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: A45-04127
Date Received: 5/26/1989
Receipt No: M003715
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES MULLEN 208-862-3385
   Address: BOX 146
   OAKLEY, ID 83346
   OR
   Name: KAREN MULLEN
   Address: BOX 146
   OAKLEY, ID 83346

9/16 Mullen Ranch Ltd.

2. Date of Priority: JAN 01, 1892

3. Source: BLACKENSHIP SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
14S	21E	3	SE NE		CASSIA

5. Description of diverting works:
   CHECK DAM, PUMP,POND, SPRINKLER, TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	05/01	08/31	0.700	
IRRIGATION STORAGE	01/01	12/31		15.00
STOCKWATER	05/01	08/31	0.700	
DOMESTIC	01/01	12/31	0.040	

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   S/40 RANGE

MICROFILMED
MAR 1 0 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14S	21E	3				DOMEST STOCK	
			SE	NE		IRR	10.0
					Section Acres		10.0
					Total Acres		10.0

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:

14. Remarks:
THE ACREAGE CLAIMED FOR IRRIGATION REFLECTS THE PRODUCTION OF THE FARM FROM BOTH THE RECENT PAST AND THAT EXPECTED IN THE NEAR FUTURE. HOWEVER THE CLAIMANT DOES EXPECT TO EXPAND PRODUCTION BACK TO THE ORIGINAL ACREAGE OF 80 ACRES IN THE FUTURE.

15. Basis of Claim: STATUTORY CLAIM

2.5 AF
for both
.03 cfs each
1941 pd

MICROFILMED
MAR 1 0 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 1 0 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A45-04127
Date Received: 5/26/1989
Receipt No: 1100375
Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES MULLEN 208-862-3385
   Address: BOX 146
   OAKLEY, ID 83346
   OR
   Name: KAREN MULLEN
   Address: BOX 146
   OAKLEY, ID 83346

2. Date of Priority: JAN 01, 1892

3. Source: BLACKENSHIP SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
14S	21E	3	SE NE		CASSIA

5. Description of diverting works:
   CHECK DAM, PUMP,POND, SPRINKLER, TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	08/31	0.700		
IRRIGATION STORAGE	01/01	12/31			15.00
STOCKWATER	05/01	08/31	0.700		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
   0.740 C.F.S. (and/or) 15.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   S/40 RANGE

MICROFILMED
MAR 1 0 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14S	21E	3				DOMEST STOCK	
			SE	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	10.0

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:

14. Remarks:
THE ACREAGE CLAIMED FOR IRRIGATION REFLECTS THE PRODUCTION OF THE FARM FROM BOTH THE RECENT PAST AND THAT EXPECTED IN THE NEAR FUTURE. HOWEVER THE CLAIMANT DOES EXPECT TO EXPAND PRODUCTION BACK TO THE ORIGINAL ACREAGE OF 80 ACRES IN THE FUTURE.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
MAR 10 1993

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X James Fuller Date: 5-26-89

_____ Date: _____

State of Idaho)
) SS.
County of Canyon)

Subscribed and sworn (or affirmed) before me this 26 day of May 19 89

Bruce A. Schuld
Notary Public

Seal

Residing at _____

My Commission Expires _____

BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES APRIL 11, 1995

MICROFILMED
MAR 10 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

25-Jan-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

A45-04127
JAMES MULLEN
KAREN MULLEN
BOX 146
OAKLEY ID 83346

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

MICROFILMED
MAR 10 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

RECEIVED
SEP 15 2004
DEPARTMENT OF
WATER RESOURCES

September 8, 2004

KAREN AND JAMES MULLEN
920 W 2000 S
OAKLEY ID 83346

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #45-4127 and 45-4128

Dear Claimants: Records modified 9-15-04 SD

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by September 21, 2004. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

######

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

208-862-3385
Telephone No.

SCANNED
SEP 16 2004

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

RETURNED TO SENDER

- [x] Not Deliverable As Addressed
- [ ] Unable To Forward
- [ ] Insufficient Address
- [ ] Moved, Left No Address
- [ ] Unclaimed [ ] Refused
- [ ] Attempted - Not Known
- [ ] No Such Street [ ] Number
- [ ] Vacant [ ] Illegible
- [ ] No Mail Receptacle
- [ ] Box Closed - No Order
- [ ] Returned For Better Address
- [ ] Postage Due _____

SEP 03 04 ID
PB METER 7140087
$ 00.83 U.S. POSTAGE

45-4127
45-4128

Words modified
9-15-04 MP

RECEIVED
SEP 07 2004
Department of Water Resources

KAREN MULLEN

JAMES MULLEN
~~BOX 146~~
OAKLEY ID 83346

920 W.
2000 S.

SCANNED
SEP 16 2004

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

August 3, 2004

JAMES & KAREN MULLEN
PO BOX 146
OAKLEY ID 83346

RE: Preliminary Recommendations 45-4127 & 45-4128

Dear Claimants,

I have recently completed my preliminary recommendations on your claims for the springs on your property, which you filed in 1989, and enclose copies for your review. The Department will soon be mailing the Director's Report, which will be filed with the court and will include these rights. My recommendations reflect smaller diversion rates than your original claims, as I had no measurement information on the actual flow rates. Please feel free to file an **Objection** with the court (a copy of the form and filing instructions will be included with your copy of the Director's Report). This will stay the proceedings and give us more time to gather any necessary information for a more accurate recommendation.

If you have any questions, please give me a call at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

VERIFIED BY JK 7/16/04

07/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-4127

NAME AND ADDRESS: KAREN MULLEN
BOX 146
OAKLEY ID 83346

JAMES MULLEN
BOX 146
OAKLEY ID 83346

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.030 CFS
2.500 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-4128 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2.5 AF.

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/15/1944

POINT OF DIVERSION:

T14S R21E S3 NWSENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	03/15 11/15	0.020 CFS
DOMESTIC	01/01 12/31	0.030 CFS
IRRIGATION STORAGE	01/01 12/31	2.50 AFY
IRRIGATION FROM STORAGE	03/15 11/15	0.030 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County

T14S R21E S03 SENE

DOMESTIC Within CASSIA County

T14S R21E S03 SENE

IRRIGATION STORAGE Within CASSIA County

T14S R21E S03

IRRIGATION FROM STORAGE Within CASSIA County

T14S R21E S03 SENE 10.0

10 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-4128 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 10 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

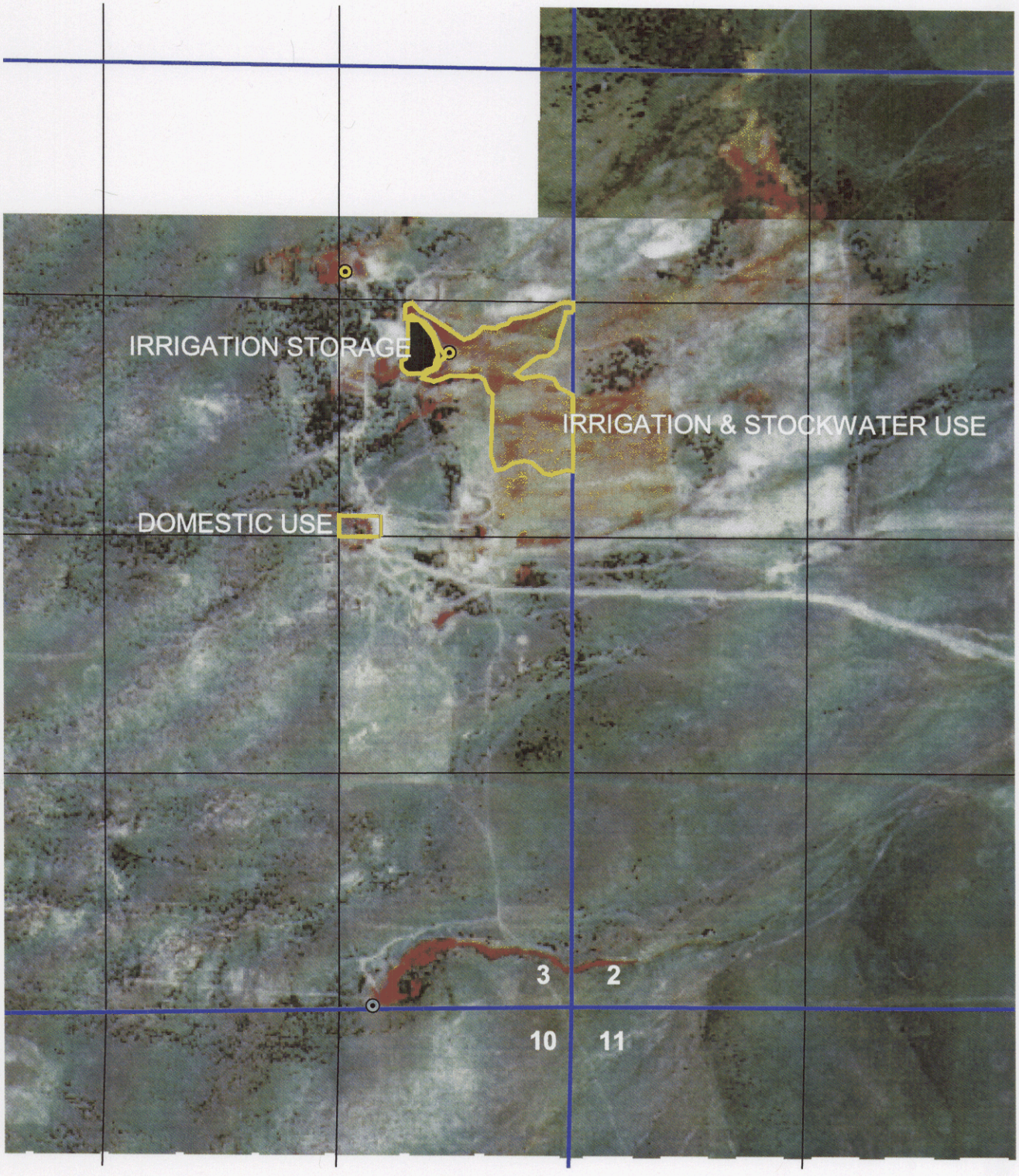
The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

SOURCE IS ALSO KNOWN AS BLANCKENSHIP SPRING.

Idaho Department of Water Resources

45-4127 & 45-4128



1320 0 1320 2640 3960 F

N

RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 16, 2004
TWP 14S, RNG 21E, SEC. 3

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4127 V1

WATER RIGHT NUMBER: 45-4127 V1

Owner Type	Name and Address
Current Owner	KAREN MULLEN BOX 146 OAKLEY, ID 83346
Current Owner	JAMES MULLEN BOX 146 OAKLEY, ID 83346 (208)862-3385

Priority Date: 06/15/1944

Basis: Beneficial Use

Status: Active

Source	Tributary
SPRING	SINKS

Beneficial Use	From	To	Diversion Rate	Annual Volume
STOCKWATER	03/15	11/15	0.020 CFS	
DOMESTIC	01/01	12/31	0.030 CFS	
IRRIGATION STORAGE	01/01	12/31		2.50 AF
IRRIGATION FROM STORAGE	03/15	11/15	0.030 CFS	
		Total Diversion:	0.030 CFS	2.50 AF

Location of Point(s) of Diversion

SPRING NW1/4SE1/4NE1/4 Sec. 3, Twp 14S, Rge 21E, B.M.

CASSIA County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	21E	3				X													

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	21E	3				X													

IRRIGATION STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4127 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	21E	3																	

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	21E	3				10.0													10.0

Total Acres: 10

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. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

Remarks:

1. Explanatory SOURCE IS ALSO KNOWN AS BLANCKENSHIP SPRING.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 45-4128 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2.5 AF.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 45-4128 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 10 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

1. jroberts 7/16/2004 Basis of Recommendation
Comment: Priority date per evidence provided from deed; diversion rate reduced to 0.03 per original posted notice in 45-4128; standard season of use. Additional measurement information needed from claimants for more flow rate.

State of Idaho
DEPARTMENT OF WATER RESOURCES

DD27
1976

R2

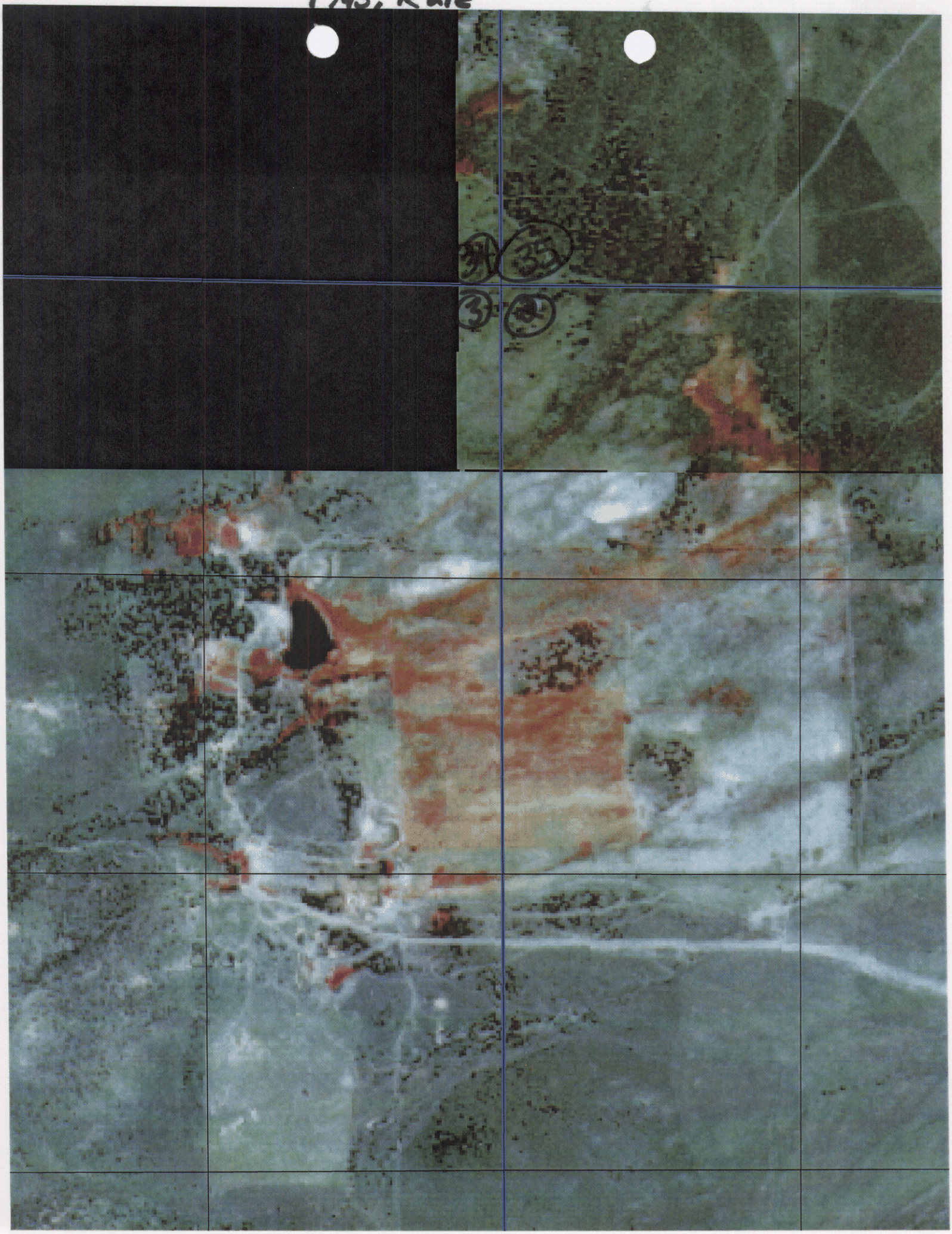
13S

14S

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T14S, R21E



DD27

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

3268 IV SW
(MARION)

114°00′
42°15′
253000m.E.
254
255
57′30″
257
258
R 21 E
R 22 E
T. 13 S.
T. 14 S.
4680000m.N.
4679
4678
33
34
35
36
4
3
2
1
9
10
11
12
4644
4684
4730
4764
4992
5023
5405
5572
4981
Mackey Canyon
Creek
Cottonwood
Spring
Spring
Cowboy Spring
Little
JEEP TRAIL
JEEP TRAIL
JEEP TRAIL
JEEP
TEST RES

45-4127



A0002696-6

spring, stream, catchment shed - west

45-4127



A0002696-7

drainage into pond - NE

45-4127



A 0002696-8

pump and site tag and pond well - west

45-4127



A0002696-9

pou - west from pump

Log for claim A45-04127 Spatial Dynamics MWY 3/1/00

T	R	SEC	QQ	Acres Claimed	Acres Found	COMMENT
14	21	3	SENE	10	19	Indiscernible
Totals:				10	19	

- need P/P on this spring. (deed mentioning spring dated 6/15/1944)
- original stat claim was for 20 A- & had 1945 priority date

Stoller Report info: 10/4/01
tag# A0002696

spring to pond to gravity-feed pump to trough / dom / irrig
GE motor, 10 hp
Cornell pump ser. # 44832
photos 2696-6, -7, -8, -9
— no measurement info —

/ pond area is about 1 Acre

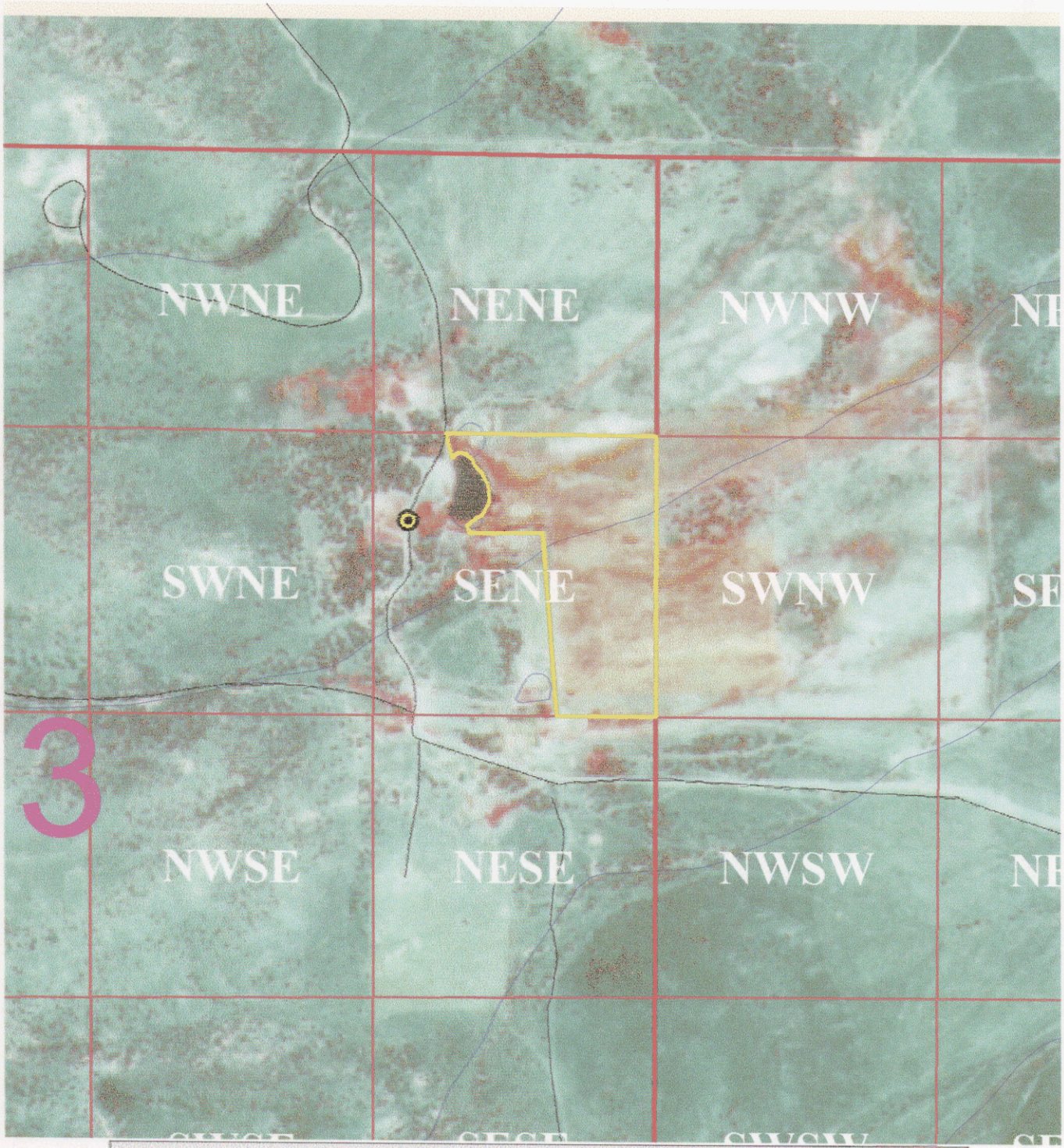
source = springs
locally known as Blackenship spring
Blanckenship ?

needs P.e.
for mees. info
1944 when pond was put in

Water Right Claim Number A45-04127

03/01/2000

Township , 14S21E



Legend

Irrigated Area

Place of Diversion

Section line

Quarter Section Line

Roads

Streams and canals

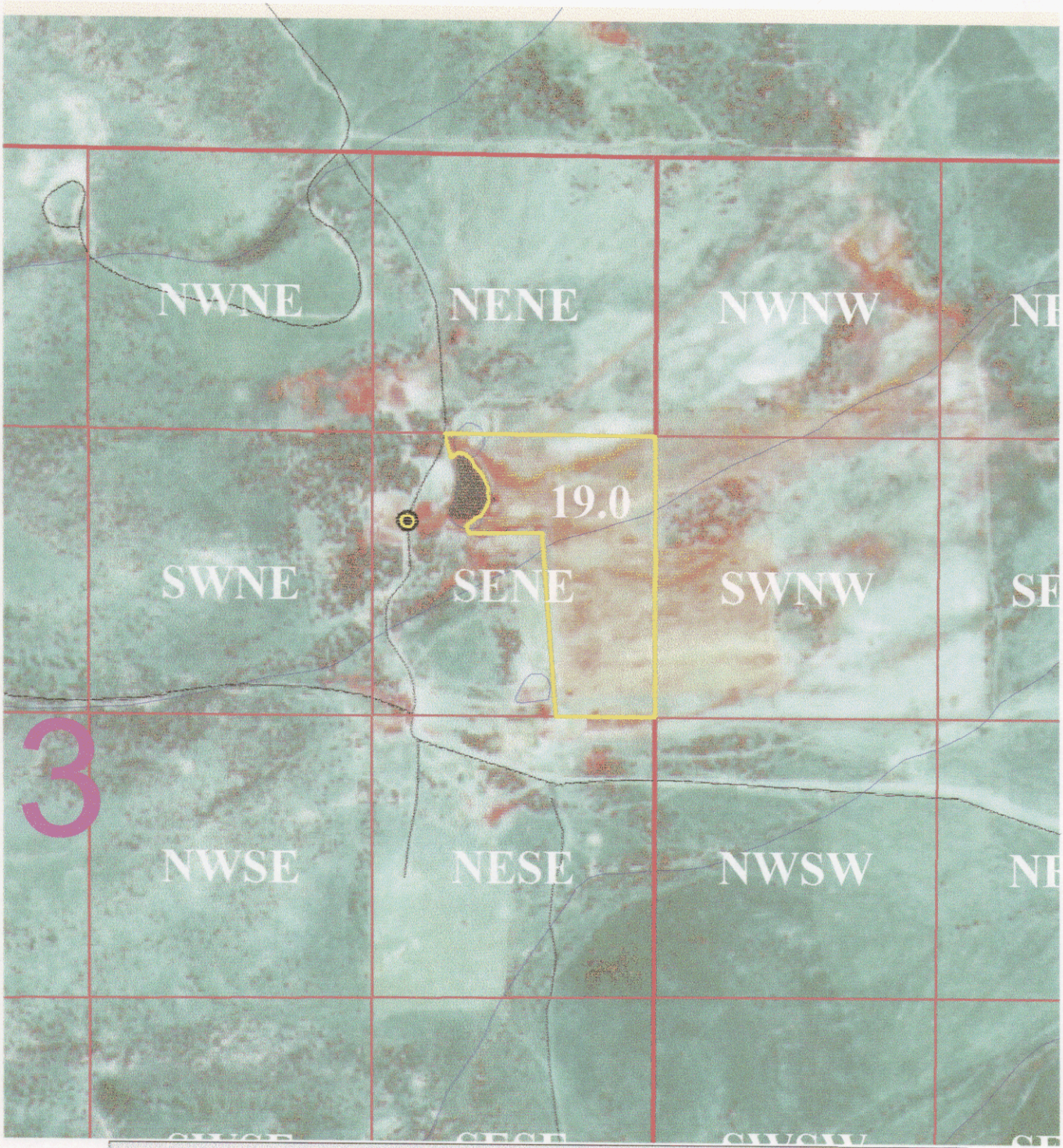
N

600 0 600 1200 Feet

Water Right Claim Number A45-04127

03/01/2000

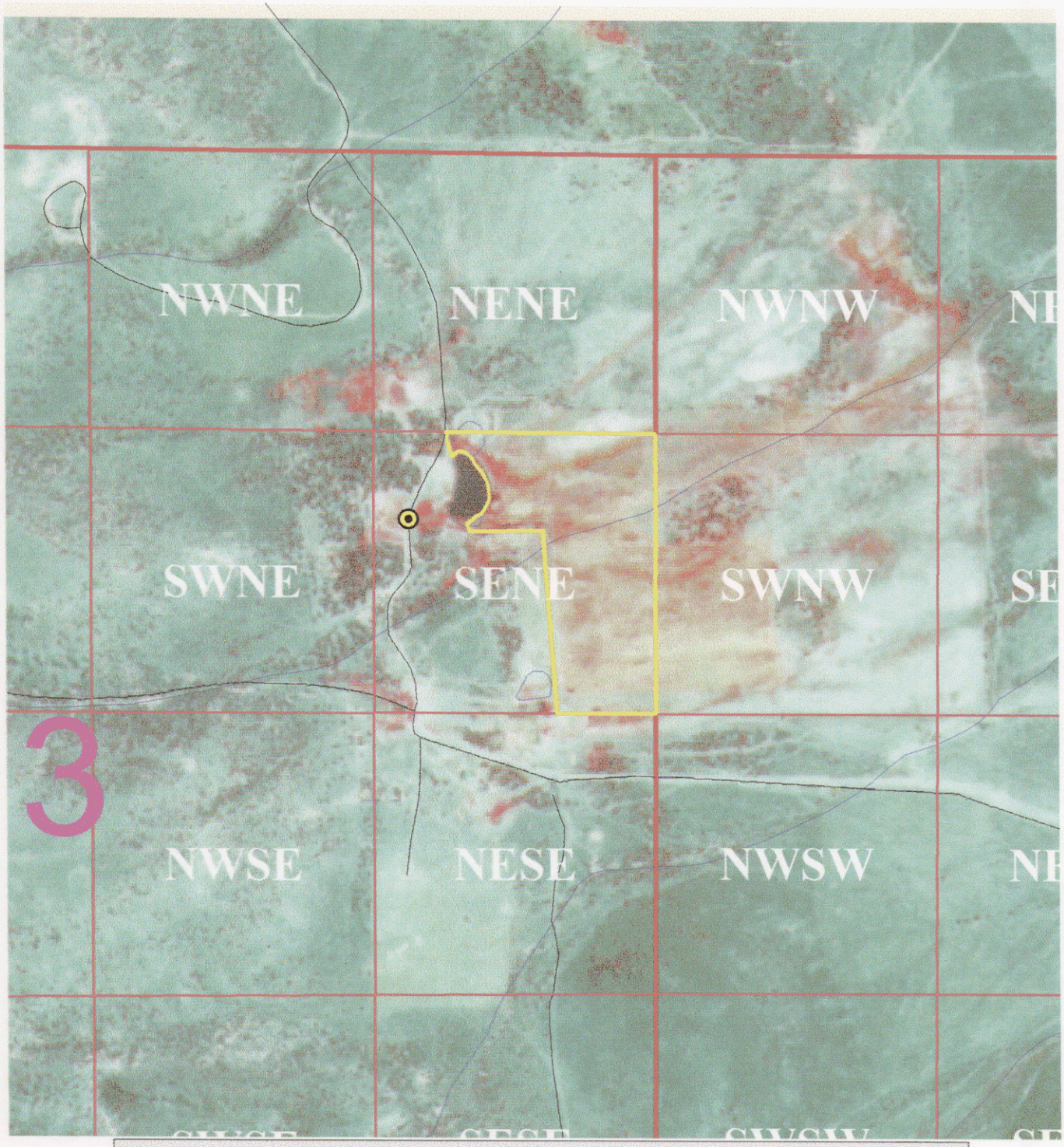
Township , 14S21E



Water Right Claim Number A45-04127

03/01/2000

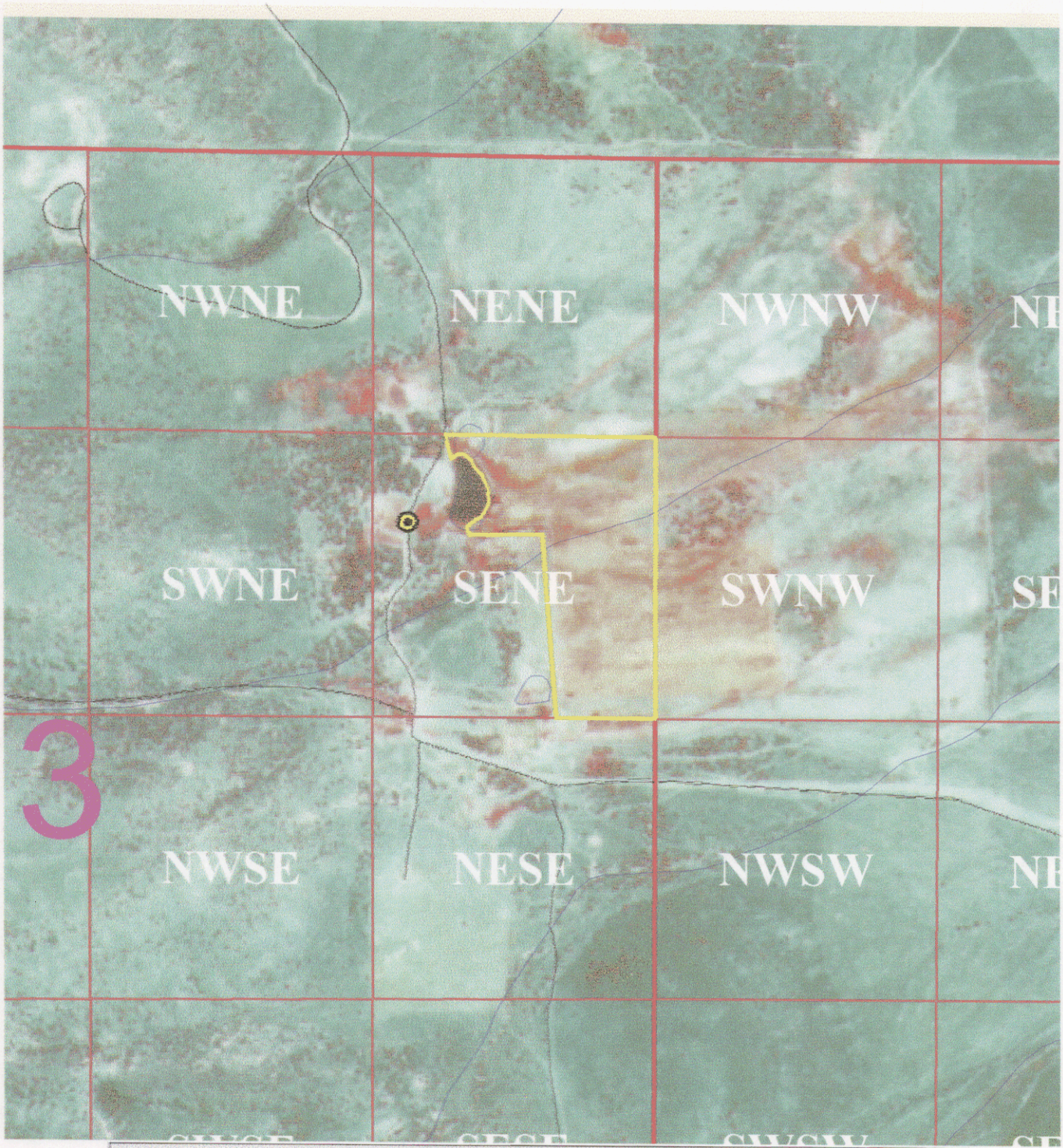
Township , 14S21E



Water Right Claim Number A45-04127

03/01/2000

Township , 14S21E



OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES MULLEN	01/01/1892	IRRIGATION	05-01	08-31	0.700 CFS	
C	KAREN MULLEN		IRRIGATION STORAGE	01-01	12-31		15.00 AFA
			STOCKWATER	05-01	08-31	0.700 CFS	
			DOMESTIC	01-01	12-31	0.040 CFS	
					TOTAL DIVERSION:	0.740 CFS	
					CONSUMPTIVE USE:		30.00 AFA

Water Source: BLACKENSHIP SPRING Tributary to: SINKS Stage: STATUTORY CLAIM

Point(s) of Diversion: T14S R21E S03 SENE CASSIA County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
14S 21E 3				10													10.0
															TOTAL ACRES		10.0

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
14S 21E 3																	

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
14S 21E 3																	

POU County: CASSIA

Non-Irrigation Uses: S/40 RANGE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
45-04159 A45-04159

Other Water Rights Listing Overlapping Place(s) of Use:
A45-04128

Remarks: GEN THE ACREAGE CLAIMED FOR IRRIGATION REFLECTS THE PRODUCTION OF THE FARM FROM BOTH THE RECENT PAST AND THAT EXPECTED IN THE NEAR FUTURE. HOWEVER THE CLAIMANT DOES EXPECT TO EXPAND PRODUCTION BACK TO THE ORIGINAL ACREAGE OF 80 ACRES IN THE FUTURE.

Dates: Exam Made Date: Verified Date: 01/28/1986 Objection Filed Date:

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

Audit: 05/26/89 SCHULD 06/22/89 SCHULD 03/30/95 POST-STD

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES MULLEN BOX 146 OAKLEY ID 83346 (208) 862-3385	01/01/1892	IRRIGATION	05-01	08-31	0.70 CFS	
			IRRIGATION STORAGE	01-01	12-31		15.0 AFA
			STOCKWATER	05-01	08-31	0.70 CFS	
			DOMESTIC	01-01	12-31	0.04 CFS	

C	KAREN MULLEN BOX 146 OAKLEY ID 83346			TOTAL DIVERSION:		0.74 CFS	
				CONSUMPTIVE USE:			30.0 AFA

Water Source: BLACKENSHIP SPRING Tributary to: SINKS Stage: STATUTORY CLAIM

Point(s) of Diversion: T14S R21E S03 SENE CASSIA County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
14S	21E	3				10													10.0
																	TOTAL ACRES		10.0

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
14S	21E	3																	

Place of use Legal Description for: DOMESTIC

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
14S	21E	3																	

POU County: CASSIA

Non-Irrigation Uses: S/40 RANGE

Remarks: THE ACREAGE CLAIMED FOR IRRIGATION REFLECTS THE PRODUCTION OF THE FARM FROM BOTH THE RECENT PAST AND THAT EXPECTED IN THE NEAR FUTURE. HOWEVER THE CLAIMANT DOES EXPECT TO EXPAND PRODUCTION BACK TO THE ORIGINAL ACREAGE OF 80 ACRES IN THE FUTURE.

Dates: Exam Made Date: Verified Date: 01/28/1986

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

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OCT 27 1994

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Department of Water Resources
Southern Region Office

Form No. 243
7/78

Claim No. 45-4127

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 James &/or Karen Mullen
(Name of Claimant)

Box 199, Oakley, ID 83346 Telephone No. 862-3385
(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) 1945

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)
Blackenship Spring tributary to sinks

(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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	Period of Use From (Mo., Day)	To (Mo., Day) (Both dates inclusive)
Quantity	0.70 cfs	Use Livestock & irrigation	May 1	Aug 31
Quantity	0.04 cfs	Use domestic	Jan 1	Dec 31
Quantity	15 AFA	Use storage for irrig.	Jan 1	Dec 31
Quantity		Use		
Quantity		Use		

(4) 0.74 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 3 Twp. 14S Rge. 21E 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. Check dam to 300 gallon tank, pump from tank to home. Dirt pond 1 acre X 15' deep, 20 hp pump to sprinkler system, line from pond to stock troughs.

(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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	21E	2						10	40										50
		3	10 Lt1			20		Lt4											30

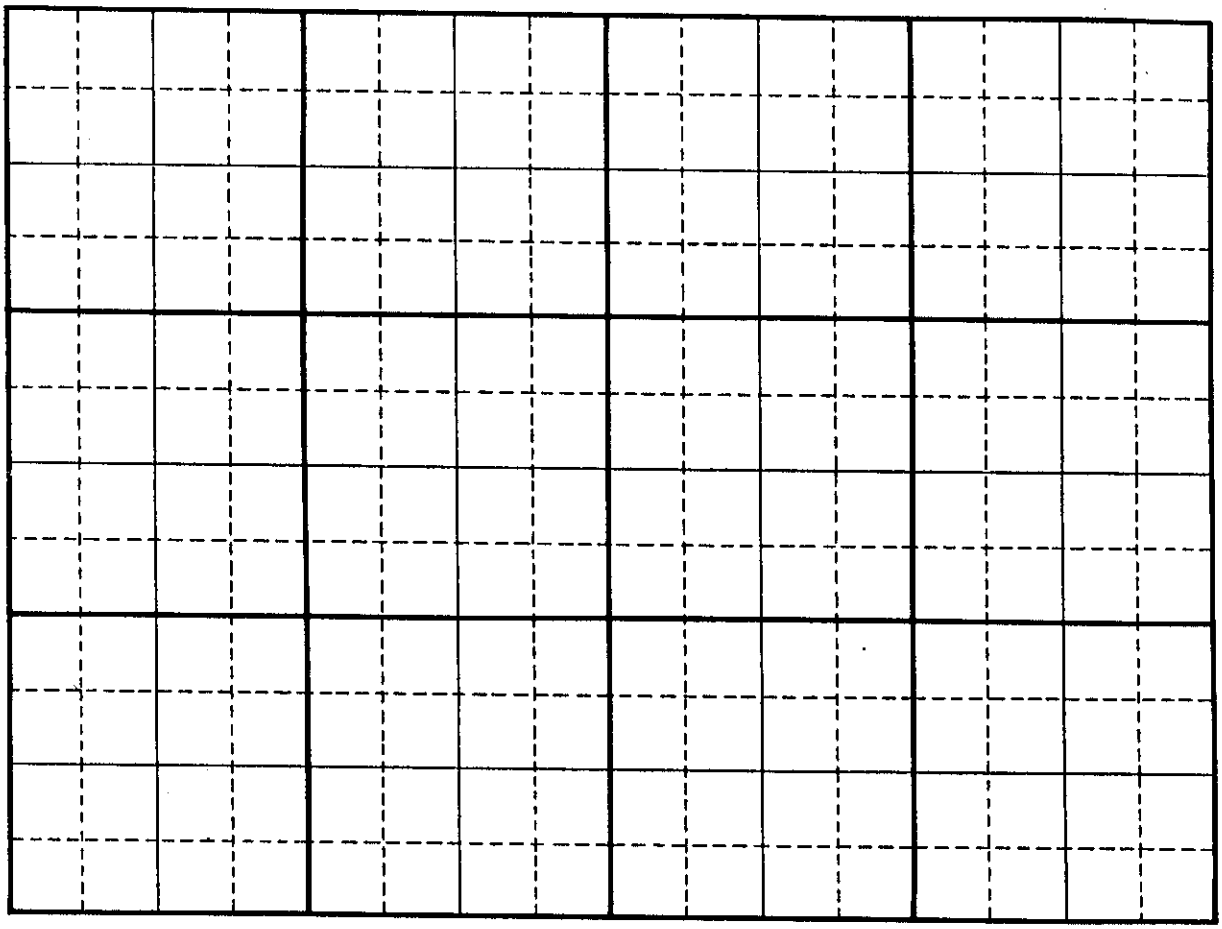
No. of acres 80

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 40 range cattle

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

(8) Remarks Water was used in 1880 for irrigation of 30-40 acres of orchard, but additional land was not put in until 1945. See also claim on Gillepsie Spring.



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)
) ss.
County of Twin Falls)

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.

(Claimant)

Sworn to before me this 24th day of April 1981.

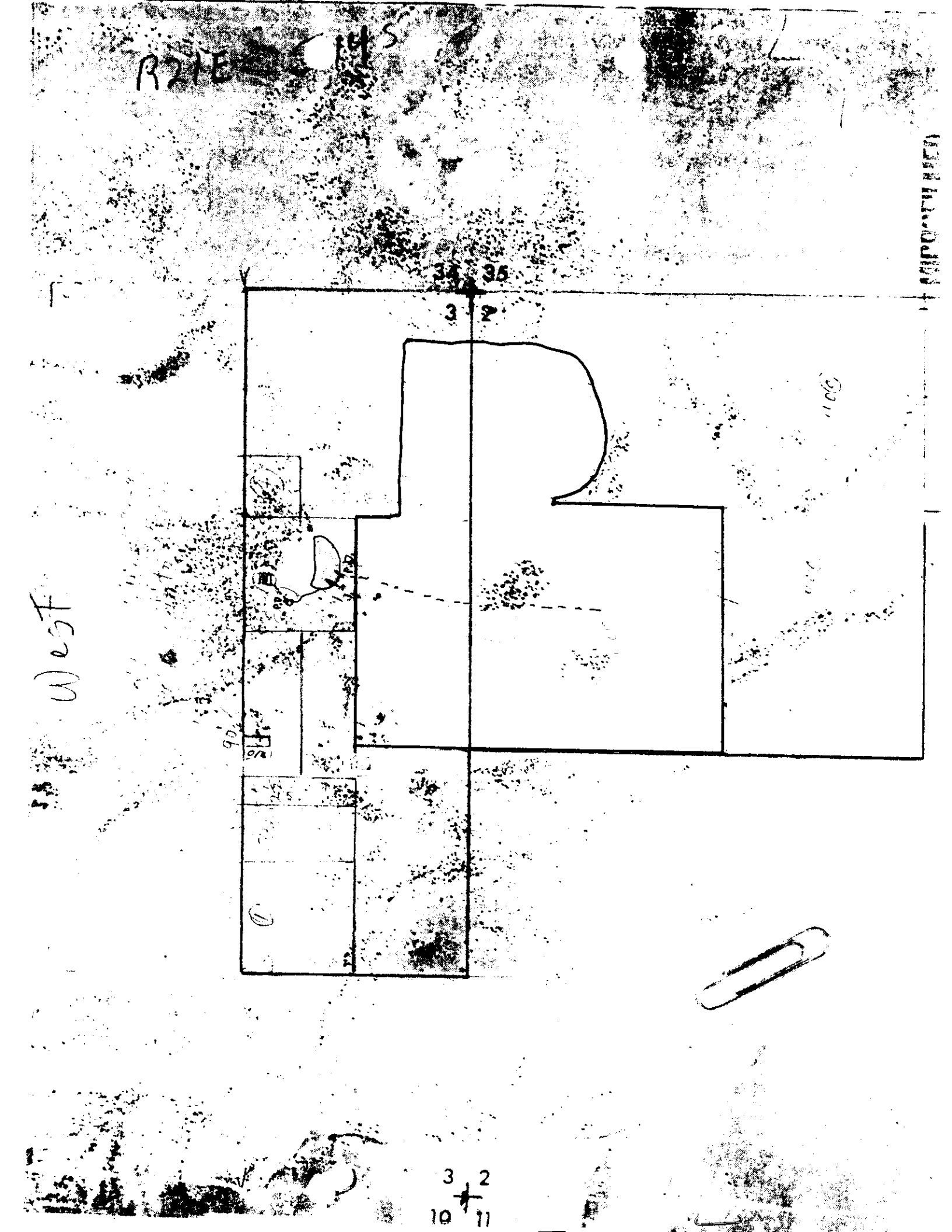
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JR Date 4-24-81
Prelim. check by ADM Date 4/28/81
$20.00 fee received by JR Date 4-24-81 #1678
Published in south idaho press
Dates 5/12 & 5/19/81

Exception filed by: Fowarded to claimant by: Date


R21E
34
35
3
2
West
3
2
10
11

SYMS-YORK CO., PRINTERS & BINDERS, BOISE 21266

#177573

COMPARED

WARRANTY DEED

($6.60 Revenue Stamps Attached)

THIS INDENTURE, Made this 15th day of June, in the year of our Lord one thousand nine hundred and forty-four, between Mary E. Mackey, a widow, of Oakley, County of Cassia, State of Idaho the party of the first part, and Sam D. Mullen and Bessie Viola Mullen, husband and wife, of Oakley, County of Cassia, State of Idaho the parties of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Six Thousand and No/100 DOLLARS lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey, and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in Cassia County, State of Idaho, to-wit:

South Half of the Northwest Quarter of Section Two; the Northeast Quarter of the Southeast Quarter, the Southeast Quarter of the Northeast Quarter of Section Three, all in Township Fourteen South, Range Twenty-one, East Boise Meridian, together with all water rights used on or appurtenant to the above described premises commonly known as the Gillispie, Blanckenship & Mackey Springs.

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APR 01 1993

Department of Water Resources
Southern Region Office

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part, and her heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Mary E. Mackey (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO, } ss.
County of Cassia }

On this 15th day of June, in the year 1944, before me, A. H. Nielson, a Notary Public in and for said State, personally appeared Mary E. Mackey, a widow, known to me (person whose name is subscribed to) to be the that she executed the same.

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

(NOTARIAL SEAL)

My commission expires: February 20, 1946

A. H. Nielson
Notary Public in and for the State of Idaho, residing at Burley, Cassia County therein.

STATE OF IDAHO, } ss.
County of Cassia, }

I hereby certify that this instrument was filed for record at the request of Cassia National Bank at 10 minutes past 2 o'clock P. M., this 6th day of January, A.D. 19 53, in my office, and duly recorded in Book 58 of Deeds at page 29.

Wm. Baugh, Jr.
Ex-Officio Recorder.

MICROFILMED
OCT 27 1994