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: **A43-00085**
Date Received: 3/21/1989
Receipt No: S006624
Received By: DK

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

1. Name: HAROLD A JONES 208-645-2370
   Address: SUBLETT ROUTE
   MALTA ID 83342

2. Date of Priority: JUL 14, 1912

3. Source: CLEAR CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
16S	27E	27	NE	NE	SE		CASSIA

5. Description of diverting works:
   CHECK DAMS & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.800		1522.50

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

8. Total consumptive use is 1522.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15S	27E	34	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

0. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
15S	27E	34	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	280.0
16S	27E	2	NW	NW		IRR	38.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	118.0
		3	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
						Section Acres	196.0
		26	NW	NW		IRR	37.0
			SW	NW		IRR	36.0
						Section Acres	73.0
		27	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	10.0
			SE	NE		IRR	20.0
						Section Acres	110.0
						Total Acres	777.0

Place of use in counties: CASSIA

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

Other Water Rights Used:
SEE REMARKS

Remarks:
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND DESCRIBED; PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL GROUNDWATER AREA. SOME OF THE LAND IDENTIFIED IS DELIVERED WATER FROM CLEAR CREEK FROM DIVERSIONS WITHIN THE STATE OF UTAH.

14. Remarks: Continued
OTHER RIGHTS: A43-00084, A43-00286A, A43-00037, A43-00259, A43-00260, LICENSE G-24589.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO. — Decree Plaintiff

vs

JOBE ADAMS ET AL — Decree Defendant

Form No. 42-1409 (2) a 1/88

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 A43-00085
Date Received
Receipt Number

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JAN 28 1998
Department of Water Resources
Regional Office

Please type or print clearly

1. Name of Claimant (s) Harold A. Jones Phone (208) 645-2310
   Mailing Address SUBLETTE RT MALTA, IDAHO Zip 83342
2. Date of Priority (Only one (1) per claim) 07/14/1912
3. Source of water supply (a) CHEAP CREEK
   which is tributary to (b) RAFT RIVER
4. a. Location of existing point of diversion is: Township 16S Range 27E Section 27,
   NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot, ____ B.M., County of CASSIA
   Additional points of diversion if any: N/A
   b. If instream flow, beginning point of claimed instream flow is:
   Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
   Govt. Lot _____ B.M., County of _____
   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
   _____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. HEADGATE AT IDAHO WEIR IN CHEAP CREEK AND A DITCH GOING TO PLACE OF USE.

6. Water is claimed for the following purposes:

		(both dates are inclusive)		(cfs)		(acre feet)
For IRRIGATION	purposes from 04-01	to 11-01	amount 1-8	or	1522-5
For	purposes from	to	amount	or	
For	purposes from	to	amount	or	
For	purposes from	to	amount	or	

7. Total quantity claimed (a) 1-8 (cfs) and/or (b) 1522-5 (acre feet)

8. Total consumptive use claimed is 1522-5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16S	27E	2						38	40			40							118
16S	27E	3	38	38	40	40									40				196
15S	27E	34									40	40	40	40		40	40	40	280
16S	27E	26						37	36										73
16S	27E	27	40	40	10	20													110

Total number of acres irrigated 777

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
[redacted] Claim Nos. 43-00037 + 084 + 286A + 259 + 260 + or None ( )

14. Remarks: WATER LICENSE # G-24589

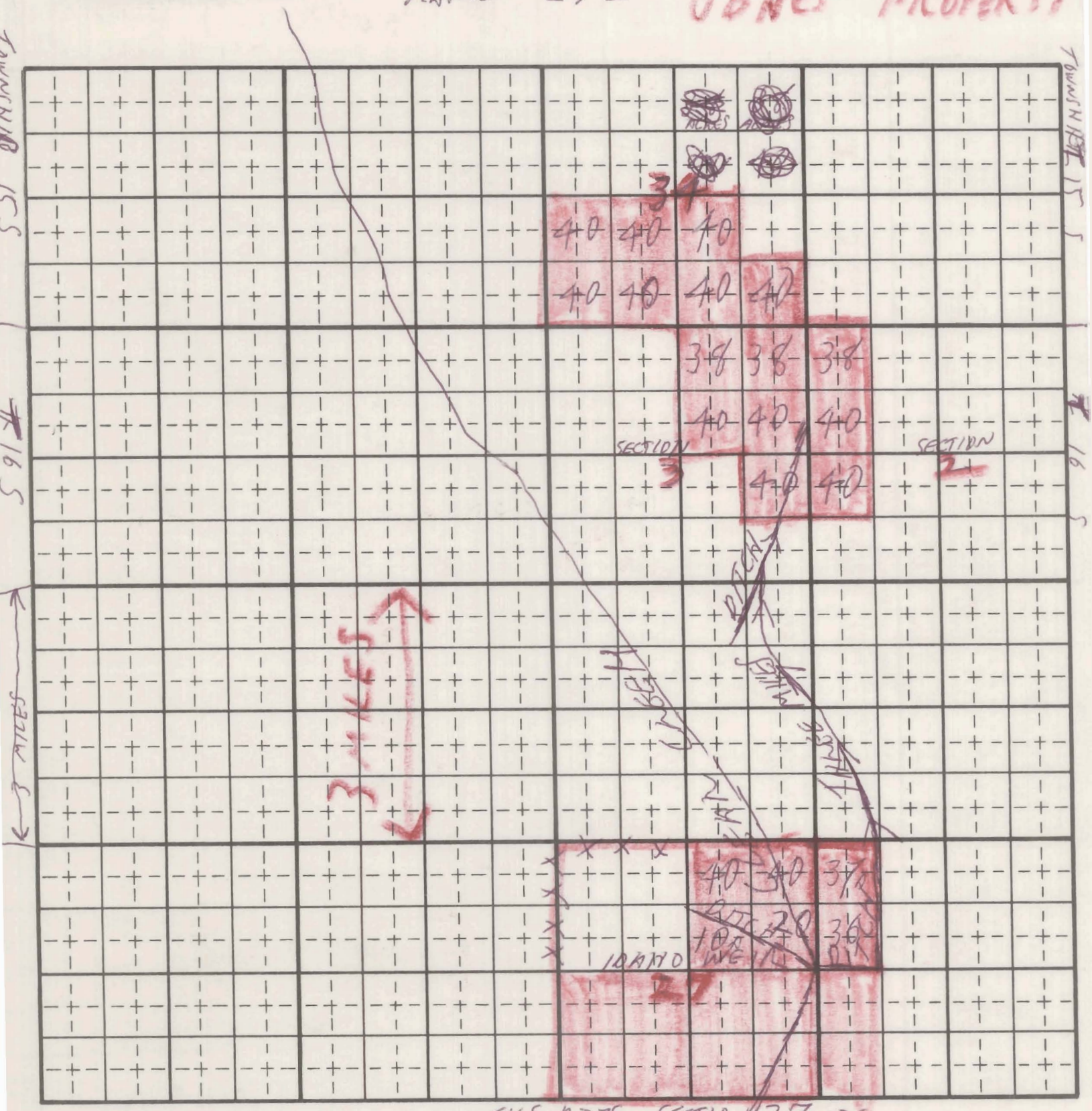
Last Name JONES Ident No. 43-00085

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

RANGE 27E JONES PROPERTY



Last Name Jones Ident No. 43-00085

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ✓
If applicable provide IDWR Water Right Number 043-00085
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant ALBION IDAHO LAND CO. VS JOBE ADAMS ET AL.

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

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

Signature of Claimant (s) X Howard A Jones Date 1/27/98

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____
Title
of _____ , that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
) SS.
County of CASSIA)

Subscribed and sworn (or affirmed) before me this 27th day of JANUARY 19 98

NOTARY PUBLIC STATE OF IDAHO SEAL

Notary Public Barbara Andersen

Residing at Albion, Id

My Commission Expires 7-23-99

Please Print Name

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

Signature _____

Address _____

Date _____

Last Name JONES Ident. Number 043-00085

Copies White-State, Yellow-Claimant

Form 42-1409(10)-1
5/89

Date Re[redacted]

RECEIVED

JAN 27 1998

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

HAROLD A. JONES — (208) 645-2370
Name of Claimant — Phone Number

SUBLETT RT. — MALTA — IDAHO — 83342
Mailing Address — City — State — Zip

CASSIA
County(s) where place of use is located — Date claim originally due

1911-JUNE · 14 43 00 84 1.4 S.F. - 1912 JULY - 14[redacted]0085 1.8 S.F - SETTLERS LAND & LIVESTOCK - 1911-NOV. 43-00286
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I assumed these above water rights were put on the adjudication so when I could take them Dawson on the Kelso Ranch. The (Water Master) had turned it to me since 1961. (Gary Sundberg)

Claimant requests an extension to February 7, 19 98

Harold A. Jones — 1-24, 19 98
Signature — Date of request

Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [✓ granted] [____ denied] for the following reasons:

and if granted the filing deadline is extended to _____, 19 ____

Signed this 27th day of January, 19 98

L. Douglas Jones
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

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: **A43-00085**
Date Received: 3/21/1989
Receipt No: 5006624 AJM
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD A. JONES 208-645-2370
   Address: SUBLETT ROUTE
   MALTA, ID 83342

2. Date of Priority: JUL 14, 1912

3. Source: CLEAR CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
16S	27E	27	SE SE NE		CASSIA

5. Description of diverting works:
   CHECK DAMS & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.800		

7. Total Quantity Appropriated is:
   1.800 C.F.S. (and/or) A.F.A. Same POU as:
   -00084
   -00286A

8. Total consumptive use is 1522.5 Acre Feet

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16S	27E	26	NW NW		IRR	37.0
			SW NW		IRR	36.0
			NW SW		IRR	35.0

MICROFILMED
MAR 0 2 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
16S	27E	26	SW	SW		IRR	34.0
					Section Acres		142.0
		27	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	30.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		467.0
					Total Acres		609.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00084 & A43-00286 PART

14. Remarks:
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND DESCRIBED; PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL GROUNDWATER AREA. SOME OF THE LAND IDENTIFIED IS DELIVERED WATER FROM CLEAR CREEK FROM DIVERSIONS WITHIN THE STATE OF UTAH.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO. (Decree Plaintiff) vs JOBE ADAMS ET AL (Decree Defendant)

MICROFILMED
MAR 0 2 1993

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: _____ See Map A43-00084

For Individuals:

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

Signature of Claimant(s): Harold A Jones Date: 3-21-89

_____ Date: _____

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 21st day of March 19 89

Notary Public

Seal

Residing at Kimberly Id

My Commission Expires 6/30/92

MICROFILMED
MAR 0 2 1993

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JUL 18 PM 2 08

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

In Re SRBA	)	**Subcase No. 43-37, 43-84, ~~37~~ 43-85, 43-259, 43-260, 43-286A, 43-2401**
Case No. 39576	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? []Yes [X]No

---

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 Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 7/17/03

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/18, 2003, 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
   PO Box 2707
   Twin Falls ID 83303-2707

2. One Copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   Mark Higley
   Diane Higley
   3951 S 5500W
   Hooper UT 84315

3. One Copy to:
   Claimant/Purchaser for Substitution of Party or attorney of record:
   Jason Walker
   Ling Robinson & Walker
   PO Box 396
   Rupert ID 83350-0396

4. One Copy to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

5. One Copy to:
   United States Dept Of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Signature of person or attorney mailing the form

07/17/2003

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

RIGHT NUMBER: 43-37

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/01/1881

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0			

333 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-84

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/14/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-85

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.800 CFS

PRIORITY DATE: 07/14/1912

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/31	1.800 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-259

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 1.000 CFS

PRIORITY DATE: 07/24/1911

POINT OF DIVERSION: T16S R27E S2 SWSENW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	1.000 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4	NWNW	37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00260 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00260, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

SOURCE IS ALSO KNOWN AS KELSO SPRING.

RIGHT NUMBER 43-00260 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

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

07/17/2003

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

RIGHT NUMBER: 43-260

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.900 CFS

PRIORITY DATE: 11/05/1914

POINT OF DIVERSION: T16S R27E S2 SWSENW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	0.900 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4	NWNW	37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 43-00259 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

SOURCE IS ALSO KNOWN AS KELSO SPRING.

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

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

07/17/2003

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

RIGHT NUMBER: 43-286A

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 3.200 CFS

PRIORITY DATE: 11/23/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-2401

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.740 CFS
735.00 AFY

PRIORITY DATE: 11/30/1953

POINT OF DIVERSION: T16S R27E S3 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 11/01	1.740 CFS 735.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4	NWNW	37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00259, 43-00260, 43-00037 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2003

JASON WALKER
LING ROBINSON & WALKER
PO BOX 396
RUPERT ID 83350-0396

RE: SRBA Claim(s)43-45, 43-286B, 43-2110, 43-10116
43-37, 43-84, 43-85, 43-259, 43-260, 43-286A, 43-2401
43-10051, 43-10053
Decreed Water Right 43-10052

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find print outs of 43-10051 and 43-10053. 43-10052 was decreed 7/24/1998 and must be changed by our state office staff. There is a $25.00 fee for this. If you send the check to my attention I will receipt it and forward the owner change documents to our state office.

Please feel free to contact me if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Shirley Jones
Mark and Diane Higley

Form 42-248/42-1409(6) July, 2000

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

RECEIVED
JUL 15 2003
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
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
43-45			43-10117		
43-286B			43-10118		
43-2110			43-10824		
43-10116					
	43-20611				

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

A. The appropriate **FILING FEE.** See instructions for fee amounts. → **Not applicable; claims are pending in SRBA**

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): → **Not required: per Trish at IDWR, Southern Region**
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): Shirley A. Jones and Merle Jones
1755 Alvarado, Twin Falls, Idaho 83301

4. New Owner/Claimant(s): Round Mountain Ranch, an Idaho general partnership
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address: HC 72, Box 2346
City, State and ZIP Code: Malta, Idaho 83342
New Telephone Number: (208) 824-5721

5. Date you acquired the property: April 27, 2001

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 & 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 & type of stock, homes, etc.)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

7. Signature of New Owner(s) or Claimant(s): (include title if applicable)

ROUND MOUNTAIN RANCH, a general partnership

By: _____
Jeff L. Sessions, partner

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

For Office Use Only
Received by _____ Date 7/15/03 Fee _____
Received by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date 7/16/03 WR _____ Date _____

Form 42-248/42-1409(6) July, 2000

RECEIVED
JUL 15 2003
Department of Water Resources
Southern 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. 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
43-37			43-286A	43-10054	
43-84			43-2401		
43-85			A43-10051		
43-259			A43-10052		
43-260			A43-10053		

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

   A. The appropriate **FILING FEE.** See instructions for fee amounts. → **Not applicable; claims are pending in SRBA**

   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): → **Not Required: per Trish at IDWR, Southern Region**
   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): Mark Higley and Diane Higley - 3951 South, 5500 West, Hooper, Utah 84315
   Jeff L. Sessions and Jennifer Sessions - HC 72, Box 2346, Malta, Idaho 83342

4. New Owner/Claimant(s): Round Mountain Ranch, an Idaho general partnership
   Name Connector (Check one): [ ] and, [ ] or, [✓] and/or
   New Mailing Address: HC 72, Box 2346
   City, State and ZIP Code: Malta, Idaho 83342
   New Telephone Number: (208) 824-5721

5. Date you acquired the property: April 27, 2001

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 & 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 & type of stock, homes, etc.)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

7. Signature of New Owner(s) or Claimant(s): (include title if applicable)

ROUND MOUNTAIN RANCH, a general partnership

By: _____
Jeff L. Sessions, partner

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

For Office Use Only

Received by _____ Date 7/15/03 Fee _____
Received by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

274661

QUITCLAIM DEED

#34000

For Value Received

JEFF L. SESSIONS and JENIFER SESSIONS, husband and wife, and MARK L. HIGLEY and DIANE HIGLEY, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

ROUND MOUNTAIN RANCH, an Idaho general partnership
ADDRESS: 3475 Round Mountain Lane
Malta, Idaho 83342

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 34: SW¼, S½SE¼, NW¼SE¼

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 3: Lots 1 and 2, S½NE¼
Section 26: W½NW¼, W½SW¼
Section 27: NE¼, S½

PARCEL NO. 2:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 2: W½NW¼ and NW¼SW¼

Section 3: NE¼SE¼

PARCEL NO. 3:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 13: SW¼NE¼, SE¼NW¼, E½SW¼

Section 24: SW¼NE¼, NW¼NE¼

RECORDED AT THE REQUEST OF
(ANG TITLE & ESCROW)
'01 APR 27 PM 4 05

CASSIA COUNTY, IDAHO
DARRELL H. ROSKELLEY
RECORDER
FEE 7.00 DEPUTY

274981

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: Lots 1 and 2, SE¼NW¼, E½NE¼SW¼, E½NW¼NE¼SW¼, and SW¼NW¼SE¼

PARCEL NO. 4:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: SE¼SW¼, S½SE¼

Section 13: NW¼NE¼, E½NE¼, NE¼NW¼, SE¼

Section 24: NE¼NE¼

PARCEL NO. 5:

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: W½NW¼NE¼SW¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: April 27, 2001

Jeff L. Sessions

Jenifer Sessions

Mark L. Higley

Diane Higley

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 27th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFF L. SESSIONS and JENIFER SESSIONS**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Larry Roberts
Notary Public
State of Idaho

Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 27th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **MARK L. HIGLEY and DIANE HIGLEY**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Larry Roberts
Notary Public
State of Idaho

Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

274702

WARRANTY DEED

FOR VALUE RECEIVED ROBERT MERLE JONES and SHIRLEY ANN JONES, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto JEFF L. SESSIONS and JENIFER SESSIONS, husband and wife, and DIANE HIGLEY, a married woman dealing in and with her sole and separate property, whose present address is 1657 North 4500 West, West Point, Utah 84015, the Grantees, the following described premises, located in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 13: SW¼NE¼, SE¼NW¼, E½SW¼

Section 24: SW¼NE¼, NW¼NE¼

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 19: Lots 1 and 2, SE¼NW¼, E½NE¼SW¼, E½NW¼NE¼SW¼, and SW¼NW¼SE¼

Except all oil, gas, coal and other minerals of every kind and nature whatsoever, in and under that may be produced from the above described property.

PARCEL NO. 2:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 12: SE¼SW¼, S½SE¼

Section 13: NW¼NE¼, E½NE¼, NE¼NW¼, SE¼

Section 24: NE¼NE¼

PARCEL NO. 3:

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 19: W½NW¼NE¼SW¼

SAVE AND EXCEPTING THEREFROM and reserving to the Sellers 70% of all mineral rights on the premises described as Parcels NO. 1, 2 and 3, which are owned by the Sellers.

WATER RIGHTS: Claims filed in Snake River Adjudication, Case No. 39576:

Claim Filed, Ident. No. A43-10118 0.040 cfs Stockwater
Claim Filed, Ident. No. A43-10117 0.040 cfs Stockwater

Claim Filed, Ident. No. A43-10116 20.000 cfs Irrigation
Claim Filed, Ident. No. A43-10119 0.040 cfs Stockwater and Domestic
Claim Filed, Ident. No. A43-02061 0.160 cfs Irrigation
Claim Filed, Ident. No. A43-02110 0.800 cfs Irrigation
Claim Filed, Ident. No. A43-00286B 4.300 cfs Irrigation
Claim Filed, Ident. No. A43-00414 2.100 cfs Irrigation
0.040 cfs Stockwater
Claim Filed, Ident. No. A43-00045 1.700 cfs Irrigation

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the Grantees that they are the owners in fee of said premises, that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 28th day of February, 1992.

Robert Merle Jones
Robert Merle Jones

Shirley Ann Jones
Shirley Ann Jones

274702
CASSIA COUNTY, IDAHO
DARRELL G. ROSSILEY
FEE 6.00 DEPUTY
'01 APR 30 PM 3 08
RECORDED AT THE REQUEST OF
TITLE & ESCROW

STATE OF IDAHO)
) ss.
County of Cassia)

On this 28th day of February, 1992, before me, a Notary Public in and for said State, personally appeared Robert Merle Jones and Shirley Ann Jones known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

LARRY ROBERTS
(SEAL) NOTARY PUBLIC
STATE OF IDAHO
Residing at Burley, Idaho
My Commission Expires

Notary Public
Residing at Burley
My Commission Expires: 6-12-97

32683

269545

WARRANTY DEED

FOR VALUE RECEIVED, HAROLD A. JONES and BETH R. JONES, husband and wife, of Sublett Road, Malta, Idaho, the Grantors, do hereby grant, bargain, sell and convey unto MARK L. HIGLEY and DIANE HIGLEY, husband and wife, the Grantees, whose current address is 3951 South 5500 West, Hooper, Utah 84315, the following described premises, located in Cassia County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 34: SW¼, S½SE¼, NW¼SE¼

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 3: Lots 1 and 2, S½NE¼

Section 26: W½NW¼, W½SW¼

Section 27: NE¼, S½

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
00 NOV 2 PM 3 49
CASSIA COUNTY, IDAHO
PATRICIA A. MICHELLE
RECORDER
FEE 9.00
269545

PARCEL NO. 2:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 2: W½NW¼ and NW¼SW¼

Section 3: NE¼SE¼

SUBJECT TO an Oil, Gas and Mineral Lease between Harold A. Jones and Beth R. Jones, husband and wife, and Standard American Company, dated July 27, 1973, and recorded August 14, 1973, as Instrument No. 71907 on Film No. 84, records of Cassia County, Idaho. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative,

Name: 00269545.000
Dimensions: 2496 x 3282 pixels

Inc., an Idaho rural electric Cooperative of Malta, Seller and Clear Creek Ranches - Harold A. Jones, Beth Jones; Harold Devon Jones, Sheryl Jones; Ray Jones, Karen Jones, Consumer, dated June 24, 1985, and recorded May 15, 1986, as Instrument No. 178402 on Film No. 180, records of Cassia County, Idaho, covering the NE¼ of Section 3, Township 16 South, Range 27 East, Boise Meridian. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold Jones, Consumer, dated January 26, 1990, and recorded February 5, 1990, as Instrument No. 206054 on Film No. 213, records of Cassia County, Idaho covering the "SE¼ of Section 34, Township 15 South, East of Boise Meridian." (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold A. Jones and Beth R. Jones, Consumer, dated April 1, 1999, and recorded April 12, 1999, as Instrument No. 262067, records of Cassia County, Idaho covering the SE¼NE¼ of Section 27, Township 16 South, Range 27 East of the Boise Meridian. (Parcel No. 1)

Together with appurtenant water rights, including 2,500 shares in Naf Irrigation District Company and water under license # G24589 and creek waters of Clear Creek and the following Idaho water rights:

Water Rights Nos. 43-00037, 43-00084, 43-00085, 43-00286A, 43-00259, 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-10053

Reserving one-half of all mineral rights currently owned by Seller in each parcel of land. Seller makes no representations or warranties as to the nature or extent of any such mineral rights.

To have and to hold the said premises with their appurtenances to the said Grantee, its heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of said premises,

that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of May, 2000.

Harold A. Jones

Beth R. Jones

STATE OF IDAHO)
) ss.
County of Cassia)

On this 31 day of May, in the year of 2000, before me the undersigned notary public in and for said state, personally appeared Harold A. Jones & Beth R. Jones, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(SEAL)

BARBARA EHLE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-12-2003

Barbara Ehle
Notary Public
Residing at Burley, Id
My Commission expires 6-12-2003

Name: 00269545.002
Dimensions: 2496 x 3276 pixels

LING, ROBINSON & WALKER
ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350-0396

BRENT T. ROBINSON
JASON D. WALKER
KELLY ARTHUR ANTHON
ROGER D. LING, OF COUNSEL

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

July 14, 2003

RECEIVED
JUL 15 2003
Department of Water Resources
Southern Region

Department of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RE: **Notice of Change of Water Right Ownership**

Enclosed herewith for processing by the Department are two (2) signed and completed ***Notice of Change of Water Right Ownership*** forms along with copies of aerial photos. It is my understanding that no filing fee is required as these cases are currently pending in the SRBA.

Your anticipated assistance in this matter is greatly appreciated. Please feel free to contact the undersigned if you have any questions or comments in regard to this matter.

Very truly yours,

Jason D. Walker

JDW:jb

encs

pc w/encs: Mr. Larry Roberts,
Land Title and Escrow, Inc.

COPY

2000 NOV 17 PM 1:15

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

In Re SRBA	SUBCASE NO. 43-00037, 43-00084
	~~43-00085~~, 43-00259, 43-00260,
Case No. 39576	43-00286A , 43-02401
	NOTICE OF COMPLETED
	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? []Yes [X]No

---

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 Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 11/14/00

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/17, 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
   PO Box 2707
   Twin Falls ID 83303-2707

2. One Copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   Harold A Jones
   Beth R Jones
   Sublett Rt
   Malta ID 83342

3. One Copy to:
   Claimant/Purchaser for Substitution of Party or attorney of record:
   Mark L Higley
   Diane Higley
   3951 S 5500 W
   Hooper UT 84315

4. One Copy to:
   Each party in the subcase or attorney of record:

5. One Copy to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

6. One Copy to:
   United States Dept Of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Signature of person or attorney mailing the form

11/08/2000

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

RIGHT NUMBER: 43-37

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.4 CFS

PRIORITY DATE: 06/01/1881

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	1.40 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20	T15S R27E S34		NWSW	10
T15S R27E S34		SESW	16	T15S R27E S34		NWSE	38
T15S R27E S34		SWSE	40	T15S R27E S34		SESE	24
T16S R27E S3	LOT 1	NENE	38	T16S R27E S3	LOT 2	NWNE	27
T16S R27E S3		SWNE	40	T16S R27E S3		SENE	40
T16S R27E S3		NESE	40				

333 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

11/08/2000

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

RIGHT NUMBER: 43-84

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.4 CFS

PRIORITY DATE: 06/14/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	1.40 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20	T15S R27E S34		NWSW	10
T15S R27E S34		SESW	16	T15S R27E S34		NWSE	38
T15S R27E S34		SWSE	40	T15S R27E S34		SESE	24
T16S R27E S3	LOT 1	NENE	38	T16S R27E S3	LOT 2	NWNE	27
T16S R27E S3		SWNE	40	T16S R27E S3		SENE	40
T16S R27E S3		NESE	40	T16S R27E S26		NWNW	35
T16S R27E S26		SWNW	25	T16S R27E S27		NENE	35
T16S R27E S27		NWNE	40	T16S R27E S27		SWNE	10
T16S R27E S27		SENE	20				

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON

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

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

11/08/2000

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

RIGHT NUMBER: 43-85

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.8 CFS

PRIORITY DATE: 07/14/1912

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	1.80 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20	T15S R27E S34		NWSW	10
T15S R27E S34		SESW	16	T15S R27E S34		NWSE	38
T15S R27E S34		SWSE	40	T15S R27E S34		SESE	24
T16S R27E S3	LOT 1	NENE	38	T16S R27E S3	LOT 2	NWNE	27
T16S R27E S3		SWNE	40	T16S R27E S3		SENE	40
T16S R27E S3		NESE	40	T16S R27E S26		NWNW	35
T16S R27E S26		SWNW	25	T16S R27E S27		NENE	35
T16S R27E S27		NWNE	40	T16S R27E S27		SWNE	10
T16S R27E S27		SENE	20				

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON

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

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

11/08/2000

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

RIGHT NUMBER: 43-259

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 1 CFS

PRIORITY DATE: 07/24/1911

POINT OF DIVERSION: T16S R27E S2 SWSENW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	1.00 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20	T15S R27E S34		NWSW	10
T15S R27E S34		SESW	16	T15S R27E S34		NWSE	38
T15S R27E S34		SWSE	40	T15S R27E S34		SESE	24
T16S R27E S2	LOT 4	NWNW	37	T16S R27E S2		SWNW	40
T16S R27E S3	LOT 1	NENE	38	T16S R27E S3	LOT 2	NWNE	27
T16S R27E S3		SWNE	40	T16S R27E S3		SENE	40

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00260 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00260, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

SOURCE IS ALSO KNOWN AS KELSO SPRING

RIGHT NUMBER 43-00260 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

11/08/2000

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

RIGHT NUMBER: 43-260

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.9 CFS

PRIORITY DATE: 11/05/1914

POINT OF DIVERSION: T16S R27E S2 SWSENW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	0.90 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20	T15S R27E S34		NWSW	10
T15S R27E S34		SESW	16	T15S R27E S34		NWSE	38
T15S R27E S34		SWSE	40	T15S R27E S34		SESE	24
T16S R27E S2	LOT 4	NWNW	37	T16S R27E S2		SWNW	40
T16S R27E S3	LOT 1	NENE	38	T16S R27E S3	LOT 2	NWNE	27
T16S R27E S3		SWNE	40	T16S R27E S3		SENE	40

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

RIGHT NO. 43-00259 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE

SOURCE IS ALSO KNOWN AS KELSO SPRING

11/08/2000

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

RIGHT NUMBER: 43-286A

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 3.2 CFS

PRIORITY DATE: 11/23/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	3.20 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20	T15S R27E S34		NWSW	10
T15S R27E S34		SESW	16	T15S R27E S34		NWSE	38
T15S R27E S34		SWSE	40	T15S R27E S34		SESE	24
T16S R27E S3	LOT 1	NENE	38	T16S R27E S3	LOT 2	NWNE	27
T16S R27E S3		SWNE	40	T16S R27E S3		SENE	40
T16S R27E S3		NESE	40	T16S R27E S26		NWNW	35
T16S R27E S26		SWNW	25	T16S R27E S27		NENE	35
T16S R27E S27		NWNE	40	T16S R27E S27		SWNE	10
T16S R27E S27		SENE	20				

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON

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

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

11/08/2000

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

RIGHT NUMBER: 43-2401

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: GROUND WATER

QUANTITY: 1.74 CFS
735 AFY

PRIORITY DATE: 11/30/1953

POINT OF DIVERSION: T16S R27E S3 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	1.74 CFS 735.0 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20	T15S R27E S34		NWSW	10
T15S R27E S34		SESW	16	T15S R27E S34		NWSE	38
T15S R27E S34		SWSE	40	T15S R27E S34		SESE	24
T16S R27E S2	LOT 4	NWNW	37	T16S R27E S2		SWNW	40
T16S R27E S3	LOT 1	NENE	38	T16S R27E S3	LOT 2	NWNE	27
T16S R27E S3		SWNE	40	T16S R27E S3		SENE	40

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00259, 43-00260, 43-00037 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 2000

MARK HIGLEY
DIANE HIGLEY
3951 S 5500 W
HOOPER UT 84315

RE: SRBA Claim(s) 43-00037 43-00084, 43-00085, 43-00259, 43-00260, 43-00286A, 43-02401, 43-10051, 43-10053
Decreed Water Right 43-10052

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find printouts of claims 43-10051 and 43-10053. These claims have not yet been reported to the SRBA court in a Director's Report and as such do not require a Notice of Administrative Proceeding. Water Right 43-10052 has been decreed and will be changed by our state office in Boise. You will receive a separate notice from them when the change has been completed.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett

Trish Fawcett
Technical Records Specialist

cc: Harold and Beth Jones

Form 42-1409(7)

43

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED JUN 21 2000 Department of Water Resources Southern Region

DATE OF CLOSING: 6-2-00 SEE ATTACHED LEGAL DESCRIPTION

LEGAL DESCRIPTION OF PROPERTY: Township_____ Range_____
Section_____,_____1/4 of_____1/4 of_____1/4,Govt. Lot_____, BM.
Lot_____,Block,_____,Subdivision/Townsite_____.
If you have additional legal descriptions, please attach separate sheet.

[ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[ ] Water Right Number(s) Assigned by IDWR: 43-00037, 43-00084, 43-00085, 43-00286A, 43-00259, 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-100

[ ] Name and Address of Former Owner/Claimant(s)(Seller): Harold A. and Beth R. Jones
Sublett Route
Malta, Idaho 83342

[ ] New Owner/Claimant (Purchaser): Mark L. Higley & Diane Higley

[ ] New Mailing Address: 3951 South 5500 West,
Hooper, Utah 84315

[ ] New Telephone Number: (801) 731-3118

[ ] Does the change in ownership result in a splitting of the water right owned/claimed? ___yes _x_ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[ ] Attach proof of ownership, describe proof attached: Warranty Deed

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

[ ] Signature of New Owner/Claimant(s): x Mark Higley Date 5-31-00
x Diane Higley Date 5-31-00

[ ] Signature of Former Owner/Claimant(s): x Harold A. Jones Date 5-31-00
x Beth R. Jones Date 5-31-00

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: **By:**
Further Action Needed:

Further Action Taken
Date: **By:**
Final Review and Data Entry
Date: 11/13/00 **By:** Jarrett
Claim Numbers of Split, if any:

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

269545

WARRANTY DEED

FOR VALUE RECEIVED, HAROLD A. JONES and BETH R. JONES, husband and wife, of Sublett Road, Malta, Idaho, the Grantors, do hereby grant, bargain, sell and convey unto MARK L. HIGLEY and DIANE HIGLEY, husband and wife, the Grantees, whose current address is 3951 South 5500 West, Hooper, Utah 84315, the following described premises, located in Cassia County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 34: SW¼, S½SE¼, NW¼SE¼

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 3: Lots 1 and 2, S½NE¼

Section 26: W½NW¼, W½SW¼

Section 27: NE¼, S½

PARCEL NO. 2:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 2: W½NW¼ and NW¼SW¼

Section 3: NE¼SE¼

SUBJECT TO an Oil, Gas and Mineral Lease between Harold A. Jones and Beth R. Jones, husband and wife, and Standard American Company, dated July 27, 1973, and recorded August 14, 1973, as Instrument No. 71907 on Film No. 84, records of Cassia County, Idaho. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative,

LAND TITLE & ESCROW

00 JAN 2 PM 3 49

FEE 9.00

269545

Inc., an Idaho rural electric Cooperative of Malta, Seller and Clear Creek Ranches - Harold A. Jones, Beth Jones; Harold Devon Jones, Sheryl Jones; Ray Jones, Karen Jones, Consumer, dated June 24, 1985, and recorded May 15, 1986, as Instrument No. 178402 on Film No. 180, records of Cassia County, Idaho, covering the NE¼ of Section 3, Township 16 South, Range 27 East, Boise Meridian. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold Jones, Consumer, dated January 26, 1990, and recorded February 5, 1990, as Instrument No. 206054 on Film No. 213, records of Cassia County, Idaho covering the "SE¼ of Section 34, Township 15 South, East of Boise Meridian." (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold A. Jones and Beth R. Jones, Consumer, dated April 1, 1999, and recorded April 12, 1999, as Instrument No. 262067, records of Cassia County, Idaho covering the SE¼NE¼ of Section 27, Township 16 South, Range 27 East of the Boise Meridian. (Parcel No. 1)

Together with appurtenant water rights, including 2,500 shares in Naf Irrigation District Company and water under license # G24589 and creek waters of Clear Creek and the following Idaho water rights:

Water Rights Nos. 43-00037, 43-00084, 43-00085, 43-00286A, 43-00259, 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-10053

Reserving one-half of all mineral rights currently owned by Seller in each parcel of land. Seller makes no representations or warranties as to the nature or extent of any such mineral rights.

To have and to hold the said premises with their appurtenances to the said Grantee, its heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of said premises,

that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of May, 2000.

Harold A. Jones

Harold A. Jones

Beth R. Jones

Beth R. Jones

STATE OF IDAHO)
) ss.
County of Cassia)

On this 31 day of May, in the year of 2000, before me the undersigned notary public in and for said state, personally appeared Harold A. Jones & Beth R. Jones, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Barbara Ehle

(SEAL)

Notary Public
Residing at Burley, Id
My Commission expires 6-12-2003

BARBARA EHLE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-12-2003

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

July 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HAROLD A JONES
BETH R JONES
SUBLETT RT
MALTA ID 83342

Re: Adjudication claims for Kelso Ranch

Dear Mr. and Mrs. Jones:

Enclosed please find the printouts of all adjudication claims for Kelso Ranch you requested July 21. I apologize for not getting these to you last week, but rather than send you incomplete or wrong information, I waited for Doug Jones to return from vacation so I could check with him to make sure which of your claims were for Kelso Ranch.

Thank you for your patience and should you have any questions or need more information, please do not hesitate to call.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

A43-00037
A43-00084
A43-00085
A43-00259
A43-00260
A43-00286A
A43-10054
43-10055

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA Case No. 39576	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS** **SUB CASE NO. 43-00037, 43-00084, 43-00085, 43-00259, 43-00260, 43-00286A, 43-02401, 43-10052, 43-10055**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? []Yes [X]No

FROM: Claimant/Seller(s):
Name and Address of Claimant/Seller(s):
Harold A Jones
Sublett Rt
Malta ID 83342

Phone: 645-2370

TO: Claimant/Purchaser(s):
Name and Address of Claimant/Purchaser(s):
Harold A Jones
Beth R Jones
Sublett Rt
Malta ID 83342
Phone: 645-2370

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 Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 6/11/98

T Douglas Bates
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6-15, 1998, 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
   PO Box 2707
   Twin Falls ID 83303-2707

2. One Copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   Harold A Jones
   Sublett Rt
   Malta ID 83342

3. One Copy to:
   Claimant/Purchaser for Substitution of Party or attorney of record:
   Harold A Jones
   Beth R Jones
   Sublett Rt
   Malta ID 83342

4. One Copy to:
   Each party in the subcase or attorney of record:

5. One Copy to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

6. One Copy to:
   United States Dept Of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: CLEAR CREEK TRIBUTARY: SINKS

RIGHT NUMBER: 43-00084

NAME & ADDRESS: HAROLD A JONES
BETH R JONES
SUBLETT ROUTE
MALTA ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.4 CFS

PRIORITY DATE: 06/14/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	1.4 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW 20	NWSW 10	SESW 16		NWSE 38
	SWSE 40	SESE 24			
T16S R27E S03	Lot 1 (NENE)38	Lot 2 (NWNE)27	SWNE 40		SENE 40
	NESE 40				
S26	NWNW 35	SWNW 25			
S27	NENE 35	NWNE 40	SWNE 10		SENE 20

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

RIGHTS FROM: SOURCE: CLEAR CREEK TRIBUTARY: SINKS

RIGHT NUMBER: 43-00084 (CONT)

EXPLANATORY MATERIAL: (CONT)
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

June 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HAROLD A JONES
BETH R JONES
SUBLETT RT
MALTA ID 83342

RE: SRBA Claim(s) 43-00037, 43-00084, 43-00085, 43-00259, 43-00260, 43-00286A, 43-02401, 43-10052, 42-10055

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

Form 42-248/42-1409(6) February 3, 1997

RECEIVED

MAY 14 1998

Department of Water Resources
Southern 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).: [redacted] -00260, -00286A, -02401, -02550B, -10051, -10053, 10054

   Adjudication Claim No(s).: A43-10052 DTS, -10055 DTS, -00037, -00084, -00085, -00259

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 attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: Harold A. Jones
   Sublett Rd. Malta, Idaho 83342

X 4. New Owner/Claimant(s): Beth R. Jones - Harold A. Jones.
   Name Connector (Check one): [ ] and, [ ] or, [X] and/or

   New Mailing Address: Sublett Rd. Malta, Idaho.

   City, State and ZIP Code: Malta, Idaho 83342

   New Telephone Number: (208) 645-2370

5. Date you acquired the property: _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres you irrigate _____ Number and type of stock _____

   Diversion rate in CFS _____ Number of homes _____ Other uses _____

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): Harold A Jones
   Beth R. Jones.

   (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..

RECEIVED
APR 14 1998
Department of Water Resources

COPY

RECEIVED
APR 17 1998
Department of Water Resource
Southern Region

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

In Re SRBA)
)
Case No. 39576)
)
)
)

A. Subcase 43-00084
(Insert water right number from the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. **NAME AND ADDRESS OF PERSON RESPONDING**

Name: HAROLD & BETH JONES, RAY JONES
Address: SUBLETT ROUTE
MALTA, ID 83342
Daytime Phone: 208-1045-2370

Name & Address of Attorney, if any:
PATRICK D. BROWN
PARKER, WARR & BROWN, LLP
812 SHOSHONE ST. EAST
TWIN FALLS, ID 83301
208-735-8812

C. **NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING**

Name: JEFF SESSIONS ROGER LING
Address: HC 72, Box 2346 LING, NIELSON & ROBINSON
MALTA, ID 83342 PO Box 396
RUPERT, ID 83350

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☒ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation
    - ☐ This water right should not exist.
    - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **VERIFICATION** (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

Harold A Jones, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 8, 1998

Notary Public for Idaho
Residing at: Jerome, Id.
My Commission Expires: 8/24/2001

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on 4-10, 1998, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Harold A Jones
Address: Sublett Route, Malta ID 83342

3. One copy to the party who filed the objection at the following address:

Name: Jeff Sessions
Address: HC 72 Box 2346
Malta, ID 83342

Roger D. Ling
Ling, Nelson & Robinson
P.O. Box 396
Rupert, ID 83350

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

Your signature or signature of attorney mailing on your behalf

RECEIVED RECEIVED RECEIVED
MAR 30 1998 APR 01 1998 MAR 25 1998
Department of Water Resources Eastern Region Department of Water Resources Southern Region Department of Water Resources

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

In Re SRBA	)	**A. Subcase No. 43-00084**
	)	
Case No. 39576	)	**STANDARD FORM 1**
	)	
	)	**OBJECTION**
	)	

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Jeff Sessions

Address: HC 72, Box 2346
Malta, Idaho 83342

Daytime Phone (208) 824-5721

Name & Address of Attorney, if any:
ROGER D. LING
LING, NIELSEN & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Harold A. Jones

Address: Sublett Route
Malta, Idaho 83342

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).)

1. ☐ **Name and Address**
   Should be: _____

2. ☐ **Source**
   Should be: _____

3. **Quantity**
   Should be: _____

4. ☐ **Priority Date**
   Should be: _____

5. ☒ **Point(s) of Diversion**
   Should be: NE¼SE¼ of Section 27, and diverted west at SE¼SE¼NE¼ of Section 27.

6. ☐ **Instream Flow Description**
   Should be: _____

7. ☐ **Purpose(s) of Use**
   Should be: _____

8. ☐ **Period of Year**
   Should be: _____

9. ☒ **Place of Use**
   Should be: Limited to lands described in Sections 26 and 27.

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): 5. The decree for this water right shows a point of diversion in the NE¼SE¼ of Section 27, Township 16 South, Range 27 EBM. Substantial injury to objector would occur if there is a change in the point of diversion into the Brackenberry Ditch.

9. This water right is appurtenant to the lands in Sections 26 and 27 only, and substantial injury will occur to the objector if allowed to be used in Sections 34 and 3 described in the Recommendation.

VERIFICATION (Must be Completed)

State of Idaho)
)
County of Minidoka)

Jeff Sessions, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Jeff J Session
Signature of person filing objection

Attorney signing in representative capacity

Subscribed and sworn to before me on: March 24, 1998

Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/03/99

INSTRUCTION FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on March 24, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 the claimant of the water right at the following address:

   Name: Harold A. Jones
   Address: Sublett Route
   Malta, Idaho 83342

   Name: Patrick D. Brown, Esq. (Attorney for Claimant)
   Address: HEPWORTH, LEZAMIZ & HOHNHORST
   P. O. Box 389
   Twin Falls, ID 83303-0389

3. Copies to:

   IDWR Document Depository
   P. O. Box 83720
   Boise, ID 83720-0098

   Chief, Natural Resources Division
   Office of the Attorney General
   State of Idaho
   P.O. Box 44449
   Boise, Idaho 83711-4449

   United States Department of Justice
   Environment and Natural Resource Division
   550 West Fort Street, Box 033
   Boise, Idaho 83734

Signature of Objector or attorney mailing on Objector's behalf

IGHT NUMBER: 43-00084

AME AND ADDRESS: HAROLD A JONES
SUBLETT ROUTE
MALTA ID 83342

OURCE: CLEAR CREEK TRIBUTARY: SINKS

UANTITY: 1.4 CFS

RIORITY-DATE: 06/14/1911

OINT OF DIVERSION T16S R27E S27 SESENE Within CASSIA County

URPOSE AND
ERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	Irrigation Season	1.4 CFS

LACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34		NESW	20		NWSW	10	SESW	16	NWSE	38
		SWSE	40		SESE	24				
T16S R27E S03	LOT 1	(NENE)	38	LOT 2	(NWNE)	27	SWNE	40	SENE	40
		NESE	40							
S26		NWNW	35		SWNW	25				
S27		NENE	35		NWNE	40	SWNE	10	SENE	20

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

THER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

XPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

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

Water Right Number - R43-00085 Prefix Translation: RESEARCH Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** JONES	HAROLD A	1 - SUBLETT ROUTE 2 - 3 - City- MALTA State- ID Zip- 83342 Phone - 208-645-2370

Priority Date	Region	Stage	Status
07/14/1912	17 SOUTHERN	D - DECREED	

Source	Tributary
CLEAR CREEK	SINKS

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	
16S	27E	27	SE SE NE		(31)	CASSIA	IDAHO WEIR

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	10/31	1.800	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
1.800		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15S	27E	34	NE SW		20.0	01	IRRIGATION	(31) CASSIA
15S	27E	34	NW SW		10.0	01	IRRIGATION	(31) CASSIA
15S	27E	34	SE SW		16.0	01	IRRIGATION	(31) CASSIA
15S	27E	34	NW SE		38.0	01	IRRIGATION	(31) CASSIA
15S	27E	34	SW SE		40.0	01	IRRIGATION	(31) CASSIA
15S	27E	34	SE SE		24.0	01	IRRIGATION	(31) CASSIA
16S	27E	3	NE NE	1	38.0	01	IRRIGATION	(31) CASSIA
16S	27E	3	NW NE	2	27.0	01	IRRIGATION	(31) CASSIA
16S	27E	3	SW NE		40.0	01	IRRIGATION	(31) CASSIA
16S	27E	3	SE NE		40.0	01	IRRIGATION	(31) CASSIA
16S	27E	3	NE SE		40.0	01	IRRIGATION	(31) CASSIA
16S	27E	26	NW NW		35.0	01	IRRIGATION	(31) CASSIA
16S	27E	26	SW NW		25.0	01	IRRIGATION	(31) CASSIA
16S	27E	27	NE NE		35.0	01	IRRIGATION	(31) CASSIA
16S	27E	27	NW NE		40.0	01	IRRIGATION	(31) CASSIA
16S	27E	27	SW NE		10.0	01	IRRIGATION	(31) CASSIA
16S	27E	27	SE NE		20.0	01	IRRIGATION	(31) CASSIA

Total Acres: 498.0

Diversion Means - CHECK DAMS & DITCHES

Water right number - R43-00085 Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - Remarks - +

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

+ - Old Water Right Numbers - +

No Old Water Right Numbers Found

+ - Conditions of Approval - +

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION - PURSUANT TO SECTION 42-1425, IDAHO CODE.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO - SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
ALBION-IDAHO LAND CO.	JOBE ADAMS ET AL	00/00/0000

+ -Comments- +

Date: 02/10/1998 User Id: DJONES Subject: COPIED FROM REMARKS
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND DESCRIBED; PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL GROUNDWATER AREA. SOME OF THE LAND IDENTIFIED IS DELIVERED WATER FROM CLEAR CREEK FROM DIVERSIONS WITHIN THE STATE OF UTAH.
OTHER RIGHTS: A43-00084, A43-00286A, A43-00037, A43-00259, A43-00260, LICENSE G-24589.

+ - - Audit Fields - - +

02/24/98 DJONES

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/21/1989	Last Amended Date	- 02/07/1998	Temporary Right	- P
		Receipt Number	- S006624	Water District	- 43B
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

January 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HAROLD A JONES
SUBLETT ROUTE
MALTA, ID 83342

RE: RIGHTS FROM CLEAR CREEK CLAIMED IN THE SNAKE RIVER BASIN ADJUDICATION.

Dear Mr Jones:

As a result of Judge Daniel C. Hurlbutt Jr's Order for Director's Report issued October 24, 1997 in SRBA Case No. 92-00014 Harold Jones and Ray Jones v. Naf Irrigation Company department staff will present draft recommendations for claims identifying Clear Creek as a source.

The meeting is scheduled for February 10, 1998 at 1 pm in the conference room of the Raft River Electric office in Malta. Please plan to attend this meeting or let us know if you won't be there.

David R. Tuthill, Jr., P.E., Chief, Adjudication Bureau will attend along with adjudication staff of the department's Twin Falls office.

The presentation will use geographic information systems (GIS) computer graphics that were developed from reviews of aerial photos showing 1987 irrigation usages photographed by the Soil Conservation Service.

Please contact me at 208-736-3033 to confirm that you will be able to come to the meeting and with any questions you may have about the review procedure.

Sincerely Yours,

Francis G. Hitchcock
Water Resources Agent, Sr.

cc: Patrick D. Brown, Esq.
Roger D. Ling, Esq.

w/ 00084
120 cc
w/ 00286A
160 cc

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

January 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RAY JONES
2649 EAST STREVELL ROAD
BOX 2318
MALTA, ID 83342

RE: RIGHTS FROM CLEAR CREEK CLAIMED IN THE SNAKE RIVER BASIN ADJUDICATION.

Dear Mr Jones:

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Sincerely Yours,

Francis G. Hitchcock
Water Resources Agent, Sr.

cc: Patrick D. Brown, Esq.
Roger D. Ling, Esq.

I HAD HIM MARK A COPY OF THE ASCS MAP HE BROUGHT IN AND I RAN OUT HIS WATER CLAIMS FOR HIM. I GAVE HIM A SAE FOR THE MAILING.

AFTER HE LEFT I CALLED CHARLIE H. AND REVIEWED WHAT I HAD DONE WITH CHARLIE. HE FELT THAT THE CC OF THE RECORDING WOULD BE OK.

HOLD FILE CLAIM JACKET MADE W/LABEL AND REVIEWED W/TRISH.

January 27, 1998 2:54pm

NAME:
HAROLD JONES AND WIFE
DAVE SUNDBERG

RE: A43-00084, -00085 & -00286A
AMEND CLEAR CREEK CLAIMS

WALK-IN 01-21-1998 AT 4:05. MET WITH IN MY OFFICE AND PULLED HIS CLAIMS FROM 603 SITE.

THEY BOUGHT THE "HOME" PLACE (LOCATED ON GROUND JUST EAST AND SOUTH OF THE NAF STORE WITHIN SIGHT OF THE UTAH BORDER) IN 1961 AND HAD ALWAYS "SENT DOWN" THE HIGH FLOWS OF CLEAR CREEK DURING RUNOFF TO THE LOWER PLACE, KELSO RANCH.

HE, HAROLD JONES, WANTS TO IDENTIFY THE POU FOR HIS CLAIMED DECREE RIGHTS PRESENTLY CLAIMED ON SECTIONS 26 AND 27 FOR A TOTAL OF 609 ACRES ON THE ACREAGE AT THE KELSO RANCH DOWNSTREAM ON GROUND IN SECTION 34 IN 15S 27E AND SECTIONS 2 AND 3 IN 16S 27E.

I TOLD HIM THAT HE COULD AMEND ANYTIME HE WANTED BEFORE THE DIRECTIOR'S REPORT BUT THAT HE WOULD HAVE TO DO AN EXTENSION OF TIME REQUEST AND EXPLAINED THAT. MRS. JONES WANTED TO KNOW WHAT WOULD HAPPEN TO THE REVIEW OF SUCH AMENDMENTS IN VIEW OF THE RECENT ISSUES IN THE SRBA. I SAID THAT I COULDN'T SPECULATE ON THE OUTCOME OF LEGAL ISSUES IN ANY CASE.

I THEN TOLD HIM THAT I PROBABLY COULDN'T WORK ON THEM BUT THAT MY SUPERVISOR, DOUG JONES, COULD TALK TO THEM ABOUT IT. I GOT DOUG AND HE TALKED AT LENGTH ABOUT THE VARIOUS IMTREPRETATIONS THAT WOULD RESULT FROM THEIR AMENDMENTS.

DAVE SUNDBERG ASKED HIM IF HE WAS AWARE OF DIRECTIONS IN THE VARIOUS CASES REGARDING THE TURNING OF THE WATER. DOUG STATED SOME NUMBERS AND DAVE ASKED ME IF I HAD THE BLACK BOOK. I PULLED MY COPY FORM MY CLEAR CREEK FILES AND HE HAD DOUG READ SEVERAL SECTIONS WHICH DAVE QUOTED TO HIM BY PAGE NUMBER AND PARAGRAPH WHILE DOUG READ THE SECTIONS DAVE DIRECTED HIM TO.

FINALLY, I SAID THAT DOUG HAD TO LEAVE WITH HIS RIDE HOME AS IT WAS 5 PM BUT THAT I LIVED NEARBY AND WOULD STAY WITH THEM AS LONG AS THEY FELT THEY NNED ME TO. DOUG GAVE THEM A SET OF LONG CLAIM FORMS AND I SET THEM UP WITH EXTENSION OF TIME FORMS, SAE, COPY OF THE STATUTE ON AMENDMENTS, CLAIM COPY A RECORDS AND CLAIM COPY PROOFS AND PROFILES.

COPY

SALE-BOUGHT 3 LOTS.

TF AT 11:35-TCW. DISCLAIMED AS AN ATTORNEY-WHAT WE SEE DONE MOST OFTEN IS TO CLAIM THE LOTS UNDER ONE CLAIM AS PART OF THE UNDERLYING DECREE WATER RIGHT. HE ALREADY HAS A PORTION OF THE KATERINA PEDRINI USAGE FROM PINE CR THAT CAME W/THE HOMESITE HE BOUGHT FROM THE PEDRINI BROTHERS.

SUGGESTED THAT HE REVIEW WITH WAYNE BAKER SINCE BAKER IS IRRIGATING THE BENCH THAT THE LOTS ARE PART OF. REVIEWED STATUTE DUTY OF WATER AND LOCAL CUSTOM/WILD FLOODING PRACTICE.

REVIEWED THE POSSIBLE LEGAL DESCRIPTION DIFFERENCES BETWEEN HIS PRESENT CLAIM AND THE LOTS IN THE SUBDIVISION ESPECIALLY THE OLD POD FROM PINE CREEK NOW IN USE FOR THE BENCH POU.

HE THOUGHT HE MIGHT CONTACT JIM BENNETTS ESQ IN CHALLIS NEXT WEEK WHO IS PREPARING BAKERS LATE CLAIMS FOR ADDITIONAL SUBDIVISION LOTS NOW UNDER IRRIGATION THIS SEASON FROM PINE CREEK.

REVIEWED OUR CONVERSATION IN SEPTEMBER AT WAYNE BAKER'S ABOUT THESE ISSUES. HE WILL CALL IF HE HAS FURTHER QUESTIONS.

November 4, 1997 7:00am

NAME:	RE:
MR AND MRS HAROLD A JONES MR DAVE SUNDBERG	SRBA CLAIMS FOR CLEAR CREEK FLOWS IN BOX ELDER COUNTY, UTAH-DIVERSIONS IN UTAH.

10-30-1997, THURSDAY-I RAN INTO THE CLAIMANTS IN THE OFFICE AREA AND I DISCUSSED THE COURT'S ORDER WHICH I HAD JUST GOTTEN A COPY OF. THEY WERE IN TO SEE ABOUT A PERMIT. I WENT ON ABOUT MY BUSINESS.

WHEN I CAME OUT TO LEAVE THE OFFICE FOR A BREAK JIM STANTON CAME UP TO ME AND SAID THAT THE CLAIMANTS WERE IN HIS OFFICE WITH SRBA CLAIMS. HE WENT ON TO SAY THAT HE HAD ASKED DOUG JONES ABOUT CLAIMS TO CLEAR CREEK USAGES AND DOUG HAD TOLD HIM THAT I WAS THE EXPERT ON CLEAR CREEK AND TO SEE ME.

I WENT INTO JIM'S OFFICE AND MET WITH THE CLAIMANTS TO REVIEW THE CLAIM THEY WANTED TO FILE. I TOLD THEM THAT IT WAS MY OPINION THAT WATER DIVERSIONS IN ANOTHER STATE WOULDN'T BE PART OF THE SRBA. I DISCLAIMED AS AN ATTORNEY BUT SAID THAT I HAD SOME INFORMATION FROM THE UTAH DIVISION OF NATURAL RESOURCES, WATER RESOURCES, THAT CLEAR CREEK HAD BEEN REVIEWED AND RECOMMENDATIONS MADE IN AN ADJUDICATION BEGUN BY UTAH IN THE MID 1960S. I SAID THAT AS FAR AS I KNEW FROM MY REQUEST TO THAT AGENCY THE RECOMMENDATIONS WERE NEVER DECREED.

DAVE SUNDBERG PRODUCED A LEGAL-SIZE, SOFT COVER, BOUND EXHIBIT THAT ALL THE CLEAR CREEK RIGHT HOLDERS RECIEVED. HE STATED THAT THE RIGHTS WERE DESCRIBED IN THE EXHIBIT AND THAT EACH USER HAD

COPY

RECIEVED ONE OF THE VOLUMES. HE WENT ON TO SAY THAT HE UNDERSTOOD THAT NO OBJECTIONS WERE RECIEVED FROM THE USERS AND THAT THE DESCRIPTIONS OF THE USAGES WERE CONSIDERED TO BE VALID.

I DISCLAIMED AGAIN AS AN ATTORNEY AND SAID THAT I FELT THE BEST THING TO DO WOULD BE TO MAKE COPIES OF THEIR PAPERWORK CLAIMING THE USAGES IN UTAH AND THE PORTIONS OF THE EXHIBIT COVERING THE CLEAR CREEK USAGES. I WENT ON TO SAY THAT I WOULD DO A MEMORANDUM OF OUR MEETING AND FORWARD IT WITH THE COPIES TO THE OFFICE MANAGER FOR HIS DIRECTION. THEY FELT THAT WAS AGREEABLE.

I WENT TO A COPIER WITH DAVE SUNDBERG WHILE JIM STANTON WENT OVER THE PERMIT PAPERWORK WITH MR AND MRS JONES. I COPIED THE CLAIM FORMS AND THE PAGES FROM THE RECOMMENDATIONS BY UTAH FOR THE USAGES IN THE AREA THAT INCLUDES CLEAR CREEK. I REVIEWED THE COPIES WITH DAVE SUNDBERG AND HE CONFIRMED THE PAGES COVERED THE USAGES THAT WERE IDENTIFIED IN THE CLAIM.

WE RETURNED TO JIM STANTON'S OFFICE AND I WENT OVER WHAT I WOULD DO AS SOON AS I COULD DO SO. THEY AGREED AGAIN TO MY PROPOSAL AND I SUGGESTED THAT THEY CALL ME IF THEY THOUGHT OF ANYTHING ELSE THAT SHOULD BE INCLUDED IN THIS MOST RECENT APPROACH TO THE CLEAR CREEK USES. I GAVE THEM MY BUSINESS CARD AS THEY LEFT.

COPIES INCLUDE: A REQUEST FOR EXTENSION OF TIME FORM (PARTIALLY FILLED OUT); AN SRBA CLAIM FORM (FILLED OUT BUT NOT SIGNED OR DATED AND WITHOUT IDENTIFICATION NUMBER) WITH THREE PAGES OF HANDWRITTEN TEXT AND THE FACE SHEET OF THE NOTED VOLUME FROM THE ACTING STATE ENGINEER FOR UTAH TITLED "PROPOSED DETERMINATION OF WATER RIGHTS IN BOX ELDER COUNTY, SNAKE RIVER DIVISION CODE NO. 11 (GOOSE CREEK, RAFT RIVER AND CLEAR CREEK VICINITY) DATED 09-17-1965.

THIS JOURNAL ENTRY WILL GO TO ALLEN MERRITT WITH THE COPIES FOR HIS REVIEW. ANOTHER SET WILL BE PLACED IN THE CLAIM FILE(S) OF HAROLD JONES AS PROMISED.

◇◇

November 4, 1997 7:53am

NAME:
MR AND MRS HAROLD A JONES
MR DAVE SUNDBERG

RE:
ADDENDUM-JOURNAL ENTRY-SRBA CLAIMS FOR CLEAR CREEK FLOWS IN BOX ELDER COUNTY, UTAH-DIVERSIONS IN UTAH.

THE DESCRIPTION OF THE COPIES MADE OF THE EXHIBITS BROUGHT IN BY MR AND MRS JONES SHOULD HAVE INCLUDED THE FOLLOWING TEXT TO BETTER AND MORE FULLY DESCRIBE THE STATE WATER RESOURCES REPORT:

COPY

IN ADDITION TO THE FACE SHEET I COPIED A PAGE OF TEXT OVER THE SIGNATURE OF THE ACTING STATE ENGINEER AND PAGES OF WATER RIGHTS DESCRIPTIONS AS SUGGESTED BY DAVE SUNDBERG WHO HIGHLIGHTED ONE FIELD AT PAGE SEVEN TITLED "PURPOSE, EXTENT & PLACE OF USE".

THERE ARE A TOTAL OF 15 PAGES OF COPIES FROM THE REPORT IN ADDITION TO THE COPIES OF THE CLAIM, ATTACHMENTS TO THE CLAIM AND THE EXTENSION OF TIME FORM PREVIOUSLY NOTED.

PLEASE NOTE THAT THE PAGES IN THE REPORT ARE NOT NUMBERED CONSECUTIVELY BUT NUMBER THE PAGE AND THE FACING PAGE WITH THE SAME NUMBER.

MR SUNDBERG STATED THAT EACH CLAIMANT TO A USAGE RECIEVED A COPY OF THE RECOMMENDATIONS AT THE TIME OF THE REPORT.

◇◇

November 4, 1997 9:38am

NAME:	RE:
MRS ALICIA ROBBINS	OWNERSHIP CHANGE-SHARES?

CW AT 9:20 TO 9:25; CAME IN TO CHANGE OWNERSHIP AS A RESULT OF THEIR PURCHASE. WAS CONFUSED ABOUT DESCRIPTION OF THE DIVERSION RATE AT .10 CFS DESCRIBED TO HER AS "FIVE SHARES".

REVIEWED SHARES DEFINITION AS ASSOCIATED WITH A DELIVERY GROUP AND DEFINED THE DIVERSION RATE AS THE 1" PER ACRE RATIO AS CLAIMED IN THE SRNA CLAIM FILED BY WISE REPRESENTING (AS FAR AS I CAN TELL) THE DECREED USAGE WHICH WILL BE DELIVERED BY THE WATERMASTER FOR THE ROCK CREEK USERS. THE CLAIM REPRESENTS FIVE ACRES OR IRRIGATION.

GAVE HER MY CARD AND ENCOURAGED HER TO CALL IF SHE HAD INFORMATION THAT WAS DIFFERENT THAN WHAT WE TALKED ABOUT.

◇◇

November 10, 1997 2:01pm

NAME:	RE:
SHARON K HARRISON	A45-11680 DOMESTIC-WRONG A45-00166A MONCUR-SELLER

CLAIMANT CALLED IN EARLIER AND WANTED TO COME IN MONDAY WHICH SHE DID AT 11:00 AM. TRISH FAWCETT HAD THE NOTES OF THE CONVERSATION WITH THE CLAIM NUMBERS AND THE LEGAL DESCRIPTION.

STEVE WAS THE AGENT OF THE DAY BUT HIS WIFE CALLED TO SAY THAT HE WOULD BE IN LATER DUE TO BEING SICK.

THE S.O. HAD SENT THE HARRISONS A LETTER ABOUT THE CONFLICT BETWEEN THEIR PROPERTY RECORD AT CASSIA COUNTY AND THEIR AJ DOM CLAIM (A45-11680) POD/POU.

COPY

RECEIVED
OCT 28 1997
Department of Water Resources
Southern Region

PIDRMK4
Allen —

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

In Re: SRBA Case No. 39576	SRBA Case No. 92-00014 ORDER FOR DIRECTOR'S REPORT
HAROLD JONES and RAY JONES Plaintiffs, v. NAF IRRIGATION COMPANY, a Utah Corporation; LARRY KEMPTON in his capacity as an individual and as president of NAF IRRIGATION COMPANY; LAVERNE KEMPTON, individually and in his capacity as Water Master and Ditchrider for NAF IRRIGATION COMPANY; MONTE CAMBELL as an individual; and JEFF SESSIONS doing business as ROUND MOUNTAIN RANCH, Defendants.	

This case is a dispute between several water rights holders on Clear Creek in the state of Idaho. The SRBA court has jurisdiction because the case requires a determination of one or more elements of the disputed water rights. *Young Harvey Walker v. Big Lost River Irrigation District*, 856 P. 2d 868, 124 Idaho 78 (1993). During the course of litigation, it has become apparent that trial

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OCT 30 1997
Department of Water Resources
Southern Region

of the several water rights at issue is likely to result in duplicative litigation when the Clear Creek Stream System is reported in a Director's Report as part of the SRBA.

To avoid a multiplicity of litigation between these and other parties on Clear Creek, this court enters the following order:

1. The Idaho Department of Water Resources shall prepare a preliminary Director's Report for all, approximately thirty, water rights claimed in the Snake River Basin Adjudication on Clear Creek. This report shall be prepared and submitted to the court on or before February 27, 1998.

2. The court will serve copies of the preliminary Director's Report on each claimant included in the report.

3. All claimants included in the Director's Report for Clear Creek shall file objections to the report on or before March 27, 1998.

4. Any party wishing to file a response to an objection to the preliminary Director's Report shall file the response with the court on or before April 10, 1998.

5. A scheduling conference on all objections and responses filed to the preliminary Director's Report for Clear Creek will be held on Monday, April 13, 1998 at 10 a.m. in the district courthouse for the Snake River Basin Adjudication located at 253 3rd Avenue North, Twin Falls, Idaho. All parties and counsel are required to be personally present at this scheduling conference.

6. Parties in the *Jones v. NAF Irrigation Company et al* case pending before the court shall be allowed to continue discovery on issues raised in the pleadings.

7. The prior scheduling order and trial setting in *Jones v. NAF Irrigation, et al* is hereby vacated in favor of the schedule set forth in this order.

IT IS SO ORDERED.

DATED October 24, 1997.

DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER FOR DIRECTOR'S REPORT** was mailed on October 24, 1997, with sufficient first-class postage to the following:

Patrick D Brown
Hepworth, Lezamiz & Hohnhorst
PO Box 389
Twin Falls, ID 83303-0389

Roger D Ling
Ling, Nielson & Robinson
PO Box 396
Rupert, ID 83350

Deputy Clerk

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TARA BACKLUND

DATE
November 30, 1995 2:18pm

CUSTOMER
LEANN-HEPWORTH

SUBJECT: A43-00037, A43-00084, A43-00[redacted], A43-00259, A43-00260, A43-00286A, & A43-02401

phone call (X) walk-in (.)

LEANN FROM HEPWORTH'S OFFICE CALLED TO ASK FOR THE NOTICE OF CLAIM FOR THESE CLAIM. I ASKED IF SHE WANTED THE WHOLE FILES. SHE SAID NO, ONLY THE NOTICE OF CLAIM. I MADE COPIES AND CALLED HER TO SAY THEY WERE READY FOR PICK UP.

6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent Kelly K Christensen

DATE CUSTOMER
October 25, 1995 2:42pm **LEE ANN** FROM HEPWORTH'S OFFICE

SUBJECT: WANTS CLAIM FORMS TO USE FOR AMENDMENTS
phone call (X) walk-in (.)

She indicated that a client wants to ammend the following claims and she requested claim forms for these rights. I explained the general procedure for using the forms for amendments.
claims
A43-00037
-00084
-00085
-00259
-00260
-02868A
-02401

COPY

TO: ADM

FROM: FH

DATE: 03-17-1995

SUBJ: TELEPHONE CALL FROM HAROLD JONES, NAF.

MR. JONES CALLED AT 10:00 AM TO REPORT THAT UTAH USERS OF CLEAR CREEK ARE IRRIGATING. HE WANTED TO KNOW WHAT WAS GOING TO BE DONE ABOUT THE DIVERSION IN UTAH PER OUR DISCUSSIONS REGARDING THE SITE OF THE MEASURING WEIR ON CLEAR CREEK IN UTAH. HE STATED THAT HE WOULD LIKE TO GET SOMETHING DONE (ABOUT THEM/THE IRRIGATING/CLEAR CREEK WATER).

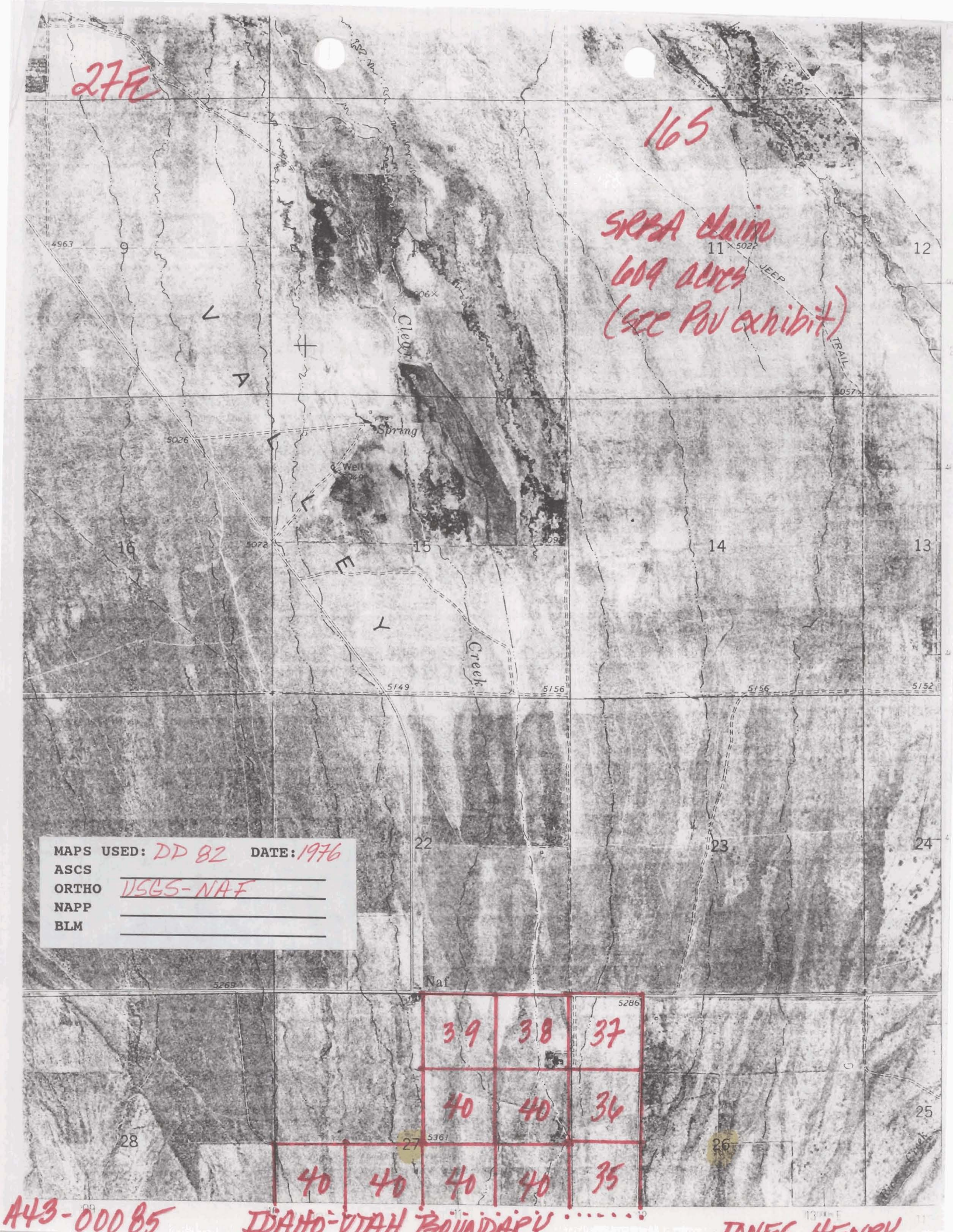
HE ASKED ABOUT THE TUESDAY MEETING OF UTAH AND IDAHO WATER USERS. I SAID I DIDN'T KNOW OF ONE-WAS IT THE NAF IRRIGATION COMPANY THAT WAS MEETING? NO, ITS THE USERS OF BOTH STATES. RESTATED THAT I DIDN'T KNOW ANYTHING ABOUT THE MEETING.

MR. JONES ASKED IF WATERMASTERS HAD TO HAVE A BOND AND I SAID THAT I DIDN'T KNOW.

HE SAID THAT HE HAD OBSERVED THE SESSIONS DAM SITE WAS STILL FULL AND WHAT WAS GOING TO BE DONE ABOUT IT. I SAID THAT I WASN'T PART OF THE REVIEW OF THAT MATTER. I DID TELL HIM THAT YOU HAD BEEN DOWN THERE RECENTLY AND THAT I WOULD LEAVE YOU A MESSAGE THAT HE WAS INQUIRING.

HE DID NOT ASK THAT YOU CALL HIM REGARDING ANY OF HIS QUESTIONS BUT I MADE IT CLEAR TO HIM THAT YOU WOULD SEE A COPY OF THIS MEMO AND THAT I WOULD PUT A COPY IN THE ADJUDICATION CLAIMS FILES FOR HIS USAGES FROM CLEAR CREEK.

CC: HAROLD JONES SRBA CLAIM FILES SOURCING CLEAR CREEK
MEMOS-INTEROFFICE-SRBA-1995-FH.


27E
165
SRBA claim
609 acres
(see POU exhibit)
MAPS USED: DD 82 DATE: 1976
ASCS
ORTHO USGS-NAF
NAPP
BLM
39
38
37
40
40
36
40
40
40
40
35
IDAHO-UTAH BOUNDARY
A43-00085

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres	
16S	27E	26	SW	SW		IRR	34.0	⅞ OUT
					Section Acres		142.0	
		27	NE	NE		IRR	38.0	
			NW	NE		IRR	39.0	
			SW	NE		IRR	40.0	
			SE	NE		IRR	40.0	
			NE	SW	partial	IRR	40.0	
			NW	SW	"	IRR	40.0	
			SW	SW	UTAH	IRR	30.0	⅞ OUT
			SE	SW	"	IRR	40.0	
			NE	SE	partial	IRR	40.0	
			NW	SE	"	IRR	40.0	
			SW	SE	UTAH	IRR	40.0	⅞ OUT
			SE	SE	"	IRR	40.0	⅞ OUT
					Section Acres		467.0	
					Total Acres		609.0	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00084 & A43-00286 PART .

14. Remarks:
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND DESCRIBED; PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL GROUNDWATER AREA. SOME OF THE LAND IDENTIFIED IS DELIVERED WATER FROM CLEAR CREEK FROM DIVERSIONS WITHIN THE STATE OF UTAH.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

DECREE - pg. 17
43-00085
Source: Clear Cr.
Amount: 1.8 CFS
Priority: 7-14-1912
P/D: &
POU: N½NE, SWNE §27
NWNW §28
T16S R27E

T16S

MAPS USED: DD 82 DATE: 1976
ASCS
ORTHO USGS - NAF
NAPP
BLM

MAPS USED: DD 83 DATE: 1976
ASCS
ORTHO USGS - STREVELL SW
NAPP
BLM

43-00085

R27E R28E

JONES, HAROLD