

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: A47-07007
Date Received: 1/10/1989
Receipt No: S005830
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MUD CREEK WATER USER'S ASSOCIATION 208-734-0700
Address: C/O JOHN R. ROSHOLT
P.O. BOX 1906
TWIN FALLS, ID 83303-1906
2. Date of Priority: AUG 24, 1967
3. Source: MUD CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 09S | 14E | 28 | NE | | NW | | TWIN FALLS |
5. Description of diverting works:
CONCRETE DAM AND DITCH.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 11/15 | 1.120 | | 224.00 |
7. Total Quantity Appropriated is:
1.120 C.F.S. (and/or) 224.00 A.F.A.
8. Total consumptive use is 168.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	22	NE	SW		IRR	27.0
			SW	SW		IRR	29.0
Section Acres							56.0

A47-07007

Page 1

Date: 02/03/89

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10. Place of Use: Continued

Total Acres 56.0

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:

A47-14735, A47-07019A & -07019B, A47-07041

14. Remarks:

100% OF NON-DELINQUENT MEMBERS OF ASSOCIATION HAVE VOTED TO FILE
WATER SHARES AS AN ASSOCIATION.

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 Organizations:

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

Signature of Authorized Agent

Title and Organization

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 _____

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: 39576Ident. Number A47-07007Date Received 1/10/89 ADmReceipt Number 5005830

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) MUD CREEK WATER USER'S ASS'N, INC. Phone (208) 734-0700Mailing Address C/O John R. Rosholt, P.O. Box 1906, Twin Falls, ID Zip 83303-19062. Date of Priority (Only one (1) per claim) August 24, 19673. Source of water supply (a) Mud Creek
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 9 South Range 14 East Section 28 Left bank of
NE 1/4 of NW 1/4 of Govt. Lot, B.M., County of Twin FallsAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Original dirt with rock fill diversion
dam built in 1969/1970 washed out the week of 9-22-70 and was replaced with same.
Second dam washed out week of January 8, 1979 and was replaced with concrete dam
of steel reinforced by bedrock drilling and rock fill. Water then flows into
cement ditch for 3,000 feet to dirt ditch system.

In 1986/1987 fish ponds and a power plant were constructed in cement ditch system
by Terry White, owner of property on which Association water is diverted.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-1 to 11-15 amount 1.12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.12 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 168 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use: SEE EXHIBITS B through E ATTACHED

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated 56

11. In which county (ies) are lands listed above as place of use located? Twin Falls

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

#47-0719B, #47-07019A, #47-07041 and .20 cfs in Sec. 22 and .10 cfs in or None ()
Sec. 21 being applied for.

14. Remarks:

One hundred percent of non-delinquent members of Association have voted to file water
shares as an association.

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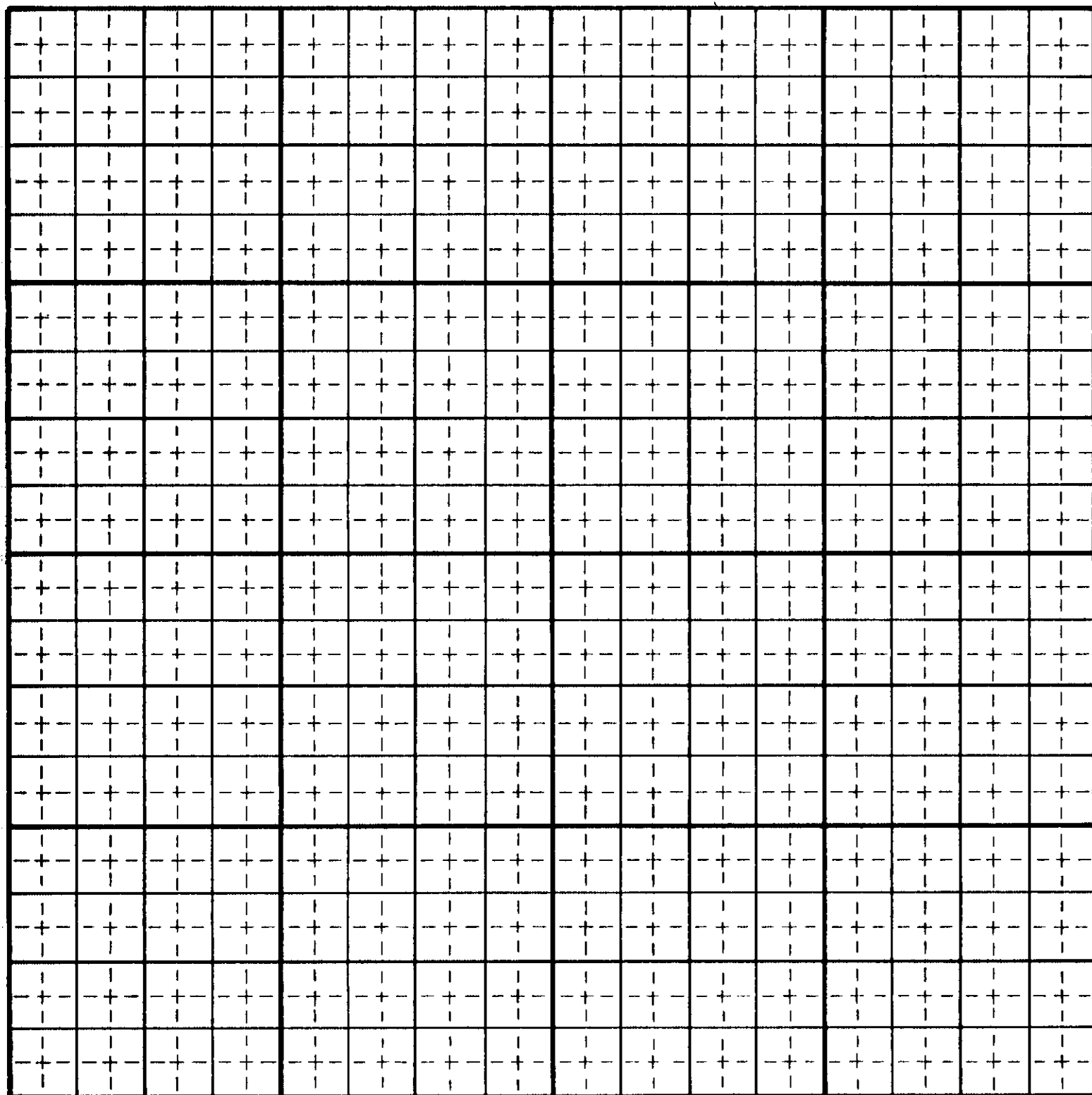
Last Name Mud Creek Water User's Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE EXHIBIT A ATTACHED



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Last Name Mud Creek Water User's Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 47-07007A SEE EXHIBIT F ATTACHED

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 SIX

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President

Title

of Mud Creek Water User's Association, Inc., that I have signed the foregoing

Organization

document in the space below as President of Mud Creek Water User's Ass'n, Inc.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Donald R. Franks

Title and Organization President, Mud Creek Water User's Ass'n. Date 1-9-89

Inc.

State of Idaho/or _____)

County of Lewin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day of January 19 89

SEAL

Notary Public

Michele Clark

Residing at

Buhl, Idaho

My Commission Expires

3-10-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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MAR 11 1993

Last Name Mud Creek Water User's Ident. Number _____

Copies White-State, Yellow-Claimant

SD-61
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS CONTROL SYSTEM SCREEN

DATE: 01/02/99
TIME: 13:17:00

WATER RIGHT NUMBER: 47-07007

FIRST PAGE

SOURCE: MUD CREEK

3010; 0000; 0000

(ENTER=EXIT)
ON LINE V2.4

(GO! D4=PREV SCREEN)
(GO! D5=NEXT SCREEN)
CAP NUM

(GO! D2=END OF DATA)

(GO! D9=CANCEL)
11

SD-50
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS CONTROL SYSTEM SCREEN

DATE: 01/02/99
TIME: 13:18:04

WATER RIGHT NUMBER: 47-07007

FIRST PAGE

4. POINT OF DIVERSION:

TWP	RNG	SECT	17A	17B	17C	17D	PLAC	COUNTY	COUNTY
09S	14E	28		NE	NE			95	ADAM FALLS

(ENTER=EXIT)
ON LINE V2.4

(GO! D4=PREV SCREEN)
(GO! D5=NEXT SCREEN)
CAP NUM

(GO! D2=END OF DATA)

(GO! D9=CANCEL)
11

MUD CREEK WATER USER'S ASSOC.

MICROFILMED
MAR 11 1993

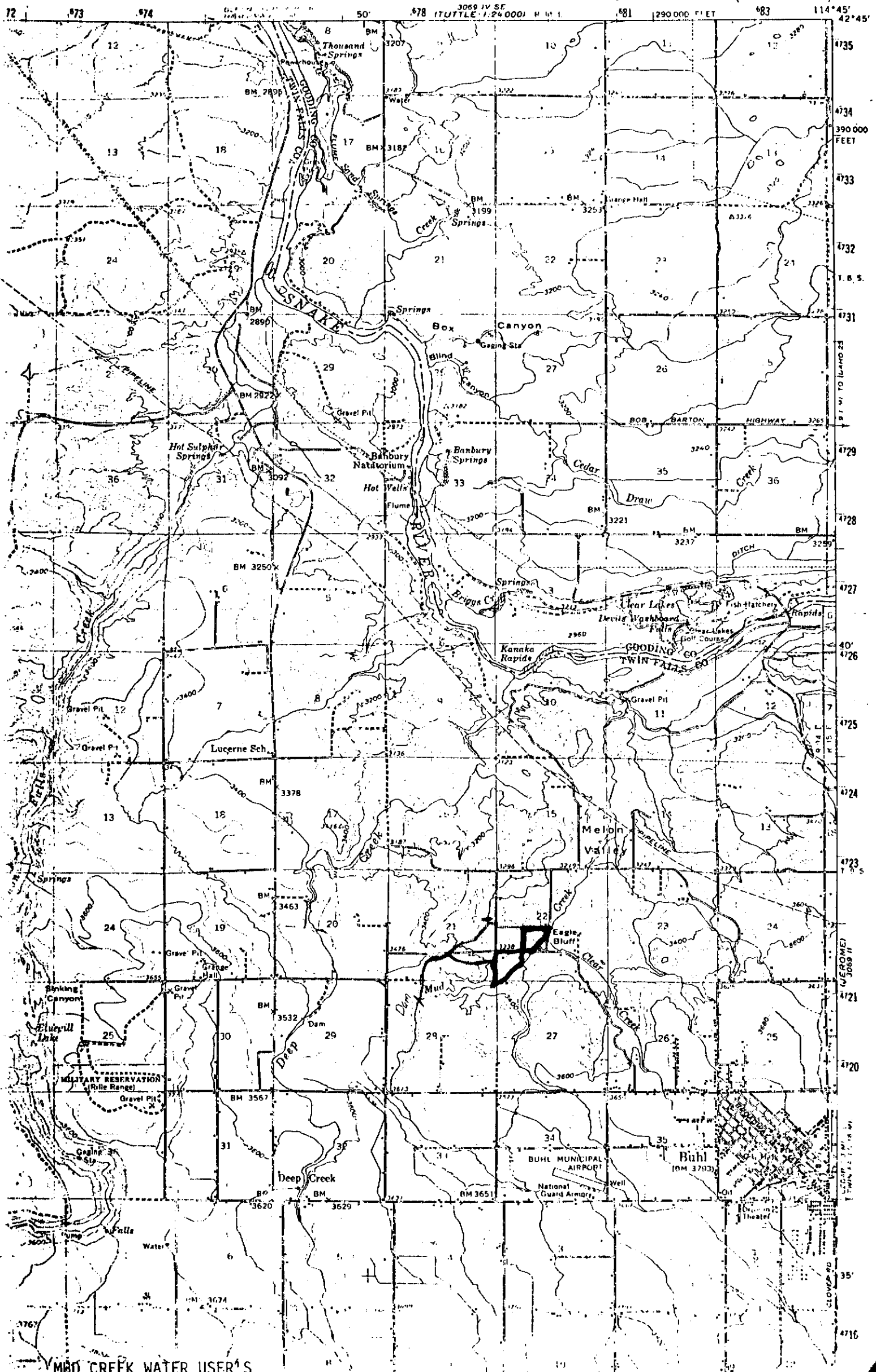


EXHIBIT F

SD-49
INQUIRY

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT NUMBER: 47-07007

DATE: 01/03/89
TIME: 13:17:21

WATER RIGHT NUMBER: 47-07007

PAGE: 1

OWNER CODES: 0 ORIGINAL OWNER 9 PREVIOUS OWNER 1 CANCELLED
0 CURRENT OWNER 0 VENDOR/OWNER 0 ATTORNEY OF RECORD

LAST: YOUNG
ADDRESS: RT. 3 BOX 134

CITY: CLARK

STATE: ID ZIP: 83413
OWNER CODE: 0

CITY: BLK
PHONE: (208)

LAST:
ADDRESS:

CITY:

STATE: ID ZIP:
OWNER CODE: 0

CITY:
PHONE: (208)

(ENTER=EXIT) (GOLD4=PRIN SCREEN) (GOLD5=END OF DATA) (GOLD6=CANCEL)
ON LINE V2.4 (GOLD5=NEXT SCREEN) (GOLD6=CANCEL) 11

SD-14
INQUIRY

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT NUMBER: 47-07007

DATE: 01/03/89
TIME: 13:17:27

WATER RIGHT NUMBER: 47-07007
2. PRIORITY DATE: 8/24/1987

3. SOURCE: 1019-

4. POINT OF DIVERSION: 1019- 1019- 1019- 1019- 1019- 1019- 1019- 1019- 1019- 1019-
TWP RANGE SECT 1/4 1/2 1/2 1/2 1/2 1/2 1/2 1/2 1/2 1/2

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER USES:
USE CODE DESCRIPTION FROM TO CFS (AMB/05) OF A

7. TOTAL DIVERSION RATE: 1.120 8. TOTAL DIVERSION VOLUME: 224.00
9. DIVERSION CAPACITY:

(ENTER=EXIT) (GOLD5=END OF DATA) (GOLD6=CANCEL)
ON LINE V2.4 (GOLD5=NEXT SCREEN) (GOLD6=CANCEL) 11

MUD CREEK WATER USER'S ASSOC.

MICROFILMED
MAR 11 1993

SD-51
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS WATER USAGE CORPEN

DATE: 01/03/89
TIME: 13:18:15

WATER RIGHT NUMBER: 47-07007

FIRST PAGE

WATER USES:

USE CODE	DESCRIPTION	FROM	TO	SEC	ACR
01	IRR	4/ 1	10/31	1.120	224.00
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/

(GOLD4=PREV SCREEN)

(GOLD6=END OF DATA)

(ENTER=EXIT)

(GOLD5=NEXT SCREEN)

(GOLD8=CANCEL)

ON LINE V2.4

CAP NUM

L1

SD-52
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PLACES OF USE SCREEN

DATE: 01/03/89
TIME: 13:18:43

WATER RIGHT NUMBER: 47-07007

FIRST PAGE

10. TWP	RNG	SEC	1/4	1/4	LOT	ACRES	USE	USE DESC.	COUNTY	COUNTY NAME
09S	14E	22	NE	SW		27.0	01	IRR	83	TWIN FALLS
09S	14E	22	SW	SW		29.0	01	IRR	83	TWIN FALLS

(GOLD4=PREV SCREEN)

(GOLD6=END OF DATA)

(ENTER=EXIT)

(GOLD5=NEXT SCREEN)

(GOLD8=CANCEL)

ON LINE V2.4

CAP NUM

L1

MICROFILMED

MAR 11 1993

MUD CREEK WATER USER'S ASSOC.

SD-60
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SCREEN 4

DATE: 01/03/89
TIME: 13:19:14

WATER RIGHT NUMBER: 47-07007

STAGE/STATUS : 1/
REGION : 17
TRANSFER/AMENDED:
SWAN FALLS SPEC :

TEMPORARY RIGHT: P
WATER DISTRICT :
FIELD EXAM :
DLE CAREY ACT :

DATES:

APPL. REC.: / /
FIELD EXAM: / /
PROTESTED : / /
VERIFIED : 2/26/1985

PROOF MADE: / /
DECREE : / /
HEARING : / /
SHOW CAUSE: / /

PROOF DUE : / /
LICENSED : 6/21/1979
APPR/DENY : / /
START WORK: / /

RECEIPT NO.:
OLD NUMBER :

DIVERSION CAPACITY:
CIVIL CASE NO. :

DEFENDANT:
PLAINTIFF:

(ENTER=EXIT)
ON LINE V2.4

CAP NUM

(GOLDB=CANCEL)
L1

MUD CREEK WATER USER'S ASSOC.

MICROFILMED
MAR 11 1993

ASSIGNMENT

FOR VALUE RECEIVED, We the undersigned, owners of 29 shares of stock in the Mud Creek Water User's Association, Inc. (hereinafter "Mud Creek"), do hereby assign all of our right, title and interest in the legal title of Water Right No. A47-07007A of the State of Idaho, to Mud Creek to be held in trust by said corporation for beneficial use of said water by the Grantors, or their successors and assigns, on the lands of the herein Grantors, said lands being located in Twin Falls County, Idaho, and served by the irrigation system and ditches of Mud Creek, more particularly described as follows:

S 1/2 S W 1/4 Sec. 22 T9S R14E B1
Twin Falls County, Idaho -

The Grantors and Mud Creek agree that this conveyance shall not change the duty of Mud Creek to said Grantors for the delivery of water or the duty of Grantors to pay the assessments of Mud Creek.

The Grantors and Mud Creek further agree that Mud Creek shall file a claim for Grantors in the Snake River Basin Adjudication as to said water right and assess the Grantors for their proportionate share of the cost thereof, and Mud Creek will thereafter protect and defend said water right.

The parties recognize and state that this Assignment will not alter the rights of any prior existing lienholders on the above described property of the Grantors or the water right herein assigned.

Grantors further covenant to obtain the written permission of any lienholder, which written permission is deemed necessary by Grantors or said lienholder.

This agreement shall be binding on the successors and assigns of the parties hereto.

Dated this 18 day of NOV, 1988.

Glenn W. Zach Glenn W. Zach
Ruth E. Zach Ruth E. Zach
 GRANTOR

GRANTOR MORTGAGEE - None

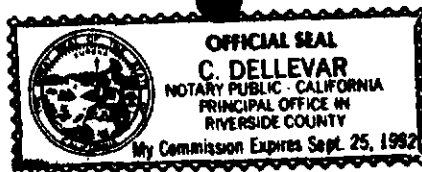
ACCEPTED:

MUD CREEK WATER USER'S ASSOCIATION, INC.

BY Donald R. Spahr
 PRESIDENT

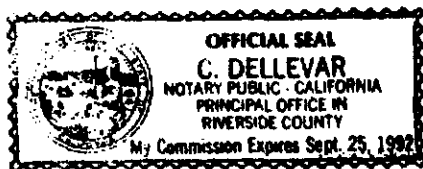
We understand if this isn't 100% we
will receive this assignment back
Glenn W. Zach
Ruth E. Zach

STATE OF CALIFORNIA)
)
County of Riverside) ss.



On this 18th day of November, 1988, before me, a Notary Public, in and for said County and State, personally appeared GLENN W. ZACK, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he 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.

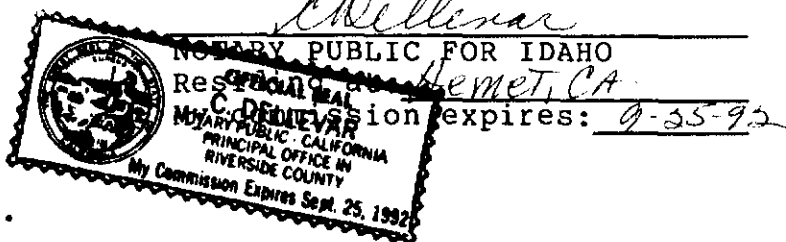
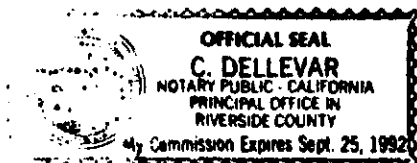


C. Delleva
NOTARY PUBLIC FOR IDAHO CALIFORNIA
Residing at: Hemet, CA.
My commission expires: 9-25-92

STATE OF CALIFORNIA)
)
County of Riverside) ss.

On this 18th day of November, 1988, before me, a Notary Public, in and for said County and State, personally appeared RUTH E. ZACK, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she 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.



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

On this 9th day of January, 1989, before me, a Notary Public, in and for said County and State, personally appeared Donald R. Sparks, known or identified to me to be the President of MUD CREEK WATER USER'S ASSOCIATION, INC., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation 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.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 031093

0487m

MUD CREEK WATER USERS

ASSIGNMENT

FOR VALUE RECEIVED, We the undersigned, owners of 6 shares of stock in the Mud Creek Water User's Association, Inc. (hereinafter "Mud Creek"), do hereby assign all of our right, title and interest in the legal title of Water Right No. _____ of the State of Idaho, to Mud Creek to be held in trust by said corporation for beneficial use of said water by the Grantors, or their successors and assigns, on the lands of the herein Grantors, said lands being located in Twin Falls County, Idaho, and served by the irrigation system and ditches of Mud Creek, more particularly described as follows:

attached

The Grantors and Mud Creek agree that this conveyance shall not change the duty of Mud Creek to said Grantors for the delivery of water or the duty of Grantors to pay the assessments of Mud Creek.

The Grantors and Mud Creek further agree that Mud Creek shall file a claim for Grantors in the Snake River Basin Adjudication as to said water right and assess the Grantors for their proportionate share of the cost thereof, and Mud Creek will thereafter protect and defend said water right.

The parties recognize and state that this Assignment will not alter the rights of any prior existing lienholders on the above described property of the Grantors or the water right herein assigned.

Grantors further covenant to obtain the written permission of any lienholder, which written permission is deemed necessary by Grantors or said lienholder.

This agreement shall be binding on the successors and assigns of the parties hereto.

Dated this 9th day of January, 1989, ~~1988~~.

Charles H. Dillard
GRANTOR

Patricia N. Dillard
GRANTOR MORTGAGEE

ACCEPTED:

MORTGAGE:

MUD CREEK WATER USER'S ASSOCIATION, INC.

By Donald R. Spauls
PRESIDENT

A tract of land located in the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22 Township 9 South, Range 14 E., B.M., and being more particularly described as follows:

Beginning at the Southeast corner of said Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); thence North 89°17'56" West along the South line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of 150.00 feet to the East boundary line of a public road; thence North 00°53'00" East along said East boundary a distance of 400.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said East boundary North 00°53'00" East a distance of 270.12 feet more or less to the East bank of Mud Creek; thence along said East bank for the following three (3) courses and distances: North 11°44'51" East 90.89 feet; North 15°10'13" East 103.52 feet; North 17°51'12" East 125.43 feet; thence North 89°31'24" West 350 feet South of and parallel to the North line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of 662.15 feet; thence South 01°01'57" West 576.83 feet; thence South 89°17'56" East 400 feet north of and parallel to the South line of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) a distance of 584.35 feet to the TRUE POINT OF BEGINNING, containing 8.00 acres more or less.

Together with six (6) shares of Mud Creek Water Users Association stock.

Mud Creek Water Users

MAK 11 1993

CHARLES DILLARD

Melvin T. Kyees
1021 S. Valley View Dr. #105
St. George, Utah 84770

Farmers National Bank
Buhl, Idaho 83316

January 9, 1989

To Whom It May Concern:

I hereby give my permission for Farmers National Bank Escrow Dept. to make the necessary changes in my Cooper Escrow Account to change the water shares from individual to Mud Creek Water Users, for the Idaho water adjudication.

I further understand that all property owners will retain ownership of their water.

Yours truly,

Melvin T. Kyees
Melvin T. Kyees
Notary Public
St. George, Utah
STATE OF UTAH

MICROFILMED
MAR 11 1993

STATE OF IDAHO)
) ss.
County of TWIN FALLS)

On this 9th day of January, ¹⁹⁸⁹~~1988~~, before me, a Notary Public, in and for said County and State, personally appeared Charles H. Dillard, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Michelle Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 031093

STATE OF IDAHO)
) ss.
County of TWIN FALLS)

On this 9th day of January, ¹⁹⁸⁹~~1988~~, before me, a Notary Public, in and for said County and State, personally appeared Patricia N. Dillard, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Michelle Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 031093

STATE OF IDAHO)
) ss.
County of TWIN FALLS)

On this 9th day of January, ¹⁹⁸⁹~~1988~~, before me, a Notary Public, in and for said County and State, personally appeared Donald R. Sparks, known or identified to me to be the President of MUD CREEK WATER USER'S ASSOCIATION, INC., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation 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.

Michelle Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 031093

0487m

MUD CREEK WATER USERS ASSOCIATION, INC.

ASSIGNMENT

FOR VALUE RECEIVED, We the undersigned, owners of 15 shares of stock in the Mud Creek Water User's Association, Inc. (hereinafter "Mud Creek"), do hereby assign all of our right, title and interest in the legal title of Water Right No. _____ of the State of Idaho, to Mud Creek to be held in trust by said corporation for beneficial use of said water by the Grantors, or their successors and assigns, on the lands of the herein Grantors, said lands being located in Twin Falls County, Idaho, and served by the irrigation system and ditches of Mud Creek, more particularly described as follows:

See attached Exhibit "A"

The Grantors and Mud Creek agree that this conveyance shall not change the duty of Mud Creek to said Grantors for the delivery of water or the duty of Grantors to pay the assessments of Mud Creek.

The Grantors and Mud Creek further agree that Mud Creek shall file a claim for Grantors in the Snake River Basin Adjudication as to said water right and assess the Grantors for their proportionate share of the cost thereof, and Mud Creek will thereafter protect and defend said water right.

The parties recognize and state that this Assignment will not alter the rights of any prior existing lienholders on the above described property of the Grantors or the water right herein assigned.

Grantors further covenant to obtain the written permission of any lienholder, which written permission is deemed necessary by Grantors or said lienholder.

This agreement shall be binding on the successors and assigns of the parties hereto.

Dated this 20 day of Dec, 1988.

Robert Litch
GRANTOR *Ray Litch*

GRANTOR MORTGAGEE

ACCEPTED:

MUD CREEK WATER USER'S ASSOCIATION, INC.

By *Donald R. Spahr*
PRESIDENT

Melvin T. Kyees
1021 S. Valley View Dr. #105
St. George, Utah 84770

Farmers National Bank
Buhl, Idaho 83316

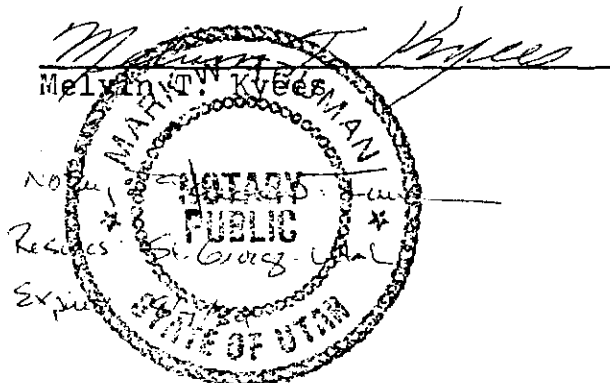
January 9, 1989

To Whom It May Concern:

I hereby give my permission for Farmers National Bank Escrow Dept. to make the necessary changes in my Cooper Escrow Account to change the water shares from individual to Mud Creek Water Users, for the Idaho water adjudication.

I further understand that all property owners will retain ownership of their water.

Yours truly,



MICROFILMED

MAR 11 1993

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

On this 20th day of December, 1988, before me, a Notary Public, in and for said County and State, personally appeared Patrick Leitch, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 3-10-93

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

On this 20th day of December, 1988, before me, a Notary Public, in and for said County and State, personally appeared Kay Leitch, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 3-10-93

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

On this 9th day of January, 1988, before me, a Notary Public, in and for said County and State, personally appeared Donald R. Sparks, known or identified to me to be the President of MUD CREEK WATER USER'S ASSOCIATION, INC., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation 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.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 3-10-93

0487m

Mud Creek Water Users

EXHIBIT "A"

Township 9 South, Range 14 East of the Boise Meridian;
Section 22: NE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPT: a strip of land 20 ft. wide along
the South side of said premises conveyed
to Buhl Highway District for road purposes,

AND EXCEPT: a tract of land in the Southeast
corner thereof, described as follows:
Beginning at the Southeast corner of said
NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence West 150 ft. to the East
boundary line of the established road;
thence North along the East boundary line
of said public road to the East bank of Mud Creek;
thence in a Northeasterly direction along
the East bank of Mud Creek to the East boundary
line of said subdivision; thence South to the
point of beginning;

AND EXCEPT: a tract of land in the Northeast
corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:
Beginning at the Northeast corner of said
subdivision; thence West 600 feet;
thence South 350 feet; thence East 600 feet;
thence North 350 feet to the point of beginning;

ALSO EXCEPT: a tract of land situated in the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:
Beginning at the Southeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence West 180 feet to the true point of beginning;
thence West 782 feet to the center of Mud Creek;
thence in a general Northeasterly direction in the
center of Mud Creek 293 feet; thence
North 160 feet; thence East 600 feet;
thence South 400 feet to the true point of beginning.
This parcel of land being conveyed by
this Warranty Deed, Section 22: NE $\frac{1}{4}$ SW $\frac{1}{4}$,
minus the exception hereintofore stated,

AND EXCEPT:

A tract of land located in the Northeast Quarter of the South-
west Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, Township 9 South, Range 14
E.B.M., and being more particularly described as follows:

Beginning at the Southeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence

1 North 89°17'56" West along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a
2 distance of 150.00 feet to the East boundary line of a
3 public road; thence North 00°53'00" East along said East
4 boundary a distance of 400.00 feet to the TRUE POINT OF
5 BEGINNING; thence continuing along said East boundary North
6 00°53'00" East a distance of 270.12 feet more or less to the
7 East bank of Mud Creek; thence along said East bank for the
8 following three (3) courses and distances: North 11°44'51"
East 90.89 feet; North 15°10'13" East 103.52 feet; North
17°51'12" East 125.43 feet; thence North 89°31'24" West 350
feet South of and parallel to the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$
a distance of 662.15 feet; thence South 01°01'57" West
576.83 feet; thence South 89°17'56" East 400 feet north of
and parallel to the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of
584.35 feet to the TRUE POINT OF BEGINNING, containing 8.00
acres more or less.

8 AND EXCEPT:

9 A tract of land located in the Northeast Quarter of the South-
10 west Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, Township 9 South, Range 14
11 E.B.M., Twin Falls County, Idaho, being more particularly
described as follows:

12 Beginning at the Northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; THENCE
13 South 00°59'18" West along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ for
176.67 feet to a point five feet (5') north of the centerline
of a ditch; THENCE 5 feet north of and parallel to the center-
line of said ditch for the following eight (8) courses and
distances;

14 S 66°04'54" East for 38.55 feet;
15 S 80°13'30" East for 61.98 feet;
16 S 60°21'31" East for 64.81 feet;
17 N 84°58'29" East for 20.23 feet;
N 60°42'27" East for 55.85 feet;
S 88°32'05" East for 37.63 feet;
S 35°20'36" East for 132.26 feet;
S 43°35'34" East for 102.79 feet;

18 THENCE South 00°53' West and parallel to the East line of
said NE $\frac{1}{4}$ SW $\frac{1}{4}$ for 540.46 feet;
19 THENCE South 89°17'56" East and parallel to the South line of
said NE $\frac{1}{4}$ SW $\frac{1}{4}$ for 170.94 feet;
20 THENCE North 01°01'56" East for 576.83 feet;
21 THENCE South 89°31'24" East and parallel to the North line of
said NE $\frac{1}{4}$ SW $\frac{1}{4}$ for 132.87 feet;
22 THENCE North 00°53' East and parallel to said East line for
350.00 feet to said North line;

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THENCE North 89°31'24" West along said North line for 714.73 feet to the POINT OF BEGINNING, containing 7.00 acres more or less, together with the right of ingress and egress over and across the West 50 feet of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, all according to the plat on record in the office of the Twin Falls County Recorder.

TOGETHER with 15 shares of stock of Mud Creek Water Users Association.

Containing 10.89 acres more or less.

ASSIGNMENT

FOR VALUE RECEIVED, We the undersigned, owners of 6 shares of stock in the Mud Creek Water User's Association, Inc. (hereinafter "Mud Creek"), do hereby assign all of our right, title and interest in the legal title of Water Right No. _____ of the State of Idaho, to Mud Creek to be held in trust by said corporation for beneficial use of said water by the Grantors, or their successors and assigns, on the lands of the herein Grantors, said lands being located in Twin Falls County, Idaho, and served by the irrigation system and ditches of Mud Creek, more particularly described as follows:

attached

The Grantors and Mud Creek agree that this conveyance shall not change the duty of Mud Creek to said Grantors for the delivery of water or the duty of Grantors to pay the assessments of Mud Creek.

The Grantors and Mud Creek further agree that Mud Creek shall file a claim for Grantors in the Snake River Basin Adjudication as to said water right and assess the Grantors for their proportionate share of the cost thereof, and Mud Creek will thereafter protect and defend said water right.

The parties recognize and state that this Assignment will not alter the rights of any prior existing lienholders on the above described property of the Grantors or the water right herein assigned.

Grantors further covenant to obtain the written permission of any lienholder, which written permission is deemed necessary by Grantors or said lienholder.

This agreement shall be binding on the successors and assigns of the parties hereto.

Dated this 28th day of December, 1988.

J. Douglas Islets
GRANTOR

Cindy Louise Abett
GRANTOR

ACCEPTED:

MUD CREEK WATER USER'S ASSOCIATION, INC. MORTGAGEE

By Donald R. Sparks
PRESIDENT

A tract of land located in the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) of Section Twenty Two (22), Township Nine (9) South, Range Fourteen (14) E., B.M., Twin Falls County, Idaho, being more particularly described as follows:

Beginning at the Northwest corner of said NE1/4SW1/4; THENCE South 00°59'18" West along the West line of said NE1/4SW1/4 for 176.67 feet to a point five feet (5') North of the centerline of a ditch; THENCE 5 feet North of and parallel to the centerline of said ditch for the following eight (8) courses and distances;

S 66°04'54" East for 38.55 feet;
S 80°13'30" East for 61.98 feet;
S 60°21'31" East for 64.81 feet;
N 84°58'29" East for 20.23 feet;
N 60°42'27" East for 55.85 feet;
S 88°32'05" East for 37.63 feet;
S 35°20'36" East for 132.26 feet;
S 43°35'34" East for 102.79 feet;

THENCE South 00°53' West and parallel to the East line of said NE1/4SW1/4 for 540.46 feet; THENCE South 89°17'56" East and parallel to the South line of said NE1/4SW1/4 170.94 feet; THENCE North 01°01'56" East for 576.83 feet; THENCE South 89°31'24" East and parallel to the North line of said NE1/4SW1/4 for 132.87 feet; THENCE North 00°53' East and parallel to said East line for 350.00 feet to said North line; THENCE North 89°31'24" West along said North line for 714.73 feet to the POINT OF BEGINNING, containing 7.00 acres more or less, together with the right of ingress and egress over and across the West 50 feet of said NE1/4SW1/4, all according to the plat on record in the office of the Twin Falls County Recorder.

Together with six (6) shares in the Mud Creek Water Users Association.

SUBJECT to all existing easements and reservations on Warranty Deed.

MICROFILMED

MAR 11 1993

3

MICHAEL R. CRABTREE
ATTORNEY AT LAW
FIRST INTERSTATE BANK BLDG.
P.O. BOX 830
TWIN FALLS, IDAHO 83301
(208) 734-9622

ZAN ASLETT

Melvin T. Kyees
1021 S. Valley View Dr. #105
St. George, Utah 84770

Farmers National Bank
Buhl, Idaho 83316

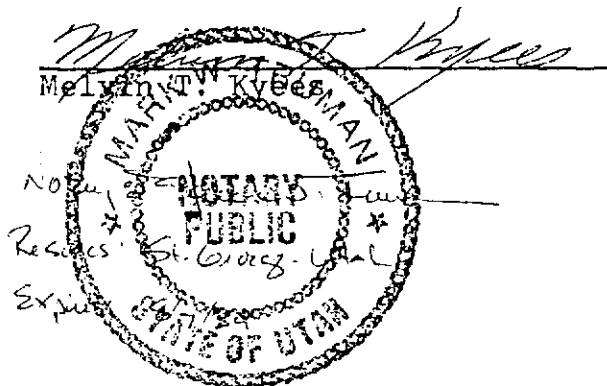
January 9, 1989

To Whom It May Concern:

I hereby give my permission for Farmers National Bank Escrow Dept. to make the necessary changes in my Cooper Escrow Account to change the water shares from individual to Mud Creek Water Users, for the Idaho water adjudication.

I further understand that all property owners will retain ownership of their water.

Yours truly,



MICROFILMED
MAR 11 1993

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

On this 28th day of December, 1988, before me, a Notary Public, in and for said County and State, personally appeared Zan Douglas Aslett, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 031093

STATE OF IDAHO)
) ss.
County of TWIN FALLS)

On this 28th day of December, 1988, before me, a Notary Public, in and for said County and State, personally appeared Cindy Louise Aslett, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 031093

STATE OF IDAHO)
) ss.
County of TWIN FALLS)

On this 9th day of January, ~~1988~~ 1989, before me, a Notary Public, in and for said County and State, personally appeared Donald R. Sparks, known or identified to me to be the President of MUD CREEK WATER USER'S ASSOCIATION, INC., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation 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.

Michele Clark
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho 83316
My commission expires: 031093

0487m

DATE: FEB. 3, 1989

TO: ALLEN MERRITT

FROM: STEVE CLELLAND

RE: MUD CREEK REFUNDS

THE FOLLOWING INDIVIDUALS HAVE FILED ADJ. CLAIMS AND HAVE ALSO ASSIGNED THEIR WATER RIGHTS OVER TO MUD CREEK WATER USER'S ASSOC. RECORDS SHOW BOTH PARTIES PAID THE \$1/ACRE FEES FOR THE SAME ACRES.

HARVEY HASLIP	A47-07041	C003476	\$81
CHESTER BESS	A47-07019D	S002656	53
ALEXANDER M. BLUM	A47-07019E	S002827	55
GLENN NELSON	A47-07019F	S004418	60
GLENN W. ZACK	A47-07007A	S000634	77

THE AMOUNTS GIVEN ARE THE PORTIONS PAID FOR THAT CLAIM NOT THE ENTIRE RECEIPT.

1) CLAIM A47-07041 WAS AMENDED TO SHOW MUD CREEK AS CLAIMANT AND THE RECEIPT NUMBER AS MUD CREEK'S. I BELIEVE HASLIP SHOULD RECEIVE AN \$81.00 REFUND FOR HIS FILING.

2) THE THREE CLAIMS BASED ON WR #47-07019 ARE PROBABLY FROM THE PORTION SPLIT "B", FILED BY MUD CREEK. SINCE THE CLAIMS STILL EXIST AS FILED BY THESE CLAIMANTS IF A REFUND IS ISSUED THE CLAIMS WOULD NEED TO BE WITHDRAWN OR CANCELLED. ANOTHER POSSIBLE SOLUTION IS TO REFUND THE ACRE FEES ONLY SINCE THEY ARE DUPLICATED WITH THE MUD CREEK FILINGS, THEN KEEP THE \$50.00 FILING FEES AND CLAIMS ON FILE.

3) CLAIM A47-07007A WAS THE ONLY SPLIT PORTION OF THE WATER RIGHT FILED. HE HAS SINCE ASSIGNED IT TO MUD CREEK AND IS IN A SIMILAR SITUATION AS THE ABOVE CLAIMS.

CECILIA AND ALICE KIMBALL FILED A47-07019G BUT DO NOT WISH TO BE PART OF MUD CREEK FILING.

THESE ARE THE CLAIMS AND FEES FILED BY MUD CREEK:

A47-07019A	S005830	\$87
A47-07019B	"	227
A47-07007	"	106
A47-07041	"	81
A47-14735	"	110
		<u>611</u>

MICROFILMED

MAR 11 1993

Log for claim 47-07007

Spatial Dynamics BTD

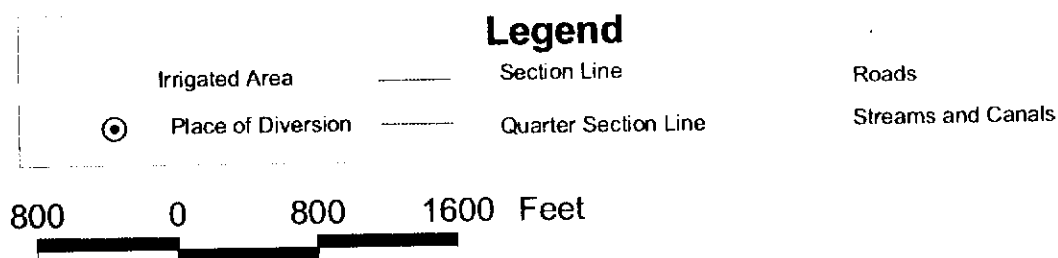
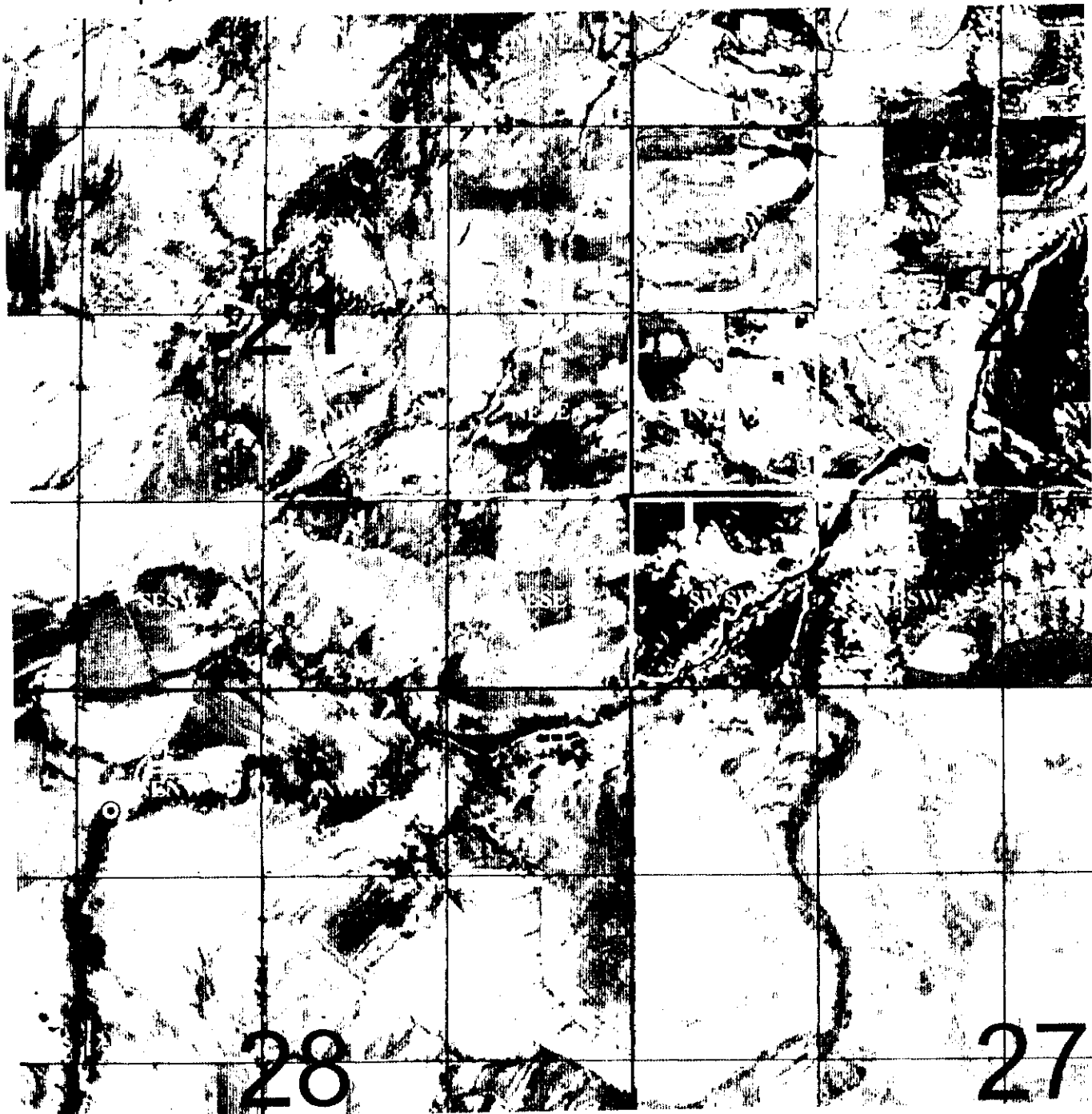
2/26/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	22	NESW	27	27	
09s14e	22	SWSW	29	27	
Totals:			56	54	

 **SPATIAL
DYNAMICS**

Water Right Claim Number 47-07007
Township , 9S14E

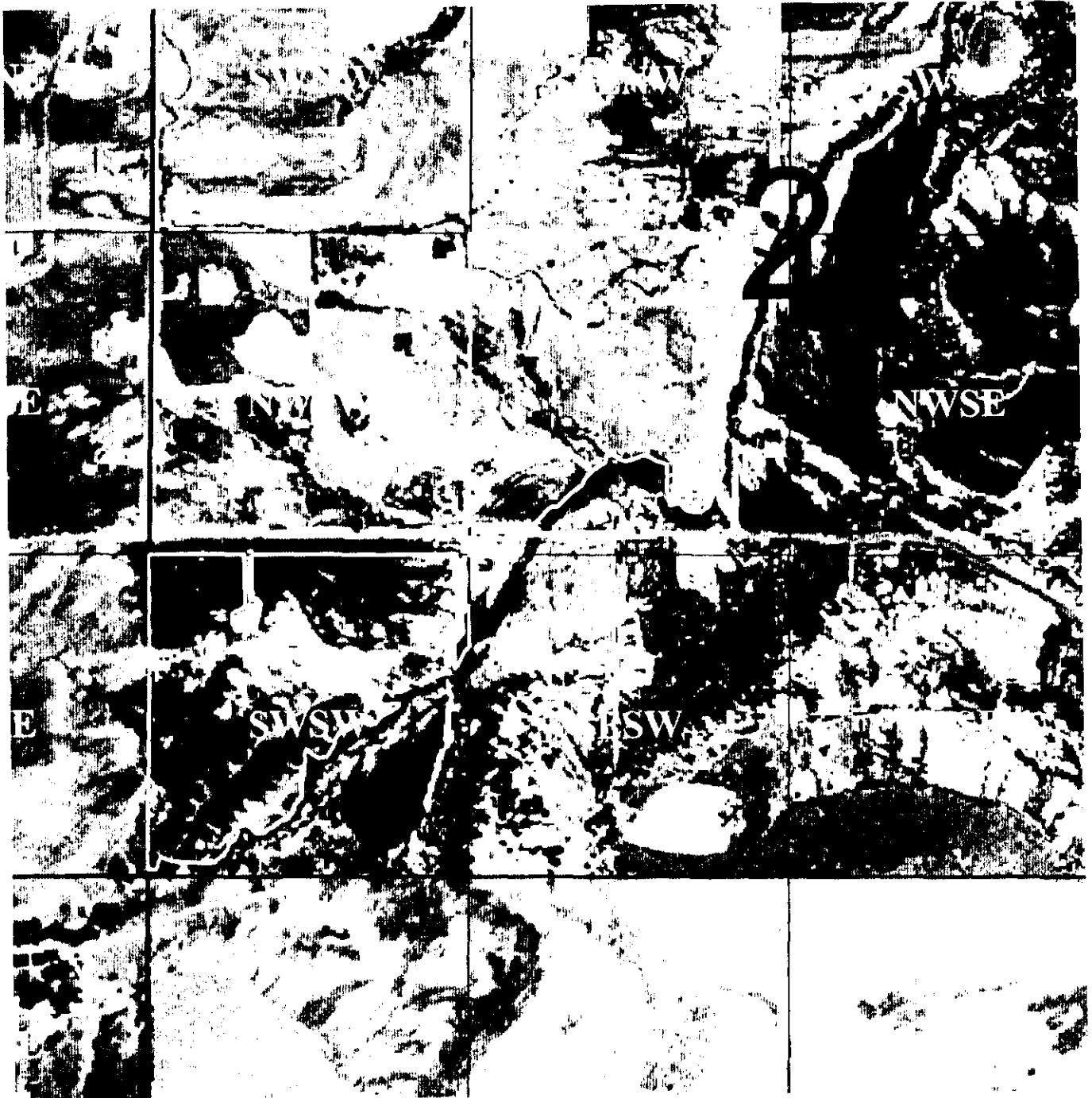
02/26/2001



SPATIAL
DYNAMICS

Water Right Claim Number 47-07007
Township , 9S14E

02/26/2001



Legend

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

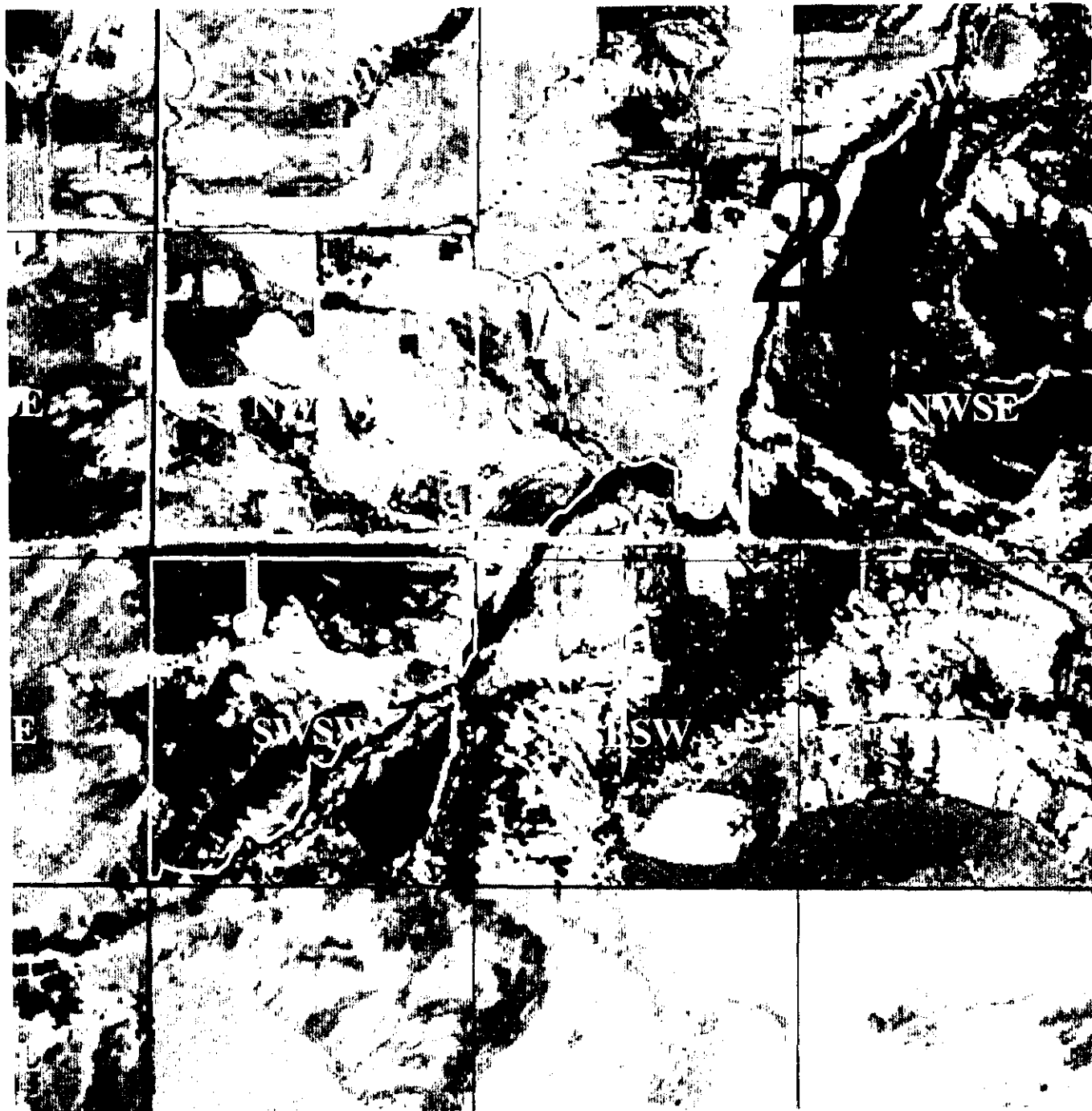


400 0 400 800 Feet

*SPATIAL
DYNAMICS*

Water Right Claim Number 47-07007
Township , 9S14E

02/26/2001



Legend

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



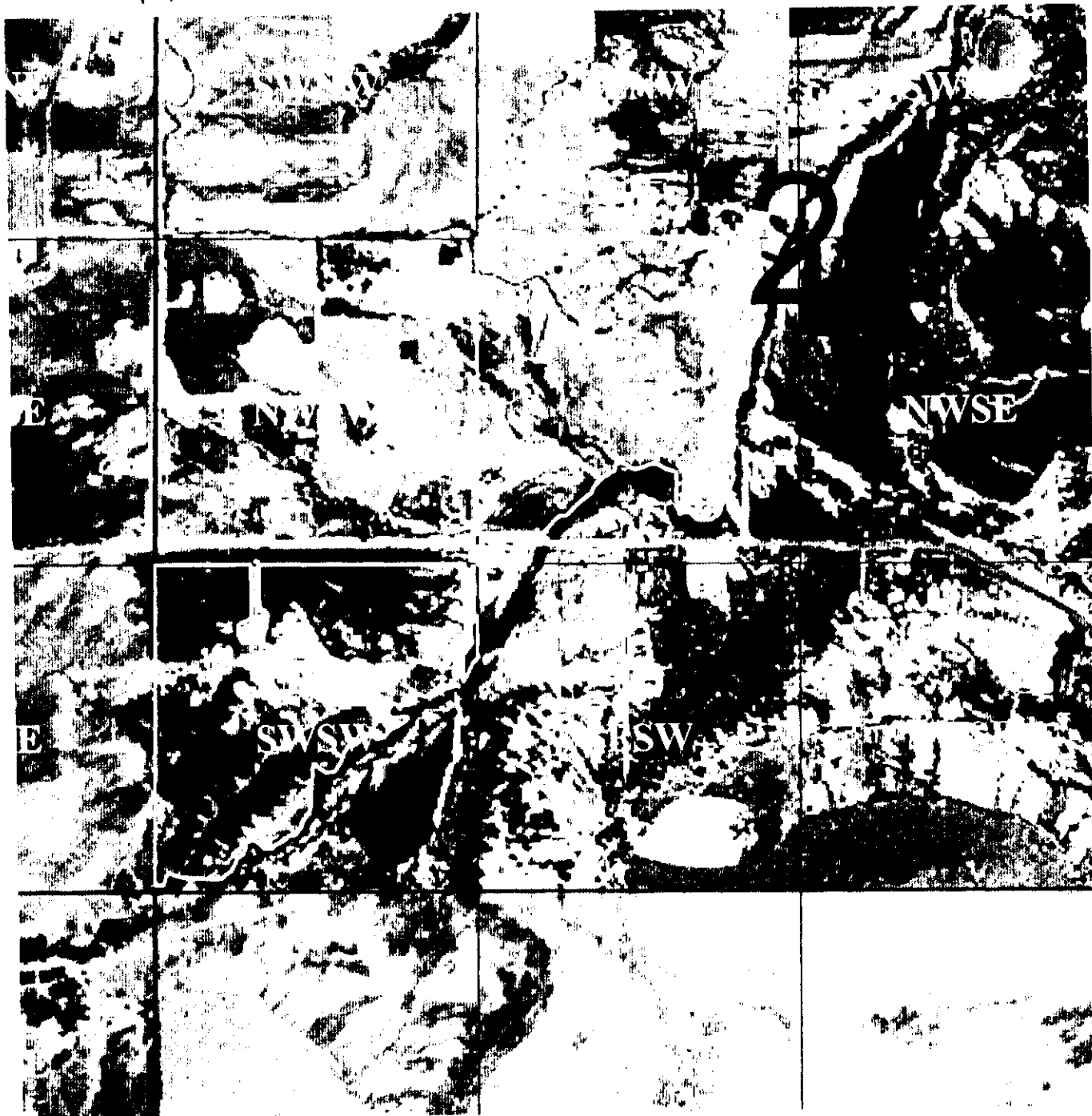
400 0 400 800 Feet



*SPATIAL
DYNAMICS*

Water Right Claim Number 47-07007
Township , 9S14E

02/26/2001



Legend

Irrigated Area

Section Line

Roads



Place of Diversion

Quarter Section Line

Streams and Canals



400 0 400 800 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-07007

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 156

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MUD CREEK WATER USER'S ASSOCIATION C/O JOHN R ROSHOLT PO BOX 1906 TWIN FALLS ID 833031906 (208) 734-0700	08/24/1967	IRRIGATION	03-01 11-15	1.120 CFS	224.00 AFA
TOTAL DIVERSION:					1.120 CFS	224.00 AFA
CONSUMPTIVE USE:						168.00 AFA

Water Source: MUD CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T09S R14E S28

NENW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE							
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09S	14E	22	:		:		:		:		:		:		:		:		:		:		:		:		56.0
TOTAL ACRES																											56.0

POU County: TWIN FALLS

Other Rights: A47-14735, A47-07019A & -07019B, A47-07041

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

47-14225 A47-07007A A47-07019A A47-07019B A47-07019C A47-07019D A47-07019E A47-07019F A47-07019G A47-07019H
A47-07041 A47-07418 A47-14735 R47-07007A R47-07019D

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

A47-04149 A47-07007A A47-07159 A47-07452 R47-04149 R47-07007A R47-07159

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN 100% OF NON-DELINQUENT MEMBERS OF ASSOCIATION HAVE VOTED TO FILE
WATER SHARES AS AN ASSOCIATION.

Dates: Exam Made Date: Verified Date: 02/26/1985 Objection Filed Date:

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

Audit: 02/03/89 CLELLAND 03/30/95 POST-STD

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. Priority August 24, 1967 Amount 1.12 cfs

THIS IS TO CERTIFY, that CLARENCE L. YOUNG
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 47-7007 issued pursuant to Application for Permit dated August 24, 1967
and has submitted proof to the Department of Water Administration on October 29, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.12 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Mud Creek
tributary of the Snake River, is hereby confirmed in the following amounts:
Amount 1.12 cfs for Irrigation from April 1 to Oct. 31 (both dates inclusive)
Amount for from to (both dates inclusive)
Amount for from to (both dates inclusive)
Subject, however, to the condition that no more than 1.12 cfs of water be diverted at
any one time, said waters to be diverted within the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, Twp. 9 S, Rge. 14 E, B.M.
in the county of Twin Falls; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 224 acre feet per year or
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	14 E	22									27		29						56

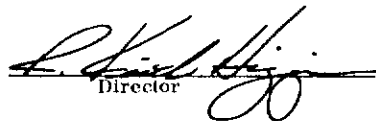
Total number of acres irrigated 56

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9th day of

July, 19 73.


Director

17 7007

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 47-7007 Priority August 24, 1967 Amount 1.12 cfs

THIS IS TO CERTIFY, that CLARENCE L. YOUNG
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works have a capacity of 1.12 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Mud Creek
tributary of the Snake River, is hereby confirmed in the following amounts:
Amount 1.12 cfs for Irrigation from April 1 to Oct. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.12 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, Twp. 9 S, Rge. 14 E, B.M.

in the county of Twin Falls; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 224 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	14 E	22									27		29						56

Total number of acres irrigated 56

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maintained as part of the diverting works.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9th day of

July, 19 73.


Director

47 7007

Identification No. 47-7007

Application No. 42007

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant CLARENCE L. YOUNG
post office address Route 3 Box 134 Buhl Idaho 83316
2. Source of water supply MUD CREEK which is a tributary of SNAKE RIVER
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 9 South
Range 14 E B.M. Twin Falls County; additional points of diversion if any: None
- b. If water is not consumed, it will be discharged into N/A at a point in N/A $\frac{1}{4}$ of N/A $\frac{1}{4}$ of Section N/A Township N/A Range N/A B.M.
4. Quantity to be appropriated:
a. 1.2 cubic feet per second and/or
b. NONE acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigate Pasture purpose from April 1 to Oct 31 (both dates inclusive)
purpose from _____ to _____ (both dates inclusive)
purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. ROCK DIVERSION DAM ABOUT 1 FOOT HIGH CONCRETE CONTROL GATE INTO MY DITCH; 1/4 MILE EARTHEN CONTOUR DELIVERY DITCH.
b. Height of storage dam N/A feet; active reservoir capacity N/A acre feet; total reservoir capacity N/A acre feet; materials used in storage dam: _____
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ 1500⁰⁰
8. Description of proposed uses:
a. If water is not for irrigation: N/A
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	
T9S	R14E	22									27								27
T9S	R14E	22											33						33

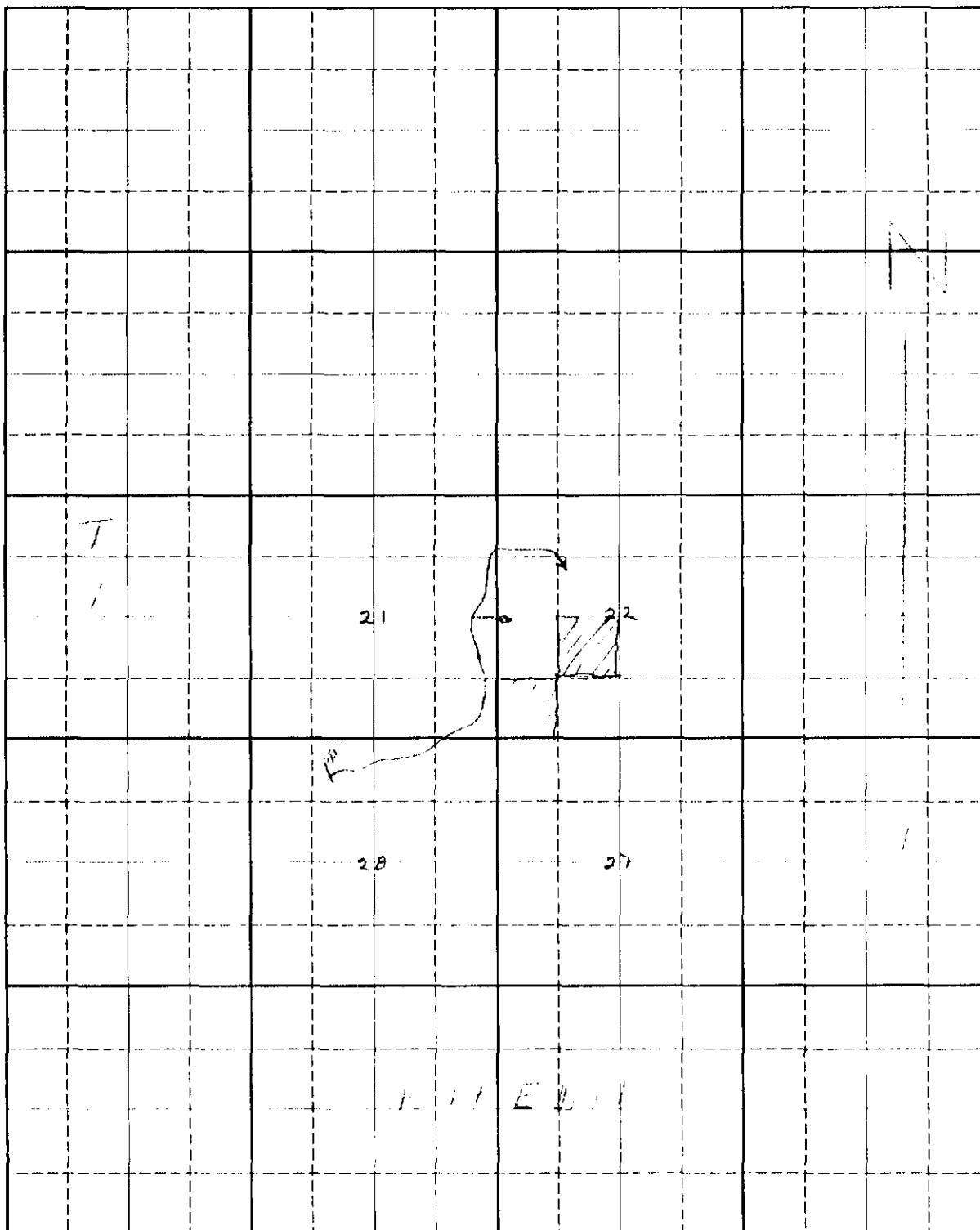
Total number of acres to be irrigated 60

c. Describe any other water rights used for the same purposes I have a "users right" for about 12 Acres, which I won't need if this application is approved.

9. a. Who owns the property at the point of diversion HOMER
 b. Who owns the land to be irrigated or place of use CLARENCE L. YOUNG
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks I need this water to irrigate 48 acres of dry pasture, and this system will help me convert from 9 cutup fields to 3 good sized ones.
PERMISSION TO GO THROUGH MY NEIGHBORS LAND HAS BEEN OBTAINED.

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

Clarence L. Young
(Applicant)

47 7002

Received by ej Date 8/24/67 Time 9:15 a.m.
Preliminary check by JW Fee \$ 25.00
Received by ej Date 8/25/67
Publication prepared by FS Date Aug 30
Published in Bain Herald
Publication dates Sept 2-14
Publication approved FS Date 9/18/67 J.S.
Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial by all J.S.

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7007, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1968.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 9th day of October 19 67.

R. Keith Higgins
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder CLARENCE L. YOUNG
Post office address Route #3 Box #134 Buhl, Idaho Phone 543-4079
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Mud Creek
(name spring, stream, etc.)
Tributary to Snake River

3. Water will be used for the following purposes:

Amount 1.2 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from April 1 to October 31
(mo.-day) inclusive (mo.-day)

Amount	c.f.s. for AF/Annum	(nature of use)
--------	------------------------	-----------------

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.2 cubic feet per second and annual volume _____ AF/Annum.

5. **Location of Point(s) of Diversion:**

Township 9S N/S, Range 14E E/W, B.M., Section 28, Subdivision NE 1/4 NW 1/4, Twin Falls County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: Rock dam in Mud Creek, canal ½ mile long, cement ditch, 12 inch bottom
28 inch sides, carries approximately 600 inches. My ditch is dirt, 2 feet deep, 2 feet
wide, ½ mile long

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

17 2002 TOTAL ACREAGE

Permit No. 47-7007
Examination for Beneficial Use

R 14 E

17 7007

T
9
S

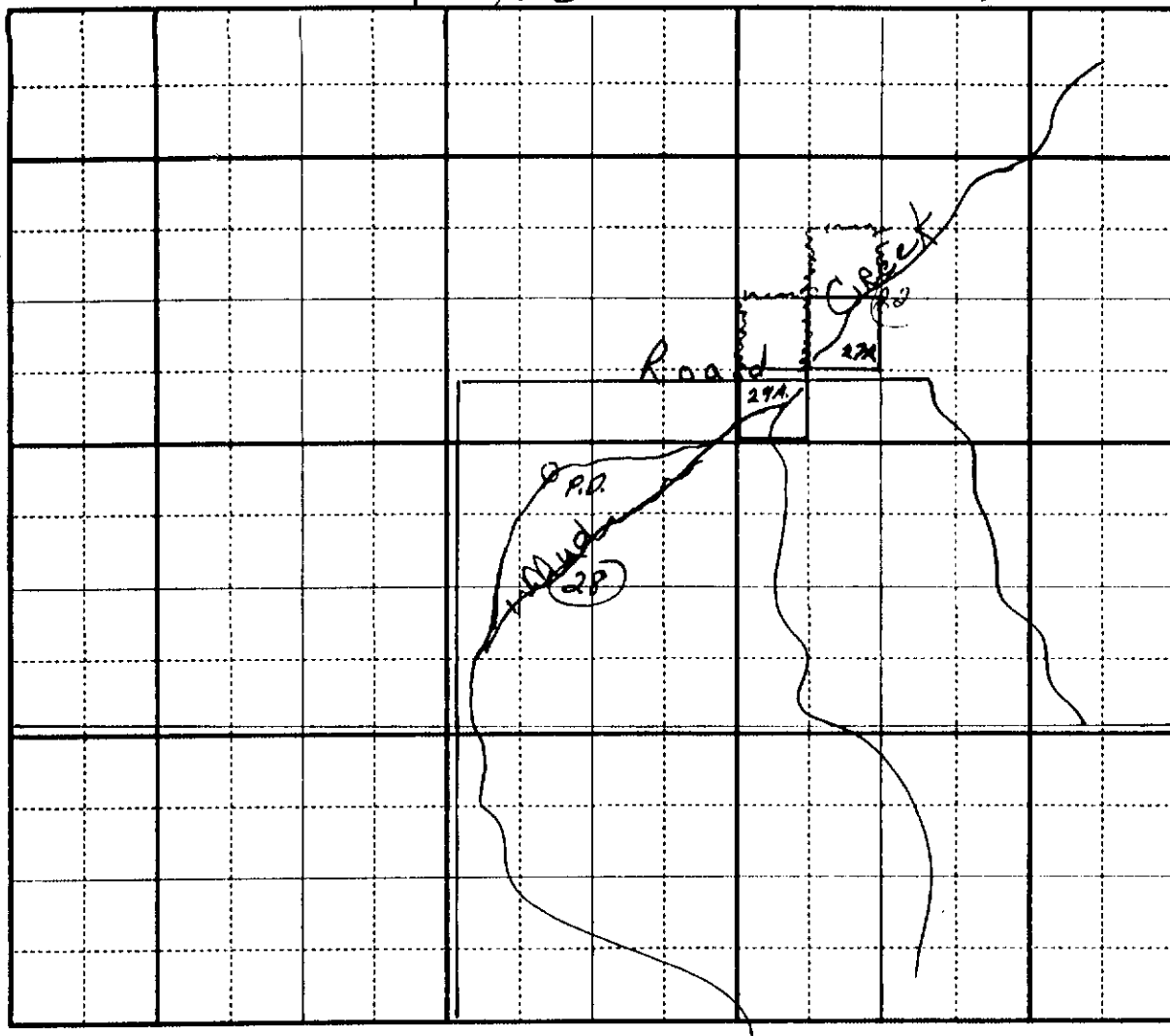
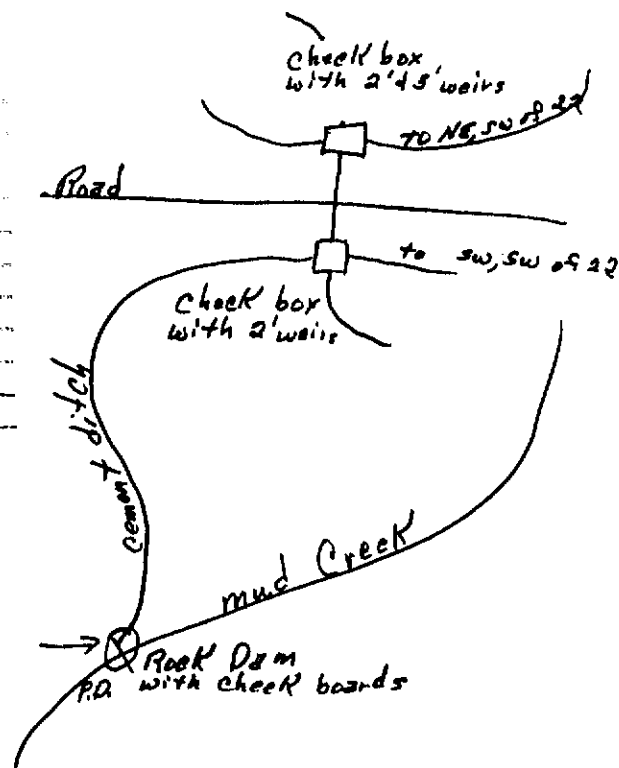


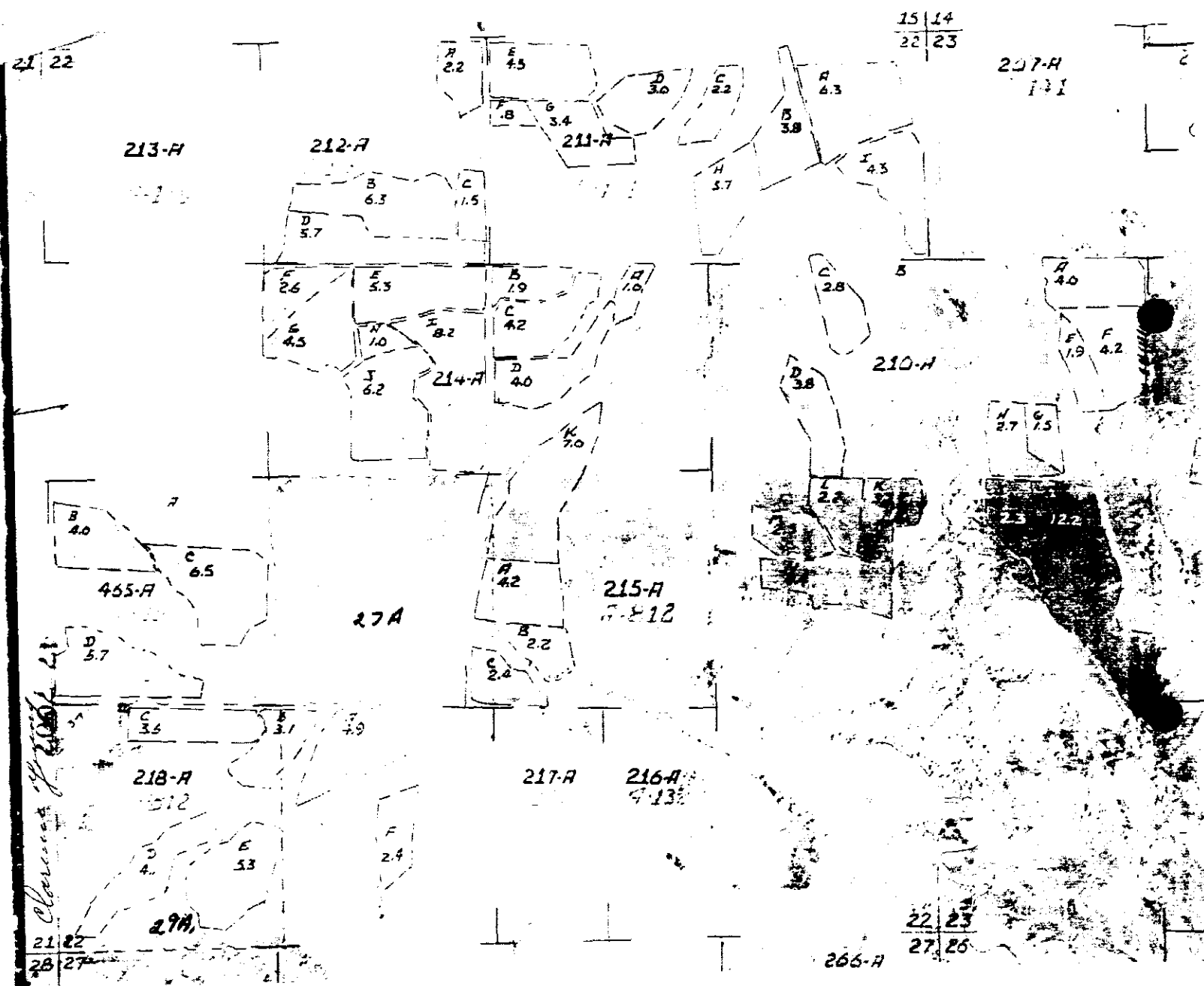
Diagram of System

DATE

EXAMINATION RECORDS

_____	_____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____





DATE OF EXAM September 29, 1972

ACREAGE
Found 56
Recommended 56

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 1.11 c.f.s. V = 224 AF/Ann. from April 1 to Oct 31
Domestic Q = 473 c.f.s. V = 473 AF/Ann. from March 15 to Nov 15
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no ✓

Name source:
twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec , Sub 1/4 1/4 County

Total Q measured 1.11 cfs. Method of measurement 2' Cipolletti weir + staff

Total Q recommended 1.12 Meter No. Type Condition

Total V recommended 224 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None None

MEASUREMENT CALCULATION:

$V = (1.11 \times 1.95) = 2.20$ 2.15 2.2 2.2
Q = See weir Tables 473.0
H = 0.30 ft L = 2.0 ft (1.11 cfs) 56 A found 4.0 AF required (224.0) AF/Ann

SYSTEM DESCRIPTION:

Rock dam with check boards in cement spillway diverts mud
Creek over 5 foot weir through headgate. This passes along a
cement ditch about 1/2 mile to a check box and over a 2 foot
weir. This in turn goes across the road to another cement
check box for additional diversion by users. Then through
dirt ditches to place of use.

REMARKS: cement
This ditch is owned by multiple users. Additional amount
of water may be run through this ditch by placing additional
check boards in Mud Creek.

Examiner's Signature Ken F. Lowndes Date 10/6/72
Checked by Bob Haynes Date 1-8-73
Approved by Date