

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 45-2186  
Date Received: 6/14/1989  
Receipt No: S008216  
Received By:

AMENDED

RECEIVED  
JUL 02 2004  
Department of Water Resources  
Southern Region  
AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

OAKLEY VALLEY WATER CO  
PO BOX 201  
OAKLEY ID USA 83346

Phone: (208)862-3346

2. Date of Priority: 06/03/1941

3. Source: SIMMONS SPRING

Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County | Type |
|----------|-------|---------|--------|--------|---------|--------|------|
| 14S      | 21E   | 11      | NE     | SW     |         | CASSIA |      |

5. Description of diverting works:

COLLECTION BOXES, PIPE

6. Water is used for the following purposes:

| Purpose           | From         | To           | C.F.S.   | (or) A.F.A |
|-------------------|--------------|--------------|----------|------------|
| <u>IRRIGATION</u> | <u>03/15</u> | <u>11/15</u> | <u>1</u> |            |
| <u>STOCKWATER</u> | <u>01/01</u> | <u>12/31</u> | <u>1</u> |            |
| <u>DOMESTIC</u>   | <u>01/01</u> | <u>12/31</u> | <u>1</u> |            |
| <u>MUNICIPAL</u>  | <u>01/01</u> | <u>12/31</u> | <u>1</u> |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres      |     |
|----------|-------|---------|------------|-----|---------------|------------|-----|
| 12S      | 22E   | 19      | SE         | SE  | IRRIGATION    | 0.5        |     |
|          |       |         | SE         | SE  | STOCKWATER    |            |     |
|          |       |         |            |     | Section Acres | 0.5        |     |
| 12S      | 22E   | 29      | SW         | SW  | STOCKWATER    |            |     |
|          |       |         | SW         | SW  | IRRIGATION    | 0.5        |     |
|          |       |         |            |     | Section Acres | 0.5        |     |
| 12S      | 22E   | 30      | SE         | SE  | IRRIGATION    | 0.5        |     |
|          |       |         | SE         | SE  | STOCKWATER    |            |     |
|          |       |         |            |     | Section Acres | 0.5        |     |
| 12S      | 22E   | 31      | NE         | NE  | STOCKWATER    |            |     |
|          |       |         | SE         | NE  | STOCKWATER    |            |     |
|          |       |         | SE         | SE  | STOCKWATER    |            |     |
|          |       |         | NE         | NE  | IRRIGATION    | 1          |     |
|          |       |         | SE         | NE  | IRRIGATION    | 0.5        |     |
|          |       |         | SE         | SE  | IRRIGATION    | 1          |     |
|          |       |         |            |     | Section Acres | 2.5        |     |
| 12S      | 22E   | 32      | NE         | NE  | IRRIGATION    | 0.5        |     |
|          |       |         | NW         | NE  | IRRIGATION    | 0.5        |     |
|          |       |         | NW         | NW  | IRRIGATION    | 1          |     |
|          |       |         | NW         | SW  | IRRIGATION    | 1          |     |
|          |       |         | SW         | SW  | IRRIGATION    | 0.5        |     |
|          |       |         | NE         | NE  | STOCKWATER    |            |     |
|          |       |         | NW         | NE  | STOCKWATER    |            |     |
|          |       |         | NW         | NW  | STOCKWATER    |            |     |
|          |       |         | NW         | SW  | STOCKWATER    |            |     |
|          |       |         | SW         | SW  | STOCKWATER    |            |     |
|          |       |         |            |     | Section Acres | 3.5        |     |
| 12S      | 22E   | 33      | SW         | SE  | STOCKWATER    |            |     |
|          |       |         | SW         | SE  | IRRIGATION    | 0.5        |     |
|          |       |         |            |     | Section Acres | 0.5        |     |
| 13S      | 22E   | 5       | NW         | NW  | 4             | IRRIGATION | 1   |
|          |       |         | SW         | NW  | 1             | IRRIGATION | 1   |
|          |       |         | NE         | SW  | 0.5           | IRRIGATION | 0.5 |
|          |       |         | NW         | NW  | 4             | STOCKWATER |     |
|          |       |         | SW         | NW  | STOCKWATER    |            |     |
|          |       |         | NE         | SW  | STOCKWATER    |            |     |
|          |       |         |            |     | Section Acres | 2.5        |     |
| 13S      | 22E   | 6       | NE         | NE  | 1             | STOCKWATER |     |
|          |       |         | SE         | NE  | STOCKWATER    |            |     |
|          |       |         | NE         | SE  | STOCKWATER    |            |     |
|          |       |         | NE         | NE  | 1             | IRRIGATION | 1   |
|          |       |         | SE         | NE  | 1             | IRRIGATION | 1   |
|          |       |         | NE         | SE  | 0.5           | IRRIGATION | 0.5 |

|     |     |   |       |               |     |
|-----|-----|---|-------|---------------|-----|
|     |     |   |       | Section Acres | 2.5 |
| 13S | 22E | 7 | SE NE | IRRIGATION    | 0.5 |
|     |     |   | SE SW | IRRIGATION    | 0.5 |
|     |     |   | NE SE | IRRIGATION    | 0.5 |
|     |     |   | SE SE | IRRIGATION    | 1.5 |
|     |     |   | SE NE | STOCKWATER    |     |
|     |     |   | SE SW | STOCKWATER    |     |
|     |     |   | NE SE | STOCKWATER    |     |
|     |     |   | SE SE | STOCKWATER    |     |

|     |     |   |       |               |     |
|-----|-----|---|-------|---------------|-----|
|     |     |   |       | Section Acres | 3   |
| 13S | 22E | 8 | NW SW | STOCKWATER    |     |
|     |     |   | SE SW | STOCKWATER    |     |
|     |     |   | NW SW | IRRIGATION    | 0.5 |
|     |     |   | SE SW | IRRIGATION    | 0.5 |

|     |     |    |       |               |     |
|-----|-----|----|-------|---------------|-----|
|     |     |    |       | Section Acres | 1   |
| 13S | 22E | 17 | NW NW | IRRIGATION    | 0.5 |
|     |     |    | SW NW | IRRIGATION    | 0.5 |
|     |     |    | SE NW | IRRIGATION    | 0.5 |
|     |     |    | NE SW | IRRIGATION    | 0.5 |
|     |     |    | NW SW | IRRIGATION    | 1.5 |
|     |     |    | SW SW | IRRIGATION    | 0.5 |
|     |     |    | NW NW | STOCKWATER    |     |
|     |     |    | SW NW | STOCKWATER    |     |
|     |     |    | SE NW | STOCKWATER    |     |
|     |     |    | NE SW | STOCKWATER    |     |
|     |     |    | NW SW | STOCKWATER    |     |
|     |     |    | SW SW | STOCKWATER    |     |

|     |     |    |       |               |     |
|-----|-----|----|-------|---------------|-----|
|     |     |    |       | Section Acres | 4   |
| 13S | 22E | 18 | NE NE | STOCKWATER    |     |
|     |     |    | SE NE | STOCKWATER    |     |
|     |     |    | NE NW | STOCKWATER    |     |
|     |     |    | SE SW | STOCKWATER    |     |
|     |     |    | NE SE | STOCKWATER    |     |
|     |     |    | SE SE | STOCKWATER    |     |
|     |     |    | NE NE | IRRIGATION    | 1   |
|     |     |    | SE NE | IRRIGATION    | 0.5 |
|     |     |    | NE NW | IRRIGATION    | 0.5 |
|     |     |    | SE SW | IRRIGATION    | 0.5 |
|     |     |    | NE SE | IRRIGATION    | 0.5 |
|     |     |    | SE SE | IRRIGATION    | 1.5 |

|     |     |    |       |               |     |
|-----|-----|----|-------|---------------|-----|
|     |     |    |       | Section Acres | 4.5 |
| 13S | 22E | 19 | NW NE | IRRIGATION    | 0.5 |
|     |     |    | SE NE | IRRIGATION    | 0.5 |
|     |     |    | NE NW | IRRIGATION    | 0.5 |
|     |     |    | NW NW | IRRIGATION    | 0.5 |
|     |     |    | NW SW | IRRIGATION    | 0.5 |
|     |     |    | SW SW | IRRIGATION    | 0.5 |
|     |     |    | SW SE | IRRIGATION    | 1   |
|     |     |    | SE SE | IRRIGATION    | 1   |
|     |     |    | NW NE | STOCKWATER    |     |
|     |     |    | SE NE | STOCKWATER    |     |

|    |    |            |
|----|----|------------|
| NE | NW | STOCKWATER |
| NW | NW | STOCKWATER |
| NW | SW | STOCKWATER |
| SW | SW | STOCKWATER |
| SW | SE | STOCKWATER |
| SE | SE | STOCKWATER |

Section Acres — 5

|     |     |    |    |    |            |     |
|-----|-----|----|----|----|------------|-----|
| 13S | 22E | 20 | NW | NE | STOCKWATER |     |
|     |     |    | NE | NW | STOCKWATER |     |
|     |     |    | SW | NW | STOCKWATER |     |
|     |     |    | NW | SW | STOCKWATER |     |
|     |     |    | SW | SW | STOCKWATER |     |
|     |     |    | SE | SW | STOCKWATER |     |
|     |     |    | SW | SE | STOCKWATER |     |
|     |     |    | NW | NE | IRRIGATION | 0.5 |
|     |     |    | NE | NW | IRRIGATION | 0.5 |
|     |     |    | SW | NW | IRRIGATION | 0.5 |
|     |     |    | NW | SW | IRRIGATION | 1   |
|     |     |    | SW | SW | IRRIGATION | 0.5 |
|     |     |    | SE | SW | IRRIGATION | 1   |
|     |     |    | SW | SE | IRRIGATION | 0.5 |

Section Acres — 4.5

|     |     |    |    |    |            |     |
|-----|-----|----|----|----|------------|-----|
| 13S | 22E | 29 | NW | NW | IRRIGATION | 1   |
|     |     |    | NW | SW | IRRIGATION | 0.5 |
|     |     |    | SW | SW | IRRIGATION | 0.5 |
|     |     |    | NW | NW | STOCKWATER |     |
|     |     |    | NW | SW | STOCKWATER |     |
|     |     |    | SW | SW | STOCKWATER |     |

Section Acres — 2

|     |     |    |    |    |            |     |
|-----|-----|----|----|----|------------|-----|
| 13S | 22E | 30 | SE | NE | STOCKWATER |     |
|     |     |    | NW | NW | STOCKWATER |     |
|     |     |    | NW | SW | STOCKWATER |     |
|     |     |    | NE | SE | STOCKWATER |     |
|     |     |    | SE | SE | STOCKWATER |     |
|     |     |    | SE | NE | IRRIGATION | 0.5 |
|     |     |    | NW | NW | IRRIGATION | 0.5 |
|     |     |    | NW | SW | IRRIGATION | 0.5 |
|     |     |    | NE | SE | IRRIGATION | 0.5 |
|     |     |    | SE | SE | IRRIGATION | 1.5 |

Section Acres — 3.5

|     |     |    |    |    |            |     |
|-----|-----|----|----|----|------------|-----|
| 13S | 22E | 31 | NE | NE | IRRIGATION | 0.5 |
|     |     |    | SE | SW | IRRIGATION | 0.5 |
|     |     |    | SW | SE | IRRIGATION | 1   |
|     |     |    | SE | SE | IRRIGATION | 0.5 |
|     |     |    | NE | NE | STOCKWATER |     |
|     |     |    | SE | SW | STOCKWATER |     |
|     |     |    | SW | SE | STOCKWATER |     |
|     |     |    | SE | SE | STOCKWATER |     |

Section Acres — 2.5

|     |     |    |    |    |            |  |
|-----|-----|----|----|----|------------|--|
| 13S | 22E | 32 | NW | NW | STOCKWATER |  |
|-----|-----|----|----|----|------------|--|

|    |    |  |            |     |
|----|----|--|------------|-----|
| SW | NW |  | STOCKWATER |     |
| NW | SW |  | STOCKWATER |     |
| SW | SW |  | STOCKWATER |     |
| SE | SW |  | STOCKWATER |     |
| NW | NW |  | IRRIGATION | 1.5 |
| SW | NW |  | IRRIGATION | 0.5 |
| NW | SW |  | IRRIGATION | 1   |
| SW | SW |  | IRRIGATION | 0.5 |
| SE | SW |  | IRRIGATION | 0.5 |

Section Acres — 4

|     |     |   |    |    |   |            |     |
|-----|-----|---|----|----|---|------------|-----|
| 14S | 22E | 5 | NE | NW | 3 | IRRIGATION | 0.5 |
|     |     |   | NW | NW | 4 | IRRIGATION | 1   |
|     |     |   | SW | NW |   | IRRIGATION | 0.5 |
|     |     |   | NE | NW | 3 | STOCKWATER |     |
|     |     |   | NW | NW | 4 | STOCKWATER |     |
|     |     |   | SW | NW |   | STOCKWATER |     |

Section Acres — 2

|     |     |   |    |    |   |            |     |
|-----|-----|---|----|----|---|------------|-----|
| 14S | 22E | 6 | NE | NE | 1 | STOCKWATER |     |
|     |     |   | NW | NE | 2 | STOCKWATER |     |
|     |     |   | SE | NE |   | STOCKWATER |     |
|     |     |   | NE | NW |   | STOCKWATER |     |
|     |     |   | NE | SE |   | STOCKWATER |     |
|     |     |   | NE | NE | 1 | IRRIGATION | 1   |
|     |     |   | NW | NE | 2 | IRRIGATION | 0.5 |
|     |     |   | SE | NE |   | IRRIGATION | 0.5 |
|     |     |   | NE | NW |   | IRRIGATION | 0.5 |
|     |     |   | NE | SE |   | IRRIGATION | 0.5 |

Section Acres — 3

Total Acres — 52

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used: 45-4273, 45-2187, 45-91

14. Remarks:

Claim amended to change use to Municipal.

Place of use is within the service area of the Oakley Valley Water Company municipal water supply system as provided for under Idaho Law.

GROUNDWATER AND BATES SPRING ALSO USED FOR HOME SITES.

ORIGINALLY LICENSED FOR DOMESTIC AND STOCK, HAVE ALWAYS IRRIGATED 104 LAWNS OR 52 ACRES.

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: 0

For Organizations:

I do solemnly swear or affirm that I am Attorney of

Oakley Valley Water Co, that I have signed the foregoing  
Organization Title

document in the space below as Attorney of

Oakley Valley Water Co and that the statements contained in the  
Organization Title

foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

Attorney - Oakley Valley Water Co  
Title and Organization

6-29-04  
Date

State of Idaho )  
County of Boading ) SS.

Subscribed and sworn (or affirmed) before me this 29th

of June 20 04



Residing at

[Signature]  
Notary Public  
[Signature]

My commission Expires 8-28-07

Arkoosh Law Offices  
Chartered

POST OFFICE BOX 32  
301 MAIN STREET  
GOODING, IDAHO 83330

Theodore R. Booth, Esq.

Telephone: (208) 934-8872  
Facsimile: (208) 934-8873  
E-mail: alo@cableone.net

July 1, 2004

RECEIVED  
JUL 02 2004  
Department of Water Resources  
Southern Region

Jeannie Robertson  
IDWR  
Southern Regional Office  
1341 Filmore Street, Suite 200  
Twin Falls, ID 83301-3380

Re: Snake River Basin Adjudication (SRBA)  
Oakley Valley Water Company  
Claim Nos: 45-4273/45-2187/45-2186  
ALO File No. 648-01

Dear Jeannie:

Enclosed are a completed and signed *Amended Notices of Claim* for Water Right Nos. 45-4273, 45-2187 and 45-2186. Your assistance in this matter is greatly appreciated.

Sincerely,

ARKOOSH LAW OFFICES, CHTD.



Theodore R. Booth

TRB/cp  
Enclosure  
cc: Client

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2186 V1

WATER RIGHT NUMBER: 45-2186 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                           |
|-------------------|---------------------------------------------------------------------------------------------------|
| Original Owner    | MARION PIPELINE CO<br>C/O JOSEPH REED WHITELEY<br>RT 1 BOX A<br>OAKLEY, ID 83346<br>(208)862-3246 |
| Attorney          | ARKOOSH LAW OFFICES<br>PO BOX 32<br>GOODING, ID 83330<br>(208)934-8872                            |
| Current Owner     | OAKLEY VALLEY WATER CO<br>PO BOX 201<br>OAKLEY, ID 83346<br>(208)862-3346                         |

Priority Date: 06/03/1941

Basis: License

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| SIMMONS SPRING | SINKS            |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31          | 1.000 CFS             |                      |
| DOMESTIC              | 01/01 to 12/31          | 1.000 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.000 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| SIMMONS SPRING | NE1/4NE1/4SW1/4 | Sec. 11, Twp 14S, Rge 21E, B.M. |
| CASSIA County  |                 |                                 |

Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 12S | 22E | 19  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |        |
| 12S | 22E | 29  |    |    |    |    | X  | X  |    |    | X  | X  |    |    |    |    |    |    |        |
| 12S | 22E | 30  | X  |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    | X  |        |
| 12S | 22E | 31  | X  |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    | X  |        |
| 12S | 22E | 32  | X  | X  |    |    | X  | X  | X  |    | X  | X  | X  |    |    |    | X  | X  |        |

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 12S | 22E | 19  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 22E | 29  |    |    |    |    | X  | X  |    |    | X  | X  |    |    |    |    |    |    |        |
| 12S | 22E | 30  | X  |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    | X  |        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 45-2186 V1

|            |   |   |   |   |   |   |   |   |   |   |   |   |
|------------|---|---|---|---|---|---|---|---|---|---|---|---|
| 12S 22E 31 | X |   | X |   |   |   |   |   | X |   |   | X |
| 12S 22E 32 | X | X |   | X | X | X |   | X | X | X |   | X |
| 12S 22E 33 |   |   |   |   |   |   |   |   | X | X |   | X |
| 13S 22E 5  |   |   | X |   | X | X | X | X | X | X | X | X |
| 13S 22E 6  | X |   | X |   |   |   |   |   |   |   | X | X |
| 13S 22E 7  | X |   | X |   |   |   |   |   |   | X | X | X |
| 13S 22E 8  |   |   |   | X | X | X |   | X | X | X |   |   |
| 13S 22E 17 |   |   |   |   | X | X | X | X | X | X |   |   |
| 13S 22E 18 | X | X | X | X |   |   |   |   | X | X | X | X |
| 13S 22E 19 | X | X | X | X | X | X |   | X | X | X | X | X |
| 13S 22E 20 |   | X |   | X | X | X |   | X | X | X |   | X |
| 13S 22E 29 |   |   |   |   | X | X |   | X | X |   |   |   |
| 13S 22E 30 | X |   | X | X | X | X |   | X |   |   | X | X |
| 13S 22E 31 | X |   | X |   |   |   |   |   |   | X | X | X |
| 13S 22E 32 |   |   |   |   | X | X |   | X | X | X |   | X |
| 14S 22E 5  |   | X |   | X | X | X |   | X |   |   |   |   |
| 14S 22E 6  | X | X | X | X |   |   |   |   |   |   | X |   |

Conditions of Approval:

1. C18 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.
2. X01 Domestic use is for 104 homes with lawns.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 45-2186 V1

Remarks:

1. Quantity      USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1 CFS. COMBINED RIGHT NOS.: 45-2186, 45-2187, & 45-4273.
2. Place of Use      USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED  
- Irrigation      TOTAL OF 52 ACRES IN A SINGLE IRRIGATION SEASON UNDER THE DOMESTIC USE.  
COMBINED RIGHT NOS.: 45-2186, 45-2187, & 45-4273.

Comments:



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

SOUTHERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 4, 2004

ATTN TED BOOTH  
ARKOOSH LAW OFFICES  
PO BOX 32  
GOODING ID 83330

Re: SRBA Claim(s) 45-91, 45-2186, 45-2187, 45-2226, 45-4273  
Oakley Valley Water Company

Dear Mr. Booth:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership as requested. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', written over the printed name.

Trish Fawcett  
Technical Records Specialist

Enc.

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED

JUN 01 2004

Department of Water Resources  
Southern Region

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 45-2226               |                              |       |                       |                              |       |
| 45-91                 |                              |       |                       |                              |       |
| 45-2187               |                              |       |                       |                              |       |
| 45-2186               |                              |       |                       |                              |       |
| 45-4273               |                              |       |                       |                              |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) See Attached
4. New Owner/Claimant(s) Oakley Valley Water Company  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 201
- City, State and ZIP Code Oakley, ID 83346
- New Telephone Number 208, 862-3346
5. Date you acquired the property Merger effective April 3, 2001

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

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

Oakley Valley Water Company By Douglas  
Cunningham  
PRESIDENT

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 \_\_\_\_\_

ATTACHMENT

The former owner/claimant of Water Rights Nos. 45-2226 and 45-91 is:

North Oakley Water Company  
c/o Randy Hardy  
1496 S 500 West  
Oakley, ID 83341  
(208) 431-3680

The former owner/claimant of Water Rights Nos. 45-2187, 45-2186, and 45-4273, is:

Marion Pipeline Company  
c/o Joseph Reed Whitely  
Route 1, Box A  
Oakley, ID 83346  
(208) 862-3246

**FILED/EFFECTIVE****ARTICLES OF MERGER**

04/04/2001  
 Pursuant to the provisions of Idaho Code §30-3-102, the undersigned non-profit corporations have adopted the following Articles of Merger for the purpose of merging them into one of such corporations, which will hereafter be known as Oakley Valley Water Company:

1. The following Plan of Merger attached hereto and made a part hereof was approved by each of the undersigned corporations.

2. As to each of the undersigned corporations, the Plan of Merger was adopted in the following manner:

a. The Plan of Merger was adopted by Marion Pipe Line Company at its annual meeting of its members held on January 27, 2001, at which a quorum was present, and the Plan of Merger received all of the votes which members present or represented by proxy at such meeting were entitled to cast and at a meeting of the Board of Directors held on January 16, 2001, and received the unanimous vote of the Directors in office.

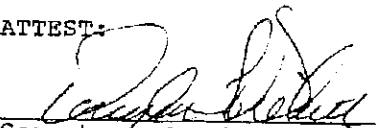
b. The Plan of Merger was adopted by North Oakley Water Company, Inc. at a meeting of its members held on January 27, 2001, at which a quorum was present, and the Plan of Merger received all of the votes which members present or represented by proxy at such meeting were entitled to cast and at a meeting of the Board of Directors held on January 16, 2001, and received the unanimous vote of the Directors in office.

3. The manner of the adoption of the Plan of Merger and the vote by which it was adopted constitute full legal compliance with the provisions of Idaho Code §30-3-101 and with the Articles of Incorporation and By-Laws of the undersigned corporations.

4. The effective date of the merger is April 3, 2001.

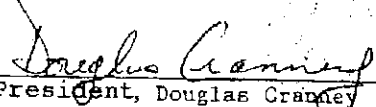
DATED this 3rd day of April, 2001.

ATTEST:

  
 Secretary, Douglas T. Pickett

MARION PIPE LINE COMPANY

By:

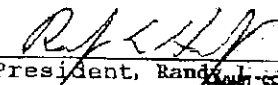
  
 President, Douglas Cranney

ATTEST:

  
 Secretary, Karla Robinson

NORTH OAKLEY WATER COMPANY, INC.

By:

  
 President, Randy L. Bards

IDAHO SECRETARY OF STATE  
 07/05/2001 09:00  
 CK: 13389 CI: 2248 PH: 466370  
 LE 38.00 = 30.00 MERGER #2

C851761

PLAN OF MERGER

THIS AGREEMENT, made and entered into this 16th day of January, 2001, by and between Marion Pipe Line Company, a non-profit corporation organized and existing under the laws of the State of Idaho, having its principal office at 204 N. Center, Oakley, Idaho 83346, and North Oakley Water Company, Inc., a non-profit corporation organized and existing under the laws of the State of Idaho, having its principal office and place of business at Route 1, Box 35, Oakley, Idaho 83346.

1. Surviving Corporation.

A. North Oakley Water Company, Inc. shall be the non-surviving corporation, and all references in this Plan of Merger to "non-surviving corporation" shall be to North Oakley Water Company, Inc.

B. Marion Pipe Line Company shall be the surviving corporation, and all references in this Plan of Merger to "surviving corporation" shall be to Marion Pipe Line Company.

2. Management.

A. The Article of Incorporation of Marion Pipe Line Company shall continue to be its Articles of Incorporation following the effective date of the merger, until the same shall be altered or amended.

B. The By-Laws of Marion Pipe Line Company shall be and remain the By-Laws of the surviving corporation until altered, amended, or repealed.

C. The officers and directors of Marion Pipe Line Company in office on the effective date of the merger shall continue in office and shall constitute the officers and directors of the surviving corporation until their respective successors shall be elected or appointed and qualified.

3. Rights, Privileges.

A. On the effective date of the merger, Marion Pipe Line Company shall possess all the rights, privileges, immunities, powers, and franchises of a public and private nature, and shall be subject to all of the restrictions, disabilities and duties of the non-surviving corporation; and all of the property, real, personal and mixed, and all debts due on whatever account, and all other choices in action and all and every other interest of or belonging to or due to the non-surviving corporation shall be deemed to be transferred to and vested in Marion Pipe Line Company without further act or

deed, and the title to any property or any interest therein, vested in the non-surviving corporation shall not revert or be in any way impaired by reason of the merger.

B. On the effective date of the merger, Marion Pipe Line Company shall be deemed responsible and liable for all the liabilities and obligations of the non-surviving corporation; and any claims existing by or against the non-surviving corporation may be prosecuted to judgment as if the merger had not taken place, or Marion Pipe Line Company may be substituted in place of the non-surviving corporation. The rights of the creditors shall not be impaired by this merger. Marion Pipe Line Company shall execute and deliver any and all documents which may be required for it to assume or otherwise comply with the outstanding obligations of the non-surviving corporation.

#### 4. Conversion of Shares.

A. North Oakley Water Company, Inc., the non-surviving corporation, has issued and there is outstanding 200 shares of capital stock, all of one class, and membership rights are evidenced by ownership of these shares of stock. Marion Pipe Line Company has issued and there is outstanding 172 shares of capital stock and membership rights are evidenced by ownership of these shares of stock.

B. On the effective date of the merger, all of the outstanding shares of stock of the non-surviving corporation shall be surrendered and cancelled, and one (1) share of Marion Pipe Line Company shall be issued for each two (2) shares issued and outstanding of North Oakley Water Company, Inc., whether or not said shares of surviving corporation are now authorized and unissued.

C. The total number of shares of stock of Marion Pipe Line Company that are to be authorized by amendment to its Articles of Incorporation, if necessary, shall be 330 shares, 172 shares of which have been issued to members of Marion Pipe Line Company, the pro rata share of each of the 172 shareholders in the 28 shares now unissued which such shareholder may request be issued to him (.1627906 of a share), and 100 shares which shall be issued upon merger to the members of North Oakley Water Company, Inc. The Articles of Incorporation of Marion Pipe Line Company, as amended, shall on the effective date of the merger be amended to authorize the issuance of 330 shares of capital stock of the corporation, all of which shall be of one class, and which shall constitute membership in the corporation.

5. Amendments to Articles of Incorporation.

The Articles of Incorporation of Marion Pipe Line Company shall on the effective date of the merger be amended in the following respects, to-wit:

A. The name of the corporation shall be changed to the "Oakley Valley Water Company."

B. The total shares of capital stock authorized to be issued by the surviving corporation shall be three hundred and thirty (330) shares.

6. Amendment of By-Laws of Surviving Corporation.

The By-Laws of the surviving corporation may be amended by the Board of Directors on the effective date of the merger, in the following respects, to-wit:

A. Directors of the corporation shall be elected for a term of three (3) years. At the first annual meeting of the surviving corporation, a new Board of Directors shall be elected, one director to serve for a term of one year, two directors to serve for a term of two years, and two directors to serve for a term of three years. All directors thereafter elected shall be for a term of three years.

B. The Board of Directors of the corporation shall establish and assess a maintenance fee for each share of stock, which fee shall be billed on a monthly basis to all members, which maintenance fee may be amended from time to time as may be deemed necessary by the Board of Directors of the corporation. The initial maintenance fee shall be \$12.00 per month, payable in advance, until otherwise determined by the Board.

C. Each member shall be entitled to 40,000 gallons of water per month for each share held, until otherwise determined by the Board of Directors. In the event the Board determines that any member has exceeded his allotted gallons of water in any month, the Board may establish an overage fee for the excessive use.

7. Subsequent Acts.

A. Upon completion of the merger and the election of a new Board of Directors, the Board shall elect a new slate of officers, including President, Vice President and Secretary at its first Board meeting.

B. The issued and outstanding shares of the surviving corporation and 28 shares of unissued shares shall be deemed to have a value of \$2,500.00 per share.

C. It is recommended that the new Board of Directors establish a maintenance fee for each share of stock upon completion of the merger of \$12.00 per month, which shall be billed on a monthly basis. There is further recommended that the Board establish an excessive use fee of 30¢ per 1,000 gallons or any fraction thereof, assessed each month for any excessive use over and above the allotment of 40,000 gallons per member.

D. The surviving corporation shall immediately proceed with the improvement plan previously outlined by the respective corporations prior to the merger. Financing has tentatively been approved for the surviving corporation by the Department of Environmental Quality of the State of Idaho to carry out the improvement plan.

E. If at any time the surviving corporation shall consider that any further assignment or assurances in law are necessary or desirable to vest or to perfect or confirm of record in the surviving corporation the title to any property or rights of the non-surviving corporation or to otherwise carry out the provisions hereof, the proper officers and directors of the non-surviving corporation as of the effective date of the merger shall execute and deliver any and all proper assignments and assurances in law, and do all things necessary or proper to vest, perfect, or confirm title to such property or rights in the surviving corporation and to otherwise carry out the provisions hereof.

#### 8. Objects and Purposes.

A. The nature of the business and objects and purposes proposed to be transacted, promoted and carried on by the surviving corporation shall be the same as those objects and purposes that now exist for the surviving corporation and non-surviving corporation.

B. Neither corporation shall, prior to the effective date of the merger, engage in any activity or transaction other than in the ordinary course of business, except as contemplated by this agreement.

#### 9. Abandonment of Merger.

Anything to the contrary herein notwithstanding, if the Board of Directors of the surviving corporation, or the Board of Directors of the non-surviving corporation, shall determine, either before or after the meeting of the stockholders of the respective

corporations called to vote on the adoption or rejection of this agreement of merger, that for any legal, financial, economic, or business reason deemed sufficient by such Board it is not in the interest of the corporation it represents, or the stockholders of such corporation, or is otherwise inadvisable or impracticable to consummate the merger, such Board of Directors may abandon the merger by directing the officers of the corporation to refrain from executing or filing any agreement of merger under this Plan.

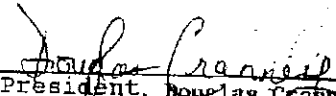
Duly executed on the day and year first above written.

MARION PIPE LINE COMPANY

ATTEST:

  
Secretary, Douglas T. Pickett

By:

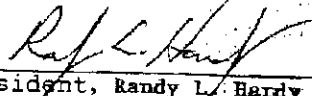
  
President, Douglas Cranney

NORTH OAKLEY WATER COMPANY, INC.

ATTEST:

  
Secretary, Karla Robinson

By:

  
President, Randy L. Hardy

Arkoosh Law Offices  
Chartered

POST OFFICE BOX 32  
301 MAIN STREET  
GOODING, IDAHO 83330

THEODORE R. BOOTH, ESQ.

TELEPHONE: (208) 934-8872  
FACSIMILE: (208) 934-8873  
E-MAIL: alo@cableone.net

May 28, 2004

Jeannie Robertson  
IDWR  
Southern Regional Office  
1341 Filmore Street, Suite 200  
Twin Falls, ID 83301-3380

Re: Oakley Valley Water Co.  
ALO File No. 648-01

RECEIVED  
JUN 01 2004

Department of Water Resources  
Southern Region

Dear Jeannie:

Enclosed is an original notice of change in water right ownership which has been signed by Douglas Cranney, the president of Oakley Valley Water Co.

Sincerely,

ARKOOSH LAW OFFICES, CHTD.

  
Kathleen Clark-Corrigan, Paralegal

/kc  
Enclosure  
cc: Doug Cranney

**Arkoosh Law Offices**  
**Chartered**

POST OFFICE BOX 32  
301 MAIN STREET  
GOODING, IDAHO 83330

THEODORE R. BOOTH, Esq.

TELEPHONE: (208) 934-8872  
FACSIMILE: (208) 934-8873  
E-MAIL: alo@cableone.net

April 29, 2004

Jeannie Robertson  
IDWR  
Southern Regional Office  
1341 Filmore Street, Suite 200  
Twin Falls, ID 83301-3380

Re: Oakley Valley Water Co.  
ALO File No. 648-01

**RECEIVED**  
**APR 30 2004**  
Department of Water Resources  
Southern Region

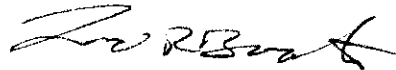
Dear Jeannie:

This letter will serve as a notice of appearance for the water right claims filed by North Oakley Water Company and Marion Pipeline Company, predecessor-in-interest to the Oakley Valley Water Company. Accordingly, all notices required by law to be mailed by the director to the claimant should be mailed to me at the address set forth above. The claim numbers are:

North Oakley Water Co.: 45-2226, and 45-91  
Marion Pipeline Company: 45-4273, 45-2187, and 45-2186

Sincerely,

ARKOOSH LAW OFFICES, CHTD.



Theodore R. Booth

TRB/kc

Enclosure

cc: Doug Cranney

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.

RECEIVED

JUN 7 1989

CIVIL CASE NUMBER: 39576

Ident. Number: A45-02186  
Date Received: 6/14/1989  
Receipt No: S008216  
Received By: LW

Department of Water Resources  
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MARION PIPE LINE CO.  
Address: %JOSEPH REED WHITELEY  
RT 1 BOX A  
OAKLEY, ID

208-862-3246

83346

2. Date of Priority: JUN 03, 1941

3. Source: SIMMONS SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 14S      | 21E   | 11      |        | NE     | SW     |     | CASSIA |

5. Description of diverting works:  
COLLECTION BOXES, PIPE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 1.000  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 1.000  |      |        |
| IRRIGATION | 03/15 | 11/15 | 1.000  |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/104 HOMES, S/15,000 STOCK

A45-02186

Page 1

Date: 06/14/89

MICROFILMED  
MAR 08 1993

10. Place of Use:

| Township<br>12S | Range<br>22E | Section<br>19 | 1/4<br>SE                        | of 1/4<br>SE                     | Lot | Use<br>IRR                                   | Acres<br>0.5                              |
|-----------------|--------------|---------------|----------------------------------|----------------------------------|-----|----------------------------------------------|-------------------------------------------|
|                 |              |               |                                  |                                  |     | Section Acres                                | 0.5                                       |
|                 |              | 29            | NW<br>SW                         | SW<br>SW                         |     | STOCK<br>IRR                                 | 0.5 ✓                                     |
|                 |              |               |                                  |                                  |     | Section Acres                                | 0.5                                       |
|                 |              | 30            | NE<br>SE                         | SE<br>SE                         |     | STOCK<br>IRR                                 | 0.5 ✓                                     |
|                 |              |               |                                  |                                  |     | Section Acres                                | 0.5                                       |
|                 |              | 31            | NE<br>SE<br>SE                   | NE<br>NE<br>SE                   |     | IRR<br>IRR<br>IRR                            | 1.0 ✓<br>0.5 ✓<br>1.0 ✓                   |
|                 |              |               |                                  |                                  |     | Section Acres                                | 2.5                                       |
|                 |              | 32            | NE<br>NW<br>NW<br>NW<br>SW       | NE<br>NE<br>NW<br>SW<br>SW       |     | IRR<br>IRR<br>IRR<br>IRR<br>IRR              | 0.5 ✓<br>0.5 ✓<br>1.0 ✓<br>1.0 ✓<br>0.5 ✓ |
|                 |              |               |                                  |                                  |     | Section Acres                                | 3.5                                       |
|                 |              | 33            | SW                               | SE                               |     | IRR                                          | 0.5 ✓                                     |
|                 |              |               |                                  |                                  |     | Section Acres                                | 0.5                                       |
| 13S             | 22E          | 5             | NW<br>SW<br>SE<br>NE<br>NW<br>SE | NW<br>NW<br>NW<br>SW<br>SW<br>SW | 4   | IRR<br>IRR<br>STOCK<br>IRR<br>STOCK<br>STOCK | 1.0 ✓<br>1.0 ✓<br>✓<br>0.5 ✓<br>✓<br>✓    |
|                 |              |               |                                  |                                  |     | Section Acres                                | 2.5                                       |
|                 |              | 6             | NE<br>SE<br>NE<br>SE             | NE<br>NE<br>SE<br>SE             | 1   | IRR<br>IRR<br>IRR<br>STOCK                   | 1.0 ✓<br>1.0 ✓<br>0.5 ✓<br>✓              |
|                 |              |               |                                  |                                  |     | Section Acres                                | 2.5                                       |

## 10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|---------------|-----|-----|-------|-------|
| 13S      | 22E   | 7       | NE            | NE  |     | STOCK |       |
|          |       |         | SE            | NE  |     | IRR   | 0.5   |
|          |       |         | SE            | SW  |     | IRR   | 0.5   |
|          |       |         | NE            | SE  |     | IRR   | 0.5   |
|          |       |         | SE            | SE  |     | IRR   | 1.5   |
|          |       |         | Section Acres |     |     |       | 3.0   |
|          |       | 8       | NW            | NW  |     | STOCK |       |
|          |       |         | SW            | NW  |     | STOCK |       |
|          |       |         | NW            | SW  |     | IRR   | 0.5   |
|          |       |         | SE            | SW  |     | IRR   | 0.5   |
|          |       |         | Section Acres |     |     |       | 1.0   |
|          |       | 17      | NW            | NW  |     | IRR   | 0.5   |
|          |       |         | SW            | NW  |     | IRR   | 0.5   |
|          |       |         | SE            | NW  |     | IRR   | 0.5   |
|          |       |         | NE            | SW  |     | IRR   | 0.5   |
|          |       |         | NW            | SW  |     | IRR   | 1.5   |
|          |       |         | SW            | SW  |     | IRR   | 0.5   |
|          |       |         | Section Acres |     |     |       | 4.0   |
|          |       | 18      | NE            | NE  |     | IRR   | 1.0   |
|          |       |         | SE            | NE  |     | IRR   | 0.5   |
|          |       |         | NE            | NW  |     | IRR   | 0.5   |
|          |       |         | SE            | SW  |     | IRR   | 0.5   |
|          |       |         | NE            | SE  |     | IRR   | 0.5   |
|          |       |         | SE            | SE  |     | IRR   | 1.5   |
|          |       |         | Section Acres |     |     |       | 4.5   |
|          |       | 19      | NE            | NE  |     | STOCK |       |
|          |       |         | NW            | NE  |     | IRR   | 0.5   |
|          |       |         | SE            | NE  |     | IRR   | 0.5   |
|          |       |         | NE            | NW  |     | IRR   | 0.5   |
|          |       |         | NW            | NW  |     | IRR   | 0.5   |
|          |       |         | NW            | SW  |     | IRR   | 0.5   |
|          |       |         | SW            | SW  |     | IRR   | 0.5   |
|          |       |         | NE            | SE  |     | STOCK |       |
|          |       |         | SW            | SE  |     | IRR   | 1.0   |
|          |       |         | SE            | SE  |     | IRR   | 1.0   |
|          |       |         | Section Acres |     |     |       | 5.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4           | of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|---------------|----|-----|-----|-------|-------|
| 13S      | 22E   | 20      | NW            |    | NE  |     | IRR   | 0.5   |
|          |       |         | NE            |    | NW  |     | IRR   | 0.5   |
|          |       |         | NW            |    | NW  |     | STOCK |       |
|          |       |         | SW            |    | NW  |     | IRR   | 0.5   |
|          |       |         | NW            |    | SW  |     | IRR   | 1.0   |
|          |       |         | SW            |    | SW  |     | IRR   | 0.5   |
|          |       |         | SE            |    | SW  |     | IRR   | 1.0   |
|          |       |         | SW            |    | SE  |     | IRR   | 0.5   |
|          |       |         | Section Acres |    |     |     |       | 4.5   |
|          |       | 29      | NW            |    | NW  |     | IRR   | 1.0   |
|          |       |         | NW            |    | SW  |     | IRR   | 0.5   |
|          |       |         | SW            |    | SW  |     | IRR   | 0.5   |
|          |       |         | Section Acres |    |     |     |       | 2.0   |
|          |       | 30      | NE            |    | NE  |     | STOCK |       |
|          |       |         | SE            |    | NE  |     | IRR   | 0.5   |
|          |       |         | NW            |    | NW  |     | IRR   | 0.5   |
|          |       |         | NW            |    | SW  |     | IRR   | 0.5   |
|          |       |         | NE            |    | SE  |     | IRR   | 0.5   |
|          |       |         | SE            |    | SE  |     | IRR   | 1.5   |
|          |       |         | Section Acres |    |     |     |       | 3.5   |
|          |       | 31      | NE            |    | NE  |     | IRR   | 0.5   |
|          |       |         | SE            |    | SW  |     | IRR   | 0.5   |
|          |       |         | SW            |    | SE  |     | IRR   | 1.0   |
|          |       |         | SE            |    | SE  |     | IRR   | 0.5   |
|          |       |         | Section Acres |    |     |     |       | 2.5   |
|          |       | 32      | NW            |    | NW  |     | IRR   | 1.5   |
|          |       |         | SW            |    | NW  |     | IRR   | 0.5   |
|          |       |         | NW            |    | SW  |     | IRR   | 1.0   |
|          |       |         | SW            |    | SW  |     | IRR   | 0.5   |
|          |       |         | SE            |    | SW  |     | IRR   | 0.5   |
|          |       |         | Section Acres |    |     |     |       | 4.0   |
| 14S      | 22E   | 5       | NE            |    | NW  | 3   | IRR   | 0.5   |
|          |       |         | NW            |    | NW  | 4   | IRR   | 1.0   |
|          |       |         | SW            |    | NW  |     | IRR   | 0.5   |
|          |       |         | Section Acres |    |     |     |       | 2.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 14S      | 22E   | 6       | NE  |    | NE  | 1   | IRR | 1.0   |
|          |       |         | NW  |    | NE  | 2   | IRR | 0.5   |
|          |       |         | SE  |    | NE  |     | IRR | 0.5   |
|          |       |         | NE  |    | NW  |     | IRR | 0.5   |
|          |       |         | NE  |    | SE  |     | IRR | 0.5   |

Section Acres 3.0

Total Acres 52.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
A45-02187, 04273

14. Remarks:

GROUNDWATER AND BATES SPRING ALSO USED FOR HOME SITES.  
ORIGINALLY LICENSED FOR DOMESTIC AND STOCK, HAVE ALWAYS  
IRRIGATED 104 LAWNS OR 52 ACRES.

15. Basis of Claim: LICENSE  
Water Right Number: 18946

16. Signature(s)

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

Number of attachments:   1  

For Organizations:

I do solemnly swear or affirm that I am Chairman of  
MARION PIPELINE Company that I have signed the foregoing  
Organization document in the space below as Chairman of  
MARION PIPELINE Company and that the statements contained in the  
Organization foregoing document are true and correct.

Angus Cranner  
Signature of Authorized Agent

Chairman: MARION PIPELINE Company  
Title and Organization

JUNE 1, 1989  
Date

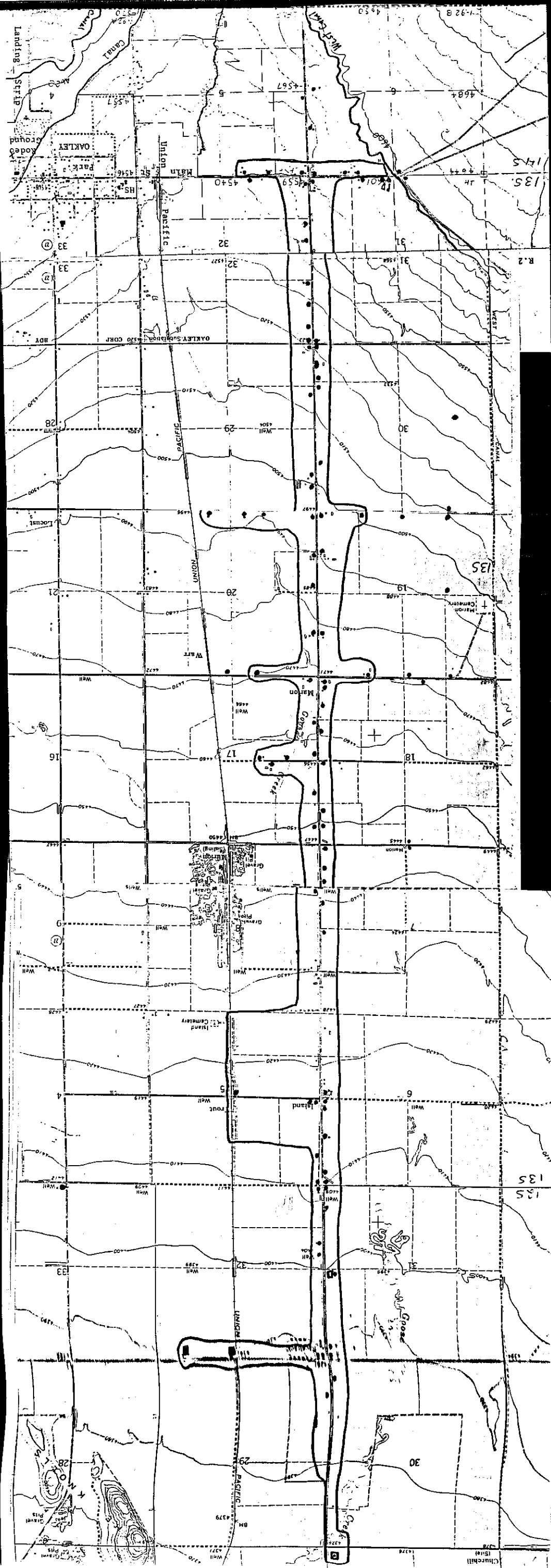
State of Idaho )  
County of Cassia ) SS.

Subscribed and sworn (or affirmed) before me this 1 day  
of June 19 89

Thelma L. Clark  
Notary Public

Seal

Residing at Oakley, Idaho  
My Commission Expires June 10, 1993





\*\*\* C - CURRENT OWNER \*\*\*  
MARION PIPE LINE CO.

State- ID Zip- 83346

+ - - STATE  
 L - LICENSE

- - Source - -  
SIMMONS SPRING

- - - Point  
County  
(31) CASSIA

04 - STOCKWATER  
43 - DOMESTIC

County

- - Diversion Means -

- - Non-Irrigation Use -

- - Other Rights for Same Use -

P/U INCOMPLETE. SEE FILE.

- - Conditions of Approval - -  
No Conditions of Approval found.

- - Decree pla  
Audit Fields -

MAR 08 1993

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT CLAIMS PROOF READING REPORT  
(REGIONAL)

06/13/89 16:08:04  
Page 2

Water right number - 45-02186

Adj. flag translation: Standard Water Right Number

|                  |              |                 |              |                  |     |
|------------------|--------------|-----------------|--------------|------------------|-----|
| Proof Due Date   | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee   | -   |
| Approved/Denied  | - 00/00/0000 | Protested Date  | - 00/00/0000 | Swan Falls       | -   |
| Proof Made Date  | - 00/00/0000 | Hearing Date    | - 00/00/0000 | Temporary Right  | - P |
| Start Work Date  | - 00/00/0000 | Verified Date   | - 04/08/1985 | DLE/Carey Act    | -   |
| Order Show Cause | - 00/00/0000 | Receipt Number  | -            | Water District   | -   |
| Licensed Date    | - 05/24/1979 | Appl Received   | - 00/00/0000 | Transfer/Amended | -   |
| Decree Date      | - 00/00/0000 |                 |              |                  |     |

MICROFILMED  
MAR 08 1993



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Aug 4, 1989

Re: A45-04273  
A45-02186  
A45-02187

. MARION PIPELINE COMPANY  
. % JOSEPH REED WHITELEY  
. RT 1 BOX A  
OAKLEY ID 83346-0000

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 08 1993

sent (LW)

✓

5/12/1989

MARION PIPELINE COMPANY  
%JOSEPH REED WHITELEY  
RT 1 BOX A  
OAKLEY, ID 83346

DEAR MR. WHITELEY:

ENCLOSED PLEASE FIND COPIES OF THE 3 MARION PIPELINE COMPANY WATER CLAIMS. I ALSO ENCLOSED A MAP OF THE AREA CONCERNED AND NEED TO HAVE YOU RED DOT EACH OF THE 75 HOUSES. THIS IS SO THAT I KNOW WHICH ACRES OF THE ~38 ACRES (.5 ACRE PER HOUSEHOLD) TO APPROPRIATE TO EACH QUARTER OF EACH SECTION INVOLVED.

PLEASE SIGN, HAVE NOTARIZED AND RETURN THE CLAIMS WITH THE COMPLETED MAP AND CHECK FOR THE BALANCE DUE. I WILL THEN SEND YOU COPIES OF THE CLAIMS WITH THE ACRES APPROPRIATED AND YOUR RECEIPT.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT ME AT 734-3578.

SINCERELY,

*Lori White*

LORI WHITE  
WATER AGENT

MICROFILMED  
MAR 11 1993

VERIFIED BY 8/7/9/04  
07/09/2004

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

RIGHT NUMBER: 45-2186

NAME AND ADDRESS: OAKLEY VALLEY WATER CO  
PO BOX 201  
OAKLEY ID 83346

SOURCE: SIMMONS SPRING

TRIBUTARY: SINKS

QUANTITY: 1.000 CFS

PRIORITY DATE: 06/03/1941

POINT OF DIVERSION:

T14S R21E S11 NENESW Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

1.000 CFS

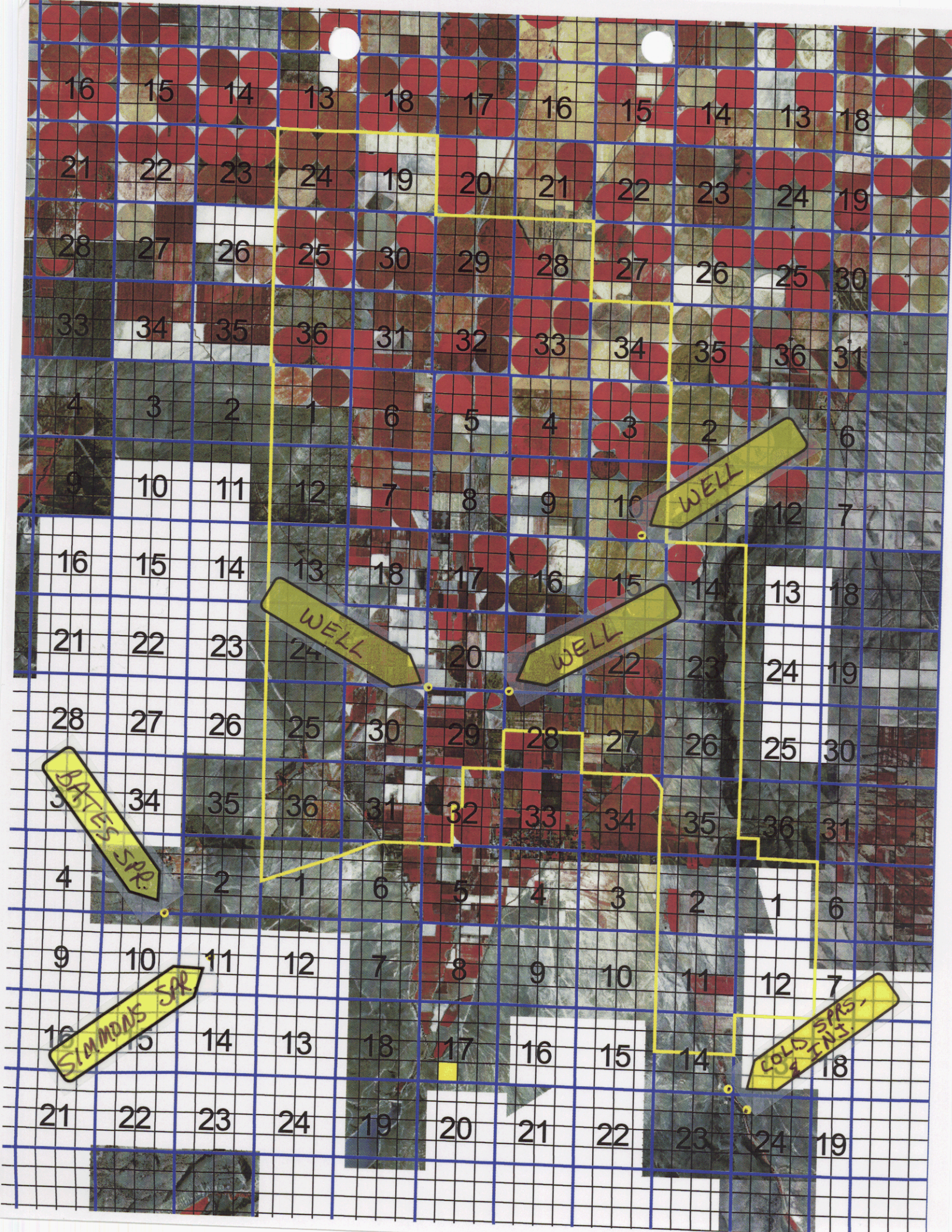
PLACE OF USE:

Place of use is within the area served by Oakley Valley Water Company.

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: License



WATER RIGHT NUMBER: 45-2186 V1

1.000 CFS

## CASSIA County

MUNICIPAL

[illegible]

[illegible]

[illegible]

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 45-2186 V1

|            |         |         |   |   |         |         |   |   |   |   |   |   |   |   |   |   |   |
|------------|---------|---------|---|---|---------|---------|---|---|---|---|---|---|---|---|---|---|---|
| 14S 22E 2  | X<br>L1 | X<br>L2 | X | X | X<br>L3 | X<br>L4 | X | X | X | X | X | X | X | X | X | X | X |
| 14S 22E 6  |         |         |   |   | X<br>L3 | X<br>L4 |   |   |   |   |   |   |   |   |   |   |   |
| 14S 22E 11 | X       | X       | X | X | X       | X       | X | X | X | X | X | X | X | X | X | X | X |
| 14S 22E 12 | X       | X       | X | X | X       | X       | X | X | X | X | X | X | X | X | X | X | X |
| 14S 22E 14 | X       | X       | X | X | X       | X       | X | X |   |   |   |   |   |   |   |   |   |

Conditions of Approval:

1. 129 Place of use is within the area served by Oakley Valley Water Company.
2. C18 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.

Remarks:Comments:

1. jroberts 5/7/2004 Basis of Recommendation

Comment: Removed irrigation as use because it was not in the license and up to .5 acre is allowed per home for the 104 homes in the system under the domestic use. 45-2186, 45-2187, & 45-4273 will all be limited to 1 cfs when combined. [Ted Booth, an attorney representing these claimants said that the Marion Pipeline Company and the North Oakley Water Company have merged and are now known as the Oakley Valley Water Company. No ownership change has yet been received but a transfer will be needed to combine their systems and probably change the use to Municipal.]

2. jroberts 7/9/2004 New Recommendation

Comment: Claim was amended to Municipal use so recommended as such in a large PoU.

## Oakley Valley Water Co.

- ① provide ownership change with deeds to new company name from both Marion Pipeline & N. Oakley Water Co.
- ② provide maps with service areas of each entity before merge
- ③ amend claims to municipal use
- ④ file transfer to join both systems (not necessary)

7  
# talked to Ted Booth 934-8872  
3-5-04 (w/ ARKOOSH)



05/07/2004

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

RIGHT NUMBER: 45-2186

NAME AND ADDRESS: MARION PIPELINE CO  
C/O JOSEPH REED WHITELEY  
RT 1 BOX A  
OAKLEY ID 83346

SOURCE: SIMMONS SPRING

TRIBUTARY: SINKS

QUANTITY: 1.000 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 1 CFS. COMBINED RIGHT NOS.: 45-2186, 45-2187, &  
45-4273.

PRIORITY DATE: 06/03/1941

POINT OF DIVERSION:

T14S R21E S11 NENESW Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                     | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------------------------|----------------------|-----------------|
| STOCKWATER                                | 01/01 12/31          | 1.000 CFS       |
| DOMESTIC                                  | 01/01 12/31          | 1.000 CFS       |
| Domestic use is for 104 homes with lawns. |                      |                 |

PLACE OF USE: STOCKWATER Within CASSIA County

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| T12S R22E S19       | SESE | T12S R22E S29       | NWNW |
| T12S R22E S29       | SWNW | T12S R22E S29       | NWSW |
| T12S R22E S29       | SWSW | T12S R22E S30       | NENE |
| T12S R22E S30       | SENE | T12S R22E S30       | NESE |
| T12S R22E S30       | SESE | T12S R22E S31       | NENE |
| T12S R22E S31       | SENE | T12S R22E S31       | NESE |
| T12S R22E S31       | SESE | T12S R22E S32       | NENE |
| T12S R22E S32       | NWNE | T12S R22E S32       | NENW |
| T12S R22E S32       | NWNW | T12S R22E S32       | SWNW |
| T12S R22E S32       | NWSW | T12S R22E S32       | SWSW |
| T12S R22E S32       | SESW | T12S R22E S32       | SWSE |
| T12S R22E S32       | SESE | T12S R22E S33       | SWSW |
| T12S R22E S33       | SESW | T12S R22E S33       | SWSE |
| T13S R22E S05       | SWNE | T13S R22E S05 Lot 4 | NWNW |
| T13S R22E S05       | SWNW | T13S R22E S05       | SENW |
| T13S R22E S05       | NESW | T13S R22E S05       | NWSW |
| T13S R22E S05       | SWSW | T13S R22E S05       | SESW |
| T13S R22E S05       | NWSE | T13S R22E S05       | SWSE |
| T13S R22E S06 Lot 1 | NENE | T13S R22E S06       | SENE |
| T13S R22E S06       | NESE | T13S R22E S06       | SESE |
| T13S R22E S07       | NENE | T13S R22E S07       | SENE |
| T13S R22E S07       | SESW | T13S R22E S07       | NESE |
| T13S R22E S07       | SWSE | T13S R22E S07       | SESE |
| T13S R22E S08       | NENW | T13S R22E S08       | NWNW |

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

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| T12S R22E S31       | SENE | T12S R22E S31       | NESE |
| T12S R22E S31       | SESE | T12S R22E S32       | NENE |
| T12S R22E S32       | NWNE | T12S R22E S32       | NENW |
| T12S R22E S32       | NWNW | T12S R22E S32       | SWNW |
| T12S R22E S32       | NWSW | T12S R22E S32       | SWSW |
| T12S R22E S32       | SESW | T12S R22E S32       | SWSE |
| T12S R22E S32       | SESE | T12S R22E S33       | SWSW |
| T12S R22E S33       | SESW | T12S R22E S33       | SWSE |
| T13S R22E S05       | SWNE | T13S R22E S05 Lot 4 | NWNW |
| T13S R22E S05       | SWNW | T13S R22E S05       | SENW |
| T13S R22E S05       | NESW | T13S R22E S05       | NWSW |
| T13S R22E S05       | SWSW | T13S R22E S05       | SESW |
| T13S R22E S05       | NWSE | T13S R22E S05       | SWSE |
| T13S R22E S06 Lot 1 | NENE | T13S R22E S06       | SENE |
| T13S R22E S06       | NESE | T13S R22E S06       | SESE |
| T13S R22E S07       | NENE | T13S R22E S07       | SENE |
| T13S R22E S07       | SESW | T13S R22E S07       | NESE |
| T13S R22E S07       | SWSE | T13S R22E S07       | SESE |
| T13S R22E S08       | NENW | T13S R22E S08       | NWNW |
| T13S R22E S08       | SWNW | T13S R22E S08       | NWSW |
| T13S R22E S08       | SWSW | T13S R22E S08       | SESW |
| T13S R22E S17       | NWNW | T13S R22E S17       | SWNW |
| T13S R22E S17       | SENW | T13S R22E S17       | NESW |
| T13S R22E S17       | NWSW | T13S R22E S17       | SWSW |
| T13S R22E S18       | NENE | T13S R22E S18       | NWNE |
| T13S R22E S18       | SENE | T13S R22E S18       | NENW |
| T13S R22E S18 Lot 4 | SWSW | T13S R22E S18       | SESW |
| T13S R22E S18       | NESE | T13S R22E S18       | SWSE |
| T13S R22E S18       | SESE | T13S R22E S19       | NENE |
| T13S R22E S19       | NWNE | T13S R22E S19       | SENE |
| T13S R22E S19       | NENW | T13S R22E S19 Lot 1 | NWNW |
| T13S R22E S19 Lot 2 | SWNW | T13S R22E S19 Lot 3 | NWSW |
| T13S R22E S19 Lot 4 | SWSW | T13S R22E S19       | SESW |
| T13S R22E S19       | NESE | T13S R22E S19       | SWSE |
| T13S R22E S19       | SESE | T13S R22E S20       | NWNE |
| T13S R22E S20       | NENW | T13S R22E S20       | NWNW |
| T13S R22E S20       | SWNW | T13S R22E S20       | NWSW |
| T13S R22E S20       | SWSW | T13S R22E S20       | SESW |
| T13S R22E S20       | SWSE | T13S R22E S29       | NWNW |
| T13S R22E S29       | SWNW | T13S R22E S29       | NWSW |
| T13S R22E S29       | SWSW | T13S R22E S30       | NENE |
| T13S R22E S30       | SENE | T13S R22E S30 Lot 1 | NWNW |

05/07/2004

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

|                          |                          |
|--------------------------|--------------------------|
| T13S R22E S30 Lot 2 SWNW | T13S R22E S30 Lot 3 NWSW |
| T13S R22E S30 NESE       | T13S R22E S30 SESE       |
| T13S R22E S31 NENE       | T13S R22E S31 SENE       |
| T13S R22E S31 SESW       | T13S R22E S31 NESE       |
| T13S R22E S31 SWSE       | T13S R22E S31 SESE       |
| T13S R22E S32 NWNW       | T13S R22E S32 SWNW       |
| T13S R22E S32 NWSW       | T13S R22E S32 SWSW       |
| T13S R22E S32 SESW       | T13S R22E S32 SWSE       |
| T14S R22E S05 Lot 2 NWNE | T14S R22E S05 Lot 3 NENW |
| T14S R22E S05 Lot 4 NWNW | T14S R22E S05 SWNW       |
| T14S R22E S05 NWSW       | T14S R22E S06 Lot 1 NENE |
| T14S R22E S06 Lot 2 NWNE | T14S R22E S06 SENE       |
| T14S R22E S06 Lot 3 NENW | T14S R22E S06 NESE       |

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 52 ACRES IN A SINGLE IRRIGATION SEASON UNDER  
THE DOMESTIC USE. COMBINED RIGHT NOS.: 45-2186, 45-2187, & 45-4273.

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: License

Marion Pipeline Co.

45-2186 Simmons Spr. 1 cfs

45-2187 Bates Spr. 1 cfs

45-4273 groundwater .6 cfs

- well originally developed under 45-4273 (SWSE of Sec. 31)  
has been replaced with 2 new wells (SWSWSW of Sec. 20 & 21)

? - well in Section 31 is now being claimed for .5 cfs by 45-10454  
for a 10,000 head feedlot (Robert Whiteley / Shoulder 3)  
(limit all 3 wells to .6 cfs) or 1/2 to each entity?

North Oakley Water Co.

45-91 Cold Springs 1 cfs

(Transfer #68966 was approved in 2001, allowed injection  
to ground water & re-diversion from ground water  
and changed to "Municipal" from D & S)

45-2226 Spring .1 cfs

both systems have merged (in Apr. 2001) & are now called Oakley Valley Water Co.

PO Box 201

Oakley, Id. 83346

(Wes Hawks works for city & also runs this system)

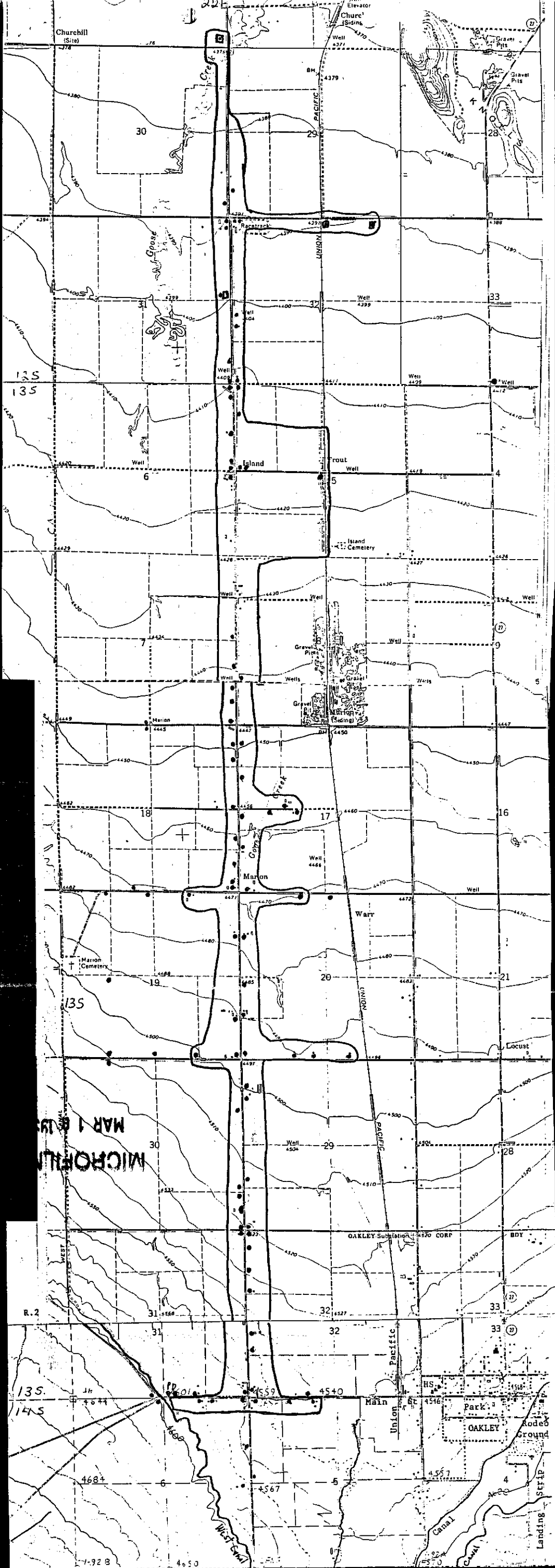
- can they change to Municipal?

Transfer needed?

\* City of Oakley likely tied in also

Ted Both - attorney (with Arkoosh in Gooding)

934-8872



45-2186

6/3/1941

1 cfs - Simmons Spring 49.5 A.  
T145, R21E, Sec. 11 NESW

45-2187

6/3/1941

1 cfs - Bates Spring 49.5 A.  
T145, R21E, Sec. 3 SESE

45-4273

7/31/1953

6 cfs 49.5 A.  
T135, R22E, Sec. 20 SWSWSW  
T135, R22E, Sec. 21 SWSWSW

- Groundwater

\* evidence if priority seems to suggest  
that water was put to beneficial use  
starting 2/2/54 and 2/25/54  
~~starting by if on season in 1954~~

- 4273 should only be for 49.5 A. like other  
2 lic. rights (see Transfer 3954 in '92)

45-4273 & 45-10454 <sup>Comm feedlot</sup>  
well in SWSWSE of Sec. 31 was  
originally developed under stat. claim  
45-4273

claims priority of 7/31/53  
(evidence suggests 3/25/54)

trans. #3418 (1988) added  
a well in Sec. 20 SWSWSW

trans. #3954 (1992) dropped  
well in Sec. 31 & changed to  
well in 21 SWSWSW

45-10454 now claims well in Sec. 31  
@ .5 cfs for feedlot

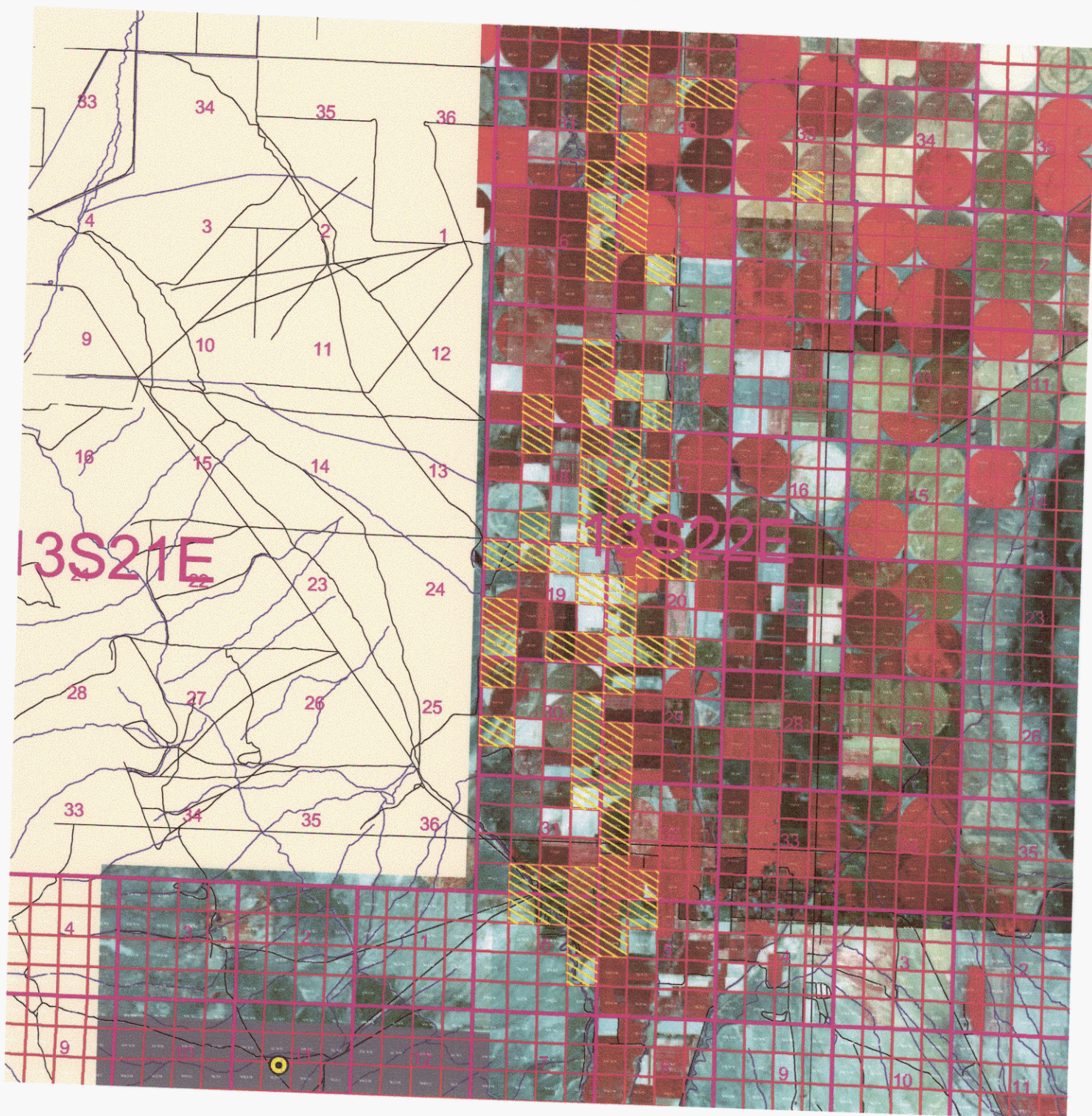
| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|---------|-----|------|------------------|----------------|---------------|
| 13s22e  | 20  | SWSW | 0.5              | 40             | Indiscernible |
| 13s22e  | 20  | SESW | 1                | 40             | Indiscernible |
| 13s22e  | 20  | SWSE | 0.5              | 40             | Indiscernible |
| 13s22e  | 29  | NWNW | 1                | 40             | Indiscernible |
| 13s22e  | 29  | NWSW | 0.5              | 40             | Indiscernible |
| 13s22e  | 29  | SWSW | 0.5              | 40             | Indiscernible |
| 13s22e  | 30  | SENE | 0.5              | 40             | Indiscernible |
| 13s22e  | 30  | NWNW | 0.5              | 46             | Indiscernible |
| 13s22e  | 30  | NWSW | 0.5              | 45             | Indiscernible |
| 13s22e  | 30  | NESE | 0.5              | 40             | Indiscernible |
| 13s22e  | 30  | SESE | 1                | 40             | Indiscernible |
| 13s22e  | 31  | NENE | 0.5              | 40             | Indiscernible |
| 13s22e  | 31  | SESW | 0.5              | 40             | Indiscernible |
| 13s22e  | 31  | SWSE | 1                | 40             | Indiscernible |
| 13s22e  | 31  | SESE | 0.5              | 40             | Indiscernible |
| 13s22e  | 32  | NWNW | 1                | 40             | Indiscernible |
| 13s22e  | 32  | SWNW | 0.5              | 40             | Indiscernible |
| 13s22e  | 32  | NWSW | 1                |                |               |
| 13s22e  | 32  | SWSW | 0.5              |                |               |
| 13s22e  | 32  | SESW | 0.5              |                |               |
| 14s22e  | 5   | NENW | 0.5              |                |               |
| 14s22e  | 5   | NWNW | 1                |                |               |
| 14s22e  | 5   | SWNW | 0.5              |                |               |
| 14s22e  | 6   | NENE | 1                |                |               |
| 14s22e  | 6   | NWNE | 0.5              |                |               |
| 14s22e  | 6   | SENE | 0.5              |                |               |
| 14s22e  | 6   | NENW | 0.5              |                |               |
| 14s22e  | 6   | NESE | 0.5              |                |               |
| Totals: |     |      | 49.5             | 3              |               |

See for stock & domestic.

Well in Sec. 31 (which is where original stat. claim pool was claimed) is now claimed by "Shoulder" 3 (45-10454) Ranches. They said Marion Pipeline used well in Sec. 31 for awhile, but when coliform was found, they pulled the pump and the feedlot began to use it.

- transfer changing Pod was approved 8/10/92
- still del. to feedlot?

Townships , 12S22E, 13S22E, 14S22E



Irrigated Area

Place of Diversion

## Legend

Section Line

Quarter Section Line

Roads

Streams and Canals

2000 0 2000 4000 Feet



Townships , 12S22E, 13S22E, 14S22E



Irrigated Area

● Place of Diversion

### Legend

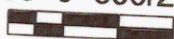
Section Line

Quarter Section Line

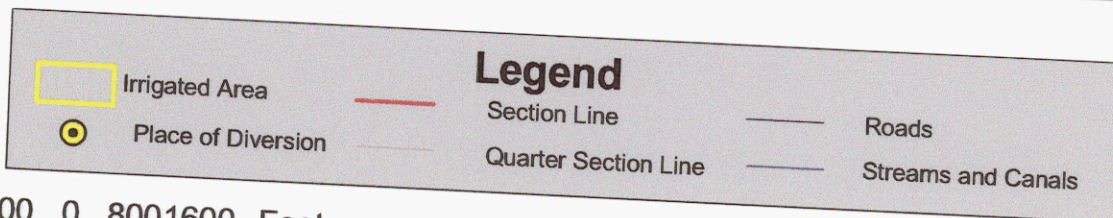
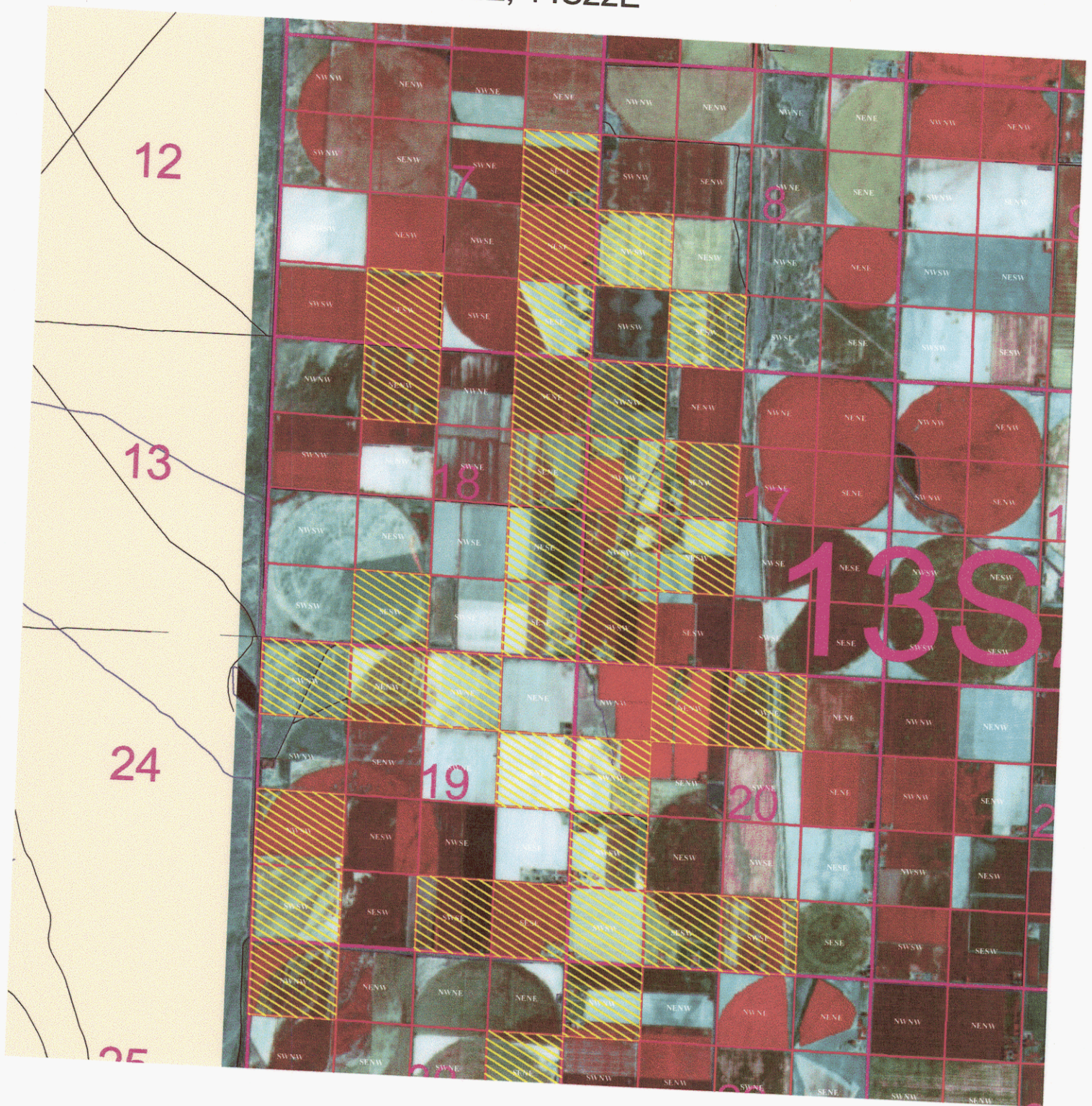
Roads

Streams and Canals

600 0 600 1200 Feet



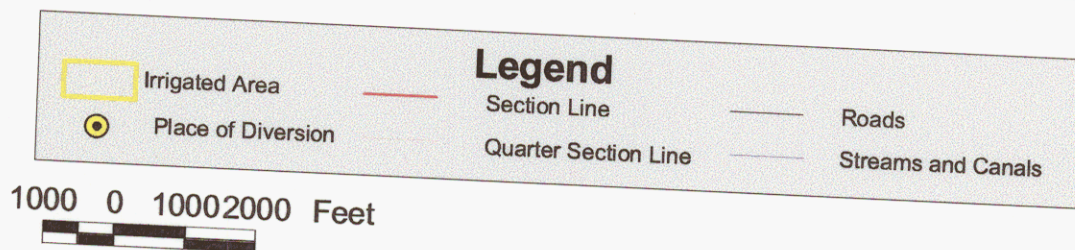
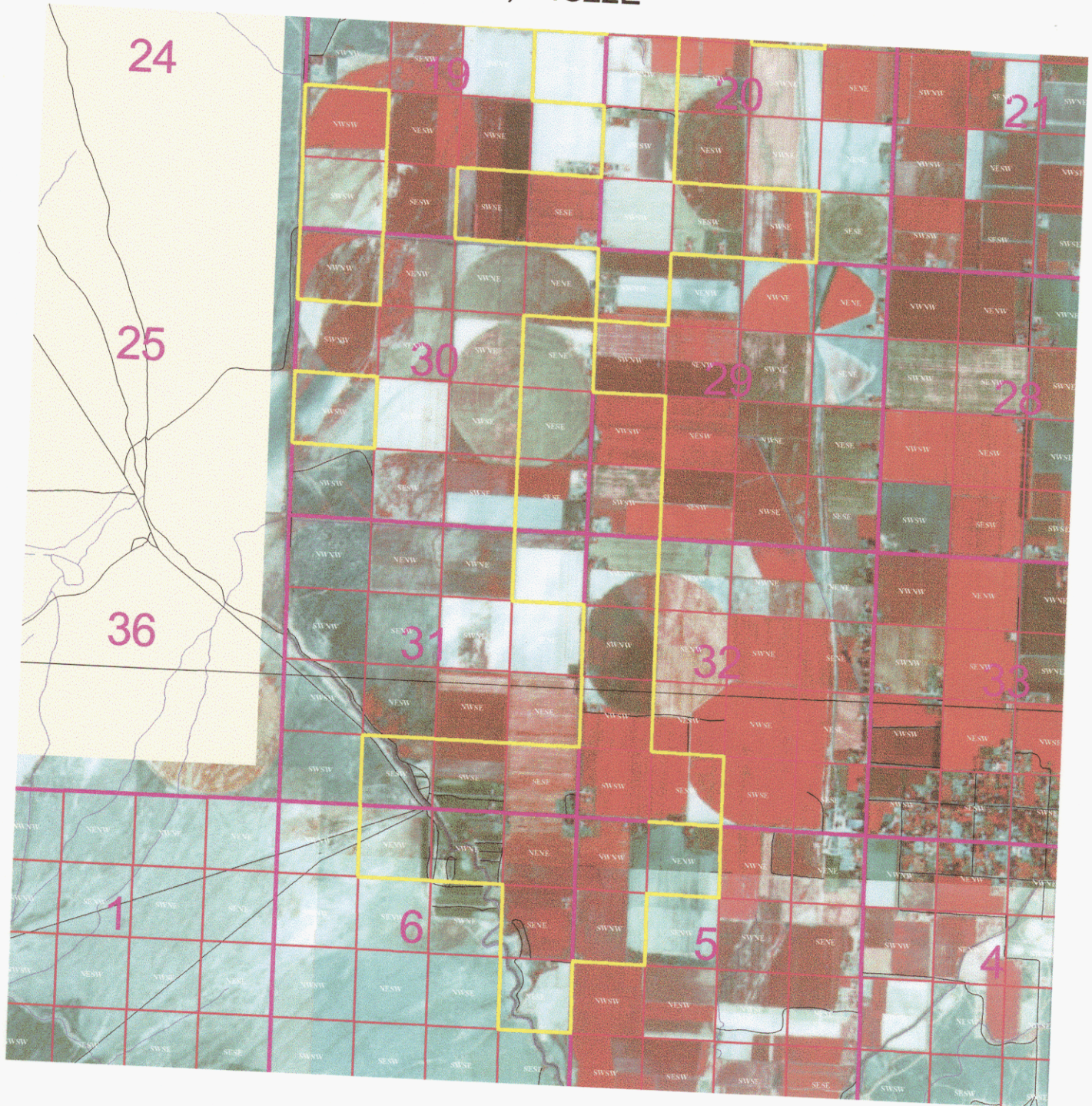
Townships , 12S22E, 13S22E, 14S22E



# Water Right Claim Number A45-02186

06/02/2000

Townships , 12S22E, 13S22E, 14S22E



No. A45-02186

DATE: 01/25/00

PAGE: 134

| OWNER                 | PRIORITY   | USE PERIOD       | DIVERSION | DIVERSION |
|-----------------------|------------|------------------|-----------|-----------|
| CODE                  | DATE       | FROM TO          | RATE      | VOLUME    |
| C MARION PIPELINE CO  | 06/03/1941 | 03-15 11-15      | 1.000 CFS |           |
| %JOSEPH REED WHITELEY | IRRIGATION | 01-01 12-31      | 1.000 CFS |           |
| RT 1 BOX A            | STOCKWATER | 01-01 12-31      | 1.000 CFS |           |
| OAKLEY ID 83346       | DOMESTIC   |                  |           |           |
| (208) 862-3246        |            |                  |           |           |
|                       |            | TOTAL DIVERSION: | 1.000 CFS |           |

Water Source: SIMMONS SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion:

T14S R21E S11

NESW

CASSIA County

Place of use Legal Description for: IRRIGATION

|     |     | NE |      |       |       | NW |    |    |    | SW    |      |    |    | SE |    |    |      |    |    |    |             |     |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
|-----|-----|----|------|-------|-------|----|----|----|----|-------|------|----|----|----|----|----|------|----|----|----|-------------|-----|--|--|--|--|---|--|--|--|--|--|--|--|--|---|----|--|--|--|------|
| T   | R   | S  | : Lt | Ac    | Lt    | Ac | Lt | Ac | Lt | Ac    | : Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt | Ac | : SUM       |     |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 12S | 22E | 19 | :    |       |       |    |    |    |    |       | :    |    |    |    |    |    | :    |    |    |    | :           |     |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 12S | 22E | 29 | :    |       |       |    |    |    |    |       | :    |    |    |    |    |    | :    |    |    |    | :           |     |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 12S | 22E | 30 | :    |       |       |    |    |    |    |       | :    |    |    | .5 |    |    | :    |    |    | .5 | :           | 0.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 12S | 22E | 31 | :    | 01    |       |    |    | .5 |    |       | :    |    |    |    |    |    | :    |    |    | .5 | :           | 0.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 12S | 22E | 32 | :    | .5    | .5    |    |    |    |    |       | :    |    |    |    |    |    | :    |    |    | .5 | :           | 0.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 12S | 22E | 33 | :    |       |       |    |    |    | 01 |       | :    |    |    |    |    |    | :    |    |    | 01 | :           | 2.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 5  | :    |       |       |    |    |    |    |       | :    |    |    | .5 |    |    | :    |    |    |    | :           | 3.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 6  | :    | 01-01 |       |    |    | 01 |    | 04-01 | :    | 01 |    |    |    |    | :    |    |    | .5 | :           | 0.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 7  | :    |       |       |    |    | .5 |    |       | :    |    |    |    |    |    | :    |    |    |    | :           | 2.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 8  | :    |       |       |    |    |    |    |       | :    |    |    |    |    | .5 | :    | .5 |    |    | :           | 2.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 17 | :    |       |       |    |    |    |    |       | :    |    |    | .5 |    | .5 | :    |    |    | 01 | :           | 3.0 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 18 | :    | 01    |       |    |    | .5 |    | .5    | :    | .5 | .5 | .5 |    |    | :    |    |    |    | :           | 1.0 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 19 | :    |       | .5    |    |    | .5 |    | .5    | :    |    |    |    |    | .5 | :    | .5 |    | 01 | :           | 4.0 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 20 | :    |       | .5    |    |    |    |    | .5    | :    |    | .5 | .5 |    |    | :    |    |    | 01 | :           | 4.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 29 | :    |       |       |    |    |    |    | .5    | :    |    | 01 | .5 | 01 |    | :    |    |    | .5 | :           | 5.0 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 30 | :    |       |       |    |    | .5 |    | .5    | :    |    |    | .5 |    |    | :    |    |    |    | :           | 4.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 31 | :    | .5    |       |    |    |    |    | .5    | :    |    |    |    |    |    | :    | .5 |    |    | :           | 2.0 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 13S | 22E | 32 | :    |       |       |    |    |    |    | 01    | :    |    |    | .5 |    |    | :    |    |    | 01 | :           | 3.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 14S | 22E | 5  | :    |       |       |    |    |    |    | .5    | :    |    | 01 | .5 | .5 |    | :    |    |    | .5 | :           | 2.5 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
| 14S | 22E | 6  | :    | 01-01 | 02-.5 |    |    | .5 |    | .5    | :    |    |    |    |    |    | :    |    |    |    | :           | 4.0 |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  |      |
|     |     |    |      |       |       |    |    |    |    |       |      |    |    |    |    |    |      |    |    |    | :           |     |  |  |  |  | : |  |  |  |  |  |  |  |  | : |    |  |  |  |      |
|     |     |    |      |       |       |    |    |    |    |       |      |    |    |    |    |    |      |    |    |    | :           |     |  |  |  |  |   |  |  |  |  |  |  |  |  | : | .5 |  |  |  |      |
|     |     |    |      |       |       |    |    |    |    |       |      |    |    |    |    |    |      |    |    |    | TOTAL ACRES |     |  |  |  |  |   |  |  |  |  |  |  |  |  |   |    |  |  |  | 52.0 |

TOTAL ACRES

52.0

Place of use Legal Description for: STOCKWATER

|     |     |    | NE |       |    |       |    |    |    |    | NW |   |       |      |       |      |   |       | SW   |       |      |   |       |      |       |      | SE |  |  |  |  |  |  |  |
|-----|-----|----|----|-------|----|-------|----|----|----|----|----|---|-------|------|-------|------|---|-------|------|-------|------|---|-------|------|-------|------|----|--|--|--|--|--|--|--|
| T   | R   | S  | :  | Lt    | Ac | Lt    | Ac | Lt | Ac | Lt | Ac | : | NENW  | NWNW | SNW   | SENW | : | NESW  | NWSW | SWSW  | SESW | : | NESE  | NWSE | SWSE  | SESE | :  |  |  |  |  |  |  |  |
| --- | --- | -- | :  | ----- |    | ----- |    |    |    |    |    | : | ----- |      | ----- |      | : | ----- |      | ----- |      | : | ----- |      | ----- |      | :  |  |  |  |  |  |  |  |
| 12S | 22E | 29 | :  |       |    |       |    |    |    |    |    | : |       |      |       |      | : |       |      |       |      | : |       |      |       |      | :  |  |  |  |  |  |  |  |
| 12S | 22E | 30 | :  |       |    |       |    |    |    |    |    | : |       |      |       |      | : |       | S    |       |      | : |       |      |       |      | :  |  |  |  |  |  |  |  |
| 13S | 22E | 5  | :  |       |    |       |    |    |    |    |    | : |       |      |       |      | : |       |      |       |      | : |       | S    |       |      | :  |  |  |  |  |  |  |  |
| 13S | 22E | 6  | :  |       |    |       |    |    |    |    |    | : |       |      |       | S    | : |       | S    |       | S    | : |       |      |       |      | :  |  |  |  |  |  |  |  |
| 13S | 22E | 7  | :  |       | S  |       |    |    |    |    |    | : |       |      |       |      | : |       |      |       |      | : |       |      |       | S    | :  |  |  |  |  |  |  |  |
| 13S | 22E | 8  | :  |       |    |       |    |    |    |    |    | : |       | S    |       | S    | : |       |      |       |      | : |       |      |       |      | :  |  |  |  |  |  |  |  |

No. A45-02186

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/25/00

PAGE: 135

Place of use Legal Description for: STOCKWATER

[illegible]

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

POU County: CASSIA

Non-Irrigation Uses: D/104 HOMES, S/15,000 STOCK

Other Rights: A45-02187, 04273

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A45-12649

Other Water Rights Listing Overlapping Place(s) of Use:  
A45-00007 A45-00001

| Selecting Overlapping Place(s) of Use: |            |           |           |           |           |           |            |            |            |  |
|----------------------------------------|------------|-----------|-----------|-----------|-----------|-----------|------------|------------|------------|--|
| A45-00093                              | A45-00094  | A45-00131 | A45-00132 | A45-00133 | A45-00177 | A45-00178 | A45-00179  | A45-00425A | A45-00425D |  |
| A45-00425F                             | A45-00425G | A45-00430 | A45-00431 | A45-00432 | A45-00433 | A45-00434 | A45-00435A | A45-00443B | A45-00443D |  |
| A45-00443E                             | A45-02028C | A45-02029 | A45-02040 | A45-02187 | A45-02262 | A45-02299 | A45-02301  | A45-02425  | A45-02431  |  |
| A45-02432                              | A45-02437  | A45-02438 | A45-02602 | A45-02639 | A45-02656 | A45-02678 | A45-04023  | A45-04026  | A45-04027  |  |
| A45-04045                              | A45-04051  | A45-04177 | A45-04217 | A45-04273 | A45-07307 | A45-10594 | A45-10594A | A45-10594B | A45-11164  |  |
| A45-12438                              | A45-12442  | A45-12443 | A45-12445 | A45-12446 | A45-12449 | A45-12455 | A45-12749  | A45-12750  | R45-00106  |  |
| R45-00116                              | R45-00128  | R45-00131 | R45-00177 | R45-00178 | R45-00430 | R45-02029 | R45-02059  | R45-02639  | R45-04230  |  |

Remarks: GEN GROUNDWATER AND BATES SPRING ALSO USED FOR HOME SITES.  
ORIGINALLY LICENSED FOR DOMESTIC AND STOCK, HAVE ALWAYS  
IRRIGATED 104 LAWNS OR 52 ACRES.

Dates:      Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: E

Audit: 06/14/89 WHITE 01/30/91 WHITE 03/30/95 POST-STD

AJ5809NP  
No. A45-02186

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/25/00  
PAGE: 135

Place of use Legal Description for: STOCKWATER

| NE                  |     |    |      |    |    |    |    |    |    |    |   | NW                  |    |    |    | SW                  |    |    |    | SE                  |    |    |    |    |    |    |   |
|---------------------|-----|----|------|----|----|----|----|----|----|----|---|---------------------|----|----|----|---------------------|----|----|----|---------------------|----|----|----|----|----|----|---|
| NENE NWNE SWNE SENE |     |    |      |    |    |    |    |    |    |    |   | NENW NWNW SWNW SENW |    |    |    | NESW NWSW SWSW SESW |    |    |    | NESE NWSE SWSE SESE |    |    |    |    |    |    |   |
| T                   | R   | S  | : Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | Lt                  | Ac | Lt | Ac | Lt                  | Ac | Lt | Ac | :                   | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 13S                 | 22E | 19 | :    | S  |    |    |    |    |    |    | : |                     |    |    |    |                     |    |    |    | :                   |    |    |    |    |    |    | : |
| 13S                 | 22E | 20 | :    |    |    |    |    |    |    |    | : |                     |    |    |    |                     |    |    |    | :                   | S  |    |    |    |    |    | : |
| 13S                 | 22E | 30 | :    | S  |    |    |    |    |    |    | : |                     |    |    |    |                     |    |    |    | :                   |    |    |    |    |    |    | : |

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

POU County: CASSIA

Non-Irrigation Uses: D/104 HOMES,S/15,000 STOCK

Other Rights: A45-02187, 04273

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A45-12649

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

|            |            |           |           |           |           |           |            |            |            |
|------------|------------|-----------|-----------|-----------|-----------|-----------|------------|------------|------------|
| A45-00093  | A45-00094  | A45-00131 | A45-00132 | A45-00133 | A45-00177 | A45-00178 | A45-00179  | A45-00425A | A45-00425D |
| A45-00425F | A45-00425G | A45-00430 | A45-00431 | A45-00432 | A45-00433 | A45-00434 | A45-00435A | A45-00443B | A45-00443D |
| A45-00443E | A45-02028C | A45-02029 | A45-02040 | A45-02187 | A45-02262 | A45-02299 | A45-02301  | A45-02425  | A45-02431  |
| A45-02432  | A45-02437  | A45-02438 | A45-02602 | A45-02639 | A45-02656 | A45-02678 | A45-04023  | A45-04026  | A45-04027  |
| A45-04045  | A45-04051  | A45-04177 | A45-04217 | A45-04273 | A45-07307 | A45-10594 | A45-10594A | A45-10594B | A45-11164  |
| A45-12438  | A45-12442  | A45-12443 | A45-12445 | A45-12446 | A45-12449 | A45-12455 | A45-12749  | A45-12750  | R45-00106  |
| R45-00116  | R45-00128  | R45-00131 | R45-00177 | R45-00178 | R45-00430 | R45-02029 | R45-02059  | R45-02639  | R45-04230  |

Remarks: GEN GROUNDWATER AND BATES SPRING ALSO USED FOR HOME SITES.  
ORIGINALLY LICENSED FOR DOMESTIC AND STOCK, HAVE ALWAYS  
IRRIGATED 104 LAWNS OR 52 ACRES.

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

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

Audit: 06/14/89 WHITE 01/30/91 WHITE 03/30/95 POST-STD



# License and Certificate of Water Right

Water License No. 18946

Water District No.

Amount 1 second foot

Priority June 3, 1941

THIS IS TO CERTIFY that **MARION PIPE LINE COMPANY** of **Oakley, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **February 23**, 1940; that Permit No. 18946 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1 second foot, was issued thereunder on **November 6**, 1941, showing that said works were completed on the **28th day of October**, 1941; and that on the **6th day of December**, 1941,

**MARION PIPE LINE COMPANY** of **Oakley, Idaho**, State of **Idaho**, made proof to the satisfaction of the **Commissioner of Reclamation** of Idaho, of the right to use the waters of **Simmons Springs**, a tributary of **\_\_\_\_\_**, for the purpose of **stock and domestic use**, under Use Permit No. 18946 of the **Commissioner 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** **Commissioner of Reclamation** of Idaho and entered of record in Volume 7 of Licenses, at page 4157, on the **15th day of March**, 1943; The right hereby confirmed dates from **June 3**, 1941; The Point of Diversion is located **2045 ft.** distant from the **West 1/2 corner** Section 11, in the **NE 1/4 SW 1/4**, Sec. 11, Tp. 14 S., R. 21 E., B. M. **Cassia 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 **One (1) cubic feet per second.**

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|------|------------------|-------------------------------|------------------------------|
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |

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.

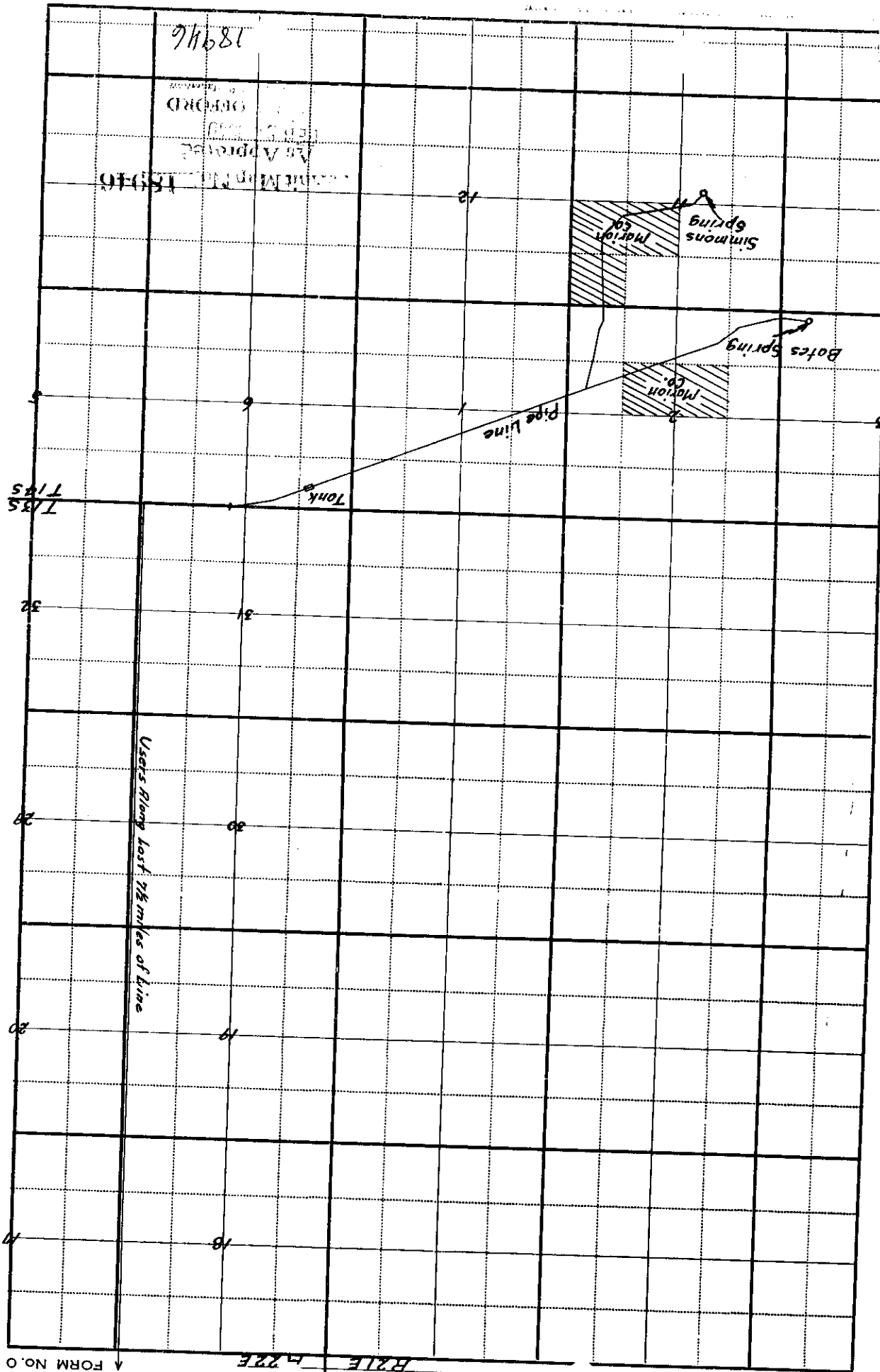
WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this **15th** day of **March**, 1943

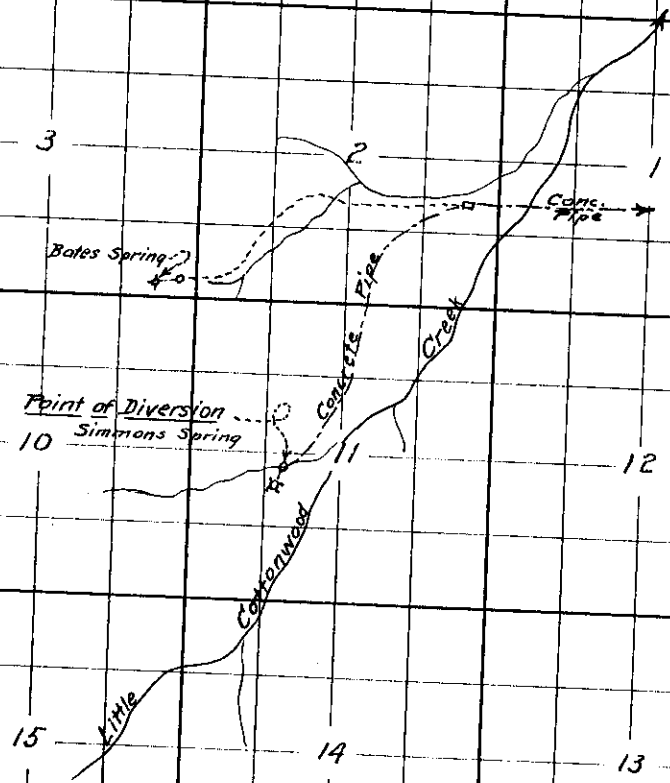
**JAMES SPOFFORD**

(SEAL)

**Commissioner of Reclamation**  
**State Reclamation Engineer**

NAME OF APPLICANT Marion Pine Line Co.  
Continue 8M. to Sec. 29  
A FORM NO. 0





SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

100116

2  
Marion Pipe Line Co.  
Oakley, Idaho

Permit No. 18946

Examination for Beneficial Use

County Cassia

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#### 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 a 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.
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Log for claim A45-02186

Spatial Dynamics BTD

6/2/00

| TR     | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|--------|-----|------|------------------|----------------|---------------|
| 12s22e | 19  | SESE | 0.5              | 40             | Indiscernible |
| 12s22e | 29  | SWSW | 0.5              | 40             | Indiscernible |
| 12s22e | 30  | SESE | 0.5              | 40             | Indiscernible |
| 12s22e | 31  | NENE | 1                | 40             | Indiscernible |
| 12s22e | 31  | SENE | 0.5              | 40             | Indiscernible |
| 12s22e | 31  | SESE | 1                | 40             | Indiscernible |
| 12s22e | 32  | NENE | 0.5              | 40             | Indiscernible |
| 12s22e | 32  | NWNE | 0.5              | 40             | Indiscernible |
| 12s22e | 32  | NWNW | 1                | 39             | Indiscernible |
| 12s22e | 32  | NWSW | 1                | 39             | Indiscernible |
| 12s22e | 32  | SWSW | 0.5              | 39             | Indiscernible |
| 12S22E | 33  | SWSE | 0.5              | 39             | Indiscernible |
| 13s22e | 5   | NWNW | 1                | 40             | INDISCERNIBLE |
| 13s22e | 5   | SWNW | 1                | 42             | Indiscernible |
| 13s22e | 5   | NESW | 0.5              | 39             | Indiscernible |
| 13s22e | 6   | NENE | 1                | 39             | Indiscernible |
| 13s22e | 6   | SENE | 1                | 44             | Indiscernible |
| 13s22e | 6   | NESE | 0.5              | 40             | Indiscernible |
| 13s22e | 7   | SENE | 0.5              | 40             | Indiscernible |
| 13s22e | 7   | SESW | 0.5              | 40             | Indiscernible |
| 13s22e | 7   | NESE | 0.5              | 40             | Indiscernible |
| 13s22e | 7   | SESE | 1                | 40             | Indiscernible |
| 13s22e | 8   | NWSW | 0.5              | 39             | Indiscernible |
| 13s22e | 8   | SESW | 0.5              | 40             | Indiscernible |
| 13s22e | 17  | NWNW | 0.5              | 40             | Indiscernible |
| 13s22e | 17  | SWNW | 0.5              | 40             | Indiscernible |
| 13s22e | 17  | SENE | 0.5              | 40             | Indiscernible |
| 13s22e | 17  | NESW | 0.5              | 40             | Indiscernible |
| 13s22e | 17  | NWSW | 1                | 40             | Indiscernible |
| 13s22e | 17  | SWSW | 0.5              | 40             | Indiscernible |
| 13s22e | 18  | NENE | 1                | 40             | Indiscernible |
| 13s22e | 18  | SENE | 0.5              | 40             | Indiscernible |
| 13s22e | 18  | NENW | 0.5              | 40             | Indiscernible |
| 13s22e | 18  | SESW | 0.5              | 40             | Indiscernible |
| 13s22e | 18  | NESE | 0.5              | 40             | Indiscernible |
| 13s22e | 18  | SESE | 1                | 40             | Indiscernible |
| 13s22e | 19  | NWNE | 0.5              | 40             | Indiscernible |
| 13s22e | 19  | SENE | 0.5              | 40             | Indiscernible |
| 13s22e | 19  | NENW | 0.5              | 40             | Indiscernible |
| 13s22e | 19  | NWNW | 0.5              | 40             | Indiscernible |
| 13s22e | 19  | NWSW | 0.5              | 46             | Indiscernible |
| 13s22e | 19  | SWSW | 0.5              | 46             | Indiscernible |
| 13s22e | 19  | SWSE | 1                | 46             | Indiscernible |
| 13s22e | 19  | SESE | 1                | 40             | Indiscernible |
| 13s22e | 20  | NWNE | 0.5              | 40             | Indiscernible |
| 13S22E | 20  | NENW | 0.5              | 40             | Indiscernible |
| 13s22e | 20  | SWNW | 0.5              | 40             | INDISCERNIBLE |
| 13s22e | 20  | NWSW | 1                | 40             | Indiscernible |
| 13s22e | 20  | NWSW | 1                | 40             | Indiscernible |

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

Permit No. 18946.....

This proof is for Beneficial Use

In Water District No.....

1. Name of applicant...Marion Pipe Line Co.

2. Source of water supply: Simmons Spring.

3. Location of point of diversion: Is in the NE 1/4 SW 1/4 of Section 11  
T. 14 S R. 21 E County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: A Concrete Box at point of diversion 2' wide, 3' long, & 3' deep discharges into 4" tin lined concrete flume leading to junction with waters of Bates Spring, and thence by 6" concrete pipe to a reinforced concrete reservoir (20' wide X 40' long X 12' deep.) and thence by approximately 8 miles of cast iron pipe and various laterals to the points of beneficial use.

5. Water is used for: stock and domestic.

6. State whether or not water has been turned into works of diversion: Yes

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

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

8. What large stream would the water here appropriated finally reach? None

Remarks: An excellent

Remarks:.....An excellant installation

This examination was made on the 4th day of June, 1942.

(Signed)

of June  
Fred. F. Roman  
Exa

18942

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 18946

REPORT ON PROOF OF Beneficial Use

1 of 1  
10/1/11



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Place of use location for DOMESTIC is the same location as described for: STOCKWATER  
POU Country: CASSIA

Non-Irrigation Uses: D/104 HOMES, S/15,000 STOCK

Other Rights: A45-02187, 04273

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources), A45-12649

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

|            |            |            |           |           |           |           |           |            |            |            |            |
|------------|------------|------------|-----------|-----------|-----------|-----------|-----------|------------|------------|------------|------------|
| A45-00425F | A45-00425G | A45-00430  | A45-00131 | A45-00132 | A45-00133 | A45-00177 | A45-00178 | A45-00179  | A45-00425A | A45-00425B | A45-00425C |
| A45-00443E | A45-02028C | A45-02028C | A45-02029 | A45-02040 | A45-02187 | A45-02262 | A45-02299 | A45-00435A | A45-00443B | A45-00443C | A45-00443D |
| A45-02432  | A45-02432  | A45-02432  | A45-02438 | A45-02602 | A45-02639 | A45-02656 | A45-02678 | A45-04023  | A45-02425  | A45-02431  | A45-04027  |
| A45-04045  | A45-04051  | A45-04177  | A45-04217 | A45-04217 | A45-04273 | A45-07307 | A45-10594 | A45-10594A | A45-10406  | A45-10406  | A45-11164  |
| A45-12438  | A45-12442  | A45-12443  | A45-12445 | A45-12446 | A45-12449 | A45-12455 | A45-12749 | A45-12750  | A45-10594B | A45-10594C | A45-10594D |
| A45-00116  | R45-00128  | R45-00131  | R45-00177 | R45-00178 | R45-00430 | R45-02029 | R45-02059 | R45-02639  | R45-04230  | R45-04231  | R45-04232  |

Remarks: GEN GROUNDWATER AND BATES SPRING ALSO USED FOR HOME SITES. ORIGINALLY LICENSED FOR DOMESTIC AND STOCK, HAVE ALWAYS IRRIGATED 104 LAWS OR 52 ACRES.

**Dates:** **Exam Made Date:**

**Dates:**                      **Exam Made Date:**

Misc: Water District Number:

Presumption Flag: E

**Objection Filed Date:**

| Audit: | 06/14/89 | WHITE | 01/30/91 | WHITE | 03/30/95 | POST-STD |
|--------|----------|-------|----------|-------|----------|----------|
|        |          |       |          |       |          |          |