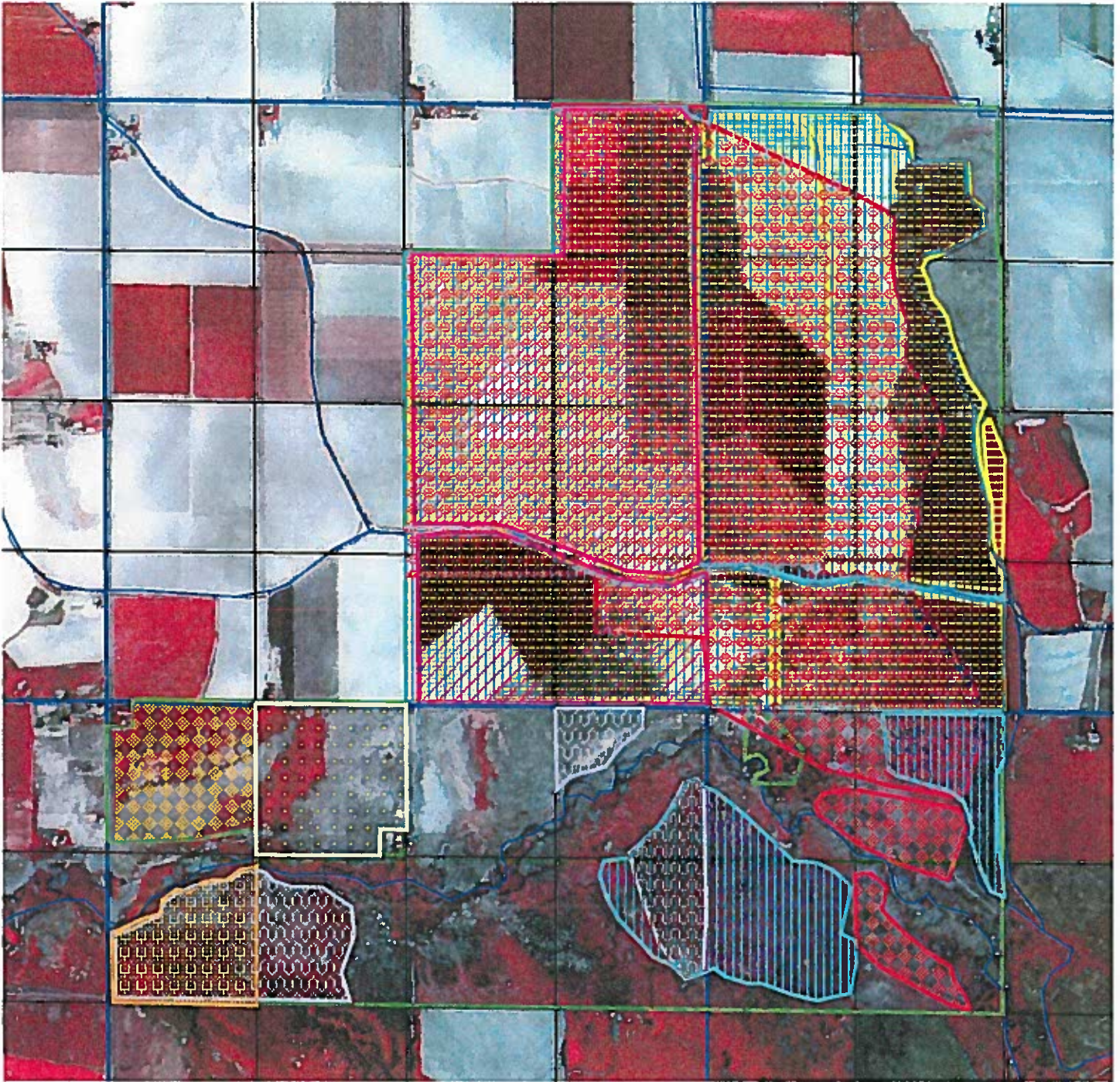


2004 imagery

Confirm POU.. prelim shape based on license engineer report (tagged)... '04 imagery shows sig changes.

How is the RC & GW co-mingled?

Mulberry Rock Creek & Ground Water



1987 imagery

Mulberry: Rock Creek and Ground Water

47-2502 1949 RC		47-2137 1918 WW		47-129&130 1882/83 RC
 2548_2550 1951/1953 GW		47-2478 1910 RC		Mulberry_owns.shp
 2257_2468 1950/1955 GW		47-131 1885 RC		
 Claimed2137		47-132 1883 RC		

License

July 18, 1910

License for: 455 acres at 9.1 cfs Rock Creek "seepage waters"

pod $\rightarrow$ 11S 18E S23 SE 1/4, ~~SW NW NE~~, center SE 1/4 S23POU $\rightarrow$ 11S 18E S23 $\Rightarrow$ SE NW (16A), NE NW (22A), NW NW (18A)S14 $\Rightarrow$ SE SW (27A), NE SW (22A), SW SW (40A)probably
should've
been 40 acres $\rightarrow$ NW SW (4A), SE NW (14A), NE NW (3A)

SW NW (40A), NW NW (23A)

S15 $\Rightarrow$ SE SE (22A), SW SE (4A), NE SE (40A)

NW SE (40A), NE NE (40A), SE NE (40A)

SW NE (40A)

irrigation & domestic use

* can use 455 acres w/in POU.

Claim: 567 acres at 9.1 cfs

pod $\rightarrow$ 11S 18E S23 NW SE SEK06 $\rightarrow$ 455 w/in 626R64 $\rightarrow$ 0.02 cfs / acreS20 $\rightarrow$ TFCC

acres $\Rightarrow$ 419

S14 & S15 OK but
claimed 20 acres in
S23

• $\uparrow$ distribution different

POD question $\rightarrow$ licensed loc $\Rightarrow$ SW NW NE & "center of SE 1/4 S23"

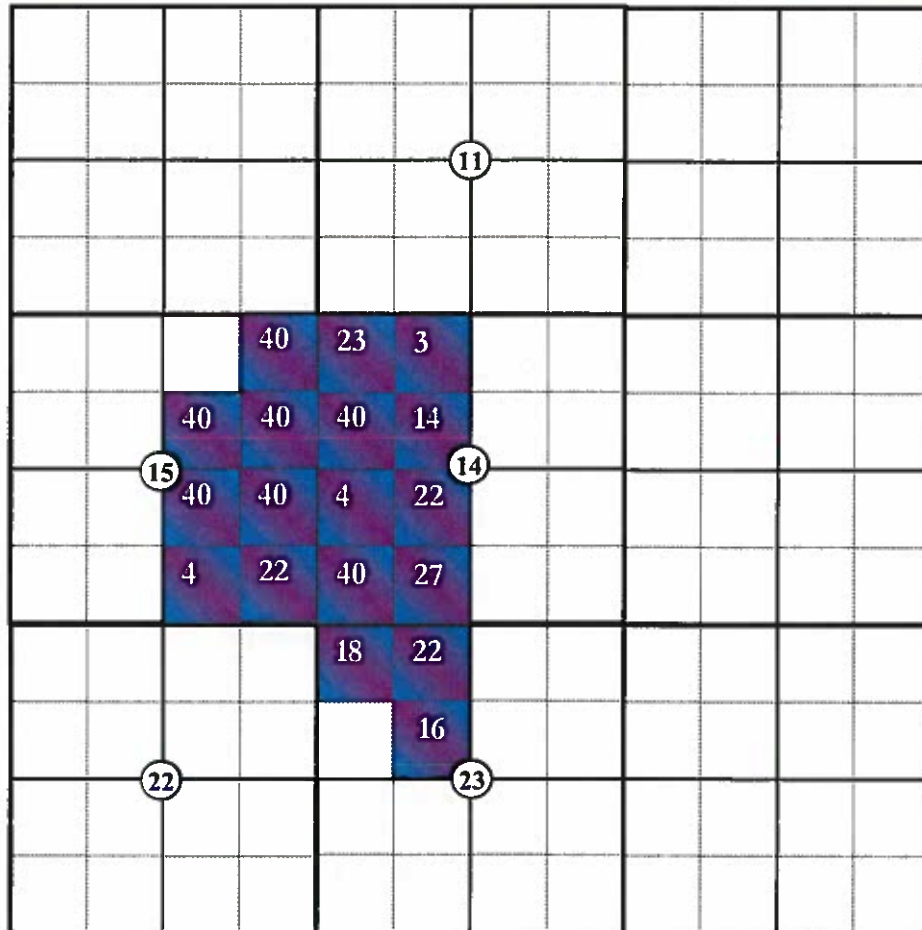
claimed loc $\Rightarrow$ NW SE SE (1988)



How is the RC & GW co-mingled?

47-2478 Licensed POU

"... July 18, 1910... 455 acres at 9.1 cfs... Rock Creek seepage water..."



SCANNED

FEB 12 2002

Log for claim A47-02478

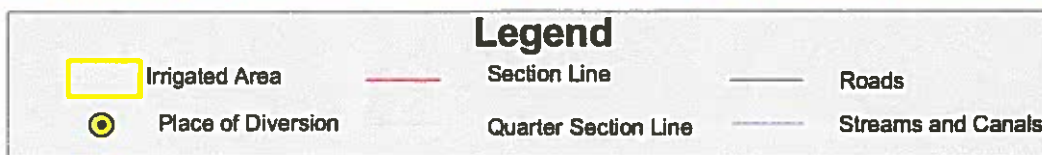
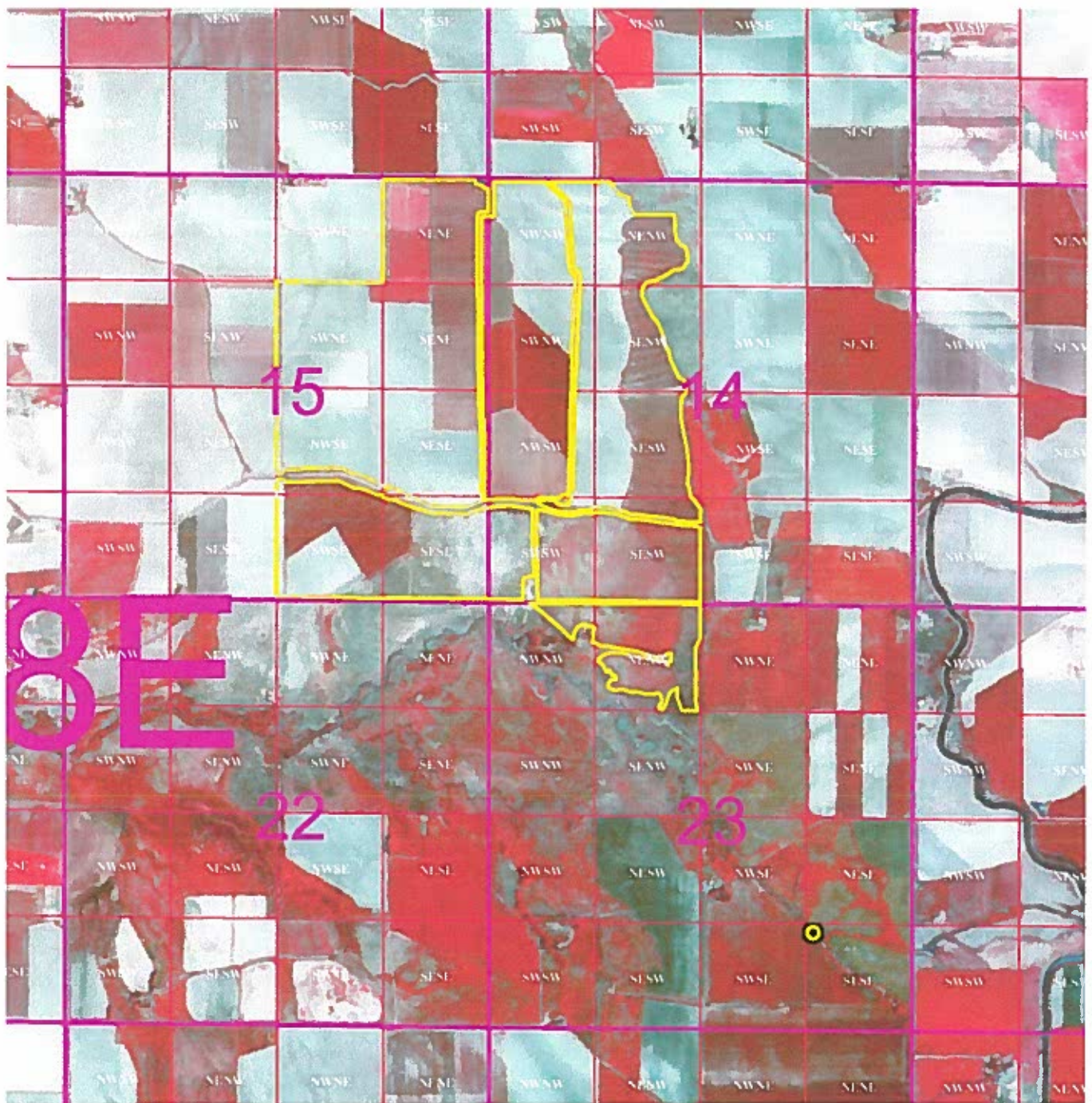
Spatial Dynamics LTD

10/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s18e	14	NENW	23	24	
11s18e	14	NWNW	39	36	
11s18e	14	SWNW	40	38	
11s18e	14	SENW	23	26	
11s18e	14	NESW	34	34	
11s18e	14	NWSW	40	38	
11s18e	14	SWSW	38	34	
11s18e	14	SESW	38	37	
11s18e	15	NENE	39	38	
11s18e	15	SWNE	40	40	
11s18e	15	SENE	40	39	
11s18e	15	NESE	40	38	
11s18e	15	NWSE	39	35	
11s18e	15	SWSE	39	39	
11s18e	15	SESE	35	36	
11s18e	23	NENW	18	30	Indiscernible
11s18e	23	NWNW	2	4.6	
Totals:			567	566.6	

Water Right Claim Number A47-02478
Township , 11S18E

10/05/2000

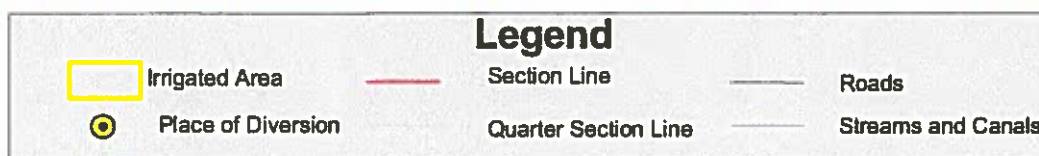
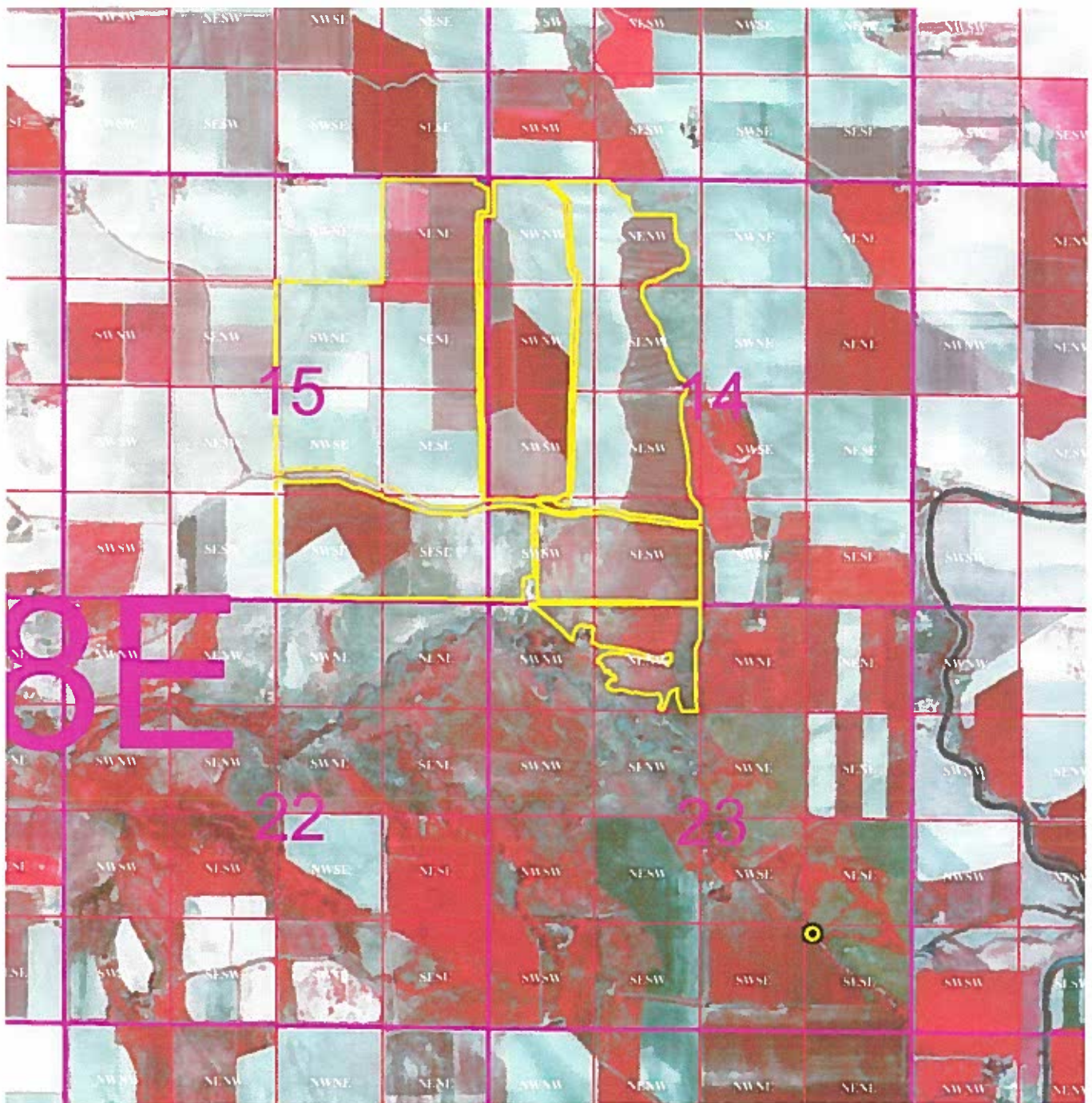


1000 0 1000 2000 Feet



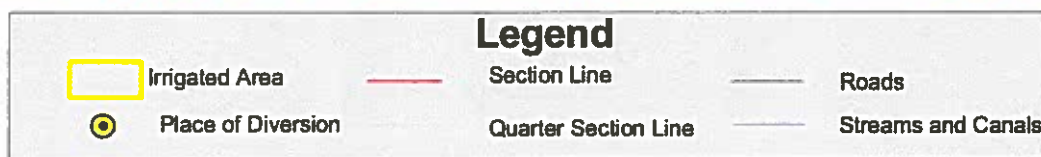
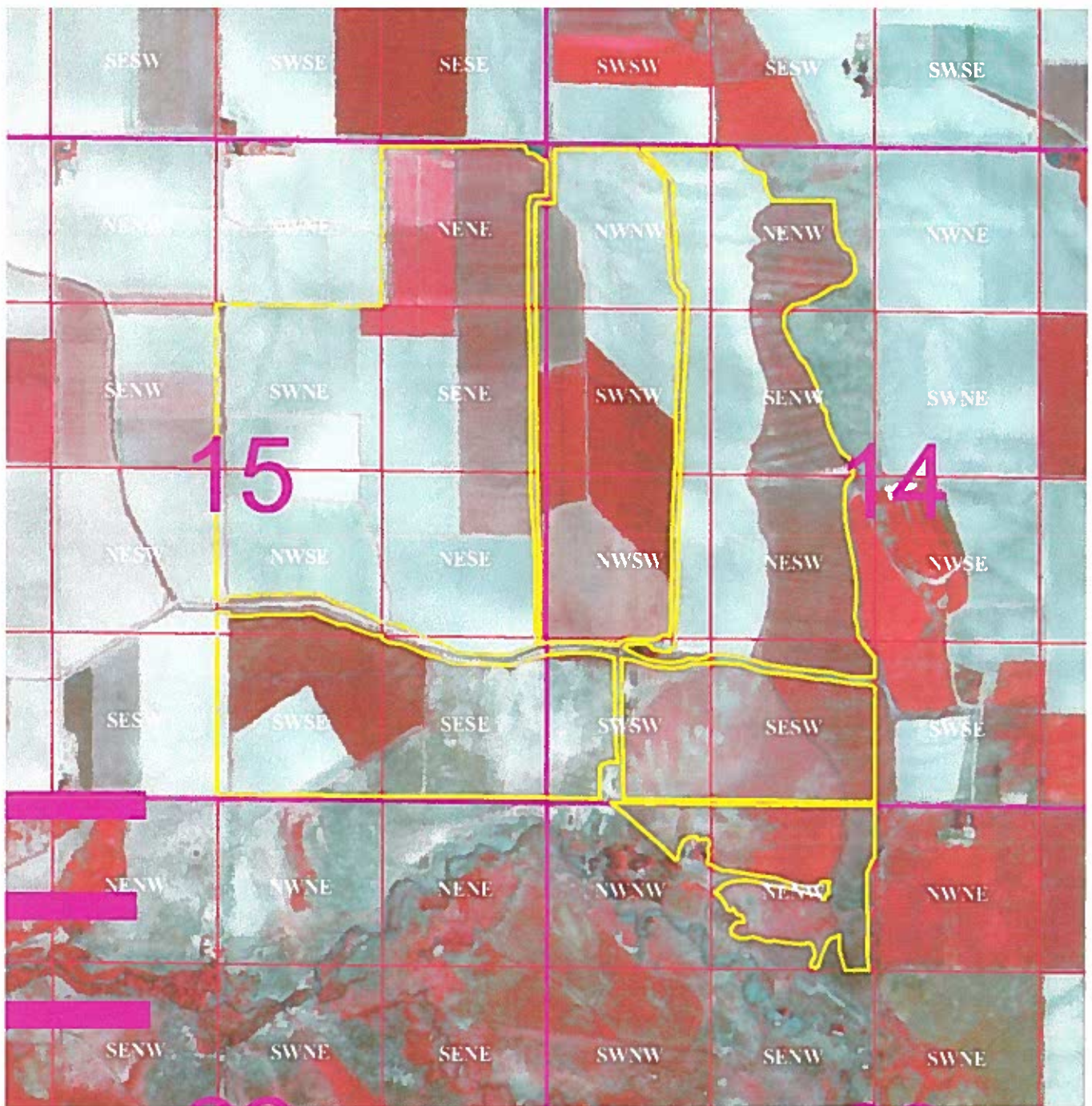
Water Right Claim Number A47-02478
Township , 11S18E

10/05/2000



Water Right Claim Number A47-02478
Township , 11S18E

10/05/2000

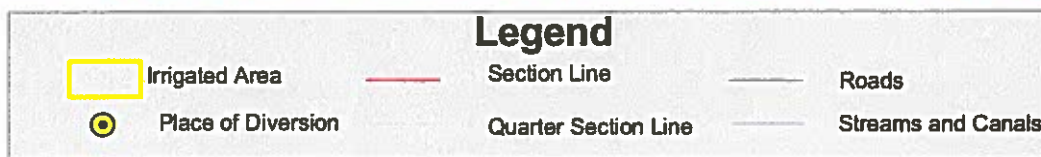
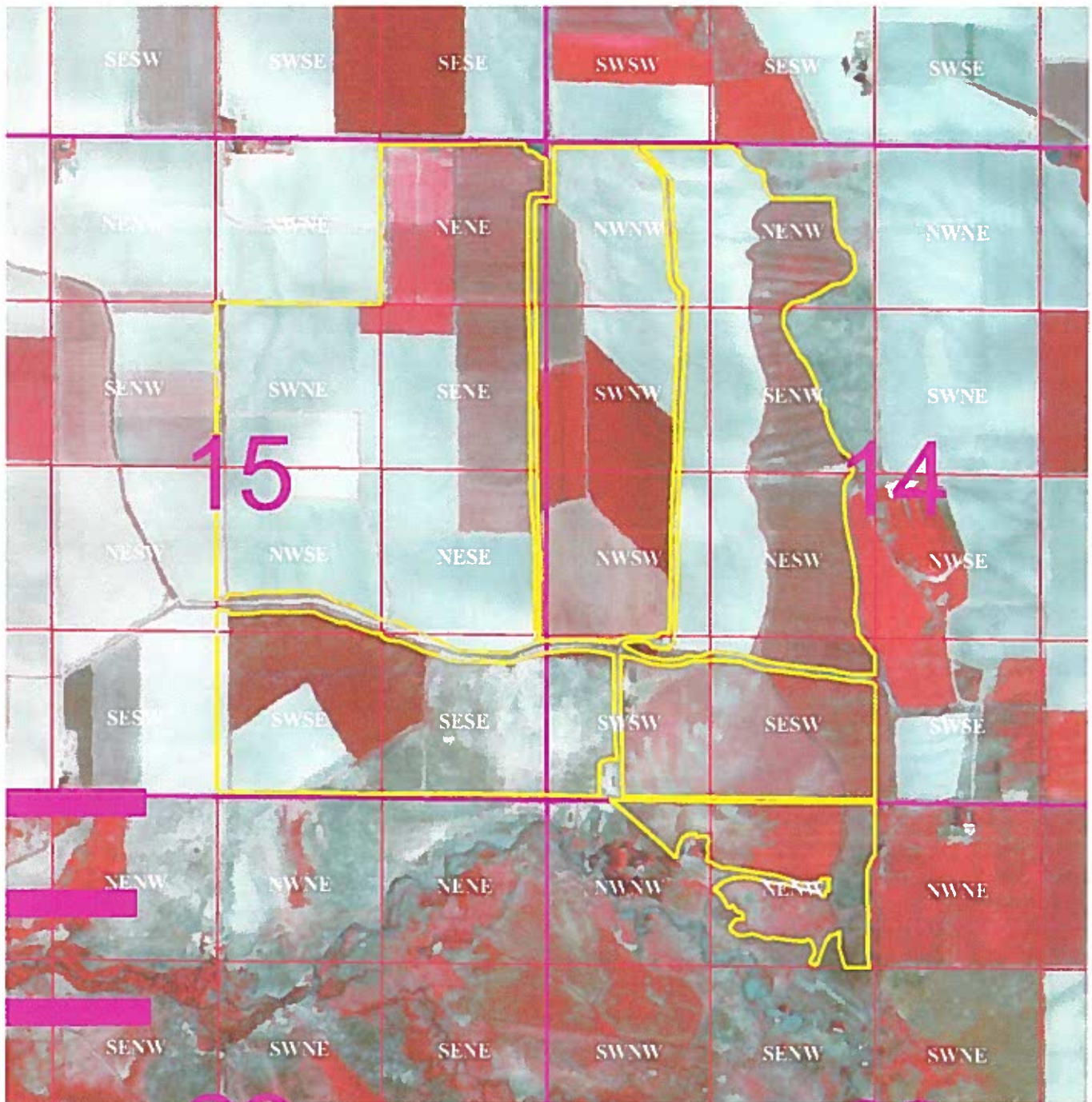


700 0 700 1400 Feet



Water Right Claim Number A47-02478
Township , 11S18E

10/05/2000

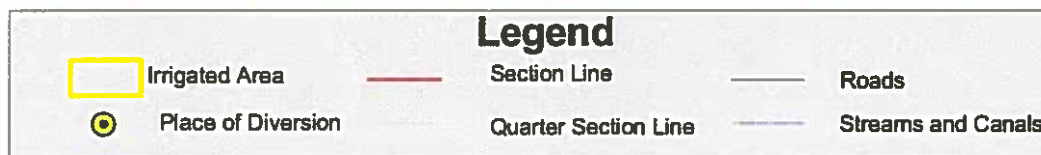


700 0 700 1400 Feet



Water Right Claim Number A47-02478
Township , 11S18E

10/05/2000



700 0 700 1400 Feet



DIVERSION
VOLUME

03-15 11-15

2268.00 AFA
1701.00 AFA

Stage: LICENSE

TWIN FALLS County

MS

T	R	S	NENE	MNNE	SHNE	SENE	MENM	NHNM	SMNM	SENM	NESM	MNSM	SMNM	SESM	NESE	MNSE	SMSE	SESE	SUM
:	:	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
11S	18E	14	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	275.0
11S	18E	15	:	:	39	40	:	:	:	:	:	:	:	:	40	39	39	35	272.0
11S	18E	23	:	:	:	:	18	02	:	:	:	:	:	:	:	:	:	:	20.0
TOTAL ACRES																			567.0

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

A47-00129 A47-00130 A47-00131 A47-00132 A47-00157A A47-02479A A47-02479B A47-15262

P/D CENTER OF SE1/4, S23, T11S, R18E.
LAND IS CLAIMED AS IT HAS ALWAYS BEEN IRRIGATED PER SEC. 42-1416

IDADO CODE THE PERMIT WAS FOR 66.40 ACRES, AS WAS THE PROOF OF BENEFICIAL USE AND THE ENGINEER'S REPORT. ALL OF THIS LAND SHOULD HAVE BEEN LICENSED, SINCE THIS SYSTEM HAS REMAINED BASICALLY THE SAME SINCE THE ORIGINAL DECREE WAS MADE. WE ARE THEREFORE CLAIMING ALL THE LAND UNDER THIS DITCH AS THE PLACE OF USE FOR THIS RIGHT. THE WATERMASTER HAS STATED THAT ABOUT HALF OF THIS RIGHT HAS BEEN DELIVERED; SINCE WE ARE NOT SURE ON THIS, THE WHOLE FLOW IS CLAIMED. THIS IS A FLOOD RIGHT (LATE PRIORITY) IN THIS WATER DISTRICT. ALL THE LAND CLAIMED IS NORTH OF ROCK CR-

OWNERSHIP CHANGE 7/12/90 BY JG.

ADDRESS CHANGE FOR MISSOURI OFFICE OF MONY BY CLAIMANT LETTER SS
7/29/99.

AJ5809NP
No. A47-02478

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 220

	Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:		Field Inspection Flag:	
			Presumption Flag:	E
Audit:	12/21/88 STANTON	07/12/90 GIVENS	10/25/94 AMERRITT	03/30/95 POST-STD
	07/29/99 SSHERMAN			

COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE
June 8, 1999 2:16pm

CUSTOMER
MULBERRY, MS.

SUBJECT: A47-00129,-00130,, -00131,-02468,-02478,-02557
phone call (X) walk-in (.)

Per your phone call today, enclosed are the claims we discussed. The blue tagged claims are associated with the Rock Creek rights. The red tag claims are from the wells.

If there is a concern regarding the claim(s) in the name of the Historical Society, a complaint in writing would be beneficial.



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

October 25, 1994

David M Brown
The Mutual Life Insurance Co of New York
One Mid Rivers Mall Dr
Suite 120
St Peters, MO 63376

RE: Lienholder addition to SRBA Records A47-00129, A47-00130,
A47-00131, A47-00132, A47-02137, A47-02257, A47-02468,
A47-02478, A47-02502, A47-02548, A47-02550, A47-13605 &
A47-14363

Dear Mr. Brown:

In response to your September 26, 1994 letter our office has changed the electronic record for the above listed Snake River Basin Adjudication (SRBA) claims. Please find enclosed copies of proof reports for these changed records.

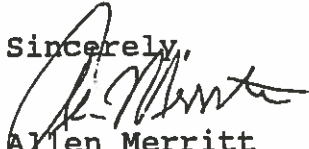
Your letter requested we also change A36-15131. Since your letter indicated that only Kenneth & Jennifer Mulberry, Ken Mulberry Enterprises or Mulberry Enterprises property was mortgaged, this change was not made since the claim is in the name of "Russet Valley Produce" and/or "Russet Valley Produce Profit Sharing".

Your letter also seemed to request changes to several Twin Falls Canal Co. stock certificates. Since our department does not deal with these records I recommend you contact the Twin Falls Canal Co. directly.

In checking our database I found three other SRBA claims (A47-12694, A47-12721 & A47-10012) in the name of "Ken Mulberry Enterprises". Please find listings of these records for your review. Please note that since these claims were not specifically listed in your "Exhibit B" these records were not changed either.

If you have questions please feel free to contact our office.

Sincerely,


Allen Merritt
Acting Southern Region Manager

CC: Ken Mulberry Enterprises

NOV 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Jul-1990

Ken Mulberry Enterprises
P.O. Box H.
Kimberly, ID 83341

Re: Claim No(s). A47-00131, 00129, 00130, 00132, 02478, 02548, 02550
A47-12694 & 12721

Dear Claimant(s):

Pursuant to the notification that you presently own the property in which the above referenced adjudication claim(s) is appurtenant, the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant. Please review the record(s) and if you have any corrections, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

Encls:

MICROFILMED

MAR 11 1993

County, Twin Falls
Stream, Rock creek
Amount, 9.1 sec. ft.
Use, Irr. & D.
Priority, 7-18-10.

47-2478

STATE OF IDAHO

Water License No. 6422

WHEREAS, On the 16th day of July, A. D. 1910, Herman Stricker

of Rock creek, County of Twin Falls, State of Idaho, duly made application (No. 9246) to me for a permit to use 9.8 cubic feet per second of the seepage waters of Rock creek

County of Twin Falls, State of Idaho, for Irrigation and domestic purposes, and,

WHEREAS, On the 4th day of August, A. D. 1910, Permit No. 6422 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 4th day of February, A. D. 1911, and for the application to beneficial use of said water on or before the 4th day of February, A. D. 1913, and,

WHEREAS, On the 4th day of February, A. D. 1911, Herman Stricker

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 9.8 cubic feet per second of said waters, as evidenced by my Certificate No. 6422 dated August 25, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 9.8 cubic feet per second of water, with date of priority of July 18, 1910, and

WHEREAS, On the 4th day of February, A. D. 1913,

the holder of said permit, duly made proof of the application to beneficial use of 9.1 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 Herman Stricker

of Rock creek, County of Twin Falls, State of Idaho, the holder and owner of said Permit No. 6422, a perpetual right, dating from July 18, 1910 to the use of 9.1 cubic feet per second of the seepage waters of Rock Creek

in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted near the center of the SE4 of Sec. 23, T. 11 S., R. 18 E. B. M. and at the SW corner of NW4 of NE4, Sec. 23, T. 11 S., R. 18 E. B. M.

and conducted to and upon 455 acres divided as follows: 16A in SE4 of NW4, 22 A. in NE4 of NW4, 18 A. in NW4 of NW4, Sec. 23, 27 A. in SE4 of SW4, 22 A. in NE4 of SW4, 40 A. in SW4 of SW4, 4 A. in NW4 of SW4, 4 A. in SE4 of NW4, 3 A. in NE4 of NW4, 40 A. in SW4 of NW4, 27 A. in NW4 of NW4, Sec. 14, 22 A. in SE4 of SE4, 4 A. in SW4 of SE4, 40 A. in NE4 of SE4, 40 A. in NW4 of SE4, 40 A. in NE4 of NE4, 40 A. in SE4 of NE4, 40 A. in SW4 of NE4, Sec. 15, all in T. 11 S. R. 18 E. B. M.,

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 15th day of February, A. D. nineteen hundred and thirteen

A. R. Robinson,

(Seal)

State Engineer.

47-2478
45-2065

45-285

No. 9246

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Herman Stricker

Postoffice address: Rock Creek.

County: Twin Falls State Idaho.

2. The quantity of water claimed is Nine & 8/10 (9-8/10) cubic feet per second.

3. Source of water supply: Seepage water along Rock Creek.

County of Twin Falls.

4. Location of point of diversion: Ditch #1 in the S.W. 1/4 of Sec. 23, T 11 S. R. 18 E. B.M.
Ditch #2 in N.W. 1/4 of same section.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated : 920 acres.

(b) In the following legal subdivisions: N.W. 1/4 Sec. 23, T. 11, S. R. 18 E.
S.E. 1/4 Sec. 22, T. 11 S. R. 18 E. S. E. 1/4, E. 1/2 of the S.W. 1/4 and
S.W. 1/4 of the S.E. 1/4 Sec. 15, T. 11 S. R 18 E. and the
S.W. 1/4 and the N.W. 1/4 of Sec. 14, T 11, S. R' 18 E.

6. Estimated cost of works. Ditches already used for previous filing.

7. Description of works for diversion:

I. Kind of works: dams and ditches.

II. Dimensions of works:

(a) Height of dam 6 feet, length of top of dam 25 feet; Material used in construction rock and earth.

(a) Conduit ditches, width at bottom 5 1/2 feet, width at water line 6 feet,
Length of conduit is 2 3/4 miles and it crosses the following quarter sections:
S.E. 1/4 & N.E. 1/4 of Sec. 23, S.W. 1/4 & N.W. 1/4 of Sec. 14, and the N.W. 1/4
of Sec. 22, & N. E. 1/4 of SEC. 22, all in T. 11, S. R. 18 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 no years.
(ditches already constructed).

9. Time required for the complete application of the water to the proposed use is two 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.

Herman Stricker,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6422.

Date of first receipt of application 9.00 A.M: July 18, 1910.

Returned to applicant for correction: July 18, 1910.

Corrected application received: August 1, 1910.

Recorded in Book 19, Page 6422. Approved August 4, 1910.

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 3, 1910, 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 November 4, 1910.

The whole of said work to be completed on or before February 4, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to February 4, 1913.

Witness my hand this fourth day of August, 1910.

D. G. Martin

State Engineer.

STATE OF IDAHO,)
) ss.
County of Twin Falls,)

Herman Stricker being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 6422.

That he intends to change the point of diversion, as described in said decree or permit, to the following described point: to a point near the NW. corner of the SE. $\frac{1}{4}$ Sec. 23 Tn. 11 S. R. 18 E.

That such change will be made for the following reasons, to-wit: that it is stated on the map applying for the above mentioned permit that the point of diversion is in the SW. $\frac{1}{4}$ Sec. 23, which is erroneous.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Herman Stricker

Subscribed and sworn to before me this 27th day of April, 1911.

John F. Hansen

U.S. Commissioner

(SEAL)

My commission expires July 12, 1913.

Received and filed for record in the office
of the State Engineer at Boise, Idaho, at
9:00 A.M. MAY -3 1911

A. E. Robinson
State Engineer.

Notice of proof of completion of works received December 31, 1910, fixing February 4, 1911, as date, and Rock Creek, as place of proof.

Deposition blanks mailed John F. Hanson, December 31, 1910, to make examination of works.

Jas. Mc. Millan, notified Dec. 31, 1910, to make examination of works.
Publication notice mailed December 31, 1910.

Depositions, affidavit of publication and fee received February 7, 1911.

Report of Water Commissioner received March 31, 1911.

Certificate issued August 25, 1911.

Permit No. 6422

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that HAROLD JENSEN, of Rock Creek, County of Twin Falls, and State of Idaho, the holder of Permit No. 6422, issued upon application No. 9246, bearing date of priority of July 18th, 1910, authorizing the diversion of 9.8 second feet of the waters of seepage water along Rock Creek, County of Twin Falls, 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 9.8 second-feet of the waters of seepage water along Rock Creek, that the point of diversion of said waters: near the Northwest corner of the Northwest quarter (SW $\frac{1}{4}$), Section 25, Township 11 South, Range 18, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northwest quarter (NW $\frac{1}{4}$) Section 15, Northeast quarter (NE $\frac{1}{4}$) Section 22, Southeast quarter, East half of the Northeast quarter (SE $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$), and the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 15, and the Southwest quarter (SW $\frac{1}{4}$), and the Northwest quarter (NW $\frac{1}{4}$), Section 14, all in Township 11 South, Range 18, East of the Boise Meridian.

Witness my hand this 25th day of August, A. D. 1911.

A. H. Robinson,
State Engineer of the
State of Idaho

License issued for 9.8 second feet

Page 1308

REPORT OF ENGINEER

1. State name of applicant and number of permit: Herman Stricker (6422)
2. State source of water supply: Rock Creek
3. Location of point of diversion: (#1) In the center of the S.E. 1/4 of Sec. 23 Tp. 11 S. R. 18 E. B.M. (#2) S.W. Corner of Sec. 23 Tp. 11 S. R. 18 E. B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: (#1) Yes (#2) Will require about 1 day work to complete
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: (#1) 15 feet (#2) 2 feet
 - (b) Width at water line: (#1) 7 feet (#2) 3 feet
 - (c) Depth of water: (#1) 1 1/2 feet (#2) 1 foot
 - (d) Grade per mile: (#1) About 3 feet (#2) about 2 feet
 - (e) Capacity of ditch: (#1) 15 (#2) 5 second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent: Yes water has been running in the ditches for twenty years or more
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: (S.E. 1/4 NW 1/4 16a. NE 1/4 NW 1/4 22a. NW 1/4 NW 1/4 18a. Sec 23) (S.E. 1/4 SW 1/4 22a. NE 1/4 SW 1/4 22a. SW 1/4 SW 1/4 40a. NW 1/4 SW 1/4 4a. SE 1/4 NW 1/4 14a. NE 1/4 NW 1/4 3a. SW 1/4 NW 1/4 40a. NW 1/4 NW 1/4 23a. Sec. 14) (SE 1/4 SE 1/4 22a. SW 1/4 SE 1/4 4a. NE 1/4 SE 1/4 40a. NW 1/4 SE 1/4 40a. NE 1/4 NE 1/4 4a. SE 1/4 NE 1/4 40a. SW 1/4 NE 1/4 40a. Sec. 15) all in Tp. 11 S. R. 18 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 of the land with the exception of SE 1/4 NW 1/4 and about 30a in SW 1/4 NE 1/4 of Sect. 22-11-18 will be in cultivation in 1913. except some in Sec. 14 which is too high for irrigation from the present ditches.

STATE OF IDAHO,

County of Twin Falls ss.

Herman Stricker, 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 31 day of Feb, 1913.

My Commission Expires May 5, 1914

Notary Public.

RECEIVED

FEB 3 - 1913

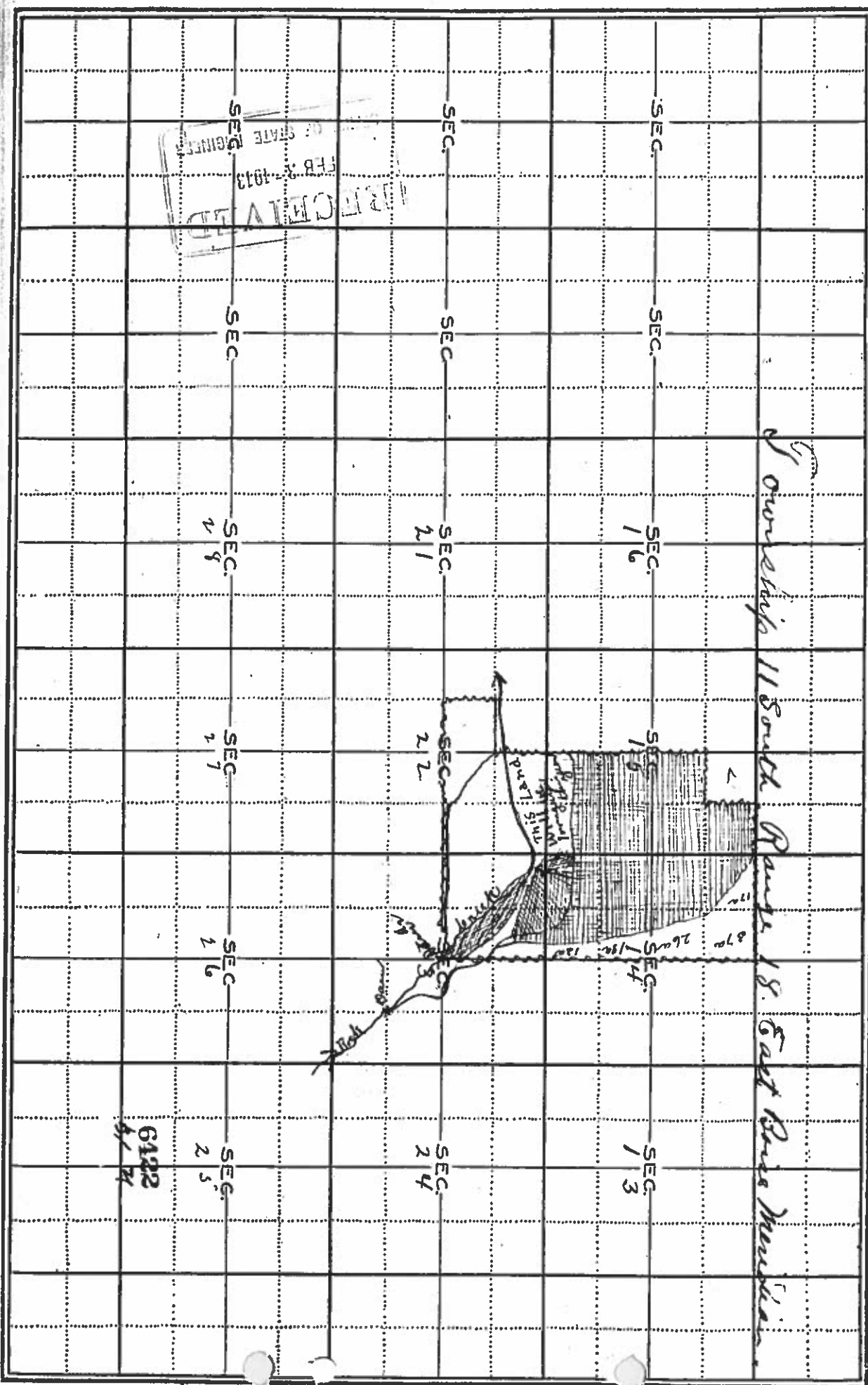
OFFICE OF STATE ENGINEER

6422

6/21

Name of Applicant.

Herman Steicker



SCALE: 2 INCHES=1 MILE DRAW PLAN IN INK. (