

06/01/2006

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

RIGHT NUMBER: 47-2479A

NAME AND ADDRESS: MONA NEILL
3550 E 3100 N
KIMBERLY ID 83341

SOURCE: UNNAMED STREAM

TRIBUTARY: ROCK CREEK

QUANTITY: 1.500 CFS
300.000 AFY

This right when combined with all other rights shall provide no more than
0.02 cfs per acre.

PRIORITY DATE: 08/04/1910

POINT OF DIVERSION:

T11S R18E S23 SWNWSW 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	1.500 CFS 300.00 AFY

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T11S R18E S21	SWSW	34.00	T11S R18E S21	SESW	36.00
T11S R18E S21	SWSE	20.00			

90 ACRES TOTAL

This right is limited to the irrigation of 75 acres within the place of use
described above in a single irrigation season.

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

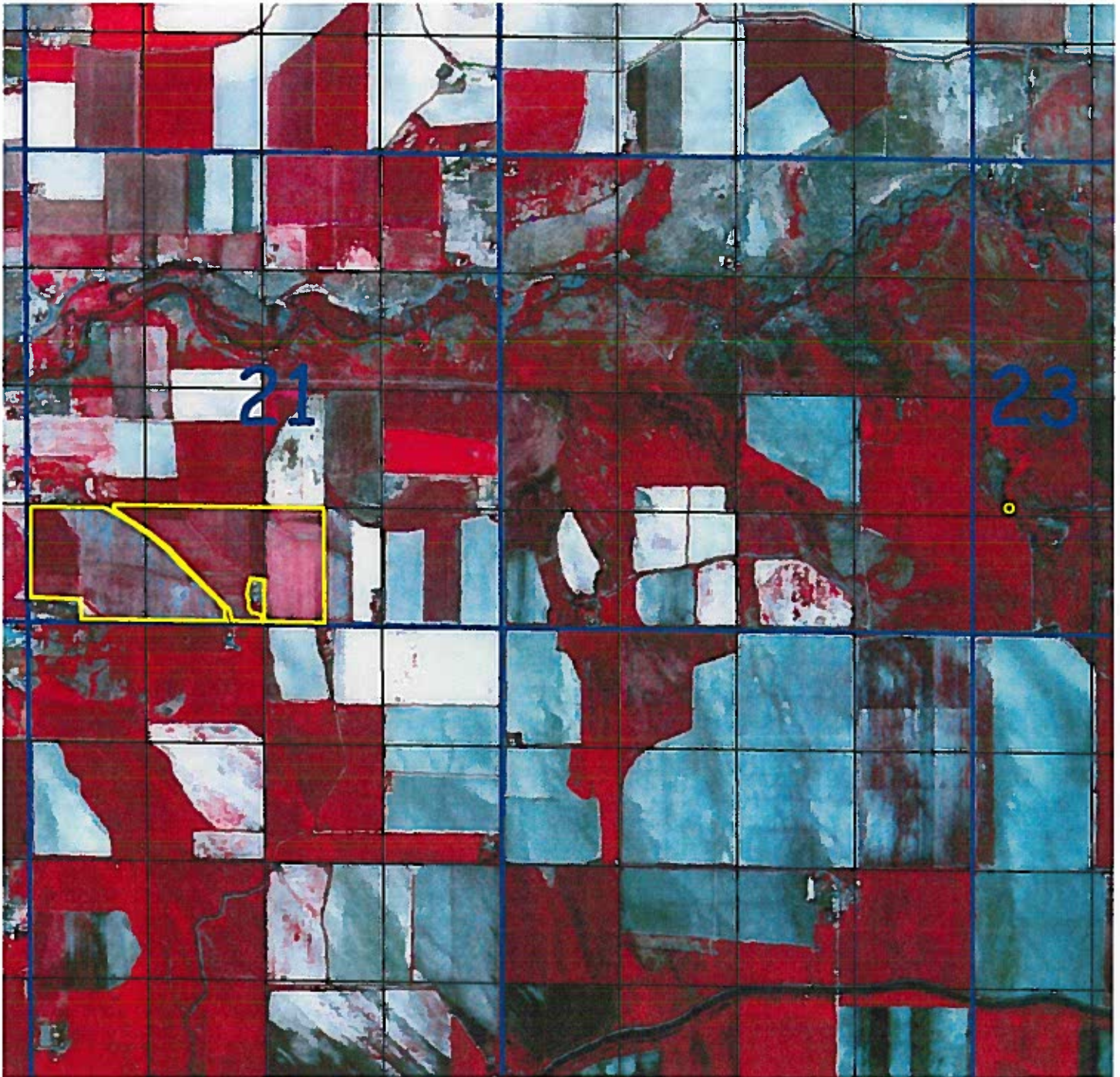
Use of this right is combined with water from Twin Falls Canal Co.

This right is a split from former right 47-2479.

Idaho Department of Water Resources

Right(s): 47-2479A

**Recommended Place of Use
TWP 11S RNG 18E S21
Prepared June 1, 2006**



660 0 660 1320 Feet



-  Recommended Place of Use
-  Recommended Point of Diversion
-  PLSS Section Lines
-  Quarter Section Lines



**GIS Place of Use Presentation
1987 NAPP Aerial Photography**

Prepared by Amanda Kriwox

File No.
A47-02479A

Owner
Mona Neill
3550 E 3100 N
Kimberly

Date
6/3/05

On Wed. evening I was able to contact Mona and get an apt. for Friday morning to review her file and have her show me where the 3 POD's are for her water rights . While visiting with Mona she informed me that all waters are co-mingled including CC water 20 shares. In regard to the 20 acre parcel on east side was years ago watered with CC water but due to new methods for irrigation this land is now included all together . Mona did tell me she would go into the IDWR office and see Amanda and do the necessary work to update this file, map in file shows approx. location of 3 w/r POD's and CC POD

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Photo look W	Mona 1	2474103	1249714	A0016190	1050600
" " N	" 2	2473876	1249541	"	601
" " N	" 3	2473949	1249857	"	602

Lee R. Peterson

6/3/05

RECEIVED
JUN 06 2005
Department of Water Resources
Southern Region

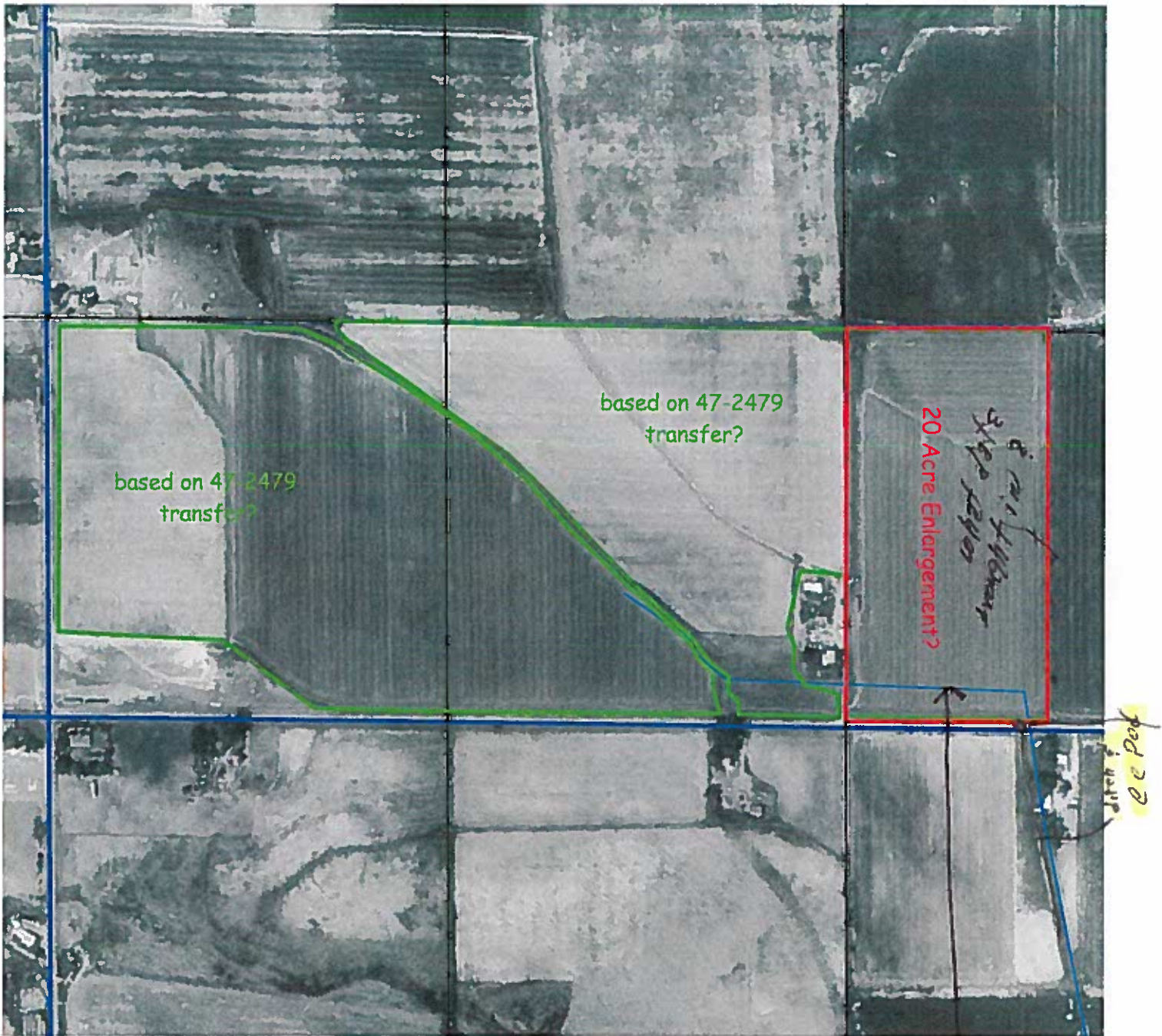
47-2479A PODs



2004 Imagery

Lee gpsed June 3, 2005

Neill 47-2479A



All 4 PODs need gpsed... locs on claim are only approximations so might need claimant to point out the pods for you. → See map for ref.

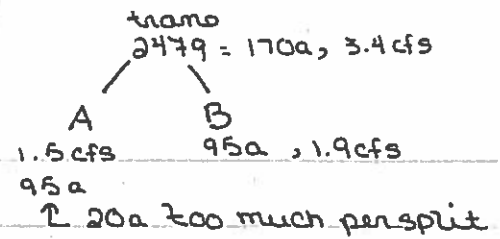
when was this added to POU?

How are CC shares used?

20 shares

CC merged

47-2479A



License

8-4-1910

Claim : 95 acres 1.5 cfs
irrigation (1-1 to 12-31) 537
→ fix

? Appears to be a 20 acre enlargement on POU in SW SE.
2479A should only be 75 acres based on split from app.

• Trans. 47-2479 $(75)(0.02) = 1.5 \text{ cfs}$

TFCC shares used → cert. indicated 20 shares.

Based on map w/ claim → Aerial view found 90 in. acres.

POB * → all will need to be GPSed... preferable if claimant takes field examiner to them. Locations (leg. desc.) haven't been verified in claim (approx. locations in file).

Recommend:

- KDO
- ① 75 acres of irig. w/in 95 acre POU
 - ② 1.5 cfs nte & 300 AF nte

removed buildings from claimed POU.

③ don't rec. waste water pod... wasn't licensed

④ 3 pods; 2 springs, 1 unnamed stream

44-2479

47-2479A 47-2479B

Basard

NESTEAD ENTRY NO.

LICENSED ACRES

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

[illegible]

Enlargement?

47-2479A should only be for 75 acres $\rightarrow$ there appears to be a 20 acre enlargement.

Neill Ownership Area



2004 Imagery

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 47-2479A
Date Received: 9/16/1988
Receipt No: S002242
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MONA NEILL Phone: (208) 423-5136
3550 E 3100 N
KIMBERLY ID 83341

2. Date of Priority: 08/04/1910

3. Source: WASTE WATER Trib. to: ROCK CREEK
UNNAMED STREAM ROCK CREEK
SPRINGS ROCK CREEK
SPRINGS ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4	of 1/4	Lot	County	Type
11S	18E	23	SW	SE	SE	TWIN FALLS	R } not verified
11S	18E	23	NW	SW	SW	TWIN FALLS	
11S	18E	23	NW	SE	SE	TWIN FALLS	
11S	18E	23	NE	SW	SW	TWIN FALLS	

5. Description of diverting works:

OPEN DITCH AS COLLECTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	1/01	12/31	1.5	

7. Total Quantity Appropriated is:
1.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	18E	21	SE	SW	IRRIGATION	40
			SW	SW	IRRIGATION	35
			SW	SE	IRRIGATION	20
					Section Acres	95
					Total Acres	95

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:

14. Remarks:

PROPERTY IS IN ESTATE AT FILING.

TRANS. 2758 ORIGINAL P/D CONSISTS OF SPRINGS THAT SEEP OUT OF GROUND IN MULTIPLE LOCATIONS. REDIVERT WATER IN NESWSW QTR THROUGH PIPE. SOURCE ALSO KNOWN LOCALLY AS SEEPS, DRAINAGE WATER, & TILE DRAINS AND IS NOT LIMITED TO THESE IDENTIFYING NAMES.

15. Basis of Claim: License

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
JAN 02 2001

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

Department of Water Resources
Bozeman, Idaho

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 (under the "split" heading), 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	Water Right No(s).	Adjudication Claim No(s).	Split
<u>47-10315</u>		<u>-</u>			
	<u>A47-02477A</u>	<u>-</u>			

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

3. Name and Address of Former Owner/Claimant(s)
Audrey Rawson
Kimberly, Idaho 83341
4. New Owner/Claimant(s)
Mona Neill
 Name Connector (Check one): ☐ and, ☐ or, ☐ and or
- New Mailing Address
3550 E 3100 N
- City, State and ZIP Code
Kimberly, ID 83341
- New Telephone Number
(208) 423-5136
5. Date you acquired the property
September 25, 2000

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) Mona Neill
(include title if applicable)

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 [Signature]

Date 1/2/01

Fee \$25.

Receipted by [Signature]

Date _____

Receipt No. _____

Processed by [Signature]

AJ

Date 4/10/03

WR _____

Date _____

Form No. 1402 92
(10/17/92)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



ISSUED BY

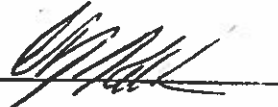
First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

First American Title Co.

By 

First American Title Insurance Company

BY



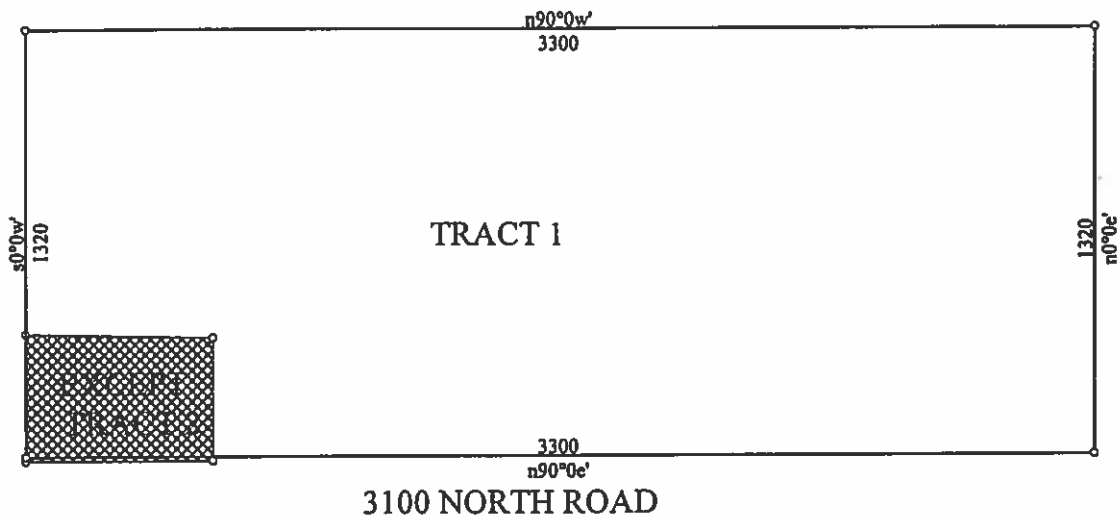
PRESIDENT

ATTEST



SECRETARY

J 1159149



Title: Pawson Parcel		Date: 07-19-00
Scale: 1 inch = 600 feet	File: 27111.des	
Tract 1: 100.000 Acres: 4356000 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 9240 Feet Tract 2: 5.002 Acres: 217876 Sq Feet: Closure = n00.4006e 13.48 Feet: Precision =1/142: Perimeter = 1910 Feet		
001=n90.0e 3300	005=@0 Merge 1	009=n90.0w 578.00
002=n0.0e 1320	006=n0.0e 377.00	
003=n90.0w 3300	007=s88.3948e 578.00	
004=s0.0w 1320	008=s0.0w 377.00	

OWNER'S POLICY

SCHEDULE A

Order No.: TF27111

Policy No.: J 1159149

Amount of Insurance: \$ [REDACTED]

Premium: \$ [REDACTED]

Endorsements:

\$

Date of Policy: September 25, 2000 at 03:57 PM

1. Name of Insured:

Mona R. Neill

2. The estate or interest in the land which is covered by this policy is:

A fee simple interest

3. Title to the estate or interest in the land is vested in:

Mona R. Neill, an unmarried woman

4. The land referred to in this policy is described as follows:

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

Section: 21 W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$

Excepting therefrom the following:

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

Section 21: A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southwest corner of said Section 21, from which the West one-quarter corner of said Section 21 bears North 0° 00'00" East 2621.55 feet, said Southwest corner of said Section 21 being the TRUE POINT OF BEGINNING;

Thence North 00° 00'00" East along the West boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 21 for a distance of 377.00 feet;

Thence South 88° 39'48" East parallel with the South boundary of the SW $\frac{1}{4}$ of said Section 21 for a distance of 578.00 feet;

Thence South 00° 00'00" West parallel with the West boundary of the SW $\frac{1}{4}$ of said Section 21 for a distance of 377.00 feet to a point on the South boundary of SW $\frac{1}{4}$ of said Section 21;

Thence North 88°39'48" West along the South boundary of the SW $\frac{1}{4}$ of said Section 21 for a distance of 578.00 feet to the TRUE POINT OF BEGINNING.

ALTA Owner's Policy Schedule A (10/17/92)

Form 1402-92

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

Section: 21 W½ SW¼ SE¼ and S½ SW¼

Excepting therefrom the following:

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

Section 21: A parcel of land located in the SW¼SW¼, more particularly described as follows:

Commencing at the Southwest corner of said Section 21, from which the West one-quarter corner of said Section 21 bears North 0° 00'00" East 2621.55 feet, said Southwest corner of said Section 21 being the TRUE POINT OF BEGINNING;

Thence North 00° 00'00" East along the West boundary of the SW¼SW¼ of said Section 21 for a distance of 377.00 feet;

Thence South 88° 39'48" East parallel with the South boundary of the SW¼ of said Section 21 for a distance of 578.00 feet;

Thence South 00° 00'00" West parallel with the West boundary of the SW¼ of said Section 21 for a distance of 377.00 feet to a point on the South boundary of SW¼ of said Section 21;

Thence North 88°39'48" West along the South boundary of the SW¼ of said Section 21 for a distance of 578.00 feet to the TRUE POINT OF BEGINNING.

177-74
Bacon
mill

SCS-CONS-16
OCTOBER 1974

CONSERVATION PLAN MAP

U S DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Owner _____ Operator _____
County _____ State _____ Date _____
Approximate acres _____ Approximate scale _____
Cooperating with _____ Conservation District _____
Plan identification _____ Photo number _____
Assisted by _____ USDA Soil Conservation Service



ARTMENT OF AGRICULTURE
ERVATION SERVICE

21955-2

WARRANTY DEED

For Value Received Audrey L. Pawson, a widow

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Mona R. Neill, an unmarried woman

whose address is:, 3550 East 3100 North, Kimberly, ID 83341

Hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

See legal description attached hereto and made a part of

Together with 20 shares of Twin Falls Canal Company water stock

Twin Falls County, Idaho

Recorded for:
FIRST AMERICAN TITLE CO.

03:57pm Sep. 25, 2000
2000-014897

No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 23, 2000

Audrey L. Pawson
Audrey L. Pawson

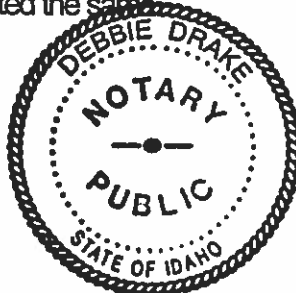
STATE OF Idaho

ss.

COUNTY OF TWIN FALLS

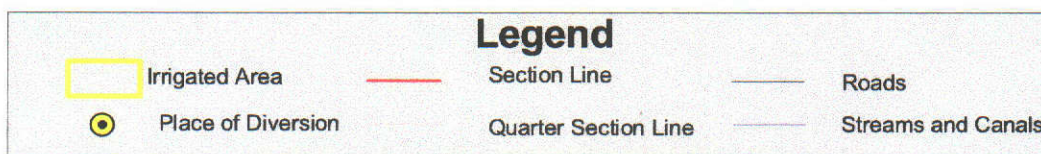
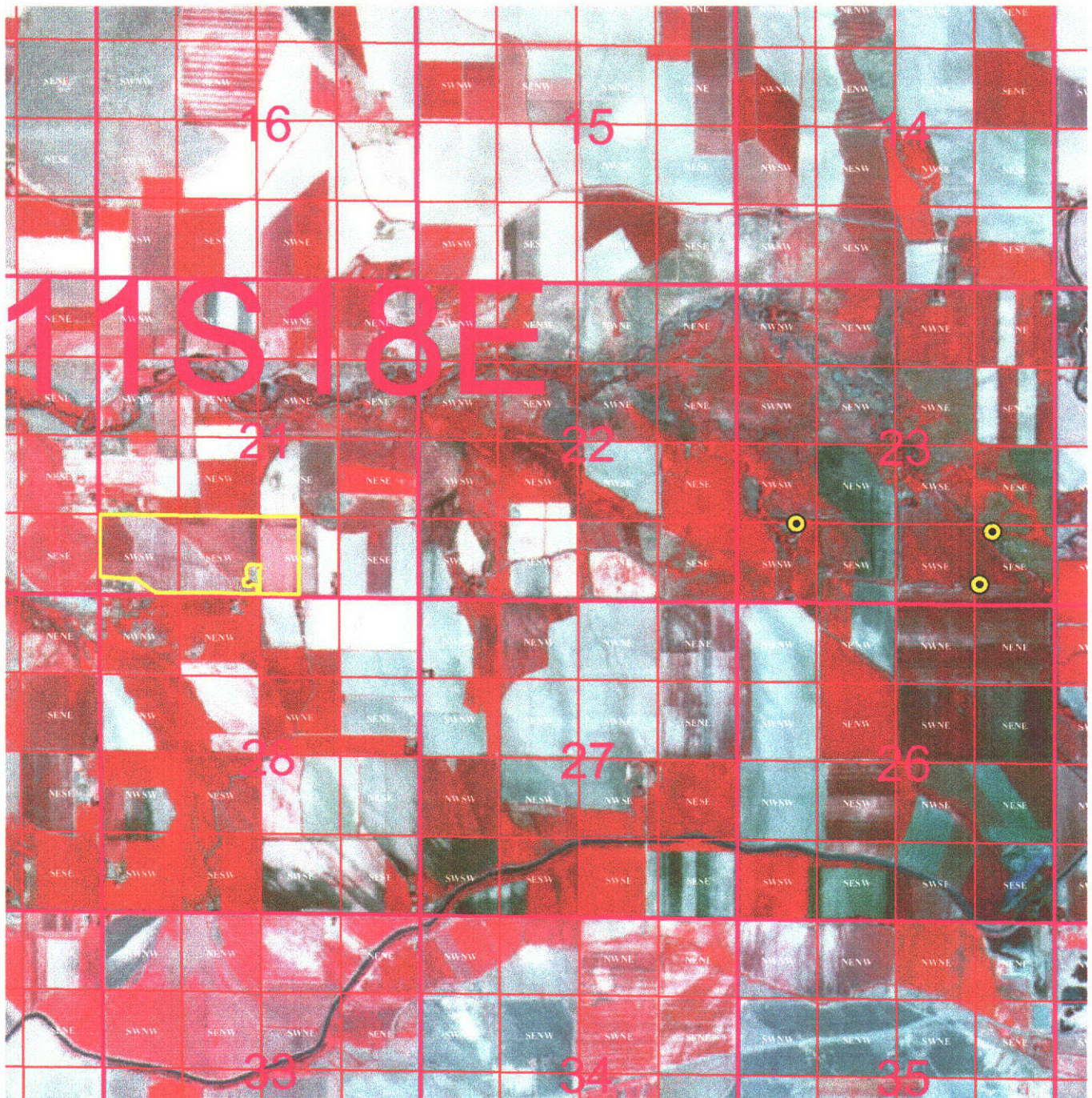
On this 25 day of September, 2000, before me Debbie Drake, personally appeared Audrey L. Pawson, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

Debbie Drake
Notary Public of Idaho
Residing at Jerome, Idaho
Commission Expires: 04/13/06



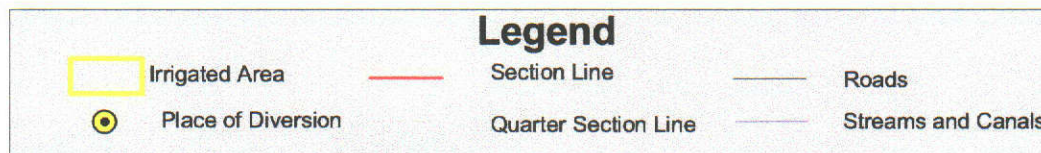
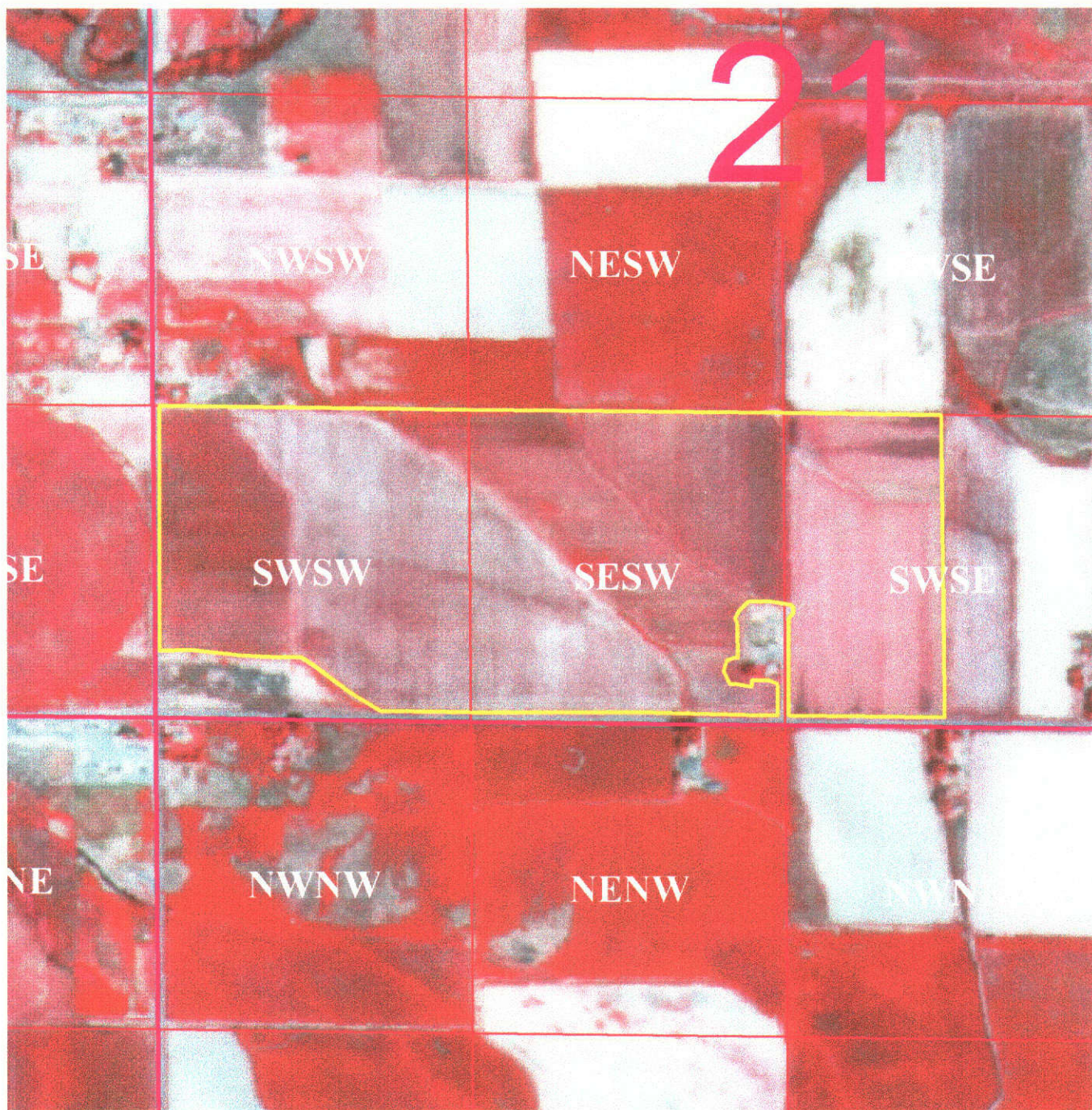
Water Right Claim Number A47-02479A
Township , 11S18E

10/05/2000



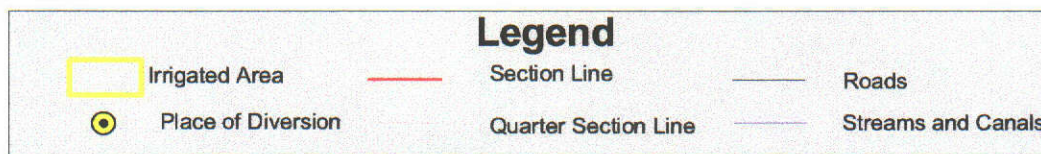
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Township , 11S18E

10/05/2000



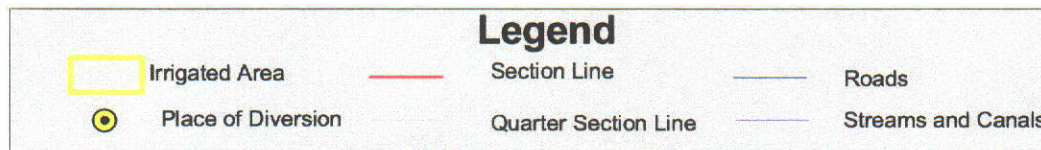
Water Right Claim Number A47-02479A
Township , 11S18E

10/05/2000



Water Right Claim Number A47-02479A
Township , 11S18E

10/05/2000



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: A47-02479A
Date Received: 9/16/1988
Receipt No: S002242
Received By: SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CHARLES E. PAWSON 208-678-1785
Address: RT. 2 BOX 2542
HEYBURN, ID 83336

OR
Name: LARRY L. PAWSON 208-326-4527
Address: BOX 436
FILER, ID 83328

2. Date of Priority: AUG 04, 1910

3. Source: SPRINGS Trib. to: ROCK CREEK
UNNAMED STREAM ROCK CREEK
WASTE WATER ROCK CREEK

4. Point of Diversion:

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

5. Description of diverting works:
OPEN DITCH AS COLLECTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	1.500		

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

8. Total consumptive use is 285.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A47-02479A

Page 1

Date: 05/10/90

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	21	SW	SW		IRR	35.0
			SE	SW		IRR	40.0
			SW	SE		IRR	20.0

Section Acres 95.0

Total Acres	95.0
-------------	------

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:
TFCC

14. Remarks:

PROPERTY IS IN ESTATE AT FILING.
TRANS. 2758

ORIGINAL P/D CONSISTS OF SPRINGS THAT SEEP OUT OF GROUND IN MULTIPLE LOCATIONS. REDIVERT WATER IN NESWSW QTR THROUGH PIPE. SOURCE ALSO KNOWN LOCALLY AS SEEPS, DRAINAGE WATER, & TILE DRAINS AND IS NOT LIMITED TO THESE IDENTIFYING NAMES.

15. Basis of Claim: LICENSE

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): Garry L. Rawson Date: 5/10/90
Date:

MICROFILMED

MAR 11 1993

State of Idaho

County of

Twin Falls

)
) SS.
)

Subscribed and sworn (or affirmed) before me this

10th

day

of

May

19

90

Steve C. Allen

Notary Public

Seal

Residing at

Twin Falls

My Commission Expires

Dec 7, 1994

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.

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Address: BOX 436
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11S	18E	23	NE	SW	SW		TWIN FALLS
			NW	SW	SW	R	TWIN FALLS
			NW	SE	SE		TWIN FALLS
			SW	SE	SE		TWIN FALLS

5. Description of diverting works:
OPEN DITCH AS COLLECTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	1.500		

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1.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 285.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A47-02479A

Page 1

Date: 02/07/90

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	18E	21	SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			SW		SE		IRR	20.0
Section Acres								95.0
Total Acres								95.0

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:
TFCC

14. Remarks:
PROPERTY IS IN ESTATE AT FILING.
TRANS. 2758
ORIGINAL P/D CONSISTS OF SPRINGS THAT SEEP OUT OF GROUND IN
MULTIPLE LOCATIONS. REDIVERT WATER IN NESWSW QTR THROUGH PIPE.

15. Basis of Claim: LICENSE

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): Larry L. Lawson Date: 2/7/90

Date: _____

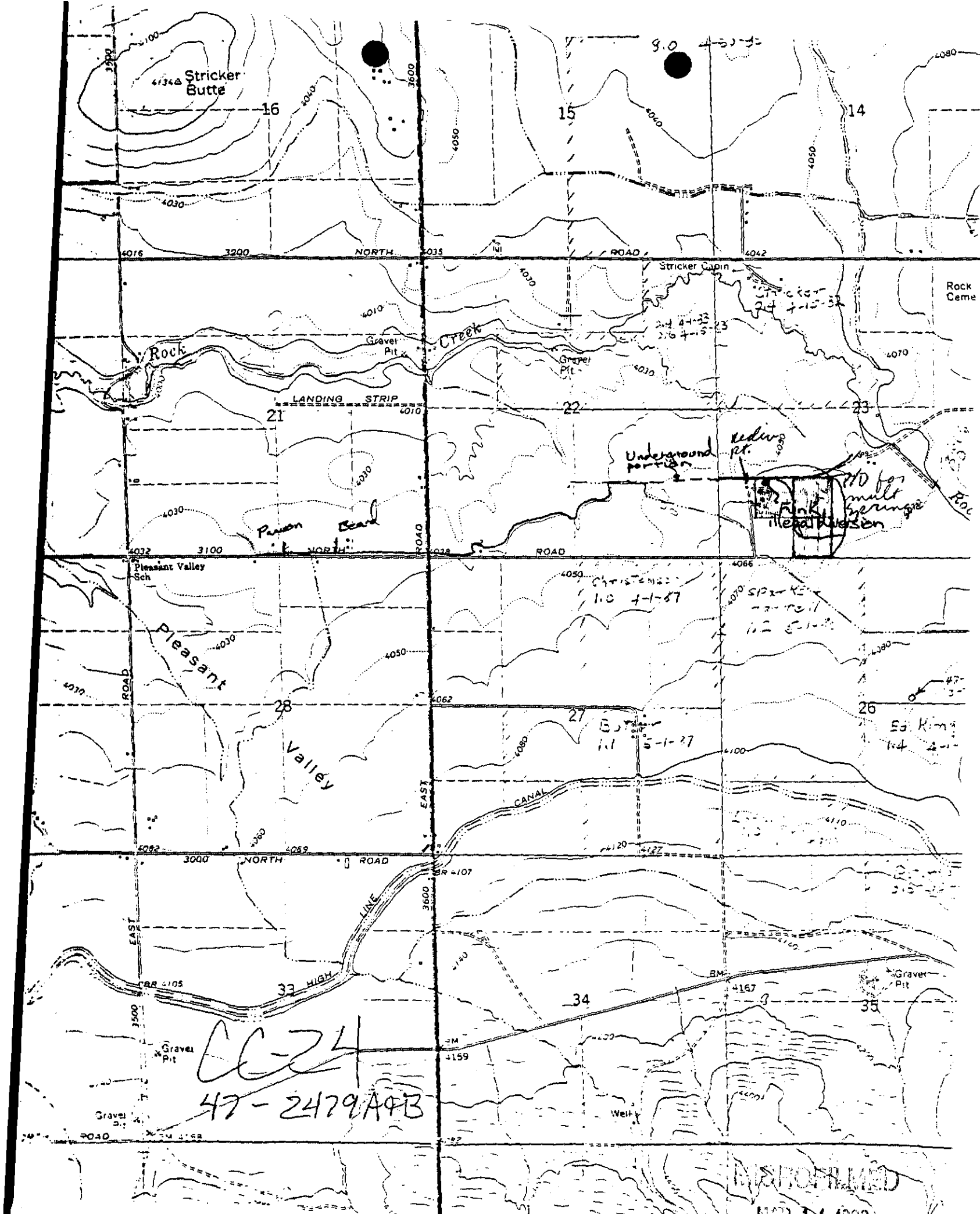
State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of Feb 19 90

Lawson
Notary Public

Seal

Residing at TF
My Commission Expires 5/94



NOT FILMED

MAR 14 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-02479A
Date Received: 9/16/1988
Receipt No: S002242
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES E. PAWSON 208-678-1785
Address: RT. 2 BOX 2542
HEYBURN, ID 83336

OR

Name: LARRY L. PAWSON 208-326-4527
Address: BOX 436
FILER, ID 83328

2. Date of Priority: AUG 04, 1910

3. Source: SPRINGS Trib. to: ROCK CREEK

4. Point of Diversion:

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

5. Description of diverting works:
OPEN DITCH AS COLLECTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	1.500		

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

8. Total consumptive use is 285.0 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	21	SW	SW		IRR	35.0
			SE	SW		IRR	40.0
			SW	SE		IRR	20.0
						Section Acres	95.0
						Total Acres	95.0

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:
TFCC

14. Remarks:
PROPERTY IS IN ESTATE AT FILING.
TRANS. 2758

15. Basis of Claim: LICENSE

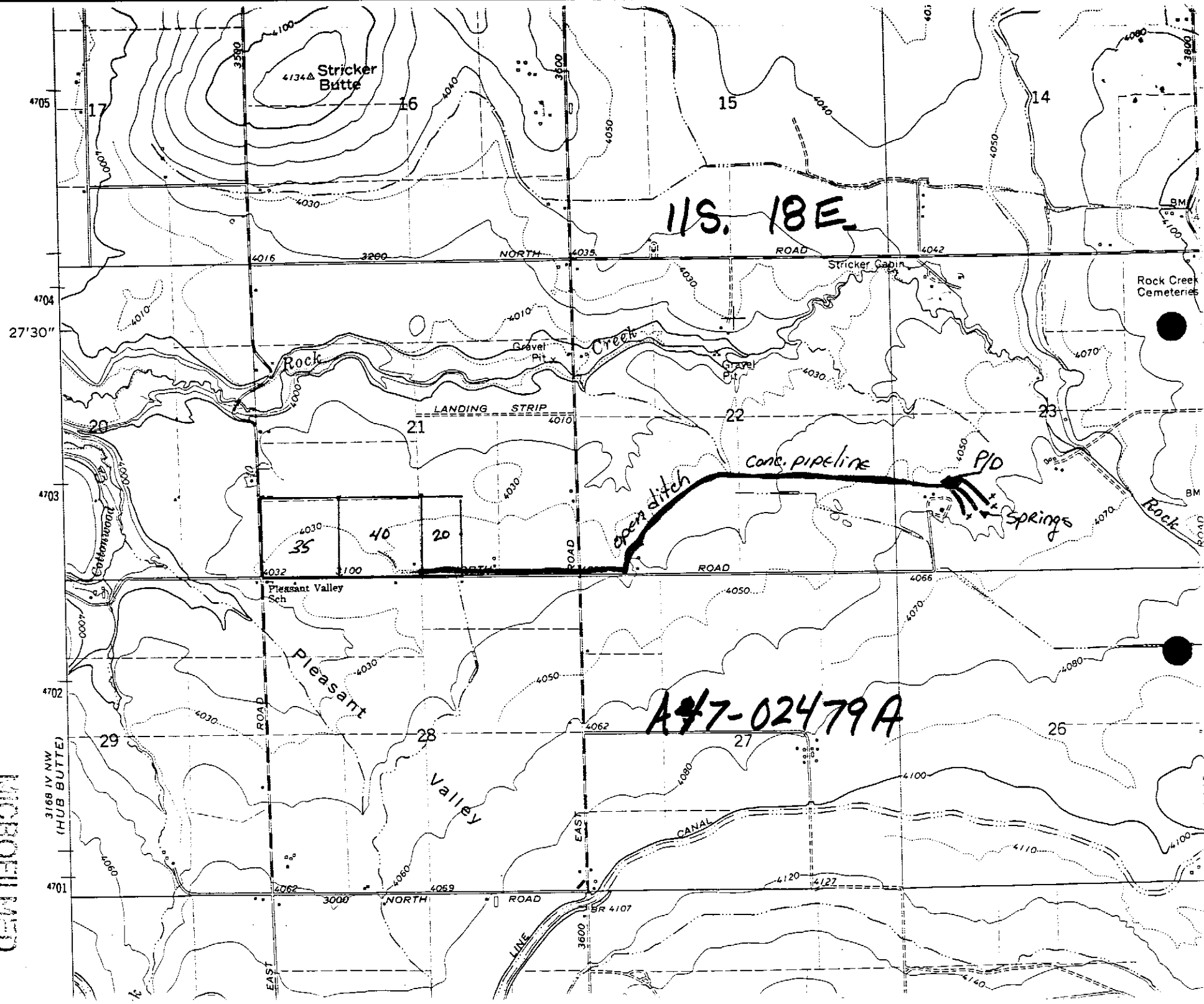
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MAR 11 1993

MAR 11 1993

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3168 IV NW
(HUB BUTTE)



PLEASE SEE ADJ NUMBER A47-14189 FOR ALL THE PROPER INFORMATION.

A47-02479A

A47-02479B

MICROFILMED

MAR 11 1993

MEMORANDUM

DATE: 03-May-1990

FROM: Loren Holmes *LH*

TO: File A47-14189, A47-02479A, A47-02479B

SUBJECT: Inspection made on the Shoe Sole Ranch with Darrell Funk
on 4/18/90

At his request, I met with Darrell Funk at the ranch at 2:00 PM.

He said wanted me to look at certain springs to verify that they were dry before turning water into his ditches from the Twin Falls canal.

He showed me a low area in a field in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, T11S R18E. He said he had been told that this area was a spring appropriated by another user but that in his experience with the ranch it had never produced any water. The area was dry at my inspection.

He also showed me a drain ditch running East to West along the center of the SW $\frac{1}{4}$ of Sec. 23 T11S R18E. At about midway along the drain ditch, imbedded in the North bank, there was a vertical concrete pipe about 48 inches in diameter. A new pump was installed on the open top of the pipe and rigged to pump to a sprinkler system. Mr. Funk indicated that the vertical pipe captured the water coming out of a tile drain under the field to the Northeast of the pump. The pump was not operating, and water was cascading out of a hole in the side of the concrete pipe into the drain ditch. the water level in the pipe was approximately two feet above the level in the drain ditch. An old electric centrifugal pump was discarded nearby and Mr. Funk indicated that it had been removed and replaced with the new pump.

Approximately 400 feet West of the pump, the drain ditch discharged into an open irrigation ditch. There was a contracted rectangular weir installed at the discharge point, operating under submerged conditions. Measurements at the weir indicated the flow from the drain ditch to be approximately .88 cfs (44 miner's inches).

Office research indicates the pump to be the point of diversion for water right claim A47-14189 and the drain ditch to be the source of water for claims A47-02470A & B.

*Allen -
This probably
will become
part of the file.*

MICROFILMED

MAR 11 1993

DISTRICT COURT
Fifth Judicial District
County of Twin Falls, Idaho

JUN 24 1992

By _____

[Signature]

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

RICHARD A. BEARD and LARRY L.
PAWSON,

Plaintiffs,

vs.

DAVID FUNK and DARRELL FUNK,

Defendants.

Case No. CV 90-01250

AMENDED JUDGMENT

THIS CAUSE having come on regularly for trial before the court sitting without a jury on April 9, 1991, with Gary D. Slette of the firm of Rosholt, Robertson and Tucker appearing as attorney for the plaintiffs, and Roger D. Ling of the firm of Ling, Nielsen and Robinson appearing as attorney for the defendants, and the court having heard the testimony and having examined the proofs offered by the respective parties, and having filed herein its Decision and Order granting defendants' Motion to Amend Findings of Fact and Conclusions of Law and Judgment dated October 28, 1991, and having filed herein its Amended Memorandum Decision as Findings of Fact and Conclusions of Law,

AMENDED JUDGMENT - 1

and having directed that an Amended Judgment be entered in accordance therewith,

NOW, THEREFORE, by reason of said law and findings,

IT IS ORDERED, ADJUDGED AND DECREED, that plaintiffs have appropriated pursuant to License No. 47-2479 with a priority of August 4, 1910, ^{170 Mison Inc.} 3.4 cfs of water from springs and seepage collected in that certain drainage ditch located on defendants' property and plaintiff Richard A. Beard has appropriated .46 cfs of water under License 47-4311 with a priority of March 15, 1968 from the same source and collected in the same drainage ditches, which are more particularly described hereafter, which water enters a pipeline approximately 225 feet east of the southwest corner of the NW1SW1 of Section 23, Township 11 South, Range 18 East of the Boise Meridian, all of which are on defendants' real property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the water appropriated by the plaintiffs is from those springs, seeps and subsurface drainage collected and flowing in those certain drain ditches located on defendants' real property, commencing at a point where the water in said drain ditches enters a pipeline approximately 225 feet east of the southwest corner of the NW1SW1 of Section 23, Township 11 South, Range 18 East of the Boise Meridian; thence east approximately 1,485 feet more or less; thence southeasterly on a meandering line approximately 720 feet; and that certain branch of the said drain ditch which enters the

above drain approximately 990 feet east of the point at which the above drain enters a pipeline; and thence running south along the east boundary of the SW1SW1 of said Section 23 for a distance of approximately 660 feet; thence east a distance of approximately 245 feet; thence south a distance of approximately 245 feet to a point where said drain connects with a drain south of and parallel to an existing road which flows from the east in an east to west direction for approximately 1,000 feet to its confluence with the south to north drain, as shown by Exhibit "A" attached hereto and made a part hereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the defendants and their successors and assigns are permanently enjoined from maintaining or operating that certain irrigation pump and upright tile in which said pump has been installed for the diversion of water flowing in that certain buried tile drain in which subsurface, seepage and spring water is collected and ultimately flows into the above drain ditch at a point approximately 900 feet east of the point where the above-described drain enters the pipeline, which is a part of the subsurface, springs and seepage water appropriated by plaintiffs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the defendants are not prohibited from recapturing subsurface and surface waste water from the irrigation of defendants' real property, to the extent the defendants, their successors or assigns can identify said waste water to be from the irrigation

of defendants' real property, or such other seepage, subsurface or surface waste water arising on defendants' real property in excess of the water collected by the above-described drain ditches and appropriated by plaintiffs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by stipulation of the parties, that the following subsurface, seepage, drain or waste water collected by defendants on their real property is not a part of the springs, seepage and subsurface water appropriated by plaintiffs under their respective licenses, to-wit:

(A) Surface waste, subsurface, seepage and drain water collected in that certain south to north drain located in the S½SE½SW¼ of said Section 23 and the NE½NW¼ of Section 26, Township 11 South, Range 18 East of the Boise Meridian, from a point south of the point where the east to west drain along the south side of an existing road intersects the south to north drain as hereinbefore described. Only those surface waste, seepage and drain waters in said south to north drain, south of its confluence with the east to west drain located along the south side of the existing road shall be the water referred to in this subparagraph.

(B) Surface waste, seepage and drain water collected by that certain drain tile located in the NE½NW¼ of said Section 26 above-described, which drains into the south to north drain described in subparagraph (A) above.

(C) Surface waste, seepage and drain water drained by

that certain drain tile located in the NW¼NW¼ of said Section 26.

(D) Surface waste, springs and seepage water in the NW¼SW¼ of said Section 23, Save and Except the south 300 feet of said NW¼SW¼. The seepage water included in this subparagraph (D) includes that water now collected by defendants in that certain drain tile located in the NW¼SW¼ and which drains water to the north boundary of the said NW¼SW¼ of said Section 23.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that defendants shall, within thirty (30) days of the date of the entry of this Amended Judgment, remove the irrigation pump and top section of the upright tile which the defendants have hereby been permanently enjoined from operating and maintaining.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that plaintiffs shall be entitled to recover from defendants their costs incurred herein in the sum of \$ _____ and attorney fees in the sum of \$ _____

DATED this 24 day of June, 1992.

Daniel C. Hurlbutt
Daniel C. Hurlbutt
District Judge

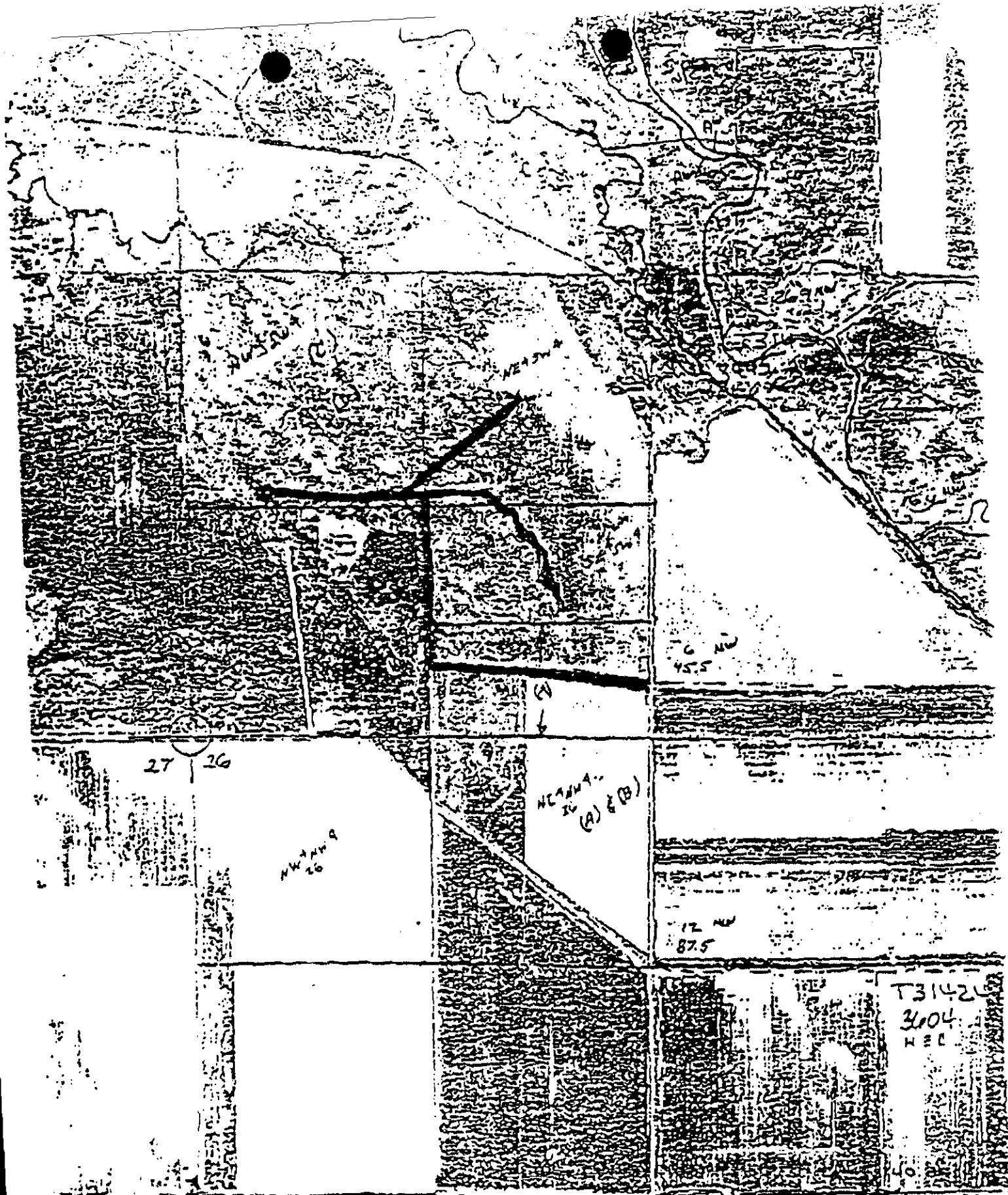


EXHIBIT A

3902
5-3604

Log for claim A47-02479A

Spatial Dynamics BTD

10/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s18e	21	SWSW	35	34	
11s18e	21	SESW	40	37	
11s18e	21	SWSE	20	19	
Totals:			95	90	

Water Right Claim Number A47-02479A
Township , 11S18E

10/05/2000



Legend

Irrigated Area

Section Line

Roads

⊙ Place of Diversion

Quarter Section Line

Streams and Canals

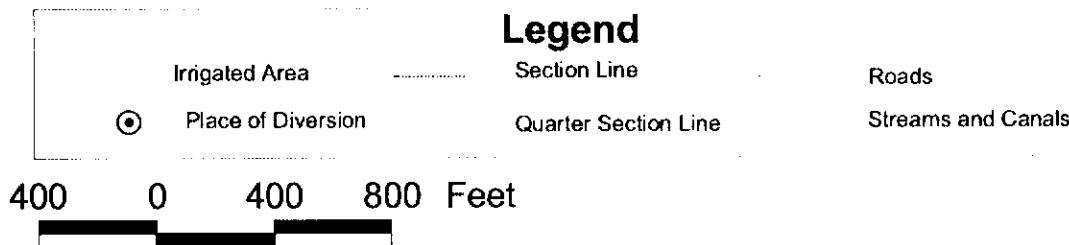
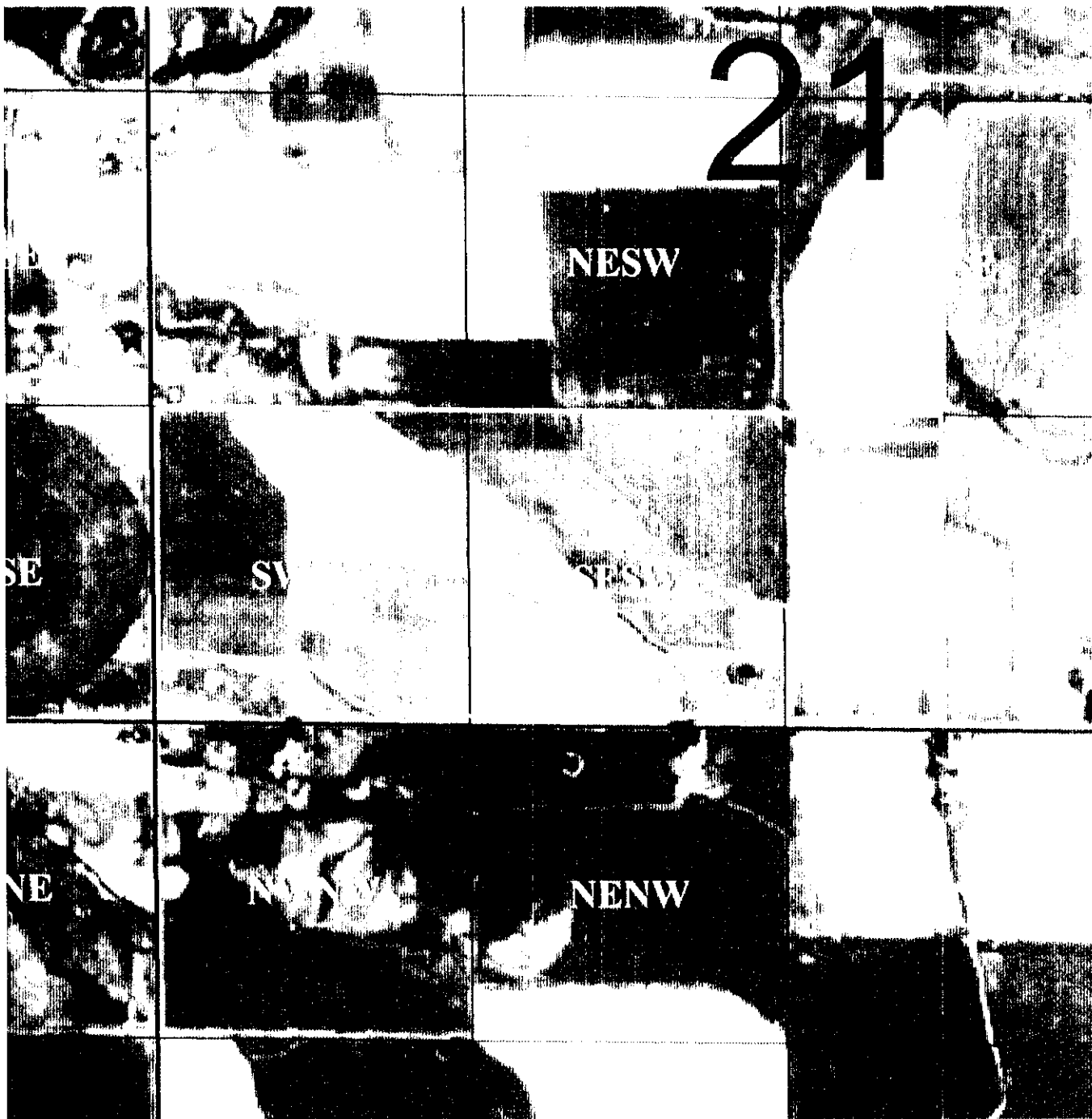


2000 0 2000 4000 Feet



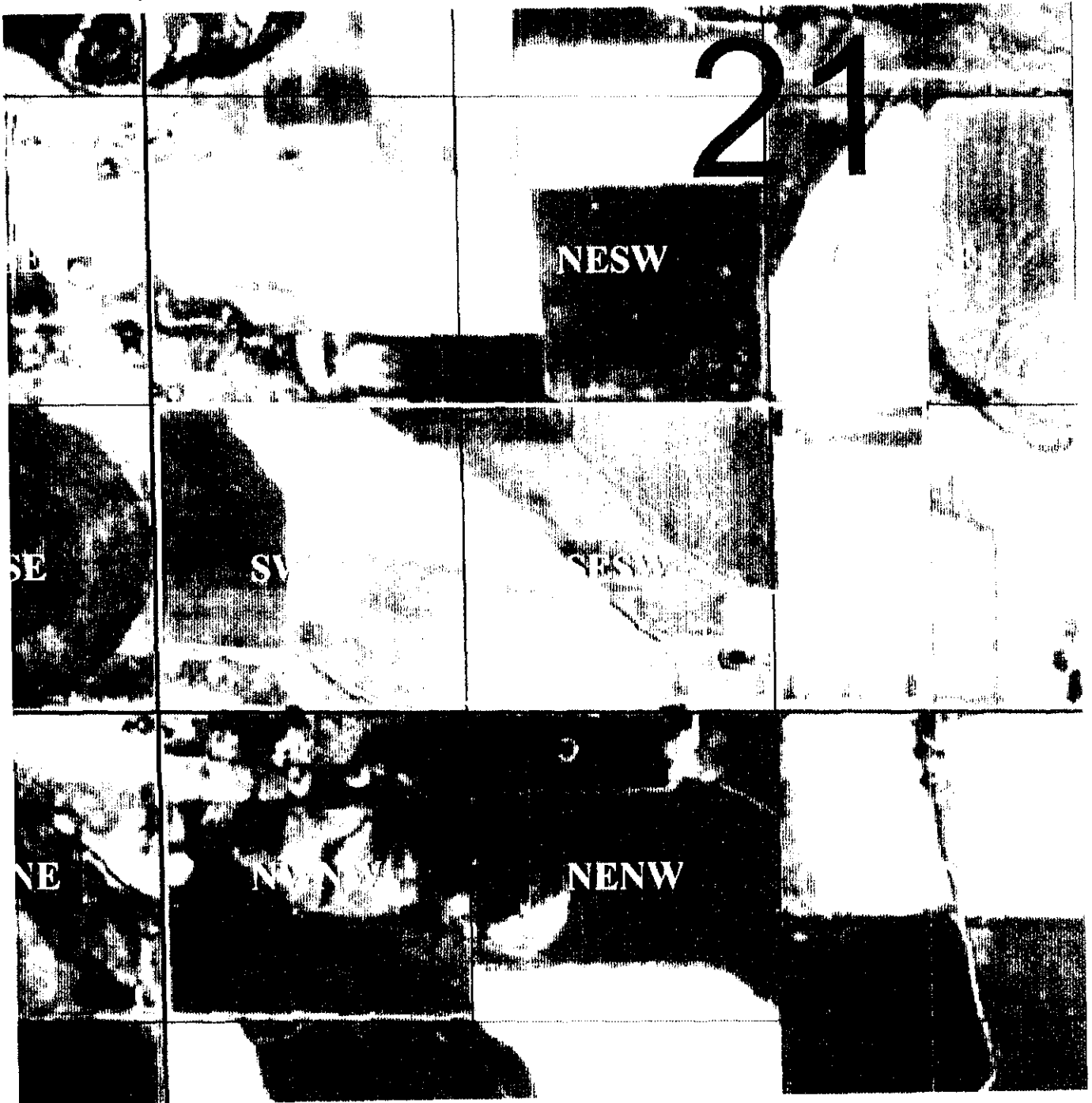
Water Right Claim Number A47-02479A
Township , 11S18E

10/05/2000



Water Right Claim Number A47-02479A
Township , 11S18E

10/05/2000



Legend

Irrigated Area

Section Line

Roads



Place of Diversion

Quarter Section Line

Streams and Canals

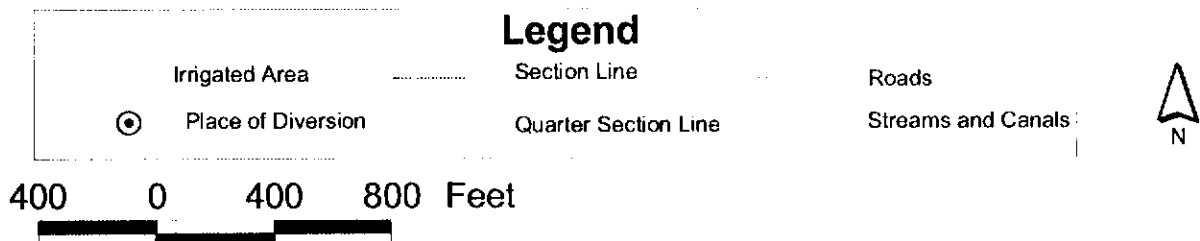
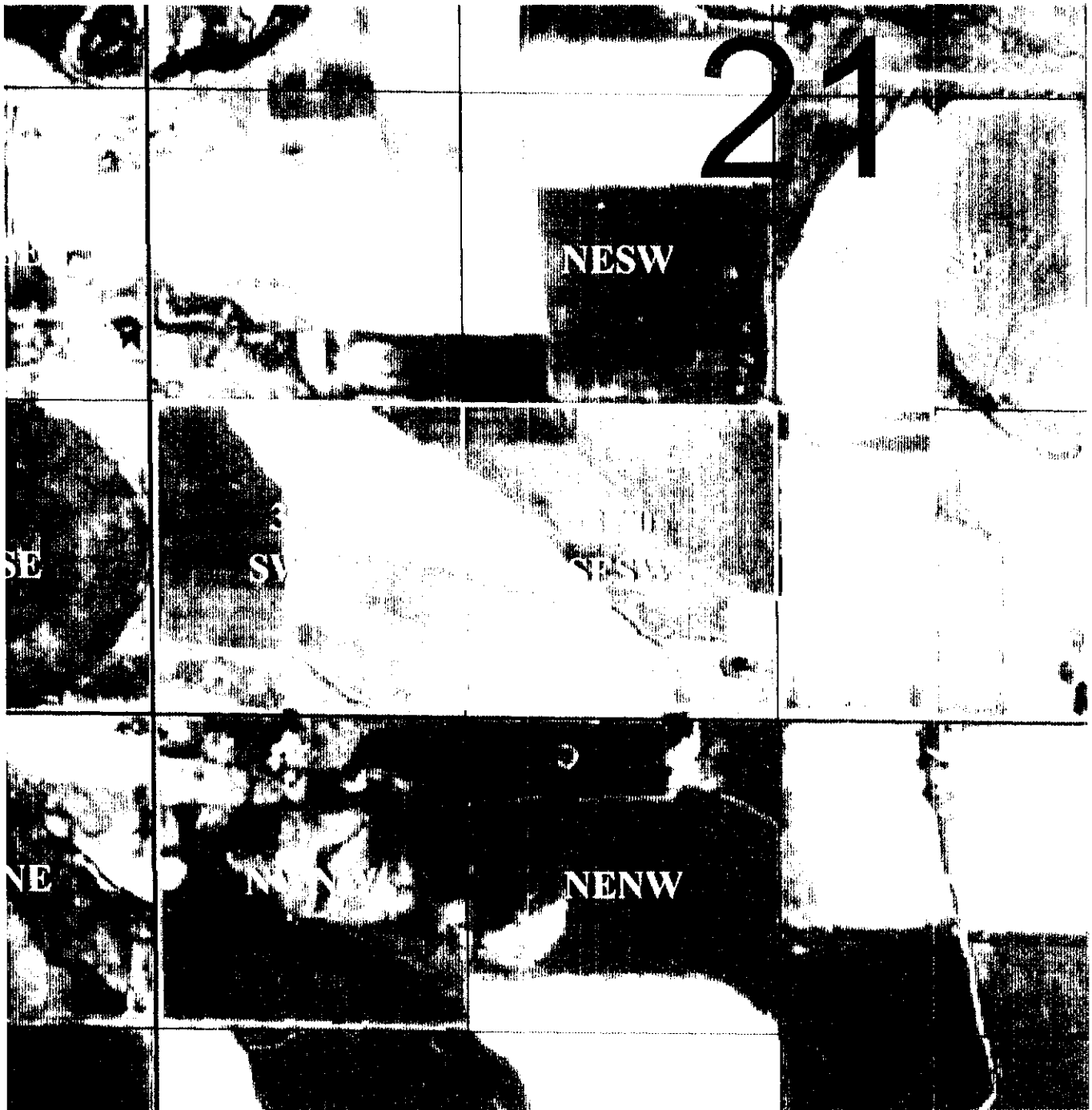


400 0 400 800 Feet



Water Right Claim Number A47-02479A
Township , 11S18E

10/05/2000



AJ5809NP
No. A47-02479A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 221

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES E PAWSON RT 2 BOX 2542 HEYBURN ID 83336 (208) 678-1785	08/04/1910	IRRIGATION	01-01 12-31	1,500 CFS	
				TOTAL DIVERSION:	1,500 CFS	
				CONSUMPTIVE USE:		285.00 AFA

C LARRY L PAWSON
BOX 436
FILER ID 83328
(208) 326-4527

Water Source: SPRINGS
UNNAMED STREAM
WASTE WATER

Tributary to: ROCK CREEK
ROCK CREEK
ROCK CREEK

Stage: LICENSE

Point(s) of Diversion:	T11S R18E S23	NESWSW	NWSESE	SWSESE	TWIN FALLS County
Point(s) of Re-diversion:	T11S R18E S23	NWSWSW			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	:	SUM		
11S	18E	21	:											35	40			20	:	95.0	
																			TOTAL ACRES	:	95.0

POU County: TWIN FALLS

Other Rights: TFCC

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-00129 A47-00130 A47-00131 A47-00132 A47-00157A A47-02478 A47-02479B A47-14190 A47-15262

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020925 A47-02479

Remarks: GEN PROPERTY IS IN ESTATE AT FILING.
TRANS. 2758
ORIGINAL P/D CONSISTS OF SPRINGS THAT SEEP OUT OF GROUND IN
MULTIPLE LOCATIONS. REDIVERT WATER IN NESWSW QTR THROUGH PIPE.
SOURCE ALSO KNOWN LOCALLY AS SEEPS, DRAINAGE WATER, & TILE DRAINS
AND IS NOT LIMITED TO THESE IDENTIFYING NAMES.

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

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

AJ5809NP
No. A47-02479A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 222

=====

Audit: 09/16/88 CLELLAND 02/07/90 WHITE 05/10/90 CLELLAND 03/30/95 POST-STD

Twin Falls County *
Water of Springs *
3.4 cubic feet per second *
Irrigation and Domestic use *
Priority 8-4-10 *

STATE OF IDAHO
Water License No. 6440.

WHEREAS, On the 4th day of August, A. D. 1910, WILLIAM A. McBRIDE, of Alden, County of Haeden, State of Iowa, duly made application (No. 9342,) to me for a permit to use 4.5 cubic feet per second of the waters of SPRINGS, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 12th day of August, A. D. 1910, Permit No. 6440 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion ~~the said works to be completed on or before the 12th day of February, A. D. 1911, and for the application to beneficial use of said water on or before the 12th day of February, A. D. 1911, and,~~

WHEREAS, On the 6th day of February, A. D. 1911, WILLIAM A. McBRIDE, the holder of said permit duly made proof of the completion of adequate works for the diversion of 4.5 cubic feet per second of said waters, as evidenced by my Certificate No. 6440, dated April 14, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4.5 cubic feet per second of said water, with date of priority of August 4, 1910, and,

WHEREAS, On the 6th day of February A. D. 1911, WILLIAM A. McBRIDE, the holder of said permit duly made proof of the application to beneficial use of 3.4 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to WILLIAM A. McBRIDE, of Alden, County of Haeden, State of Iowa, the holder and owner of said Permit No. 6440, a perpetual right, dating from August 4, 1910, to the use of three and four-tenths (3.4) cubic feet per second of the waters of SPRINGS, 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 at a point 810' south, 23° 5' east of east one-fourth corner of section 22, township 11 south of range 18 east of Boise Meridian, and conducted to and upon 170 acres as follows: All the southwest quarter (SW4) and 10 acres in the southeast quarter of northwest quarter (SE4 NW4) of section 21, township 11 south of range 18 east of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the

economical use of said water.

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

A. E. Robinson,

(SEAL)

State Engineer.

Recorded April 14th, 1911.

45 2086