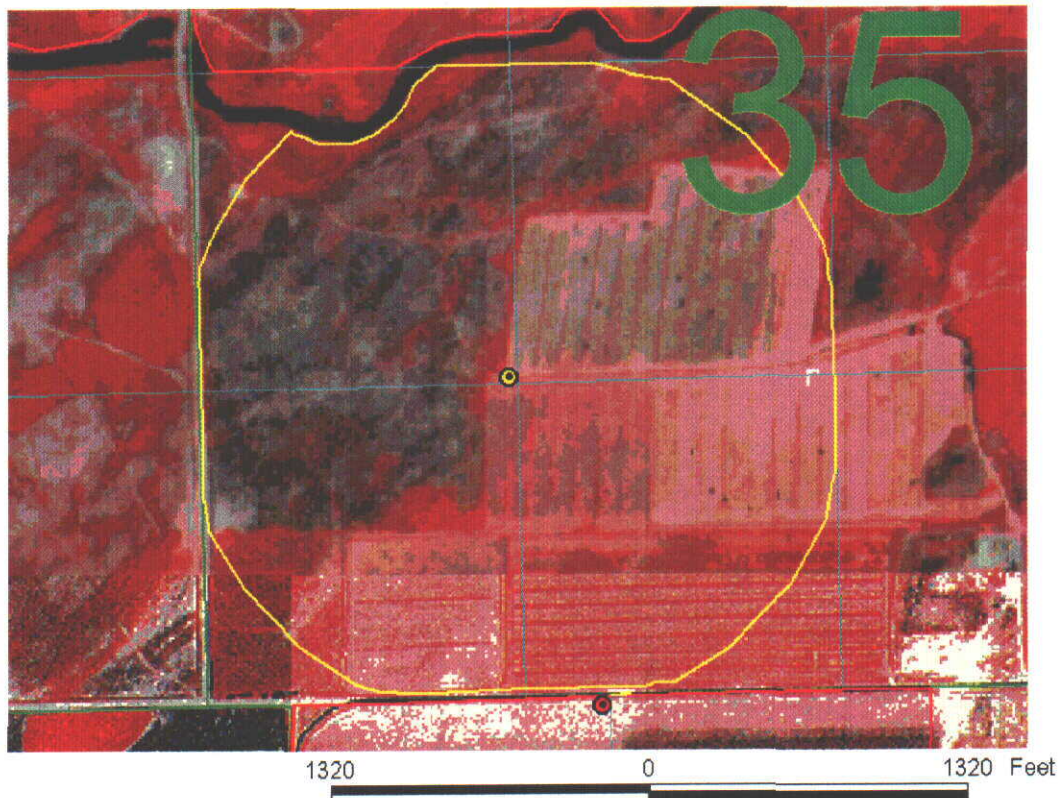


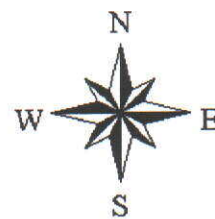
Idaho Department of Water Resources

Water Right 31-7443

Township 7N Range 35E



- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



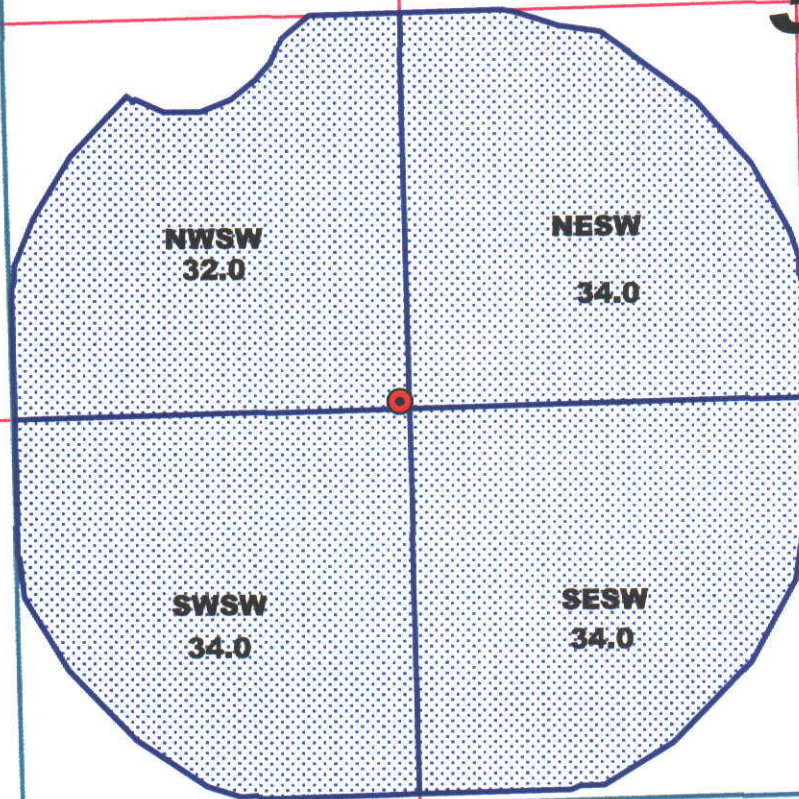
GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

WR #: 31-07443

Walker Land and Cattle

T7N, R35E

35



Total Irrigated Acres: 134

Acreage Distribution

Prepared By: Craig Saxton
December 2000

03/20/2001

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

RIGHT NUMBER: 31-7443

NAME AND ADDRESS: HOGGAN BROTHERS INC
C/O CARL HOGGAN
1968 E 1800 N
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 2.21 CFS
402 AFY

PRIORITY DATE: 06/24/1985

POINT OF DIVERSION: T07N R35E S35 SENWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	2.21 CFS 402.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R35E S35	NESW	34	T07N R35E S35	NWSW	32
T07N R35E S35	SWSW	34	T07N R35E S35	SESW	34

134 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM MUD LAKE
WATER USERS INC.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7443

Owner Type Name and Address
Current Owner WALKER LAND & CATTLE CO
 PO BOX 50660
 IDAHO FALLS, ID 83405-0660
 (208)522-8100

Original Owner HOGGAN BROTHERS INC
 C/O CARL HOGGAN
 1968 E 1800 N
 HAMER, ID 83425
 (208)662-5207

Priority Date: 06/24/1985
Basis: License
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	2.21 CFS	402 AFA	
Total Diversion			2.21 CFS	402 AFA	

Location of Point(s) of Diversion:

GROUND WATER SENWSW Sec. 35 Township 07N Range 35E JEFFERSON County

IRRIGATION Use:
Acre Limit: 134

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	35E	35		NESW	34		NWSW	32		SWSW	34		SESW	34

Total Acres: 134

Conditions of Approval:

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- E28 USE OF THIS RIGHT IS COMBINED WITH WATER FROM MUD LAKE WATER USERS INC.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	12/28/00	Copied From Remarks	CHANGED OWNERSHIP PER REQUEST/JH/9-4-97

Dates:

Licensed Date: 12/03/1990
 Claim Received Date: 10/20/1992
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	12/28/00 3:00:32 PM	csaxton			In Process
POD	12/28/00 3:01:06 PM	csaxton			In Process
POU	12/28/00 3:03:37 PM	csaxton			In Process
Priority Date	12/28/00 3:00:45 PM	csaxton			In Process
Quantity	12/28/00 3:07:09 PM	csaxton			In Process
Season	12/28/00 3:05:25 PM	csaxton			In Process
Source	12/28/00 3:02:52 PM	csaxton			In Process
Summary	12/28/00 3:19:46 PM		12/28/00 3:19:46 PM	csaxton	Complete
Use	12/28/00 3:03:16 PM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:NONE RECEIVED
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	12/28/00 3:00:31 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Desktop Review Edited point location
POD	12/28/00 3:02:40 PM	csaxton	1. (NO) The basis is not beneficial use.
POD	12/28/00 3:01:05 PM	csaxton	2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	12/28/00 3:03:36 PM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	12/28/00 3:00:43 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended.

Quantity 12/28/00 3:07:08 PM csaxton

Season 12/28/00 3:05:24 PM csaxton

Source 12/28/00 3:02:50 PM csaxton

Summary 12/28/00 3:19:41 PM csaxton

Use 12/28/00 3:03:15 PM csaxton

13. (YES) The claim is coded correctly.
14. (NO) Priority remark was not required.
15. (NO) Priority condition was not required.
1. (NO) The basis of claim is not beneficial use.
2. (NO) The basis of claim is not a posted notice.
3. (YES) The parent right has a diversion rate and/or diversion volume.
4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.
7. (YES) The parent right has an annual diversion volume limit.
8. (YES) Irrigation is a purpose of use.
9. (NO) Quantity remark was not required.
10. (NO) Quantity condition was not required.
1. (NO) The basis of claim is not beneficial use.
2. (YES) The parent right has a period of use.
3. (YES) The claimed Period of Use can be verified using the water right file.
12. (YES) Irrigation is the purposed use.
14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.
15. (NO) Period of Use remark was not required.
16. (NO) Period of Use condition was not required.
1. (NO) The basis is not beneficial use.
2. (YES) Parent right has a source.
3. (YES) The claimed source can be verified using the water right file.
8. (NO) The source is not surface water.
10. (NO) Source remark was not required.
11. (NO) Source condition was not required.
1. (NO) The basis of the claim is not beneficial use.
3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.
5. (NO) General remark was not required.
6. (NO) Explanatory remark was not required.
7. (YES) Additional condition was required.
8. (YES) Wanted to view the recommended right.
9. (NO) This is not a split right.
10. (NO) This is not a combined right.
11. (NO) Documents were not linked or attached to this file.
12. (YES) Set the verification date.
1. (NO) The basis of claim is not beneficial use.
2. (YES) The parent right has a purpose of use.
3. (YES) The claimed purpose of Use can be verified using the water right file.
11. (NO) Purpose of Use remark was not required.
12. (NO) Purpose of Use condition was not required.

AJ0749WP
No. A31-07443

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	WALKER LAND & CATTLE COMPANY C/O PO BOX 50660 IDAHO FALLS ID 834050660 (208) 522-8100	06/24/1985	IRRIGATION	04-01 11-01	2.21 CFS
TOTAL DIVERSION:					2.21 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: L

Point(s) of Diversion:

T07N R35E S35

SENWSW

JEFFERSON

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE						
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	Lt	Ac
07N	35E	35	:					:						:	34		32		34		34							
TOTAL ACRES																												

POU County: JEFFERSON

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/9-4-97

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

1059

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: A31-07443
Date Received: 10/20/1992
Receipt No: E0180009
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOGGAN BROTHERS INC.
Address: C/O CARL HOGGAN
1968 E 1800 N
HAMER ID

208-662-5207

83425

2. Date of Priority: JUN 24, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	35E	35	SE	NW	SW		JEFFERSON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.210		402.00

7. Total Quantity Appropriated is:
2.210 C.F.S. (and/or) 402.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	35E	35	NE	SW		IRR	34.0
			NW	SW		IRR	32.0
			SW	SW		IRR	34.0
			SE	SW		IRR	34.0

A31-07443

Page 1

Date: 10/20/92

MICROFILMED
NOV 17 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	134.0
					Total Acres	134.0

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:

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: 1

For Organizations:

I do solemnly swear or affirm that I am Sec. _____ of _____ Title

Hoggan Bros Inc. _____, that I have signed the foregoing Organization document in the space below as Sec. _____ of Title

Hoggan Bros Inc. _____ and that the statements contained in the Organization foregoing document are true and correct.

Carl R Hoggan
Signature of Authorized Agent

Sec. Hoggan Bros Inc.
Title and Organization

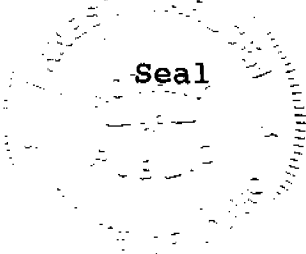
10-20-92
Date

MICROFILMED

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of October 19 92

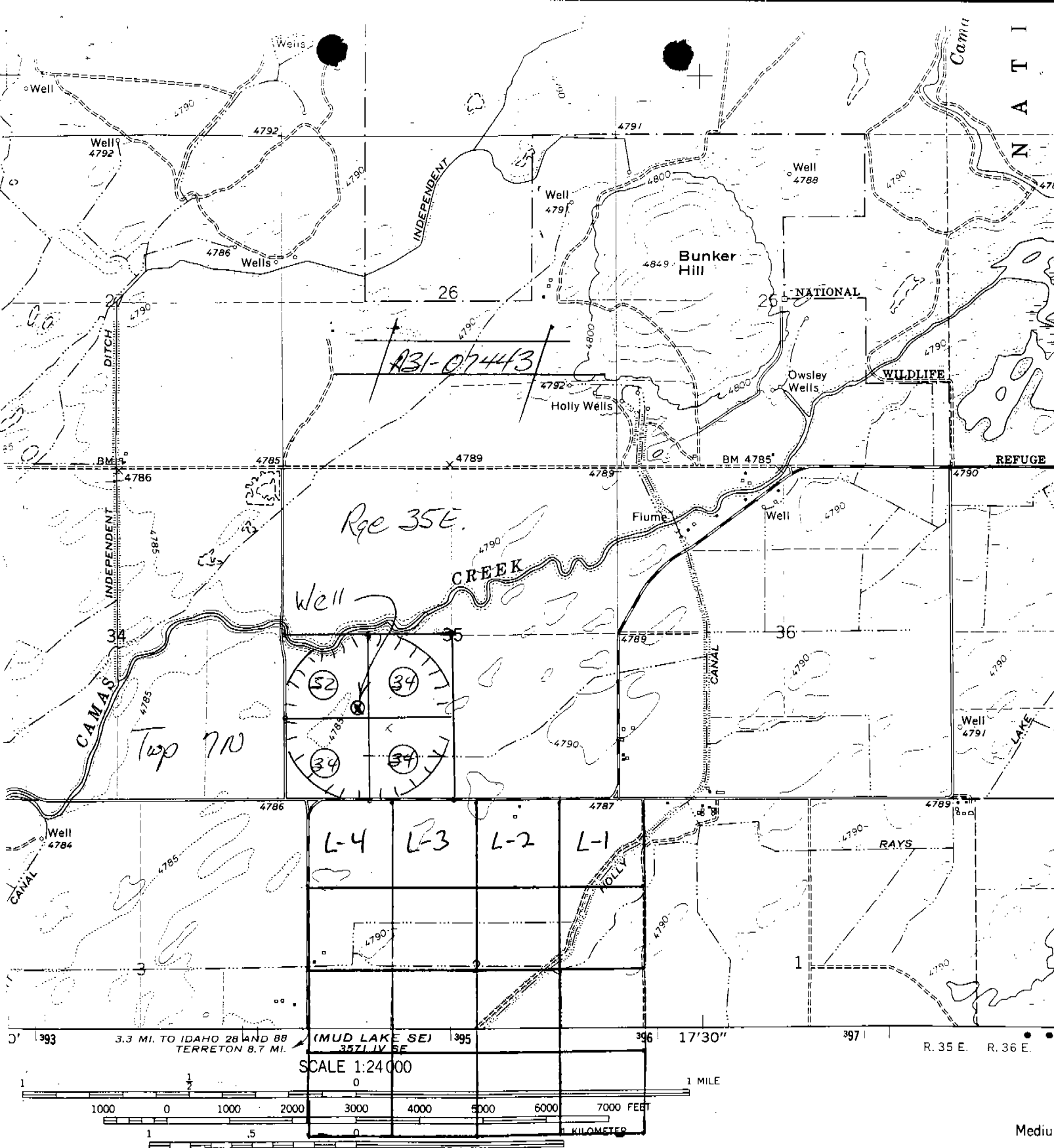
Ernest Carlson
Notary Public



Residing at Alto Falls ID
My Commission Expires 6-14-1994

MICROFILMED

NOV 17 1992



CONTOUR INTERVAL 10 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

IDAHO
 QUADRANGLE LOCATION
MICROFILMED

NOV 17 1992

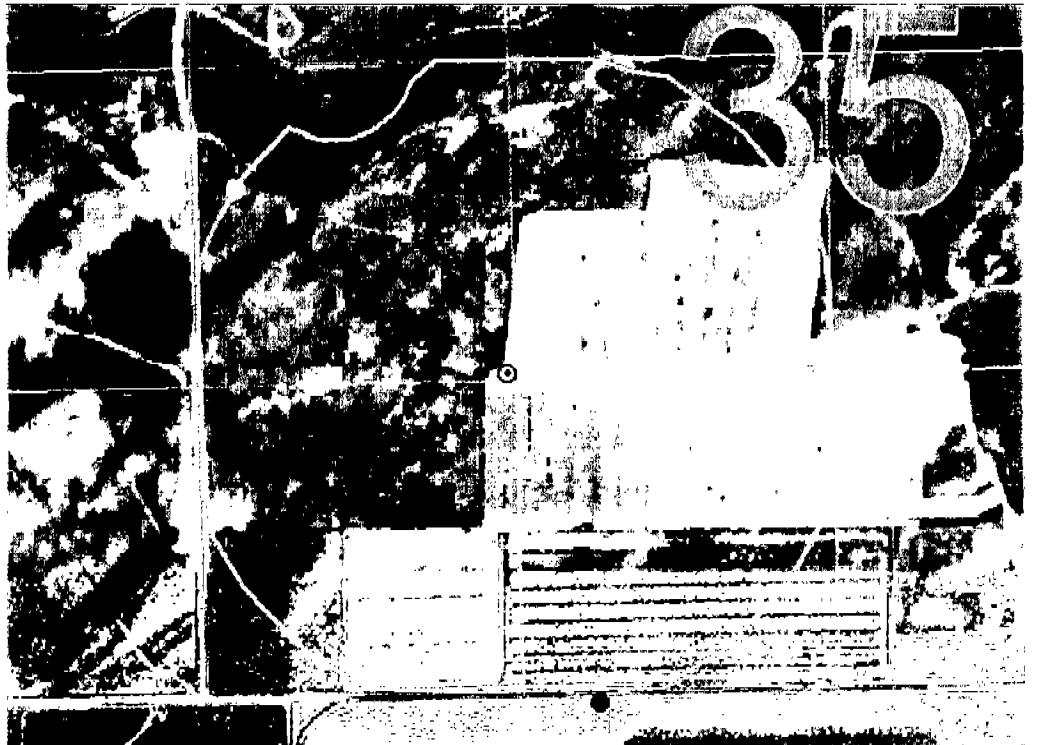
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Idaho Department of Water Resources

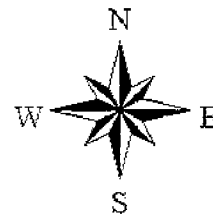
Water Right 31-7443

Township 7N Range 35E



1320 0 1320 Feet

- ⊙ Point of Diversion
- Point of Diversion - Other Rights
Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 12/2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:2
03/23/9

PAGE: 1
GENERAL INFORMATION

2343
CLAIM NUMBER: A31-374

LAST: HOGGAN BROTHERS INC.
ADDRESS: C/O CARL HOGGAN
1968 E 1800 N
CITY: HAMER
PHONE NUMBER: 208-662-5207

FIRST:

STATE: ID ZIP: 83425

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: CARL HOGGAN

PHONE NUMBER: () -

DATE OF FIELD EXAM: 16 JULY 94

APPOINTMENT MADE: Y() N(X)

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

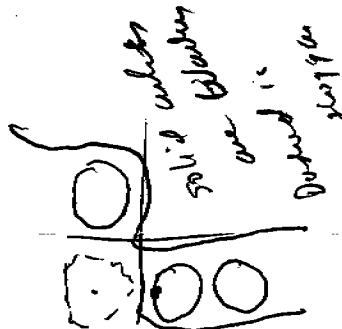
DIRECTIONS TO PROPERTY / NOTES

- OBSERVED CENT

- CARL H. STATED

THE LICENSE

31-7443



PT VISIT SITE OF WELL.

ANGES TO THE SYSTEM SINCE

PAGE: 2
PRIORITY DATE REVIEW PAGE

2350
CLAIM NUMBER: A31-074

A. AJ CLAIM: # A31-07443 PRIORITY DATE: 06-24-1985 STAGE: L
B. WR RECORD: # 31-07443 PRIORITY DATE: 06-24-1985 STAGE: L

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

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

NOTES: PRIORITY LISTED ON LICENSED DOCUMENT MATCHES NOTICE.

RECOMMENDED PRIORITY DATE:
06-24-1985

REVIEWED BY ENC

DATE 7 Oct 94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-07443	07N	35E	35	SE	NW	SW		JEFFERSON

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

MR RECORDS IN SAME 40 ACRE TRACT
31-02113

SOURCE: GROUNDWATER

TRIB:

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-07443	07N	35E	35		NW	SW		JEFFERSON

OTHER MR RECORDS WITH SAME MR POD
31-02113

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

NOTES:

SKETCH OF SYSTEM ON LICENSING FIELD REPORT SHOWS WELL IN
SE CORNER OF NW 1/4 SEC 35 T07N R35E. RECOMMEND AS CLAIMED.

PAGE: 4
POINT OF DIVERSION REVIEW SHEET CONTINUED

2352
CLAIM NUMBER: A31-374

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	R&E.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER p/c

TRIB:

REVIEWED BY: EMC

DATE: 7 OCT 94

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-07443

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	JR #/ACRES	LANDSAT DATA	FIELD EXAM.
07N	35E	35	NE	SW		HOGGAN BROTHERS INC.	A31-07443 /34.0	31-07443 /34.0	35.0	
			NE	SW		HOLLEY WATER USERS ASSN.	A31-10957 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-10958 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00332 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-10960 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00345 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-10961 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00355 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-10962 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00360 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00361 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00371 /25.0	31-00371 /25.0		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00354 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-10959 /25.0	- /		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00331 /25.0	31-00331 /25.0		
			NE	SW		HOLLEY WATER USERS ASSN.	A31-00344 /25.0	- /		
			NE	SW		WALKER, WILLIAM		31-02113 /40.0		
07N	35E	35	NW	SW		HOGGAN BROTHERS INC.	A31-07443 /32.0	31-07443 /32.0	15.0	
			NW	SW		WALKER, WILLIAM		31-02113 /40.0		
07N	35E	35	SW	SW		HOGGAN BROTHERS INC.	A31-07443 /34.0	31-07443 /34.0	36.0	
			SW	SW		HOLLEY WATER USERS ASSN.	A31-10957 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-10958 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00344 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00345 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-10961 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00355 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-10962 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00360 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00361 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00371 /20.0	31-00371 /20.0		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00354 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-10959 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-10960 /20.0	- /		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00331 /20.0	31-00331 /20.0		
			SW	SW		HOLLEY WATER USERS ASSN.	A31-00332 /20.0	- /		
			SW	SW		WALKER, WILLIAM		31-02113 /40.0		
			SW	SW		HOLLEY WATER USERS		31-07460 /40.0		
07N	35E	35	SE	SW		HOGGAN BROTHERS INC.	A31-07443 /34.0	31-07443 /34.0	41.0	
			SE	SW		HOLLEY WATER USERS ASSN.	A31-10958 /40.0	- /		
			SE	SW		HOLLEY WATER USERS ASSN.	A31-00344 /40.0	- /		
			SE	SW		HOLLEY WATER USERS ASSN.	A31-00345 /40.0	- /		

PAGE: 5
PLACE OF USE REVIEW SHEET CONTINUED

2356
CLAIM NUMBER: A31-074

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	4R #/ACRES	LANDSAT DATA	FIELD EXAM
SE	SW					HOLLEY WATER USERS ASSN.	A31-10961 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-10962 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-00360 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-00361 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-00371 /40.0	31-00371 /40.0		
SE	SW					HOLLEY WATER USERS ASSN.	A31-10957 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-10959 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-10960 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-00331 /40.0	31-00331 /40.0		
SE	SW					HOLLEY WATER USERS ASSN.	A31-00334 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-00332 /40.0	- /		
SE	SW					HOLLEY WATER USERS ASSN.	A31-00355 /40.0	- /		
SE	SW					HOLLEY WATER USERS		31-07460 /40.0		
TOTAL ACRES							A31-07443	134.00	134.00	127.00

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

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

POB COUNTY: JEFFERSON

PRESUMPTION FLAG:

NOTES:

CONDITION CODE: E19-

RECOMMENDATIONS:

TOTAL ACRES: 134.0

REVIEWED BY: EMC

DATE: 7 Oct 94

PAGE: 7
PURPOSES REVIEW SHEET

2353
CLAIM NUMBER: A31-0743

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-07443 IRRIGATION <i>OKAY</i>	FROM 04-01 TO 11-01	2.210 CFS 402.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.210 CFS 402.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-07443 IRRIGATION	FROM 04-01 TO 11-01	2.210 CFS 402.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.210 CFS 402.00 AF/A

PRESUMPTION FLAG: —

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() EXPLAIN IN NOTES, BELOW

NOTES:

LOWR STANDARD IS 04-15 to 10-15.

Y(X) K()

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
 ** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
 ** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FIELD
DATABASE EXAMINER
Y N.

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

SEE LICENSING EXAM

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

OTHER RIGHTS LISTED IN CLAIMS:

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	VOL.
A51-07463	GROUNDWATER	HOGGAN BROTHERS INC.	2.210	0.016	402.00	
A51-00351	GROUNDWATER	HOLLEY WATER USERS ASSN.	24.000	0.007		
A51-00352	GROUNDWATER	HOLLEY WATER USERS ASSN.			5080.00	
A51-00364	CANAS CREEK	HOLLEY WATER USERS ASSN.	1.700			
A51-00365	CANAS CREEK	HOLLEY WATER USERS ASSN.	0.800			
A51-00356	CANAS CREEK	HOLLEY WATER USERS ASSN.	0.800			
A51-00355	CANAS CREEK	HOLLEY WATER USERS ASSN.	0.800			
A51-00350	CANAS CREEK	HOLLEY WATER USERS ASSN.	3.000			
A51-00361	CANAS CREEK	HOLLEY WATER USERS ASSN.	2.600			
A51-00371	GROUNDWATER	HOLLEY WATER USERS ASSN.	23.000	0.007		
A51-10957	CANAS CREEK	HOLLEY WATER USERS ASSN.	2.500			
A51-10958	CANAS CREEK	HOLLEY WATER USERS ASSN.	2.700			
A51-10959	CANAS CREEK	HOLLEY WATER USERS ASSN.	7.980	0.002		
A51-10950	CANAS CREEK	HOLLEY WATER USERS ASSN.	2.360			
A51-10951	CANAS CREEK	HOLLEY WATER USERS ASSN.	6.180	0.001		
A51-10952	CANAS CREEK	HOLLEY WATER USERS ASSN.	1.940			

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 134 X 0.02 CFS/ACRE = 2.68 CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES 134 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 335.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 402.00 AF/A
ACRES 134 X DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME 469.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATIONS:

SEE ATTACHED SHEET? Y() N(X)

NR RECORD CONDITIONS/REMARKS:

DELETE 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.

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. COM USE
IRRIGATION	~~04-01~~ 11-01	DATABASE EXAMINER 2.210	DATABASE EXAMINER 402.00	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT	4-15 10-15	2.210	469.0 402.00 469.0	0.0 335.0

REVIEWED BY: ENC DATE: 7 Oct 94

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
<u> X </u>	<u> () </u>

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07443

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.210

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-07443	2.210	-		31-07443	2.210
TOTAL CFS		2.210				2.210

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER
 Y

NOTES:

WATER RIGHT WAS CLAIMED IN FULL, THERE WERE NO SPLITS.

AUTHENTICATION:

SIGNATURE: Ernest Carlson

DATE: 7 Oct 94

NAME OF FIELD EXAMINER: Ernest Carlson

TITLE: W.R. Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:24
03/23/93

PAGE: 12
QUICKLOOK INFORMATION

2363
CLAIM NUMBER: A31-074

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	
PRIORITY DATE						ENC		
POINT OF DIV						7 Oct 94		
SOURCE	Y			N	6			
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME	Y			N	6			
CONSUMPTIVE USE				Y	6			
PURPOSES				Y	6			
PERIOD OF USE								
BASIS OF CLAIM				Y	6			
REMARKS								

VERIFIED BY CODES

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

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

BAR CODE

CIX 70

03:51:01
03/29/91
2361

CLAIM NUMBER: A31-074

CONSUMPTIVE USE:
DIVERSION VOLUME:
STAGE: LICENSE

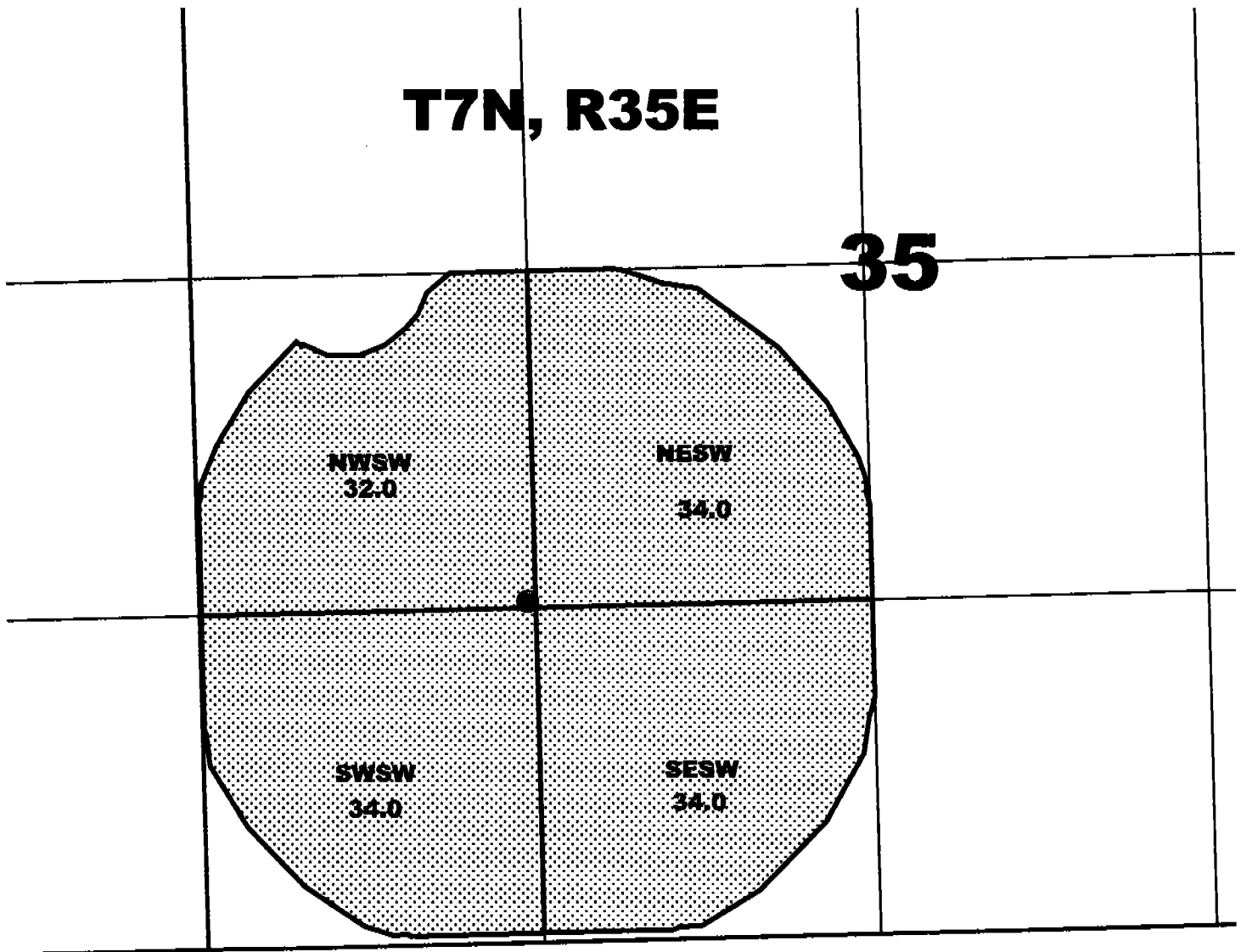
[illegible]

DATE:	EXAM MADE DATE:	VERIFIED DATE:
MISC:	WATER DISTRICT NUMBER:	FIELD INSPECTION FLAG: PRESUMPTION FLAG:

REMARKS: N/A
CONDITIONS: ~~10~~ E-19.

WR #: 31-07443

Walker Land and Cattle



Total Irrigated Acres: 134

Acreage Distribution

Prepared By: Craig Saxton
December 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 20, 2001

Hoggan Brothers Inc
1968 E 1800 N
Hamer, ID 83425

✓ Walker Land and Cattle
P.O. Box 129
Menan, ID 83421

Re: Change of Ownership, Water Rights 31-7443, 31-7259, 31-11683, 31-11684

Dear Water Users:

In 1997, Idaho Department of Water Resources changed the ownership of 31-7443 to the name of "Walker Land and Cattle" per a Notice of Change of Ownership submitted by Walker. The Notice incorrectly identified right 31-7443; it should have been 31-7259. Further, the person reviewing the documentation made an error in interpreting the deed and so processed the change as requested.

Walker Land and Cattle notified me of the error recently, and I have reviewed all the documentation and checked the plat maps in the courthouse. Based upon that review, I have changed the ownership of 31-7443 back to "Hoggan Brothers Inc." This is the pivot north of the Hamer road, west of Hoggans' headquarters.

I have also split water right 31-7259 into rights 31-11683 (Hoggan) and 31-11684 (Walker) to correspond to the land ownership specified in the deed.

Copies of the original recommendation for 31-7259, the corrected recommendation 31-7443, and the new recommendations 31-11683 and 31-11684, are enclosed for your review. Please call me if you have concerns or questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 4, 1997

WALKER LAND & CATTLE COMPANY
C/O PO BOX 50660
IDAHO FALLS ID 83405-0660

RE: CHANGE IN OWNERSHIP FOR A31-07443

Dear Sirs:

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

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

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

Respectfully submitted,

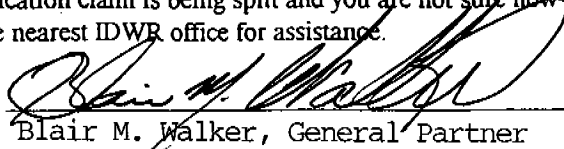
Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT 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 Number(s) 31-07443
 Adjudication Claim Number(s) A31-07443 R31-07443 *one* *AK*
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Hoggan Brothers, Inc.
1968 E. 800 N. Hamer, ID 83425
4. New Owner/Claimant(s) Walker Land & Cattle Company
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address c/o PO Box 50660
 City, State and ZIP Code Idaho Falls, ID 83405-0660
 New Telephone Number (208) 522 - 8100
5. Date you acquired the property 3/2/93
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS 2.21 Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)  Date 7/22/97
Blair M. Walker, General Partner Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

BART M. DAVIS

Attorney at Law

P. O. Box 50660
IDAHO FALLS, IDAHO 83405-0660

Admitted to Practice: Idaho
Arizona Federal Courts
U S Court of Appeals: 9th Cir.
United States Supreme Court

Telephone
208.522.8100
Fax 208.522.1334
Email bmd@srv.net

August 11, 1997

Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402

RE: Notice of Change of Water Right Ownership

Dear Sirs:

Enclosed herewith is the original Notice of Change of Water Right Ownership.
Upon the issuance of the new water right license, would you please route the same
directly to this office?

Sincerely yours,

LAW OFFICE OF BART M. DAVIS



BART M. DAVIS

BMD: tc
Enclosure

RECEIVED

AUG 12 1997

Department of Water Resources
Eastern Region

WARRANTY DEED

THIS INDENTURE, made this 1st day of March, 1993, between HOGGAN BROTHERS, INC., CARL R. HOGGAN, as Personal Representative of the Estate of Mary I. Hoggan, CARL R. HOGGAN, as Personal Representative of the Estate of Max C. Hoggan, CARL R. HOGGAN, ELAINE HOGGAN, LYNN H. HOGGAN, and MATTHEW HOGGAN, of Hamer, County of Jefferson, State of Idaho, the Party of the First Part, and WALKER LAND & CATTLE COMPANY, an Idaho Corporation, of _____, County of Jefferson, State of Idaho, the Party of the Second Part,

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to Party of the First Part in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said Party of the Second Part, and to Party of the Second Part's heirs and assigns, forever, all the following described real estate situated in the County of Jefferson, State of Idaho, to-wit:

See attached Exhibit "A"

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 said Party of the First Part,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the Party of the Second Part, and to Party of the Second Part's heirs and assigns forever. And the said Party of the First Part, and said Party of the First Part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Party of the Second Part, and Party of the Second Part's heirs and assigns, against the said Party of the First Part, and Party of the First Part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Party of the First Part hereunto has set his hand.

Lynn Hoggan
HOGGAN BROTHERS, INC.
President

Carl R. Hoggan
CARL R. HOGGAN, as Personal Representative of the Estates of Max C. Hoggan and Mary I. Hoggan

Carl R. Hoggan
CARL R. HOGGAN, individually and as heir of Mary I. Hoggan and/or Max C. Hoggan

Elaine Hoggan
ELAINE R. HOGGAN

Lynn Hoggan
LYNN H. HOGGAN, individually and as heir of Mary I. Hoggan and/or Max C. Hoggan

Matthew D. Hoggan
MATTHEW HOGGAN, individually and as heir of Mary I. Hoggan and/or Max C. Hoggan

266982

4-1-93 10:23 AM
COUNTY CLERK
Jefferson Co. Recorder
1993 4.00 SK Deputy
Recorded in Register of

RECEIVED BY
A. S. GOR
COUNTY CLERK

County of Jefferson)

On this 1 day of March, 1993, before me the undersigned, a Notary Public in and for said State, personally appeared HOGGAN BROTHERS, INC., through its president LYNN HOGGAN, CARL R. HOGGAN, as Personal Representative of the Estate of Mary I. Hoggan, CARL R. HOGGAN, as Personal Representative of the Estate of Max C. Hoggan, CARL R. HOGGAN, ELAINE HOGGAN, LYNN H. HOGGAN, and MATTHEW HOGGAN, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same individually and/or in their representative capacity and/or as heirs of Mary I. Hoggan and/or Max C. Hoggan.

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)


Notary Public for Idaho
Residing at: *Boise, Idaho*
Commission Expires: *10/24/97*

TRACT 1

Township 6 North, Range 35 East of the Boise Meridian, Jefferson County, Idaho,

Section 2: Lots 3 and 4 (which is the approximate N 1/2 of NW 1/4)

EXCEPTING THEREFROM: Such land that commences at the NE Corner of the NW 1/4 of Section 2, thence South 690 feet, thence NW 45 degrees at 976 feet, thence East 690 feet to the point of beginning.

W 1/2 SW 1/4

EXCEPTING THEREFROM: Such land that commences at the SW Corner of the SW 1/4 of Section 2, thence North approximately 640 feet, thence SE at 45 degrees 905 feet, thence West 640 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Such land that commences at the NW Corner of the SW 1/4 of Section 2, thence South approximately 630 feet, thence NE 45 degrees 890 feet, thence West 630 feet to the point of beginning.

Township 7 North, Range 35 East of the Boise Meridian, Jefferson County, Idaho,

Section 35: SE 1/4

EXCEPTING THEREFROM: Such land that commences at the NE Corner of the SE 1/4 of Section 35, thence West 625 feet, thence SE 45 degrees 884 feet, thence North 625 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Such land that commences at the NW Corner of the SE 1/4 of Section 35, thence East 630 feet, thence SW 45 degrees 891 feet, thence North 630 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Such land that commences at the SW Corner of the SE 1/4 of Section 35, thence North 630 feet, thence SE 45 degrees 891 feet, thence West 630 feet to the point of beginning.

TRACT 2

Township 6 North, Range 35 East of the Boise Meridian, Jefferson County, Idaho,

Section 2: E 1/2 SW 1/4

EXCEPTING THEREFROM: Such land that commences at the NE Corner of the SW 1/4 of Section 2, thence West approximately 590 feet, SE 45 degrees 834 feet, thence North 590 feet to the point of beginning.

S 1/2 NW 1/4

EXCEPTING THEREFROM: Such land that commences at the SW Corner of the NW 1/4 of Section 2, thence North 680 feet, thence SE at an angle 894 feet to a point which is 580 feet East of the point of beginning, thence West 580 feet to point of beginning.

ALSO EXCEPTING THEREFROM: Such land that commences at the SE Corner of the NW 1/4 of Section 2, thence North 615 feet, thence SW 45 degrees at 870 feet, thence East 615 feet to the point of beginning.

266985

4. 7m 9.00 93
1026 a.
Jefferson Co. Record
Fees 9.00 56
Recorded at [unclear] of

WARRANTY DEED

For Value Received Walker Land & Cattle Company, an Idaho Corporation, the Grantor does hereby grant, bargain, sell and convey unto Walker Land & Cattle Company, an Idaho General Partnership, Roland N. (Rollie) Walker, Sally Walker, Blair Erickson, Celia Erickson, Blair Walker, Debbie Walker, Keith Walker, and Allyson Walker, general partners, whose current address is c/o Bart M. Davis, Attorney at Law, P O Box 50660, Idaho Falls, Idaho 83405-0660, the Grantee(s), the following described premises, in Jefferson County, Idaho, to wit:

TRACT ONE

Township 6 North, Range 35 E.B.M., Jefferson County, Idaho, Section 2: Lots 3 and 4 (which is the approximate N 1/2 of NW 1/4), **EXCEPTING THEREFROM:**

- a. Such land that commences at the NE corner of the NW 1/4 of section 2, thence south 690 feet, thence NW 45 degrees at 976 feet, thence east 690 feet to the point of beginning, all of which contains 5.46 acres, more or less;

W 1/2 SW 1/4, EXCEPTING THEREFROM:

- a. Such land that commences at the SW corner of the SW 1/4 of section 2, thence north approximately 640 feet, thence SE at 45 degrees 905 feet, thence west 640 feet to the point of beginning, all of which contains 4.7 acres, more or less; and
- b. Such land that commences at the NW corner approximately 630 feet, thence NE 45 degrees 890 feet, thence west 630 feet to the point of beginning, all of which contains 4.56 acres, more or less.

Township 7 North, Range 35 E.B.M., Jefferson County Idaho, Section 35: SE 1/4, **EXCEPTING THEREFROM:**

- a. Such land that commences at the NE corner of the SE 1/4 of section 35, thence west 625 feet, thence SE 45 degrees 884 feet, thence north 625 feet to the point of beginning, all of which contains 4.48 acres, more or less.
- b. Such land that commences at the NW corner of the SE 1/4 of section 35, thence east 630 feet, thence SW 45 degrees 891 feet, thence north 630 feet to the point of beginning, all of which contains 4.56 acres, more or less; and
- c. Such land that commences at the SW corner of the SE 1/4 of section 35, thence north 630 feet, thence SE 45 degrees 891 feet, thence west 630 feet to the point of beginning, all of which contains 4.56 acres, more or less.

Together with an appurtenances thereto. Such shall include 270 shares of stock in Holly Water Users, Inc.

RECEIVED BY

ALLIANCE

FOR THE RECORD

Date 3.9.93 Time 2:56 PM

TRACT TWO

**Township 6 North, Range 35 E.B.M., Jefferson County, Idaho, Section 2: E 1/2 SW 1/4,
EXCEPTING THEREFROM:**

- a. Such land that commences at the NE corner of the SW 1/4 of section 2, thence west approximately 590 feet, SE 45 degrees 834 feet, thence north 590' to the point of beginning, all of which contains 4.0 acres, more or less.

S 1/2 NW 1/4, EXCEPTING THEREFROM:

- a. Such land that commences at the SW corner of the NW 1/4 of section 2, thence north 680 feet, thence SE at an angle 894 feet to a point which is 580 feet east of the point of beginning, which contains 4.53 acres, more or less; and
- b. Such land that commences at the SE corner of the NW 1/4 of section 2, thence north 615 feet, thence SW 45 degrees at 870 feet, thence east 615 feet to the point of beginning, all of which contains 4.29 acres, more or less.

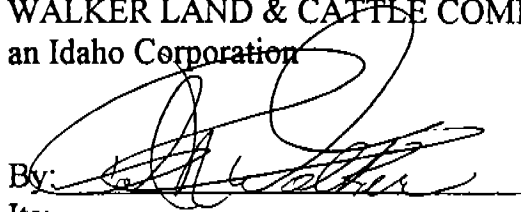
Together with any appurtenances thereto. Such shall include the 270 shares of stock in the Holly Water Users, Inc. referred to in Tract One. In addition, Water Right License (Water Right No. 31-072443)

To have and to hold the said premises, with its appurtenances, tenements, and hereditaments thereunto belonging or in anywise appertaining, and any reversions, remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the premises, as well in law as in equity, unto the said Grantee, Grantee's heirs and assigns forever. Grantor does hereby covenant to and with the said Grantee that Grantor is the owner in fee simple of said premises; that the above described realty is free from all encumbrances.

Grantor will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee and Grantee's heirs and assigns, against the said Grantor and Grantor's heirs, and against all and every person(s) or other entities, lawfully claiming any right thereto.

DATED: March 2, 1993

**WALKER LAND & CATTLE COMPANY,
an Idaho Corporation**

By: 

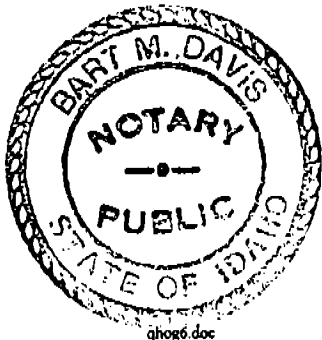
Its:

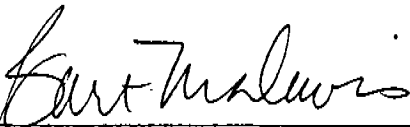
ACKNOWLEDGMENT BY CORPORATION

STATE OF IDAHO)
 :SS
County of Bonneville)

On this March 2, 1993, before me the undersigned, a notary public in and for the State of Idaho, personally appeared Roland N. (Rollie) Walker known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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





NOTARY PUBLIC FOR IDAHO
Residing at: Idaho Falls, Idaho
Commission Expires: 5-15-97

Upon Recordation, Please Return To:

BART M. DAVIS
ATTORNEY AT LAW
P O Box 50660
Idaho Falls, ID 83405-0660

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 31-07443

Priority: June 24, 1985

Maximum Diversion Rate: 2.21 CFS
Maximum Diversion Volume: 402.0 AF

This is to certify, that HOGGAN BROTHERS INC.
C/O CARL HOGGAN
P.O. BOX 713
HAMER, ID 83425

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 24, 1985; and has submitted Proof of Beneficial Use on August 1, 1989. An examination indicates that the works have a diversion capacity of 2.210 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.21 CFS	402.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW, Sec. 35, Township 07N, Range 35E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	35E	35	NESW 34	NWSW 32	JWSW 34	134
			SESW 34			

Total number of acres irrigated: 134

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.

