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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A31-10091
Date Received: 6/15/1988
Receipt No: M000104
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH MARK, JR. 406-363-1218
Address: 1320 SOUTH 1ST
HAMILTON, MT 59840
2. Date of Priority: JUN 01, 1930
3. Source: SPRINGS, BERRY CREEK Trib. to: MODOC CREEK
4. Point of Diversion:

A310091



Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	35E	25	SE	NE	SE		CLARK
<i>14N</i>	<i>36E</i>	<i>30</i>	SE	~~NW~~ <i>NE</i>	NW	<i>lot 1</i>	CLARK
Beginning Point of Minimum Instream Flow							
14N	35E	25	SE	NE	SE		CLARK
Ending Point of Minimum Instream Flow							
14N	35E	30	NE	NE	NW		CLARK

5. Description of diverting works:
SPRINGS, CONCRETE COLLECTION BOX TO TANKS, STREAM - INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	05/01	10/31	0.020		
STOCKWATER	06/01	10/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOUSE, STOCKWATER - 150 HEAD CATTLE

A31-10091

Page 1

Date: 06/15/88

MICROFILMED

NOV 17 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	35E	25	SE		NE		STOCK	
			NE		SE		STOCK	
14N	36E	30	NE		NW		STOCK	
			NW		NW	Lot 1	DOMEST	
			NW		NW	Lot 1	STOCK	
			SE		NW		STOCK	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:
SPRING IN SEC 30 IS USED FOR DOMESTIC AND STOCKWATER,
THE DOMESTIC WATER IS HAND-CARRIED FROM THE SPRING.
THE SPRING IN SEC 25 AND BERRY CREEK ARE USED FOR STOCKWATER
ONLY.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

16. Signature(s)

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

Number of attachments: 1

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): Joseph Mark, Jr. Date: 6-15-88
Date:

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of June 19 88 Arthur Fritschle
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

T14N
~~R35E~~



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

RECEIVED

AUG 17 1994

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

****PLEASE REFER TO DESCRIPTION/S ON ATTACHED DEED OF DISTRIBUTION.**
[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) _____ Assigned by IDWR: A31-10091 - "R" AR

[] Name and Address of Former Owner/Claimant(s)(Seller): Joseph H. Mark, Jr.
1320 S. 1st - Hamilton, MT 59840

[] New Owner/Claimant (Purchaser): Mary Kay Hislop

[] New Mailing Address: 1804 Porter St.
Butte, Montana 59701

[] New Telephone Number: (406) 723 - 9165

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

[] Attach proof of ownership, describe _____ Deed of Disturbution- December 23, 1992
proof attached: _____

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

[] Signature of New Owner/Claimant(s) Mary Kay Hislop Date 08-15-94

[] Signature of Former Owner/Claimant(s): DECEASED Date _____
Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

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

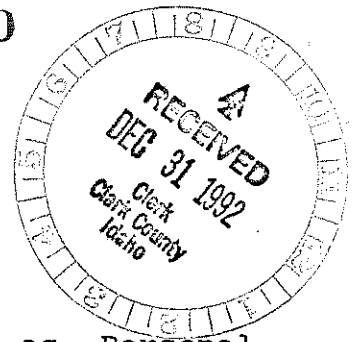
Claim Numbers of Split, if any:

DEPARTMENT OF WATER RESOURCES
EASTERN REGION
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402-1718

MICROFILMED

NOV 14 1996

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



DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED is made by Edward J. Hislop, as Personal Representative of the estates of Joseph H. Mark, deceased, and Patricia J. Mark, deceased, Grantor, to Mary Kay Hislop, Grantee, whose address is 1804 Porter, Butte, Montana 59701.

WHEREAS, Grantor is the qualified personal representative of said estate of Joseph H. Mark, filed as Probate No. 94, and said estate of Patricia J. Mark, filed as Probate Number 93, both in Clark County, Idaho; and

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee all right, title, and interest of the Estate of Joseph H. Mark and the Estate of Patricia J. Mark in the following described real property in Clark County, Idaho:

The northeast quarter of the northwest quarter, the northeast quarter and the north half of the southeast quarter of Section 25, Township 14 North, Range 35 East, and Lot One of Section 30, Township 14 North, Range 36 East of the Boise Meridian, Idaho, containing 311.98 acres, according to the Official Plat of the Survey of said land, on file in the General Land Office, and as described in a Patent heretofore issued Joseph Mark by the United States of America on the 4th day of April, 1924, and which said Patent was Recorded on the 29th day of July, 1929, in Book Three of Patents, Page 207, Records of Clark County, Idaho.

Also Lots Two and Three, the east half of the northwest quarter, the northeast quarter of the southwest quarter, and the west half of

MICROFILMED
NOV 14 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
AUG 17 1994

- Mary Kay Hislop
- 1804 Porter
- Butte MT 59701

RECEIVED

AUG 19 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Department of Water Resources
Eastern District Office

MAILING DATE: July 29, 1994

RESPONSE DATE: Aug. 18, 1994

RE: NOTICE OF CLAIM NO[S]: A31-10091

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

- Joseph Mark Jr
- 1320 S 1st
- Hamilton MT 59840

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

- Change of Ownership Form
- Change of Address Form

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NOV 14 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A31-10091**
Date Received: 6/15/1988
Receipt No: M000104
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MARY KAY HISLOP
Address: 1804 PORTER ST
BUTTE MT

406-723-9165

59701

2. Date of Priority: JUN 1, 1930

3. Source: SPRINGS, BERRY CREEK

Trib. to: MODOC CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	35E	25	SE	NE	SE		CLARK
		30	SE	NW	NW		CLARK

Beginning Point of Instream Flow

14N	35E	25	SE	NE	SE	CLARK
-----	-----	----	----	----	----	-------

Ending Point of Instream Flow

14N	35E	30	NE	NE	NW	CLARK
-----	-----	----	----	----	----	-------

5. Description of diverting works:

SPRINGS, CONCRETE COLLECTION BOX TO TANKS, STREAM - INSTREAM FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	05/01	10/31	0.020		
STOCKWATER	06/01	10/31	0.050		

7. Total Quantity Appropriated is:

0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC - 1 HOUSE, STOCKWATER - 150 HEAD CATTLE

MICROFILMED
NOV 14 1996

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	35E	25	SE		NE		STOCK	
			NE		SE		STOCK	
		30	NE		NW		STOCK	
			NW		NW		DOMEST	
			NW		NW		STOCK	
			SE		NW		STOCK	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:

SPRING IN SEC 30 IS USED FOR DOMESTIC AND STOCKWATER,
THE DOMESTIC WATER IS HAND-CARRIED FROM THE SPRING.
THE SPRING IN SEC 25 AND BERRY CREEK ARE USED FOR STOCKWATER
ONLY.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 14 1990

SEPTEMBER 1, 1994

MARY KAY HISLOP
1804 PORTER
BUTTE MT 59701

RE: CHANGE IN OWNERSHIP FOR A31-10091

Dear Ms. Hislop:

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

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

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

Respectfully submitted,

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim

MICROFILMED
NOV 14 1996

File

February 2, 1995

Ms. Jo Thompson
Secretary, Adjudications
State of Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
FAX: 208-525-7177

Dear Ms. Thompson:

Thank you for the telephone call informing me that it is not necessary refile for the water rights on the property owned by my mother, Mary Kay Hislop, in Clark County, Idaho.

As you indicated in the telephone call to my secretary, the **Notice of a Claim to a Water Right** (dated September 01, 1994), Identification Number **A31-10091**, provides rights to the water noted in that document (*SPRING IN SEC 30 IS USED FOR DOMESTIC AND STOCKWATER, THE DOMESTIC WATER IS HAND-CARRIED FROM THE SPRING. THE SPRING IN SEC 25 AND BERRY CREEK ARE USED FOR STOCKWATER ONLY.*).

I appreciate the time you have taken to attend to this matter.

THANK YOU.

Sincerely,

s/Edward J. Hislop
1700 Missoula Avenue
Helena, Montana 59601
Phone (406) 442-5268
FAX (406) 449-0860

cc: Mary Kay Hislop
1804 Porter
Butte, MT 59701

MICROFILMED
NOV 14 1995

05/24/92 11:45:55
PAGE 2

PREFIX TRANSLATION: ALLOCATION CLAIM

0000/00/00

[illegible]

14N35E 250012

Hishop, Mary Kay

Butte Mt 59701

DATA ENTRY
ENTERED 2-16-94 PS
CHECKED 5-2-94 J

*Verified By:
 Topo Map/Critto-5-C;
 ASCS Map
 Westminster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statements
 Prosec. Records
 IDWR Records

VERIFIED
JAN 05 1994

NOV 14 1955

CERTIFIED
JAN 16 1994
WATER EXAMINER

PAGE 1
05/24/92 11:45:55

SLIP (CD) NUMBER -

CITY- FAULTON
STATE- NY ZIP- 59840

[illegible]

TWN	RANGE	SEC	TRACT	LOT	PLACE	OF USE	DESCRIPTION	COUNTY
					ACRES	CODE		

4 - WEH-IRIGATION USC - DOMESTIC - 150 HEAD CATTLE

+ - - OTHER AGENTS FOR SAME USE - NONE

REMARKS
SPRING IN SEC 30 IS USED FOR DOMESTIC AND STOCKWATER.
THE GEOSTIC WATER IS HAND-CARRIED FROM THE SPRING.
THE SPRING IN SEC 25 AND NEARBY CREEK ARE USED FOR STOCKWATER
ONLY.

RECEIVED

DEC 15 1997

Department of Water Resources
Eastern Region

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A31-10091**
Date Received: 6/15/1988
Receipt No: M000104
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARY KAY HISLOP
Address: 1804 PORTER ST
BUTTE MT 59701 406-723-9165
2. Date of Priority: JUN 1, 1930
3. Source: SPRINGS Trib. to: BERRY CREEK
BERRY CREEK MODOC CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------------------------------|-------|---------|--------|--------|--------|-----|--------|
| 14N | 35E | 25 | SE | NE | SE | | CLARK |
| | 36E | 30 | SW | NE | NW | | CLARK |
| Beginning Point of Instream Flow | | | | | | | |
| 14N | 35E | 25 | SE | NE | SE | | CLARK |
| Ending Point of Instream Flow | | | | | | | |
| 14N | 36E | 30 | NE | NE | NW | | CLARK |
5. Description of diverting works:
SPRINGS, CONCRETE COLLECTION BOX TO TANKS, STREAM - INSTREAM FLOW
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| DOMESTIC | 05/01 | 10/31 | 0.020 | | |
| STOCKWATER | 06/01 | 10/31 | 0.050 | | |
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	35E	25	SE	NE		STOCK	
			NE	SE		STOCK	
	36E	30	NE	NW		DOMEST	
			NE	NW		STOCK	
			NW	NW	1	STOCK	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:

SPRING IN SEC 30 IS USED FOR DOMESTIC AND STOCKWATER,
THE DOMESTIC WATER IS HAND-CARRIED FROM THE SPRING.
THE SPRING IN SEC 25 AND BERRY CREEK ARE USED FOR STOCKWATER
ONLY.
STOCKWATER, 150 HEAD CATTLE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Mary Kay Hislop Date: 12/8/97

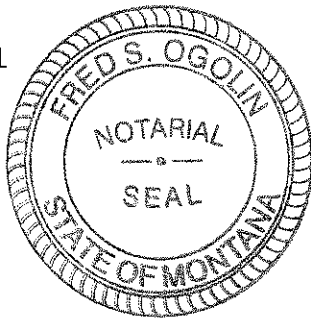
Date: _____

State of ~~Idaho~~ ^{MONTANA})
County of Silver Bow) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of December 19 97

Fred S. Ogolin
Notary Public

Seal



Residing at Butte, Montana
My Commission Expires 11-15-99

OCT-06-1997
0030

1

RIGHT NUMBER: 31-10091

NAME AND ADDRESS:

MARY KAY HISLOP
1804 PORTER ST
BUTE MT 59701

SOURCE:

SPRINGS, BERRY CREEK

TRIBUTARY: MODOC CREEK

QUANTITY:

0.05 CFS

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

PRIORITY DATE:

06/01/1930

POINT OF DIVERSION:

T14N R35E S25

SENESE (B)
SENESE
NENENW (E)
SENNW

S30

SENNW

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
STOCKWATER
DOMESTIC 1 HOME

PERIOD OF USE
06-01 10-31
05-01 10-31

QUANTITY
0.05 CFS
0.02 CFS

PLACE OF USE:

STOCKWATER
T14N R35E S25
S30

Within CLARK County
SENE
NENW

NESE
NENW

SENNW

PLACE OF USE FOR DOMESTIC IS SAME AS STOCKWATER

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

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

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 14N35E250010
STOCKWATER, 150 CATTLE

WOLF

De

11/16/2000

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

RIGHT NUMBER: 31-10091

NAME AND ADDRESS: MARY KAY HISLOP
1804 PORTER ST
BUTTE, MT 59701

SOURCE: SPRING TRIBUTARY: BERRY CREEK

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 06/01/1930

POINT OF DIVERSION: T14N R35E S25 SENESE Within CLARK County
T14N R36E S30 SWNENW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC 1 HOMES	05-01 10-31	0.02 CFS
STOCKWATER	06-01 10-31	0.05 CFS

PLACE OF USE:

DOMESTIC Within CLARK County		
T14N R36E S30	NENW	
STOCKWATER Within CLARK County		
T14N R35E S25	NESE	T14N R36E S30 NENW

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

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

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

STOCKWATER, 150 CATTLE

RECEIVED

JAN 10 2001

LAW OFFICES

HUGHES, KELLNER, SULLIVAN & ALKE

40 W. LAWRENCE, SUITE A P.O. BOX 1166
HELENA, MONTANA 59624

STUART L. KELLNER
JOHN F. SULLIVAN
JOHN ALKE
STEPHEN M. FRANKINO
MICHAEL F. McMAHON*
AMY D. CHRISTENSEN

MICHAEL J. HUGHES
(1922-1999)

Department of Water Resources
TELEPHONE
(406) 442-3690

FAX
(406) 449-4849

*MEMBER OF NORTH DAKOTA BAR
*MEMBER OF SOUTH DAKOTA BAR

January 2, 2001

SUBJECT: HKSA 987-1

MARY KATHERINE HISLOP - WATER RIGHTS

IDWR State Office
Allocations Bureau
1301 North Orchard
Boise, ID 83706

Enclosed please find a completed **STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES, NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP** form, a copy of the **QUITCLAIM DEED** which was recorded with the Clark County Recorder on December 29, 2000 at Microfilm No. 048959, transferring the associated property from Mary Katherine Hislop a/k/a Mary Kay Hislop to the Mary Katherine Hislop Trust, and this firm's check in the amount of \$25 to cover the filing fee.

It is my information that Water Right 31-11454 is the only Idaho water right of which Mrs. Hislop is currently an owner. If my information is inaccurate, please advise at your earliest convenience to provide me with the opportunity to transfer all of Mrs. Hislop's water rights to her trust.

Please return evidence of the transfer to me in the enclosed envelope.

Thank you.

Very truly yours,



Michael F. McMahon

Hislop.G

Enclosures

RECEIVED

JAN 10 2001

Form 42-248/42-1409(61) July, 2000

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

Department of Water Resources

OK JC
5/11/01

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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
31-11454	39576				
31-10091	SNAP				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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)

MARY KAY HISLOP

4. New Owner/Claimant(s)

MARY KATHERINE HISLOP TRUST

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

New Mailing Address

1804 PORTER STREET

City, State and ZIP Code

BUTTE MT 59701

New Telephone Number

(406) 723-9165

5. Date you acquired the property

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

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>31-11454</u> <u>39576</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	<u>0.02 C.F.S.</u>	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

Mary Kay Hislop
MARY KATHERINE HISLOP TRUST

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 <u>Sharon</u>	Date <u>1/10/01</u>	Fee <u>\$25.00</u>	
Received by <u>Sharon</u>	Date <u>1/10/01</u>	Receipt No. <u>0051801</u>	
Processed by _____	Date _____	WR _____	Date _____

QUITCLAIM DEED

048959

THIS INDENTURE, made the 27th day of November 2000, between **MARY KATHERINE HISLOP a/k/a MARY KAY HISLOP**, individually, of Butte, Montana, **PARTY OF THE FIRST PART**, and **MARY KATHERINE HISLOP**, Trustee of the **MARY KATHERINE HISLOP TRUST**, **PARTY OF THE SECOND PART**;

WITNESSETH, that **PARTY OF THE FIRST PART**, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **PARTY OF THE SECOND PART**, the receipt whereof is hereby acknowledged, does hereby convey, remise, release and forever quitclaim unto **PARTY OF THE SECOND PART**, and to her heirs and assigns, as joint tenants with right of survivorship, and not as tenants in common, all her right, title, and interest in the following real estate situated in the Clark County, Idaho, to-wit:

Lots two and three, the east half of the northwest quarter, the northeast quarter of the southwest quarter, and the west half of the southeast quarter of Section thirty in Township fourteen north of Range thirty-six east of the Boise Meridian, Idaho, containing two hundred sixty-four acres and thirty-two hundredths of an acre, according to the Official Plat of the Survey of the said Land, on file in the General Land Office. (Patent Number 1035214.) (Microfilm No. 44490.)

AND

Northeast quarter of the northwest quarter, the northeast quarter and the north half of the southeast quarter of Section twenty-five in Township fourteen north of Range thirty-five east and the Lot one of Section thirty in Township fourteen north of Range thirty-six east of the Boise Meridian, Idaho, containing three hundred eleven acres and ninety-eight hundredths of an acre, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General. (Patent Number 935689.) (Microfilm No. 44490.)

Together, with all the tenements, hereditaments, and appurtenances thereto belonging, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, right of dower, property, possession, claim and demand whatsoever as well in law as in equity, of **PARTY OF THE FIRST PART**, of, in or to the said premises, and every part and parcel thereof, **TO HAVE AND TO HOLD**, all and singular the said premises with the appurtenances thereto belonging, unto **PARTY OF THE SECOND PART**, and to her heirs and assigns forever.

IN WITNESS WHEREOF, **PARTY OF THE FIRST PART** has hereunto set her hand and seal the day and year first hereinabove written.

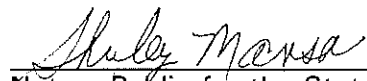

Mary Katherine Hislop a/k/a Mary Kay Hislop

STATE OF MONTANA)
 : ss.
County of Silver Bow)

On this 27th day of November 2000, before me, the undersigned, a Notary Public in and for the State of Montana, personally appeared **MARY KATHERINE HISLOP a/k/a MARY KAY HISLOP**, known to me to be the person whose name is subscribed to the within and foregoing **QUITCLAIM DEED** and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

(SEAL)



Notary Public for the State of Montana.
Residing at Butte, Montana.
My Commission expires 8-21-04

Idaho Department of Water Resources Receipt

Receipt ID C051801

Payment Amount	\$25.00	Date Received	1/10/01 11:48:03 AM	Region	State	Status
Payment Type	Check	Check Number	11142			

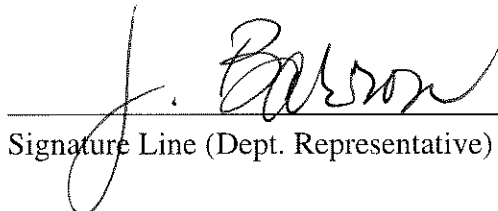
Payer HISLOP, MARY KATHERINE

Comment #31-11454

Fee Detail

Amount Description

Fund FD PCA SO

\$25.00 OWNERSHIP CHANGES/SECURITY INTERESTS 0229 21 56140 1155
Signature Line (Dept. Representative)

*I requested a
refund for
HISLOP on
5/11/01*



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 14, 2001

MICHAEL F MC MAHON
HUGHES KELLNER SULLIVAN & ALKE
40 W LAWRENCE STE A
PO BOX 1166
HELENA MT 59624

RE: Notice of Change of Water Right Ownership (NCO) for Mary Katherine Hislop Trust ~~31-10091~~, 31-11454 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir:

On January 10, 2001, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jennifer Crabtree
Technical Records Specialist

cc: Mary Katherine Hislop

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

Water Rights: 31-10091, 31-11454

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party HISLOP – HISLOP TRUST
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

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: May 15, 2001

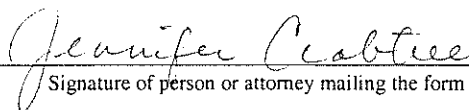
Ernest Collier

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 18, 2001, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
MARY KAY HISLOP
1804 PORTER ST
BUTTE MT 59701
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
MARY KATHERINE HISLOP TRUST
1804 PORTER ST
BUTTE MT 59701
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

05/14/2001

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

RIGHT NUMBER: 31-10091

NAME AND ADDRESS: MARY KATHERINE HISLOP TRUST
1804 PORTER ST
BUTTE MT 59701

SOURCE: SPRING

TRIBUTARY: BERRY CREEK

QUANTITY: 0.050 CFS

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

PRIORITY DATE: 06/01/1930

POINT OF
DIVERSION:

T14N R35E S25 SENESE Within CLARK County
T14N R36E S30 SWNENW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	05/01 10/31	0.020 CFS
STOCKWATER	06/01 10/31	0.050 CFS

PLACE OF USE: DOMESTIC Within CLARK County

T14N R36E S30 NENW

STOCKWATER Within CLARK County

T14N R35E S25 NESE T14N R36E S30 NENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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
STOCKWATER, 150 CATTLE