

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 45-4273
Date Received: 6/14/1989
Receipt No: S008216
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

OAKLEY VALLEY WATER CO
PO BOX 201
OAKLEY ID USA 83346

Phone: (208)862-3346

2. Date of Priority: 07/31/1953

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
13S	22E	20	SW	SW	SW	CASSIA	
13S	22E	21	SW	SW	SW	CASSIA	

5. Description of diverting works:

TWO WELLS, PUMPS & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.6	
STOCKWATER	1/01	12/31	0.6	
DOMESTIC	1/01	12/31	0.6	
MUNICIPAL	01/01	12/31	0.6	

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

8. Total consumptive use:

9. Non-irrigation uses:

RECEIVED
JUL 02 2024
Department of Water & Land
Southern Idaho

10. Place of use:

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		IRRIGATION	1
			NE	SW		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		IRRIGATION	1
			NE	SE		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: 45-2187, 45-2186, 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.

BATES SPRING AND SIMMONS SPRING ALSO USED FOR HOME SITES.

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

15. Basis of Claim: STATUTORY CLAIM

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 _____ Title

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

document in the space below as Attorney of _____ Title

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

foregoing document are true and correct.

Leah Booth
Signature of Authorized Agent

Attorney for Oakley Valley Water Co
Title and Organization

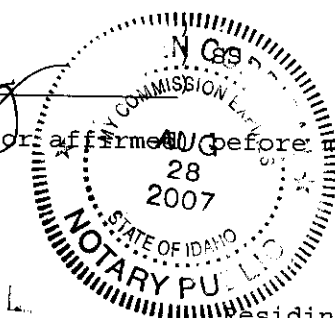
6-29-04
Date

State of Idaho

County of Landing

Subscribed and sworn (or affirmed) before me this 28th

of June 2004



Kathleen Carigan
Notary Public
Shawn Ferry
Residing at

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 45-4273 V1

WATER RIGHT NUMBER: 45-4273 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OAKLEY VALLEY WATER CO PO BOX 201 OAKLEY, ID 83346 (208)862-3346
Attorney	ARKOOSH LAW OFFICES PO BOX 32 GOODING, ID 83330 (208)934-8872
Original Owner	MARION PIPELINE CO C/O DOUGLAS CRANNEY RT 1 BOX 40-B OAKLEY, ID 83346 (208)862-3472

Priority Date: 02/12/1954

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.450 CFS	
STOCKWATER	01/01 to 12/31	0.450 CFS	
	<u>Total Diversion:</u>	0.450 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 20, Twp 13S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 21, Twp 13S, Rge 22E, B.M.
CASSIA County		

Place of Use

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																	X
12S	22E	29					X	X			X	X							
12S	22E	30	X			X									X			X	
12S	22E	31	X			X									X			X	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

12S 22E 32	X	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	X		
13S 22E 6	X			X									X			X	
13S 22E 7	X			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	X	X	
13S 22E 19	X	X		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	
13S 22E 31	X			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				

STOCKWATER

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

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
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	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	X
13S 22E 19	X	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	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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

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.

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 - Irrigation 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.

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,


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 Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>45-2226</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-91</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-2187</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-2186</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>45-4273</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) 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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s) Douglas Valley Water Company *By Douglas*
(include title if applicable) Chairman
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 _____
 Receipted 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**

3 APR 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 shall 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.

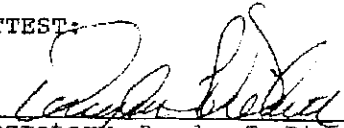
b. The Plan of Merger was adopted by North Oakley Water Company, Inc. at a meeting of its members held on January 27, 2001, at which a quorum was present, and the Plan of Merger received all of the votes which members present or represented by proxy at such meeting were entitled to cast and at a meeting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

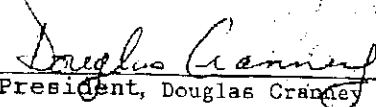
4. The effective date of the merger is April 3, 2001.

DATED this 3rd day of April, 2001.

ATTEST:


 Secretary, Douglas T. Pickett

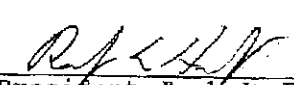
MARION PIPE LINE COMPANY

By: 
 President, Douglas Crandley

ATTEST:


 Secretary, Karla Robinson

NORTH OAKLEY WATER COMPANY, INC.

By: 
 President, Randy L. Hartley

STATE SECRETARY OF STATE
 07/05/2001 09:00
 CK: 21389 CT: 2288 PM: 406370
 10 30.00 = 30.00 MERGER # 2

C 85171

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.

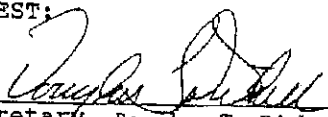
Anything to the contrary herein notwithstanding, if the Board of Directors of the surviving corporation, or the Board of Directors of the non-surviving corporation, shall determine, either before or after the meeting of the stockholders of the respective

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.

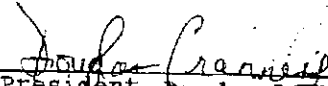
Duly executed on the day and year first above written.

MARION PIPE LINE COMPANY

ATTEST:


Secretary, Douglas T. Pickett

By:

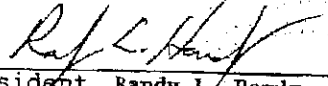

President, Douglas Crainey

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

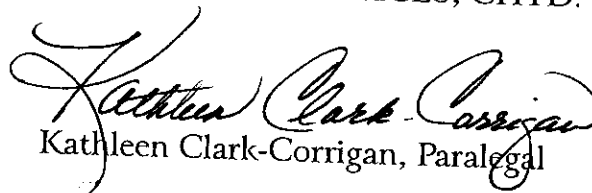
RECEIVED
JUN 01 2004
Department of Water Resources
Southern Region

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

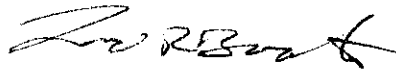
Dear Jeannie:

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.

CIVIL CASE NUMBER: 39576

Ident. Number: **A45-04273**
Date Received: 6/14/1989
Receipt No: S008216
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARION PIPELINE COMPANY
Address: % DOUGLAS CRANNEY
RT 1 BOX 40-B
OAKLEY ID 83346-0000
208-862-3472

2. Date of Priority: JUL 31, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	22E	20	SW	SW	SW		CASSIA
		21	SW	SW	SW		CASSIA

5. Description of diverting works:
TWO WELLS, PUMPS & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.600		
STOCKWATER	01/01	12/31	0.600		
IRRIGATION	03/15	11/15	0.600		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/ 104 HOUSES ;STOCKWATER/ 15,000 STOCK

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10. Place of Use:

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

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
							Section Acres	2.5
		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

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10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	5.0
		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

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
		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:
45-02186 & 45-02187

14. Remarks:

TRANS. 3418.

BATES SPRING & SIMMONS SPRING ALSO USED FOR HOME SITES.
ORIGINALLY FOR STOCK & DOMESTIC USE ONLY. HAVE ALWAYS
IRRIGATED 104 LAWNS OR 52 ACRES.

AMENDED BY TRANS. 3954 TO CHANGE POINT OF DIVERSION 8/24/92 ADM

15. Basis of Claim: BENEFICIAL USE

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: _____

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MAR 10 1993

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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MAR 10 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

24-Aug-1992 16:08

MARION PIPELINE COMPANY
% DOUGLAS CRANNEY
RT 1 BOX 40-B
OAKLEY, ID 83346

RE: Amendment of SRBA Claim A45-04273

Dear Claimant(s):

Pursuant to the approval of Transfer No.3954 your above referenced Notice of Claim(s) in the Snake River Basin Adjudication (has/have) been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely

A handwritten signature in black ink, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Right Supervisor

Encl:

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MAR 10 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 17, 1992

MARION PIPELINE CO
% DOUGLAS CRANNEY
RT 1 BOX 40-B
OAKLEY ID 83346

RECEIVED

AUG 24 1992

Department of Water Resources
Southern Region Office

RE: Transfer of Water Right No. 45-04273

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3954). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

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MAR 1 n 1993

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3954

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Marion Pipeline Co. Phone 862-3472
Post Office address c/o Douglas Cranney, Rt. 1 Box 40-B, Oakley, ID 83346

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Original well is no longer usable, & the second well is not producing what it should.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|--|
| <u>45-04273</u> | <u>7-31-1953</u> | <u>0.60 cfs</u> | <u>Pom./Stock</u> | <u>1-1</u> to <u>12-31</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
2. Total amount of water being transferred 0.60 cubic feet per second and/or acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: No Change See attached

[illegible]

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MAR 10 1993

PART 1

6. General Information:

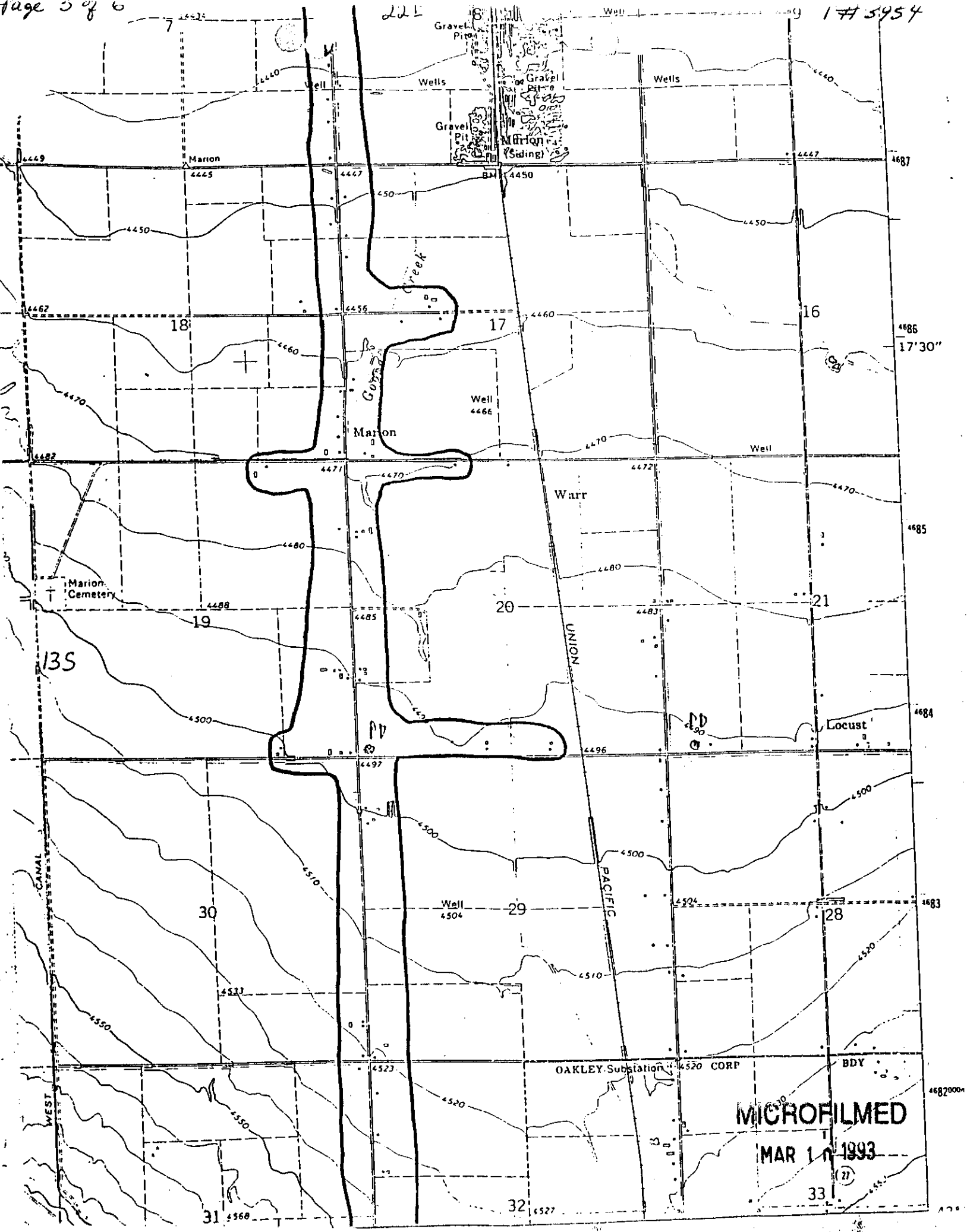
- a. Description of diversion system Two connected wells & pumps, existing pipeline system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA Yes NA No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:
The new well in Sec. 21 was drilled in 1971 by the Bureau of Reclamation as an observation well. We have obtained the use of this well, and will be purchasing the well shortly.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-04273And said application is hereby APPROVED, subject to the following limitations and conditions:APPROVAL OF THIS TRANSFER IN NO WAY CONFIRMS THE RIGHT CLAIMED.Witness my hand this 10th day of August, 19 92.J. Glen Saxton
CHIEF, WATER ALLOC. BUREAU

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MAR 10 1993

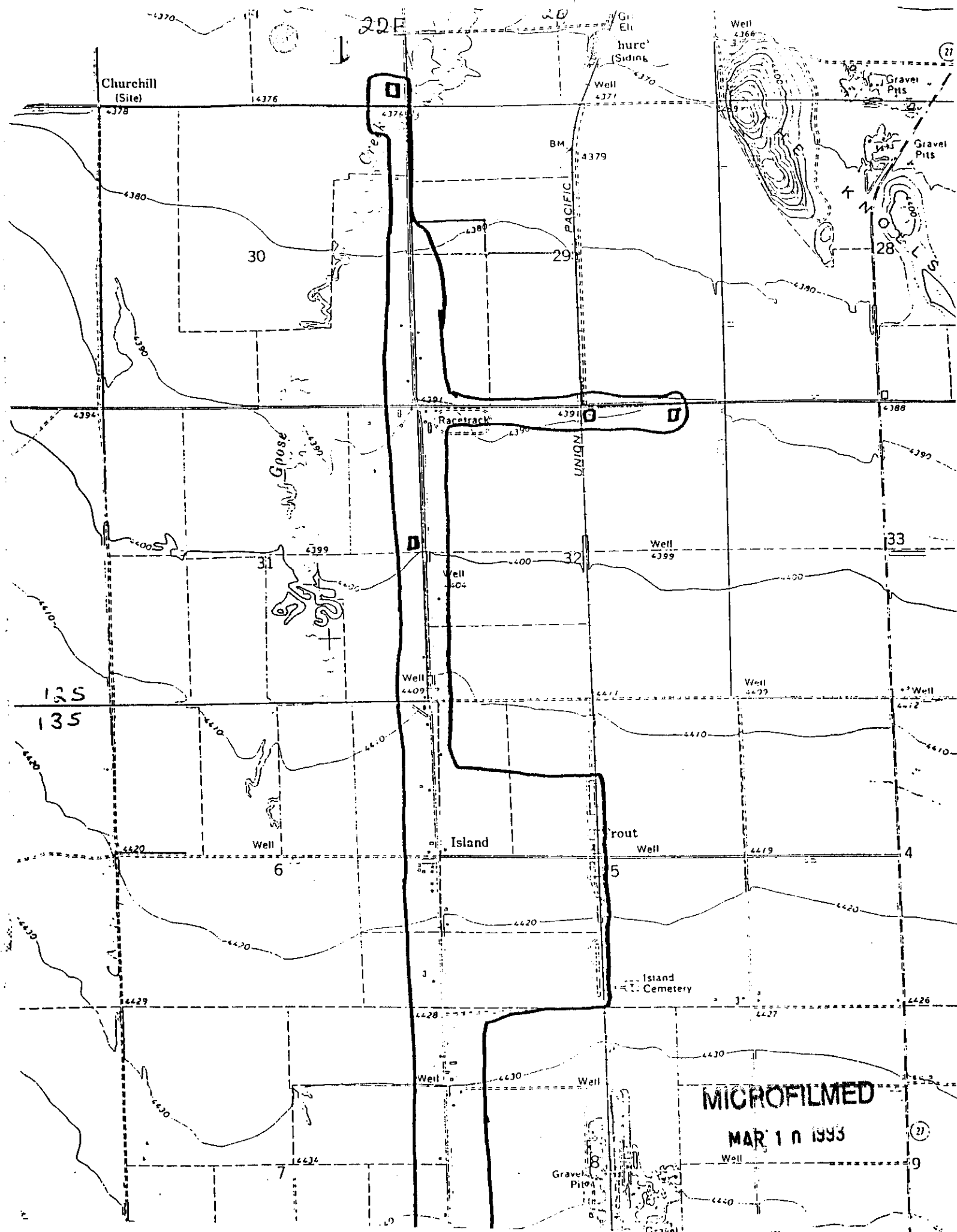


b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
145	22E	5					1+3 X	1+4 X											
		6	1+1 X	1+2 X															
135	22E	32						X	X			X	X						
		31	X															X	
		30	X															X	
		29						X					X						
		20		X			X	X	X			X	X	X			X		
		19	X	X											X		X	X	
		18	X			X												X	
		17						X	X	X	X	X	X						
		8						X	X		X	X							
		7	X			X									X			X	
		6	1+1 X			X									X			X	
		5					X	1+4 X	X	X	X	X		X					
125	22E	32	X	X				X				X							
		31	X			X												X	
		30																	
		33																	
		30													X			X	
		29										X	X						
		19																X	
Total number of acres to be irrigated																			

MICROFILMED

MAR 1 n 1993



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 45-04273 on file with the Idaho Department of Water Resources.
- d. Transfer No. 3418 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

- ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 7-31-1953

5. Water is used for the following purpose:

amount 0.60 cfs for Domestic purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for Stockwater purposes from " to "
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	21	135	22E	Cassia	
	SW	SW	SW	20	"	"	"	

8. Lands irrigated or place of use: See Attached Land List

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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9. Describe any other water rights used for the same purpose as described above

Lic. 45-02186, 2187Total cfs MAR 10 1993

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Doug Cranney - Chairman Marion Pipeline Co.
(Signature of Applicant)

Subscribed and sworn to before me this 11th day of June, 1992.

Twin Falls, Idaho

(Notary Public)

My commission expires July 18, 1995

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by JF Stanton Date 6-11-92

Protest filed by _____

Prelim. check by _____ Fee \$50.00 5014638

Receipted by JA Date 6-11-92

Published in Idaho Press

Copies of protest forwarded by _____

Pub. dates 7/3 & 7/10/92

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by JA

Copy of transfer sent to lien holder _____

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MAR 10 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A45-04273
Date Received: 6/14/1989
Receipt No: S008216
Received By: lw

JUN 7 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-862-3246

1. Name: MARION PIPELINE COMPANY
Address: %JOSEPH REED WHITELEY
RT. 1 BOX A
OAKLEY, ID

83346-0000

2. Date of Priority: JUL 31, 1953

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	22E	20		SW	SW		CASSIA
		31		SW	SE		CASSIA

5. Description of diverting works:
WELL, PUMP, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.600		
STOCKWATER	01/01	12/31	0.600		
IRRIGATION	03/15	11/15	0.600		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

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

A45-04273

Page

1

Date: 06/14/89

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MAR 1 1993

10. Place of Use:

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

10. Place of Use: Continued

Township 13S	Range 22E	Section 7	1/4 NE	of 1/4 NE	Lot	Use	Acres
			SE	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:
A45-02186, 02187

14. Remarks:
TRANS. 3418.
BATES SPRING & SIMMONS SPRING ALSO USED FOR HOME SITES.
ORIGINALLY FOR STOCK & DOMESTIC USE ONLY. HAVE ALWAYS
IRRIGATED 104 LAWNS OR 52 ACRES.

15. Basis of Claim: STATUTORY CLAIM

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 _____ Title

Marion Pipeline Company Organization, that I have signed the foregoing

document in the space below as Chairman of _____ Title

Marion Pipeline Company Organization and that the statements contained in the foregoing document are true and correct.

Douglas Craneeff
Signature of Authorized Agent

Chairman, Marion Pipeline Company
Title and Organization

6-1-89

Date

State of Idaho)

County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 6-1-1989 day

of June 19 89

Thelma L. Clark
Notary Public

Seal

Residing at Oakley, Idaho

My Commission Expires June 10, 1993

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

06/13/89 15:53:29
Page 2

Water right number - 45-04273

Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	22E	6	SE NE				04	STOCKWATER	(31) CASSIA
13S	22E	6	NE SE				04	STOCKWATER	(31) CASSIA
13S	22E	6	SE SE				04	STOCKWATER	(31) CASSIA
13S	22E	7	NE NE				04	STOCKWATER	(31) CASSIA
13S	22E	7	SE NE				04	STOCKWATER	(31) CASSIA
13S	22E	7	NE SE				04	STOCKWATER	(31) CASSIA
13S	22E	7	SE SE				04	STOCKWATER	(31) CASSIA
13S	22E	8	NW NW				04	STOCKWATER	(31) CASSIA
13S	22E	8	SW NW				04	STOCKWATER	(31) CASSIA
13S	22E	8	NW SW				04	STOCKWATER	(31) CASSIA
13S	22E	17	NW NW				04	STOCKWATER	(31) CASSIA
13S	22E	17	SW NW				04	STOCKWATER	(31) CASSIA
13S	22E	17	SE NW				04	STOCKWATER	(31) CASSIA
13S	22E	17	NE NW				04	STOCKWATER	(31) CASSIA
13S	22E	17	SE SW				04	STOCKWATER	(31) CASSIA
13S	22E	17	NW SW				04	STOCKWATER	(31) CASSIA
13S	22E	17	SW SW				04	STOCKWATER	(31) CASSIA
13S	22E	18	NE NE				04	STOCKWATER	(31) CASSIA
13S	22E	18	SE NE				04	STOCKWATER	(31) CASSIA
13S	22E	19	NE NE				04	STOCKWATER	(31) CASSIA
13S	22E	19	NW NE				04	STOCKWATER	(31) CASSIA
13S	22E	19	SE NE				04	STOCKWATER	(31) CASSIA
13S	22E	19	NE SE				04	STOCKWATER	(31) CASSIA
13S	22E	19	SE SE				04	STOCKWATER	(31) CASSIA
13S	22E	19	NE NW				04	STOCKWATER	(31) CASSIA
13S	22E	20	NW NW				04	STOCKWATER	(31) CASSIA
13S	22E	20	SW NW				04	STOCKWATER	(31) CASSIA
13S	22E	20	NW SW				04	STOCKWATER	(31) CASSIA
13S	22E	20	SW SW				04	STOCKWATER	(31) CASSIA
13S	22E	20	SE SW				04	STOCKWATER	(31) CASSIA
13S	22E	20	NE SW				04	STOCKWATER	(31) CASSIA
13S	22E	20	SE SE				04	STOCKWATER	(31) CASSIA
13S	22E	29	NW NW				04	STOCKWATER	(31) CASSIA
13S	22E	29	SW NW				04	STOCKWATER	(31) CASSIA
13S	22E	30	NE NE				04	STOCKWATER	(31) CASSIA
13S	22E	30	SE SE				04	STOCKWATER	(31) CASSIA
13S	22E	31	NE NE				04	STOCKWATER	(31) CASSIA
13S	22E	31	SE SE				04	STOCKWATER	(31) CASSIA
13S	22E	32	NW NW				04	STOCKWATER	(31) CASSIA
13S	22E	32	SW NW				04	STOCKWATER	(31) CASSIA
13S	22E	32	NW SW				04	STOCKWATER	(31) CASSIA
13S	22E	32	SW SW				04	STOCKWATER	(31) CASSIA
14S	22E	5	NE NW				04	STOCKWATER	(31) CASSIA
14S	22E	5	NW NW				04	STOCKWATER	(31) CASSIA
14S	22E	6	NE NE				04	STOCKWATER	(31) CASSIA
14S	22E	6	NW NE				04	STOCKWATER	(31) CASSIA

Total Acres:

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MAR 1 1993

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

06/13/89 15:53:29
Page 3

Water right number - 45-04273

Adj. flag translation: Standard Water Right Number

+ - - Diversion Means - WELL, PUMP, PIPELINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

TRANS. 3418.

Remarks

T01 - Approval of this transfer in no way confirms the right(s)
- claimed.

+ - - Decree Plaintiff - - - +

+ - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields -

Water Rights Dates and Flags Area

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	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 00/00/0000				

MICROFILMED
MAR 10 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 1 1993

A45-02186
02187
04273

sent (cw)

✓

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 1 n 1993

OFFICE 222
87

Page 1 of 6
SEP 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3418

Department of Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Marion Pipeline Co. Phone 862-3246

Post Office address c/o Reed Whiteley, Rt. 1 Box A, Oakley, ID 83346

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☒ Add diversion point(s)
 ☐ Change place of use
☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes Original well is contaminated and not suitable for domestic use. A second well is needed to supply domestic water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>X 45-4273</u>	<u>7-31-1953</u> <u>/0100/414</u>	<u>0.60 cfs</u>	<u>Dom./Stock</u>	<u>Jan 1</u> to <u>Dec 31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.60 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	31	13S	22E	Cassia	
	SW	SW	SW	20	"	"	"	

5. Lands irrigated or place of use: No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4		SW 1/4		SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4			

This needs to be
fixed % Douglas
CRANNEY at 862-3347
then this copy given
to Jeannie R

Done 4-23-92
RF

MICROFILMED
MAR 11 1993

This needs to be
fixed by Douglas
CRANNEY at 862-3347
then this copy given
to Jeannie R

Done 4-23-92
RF

MICROFILMED

MAR 11 1993

acres _____

45-4273, T# 3418

PART 1**6. General Information:**

a. Description of diversion system Two existing wells and pumps feeding Marion pipeline. Wells provide supplemental water when main springs go down.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None. Due to reductions in pipe size as the pipeline flows north, water from the new well will run back uphill to the holding tank below the springs.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-4273

And said application is hereby APPROVED, subject to the following limitations and conditions:
Approval of this transfer in no way confirms the right claimed.

MICROFILMED**MAR 1 n 1993**

Witness my hand this 21st day of September, 19 88

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. X 45-4273 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-31-1953

5. Water is used for the following purpose:

amount 0.60 cfs for Dom./Stock purposes from Jan 1 to Dec 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	31	13S	22E	Cassia	

8. Lands irrigated or place of use: See Claim

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

9. Describe any other water rights used for the same purpose as described above

Lic. 45-2186, 2187

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MAR 10 1993

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

TWP	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
145	22E	5					173 X	174 X											
		6	171 X	172 X															
135	22E	32						X	X			X	X						
		31	X															X	
		30	X															X	
		29						X					X						
		20		X			X	X	X			X	X	X			X		
		19	X	X											X		X	X	
		18	X			X												X	
		17						X	X	X	X	X	X						
		8						X	X		X	X							
		7	X			X									X			X	
		6	171 X			X									X			X	
		5					174 X	X	X	X	X	X		X					
125	22E	32	X	X				X				X							
		31	X			X												X	
		30																	
		30													X			X	
		29										X	X						
		19																X	
Total number of acres to be irrigated																			

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MAR 1 1993

Churchill
(Site)

22E

Grain Elevator

Chimney (S)

Well

Well

BM

30

29

28

4394

4391

4391

4388

Racetrack

31

4399

Well

32

Well

33

125

135

4399

Well

Well

Well

Well

Island

Trout

Well

4

6

5

Island Cemetery

Well

Well

MICROFILMED

MAR 1 n 1993

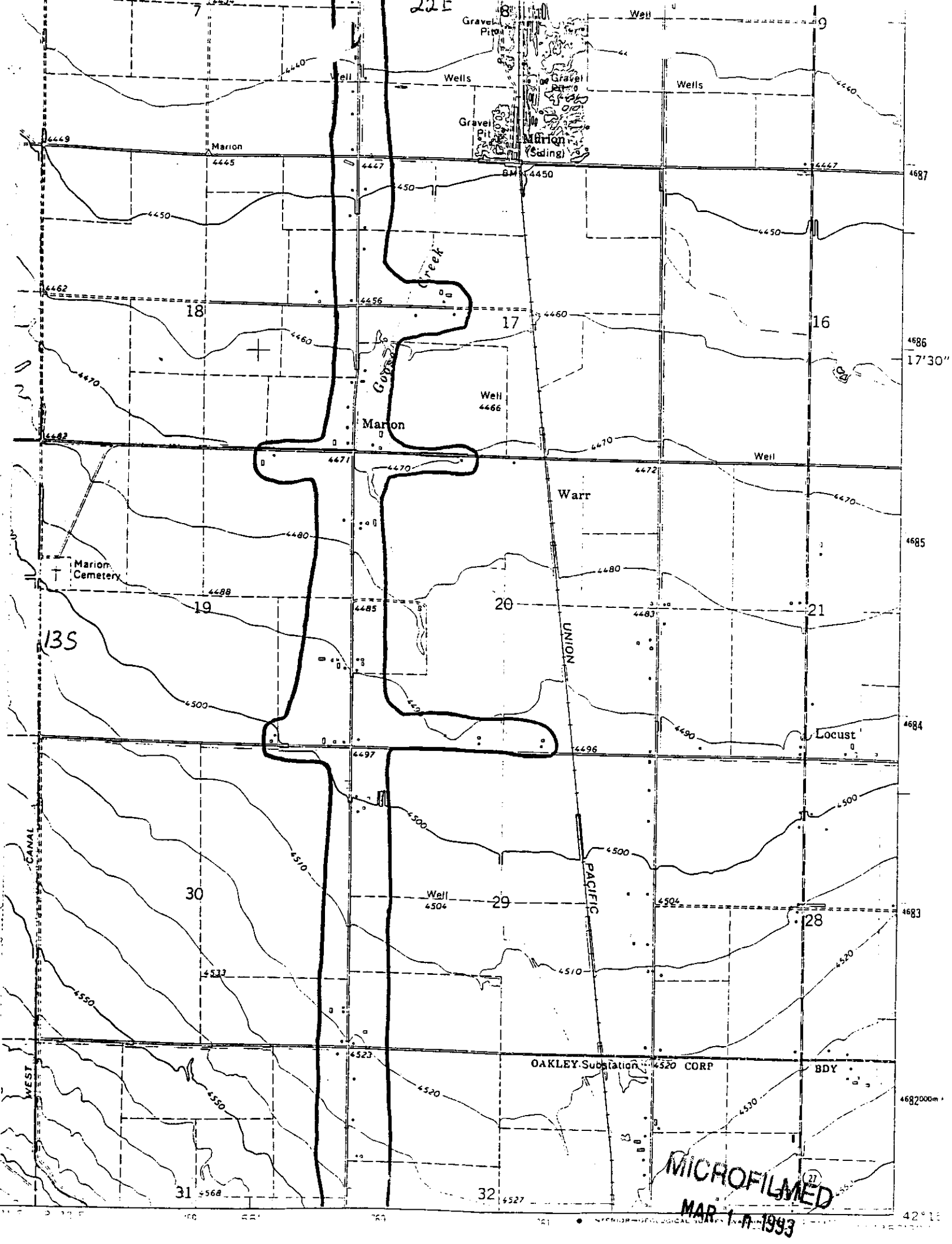
Gravel Pit

Nails

Gravel Pit

Nails

9



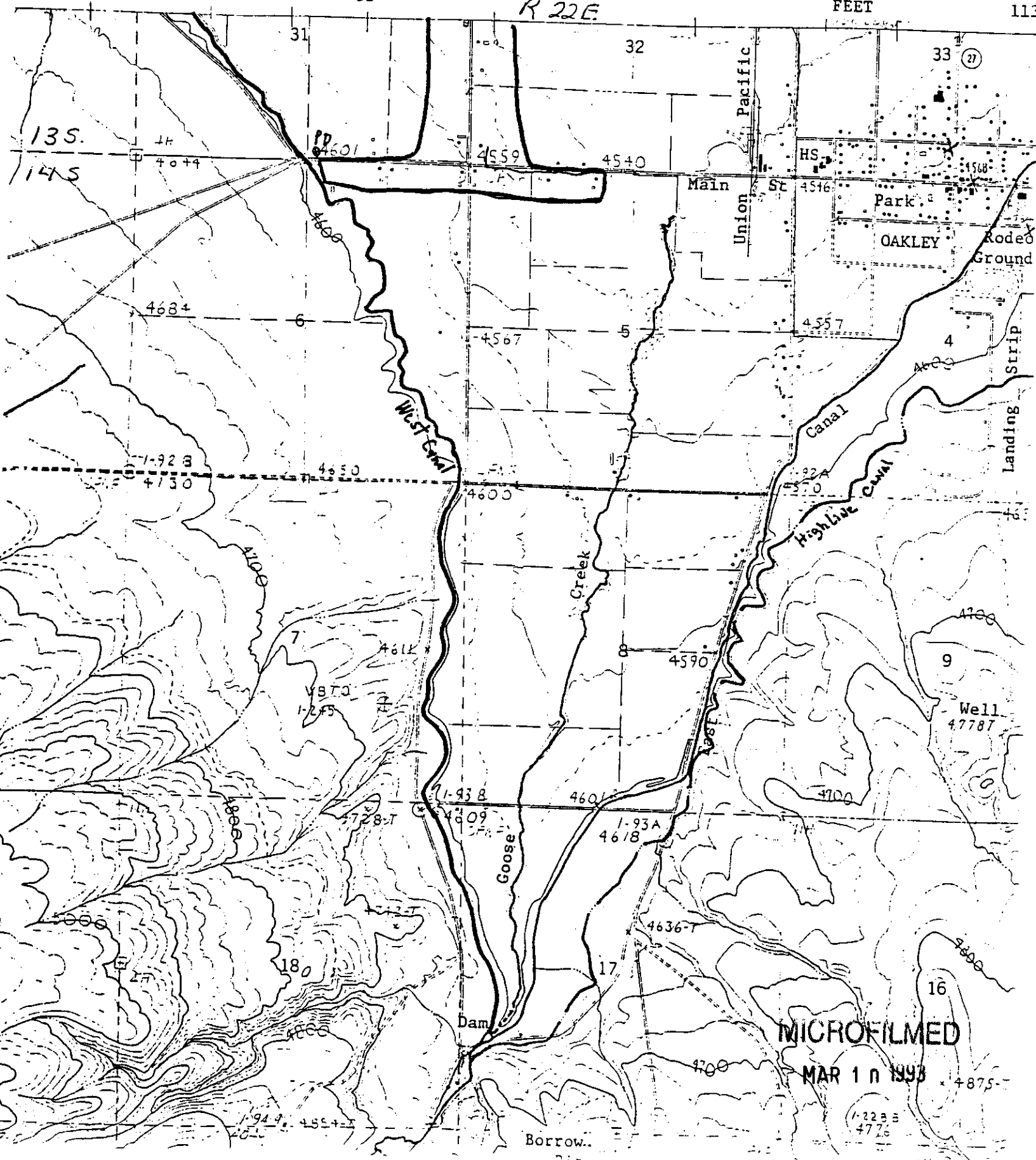
OAKLEY, ID.
CASSIA CO

55'

530 000
FEET

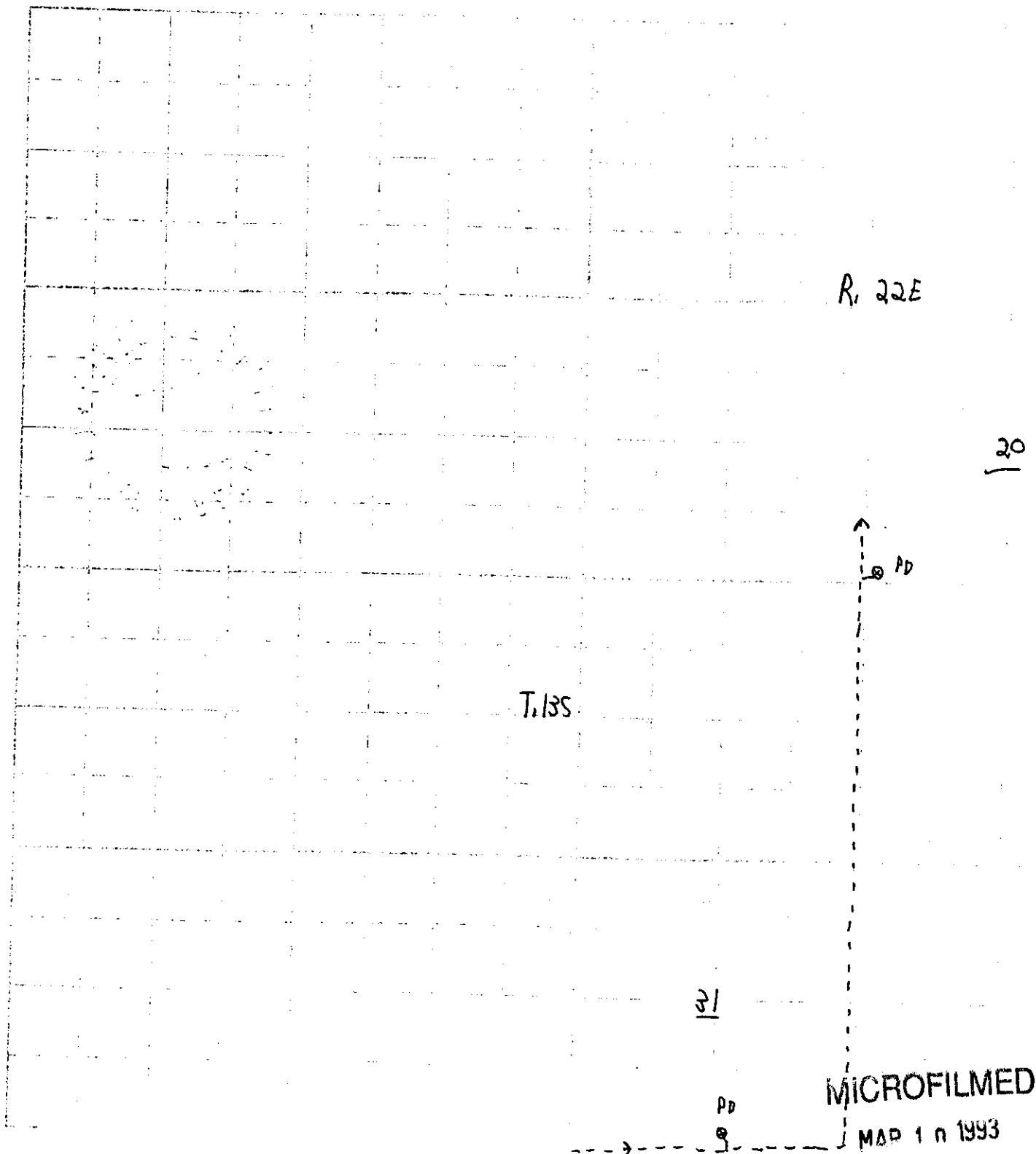
113

R 22E.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Douglas Channey - Director
(Signature of Applicant)

Subscribed and sworn to before me this 23 day of November, 1987.

Larue O. Kallman
(Notary Public)

My commission expires 3/21/93

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by J.F. Stanton Date 11-23-87

Protest filed by None

Prelim. check by Plan Fee \$50, # 44364

Receipted by J.F. Stanton Date 11-23-87

Published in So. Id. Press

Copies of protest forwarded by _____

Pub. dates 2/4 & 2/11/88

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by ADM J. [unclear]

Copy of transfer sent to lien holder _____

MICROFILMED

MAR 1 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

April 15, 1988

Marion Pipeline Company
c/o Reed Whiteley
Rt. 1, Box A
Oakley, ID 83346

Re: Claim 45-4273

Dear Mr. Whiteley:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time.

We are enclosing a copy of your claim for your records. If you have questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen Merritt, P.E.
Water Resources Engineer

AM:MB

Enclosure

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MAR 1 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Marion Pipeline Co.
(Name of Claimant)

c/o Reed Whiteley, Rt. 1 Box A, Oakley, ID 83346 Telephone No. 862-3246
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 31, 1953

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)			
				(Mo., Day)		(Mo., Day)	
Quantity	<u>0.60 cfs</u>	Use	<u>Domestic</u>	Period of Use From	<u>Jan 1</u>	To	<u>Dec 31</u>
Quantity	<u>0.60 cfs</u>	Use	<u>Livestock</u>	Period of Use From	<u>Jan 1</u>	To	<u>Dec 31</u>
Quantity	_____	Use	_____	Period of Use From	_____	To	_____
Quantity	_____	Use	_____	Period of Use From	_____	To	_____
Quantity	_____	Use	_____	Period of Use From	_____	To	_____

- (4) 0.60 cfs TOTAL QUANTITY USED.
(cfs, af)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 31 Twp. 13S Rge. 22E B.M., County of Cassia
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 20" x 1000' well, 40 hp pump, motor, pipeline 50' to main Marion Pipeline Co. pipeline. 8 miles of pipeline serving company shareholders. Lateral lines running up to 1 1/2 miles east and west of main pipeline.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

See attached land list

[illegible]

No. of acres _____

- 8) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water is ~~add~~ used for many homes, lawns, and one large feedlot, and several private feedlots.

NOTE: Include here the type and number of stock watered: 10,000 range cattle, 3-4000 sheep

- (7) If you are claiming water as a member of an organization, list name of organization: _____

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MAR 1 1993

45-4273

- (8) Remarks Well was deve. oped under an old irrigation permit that lapsed due to failure to file proof of beneficial use. Well never produced enough water for irrigation. This system delivers water to a fixed number of shares. Newcomers can enter the system by buying shares from existing shareholders. The number of homes served has increased slightly over the life of the delivery system.

increased slightly over the life of the delivery system.

SEE ATTACHED MAPS

Scale: 2 inches equal 1 mile

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Town Falls

SS.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Douglas Cranney - Director
(Claimant)

(Clayman)

Sworn to before me this 23 day of November, 1987.

Loren O'Halloran

Notary Public

Residing at Twine Falls

My commission expires 3/2/23

FOR DEPARTMENT USE ONLY

Received by JF Clinton

Date 11-23-87

Exception filed by:

Prelim. check by 7/1/73

Date 12-2-87

**Forwarded to
claimant by:**

Date _____

Published in So. Ind Press

Date 11-23-87 #44364

claimant by:

MAR 1 1993

Dates 2/4 & 2/11/88



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

25-Jan-1993

R. KEITH HIGGINSON
Director

A45-04273
MARION PIPELINE COMPANY
% DOUGLAS CRANNEY
RT 1 BOX 40-B
OAKLEY

ID 83346-0000

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

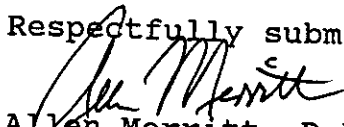
The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will at a later date conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

Please find enclosed a computer printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by April 1, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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MAR 1 1993

VERIFIED BY *JK 7/9/04*

07/09/2004

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

RIGHT NUMBER: 45-4273

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.450 CFS

PRIORITY DATE: 02/12/1954

POINT OF DIVERSION:

T13S R22E S20 SWSWSW Within CASSIA County

T13S R22E S21 SWSWSW Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

0.450 CFS

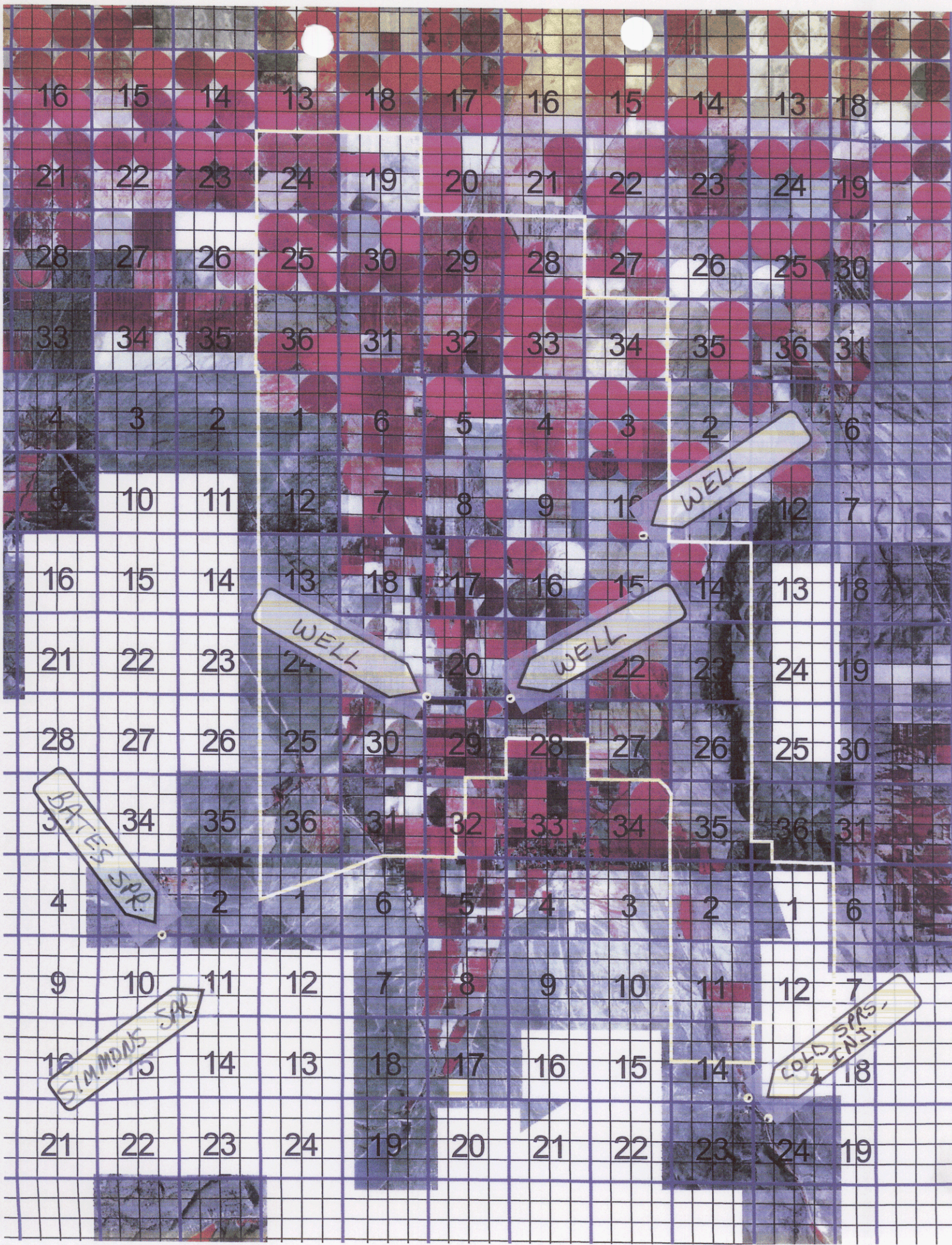
PLACE OF USE:

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: Beneficial Use



16 15 14 13 18 17 16 15 14 13 18

21 22 23 24 19 20 21 22 23 24 19

28 27 26 25 30 29 28 27 26 25 30

33 34 35 36 31 32 33 34 35 36 31

4 3 2 1 6 5 4 3 2 6

9 10 11 12 7 8 9 10 11 12 7

16 15 14 13 18 17 16 15 14 13 18

21 22 23 24 19 20 21 22 23 24 19

28 27 26 25 30 29 28 27 26 25 30

33 34 35 36 31 32 33 34 35 36 31

4 3 2 1 6 5 4 3 2 1 6

9 10 11 12 7 8 9 10 11 12 7

16 15 14 13 18 17 16 15 14 13 18

21 22 23 24 19 20 21 22 23 24 19

WELL

WELL

WELL

BATES SPR.

SIMMONS SPR.

COLD SPRS. & IN.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

WATER RIGHT NUMBER: 45-4273 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OAKLEY VALLEY WATER CO PO BOX 201 OAKLEY, ID 83346 (208)862-3346
Attorney	ARKOOSH LAW OFFICES PO BOX 32 GOODING, ID 83330 (208)934-8872
Original Owner	MARION PIPELINE CO C/O DOUGLAS CRANNEY RT 1 BOX 40-B OAKLEY, ID 83346 (208)862-3472

Priority Date: 02/12/1954

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.450 CFS	
<u>Total Diversion:</u>		0.450 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 20, Twp 13S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 21, Twp 13S, Rge 22E, B.M.
CASSIA County		

Place of Use

MUNICIPAL

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	21E	24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	21E	25		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	21E	36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	22E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L1	L2			L3	L4						

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

13S 22E 14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 18	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 19	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 20	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 21	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 28	X	X	X	X	X	X	X	X									
13S 22E 29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 30	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 31	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 32					X	X	X	X	X	X	X	X					
13S 22E 34	X																
13S 22E 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 36											X						
14S 21E 1	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X		X							

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

14S 22E 1	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	X
14S 22E 2	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	X
14S 22E 6					X L 3	X L 4											
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 5/6/2004 Basis of Recommendation

Comment: Priority date changed to 2/12/1954, as submitted E/P supports, diversion rate reduced to 0.45 cfs per Guidelines from Field Exam Manual for 104 homes (since there is no definitive information on the wells capacity in 1954), removed irrigation as a use because up to .5 acre is allowed per home for the 104 homes in the system under domestic use. There are two licenses on springs (45-2186 & 45-2187) for 1 cfs each in this same system, will limit all three when combined to 1 cfs. [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 will recommend as such in a large PoU. Other changed elements will remain the same, but without the combined limit remark for diversion rate.

05/07/2004

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

RIGHT NUMBER: 45-4273

NAME AND ADDRESS: MARION PIPELINE CO
C/O DOUGLAS CRANNEY
RT 1 BOX 40-B
OAKLEY ID 83346

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.450 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: 02/12/1954

POINT OF DIVERSION:

T13S R22E S20 SWSWSW Within CASSIA County

T13S R22E S21 SWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.450 CFS
STOCKWATER	01/01 12/31	0.450 CFS
Domestic use is for 104 homes with lawns.		

PLACE OF USE: DOMESTIC 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

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

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
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
<u>STOCKWATER Within CASSIA County</u>			
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

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

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
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

05/07/2004

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

T13S R22E S30	SENE	T13S R22E S30 Lot 1	NWNW
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: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

WATER RIGHT NUMBER: 45-4273 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	ARKOOSH LAW OFFICES PO BOX 32 GOODING, ID 83330 (208)934-8872
Current Owner	MARION PIPELINE CO C/O DOUGLAS CRANNEY RT 1 BOX 40-B OAKLEY, ID 83346 (208)862-3472

Priority Date: 02/12/1954

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.450 CFS	
STOCKWATER	01/01 to 12/31	0.450 CFS	
	<u>Total Diversion:</u>	0.450 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 20, Twp 13S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 21, Twp 13S, Rge 22E, B.M.
CASSIA County		

Place of Use

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																	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	

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 45-4273 V1

12S 22E 33										X	X			X		
13S 22E 5		X			X	X	X	X	X	X	X		X	X		
13S 22E 6	X		X									X			X	
13S 22E 7	X		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	X	X	
13S 22E 19	X	X	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	
13S 22E 31	X		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				

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	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4273 V1

12S 22E 31	X			X						X			X	
12S 22E 32	X	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	X
13S 22E 6	X			X								X		X
13S 22E 7	X			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	X
13S 22E 19	X	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
13S 22E 31	X			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 45-4273 V1

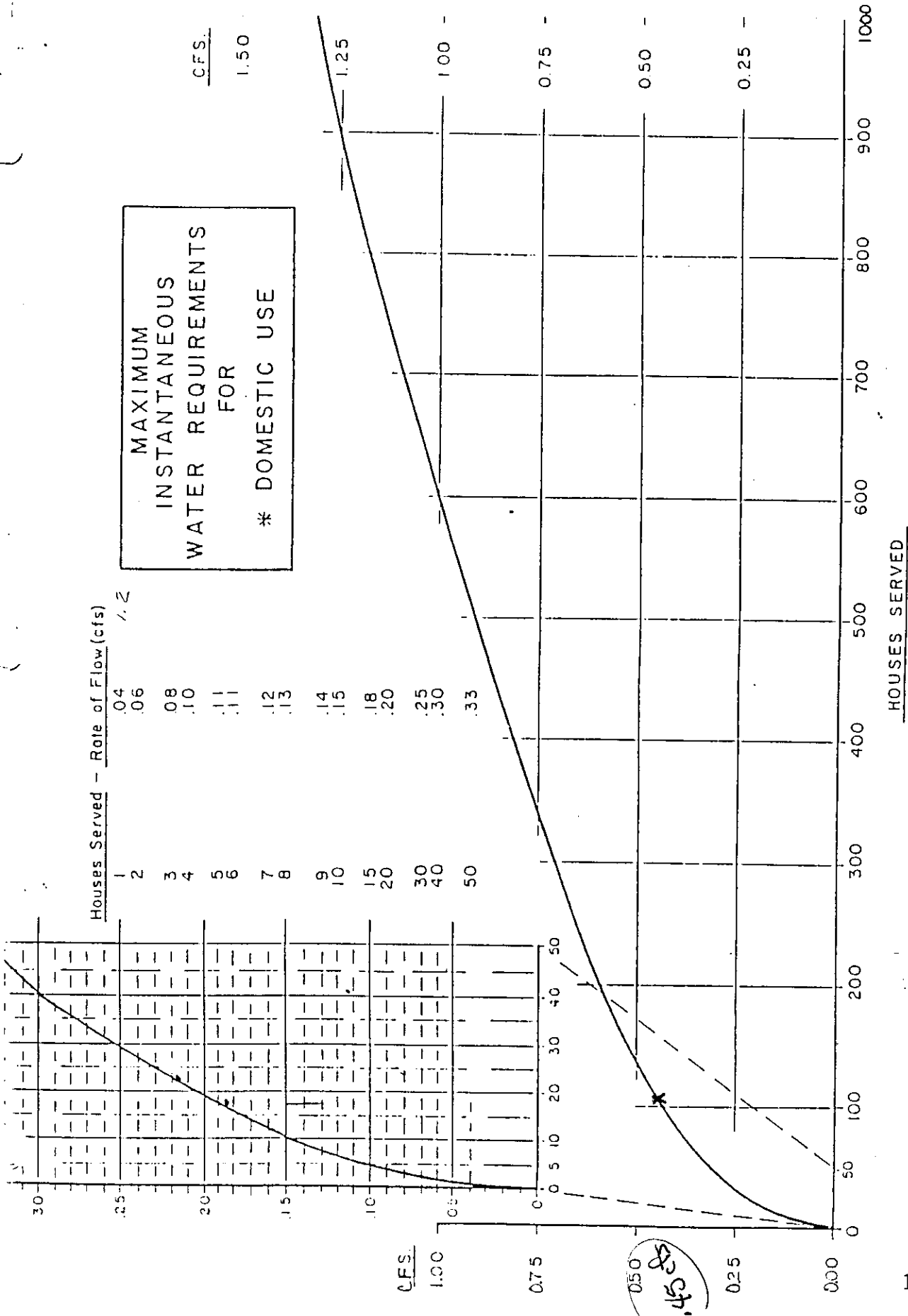
Remarks:

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 - Irrigation 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.

Comments:

1. jroberts 5/6/2004 Basis of Recommendation

Comment: Priority date changed to 2/12/1954, as submitted E/P supports, diversion rate reduced to 0.45 cfs per Guidelines from Field Exam Manual for 104 homes (since there is no definitive information on the wells capacity in 1954), removed irrigation as a use because up to .5 acre is allowed per home for the 104 homes in the system under domestic use. There are two licenses on springs (45-2186 & 45-2187) for 1 cfs each in this same system, will limit all three when combined to 1 cfs. [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.]



GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 45-4273
DATE: 5/6/09
BY: [Signature]

135 22E Sec. 31 SWSE

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (40 \text{ hp}) \times (0.70)}{[(175) + (\dots \times 2.31)]} = \frac{246.4}{1.4}$$

45 cfs

guidelines for CT No. 1

LIFT FROM:
measurement ()
owner ()
area estimate (✓)
well logs ()

PSI FROM:
measurement ()
owner ()
estimate (✓)
owner gage ()

NOTES ON PUMP:
Motor Make, Serial or ID
Pump Make, Serial or ID, rating

REMARKS: statutory claim mentioned 40hp pump (but in 1987)

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	POTENTIAL =
3/15 - 11/15	246	$(\dots) \times (1.98) \times (\dots)$
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()



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

May 6, 2004

ROBERT WHITELEY
SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

RE: Preliminary Recommendations for 45-2182, 45-10454, & 45-10471

Dear Robert,

Here are the remaining three preliminary recommendations for you to review. As far as 45-10454, since the Marion Pipeline had an approved transfer in 1992 (#3954) which moved the right (45-4273) from this well, I can only recommend a *de minimis* stock water right for up to 13, 000 gallons per day. You will probably need to file a transfer to bring a larger water right back to this well in order to divert any more water. Of course, you can always object to the recommendation in the Director's Report.

Feel free to call if you have any questions or need to set up an appointment.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

Log for claim A45-04273

Spatial Dynamics LTD

5/23/00

TR	SEC	QQ	Acres Claimed	Acres 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	39	Indiscernible
12s22e	32	NWNW	1	39	Indiscernible
12s22e	32	NWSW	1	39	Indiscernible
12s22e	32	SWSW	0.5	39	Indiscernible
13s22e	5	NWNW	1	42	Indiscernible
13s22e	5	SWNW	1	39	Indiscernible
13s22e	5	NESW	0.5	39	Indiscernible
13s22e	6	NENE	1	44	Indiscernible
13s22e	6	SENE	1	40	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	39	Indiscernible
13s22e	8	NWSW	0.5	40	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	46	Indiscernible
13s22e	19	NWSW	0.5	46	Indiscernible
13s22e	19	SWSW	0.5	46	Indiscernible
13s22e	19	SWSE	1	40	Indiscernible
13s22e	19	SESE	1	40	Indiscernible
13s22e	20	NWNE	0.5	40	Indiscernible
13s22e	20	NWNW	0.5	40	Indiscernible
13s22e	20	SWNW	0.5	40	Indiscernible
13s22e	20	NWSW	1	40	Indiscernible
13s22e	20	SWSW	0.5	40	Indiscernible

** change priority date
to 2/12/1954
per E/P*

Log for claim A45-04273

Spatial Dynamics BTD

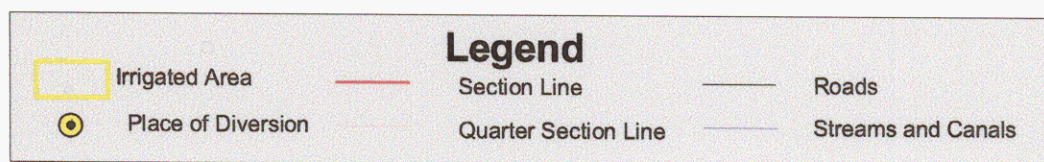
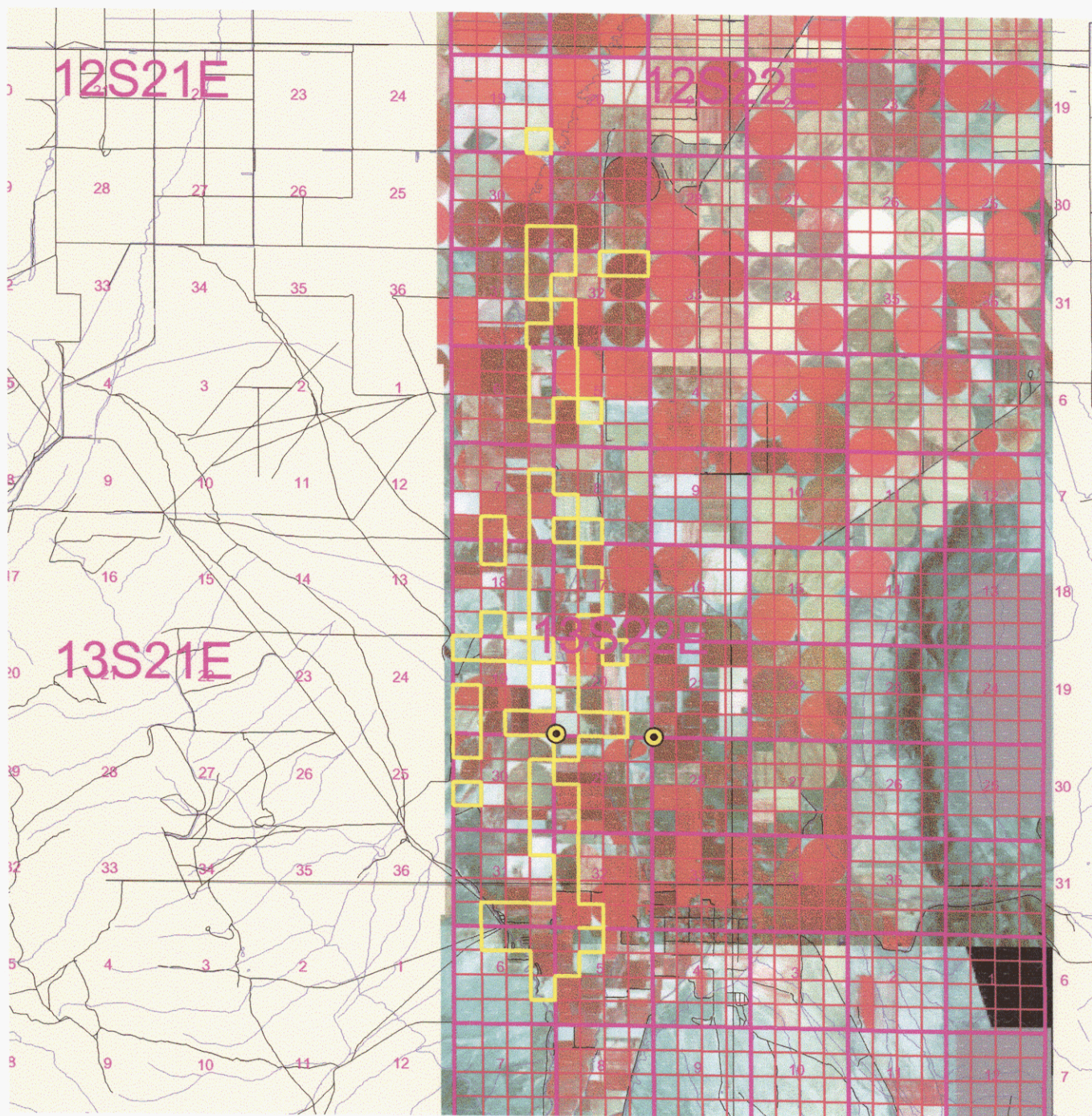
5/23/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
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	Permissible place of use?
13s22e	32	SWNW	0.5	40	Indiscernible
13s22e	32	NWSW	1	40	Indiscernible
13s22e	32	SWSW	0.5	40	Indiscernible
13s22e	32	SESW	0.5	40	Indiscernible
14s22e	5	NENW	0.5	40	Indiscernible
14s22e	5	NWNW	1	40	Indiscernible
14s22e	5	SWNW	0.5	40	Indiscernible
14s22e	6	NENE	1	40	Indiscernible
14s22e	6	NWNE	0.5	40	Indiscernible
14s22e	6	SENE	0.5	40	Indiscernible
14s22e	6	NENW	0.5	40	Indiscernible
14s22e	6	NESE	0.5	40	Indiscernible
Totals:			49	3028	

Water Right Claim Number A45-04273

05/23/2000

Townships , 12S22E, 13S22E, 14S22E



5000 0 5000 10000 Feet



APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Marion Pipeline Co. Phone 862-3472
Post Office address ^{C/O} Douglas Cranney, Rt. 1 Box 40-B, Oakley, ID 83346

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Original well is no longer usable, & the second well is not producing what it should.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

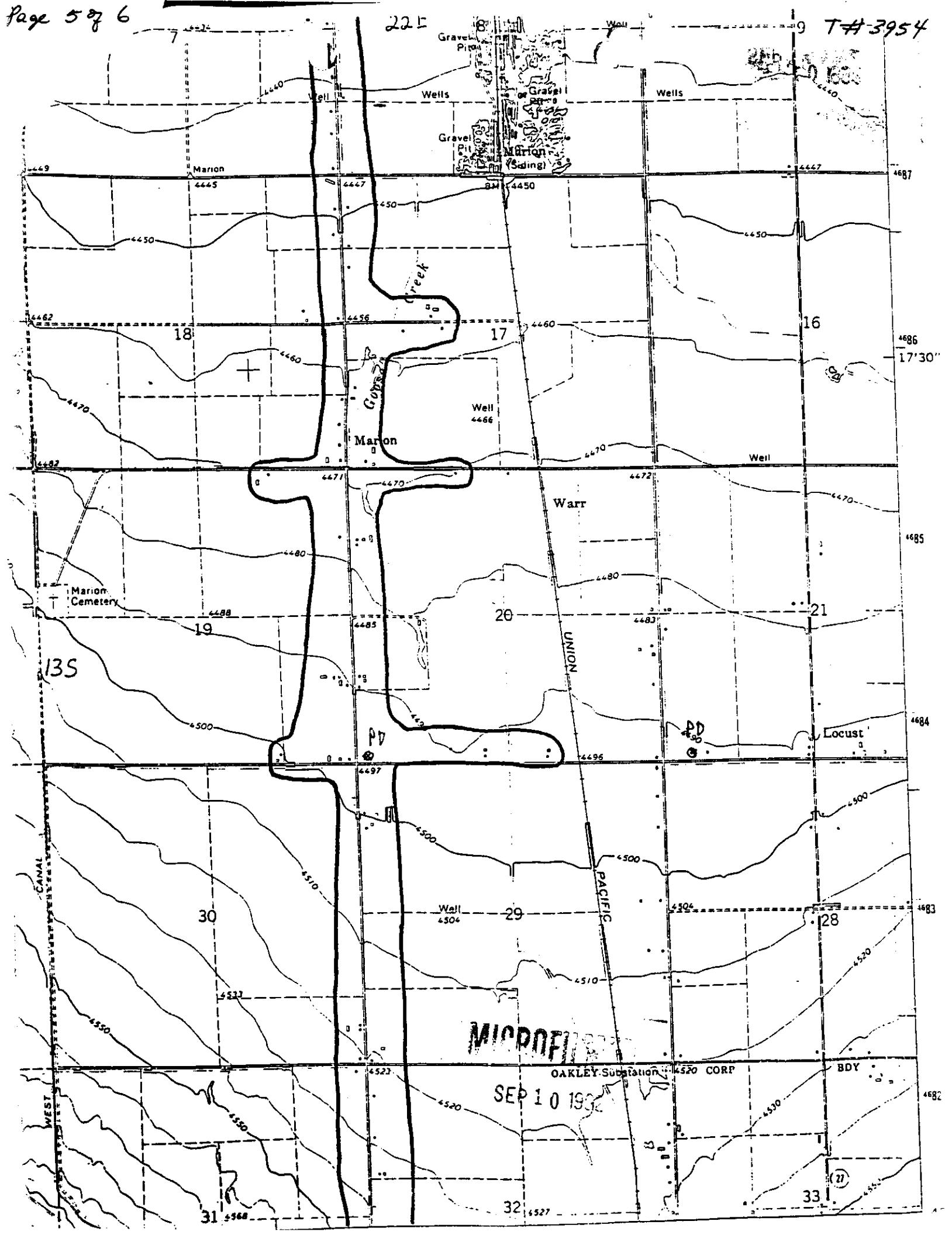
- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|-----------|-----------------------|------------------|---------------|
| 45-04273 | 7-31-1953 | 0.60 cfs | Dom./Stock | 1-1 to 12-31 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>0.60</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Groundwater</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: _____ | | | | |

[illegible]

5. Lands irrigated or place of use: No Change See attached

[illegible]

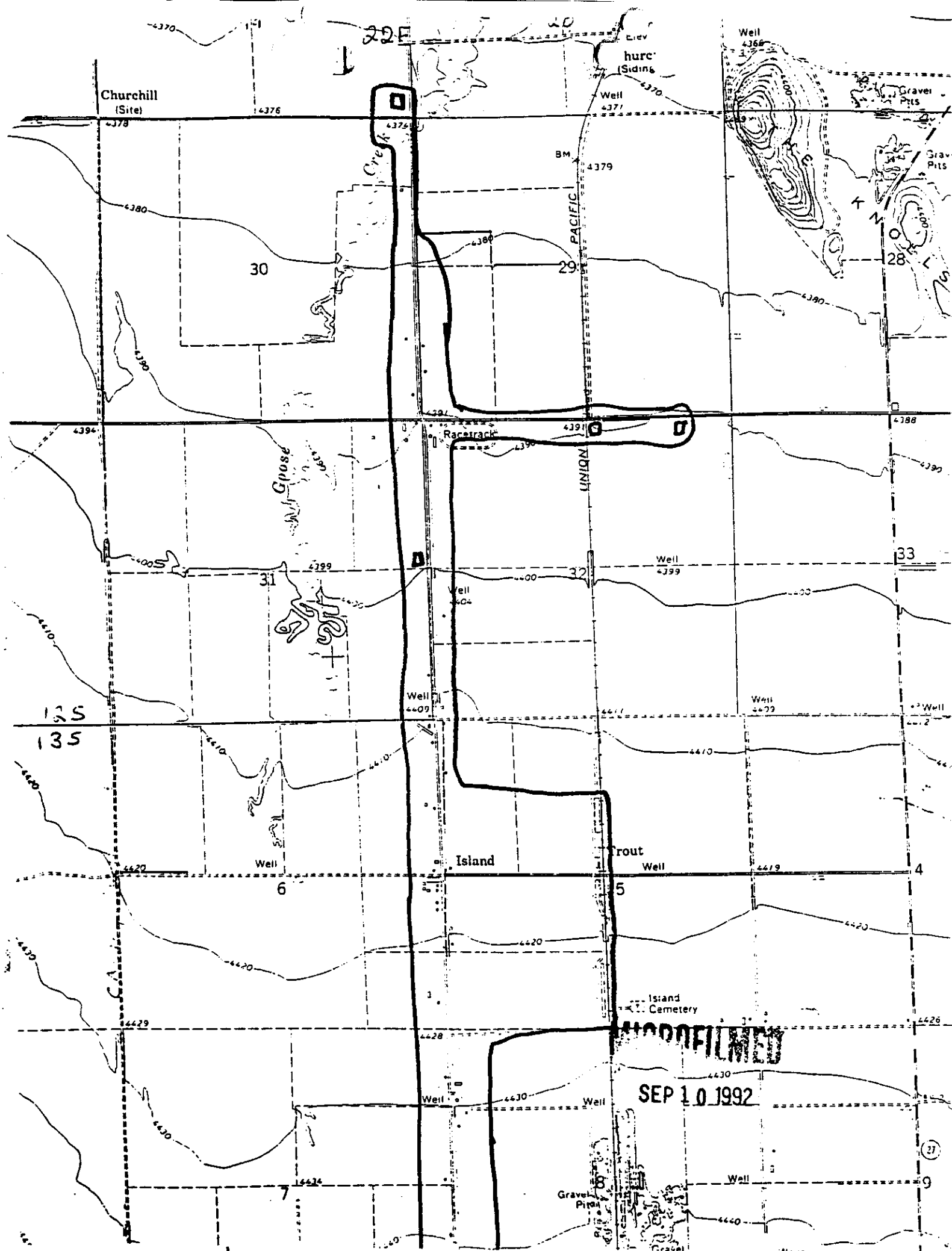
Total acres _____



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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
145	22E	5					Lt 3 X	Lt 4 X											
		6	Lt 1 X	Lt 2 X															
135	22E	32						X	X			X	X						
		31	X															X	
		30	X															X	
		29						X					X						
		20		X			X	X	X			X	X	X			X		
		19	X	X											X		X	X	
		18	X			X												X	
		17						X	X	X	X	X	X						
		8						X	X		X	X							
		7	X			X									X			X	
		6	Lt 1 X			X									X			X	
		5					X	Lt 4 X	X	X	X	X		X					
125	22E	32	X	X				X				X							
		31	X			X												X	
Total number of acres to be irrigated																			
		33																	
		30													X			X	
		29										X	X						
		19																X	

SEP 10 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 45-04273 on file with the Idaho Department of Water Resources.
- d. Transfer No. 3418 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-31-1953

5. Water is used for the following purpose:

amount 0.60 cfs for Domestic purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for Stockwater purposes from " to "
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	21	13S	22E	Cassia	
	SW	SW	SW	20	"	"	"	

8. Lands irrigated or place of use: See Attached Land List

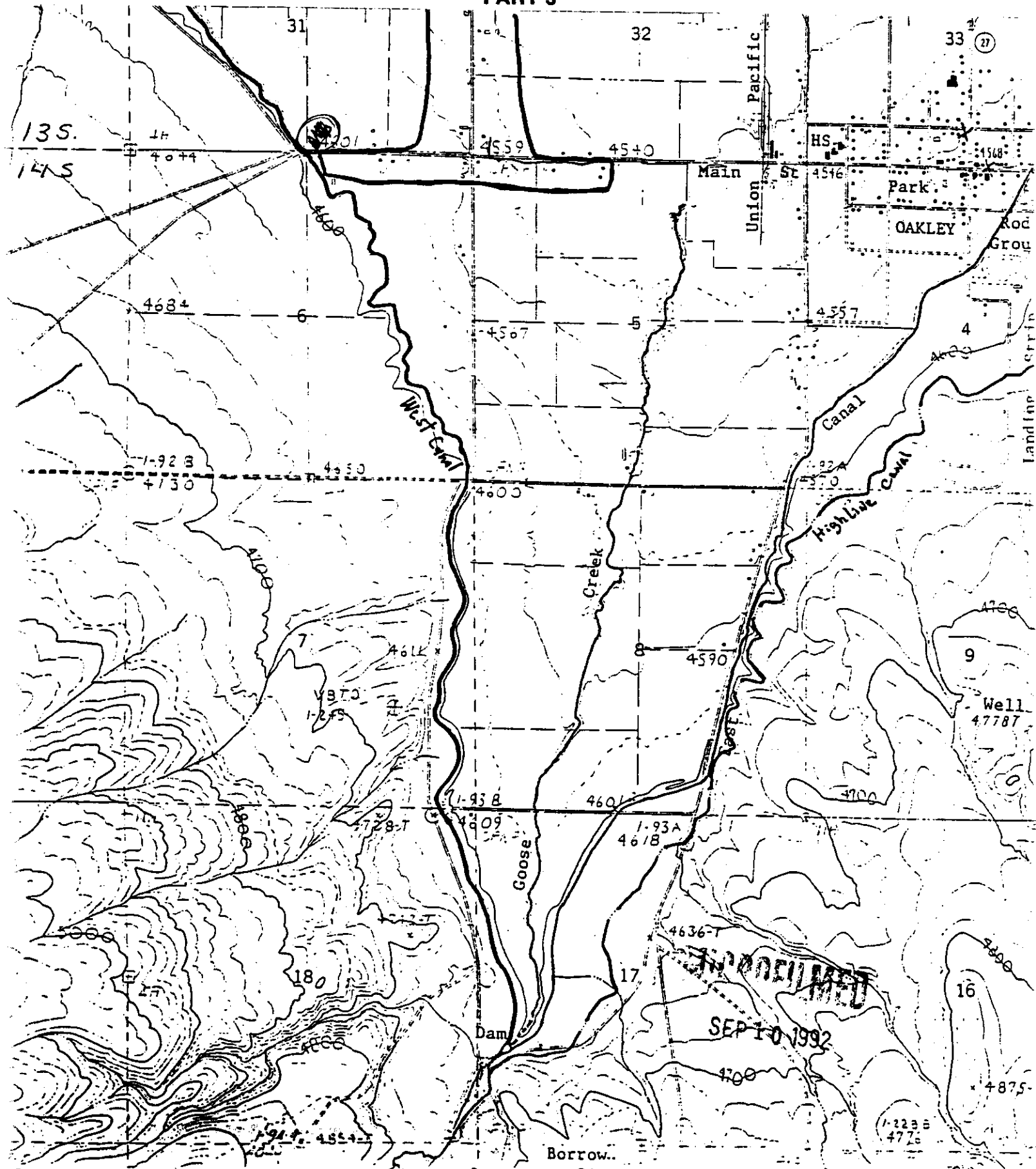
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

Lic. 45-02186, 2187

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3



RECORDED
SEP 10 1992

Borrow

AJ5809NP
NO. A45-04273

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/24/00
PAGE: 86

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARION PIPELINE COMPANY	07/31/1953	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	0.600 CFS 0.600 CFS 0.600 CFS	

TOTAL DIVERSION: 0.600 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T13S R22E S20 SWSWSW
S21 SWSWSW
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac					
12S 22E 19 :					0.5
12S 22E 29 :					0.5
12S 22E 30 :					0.5
12S 22E 31 : 01					0.5
12S 22E 32 : .5		01	01		2.5
12S 22E 33 :					0.5
13S 22E 5 :		04-01	01		2.5
13S 22E 6 : 01-01	01				2.5
13S 22E 7 :	.5				3.0
13S 22E 8 :					1.0
13S 22E 17 :			.5		4.0
13S 22E 18 : 01		.5	01		4.5
13S 22E 19 : .5		.5	.5		5.0
13S 22E 20 : .5		.5	01		4.5
13S 22E 29 :		01	.5		2.0
13S 22E 30 :	.5		.5		3.5
13S 22E 31 : .5			.5		2.5
13S 22E 32 :		01	.5		4.0
14S 22E 5 :		03-.5	04-01		2.0
14S 22E 6 : 01-01 02-.5	.5	.5			3.0
TOTAL ACRES					52.0

Place of use Legal Description for: STOCKWATER

	NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac					
12S 22E 29 :					
12S 22E 30 :					
13S 22E 5 :					
13S 22E 6 :					
13S 22E 7 : S					

AJ5809NP
NO. A45-04273

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/24/00
PAGE: 87

Place of use Legal Description for: STOCKWATER

		NE		NW		SW		SE	
T	R S	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME
		Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
13S 22E 8	:	:	:	S	S	:	:	:	:
13S 22E 19	:	S	:	:	:	:	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: DOMESTIC/ 104 HOUSES ;STOCKWATER/ 15,000 STOCK

Other Rights: 45-02186 & 45-02187

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	A45-00438	A45-0043D
A45-0043E	A45-02028C	A45-02029	A45-02040	A45-02186	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	A45-07307	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	A45-00106
A45-00116	R45-00128	R45-00131	R45-00177	R45-00178	R45-00430	R45-02029	R45-02059	R45-02639	R45-04230

Conditions of Approval:

Remarks: GEN

TRANS. 3418.
BATES SPRING & SIMMONS SPRING ALSO USED FOR HOME SITES.
ORIGINALLY FOR STOCK & DOMESTIC USE ONLY. HAVE ALWAYS
IRRIGATED 104 LAWNS OR 52 ACRES.

AMENDED BY TRANS. 3954 TO CHANGE POINT OF DIVERSION 8/24/92 ADM

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

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

Audit: 06/13/89 WHITE 08/24/92 MERRITT 03/30/95 POST-STD



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

5/12/1989 2

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

1745-02187
04273

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
DEC 3 1996

March 29, 1993

Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

RECEIVED
MAR 31 1993
Department of Water Resources
Southern Region Office

Re: AJ5809Np
No. A45-04273

Dear Sirs:

Enclosed is evidence supporting the 1953 priority date claimed by Marion Pipeline Co. of groundwater referred to in correspondence from your office.

A copy of the check stub No. 288 dated Dec. 29, 1953 for purchase of a pump that was installed in the well at the original point of diversion. A copy of a check with the Marion Pipeline heading is also enclosed. Two check stubs dated February 12, 1954 and March 25, 1954 Made out to Idaho Power Company are submitted as evidence that the pump was installed and pumped beginning in 1954. We also have check stubs showing that power bills were paid on a regular basis through the years up until the present time. Enclosed is a notarized affidavit signed by two individuals who have knowledge of the operation of this well at the time , and since the 1953 date climed by Marion Pipeline Company.

Thankyou for your consideration in this matter.

Repectfully,

Marion Pipeline Company

Doug Cranney

Doug Cranney

MICROFILMED
OCT 27 1994

STATE OF IDAHO)
)ss.
County of Cassia)

AFFIDAVIT

RECEIVED

MAR 31 1993

Department of Water Resources
Southern Region Office

RE: Evidence of Priority
Notice No. A45-04273

We the undersigned being duly sworn do hereby depose and say:
1. That we have a personal knowledge the Marion Pipeline Co. put to beneficial use the groundwater source (wells) located in T13S R22E S20 SWSWSW and S21 SWSWSW in the year 1953.
2. That we have observed this use starting from the original Point of Diversion in 1953.

Orril B. Adams

J. Reed Whiteley

STATE OF IDAHO)
)ss.
County of Cassia)

On this 30th day of March, 1993, before me, a notary public in and for said State, personally appeared Orril B. Adams and J. Reed Whiteley known to me to be the (person) (persons) whose (name) (names) (is) (are) subscribed to the within instrument, and acknowledged to me that (he) (she) (they) executed the same.

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

(SEAL)

Shelma L. Clark

Notary Public for Idaho
Residing at Oakley Idaho
My commission Expires June 10, 1993

MICROFILMED

OCT 27 1994

Re: Evidence of Priority
AJ5809NP
No. A45-04273

POOR ORIGINAL

RECEIVED

MAR 31 1993

Department of Water Resources
Southern Region Office

GENERAL FUND
MARION PIPE LINE COMPANY
OAKLEY, IDAHO

BURLEY, IDAHO,

502

GENERAL FUND
MARION PIPE LINE COMPANY

FOR
TO THE CASSIA NATIONAL BANK
92-282
BURLEY, IDAHO

BY
COUNTERSIGNED
SECRETARY
PRESIDENT

No. 288

June 29 1953
ORDER OF TOTAL

DEPOSITS

PAY TO ORDER

MICROFILMED
OCT 27 1994

James Catano
First Deposit on June 29
1953
AMOUNT THIS CHECK
2200.00

No. 295

FORD.

DEPOSITS

Feb. 12 1954

ORDER OF

TOTAL

Idaho Power

AMOUNT THIS CHECK

171 60

BAL.

No. 296

DEPOSITS

Mar. 25 1954

ORDER OF

TOTAL

Idaho Power Co.

AMOUNT THIS CHECK

47 85
+ 71 60

BAL.

POOR ORIGINAL

RECEIVED

MAR 31 1993
Department of Water Resources
Southern Region Office

Re: Evidence of Priority
A15809 N.P.
No. A45-04273

GENERAL FUND
MARION PIPE LINE COMPANY
OAKLEY, IDAHO

BURLEY, IDAHO,

502

FOR
TO THE CASSIA NATIONAL BANK
92-282
BURLEY, IDAHO

GENERAL FUND
MARION PIPE LINE COMPANY

BY
COUNTERSIGNED
SECY-TREAS.
PRESIDENT

MICROFILMED
OCT 27 1994