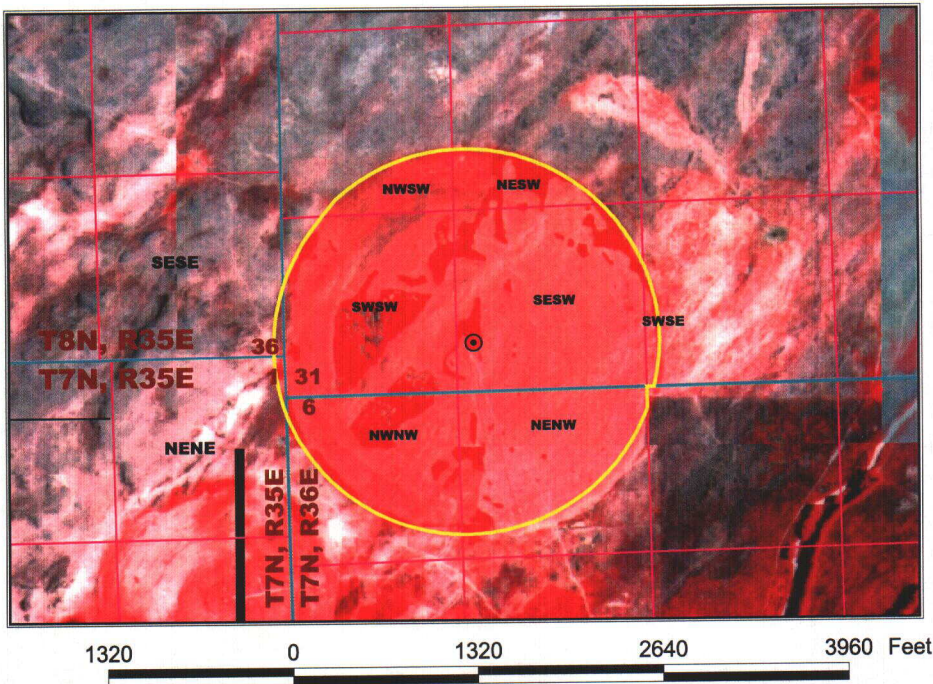




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-07180, 31-11667



Total Irrigated Acres: 136.5

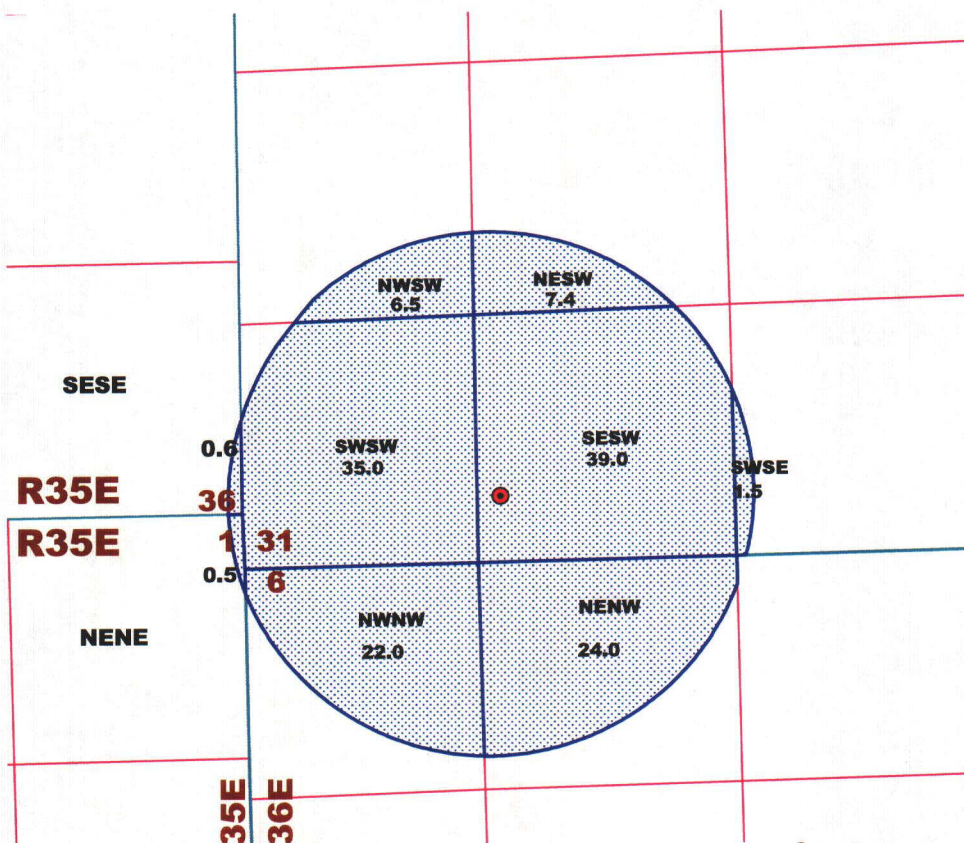


-  Point(s) of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines

GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Sid Brown

WR #(s): 31-07180 and 31-11667



Total Irrigated Acres: 137.5
Permissible Place of Use

● Point of Diversion

■ Place of Use

Acreage Distribution

Prepared By: Craig Saxton
 March 2001

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

03/12/2001

RIGHT NUMBER: 31-7180
NAME AND ADDRESS: SID E BROWN
2251 E 2350 N
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 2.23 CFS
448 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11667 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.23 CFS.

PRIORITY DATE: 01/14/1976

POINT OF DIVERSION: T08N R36E S31 SWSESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	2.23 CFS 448.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R35E S1	LOT 1	NENE	0.5	T07N R36E S6	LOT 3	NENW	24
T07N R36E S6	LOT 4	NWNW	22	T08N R35E S36	LOT 4	SESE	0.6
T08N R36E S31		NESW	7.4	T08N R36E S31	LOT 3	NWSW	6.5
T08N R36E S31	LOT 4	SWSW	35	T08N R36E S31		SESW	39
T08N R36E S31		SWSE	1.5				

136.5 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 128 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

RIGHT NO. 31-11667 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, 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 31-7180
Date Received: 10/28/88
Receipt No: E003596
Received By: CS

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SID E BROWN Phone: (208)662-5424

2251 E 2350 N
HAMER ID USA 83425

2. Date of Priority: 01/14/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
08N	36E	31	SW	SE	SW	JEFFERSON	

5. Description of diverting works:

WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.23	

7. Total Quantity Appropriated is:
2.23 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	6	NE	NW	3	IRRIGATION	24	
			NW	NW	4	IRRIGATION	22	
			Section Acres					46
08N	36E	31	NE	SW		IRRIGATION	7.4	
			NW	SW	3	IRRIGATION	6.5	
			SW	SW	4	IRRIGATION	35	
			SE	SW		IRRIGATION	39	
			SW	SE		IRRIGATION	1.5	
			Section Acres					89.4
80	35E	36	SE	SE	100	Total Acres	135.4	
16. 7N	35E	1	NE	NE	100		137.4	

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:

CHANGED OWNERSHIP PER REQUEST/JH/5-3-99. THIS RIGHT WITH RIGHT 31-11667 IS LIMITED TO IRRIGATION OF A COMBINE OF 135.4 ACRES AND A TOTAL COMBINED DIVERSION RATE OF 2.23 CFS. RIGHT 31-11667 IS AN ENLARGEMENT OF THIS RIGHT.

15. Basis of Claim: License

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): Ed E. Brown Date: 3/6/01

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 6th

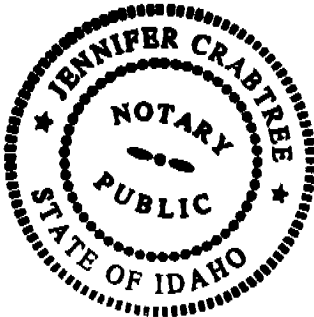
of March 2001

Jennifer Crabtree

Notary Public

Residing at Idaho Falls, Idaho

My commission Expires 9/23/03



AJ0749NP
No. A31-07180

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	SID E BROWN 2251 E 2350 N HAMER ID 83425 (208) 662-5424	01/14/1976	IRRIGATION	04-01 11-01	2.23 CFS
TOTAL DIVERSION:					2.23 CFS
CONSUMPTIVE USE:					

Water Source: GROUNDWATER

Tributary to:

Stage: LIO

Point(s) of Diversion:

T08N R36E S31

SESW

JEFFERSON C

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	Lt	Ac	Lt	Ac
07N	36E	6	:																				
08N	36E	31	:																				
								03-28 04-24															
												04 03-04 04-30				38							

TOTAL ACRES

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/5-3-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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: A31-07180
Date Received: 10/28/1988
Receipt No: E003546
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY SANDERS
Address: 112 EAST 20TH
IDAHO FALLS, ID 83404 208-524-7242

2. Date of Priority: JAN 14, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	36E	31	SE	SW			JEFFERSON

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.230		

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

8. Total consumptive use is 325.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	6	NE	NW	3	IRR	28.0
			NW	NW	4	IRR	24.0
Section Acres							52.0

A31-07180

Page 1

Date: 10/28/88

MICROFILMED

NOV 17 1992

A3107180



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	36E	31	NE	SW		IRR	4.0
			NW	SW	3	IRR	4.0
			SW	SW	4	IRR	30.0
			SE	SW		IRR	38.0
Section Acres							76.0
Total Acres							128.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Ray Sanders Date: 10-28-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of October 19 88

Betty J. Thompson
Notary Public

Seal

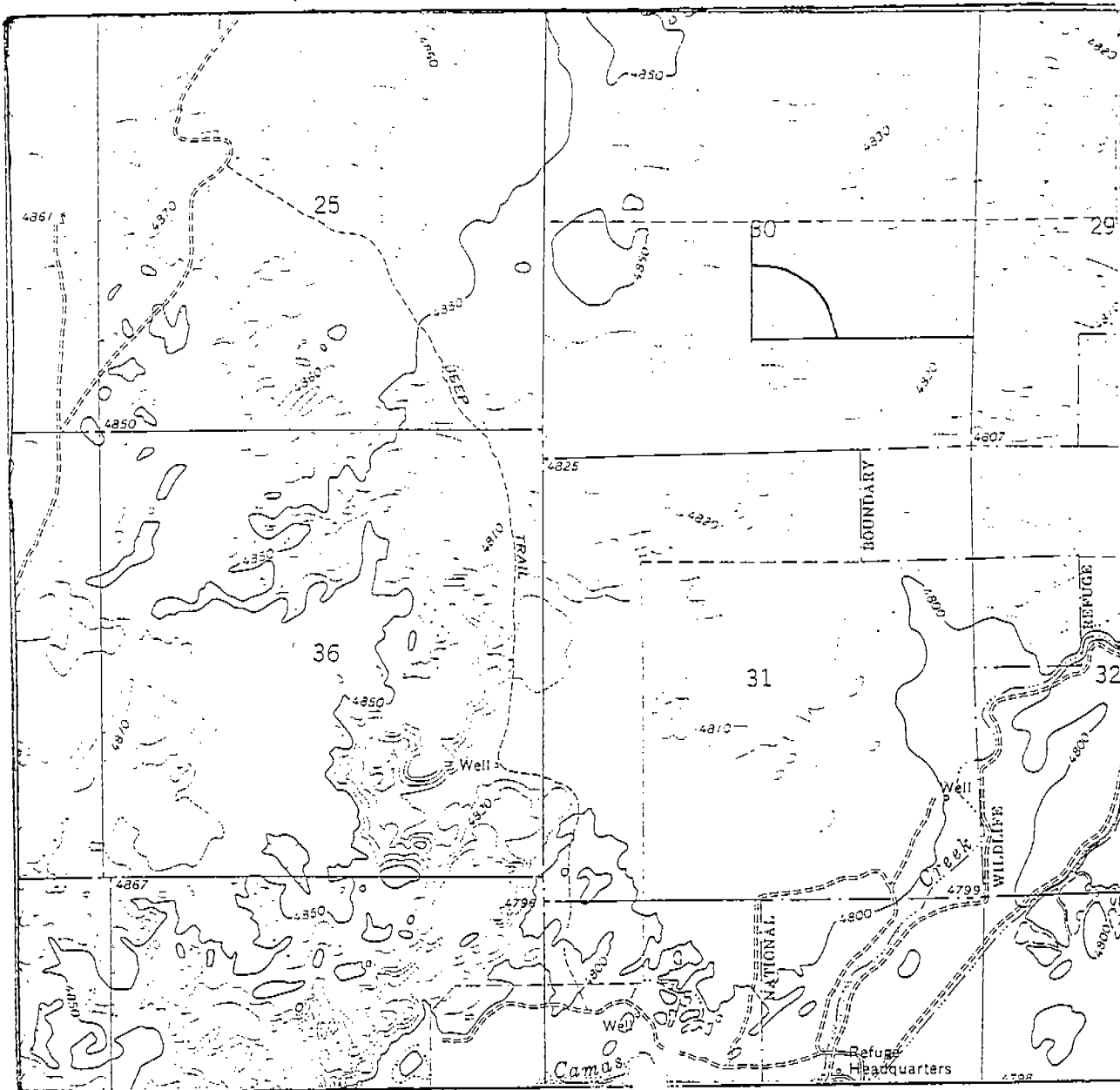
Residing at Elk Falls

My Commission Expires 6-94

$m_1 = 1.7 \times 10^{-28}$
 $m_2 = 9.1 \times 10^{-31}$
 $m_3 = 1.67 \times 10^{-27}$

MICROFILMED

NOV 17 1992



Map Name: Rays Lake Idaho

Map scale: 1:24000

Legal: T. 8 N., R. 36 E., BM
sec. 30, NW1SE1

EA Number: N.A.

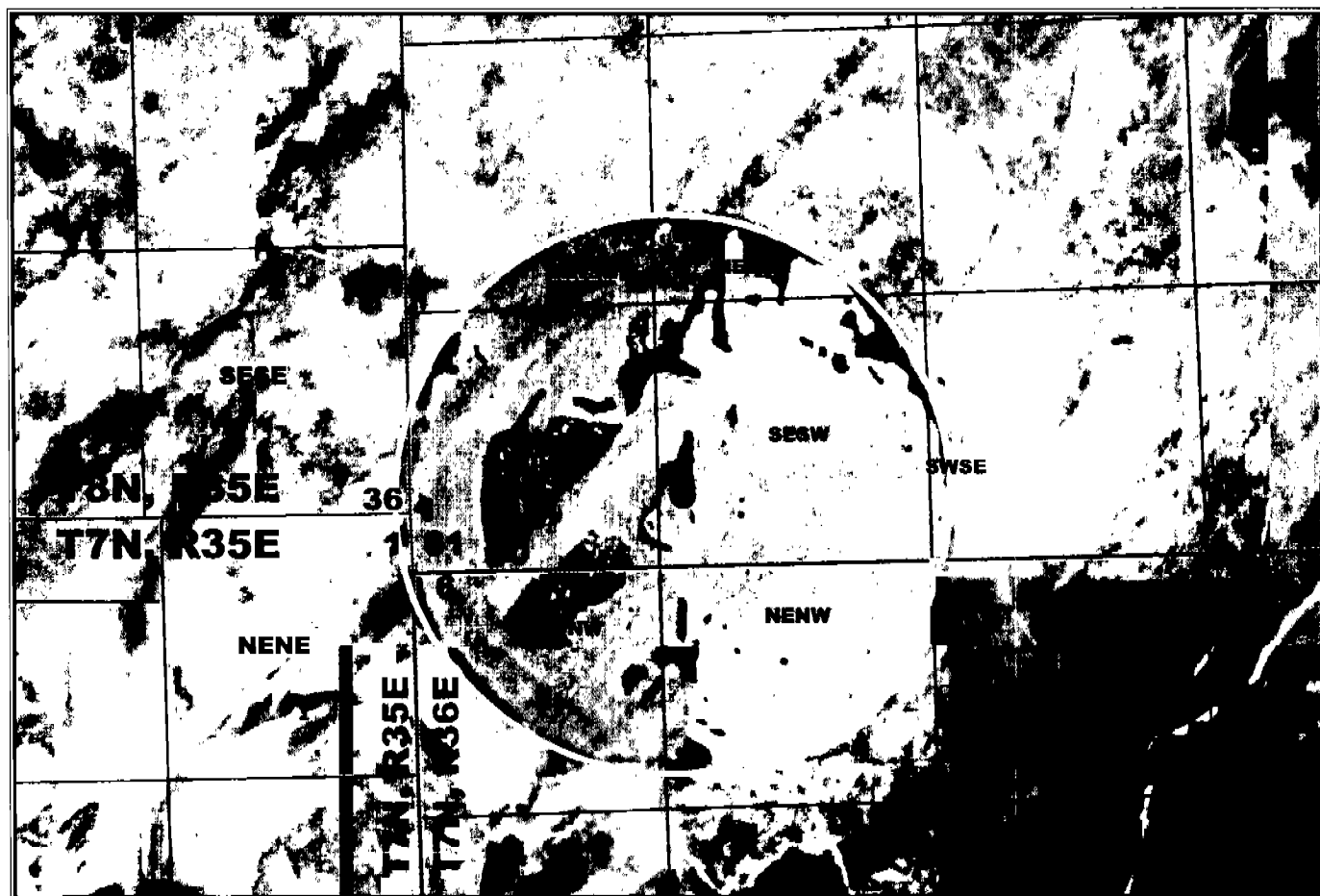
Project Name: Sanders' Land Use Permit



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-07180, 31-11667



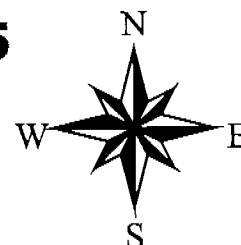
Total Irrigated Acres: 136.5

● Point(s) of Diversion

Place of Use

□ Quater Section Lines

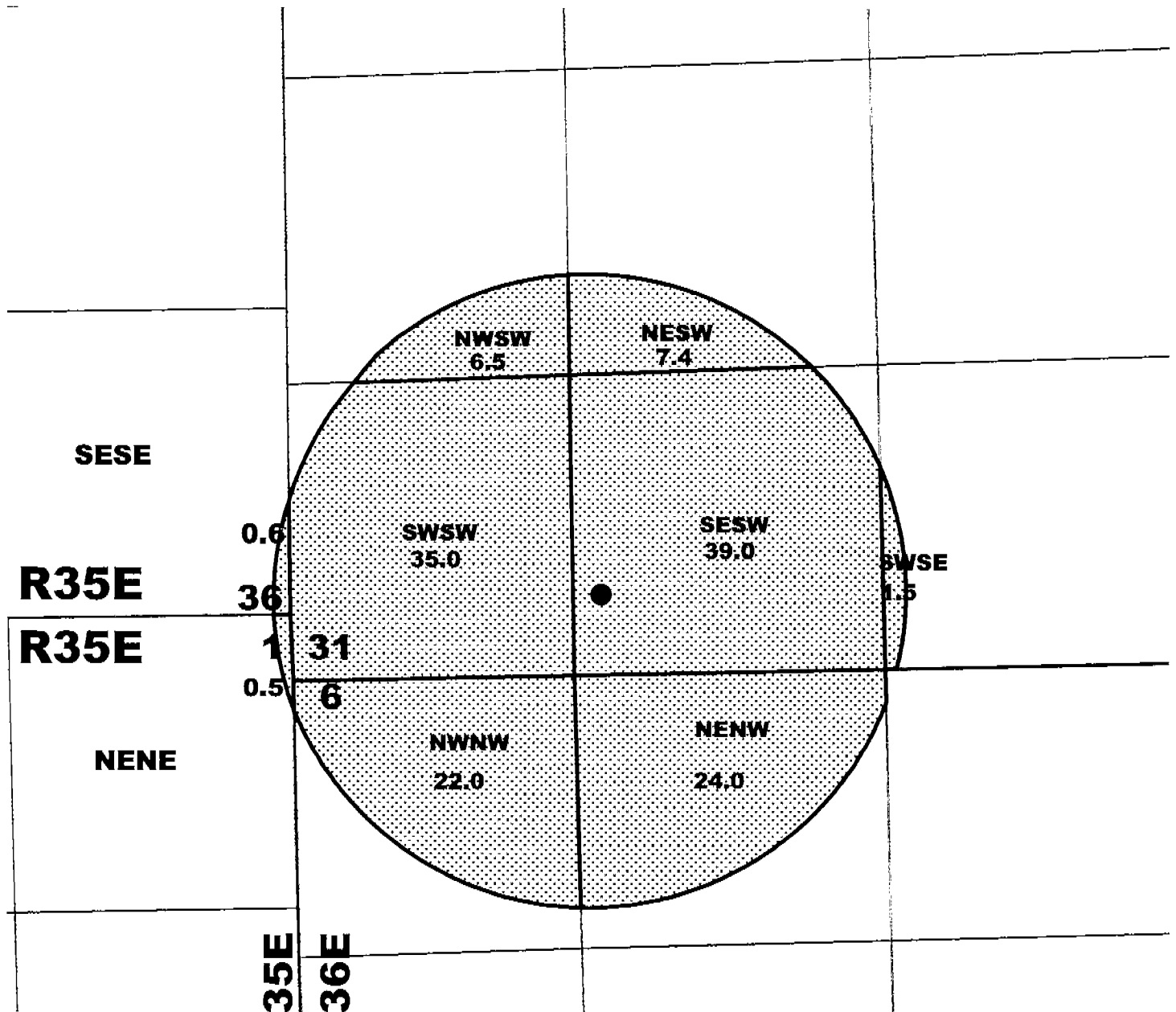
□ Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Sid Brown

WR #(s): 31-07180 and 31-11667



Total Irrigated Acres: 136.5

Permissible Place of Use



Point of Diversion



Place of Use

Acreage Distribution

Prepared By: Craig Saxton
March 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM N

LAST: SANDERS
ADDRESS: 112 EAST 20TH
CITY: IDAHO FALLS
PHONE NUMBER: 208-524-7242

FIRST: RAY

STATE: ID ZIP: 83404

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Reed Sanders

PHONE NUMBER: () 662

DATE OF FIELD EXAM: 28 Jun 94

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: ()

RELATIONSHIP TO CLAIMANT: son

DIRECTIONS TO PROPERTY / NOTES:

PAGE: 3
POINT OF DIVERSION REVIEW SHEET

CLAIM #

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME
A31-07180	08N	36E	31		SE	SW			JEFFERSON	

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

WR RECORDS IN SAME 40 ACRE TRACT

NONE

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
31-07180	08N	36E	31		SE	SW			JEFFERSON	

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

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

* 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(X)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

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

* 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?

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM 28 Jun 94 NAME OF EXAMINER Ende Carlsen)

OTHER (DESCRIBE IN NOTES BELOW)

PAGE: 4
POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM N

NOTES: ASCS AERIAL PHOTO (1987) OVERFLIGHT SHOWS PUMP & PIVOT AXIS IN SW

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
08N	36E	31	SW	SE	SW			JEFFERSON	
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: EW

DATE: 18 AUG 1994

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (X), OR SEE ATTACHMENT (___)

PAGE: 5
PLACE OF USE REVIEW SHEET

CLAIM

A. ROOT WATER RIGHT NUMBERS: A31-07180

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA
07N	36E	6	NE	NW	3	SANDERS, RAY	A31-07180 728.0	31-07180 728.0	10.0
07N	36E	6	NW	NW	4	SANDERS, RAY	A31-07180 724.0	31-07180 724.0	22.0
			NW	NW	4	SANDERS, RAY	A31-07269 / 5.0	31-07269 / 5.0	
08N	36E	31	NE	SW		SANDERS, RAY	A31-07180 74.0	31-07180 74.0	23.0
08N	36E	31	NW	SW	3	SANDERS, RAY	A31-07180 74.0	31-07180 74.0	27.0
08N	36E	31	SW	SW	4	SANDERS, RAY	A31-07180 730.0	31-07180 730.0	41.0
08N	36E	31	SE	SW		SANDERS, RAY	A31-07180 738.0	31-07180 738.0	35.0

ADDITIONAL POU FOUND

8N 36E 31 SW SE

See Enclosed GIS map
For Acreage distribution

TOTAL ACRES A31-07180 128.00 128.00 158.0

POU COUNTY: JEFFERSON

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

* IF YES, ARE THESE TRACTS LISTED ABOVE (X), 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
A31-07180	GROUNDWATER	SANDERS, RAY	2.230	0.017
A31-07269	GROUNDWATER	SANDERS, RAY	0.840	0.012

PAGE: 6
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM N

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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

N/A(

* 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(

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

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?

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, _____;
(✓) NAPP, IDWR NO. 1987 (CS 3-22-00); (X) ASCS PHOTO; () O

NOTES: _____
- LICENSING FIELD EXAM IDENTIFIES 1 ACRE OF IRRIGATION IN SW SE 531.
IT WAS NOT INCLUDED ON THE LICENSE. RECOMMEND PLACE OF USE BE MODIFIED
SHOW SWSE SEC 31 ENCL 18 AUG 94.

Note: The 1 acre of irrigation in SWSE 531 is not shown as RIM land
(CS 3-22-00)

: Acres Per Rtr/Rtr were adjusted according to Napp Aerial Photo
acres has not changed. (CS 4-6-00)

RECOMMENDATIONS:

TOTAL ACRES: 128 N/A()

REVIEWED BY: Emile Carlson

DATE: 18 AUG 94

PAGE: 8

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

CLAIM

A. CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV.
A31-07180	IRRIGATION	FROM 04-01 TO 11-01	2.230 CFS	
	TOTAL DIVERSION RATE/VOLUME		2.230 CFS	

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV.
31-07180	IRRIGATION	FROM 04-01 TO 11-01	2.230 CFS	
	TOTAL DIVERSION RATE/VOLUME		2.230 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

* 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()

* 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()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A()

* 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()

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

CLAIM

NOTES: Claimed period of use is currently IOWA standards and original license. Craig Saxton 3-22-00

- NWMO measured Diversion Rate @ 2.54 cfs (Aug 26, 1998)

AJ CLAIM TOTAL DIVERSION RATE: 2.230 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.230 CFS

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

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

* 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?

* 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?

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHMENT _____

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 128 x 0.02 CFS/ACRE = 2.56 CFS
(Taken from pou review)

1b. CA

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 325.0 AF/A

ACRES 128 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 3.5 =

TOTAL CONSUMPTIVE USE 320 448 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 128 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 448 AF/A

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

Good

PAGE: 11
DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM N

NOTES: Field Headgate requirement is 3.5 For the area in this
Consumptive use is no longer Applicable.

WR RECORD CONDITIONS/REMARKS:
LICENSE INCORRECTLY SHOWS ~~130~~ ACRES IRRIGATED.

128

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AE/A
IRRIGATION	04-01 11-01	DATABASE 2.230	DATABASE EXAMINER
~~IRR~~	~~04-15 10-15~~	~~2.23~~	~~448~~
		CS 3-22-00	
TOTAL FOR THIS RIGHT		2.230	448

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: Ernie Carlson

DATE: 18 Aug 94

FLAG:

STANDARD CONDITIONS (CODE): -

C18, CFS (CS 3-22-00)

STANDARD REMARKS (CODE): -

EXPLANATORY CONDITIONS (CODE): -

EXPLANATORY REMARKS (CODE): -

PAGE: 13
BASIS OF CLAIM REVIEW SHEET

CLAIM M

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07180

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.230

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

-

A31-07180

2.230

-

31-07180

TOTAL CFS

2.230

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
Y

EXA
Y()

NOTES:

NO SPLIT

AUTHENTICATION:

SIGNATURE: Ernest Carlson

DATE: 19 AUG 94

NAME OF FIELD EXAMINER: Ernie Carlson

TITLE: W.R. SUPERVISOR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 14
QUICKLOOK INFORMATION

CLAIM N

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	^{2" RECORD} COMPLETED DATA ENTRY WHOM/DATE
PRIORITY DATE					ENC 18 JUN 94	ENC 19 AUG 94
POINT OF DIV			ENC 28 JUN 94	N		
SOURCE						
PLACE OF USE	Y		ENC 28 JUN 94	Y		
DIV. AMOUNT CFS/VOLUME						
CONSUMPTIVE USE	-					
PURPOSES OF USE						
PERIOD OF USE						
BASIS OF CLAIM						
REMARKS						

CS
4-6-00

BARCODE UPDATED
WHOM/DATE

19 AUG 94 C/

PAGE: 15
LIST OF MAPS USED AND ATTACHMENTS

CLAIM N

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
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____
(X) ASCS AERIAL PHOTO	DATE OF PHOTO <u>1987</u> _____
() ASCS COLOR SLIDE	DATE OF PHOTO _____
() BLM OR USES AERIAL PHOTO	DATE OF PHOTO _____
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____
() SCS SOIL SURVEY MAP	DATE ISSUED _____
() SUBDIVISION PLAT MAP	DATE OF MAP _____
() OTHER _____	DATE _____
() OTHER _____	DATE _____
() OTHER _____	DATE _____

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES
(X) LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>30-JUL-1981</u>	<u>2</u>
(X) WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>24 MAY 1982</u>	<u>1</u>
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____
() OTHER _____	DATE _____	_____
() OTHER _____	DATE _____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 16
PROFILE REPORT

CLAIM N

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	POU R
C	RAY SANDERS 112 EAST 20TH IDAHO FALLS ID 83404 (208) 524-7242	01/14/1976	IRRIGATION	04- ~~01~~ 11-01 <i>4-15 10-15</i>	
				TOTAL DIVERSION: CONSUMPTIVE USE: <i>DIVERSION VOL,</i>	

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion:

T08N R36E S31

Sw SESW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW							
				NE	NW	SE	SW									NE	NW	SE	SW
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N	36E	6	:																
08N	36E	31	:																
				03-28				04-24											
				24				20											
												04-03-04				04-30			
												5				6 34			

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date: 02/11/1985

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

C18
C15

MEMORANDUM

DATE: March 12, 2001

FROM: Craig Saxton

SUBJECT: 31-07180 and 31-11667

Sid Brown came into the office on 3/6/01 and wanted to file an enlargement claim associated with 31-07180 in order to pick up the acres covered by rocks that the field examiner originally left out.

The computer system wasn't working that day, so changes had to be made by hand on a previously prepared enlargement claim. Due to the computer problem and my haste, three changes were overlooked.

- 1) POU additions affected the remarks on the claim making the remark statements incorrect. These changes are minor and I felt I could recommend the claim without another amendment.
- 2) The enlargement 31-11667 claimed the full diversion rate of the associated license 31-07180. Since the diversion rate needed to be reduced for the recommendation, I didn't see a need for a second amendment.
- 3) Priority date claimed on the enlargement was the same as the License. Since the pivot hasn't changed, and the enlargement acres were just left out based on that they were rocks at the time, I will recommend the priority date one day junior to the license. Since the claimed priority date is senior to what I will recommend, an amended claim was not needed.

01/24/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-7180

SID E BROWN

2251 E 2350 N

HAMER ID 83425

Telephone Number: (208)662-5424

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Need to file Enlargement Claim for additional acres.

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____

SIGNATURE: _____

Sid Brown

Please print your name: _____

Sid Brown

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161



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

May 3, 1999

SID E BROWN
2251 E 2350 N
HAMER ID 83425

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A31-07179,
A31-07180, A31-07181, A31-07269, A31-07357, 31-10375

Dear Mr. Brown:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 26 1999

Department of Water Resources
Eastern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 No(s).: (blank) AR AR AR
Adjudication Claim No(s).: A31-10375, A31-07180, A31-07269, A31-07181, A31-07179 AR
2. The following REQUIRED information must be submitted with this form: A31-07357 AR
 - 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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Ray Sanders
112 E. 20th Idaho Falls ID
4. New Owner/Claimant(s) Bill E. Brown
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2251 E 2350 N
City, State and ZIP Code Hamer Idaho 83425
New Telephone Number (208) 662-5424
5. Date you acquired the property 2/11/99
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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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 or Claimant(s) Bill E. Brown Date 4/23/99
Date _____
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

CONTRACT OF SALE

THIS AGREEMENT, Made and entered this 11th day of February, 1999, by and between THE DAVID RAY SANDERS FAMILY TRUST, c/o Geneva Sanders, Trustee, of Hamer, Idaho, hereinafter called "Seller," and SID E. BROWN and JAN A. BROWN, husband and wife, of 2251 E. 2350 N., Hamer, Idaho, 83425; BLAKE N. KIRKPATRICK and LISA M. KIRKPATRICK, husband and wife, of P. O. Box 1, Hamer, Idaho, 82345; SPENCER E. BROWN and KAMI L. BROWN, husband and wife, of 2259 E. 2350 N., Hamer, Idaho, 83425, hereinafter called "Buyers,"

WITNESSETH:

1. Property.

Seller agrees to sell to Buyers, and Buyers agree to buy from Seller, on the terms and conditions herein specified, the following described real property situated in Jefferson County, State of Idaho, to-wit:

PARCEL NO. 1:

The NW1/4 of the SW1/4 in Section 4, Twp. 7 N., Rge. 36 E.B.M. 31-07357

PARCEL NO. 2:

Lots 1 and 5 in Section 1 of Twp. 7 N., Rge. 35 E.B.M. 31-07269

PARCEL NO. 3:

Lots 1, 2, 3, and 4 ^{AND E2SW} E1/2 of the W1/2; W1/2 of the E1/2, all Sec. 31, Twp. 8 N., Rge. 36 E.B.M. 31-07179
31-07181

PARCEL NO. 4:

Lots 3, 4, and 5 ³¹⁻⁰⁷¹⁸⁰ and the SE1/4 of the NW1/4, all in Sec. 6, Twp. 7 N., Rge. 36 E.B.M. 31-07269
31-04065

LESS THE FOLLOWING: Beginning at the SE corner of the NW quarter of Twp. 7 N., Rge. 36 E.B.M., Sec. 6, and running thence N. 275 feet; thence West 1043 feet; thence in

a Southeasterly direction, more or less, 334.82 feet to a point 852 feet West of the point of beginning; thence East 852 feet to the point of beginning.

PARCEL NO. 5:

33-07181
33-07179

Lots 3 and 4; the E1/2 of the SW1/4; and the S1/2 of the SE1/4; all in Sec. 30, Twp. 8 N., Rge. 36 E.B.M.

NWSE IS BLM w/AGREEMENT TO FARM (GAARD)
ATTACHED

LESS THE FOLLOWING FROM THE ABOVE DESCRIBED PARCELS:

LESSED-OUT PARCEL NO. A:

T7N R 35 E and R.36 E, BOISE MERIDIAN

BEGINNING at the 1/4 Section Corner of Sections 1 and 6, a found 3" concrete post with a U.S. Biological Survey brass cap marked T7N R35E R36E 1/4 S1 S6 1936" from which point the Northwest corner of Township 7 North, Range 36 East, a found stone 10 x 6 inches, projecting 4 inches above the ground, with visible marks "7N" visible on South face, "3" visible on East face and six notches visible on the Southeast corner, bears North 0°14'07" East, 2318.95 feet, and from which point U.S. Coast and Geodetic Survey Triangulation Station "REFUGE, 1959", a found 3 1/2" brass tablet bears South 48°45'48" East, 6899.44 feet;

thence in Township 7 North, Range 35 East, along the now and former land of UNITED STATES OF AMERICA and the East and West centerline of Section 1, North 89°44' 59" West, 172.45 feet, to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap marked "153, TR 83, 1998", from which point the Center-West 1/16 Section Corner of Section 1, Township 7 North, Range 35 East, a found 3" concrete post with a U.S. Biological Survey brass cap marked C-C W1/16, S1, 1936", at the Corner of a fence which runs South and East, bears North 89°44'59" West, 3695.40) feet;

thence, through the land of Sanders,

North 22°56'40", East, 196.33 feet, to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap marked "109, TR 83, 1998";

thence,

North 50°57' 56" East, 631.50 feet, passing the line between Township 7 North, Ranges 35 and 36 East at 124.85 feet;

North 50°57'56" East, 506.65 feet,
to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap marked
"110, TR 83, 1998";

thence, continuing through Township 7 North, Range 36 East,
South 89°59' 50" East, 758.64 feet,
to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap marked
"112, TR 83, 1998";

thence, along an existing fence line,
South 81°18'14" East, 331.43 feet.
to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap marked
"117, TR 83, 1998";

thence, along an existing fence line
South 19°11'30" East 256.71 feet
to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap
marked "151, TR 83, 1998", common with the Northwest corner of F.B. Downs,
as described in the Warranty Deed from The David Ray Sanders Family Trust
c/o David Ray Sanders and Geneva Sanders, Trustees, to J. William and Sylvia
Kay Edington, dated July 16, 1984, being recorded in the Official Records of
Jefferson County, Idaho, as instrument number 225328;

thence, along the westerly boundary of F.B. Downs, and an existing fence line,

South 34°41'17" East, 332.70 feet,
to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap
marked "152, TR 83, 1998", common with the Southwest corner of F.B. Downs,
on the East and West centerline of Section 6, from which point the center 1/4
section corner of Section 6, a found 3" concrete post with a U.S. Biological
Survey brass cap marked "T7S, R36E, C1/4, S6, 1936", bears N. 89°34'20" E.,
852.00 feet;

thence, along the land now and formerly of UNITED STATES OF AMERICA
and the East and West centerline of Section 6

South 89°34' 20" West, 1754.66 feet,

to the point of BEGINNING, containing 19.88 acres, more or less, and,

LESSED-OUT PARCEL NO. B:

BEGINNING at the 1/4 Section Corner of sections 1 and 6, a found 3" concrete

post with a U.S. Biological Survey brass cap marked T7N R35E R36E 1/4 S1 S6 1936" from which point the Northwest corner of Township 7 North, Range 36 East, a found stone 10 x 6 inches, projecting 4 inches above the ground, with visible marks "7N" visible on South face, "3 " visible on East face and six notches visible on the Southeast corner, bears North 0°14'07" East, 2318.95 feet, and from which point U.S. Coast and Geodetic Survey Triangulation Station "REFUGE, 1959", a found 3 1/2" brass tablet bears South 48°45'48" East, 6899.44 feet;

thence in Township 7 North, Range 35 East, along the now and former land of UNITED STATES OF AMERICA and the East and West centerline of Section 1, North 89°44' 59" West, 172.45 feet, to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap marked "153, TR 83, 1998", from which point the Center-West 1/16 Section Corner of Section 1, Township 7 North, Range 35 East, a found 3" concrete post with a U.S. Biological Survey brass cap marked C-C W1/16, S1, 1936 ", at the Corner of a fence which runs South and East, bears North 89°44'59" West, 3695.40) feet;

thence, through the land of Sanders,

North 22°56'40", East, 196.33 feet, to a set 5/8" rebar with a 3 1/4" U.S. Fish and Wildlife Service aluminum cap marked "109, TR 83, 1998";

thence,

North 50°57' 56" East, 631.50 feet, passing the line between Township 7 North, Ranges 35 and 36 East at 124.85 feet to the true point of beginning, thence,

South 89°59'50" East, 758.64 feet, thence,
South 81°18'14" East 331.43 feet, thence,
South 19°11'30" East 256.71 feet, thence,
North 89°24'20" East, 1043 feet, thence,
North 00°20'38" East, 994.20 feet, thence,
South 89°34'20" West, 2220.00 feet, thence,
South 00°20'38"W, 700 feet,

to the true point of BEGINNING.

TOGETHER WITH all water rights, and irrigation equipment, including but not limited to, all wells, motors, pumps, panels, pivots, main lines, pipes, and sprinkler heads.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

AND TOGETHER WITH an access easement, 30 feet in width, across the entire southerly side of the property described as "Lessed-out Property No. B".

SUBJECT TO easements, if any, of record or in existence for roads streets, ditches, canals, pipelines and utilities.

2. Price.

Buyer shall pay Seller for said property a purchase price of \$400,000.00, payable as follows:

The sum of \$50,000.00 cash paid down on execution hereof, receipt of which is hereby acknowledged.

The balance of \$350,000.00 principal, plus accruing interest on the unpaid balance at the rate of seven and one-half per cent (7.5%) per annum from date hereof, until paid, shall be payable directly to Seller, in the following manner: The sum of \$13,400.53 principle plus \$23,301.37 interest on January 1, 2000 and fourteen (14) equal annual amortized installments of principle and interest, each in the sum of \$39,650.53, with the first of said fourteen installments of \$39,650.53 due and owing on January 1, 2001, and like sum payable on the first day of January of each year thereafter until January 1, 2014, when all principle and interest shall have been paid in full.

All payments shall be applied first to accrued interest and the balance to principle. Buyers shall not have the privilege of making additional payments of any size at any time, without the express written consent of the Seller.

3. Possession.

Buyers are granted immediate possession of the premises.

4. Maintenance.

Buyers agree that they will, at their own expense, maintain said premises in good condition, order and repair during the life of this contract, reasonable wear and tear excepted. In particular, Buyers shall maintain the irrigation equipment according to the manufacturer's specifications on said equipment, and not operating the same at either high or low voltage.

5. Taxes.

Seller shall pay all of the 1998 taxes, assessments, and all prior taxes and assessments levied and assessed against the premises, and Buyers shall pay all of the 1999 and all subsequent taxes and assessments levied and assessed against the premises when the same are due and payable and before the same shall become delinquent.

6. Deed, Escrow and Title Insurance.

Seller shall execute a good and sufficient Warranty Deed to Buyers to the premises, free from all encumbrances except any placed thereon by Buyers, and the deed shall be delivered to Buyers when the purchase price has been fully paid to Seller.

Seller shall immediately order and deliver to Buyers a policy of title insurance insuring such title subject to payment of this contract and the standard printed exceptions. Said deed shall convey to the Buyers Sid E. Brown and Jan E. Brown, and undivided 36% interest; to Buyers Blake N. Kirkpatrick & Lisa M. Kirkpatrick an undivided 32% interest; and to the Buyers Spencer E. Brown and Kami L. Brown, an undivided 32% interest in and to the premises.

7. Default Remedies.

Time and punctuality of payment are the essence and material part of this contract; and in

the event Buyers shall default in the performance of the terms of this agreement, Seller may cause notice in writing to be given to Buyers, specifying the matters in which such default occurred. The notice shall be served upon Buyers by depositing the same in any United States Post Office, addressed to Buyers at their addresses shown above, certified mail, postage prepaid, and such notice shall be deemed served upon its deposit in the post office as aforesaid. If Buyers shall fail to cure such default within thirty (30) days after the service of such notice as aforesaid, then Seller may elect to:

A. Declare the entire unpaid balance on the contract including principal, interest, taxes, assessments, attorneys' fees, and any other sums owing Seller to be immediately due and owing, and

B. Elect to either:

(1) Bring suit to establish the balance owing hereunder as a debt due by Buyers to Seller, and to foreclose this contract as a real estate mortgage securing said debt, in accordance with the laws of the State of Idaho relating to the foreclosure of real estate mortgages, including the right to a deficiency judgment; no notice to Buyers of election to pursue this remedy is required prior to suit, or,

(2) Declare this contract to be terminated due to said default. In that event this contract shall be immediately terminated, and Buyers shall forfeit all rights to said premises, and all payments made hereon shall be retained by Seller as liquidated damages for the breach of this contract. In that event Buyers agree to immediately surrender possession of the premises, and any improvements made thereon shall attach to and become a part of the real property, and shall be retained as liquidated damages. If notice of election of this remedy is not given in the notice of default, then an additional certified mail notice of the election to terminate the contract shall be given, and Buyers agree to immediately vacate the premises upon receipt of the notice, and

C. To pursue any other remedy in law or equity to enforce the performance of this contract, or to recover damages for the breach thereof.

8. Attorneys' Fees.

In the event either party hereto shall be required to employ an attorney for the enforcement of this contract, with or without suit, the defaulting party agrees to pay the

prevailing party's reasonable attorneys' fees. In the event of default by Buyers, Buyers agree to pay attorneys' fees of Seller in issuing notice of default, or otherwise enforcing the contract without suit.

9. Binding Effect.

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

10. Costs of Transaction.

The parties shall share equally the attorneys' fees for the preparation of the contract and other documents, and all escrow fees.

11. Transfer Restricted.

It is expressly agreed that no sale of the premises or any assignment of this contract shall be valid or binding unless same is in writing and has been approved in writing by Seller, and Buyers agree that they shall not mortgage said premises nor allow any liens upon same without the written permission of Seller. Provided, however, consent to assignment of this contract or sale of the premises to responsible parties shall not be unreasonably withheld.

12. Inspection; Disclaimer of Warranty.

Buyers covenant that they have thoroughly and carefully inspected the premises, and all parts and portions of the property included in this sale, and accept the same on an "as is" basis so far as the condition thereof is concerned. ANY WARRANTY AS TO CONDITION OF ANY PROPERTY IS EXPRESSLY DISCLAIMED.

SELLER MAKES NO WARRANTIES OF ANY KIND AS TO ANY ADVERSE ENVIRONMENTAL CONDITION OR HAZARD REGARDING THE PREMISES.

13. Insurance.

Buyers shall keep all insurable improvements on the property, including the insurable portions of the irrigation equipment, insured against loss by fire and other casualty, with extended coverage, with a reputable insurer, in the full reasonable insurable amount, and with a loss payable clause in favor of Seller.

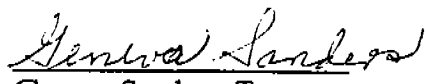
A certificate of insurance shall be furnished to Seller and a further certificate furnished on each renewal of the policy.

14. Right of First Refusal.

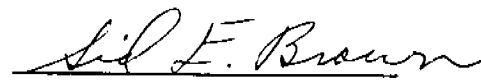
Seller for and in behalf of itself and its assigns, hereby grants to the Buyers the first right to purchase the property described above as "Lessed-out Parcel No. B", if the same is offered for sale by Seller herein or by D. Reed Sanders and Ellen Sanders, his wife (to whom Seller intends to, simultaneously herewith, convey said parcel, subject to the provisions of this paragraph), at the same best price, and upon the same best terms as Seller or the said Sanders can legitimately obtain from any other purchaser. Notice shall be served upon Buyers of any such intention to sell, giving the full particulars of the offer of price and terms of a bonafide purchaser, and Buyers herein shall have 30 days time to match said offer.

IN WITNESS WHEREOF, The parties have executed this contract.

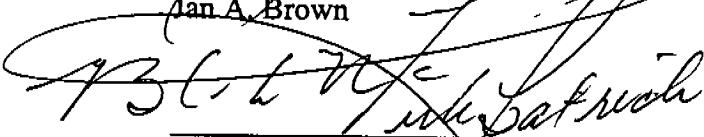
Seller


Geneva Sanders, Trustee
of the David Ray Sanders Trust

Buyers

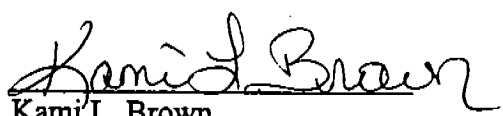

Sid E. Brown


Ian A. Brown


Blake N. Kirkpatrick


Lisa M. Kirkpatrick

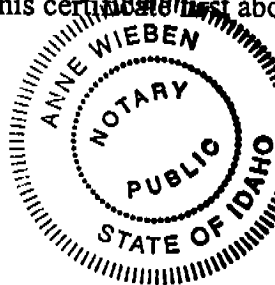

Spencer E. Brown


Kami L. Brown

STATE OF IDAHO,)
ss.
County of Madison.)

On this 11th day of February, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Geneva Sanders, known to me to be the person whose name is subscribed to the within instrument as Trustee of the David Ray Sanders Family Trust, and acknowledged to me that she executed the same as such Trustee of said Trust.

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

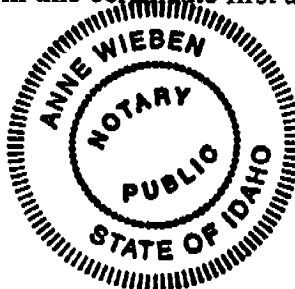


Anne Wieben
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 7/27/01

STATE OF IDAHO,)
ss.
County of Madison.)

On this ____ day of February, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Sid E. Brown and Jan A. Brown, husband and wife, 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.

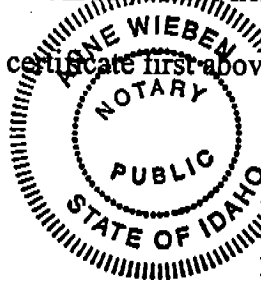


Anne Wieben
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 7/27/01

STATE OF IDAHO,)
)
 ss.
County of Madison.)

On this 11th day of February, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Blake N. Kirkpatrick & Lisa M. Kirkpatrick, husband and wife, 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.

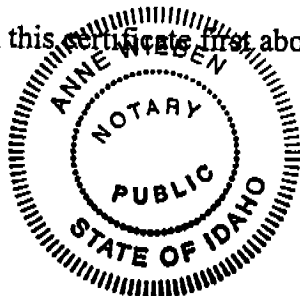


Anne Wieben
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 7/27/01

STATE OF IDAHO,)
)
 ss.
County of Madison.)

On this 11th day of February, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Spencer E. Brown and Kami L. Brown, husband and wife, 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.



Anne Wieben
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 7/27/01

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

LAND USE APPLICATION AND PERMIT
Sec. 302(b) of P.L. 94-579, October 21, 1976, 43 U.S.C. 1732

FORM APPROVED
OMB NO. 1004-0009
Expires: August 31, 1995

FOR BLM USE ONLY

Application Number

IDI-25450

APPLICATION

1. Name (first, middle initial, and last) Reed Sanders	Address (include zip code) P.O. Box 305 Hamer, ID 83425	Phone (include area code) 208-622-5439
---	---	---

2. Attach map or sketch showing public lands for which you are applying

3. Proposed date(s) of use: from January 1, 1997 to December 31, 1999

4. Give legal basis for holding interest in lands in the state of Idaho
(Check appropriate box and explain.)

☒ Resident	☐ Partnership
☐ Corporation	☐ County
☐ Local Government	☐ State Government
☐ Other	

5. Are the lands now improved, occupied, or used? ☒ Yes ☐ No (If "yes," describe improvements and purposes, identify users and occupants.)

Public lands are crossed by a pivot irrigation circle.

6. Do you need access to the land? ☐ Yes ☒ No (Describe needed or existing access)

7a. What do you propose to use the lands for?

Need to use the lands for a pivot irrigation circle crossing until a land exchange proposal can be considered.

b. What improvements and/or land development do you propose? (To complete application processing, engineering and construction drawings may be required.)

No additional improvements.

c. What is the estimated capital cost?
\$ _____

d. What is the source of water for the proposed use?
Private (underground) water source

I CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

Reed Sanders
(Signature of Applicant)

3-18-97
(Date)

PERMIT

Permission is hereby granted to Reed Sanders

of P.O. Box 305, Hamer, ID 83425

to use the following-described lands:

Permit Number

IDI-25450

TOWNSHIP	RANGE	SECTION	SUBDIVISION
----------	-------	---------	-------------

8 N.

36 E.

30

NW 1/4 SE 1/4

Meridian	State	County	Acres (number)
----------	-------	--------	----------------

Boise

Idaho

Jefferson

@25

for the purpose of

crossing public lands with a pivot irrigation circle.

and subject to the following conditions:

1. This permit is issued for the period specified below. It is revocable at the discretion of the authorized officer of the Bureau of Land Management, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.
2. This permit is subject to all applicable provisions of the regulations (43 CFR 2920) which are made a part hereof.
3. This permit may not be assigned without prior approval of the authorized officer of the Bureau of Land Management.
4. Permittee shall not enclose roads or trails commonly in public use.
5. Authorized representatives of the Department of the Interior, other Federal agencies, and State and local law officials shall at all times have the right to enter the premises on official business.
6. Permittee shall pay the United States for any damage to its property resulting from the use.
7. Permittee shall notify the authorized officer of address change immediately.
8. Permittee shall observe all Federal, State, and local laws and regulations applicable to the premises and to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and game animals, and shall keep the premises in a neat, orderly, and sanitary condition.
9. Permittee shall pay the authorized officer, in advance, the lump sum of \$ 150.00 for the period of use authorized
Renewal Fee \$25.00. Total \$175.00

16. Special conditions (attach additional sheets, if necessary)

by this permit or \$ _____ dollars, annually, as rental or such other sum as may be required if a rental adjustment is made.

10. Use or occupancy of land under this permit shall commence within _____ months from date hereof and shall be exercised at least _____ days each year.

11. Permittee shall take all reasonable precautions to prevent and suppress forest, brush, and grass fires and prevent pollution of waters on or in the vicinity of the lands.

12. Permittee shall not cut any timber on the lands or remove other resources from the land without prior written permission from the authorized officer. Such permission may be conditioned by a requirement to pay fair market value for the timber or other resources.

13. Permittee agrees to have the serial number of this permit marked or painted on each advertising display or other facility erected or maintained under the authority of such permit.

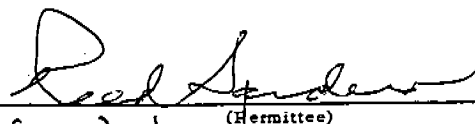
14. This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the signing officer.

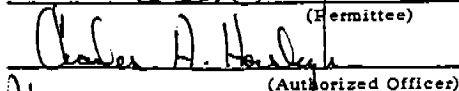
15. Permittee acknowledges, by signing below, that he/she knows, understands and accepts the terms and conditions under which this permit is issued.

Permit issued for period

From January 1, 1997 (Retroactive Date)

To December 31, 1999


(Permittee)


(Authorized Officer)

Area Manager 3/26/97
(Title) (Date)

INSTRUCTIONS

1. Submit, in duplicate, to any local office of the Bureau of Land Management having jurisdiction of the lands.
2. Applications for Land Use Permits will not be accepted unless a notification of the availability of the land for non-BLM use (Notice of Realty Action) has been published in the Federal Register and for 3 weeks thereafter in a newspaper of general circulation. This provision does not apply in those situations where the publication of a (Notice of Realty Action) has been

waived by the authorized officer.

3. If the annual rental exceeds \$250 dollars per year; costs of processing the application must be paid by the applicant in advance.

4. The authorized officer may require additional information to process an application. Processing will be deferred until the required information is furnished by the applicant.

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et. seq.) requires us to inform you that:

Information is needed to process application for land use authorizations, pursuant to 43 CFR Section 2920. Information shows if the applicant and proposed use meet the requirements of 43 CFR Section 2920.1. Applicant must respond before he/she can be granted an authorization to use public lands.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-7180 Priority January 14, 1976 Amount 2.23 cfs

THIS IS TO CERTIFY, that Ray Sanders
of Hamer Idaho, has complied with the terms and conditions of Permit
No. 31-7180 issued pursuant to Application for Permit dated January 14, 1976
and has submitted proof to the Department of Water Resources on January 9, 1981
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.23 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>2.23</u> cfs and	<u>330.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.23 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
390.0 acre feet per year, said waters to be diverted within the SE1/4SW1/4, Section 31, Twp.
8N, Rge. 36E in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				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	
7N	36E	6					1.3	1.4											52
8N	36E	31									4	1.3	1.4						(78) 76

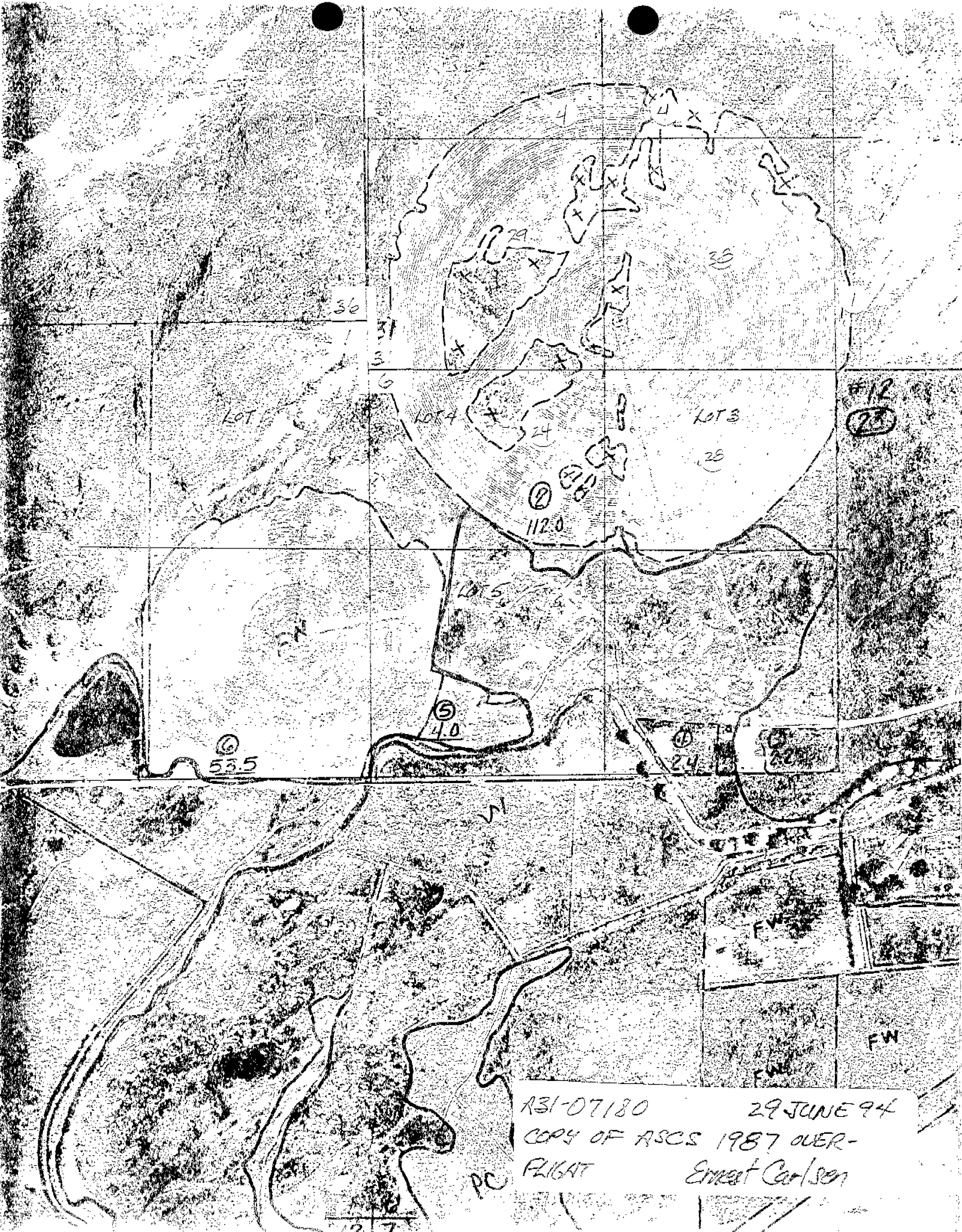
Total number of acres irrigated 130 128

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, at Boise, Idaho, this 24th day of May 1981

Acting for the Director Norman C. Young



R31-07180

29 JUNE 94

COPY OF ASCS 1987 OVER-
FLIGHT

Ernest Carlson

PC

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

31-7180
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-30-81 Accompanied by Ray Sanders Total Q measured 2.23 cfs

If source is surface water, estimate total flow of source

Methods of measurement McCrometer 74-8-445 Meets Permit requirements? ✓

Measurement calculations: C.C. of 3 min. 15 sec $\frac{13500 \text{ (cfs)}}{15} = 2.23 \text{ cfs}$ <i>Capacity</i>	$V = 2.23 \times 1.9835 \times 214 = 976.6$ $V = 120 \times 3 = 360 \text{ cfs}$ see conversation memo 8/24/82 $V = 130 \times 3 = 390 \text{ AFA}$
--	---

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	75	C.E.	44J119356	Johnton	NA	McCrometer	OK	

System Description Well, pump, 3" dia, 12' long mainline, to center pivot

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE
Irrigation

Irrigation requirement = 3.0 AFA/Acre
 Q (cfs) 2.23 cfs V (afu) 360 cfs
 340

FROM TO
Apr 1 Nov 1

Total

2.23 cfs

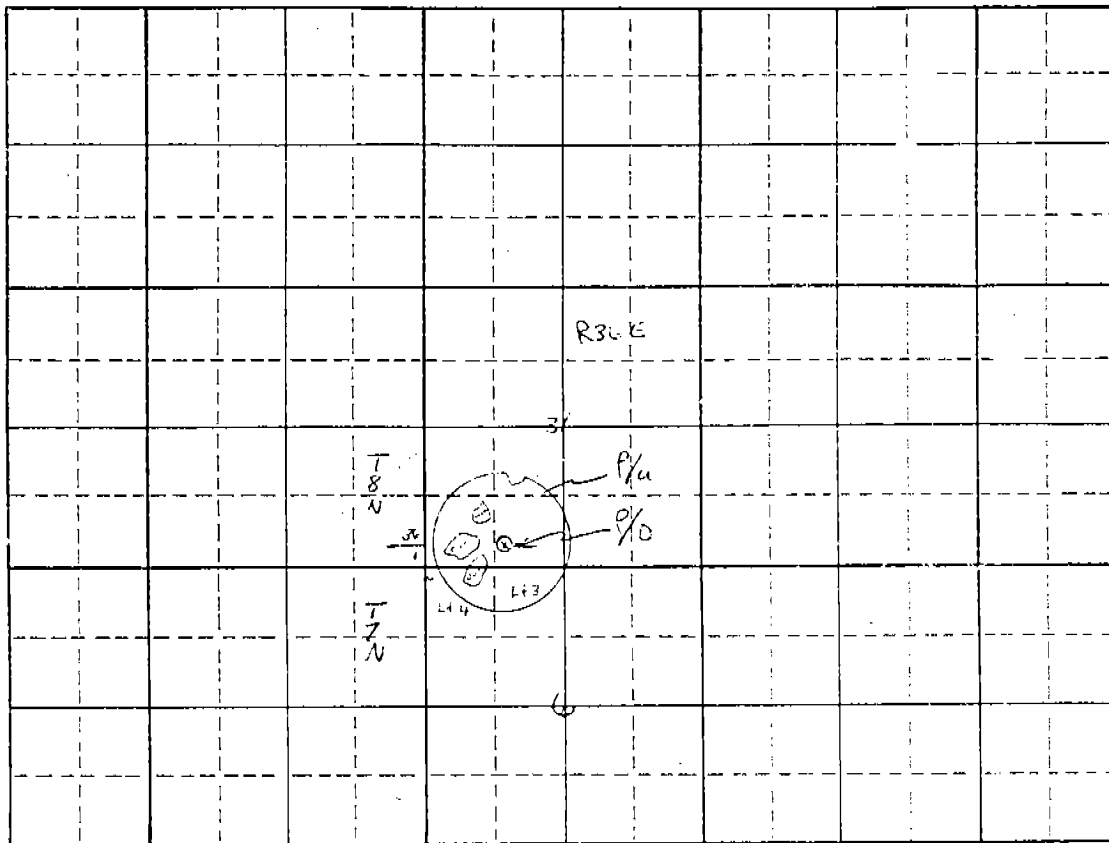
360 cfs

Apr 1 Nov 1

Remarks

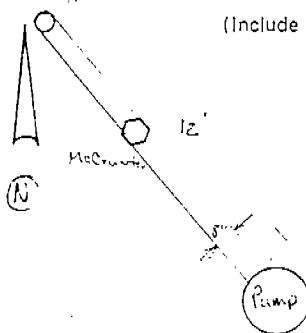
*Do not copying
note
[Signature]*

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE $\frac{1}{4}$ of Sec $\frac{1}{4}$, Sec. 31, T 8 N, R 36 E

Point(s) of Use

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 N	36 E	31					26	24											48
							(L 3)	(L 4)											
8 N	36 E	31									3	3	28	32			1		76
											(L 3)	(L 4)							

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

KC Wilson
7/1/82
7/1/82

Date 1-20-82

Date 1-20-82

Date 2-2-82

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-7180 Priority January 14, 1976 Amount 2.23 cfs

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	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 2.23 cfs of water be diverted at any one time, and
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aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
390.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Twp.
8N, Rge. 36E in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	36E	6					1.3	1.4											52
							28	24											
8N	36E	31									4	4	30	38					78

Total acres irrigated 130

DO NOT FILM

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24th day of May, 19 82.

Acting for the Director

Norman C. Young