

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 47-2502
Date Received: 12/13/1988
Receipt No: S004441
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: 06/04/1949

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	22	SE NW	TWIN FALLS	

5. Description of diverting works:

20HP PUMP, 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	0.78	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

47-2502

03/23/2006

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	18E	22	NE	NW	IRRIGATION	39
					Section Acres	39
					Total Acres	39

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:

OWNERSHIP CHANGE 7/11/90 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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ATTACHED

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 MulBenny

4. New Owner/Claimant(s)

Robert Meyers

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) Robert J Meyers
(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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

All Robert J. on Kathel. 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
47-12690-WR

T040052

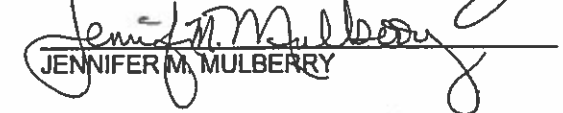
Twin Falls County, Idaho
Recorded for:
TWIN FALLS TITLE
09:37am Oct.01.2004
2004-021426
No. of Pages: 16 Fee: \$48.00
KRISTINA GLASCOCK
County Clerk
Deputy, KT

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

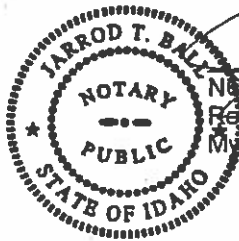
STATE OF IDAHO)

) 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 a 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 ^{1990 Kan} 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 ^{1990 Kan} 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;

47-10012

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; S¼NW¼; 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 N¼ 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 N¼ corner being the TRUE POINT OF BEGINNING;

THENCE South 00°00'00" West along the East boundary of the NW¼ 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 NW¼ of Section 28;

THENCE South 89°05'57" East along the North boundary of the NW¼ 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 NW¼NW¼ 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 NW¼ of Section 28 for a distance of 660.00 feet;

THENCE South 01°26'30" East parallel with the West boundary of the NW¼ 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 NW¼ of Section 28 for a distance of 156.00 feet;

THENCE North 90°00'00" West parallel with the North boundary of the NW¼ of Section 28 for a distance of 173.00 feet;

THENCE North 01°26'30" West parallel with the West boundary of the NW¼ of Section 28 for a distance of 156.00 feet;

THENCE North 90°00'00" East parallel with the North boundary of the NW¼ 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:

how R

COMMENCING at the center of Section 5, the REAL POINT OF BEGINNING;
THENCE South 89°53'50" East 2,663.40 feet to the East Quarter corner of
Section 5;
THENCE South 01°01'25" East 392.52 feet;
THENCE West on a line parallel with the North boundary of the SE¼ of Section 5
until reaching the West boundary of the SE¼ of Section 5;
THENCE North along the West boundary of the SE¼ 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 83-501, 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:

Name	Complete Address
KENNETH A. MULBERRY	P. O. BOX 4, KIMBERLY, ID 83341
JENNIFER MULBERRY	P. O. BOX 4, KIMBERLY, ID 83341

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

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

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

Kenneth A. Mulberry
P. O. Box 4
Kimberly, Idaho 83341

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

Secretary of State
700 West Jefferson
Boise, Idaho 83720
Boise ID 83720-0001

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

Signature: Kenneth A. Mulberry
Printed Name: Kenneth A. Mulberry
Capacity: Partner
and not under 20 or each of them.

Secretary of State's Office

NOT RECORDED
01/20/1999 15:50:00
01/20/1999 15:50:00
01/20/1999 15:50:00

01321

02/28/2006

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

RIGHT NUMBER: 47-2502

NAME AND ADDRESS: KEN MULBERRY ENTERPRISES
PO BOX H
KIMBERLY ID 83341

SOURCE: ROCK CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.780 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands below.

PRIORITY DATE: 06/04/1949

POINT OF DIVERSION:

T11S R18E S22 NWSEW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.780 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T11S R18E S22 NENW 39.00

39 ACRES TOTAL

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.

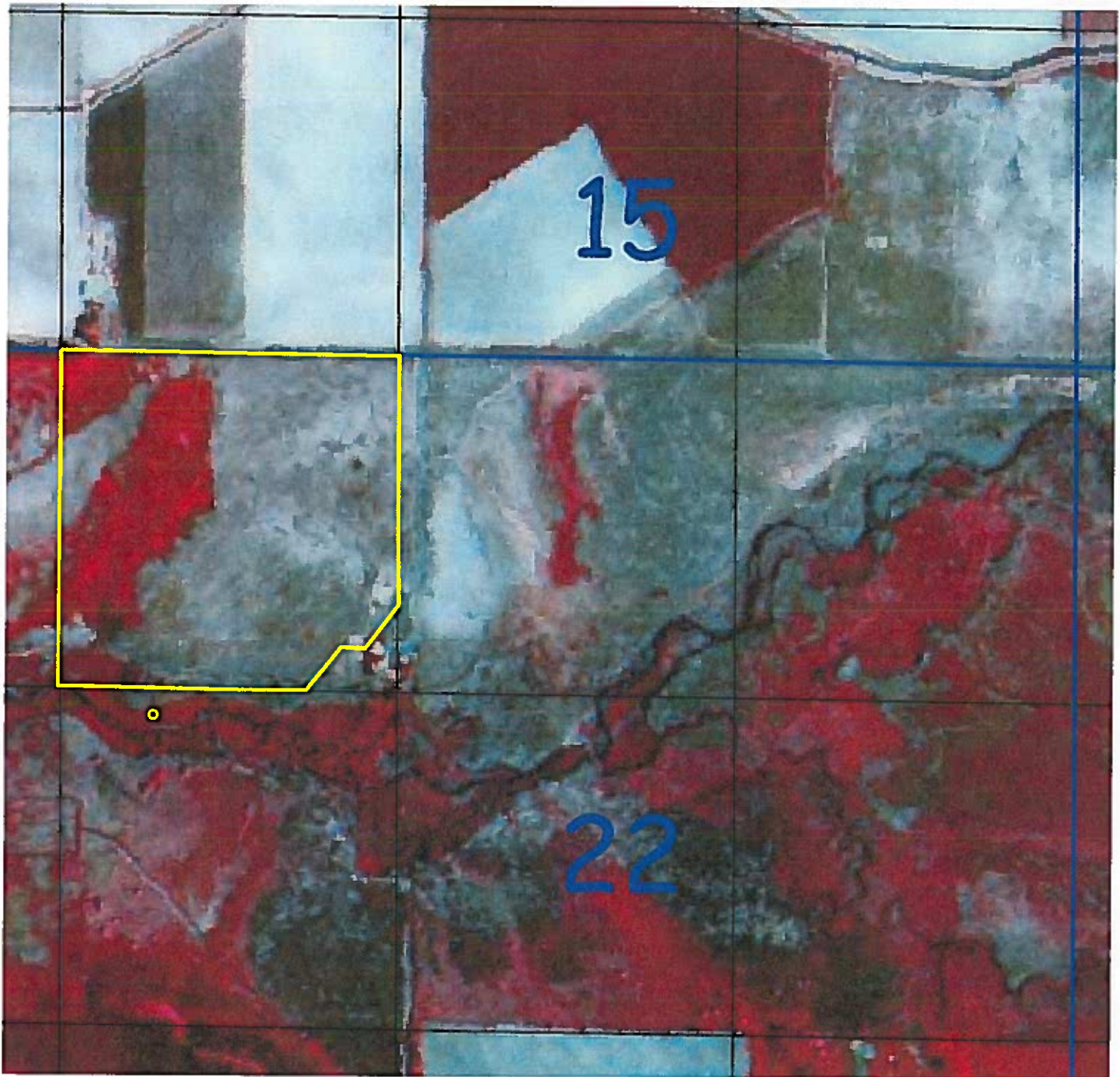
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Idaho Department of Water Resources

Right(s): 47-2502

**Recommended Place of Use
TWP 11S RNG 18E S22
Prepared February 28, 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

Hubert / H. Meyers: Surface water

TRANSFER NUMBER

CLAIM NUMBERS

47-131
47-2502

47-129

47-132

47-2137

already
rec.

47-130

47-2478

DATE

Feb. 2006

AGENT

guy

NESTED ENTRY NO.

LICENSED ACRES

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
47-129	115	18E	23					X	X	X	X								
47-129	115	18E	14					23	39	40	23	34	40	38	38				
			15	39		40	40									40	39	39	35
			22	6			16												
			23					18	6	32	1								
47-130	Claim & decreed POU same as file 47-129 !!																		
47-131	115	18E	14					X	X	X	X	X	X	X	X				
			15	X		X	X									X	X	X	X
			22		X														
47-131	115	18E	14					23	39	40	23	34	40	38	38				
			15	39		40	40									40	39	39	35
			23					18	2										
47-132	115	18E	22	X			X			X	X								
47-132	115	18E		SAME CLAIMED POU AS 47-129 & 47-130 !!!															
47-2478	115	18E	14					3	23	40	14	22	4	40	27				
			15	40		40	40									40	40	4	22
			23					22	18		16								
47-131	SAME CLAIMED POU as 47-131																		
47-2502	115	18E	22					39											
47-2502	115	18E	22					39											

Licence Claim (if diff from lic/decreed) Decree

47-129 & 47-130: 57 irrigated acres w/irrig decreed pou as 1987 ... claimed 626 POU

47-131: as 532 irrig acres in 1987 w/irrig decreed pou ... claim 567 acres but
no acres in 222 were claimed =>



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

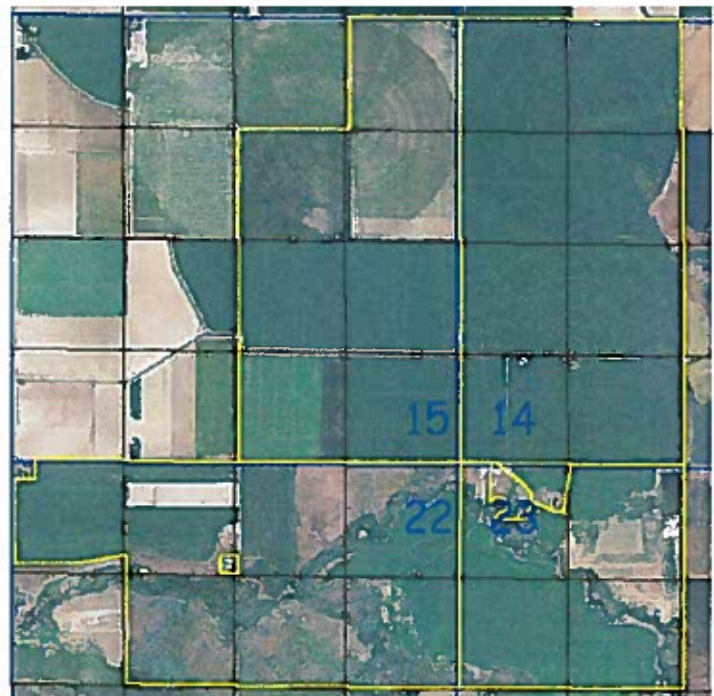
Dear Mr. Meyers,

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

IDWR EXPLANATION

Folder No. A47-02502
Name: Ken Mulberry Enterprises
Claim No. A47-02502
Photo ID # 100-001, Date 01/16/2006
Tag No. A0011876
GPS ID# A47-02502
GPS Location: 2472169, USR 1250869

Remarks:

Idaho Power Meter ID; 11S, 18E, 22, 40

Motor: High Thrust
HP: 30
SN: 6292 / T03S275R016R-5
Model: RU

Best regards,

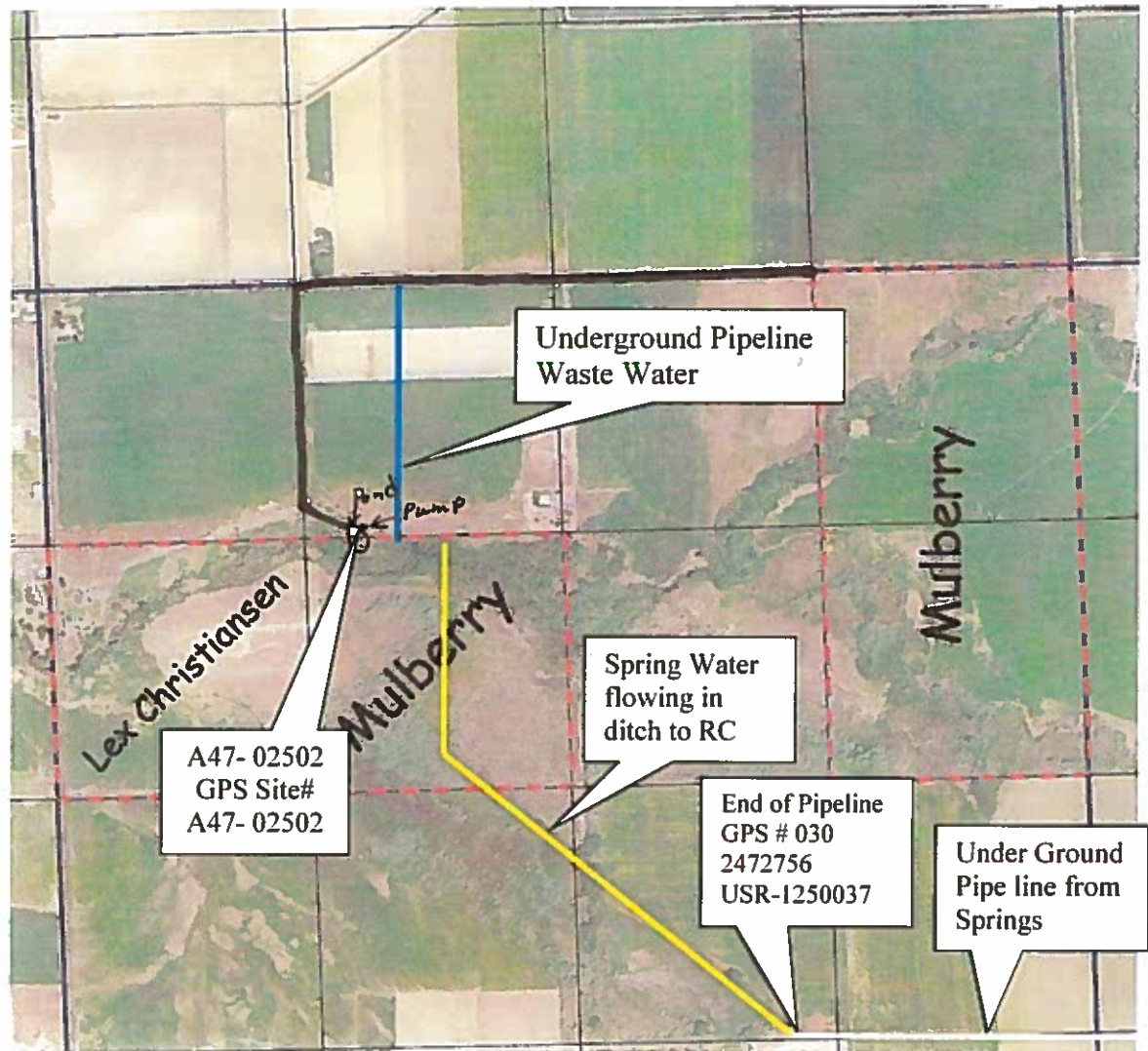


Glen Gier
January 26, 2006



Pond fed by Rock Creek

Mulberry Spring Source 2 And Waste Water

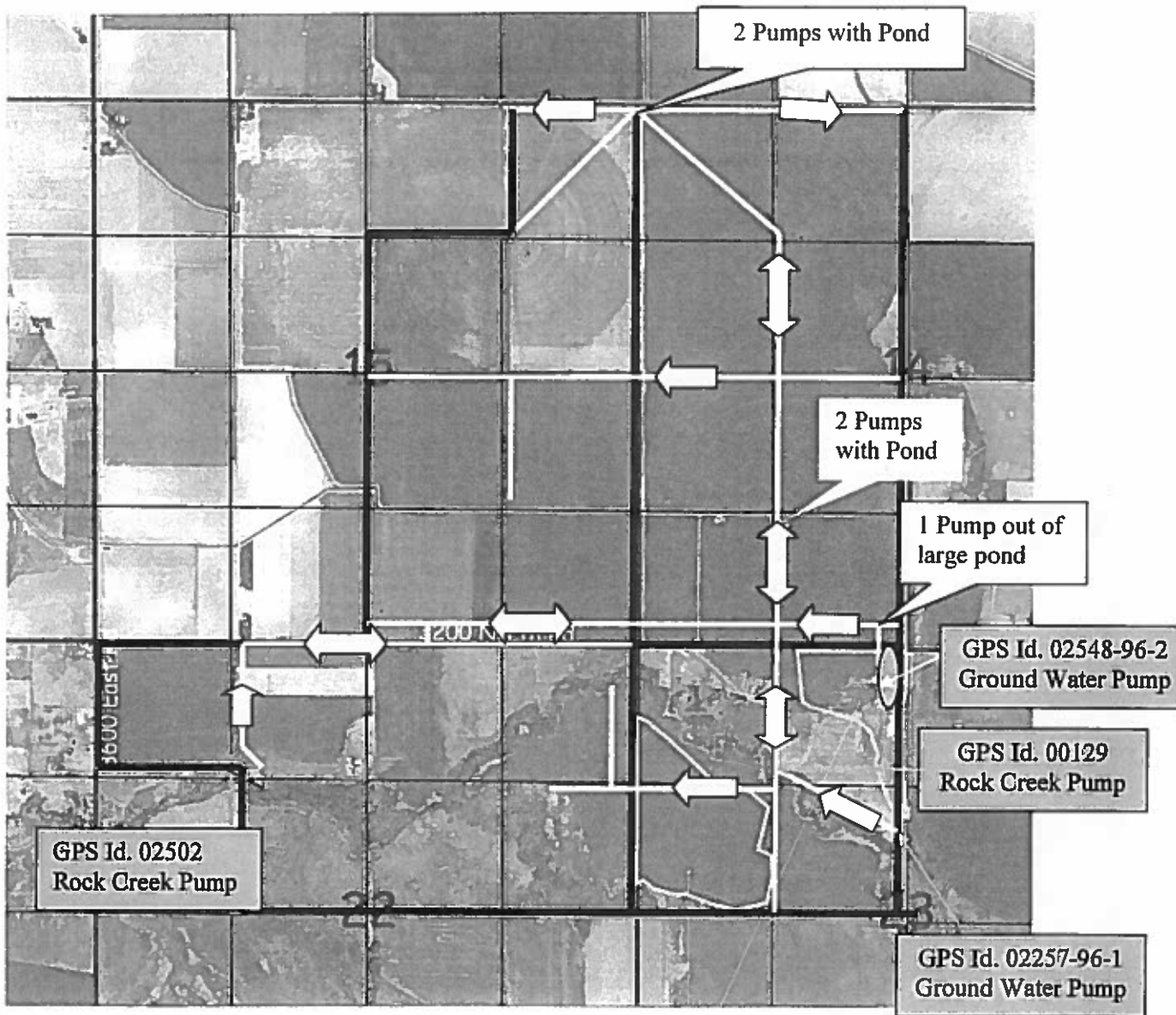


2004 Imagery

You might check water right number 2137, to see if it relates to spring water Mulberry owns.

There also is spring water that Richard Beard receives in the same area #4311 (11S, 18 E. Section 23. SW NW SW).

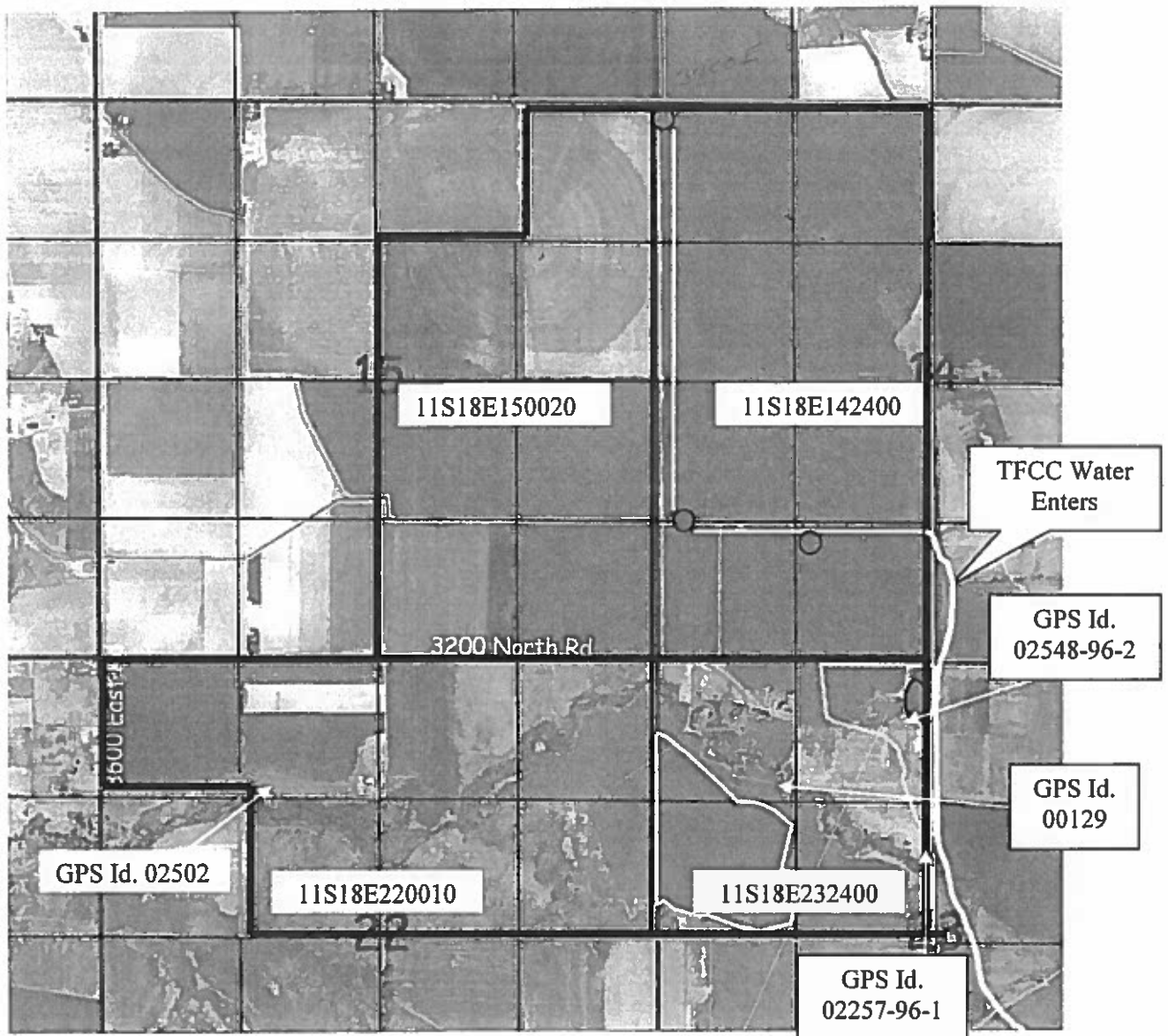
Ken Mulberry Distribution



GPS Water Right Pump sites in light blue.

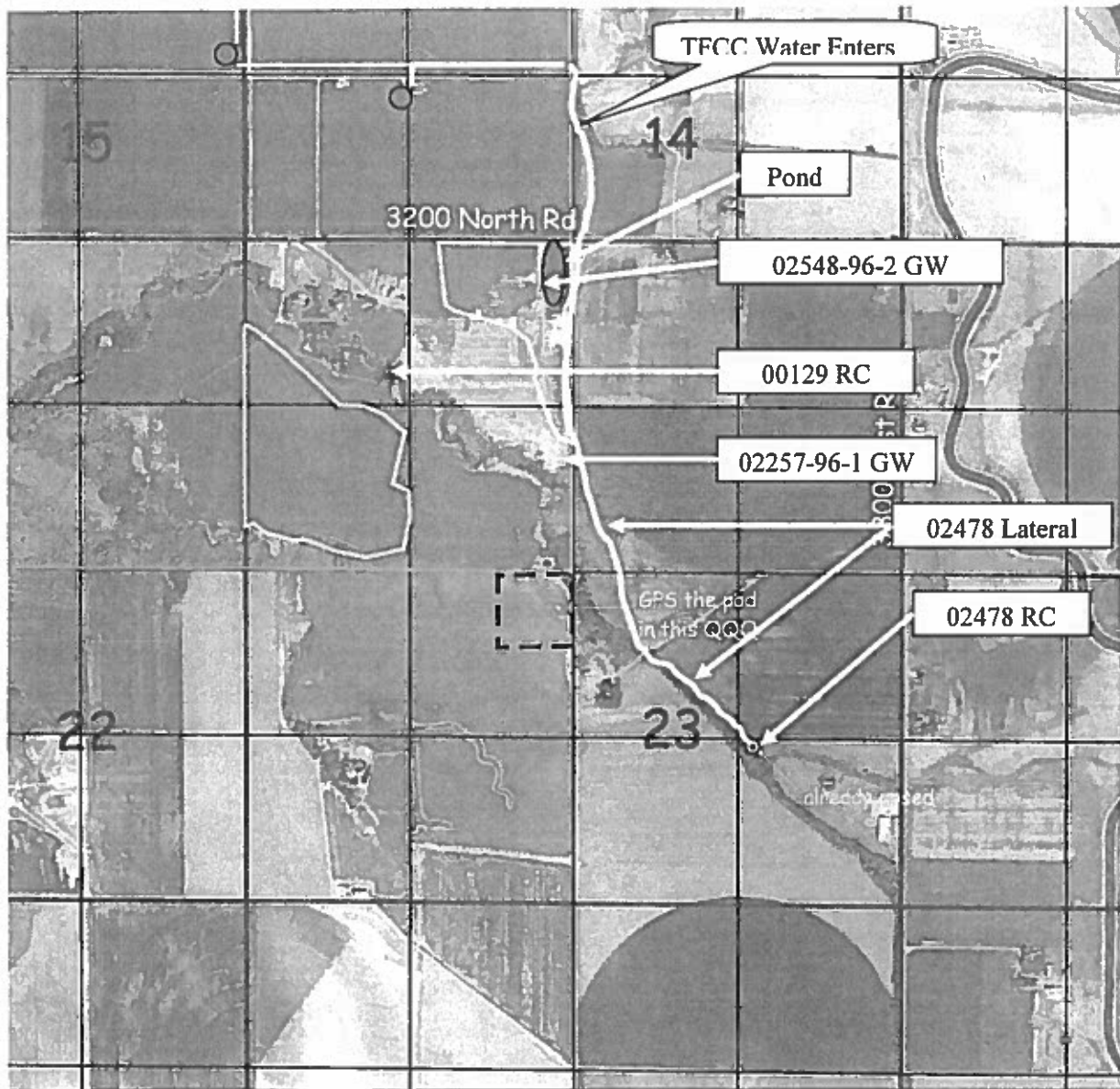
White lines show the distribution of water thru pressurized lines. As shown on the map the water can go to all locations that the lines go as shown by the bidirectional arrows. There were times in the last few years that Rock Creek went dry. Because of the lines all connecting he is able to move water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

Gravity Flow Water North



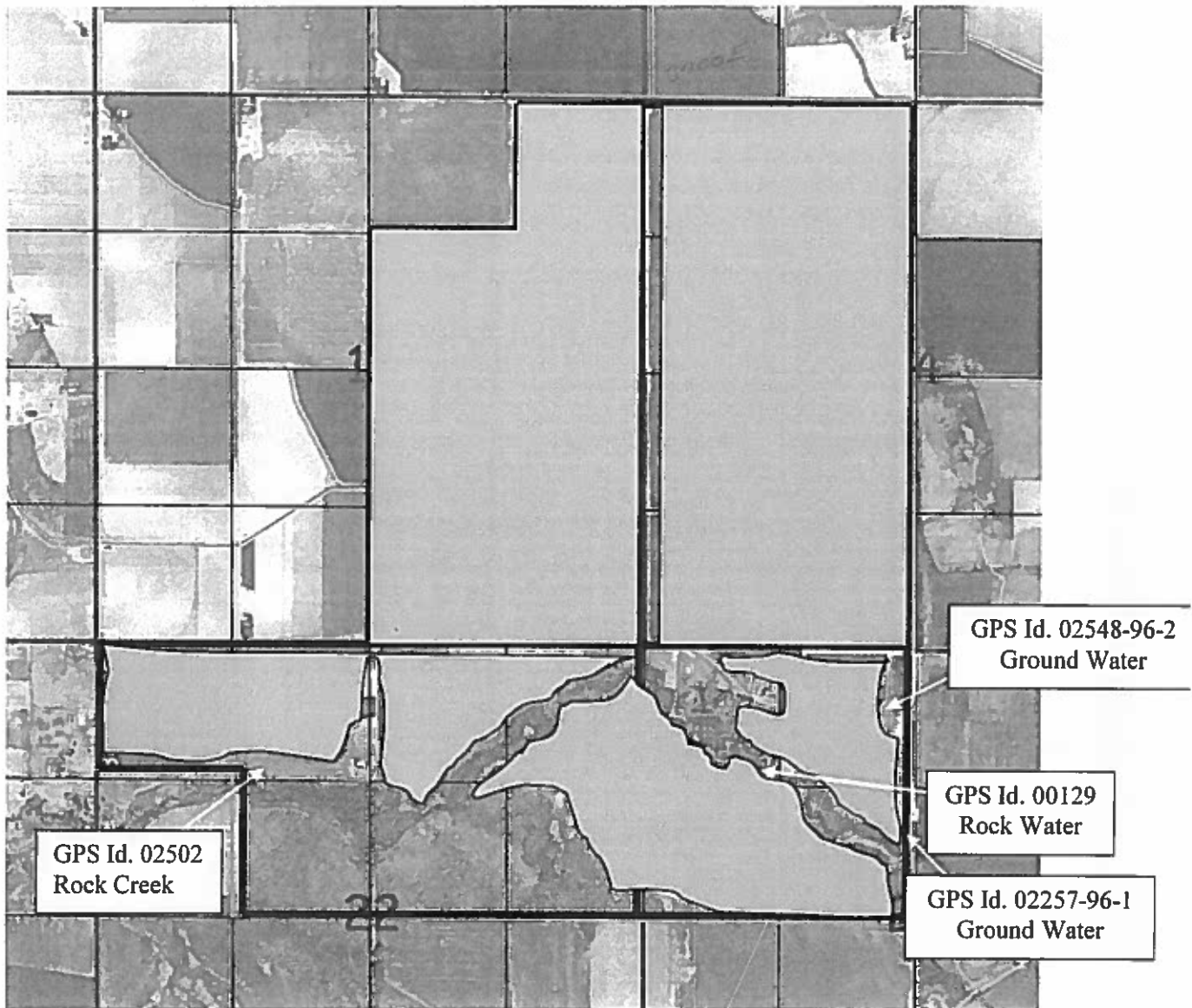
The white line shows the flow of water from the Rock Creek diversion (GPS Id. # 02478), flowing north where it can enter the large pond by the road or flow north into section 14 than picking up Twin Falls Canal Company water (217 shares) and than flowing west to the first center pivot pond, than flowing 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

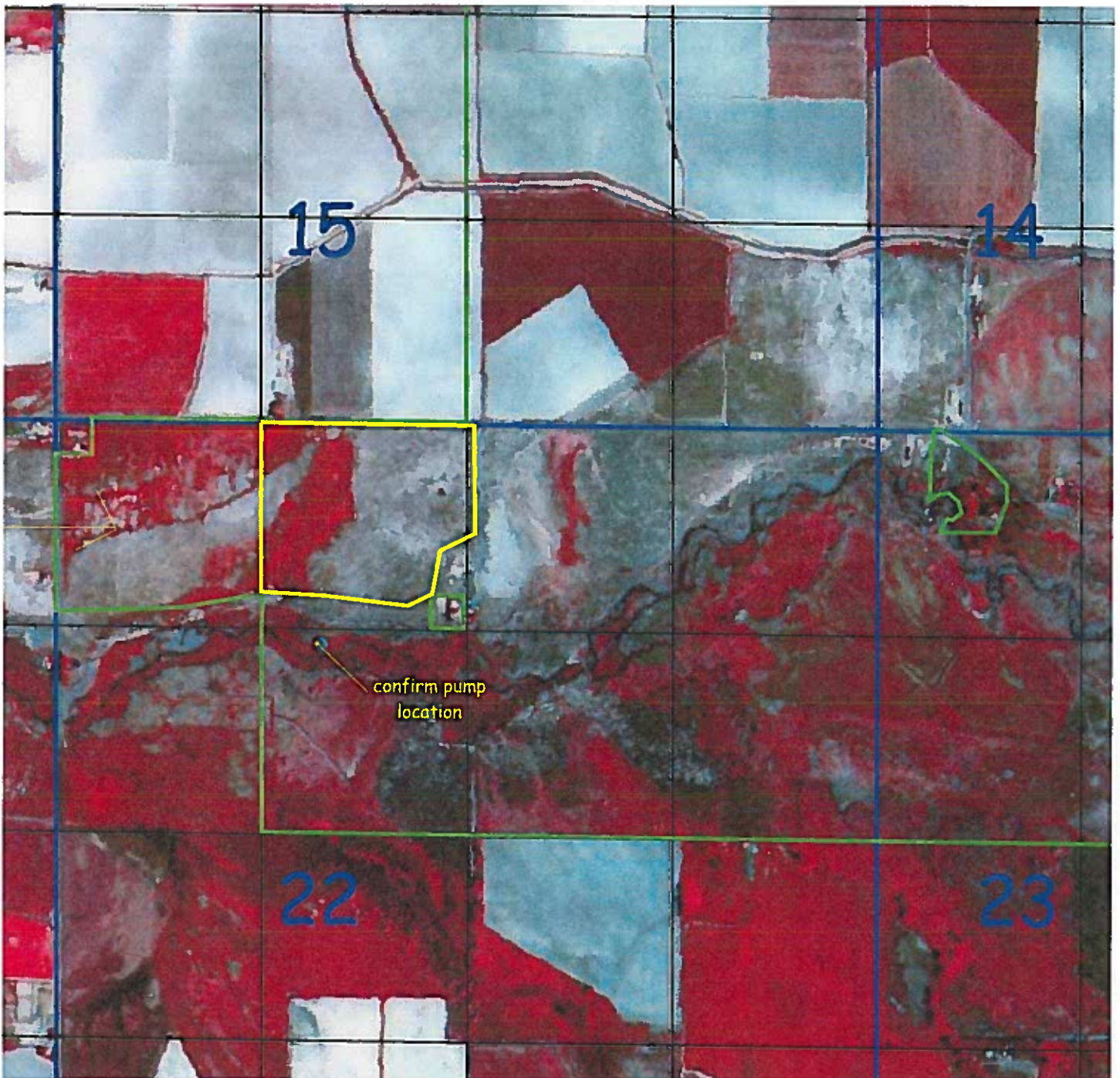


The white line shows the flow of water from the Rock Creek diversion (GPS Id. # 02478), flowing north where it can enter the large pond by the road or flow north into section 14 than picking up Twin Falls Canal Company water (217 shares) and than flowing west to the first center pivot pond, than flowing 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 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.

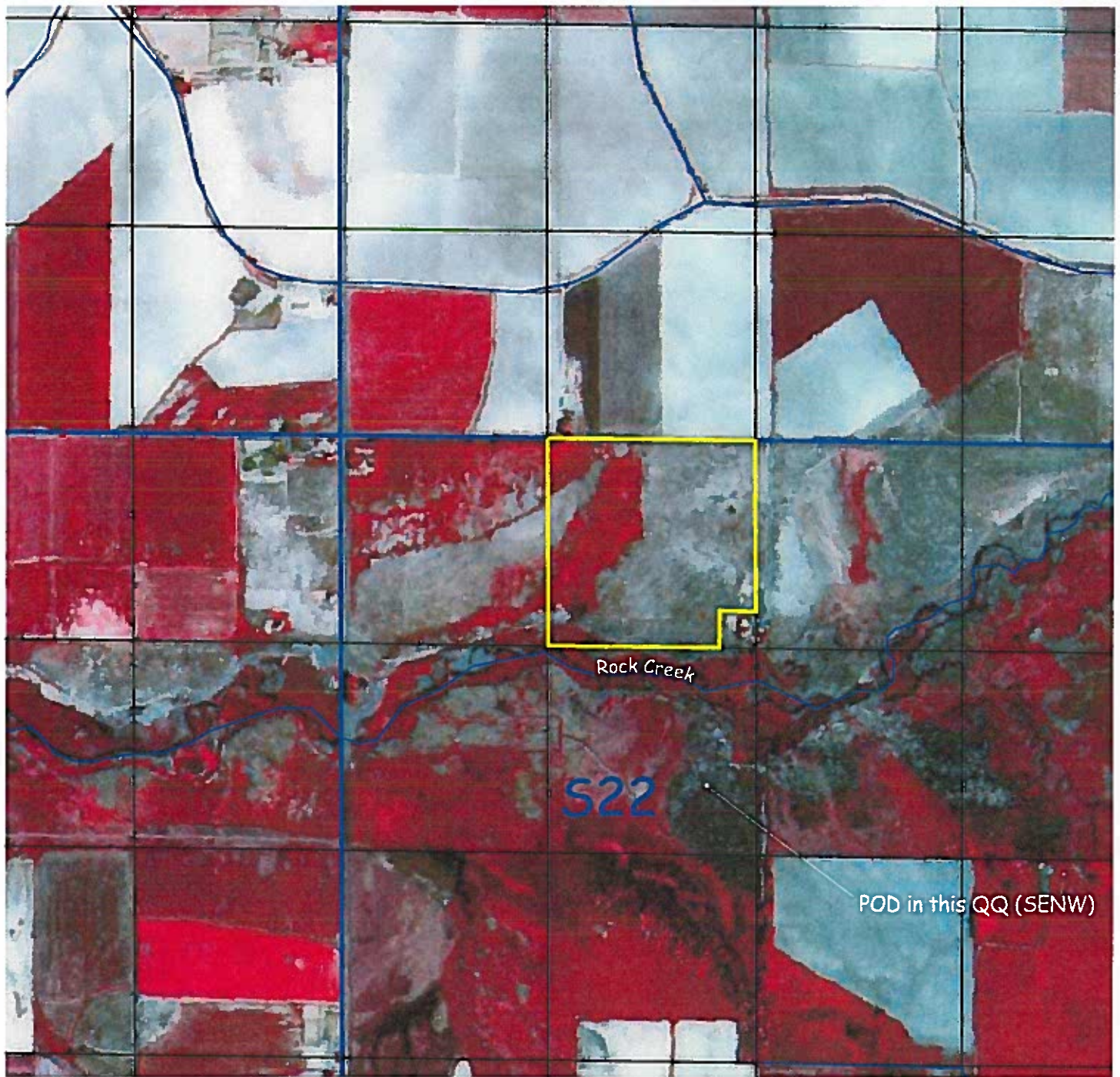


1987 imagery

Confirm pump location & horsepower

Is he using claimed 47-2137 water with this one? Looks like these 2 QQ are irrigated together.

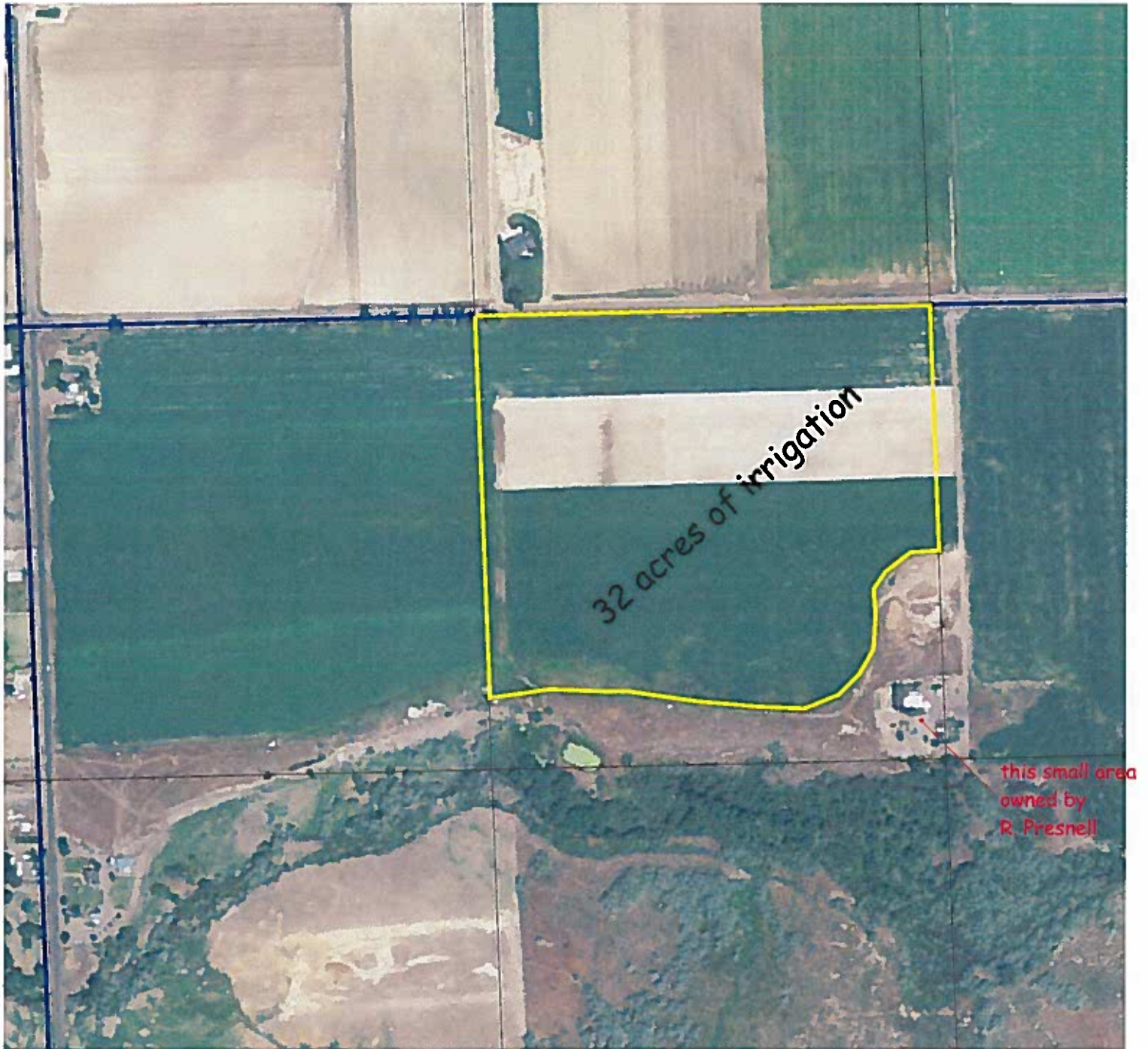
47-2502



1987 imagery

* GPS the POD in Rock Creek, confirm pump HP

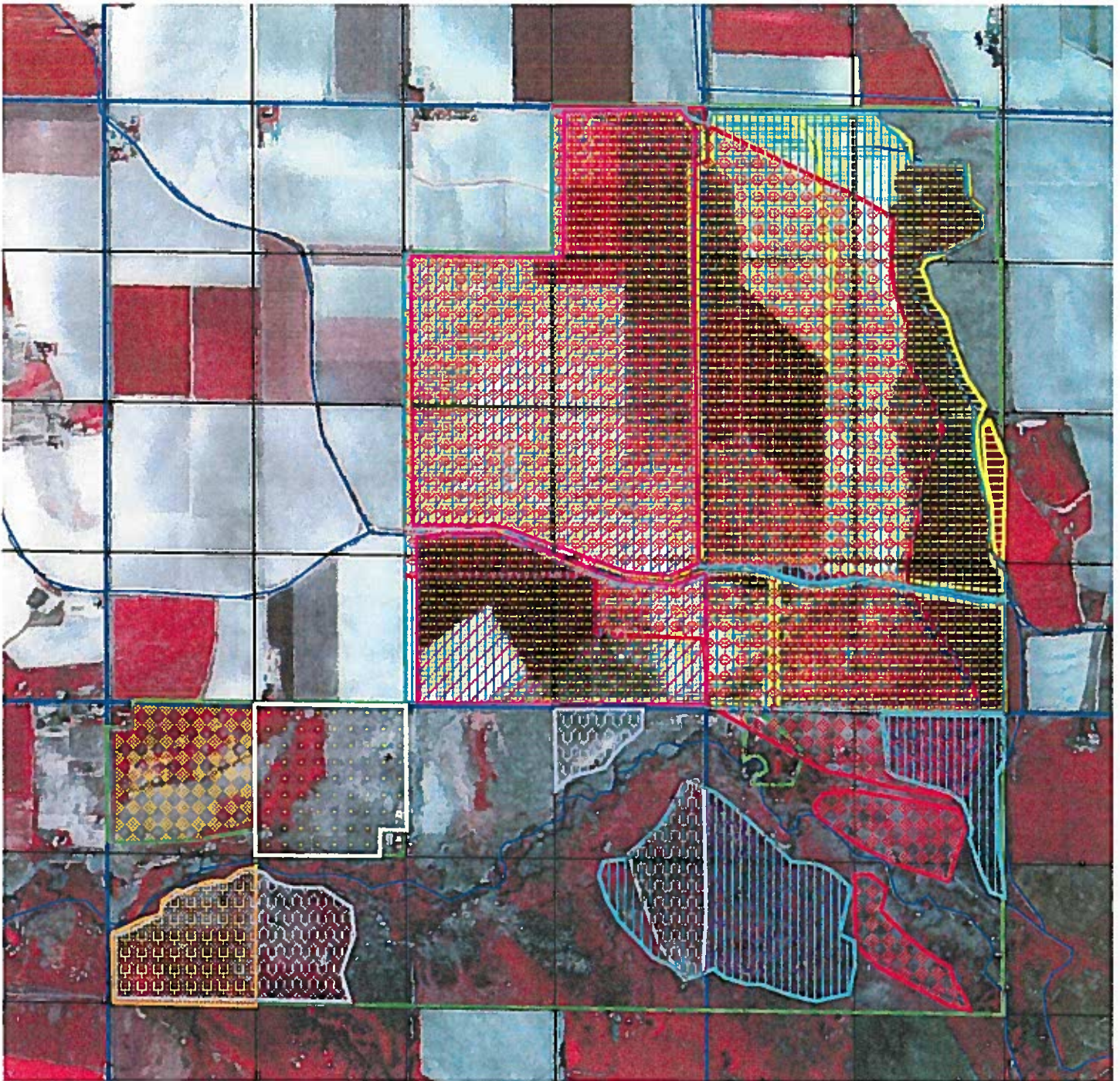
47-2502



2004 Imagery

* Less irrigation w/in POU in '04 than '87

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

6-4-1949

Rock Creek

39 acres in 11S 18E 322 NE NW

0.48 cfs irrig & domestic

pod → 11S 18E 322 SE NW

Claim: 39 acres @ 0.48 cfs

irrig 3-15 to 11-15

Rock Creek 11S 18E 322 SE NW

pod → as licensed

2004 imagery → 52.3 acres of irrigation

1992 " → 57 acres " "

1987 " → ~54 "

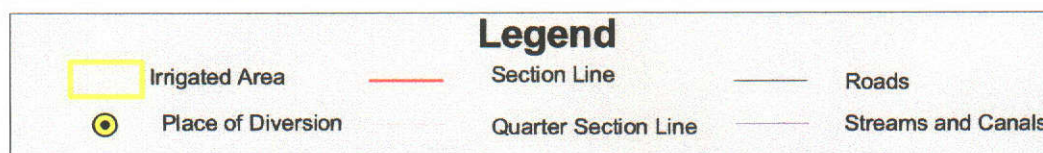
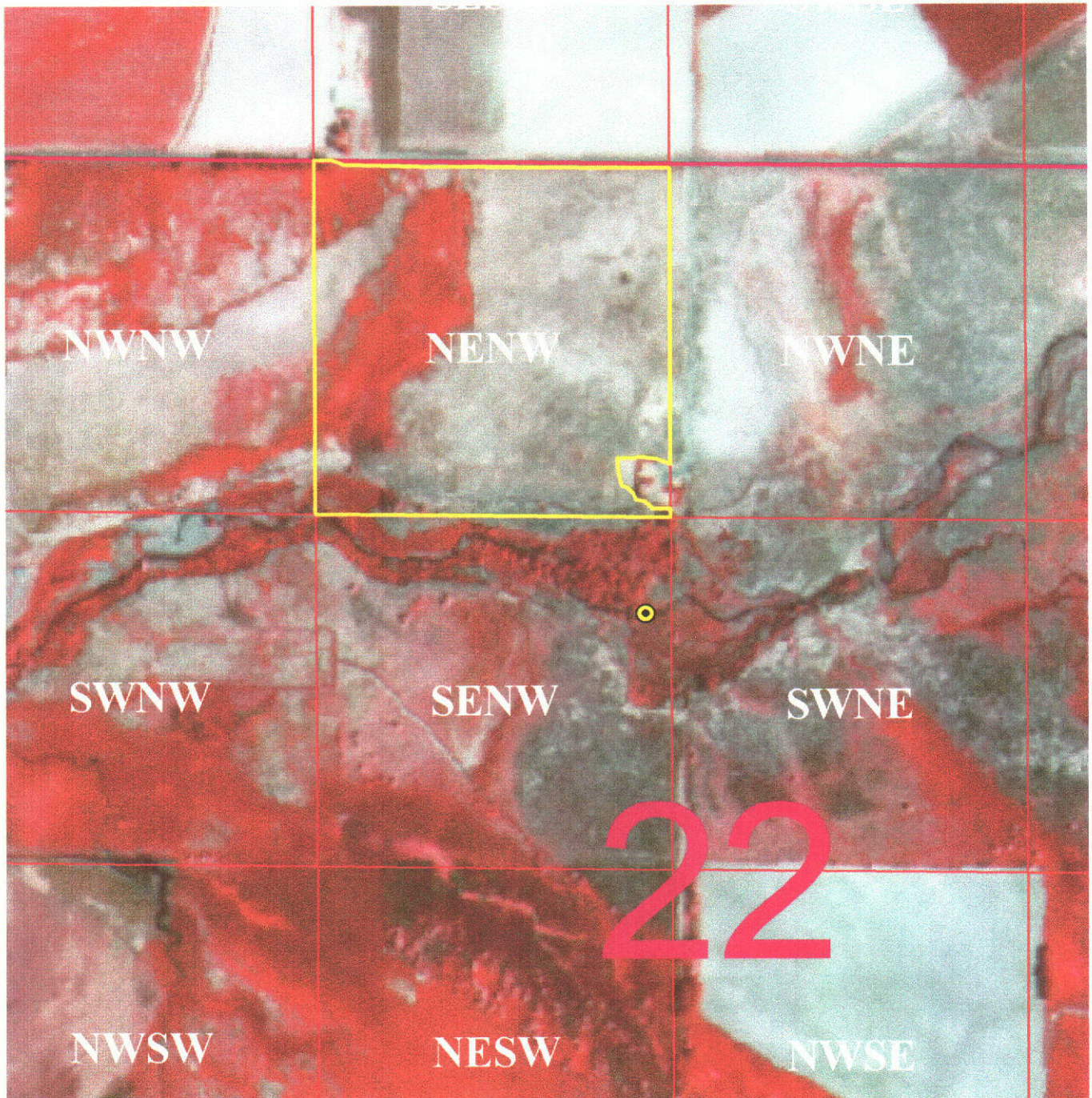
Could prob. go w/ licensed 39 although less is being irrigated than claimed/licensed.

Field Work

* gps the pod @ Rock Creek

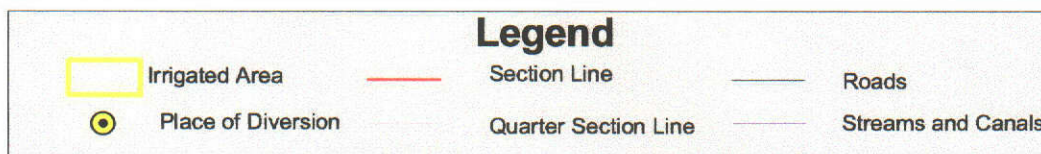
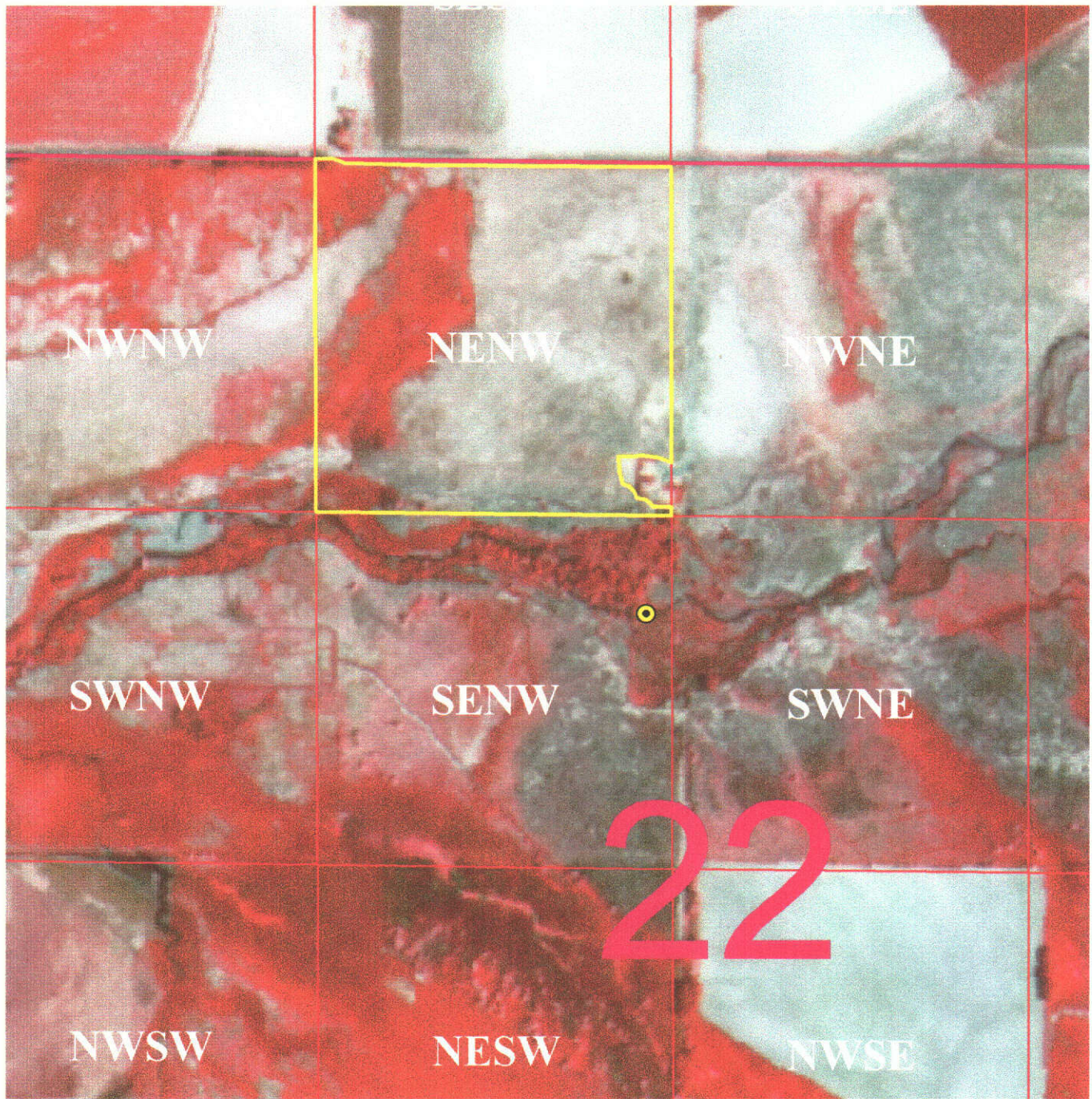
Water Right Claim Number A47-02502
Township , 11S18E

10/06/2000



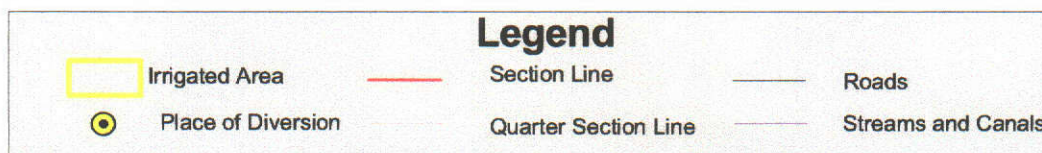
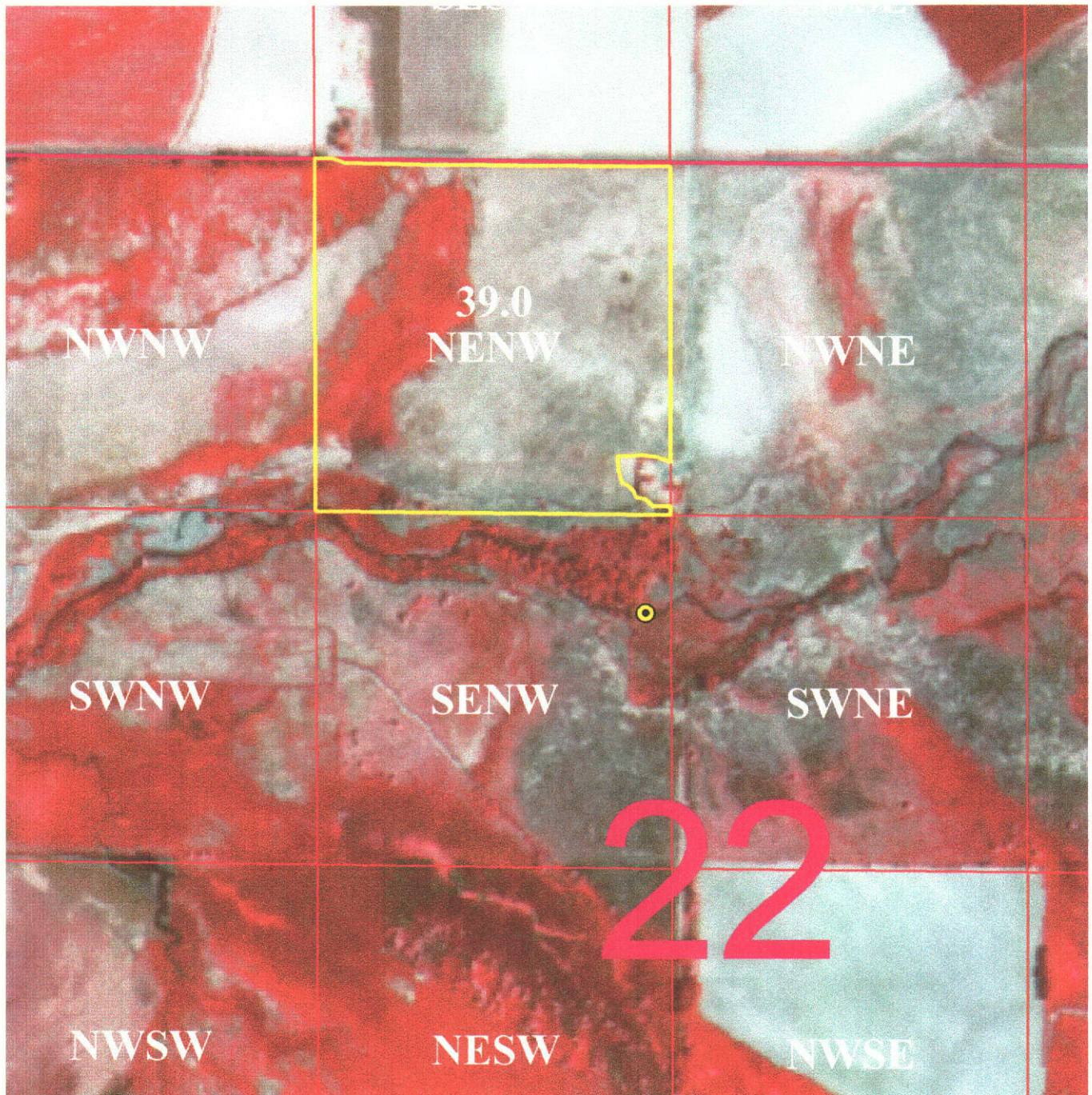
Water Right Claim Number A47-02502
Township , 11S18E

10/06/2000



Water Right Claim Number A47-02502
Township , 11S18E

10/06/2000



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: [REDACTED]
Date Received: 12/13/1988
Receipt No: S004441
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: JUN 04, 1949
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	22	SE	NW			TWIN FALLS
5. Description of diverting works:
20HP PUMP, 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	0.780		
7. Total Quantity Appropriated is:
0.780 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	22	NE	NW		IRR	39.0
Section Acres							39.0
Total Acres							39.0

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:
A47-02137

14. Remarks:
OWNERSHIP CHANGE 7/11/90 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 19651

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 _____

D-33 .		LAST NAME: YANKE				STATE	
S		O					
E	FIRST	W	WATER	PRIORITY		TOTAL	USE
L	NAME	N	RIGHT NO.	DATE	SOURCE	DIVERSION	CODE DESC
	YANKE						
	RONALD C.	C	A47-02137	04/29/1918	UNNAMED STR	0.600	01 IRR
	RONALD C.	C	A47-02502	06/04/1949	ROCK CREEK	0.780	01 IRR
	RONALD C.	C	A47-12211	12/31/1908	GROUNDWATER	0.040	43 DOMEST

ENTER=CONTINUE)

(GOLD 7=THIS QUERY)

(MENU _____)

MICROFILMED

MAR 11 1993



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

11-Jul-1990

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

Re: Claim No(s). A47-02502 & A47-02137

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, likely belonging to Judy Givens.

Judy Givens
Adjudication Secretary

Encls:

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): A47-02502' A47-02137

[] Name and Address of
Former Claimant(s): RONALD YANKEE

[] New Claimant(s): KEN MULBERRY ENTERPRISES

[] 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 ☒ 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 Enterprises

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:

MICROFILMED

MAR 11 1993

WARRANTY DEED

For Value Received

RONALD C. YANKE and LINDA L. YANKE, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
 KEN MULBERRY ENTERPRISES, a partnership composed of Kenneth A.
 Mulberry and Jennifer Mulberry
 whose address is: Box H, Kimberly, Idaho 83341

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

Per Exhibit -A- attached hereto and made a part hereof

TOGETHER WITH THE FOLLOWING:

40 shares of stock in the Twin Falls Canal Company

0.78 c.f.s. of water from Rock Creek, License No. 47-2502, formerly
 No. 45-2208, priority date 6/4/49.

0.6 c.f.s. of water from West Rock Creek, License No. 47-2137,
 priority date 4/29/18.

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 they are free from all incumbrances except as described above and that Grantor will warrant
 and defend the same from all lawful claims whatsoever.

Dated: December 11, 1989

Ronald C Yanke
 RONALD C. YANKE

Linda L. Yanke
 LINDA L. YANKE

STATE OF IDAHO, COUNTY OF Ada

On this 13th day of December, 1989,
 before me, a notary public in and for said State, per-
 sonally appeared Ronald C. Yanke and
 Linda L. Yanke, husband and wife

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged to
 me that they executed the same.

[Signature]
 Notary Public
 Residing at Meridian, Idaho
 Comm. Expires July 12, 1995

STATE OF IDAHO, COUNTY OF Twin Falls

I hereby certify that this instrument was filed for record at
 the request of TitleFact, Inc.

at 50 minutes past 11:00 o'clock A m.,
 this DEC 14 1989 day of
 19, in my office, and duly recorded in Book
 of Deeds at page

RICHARD A. PENCE

Ex-Officio Recorder

By [Signature]
 Deputy.

Fees \$ 6.00
 Mail to: Grantee above

INSTRUMENT No.

961025

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho
 Section 22: Part of the NW1/4NW1/4 and part of the NE1/4NW1/4
 described as follows:

BEGINNING at the North 1/4 section corner of Section 22 said
 corner marked by a 1/2" rebar which shall be the POINT OF
 BEGINNING;

THENCE South 0°11'28" West along the 1/4 section line for
 1319.45 feet to a 5/8" rebar at the SE corner of the
 NE1/4NW1/4;

THENCE North 89°16'37" West along the east line of the
 NE1/4NW1/4 for 20.00 feet to a point;

THENCE North 0°11'28" West parallel to the east line of the
 NE1/4NW1/4 for 208.71 feet to a point;

THENCE North 89°16'37" West for 208.71 feet to a 1/2" rebar;

THENCE South 0°11'28" East for 199.51 feet to a 1/2" rebar;

THENCE South 0°11'28" East for 9.20 feet to a point on the
 south line of the NE1/4NW1/4;

THENCE North 89°16'37" West along the south line of the
 NE1/4NW1/4 for 1098.92 feet to a 5/8" rebar at the SW
 corner of the NE1/4NW1/4;

THENCE North 0°07'52" West along the west line of the
 NE1/4NW1/4 for 199.39 feet to a 1/2" rebar;

THENCE South 80°33'44" West for 535.18 feet to a 1/2" rebar;

THENCE South 88°44'27" West for 799.40 feet to a P.K. Nail on
 section line;

THENCE North 0°04'18" West along section line for 1006.61 feet
 to a P.K. Nail, said nail lying South 0°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 1/2" rebar;

THENCE North 0°04'18" West for 235.00 feet to a P.K. Nail on
 section line;

THENCE South 89°17'15" East along section line for 2417.48 feet
 to the POINT OF BEGINNING.

SUBJECT TO: A county road right-of-way along the west and north
 sides.

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

BEGINNING at the north 1/4 section corner of Section 22,
 Township 11 South, Range 18 E., B.M. said corner marked by a
 1/2" rebar which shall be the POINT OF BEGINNING;

THENCE South 0°11'28" East along the 1/4 section line for
 1095.63 feet to a point;

THENCE North 89°16'37" West for 20.00 feet to a point;

THENCE South 0°11'28" East for 208.71 feet to a point on the
 south line of the NE1/4NW1/4;

THENCE South 89°16'37" East along the south line of the
 NE1/4NW1/4 for 20.00 feet to a 5/8" rebar at the SE corner
 of the NE1/4NW1/4;

THENCE South 89°13'44" East along the south line of the
 NW1/4NE1/4 for 25.00 feet to a point;

THENCE North 0°11'28" West for 1319.44 feet to a point on
 section line;

THENCE North 89°11'58" West along section line for 25.00 feet to
 the POINT OF BEGINNING.

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: A47-02502
Date Received: 12/13/1988
Receipt No: S004441
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD C. YANKE 208-342-8901
Address: P.O. BOX 5411
BOISE, ID 83705

2. Date of Priority: JUN 04, 1949

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	22	SE	NW			TWIN FALLS

5. Description of diverting works:
20HP PUMP, GRAVITY IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	22	NE	NW		IRR	39.0
Section Acres							39.0
Total Acres							39.0

A47-02502

Page 1

Date: 12/13/88

MICROFILMED

MAR 11 1993

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:

A47-02137

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 19651

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): Ronald C. Cooke Date: 12-13-88
by C. J. Beymer Date:

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 13 day ch

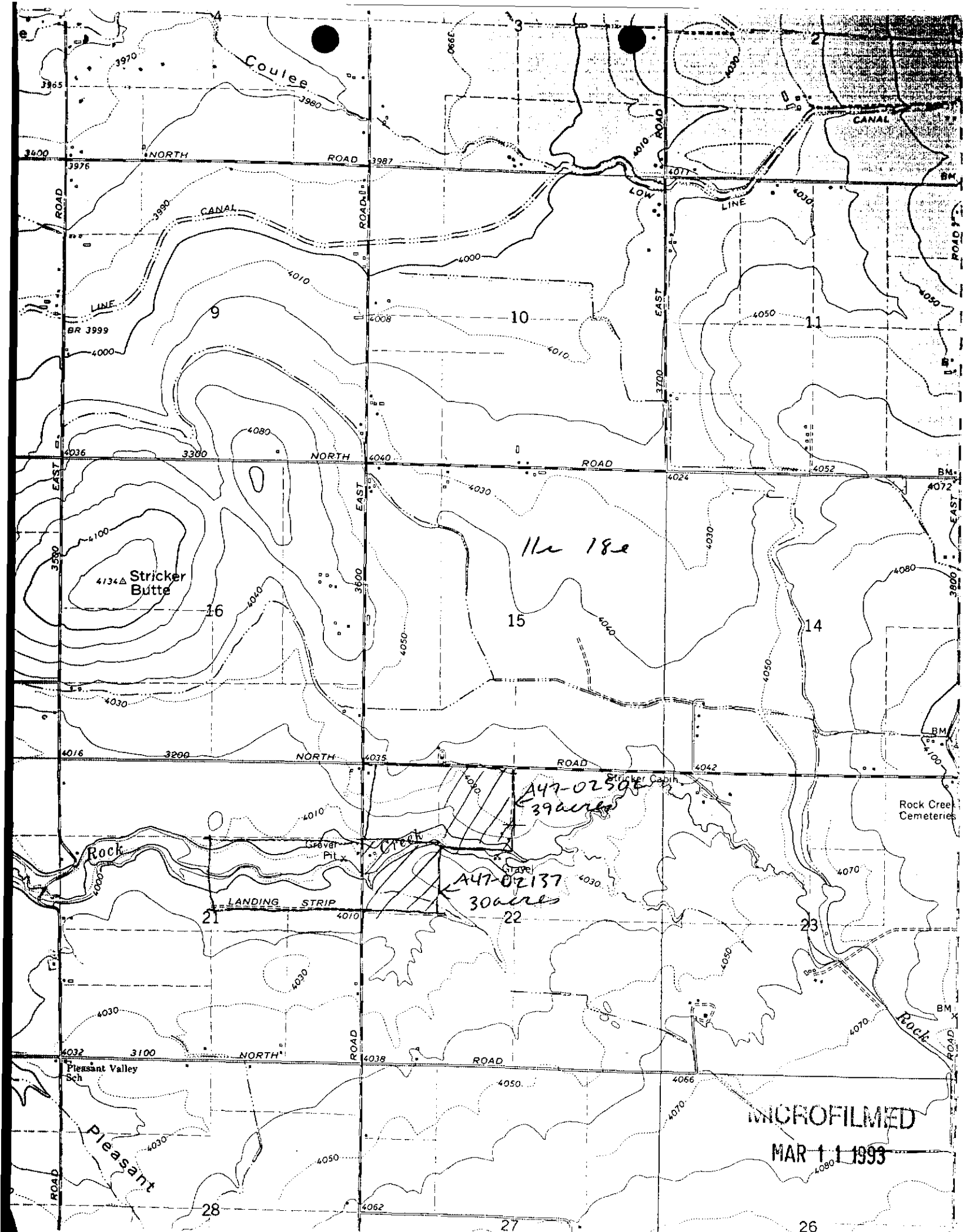
of Dec 19 88

Lois White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94





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

Log for claim A47-02502

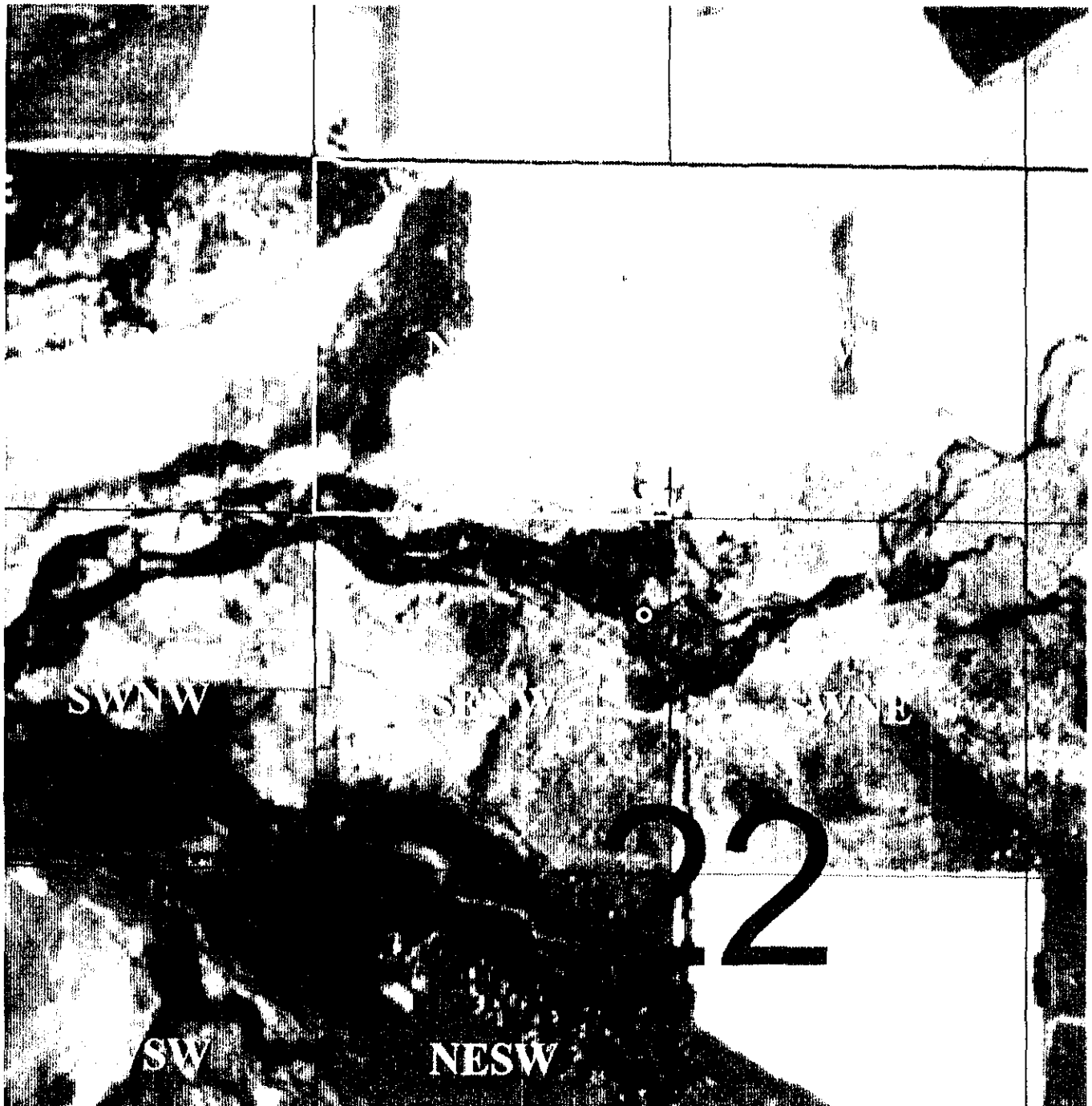
Spatial Dynamics BTD

10/6/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s18e	22	NENW	39	39	
Totals:			39	39	

Water Right Claim Number A47-02502
Township , 11S18E

10/06/2000



Legend

Irrigated Area

Section Line

Roads

⊙ Place of Diversion

Quarter Section Line

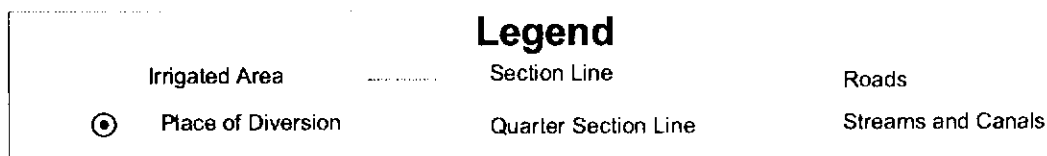
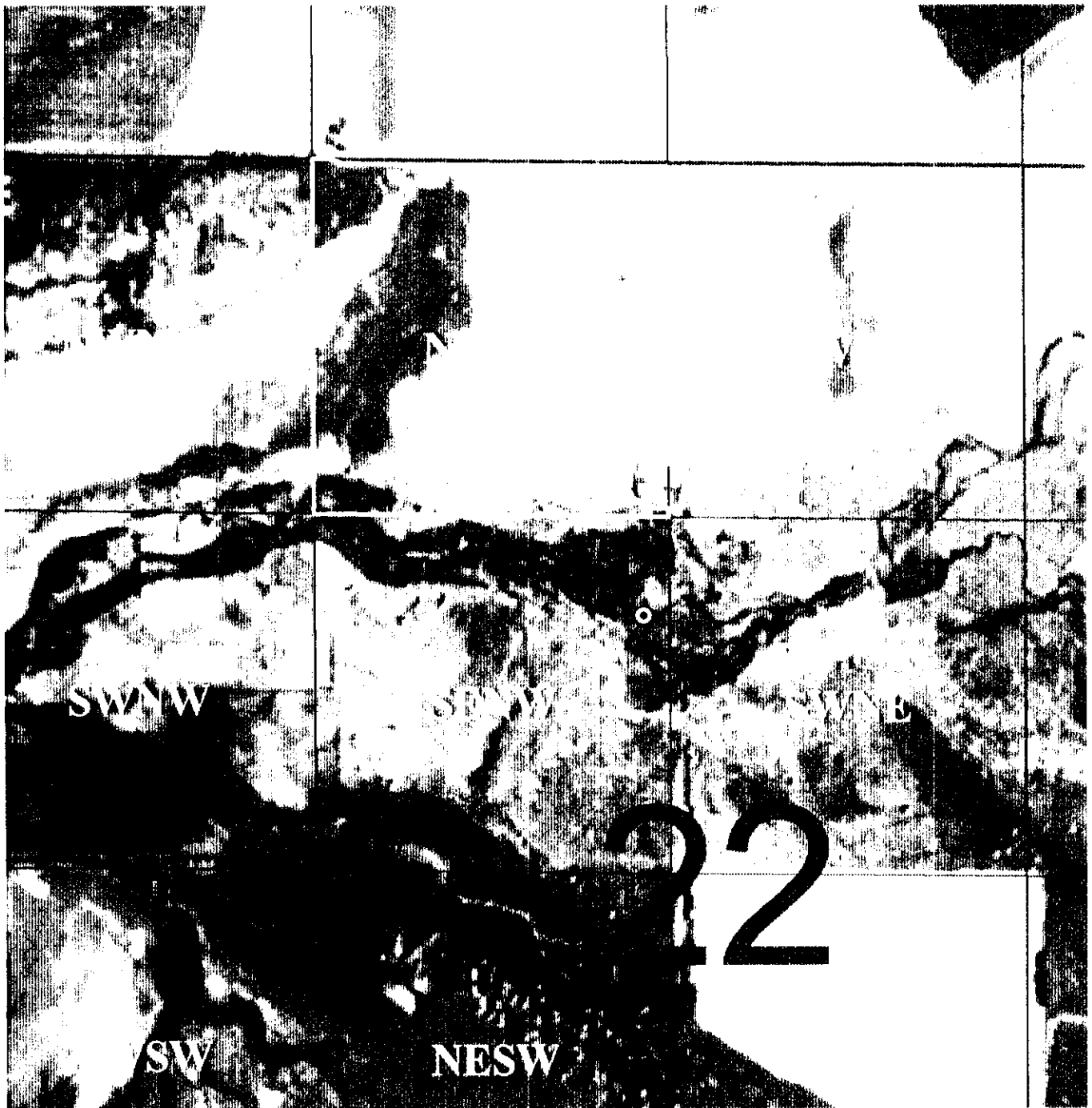
Streams and Canals



400 0 400 800 Feet

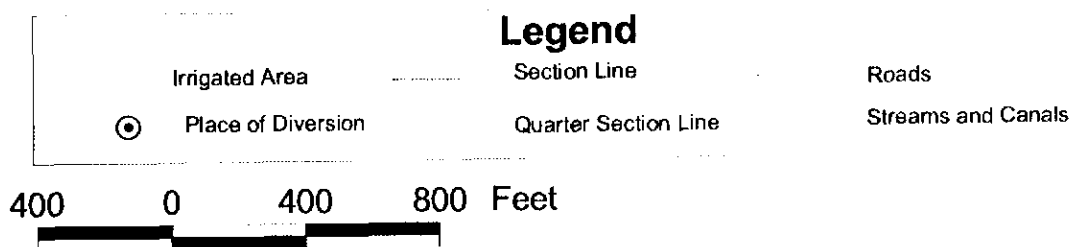
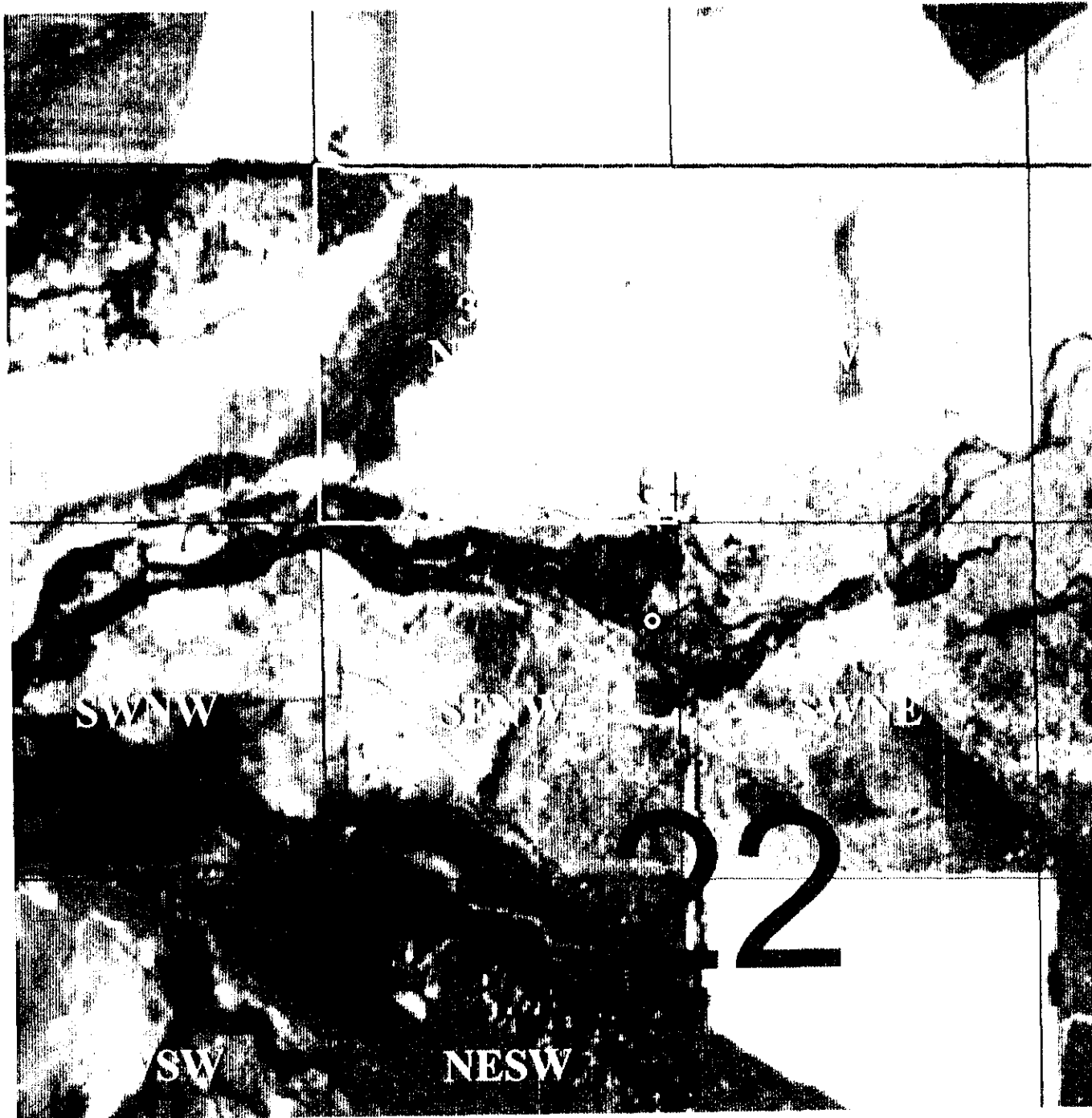
Water Right Claim Number A47-02502
Township , 11S18E

10/06/2000



Water Right Claim Number A47-02502
Township , 11S18E

10/06/2000



AJ5809NP
No. A47-02502

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 247

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KEN MULBERRY ENTERPRISES PO BOX H KIMBERLY ID 83341 (208) 423-5556	06/04/1949	IRRIGATION	03-15 11-15	0.780 CFS	
TOTAL DIVERSION:					0.780 CFS	

Water Source: ROCK CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T11S R18E S22 SENW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	18E	22	:																	:	39.0
																				TOTAL ACRES	39.0

POU County: TWIN FALLS

Other Rights: A47-02137

Remarks: GEN OWNERSHIP CHANGE 7/11/90 BY JG.

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

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

Misc: Water District Number: 470 Field Inspection Flag:
Presumption Flag:

Audit: 12/13/88 WHITE 07/11/90 GIVENS 10/25/94 AMERRITT 03/30/95 POST-STD
07/29/99 SSHERMAN 02/17/00 RBROWN

State of Idaho

License and Certificate of Water Right

Water License No. 19681

Amount 0.78 second foot

Water District No.

Priority June 4, 1949

THIS IS TO CERTIFY that EDWARD MCCARTHY of Kimberly, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 6, 1945; that Permit No. 19681 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second foot, was issued thereunder on June 17, 1947, showing that said works were completed on the 10th day of June, 1947; and that on the 14th day of June, 1952,

Edward McCarthy

of Kimberly, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Rock Creek, a tributary of Snake River, for the purpose of irrigation and domestic use, under Use Permit No. 19681 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4949, on the 15th day of July, 1952;

The right hereby confirmed dates from June 4, 1949;

The Point of Diversion is located

in the SE 1/4, T17 N, Sec. 22, Tp. 11 S., R. 18 E., B.M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.78 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E.	22	40 Acre	40	39

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

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

15th day of July, 1952.

WAKE R. KULP

State Reclamation Engineer

(SEAL)

45-2868

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of IdahoApplication No. 27174
Permit No. 19651
District No.S. T. Hamilton
Twin Falls, Idaho

1. Name of Applicant: EDWARD McCARTY

Postoffice address: Kimberly

County: Twin Falls

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.8 cubic feet per second.

3. Source of water supply: Rock Creek which is a tributary of Snake River

4. Location of point of diversion: feet distant from the

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

of Section 22, T. 11 S., R. 18 E., B. M., County of Twin Falls

5. Water is to be used for Domestic use and irrigation

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

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

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

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

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

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

7. Estimated cost of works: \$ 1,000.00

8. Kind of works: Ditch, sump, pump and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width 2 feet; height 2 feet;

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 600 feet miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

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

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

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

EDWARD McCARTY

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:30 P. M. June 6, 1945

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19651

Recorded in Book 71

Page 19651

Approved June 16, 1945

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

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

Work to begin on or before August 16, 1945 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 June 16, 1946

The whole of said work to be completed on or before June 16, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before June 16, 1948

Witness my hand this 16th day of June, 1945

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT, Governor of the State of Idaho,

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

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th.....

day of June, 1945

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

By CHARLES C. GOSSETT

Governor

Secretary of State.

Remarks: This water right will be delivered from Rock Creek through a ditch to a sump with which the pump will be connected and the water will be lifted from the sump through a pipe to the land to be irrigated. There is no other water right available or appurtenant to this land

14.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 S.	18 E.	22					40												40
			PERMIT NO. 19651 Certificate of Completion of Works																
To All Whom it May Concern:			This is to certify that EDWARD McCARTY, of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. 19651, issued upon Application No. 27174, bearing date of priority of June 6, 1945, authorizing the diversion of 0.8 second foot of the waters of Rock Creek, a tributary of Snake River, County of Twin Falls, State of Idaho, for domestic and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.8 second foot of the waters of Rock Creek; that the point of diversion of said waters is in the SE 1/4 NW 1/4 Section 22, Township 11 South, Range 18 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE 1/4 NW 1/4 Section 22, Township 11 South, Range 18 East, B.M.																
Witness my hand this 17th day of June, A. D. 1947.																			
Proof of completion of works made June 14, 1947																			
Certificate of completion of works issued June 17, 1947																			
LICENSE ISSUED FOR 0.28 SEC. FT. <i>928</i> 4949																			

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

Permit No. 19651This proof is for Beneficial use In Water District No. _____1. Name of applicant Edward McCarty, Route 2, Kimberly, Idaho2. Source of water supply: Rock Creek3. Location of point of diversion: Is in the SE 1/4 NW 1/4 of Section 22T. 11 S. R. 18 E. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: A dug channel approx. 200' long extends from present creek channel to pump. 6" x 40' intake pipe from channel to pump. Deming-Mueller pump #D094017, size 6, 6" intake and outlet. Powered by Crocker Wheeler Electric Mfg. Co. - Joshua Hendy Corp motor #018390143, 20 HP., 220 V., 50 amp., 60 cycle, 3 phase. V-belt drive to pump. Square D switch, 100 amp., 230 VAC. G.E. meter #22534923, 50 amp., 240 V., 60 cycle, 3 phase, demand 1.38 x 10. 6' x 6' board house over pump during winter only. Pump on concrete base, discharges to North. 1200' x 12" iron pipe lifts water approx. 30' above pump. Ditches are complete except for one acre in north west corner of 40. Pump is a centrifugal type pump approx. 6" int. to pump.

5. Water is used for: Irrigation and domestic purposes6. State whether or not water has been turned into works of diversion: Yes

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

39 A. NE 1/4 NW 1/4 Section 22, Township 11 South, Range 18 East, B. M.

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

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

Remarks: Applicant sells gravel from creek near point of diversion. This changes the pumping head occasionally. According to Mr. McCarty the pump has been lowered to present installation from one somewhat higher due to the lowering of the water level in Rock Creek.

Crop- barley

This examination was made on the 23rd day of June, 1952(Signed) Alfred D. Larson Examiner.

Edward McCarty
Rt. 2, Kimberly, Idaho
Permit No. 19651

Examination for Beneficial use

County Twin Falls

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUL 3 1952

Department of Reclamation

Lemire-Buehler pump
DC 194017 size 5

Crocker-Wheeler Electric
Co. - Joshua Hendy Corp.
= 0123123 20 HP

220/240 V 30-25 amp.
1760 RPM 3-phase
60 cps.

six inch intake pipe
six inch outlet
6" intake pipe from pump to
pool. 40' long
outlet enlarges to 12" iron pipe
V-2017 drive for pump

square D switch
100 amp 220 VDC

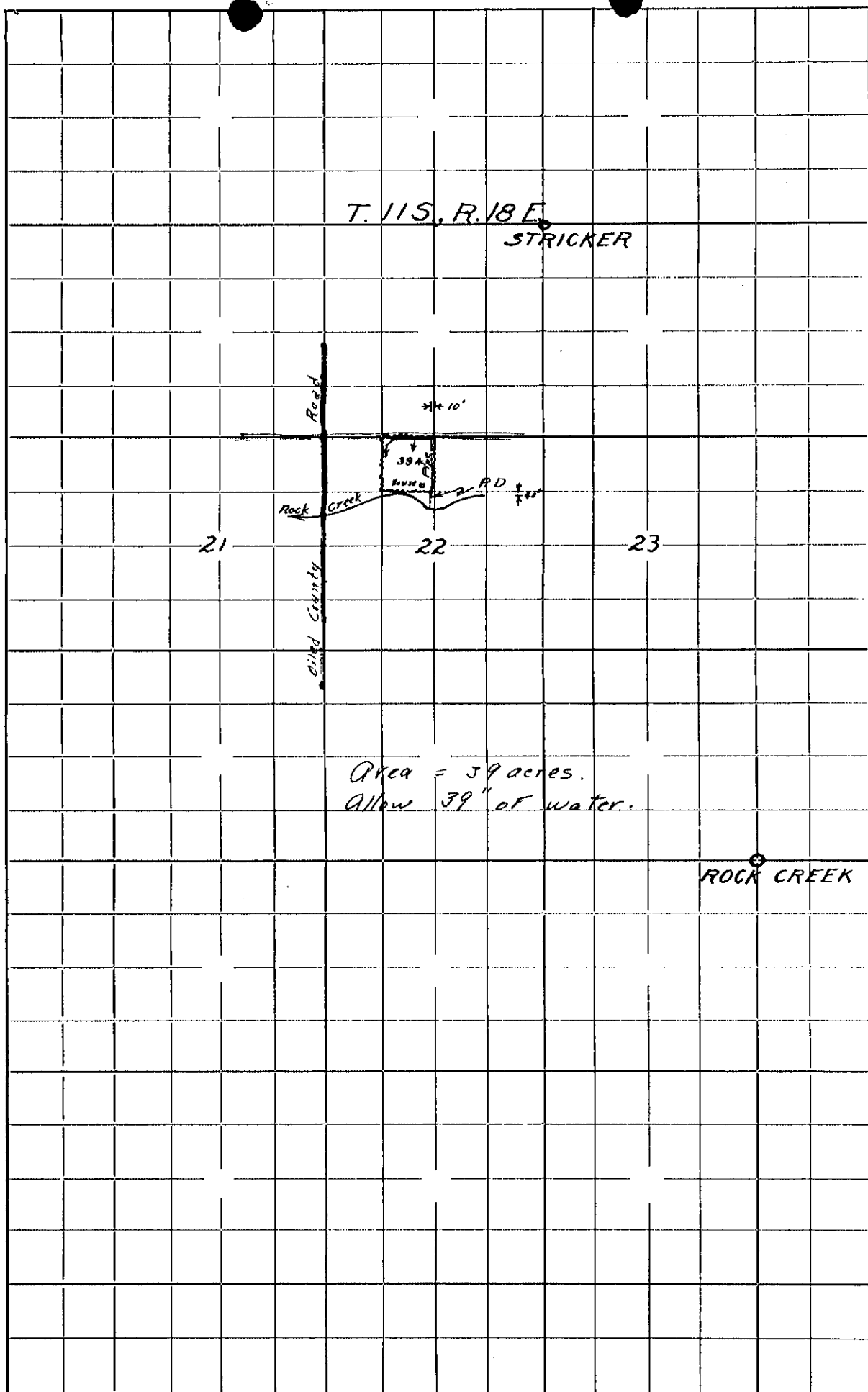
56 miles # 22 534 721

50 amp 240 V 60 cps
3-phase demand 1.38 x 10

8' x 6' concrete pump house
for pump (above ground)

6' x 6' pump house (above
ground) for water protection
pump set on concrete base
discharge to North

1200-1300' of 12" pipe
last 400' of 12"



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

19657

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19651

REPORT ON PROOF OF Beneficial use

EDWARD McCARTY, Route 2, Kimberly, Idaho

78 afz
2.12.51

app. 0.8 cfs

39 acres