

C

IDAHO DEPARTMENT
OF WATER RESOURCES

T15S, R12E

6 = ACRES

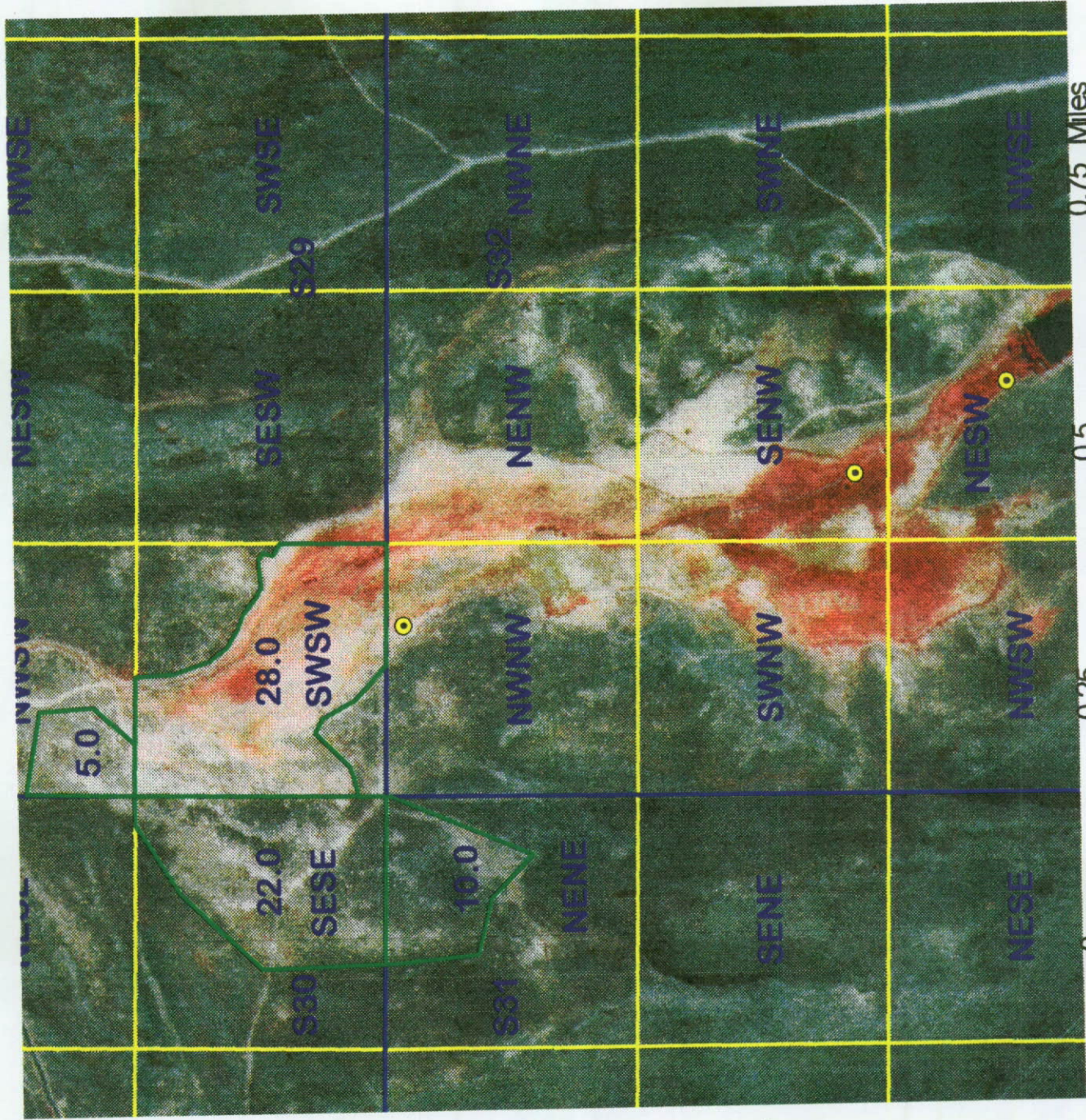
Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 51-02442
Owner(s): SWAN
Prepared by: KAY WALKER
Date: 6/08/1998



1987 NAPP

DP68
(1976)

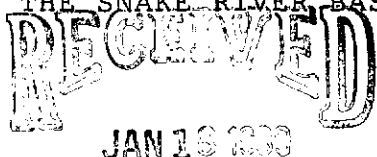


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A51-02442
Date Received: ~~11/10/1988~~ 1/11/89
Receipt No: 5005870
Received By: AD



Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SWAN LAND & LIVESTOCK COMPANY 208-857-2235
Address: HOUSE CREEK RANCH
ROGERSON, ID 83302

2. Date of Priority: JUL 16, 1943

3. Source: CURTIS DRAW Trib. to: DEADWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	12E	32	NE	NW	NW		OWYHEE
			SW	SE	NW		OWYHEE
			SE	NE	SW		OWYHEE

5. Description of diverting works:
THREE CHECK DAMS TO EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.300		

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

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	12E	29	NW	SW		IRR	5.0

A51-02442

Page 1

Date: 11/10/88

MICROFILMED
AUG 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	29	SW	SW		IRR	25.0
						Section Acres	30.0
		30	SE	SE		IRR	20.0
						Section Acres	20.0
		31	NE	NE		IRR	15.0
						Section Acres	15.0
						Total Acres	65.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A51-00143, A51-00141

14. Remarks:
THIS WATER IS HIGH WATER ONLY AVAILABLE OCCASIONALLY.

15. Basis of Claim: LICENSE
Water Right Number: 19420

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: See Map A51-00141

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of _____ Title

SWAN LAND + LIVESTOCK CO. , that I have signed the foregoing Organization

document in the space below as PRESIDENT of _____ Title

SWAN LAND + LIVESTOCK CO. and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

PRES. SWAN LAND + LIVESTOCK CO.
Title and Organization

1/11/89
Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of January 19 89

[Signature]
Notary Public

Seal



Residing at Irwin Falls, Idaho

My Commission Expires 6-18-91

Note:

Originals sent to S.O.
to process. Copy sent to
Roxanne for 51-12956 also.

RECEIVED

APR 09 2004

Department of Water Resources
Southern Region

RECEIVED

APR 14 2004

WATER RESOURCES
WESTERN REGION

Form 42-248/42-1469(6) July, 2000

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
51-134			51-10194		
51-135			51-10195		
51-2447					
✓ 51-12956					
51-10193					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Aslett Ranches Partnership

P.O. Box B, Twin Falls, ID 83303

4. New Owner/Claimant(s)

Brackett Ranches Limited Partnership

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

New Mailing Address

Flat Creek Ranch

City, State and ZIP Code

Rogerson, ID 83307

New Telephone Number

208 857-2217

5. Date you acquired the property

03-23-04

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Roy E. Brackett III
(include title if applicable) Paula A. Brackett

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

For Office Use Only
 Received by Paula A. Brackett Date 4/9/04 Fee 150.00
 Receipted by Paula A. Brackett Date 4/9/04 Receipt No. 5026636
 Processed by _____ AJ Date _____ WR _____ Date _____

PO5988

instrument # 247169

MURPHY, OWYHEE, IDAHO

2004-03-23

04:31:04 No. of Pages: 5

Recorded for : PIONEER TITLE COMPANY

CHARLOTTE SHERBURN

Fee: 15.00

Ex-Officio Recorder Deputy *B. Evans*

Index to: DEED, WARRANTY

WARRANTY DEED

FOR VALUE RECEIVED and as part of an IRC §1031 tax-deferred exchange, **ASLETT RANCHES PARTNERSHIP**, an Idaho Partnership, and **HOUSE CREEK RANCH GRAZING ASSOCIATION, LLC**, an Idaho Limited Liability Company, the Grantors, do hereby grant, bargain, sell and convey unto **BRACKETT RANCHES LIMITED PARTNERSHIP**, an Idaho Limited Partnership, the Grantee, whose address is Flat Creek Ranch, Rogerson, Idaho 83302, the following described premises, to-wit:

See Exhibit "A" (replacement property) attached hereto and by this reference made a part hereof, together with all water rights appurtenant to the described property, including, but not limited to:

Water Right Number 51-134 V2

Water Right Number 51-135 V2

Water Right Number 51-2442

Water Right Number 51-12956

Water Right Number 51-10193

Water Right Number 51-10194

Water Right Number 51-10195

Grantors quitclaim their right, title and interest, in and to BLM Permit for 5012 active use AUMs in the House Creek Grazing Association Allotment and all non-use AUMs, suspended non-use AUMs or any other AUMs associated with the House Creek Grazing Association Allotment, together with a USFS Term Grazing Permit Number 80114 for 357 cattle in the Wilson Creek Pasture C & H #317 Grazing Allotment in the Humboldt-Toiyabe National Forest.

Together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting such real property and any of Grantors' rights to use the same; (iv) any and all rights of ingress and egress to and from such real property and any of Grantors' rights to use same; (v) any and all mineral rights and interests of Grantors' relating to such real property (present or revisionary); (vi) any and all rights to the present or future use of waste water, waste water capacity, drainage, water or other utility facilities to the extent such rights pertain to or benefit such real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantors, if any, to any lease covering all or any portion of such real

property; and (viii) all right, title and interest of Grantors, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding such real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to such real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to such real property and (d) any and all reversionary interests in and to such real property (such real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (I) through (viii) above are herein collectively referred to as the "Property").

TO HAVE AND TO HOLD the said Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and Grantors do hereby bind themselves and their successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, to the full extent such matters are valid and subsisting and affect the Property.

DATED this 2nd day of March, 2004.

ASLETT RANCHES PARTNERSHIP

By Steve Aslett
STEVE ASLETT, Partner

By X Larry Aslett
LARRY ASLETT, Partner
The mark of Larry Aslett
Witness Sharon J. Dooling

By Marvin Aslett
MARVIN ASLETT, Partner

By Steve Aslett Jr.
STEVE ASLETT, JR., Partner

HOUSE CREEK RANCH GRAZING
ASSOCIATION, LLC

By Steve Aslett Jr.
STEVE ASLETT, JR., Member

PO5988

"REPLACEMENT PROPERTY"
Exhibit "A"

In Township 13 South, Range 10 East, Boise Meridian, Owyhee County, Idaho.

Section 26: W1/2 SE1/4 NE1/4

In Township 13 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 31: Lots 1, 2 and 3, E1/2 W1/2

In Township 14 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: S1/2
Section 3: W1/2
Section 4: All
Section 5: W1/2
Section 6: Lots 3, 5, 6 and 7, SE1/4 NW1/4, E1/2 SW1/4
Section 8: E1/2 NW1/4, SW1/4, W1/2 SE1/4
Section 10: All
Section 11: S1/2
Section 15: All
Section 17: S1/2 S1/2
Section 20: N1/2 N1/2
Section 21: N1/2
Section 22: N1/2
Section 28: N1/2
Section 29: W1/2

In Township 15 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: N1/2 SW1/4, SE1/4 SW1/4, SW1/4 SE1/4

In Township 15 South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

Section 29: W1/2 SW1/4

EXCEPTING LESS the following described parcel: . . .

A strip of land 60 feet wide, 30 feet on either side of the center line of a center line survey, said center line being situate and running as follows:

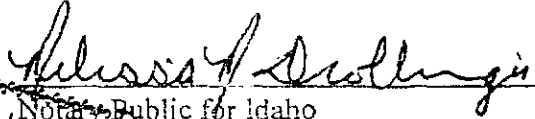
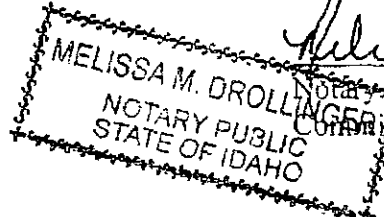
BEGINNING at the Southwest corner of the Southwest Quarter of the Northwest Quarter, Section 29, Township 15 South, Range 12 East, Boise Meridian, Owyhee County, Idaho; thence

South 0° 04' West a distance of 281.46 feet, to a point being station 236+37.86 of said center line survey, and said point being the REAL POINT OF BEGINNING; thence

North 69° 10' East a distance of 646.17 feet to a point being station 242+84.03 of said center line survey, the point of commencement of a 14° curve having a delta angle of 57° 28' to the left; thence around said curve for a distance of 101.82 feet to a point being station 243+85.85 of said center line survey.

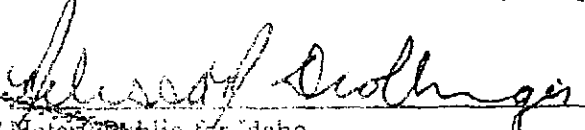
STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 2nd day of March, 2004, before me, the undersigned, a Notary Public for Idaho, personally appeared STEVE ASLETT, LARRY ASLETT, MARVIN ASLETT, and STEVE ASLETT, JR., personally known or proved to me on the basis of satisfactory evidence to be all of the partners of ASLETT RANCHES PARTNERSHIP, the partnership that executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of the partnership.


Notary Public for Idaho
Commission Expires: 12.10.05


STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 2nd day of March, 2004, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared STEVE ASLETT, JR., personally known or proved to me on the basis of satisfactory evidence to be a member of HOUSE CREEK RANCH GRAZING ASSOCIATION, LLC, an Idaho Limited Liability Company, that executed the foregoing instrument, and acknowledged to me that he executed the same on behalf of said limited liability company.


Notary Public for Idaho
My Commission Expires on 12.10.05


Section 30: SE1/4 SE1/4
Section 31: NE1/4 NE1/4
Section 32: NW1/4, E1/2 SW1/4, SW1/4 SE1/4

In Township 16 South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

Section 5: N1/2 NE1/4, SE1/4 NE1/4

EXCEPTING from said property described above:

Any right, title, or interest in any minerals, minerals rights or related matters including but not limited to oil, gas, coal and other hydrocarbon, whether or not shown by the public records.



TWIN FALLS
TITLE & ESCROW
COMPANY

4/8/04

VIA Regular Mail

Idaho Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

Re: Order No. T040136
Brackett/Aslett

RECEIVED
APR 09 2004
Department of Water Resources
Southern Region

To Whom It May Concern:

In connection with the above mentioned order, attached please find our check no. 2792 in the amount of \$150.00, representing: Water Rights Transfer Fees.

Also attached are copies/originals of the following document(s):

- ☒ Transfer Application
- ☒ Warranty Deed/Grant Deed.

Thank you for using Twin Falls Title & Escrow Company. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Melissa M. Drollinger
Escrow Officer
Twin Falls Title & Escrow Company

/md

encl.

SRBA

PARTIAL DECREE 51-02442

Issued on 04-26-2001.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:	ASLETT RANCHES PARTNERSHIP		
	PO BOX B		
	TWIN FALLS, ID 83303-0015		
SOURCE:	CURTIS DRAW TRIBUTARY: DEADWOOD CREEK		
QUANTITY:	1.30 CFS		
PRIORITY DATE:	07/16/1943		
POINT OF DIVERSION:	T15S R12E S32	NENWNW SWSNW SENESW	Within Owyhee County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTIT
	Irrigation	04-01 TO 10-31	1.30 C
PLACE OF USE:	Irrigation		Within Owyhee
	T15S R12E S29	NWSW 5.1	SWSW 27.9
	S30	SESE 22.1	
	S31	NENE 10.2	
	65.3 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMIT
THE IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SIN
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00134 & 51-0013

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

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

[Return to SRBA Home Page](#)

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C ASLETT RANCHES PARTNERSHIP 07/16/1943 IRRIGATION 04-01 10-31 1.300 CFS

PO BOX B

TWIN FALLS ID 833030015

(208) 734-5533

TOTAL DIVERSION: 1.300 CFS

D SWAN LAND & LIVESTOCK COMPANY
HOUSE CREEK RANCH
ROGERSON ID 83302
(208) 857-2235

Water Source: CURTIS DRAW Tributary to: DEADWOOD CREEK Stage: LICENSE

Point(s) of Diversion: T15S R12E S32 NENW SWSNW SENESEW OMYHEE County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	NENE N4NE SWNE SENE	NENW N4NW SWNW SENW	NESW N4SW S4SW SESW	NESE N4SE SWSE SESE	
	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	
15S 12E 29	:	:	05	27	:
15S 12E 30	:	:	:	:	22
15S 12E 31	10	:	:	:	10.2
					65.3
					TOTAL ACRES

POU County: OMYHEE

Other Rights: A51-00143, A51-00141

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
51-00134 51-00135 A51-00134 A51-00143 A51-02442

Other Water Rights Listing Overlapping Place(s) of Use:
51-00134 51-00135 51-00143 A51-00134 A51-00135 A51-00141 A51-00143 A51-02442 A51-10349 R51-00141

- Conditions of Approval:
- C14 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 51:
 - WATER RIGHT NO. SOURCE
 - NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
 - ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

AJ0749NP
No. 51-02442

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

DATE: 03/23/00
PAGE: 2

Conditions of Approval:
- CONJUNCTIVELY.

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00134 & 51-00135

Dates: Exam Made Date: 09/07/1993. Verified Date: Objection Filed Date:

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

Comments: Date: 06/11/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS WATER IS HIGH WATER ONLY AVAILABLE OCCASIONALLY.

Date: 07/31/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 03/23/2000 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 03/23/00 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 24, 2000

ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS ID 83303-0015

RE: Water Right No. 51-02442 & 51-10196

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Swan Land & Livestock Company

DATE: 07/25/98
PAGE: 1

Audit: 07/25/98 KWALKER

**IDAHO DEPARTMENT
OF WATER RESOURCES**

T15S, R12E

6 = ACRES

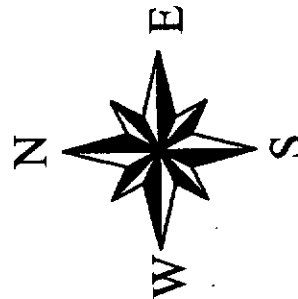
 **Section Lines**

 **PLACE OF USE**

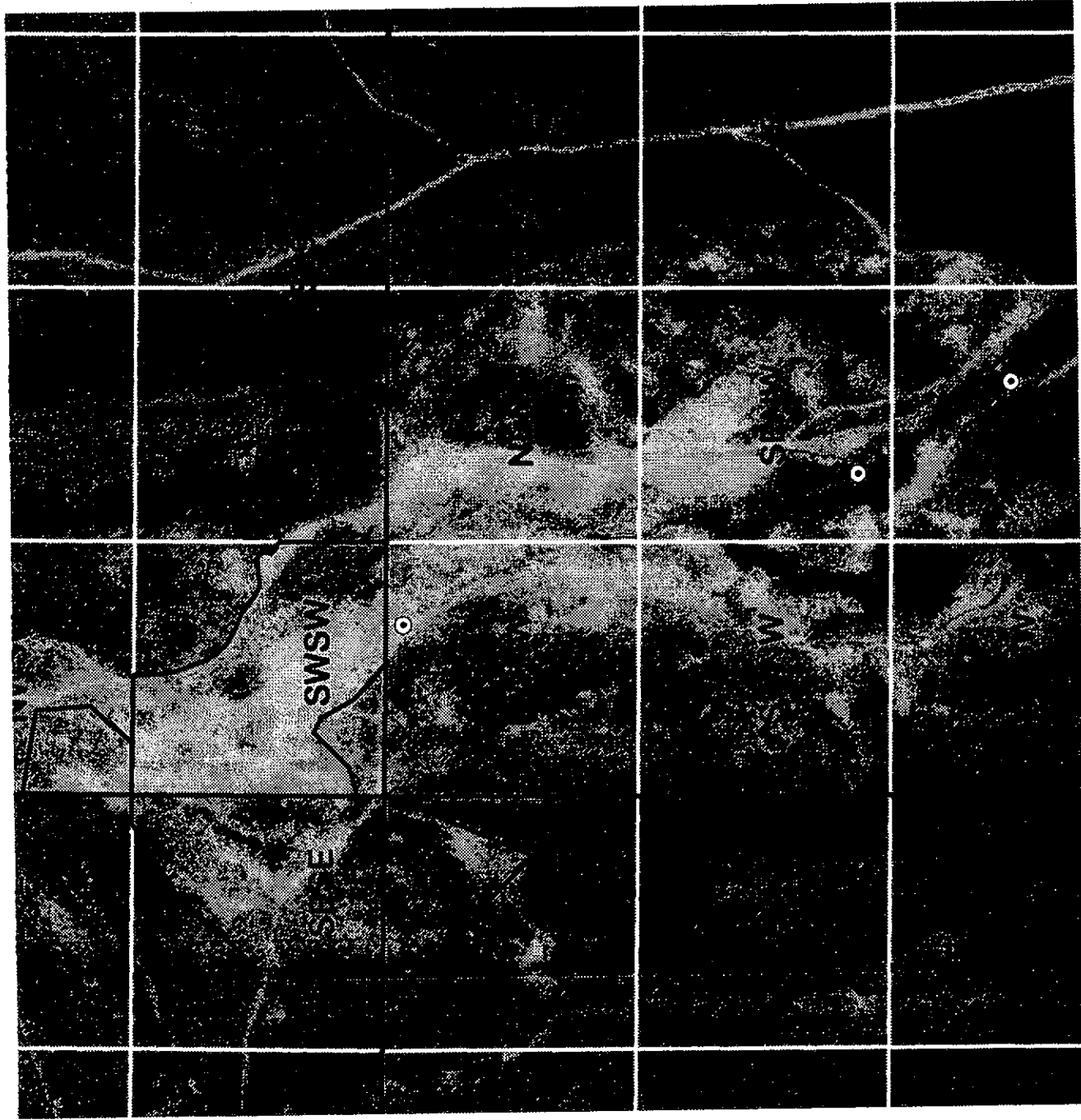
1/4 1/4 Lines

 **POINT(S) OF DIVERSION**

**Claim(s): 51-02442
Owner(s): SWAN
Prepared by: KAY WALKER
Date: 6/08/1998**



1987 NAPP



0.75 Miles

0.5

0.25

0

AJ0749NP
No. R51-02442

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

DATE: 06/11/98
PAGE: 1

OWNER CODE NAME & ADDRESS
C SWAN LAND & LIVESTOCK COMPANY
HOUSE CREEK RANCH
ROGERSON ID 83302
(208) 857-2235

PRIORITY DATE
07/16/1943

WATER USE
IRRIGATION

USE PERIOD FROM TO
07/15/1943

DIVERSION RATE
1.30 CFS

DIVERSION VOLUME
1.30 CFS

Water Source: CURTIS DRAW

Point(s) of Diversion:
T15S R12E S32

Tributary to: DEADWOOD CREEK

SWSESW

SENESEW

Stage: LICENSE
ONYHEE County

Place of use Legal Description for: IRRIGATION

T	R	S	NE		NW		SW		SE		SUM
			NENE	NWNE	SWNE	SENE	NESW	NWSW	SWSW	SESE	
15S 12E 29	:	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:
15S 12E 30	:	:	:	:	:	:	:	:	:	:	:
15S 12E 31	:	10	:	:	:	:	05	28	:	:	:
											33.0
											22.0
											10.0
											65.0
											TOTAL ACRES

POU County: ONYHEE

Other Rights: A51-00143, A51-00141

Other Water Rights With Same Point(s) of Diversion With Stage (Includes All Sources):

A51-00134 A51-00141 A51-00143 A51-02442 A51-00134 A51-00135

Other Water Rights Listing Overlapping Place(s) of Use:

A51-00134 A51-00135 A51-00141 A51-00143 A51-02442 A51-10369 A51-00134 A51-00135

Dates: Exam Made Date: 09/07/1993 Verified Date: 06/11/1998 Objection Filed Date:

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

Comments: Date: 06/11/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
THIS WATER IS HIGH WATER ONLY AVAILABLE OCCASIONALLY.

Audit: 06/11/98 KWALKER

OL-28 ac in SWSW, S28
no pld OL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:50:31
07/26/93
26

PAGE: 12
PROFILE REPORT

CLAIM NUMBER: A51-02442

OWNER
CODE C SWAN LAND & LIVESTOCK COMPANY
HOUSE CREEK RANCH
ROGERSON ID 83302
(208) 857-2235

PRIORITY
DATE 07/16/1943

WATER USE
IRRIGATION

USE PERIOD
FROM 04-01-14-07
TO 4/15 10/15

DIVERSION
RATE 1.30 CFS

DIVERSION
VOLUME 1.30 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE: 130.0 AFA *out*

Water Source: CURTIS DRAW ✓

Tributary to: DEADWOOD CREEK ✓

Point(s) of Diversion: T15S R12E S32

Stage: LICENSE ✓

OMYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE											
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NENE		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	SUM
15S	12E	29	✓																				50.0
15S	12E	30	✓																				20.0
15S	12E	31																					15.0
																TOTAL ACRES				65.0			

POU County: OMYHEE

Non-Irrigation Uses: *out*

Other Rights: A51-00143, A51-00141

Remarks: THIS WATER IS HIGH WATER ONLY AVAILABLE OCCASIONALLY.

Dates: Exam Made Date: Verified Date:

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

Comments

WESTERN REGION

CLAIM NUMBERS 51-02442

AGENT Kay DATE 6-8-98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 65

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80__

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (40) (41) (42) () ()

ATTRIBUTES OF B51-POD.SHP (66) (67) (68) () ()

B51-DBPOU.DBF _____ UPDATED BY

B51-DBPOD.DBF _____ UPDATED BY

updated mother 6/8/98

**IDAHO DEPARTMENT
OF WATER RESOURCES**

T15S, R12E

6 = ACRES

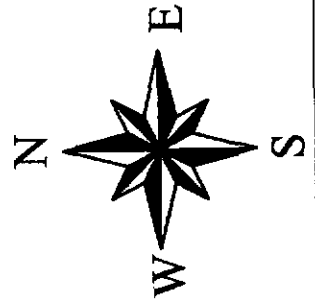
Section Lines

PLACE OF USE

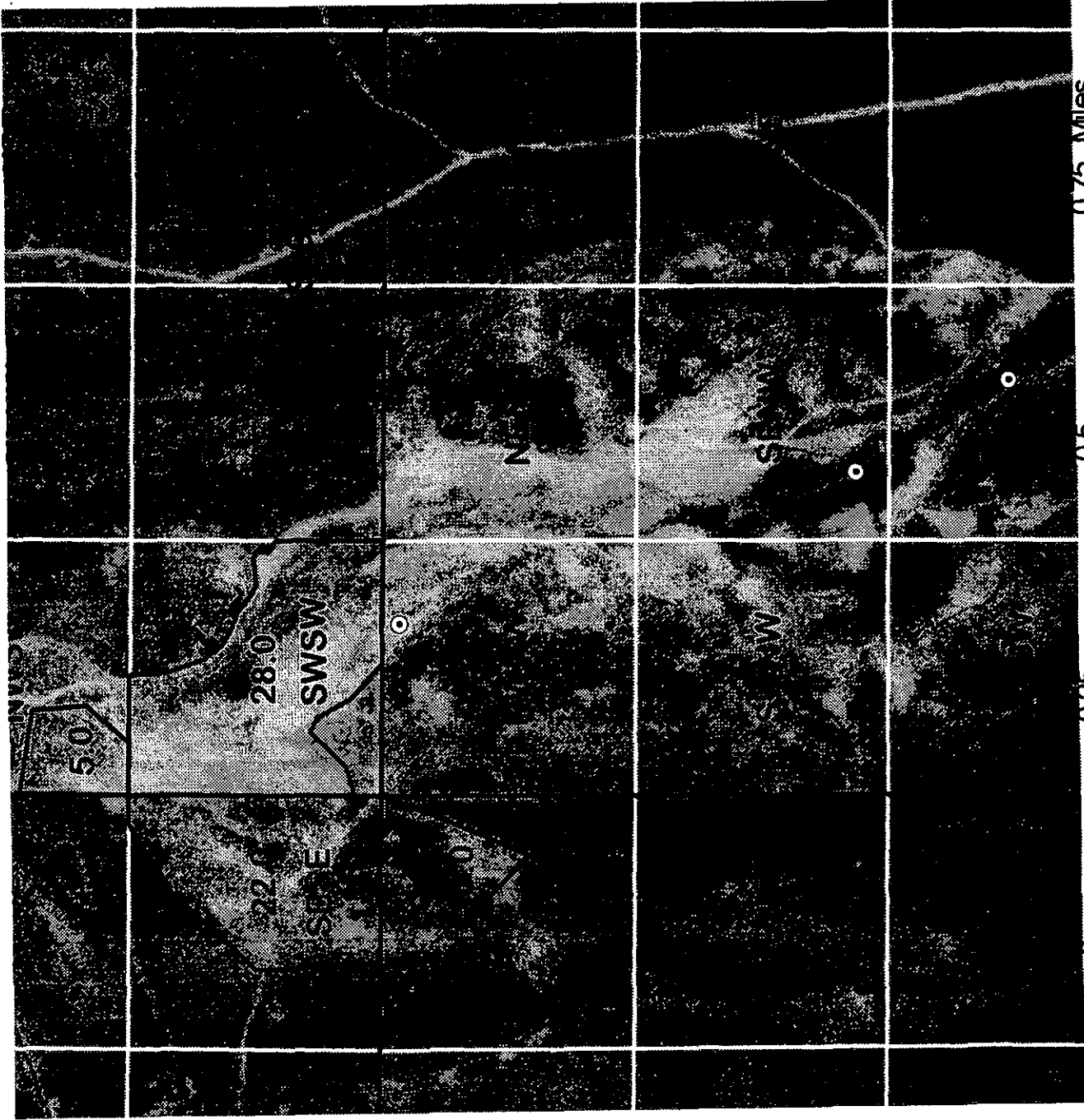
1/4 1/4 Lines

POINT(S) OF DIVERSION

**Claim(s): 51-02442
Owner(s): SWAN
Prepared by: KAY WALKER
Date: 6/08/1998**



1987 NAPP



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:37:16
07/26/93

PAGE: 11
QUICKLOOK INFORMATION

25
CLAIM NUMBER: A51-02442

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	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

"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.

*Same as licensed - added 10 ac.
tract descriptions to p/d's.*

16:37:16
07/26/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

15
CLAIM NUMBER: A51-02442

LAST: SWAN LAND & LIVESTOCK COMPANY
ADDRESS: HOUSE CREEK RANCH
CITY: ROGERSON
PHONE NUMBER: 208-857-2235
STATE: ID ZIP: 83302

FIRST:

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS WATER IS HIGH WATER ONLY AVAILABLE OCCASIONALLY.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 9/7/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: George Swan

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

See file A51-00134.

A. AJ CLAIM: # A51-02442 PRIORITY DATE: 07-16-1943 / STAGE: L ✓
B. WR RECORD: # 51-02442 PRIORITY DATE: 07-16-1943 / STAGE: L ✓

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

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)

NOTES: *An office review of this license -
not examined during field visit.
kw 6/11/98*

RECOMMENDED PRIORITY DATE:
07-16-1943

REVIEWED BY *kw* DATE *6/9/98*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-02442	15S	12E	32	NE	NW	NW		OWYHEE
A51-02442	15S	12E	32	SW	SE	NW		OWYHEE
A51-02442	15S	12E	32	SE	NE	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A51-00143 NONE
A51-10349

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: CURTIS DRAW

TRIB: DEADWOOD CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
51-02442	15S	12E	32	NW	NW	NW		OWYHEE
51-02442	15S	12E	32	SE	SE	NW		OWYHEE
51-02442	15S	12E	32	NE	NE	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A51-00143 NONE

A51-10349

SOURCE: UNNAMED STREAM

TRIB: DEADWOOD CREEK

C. FIELD EXAM REQUIRED?

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

FIELD EXAMINER
FW
FW

DATABASE
YN
YN

NOTES:

*10-ac tract descriptions added to p/pd's.
Curtis Draw named on quad DDOs.*

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:				LOT	COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.	1/4			
155	12E	32	NE NW	—	Owyhee	—
—	—	—	SW SE	—	"	—
—	—	—	SE NE SW	—	"	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
SOURCE:	Curtis Draw	—	—	—	—	—
TRIB:	Deadwood Creek	—	—	—	—	—

REVIEWED BY: KW DATE: 6/9/98

SYSTEM DESCRIPTION:

See license exam attached—

A. ROOT WATER RIGHT NUMBERS: A51-02442

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	12E	29	NW	SW		SWAN LAND & LIVESTOCK COMPANY A51-02442	5.0	51-02442	4.0		5.0
			NW	SW		SWAN LAND & LIVESTOCK COMPANY A51-00143	5.0	-			5.1
			NW	SW		SWAN LAND & LIVESTOCK COMPANY A51-10349	5.0	-			5.1
15S	12E	29	SW	SW		SWAN LAND & LIVESTOCK COMPANY A51-02442	25.0	51-02442	30.0		28.0
			SW	SW		SWAN LAND & LIVESTOCK COMPANY A51-00143	25.0	-			
			SW	SW		SWAN LAND & LIVESTOCK COMPANY A51-10349	25.0	-			
15S	12E	30	SE	SE		SWAN LAND & LIVESTOCK COMPANY A51-02442	20.0	51-02442	20.0		22.0
			SE	SE		SWAN LAND & LIVESTOCK COMPANY A51-00143	20.0	-			
			SE	SE		SWAN LAND & LIVESTOCK COMPANY A51-10349	20.0	-			
15S	12E	31	NE	NE		SWAN LAND & LIVESTOCK COMPANY A51-02442	15.0	51-02442	15.0		10.0
			NE	NE		SWAN LAND & LIVESTOCK COMPANY A51-00143	15.0	-			
			NE	NE		SWAN LAND & LIVESTOCK COMPANY A51-10349	15.0	-			
			NE	NE		HELSLEY, JEROME N.	51-02005	15.0	15.0 - Three Ck. Ranch Co.		
TOTAL ACRES							65.00	65.00	34.00		65.0

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

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: ONYHEE

EXAMINER *fw*

DATABASE Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 65

REVIEWED BY: fw

DATE: 6/9/98

A. AJ CLAIMED USES:
PURPOSES MONTH/DAY DIVERSION QUANTITY
A51-02442 IRRIGATION FROM 04-01 TO 11-01 1,300 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED 1,300 CFS

B. WR RECORDED USES:
PURPOSES MONTH/DAY DIVERSION QUANTITY
51-02442 IRRIGATION FROM TO 1,300 CFS
51-02442 DOMESTIC FROM TO 1,300 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED 1,300 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N) Y
DUE TO DIVERSION RATE DISCREPANCY? (Y/N) Y
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) Y

D. PERIOD OF USE:
RECOMMEND AS CLAIMED? Y() N(✓)
RECOMMEND TO WR STANDARDS OR OTHER? Y(✓) N() Explain in notes, below.

NOTES:
Season of use for this area = 4/15 to 10/15
per IDWR standards

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.300 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.300 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
N

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A51-00143, A51-00141

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-02442	CURTIS DRAW	SWAN LAND & LIVESTOCK COMPANY	1.300	0.020		
A51-00143	DEADWOOD CREEK	SWAN LAND & LIVESTOCK COMPANY	0.800	0.002		
A51-10349	DEADWOOD CREEK	SWAN LAND & LIVESTOCK COMPANY	4.600	0.014		

*-this claim 51-00134
-rec. as 51-00134
-rec. as 51-00134*

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

See files A51-00134 & A51-00135

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 65 x 0.02 CFS/ACRE = 1.30 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE N/A
CLAIMED CONSUMPTIVE USE = 130.0 AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME N/A
CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? Y() N(☒)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

BASIS OF CLAIM REVIEW SHEET

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED
AS CLAIMED

NEEDS
REVIEW

()

()

()

()

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

N/A

ROOT WATER RIGHT NUMBER: 51-02442

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.300

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-02442	1.300	-		51-02442	1.300
TOTAL CFS		1.300				1.300

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)

FIELD
EXAMINER

DATABASE
Y

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Ray Walker
Ray Walker
6/10/98
Sr. Agent

State of Idaho License and Certificate of Water Right

Water License No. 19420

Amount 1.30 second feet

Water District No.

Priority July 16, 1943

THIS IS TO CERTIFY that T. E. FAUSETT
of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 16, 1943; that Permit No. 19420
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
Two(2) second feet, was issued thereunder on April 5, 1948, showing that said works
were completed on the 27th day of March, 1948; and that on the 6th
day of May, 1948.

T. B. FAUSETT

of Twin Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed
stream, a tributary of _____, for the purpose of irrigation and domestic use
under Use Permit No. 19420 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8

of Licenses at page 4436, on the 4th day of February, 1949;

The right hereby confirmed date from July 16, 1943;

The Point of Diversion is located in the NW¹/₄, SE¹/₄ and NE¹/₄

Section 34, T. 15 S., R. 12 E., B. M. Cuyahoe County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.3 cubic feet per second

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	12 E.	29	NW ¹ / ₄ SW ¹ / ₄	40	5
			SW ¹ / ₄ SW ¹ / ₄	40	25
		30	SE ¹ / ₄ SE ¹ / ₄	12	20
		31	NE ¹ / ₄ NE ¹ / ₄	8	15

Number of Acres Actually Irrigated . . . 65

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of February, 1949

(SEAL)

MARK B. KULP
State Reclamation Engineer

17-2412

DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19420

This proof is for Beneficial use

In Water District No.

1. Name of applicant Thomas B. Fausett, 534 2nd Avenue North, Twin Falls, Idaho

2. Source of water supply: an unnamed stream

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32

T 15 S. R. 12 E. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: Three small ditch
diversions are made direct from the stream, no structures being necessary.
Ditches are from 1 $\frac{1}{2}$ to 2 feet in width, and one foot in depth

5. Water is used for: Irrigation and domestic purposes.

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres
under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31;

Township 15 South, Range 12 East, S. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River

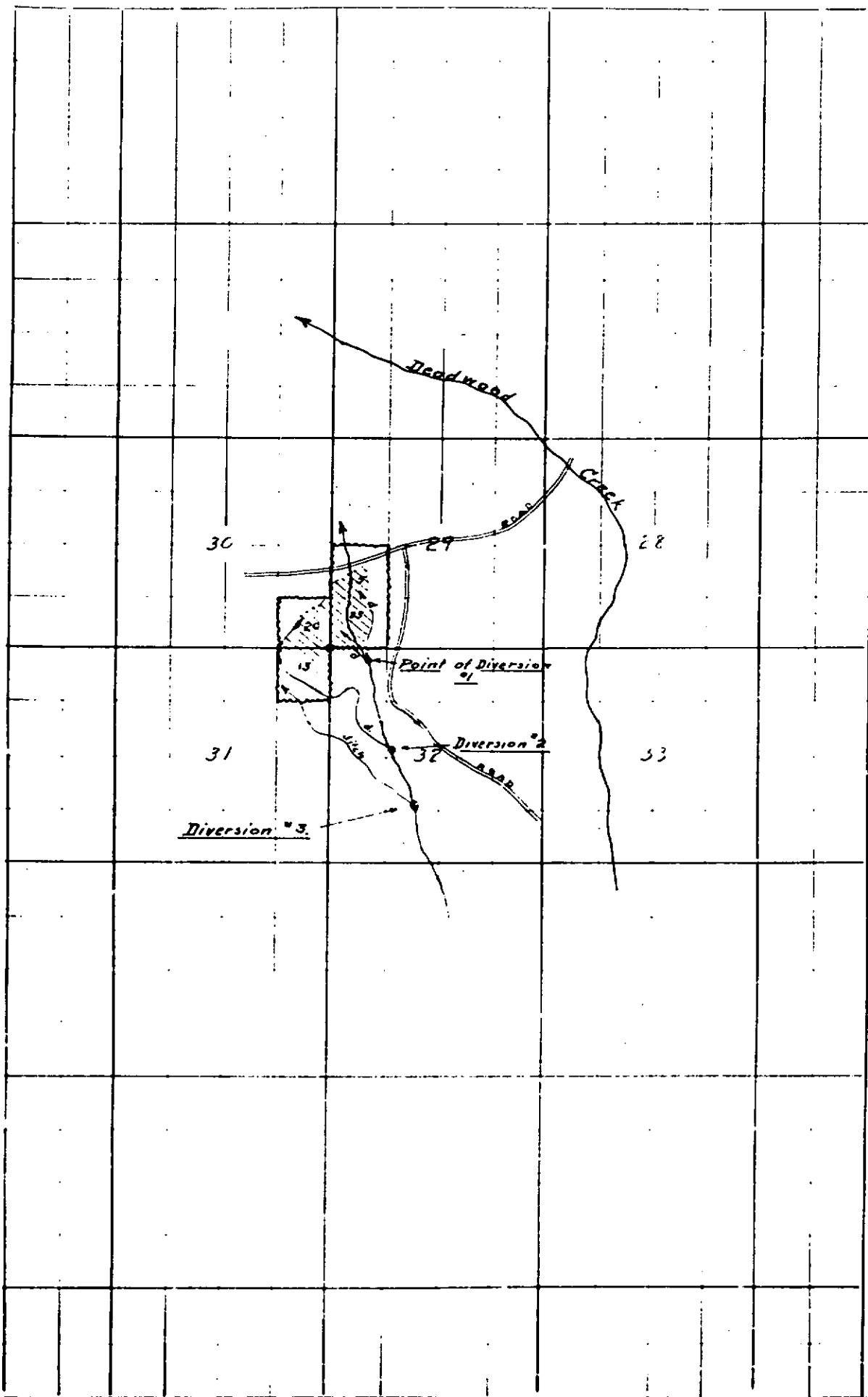
Remarks: Water for this filing is available only in the early part of the
irrigation season.

This examination was made on the 12th day of August, 1948

(Signed)

H. L. Dolman
Examiner

19420



Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

19420

Water Right Number - 51-02442 Prefix Translation: WATER RIGHT Old (D) Number - 19420

*** C - CURRENT OWNER ***
FAUSETT
T.B.
1 -
2 -
3 -
City- TWIN FALLS State- ID Zip- 83301
Phone -

Priority Date 07/16/1943 Region 14 WESTERN Stage L - LICENSE Status

Source UNNAMED STREAM Point of Diversion County
Curtis Draw
Tributary DEADWOOD CREEK
Stream Index (Blank if no Index Code)

15S 12E 32 NW NW SE NW NE NW SE NW NE NW
(73) OWYHEE
(73) OWYHEE
(73) OWYHEE

Code Description Period From Period To Water Use
01 - IRRIGATION 4-1 11-1 Diversion Rate 1.300
~~43 - DOMESTIC~~

Total Div. Rate 1.300 Total Div. Volume Total Div. Capacity

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
15S	12E	29	NW SW	5.0	5.0	01	IRRIGATION	(73) OWYHEE
15S	12E	29	SW SW	25.0	25.0	01	IRRIGATION	(73) OWYHEE
15S	12E	30	SE SE	20.0	20.0	01	IRRIGATION	(73) OWYHEE
15S	12E	31	NE NE	15.0	15.0	01	IRRIGATION	(73) OWYHEE
Total Acres:				65.0	65.0			

Diversion Means -
Non-Irrigation Use -
Other Rights for Same Use -
Remarks -
No Remarks found.
Old Water Right Numbers -
No Old Water Right Numbers found.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-24-2000
PAGE: A-1-----
RIGHTS FROM: SOURCE: CURTIS DRAW TRIBUTARY: DEADWOOD CREEK

RIGHT NUMBER: 51-02442

NAME & ADDRESS: ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS ID 83303-0015

SOURCE: CURTIS DRAW TRIBUTARY: DEADWOOD CREEK

QUANTITY: 1.3 CFS

PRIORITY DATE: 07/16/1943

POINT OF DIVERSION: T15S R12E S32 NENWNW Within Owyhee County
SWSNW
SENESEWPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 1.3 CFSPLACE OF USE: IRRIGATION Within Owyhee County
T15S R12E S29 NWSW 5.1 SWSW 27.9
S30 SESE 22.1
S31 NENE 10.2
65.3 ACRES TOTALUSE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00134 & 51-00135

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 51:WATER RIGHT NO. SOURCE
NONE NONETHE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:WATER RIGHT NO. SOURCE
NONE NONEALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: MAR-24-2000
PAGE: A-2

RIGHTS FROM: SOURCE: CURTIS DRAW TRIBUTARY: DEADWOOD CREEK

RIGHT NUMBER: 51-02442 (CONT)

EXPLANATORY MATERIAL: (CONT)

In Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Rights 51-02442 and 51-10196
)

<u> </u>	Change of Address
<u>X</u>	Substitution of Party
<u> </u>	I.C. 42-222 Transfer

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

Water Right(s): 51-02442 and 51-10196

From (Claimant/Seller):

Name of Claimant: SWAN LAND & LIVESTOCK COMPANY
Address: HOUSE CREEK RANCH
ROGERSON ID 83302
Phone: (208) 857-2235

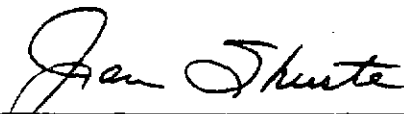
To (Claimant/Purchaser):

Name of Claimant: ASLETT RANCHES PARTNERSHIP
Address: PO BOX B
TWIN FALLS ID 83303-0015
Phone: (208) 734-5533

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

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

DATED: March 24, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 24, 2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

SWAN LAND & LIVESTOCK COMPANY
HOUSE CREEK RANCH
ROGERSON ID 83302
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS ID 83303-0015
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Buffington
Signature of person or attorney mailing the form

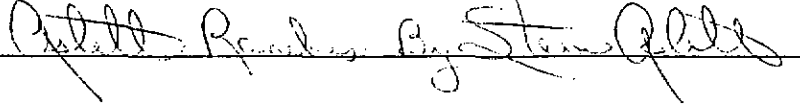
RECEIVED
DEC 23 1999
Department of Water Resources
RECEIVED
FEB 29 2000
WATER RESOURCES
WESTERN REGION

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 No(s): _____
Adjudication Claim No(s): see attached list
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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant SWAN LAND & LIVESTOCK COMPANY
ROGERSON, ID 83302
4. New Owner/Claimant(s) ASLETT RANCHES PARTNERSHIP
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P O BOX B
City, State and ZIP Code TWIN FALLS, ID 83303-0015
New Telephone Number (208) 734-5533
5. Date you acquired the property 12/3/99
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) 

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.

51-00134 so objection
51-00135 so
51-00143 ✓ - disallowed
51-02442 ✓ done
51-10193 VAULT
51-10194 " } decreed
51-10195 " }
51-10196 ✓ done
51-10197 VAULT - decreed

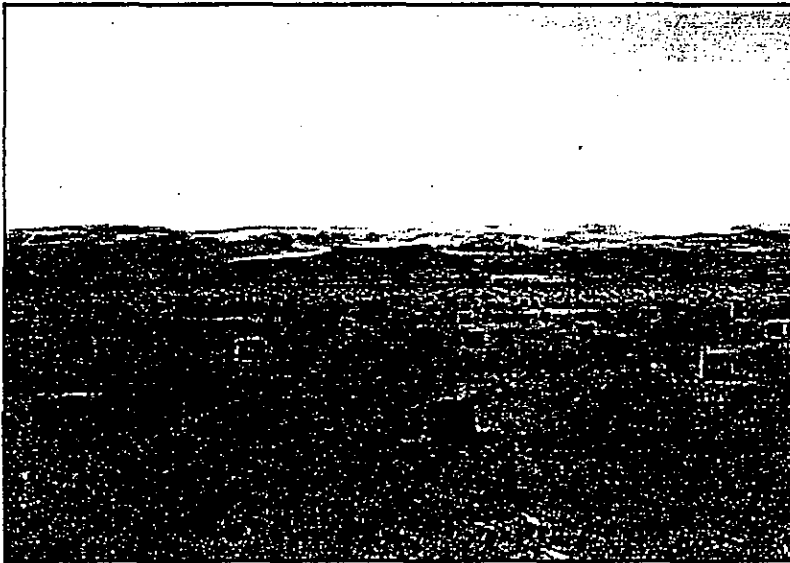
ACREAGE

Approximately 16,695 total deeded acres

- " 1,000 acres hay and irrigated pasture
- " 200 acres sub-irrigated meadow and creek bottom
- " 15,495 dry grazing

Bureau of Land Management	4,764 AUM's	John Biar (208) 736-2350
Forest Service	1,601 AUM's	Mike McNeil (208) 543-4129
Idaho State Leases	371 AUM's	
Private Lease	Approximately 1,000 deeded acres - 915 AUM's on BLM.	

*Coordinated Resource Management Plan: Allows landowner flexibility in determining numbers and periods of usage on federal and state leases. Has been in effect since 1981. AMP renewed March of 1998 with nine years remaining. Please call for detailed explanation.



*Swan Land & Livestock
Controls the water
source*

WATER

All irrigation is via flood method. Water from House Creek and Deadwood Creek is decreed as follows:

92 miners inches 5/1/1897 A47-00026	100 miners inches 5/1/1893 A47-00038
120 miners inches 5/1/98 A47-00030	45 miners inches 5/1/1893
80 miners inches 5/1/1889 A47-00040	92 miners inches 5/1/1904
70 miners inches 5/1/1909 A47-00041	110 miners inches 5/1/1905
60 miners inches 5/1/1909 A47-00032	175 miners inches 9/1/1915 A47-11491

Stock water is plentiful in the higher forest, BLM and deeded country. It is supplied by numerous creeks, seeps and natural springs. Many springs have been improved and developed to further enhance stock water. Water to the lower BLM desert allotment is primarily provided by a pipeline owned by Swan Land & Livestock along with other area ranchers. Swan Land & Livestock owns 38% of the pipeline and controls the water source. Ownership is based on AUM's.

GENERAL PARTNERSHIP AGREEMENT

1. **Parties.** This Agreement made among the MARVIN ASLETT, LARRY ASLETT, STEVE ASLETT, and STEVE ASLETT, JR. on December 22, 1999.

2. **Name of Business.** The parties form a general partnership which shall transact business under the name of ASLETT RANCHES.

3. **Partnership Business.** The partnership shall engage in the business of cattle ranching and in such other businesses of a similar or related nature as may be determined by the partners.

4. **Place of Business.** The place of business of the partnership shall be located at Rogerson, Idaho or at such other location or locations as the partners may from time to time designate.

5. **Term.** The term of the partnership shall begin on the date of its execution and shall continue until terminated as provided in this agreement.

6. **Capital.** The partners have made unequal contributions to the capital accounts of the partnership. The interest of each member of the partnership in the total shall be controlled by that partner's capital account indicating the proportional share of his investment to the total investment in the partnership. An individual capital account shall be established for each Partner. The initial capital accounts of the Partners shall be equivalent to their respective contributions to the

capital of the partnership. If at any time the partners should unanimously determine that further capital is required in the interests of the partnership, and that the capital of the partnership should be increased, the additional capital shall be contributed by the partners in the same percentages as their then capital accounts.

7. **Salaries and Expenses.** No partner shall receive any salary for services rendered to the partnership except as may be unanimously agreed by the partners. The partners shall have such drawing and expenses accounts as may be agreed upon.

8. **Partnership Profits and Losses.** The net profits of the partnership shall be divided among the Partners, and the net losses of the partnership shall be borne by the Partners, in proportion to their respective capital contributions as set forth in Section 6 of this agreement. For income tax purposes, all gains, losses, credits, and depreciation deductions on partnership property shall be allocated among the Partners in proportion to their capital contributions as provided in Section 6 of this agreement.

9. **Fiscal Year.** The fiscal year of the partnership shall commence on January 1.

10. **Book and Records.** The partnership shall maintain full and accurate books of account, which shall be kept at the office of Circle A Construction, Inc., 240 Highland Avenue, Twin Falls, Idaho 83301. Each Partner shall have access to and the

right to inspect and copy such books and all other partnership records during normal business hours.

11. **Bank Accounts.** The partnership shall maintain such bank accounts as the partners shall determine. Checks shall be drawn for partnership purposes only, and may be signed only by the person or persons designated by the partners. All moneys received by the partnership shall be deposited in such accounts.

12. **Management Duties and Restrictions.** The partners shall have rights in the management of the partnership proportionate to their capital accounts. No partner shall be required to devote any given time to the management of the partnership affairs. of Section 15 of this agreement, to lease such property

13. **Matters Requiring Unanimity.** No partner shall, without the consent of all other partners (which consent shall not be unreasonably withheld), do any of the following:

- a. Assign the partnership property in trust for creditors or on the assignee's promise to pay the debts of the partnership.
- b. Dispose of the good will of the partnership business.
- c. Do any other act which would make it impossible to carry on the ordinary business of the partnership.
- d. Confess a judgment against the partnership.
- e. Submit a partnership claim or liability to arbitration or reference.
- f. Make, execute or deliver for the partnership any bond, mortgage, deed of trust, guarantee, indemnity bond, surety bond or accommodation paper or accommodation endorsement.

g. Borrow money in the partnership name or use partnership property as collateral.

h. Assign, transfer, pledge, compromise or release any claim of or debt owing to the partnership except upon payment in full.

i. Convey any partnership real property.

j. Pledge or transfer in any manner his or her interest in the partnership except to another partner.

k. Any other act for which unanimity is required under other Sections of this Agreement.

14. **Transferability of Partnership Interests.** Except as otherwise provided in this agreement with respect to withdrawing or decreased partners, the interest of any partner in the partnership, or in the profits, assets, property, receivables, records, files, or clientele of the partnership, should not be sold, assigned, pledged, mortgaged, or transferred in any manner by a partner unless the written consent to do so is first obtained from every other partner.

15. **Partnership Property.** Partnership property, personal and real, shall be acquired, held, and conveyed in the name of the partnership, except that upon the unanimous consent of the partners, partnership property may be acquired, held, or conveyed in the name of any partner or other person as nominee for the partnership. Property acquired, held, or conveyed by a nominee shall be recorded as partnership property in the partnership books and records.

16. **Admission of New or Substituted Partners.** A new partner may be admitted to the partnership only upon the written consent of all existing partners. A substituted partner may be

admitted to the partnership only upon the written consent of two-thirds of the existing partners and only if the substituted partner purchases the partnership interest of a deceased or withdrawing partner. Upon the admission of a new partner, the name and capital contribution of the new partner shall be added to Section 6 of this agreement.

17. **Retirement of a Partner.** Any partner shall have the right to retire from the partnership at the end of any fiscal year. Written notice of intention to retire shall be served upon the other partners at the office of the partnership at least three months before the end of the fiscal year. Thereafter the retiring partner and the surviving partners shall have the same rights and elections as are specified in paragraph 18 with respect to the "Estate" and the surviving partners respectively, in the event of the death of a partner.

18. **Death of a Partner.** Upon the death of a partner, the partnership shall continue in operation and shall be managed by the surviving partners. The operation shall continue at last until the end of the fiscal year or to such other time as is necessary for the surviving partners to wind up the affairs of the partnership.

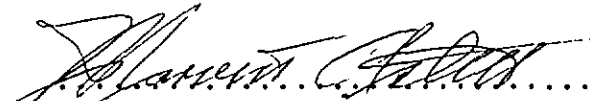
a. The surviving partners may elect to carry on the partnership business and to purchase the decedent's entire interest in the partnership. The value of the interest to be purchased will be agreed upon between the surviving partners and the personal representative of the

deceased partner. If the parties cannot agree upon a value, each shall appoint an appraiser, and the appraisers shall reach a value that will be binding upon the parties. The surviving partners shall give notice of their intent to purchase pursuant to this paragraph within six months of the death of the deceased partner and shall have three years from the date of death. in which to pay the purchase price to the personal representative of the deceased partner.

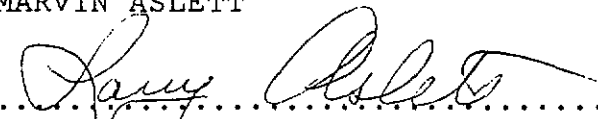
b. If the surviving partners do not elect to purchase the interest of the deceased partner, the partnership shall be terminated and its assets liquidated.

19. **Binding Effect.** This agreement shall bind the Partners, their heirs, personal representatives, and assignees.

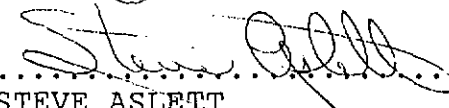
Dated December 22, 1999.


MARVIN ASLETT

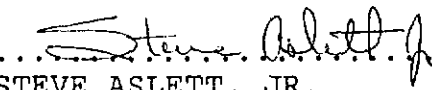
Dated December 22, 1999.


LARRY ASLETT

Dated December 22, 1999.


STEVE ASLETT

Dated December 22, 1999.


STEVE ASLETT, JR.

RECORDED TO CORRECT LEGAL
RECORDED TO CORRECT SCRIVENER ERROR
12/28/99

FILED
99 DEC -6 PM 3:11

42118fc
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

230604

CHITEN
BY *Cal*

RECEIVED

FEB 09 2000

Department of Water Resources
Southern Region

**** SPACE ABOVE FOR RECORDER ****

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED SWAN LAND AND LIVESTOCK COMPANY, a Utah corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto ASLETT RANCHES PARTNERSHIP, Grantee, whose address is: Box B, Twin Falls, Idaho 83303, the following described real estate, situated in Owyhee County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: December 3, 1999

SWAN LAND AND LIVESTOCK COMPANY, a Utah corporation

By: *George H. Swan*
GEORGE H. SWAN, President

BY: *Katherine Swan-Jones*
KATHERINE SWAN-JONES, Secretary

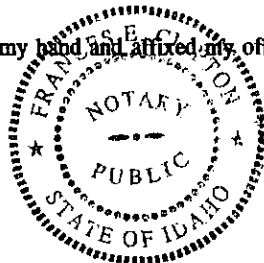
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 3rd day of December, 1999, before me, the undersigned, Notary Public in and for said State, personally appeared GEORGE H. SWAN, known to me to be the President, and KATHERINE SWAN-JONES, known to be the Secretary of the corporation that executed this 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 and affixed my official seal, the day and year in this certificate first above written

Frances E. Clifton
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 01-20-2004



North 69° 10' East a distance of 646.17 feet to a point being station 242+84.03 of said center line survey, the point of commencement of a 14° curve having a delta angle of 57° 28' to the left; thence around said curve for a distance of 101.82 feet to a point being station 243+85.85 of said center line survey.

Section 30: SE1/4 SE1/4

Section 31: NE1/4 NE1/4

Section 32: NW1/4, E1/2 SW1/4, SW1/4 SE1/4

In Township 16 South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

Section 5: N1/2 NE1/4, SE1/4 NE1/4

EXCEPTING from said property described above:

Any right, title, or interest in any minerals, minerals rights or related matters including but not limited to oil, gas, coal and other hydrocarbon, whether or not shown by the public records.

230909

FILED - RECORDED

99 DEC 28 PM 4:22

PO2436

Exhibit "A"

In Township 13 South, Range 10 East, Boise Meridian, Owyhee County, Idaho.

Section 26: ^{W1/2} ~~W1/4~~ SE1/4 NE1/4

In Township 13 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 31: Lots 1, 2 and 3, E1/2 W1/2

In Township 14 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: S1/2

Section 3: W1/2

Section 4: All

Section 5: W1/2

Section 6: Lots 3, 5, 6 and 7, SE1/4 NW1/4, E1/2 SW1/4

Section 8: E1/2 NW1/4, SW1/4, W1/2 SE1/4

Section 10: All

Section 11: S1/2

Section 15: All

Section 17: S1/2 S1/2

Section 20: N1/2 N1/2

Section 21: N1/2

Section 22: N1/2

Section 28: N1/2

Section 29: W1/2

In Township 15 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: N1/2 SW1/4, SE1/4 SW1/4, SW1/4 SE1/4

CORRECTION

15

In Township 15 South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

Section 29: W1/2 SW1/4

EXCEPTING LESS the following described parcel:

A strip of land 60 feet wide, 30 feet on either side of the center line of a center line survey, said center line being situate and running as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of the Northwest Quarter, Section 29, Township 15 South, Range 12 East, Boise Meridian, Owyhee County, Idaho; thence

South 0° 04' West a distance of 281.46 feet, to a point being station 236+37.86 of said center line survey, and said point being the REAL POINT OF BEGINNING; thence