



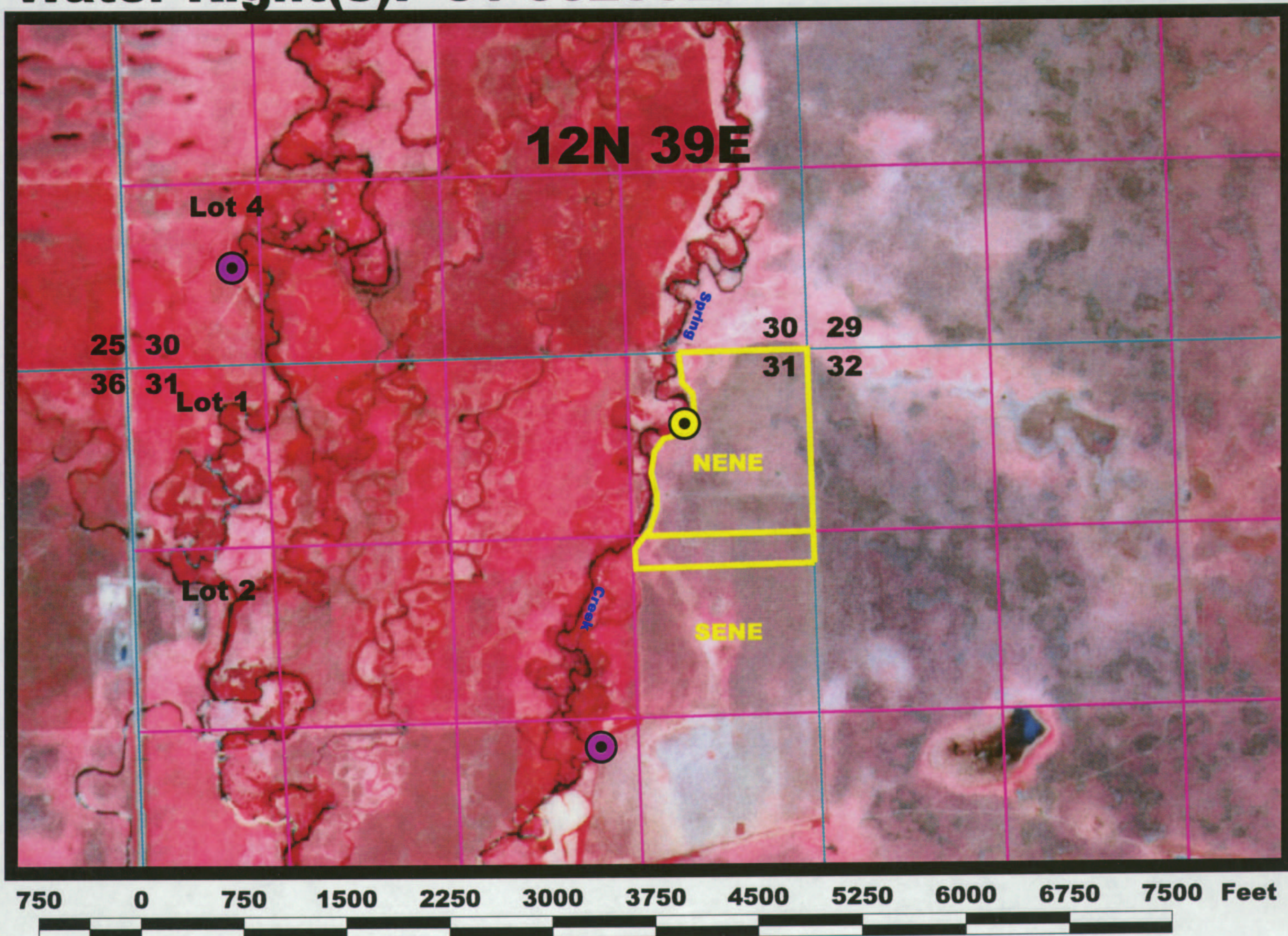
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: L. Albertson

Water Right(s): 31-00255E



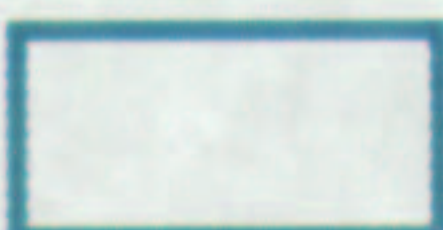
LEGEND



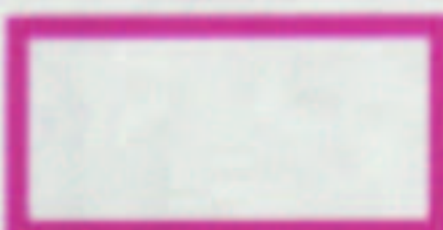
Point of Diversion

SESE

Place of Use



Section Line



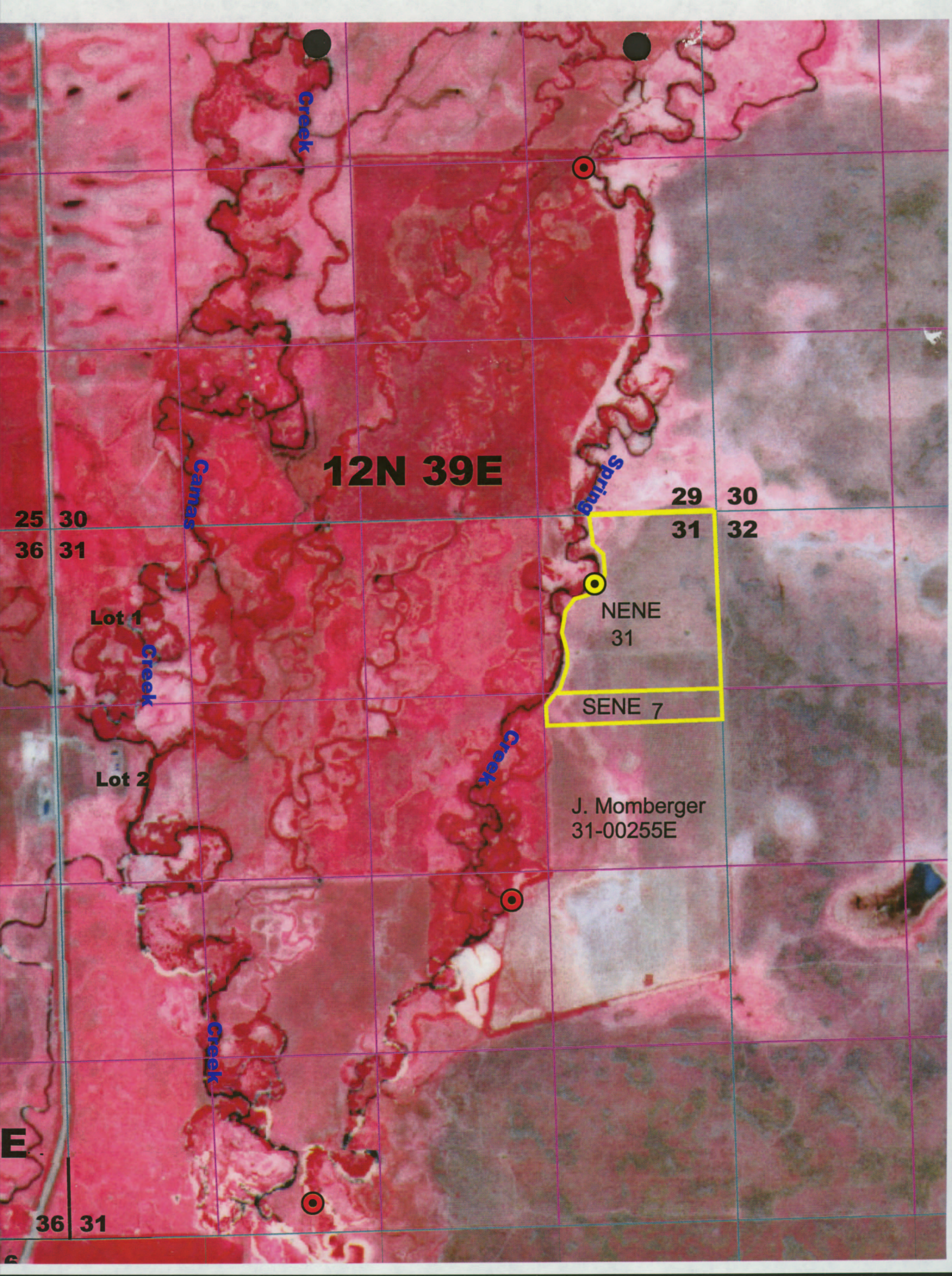
Quarter-section line

**Legal Description: T12N, R39E
Secs. 31 (parts of) NENE, SENE**

**Point(s) of Diversion: T12N, R39E
Sec. 31 NWNENE**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Feb. 2001



12N 39E

Cannas

Spring

Lot 1

Creek

Lot 2

Creek

NENE
31

SENE 7

J. Momberger
31-00255E

29 30
31 32

25 30
36 31

36 31

E

REVIEWED BY: Proctor

DATE: 7/24/21

SYSTEM DESCRIPTION:

Pump in Spring ch to pipeline

J. MOMBERTZ



7/24/21
ABR

J. MOMBERTZ

12N 39E

SEC. 31 E²NE

LOOKING ← WEST TO NORTH →



7/24/21
ABR

HUGH JENSEN
A-57
307A

T. 12N R. 39E.

14
25
0
47

A-58
274A

ROBERT JAHN
A-58

FOSTER LAND & CATTLE CO.
A-94
275A

A-342

A-502

B-446

LARRY HARROP
A-92
309A

FOSTER LAND & CATTLE CO.
A-94

D. & R. WALKER

Point of
Diversian.

30 29
31 32

A-94
312A
(30)

79.4 (8)

31 32
65

BB7

NOT TO SCALE

A31-00255D

NOV 17 1992

MICROFILMED



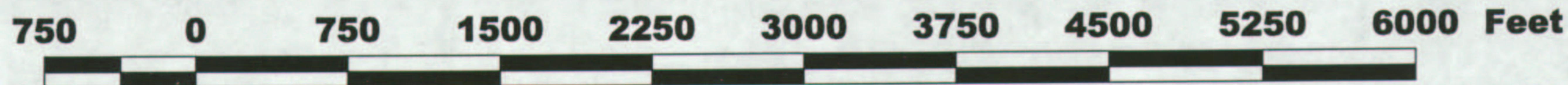
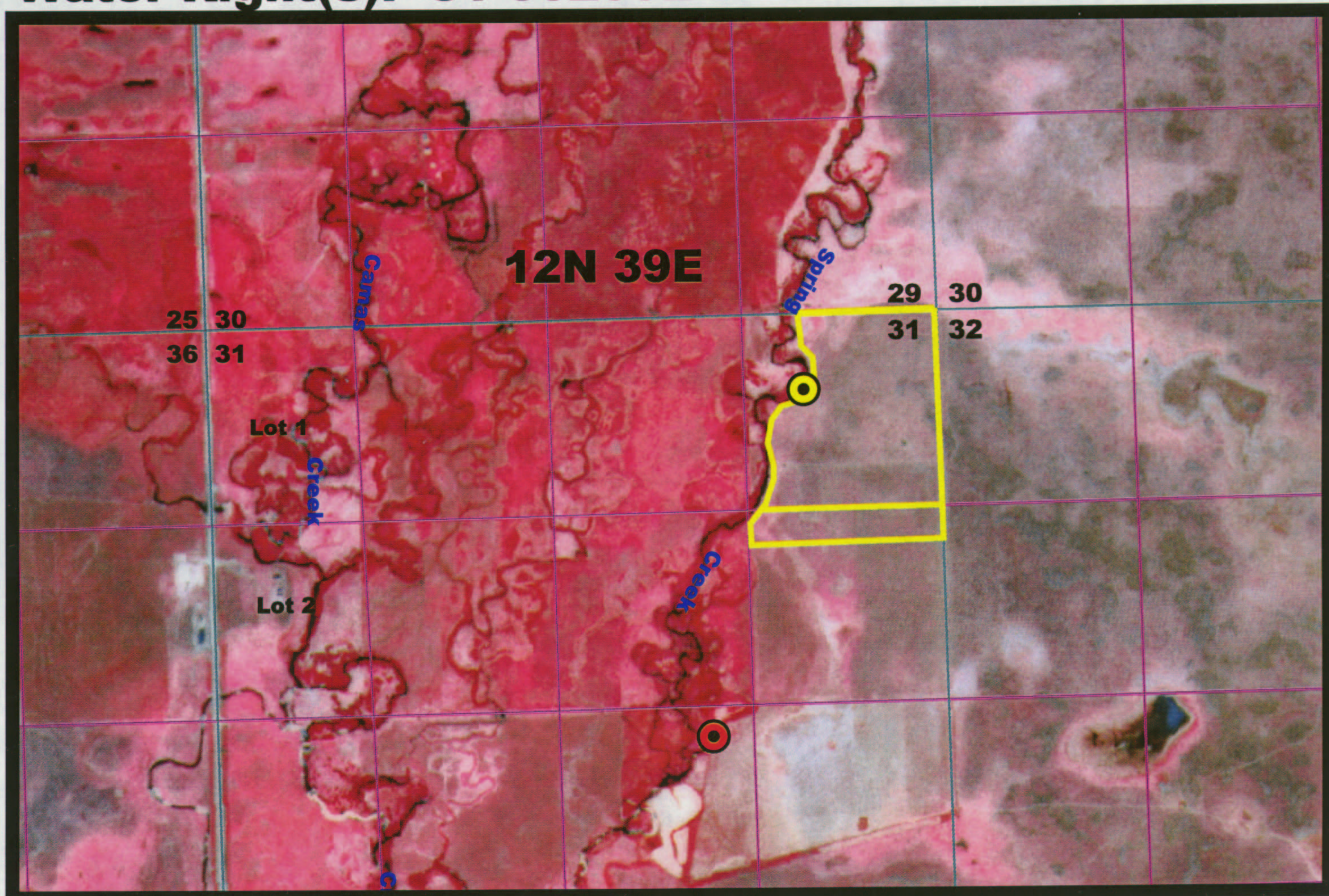
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Jesse Momberger

Water Right(s): 31-00255E



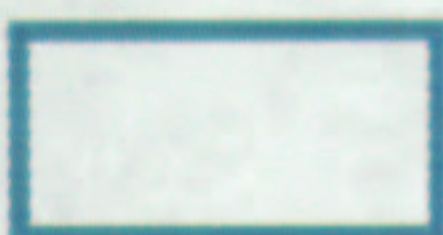
LEGEND



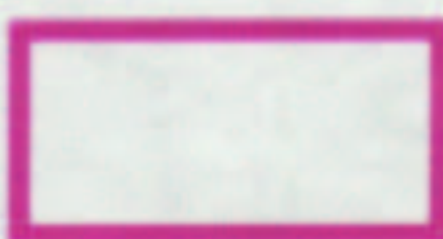
Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

**Legal Description: T12N, R39E
(part of) Sec. 31 W2NE**

**Point(s) of Diversion: T12N, R39E
Sec. 31 NWNENE**



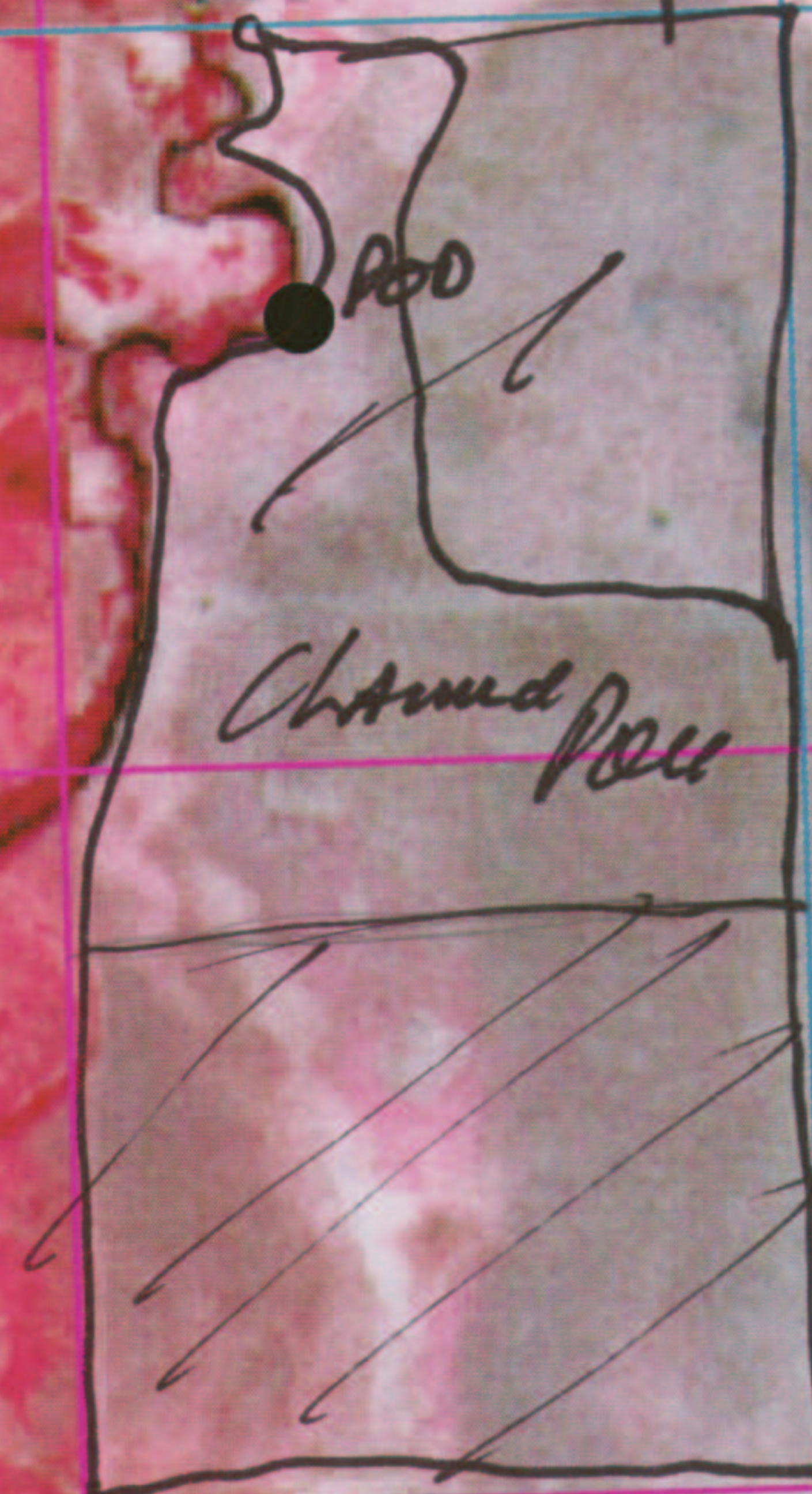
GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Dec. 2000

12N 39E

25 30

36 31

*Mankensm
31002550*



7/24/20

A handwritten signature or scribble.

02/23/2001

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

RIGHT NUMBER: 31-255E PER CHANGE OF OWNERSHIP 2/23/01

NAME AND ADDRESS: LYLE ALBERTSON
PO BOX 73
2876 E 634 N
ROBERTS, ID 83444

SOURCE: SPRING CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.5 CFS

PRIORITY DATE: 05/01/1900

POINT OF DIVERSION: T12N R39E S31 NWNENE Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05-01 10-31	0.50 CFS
STOCKWATER	05-01 10-31	0.02 CFS

PLACE OF USE:

IRRIGATION Within CLARK County
T12N R39E S31 NENE 31 T12N R39E S31 SENE 7

STOCKWATER Use same as IRRIGATION

38 ACRES TOTAL

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER 50 CATLE SAME POU AS IRRIGATION

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 31-255E
Date Received: 6/2/88
Receipt No: E000311
Received By:

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

1. Name of Claimant(s)

LYLE ALBERTSON Phone: (208) 228-6451

PO BOX 73
2876 E 634 N
ROBERTS ID USA 83444

2. Date of Priority: 05/01/1900

3. Source: SPRING CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	39E	31	NW NE NE	CLARK	

5. Description of diverting works:

PORTABLE PMP.SYS./SPRINKLERS; SUCTION DIR. FROM SPRING CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.5	

7. Total Quantity Appropriated is:

0.5 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
12N	39E	31	NE NE	IRRIGATION	30
			SE NE	IRRIGATION	8

Section Acres 38

Total Acres 38

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP 2/23/01.

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__ _____

Notary Public

Residing at _____

My commission Expires _____

12/05/2000

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

RIGHT NUMBER: 31-255E

NAME AND ADDRESS: JESSE C MOMBERGER
HC 69 BOX 1670
HAMER, ID 83425

SOURCE: SPRING CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.5 CFS

~~THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE~~
~~SHALL NOT EXCEED 13,000 GALLONS PER DAY.~~ Deleted

PRIORITY DATE: 05/01/1900

POINT OF DIVERSION: T12N R39E S31

NWNE

Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-31	0.50 CFS
STOCKWATER	05-01 10-31	0.02 CFS

PLACE OF USE:

IRRIGATION Within CLARK County
T12N R39E S31 NENE 31 T12N R39E S31 SENE 7
STOCKWATER Use same as IRRIGATION
38 ACRES TOTAL

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER 50 CATLE SAME POU AS IRRIGATION



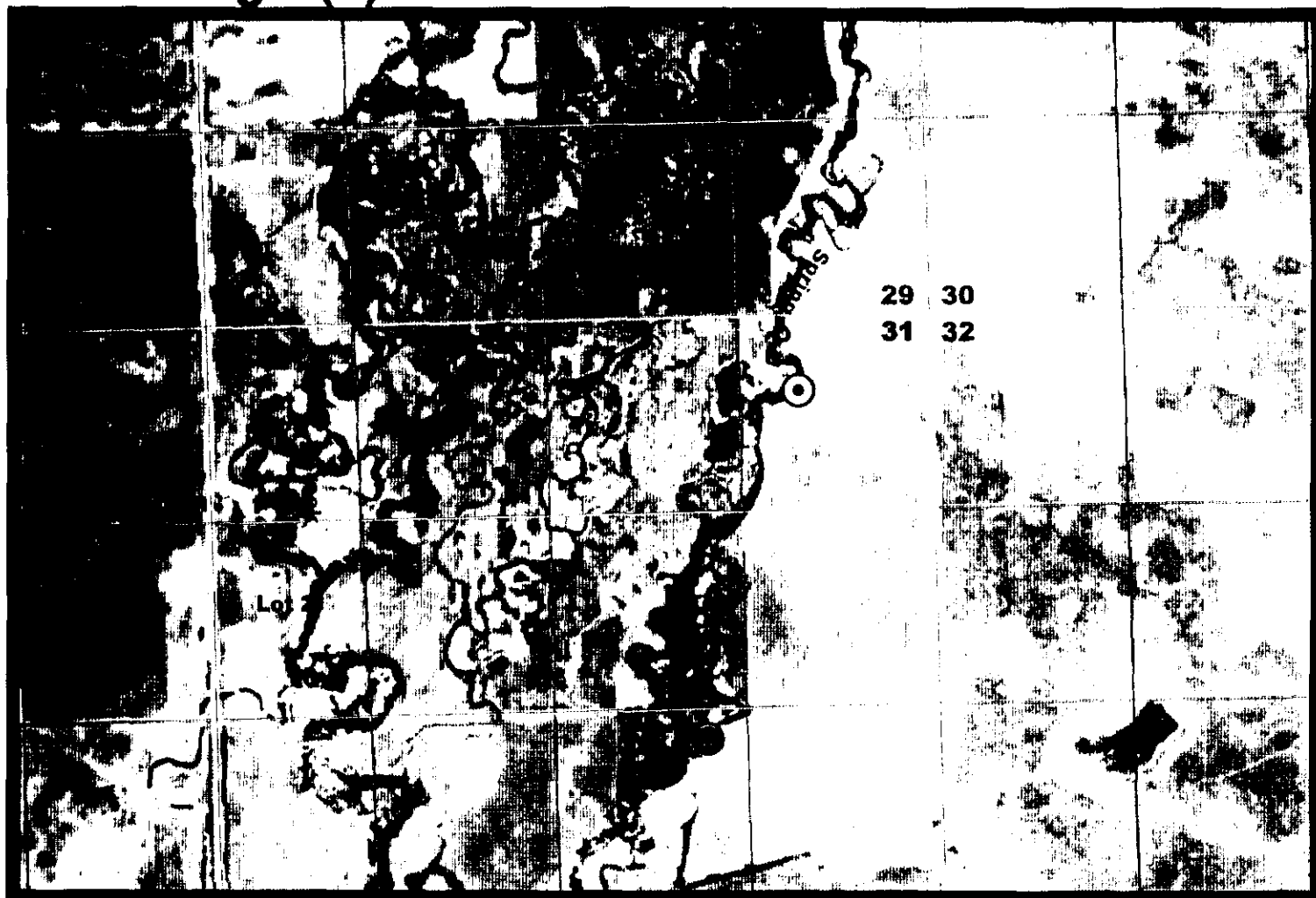
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Jesse Momberger

Water Right(s): 31-00255E



750 0 750 1500 2250 3000 3750 4500 5250 6000 Feet

LEGEND



Point of Diversion

SESE

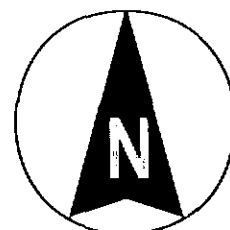
Place of Use

Section Line

Quarter-section line

**Legal Description: T12N, R39E
(part of) Sec. 31 W2NE**

**Point(s) of Diversion: T12N, R39E
Sec. 31 NWNENE**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Dec. 2000

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: A31-00255E
Date Received: 6/02/1988
Receipt No: E000311
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JESSE C. MOMBERGER
Address: HC 69, BOX 1670
HAMER, ID 83425 208-662-5487

2. Date of Priority: MAY 01, 1900

3. Source: SPRING CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	39E	31	NW	NE	NE		CLARK

5. Description of diverting works:
PORTABLE PMP.SYS./SPRINKLERS; SUCTION DIR. FROM SPRING CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 57.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 HEAD BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12N	39E	31	NE	NE		IRR	30.0
			NE	NE		STOCK	
			SE	NE		IRR	8.0

A31-00255E

Page 1

Date: 10/19/89

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NOV 17 1992

A3100255E



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	39E	31	SE NE		STOCK	
Section Acres						38.0
Total Acres						38.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number: 310255
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 Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: 39356
Ident. Number A 310025588
Date Received 2 June 1988
Receipt Number E0000311

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) OTESS C. MONDBERGER Phone (208) 662-5487
Mailing Address HC 69 Box 1670 HANER, IDAHO Zip 83435
2. Date of Priority (Only one (1) per claim) MAY 1, 1980
3. Source of water supply (a) SPRING CREEK
which is tributary to (b) CANAS CREEK
4. a. Location of existing point of diversion is: Township 12N Range 39E Section 31,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of CAMAS
Additional points of diversion if any: NONE
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. PORTABLE PUMP & SYSTEM
OR SPRINKLERS. PUMP TAKES SUCTION DIRECTLY
FROM SPRING CREEK.

MICROFILMED

NOV 17 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from Apr. 1 to Nov. 1 amount 1.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.50 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 57 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER - 50 HEAD BORN CATTLE

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>12N</u>	<u>39E</u>	<u>31</u>	<u>30</u>			<u>8</u>													<u>38</u>
			<u>S</u>			<u>S</u>													

Total number of acres irrigated 38 ACRES

11. In which county (ies) are lands listed above as place of use located? CLARK

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: NONE

MICROFILMED

NOV 17 1992

Last Name MEMBERGER Ident No. A31-00255D.

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 31-0255

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 NONE

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) x Jesse E. Monberger Date 6-2-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 2nd day of June 1988

SEAL

Notary Public Ernest Carlson

Residing at Blaho Falls

My Commission Expires 5 May 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV 17 1992

Last Name MONBERGER Ident. Number A31-002550

Copies White-State, Yellow-Claimant

T. 12N R. 37E.

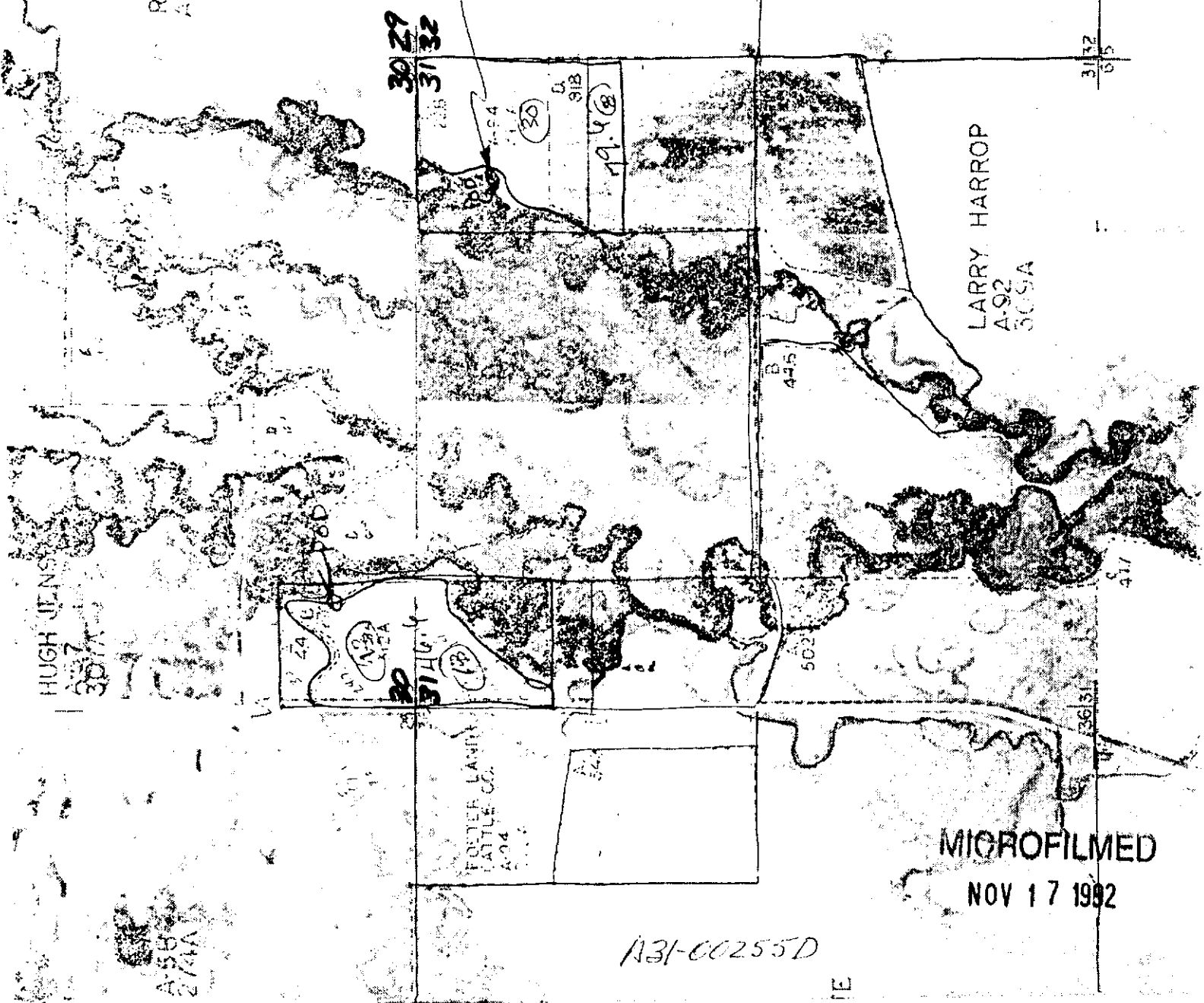
ROBERT JAHN
A-58

D. & R WALKER

FOSTER LAND CATTLE CO.
A-94

BBT

NOT TO SCALE



MICROFILMED
NOV 17 1992

131-00255D



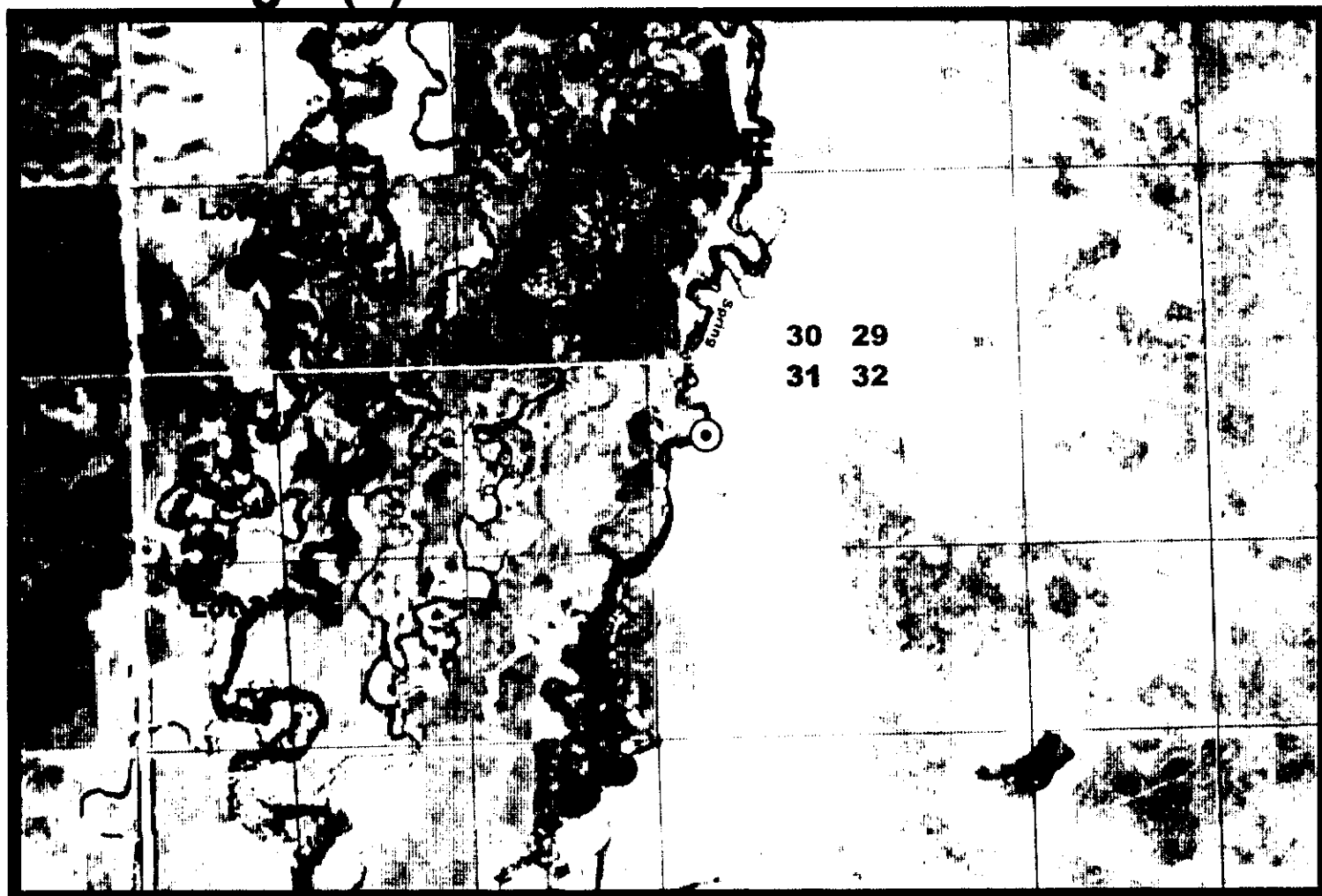
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: L. Albertson

Water Right(s): 31-00255E



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 Feet

LEGEND



Point of Diversion

SESE

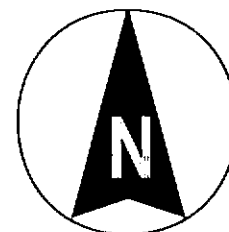
Place of Use

Section Line

Quarter-section line

**Legal Description: T12N, R39E
Secs. 31 (parts of) NENE, SENE**

**Point(s) of Diversion: T12N, R39E
Sec. 31 NWNENE**



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: Feb. 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

05:21:42
05/14/93

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A31-30255E

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JESSE C. MONBERGER MC 69, BOX 1673 HAYER ID 83425 (238) 662-5487	05/01/1930	IRRIGATION	04-01 11-01	0.50 CFS	
					TOTAL DIVERSION:	0.50 CFS
					CONSUMPTIVE USE:	57.0 AFA

WATER SOURCE: SPRING CREEK

TRIBUTARY TO: CAMAS CREEK

STAGE: DECREED

POINT(S) OF DIVERSION:

T12N R39E S31

N4NENE

CLARK 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
12N	39E	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
																			TOTAL ACRES	38.0

POU COUNTY:

NON-IRRIGATION USES: 5/50 HEAD BEEF CATTLE

OTHER RIGHTS: NONE

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-90255E

NR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

AUTHENTICATIONS:

SIGNATURE: [Signature] DATE: 7/20/04
NAME OF FIELD EXAMINER: Amy B. Pucany TITLE: Sr Asst

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: 31-00255

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A31-00255	A31-00255A	0.040	-	-	31-00255	-
A31-00255	A31-00255B	2.000	-	-	31-00255	-
-	A31-00255D	0.500	-	-	31-00255D	3.500
-	A31-00255E	0.500	-	-	-	-
-	-	-	-	-	31-00255A	-
-	-	-	-	-	31-00255B	3.040
-	-	-	-	-	31-00255C	1.460
TOTAL CFS		3.040				2.000

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 SHEET ATTACHED? (Y/N)

DATABASE
N

FIELD
EXAMINER

NOTES:

THIS RIGHT IS A SPLIT OFF PORTION OF 31-00255 - SUB SPLIT HISTORY.

OR @ 0.50 cfs

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>Private</u>	<u>05/01 10/31</u>	<u>0.50</u>		
<u>Teck</u>	<u>05/01 10/31</u>	<u>0.02</u>		
TOTAL FOR THIS RIGHT		<u>0.50</u>		

REVIEWED BY:

DATE:

Pump in Creek - See photos pg 4

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

1B. CALCULATIONS

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

DIES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 57.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()
SPLIT INTO 31-0255A & 31-0255B BY 2530.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

Wm Delivery

SEE ATTACHED CALCULATIONS.

DTX

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00255E	SPRING CREEK	MOYBERGER, JESSE C.	0.500	0.013		
A31-002528	SPRING CREEK	ROBISON, WILLIAM B.	0.510	0.004		
A31-002550	SPRING CREEK	ROBISON, WILLIAM B.	0.500	0.004		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

A. AJ CLAIMED USES:

PURPOSES
A31-00255E IRRIGATION

5/31 10/31
MONTH/DAY
FROM 06-31 TO 12-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY

.500 CFS

.500 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE FIELD
EXAMINER
Y
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW

NOTES:

DID NOT CLAIM STOCKWATER BUT LIST 5040 CATTLE AND POU FOR STOCK.
UNDER FLORIDA (BEEF CATTLE STANDARDS) LAW HE INTENDED TO.

RECOMMEND 0.02 CFS w/o Amendment.

Stockwater is defined by decree.

PRESUMPTION FLAG:

NOTES:

SITE SPLIT HISTORY

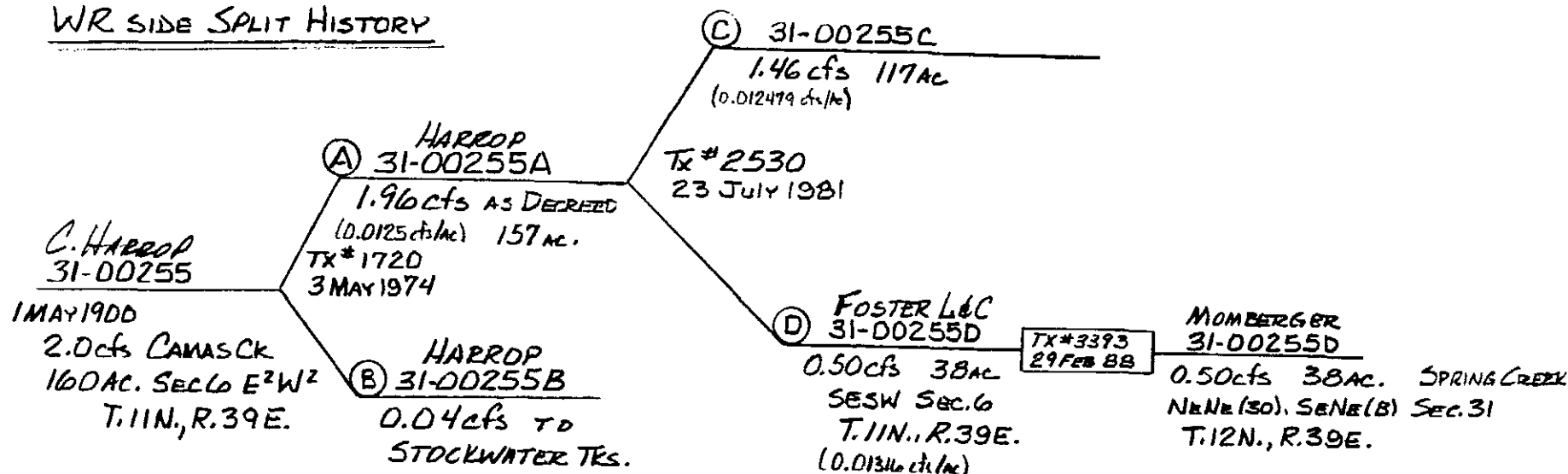
RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

WR SIDE SPLIT HISTORY



A. ROOT WATER RIGHT NUMBERS: A31-00255A - *Messall*
 A31-00255B - *HARROP*

A31-00255D *MAYS - Russell (in L. 7th lot)*

A31-00255E - *MONMBERGER*

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECONV. ACRES
12N	39E	51	NE	NE		MONMBERGER, JESSE C.	A31-00255E /	- /			
			NE	NE		ROBISON, WILLIAM B.	A31-00252B /24.0	- /			
			NE	NE		ROBISON, WILLIAM B.	A31-00255D /24.0	31-00255D /30.0	Stockwater		
12N	39E	51	NE	NE		MONMBERGER, JESSE C.	A31-00255E /30.0	- /			
			NE	NE		ROBISON, WILLIAM B.	A31-00252B /24.0	- /			
			NE	NE		ROBISON, WILLIAM B.	A31-00255D /24.0	31-00255D /30.0			
12N	39E	51	SE	NE		MONMBERGER, JESSE C.	A31-00255E / 8.0	- /		6.0	
			SE	NE		ROBISON, WILLIAM B.	A31-00252B /40.0	- /			
			SE	NE		ROBISON, WILLIAM B.	A31-00255D /40.0	31-00255D / 8.0			
12N	39E	51	SE	NE		MONMBERGER, JESSE C.	A31-00255E /	- /		6.0	Stockwater
			SE	NE		ROBISON, WILLIAM B.	A31-00252B /40.0	- /			
			SE	NE		ROBISON, WILLIAM B.	A31-00255D /40.0	31-00255D / 8.0			
TOTAL ACRES							A31-00255E	39.30		12.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
 IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
 Y

FIELD
 EXAMINER

POU COUNTY: CLARK

*500 6.85 for
 Ac & Dist.*

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION:

Pump in Spring, ch to pipeline

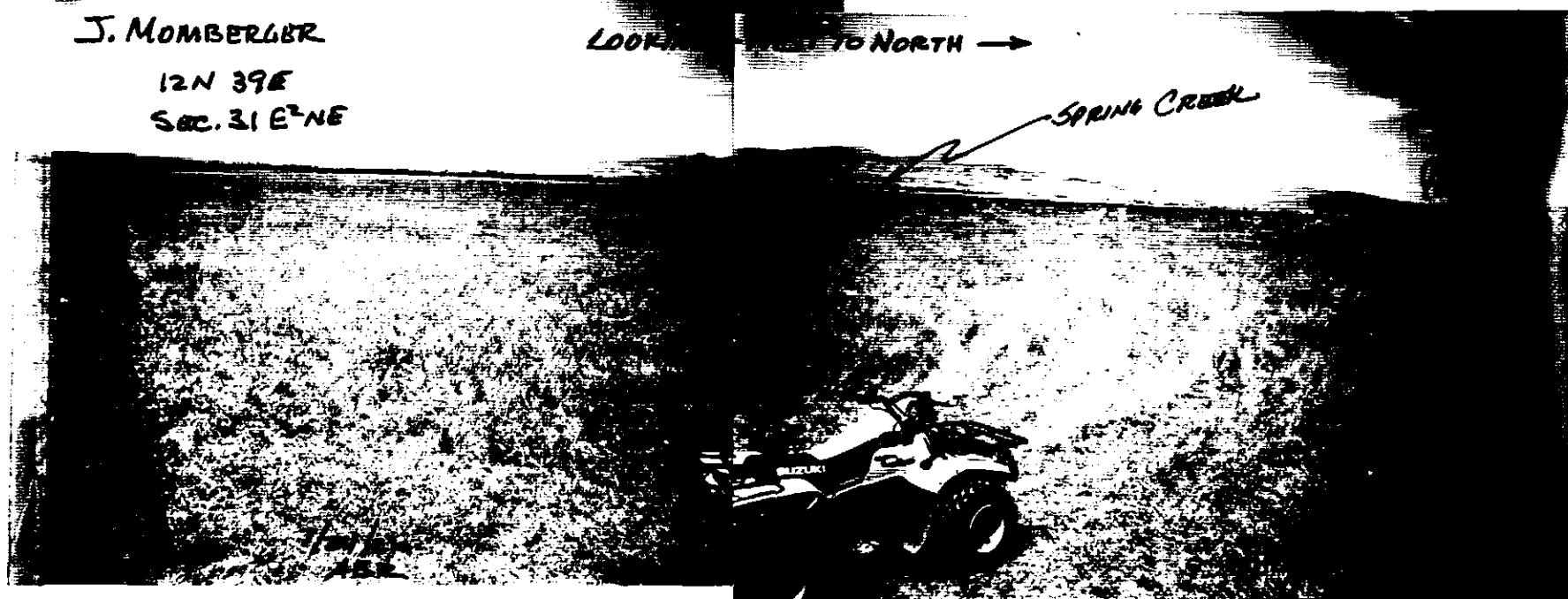
J. MOMBARGER



J. MOMBARGER

12N 39E
SEC. 31 E2NE

LOOKING WEST TO NORTH →



A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	T4P.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00255E	12N	39E	31	NW	NE	NE		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
31-00255D

SOURCE: SPRING CREEK

TRIB: CAMAS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

3100255 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

NOTES:

DEBERTS STATES: "CAMAS CREEK, AND SPRING CREEK, A TRIBUTARY OF CAMAS CREEK."
CLAIMED SPRING CREEK.
CLAIMS PUMP IN CREEK. WM CONFIRMS DIVERSION.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
12N	39E	31	NW	NE	NE		Clark	
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: Spring Cr

TRIB: Camas Cr

A. AJ CLAIM: * A31-00255E PRIORITY DATE: 05-01-1930 STAGE: D
B. WR RECORD: * 31-00255 PRIORITY DATE: - - STAGE: *2 -> SPTS*

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES: *DEERSS SHOWS 1900 - MAY 1 RECOMMEND SAME*

RECOMMENDED PRIORITY DATE: *As Claimed*

REVIEWED BY *[Signature]*

DATE *3/19/44*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-90255E

LAST: MOMBERGER
ADDRESS: MC 69, BOX 1670
CITY: HAMER
PHONE NUMBER: 208-362-5437

FIRST: JESSE C.
STATE: ID ZIP: 83425

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

DATE OF FIELD EXAM: __/__/__

ACCOMPANIED BY: _____

RELATIONSHIP TO CLAIMANT: _____

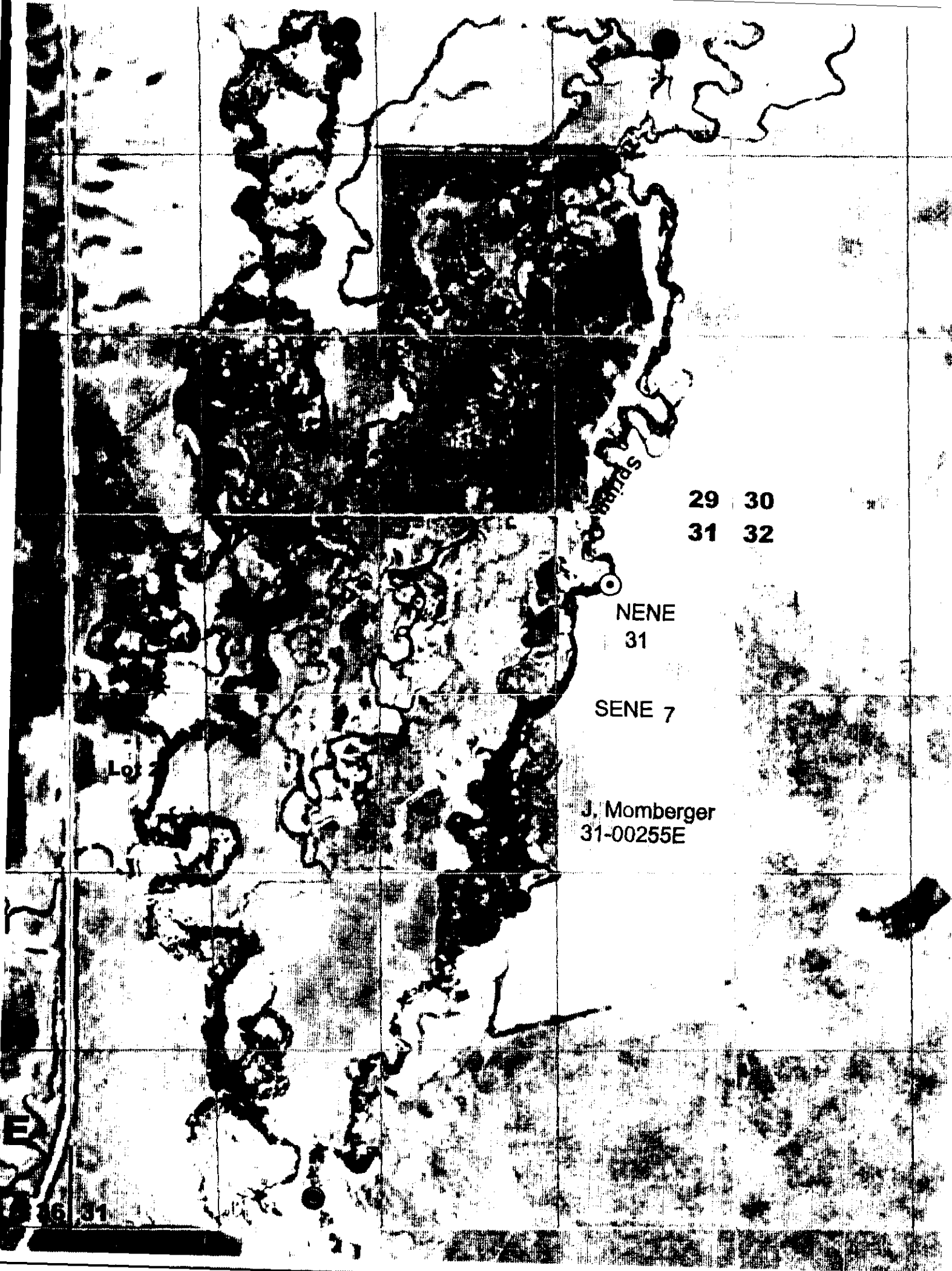
DIRECTIONS TO PROPERTY / NOTES:

PHONE NUMBER: (____) ____-____

TIME: ____:____ A(____) P(____)

PHONE NUMBER: (____) ____-____

No 40 Rule Despite
Request to Lyle
Aubertson



29 30
31 32

NENE
31

SENE 7

J. Momberger
31-00255E

Lot 2

16 31

21

12 N 39 E

Moulton
31002550

Chama Pass

7/24/20

[Signature]

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.

Done
2/23/01
ad

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
<u>31-00255E</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)

JESSE C MOMBURGSR

HC 69 Box 1670

4. New Owner/Claimant(s)

HAMOR RD 83425

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

LYLE ALBERTSON

City, State and ZIP Code

PO Box 73 Roberts ID 83444

New Telephone Number

() _____

5. Date you acquired the property

SEPT 1994

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) Lyle Allenton
(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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). If the water right(s) will not be split, skip **Item 6** and go to **Item 7**.
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at **Item 4**, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

WARRANTY DEED

JESSE C. MOMBERGER and MARIE B. MOMBERGER, husband and wife

_____, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
LYLE ALBERTSON and BERNETTA ALBERTSON, husband and wife

2876 E. 634 N. _____ Roberts, ID 83444 _____, as GRANTEE,
and to his successors and assigns forever, all of the following described real estate situated in the State of Idaho, to-wit:

Township 12 North, Range 39 East of the Boise Meridian, Clark County, Idaho.

Section 31: E1/2 NE1/4.

SUBJECT TO the 1994 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH an easement for _____ use of the existing road through the South Half (S1/2) of Section 32, except on the Westerly end of said road, Grantees shall go North along the fence line in the Southwest Quarter (SW1/4) to the Northwest Corner of the Southwest Quarter (SW1/4) of Section 32, where they can then enter directly onto Section 31.

TOGETHER WITH use of a private right-of-way cross the "Woodfield" property as provided in Paragraph "E" of that certain Compromise & Settlement Agreement dated the 15th day of August, 1985, between Clark County, ET AL, and Elman T. Woodfield, ET AL.

TOGETHER WITH any and all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Grantor, for itself, its successors and assigns, does hereby warrant and agree to forever defend the Grantee, his successors and assigns, in the quiet and peaceful possession of said premises forever against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set its hand and seal the 26th day of September 1994

Jesse C. Momberger
Jesse C. Momberger

Marie B. Momberger
Marie B. Momberger

STATE OF IDAHO

County of Jefferson } ss.

On this 26th day of September, 1994
before me, the undersigned, a Notary Public in and for said State,
personally appeared Jesse C. Momberger and
Marie B. Momberger

known to me to be the person(s) whose name _____ are
within instrument, and acknowledged to me that he executed the same.

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

John Simon
Notary Public for the State of Idaho

Residing at Home

Commission Expiration Date: 5/18/95

RECORDING DATA

Bonneville Land & Title Co.

497 N. Central Ave., Suite 100 • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 524-6600



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

August 10, 2000

LYLE ALBERTSON
2876 E 634 N
ROBERTS ID 83444

RE: CHANGE IN OWNERSHIP FOR A31-00255E

Dear Mr. Albertson:

It has come to our attention that you may have recently purchased a tract of land in Clark County. The property to which I am referring was most recently owned by Jesse Momberger. The legal description is as follows:

T12N R39E S31 NE1/4 NE1/4
T12N R39E S31 SE1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)



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

August 10, 2000

LYLE ALBERTSON
2876 E 634 N
ROBERTS ID 83444

RE: EVIDENCE TO SUPPORT BENEFICIAL USE OF SNAKE RIVER BASIN
ADJUDICATION (SRBA) CLAIM(S) A31-00255E

Dear Mr. Albertson:

The Idaho Department of Water Resources is reviewing SRBA claims in the Kilgore area of Basin 31. Our office conducted a field exam of the above referenced claim(s) but failed to find evidence of beneficial use. Idaho Code 42-222, paragraph 2 states, "All rights to the use of water . . . shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated . . ."

To avoid forfeiture, please provide evidence of water delivery and payment of the water district assessment prior to 1987. This proof must be provided within 21 days of receipt of this letter to avoid a disallowal recommendation to the Snake River Basin Adjudication court.

If you no longer own the property appurtenant to the above referenced claim, please contact our office so we can notify the current owner of this matter.

Sincerely,

For Allen Ruberry
Senior Water Agent

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho

EASTERN REGION

July 31, 2000

JESSE C MOMBERGER
HC 69 BOX 1670
HAMER ID 83425

Robison pre-88
↓

Momberger - 1988
↙ ↘

Albertson

Mattison

A31-
00255E

A31-00252C

25-7177

THORNE
NOR

REHER
TOR

RE: EVIDENCE TO SUPPORT BENEFICIAL USE OF SNAKE RIVER BASIN
ADJUDICATION (SRBA) CLAIM(S) A31-00252C, A31-00255E

Dear Mr. Momberger:

← Mattison → Albertson

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To avoid forfeiture, please provide evidence of water delivery and payment of the water district assessment prior to 1987. This proof must be provided within 21 days of receipt of this letter to avoid a disallowal recommendation to the Snake River Basin Adjudication court.

If you no longer own the property appurtenant to the above referenced claim, please contact our office so we can notify the current owner of this matter.

Sincerely,

Jennifer Crabtree
For Allen Ruberry
Senior Water Agent

Enclosure

MARK W. MATTISON &
EMILY A. MATTISON

801 S. ARBOR
BAY CITY, MI 48706



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

July 31, 2000

JESSE C MOMBERGER
HC 69 BOX 1670
HAMER ID 83425

RE: EVIDENCE TO SUPPORT BENEFICIAL USE OF SNAKE RIVER BASIN
ADJUDICATION (SRBA) CLAIM(S) A31-00252C, A31-00255E

Dear Mr. Momberger:

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To avoid forfeiture, please provide evidence of water delivery and payment of the water district assessment prior to 1987. This proof must be provided within 21 days of receipt of this letter to avoid a disallowal recommendation to the Snake River Basin Adjudication court.

If you no longer own the property appurtenant to the above referenced claim, please contact our office so we can notify the current owner of this matter.

Sincerely,


For Allen Ruberry
Senior Water Agent

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3393

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Jesse C. Momberger Phone 652-5487Post Office address HC 69, Box 1670, Hamer, Idaho 83425

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes Irrigation of apporx. 26 acres in Lot 4 of Sec. 30 & Lot 1 of Sec. 31, T. 12N, R. 39E, is more beneficial to our operation than irrigation of all 64 acres of the E1/2NE1/4 of Sec. 31, T. 12N, R. 39E.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>31-0255D</u>	<u>May 1, 1900</u>	<u>0.5 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>31-0252 B</u>	<u>July 21, 1906</u>	<u>0.51 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 1.01 cubic feet per second and/or acre-feet per annum.3. Source of water Camas Creek & Spring Creek tributary to Camas Creek / Mud Lake

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
<u>4</u>	<u>NE</u>	<u>SW</u>	<u>SW</u>	<u>30</u>	<u>12N</u>	<u>39E</u>	<u>Clark</u>	<u>31-0252B</u>
	<u>NW</u>	<u>NE</u>	<u>NE</u>	<u>31</u>	<u>12N</u>	<u>39E</u>	<u>Clark</u>	<u>31-0255D</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1-0252 B	12N	39E	30										L4 13						13
		31						L1 13											13
1-0255 D	12N	39E	31	30		8													38

Total acres 64

PART 1**6. General Information:**

- a. Description of diversion system Small portable check dam and portable pumping unit.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated - 26 acres of present 64 acres
- d. Remarks:
Source of water for right 31-0252 will be Camas Creek. Source of water for right 31-0255 will be Spring Creek.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0255D/9252B

And said application is hereby approved, subject to the following limitations and conditions:

- 1) A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- 2) A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- 3) Use of water under this license is subject to control by the watermaster of State Water District No. 31, MUD LAKE.
- 4) The use of water on the lands by which the above referenced water right(s) were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss of forfeiture of the water right(s).

Witness my hand this 8th day of December, 19 88

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 31-0255 D Decreed to Union Central Life Insurance Co., A Corp
in case of Ernest Sauve vs. W.H. Abbott, et. al.
dated November 1, 1930 in U.S. District Court county of Jefferson & Clark
Eastern Division
b. License No. _____ issued by the Idaho Department of Water Resources.
c. Claim No. _____ on file with the Idaho Department of Water Resources.
d. Transfer No. 2530 which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Camas & Spring Creek tributary to Camas Creek / Mud Lake

4. Date or priority May 1, 1900

5. Water is used for the following purpose:

amount .5 cfs for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.50 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	31	12N	39E	Clark	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
12N	39E	31	24			14													38

Total acres 38

9. Describe any other water rights used for the same purpose as described above 31-0252 B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 31-0252B Decreed to Union Central Life Insurance
in case of Ernest Sauve vs. W.H. Abbott, et. al.
dated November 1, 1930 in U.S. District Court county of Jefferson & Clark
b. License No. _____ Eastern Division issued by the Idaho Department of Water Resources.
c. Claim No. _____ on file with the Idaho Department of Water Resources.
d. Transfer No. 2530 which produced this right.

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

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Spring Creek tributary to Camas Creek / Mud Lake

4. Date or priority 7/21/1906

5. Water is used for the following purpose:

amount .51 for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.51 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	31	12N	39E	Clark	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
12N	39E	31				26													26

Total acres 26

9. Describe any other water rights used for the same purpose as described above 31-0255 D

7.12N R37E

ROBERT JAHN
A-94

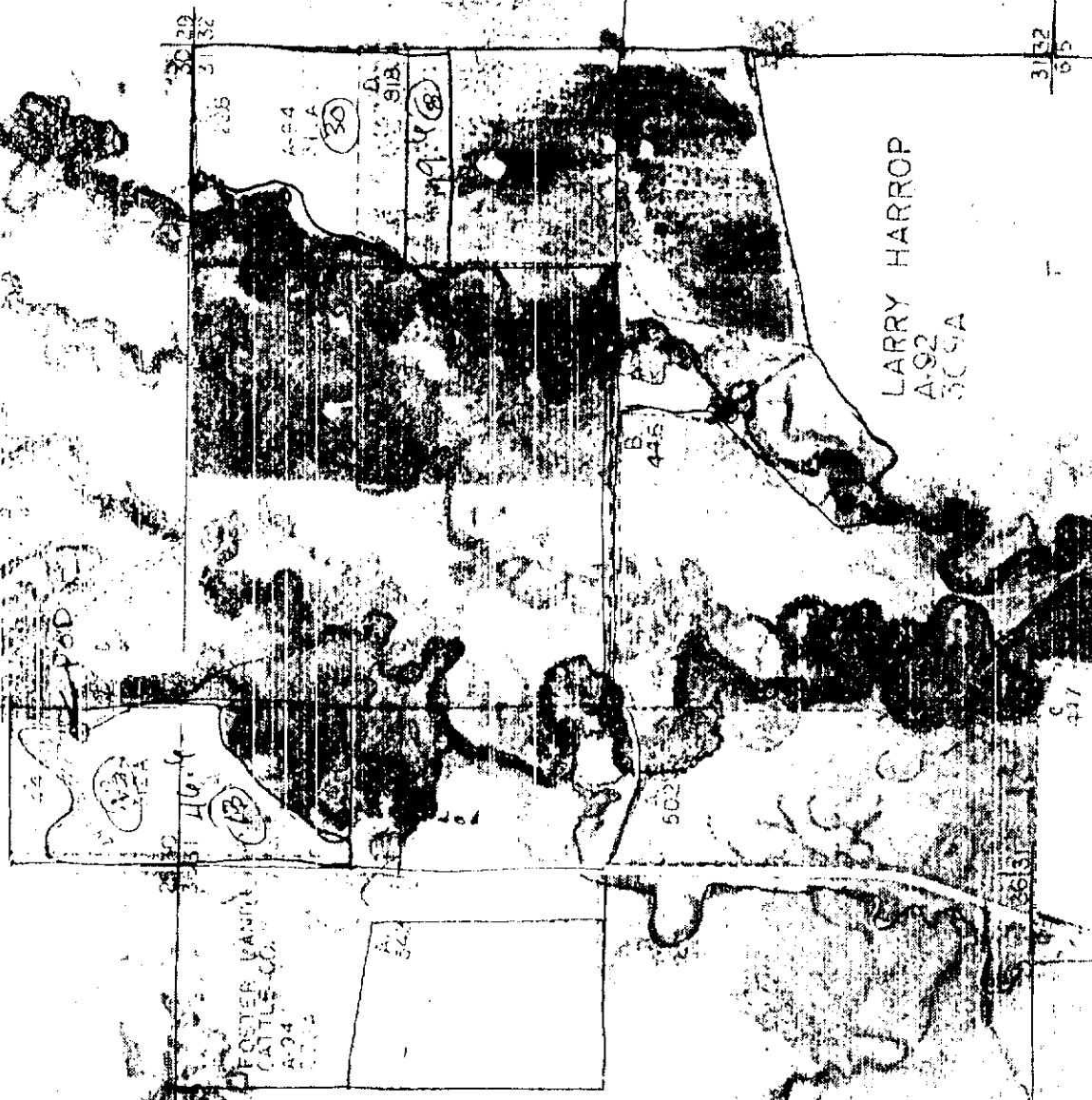
D. & R WALKER

FOSTER LAND & CATTLE CO.
A-94

LARRY HARROP
A-92
309A

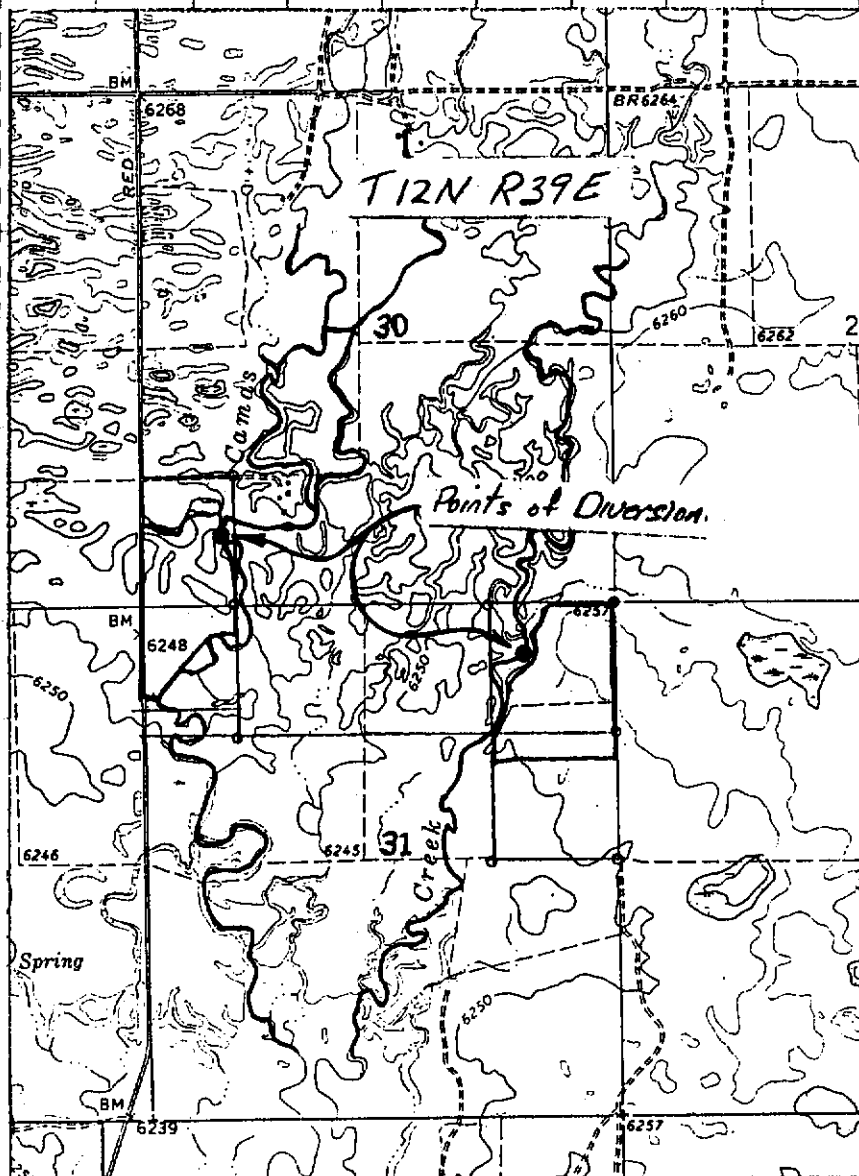
NOT TO SCALE

1987



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

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



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

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

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

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

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

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

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

Subscribed and sworn to before me this 29th day of February, 19 88.

James E. Menger
(Signature of Applicant)

William A. May
(Notary Public)

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by EMC Date 29 Feb 88 Protest filed by _____

Prelim. check by EG Fee \$50.00

Receipted by dag Date 2-29-88

Published in Post Register dag Copies of protest forwarded by _____

Pub. dates 3-17 + 3-24-88 Hearing held by _____ Date _____

Watermaster recommendation requested on 3-09-88 Recommended for ☒ approval ☐ denial

W.D. #31 rec'd. 3-16-88 by RDC Sim Day

Copy of transfer sent to lien holder _____

RECEIVED RECEIVED
Form No. 222 10/80

RIGHT # 135
74
4/13/87
\$ 8.92

JUL 29 1981

Transfer No. 2530
Water Right No. 31-0255/31-0252

JUN 4 1981
Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED
AMENDED

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Foster Land & Cattle Co., a partnership Phone 745-6170
Post Office address c/o Brad Foster, Route #2, Box 84, Rigby, ID 83442

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: 31-0255A
(Minus T. #1720)
a. Decree No. 31-0255 Decreed to Union Central Life Ins. Co., a corporation
(Name)
in case of Ernest Sauve vs W. H. Abbott et al.
U.S. District Court
dated in Nov. 1, 1930 in Eastern Division county of Jefferson & Clark
(Name of court)
b. License No. issued by the Idaho Department of Water Resources
c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant.
I purchased right from the estate of Cleo Harrop, deceased (Quit Claim Deed attached)

3. Source of water Camas & Spring Creeks tributary to Mud Lake

4. Date of priority May 1, 1900

5. Water is used for the following purposes:

amount 1.96 cfs for irrigation purposes from April 1 to Nov. 1
amount for purposes from to
amount for purposes from to (month/day -- both dates inclusive)

6. Total amount of water under right: a. 1.96 cubic feet per second
&/or
b. acre feet per annum

7. Location of original point of diversion is E 1/2 of SW 1/4 of Section 31
Township 12N Range 39E, B.M., in Clark County
Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	39E	6					L. 3 28			40	40			40					148

Total number of acres to be irrigated 148

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D. REMARKS

1. Amount of water: a. 0.50 cubic feet per second
&/or
b. _____ acre feet per annum

3. Place of use:

Total number of acres to be irrigated 38

1. General Information

b. Description of diverting works Small portable check dam and portable pumping unit (Berkley).

c. Describe the reasons for the proposed changes Water was actually divided between
Irvin & Cleo Harrop several years ago, but a transfer was never filed to
record the resulting change. Foster Land & Cattle purchased property from
Irvin Harrop and now wishes to make the change a matter of record.

Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31 Township 12N

Range 39E, B.M., Clark County

Additional points _____

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X . If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

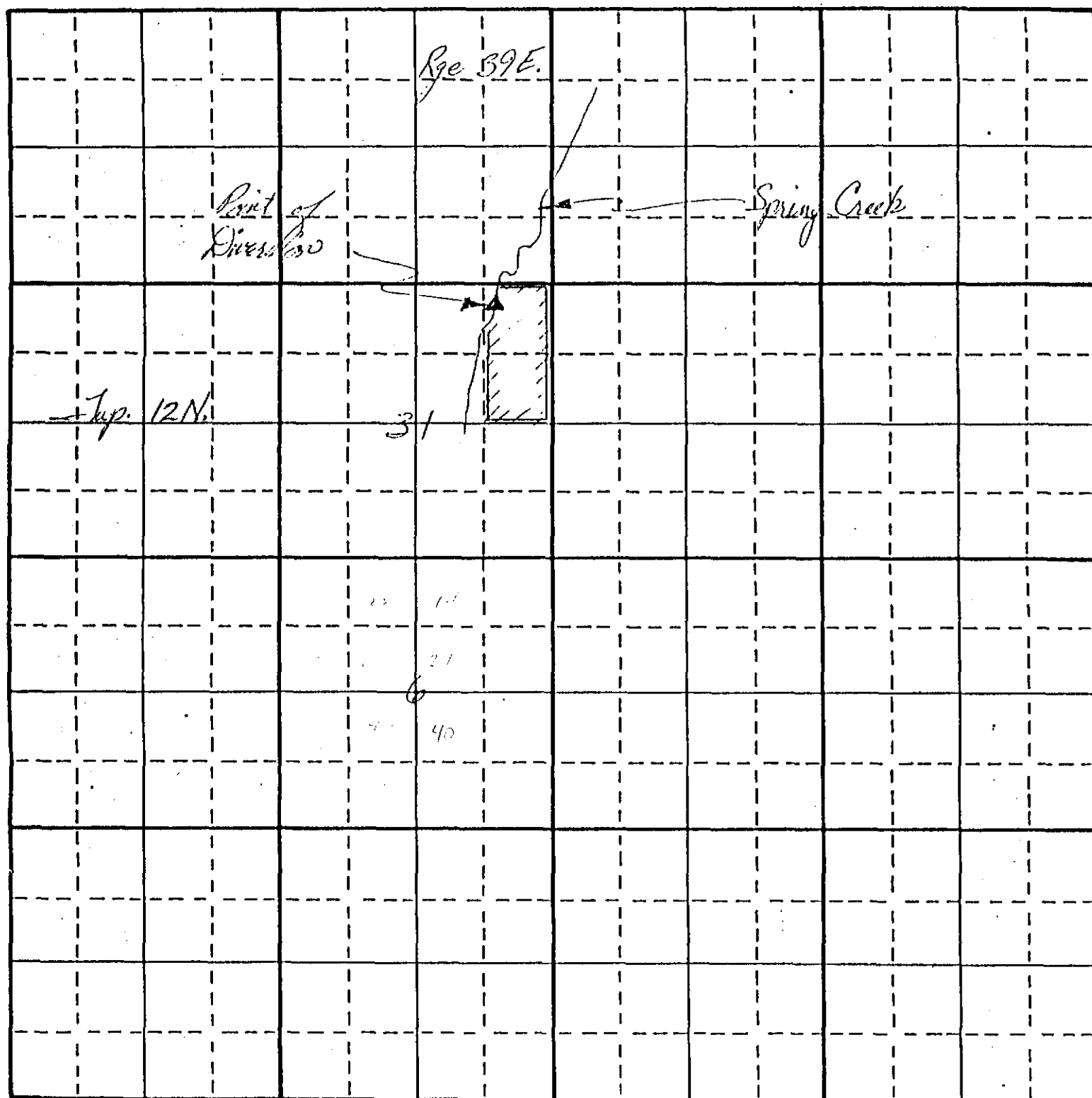
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Land will no longer be irrigated. 0255c

c. Describe the lands or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated 64

4. Describe any other water rights used for the same purpose as described above. none
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

REMARKS

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

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

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 3^d day of June, 19 81

[Signature]
(Notary Public)

My commission expires Not expiring

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

i This is to certify that I have examined Application for Transfer of Water Rights No. 31-0252/0255 and said application is hereby approved, subject to the following limitations and conditions:
stabilizing measuring device & lockable controlling works of a type acceptable to the
Department shall be permanently installed and maintained as part of the diverting
works.
Use of water under this right is subject to control by the watermaster of State
Water District # 31, Mud Lake.

Witness my hand this 23rd day of July, 19 81

[Signature]
L. GLEN SAXTON
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by EMC Date 6/4/81 Protest filed by _____
Prelim. check by KCW Fee 20. #17657
Receipted by EMC Date 5/15/81
Published in Rigby Star
Pub. dates 6/18 & 6/25/81
Watermaster recommendation requested on _____
_____ rec'd. 4-9-81
6-26-81
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by EMC [Signature]

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 31-2352 Between State of Texas and W. F. W.

In case of W. F. W. vs. State of Texas
dated in Nov. 1911

b. License No. _____

c. Claim No. _____

2. Applicant is not the owner of the right and no other evidence of ownership of the right was presented.

3. Source of water _____

4. Date of priority _____

5. Water is used for the following purposes:

amount 2.06 for irrigation purposes from Jan. 1 to Nov. 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

6. Total amount of water under right: a. 2.06 cubic feet per second

b. _____ acre feet per annum

7. Location of property _____

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (if the entire right is owned by the applicant, omit part E).

1. Amount of water: a. 0.51 cubic feet per second 02528
 or
 b. _____ acre feet per annum

Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 Township 12N

Range 39E S.M. Clark County

Additional points _____

3. Place of Use:

TWP.	RANGE	SEC	20%				10%				5%				25%				TOTALS
			25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	
11N	39E	6		13	13														26

Total Number of acres to be irrigated 60

7
Rand Robinson
ESS CROFT & SONS

A94
T54

JOHN
A58
T34

STATE

T12N
R38E

Rand
JESS
Robinson
CROFT

FOSTER
LAND
CATTLE

35 25
36 36

25 30
36 31

35 16
36 16

36 31
36 31

447
3