

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2004 FEB 6 PM 2 45

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-02110

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

SOURCE: ROUND MOUNTAIN SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.80 CFS

PRIORITY DATE: 05/23/1912

POINT OF DIVERSION: T16S R28E S18 LOT 4 (SWSWSW) Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.80 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T16S R27E S13	NENE 4.0 SWNE 7.0
		SENE 15.0 NESW 5.0
		NESE 29.0 NWSE 33.0
		SWSE 40.0 SESE 40.0
	S24	NENE 33.0 NWNE 4.0
	R28E S19 LOT 1	(NWNW)13.0
	223.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 51 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02061 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116,
43-10824, 43-02061 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.

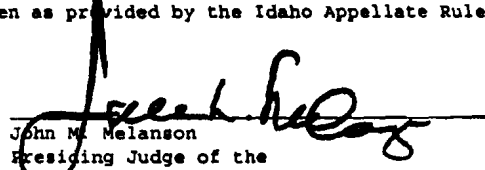
USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
43-02061 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Residing Judge of the
Snake River Basin Adjudication

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: A43-02110
Date Received: 4/20/1989
Receipt No: 5006988
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERLE JONES
Address: H.C. 72 BOX 2346
MALTA, ID 83342
208-824-5719
2. Date of Priority: MAY 23, 1912
3. Source: ROUND MOUNTAIN SPRING Trib. to: ROUND MOUNTAIN CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	28E	18	SW	SW	SW		CASSIA
5. Description of diverting works:
DRAIN FROM SPRING TO SPRINKLERS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 127.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	27E	13	SE	NE		IRR	16.0
			NE	SE		IRR	35.0
Section Acres							51.0

COPY
MAR 03 1993

10. Place of Use: Continued

Total Acres 51.0

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:
SEE A43-00045

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 8361

COPY
MICROFILMED
MAR 03 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 M2p A43-00045

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): Merle Jones Date: 4/20/89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of April 19 89 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/90

COPY
MAR 03 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

Case No. 39576

Subcase No. 43-45, 43-286B,
43-2110, 43-10116

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

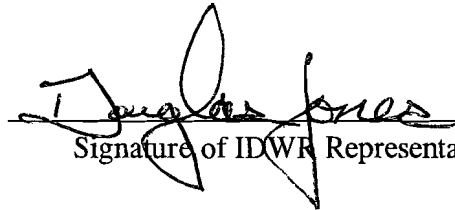
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ 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:
Shirley Jones
1735 Alvarado
Twin Falls ID 83301
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: 43-45

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

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 1.700 CFS

PRIORITY DATE: 06/01/1882

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.700 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T16S R27E S13	NENE	4.0	T16S R27E S13	SWNE	7.0
T16S R27E S13	SENE	15.0	T16S R27E S13	NESW	5.0
T16S R27E S13	NESE	29.0	T16S R27E S13	NWSE	33.0
T16S R27E S13	SWSE	40.0	T16S R27E S13	SESE	40.0
T16S R27E S24	NENE	33.0	T16S R27E S24	NWNE	4.0
T16S R28E S19 Lot 1 NWNW		13.0			

223 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 146 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258 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: 43-286B

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

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 4.300 CFS

PRIORITY DATE: 11/23/1911

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.300 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T16S R27E S13	NENE	4.0	T16S R27E S13	SWNE	7.0
T16S R27E S13	SENE	15.0	T16S R27E S13	NESW	40.0
T16S R27E S13	NESE	29.0	T16S R27E S13	NWSE	33.0
T16S R27E S13	SWSE	40.0	T16S R27E S13	SESE	40.0
T16S R27E S24	NENE	33.0	T16S R27E S24	NWNE	4.0
T16S R28E S19 Lot 1 NWNW		13.0			

258 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00045 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258 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: 43-2110

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

SOURCE: ROUND MOUNTAIN SPRING

TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 05/23/1912

POINT OF
DIVERSION: T16S R28E S18 SWSWSW Lot 4 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.800 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T16S R27E S13	NENE	4.0	T16S R27E S13	SWNE	7.0
T16S R27E S13	SENE	15.0	T16S R27E S13	NESW	5.0
T16S R27E S13	NESE	29.0	T16S R27E S13	NWSE	33.0
T16S R27E S13	SWSE	40.0	T16S R27E S13	SESE	40.0
T16S R27E S24	NENE	33.0	T16S R27E S24	NWNE	4.0
T16S R28E S19 Lot 1 NWNW		13.0			

223 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 51 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-02061 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824 & 43-02061 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824 43-02061 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258 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.

07/17/2003

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

RIGHT NUMBER: 43-10116

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

SOURCE: RICE CREEK
ROUND MOUNTAIN CREEK

TRIBUTARY: ROUND MOUNTAIN CREEK
TRIBUTARY: CLEAR CREEK

QUANTITY: 4.460 CFS
892.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 &
43-02110 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 892 AF.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061
43-02110 & 43-00286B IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1032 AF.

PRIORITY DATE: 04/01/1962

POINT OF
DIVERSION: T16S R27E S13 NESE Within CASSIA County
T16S R27E S13 NESESE Within CASSIA County
T16S R27E S24 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	4.460 CFS 892.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T16S R27E S13	NENE	4.0	T16S R27E S13	SWNE	7.0
T16S R27E S13	SENE	15.0	T16S R27E S13	NESW	5.0
T16S R27E S13	NESE	29.0	T16S R27E S13	NWSE	33.0
T16S R27E S13	SWSE	40.0	T16S R27E S13	SESE	40.0
T16S R27E S24	NENE	33.0	T16S R27E S24	NWNE	4.0
T16S R28E S19 Lot 1 NWNW		13.0			

223 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-00286B, 43-10824,
43-02061, AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 AND
43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 223
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 - Beneficial Use



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

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 page.
 Incomplete forms will be returned.

RECEIVED
JUL 15 2003

Department of Water Resources
 Southern Region

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
<u>43-45</u>	<u> </u>	<u> </u>	<u>43-10117</u>	<u> </u>	<u> </u>
<u>43-286B</u>	<u> </u>	<u> </u>	<u>43-10118</u>	<u> </u>	<u> </u>
<u>43-2110</u>	<u> </u>	<u> </u>	<u>43-10824</u>	<u> </u>	<u> </u>
<u>43-10116</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u>43-2061</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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): **ROUND MOUNTAIN RANCH, a general partnership**
(include title if applicable)

By: Jeff L. Sessions
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 [Signature] Date 7/15/03 Fee _____
Received by _____ Date _____ Receipt No. _____
Processed by [Signature] AJ Date 7/16/03 WR _____ Date _____

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 form.
 Incomplete forms will be returned.

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>43-37</u>	<u> </u>	<u> </u>	<u>43-286A</u>	<u>43-10054</u>	<u> </u>
<u>43-84</u>	<u> </u>	<u> </u>	<u>43-2401</u>	<u> </u>	<u> </u>
<u>43-85</u>	<u> </u>	<u> </u>	<u>A43-10051</u>	<u> </u>	<u> </u>
<u>43-259</u>	<u> </u>	<u> </u>	<u>A43-10052</u>	<u> </u>	<u> </u>
<u>43-260</u>	<u> </u>	<u> </u>	<u>A43-10053</u>	<u> </u>	<u> </u>

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 _____

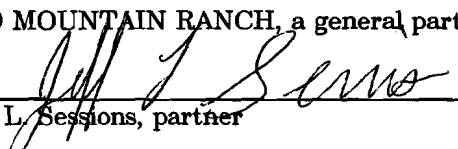
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number & type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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): **ROUND MOUNTAIN RANCH, a general partnership**
(include title if applicable)

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: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 3: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$
 Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 27: NE $\frac{1}{4}$, S $\frac{1}{2}$

PARCEL NO. 2:

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

Section 2: W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 3:

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

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 24: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

RECORDED AT THE REQUEST OF
 LAND TITLE & ESCROW

01 APR 27 PM 4 06

FEE: 9.00

RECORDER

CASSIA COUNTY, IDAHO
 DARRELL H. ROSKELLEY

274661

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

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and
SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 4:

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

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 5:

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

Section 19: W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

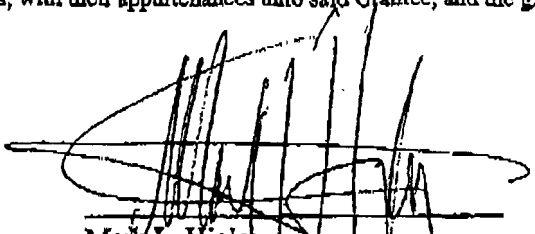
TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

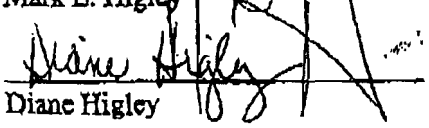
TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: April 27, 2001


Jeff L. Sessions

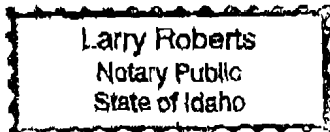

Jennifer Sessions

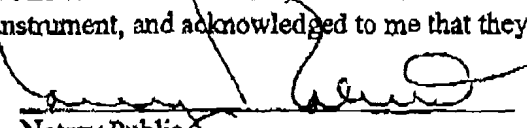

Mark L. Higley


Diane Higley

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

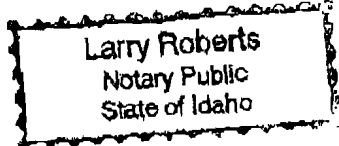
On this 27th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFF L. SESSIONS and JENIFER SESSIONS**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed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

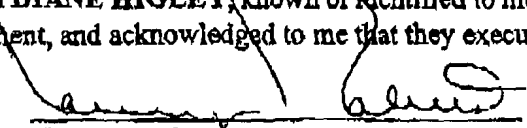



Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

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.




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: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$

Section 24: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

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

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

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: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 3:

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

Section 19: W $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

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

2

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: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 3: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 27: NE $\frac{1}{4}$, S $\frac{1}{4}$

PARCEL NO. 2:

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

Section 2: W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$

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,

269545
CASSIA COUNTY, IDAHO
PARCEL NO. 1 & 2
RECORDED
FEE \$9.00
JUN 2 PM 3 49
RECORDED IN THE RECORDS OF
LAND TITLE & ESCROW

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 16 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)
County of Cassia) ss.

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)



RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-12-2003

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

LING, ROBINSON & WALKER

BRENT T. ROBINSON
JASON D. WALKER

KELLY ARTHUR ANTHON

ROGER D. LING, OF COUNSEL

ATTORNEYS AT LAW

615 "H" STREET

P. O. BOX 396

RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

July 14, 2003

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

RECEIVED
JUL 15 2003
Department of Water Resources
Southern Region

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.

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

DATE: APR-5-2000

PAGE: A-4

RIGHT NUMBER: 43-02110

NAME & ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

SOURCE: ROUND MOUNTAIN SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.8 CFS

PRIORITY DATE: 05/23/1912

POINT OF DIVERSION: T16S R28E S18 LOT 4 (SWSWSW) Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.8 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County			
	T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 5
		NESE 29	NWSE 33	SWSE 40	SESE 40
	S24	NENE 33	NWNE 4		
	R28E S19	Lot 1 (NWNW)13			
	223 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 51 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02061 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
& 43-02061 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
43-02061 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

COPY

*Verified for
Data Migration
E SDC*

2-23-01

DH

OF THE FIFTH JUDICIAL DISTRICT OF THE
N AND FOR THE COUNTY OF TWIN FALLS

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
)
) Water Rights 43-00045, 43-00286B,
43-02061, 43-02110,
43-10116 and 43-10824

IDWR has completed the following Administrative Proceeding:

- ☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

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

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 43-00045, 43-00286B, 43-02061, 43-02110, 43-10116,
and 43-10824

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
4/5/2000

43-00045, 43-00286B, 43-02061,
43-02110, 43-10116 AND 43-10824

PAGE 1

From (Claimant/Seller):

Name of Claimant: MERLE JONES
Address: HC 72 BOX 2346
MALTA ID 83342
Phone: (208) 824-5719

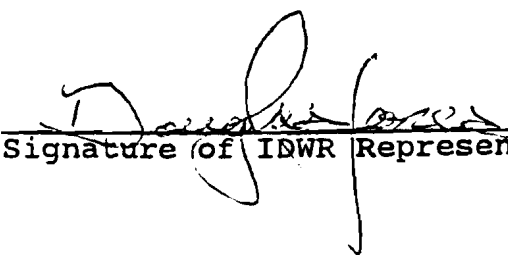
To (Claimant/Purchaser):

Name of Claimant: SHIRLEY A JONES
Address: 1735 ALVARADO
TWIN FALLS ID 83301
Phone: (208) 734-4016

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

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

DATED: April 5, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/7/2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

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

MERLE JONES
CLAIMANT DECEASED
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301
4. One Copy to:
Each party in the subcase, or attorney of record:

ROGER LING
LING NIELSEN & ROBINSON
PO BOX 396
RUPERT ID 83350

PATRICK D BROWN
109 S ADAMS ST
JEROME ID 83338

JEFF SESSIONS
ROUND MOUNTAIN RANCH
3475 ROUND MOUNTAIN LN
MALTA ID 83342
5. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

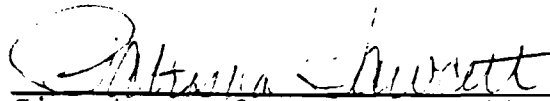
NOTICE OF COMPLETED

ADMINISTRATIVE PROCEEDING
4/5/2000

43-00045, 43-00286B, 43-02061,
43-02110, 43-10116 AND 43-10824

PAGE 3

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

RIGHT NUMBER: 43-002868

NAME & ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 4.3 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 NONE	04-01 10-31	4.3 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County			
	T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 40
		NESE 29	NWSE 33	SWSE 40	SESE 40
	S24	NENE 33	NWNE 4		
	R28E S19	Lot 1 (NWNW)13			
	258 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-00045 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 258 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.

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

RIGHT NUMBER: 43-02061

NAME & ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

SOURCE: SPRINGS TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.16 CFS

PRIORITY DATE: 01/19/1910

POINT OF DIVERSION: T16S R27E S13 NESE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.16 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County		
	T16S R27E S13	NENE 4	SWNE 7	SENE 15
		NESE 29	NWSE 33	NESW 5
	S24	NENE 33	NWNE 4	SWSE 40
	R28E S19	Lot 1 (NWNW)13		SESE 40
	223 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02110 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
& 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
43-02110 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

AJ5856NP

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

DATE: APR-5-2000

PAGE: A-4

RIGHT NUMBER: 43-02110

NAME & ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

SOURCE: ROUND MOUNTAIN SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.8 CFS

PRIORITY DATE: 05/23/1912

POINT OF DIVERSION: T16S R28E S18 LOT 4 (SWSWSW) Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.8 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County		
	T16S R27E S13	NENE 4	SWNE 7	SENE 15
		NESE 29	NWSE 33	NESW 5
	S24	NENE 33	NWNE 4	SESE 40
	R28E S19	Lot 1 (NWNW)13		
	223 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 51 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02061 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
& 43-02061 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
43-02061 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

RIGHT NUMBER: 43-10116

NAME & ADDRESS: SHIRLEY A JONES
1755 ALVARADO
TWIN FALLS ID 83301

SOURCE: RICE CREEK TRIBUTARY: ROUND MOUNTAIN CREEK
ROUND MOUNTAIN CREEK CLEAR CREEK

QUANTITY: 4.46 CFS
892.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 & 43-02110 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 892 AF.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061
43-02110 & 43-00286B IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1032 AF.

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION:	T16S R27E S13	NESE	Within CASSIA County
		NEESE	
	S24	NESENE	

PURPOSE AND PERIOD OF USE:		PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION		04-01 11-01	4.46 CFS
				892.0 AFY

PLACE OF USE:	IRRIGATION	Within CASSIA County			
	T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 5
		NESE 29	NWSE 33	SWSE 40	SESE 40
	S24	NENE 33	NWNE 4		
	R28E S19	Lot 1 (NWNW)13			
	223 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-00286B, 43-10824, 43-02061, AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

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

DATE: APR-5-2000
PAGE: A-6

RIGHT NUMBER: 43-10824

NAME & ADDRESS: SHIRLEY A JONES
1755 ALVARADO
TWIN FALLS ID 83301

SOURCE: ROUND MOUNTAIN CREEK TRIBUTARY: CLEAR CREEK
ROUND MOUNTAIN SPRING ROUND MOUNTAIN CREEK

QUANTITY: 2.1 CFS
887.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-02061
& 43-02110 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME
OF 892 AF.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-02061
43-02110 & 43-00286B IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1032 AF.

PRIORITY DATE: 02/17/1912

POINT OF DIVERSION: T16S R27E S13 NESE Within CASSIA County
R28E S18 LOT 4 (SWSWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 11-01	2.1 CFS
			887.2 AFY
STOCKWATER		01-01 12-31	0.04 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County			
	T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 5
		NESE 29	NWSE 33	SWSE 40	SESE 40
	S24	NENE 33	NWNE 4		
	R28E S19	Lot 1 (NWNW)13			
	223 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-00286B,
43-10116, 43-02061, AND 43-02110 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-02061
AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
223 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

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

DATE: APR-5-2000
PAGE: A-7

RIGHT NUMBER: 43-10824 (CONT)

OTHER PROVISIONS (CONT)

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-00182 &
43-00414.

STOCKWATER FOR 110 RANGE CATTLE.



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

April 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

RE: SRBA Claim(s) 43-00045, 43-00286B, 43-02061, 43-02110,
43-10116, 43-10824

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

cc: Jeff Sessions
Roger Ling
Patrick D. Brown

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP****JUN 18 1999**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

Department of Water Resources
 Southern Region

1. Water Right No(s).: 43-00045; 43-00286B; 43-02061; 43-02110; 43-10116; and
43-10824

Adjudication Claim No(s).: _____

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 R. Merle Jones, 1735 Alvarado

Twin Falls, ID 83301

4. New Owner/Claimant(s) Shirley A. Jones
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 1735 Alvarado

City, State and ZIP Code Twin Falls, ID 83301

New Telephone Number (208) 734-4016

5. Date you acquired the property December 29, 1997

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) Shirley A. Jones

Personal Representative Estate of R. Merle Jones and Surviving Wife

(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..

Last Will and Testament

OF

R. MERLE JONES

RECEIVED

JUN 18 1999

Department of Water Resources
Southern Region

I, R. MERLE JONES, residing in the County of Twin Falls, State of Idaho, being of sound and disposing mind and not acting under duress, menace, fraud, or undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament and expressly revoke all other and former Wills and Codicils to Wills made by me.

FIRST: I direct my Personal Representative hereinafter named to pay all my just debts and funeral expenses as soon after my demise as can be lawfully and conveniently done, out of the property with which I die possessed.

SECOND: I declare that I am a married person, that my spouse's name is Shirley A. Jones and that all property of which I am now possessed is community property. I further declare that my spouse and I have executed a Community Property Agreement and have recorded the same to effect a transfer of clear title of all property of which I die seized if my spouse survives me.

THIRD: I further declare the following are my natural issue: Brenda Dee, Doreen Westendorf, Shauna Chadwick and Tina Jones, and it is my desire that they share equally in my estate if my spouse should die before me.

R M J
SH
ME

FOURTH: I hereby give, devise and bequeath all of my estate, real, personal and mixed, of every nature, kind and description whatever, wheresoever situate and however held which is or may be subject to my testamentary disposition at the time of my death, unto my wife, Shirley A. Jones, if she survives me, and if not, to our four daughters named above, in equal shares, share and share alike. If any of them predecease me their share shall go to their children by right of representation.

FIFTH: I hereby nominate and appoint Shirley A. Jones, as Personal Representative of this, my Last Will and Testament and direct and request that no bond or other security be required of her as such Personal Representative. If my wife should predecease me, then I nominate and appoint my daughters, Doreen Westendorf and Shauna Chadwick as such Co-Personal Representatives of this my Will.

SIXTH: I hereby declare it is my desire that this Will should not be probated if my spouse should survive me by 120 days because adequate provision has been made to dispose of my estate by a Community Property Agreement. In the event, however, said Community Property Agreement is not effective, then I direct that this Will be probated.

SEVENTH: In the event prior to my death I have made a list of tangible personal property as authorized by Idaho Code 15-2-513, then I direct that such list shall govern the disposition of such tangible property as set forth on said list prior to the

R. G. M. J.
S. A. J.
M. L. J.

disposition of my estate as above set forth in this Will, but if I have not made such list, then the foregoing provisions of this Will shall govern.

IN WITNESS WHEREOF, I, R. MERLE JONES, the Testator, sign my name to this instrument this 14 day of March, 1995, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

R. Merle Jones
R. Merle Jones

We, William L. Anderson and Marilyn L. Anderson the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his Last Will and Testament and that he signs it willingly and that each of us, in the presence and hearing of the Testator hereby signs this Will as witness to the Testator signing, and that to the best of our

knowledge, the Testator is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Robert H. Hanks
Address: Pt. 2, Box 61
Rupert, Idaho

Marilyn L. Andrew
Address: Pt. #5, Box 5260
Rupert, Idaho 83350

STATE OF IDAHO)
) ss.
County of Minidoka)

Subscribed, sworn to and acknowledged before me by R. MERLE JONES, the Testator, and subscribed and sworn to before me by Robert H. Hanks and Marilyn L. Andrew, witnesses, this 14 day of March, 1995.

(SEAL)

Lillian T. Lordman
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/24/98

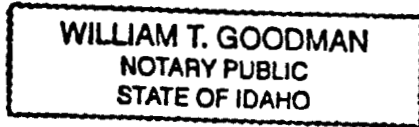
STATE OF IDAHO)
) ss.
County of Twin Falls)

I hereby accept the duties of Personal Representative of the Estate of R. Merle Jones, deceased, and do solemnly swear that I will perform according to law, the duties of Personal Representative.

Shirley A. Jones
Shirley A. Jones

SUBSCRIBED AND SWORN to before me this 6th day of April, 1999

(SEAL)



William T. Goodman
Notary Public
Residing at Rupert Idaho
My Commission expires 12/24/04

State of Idaho
County of Twin Falls, ID.
I hereby certify the foregoing to be a true and correct copy of the original as the same was presented to me.
ROBERT L. BONT
CLERK OF THE DISTRICT COURT
By Deborah McMillan
COURT SERVICES

WILLIAM T. GOODMAN
ALAN GOODMAN
RICK BOLLAR

LAW OFFICE
Goodman and Bollar
CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350 - 0020

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

June 17, 1999

RECEIVED

JUN 18 1999

Department of Water Resources
Southern Region

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

Re: Estate of R. Merle Jones

Gentlemen:

We enclose for Shirley A. Jones, surviving wife, of the above named decedent, a Notice of Change of Water Right Ownership Form, with a certified copy of Letters Testamentary and a copy of the Will of R. Merle Jones.

Would you kindly show the ownership change for the Water Rights indicated.

Very truly yours,

GOODMAN & BOLLAR



William T. Goodman

WTG:KH

Encl.

cc: Ms. Shirley A. Jones w/encl.

Roger D. Ling, Esq. w/encl.

RECEIVED

JUL 09 1998

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. 43-02110
	)	
Case No. 39576	)	STANDARD FORM 2
	)	
	)	RESPONSE TO OBJECTION
	)	

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Jeff Sessions
Address: HC 72, Box 2348
Malta, ID 83342

Daytime Phone (208) 824-5721

Name & Address of Attorney, if any:

ROGER D. LING
LING, NIELSEN & ROBINSON
615 H Street, P. O. Box 398
Rupert, Idaho 83350

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

Name: Harold and Beth Jones, Ray Jones
Address: Sublett Route
Malta, ID 83342

INSTRUCTION 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 parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on July 8, 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
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: Merle Jones (deceased)
c/o Jeff Sessions
Address: HC 72, Box 2348
Malta, ID 83342

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

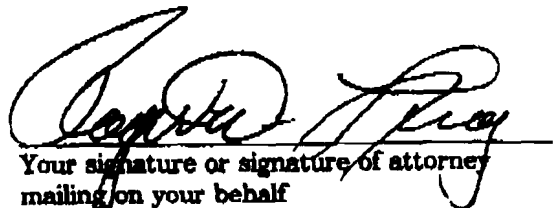
Name: Harold and Beth Jones, Ray Jones
Address: Sublett Route
Malta, ID 83342

4. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 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, MSC 033
Boise, Idaho 83724



Your signature or signature of attorney
mailing on your behalf

RECEIVED COPY
RECEIVED

JUL 06 1998

Department of Water Resource
Southern Region

JUL 06 1998

Department of Water Resource
Southern Region

RECEIVED

JUL 01 1998

Department of Water Resources
Adjudication Bureau

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 43-02110

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Harold & Beth Jones, Ray Jones

Address: Sublett Route

Malta, ID 83342

Daytime Phone: (208) 645-2370

Name & Address of Attorney, if any:

Patrick D. Brown

812 Shoshone St. East

Twin Falls, ID 83301

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

Name: Merle Jones

Address: HC 72 Box 2346

Malta, ID 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: _____
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: _____

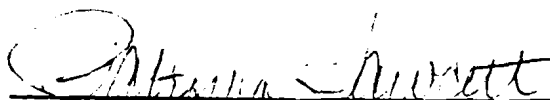
11. I object because:

☒ 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): This is claimed as
a license predating judicial decrees and
omitted from them. It is therefore barred.

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

CERTIFICATE OF MAILING

I certify that on 4/7/2000 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

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

MERLE JONES
CLAIMANT DECEASED
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301
4. One Copy to:
Each party in the subcase, or attorney of record:

ROGER LING
LING NIELSEN & ROBINSON
PO BOX 396
RUPERT ID 83350

PATRICK D BROWN
109 S ADAMS ST
JEROME ID 83338

JEFF SESSIONS
ROUND MOUNTAIN RANCH
3475 ROUND MOUNTAIN LN
MALTA ID 83342
5. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
4/5/2000

43-00045, 43-00286B, 43-02061,
43-02110, 43-10116 AND 43-10824

PAGE

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

DATE: APR-5-2000

PAGE: A-2

RIGHT NUMBER: 43-00286B

NAME & ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 4.3 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 NONE	04-01 10-31	4.3 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County		
	T16S R27E S13	NENE 4	SWNE 7	SENE 15 NESW 40
		NESE 29	NWSE 33	SWSE 40 SESE 40
	S24	NENE 33	NWNE 4	
	R28E S19	Lot 1 (NWNW)13		
	258 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-00045 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 258 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 43-8.

EXPLANATORY 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.

RIGHT NUMBER: 43-02061

NAME & ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

SOURCE: SPRINGS TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.16 CFS

PRIORITY DATE: 01/19/1910

POINT OF DIVERSION: T16S R27E S13 NESE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.16 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County		
	T16S R27E S13	NENE 4	SWNE 7	SENE 15
		NESE 29	NWSE 33	SWSE 40
	S24	NENE 33	NWNE 4	NESW 5
	R28E S19	Lot 1 (NWNW)13		SESE 40
	223 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824 & 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824 43-02110 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

RIGHT NUMBER: 43-02110

NAME & ADDRESS: SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

SOURCE: ROUND MOUNTAIN SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.8 CFS

PRIORITY DATE: 05/23/1912

POINT OF DIVERSION: T16S R28E S18 LOT 4 (SWSWSW) Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.8 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County			
	T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 5
		NESE 29	NWSE 33	SWSE 40	SESE 40
	S24	NENE 33	NWNE 4		
	R28E S19	Lot 1 (NWNW)13			
	223 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 51 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02061 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
& 43-02061 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
43-02061 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

RIGHT NUMBER: 43-10116

NAME & ADDRESS: SHIRLEY A JONES
1755 ALVARADO
TWIN FALLS ID 83301

SOURCE:	RICE CREEK	TRIBUTARY: ROUND MOUNTAIN CREEK
	ROUND MOUNTAIN CREEK	CLEAR CREEK

QUANTITY: 4.46 CFS
892.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 & 43-02110 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 892 AF.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061
43-02110 & 43-00286B IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1032 AF.

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION: T16S R27E S13 NESE Within CASSIA County
NEESE
S24 NESENE

PURPOSE AND PERIOD OF USE:		PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION		04-01 11-01	4.46 CFS
				892.0 AFY

PLACE OF USE:	IRRIGATION	Within CASSIA County			
	T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 5
		NESE 29	NWSE 33	SWSE 40	SESE 40
	S24	NENE 33	NWNE 4		
	R28E S19	Lot 1 (NWNW)13			
	223 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-00286B,
43-10824, 43-02061, AND 43-02110 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RIGHT NUMBER: 43-10824

NAME & ADDRESS: SHIRLEY A JONES
1755 ALVARADO
TWIN FALLS ID 83301SOURCE: ROUND MOUNTAIN CREEK TRIBUTARY: CLEAR CREEK
ROUND MOUNTAIN SPRING ROUND MOUNTAIN CREEKQUANTITY: 2.1 CFS
887.2 AFYTHE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-02061
& 43-02110 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME
OF 892 AF.USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-02061
43-02110 & 43-002868 IS LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1032 AF.

PRIORITY DATE: 02/17/1912

POINT OF DIVERSION: T16S R27E S13 NESE Within CASSIA County
R28E S18 LOT 4 (SWSWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 11-01	2.1 CFS
			887.2 AFY
STOCKWATER		01-01 12-31	0.04 CFS

PLACE OF USE:	IRRIGATION	Within CASSIA County			
	T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 5
		NESE 29	NWSE 33	SWSE 40	SESE 40
	S24	NENE 33	NWNE 4		
	R28E S19	Lot 1 (NWNW)13			
	223 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-002868,
43-10116, 43-02061, AND 43-02110 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-02061
AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
223 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

RIGHT NUMBER: 43-10824 (CONT)

OTHER PROVISIONS (CONT)

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-00182 &
43-00414.

STOCKWATER FOR 110 RANGE CATTLE.



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

April 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SHIRLEY A JONES
1735 ALVARADO
TWIN FALLS ID 83301

RE: SRBA Claim(s) 43-00045, 43-00286B, 43-02061, 43-02110,
43-10116, 43-10824

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

cc: Jeff Sessions
Roger Ling
Patrick D. Brown

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP****JUN 18 1999**

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. Water Right No(s).: 43-00045; 43-00286B; 43-02061; 43-02110; 43-10116; and
43-10824

Adjudication Claim No(s).: _____

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 R. Merle Jones, 1735 Alvarado

Twin Falls, ID 83301

4. New Owner/Claimant(s) Shirley A. Jones

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

New Mailing Address 1735 Alvarado

City, State and ZIP Code Twin Falls, ID 83301

New Telephone Number (208) 734-4016

5. Date you acquired the property December 29, 1997

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) Shirley A. Jones

Personal Representative Estate of R. Merle Jones and Surviving Wife

(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..

Last Will and Testament

OF

R. MERLE JONES

RECEIVED

JUN 18 1999

Department of Water Resources
Southern Region

I, R. MERLE JONES, residing in the County of Twin Falls, State of Idaho, being of sound and disposing mind and not acting under duress, menace, fraud, or undue influence of any person whomsoever, do make, publish and declare this my Last Will and Testament and expressly revoke all other and former Wills and Codicils to Wills made by me.

FIRST: I direct my Personal Representative hereinafter named to pay all my just debts and funeral expenses as soon after my demise as can be lawfully and conveniently done, out of the property with which I die possessed.

SECOND: I declare that I am a married person, that my spouse's name is Shirley A. Jones and that all property of which I am now possessed is community property. I further declare that my spouse and I have executed a Community Property Agreement and have recorded the same to effect a transfer of clear title of all property of which I die seized if my spouse survives me.

THIRD: I further declare the following are my natural issue: Brenda Dee, Doreen Westendorf, Shauna Chadwick and Tina Jones, and it is my desire that they share equally in my estate if my spouse should die before me.

R M J
SA
MLA

FOURTH: I hereby give, devise and bequeath all of my estate, real, personal and mixed, of every nature, kind and description whatever, wheresoever situate and however held which is or may be subject to my testamentary disposition at the time of my death, unto my wife, Shirley A. Jones, if she survives me, and if not, to our four daughters named above, in equal shares, share and share alike. If any of them predecease me their share shall go to their children by right of representation.

FIFTH: I hereby nominate and appoint Shirley A. Jones, as Personal Representative of this, my Last Will and Testament and direct and request that no bond or other security be required of her as such Personal Representative. If my wife should predecease me, then I nominate and appoint my daughters, Doreen Westendorf and Shauna Chadwick as such Co-Personal Representatives of this my Will.

SIXTH: I hereby declare it is my desire that this Will should not be probated if my spouse should survive me by 120 days because adequate provision has been made to dispose of my estate by a Community Property Agreement. In the event, however, said Community Property Agreement is not effective, then I direct that this Will be probated.

SEVENTH: In the event prior to my death I have made a list of tangible personal property as authorized by Idaho Code 15-2-513, then I direct that such list shall govern the disposition of such tangible property as set forth on said list prior to the

R. G. J.
J. H.
M. L.

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of Twin Falls)

Harold Jones . 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.

Harold Jones
(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

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

DeAnn L. McMillan
Notary Public for Idaho
Residing at: Jerome
My Commission Expires: 8/24/2001

INSTRUCTIONS 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.

G. CERTIFICATE OF MAILING

I certify that on June 26, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name:	<u>Merle Jones</u>	<u>Roger Ling</u>
Address:	<u>HC 72 Box 2346</u>	<u>P.O. Box 396</u>
	<u>Malta, ID 83342</u>	<u>Rupert, ID 83350</u>

3. Copies to:

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

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

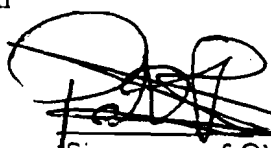
United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Afton L. Hoskins
Boyd I. Hoskins
c/o Nat Store
Strevel Road, Box 2350
Nat. ID 83345

Armo Corporation
c/o Christopher F. Robinson
139 East South Temple
Salt Lake City, UT 84111

Holmgren Land & Livestock
P.O. Box 78
Bear River, UT 84301

Reid S. Stewart
Ruth O. Stewart
1655 Sunset Drive
Logan, UT 84321



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

JUN 29 1998

Department of Water Resources

RECEIVED

JUL 06 1998

Department of Water Resource
Southern Region

RECEIVED

JUL 01 1998

Department of Water Resources
Adjudication Bureau

**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 No. 43-02110

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, ID 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: Merle Jones (deceased)
c/o Jeff Sessions - Contract Purchaser

Address: HC 72, Box 2346
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: c/o Jeff Sessions
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
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: Place of use shown in Claim for 266 acres
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):**

9. The entire flow of this spring has historically been commingled and used on 266 acres. The Recommendation attempts to show only a part of the lands. Objection is also made to the limitation of acres in combination, as all water rights are combined. The water right should also show accomplished expansion in place of use pursuant to §42-1426, Idaho Code.

VERIFICATION (Must be Completed)

State of Idaho)

County of Minidoka)

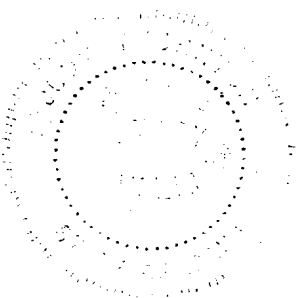
Jeff Sessions / Roger D. King, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Signature of person filing objection

Roger D. King
Attorney signing in representative capacity

Subscribed and sworn to before me on: June 26, 1998.



Judy Thornton Barnes
Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 03/02/1999

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 June 26, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: *Hand Delivered*

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:

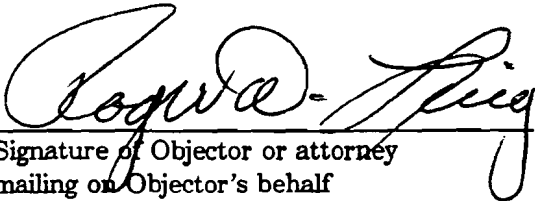
Name: Merle Jones (deceased)
c/o Jeff Sessions
Address: HC 72, Box 2346
Malta, ID 83342

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

RIGHT NUMBER: 43-02110

NAME AND ADDRESS: MERLE JONES
HC 72 BOX 2346
MALTA ID 83342

SOURCE: ROUND MOUNTAIN SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.8 CFS

PRIORITY-DATE: 05/23/1912

POINT OF DIVERSION T16S R28E S18 LOT 4 (SWSWSW) Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 11-01	0.8 CFS

PLACE OF USE:

IRRIGATION	Within CASSIA County			
T16S R27E S13	NENE 4	SWNE 7	SENE 15	NESW 5
	NESE 29	NWSE 33	SWSE 40	SESE 40
S24	NENE 33	NWNE 4		
R28E S19	LOT 1 (NWNW) 13			
223 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 51 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02061 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824 & 43-02061 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824 43-02061 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Water Right Number - R43-02110

Prefix Translation: RESEARCH

Old (D) Number - 8361

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

JONES

MERLE

1 - HC 72 BOX 2346

2 -

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-824-5719

*** P - PRESENT OWNER ***

SESSIONS

JEFF

1 - ROUND MOUNTAIN RANCH

2 - 3475 ROUND MOUNTAIN LANE

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-824-5721

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/23/1912 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
ROUND MOUNTAIN SPRING ROUND MOUNTAIN CREEK+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

16S 28E 18 SW SW SW 4 (31) CASSIA ROUND MOUNTAIN SPRING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 0.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.800 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

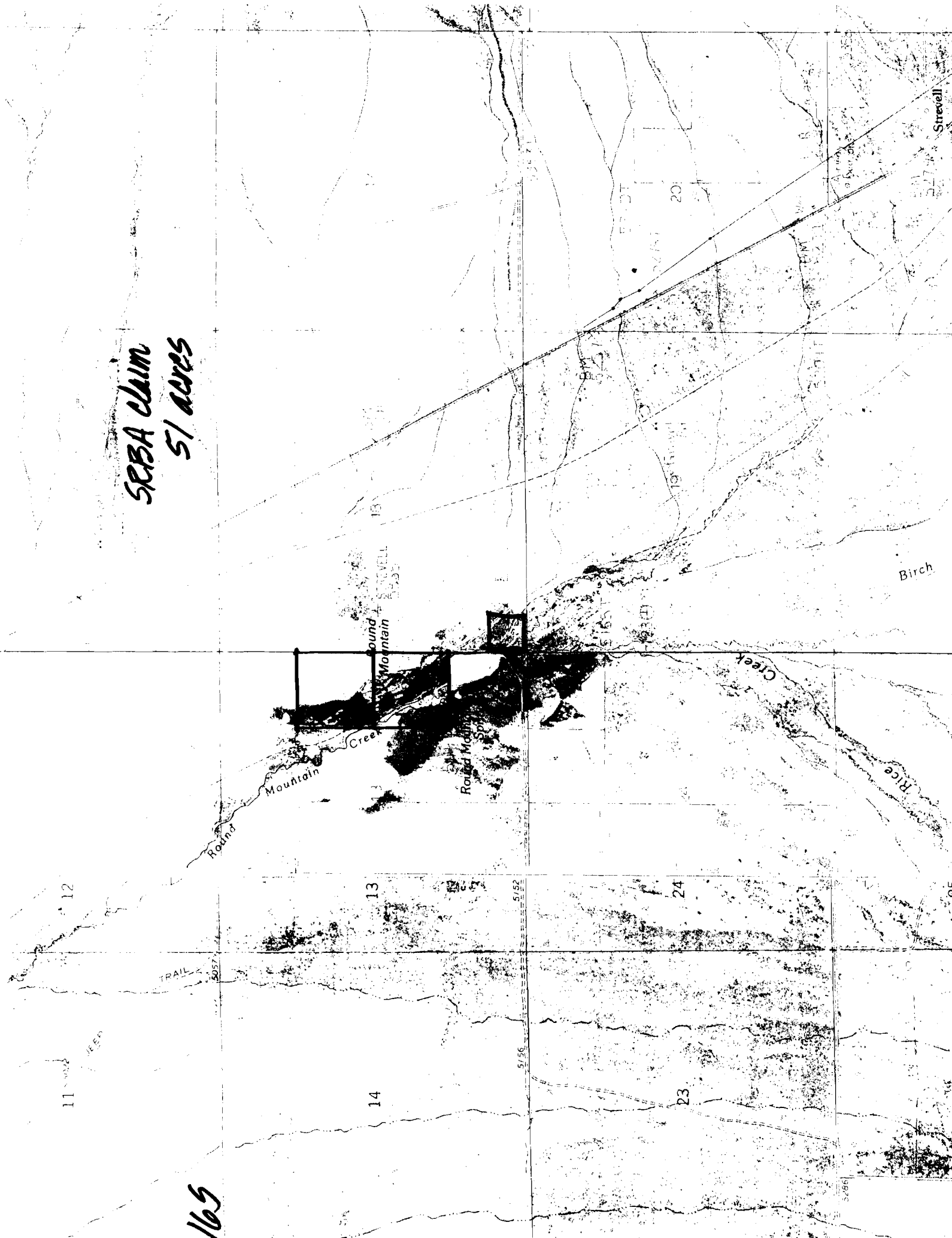
16S	27E	13	NE NE		4.0	01	IRRIGATION	(31) CASSIA
16S	27E	13	SW NE		7.0	01	IRRIGATION	(31) CASSIA
16S	27E	13	SE NE		15.0	01	IRRIGATION	(31) CASSIA
16S	27E	13	NE SW		5.0	01	IRRIGATION	(31) CASSIA
16S	27E	13	NE SE		29.0	01	IRRIGATION	(31) CASSIA
16S	27E	13	NW SE		33.0	01	IRRIGATION	(31) CASSIA
16S	27E	13	SW SE		40.0	01	IRRIGATION	(31) CASSIA
16S	27E	13	SE SE		40.0	01	IRRIGATION	(31) CASSIA
16S	27E	24	NE NE		33.0	01	IRRIGATION	(31) CASSIA
16S	27E	24	NW NE		4.0	01	IRRIGATION	(31) CASSIA
16S	28E	19	NW NW	1	13.0	01	IRRIGATION	(31) CASSIA

Total Acres: 223.0

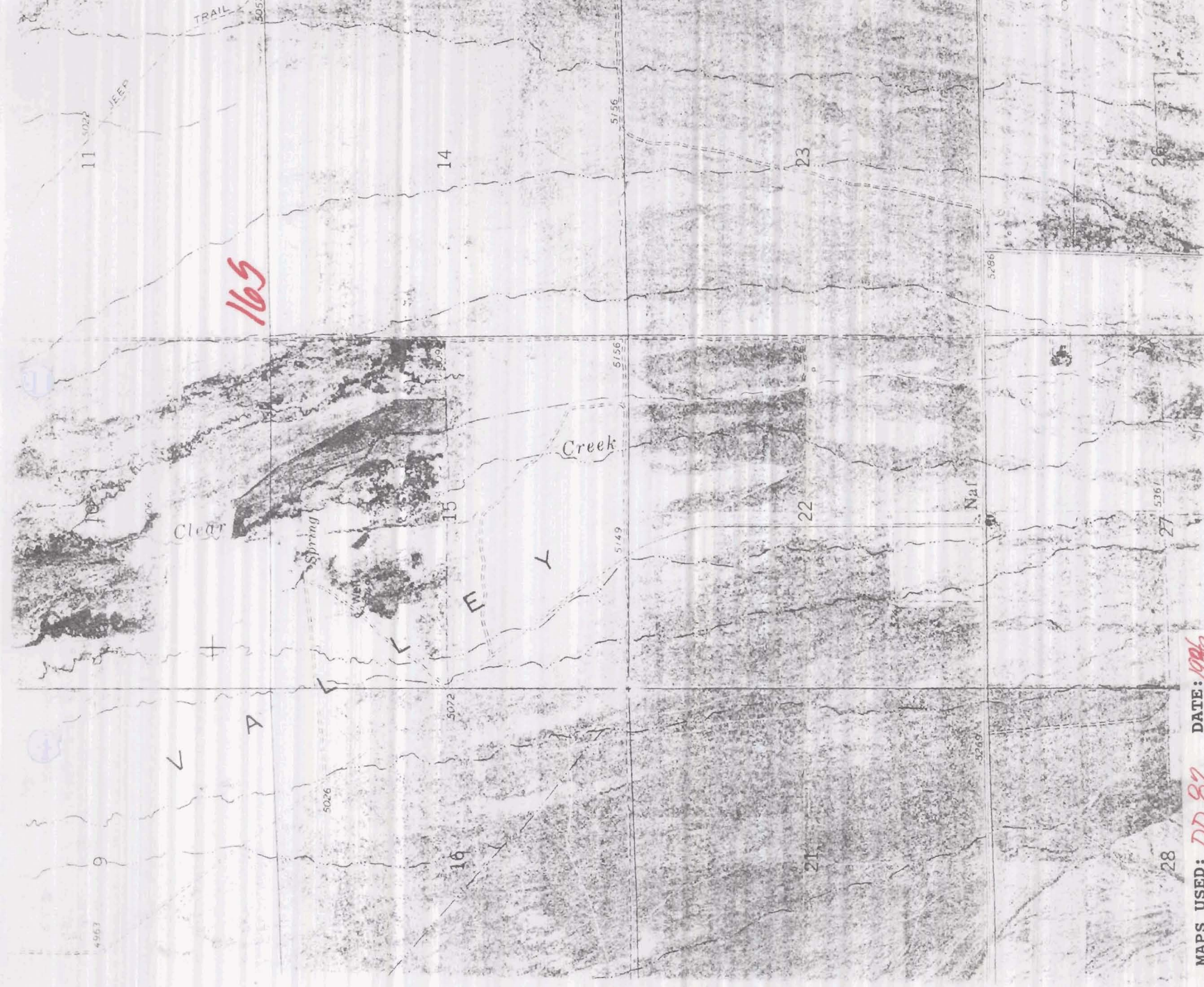
+ - - Diversion Means - DITCH FROM SPRING TO GRAVITY IRRIGATE PASTURE OR TO POND & PUMP

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	- 05/01/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006988	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

SRBA claim
51 acres

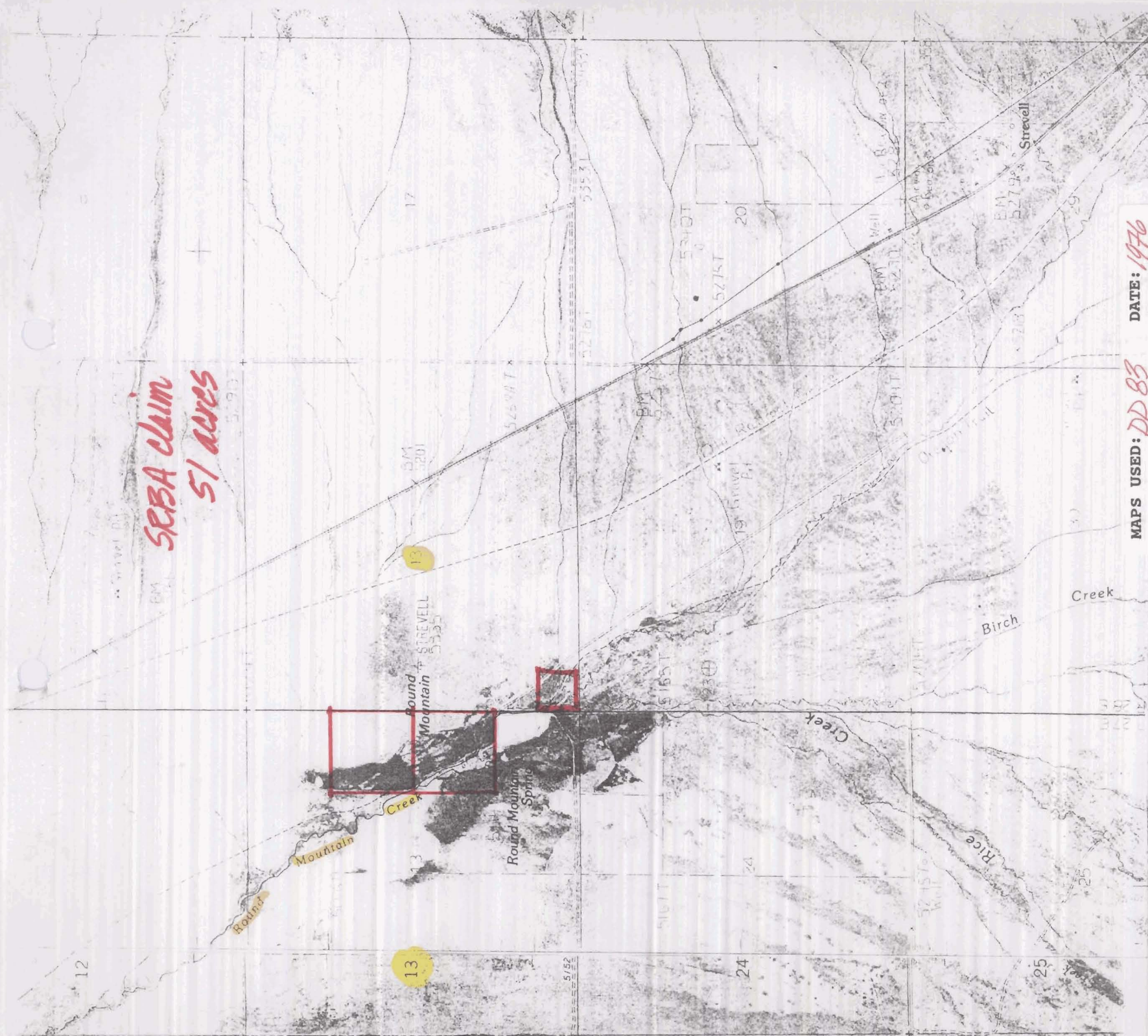


165



MAPS USED: DD 82 DATE: 1996
ASCS
ORTHO
NAPP
BLM

IDAHO-UTAH BOUNDARY



MAPS USED: DD 83 DATE: 1976
ASCS
ORTHO
NAPP
BLM

USGS-STREVELL SW

R27E R28E

☐ POD

A43-02110

JONES, MERLE

SCANNED
JAN 7 2008

6/9/94

COMMUNICATION DOCUMENTATION

Claim No.A43-02061 AND

-02110

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 Frank Hitchcock

May 16, 1996 2:42pm

NAME:
LEANN MCMILLAN-HEPWORTH ET AL

RE:
A43-02061, -02110

SHE CALLED AND REQUESTED FROM THE FRONT DESK STAFF THAT THESE CLAIMS BE COPIED FOR HER TO PICK UP. GAVE THE CLAIM JACKETS TO TARA FOR COPYING AND HAD THE REQUEST NOTES COPIED AND MARKED AS ORIGINAL/COPY FOR THE FILE.

WHEN LEANN CAME IN TO PICK UP THE COPIES SHE SAID THAT SHE HAD BEEN ASKED TO VIEW THE ORIGINAL FILE JACKET BEFORE LEAVING. I INTRODUCED MYSELF AND ASKED HER TO COME BACK TO MY CUBICLE AS I WAS ABOUT TO REFILE THE JACKETS.

I WENT OVER THE DIFFERENCE BETWEEN THE ORIGINAL CLAIM FORMS AND THE DATA-ENTERED CLAIMS. I SHOWED HER AN ORIGINAL FORM WITH THE DATA-ENTERED FORMAT IN ANOTHER FILE. SHE LOOKED AT THE TWO FILE JACKETS THAT WERE COPIED FOR HER AND LEFT WITH THE COPIES.

INFORMATION REQUEST FORM WAS UPDATED WITH MY INITIALS AND THE
NUMBER AND ACCOUNT OF THE CHECK FOR THE COPYING CHARGES.

COPY

INFORMATION REQUEST

DATE: 5/16/96

ADDRESS: _____

PHONE: 734-7510

(please print)

I HAVE REQUESTED TO REVIEW AND/OR OBTAIN COPIES OF THE FOLLOWING DOCUMENTS ON FILE WITH THE DEPARTMENT OF WATER RESOURCES.

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DOCUMENTS

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Leann McMillan
(customer signature)

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**Department of Water Resources
Southern Region**

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Tara -

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Department of Water Resources
Southern Region

REPORT OF ENGINEER

1. State name of applicant and number of permit: *James Matthews, No. 8361*
 2. State source of water supply: *Spring No. 2*
 3. Location of point of diversion: *on W 1/4 of S. W 1/4 Sec. 18 T. 16 S. R. 28 E. B. M. county of Cassia*
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Works are completed according to terms of permit*
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *1 1/2 ft*
 - (b) Width at water line: *2 ft*
 - (c) Depth of water: *1/2 ft*
 - (d) Grade per mile: *6 ft*
 - (e) Capacity of ditch: *1 second foot* ~~second foot~~
 6. State whether or not water has been turned into works of diversion and if so, to what extent: *all water has been turned in*
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *35 acres in N. E. 1/4 of S. E. 1/4 of Sec 13 T. 16 S. R. 27 E. B. M. 16 acres S. E. 1/4 of N. E. 1/4 Sec 13 T. 16 S. R. 27 E. B. M.*
 8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.
- Remarks:

Marion Jessop

STATE OF IDAHO.

County of *Cassia*

Marion Jessop

being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *19th* day of *May* 191*3*

My Commission Expires *Jan. 20th, 1917* *L. B. Underwood*
Notary Public

43-62110

8361

Name of Applicant.

[illegible]

A43-02110

REPORT OF ENGINEER

1. State name of applicant: *[Redacted]* No 8361
2. State source of water supply: *Spring Sec 2*
3. Location or point of diversion: *SW 1/4 of S.W. 1/4 Sec. 18 T. 16 S. R. 28 E. B. M. County of Cassia*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
Works are completed according to terms of permit
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: *1 1/2 ft*
 - (b) Width at water line: *2 ft*
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Remarks:

Marion Jessop

STATE OF IDAHO

County of *Cassia*

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Subscribed and sworn to before me this *19th* day of *May*

1913

My Commission Expires *Jan. 20th, 1917*

L. B. Underwood
Notary Public

A43-02110