

IDAHO DEPARTMENT OF WATER RESOURCES

31-07267B, 31-10964B

T05N, R35E, SEC. 5, 6, 7, 8



1320 0 1320 Feet



ACRES IRRIGATED- 304



PLACE OF USE



POINT OF DIVERSION

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

36/31

31

#2503
(9536)
LT 3

LT 2

LT 1

LT 4

40

40

38

38

38

46

46

40

A

40

38

36

30

32

32

301

HEL 3

6.3

HEL 4

129.0

HEL 6

15.5

HEL 5

127.7

NHEL 1

8.1

#2503
(9537)

NHEL 2

15.0

40

40

32

304

40

40

40

40

6/5
7/8

32

40

40

40

X

NHEL 6

129.0

NHEL 5

6.7

HEL 4

6.2

HEL 3

129.6

#207
(446)

NHEL 1

30.4

split into
A & B

AJ0749NP
No. R31-07267B

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	STEVE WEEKS PO BOX 25 SWAN VALLEY ID 83449 (208) 483-3361	09/07/1977	IRRIGATION	04-01 11-01	3.020 CFS
TOTAL DIVERSION:					3.020 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: L

Point(s) of Diversion: T05N R35E S06 SWSESE

JEFFERSON

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
				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	Lt	Ac	Lt	Ac	Lt	Ac
05N	35E	5	:																						
05N	35E	6	:																						
05N	35E	7	:	40		40				40															
05N	35E	8	:							32															

TOTAL ACRES

POU County: JEFFERSON

Other Rights: 31-10964B

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 31-10964B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.46 CFS AND IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1064 AF.

POU1 USE OF THIS RIGHT WITH RIGHT 31-10964B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 304 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 297 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 31-10964B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 07/18/1994 Verified Date: Objection Filed Date:

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

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-07267B
Date Received: 11/29/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILE

1. Name: STEVE WEEKS
Address: BOX 25
SWAN VALLEY ID 83449 208-483-3361

2. Date of Priority: SEP 7, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	35E	6	SE	NE		1	JEFFERSON
			SE	SE			JEFFERSON

5. Description of diverting works:
TWO WELLS, INTERCONNECTED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.020		891.00

7. Total Quantity Appropriated is:
3.020 C.F.S. (and/or) 891.00 A.F.A.

8. Total consumptive use is 742.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	35E	5	SW	SW		IRR	32.0

100 14 100

A3107267B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	32.0
		6	SE	SW	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	120.0
		7	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			NE	NW	IRR	33.0
					Section Acres	113.0
		8	NW	NW	IRR	32.0
					Section Acres	32.0
					Total Acres	297.0

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:
A31-10964B

14. Remarks:

THE MAX. COMBINED VOLUME UNDER THIS RT. & RTS. 31-2367/2368/
2373 SHALL NOT EXCEED 1746.0 AF/ANNUM.
THIS RIGHT PAID FOR UNDER RECEIPT #E004562. CHANGE IN OWNERSHIP
3-7-95 GJT.

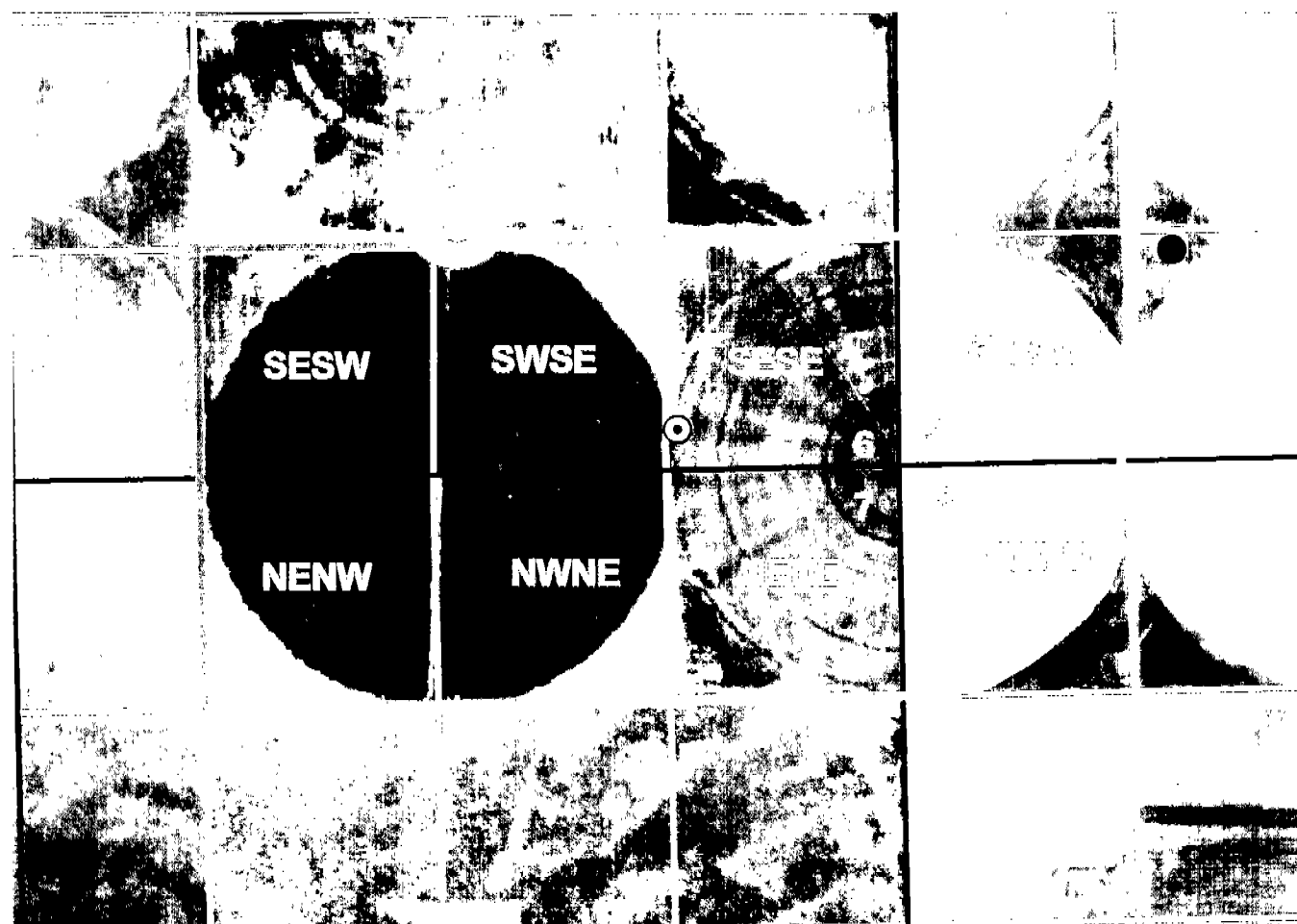
15. Basis of Claim: LICENSE

Handwritten:
A31-10964B
A31-10964B

IDAHO DEPARTMENT OF WATER RESOURCES

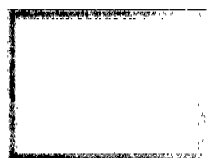
31-07267B, 31-10964B

T05N, R35E, SEC. 5, 6, 7, 8



N

1320 0 1320 Feet



PLACE OF USE



POINT OF DIVERSION

AREAS DRAGGED - 89

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:5
03/

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31

LAST: OLDHAM
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: REED
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: CONNECTICUT MUTUAL LIFE INSURANCE CO.
ADDRESS: 140 GARDEN ST.
CITY: HARTFORD
PHONE NUMBER: 208-000-0000

FIRST:
STATE: CT ZIP: 06115

OWNER CODE: 0

LAST: OLDHAM
ADDRESS: 1670 W. 3000 N.
CITY: REXBURG
PHONE NUMBER: 208-356-3780

FIRST: REED
STATE: ID ZIP: 83440

OWNER CODE: 0

LAST: WEEKS
ADDRESS: BOX 25
CITY: SWAN VALLEY
PHONE NUMBER: 208-483-3361

FIRST: STEVE
STATE: ID ZIP: 83449

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THE MAX. COMBINED VOLUME UNDER THIS RT. & RTS. 31-2367/2368/
2373 SHALL NOT EXCEED 1746.0 AF/ANNUM.
THIS RIGHT PAID FOR UNDER RECEIPT #E004562. CHANGE IN OWNERSHIP
3-7-95 GJT.

5.46

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A31

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 7/18/94

APPOINTMENT MADE: Y(____) N(~~X~~)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Field Review

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 3/1984) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 7/18/84 NAME OF EXAMINER DC) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: wells & POU now split by ownership change

this water right - sec 6 NW SESE (south well)
south pivots

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
05N	35E	6	SE	NE				JEFFERSON	
05N	35E	6	SE	SE				JEFFERSON	

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: DC

DATE: 3/13/85

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

PAGE: 6
PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A31

A. ROOT WATER RIGHT NUMBERS: A31-07267A
A31-07267B

R31-07267A

R31-07267B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FI EX
05N	35E	5	SW	SW		WEEKS, STEVE	A31-07267B / 32.0	- /	35.0	
			SW	SW		WEEKS, STEVE	R31-07267B / 32.0	- /		
			SW	SW		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 32.0		
05N	35E	6	SE	SW		WEEKS, STEVE	A31-07267B / 40.0	- /	42.0	
			SE	SW		WEEKS, STEVE	R31-07267B / 40.0	- /		
			SE	SW		WEEKS, STEVE	R31-10964B / 40.0	- /		
			SE	SW		WEEKS, STEVE	A31-10964B / 40.0	- /		
			SE	SW		LOTT, TAYLOR		31-02368 / 40.0		
			SE	SW		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 40.0		
05N	35E	6	SW	SE		WEEKS, STEVE	A31-07267B / 40.0	- /	38.0	
			SW	SE		WEEKS, STEVE	A31-10964B / 40.0	- /		
			SW	SE		WEEKS, STEVE	R31-07267B / 40.0	- /		
			SW	SE		WEEKS, STEVE	R31-10964B / 40.0	- /		
			SW	SE		LOTT, TAYLOR		31-02368 / 40.0		
			SW	SE		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 40.0		
05N	35E	6	SE	SE		WEEKS, STEVE	A31-07267B / 40.0	- /	40.0	
			SE	SE		WEEKS, STEVE	A31-10964B / 40.0	- /		
			SE	SE		WEEKS, STEVE	R31-07267B / 40.0	- /		
			SE	SE		WEEKS, STEVE	R31-10964B / 40.0	- /		
			SE	SE		LOTT, TAYLOR		31-02373 / 40.0		
			SE	SE		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 40.0		
05N	35E	7	NE	NE		WEEKS, STEVE	A31-07267B / 40.0	- /	35.0	
			NE	NE		WEEKS, STEVE	A31-10964B / 40.0	- /		
			NE	NE		WEEKS, STEVE	R31-07267B / 40.0	- /		
			NE	NE		WEEKS, STEVE	R31-10964B / 40.0	- /		
			NE	NE		LOTT, TAYLOR		31-02373 / 40.0		
			NE	NE		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 40.0		
05N	35E	7	NW	NE		WEEKS, STEVE	A31-07267B / 40.0	- /	37.0	
			NW	NE		WEEKS, STEVE	A31-10964B / 40.0	- /		
			NW	NE		WEEKS, STEVE	R31-07267B / 40.0	- /		
			NW	NE		WEEKS, STEVE	R31-10964B / 40.0	- /		
			NW	NE		LOTT, TAYLOR		31-02368 / 40.0		
			NW	NE		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 40.0		

PAGE: 7
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FI EX
05N	35E	7	NE	NW		WEEKS, STEVE	A31-07267B / 33.0	- /	37.0	
			NE	NW		WEEKS, STEVE	A31-10964B / 40.0	- /		
			NE	NW		WEEKS, STEVE	R31-07267B / 33.0	- /		
			NE	NW		WEEKS, STEVE	R31-10964B / 40.0	- /		
			NE	NW		LOTT, TAYLOR		31-02368 / 40.0		
			NE	NW		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 33.0		
05N	35E	8	NW	NW		WEEKS, STEVE	A31-07267B / 32.0	- /	34.0	
			NW	NW		WEEKS, STEVE	A31-04122 / 7.0	31-04122 / 7.0		
			NW	NW		WEEKS, STEVE	R31-07267B / 32.0	- /		
			NW	NW		CONNECTICUT MUTUAL LIFE INSURA		31-07267 / 32.0		

ADDITIONAL POU FOUND

TOTAL ACRES	A31-07267B	205.00	298.00
-------------	------------	--------	--------

POU COUNTY: JEFFERSON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y() N()

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.
A31-07267B	GROUNDWATER	WEEKS, STEVE	3.020	0.010	891.00
A31-04122	GROUNDWATER	WEEKS, STEVE	0.140	0.020	
R31-07267B	GROUNDWATER	WEEKS, STEVE	3.020	0.010	891.00
A31-10964B	GROUNDWATER	WEEKS, STEVE	2.860	0.011	
R31-10964B	GROUNDWATER	WEEKS, STEVE	2.860	0.011	

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A31-10964B

PAGE: 8
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31

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

N/A() Y() NO()

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

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

N/A() Y() NO()

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

Y() NO()

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

Y() NO()

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

☒ NAPP, IDWR NO. W895E; () ASCS PHOTO; () OTHER _____

NOTES: _____

see ASCS map & field Exam

split ownership

this claimant owns south 1/2 (two pivots)

RECOMMENDATIONS:

TOTAL ACRES: 297 N/A()

REVIEWED BY: DC

DATE: 3/13/95

PAGE: 10

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

CLAIM NUMBER: A31

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR
A31-07267B IRRIGATION	FROM 04-01 TO 11-01	3.020 CFS	891.00 A
TOTAL DIVERSION RATE/VOLUME		3.020 CFS	891.00 A

4/15 - 10/15

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR
31-07267 IRRIGATION	FROM 04-01 TO 11-01	5.910 CFS	1746.00 A
TOTAL DIVERSION RATE/VOLUME		5.910 CFS	1746.00 A

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

Y() N()

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

N/A() Y() N()

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

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

Y() N()

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

Y() N()

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

Y() N()

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

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

N/A() Y() N()

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

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

N/A() Y() N()

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

PAGE: 11

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

CLAIM NUMBER: A31

NOTES: new standards 4/15 - 10/15

31-7247

LICENSED

$$\frac{5.91 \text{ cfs}}{582 \text{ AL}} (297) = 3.02 \text{ cfs}$$

"B" split

AJ CLAIM TOTAL DIVERSION RATE: 3.020 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 5.910 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATION

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 891.00 AF/A

ACRES 297 x DIVERSION VOL. AF/A FOR AREA 2.5 =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 742.5 AF/A

ACRES 297 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:

Drop

- R29 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
- 016 - See remarks for additional conditions of approval.
- R38 - The rate of diversion and annual volume under this right shall be appurtenant to the place of use so that each irrigated acre will receive an equal portion of water when all rights appurtenant to the place of use from the same source are considered cumulatively.

THE MAX. COMBINED VOLUME UNDER THIS RT. & RTS. 31-2367/2368/2373 SHALL NOT EXCEED 1746.0 AF/ANNUM.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. US
	FROM	TO	RATE CFS		VOL. AF/A		
IRRIGATION	04-01	11-01	DATABASE 3.020	EXAMINER	DATABASE 891.00	EXAMINER	DATABASE 742.5
	4/15	6/15					
TOTAL FOR THIS RIGHT			3.020		891.00		742.5

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): .

STANDARD REMARKS (CODE): $EOI - 5.46 \quad 297Ac$
 $FOS -$

$\frac{10.7}{582} (297Ac) =$

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07267

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.910

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DI
A31-07267	R31-07267A	2.890	R31-07267A	2.890	31-07267	
A31-07267	R31-07267B	3.020	R31-07267B	3.020	31-07267	
A31-07267	R31-07267A	2.890	R31-07267A	2.890	31-07267	
A31-07267	R31-07267B	3.020	R31-07267B	3.020	31-07267	
TOTAL CFS		11.820		11.820		

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

[Signature]

DATE:

3/13/95

NAME OF FIELD EXAMINER:

DAVE EARLSON

TITLE:

WA

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. _____
(X) NAPP	DATE OF PHOTO _____	IDWR ID NO. _____
(X) ASCS AERIAL PHOTO	DATE OF PHOTO _____	
() ASCS COLOR SLIDE	DATE OF PHOTO _____	
() BLM OR USFS 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	NOTES
(X) LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
(X) WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
() SYSTEM DESCRIPTION	DATE DRAWN _____		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
() 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

12:
03/

PAGE: 17
QUICKLOOK INFORMATION

CLAIM NUMBER: A31

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTR WHOM/DATE
PRIORITY DATE			DC 3/95				
POINT OF DIV				Yes			
SOURCE							
PLACE OF USE	Y			No			
DIV. AMOUNT CFS/VOLUME	Y			No			
CONSUMPTIVE USE	-						
PURPOSES OF USE							
PERIOD OF USE				Yes			
BASIS OF CLAIM	Y			No			
REMARKS	Y			No			

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:
03/

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A31

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	STEVE WEEKS	09/07/1977	IRRIGATION	04-01 11-01	3.02 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					3.02 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LI

Point(s) of Diversion: T05N R35E S06 Lot01(SENE) SESE

JEFFERSON

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
05N	35E	5	:																
05N	35E	6	:										32						
05N	35E	7	:	40		40									40				40
05N	35E	8	:						33										
			:						32										

TOTAL ACRES

POU County: JEFFERSON

Other Rights: A31-10964B

Conditions of Approval:

- R29 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
- R38 - The rate of diversion and annual volume under this right shall be appurtenant to the place of use so that each irrigated acre will receive an equal portion of water when all rights appurtenant to the place of use from the same source are considered cumulatively.

Remarks: THE MAX. COMBINED VOLUME UNDER THIS RT. & RTS. 31-2367/2368/2373 SHALL NOT EXCEED 1746.0 AF/ANNUM.
THIS RIGHT PAID FOR UNDER RECEIPT #E004562. CHANGE IN OWNERSHIP 3-7-95 GJT.

Dates: Exam Made Date: Verified Date:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 02 2003

Department of Water Resources
Eastern District Office

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

[] Name(s):

Basin
23

Steve Weeks
Swan Valley Land & Livestock Inc.

[] Old Mailing Address:

PO Box 25
Swan Valley ID 83449

[] New Mailing Address:

45785 County Rd. 16
Cope, CO 80812

Telephone Number:

(970) 357 - 4399

[]

Signature(s)
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Steve Weeks Pres.
Swan Valley Land & Livestock Inc.
(include your title if on behalf of company or organization)

Date:

7-2-03

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

36/31

31

3

#2503
(9536)
LT 3

LT 2
HEL
②

HEL
①

LT 1

LT 4

40

40

38

38

38

40

38

36

(30)

46

40

32

46

40

A

40

32

301

HEL
③
6.3

HEL
④
129.0

⑥
15.5

HEL
⑤
127.7

NHEL

①

NHEL

②

15.0

32

32

304

46

pos

40

5

40

6

7

32

40

NHEL
⑤
6.7

NHEL
④
6.2

NHEL
③
129.6

#207
(446)

NHEL

①

30.4

WATER RIGHT LICENSE

License of Water Right No. _____
THIS IS TO CERTIFY, that Connecticut Mutual Life Insurance Company
of Hartford, Connecticut, has complied with the terms and conditions of Permit
No. 31-7267 issued pursuant to Application for Permit dated August 26, 1977
and has submitted proof to the Department of Water Resources on December 13, 1982
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 10.70 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

Irrigation from April 1 to November 1 at 5.91 cfs and 1746.0 acre feet

from _____ to _____ at _____ cfs and _____

from _____ to _____ at _____ cfs and _____

(Each share unitative)

Subject, however, to the condition that no more than 5.91 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~~ *1745.0 acre feet per year, said waters to be diverted within the Gov. Lock (SEASE).
SEASE, Section 6, Twp 5N, Rge 35E in the County of Jefferson

Description and location of place of use:

[illegible]

Total number of acres irrigated 582

*See reverse side

$$\frac{297}{582}(5.91) = 3.02$$

Form 219
12/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED
MAR 19 1984

31-7267
Permit No.

Department of Water Resources

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 9 Aug 1983

Accompanied by Reed Oldham

Total Q measured 10.70 cfs

If source is surface water, estimate total flow of source

Methods of measurement Observation (Meter # 91173)

Meets Permit requirements? Yes

Measurement calculations:

System #1
42" H. O. Corrugated V. 1.032 (42) = 4.337
 $Q_1 = \frac{7.15 (1000) \times 4.337}{448.8} = 5.67 \text{ cfs}$

System #2
16" H. O. Corrugated V. 2.085 (16) = 16.56
 $Q_2 = \frac{3.45 (12) \times 16.56}{448.8} = 5.03 \text{ cfs}$

$V_1 = 7.15 \times 1.032 \times 8.0 = 2971.3 \text{ gph}$
 $V_2 = 3.45 \times 2.085 \times 8.0 = 1746 \text{ gph}$

$Q_T = Q_1 + Q_2 = 10.70 \text{ cfs}$ CAPACITY LIMITED BY PERMIT 7.0 cfs

WELL/DIVERSION NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	"H" DURING PUMP TYPE	CONDITION OF MEAS. DEV.	REMARKS
#1 S.W.	250	GE	AJ311021	Pentair	210953	Annular H.O.	Good	SW #1147
#1 B.W.	100	Westinghouse	68C610269	Re. W.	F14-10	Annular H.O.		SW #1168
#2 A.W.	350	Re. W.	419267			Annular H.O.		

System Description System #1 well, pump with bucket, mainline to laterals and center pivots.
System #2 well, submersible pump and motor, mainline to laterals and center pivots.

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

RECOMMENDED AMOUNTS

USE

IRRIGATION

Irrigation requirement = 3.0

Q (cfs)

7.00 cfs
5.91 cfs

V (af)

*1746 af

FROM

9/1

TO

4/1

Remarks

R16 (3.0)

OVERLAPPING RIGHTS - see copies attached to
31-2373/31-2368/31-2367 overlap review.

*The maximum combined volume of water under this Rt. 4 Rt. Nos. 31-2367, 31-2368 & 31-2373 shall not exceed 1746.0 Acre feet per annum.

MAP (ARTIST ALICE FLOW)

R 356

T S N

PLACES OF DISCOVERY

PLACES OF USE

3 4 5 6 7 8 9

SYSTEM # 1 SOUTH WELL
 (Include distance from pump to measuring device, if applicable.)

SYSTEM # 2 NORTH WELL
 (Include distance from pump to measuring device, if applicable.)

Print(s) of diversion: SEK 4 NE (Lot 1), SEK 5 SW Sec 6 T 5 N R 35 E

Point(s) of diversion: ✓ SEX, NE (Lot 1), SEX, SEX, SAC 6 TEN R35E

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None
☐ Other

Approved by

Date 7/31/86

Keith Walker
Kay Walker



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MARCH 8, 1995

STEVE WEEKS
BOX 25
SWAN VALLEY ID 83449

RE: CHANGE IN OWNERSHIP FOR A31-10964, A31-07267 (SPLITS)
AND A31-04122

Dear Mr. Weeks:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim for the others, the rights were split as follows:

A31-07267A, Oldham, 2.89 cfs; 285 acres
A31-07267B, Weeks, 3.02 cfs; 297 acres

A31-10964A, Oldham, 2.74 cfs; 230 acres
A31-10964B, Weeks, 2.86 cfs; 240 acres

A31-04122, entire right to Steve Weeks

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Reed Oldham/copy claim/letter



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A31-10964, A31-07267
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Reed Oldham
- ☐ New Owner/Claimant (Purchaser): STEVE WEEKS
- ☐ New Mailing Address: Box 25
SWAN VALLEY Idaho
83449
- ☐ New Telephone Number: (208) 483-3361
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
320 ACRES south two pivots

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Steve Weeks Date 3-6-95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

NOV 14 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

① Jefferson

FIRST AMERICAN TITLE

16944

WARRANTY DEED

THIS INDENTURE is made this 18th day of June, 1992, by F. MITCHELL JACOBS and VALYNN H. JACOBS, husband and wife, the Grantor, and EDWIN C. BIDDULPH and JEANNE BIDDULPH, husband and wife, whose mailing address is 2560 South 60 East, Idaho Falls, Idaho 83401, the Grantee.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Jefferson, State of Idaho, to-wit:

TOWNSHIP 5 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN,
JEFFERSON COUNTY, IDAHO:

Section 5: SW 1/4 SW 1/4
Section 6: SE 1/4 SW 1/4
 S 1/2 SE 1/4
Section 7: NE 1/4 NW 1/4
 N 1/2 NE 1/4
Section 8: NW 1/4 NW 1/4

EXCEPTING THEREFROM: County Road Right-Of-Ways.

TOGETHER WITH the following irrigation equipment located on the above described property:

2 Valley Pivot Systems Numbers 58771 and 58447
1 10x10x16.5 Peerless Pump, Serial Number 210938
1 250 Horse Power G.E. Motor, Serial Number
AJJ110121, Model Number 5k 6286XH74A

SUBJECT TO THE FOLLOWING:

1. All road, ditch and utility rights of way as they exist over, upon and across the subject property.
2. Exceptions and Reservations of Mineral Rights in favor of United States of America, as evidenced by that certain Patent, recorded February 1, 1960, in Book 170 of Deeds, at page 130, records of said County.

RECEIVED BY
ASSESSOR
For PLATTING
Date 6-18-92 Time 3:45 p.m.

264310
18 June 1992
At 01140 O'clock A.M.

CONNIE M. KELLER
Jefferson Co. Recorder
Fee \$ 12.00 5k Deputy
Recorded at Request of
File

"Excepting and reserving, also, to the United States all the oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509)."

3. Exceptions and Reservations of Mineral Rights in favor of United States of America, as evidenced by that certain Patent, recorded March 23, 1960, in Book 170 of Deeds, at page 135, records of said County.

"Excepting and reserving, also, to the United States all the oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509)."

4. Power line easement granted to Utah Power & Light Company, a corporation, recorded as Instrument No. 142250.
5. Any interest held by the United States of America in the mineral rights for such property.
6. All existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the

Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

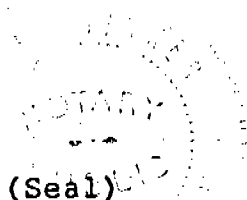
F. Mitchell Jacobs
F. Mitchell Jacobs

Valynn H. Jacobs
Valynn H. Jacobs

STATE OF IDAHO)
County of Jefferson) ss.

On this 18th day of June, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared F. MITCHELL JACOBS and VALYNN H. JACOBS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me 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.



Dee Tucker
Notary Public for Idaho
Residing at Lemmonville
My commission expires 5-20-94

CAH/8527j/rfs
#3353

EXHIBIT "A"

TOWNSHIP 5 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN,
JEFFERSON COUNTY, IDAHO:

Section 5: SW 1/4 SW 1/4

Section 6: SE 1/4 SW 1/4
S 1/2 SE 1/4

Section 7: NE 1/4 NW 1/4
N 1/2 NE 1/4

Section 8: NW 1/4 NW 1/4

TOGETHER WITH the following irrigation equipment
located on the above described property:

2 Valley Pivot Systems Numbers 58771 and 58447

1 10x10x16.5 Pump, Serial Number 210938, Model Number
5k 6286XH74A

250 Horse Power Motor, Serial Number AJJ110121

QUITCLAIM DEED

FOR VALUE RECEIVED, Edwin C. Biddulph and Jeanne Biddulph, husband and wife, the Grantors, do hereby remise, release and forever quitclaim unto Steven J. Weeks and Ruth Weeks, husband and wife, the Grantees, whose current address is Box 25, Swan Valley, Idaho 83449, the following described real estate situated in Jefferson County, State of Idaho, to wit:

TOWNSHIP 5 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN,
JEFFERSON COUNTY, IDAHO:

Section 5: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 6: SE $\frac{1}{4}$ SW $\frac{1}{4}$
 S $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7: NE $\frac{1}{4}$ NW $\frac{1}{4}$
 N $\frac{1}{4}$ NE $\frac{1}{4}$
Section 8: NW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM: County Road Right-Of-Ways.

SUBJECT TO THE FOLLOWING:

1. All road, ditch and utility rights of way as they exist over, upon and across the subject property.
2. Exceptions and Reservations of Mineral Rights in favor of United States of America, as evidenced by that certain Patent, recorded February 1, 1960, in Book 170 of Deeds, at page 130, records of said County.

"Excepting and reserving, also, to the United States all the oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509)."

3. Exceptions and Reservations of Mineral Rights in favor of United States of America, as evidenced by that certain Patent, recorded March 23, 1960, in Book 170 of Deeds, at page 135, records of said County.

"Excepting and reserving, also, to the United States all the oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509)."

RECEIVED BY

RECOR

DATE

6-18-92 Time 3:45 p.m.

RECORDED
18 Day 264331
At 11:41 O'clock AM
CONNELL KELLER
Jefferson Co. Recorder
Fee \$ 9.00
Recorded at Request of SK Deputy

4. Power line easement granted to Utah Power & Light Company, a corporation, recorded as Instrument No. 142250.

5. Any interest held by the United States of America in the mineral rights for such property.

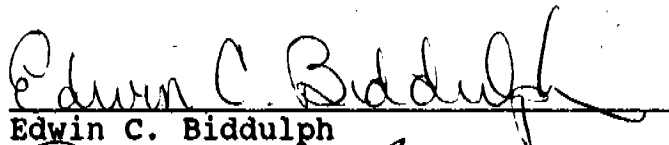
6. All existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matter which would be disclosed by an accurate survey or inspection of the premises.

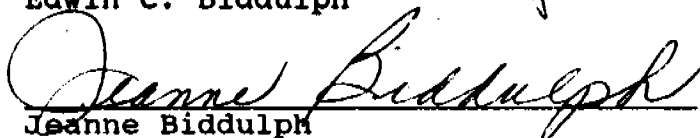
TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises together with the appurtenances unto the Grantees, and to the Grantees heirs, assigns and successors forever.

In construing this Quitclaim Deed and where the context requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantors have executed the within instrument this 17 day of June, 1992.


Edwin C. Biddulph


Jeanne Biddulph

STATE OF IDAHO)

County of Bonneville)

ss.

On this 17 day of June, 1992, before me,
Reed L. Moss, a Notary Public in and for said State,
personally appeared EDWIN C. BIDDULPH and JEANNE BIDDULPH,
husband and wife, known or identified 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.

(S E A L)

Reed L. Moss
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 2-26-98

AGREEMENT AND RELEASE

This agreement is made and entered into to be effective as of the 17 day of June, 1992, by and between F. MITCHELL JACOBS and VALYNN H. JACOBS, husband and wife, hereinafter collectively referred to as "Jacobs," and STEVEN JOEL WEEKS and RUTH H. WEEKS, husband and wife, hereinafter collectively referred to as "Weeks," and EDWIN C. BIDDULPH and JEANNE BIDDULPH, husband and wife, hereinafter collectively referred to as "Biddulphs,"

W I T N E S S E T H :

RECITALS:

1. Jacobs have sold to Biddulphs certain property located in Jefferson County, Idaho (the "Jacobs property"). The purchase price was \$343,857.51 of which Biddulphs paid \$315,000 and Weeks paid the balance, plus closing costs.

2. Biddulphs then entered into an exchange agreement with Weeks whereby Biddulphs are transferring to Weeks their equity in the Jacobs property in exchange for certain property owned by Weeks located in Bonneville County, Idaho (the "Weeks property").

3. The parties all recognize that the Biddulphs' objective is to acquire a fee simple title to the Weeks property,

but they are willing to acquire the equity in the Jacobs property as accommodation purchasers in order to exchange the same for the Weeks property.

NOW, THEREFORE, for and in consideration of the recitals and the mutual covenants set forth herein, the parties agree as follows:

I.

Simultaneously with the execution of this agreement, Biddulphs shall transfer their equity in the Jacobs property to Weeks in exchange for fee simple title from the Weeks to be granted to Biddulphs in the Weeks property.

II.

Simultaneously with the execution of this agreement, Weeks shall pay to Jacobs or their nominee the balance of the purchase price for the Jacobs property over and above the \$315,000 equity therein acquired by Biddulphs.

III.

Weeks further covenant and agree to indemnify and hold Biddulphs, theirs heirs, personal representatives, assigns, and other successors in interest harmless from any and all claims, demands, liabilities, actions, suits, and proceedings (together with costs and attorneys' fees incurred in defending against the same), arising or which may arise from Biddulphs' acquisition of the Jacobs property from Jacobs and the transfer of their equity therein to Weeks, INCLUDING, BUT NOT BEING LIMITED TO, any

liabilities or obligations of any nature whatsoever arising from environmental hazards, liens, encumbrances, or other clouds on the title to the Jacobs property, tax liabilities which may in any way arise from this I.R.S. Code Section 1031 exchange, and all other claims, obligations, or liabilities arising from the acquisition and exchange of the Jacobs property.

IV.

In the event any claim, demand, lawsuit, action, or proceeding of any nature whatsoever arises on behalf of Weeks, or Jacobs, or their successors or others claiming through or under them, relative to the acquisition by Biddulphs of the Jacobs property and its transfer to the Weeks, or should there be any environmental liability, tax liability, title defect, or other claim arise relative to the Jacobs property or its acquisition and transfer by Biddulph, Weeks and Jacobs agree that they shall proceed directly against each other and shall not involve Biddulphs in any way either by way of demand, claim, action, lawsuit or other proceeding.

V.

In consideration of the payment of \$315,000 by Biddulphs and the transfer of their equity in the Jacobs property to Weeks, all as hereinabove contemplated, Jacobs and Weeks do hereby release Biddulphs from any and all claims, demands, and liabilities arising from the acquisition of the Jacobs property by Biddulphs and its transfer to Weeks.

VI.

Jacobs will pay all 1991 and prior taxes and assessments levied against the Jacobs property; and Weeks shall pay the 1992 and subsequent taxes and assessments levied against the same. Weeks will pay all 1991 and prior taxes and assessments levied against the Weeks property; and Biddulphs will pay the 1992 and subsequent taxes and assessments levied against the same.

VII.

Jacobs will provide, at their expense, a title insurance policy insuring fee simple title of the Jacobs property in the Weeks in the amount of \$345,000. Weeks will provide at their expense a title insurance policy insuring fee simple title of the Weeks property in the Biddulphs in the amount of \$315,000.

VIII.

WEEKS ACKNOWLEDGE AND AGREE THAT THEY HAVE BEEN INFORMED AND UNDERSTAND THAT JACOBS MAKE NO WARRANTIES IN REGARD TO ANY OF THE JACOBS PROPERTY, EXPRESS OR IMPLIED, EXCEPT ANY WARRANTIES OF TITLE THAT MAY BE OTHERWISE CONTAINED IN THE TRANSFER DOCUMENTS INVOLVED. THERE IS NO WARRANTY GIVEN AS TO THE JACOBS PROPERTY AS TO FITNESS FOR ANY PARTICULAR PURPOSE OR AS TO MERCHANTABILITY.

IX.

Should any party hereto default in performing their part of this agreement, that party shall pay to the other party or parties involved all attorneys' fees and costs which they incur in seeking relief from such default or in defending against any claim

or liability for which the other parties are indemnifying or releasing the other parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year in this agreement first above set forth.

F. Mitchell Jacobs
F. MITCHELL JACOBS

Valynn H. Jacobs
VALYNN H. JACOBS

Steven Joel Weeks
STEVEN JOEL WEEKS

Ruth H. Weeks
RUTH H. WEEKS

Edwin C. Biddulph
EDWIN C. BIDDULPH

Jeanne Biddulph
JEANNE BIDDULPH

STATE OF IDAHO)

County of Jefferson) ss.
Boonville

On this 18th day of June, 1992, before me, Sally Tucker, the undersigned, a Notary Public in and for the State of Idaho, personally appeared F. MITCHELL JACOBS and VALYNN JACOBS, husband and wife, known to me to be the persons whose names are subscribed to the foregoing 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.

(SEAL)

Sally Tucker
Notary Public for State of Idaho

Residing at: Leimweil

My Commission Expires: 5-20-94

STATE OF IDAHO)

County of Jefferson) ss.
Bonneville)

On this 17th day of June, 1992, before me, Ruth Tucker, the undersigned, a Notary Public in and for the State of Idaho, personally appeared STEVEN JOEL WEEKS and RUTH H. WEEKS, husband and wife, known to me to be the persons whose names are subscribed to the foregoing 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.

(SEAL)

Ruth Tucker
Notary Public for State of Idaho
Residing at: Blainesville
My Commission Expires: 5-20-94

STATE OF IDAHO)

County of Bonneville) ss.
)

On this 17 day of June, 1992, before me, Reed L. Moss, the undersigned, a Notary Public in and for the State of Idaho, personally appeared EDWIN C. BIDDULPH and JEANNE BIDDULPH, husband and wife, known to me to be the persons whose names are subscribed to the foregoing 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.

(SEAL)

Reed L. Moss
Notary Public for State of Idaho
Residing at: Idaho Falls
My Commission Expires: 2-26-98

3360R