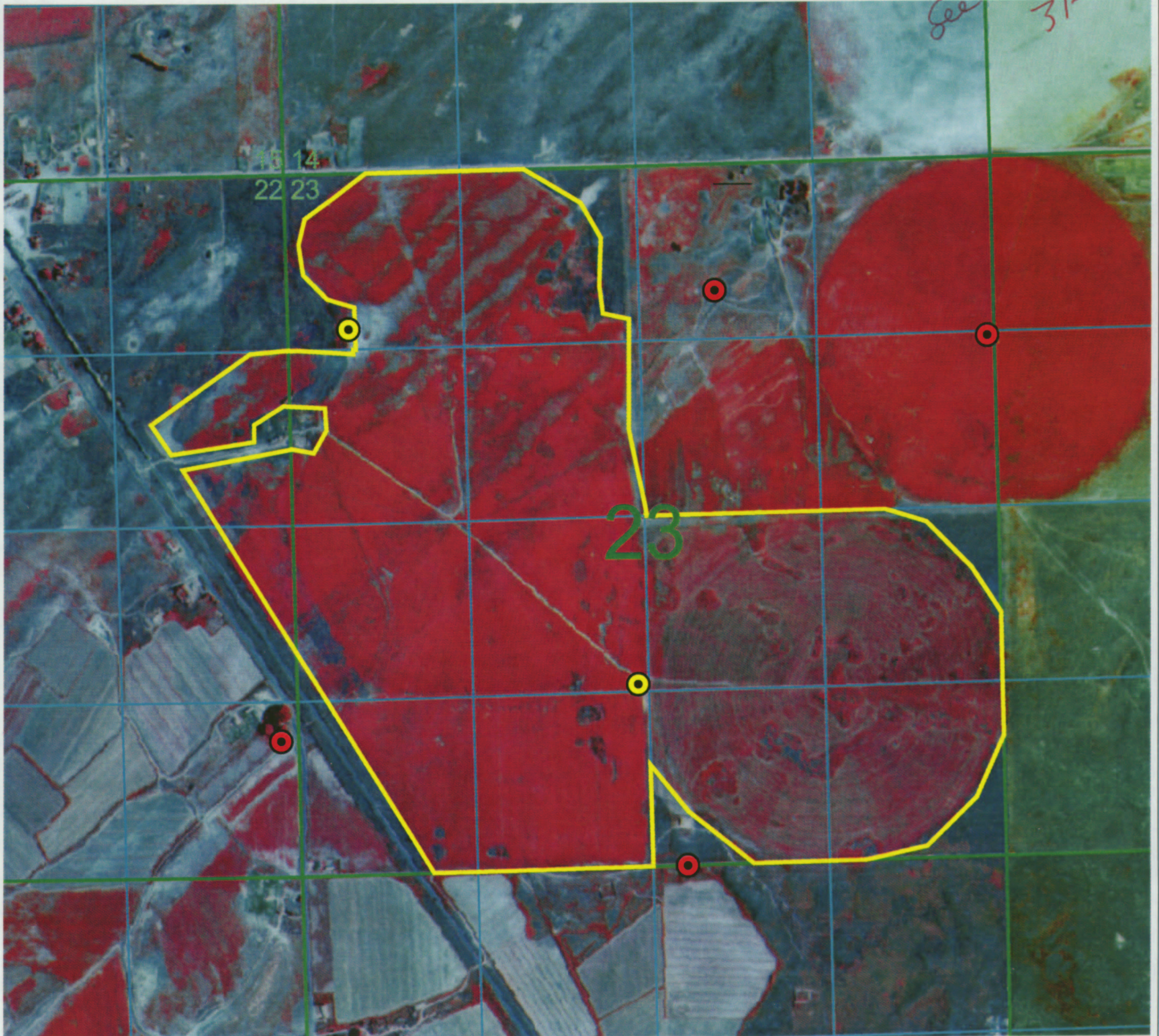


IDAHO DEPARTMENT OF WATER RESOURCES

Water Right **31-00062S**, 00063S, 02248,
07203, 10503

Township 7N Range 36E Section 22, 23

*S-perceded by
NOE Adjustment
new layout in
31-10503
See*



- Point(s) of Diversion, This WR
- Other Points of Diversion
- Place of Use, This WR
- Other Places of Use
- Section Lines
- Quarter-quarter Sections

0 1320 Feet

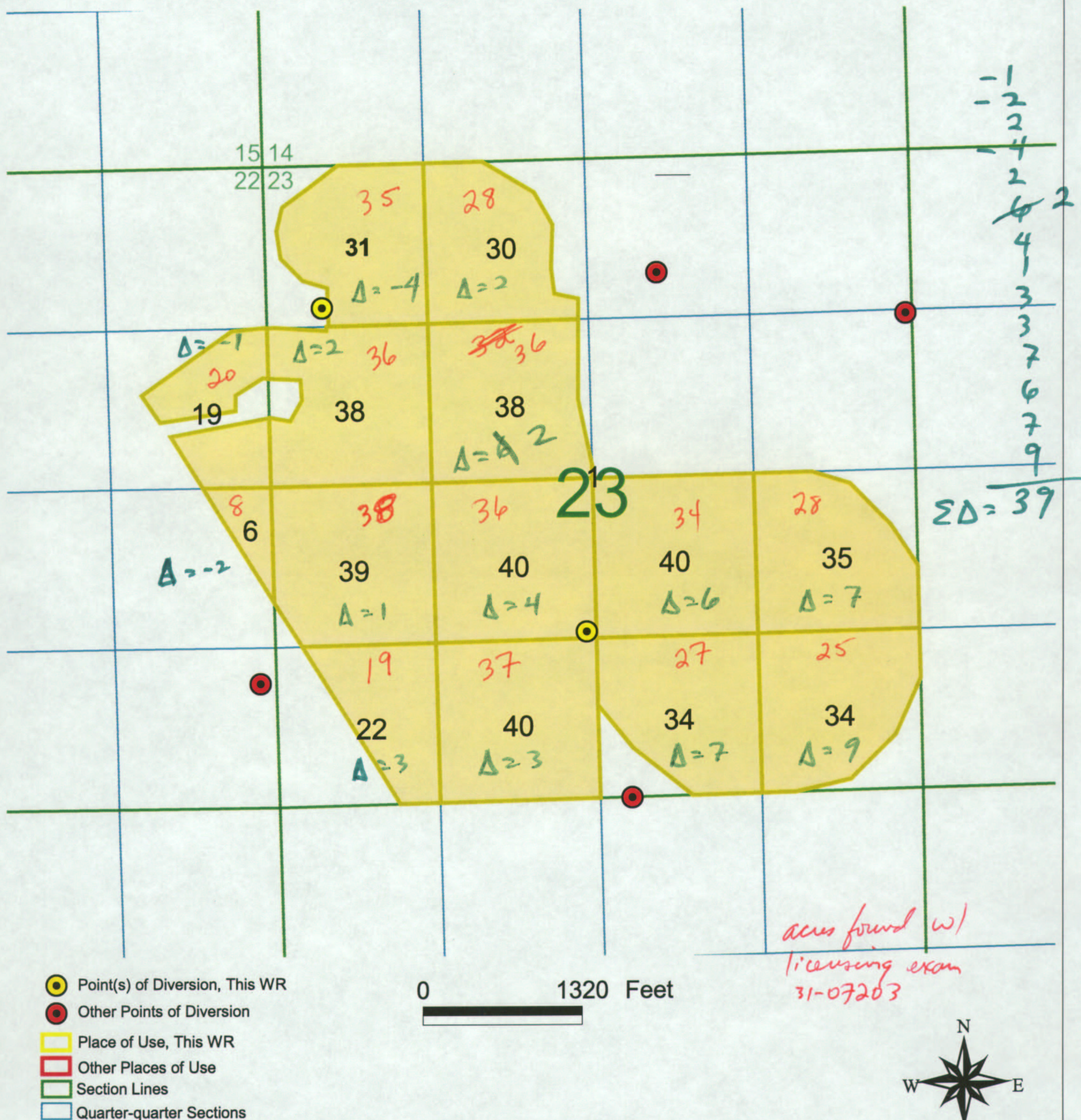


Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062S, 00063S, 02248,
07203, 10503

Township 7N Range 36E Section 22, 23



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

T
7
N

Claim A31- 000625/635
Doc Source NAPP W41
Date 6/7/00 Sig. BAE

W41 9/4/1980

01/22/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-62S
NAME AND ADDRESS: BOYD B ASHCRAFT SHELTER TRUST
1195 E 1100 N
SHELLEY ID 83274

HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

BHA INC.
C/O HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.410 CFS
246.80 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.53 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1221 AF. COMBINED RIGHT NOS.: 31-00062S, 31-00063S, 31-02248, 31-07203.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.53 CFS. COMBINED RIGHT NOS.: 31-00062S, 31-00063S, 31-02248, 31-07203, 31-10503.

PRIORITY DATE: 10/31/1917

POINT OF
DIVERSION:

T07N R36E S23 SWNNW Within JEFFERSON County
T07N R36E S23 SENESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.410 CFS 246.80 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T07N R36E S22	NENE	6.0	T07N R36E S22	SENE	20.0
T07N R36E S22	NESE	7.0	T07N R36E S23	NENW	30.0
T07N R36E S23	NWNW	39.0	T07N R36E S23	SWNW	38.0
T07N R36E S23	SENW	38.0	T07N R36E S23	NESW	40.0
T07N R36E S23	NWSW	39.0	T07N R36E S23	SWSW	22.0
T07N R36E S23	SESW	40.0	T07N R36E S23	NESE	35.0
T07N R36E S23	NWSE	40.0	T07N R36E S23	SWSE	34.0
T07N R36E S23	SESE	34.0			

462 ACRES TOTAL

01/22/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 407 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062S, 31-00063S, 31-02248, 31-07203.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 462 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062S, 31-00063S, 31-02248, 31-07203, 31-10503.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-00062S, 31-00063S, 31-02248, 31-07203, 31-10503.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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 31-62S
Date Received: 3/12/97
Receipt No: E023010
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

HELEN F ASHCRAFT Phone: (208) 356-3533

2983 E 2000 N
SUGAR CITY ID USA 83448

2. Date of Priority: 10/31/1917

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
07N	36E	23	SW	NW	NW	JEFFERSON	
07N	36E	23	SE	NE	SW	JEFFERSON	

5. Description of diverting works:

TWO WELLS/PUMPS 100HP/200 HP 120DP MAINLINE PIVOTS/SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.P
IRRIGATION	4/01	11/01	0.59	

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

8. Total consumptive use:

9. Non-irrigation uses:



10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07N	36E	22	SE	NE		IRRIGATION	20
			NE	SE		IRRIGATION	8
						Section Acres	28
07N	36E	23	NE	NW		IRRIGATION	28
			NW	NW		IRRIGATION	35
			SW	NW		IRRIGATION	36
			SE	NW		IRRIGATION	36
			NE	SW		IRRIGATION	36
			NW	SW		IRRIGATION	38
			SW	SW		IRRIGATION	19
			SE	SW		IRRIGATION	37
			NE	SE		IRRIGATION	28
			SW	SE		IRRIGATION	27
			SE	SE		IRRIGATION	25
			NW	SE		IRRIGATION	34
						Section Acres	379
						Total Acres	407

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

BASED ON 20 SHARES OF HAMER CANAL *CHANGED OWNERSHIP PER REQUEST/JH/4-2-98*

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

15. Basis of Claim: Decreed

03/29/2001

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

RIGHT NUMBER: 31-62S

NAME AND ADDRESS: HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY , ID 83448

SOURCE: GROUND WATER

QUANTITY: 1.41 CFS
246.8 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.53 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1221 AF. COMBINED RIGHT NOS.: 31-
00062S, 31-00063S, 31-02248, 31-07203

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.53 CFS. COMBINED RIGHT NOS.: 31-
00062S, 31-00063S, 31-02248, 31-07203, 31-10503

PRIORITY DATE: 10/31/1917

POINT OF DIVERSION:	T07N R36E S23	SWNWNW	Within JEFFERSON County
	T07N R36E S23	SENESE	Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	1.41 CFS 246.80 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R36E S22	NENE	6	T07N R36E S22	SENE	20
T07N R36E S22	NESE	7	T07N R36E S23	NENW	30
T07N R36E S23	NWNW	39	T07N R36E S23	SWNW	38
T07N R36E S23	SENE	38	T07N R36E S23	NESW	40
T07N R36E S23	NWSW	39	T07N R36E S23	SWSW	22
T07N R36E S23	SESE	40	T07N R36E S23	NESE	35
T07N R36E S23	NWSE	40	T07N R36E S23	SWSE	34
T07N R36E S23	SESE	34			

462 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70.5 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 407 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062S, 31-00063S,
31-02248, 31-07203

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 462 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062S, 31-00063S,
31-02248, 31-07203, 31-10503

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-00062S, 31-00063S, 31-02248, 31-07203, 31-10503

AJ0749NP
No. A31-00062S

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/02/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOYD ASHCRAFT 2983 E 2000 N SUGAR CITY ID 83448 (208) 356-3533	10/31/1917	IRRIGATION	04-01 11-01	0.59 CFS	
TOTAL DIVERSION:					0.59 CFS	
CONSUMPTIVE USE:						1017.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R36E S23

SWNNW

SENESE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
07N	36E	22	:					20	:					:								:	28.0		
07N	36E	23	:						:	28	35	36	36	:	36	38	19	37	:	28	34	27	25	:	379.0
TOTAL ACRES																					:	407.0			

POU County: JEFFERSON

Other Rights: 31-10503, 3107203, 31-00063S

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: GEN BASED ON 20 SHARES OF HAMER CANAL
CHANGED OWNERSHIP PER REQUEST/JH/4-2-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

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: **A31-00062S**
Date Received: 2/24/1997
Receipt No: ED 23010
Received By: DC

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: WAHOO OR BHA INC 208-356-3178
Address: 3930 E 2000 N
SUGAR CITY ID 83448

2. Date of Priority: OCT 31, 1917

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	36E	23	SW	NW	NW		JEFFERSON
			SE	NE	SW		JEFFERSON

5. Description of diverting works:
TWO WELLS/PUMPS 100HP/200 HP 120DP MAINLINE PIVOTS/SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.590		

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

8. Total consumptive use is 1017.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	36E	22	SE	NE		IRR	20.0
			NE	SE		IRR	8.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	28.0
		23	NE	NW	IRR	28.0
			NW	NW	IRR	35.0
			SW	NW	IRR	36.0
			SE	NW	IRR	36.0
			NE	SW	IRR	36.0
			NW	SW	IRR	38.0
			SW	SW	IRR	19.0
			SE	SW	IRR	37.0
			NE	SE	IRR	28.0
			NW	SE	IRR	34.0
			SW	SE	IRR	27.0
			SE	SE	IRR	25.0
					Section Acres	379.0
					Total Acres	407.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
31-10503, 3107203, 31-00063S

14. Remarks:
BASED ON 20 SHARES OF HAMER CANAL

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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: _____

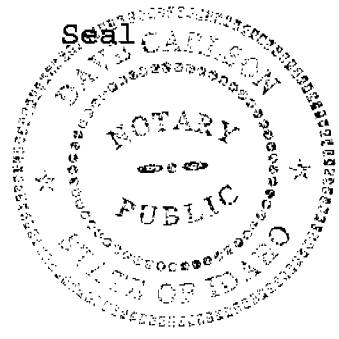
For Organizations:

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

Boyd B. Ashcroft
Signature of Authorized Agent
BHA Inc President
Title and Organization
Mar 12, 1997
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of March 19 97
Dave Carls
Notary Public



Residing at Rigby, Id
My Commission Expires 2/26/2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:17:04
06/07/00
38

PAGE: 20
PROFILE REPORT

CLAIM NUMBER: A31-000625

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOYD AEROCRAFT	10/31/1917	IRRIGATION	04-01 11-01	0.590 CFS	246.8
TOTAL DIVERSION:					0.590 CFS	
CONSUMPTIVE USE:					1.41	1017.50 AWA

Water Source: GROUNDWATER

Tributary to:

Stage: UNCRUED

Point(s) of Diversion: T07N R36E S23 SWNNW SENEW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				SUM
T	R	S		NE	NW	ENE	SE	NE	NW	ENE	SE	NE	NW	ENE	SE	NE	NW	ENE	SE	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07N	36E	22	:				20									00				20.0
07N	36E	23	:					33	35	36	36	36	38	19	37	38	34	27	35	375.0
																				407.0
																				See 615

POU County: JEFFERSON

Other Rights: 31-10503, 31-07203, 31-000635

C03, C05, C18

Conditions of Approval:

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: GEN BASED ON 20 SHARES OF HAMER CANAL
ACHANGED OWNERSHIP PER REQUEST/JH/4-2-98A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

Acres of PPU
adjusted per
NOE } amended
claim 31-10503

Copy remains fr. 31-07203
this right 70.5 acres.

POD ID _____
POU ID _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:13:27
06/07/00

PAGE: 1
GENERAL INFORMATION

19
CLAIM NUMBER: A31-00062G

LAST: WAHOO OR BHA INC
ADDRESS: 3930 E 2000 N
CITY: SUGAR CITY
PHONE NUMBER: 208-356-3178

FIRST:

STATE: ID ZIP: 83448

OWNER CODE: 0

LAST: ASHCRAFT
ADDRESS: 2983 E 2000 N
CITY: SUGAR CITY
PHONE NUMBER: 208-356-3533

FIRST: BOYD

STATE: ID ZIP: 83448

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN BASED ON 20 SHARES OF HAMER CANAL
ACHANGED OWNERSHIP PER REQUEST/WH/4-2-98A

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () _____

DATE OF FIELD EXAM: ___/___/___

APPOINTMENT MADE: Y() N()

TIME: ____:____ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Desktop Review 6/8/00

Relies on info in file } in file A31-00062A, A31-00063A

20
CLAIM NUMBER: A31-000626

DATE 6/8/00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A31-00062S	07N	36E	23	SW	NW	NW			JEFFERSON		
A31-00062S	07N	36E	23	SE	NE	SW			JEFFERSON		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A31-00063S R31-10505
A31-02248
A31-07203
A31-10503
A31-10505

31-04013
31-04014
31-07203

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
31-00062S	07N	36E	27		NE	NW			JEFFERSON		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

31-00063S

A31-00062U NONE
A31-00063H
A31-00063U

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(☒)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(☒) N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(____) N(____)

AJ FIELD EXAM (DATE OF FIELD EXAM _____) NAME OF EXAMINER _____ Y(____) N(____)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: GPS (NWM D)

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (____)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NPS
07N	36E	23	SW	NW	NW			JEFFERSON		
07N	36E	23	SE	NE	SW			JEFFERSON		
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
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---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

Bac

DATE:

6/8/00

SYSTEM DESCRIPTION: DESCRIBED BELOW (☒) SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

2 wells to interconnected mainline, pivots and handlines.

A. ROOT WATER RIGHT NUMBERS:

A31-00062A
A31-00062F
A31-00062C
A31-00062J
A31-00062R
A31-00062L
A31-00062N
A31-00062H
A31-00062P
A31-00062Q
A31-00062S
A31-00062T
A31-00062U

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECONM. ACRES
07N	36E	22	SE	NE		ASHCRAFT, BOYD	A31-00062S / 20.0	- /			33.0
			SE	NE		WAHOO OR BHA INC	A31-10503 / 6.0	- /			
			SE	NE		WAHOO OR BHA INC	A31-02248 / 20.0	31-02248 / 20.0			
			SE	NE		ASHCRAFT, BOYD	A31-00063S / 20.0	- /			
			SE	NE		ASHCRAFT, BOYD	A31-07203 / 20.0	31-07203 / 20.0			
			SE	NE		HAMER CANAL CO		31-00063Q / 33.0			
			SE	NE		HAMER CANAL CO		31-00062Q / 33.0			
			SE	NE		HAMER CANAL CO.		31-02206 / 33.0			
07N	36E	22	NE	SE		ASHCRAFT, BOYD	A31-00062S / 8.0	- /			32.0
			NE	SE		STADTMAN, ROGER	A31-10451 /	- /			
			NE	SE		SHURTLIFE, RENE	A31-00062J / 17.6	- /			
			NE	SE		SHURTLIFE, RENE	A31-00063J / 17.6	- /			
			NE	SE		STADTMAN, ROGER	31-10451 /	- /			
			NE	SE		ASHCRAFT, BOYD	A31-00063S / 8.0	- /			
			NE	SE		ASHCRAFT, BOYD	A31-07203 / 8.0	31-07203 / 8.0			
			NE	SE		HAMER CANAL CO		31-00063Q / 14.2			
			NE	SE		SHURTLIFE, RENE		31-00063R / 17.6			
			NE	SE		HAMER CANAL CO		31-00062Q / 14.2			
			NE	SE		SHURTLIFF, LELLA		31-00062K / 17.6			

See 31-07203
Copied POU on
PPU basis.

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	SE		HAMER CANAL CO.		31-02206 / 33.0			
			NE	SE		HAMER CANAL CO.		31-04002 /			
07N	36E	23	NE	NW		ASHCRAFT, BOYD	A31-000625 / 28.0	- /		42.0	
			NE	NW		LICHTENWALTER, CALVIN	A31-10003 /	- /			
			NE	NW		WAHOO OR BHA INC	A31-10503 / 10.0	- /			
			NE	NW		ASHCRAFT, BOYD	A31-000638 / 28.0	- /			
			NE	NW		ASHCRAFT, BOYD	A31-07203 / 28.0	31-07203 / 28.0			
			NE	NW		HAMER CANAL CO		31-000630 / 40.0			
			NE	NW		HAMER CANAL CO		31-000620 / 40.0			
			NE	NW		HAMER CANAL CO.		31-02206 / 40.0			
			NE	NW		HAMER CANAL CO.		31-04002 /			
07N	36E	23	NW	NW		ASHCRAFT, BOYD	A31-000625 / 35.0	- /		40.0	
			NW	NW		WAHOO OR BHA INC	A31-10503 / 4.0	- /			
			NW	NW		ASHCRAFT, BOYD	A31-000638 / 35.0	- /			
			NW	NW		ASHCRAFT, BOYD	A31-07203 / 35.0	31-07203 / 35.0			
			NW	NW		HAMER CANAL CO		31-000630 / 40.0			
			NW	NW		HAMER CANAL CO		31-000620 / 40.0			
			NW	NW		HAMER CANAL CO.		31-02206 / 40.0			
			NW	NW		HAMER CANAL CO.		31-04002 /			
			NW	NW		EDIE, RICHARD		31-04013 / 20.0			
07N	36E	23	SW	NW		ASHCRAFT, BOYD	A31-000625 / 36.0	- /		40.0	
			SW	NW		WAHOO OR BHA INC	A31-10503 / 1.0	- /			
			SW	NW		WAHOO OR BHA INC	A31-02240 / 25.0	- /			
			SW	NW		ASHCRAFT, BOYD	A31-000638 / 36.0	- /			
			SW	NW		ASHCRAFT, BOYD	A31-07203 / 36.0	31-07203 / 36.0			
			SW	NW		HAMER CANAL CO		31-000630 / 39.0			
			SW	NW		HAMER CANAL CO		31-000620 / 39.0			
			SW	NW		HAMER CANAL CO.		31-02206 / 39.0			
			SW	NW		HAMER CANAL CO.		31-04002 /			
07N	36E	23	SE	NW		ASHCRAFT, BOYD	A31-000625 / 36.0	- /		40.0	
			SE	NW		ASHCRAFT, BOYD	A31-000638 / 36.0	- /			
			SE	NW		ASHCRAFT, BOYD	A31-07203 / 36.0	31-07203 / 36.0			
			SE	NW		HAMER CANAL CO		31-000630 / 40.0			
			SE	NW		HAMER CANAL CO		31-000620 / 40.0			
			SE	NW		HAMER CANAL CO.		31-02206 / 40.0			
			SE	NW		HAMER CANAL CO.		31-04002 /			
07N	36E	23	NE	SW		ASHCRAFT, BOYD	A31-000625 / 36.0	- /		40.0	
			NE	SW		WAHOO OR BHA INC	A31-10505 /	- /			
			NE	SW		WAHOO OR BHA INC	A31-10505 /	- /			
			NE	SW		ASHCRAFT, BOYD	A31-000638 / 36.0	- /			
			NE	SW		ASHCRAFT, BOYD	A31-07203 / 36.0	31-07203 / 36.0			
			NE	SW		HAMER CANAL CO		31-000630 / 40.0			
			NE	SW		HAMER CANAL CO		31-000620 / 40.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	OR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD ACRES
			NE	SW		HAMER CANAL CO.		31-02206	/	40.0	
			NE	SW		HAMER CANAL CO.		31-04002	/		
			NE	SW		EDIE, ARTHUR		31-04014	/	20.0	
07N	36E	23	NW	SW		ASHCRAFT, BOYD	A31-000625 / 38.0	-	/		37.0
			NW	SW		WAHOO OR BHA INC	R31-10504 /	-	/		
			NW	SW		WAHOO OR BHA INC	A31-10503 / 2.0	-	/		
			NW	SW		WAHOO OR BHA INC	A31-10504 /	-	/		
			NW	SW		ASHCRAFT, BOYD	A31-000635 / 38.0	-	/		
			NW	SW		ASHCRAFT, BOYD	A31-07203 / 38.0	31-07203	/	38.0	
			NW	SW		HAMER CANAL CO		31-000630	/	37.0	
			NW	SW		HAMER CANAL CO		31-000620	/	37.0	
			NW	SW		HAMER CANAL CO.		31-02206	/	37.0	
			NW	SW		HAMER CANAL CO.		31-04002	/		
			NW	SW		EDIE, ARTHUR		31-04014	/	4.0	
07N	36E	23	SW	SW		ASHCRAFT, BOYD	A31-000625 / 19.0	-	/		34.0
			SW	SW		LOUNSBURY, RHEA	A31-10332 /	-	/		
			SW	SW		LOUNSBURY, RHEA	31-10332 /	-	/		
			SW	SW		ASHCRAFT, BOYD	A31-000635 / 19.0	-	/		
			SW	SW		ASHCRAFT, BOYD	A31-07203 / 19.0	31-07203	/	19.0	
			SW	SW		HAMER CANAL CO		31-000630	/	32.0	
			SW	SW		HAMER CANAL CO		31-000620	/	32.0	
			SW	SW		HAMER CANAL CO.		31-02206	/	32.0	
			SW	SW		HAMER CANAL CO.		31-04002	/		
07N	36E	23	SE	SW		ASHCRAFT, BOYD	A31-000625 / 37.0	-	/		36.0
			SE	SW		ASHCRAFT, BOYD	A31-000635 / 37.0	-	/		
			SE	SW		ASHCRAFT, BOYD	A31-07203 / 37.0	31-07203	/	37.0	
			SE	SW		HAMER CANAL CO		31-000630	/	40.0	
			SE	SW		HAMER CANAL CO		31-000620	/	40.0	
			SE	SW		HAMER CANAL CO.		31-02206	/	40.0	
			SE	SW		HAMER CANAL CO.		31-04002	/		
			SE	SW		EDIE, ARTHUR		31-04014	/	30.0	
07N	36E	23	NE	SE		ASHCRAFT, BOYD	A31-000625 / 28.0	-	/		30.0
			NE	SE		ASHCRAFT, BOYD	A31-000635 / 28.0	-	/		
			NE	SE		ASHCRAFT, BOYD	A31-07203 / 28.0	31-07203	/	28.0	
			NE	SE		HAMER CANAL CO		31-000630	/	40.0	
			NE	SE		HAMER CANAL CO		31-000620	/	40.0	
			NE	SE		HAMER CANAL CO.		31-02206	/	40.0	
07N	36E	23	NW	SE		ASHCRAFT, BOYD	A31-000625 / 34.0	-	/		42.0
			NW	SE		ASHCRAFT, BOYD	A31-000635 / 34.0	-	/		
			NW	SE		ASHCRAFT, BOYD	A31-07203 / 34.0	31-07203	/	34.0	
			NW	SE		HAMER CANAL CO		31-000630	/	40.0	
			NW	SE		HAMER CANAL CO		31-000620	/	40.0	
			NW	SE		HAMER CANAL CO.		31-02206	/	40.0	

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AD #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD ACRES
			NW	SE		EDIE, ARTHUR		31-04014 / 9.0			
07N	36E	23	SW	SE		ASHCRAFT, BOYD	A31-000625 / 27.0	- /		30.0	
			SW	SE		ASHCRAFT, BOYD	A31-000635 / 27.0	- /			
			SW	SE		ASHCRAFT, BOYD	A31-07203 / 27.0	31-07203 / 27.0			
			SW	SE		HAMER CANAL CO		31-000630 / 40.0			
			SW	SE		HAMER CANAL CO		31-000620 / 40.0			
			SW	SE		HAMER CANAL CO.		31-02206 / 40.0			
			SW	SE		EDIE, ARTHUR		31-04014 / 9.0			
07N	36E	23	SE	SE		ASHCRAFT, BOYD	A31-000625 / 25.0	- /		15.0	
			SE	SE		ASHCRAFT, BOYD	A31-000635 / 25.0	- /			
			SE	SE		ASHCRAFT, BOYD	A31-07203 / 25.0	31-07203 / 25.0			
			SE	SE		HAMER CANAL CO		31-000630 / 40.0			
			SE	SE		HAMER CANAL CO		31-000620 / 40.0			
			SE	SE		HAMER CANAL CO.		31-02206 / 40.0			

--- ADDITIONAL POU FOUND ---

TOTAL ACRES A31-000625 407.00 491.00

POU COUNTY: JEFFERSON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-000625	GROUNDWATER	ASHCRAFT, BOYD	0.590	0.001		
A31-00062J	GROUNDWATER	SHURLIFF, RENE	1.610	0.012		
A31-00063J	GROUNDWATER	SHURLIFF, RENE	0.690	0.005		
A31-00063S	GROUNDWATER	ASHCRAFT, BOYD	1.410	0.003		
A31-02248	GROUNDWATER	WAHOO OK BHA INC	0.900	0.020		
A31-07203	GROUNDWATER	ASHCRAFT, BOYD	7.500	0.010	1221.00	3.00

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-10503	GROUNDWATER	WAHOO OR BHA INC	0.030	0.018		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10451	DOMESTIC	STADTMAN, ROGER	FROM 01-01 TO 12-31	0.040 CFS	
31-10451	DOMESTIC	STADTMAN, ROGER	FROM 01-01 TO 12-31	0.040 CFS	
A31-10003	DOMESTIC	LICHTENWALTER, CALVIN	FROM 01-01 TO 12-31	0.020 CFS	
R31-10505	STOCKWATER	WAHOO OR BHA INC	FROM 01-01 TO 12-31	0.120 CFS	
A31-10505	STOCKWATER	WAHOO OR BHA INC	FROM 01-01 TO 12-31	0.120 CFS	
R31-10504	STOCKWATER	WAHOO OR BHA INC	FROM 01-01 TO 12-31	0.120 CFS	
R31-10504	DOMESTIC	WAHOO OR BHA INC	FROM 01-01 TO 12-31	0.040 CFS	
A31-10504	STOCKWATER	WAHOO OR BHA INC	FROM 01-01 TO 12-31	0.120 CFS	
A31-10504	DOMESTIC	WAHOO OR BHA INC	FROM 01-01 TO 12-31	0.040 CFS	
A31-10332	DOMESTIC	LOUNSBURY, RHEA	FROM 01-01 TO 12-31	0.040 CFS	
31-10332	DOMESTIC	LOUNSBURY, RHEA	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(/) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 31-10503, 31-07203, 31-000635

See review in file

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N(/)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(/)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(/)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(/)

CHECK DOCUMENTS USED TO VERIFY POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () ASES PHOTO; (X) OTHER GIS

NOTES: See overlap review to license 31-07203, copy is file A31-07203

This right limited to original acres, calculated from
diversion rate @ 0.02 / acre. $\frac{1.41}{0.02} = 70.5$ acres

RECOMMENDATIONS:

TOTAL ACRES: 446 limited to 70.5 N/A()

REVIEWED BY: Bac

DATE: 6/8/00

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A31-000625 IRRIGATION	FROM 04-01 TO 11-01	0.590 CFS	
TOTAL DIVERSION RATE/VOLUME		0.590 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
31-000625 IRRIGATION	FROM 05-01 TO 09-01	1.870 CFS	
TOTAL DIVERSION RATE/VOLUME		1.870 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☒)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☒)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

*See split
history*

see below

NOTES: 1980 Ship. (see A31-00062A/63A) shows 20 shares for
Aircraft, 20 shares @ $5'' = 100'' = 2.0$ cfs.

$$A31-000625 = 0.59, A31-000635 = 1.41, \Sigma = 2.00 \text{ cfs.}$$

Original decree shows 62 as the larger right (21.2 cfs)
and 63 as the smaller (8.8). Therefore it appears that
the diversion rates on these claims were inadvertently
reversed. Therefore this claim is recommended as
follows:

$$\frac{21.2 \text{ cfs}}{300 \text{ shares}} = \frac{0.0706\bar{6}}{\text{share}}$$

$$0.0706\bar{6} \times 20 \text{ shares} = 1.41 \text{ cfs}$$

No Season of use on decree, so recommended @ dept. stl.

AJ CLAIM TOTAL DIVERSION RATE: 0.590 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.870 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(☒)

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N(☒)

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 70.5 x 0.02 CFS/ACRE = 1.41 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AE/A
ACRES 70.5 x DIVERSION VOL. AF/A FOR AREA 3.5 = 246.8
TOTAL DIVERSION VOLUME 246.8 AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1017.5 AE/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

License 31-07203 imposed combined diversion rate & volume limitation on this right and others, which will be carried forward to the recommendation. Note that combined limitation is at 3.0/acre, so Σ of individual rights may exceed combined limitation.

WR RECORD CONDITIONS/REMARKS:

see CUR 31-07203

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CES	REC. DIV VOL. AE/A	REC. CONS. USE
IRRIGATION	04-01 ~~11-01~~ 10-31	DATABASE EXAMINER 0.590 -----	DATABASE EXAMINER 246.8	DATABASE EXAMINER 1017.5 -----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
TOTAL FOR THIS RIGHT		0.590 -----		~~1017.5~~ -----

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: *bac*

DATE: *6/8/00*

FLAG: *c*

STANDARD CONDITIONS (CODE):

CD3, CD5, C18

STANDARD REMARKS (CODE):

See CUR 31-07203 for remarks.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ☒ ()
NEEDS REVIEW ☒ ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00062

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
21.200

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
31-00062S	A31-00062A	4.030	-		31-00062F	2.690
-	A31-00062C	1.240	-		31-00062K	4.030
-	A31-00062E	2.690	-		31-00062L	1.240
-	A31-00062J	1.610	-		31-00062M	0.740
-	A31-00062K	3.160	-		31-00062N	2.120
-	A31-00062L	1.500	-		31-00062P	0.710
-	A31-00062M	0.740	-		31-00062Q	5.600
-	A31-00062N	2.120	-		31-00062R	1.610
-	A31-00062P	0.710	-		31-00062S	1.870
-	A31-00062Q	0.550	-		31-00062T	0.590
-	A31-00062S	0.590	-		-	-
-	A31-00062T	0.590	-		-	-
-	A31-00062U	1.870	-		-	-
TOTAL CFS		21.480				21.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Bryce A. Conter

6/8/00

Bryce A. Conter

SWA

Other attachments:

Overlap / limitation analysis	6/8/00	1 page
Dan Murdock visit memo	5/17/00	2 pages
Dan Murdock e-mail	5/17/00	2 pages
Dan Murdock phone conv. memo	5/9/00	2 pages
B31 action acty memo	5/2/00	1 page
Grant Ashcraft phone conv. memo	3/22/00	1 page
Split analysis	3/16/00	4 pages
Wahos/BHA letter	3/15/00	2 pages
Split memo	2/17/00	5 pages
Δ ownership	1998	11 pages
Stip. / agreement	1980	1 page

See also extensive History of Harner Canal splits & transfers in
A31-00062A/63A.

PAGE: 18
LIST OF MAPS USED AND ATTACHMENTS

36
CLAIM NUMBER: A31-00062S

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO <u>9/4/1980</u> IDWR ID NO. <u>W41</u>	Y(☒) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>G19</u>	DATE <u>6/2000</u> <u>2 sheets</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() MURBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER <u>split memo</u>	DATE <u>6/8/00</u>	<u>2</u>	_____
☒ OTHER <u>Murdoch claim memo</u>	DATE <u>6/8/00</u>	<u>1</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:13:27
06/07/00

PAGE: 19
QUICKLOOK INFORMATION

37
CLAIM NUMBER: A31-000625

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					CUR			
POINT OF DIV	Y				BAC			
SOURCE					6/8/00			
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 22, 2002

BOYD B ASHCRAFT SHELTER TRUST
C/O LINDEN FIELDING
1195 E 1100 N
SHELLEY ID 83274

RE: Notice of Change of Water Right Ownership (NCO) for 31-62S, 31-63S, 31-2248, 31-7203, 31-10503, 31-10504 and 31-10505 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir or Madam:

On January 17, 2002, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

A handwritten signature in cursive script, reading 'Cheri Vandermeulen'.

Cheri Vandermeulen
Records Clerk

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 22, 2002

BHA INC
HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: Notice of Change of Water Right Ownership (NCO) for 31-62S, 31-63S, 31-2248, 31-7203, 31-10503, 31-10504 and 31-10505 and Notice of Completed Administrative Proceeding (NCAP)

Dear Ms. Ashcraft:

On January 17, 2002, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Cheri Vandermeulen
Records Clerk

Enclosure

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

In Re SRBA

)
)
)
)
)
)

Water Rights: 31-62S, 31-63S,
31-2248, 31-7203, 31-10503,
31-10504 AND 31-10505

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |
| ☐ other | |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 22, 2002

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 25, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
HELEN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:	
BHA INC	BOYD B ASHCRAFT SHELTER TRUST
C/O HELEN ASHCRAFT	C/O LINDEN FIELDING
2983 E 2000 N	1195 E 1100 N
SUGAR CITY ID 83448	SHELLEY ID 83274

HELEN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Cheri Undermeulen
Signature of person or attorney mailing the form

JK JC
1-18-02
RECEIVED
JAN 17 2002
Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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
	31-000625		✓ 31-10504	Needs	
Needs	31-635		✓ 31-10505	NCAP	
NCAP	31-7203				
	31-10503				
	31-2248				

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

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

OR

If your water right(s) and/or adjudication claim(s) are 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) Helen Ashcraft, Individually and
Helen Ashcraft, Pres BHA Inc.
4. New Owner/Claimant(s) BHA Inc and Helen Ashcraft, 2983 E 2000 N, Sugar City, Id, 83448
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
208-356-3533
New Mailing Address Boyd B. Ashcraft Shelter trust, Linden Fielding
City, State and ZIP Code Trustee, 1195 E 1100 N, Shelley, Id 83274
New Telephone Number (208) 357-7751
5. Date you acquired the property 31 Dec 2001

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

Helen J. Ashcraft

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, Made this 31st day of December, 2001, between Helen Ashcraft, as Personal Representative of the estate of Boyd B. Ashcraft, deceased, of 2983 East 2000 North, Sugar City, Idaho 83448, the party of the first part, and Linden Fielding, of 1195 East 1100 North, Shelley, Idaho 83274, as Trustee of the Boyd B. Ashcraft Shelter Trust, the party of the second part,

WITNESSETH, That the said party of the first part, as the duly appointed, qualified and acting Personal Representative of said estate, does by these presents grant, convey and confirm, unto the said party of the second part, and to his successor trustees and assigns forever, the following described right, title and interest of Boyd B. Ashcraft, deceased, in and to the following described real property located in Jefferson County, Idaho, commonly known to the parties hereto as the "Hamer Place", to-wit:

All of the interest of the Estate of Boyd B. Ashcraft consisting of an undivided fifty percent (50%) community property interest of an undivided fifty percent (50) interest being an undivided twenty-five percent (25%) of the full fee simple interest in and to the following real property:

Tract One: Northeast Quarter of the Southeast Quarter East Railroad right-of-way, in Section 22, Township 7 North, Range 36 East, Boise Meridian, Southeast Quarter, North One-Half of the Southwest Quarter, Southeast Quarter of the Southwest Quarter, in Section 23, Township 7 North, Range 36 East, Boise Meridian.

Tract Two: Southeast Quarter of the Northeast Quarter, lying East of the Railroad right-of-way, in Section 22, Township 7 North, Range 36 East, Boise Meridian, Southwest Quarter of the

Northwest Quarter in Section 23, Township 7 North, Range 36 East, Boise Meridian.

Tract Three: Northeast Quarter of the Northeast Quarter, in Section 22, Township 7 North, Range 36 East, Boise Meridian, East One-Half of the Northwest Quarter, Northwest Quarter of the Northwest Quarter, in Section 23, Township 7 North, Range 36 East, Boise Meridian.

Excluding therefrom the following described parcel of property:

Township 7 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho, Section 22: Beginning at the Northwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 22 and running thence East 864 feet to the true point of beginning; thence South 400 feet; thence West 180 feet; thence South 178 feet; thence East 200 feet; thence North 578 feet; thence West 20 feet to the true point of beginning. EXCEPTING THEREFROM: Public road right of ways.

ALSO, Tract 4: All that portion of the Southwest Quarter of the Southwest Quarter of Section 23, Township 7 North, Range 36 East, Boise Meridian, lying East of the Railroad right-of-way.

Together with all improvements, easements and appurtenances thereto, and subject to such rights, easements and covenants as appear of record or by use upon the premises. However, excluding only the granaries and circular irrigation equipment, but not excluding the pump, well and water rights.

Subject to easements of record or in existence for roads, ditches and utilities.

Together with all water and water rights, ditch and ditch rights, appurtenant thereto, including but not necessarily limited to water right #s 31-00062S, 31-00063S, 31-07203, 31-10503, 31-02248, 31-10504 and 31-10505.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders and rents,

issues and profits thereof;

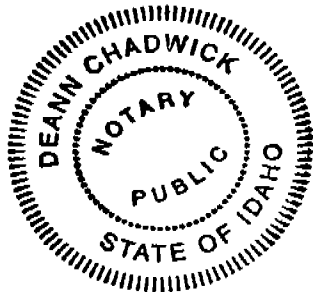
TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his successor trustees and assigns forever.

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

Helen Ashcraft
Helen Ashcraft Personal Representative of
the Estate of Boyd B. Ashcraft

STATE OF IDAHO)
 ss.
County of Madison.)

On this 31st day of December, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **Helen Ashcraft**, known to me to be the Personal Representative of the Estate of Boyd B. Ashcraft, deceased, and acknowledged to me that she executed the same as such Personal Representative.



Deann Chadwick
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission expires: 4/27/04

Law Offices

**RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered**

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954 - 2001)
Gregory W. Moeller

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone:
Rexburg: (208) 356-3633
Fax: (208) 356-0768
E-Mail: Rexlaw@rigby-thatcher.com

January 11, 2002

State of Idaho
Department of Water Resources
Attention: Candice McHugh
P. O. Box 83720
Boise, Idaho 83720-0098

Dear Ms. McHugh:

RE: Change of Ownership of Water Rights Nos. 31-00062S, 31-00063S, 31-07203, 31-10503, 31-02248, 31-10504, 31-10505, 31-11609, 31-11611, 31-2353c, 31-7176, 31-11697, 31-10591, 31-11708 and 31-07364.

We understand that our client, Helen Ashcraft, has inquired concerning updating her records with your Department regarding the ownership of water rights on real property owned by our client located near Hamer, Jefferson County, Idaho.

The water rights referred to herein are probably currently held in the name of Boyd B. Ashcraft and Helen Ashcraft, husband and wife, and possibly a corporation, B.H.A., Inc., an Idaho corporation. Boyd Ashcraft died on October 13, 2000. His wife, Helen, may have had his name removed from some of the water rights since his death. However, under his will that has been probated in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Madison, Magistrate Division, Civil Case No. CV-2001-00001, Mr. Ashcraft's undivided interest in the real property and in the water rights, have been distributed to a trust known as the Boyd B. Ashcraft Shelter Trust.

I have enclosed herewith a copy of the Personal Representative's Deeds pertaining to such water rights.

State of Idaho
Department of Water Resources
January 14, 2002

Page 2

You will note, from one of the within deeds, that Boyd B. Ashcraft's interest, consisting of an undivided 25 percent interest in the following water rights has been transferred to the Boyd B. Ashcraft Shelter Trust: 31-00062S, 31-00063S, 31-07203, 31-10503, 31-02248, 31-10504 and 31-10505. ✓

3 owners

With regard to the water rights above listed, after the transfer evidenced by the within Deed, B.H.A., Inc., an Idaho corporation, should hold an undivided 50 percent interest therein, Helen Ashcraft should hold an undivided 25 percent interest therein and the Boyd B. Ashcraft Shelter Trust, in care of Linden Fielding, Trustee, should hold an undivided 25 percent interest therein.

You will further note, from the other enclosed deed, that Boyd B. Ashcraft's interest, consisting of an undivided 50 percent interest in the following water rights has been transferred to the Boyd B. Ashcraft Shelter Trust: 31-11609, 31-11611, 31-2353c, 31-7176, 31-11697, 31-10591, 31-11708 and 31-07364. ✓ These water rights are held in undivided respective one-half interests by Helen Ashcraft and by the Boyd B. Ashcraft Shelter Trust.

2 owners

If you need any further information, please do not hesitate to contact me.

Sincerely,



G. Rich Andrus

GRA:dc
Enclosures

AshcraftH.L11

DELLOG BC 2/13/01
RECEIVED
FEB 08 2001
Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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
W.D. <u>31-2353C</u>	<u>the only</u>		<u>31-02248</u>		
W.D. <u>31-7176</u>	<u>2 in question</u>		<u>31-000625</u>		
<u>31-7203</u>	<u>Sam told these</u>		<u>(50) 31-1059</u>		
<u>31-10503</u>	<u>are already on</u>		<u>~~31-1059~~</u>		
<u>31-000635</u>	<u>file in Idaho Falls</u>				

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

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

OR

If your water right(s) and/or adjudication claim(s) are 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)

Boyd Ashcraft
2983 E 2000 N Sugar City, Id 83448

4. New Owner/Claimant(s)

Helen F. Ashcraft

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

2983 E 2000 N

City, State and ZIP Code

Sugar City, Id 83448

New Telephone Number

(208) 356-3533

5. Date you acquired the property

13 Oct 2000 (the day he died, I guess)

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) *Helen J. Osterget*
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

RECEIVED
FEB 08 2001
Department of Water Resources
Eastern Region

The reason for 3 deeds:

The lady in Boise said since the property had changed 3 times since the water license had changed, I had to send the 3 deeds so you could see the paper trail

Richard Cook

Cook Farms

Boyd & Grant Ashcraft

Boyd Ashcraft & Helen Ashcraft

Thankyou

Helen Ashcraft

RECEIVED

FEB 08 2001

Department of Water Resources
Eastern Region

ret
WARRANTY DEED

For Value Received
GRANT ASHCRAFT & DOROTHY ASHCRAFT, husband and wife
the grantor(s), do(es) hereby grant, bargain, sell, and convey unto
BOYD B. ASHCRAFT AND HELEN F. ASHCRAFT, husband and wife

the granted(s), whose current address is: 2983 E 2000 N
SUGAR, IDAHO 84448

the following described premises, to-wit:
TOWNSHIP 6 NORTH, RANGE 30 EAST OF THE BOISE MERIDIAN, JEFFERSON
COUNTY, IDAHO
SECTION 4: LOT 4. ~~31-7176~~ *31-7176*

SECTION 5: NE 1/4. *31-2353C* *31-7176*

TOWNSHIP 7 NORTH, RANGE 30 EAST OF THE BOISE MERIDIAN, JEFFERSON
COUNTY, IDAHO

SECTION 33: SW 1/4 SW 1/4 *31-7176*

SECTION 32: S 1/2 SE 1/4 *31-7136*
NW 1/4 SE 1/4 *31-2353C*

Line 2
ALSO: Beginning at the North 1/4 Corner of said Section
32, said point is the true point of beginning; thence
S00°48'18"E 784.64 feet; thence S87°39'30"E 591.51 feet;
thence N00°48'26"W 518.64 feet; thence N50°08'06"W
146.33 feet; thence N02°38'33"W 196.55 feet; thence West
along the North Section line for a distance of 473.96
feet to the point of beginning.

TOGETHER WITH AN ROAD EASEMENT which true point of beginning is
S00°48'18"E 784.64 feet from the North 1/4 Corner of said Section 32,
Township 7 North, Range 30 East of the Boise Meridian, Jefferson
County, Idaho; thence S00°48'18"E 1844.78 feet; thence N88°30'28"E
60.0 feet; thence N00°48'18"W 1840.76 feet; thence N87°39'30"W 60.09
feet to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said grantee(s), their heirs and assigns forever. And the said
Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that
they are the owner(s) in fee simple of said premises; that said
premises are free from all encumbrances except as hereinabove set forth
that they will warrant and defend the same from all lawful claims
whatsoever.

Dated:

Boyd B. Ashcraft
Boyd B. Ashcraft

Dorothy S. Ashcraft
Dorothy S. Ashcraft
Helen F. Ashcraft
Helen F. Ashcraft

STATE OF *Idaho*

COUNTY OF *Jefferson*

On this *27th* day of *March*, 1991, before me, a notary public
in and for said State, personally appeared BOYD B. ASHCRAFT & HELEN F.
ASHCRAFT, V. GRANT ASHCRAFT & DOROTHY S. ASHCRAFT, husbands and wives
known to me to be the person(s) whose name(s) subscribed to the within
instrument and acknowledged to me that they executed the same.

Notary Public
Residing at: *NEXHILL*, Idaho
Comm. Expires: *9-1-91*

Microfilm No. *[redacted]*
5 Day *March* 1991
At *709* O'clock *AM*
JENNIE M. KELLER
Jefferson Co. Recorder
Fee \$ *3.00* Deputy
Recorded at request of *[initials]*

RECEIVED

FEB 08 2001

FURNISHED BY FIRST AMERICAN TITLE COMPANY
110 NORTH CLARK, P.O. BOX 405, RIGBY, IDAHO 83443Department of Water Resources
Eastern Region

WARRANTY DEED

For Value Received
Molly M. Cook, Richard B. Cook, individually, Richard Blaine Cook, individually, Laurene Cook, individually, J. Blaine Cook, individually and Lucile T. Cook, individually

do hereby grant, bargain, sell, and convey unto
BOYD B. ASHCRAFT and HELEN F. ASHCRAFT, husband and wife and
V. GRANT ASHCRAFT and DOROTHY S. ASHCRAFT, husband and wife

the grantee s, whose current address is 2983 E 2000 North,
Sugar, Idaho 83448

the following described premises, to-wit:

TRACT 1:
Township 6 North, Range East of the Boise Meridian, Jefferson County, Idaho
Section 41, Lot 4.
Section 51, N 1/2.
Section 61, NE 1/4.

Township 7 North, Range East of the Boise Meridian, Jefferson County, Idaho.
Section 33: SW 1/4 SW 1/4
Section 32: S 1/2 SE 1/4
NW 1/4 SE 1/4

ALSO: Beginning at the North 1/4 Corner of said Section 32, said point is the true point of beginning; thence S00°48'18"E 784.64 feet; thence S87°39'30"E 91.51 feet; thence N00°44'26"W 518.64 feet; thence N50°08'06"W 46.33 feet; thence N02°38'33"W 196.55 feet; thence West along the North Section line for a distance of 473.96 feet to the true point of beginning.

TRACT 2:
Together with a road Easement, which true point of beginning is S00°48'18"E 784.64 feet from the North 1/4 Corner of said Section 32, Township 7 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho; thence S00°48'18"E 1844.78 feet; thence N88°30'28"E 60.0 feet; thence N00°48'18"W 1840.76 feet; thence N87°39'30"W 60.09 feet to the true point of beginning.

SUBJECT to all easements, rights of way, covenants, restrictions, reservations, as applicable building and zoning ordinances and use regulations and restriction of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee s, their heirs and assigns forever. And the said Grantor s does hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth that they will warrant and defend the same from all lawful claims whatsoever.
Dated: March 31, 1989

J. Blaine Cook
J. Blaine Cook, as Partner of Cook Farms

Lucile T. Cook
Lucile T. Cook, as partner of Cook Farms

STATE OF IDAHO, COUNTY OF Blaine
On this 30th day of March, 1989
before me, a notary public in and for said State, personally appeared

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

Residing at Ogden, UT
Comm. Expires 2/1/00

Microfilm No. 251896
11 Day April 1989
At 1125 O'Clock P.M.
TAMRA K. STITT
Jefferson Co. Recorder
Fee \$ 12.00
Recorded at Request of
First American Title

RECEIVED BY
ASSESSOR
For PLATTING
Date 4/16/89 Time 4:00 PM

INSTRUMENT NO.

Karl Thurman Cook
Karl Thurman Cook, individually

Molly M. Cook
Molly M. Cook, individually

J. Blaine Cook
J. Blaine Cook, individually

Karl Thurman Cook
Karl Thurman Cook, as Partner of Cook Farms

Molly M. Cook
Molly M. Cook, as partner of Cook Farms

Richard Blaine Cook
Richard Blaine Cook, individually

Laurene Cook
Laurene Cook, individually

Lucile T. Cook
Lucile T. Cook, individually

Richard Blaine Cook
Richard Blaine Cook, as partner of Cook Farms

Laurene Cook
Laurene Cook, as partner of Cook Farms

STATE OF IDAHO
COUNTY OF Webster

On this 30 day of March, 1989, before me, the undersigned, a notary public in and for said State, personally appeared Karl Thurman Cook, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Quanta Smith
Notary Public

Residing at: Ogden, UT.

Commission Expires: 4-15-89

STATE OF IDAHO
COUNTY OF Butte

On this 31st day of March, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Molly M. Cook, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Robert Trinker
Notary Public

Residing at: Logan

Commission Expires: 5-20-94

STATE OF IDAHO
COUNTY OF Butte

On this 31st day of March, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Blaine Cook, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Robert Trinker
Notary Public

Residing at: Logan

Commission Expires: 5-20-94

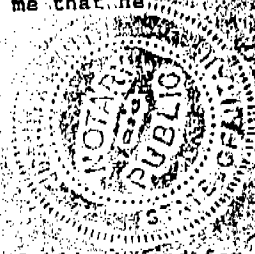
STATE OF IDAHO
COUNTY OF Butte

On this 31st day of March, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Laurene Cook, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Robert Trinker
Notary Public

Residing at: Logan

Commission Expires: 5-20-94



STATE OF *Idaho*
COUNTY OF *Webster*

On this *30* day of March, 1989, before me, the undersigned, Notary Public in and for said State, personally appeared J. Blaine Cook, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same

Joanita Smith
Notary Public

Residing at: *Ogden, UT*
Commission Expires: *4-15-89*

STATE OF
COUNTY OF

On this *30* day of March, 1989, before me, the undersigned, Notary Public in and for said State, personally appeared Lucile T. Cook, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Joanita Smith
Notary Public
Residing at: *Ogden, UT*
Commission Expires: *4-15-89*

STATE OF IDAHO
COUNTY OF *Jefferson*

On this *30* day of March, 1989, before me, the undersigned, Notary Public in and for said State, personally appeared Earl Thurman Cook, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said partnership name.

Nelle Tucker
Notary Public
Residing at: *Ruby*
Commission Expires: *5-20-94*

STATE OF IDAHO
COUNTY OF *Jefferson*

On this *30* day of March, 1989, before me, the undersigned, Notary Public in and for said State, personally appeared Molly M. Cook, known to me to be one of the partners in the partnership of Cook Farms, and one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

Nelle Tucker
Notary Public
Residing at: *Ruby*
Commission Expires: *5-20-94*

STATE OF IDAHO
COUNTY OF *Jefferson*

On this *30* day of March, 1989, before me, the undersigned, Notary Public in and for said State, personally appeared Richar Blaine Cook, known to me to be one of the partners in the partnership of Cook Farms, and one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Nelle Tucker
Notary Public
Residing at: *Ruby*
Commission Expires: *5-20-94*

STATE OF IDAHO

COUNTY OF *Jefferson*

On this *31st* day of March, 1989, before me, the undersigned a Notary Public in and for said State, personally appeared Laurene Cook, known or identified to me to be one of the partners in the partnership of Cook Farms, and one of the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that she executed the same in said partnership name.

Allen T. Tucker
Notary Public

Residing at: *Idaho*

Commission Expires: *5-30-79*

STATE OF *Utah*

COUNTY OF *Wasatch*

On this *30th* day of March, 1989, before me, the undersigned a Notary Public in and for said State, personally appeared J. Blaine Cook, known or identified to me to be one of the partners in the partnership of Cook Farms, and one of the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

Quanita Smith
Notary Public

Residing at: *Cody, Wt.*

Commission Expires: *4-15-89*

STATE OF

COUNTY OF

On this *30th* day of March, 1989, before me, the undersigned a Notary Public in and for said State, personally appeared Lucile T. Cook, known or identified to me to be one of the partners in the partnership of Cook Farms, and one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

Quanita Smith
Notary Public

Residing at: *4-15-89. Cody, Wt.*

Commission Expires:

RECEIVED

FEB 08 2001

Department of Water Resources
Eastern Region

WARRANTY DEED

192903

THIS INDENTURE, Made this 22nd day of June 1978, by and between RICHARD BLAINE COOK and MOLLY M. COOK, husband and wife and KARL THURMAN and wife

of the County of Jefferson, State of Idaho, the part 1st of the first part, and COOK FARMS, a partnership, consisting of Richard Blaine Cook and Karl Thurman Cook, Laurene Cook, wife of Richard Blaine Cook and Molly M. Cook, wife of Karl Thurman Cook

of the County of Jefferson, State of Idaho, the part 2nd of the second part.

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of Ten dollars and no/100 DOLLARS lawful money of the United States of America, and other good and valuable considerations, to have in hand paid by part 2nd of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold by these presents do grant, bargain, sell, convey and confirm unto the said part 2nd of the second part and to its heirs and assigns forever, all the following described real estate, situated in the County of Jefferson, State of Idaho, to wit:

TRACT 1: Township 6 North Range 36 East of the Boise Meridian, Jefferson County, Idaho

Section 4: Lot 4.

Section 5: N 1/2.

Section 6: NE 1/4.

Township 7 North Range 36 East of the Boise Meridian, Jefferson County, Idaho

Section 33: SW 1/4 SW 1/4

Section 32: S 1/2 SE 1/4

NW 1/4 SE 1/4

ALSO Beginning at the North 1/4 Corner of said Section 32 said point is the TRUE POINT OF BEGINNING; thence S00°48'18"E 784.64 feet; thence S87°39'30"E 591.51 feet; thence N00°44'26"W 518.64 feet; thence N50°08'06"W 1461.33 feet; thence S02°38'33"W 196.55 feet; thence West along the North Section line for a distance of 473.96 feet to the TRUE POINT OF BEGINNING.

TRACT 2: Township 7 North Range 36 East of the Boise Meridian, Jefferson County, Idaho

Section 32: Also a Road easement which true point of beginning is S00°48'18"E 784.64 feet from the North 1/4 Corner of said Section 32; thence S01°48'18"E 1844.78 feet; thence N88°30'28"E 60.0 feet; thence N00°48'18"W 1840.76 feet; thence S87°39'30"W 60.09 feet to the true point of beginning.

READ & PLATT
BY
NOTARY

Deputy

TOGETHER, With all and
belonging or in anywise appertaining
issues and profits thereof, and a
law as in equity, of the said part

TO HAVE AND TO HOLD
with the appurtenances, unto
forever. And the said part
quiet and peaceable possession
assigns against the said parties
person and persons, whomsoever
and by these presents forever

IN WITNESS WHEREOF,
hand _____ and seal _____

Signed, sealed and delivered
presence of

regular the tenements, hereditaments and appurtenances, together with
and the reversion or reversions, remainder and remainders, rents,
state, right, title and interest in and to the said property as well in
leg. of the first part

I and singular, the above mentioned and described premises, together
part Y of the second part, and to its heirs and assigns
of the first part, and their heirs, the said premises in the
the said part Y of the second part, and its heirs and
of the first part and their heirs and against all and every
lawfully claiming or to claim the same, shall and will WARRANT
FEND.

the said part ies of the first part have hereunto set their
one day and year first above written

Richard Blaine Cook (SEAL)
Laurene Cook (SEAL)
Karl Thurman Cook (SEAL)
Molly M. Cook (SEAL)

STATE OF IDAHO

County of Jefferson

On this 22nd day of June, in the year 1978 before me

the undersigned _____, a Notary Public in and for the State of Idaho, personally

appeared Richard Blaine Cook and Laurene Cook, husband and wife and Karl Thurman

and Molly M. Cook, husband and wife

known to me to be the person whose name s are subscribed to the within instrument, and

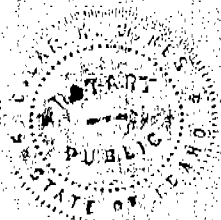
acknowledged to me that he y executed the same.

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

Cesar K. Jones
Notary Public

Residing at Rigby, Idaho

My Commission Expires life



192903

Microfilm No.

WARRANTY DEED

TO

Dated June 22, 1978
STATE OF IDAHO } ss.
County of _____

I hereby certify that this instrument
was filed for record at the request of

CK Jones

at 30 minutes past 2
o'clock P M., this 22
day of June, 1978

In my office and duly microfilmed.

Robert G. Barnes
M. Sprung

#2958
953

0529

North ↑

Dec 11 2003 36
#260728

①

39.0

(circle) POD

⑥

⑤

38.6

④

122.9 H/L

③

8.6 H/L

②

78.1

Dec 11 2003
#261896
#237249

⑥

26

Wiper
Pivot

POD

Region

Dec 11 2003

hand lines

①

24.1

S

110.2

1987 (USDA NW)
(MGT 15401)

(corner Pivot)

POD

⑥

61.0

West Desert

Western Region
Department of Water Resources

Western Region

1002-2000

1002-2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 30, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: NOTICE OF ERROR

Dear Mrs. Ashcraft:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right numbers 31-62S, 31-63S, 31-2248, 31-7203 and 31-10503, and has adjusted the claims accordingly.

Enclosed for your records are copies of the recommendations and an aerial photo of the property.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

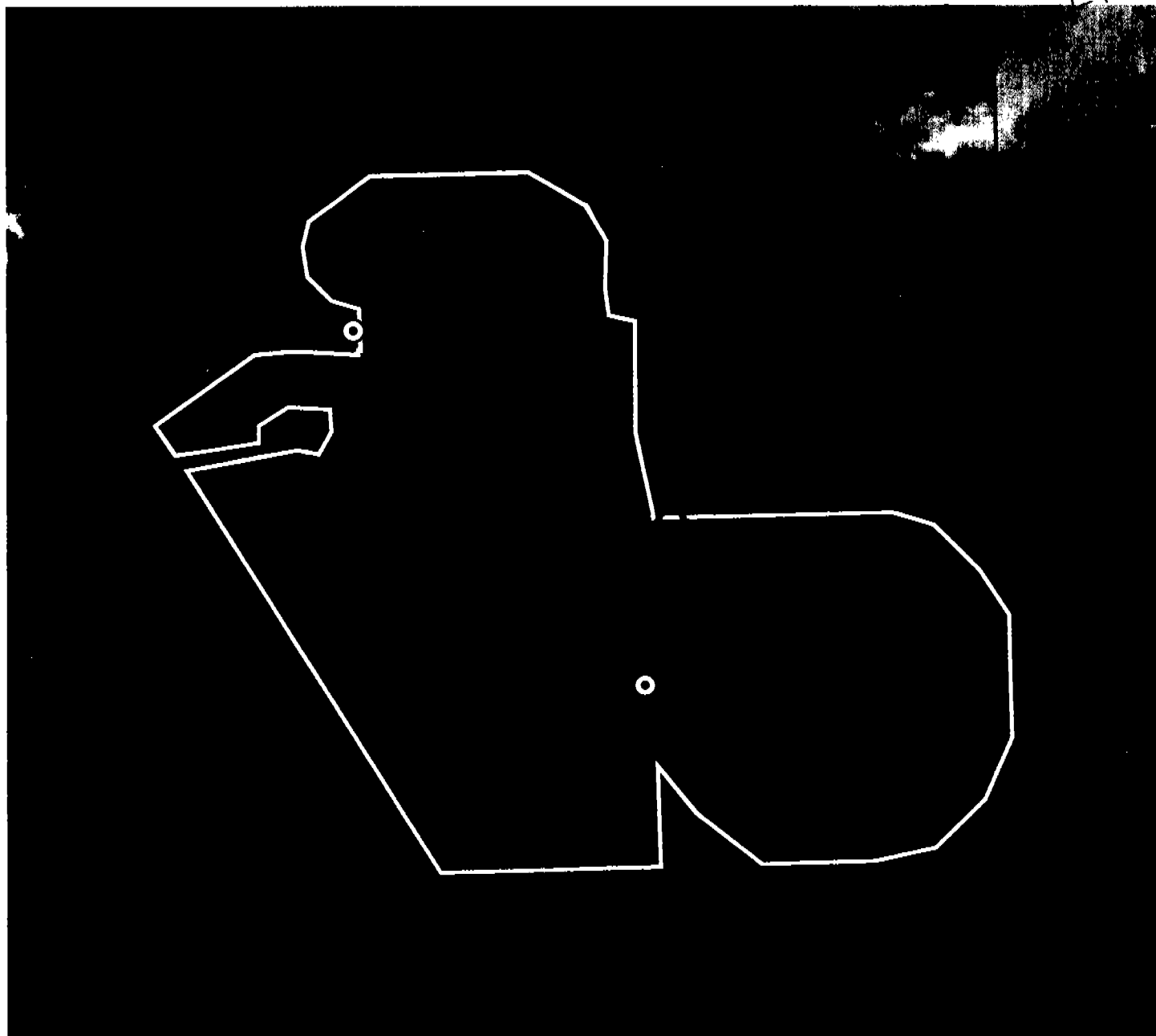
Cheri Vandermeulen
Records Clerk

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062S, 00063S, 02248,
07203, 10503

Township 7N Range 36E Section 22, 23

*Succeeded by
NOE Adjustment
new layout in
10503*



⊙ Point(s) of Diversion, This WR

● Other Points of Diversion

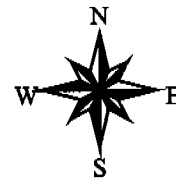
Place of Use, This WR

□ Other Places of Use

□ Section Lines

□ Quarter-quarter Sections

0 1320 Feet



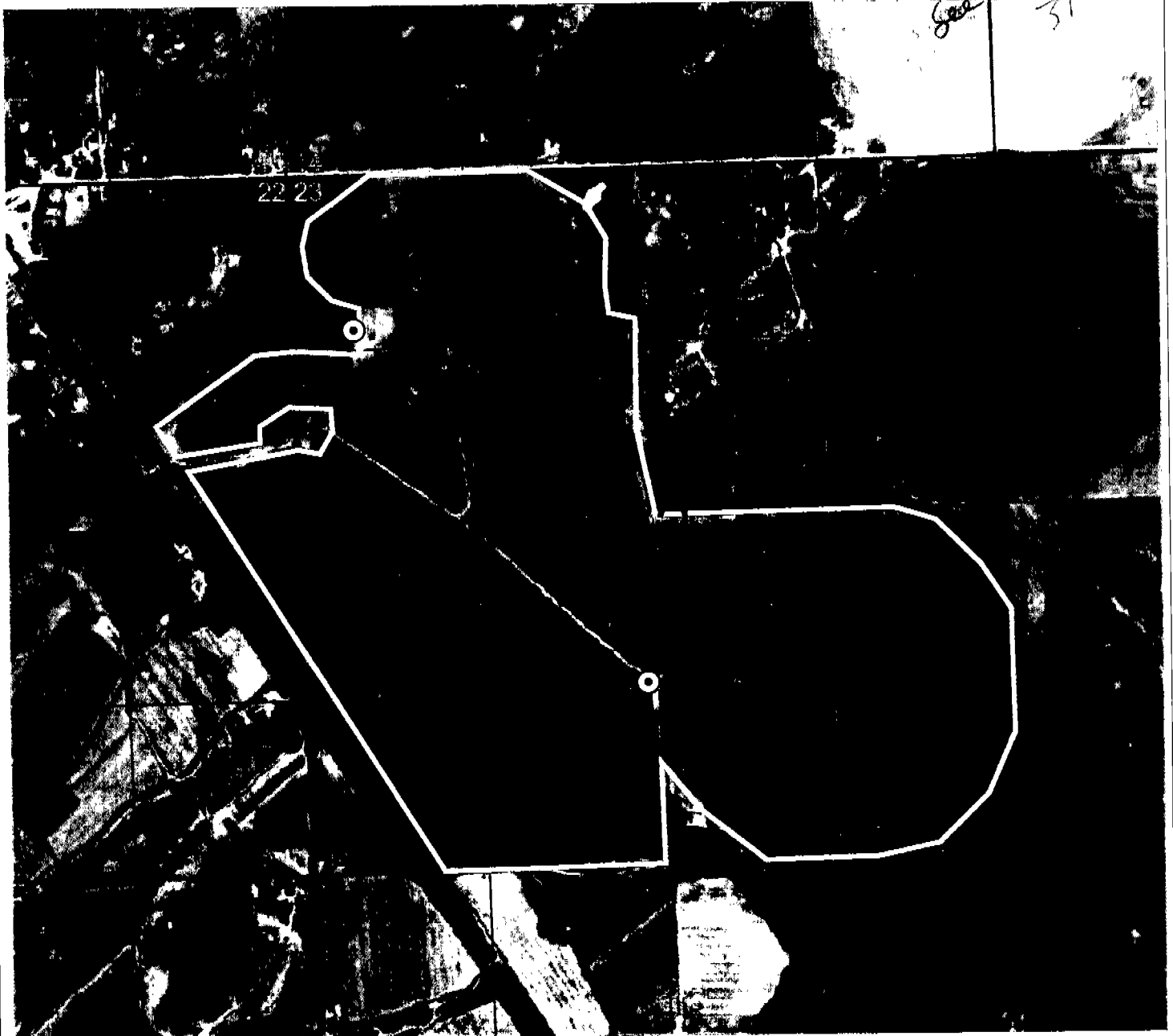
Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062S, 00063S, 02248,
07203, 10503

Township 7N Range 36E Section 22, 23

*Supervised by
WBS in agreement
new law
31-10503*



○ Point(s) of Diversion, This WR

● Other Points of Diversion

Place of Use, This WR

□ Other Places of Use

□ Section Lines

□ Quarter-quarter Sections

0 1320 Feet



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOYD ASHCRAFT 2983 E 2000 N SUGAR CITY ID 83448 (208) 356-3533	10/31/1917	IRRIGATION	04-01 10-31	1.410 CFS	246.80 AFA
TOTAL DIVERSION:					~~1.410 CFS~~	246.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R36E S23 SWNNW SENESW JEFFERSON County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM	
			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				
07N	36E	22							19																								25.0			
07N	36E	23									30	31	38	38			40	39	22	40			35			40	34	34				421.0				
																																			TOTAL ACRES	446.0

POU County: JEFFERSON

Other Rights: 31-10503, 31-07203, 31-00063S, 31-02248

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.53 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1221 AF. COMBINED RIGHT
NOS.: 31-00062S, 31-00063S, 31-02248, 31-07203.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.53 CFS. COMBINED RIGHT NOS.:
31-00062S, 31-00063S, 31-02248, 31-07203, 31-10503.

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 407 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062S, 31-00063S,
31-02248, 31-07203.

Remarks:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO ⁴⁶²
THE IRRIGATION OF A COMBINED TOTAL OF ~~446~~ ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062S, 31-00063S,
31-02248, 31-07203, 31-10503.

EXP

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 31-00062S, 31-00063S, 31-02248,
31-07203, 31-10503.

Dates: Exam Made Date: Verified Date: 06/08/2000 Objection Filed Date:

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

Comments: Date: 06/08/2000 User-ID: BCONTOR Subject: COPIED FROM REMARKS
BASED ON 20 SHARES OF HAMER CANAL
CHANGED OWNERSHIP PER REQUEST/JH/4-2-98

Date: 06/08/2000 User-ID: BCONTOR Subject: 31-00063S
DIVERSION RATE OF THIS RIGHT AND 31-00063S INADVERTENTLY SWITCHED
AT CLAIMS TAKING, CORRECTED IN RECOMMENDATION.

Audit: 06/08/00 BCONTOR

MEMORANDUM

To: Helen Ashcraft files
31-62S, 31-63S, 31-2248, 31-7203, 31-10503
Fr: Bryce Contor
Date: 2/15/2001 *Bryce*
Re: Notice of Error Review

In response to the Notice of Error disagreeing with the number of acres recommended, I have reviewed the attached documentation provided today by claimant (attachments in 31-10503).

1. GIS illustration of adjusted place of use. Prepared by myself according to following analysis.
2. 1987 FSA map. Provided by claimant, verified by phone call to Steve at FSA office in Rigby.
3. Affidavit of Brent Ashcraft.
4. 1978 FSA map.
5. County plat map.
6. Excerpts from Boyd Ashcraft diary, 1978 (three pages).

I also reviewed again the license exam for 31-7203, copy in AJ file 31-7203.

Based on the Brent Ashcraft affidavit and the Boyd Ashcraft diaries, it appears irrigation took place on the west side of the old Hamer Canal. The 1978 map was inconclusive to me, as was the 1980 black and white NAPP in the office (copy not included). I relied on the license exam sketch to add more acres in the NWNW of section 23, and I relied on the 1987 FSA photo to add more acres in NENE of section 22.

I called Steve at the FSA office in Rigby, because the copy Mrs. Ashcraft provided was difficult to interpret. Steve confirmed that Mrs. Ashcraft picked up a copy of the 1987 photo just a few days ago. We reviewed enough details of the map that I am confident that is what she provided to me.

Steve carefully described to me what was and was not irrigated in the NENE of 22. Mrs. Ashcraft had proposed that there was a rectangular area in the very NENENE that was irrigated, but Steve said his maps showed it as non cropped.

The final shape I propose recommending is 462 acres, as shown on the attached layout. The licenses and Hamer Canal rights with appropriate overlaps cover 407 acres, and the enlargement 31-10503 is for 45 acres. This adds up to only 452 acres, so an amended enlargement claim will be presented to Mrs. Ashcraft for signature.

From: Contor, Bryce
Sent: Thursday, June 08, 2000 1:49 PM
To: McHugh, Candice
Cc: Music, Vicky; Carlson, Dave
Subject: Hamer Canal

The attached memo is my review of the available and potentially recommended Q from Hamer Canal, and I think there will not be a problem.

Note that "K" splits are Murdock's upper (not transferred) POU for which he promises to produce stock certificates. The "L" splits are the POU for which he is asserting an accomplished transfer (Dave Carlson is reviewing "L").

If Murdock doesn't come up with enough stock certificates to justify both "K" and "L," I think I better recommend "K" because it has as solid a basis as Ashcraft & Dalling (original Hamer POU, chain of title back to shareholder of record on the 1980 stip).

Even if Lounsbury's other successor Hunter makes a claim for a few acres, I still think we've got enough to legitimately recommend something for everyone.



hamer q.doc

To: A31-00062K
A31-00063K
A31-00062L
A31-00063L
A31-00062Q
A31-00063Q
A31-00062S
A31-00063S
Fr: Bryce Contor
Date: 6/8/2000

Re: Diversion Rate

These claims are all based upon WR record 31-00062Q and 31-00063Q, which are the remnants of the Hamer Canal rights after all formal transers.

WR 31-00062Q is for 5.60 cfs, and 31-00063Q is for 2.32 cfs, for a total of 7.92 cfs. Documentation indicates that original Hamer Canal shares represented 5 miners inches, or 0.10 cfs. Therefore this represents 79.2 shares of outstanding stock.

The 1980 stipulation and agreement in the files indicate that Lynn Shirley, predecessor to Brent Dalling (AJ claims A31-00062Q and 63Q) was authorized to transfer 15 shares out of the Hamer Canal. Dalling claims 39 acres.

The 1980 stip. also indicates that Ashcrafts (AJ claims A31-00062S and 63S) were authorized to transfer 20 shares out. Ashcrafts claim 407 acres on a PPU basis, but are only claiming 2.0 cfs total.

This leaves 44.2 shares potentially available for Murdock (claims A31-00062K, 63K, 62L, and 63L), or 221 acres @ 0.02/acre. The "K" splits are claimed for 159 acres, which leaves 62 acres for the "L" splits. This should be plenty in light of the total GIS acreage and the existing license, though Murdock's claim is for significantly higher diversion rate than appears to be available.

Both Murdock and Dalling have indicated that Lounsbury retained a few acres, which have since been purchased by Hunter. This has been irrigated by Murdock from the same POD as splits "K" and may still be claimed. Even if Hunter makes a claim, it appears that recommending 0.02 cfs/acre on the legitimate POU for all the above will not exceed the available 7.92 cfs.

Contor, Bryce
From: Contor, Bryce
Sent: Thursday, June 08, 2000 10:40 AM
To: Carlson, Dave
Cc: McHugh, Candice
Subject: Murdock Hamer Canal claims

Candice has reveiwed the denied Murdock transfer w/ Carter, and agrees that it doesn't preclude an accomplished transfer to the ground that was irrigated as of 1987 down in the hole, as long as:

- 1) Yearsley's aren't making any claim on Hamer Canal water or Hamer Canal priority dates.
- 2) The accomplished transfer doesn't constitute an increase of irrigation under the Hamer Canal.
- 3) Murdock shows ownership of enough Hamer Canal stock for all his original Hamer Canal land (the Lounsbury place that I am reviewing) and the alleged enlargement.

As long as Yearsley's don't claim any Hamer Canal water on the POU of their licenses (they haven't yet), conditions 1 and 2 are met, I believe.

Dan told me on the phone that the certificates he's produced so far are just for the "extra" purchased water that he transferred down to the hole. He says Land Bank is holding the certificates for the Lounsbury place but he will get copies of those for me.

Right now I'm working on the other claims to the remnant of the Hamer Canal, so I can let you know how much diversion rate is left over for Murdock's claim.

To: A31-00062S
A31-00063S
A31-02248
A31-07203
A31-10503

Fr: Bryce Contor
Date: 6/8/2000



Re: Overlap analysis, Quantity and Acreage Limitations

These five claims are overlapping, and effectively are for a permissible place of use. The first four rights were addressed in the overlap review of 31-07203, and 31-10503 is an enlargement claim.

Since the four licensed or decreed rights were addressed in the overlap review and license for the most recent license, I will use the rate and volume limitations included on the license.

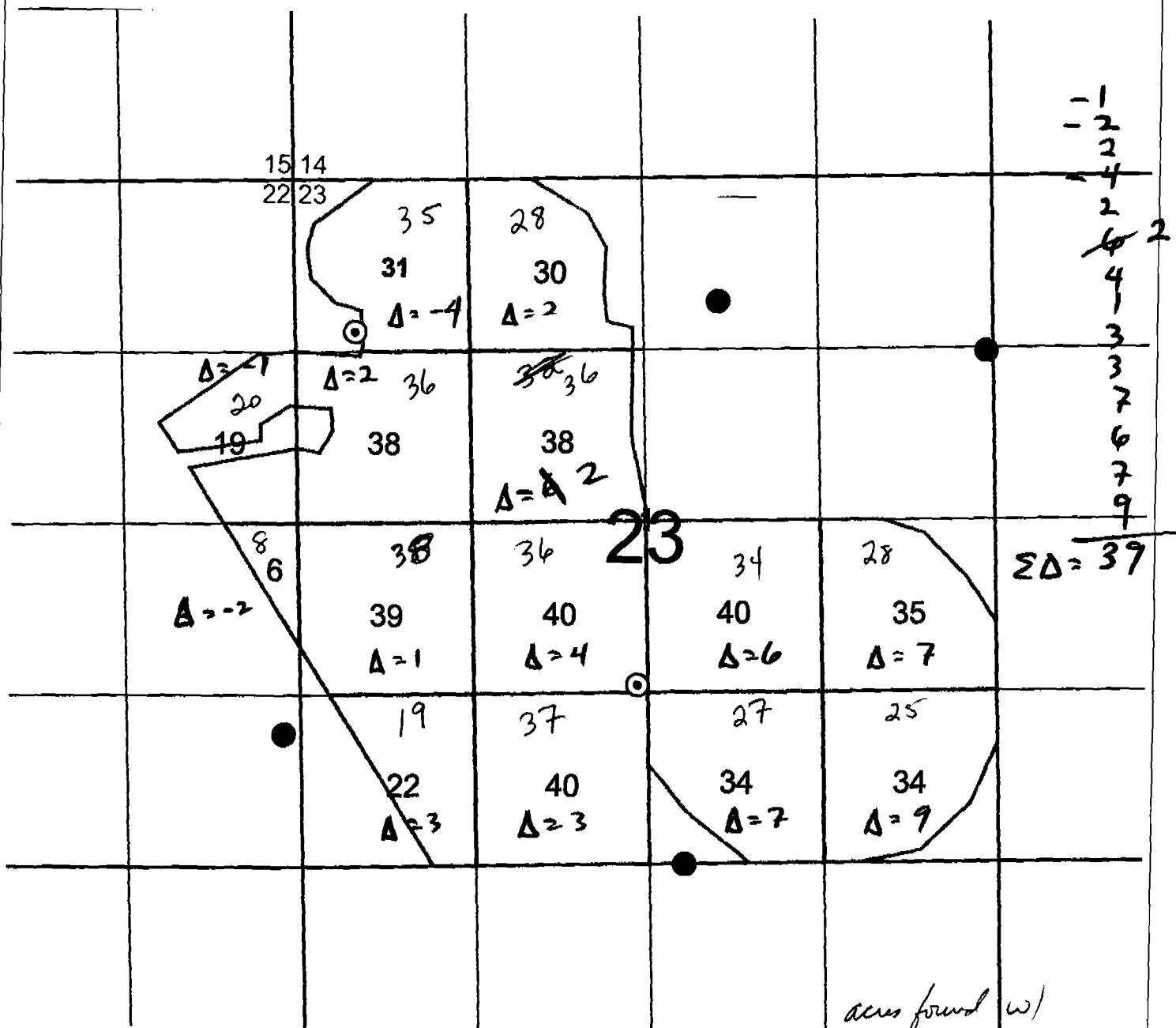
The POU sketch on the license exam closely parallels the GIS POU. However, the license is for 407 acres while the GIS totals 446, for an enlargement of 39 acres. The enlargement claim 31-10503 is for 45 acres, so recommendation can proceed w/o an amended claim.

I plan to limit the licensed rights to the original licensed acres. The splits of the Hamer Canal rights (A31-00062S and A31-00063S) have their origin in 20 shares referenced as owned by Ashcrafts in a 1980 stipulation and agreement, at 5 miners inch/share. This works out to 100 miners inches, or 100 acres at one inch per acre. This is quite rolling ground but it is conceivable that up to 100 acres could have historically been irrigated from the Hamer Canal. Therefore I plan to recommend the Hamer rights at 1 acre/0.02 cfs. based on the original 20 shares or 2.0 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062S, 00063S, 02248,
07203, 10503

Township 7N Range 36E Section 22, 23



⊙ Point(s) of Diversion, This WR

● Other Points of Diversion

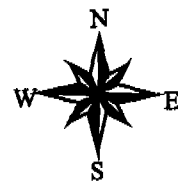
Place of Use, This WR

□ Other Places of Use

□ Section Lines

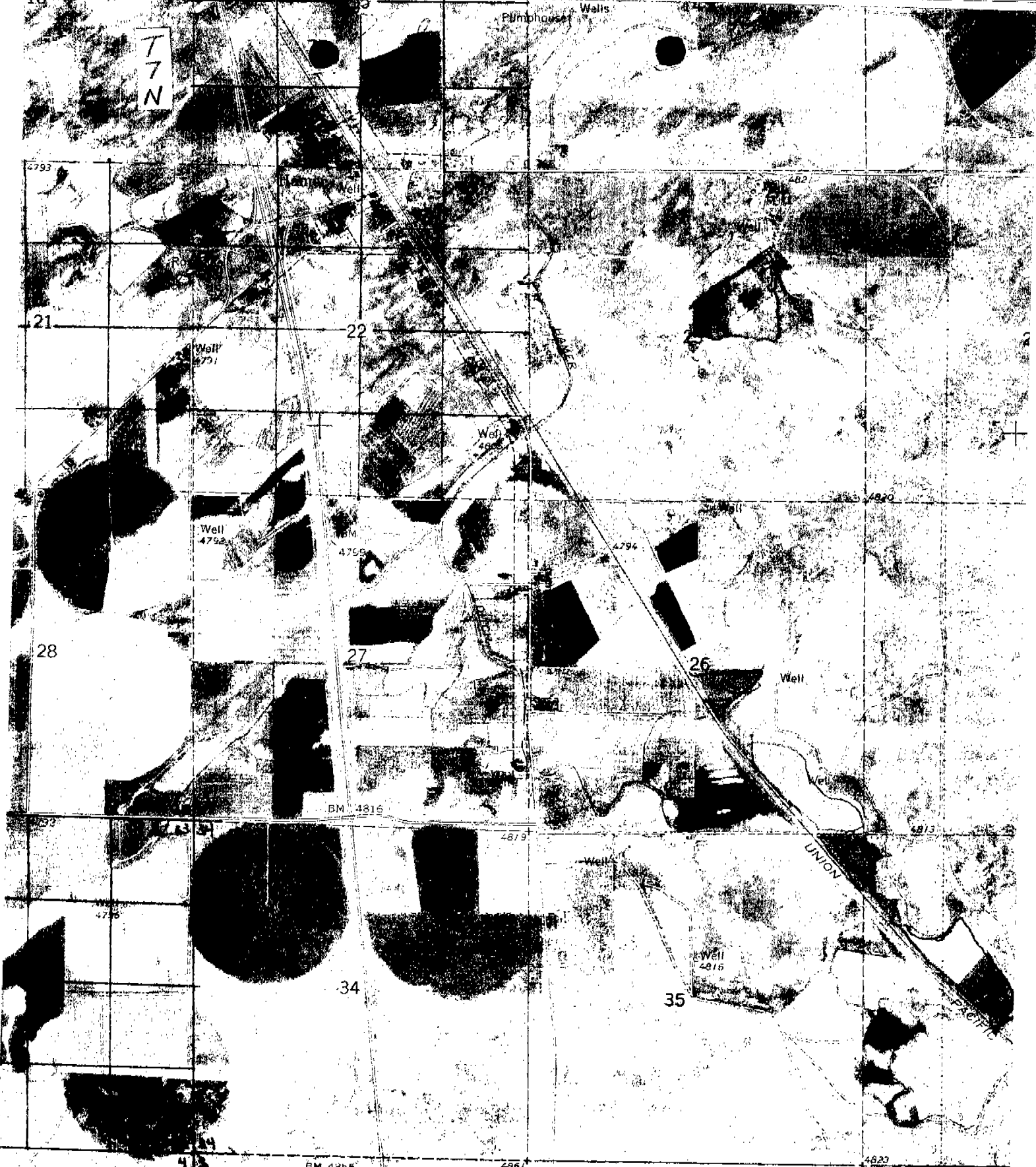
□ Quarter-quarter Sections

0 1320 Feet



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

7
7
N



Claim A31-000625/635
Doc Source NAPP W41
9/4/1980
Date 6/7/00 Sig. DA C

W41 9/4/1980

To: Competing Claims for Hamer Canal Rights
Fr: Bryce Contor
Date: 5/17/2000

A31-00062L-S

Re: Dan Murdock Visit

Dan Murdock visited me in the office today, and brought in the Keith Driver affidavit filed in A31-00062L. The affidavit states that Shirley and Ashcraft forfeited their shares through non-payment of assessments, and that Shirley's shares were sold to Dan and Steve Murdock.

I showed him the 1980 stipulation that appears to authorize Shirley and Ashcraft (among others) to transfer their water to other wells, and indicated that the stip. is the document that competes with his affidavit.

He again mentioned that he has stock certificates showing ownership of Hamer Canal shares, and I acknowledged that Skip Jones told me he has copies, though I haven't yet seen the copies myself. Dan indicated that they purchased the shares from the canal itself, so he doesn't know exactly whose shares they might have originally been.

We discussed my hope that the apparently abandoned or forfeited Yearsley shares, as documented by the Yearsley affidavit filed in A31-00062L, would allow us to assert an accomplished transfer to Murdock's lower POU. I explained that the potential obstacle would be the issue of "unstacking" from the Yearsley licenses. My approach would be to assert that the unstacking would have been allowed had it been done by formal transfer, because it took place prior to the moratorium. Further, the WR database of Yearsley's licenses does not appear to impose combined use limitations w/ the Hamer Canal rights. Therefore, if IDWR legal staff allow, I would plan to recommend the "L" splits as accomplished transfers of purchased Hamer Canal water.

I explained that the next-best option would be to assert a pre-1963 beneficial use claim, based on the licensing exam that showed additional Q capacity in the 1950's. Murdock felt the additional POU was developed probably in the 1970's. We also discussed the option of an enlargement claim, which would give them acres based on the 1987 NAPP but no additional Q. Finally, I mentioned that the pre-87 development would allow a permit application under the moratorium exemption, but would carry a 2,000 priority date.

We also talked briefly about Murdock's "K" claims, which are for the north POU on original Hamer Canal lands. Murdock says he purchased those lands from Lounsbury, but Lounsbury retained a few acres and a few shares east of the highway. Murdock asserts that Mike Hunter purchase that place and it is still irrigated by handlines from Murdock's pump. I told him that Hunter may wish to file a claim, if he doesn't the right will go away after the AJ is finished.

We attempted to contact Candice McHugh so he could hear my discussion with her re: the unstacking, but she was not available. See the attached e-mail.

Contor, Bryce

From: Contor, Bryce
Sent: Wednesday, May 17, 2000 5:39 PM
To: McHugh, Candice
Cc: Carlsen, Ernie; Music, Vicky
Subject: Hamer Canal Co.

Dan Murdock brought in an affidavit today from Keith Driver that says:

"May 10, 2000

To Whom It May Concern:

I do declare that Lynn Shirley forfeited his shares in the Hamer Canal Company because he did not pay his assessments. The Hamer Canal Company later sold these shares to Dan and Steve Murdock.

As for Grant Ashcroft, he refused to pay his assessments and so his shares in the Hamer Canal Company were forfeited.

Keith Driver

Former Secretary and Treasurer
Hamer Canal Company"

This, in and of itself, would point to disallowing Ashcraft's claim and Dallings (Dalling is Shirley's successor).

However, I reviewed again a 1980 stipulation and agreement signed by the Hamer Canal stockholders, authorizing certain individuals to "transfer their shares of water in this Company to wells other than those presently owned by Hamer Canal." Both Shirley and Ashcraft are listed as authorized to transfer out. This, in and of itself, would point to continuing investigation of Ashcraft's and Dalling's claims.

Another angle I'd like to consider is the shares formerly owned by Yearsley. Yearsley apparently abandoned his shares in favor of licensed individual wells, licensed under 31-07141 and 31-07287. On the database, neither WR

has combined use limitations or conditions relating back to the Hamer Canal rights. I've looked at the microfiche of 31-0728, and the paper license also fails to mention the Hamer Canal rights by number, though it does have a generic "other rights" limitation. 31-07141 microfiche is on order.

These licenses were examined in the early 1980's, from permits issued in the 1970's. At that time, had the canal water been removed from Yearsley's land by a formal transfer, the permits and licenses likely would have been issued exactly as they eventually were.

What I'd like to consider is recommending Dalling's and Ashcraft's claims on the strength of the 1980 stipulation authorizing their claimed accomplished transfers.

I'd also like to consider recommending Murdock's claimed accomplished transfer on the strength of:

- 1) Yearsley's affidavit acknowledging non-use and no claim to the Hamer Canal shares on the lands now irrigated w/ licenses. Yearsley also affirms that prior to his licenses, part of the lands (enough acres to justify Murdock's claim) were irrigated from the Hamer Canal. Documents show Yearsley at one time owned Hamer Canal shares, though his name isn't on the 1980 stipulation. A conversation memo indicates the 1980 stip. shows all of the then-current shareholders.

- 2) Yearsley's licenses would have been issued with or without the overlap with the Hamer Canal rights.

- 3) Yearsley's licenses do not explicitly identify the Hamer Canal rights in combined use remarks or conditions.

- 4) Murdock's development of POU and capacity occurred early enough to legitimately be an accomplished transfer of the additional Hamer Canal shares he clearly purchased.

To: Competing AJ splits of WR 31-00062Q and 31-00063Q
Fr: Bryce A. Contor
Date: 5/9/2000 *Bryce*
Re: Phone conversation w/ Dan Murdock

Today I talked to Dan Murdock regarding his claims based on the original Hamer Canal rights.

1. In his opinion the stock certificates represented both ownership of water rights and ownership of physical assets.
2. Dan acknowledged that Murdock paid Rene Shurtliff \$5,000 for Rene's share of the well and ditch, but that no stock certificates were exchanged. He agreed with Dalling that as individuals pulled out of the canal, the remaining parties purchased their share of the wells and pumps, but this is a different situation than the sale of "shares" which represented a portion of the water rights. (Note that documentation in the file indicates that a share was viewed as the right to 5 miners inches of water.)
3. Dan asserts that Ashcrafts couldn't have surface irrigated more than 60 to 80 acres from the Hamer Canal due to the rolling terrain. I acknowledged that my inspection indicated the same thing.
4. Dan also stated that Ashcrafts did not use the Hamer Canal water for many years, but relied on their licensed wells. In this respect they were like Yearsleys, who simply abandoned their Hamer Canal water and relied on licenses.

In fact, according to Dan it was Ashcrafts who plowed in the canal from the upper wells. This would have made it impossible for Ashcrafts to have utilized water from the Hamer Canal. Note, however, that Ashcraft is one of the signers of the shareholder agreement allowing some of the parties to withdraw their shares.

5. Dan reported a phone call with Keith Driver, past president of Hamer Canal. Driver reportedly says that Shirley lost his shares through non-payment of assessments. Driver was insistent that the shares taken back from Shirley by the company represented both water and physical assets. Driver asserts that the shares were then sold to Dan Murdock and his father. Dan Murdock is going to drive to Jerome tomorrow to obtain a written affidavit to this effect from Driver.

Note that Dalling acknowledged that Shirley said he "gave something" back to the canal company. Dalling's position is that in Shirley's mind it only represented ownership of the physical assets. Dalling has been invited to produce affidavits.

6. Dan also stated that the Shirley lands went unfarmed for a number of years.

7. According to Dan, the Sanders, Shurtliff, and McGarry formal transfers constituted enlargements in that the new sprinkler systems irrigated lands that had not been historically irrigated from the Hamer Canal. Particularly, the new Sanders pivot north east of Hamer constitutes an enlargement because there weren't enough acres dried up on the pivot west of the freeway to account for the acres in the new pivot.

I told Dan that this may be so, that the department's investigation may have been incomplete and that people who were aware of this may not have filed objections. However, since the formal administrative procedure has been followed, everyone has had due process, and I can't change those transfers in the recommendation process.

My recollection of the Sanders, Shurtliff, and McGarry places of use confirms that there are areas that couldn't have been flood irrigated. I haven't reviewed the transfers to see what was represented as original places of use. It does seem that the Sanders pivot west of the freeway irrigates almost the entire parcel, it is hard to see how 40 acres worth of dry corners exist on that spot.

8. Note that per Skip Jones, the denied transfer referenced in the claims file is not for the lands claimed, but for lands further west. The lands claimed were under irrigation in 1987 according to the GIS, so an accomplished transfer is not out of the question.
9. If the Driver affidavit comes and says what Murdock represents it will, Dalling's claim will likely have to be disallowed and Murdock's allowed as an accomplished transfer.
10. Driver's affidavit may cast new light upon the Ashcraft claim. If indeed Ashcrafts abandoned their Hamer Canal shares (or sold them), then an accomplished transfer of POD to the licensed wells will be inappropriate. Dan said he would ask Driver to put in the affidavit what he remembers of Ashcraft's situation.

To: Competing Splits of A31-00062Q and A31-00063Q
Fr: Bryce Contor
Date: 5/2/00

Re: B31 Action Meeting.

Today we discussed this situation w/ the Boise legal team, Dave Tuthill, and Carter Fritschle. I presented the following:

1. Ashcraft, Dalling, and Murdock's northern claim all appear to be parts of original POU of Hamer Canal.
2. Apparent chain of title (documentation not yet provided) points back to one of the shareholders who signed the agreement circa 1982, found in the files, for these three claims. Ashcraft and Dalling plan to provide written documentation.
3. Murdock may or may not be able to produce stock certificates. Murdock also has affidavit on file circa 1982 that he purchased all the remaining Hamer Canal rights. This is weakened by:
 - Affidavit does not identify or quantify what was conveyed.
 - Rene Shurtliff formal transfer post-dates affidavit.
 - Brent Dalling asserts (and plans to provide documentation) that water users perceived their stock certificates indicated ownership of physical assets (canal, pumps, equipment) and not water rights; that when individual users transferred water rights to private wells, they conveyed their stock to others. Dalling asserts that the last transfer, Rene Shurtliff, involved Murdock paying Shurtliff \$5,000 for Shurtliff's share in the well, pump, and motor that remained on Murdock's land.
4. Murdock's fourth claim relies on an accomplished transfer that parallels a transfer denied by IDWR on the grounds that no original Hamer Canal POU would be dried up. Memo in file indicates Murdock acknowledged this in a conversation.

Guidance I received:

1. Continue w/ review of three claims I consider legitimate and recommend as appropriate.
2. Invite Murdock to file enlargement claim and moratorium exemption permit application for additional acres and Q for south POU.

To: A31-00062S, A31-00063S
Fr: Bryce A. Contor
Date: 3/22/2000 *Bryce*
Re: Phone conversation with Grant Ashcraft

Grant called me on 3/21 regarding the letter I had sent Boyd about evidence of use and ownership. He related to me the following:

- He was the original owner of the POU, though it was deeded in the name of Wahoo and BHA, Inc.
- He was an owner of Hamer Canal shares and as long as the canal was in existence, canal water was used on the POU.
- There were supplemental licenses also used on the POU. Historically these rights and the canal rights were "stacked" on the same POU.
- When the canal ceased to function, irrigation continued from the same wells. The Hamer Canal rights were retained.
- The intent of the AJ claim filings was to assert an accomplished transfer of canal rights to the existing wells, with 100% overlap of POU with the other rights.
- Recently he and his brother Boyd Ashcraft traded some land, that is why the claim is now in the name of Boyd.
- Grant will send a letter documenting the above.

To: Splits of A31-00062 and A31-00063
Fr: Bryce A. Contor
Date: 3/16/2000

Re: Split analysis, competing claims.

These water rights are the splits of the original Hamer Canal Co. rights. They shared a common POU and common POD's. 31-00062 was for 21.2 cfs with priority 10/31/1917. 31-00063 was for 8.8 cfs with priority 5/1/1928. Total is 30.0 cfs. Both are groundwater rights.

Transfer 1584 added points of diversion. Subsequent transfers split off parts of the original right, as individual shareholders began diverting their shares from private wells on their own POU. Some subsequent transfers change POU or POD of these split-off portions. Adjudication claims have been received corresponding to each of these splits by formal transfer.

Following the formal transfers, a portion of the original rights remained unchanged, as recorded in WR record 31-00062Q and 31-00063Q. Competing adjudication claims have been filed on this remaining portion.

This memo outlines the history of splits, and gives some information on competing claims. It relies on the following documentation, which is filed with A31-00062A:

- GIS maps of history of formal transfers. Pages 1 through 10.
- GIS map of competing claims for the remaining portion (WR splits "62Q" and "63Q"). Page 11.
- GIS map showing 1987 irrigation of lands under WR splits "Q." Page 12.
- 1980 NAPP showing 1980 irrigation of lands under competing claims. Pages 13 and 14.
- Close-up from USGS map W41 showing Hamer Canal delivery system, enhanced by GIS. Page 15.
- Memo from president and past presidents of Hamer Canal Company regarding ownership of shares, June 25, 1983. Page 16.
- Affidavit from officials of Hamer Canal Company regarding ownership of shares, 1984. Page 17.

- Stipulation and Agreement of shareholders of Hamer Canal Company, 1980. Page 18.
- Ernie Carlsen memo of conversation w/ Neal Savage, June 1980. Page 19.
- Excerpt from USDA Water Facility Operations Proposal for the Hamer Canal Company, 1941. Pages 20 and 21.
- Second copy of Stipulation and Agreement with cfs notations. Page 22.
- Review of claims and comparison with Stipulation and Agreement. Pages 23 and 24.

The memo also relies on some documentation found in file A31-00062L regarding denied transfer application 2890, and conversations with Harold Jones and Ernie Carlsen. Jones and Carlsen were involved in the original transfers and in the investigation of application 2890.

I. History of Place of Use

While the decreed place of use covered approximately 3140 acres, Mr. Jones and Mr. Carlsen indicate that this was at best a service area rather than an actual place of use. With the severe leakage of the canal and the sandy soils in the area, 30 cfs would have been adequate for only a fraction of the original decreed acres.

GIS map # 12 shows that some of the areas covered by WR splits "Q" were not under irrigation in 1987 and likely had not been for some time. Jones and Carslen recall that additional GW licenses were developed for other lands under the Hamer Canal. Documentation in 31-00062L shows this for the Wade Yearsley places of use, and the WR and AJ databases bear this out for lands in section 23. Other places of use were not investigated.

It appears that all of the competing claims "L," "K," "Q," and "S" all were under irrigation in 1980 and 1987. "L," however, is in a location that could not physically have been served by the Hamer Canal but would have to represent an accomplished transfer. This claim in fact is based upon the denied transfer application 2890. Jones and Carlsen indicate that they found no evidence that no original Hamer Canal lands were dried up to accommodate the transfer. Conversation memos in A31-00062L indicate that the claimant acknowledges that all the original Hamer Canal lands were still being irrigated.

Claims "K," "Q," and "S" are in locations where irrigation from the Hamer Canal would have been physically possible.

II. Overlapping Water Rights on Competing Claims

Claims "L" are overlapped by license 31-02337 and claim A31-02337. The license authorizes 1.68 cfs on 84 acres (0.02 cfs/acre). The AJ claim is for 112 acres, which is substantiated by GIS analysis.

The claimant appears to have an ownership claim on the unallocated Hamer Canal rights (see "ownership" below). Because no Hamer Canal lands have been dewatered, the Hamer Canal rights will have to overlap the licensed right, rather than cover the enlargement acres. The license is already for 0.02 cfs/acre, but since the lands are surface irrigated, a Hubble analysis might justify additional diversion rate on the licensed 84 acres. However, this becomes problematic in light of the enlargement; how do we justify a need for additional diversion rate, and at the same time justify additional acres without additional diversion rate? (Note that NWMD measured over 6.0 cfs; the license is for 1.68.)

Claimant has been requested to provide additional documentation of the history of the use of the claimed right. Further analysis and investigation will be filed in A31-00062L. At first blush it appears that even though claimant may have title to the right, there has not been a valid accomplished transfer or enlargement of the original Hamer Canal rights. Upon receipt of documentation I will continue review.

Claims "Q" are not overlapped by any WR or claim. I've requested documentation of use and ownership from claimant. Upon receipt, I will begin CVR investigation.

Claims "S" are overlapped by beneficial use claim A31-10503 and license-based claim A31-07203. These overlaps have not been investigated. Ownership review below indicates the claimant does have an interest in the Hamer Canal rights. I have also requested documentation and will proceed with CVR review upon receipt.

III. Ownership

Documentation of ownership is incomplete and contradictory:

1. Memo from past presidents of Hamer Canal Co. (1983, p. 16) indicates that "existing water rights in the Upper Hamer Canal Company, now belong to Dave Murdock and Loren McGarry." This is contradicted, however, by Rene Shurtliff's ownership documentation in transfer 4911 (1997). It is unclear if there may also be others with legitimate claims to the water apparently granted to Murdock by this memo. Specifically, it is unclear who now has title to the shares of Shirley and Lounsbury (see items 3, 4, and 5).
2. Affidavit of officials of Hamer Canal Co. (1984, p. 17) indicate that Dave Murdock "has purchased water rights in excess of the amount he is still using" and that he specifically had purchased the rights to 212 acres in sections 22

and 28. Wade Yearsley, owner of the lands, provided an affidavit that the Hamer Canal Water had been used on those lands but no longer is, and that he had no claim on the Hamer Canal shares. However, documentation in A31-00062L shows that those places of use continued to be irrigated under other rights and claims.

3. Stipulation and Agreement (1980, p18) accounts for 18.1 cfs of the 30.0 decreed cfs. The Neal Savage conversation memo (1980, p. 19) indicates that all the shareholders signed the Stipulation and Agreement. However, the list itself appears to only be a list of shares proposed to be transferred out of the company. No number of shares is listed for signers Ralph Lounsbury, Loren McGarry, or Dan Murdock. Further, "zero" shares are listed for Rene Shurtliff.
4. Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941 there were 322 shares of stock outstanding. The stipulation asserts 5 miners inches per share. $30 \text{ CFS} * 50 \text{ inches/cfs} * 1 \text{ share/5 inches}$ indicates 300 shares outstanding.
5. The copy of the Stipulation and Agreement with cfs notations (Page 22) accounts for all of the stipulated shares except Lynn Shirley's.
6. Review of Claims (Pages 23 and 24) identifies claims associated with McGarry ("A"), Murdock's original shares ("K"), and Shurtliff ("J").

Murdock's "L" claim, and Dalling's "Q" claim, are not linked back to any signers of the Stipulation and Agreement or any of the stipulated shares.

The review accounts for all the stipulated shares except Shirley's and all the signers except Lounsbury and Shirley.

IV. Diversion Rate

The decreed diversion rate was 30.0 cfs. However, the Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941, the canal was "assessing 322 shares of stock... and delivering approximately two miner's inches of water per share." This is only about 13 cfs. However, it is likely that part of the proposal, and part of transfer 1584, were efforts to recover diversion capacity lost to declining pumping water levels.

The formal transfers were all processed under the assumption that the original diversion rate was valid and I plan to do the same with AJ claims, as ownership and historical use documentation allows.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 2000

Wahoo or BHA Inc
3930 E 2000 N
Sugar City, ID 83448

Re: Adjudication Claims A31-00062S, A31-00063S

Dear Water User:

We are now in the process of reviewing adjudication claims in administrative basin 31. To make an accurate recommendation, I need some additional information for the claims listed above.

These claims are based upon the original decreed water rights of the Hamer Canal Company, which disbanded in the 1980's. Most of the original shareholders filed formal transfers with the Idaho Department of Water Resources and moved their canal shares to private wells. Adjudication claims have been filed on all these transferred portions of the original rights.

Following the formal transfers, there was a small part of the original water rights that was not allocated. We have received competing claims for this unallocated portion of the original rights, which total more than the available unallocated portion. Your claims listed above are part of this group of competing claims.

The transfer files contain some information regarding the ownership and the history of these rights, but it is incomplete. To make an accurate recommendation, I need your help. I need documentation that shows:

1. How and when you acquired the underlying canal shares represented by this claim.
2. Who was the last owner of these shares to use water directly from the Hamer Canal.

3. The history and extent of irrigation of your claimed place of use, directly from the Hamer Canal.
4. The dates, circumstances, and parties involved in changing your diversion from the Hamer Canal to a private well.
5. The extent of any periods of non-use and the circumstances of resumption of use.

The enclosed pamphlet is directed towards Evidence of Priority Dates, but it contains useful information about the kinds of documentation that are most useful. Some highlights are:

1. The documentation should tend to show when, where, and how the water was used. If possible, it should indicate how much water was used, how long, and how often.
2. Documentation should clearly identify the source of the evidence. Statements of individuals should identify who the person is, and how he/she acquired the knowledge stated.
3. Statements need to be "first person" statements -- "I saw... I irrigated... I was ten years old and saw my father do such-and-such... I farmed the next place and saw my neighbor irrigate..."

Please call me at 525-7161 or 663-4853 if you have questions. I hope to make a recommendation that accurately reflects your water rights. This documentation will help a great deal.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

To: Splits of A31-00062
Fr: Bryce A. Contor
Date: 2/17/2000

Re: Split History

Attached are split histories for the WR side and AJ side. Primary documentation is in A31-00062A. Additional documentation is in A31-00063A, A31-00062J, and A31-00062H.

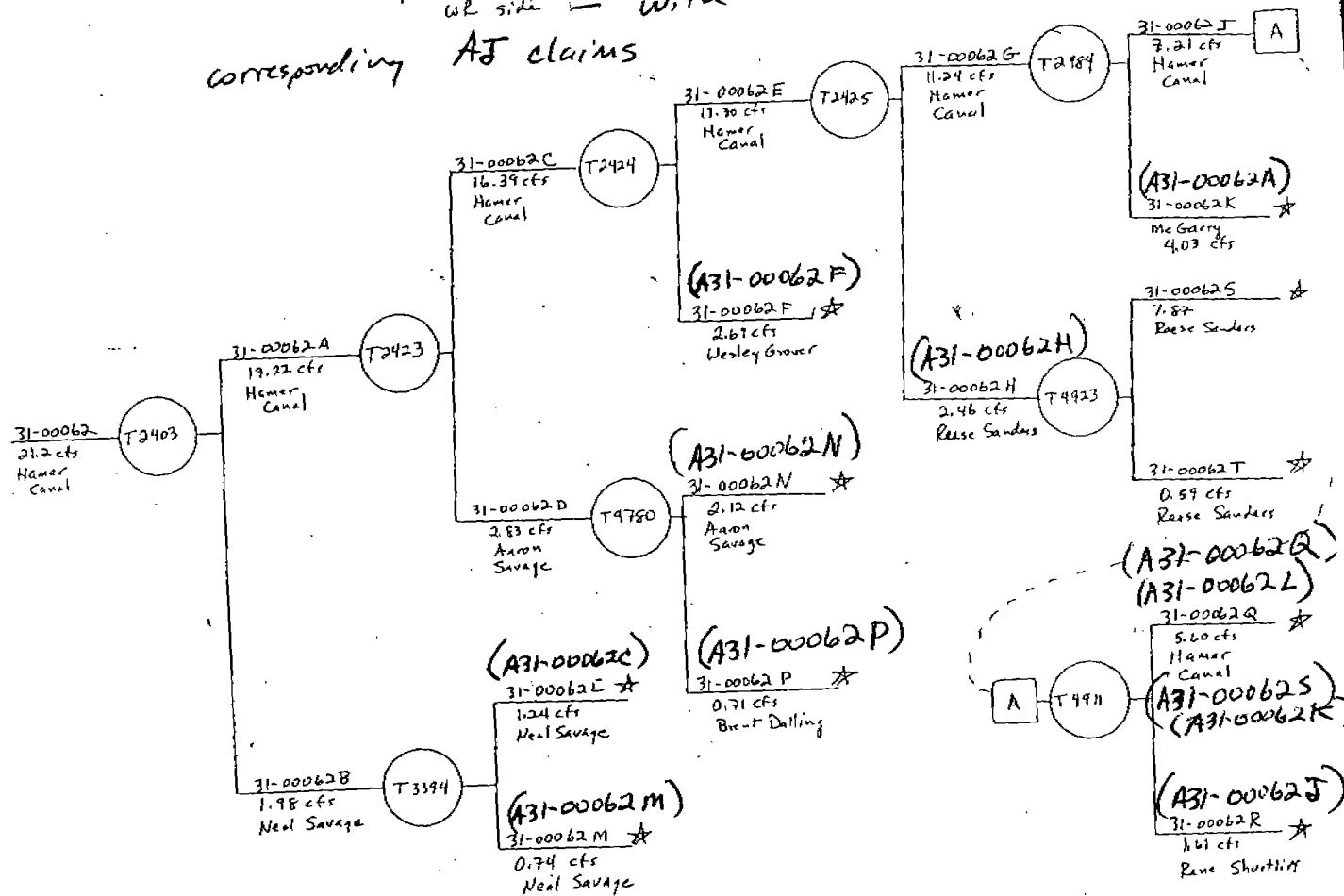
Claim A31-00062H, corresponding to WR 31-00062H, needs to be split per T4923. Transfer split WR into portions "S" and "T," but claim "S" has already been used to represent a part of original WR 31-00062Q.

Four claims -- A31-00062K, A31-00062L, A31-00062Q, and A31-00062S -- appear to have their basis in WR 31-00062Q. These will need careful research of ownership history, original POU, and accomplished transfer. Memo in splits of '63 indicates that 31-00062Q is underclaimed, but this is incorrect. Both 31-00062Q and 31-00063Q are overclaimed.

Note that Hamer Elementary School ~~has~~ an irrigation well that may also reflect part of the original Hamer Canal Co. right. See file A31-10292.

no
Bac 6/8/00

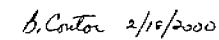
Split History of 31-00062
w/ side — with
corresponding AJ claims



B. Contor 2/18/2000

Rights active on WR database
sum to 21.2 cfs.

WR side



Rights active on WR database
sum to 21.2 cfs.

WATER RIGHT
NUMBER

NAME

CFS

31-00062	SPLIT INTO 31-0062A & 31-0062B BY TRANS. 2403.	
31-00062A	SPLIT INTO 31-0062C & 31-0062D BY TRANS. 2423.	
31-00062B	Split into 31-00062L & M by Trans. 3394.	
31-00062C	SPLIT INTO 31-0062E & 31-0062F BY TRANS. 2424.	
31-00062D	THIS RIGHT SPLIT INTO PARTS N & P THRU APPROVED TRANSFER NO. 4780	
31-00062E	SPLIT INTO 31-0062G & 31-0062H BY TRANS. 2425.	
31-00062F	GROVER, WESLEY	2.69
31-00062G	RIGHT SPLIT INTO 31-0062J & K.	
31-00062H	RIGHT SPLIT INTO PARTS S & T THRU APPROVED TRANSFER NO. 4932.	
31-00062J	RIGHT SPLIT INTO PARTS Q & R THRU APPROVED TRANSFER NO. 4911.	
31-00062K	LOREN MCGARRY RANCHES	4.03
31-00062L	SAVAGE, NEAL	1.24
31-00062M	SAVAGE, NEAL	0.74
31-00062N	SAVAGE, AARON	2.12
31-00062P	DALLING, BRENT	0.71
31-00062Q	HANER CANAL CO	5.60
31-00062R	SHURTLIFF, LELLA SHURTLIFF, RENE	1.61
31-00062S	SANDERS, REESE	1.87
31-00062T	SANDERS, REESE	0.59

 $\Sigma = 21.20$

WR database agrees w/ this
analysis 2/18/2000 BAC

 Claim A31-00062/63 Splits
 Doc Source Microfiche
 31-00062 sheet 6
 Date 2/18/00 Sig. B. Conter

WR5809NP
No. 31-00062Q

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAMER CANAL CO	10/31/1917	IRRIGATION	05/01 09/01	5.600 CFS	
TOTAL DIVERSION:					5.600 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R36E S14 S22 NESW SESE NWSW NWSE JEFFERSON County JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07N	36E	15	:					:					:					:	20			40	:	60.0
07N	36E	22	:	20			33	:			30		:	25	40			:	14			16	:	178.8
07N	36E	23	:					:	40	40	39	40	:	40	37	32	40	:	40	40	40	40	:	468.0
07N	36E	26	:					:					:	38	40			:		05	32	02	:	117.0
07N	36E	27	:	40	40	40		:			40		:					:					:	160.0
07N	36E	28	:			20	40	:					:					:	40	40	40		:	180.0
07N	36E	33	:					:					:					:			06		:	6.0
07N	36E	35	:					:		40	21		:					:	40	40	40	40	:	221.0
TOTAL ACRES																							1390.8	

Pou County: JEFFERSON

Remarks: GEN TRANS. 1584, 2403, 2423, 2424 & 2425.
7 P/D IN NWSW 14, 2 P/D IN NESW & 4 P/D IN NWSE, S14, T7N, R36E.
Transfer No. 2984 split 31-00062G into parts J & K.

Dates: App. Received: Priority Date: 10/31/1917
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 31 Field Exam Fee:

Comments: Date: 03/18/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 4911
Transfer No. 4911 adds a new point of diversion, retains one
point of diversion & shifts acres to adjacent QQ to cover a
center pivot.

Audit: 09/20/96 RBODELL 03/18/97 PSKAGGS 03/18/97 PSKAGGS

OVERCLAIMED

A31-00062K 3.16 cfs
A31-00062L 1.58 cfs
A31-00062Q 0.55 cfs
A31-00062S 0.59 cfs
Σ 5.88 cfs



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1998

BOYD ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: CHANGE IN OWNERSHIP FOR A31-00062S, A31-00063S, A31-07203

Dear Mr. Ashcraft:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERS **MAR 09 1998**

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) A31-00635, 625, 31-07203 ✓
 Adjudication Claim Number(s) ~~A31-07016~~ A31-000635 7203 625
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Wahoo Inc
4. New Owner/Claimant(s) ☒ Boyd Ashcraft
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address ☒ 2983 E 2000 N
 City, State and ZIP Code ☒ Sugar, Id, 83448
 New Telephone Number ☒ (208) 356-9533
5. Date you acquired the property ☒ 13 Feb 96
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

☒ Number of acres actually irrigated 276 Number and type of stock >

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Boyd Ashcraft Date 3-9-98
 _____ Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

CONTRACT OF EXCHANGE

THIS AGREEMENT for exchange of properties, made and entered into this 13 day of February, 1996, by and between WAHOO, Inc., an Idaho corporation, the principal place of business of which is at 3930 East 2000 North, Sugar City, Idaho 83448, hereinafter called "First Party", and Boyd Ashcraft and Helen Ashcraft, husband and wife, of 2983 East 2000 North, Sugar City, Idaho 83448, hereinafter called "Second Party",

WITNESSETH:

1. Transfer by First Party of Parcel A.

First Party, for and in consideration of the conveyance by Second Party of Parcel B hereinafter agreed to be made, hereby agrees to exchange and convey to Second Party, the following described real property, hereinafter called "Parcel A", in Jefferson County, State of Idaho, to-wit:

All of First Party's undivided one half interest in and to the following described real property:

Tract One: Northeast Quarter of the Southeast Quarter East Railroad right-of-way, in Section 22, Township 7 North, Range 36 East, Boise Meridian, Southeast Quarter, North One-Half of the Southwest Quarter, Southeast Quarter of the Southwest Quarter, in Section 23, Township 7 North, Range 36 East, Boise Meridian.

Tract Two: Southeast Quarter of the Northeast Quarter, lying East of the Railroad right-of-way, in Section 22, Township 7 North, Range 36 East, Boise Meridian, Southwest

Quarter of the Northwest Quarter in
Section 23, Township 7 North, Range
36 East, Boise Meridian.

Tract Three: Northeast Quarter of
the Northeast Quarter, in Section
22, Township 7 North, Range 36
East, Boise Meridian, East One-Half
of the Northwest Quarter, Northwest
Quarter of the Northwest Quarter,
in Section 23, Township 7 North,
Range 36 East, Boise Meridian.

Excluding therefrom the following
described parcel of property:

Township 7 North, Range
36 East, Boise Meridian.
Section 22: Beginning at
the Northwest corner of
the Northeast Quarter of
the Northeast Quarter;
thence South 1320 feet;
thence East 884 feet;
thence North 1320 feet;
thence West 884 feet to
the point of beginning.
Jefferson County, Idaho.

ALSO, Tract 4: All that portion of
the Southwest Quarter of the
Southwest Quarter of Section 23,
Township 7 North, Range 36 East,
Boise Meridian, lying East of the
Railroad right-of-way.

Together with all improvements,
water, water rights, easements and
appurtenances thereto, and subject
to such rights, easements and
covenants as appear of record or by
use upon the premises.

With the conveyance provided for in this
Contract of Exchange, Second Party shall own
an undivided one-half interest in fee simple
of the property above described and B.H.A.,
Inc., a corporation, is the holder of the
other undivided one-half interest.

Subject to easements of record or in existence for roads, ditches and utilities.

Together with all water and water rights, ditch and ditch rights, appurtenant thereto.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

There is no indebtedness owing against Parcel A. For purposes of this exchange, the value of Parcel A is equal to the value of Parcel B, with the payment of boot in the amount of \$30,000, as provided for in paragraph 2 below and involves the exchange of like kind property of equal value.

2. Transfer by Second Party of Parcel B.

Second Party, for and in consideration of the conveyance by First Party of Parcel A heretofore agreed to be made, hereby agrees to exchange and convey to First Party, the following described real property, hereinafter called "Parcel B", situated in Jefferson County, State of Idaho, to-wit:

All of Second Party's right, title and interest in and to the following described real property located in Jefferson County, Idaho, to wit:

Northeast Quarter of Section 13,
Township 6 North, Range 35 East,
Boise Meridian.

Lots 1, 2, and the East One-Half of
the Northwest Quarter of Section
18, Township 6 North, Range 36
East, Boise Meridian.

Commencing at the Southeast corner
of Section 12, Township 6 North, 35
East, Boise Meridian and running
thence North 208.7 feet; thence

West 208.7 feet; thence South 208.7 feet; thence East 208.7 feet to the point of beginning.

With the conveyance provided for in this Contract of Exchange, First Party shall own full interest in fee simple of the property above described.

Subject to easements of record or in existence for roads, ditches and utilities.

Together with all water and water rights, ditch and ditch rights, appurtenant thereto.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

It is understood and agreed that "Parcel B" is presently subject to a mortgage dated May 26, 1993, in favor of Northwest Farm Credit Services, ACA, recorded in the official records of Jefferson County, Idaho, as Instrument No. 268043, on the 1st day of June, 1993, securing an indebtedness of approximately \$100,000. Second Party shall obtain a release of the mortgage against "Parcel B" on or before July 1, 1996, and hereby agrees to fully indemnify and hold harmless First Party against any damages sustained by First Party as a result of Second Party's failure to obtain the release of the mortgage on "Parcel B".

In addition to the exchange of all of First Party's interest in Parcel A, First Party Agrees to pay to Second Party as boot, the sum of Thirty Thousand Dollars (\$30,000), payable by First Party to Second Party, interest free, on or before July 1, 1996. If such sum is not paid by First Party to Second Party

before July 1, 1996, interest shall accrue thereon from July 1, 1996, until paid, at the rate of seven percent (7%) per annum.

3. Instruments of Conveyance.

(a) Parcel A.

First Party shall convey Parcel A to Second Party by good and sufficient Warranty Deed, free from all encumbrances except any assumed by or placed thereon by Second Party.

The deed shall be delivered to Second Party upon closing of this Contract of Exchange.

(b) Parcel B.

Second Party shall convey Parcel B to First Party, by good and sufficient Warranty Deed, free from all encumbrances except any assumed by or placed thereon by First Party.

The deed shall be delivered to First Party upon closing of this exchange.

4. Title Insurance.

Neither party desires title insurance nor a title report on the property being exchanged. If either party should desire such, they shall obtain it by themselves at their own expense.

5. Possession.

Second Party is granted possession of Parcel A on the date of the execution of the within Contract of Exchange.

First Party is granted possession of Parcel B on the date of the execution of the within Contract of Exchange.

6. Taxes.

Second party shall pay all of the 1995 taxes and all prior taxes and assessments levied and assessed against Parcel A, and Second Party shall pay all of the 1996 and all subsequent taxes and assessments levied and assessed against Parcel A, when the same are due and payable and before the same shall become delinquent.

Second Party shall pay all of the 1995 taxes and all prior taxes and assessments levied and assessed against Parcel B, and First Party shall pay all of the 1996 and all subsequent taxes and assessments levied and assessed against Parcel B, when the same are due and payable and before the same shall become delinquent.

7. Closing.

G. Rich Andrus of Rigby, Thatcher, Andrus, Rigby, Kam & Moeller, Chartered, is designated as closing agent.

Closing shall take place on the 13th day of February, 1996.

The parties have communicated to the closing agent that they do not desire to have any title insurance or any reports from a title company regarding the status of title.

First Party shall pay the attorneys fees and costs incurred in the making and concluding of the within exchange.

The law firm of Rigby, Thatcher, Andrus, Rigby, Kam & Moeller, Chartered, has served as attorney for First Party in the within transaction and Second Party has been invited to obtain independent counsel if desired.

8. Default Remedies.

In the event either party hereto shall be required, due to the default of the other, to employ an attorney for the enforcement of this contract, the defaulting party shall pay the reasonable attorneys' fees of the prevailing party, whether or not suit is required, and in trial or appellate courts.

In the event of default by one party, the other party shall have such remedies as are provided in law or equity, to enforce performance of this contract, or to recover damages for the breach hereof.

9. Binding Effect.

This agreement is not only binding upon the parties hereto, but upon their respective successors, heirs, administrators and assigns.

The terms "First Party" and "Second Party" shall be construed, as used herein, to include singular and plural, and the masculine gender shall be construed to include the feminine.

The terms "First Party" and "Second Party" shall be construed as used herein, to include singular and plural, and a corporation, partnership, or other entity, and the masculine

gender shall include the feminine and neuter, to conform to the actual parties hereto.

10. Inspections; Disclaimer of Warranty.

Each party has thoroughly and carefully inspected the premises, and all parts and portions of the property included in this exchange, and Second Party accepts Parcel A, and First Party accepts Parcel B, each on an "as is" basis so far as conditions thereof are concerned. ANY WARRANTY AS TO CONDITION OF ANY PROPERTY IS EXPRESSLY DISCLAIMED.

IN WITNESS WHEREOF, The parties have executed this Contract of Exchange.

"FIRST PARTY"

"SECOND PARTY"

WAHOO, INC.

BY: V. Grant Ashcraft
V. Grant Ashcraft
President

Boyd B. Ashcraft
Boyd Ashcraft

Helen Ashcraft
Helen Ashcraft

ATTEST:

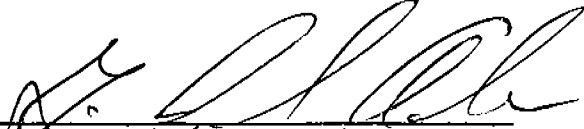
Dorothy S. Ashcraft
Dorothy S. Ashcraft
Secretary

STATE OF IDAHO)
 ss.
County of Madison)

On this 13th day of February, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared V. Grant Ashcraft and Dorothy S. Ashcraft, known to me

to be the President and Secretary, respectively, of Wahoo, Inc., the corporation that executed the foregoing instrument and acknowledged to me that such corporation 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.

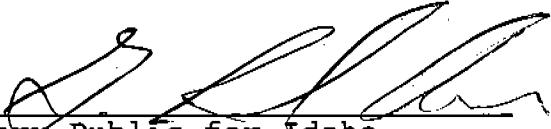


Notary Public for Idaho
Residing at Rexburg, Idaho
Commission Expires 11-15-99

STATE OF IDAHO)
 ss.
County of Madison)

On this 13th day of February, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Boyd Ashcraft and Helen Ashcraft, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.



Notary Public for Idaho
Residing at Rexburg, Idaho
Commission Expires 11-15-99

STIPULATION AND AGREEMENT

We, the undersigned stockholders of Hamer Canal Company hereby agree to the following individuals transferring their shares of water in this Company to wells other than those presently owned by Hamer Canal.

Lynn Shirley	<u>15</u>	shares
Wesley Grover	<u>38</u>	shares
Reese Sanders	<u>40</u>	shares
Aaron Savage	<u>40</u>	shares
Neal Savage	<u>28</u>	shares
Rene Shurtliff	<u>0</u>	shares
Grant Ashcraft	<u>20</u>	shares

The Decreed Water Rights for Hamer Canal Company are equivalent to 30.0 cfs or 1500 miners inches, and each share represents 5 miners inches.

Signed this _____ day of February, 1980.

Wesley Grover
WESLEY GROVER

Ralph Lounsbury
RALPH LOUNSBURY

Loren McGary
LOREN MCGARY

Dan Murdock
DAN MURDOCK

Reese Sanders
REESE SANDERS

Aaron Savage
AARON SAVAGE

Neal Savage
NEAL SAVAGE

Rene Shurtliff
RENE SHURTLIFF

L. Shirley
Lynn Shirley

Grant Ashcraft
GRANT ASHCRAFT