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: **A45-04128**
Date Received: 5/26/1989
Receipt No: M003714
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

2. Date of Priority: JAN 01, 1892

3. Source: GILLEPSIE SPRING Trib. to: SINKS

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	08/31	0.800		
IRRIGATION STORAGE	01/01	12/31			15.00
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
   0.800 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	2	NW	NW	4	STOCK	
			SW	NW		STOCK	
		3				DOMEST	
						STOCK	
			NE	NE	1	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:
THIS CLAIM REFLECTS THE ACREAGE UNDER PRODUCTION IN THE RECENT PAST, PRESENT AND NEAR FUTURE, HOWEVER THE CLAIMANT DOES EXPECT TO RETURN PRODUCTION TO THE REMAINING 70 ACRES AS THE IMPACT OF T HE DRAUGHT ARE REDUCED IN THE FUTURE.
THE CLAIMANT HAS ALSO LOCATED EVIDENCE THAT THE PRIORITY DATE CLAIMED IN THE ORIGINAL STATUTORY CLAIM WAS IN ERROR BUT IT HAS BEEN CORRECTED IN THIS CLAIM

15. Basis of Claim: STATUTORY CLAIM

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: A45-04128
Date Received: 5/26/1989
Receipt No: M0037711
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: GILLEPSIE SPRING Trib. to: SINKS

4. Point of Diversion:

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	05/01	08/31	0.800	
IRRIGATION STORAGE	01/01	12/31		15.00
STOCKWATER	01/01	12/31		

7. Total Quantity Appropriated is:
   0.800 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 10 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14S	21E	2	NW	NW	4	STOCK	
			SW	NW		STOCK	
		3				DOMEST	
						STOCK	
			NE	NE	1	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:
THIS CLAIM REFLECTS THE ACREAGE UNDER PRODUCTION IN THE RECENT PAST, PRESENT AND NEAR FUTURE, HOWEVER THE CLAIMANT DOES EXPECT TO RETURN PRODUCTION TO THE REMAINING 70 ACRES AS THE IMPACT OF T HE DRAUGHT ARE REDUCED IN THE FUTURE.
THE CLAIMANT HAS ALSO LOCATED EVIDENCE THAT THE PRIORITY DATE CLAIMED IN THE ORIGINAL STATUTORY CLAIM WAS IN ERROR BUT IT HAS BEEN CORRECTED IN THIS CLAIM

15. Basis of Claim: STATUTORY CLAIM

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: 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): [signature] Date: 5-26-89

Date:

State of Idaho)
) SS.
County of Cassia)

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

[signature]
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC RESIDING AT BOISE, IDAHO

My Commission Expires 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

A45-04128
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.

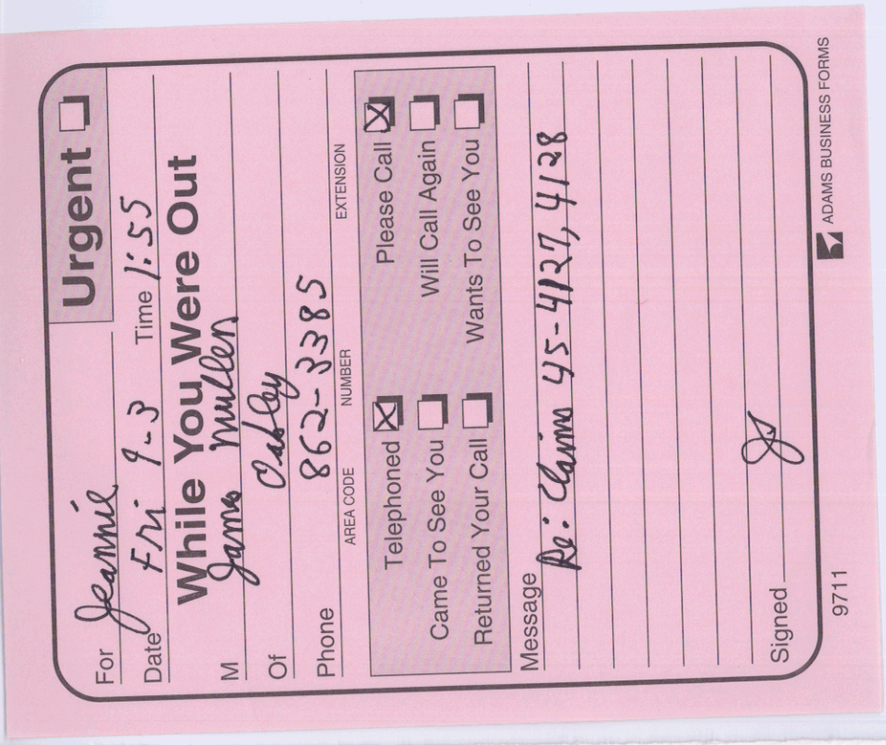
Please submit the required evidence supporting the priority date by **April 1, 1993**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED
MAR 1 0 1993



Urgent ☐

While You Were Out

For Jeannie Date Fri 8-3 Time 1:55

M James Mullen Of Oakley

Phone AREA CODE 862 NUMBER 3385 EXTENSION

Telephoned ☒ Please Call ☒

Came To See You ☐ Will Call Again ☐

Returned Your Call ☐ Wants To See You ☐

Message Re: Claims 45-4127, 4128

Signed JR

9711

ADAMS BUSINESS FORMS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

JR

RECEIVED
AUG 09 2004
Department of Water Resources
Southern Region

TWIN FALLS ID 833
PM
03 AUG
1990
2004

PITNEY BOWES
U.S. POSTAGE
PB35242533
$ 00.37 0 AUG 03 2004
1429 MAILED FROM ZIP CODE 83301

Carrie rested?
✓ thanks
Done

MULL146 833462016 1303 08 08/06/04
FORWARD TIME EXP RTN TO SEND
MULLEN
920 W 2000 S
OAKLEY ID 83346-8762

RETURN TO SENDER

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 18, 2004

JAMES & KAREN MULLEN
920 W 2000 S
OAKLEY ID 83346-8762

Re: Change of Address

Dear Mr. and Mrs. Mullen:

IDWR has been notified the address presently in our records is incorrect. 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. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to the Department. Make corrections to your name and address, if necessary, before returning this letter. Please return this letter by September 15, 2004. If your mail delivery address changes in any form, please contact us in writing so we can update our records.

Should you have any questions or need assistance, please feel free to contact this office.

Sincerely,

Carrie Hahn
Clerk

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

Claimant Signature

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 JS

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

208-862-3885
Telephone No.

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

RETURNED TO SENDER

- ☒ 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

RECEIVED
SEP 07 2004
Department of Water Resources

Words modified
9-15-04 MP

920 W.
2000 S.

KAREN MULLEN

JAMES MULLEN
~~BOX 146~~
OAKLEY ID 83346

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 7/16/04

07/16/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-4128

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. 45-4127 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2.5 AF.

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

PRIORITY DATE: 06/15/1944

POINT OF DIVERSION:

T14S R21E S3 SWNENE Lot 1 Within CASSIA County

PURPOSE AND PERIOD OF USE:

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

PLACE OF USE: IRRIGATION FROM STORAGE Within CASSIA County

T14S R21E S03 SENE 10.0

IRRIGATION STORAGE Within CASSIA County

T14S R21E S03 SENE

STOCKWATER Within CASSIA County

T14S R21E S03 SENE

10 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-4127 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.

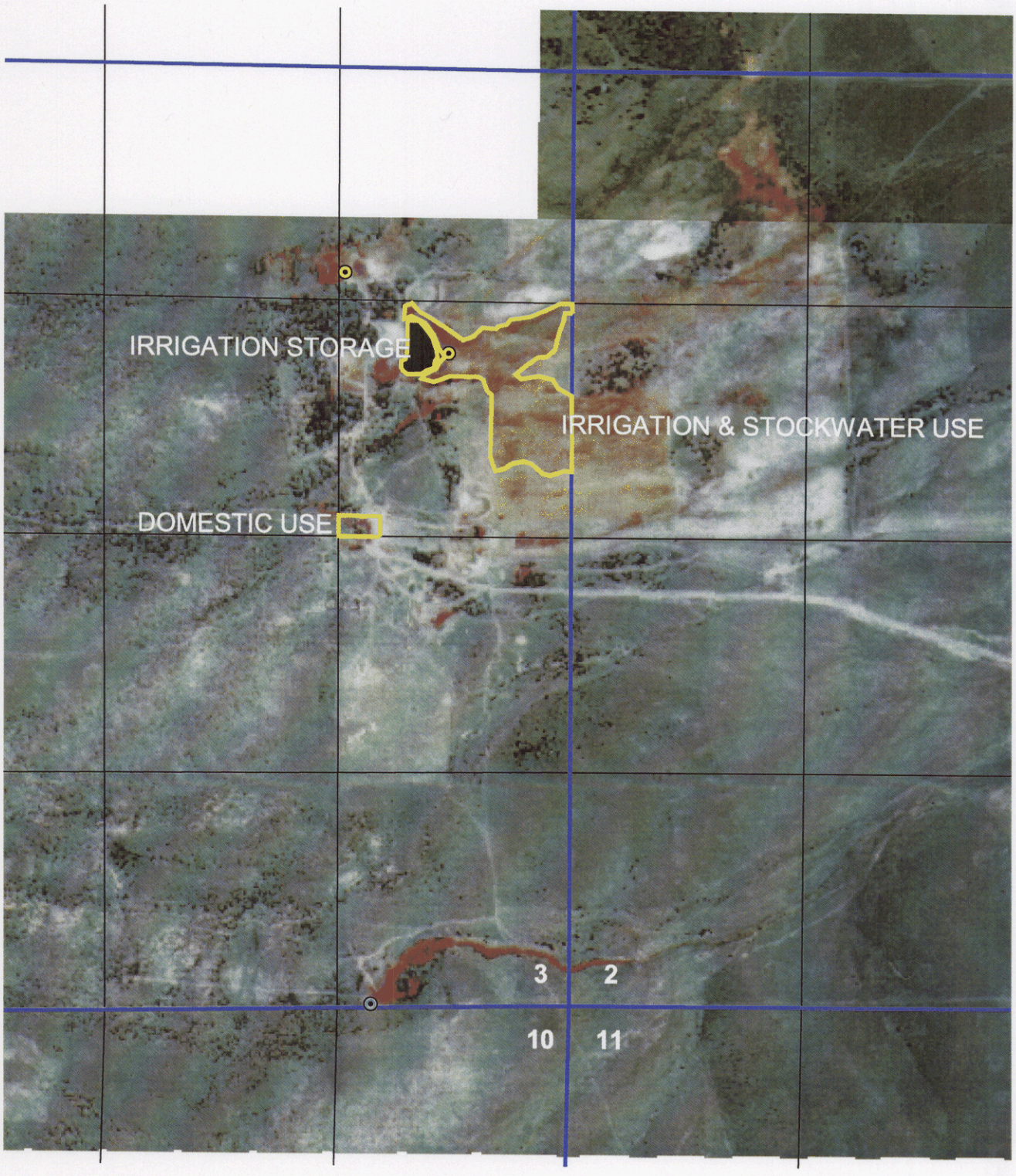
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

SOURCE IS ALSO KNOWN AS GILLESPIE 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 45-4128 V1

WATER RIGHT NUMBER: 45-4128 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
IRRIGATION FROM STORAGE	03/15	11/15	0.030 CFS	
IRRIGATION STORAGE	01/01	12/31		2.50 AF
STOCKWATER	01/01	12/31	0.020 CFS	
		Total Diversion:	0.030 CFS	2.50 AF

Location of Point(s) of Diversion

SPRING L1 (SW1/4NE1/4NE1/4) Sec. 3, Twp 14S, Rge 21E, B.M.

CASSIA County

Place of Use

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

IRRIGATION 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				X													

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-4128 V1

		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S 21E	3				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. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

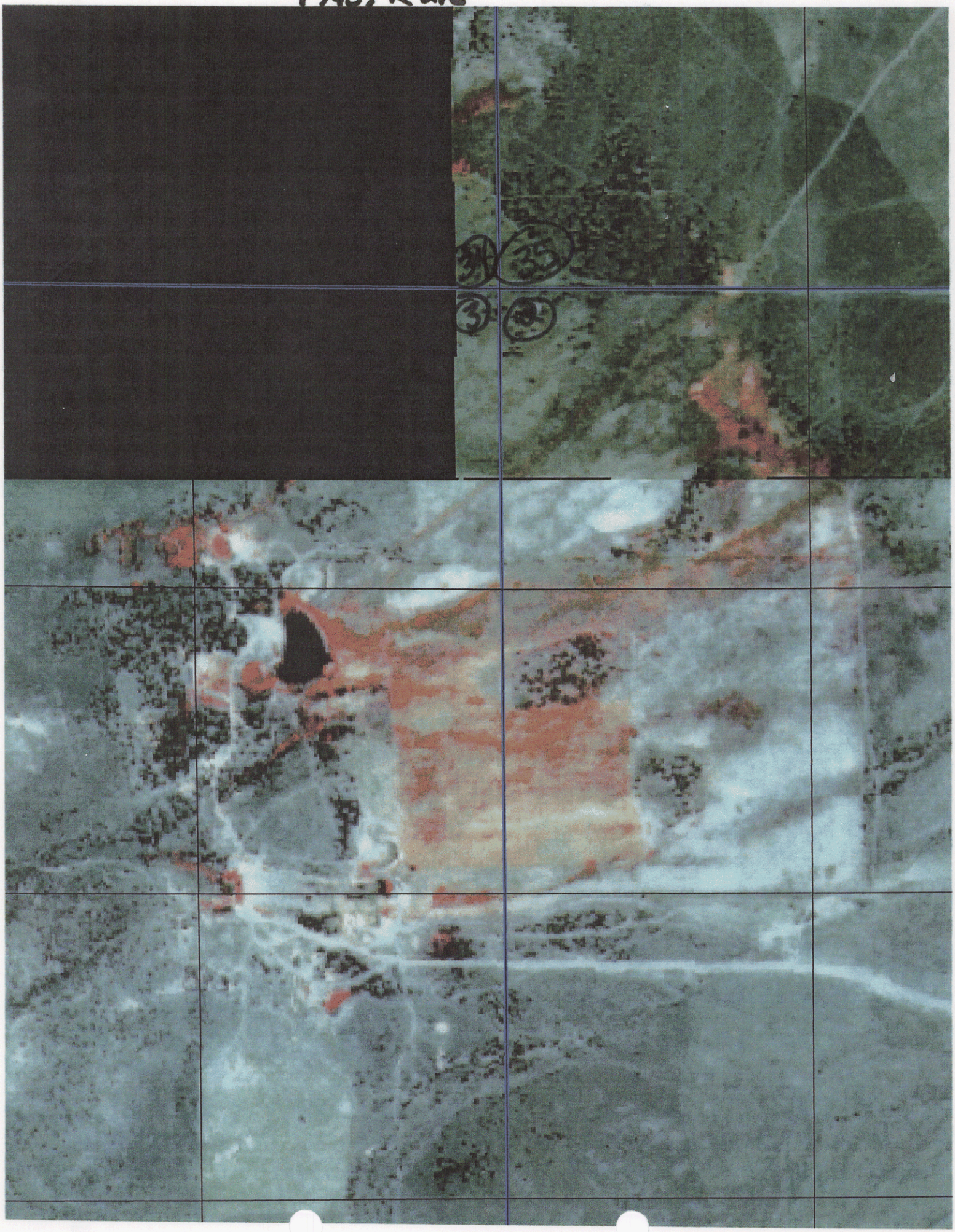
Remarks:

1. Explanatory SOURCE IS ALSO KNOWN AS GILLESPIE SPRING.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 45-4127 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. 45-4127 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 in 45-4127, diversion rate reduced to 0.03 per original posted notice; standard season of use. Additional measurement information needed from claimants for more flow rate.

T/P, Kaie



State of Idaho
DEPARTMENT OF WATER RESOURCES

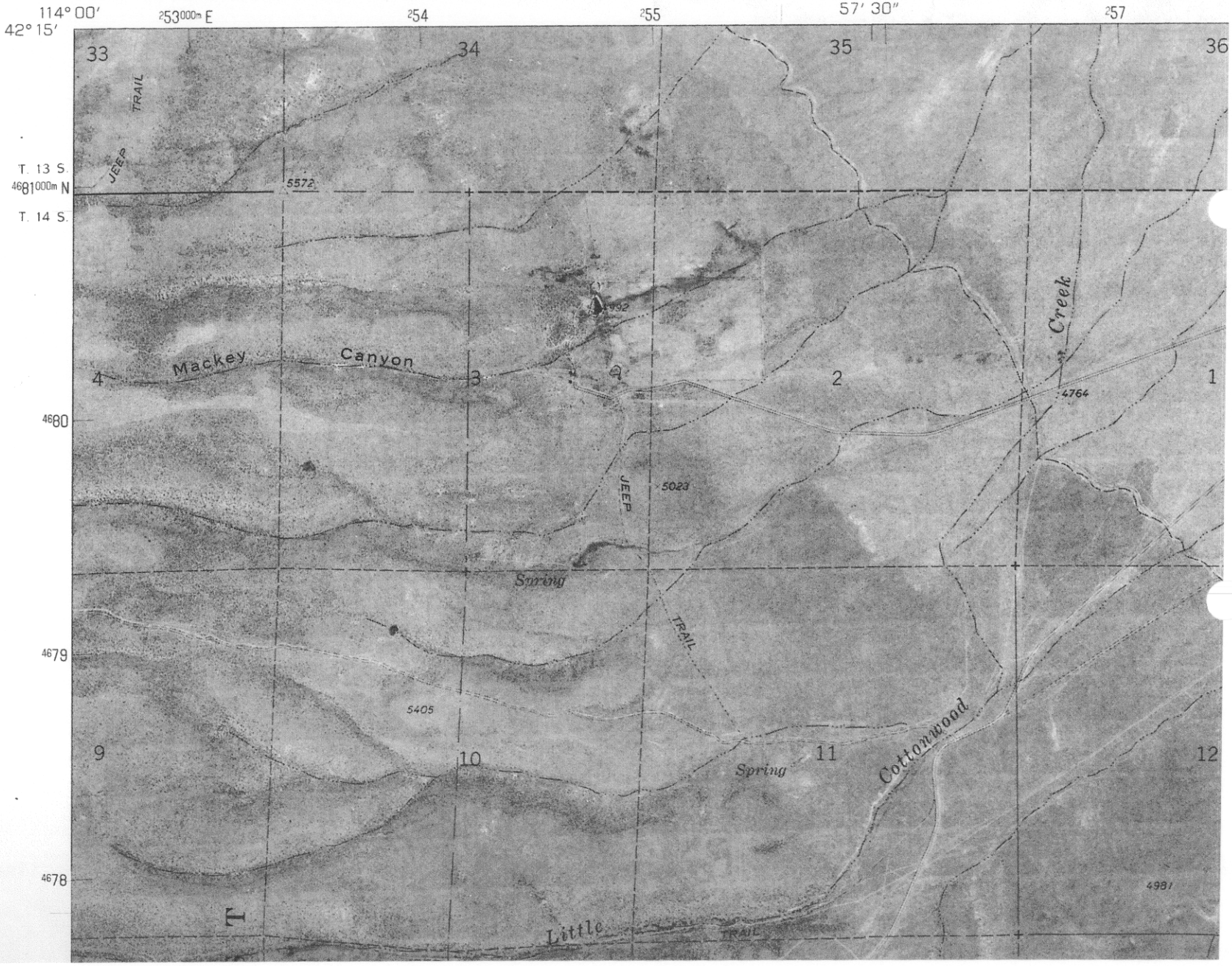
DD27
1976

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R

T13S

T14S



DD27

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

3268 IV SW
(MARION)

114°00′
42°15′

253000m.E.

57′30″

T. 13 S.
T. 14 S.

R 21 E
R 22 E

4680000m.N.
4679
4678

Mackey Canyon
Creek
Spring
Spring
Cottonwood
Little
Cowboy Spring
JEEP TRAIL
JEEP
JEEP
TRAIL
TRAIL
WEST

5572
4992
5023
5405
4764
4981
4644
4684
4730

45-4128



A0002697-1

pipe from ditch - east (site tag)

45-4/28



A0002697-2

west from pipe to springs

45-4128



A0002697-3

Springs (dry) - west

45-4128



A0002697-7

drainage into pond - NE

45-4128



A 000 2697-8

pump, pondwall - west

45-4128



A0002697-9

POU - west from pump

445-04127

SYMS-YORK CO., PRINTERS & BINDERS, BOISE 212186

#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.

RECEIVED
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, County of Cassia } ss.

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 (to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(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.

E/P

STATE OF IDAHO, County of Cassia, } ss.

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.

Fee $1.50 D. C. McClintock

MICROFILMED
OCT 27 1994

Log for claim A45-04128 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	

- earlier stat. claim for 80 A + .8 cfs with 1892 priority date 1/1/1892
- original posted notice was dated 10/20/01 for .13 cfs on 160 A (why ?)
- need field exam + measurement info
- if more acres are rec - need to amend claim + pay more fees
- no '62 or '68 photos seem to be available

Stoller Report 10/4/01 info:
tag# A0002697

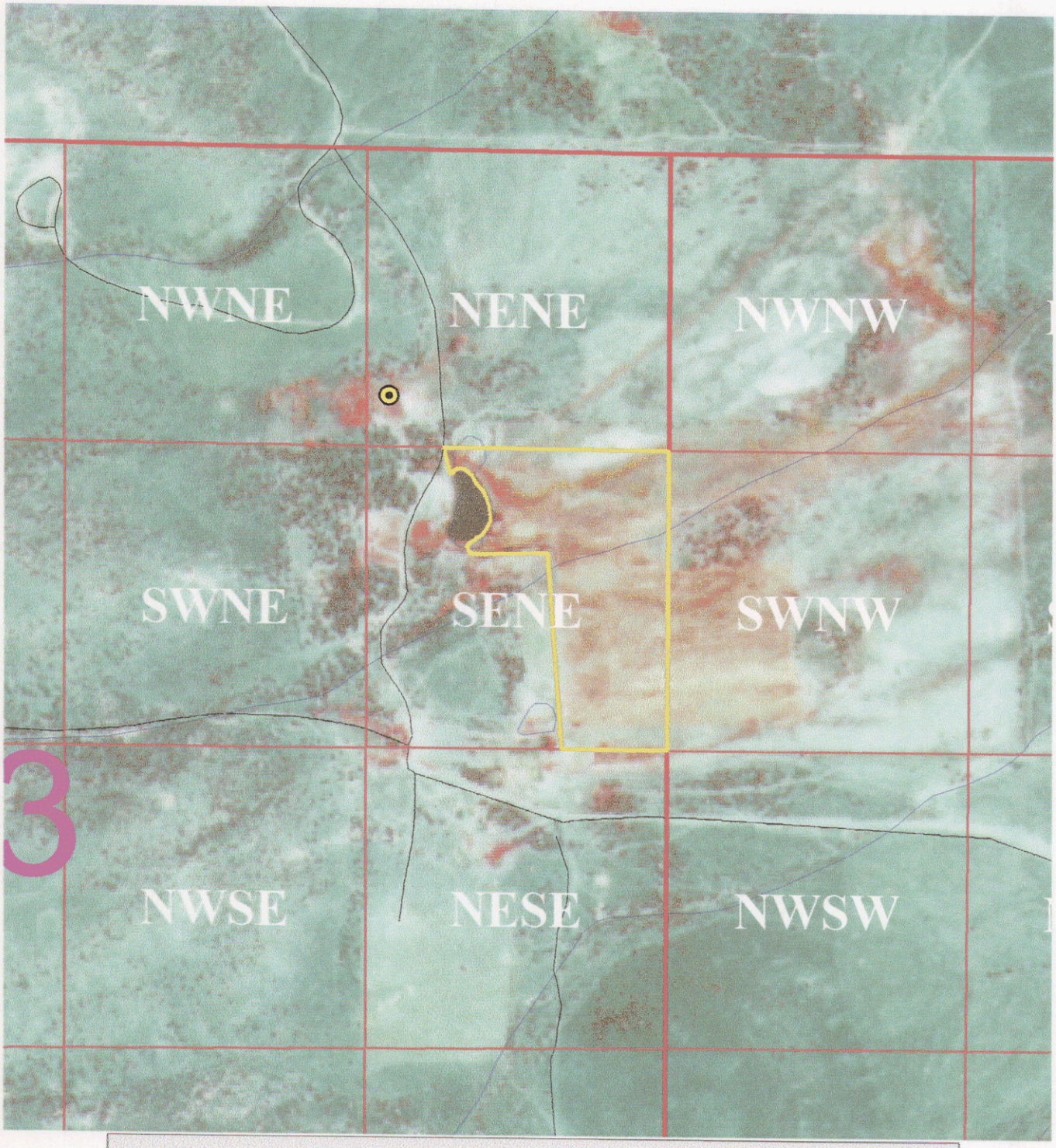
spring to ditch to pipe to pond to gravity feed or pump to trough/dom/irrig
GE motor, 10hp
Cornell pump ser. # 44832
photos 2697-7, -8, -9, -1, -2, -3
- no measurement info -

source = spring
locally known as Gillespie Drip

Water Right Claim Number A45-04128

03/01/2000

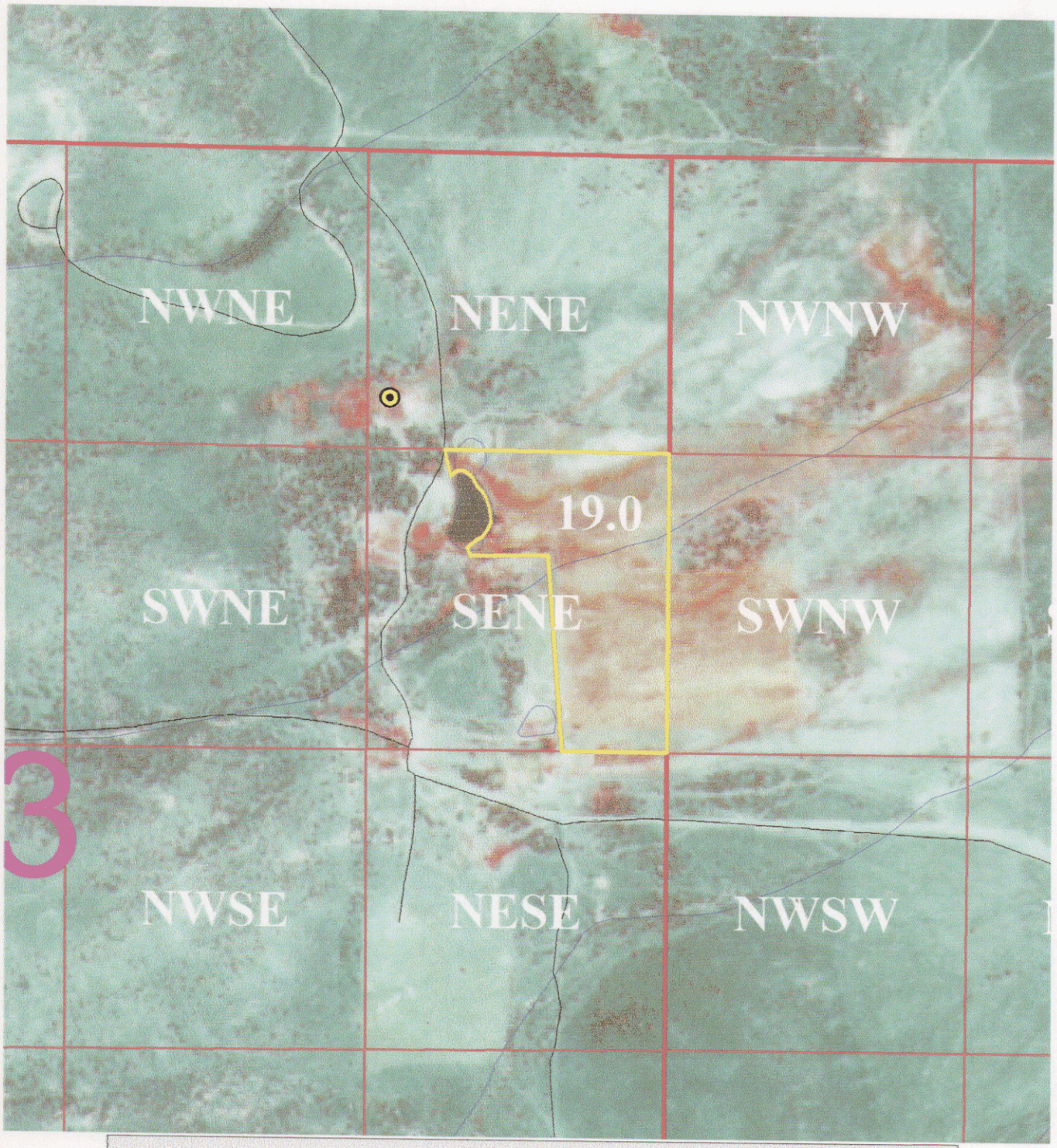
Township , 14S21E



Water Right Claim Number A45-04128

03/01/2000

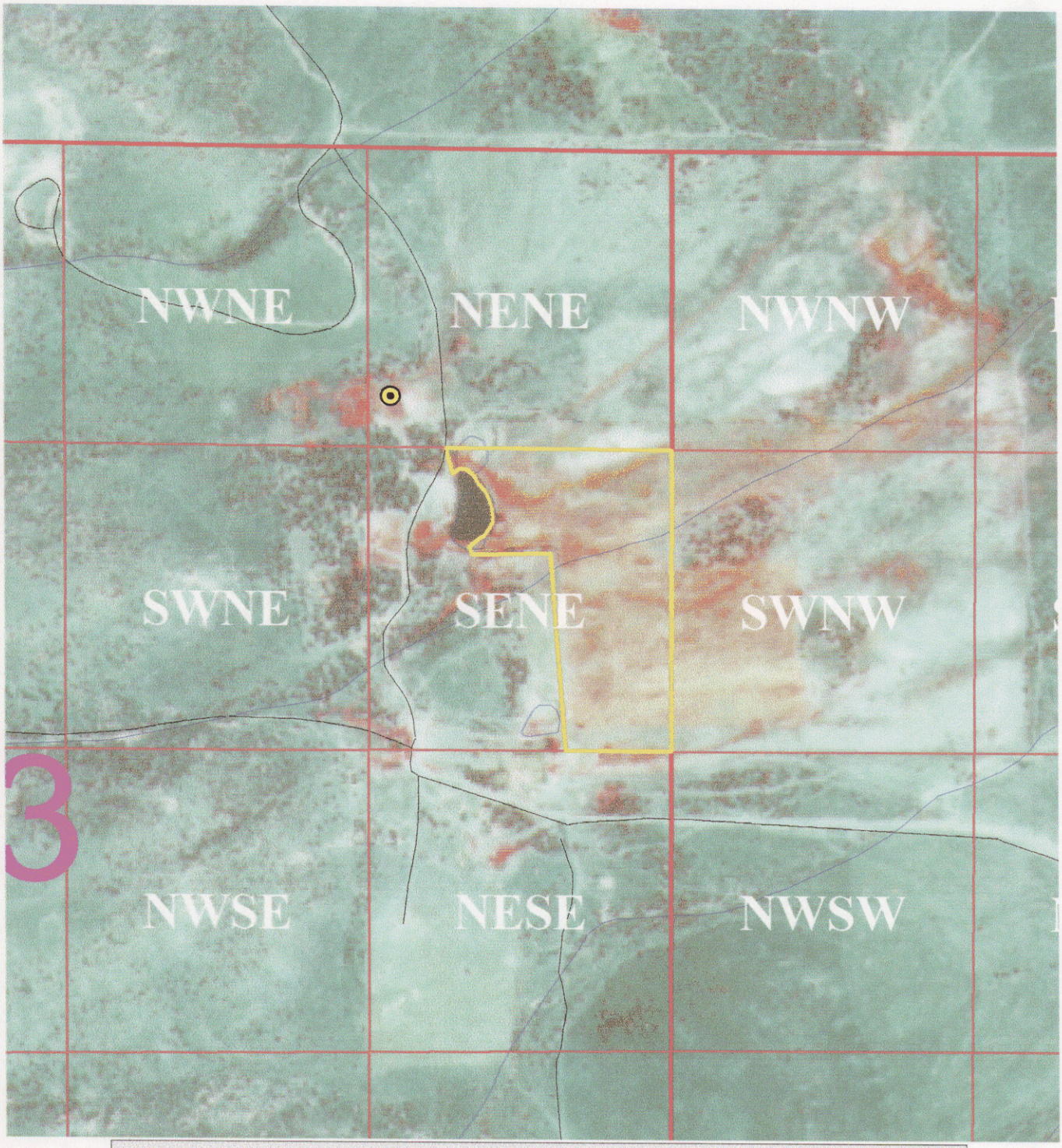
Township , 14S21E



Water Right Claim Number A45-04128

03/01/2000

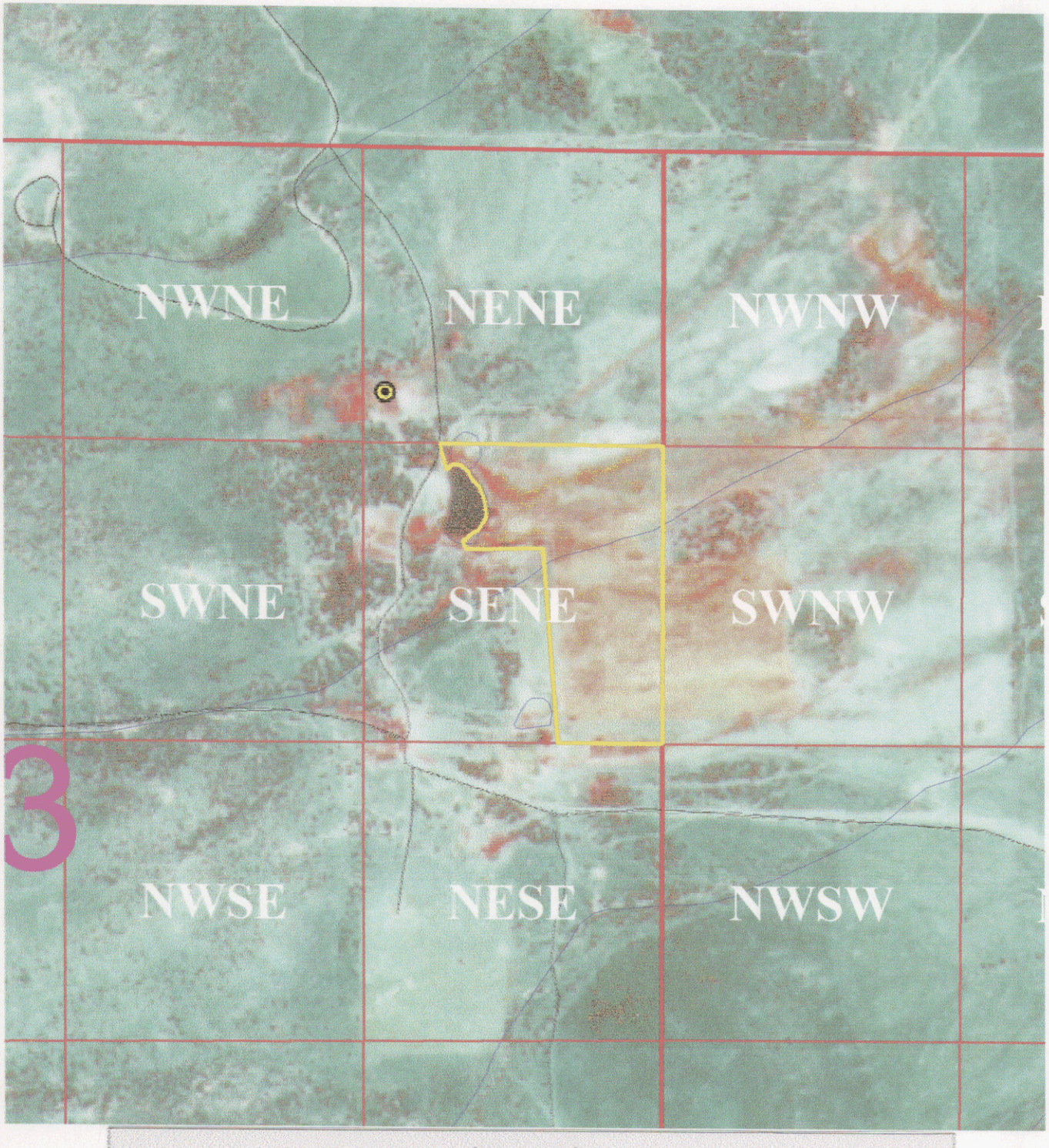
Township , 14S21E



Water Right Claim Number A45-04128

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	0.800 CFS	
C	KAREN MULLEN		IRRIGATION STORAGE	01-01	12-31		15.00 AFA
			STOCKWATER	01-01	12-31	0.020 CFS	
						0.800 CFS	
			TOTAL DIVERSION:				
			CONSUMPTIVE USE:				30.00 AFA

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

Point(s) of Diversion: T14S R21E S03 Lot01(NENE) 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	2						04-S		S									
14S	21E	3	01-S																

POU County: CASSIA

Non-Irrigation Uses: S/40 RANGE

Other Water Rights Listing Overlapping Place(s) of Use:
A45-04127

Remarks: GEN THIS CLAIM REFLECTS THE ACREAGE UNDER PRODUCTION IN THE RECENT PAST, PRESENT AND NEAR FUTURE, HOWEVER THE CLAIMANT DOES EXPECT TO RETURN PRODUCTION TO THE REMAINING 70 ACRES AS THE IMPACT OF T HE DRAUGHT ARE REDUCED IN THE FUTURE.
THE CLAIMANT HAS ALSO LOCATED EVIDENCE THAT THE PRIORITY DATE CLAIMED IN THE ORIGINAL STATUTORY CLAIM WAS IN ERROR BUT IT HAS BEEN CORRECTED IN THIS CLAIM

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	0.80 CFS	
			IRRIGATION STORAGE	01-01	12-31		15.0 AFA
			STOCKWATER	01-01	12-31	0.02 CFS	
				TOTAL DIVERSION:		0.80 CFS	
				CONSUMPTIVE USE:			30.0 AFA
C	KAREN MULLEN BOX 146 OAKLEY ID 83346						

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

Point(s) of Diversion: T14S R21E S03 Lot01(NENE) 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 2						04-S		S									
14S 21E 3	01-S																

POU County: CASSIA

Non-Irrigation Uses: S/40 RANGE

Remarks: THIS CLAIM REFLECTS THE ACREAGE UNDER PRODUCTION IN THE RECENT PAST, PRESENT AND NEAR FUTURE, HOWEVER THE CLAIMANT DOES EXPECT TO RETURN PRODUCTION TO THE REMAINING 70 ACRES AS THE IMPACT OF T HE DRAUGHT ARE REDUCED IN THE FUTURE.
THE CLAIMANT HAS ALSO LOCATED EVIDENCE THAT THE PRIORITY DATE CLAIMED IN THE ORIGINAL STATUTORY CLAIM WAS IN ERROR BUT IT HAS BEEN CORRECTED IN THIS CLAIM

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

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

RECEIVED
MAR 31 1993
Department of Water Resources
Southern Idaho Adjudication Office

MICROFILMED
OCT 27 1994

Form No. 243
7/78

Claim No. 45-4128

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 (Mailing Address) (Zip Code) Telephone No. 862-3385

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)
Gillepsie 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.)	(Both dates inclusive) Period of Use (Mo., Day)		
Quantity	0.80 cfs	Use irrig. & stock &	Period of Use From May 1	To	Aug 31
Quantity		Use livestock	Period of Use From Jan 1	To	Dec 31
Quantity	15 AF	Use storage for irrig.	Period of Use From Jan 1	To	Dec 31
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	

(4) 0.80 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
¼ Lt 1 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 & ditch to 15-AF pond, 20 hp pump from pond to sprinklers, line from pond to stock troughs. Ditch was replaced by 4" pipe in 1981.

(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			20		Lt4											30
			Lt1																

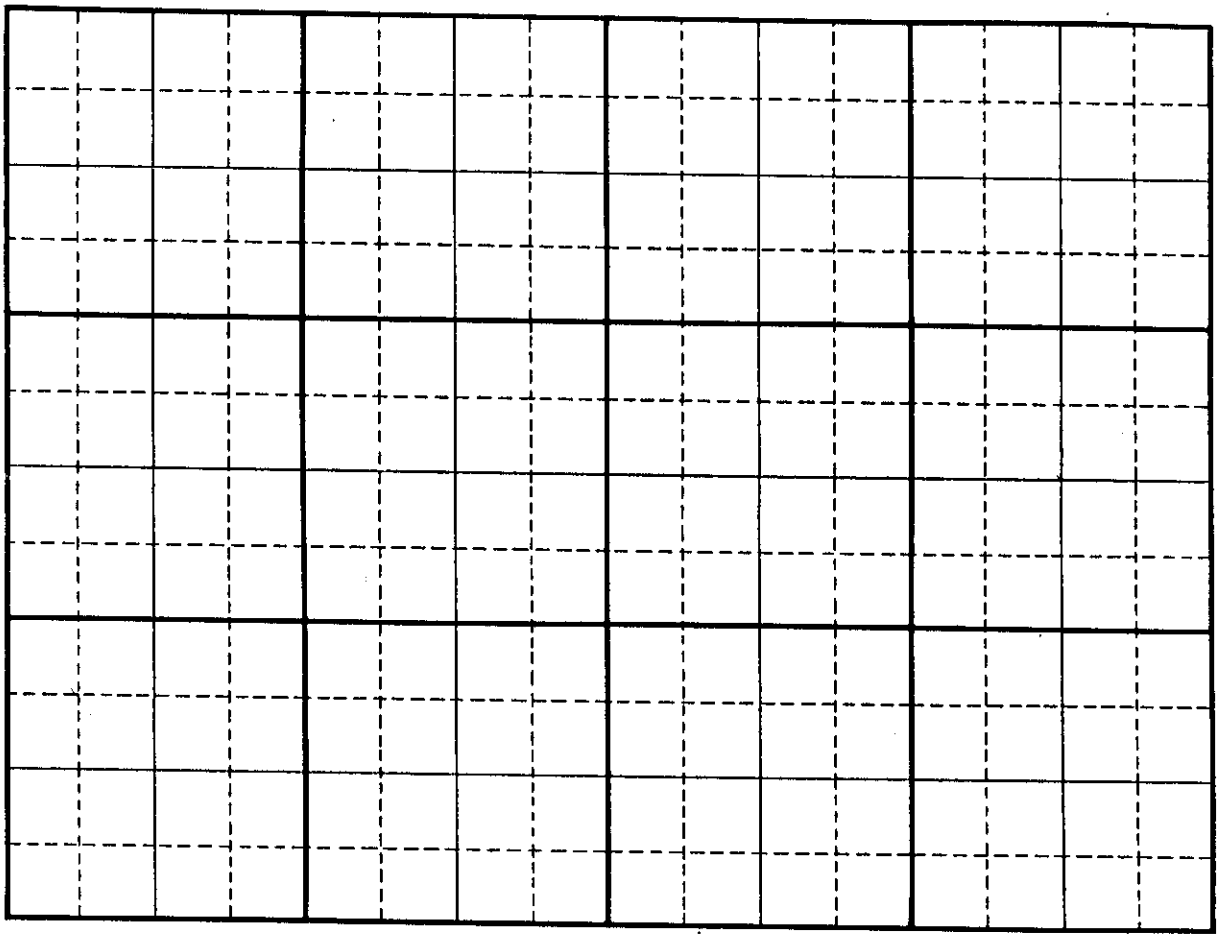
No. of acres 80

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 head range cattle

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

(8) Remarks See also claim on Blackenship 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)

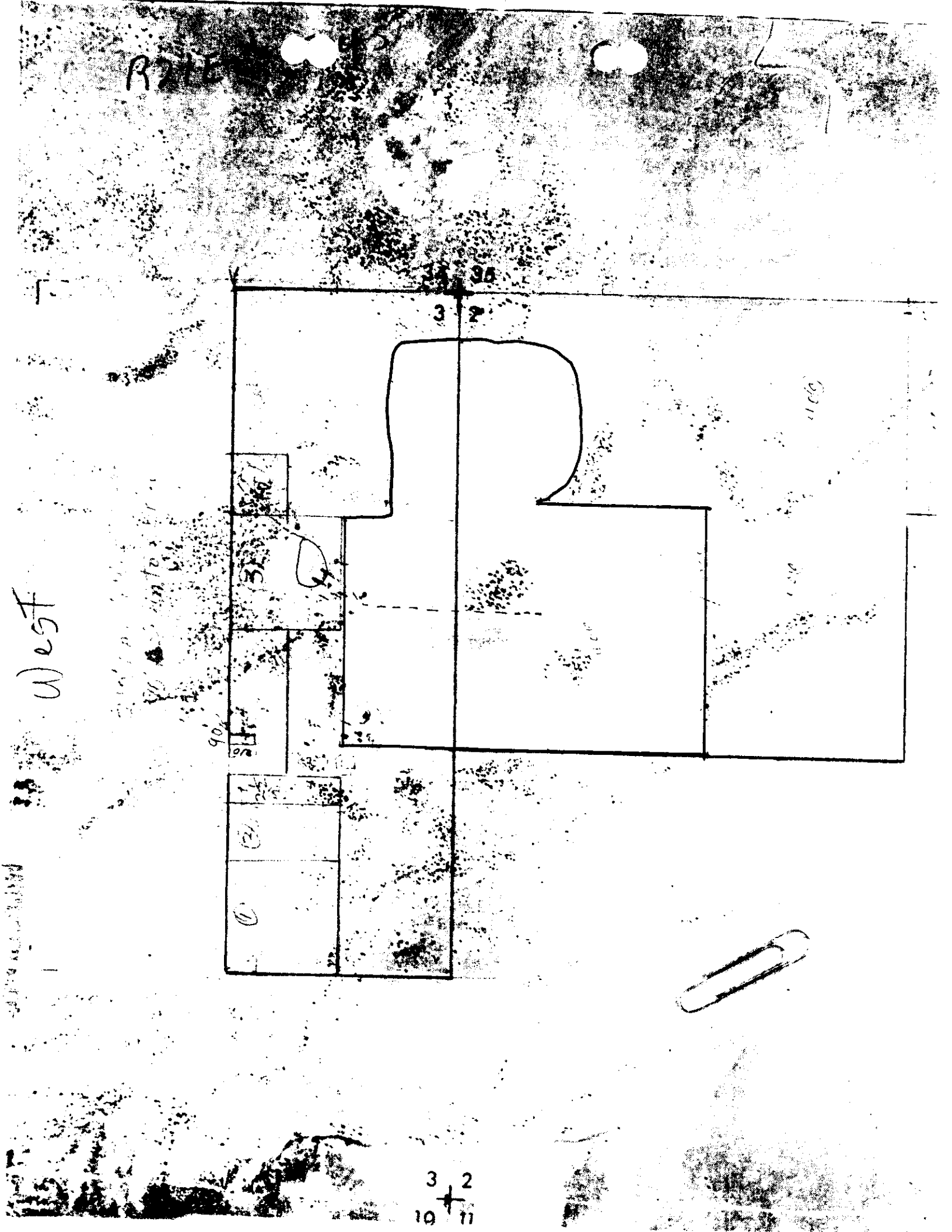
Sworn to before me this 24th day of April, 19 81.

Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JA	Date 4-24-81	Exception filed by:	Fowarded to claimant by:	Date
Prelim. check by ATM	Date 4/23/81			
$20.00 fee received by JA	Date 4-24-81 #16981			
Published in Twin Falls Idaho Press				
Dates 5/12 & 5/19/81				


R2E
35
36
3
2
West
90'
3
2
10
11

Form No. 243
7/78

Claim No. 45-4128

RECEIVED
MAR 31 1993
Department of Water Resources
Southern Region Office

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 (Mailing Address) (Zip Code) Telephone No. 862-3385

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)
Gillepsie 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.)		(Mo., Day)		(Both dates inclusive) (Mo., Day)
Quantity	0.80 cfs	Use	irrig. ~~&/stock~~ &	Period of Use From	May 1	To	Aug 31
Quantity		Use	livestock	Period of Use From	Jan 1	To	Dec 31
Quantity	15 AF	Use	storage for irrig.	Period of Use From	Jan 1	To	Dec 31
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 0.80 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
¼ Lt 1 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 & ditch to 15-AF pond, 20 hp pump from pond to sprinklers, line from pond to stock troughs. Ditch was replaced by 4" pipe in 1981.

(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			20		Lt4											30
			Lt1																

No. of acres 80

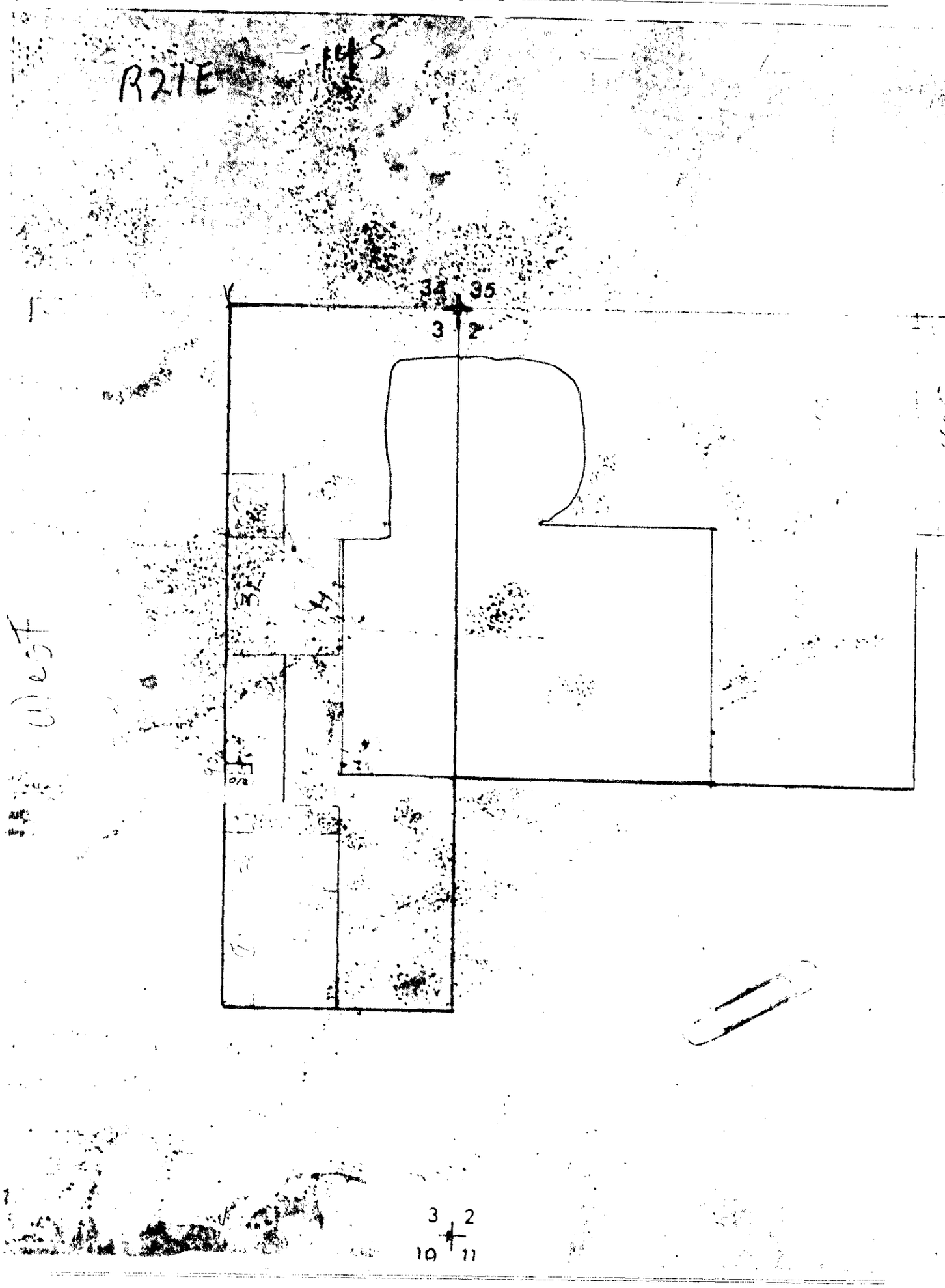
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

MICROFILMED
OCT 17 1994

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

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

(8) Remarks See also claim on Blackenship Spring.



FOR DEPARTMENT USE ONLY

Received by	Date 4-24-81	Exception filed by:	Fowarded to claimant by:	Date
Prelim. check by	Date 4/23/81			
$20.00 fee received by	Date 4-24-81 #16981			
Published in Coeur d'Alene Press				
Dates 5/12 & 5/19/81				

445-04128

RECEIVED

POOR ORIGINAL

MAR 31 1993

Department of Water Resources

Water claims

Notice of Water Right.

State of Idaho } ss
County of Cassia }

To All Concerned. Notice is hereby given:

1st That Charles G. Parkinson of Oakley, Idaho, hereby claims the use of the waters of Gellespie Springs to the extent of 3/10 cubic feet per second.

It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: N½NW¼ Sec 2 Tp. 14 S R. 21 E. 2nd. The purpose for which said water is intended to be used is Irrigation. The place of intended use is S½NW¼ Sec. 2 NE¼SE¼, SE¼NE¼ Sec 3, Tp. 14 S. R. 21 E.

3rd It is intended to divert said water by means of ditches. The general course of the proposed conduit is Southerly. The length of the proposed conduit is about ½ mile. The distination of the proposed conduit is the land above described. It is intended to use said water for irrigating the following described lands: The area of lands proposed to be irrigated by said conduit in 160 acres.

Witness my hand at Albion. Idaho, this 27 day of April 1901.

Charles G. Parkinson, Claimant.

State of Idaho }
County of Cassia } ss Charles G. Parkinson being first duly sworn deposes and says that is of lawful age and the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion on the 29th day of April 1901 at 12 o'clock M.

Charles Parkinson

Subscribed and sworn to before me this 29th day of April 1901.

John T. Hansen
Ex Recorder.

Filed for record at request of Ch. G. Parkinson at 6 P. M. this 29th day April 1901

John T. Hansen
Ex. Recorder