

RECEIVED

RECEIVED

OCT 17 2002

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

SEP 06 2002

WATER RESOURCES
WESTERN REGIONPlease 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
	29-04259				
PD ¹ 29-10006					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25-20
- 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)

4. New Owner/Claimant(s)

RONNIE BOYD HOLLAND / AMY E. HOLLAND
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

P.O. Box 2407

City, State and ZIP Code

POCATELLO, ID 83206

New Telephone Number

(208) 233-8742

5. Date you acquired the property

APRIL 15, 1999

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)
(include title if applicable)

Erny E. Holland

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

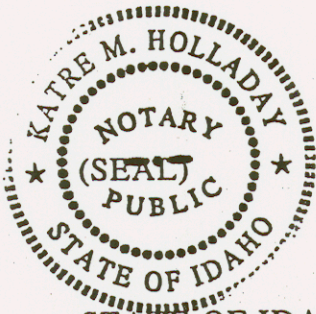
Received by <u>DH</u>	Date <u>9-6-02</u>	Fee <u>\$25 -</u>
Received by <u>DH</u>	Date <u>9-6-02</u>	Receipt No. <u>2029682</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Darryl Marley
DARRYL MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

STATE OF IDAHO)
: ss
County of Bannock)

On this 6th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared J. WENDELL MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

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



Katre M. Holladay
NOTARY PUBLIC FOR IDAHO
Residing at: POCATELLO, IDAHO
My Commission expires: 7/5/2004

STATE OF IDAHO)
: ss
County of Bannock)

On this 7th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared S. WAYNE MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

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



R. E. Dyer
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My Commission expires: 13 Sep 1999

I certify that I have read and approved of the contents of the original of this copy.

Ronnie Boyd
Amy E. Holland

WARRANTY DEED

FOR VALUE RECEIVED, J. WENDELL MARLEY, S. WAYNE MARLEY, SHARON MARLEY and DARRYL MARLEY, as Co-Trustees of the JOHN C. MARLEY TRUST (Grantor), do hereby grant, bargain, sell and convey unto RONNIE BOYD HOLLAND and AMY E. HOLLAND, husband and wife, whose current address is 9195 West Caribou Road, Pocatello, Idaho (Grantee), their heirs and assigns forever, the premises located in Bannock County, Idaho, and more fully described in Exhibit A which is attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all gas, oil and mineral rights.

Grantor does hereby covenant that it is the owner in fee simple of said premises, that the premises are free from all encumbrances excepting discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, easements or claims of easement not shown by the public records, use restrictions and building and zoning regulations and ordinances of any governmental unit, and that it will warrant and defend the same from all lawful claims.

DATED this 7th day of April, 1999.

J. Wendell Marley
J. WENDELL MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

S. Wayne Marley
S. WAYNE MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

Sharon Marley
SHARON MARLEY, as Co-Trustee
of the JOHN C. MARLEY TRUST

STATE OF IDAHO)
 : ss
County of Bannock)

On this 7th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared SHARON MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that she executed the same.

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



(SEAL)

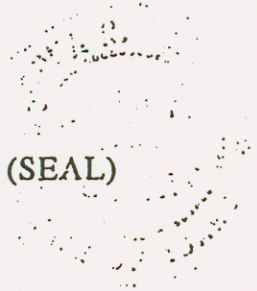

NOTARY PUBLIC FOR IDAHO

Residing at: ocatello
My Commission expires: 13 Sep. 1999

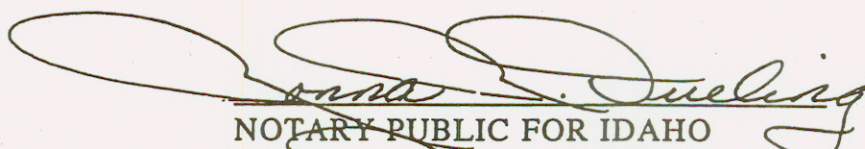
STATE OF IDAHO)
 : ss
County of Bannock)

On this 7th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared DARRYL MARLEY, Co-Trustee of the JOHN C. MARLEY TRUST, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.

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



(SEAL)


NOTARY PUBLIC FOR IDAHO

Residing at: ocatello
My Commission expires: 13 Sep. 1999



EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to in this Commitment is described as follows:

A parcel of land in the North half of the Southeast Quarter and the Southwest Quarter Northeast Quarter of Section 21, Township 7 South, Range 35 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows: Beginning at the East 1/16 corner on the Latitudinal Centerline of Section 21, Township 7 South, Range 35 East, Boise Meridian; thence North 89°58' West along the said Latitudinal Centerline, 61.87 feet to a point on the Westerly Right-of-Way line of the Union Pacific Railroad, the TRUE POINT OF BEGINNING; thence Northwesterly along said Right-of-Way line on a curve to the right having a radius of 5,802.58, 312.00 feet to a point on the Westerly bank of the Portneuf River; thence South 12°00' East along said Westerly bank 156.95 feet, more or less, to the Latitudinal Centerline of said Section 21; thence South 89°58' East along said Latitudinal Centerline, 93.00 feet, more or less, to the Easterly bank of said river; thence meandering along said Easterly bank South 43°17' East, 125.00 feet; thence continuing along said Easterly bank South 4°06' East 220.30 feet; thence continuing along said Easterly bank, South 39°59' East, 61.84 feet, more or less, to a point on the East 1/16 line of said Section 21; thence South 0°25' East along said East 1/16 line, 30.00 feet, more or less, to the Centerline of said Portneuf River; thence meandering along said Centerline South 77°41' East 221.5 feet; thence meandering along said Centerline, South 10°15' East 358.70 feet; thence continuing along Centerline South 75°23' East, 74.00 feet; thence continuing along said Centerline North 40°46' East, 117.00 feet; thence continuing along said Centerline South 85°14' East, 87.80 feet, more or less, to a point on the Westerly right-of-way line of the Portneuf Road; thence North 9°32' East, 464.00 feet, more or less, to a point on the Westerly right-of-way line of the Union Pacific Railroad; thence Northwesterly along a 5,802.58 foot radius curve to the right, 646.40 feet, more or less, to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM: A Parcel of land lying in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter, Section 21, Township 7 South, Range 35 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows: Beginning at a point marking the Northwest corner of the said Northwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 21; thence North 89°58'00" West 61.87 feet to a POINT OF BEGINNING of curve on the Southerly right-of-way line of the Union Pacific Railroad; thence Southeasterly along the said Southerly right-of-way line of the Union Pacific Railroad along a curve to the left 413.74 feet, said curve having a central angle of 4°05'07", a radius of 5,802.65 feet, tangents of 206.96 feet and a long chord of 413.65 feet bearing South 68°40'10" East to a point on a curve, also said point being REAL POINT OF BEGINNING; thence continuing Southeasterly along the said Southerly right-of-way line of the Union Pacific Railroad along a curve to the left 234.00 feet, said curve having a central

continued on page 7



PAGE 7

angle of $2^{\circ}18'38''$, a radius of 5,802.65 feet, tangents of 117.02 feet and along chord of 233.99 feet bearing South $69^{\circ}52'03''$ East to the POINT OF ENDING of curve on the Easterly right-of-way line of Fort Hall Mine Road; thence South $9^{\circ}32'00''$ West 193.5 feet along the said Easterly right-of-way line of Fort Hall Mine Road to a point; thence leaving said Easterly right-of-way line of Fort Hall Mine Road North $80^{\circ}28'00''$ West 103.00 feet to a point; thence North $9^{\circ}32'00''$ East 53.0 feet to a point; thence North $80^{\circ}28'00''$ West 126.99 feet to a point; thence North $9^{\circ}32'00''$ East 173.54 feet along a line Easterly of said parallel to the said Easterly right-of-way line of Fort Hall Mine Road to the POINT OF BEGINNING.

ALSO EXCEPT:

Beginning at a point which bears North $35^{\circ}09'38''$ West, 1,684.17 feet from the Southeast corner of said Section 21; thence North $08^{\circ}27'05''$ East 217.54 feet; thence North $09^{\circ}41'00''$ East 288.76 feet to the Centerline of the Portneuf River; thence North $74^{\circ}41'00''$ East 3.31 feet along said River Centerline to the REAL POINT OF BEGINNING which point is also 35 feet left of Station 30+91.16 of said Highway Survey; thence North $74^{\circ}41'00''$ East 8.83 feet to a point which is 27.0 feet left of Station 30+90.89 and is on the Westerly right-of-way line of Portneuf Road; thence North $09^{\circ}41'00''$ East 475.11 feet (464.0 feet, more or less, of record) along said right-of-way to a point which is 7.0 feet right of 35+69 and is a point on a curve with the radius of 5,802.58 and is the Westerly right-of-way line of the Union Pacific Railroad Company; thence Northwesterly around said curve for a distance of 7.0 feet which point is 35 feet left of Station 35+69; thence South $09^{\circ}41'00''$ East, 478.94 feet to the Centerline of the Portneuf River and is the REAL POINT OF BEGINNING.

DEED IN LIEU OF FORECLOSURE

C382

92008587

For Value Received JOHN E. POLCYN AND MARLENE M. POLCYN, HUSBAND AND WIFE

the grantor^S do hereby grant, bargain, sell, and convey unto

JOHN C. MARLEY

the grantee, whose current address is P.O. BOX 116, ARIMO, ID. 83214

the following described premises, to-wit:

SE ATTACHED "EXHIBIT A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, HIS heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee, that They ARE the ownerS in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that They will warrant and defend the same from all lawful claims whatsoever.

Dated:

John E. Polcyn
JOHN E. POLCYN

Marlene M. Polcyn
MARLENE M. POLCYN

STATE OF NEVADA COUNTY OF HUMBERT
On this 6th day of JUNE, 1992,
before me, a notary public in and for said State, personally
appeared

JOHN E. POLCYN AND MARLENE M. POLCYN,
HUSBAND AND WIFE

known to me to be the person S who SE name S ARE
subscribed to the within instrument, and acknowledged to
me that THEY executed the same.

Terry W. Miller
Notary Public

Pending at
Comm. Expires

TERRY W. MILLER
NOTARY PUBLIC

92008587
NO. RECORDED AT REQUEST OF
John Marley
92 JUN -8 10:08

RECEIVED 6/5/92
TERRY W. MILLER
NOTARY PUBLIC
900
DEPUTY *Mark*

INSTRUMENT NO.

01214

EXHIBIT "A"

35018829

A PARCEL OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED FOLLOWS:

BEGINNING AT THE EAST 1/16 CORNER ON THE LATITUDINAL CENTERLINE OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35, EAST, BOISE MERIDIAN; THENCE NORTH 89°58' WEST ALONG THE SAID LATITUDINAL CENTERLINE, 61.87 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, THE TRUE POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,802.58, 312.00 FEET TO A POINT ON THE WESTERLY BANK OF THE PORTNEUF RIVER; THENCE SOUTH 12°00' EAST ALONG SAID WESTERLY BANK 158.95 FEET, MORE OR LESS, TO THE LATITUDINAL CENTERLINE OF SAID SECTION 21; THENCE SOUTH 89°58' EAST ALONG SAID LATITUDINAL CENTERLINE, 93.00 FEET, MORE OR LESS, TO THE EASTERLY BANK OF SAID RIVER; THENCE MEANDERING ALONG SAID EASTERLY BANK SOUTH 43°17' EAST, 125.00 FEET; THENCE CONTINUING ALONG SAID EASTERLY BANK SOUTH 4°06' EAST 220.30 FEET THENCE CONTINUING ALONG SAID EASTERLY BANK, SOUTH 39°59' EAST, 61.84 FEET, MORE OR LESS, TO A POINT ON THE EAST 1/16 LINE OF SAID SECTION 21, THENCE SOUTH 0°25' EAST ALONG SAID EAST 1/16 LINE, 30.00 FEET, MORE OR LESS, TO THE CENTERLINE OF SAID PORTNEUF RIVER; THENCE MEANDERING ALONG SAID CENTERLINE SOUTH 77°41' EAST 221.5 FEET, THENCE MEANDERING ALONG SAID CENTERLINE, SOUTH 10°15' EAST 358.70 FEET; THENCE CONTINUING ALONG CENTERLINE SOUTH 75°23' EAST, 74.00 FEET, THENCE CONTINUING ALONG SAID CENTERLINE NORTH 40°48' EAST, 117.00 FEET; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 85°14' EAST, 87.80 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE PORTNEUF ROAD; THENCE NORTH 9°32' EAST, 464.00 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, THENCE NORTHWESTERLY ALONG A 5,802.58 FOOT RADIUS CURVE TO THE RIGHT, 646.40 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM: A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 21, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKING THE NORTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21; THENCE NORTH 89°58'00" WEST 61.87 FEET TO A POINT OF BEGINNING OF CURVE ON THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTHEASTERLY ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD ALONG A CURVE TO THE LEFT 413.74 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 4°05'07", A RADIUS OF 5,802.65 FEET, TANGENTS OF 206.96 FEET AND A LONG CHORD OF 413.65 FEET BEARING SOUTH 66°40'10" EAST TO A POINT ON A CURVE, ALSO SAID POINT BEING REAL POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD ALONG A CURVE TO THE LEFT 234.00 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 2°18'36", A RADIUS OF 5,802.65 FEET, TANGENTS OF 117.02 FEET AND ALONG CHORD OF 233.99 FEET BEARING SOUTH 69°52'03" EAST TO THE POINT OF ENDING OF CURVE ON THE EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD; THENCE SOUTH 9°32'00" WEST 193.5 FEET ALONG THE SAID EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD TO A POINT; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD NORTH 80°28'00" WEST 103.00 FEET TO A POINT; THENCE NORTH 9°32'00" EAST 53.0 FEET TO A POINT; THENCE NORTH 80°28'00" WEST 126.99 FEET TO A POINT; THENCE NORTH 9°32'00" EAST 173.54 FEET ALONG A LINE EASTERLY OF SAID PARALLEL TO THE SAID EASTERLY RIGHT OF WAY LINE OF FORT HALL MINE ROAD TO THE POINT OF BEGINNING.

EXHIBIT

A

HALL MINE ROAD TO A POINT; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE OF FORT
HALL MINE ROAD NORTH 80°28'00" WEST 103.00 FEET TO A POINT; THENCE NORTH 9°32'00" EAST
53.0 FEET TO A POINT; THENCE NORTH 80°28'00" WEST 126.99 FEET TO A POINT; THENCE NORTH
9°32'00" EAST 173.54 FEET ALONG A LINE EASTERLY OF SAID PARALLEL TO THE SAID EASTERLY
RIGHT OF WAY LINE OF FORT HALL MINE ROAD TO THE POINT OF BEGINNING.

EXHIBIT

000000

01215

3-3 95018829

ALSO EXCEPT: BEGINNING AT A POINT WHICH BEARS NORTH 35°09'38" WEST 1,604.17 FEET
FROM THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE NORTH 08°27'05" EAST 217.54
FEET; THENCE NORTH 09°41'00" EAST 288.76 FEET TO THE CENTERLINE OF THE PORTNEUF
RIVER; THENCE NORTH 74°41'00" EAST 3.31 FEET ALONG SAID RIVER CENTERLINE TO THE REAL
POINT OF BEGINNING WHICH POINT IS ALSO 35 FEET LEFT OF STATION 30+91.18 OF SAID
HIGHWAY SURVEY; THENCE NORTH 74°41'00" EAST 8.83 FEET TO A POINT WHICH IS 27.0 FEET
LEFT OF STATION 30+90.89 AND IS ON THE WESTERLY RIGHT OF WAY LINE OF PORTNEUF
ROAD; THENCE NORTH 09°41'00" EAST 475.11 FEET (464.0 FEET, MORE OR LESS, OF RECORD)
ALONG SAID RIGHT OF WAY TO A POINT WHICH IS 7.0 FEET RIGHT OF 35+69 AND IS A POINT ON
A CURVE WITH THE RADIUS OF 5,802.58 AND IS THE WESTERLY RIGHT OF WAY LINE OF THE
UNION PACIFIC RAILROAD COMPANY; THENCE NORTHWESTERLY AROUND SAID CURVE FOR A
DISTANCE OF 7.0 FEET WHICH POINT IS 35 FEET LEFT OF STATION 35+69; THENCE SOUTH
09°41'00" EAST, 478.94 FEET TO THE CENTERLINE OF THE PORTNEUF RIVER AND IS THE REAL
POINT OF BEGINNING.

Together with the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining; subject, however,
to all zoning laws, city ordinances, easements, restrictive
agreements and rights of ways of public roads as of the date
of this agreement.

000000

RECEIVED

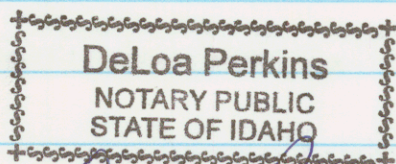
SEP 06 2002

WATER RESOURCES
WESTERN REGION

To whom it may concern,

When I bought our property in 1989 apart to the property Ron Holland is talking about, The land was irrigated by John Polcyn (JJ) with a 5hp cylinder engine and six inch pipe in river. ~~He~~ He ran approx 42 sprinkler heads. He did this until around 1997, he then moved to Nevada.

Frank R Bolinger
2417 N Fort Hall Mine Rd
Locate No Id 83204



DeLoa Perkins
4-28-04

Frank P. Bolinger

AFFIDAVIT OF MORRIS J. DAYLEY

RE: IDWR No. A29-10598

OWNER: MORRIS J. DAYLEY

RECEIVED

MAR 14 1995

Department of Water Resources
Eastern District Office

STATE OF IDAHO)
: ss.
County of Bannock)

MORRIS J. DAYLEY, upon oath, swears as follows:

1. That this Affidavit is based on personal knowledge and is filed as evidence/proof of beneficial use by myself, or my predecessor in interest, under the above-referenced water right claim.

2. That my father purchased the subject property in 1937, and I have lived on the property since 1937. The property was being irrigated from the Portneuf river since the time before my father purchased the property in 1937.

3. From that time, the water has been used for the purpose I am claiming under this claim, and on the land claimed as the place of use.

FURTHER SAITH AFFIANT NAUGHT.

Dated this 13 day of March, 1995.

Morris J. Dayley
MORRIS J. DAYLEY

Subscribed and sworn to before me this 13 day of March, 1995.

Mr. Hudley

NOTARY PUBLIC FOR IDAHO

Residing at: Bozelle

My Commission Expires: 12/15 MICROFILMED

(SEAL)

NOV 13 1996

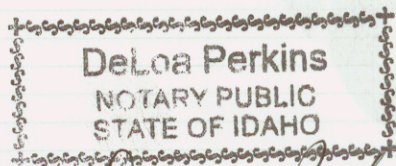
NOTES

WHEN TALKING TO FRIENDS & NEIGHBORS ABOUT THE HISTORY OF WATER USAGE FOR ADJUDICATION CLAIM No 29-04257 WE FOUND OUT THE FOLLOWING INFORMATION:

MR. MORRIS J. DAYLEY OF 6919 FORTNEUF RD., POCAHELLO, ID. (208) 233-0874, HAS LIVED MOST OF HIS LIFE AT THIS ADDRESS. HIS FATHER WAS A FARMER IN THIS AREA AT THE TIME MR DAYLEY WAS IN SCHOOL. AND MORRIS HELPED HIS FATHER. MORRIS IS A RETIRED RAILROAD WORKER THAT HAS FARMED & IS STILL FARMING THE SOUTH POCAHELLO & FORTNEUF RIVER AREA OF BANNOCK CO, IDAHO. MORRIS TOLD ME THAT OUR PIECE OF PROPERTY ALONG THE FORTNEUF RIVER WAS IRRIGATED AS FAR BACK AS HE CAN REMEMBER UNTIL J.J. & MARLENE FOLSEN SOLD THE PROPERTY & MOVED AWAY.

DR LONNA GERSTNER, D.V.M. OF 5011 HAWTHORNE RD., CHUBBUCK, ID. (208) 237-1149, A LONG TIME BANNOCK COUNTY VETERINARIAN. SHE SAID THAT SHE REMEMBERS IRRIGATED HAY BEING HARVESTED FROM THIS PROPERTY UNTIL APPROXIMATELY THE SAME TIME PERIOD.

ENCLOSED PLEASE ALSO FIND THE NOTARIZED STATEMENT OF FRANK BOCINGER OF 2417 N. FORT HALL MINE RD., POCAHELLO, ID. WITH A STATEMENT OF HIS KNOWLEDGE OF THE IRRIGATION HISTORY,



DeLoa Perkins

4-28-04

Ronnie B. Perkins

RECEIVED

SEP 06 2002

WATER RESOURCES
WESTERN REGION