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DEPARTMENT OF
WATER RESOURCES

LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID J. BARBER (ISB #2597)
Deputy Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 334-2400
Facsimile: (208) 334-2690

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

In Re SRBA	)	Subcase Nos. 63-00132, 63-00133 & 63-00134
	)	
	)	STATE OF IDAHO DEPARTMENT OF PARKS AND
	)	RECREATION'S LIST OF EXHIBITS
Case No. 39576	)	
	)	
_____	)	

The State of Idaho, Department of Parks and Recreation, (hereinafter the "IDP&R"),
through counsel, submits the following Exhibit List.¹

IDP&R Exhibit 1: Stewart Decree, which was entered in *Farmer's Cooperative Ditch Co. v. Riverside Irrigating Dist, et al.*, *aff'd* 14 Idaho 450 (1908); *Order Denying Motion for a New Trial rev'd*, 16 Idaho 525 (1909).

IDP&R Exhibit 2: Excerpts from MTPs for Township 4 North, Range 1 East, B.M. Township 4 North, Range 1 West, B.M.

¹ This list of exhibits uses the following additional abbreviations: (a) "MTP" means Master Title Plat and (b) "IDL" means the State of Idaho, Department of Lands.

- IDP&R Exhibit 3: Affidavit of David J. Barber Dated March 13, 2008.
- IDP&R Exhibit 4: Chain of Title for Parcel 2.1.
- IDP&R Exhibit 5: Chain of Title for Parcel 5.1.
- IDP&R Exhibit 6: Chain of Title for Parcel 5.2.
- IDP&R Exhibit 7: Chain of Title for Parcel 5.3.
- IDP&R Exhibit 8: Chain of Title for Parcel 5.4.
- IDP&R Exhibit 9: Chain of Title for Parcel 5.5.
- IDP&R Exhibit 10: Chain of Title for Parcel 6.1.
- IDP&R Exhibit 11: Chain of Title for Parcel 6.2.
- IDP&R Exhibit 12: Chain of Title for Parcel 7.1.
- IDP&R Exhibit 13: Chain of Title for Parcel 7.2.
- IDP&R Exhibit 14: Chain of Title for Parcel 8.
- IDP&R Exhibit 15: Chain of Title for Parcel 9.1.
- IDP&R Exhibit 16: 10/5/1869. United States to William B. Francis. [SRBA60161].
- IDP&R Exhibit 17: 7/15/1871. United States to Truman C. Catlin. [SRBA60163].
- IDP&R Exhibit 18: 7/15/1871. United States to Franklin C. Robertson. Instrument No. 121172. 5/Deeds/322. [SRBA60164].
- IDP&R Exhibit 19: 7/15/1871. United States to Joseph E. Woods. [SRBA60165].
- IDP&R Exhibit 20: 3/20/1875. United States to William B. Francis. [SRBA60168].
- IDP&R Exhibit 21: 11/21/1877. W. B. Francis to W. L. Thurman. 7/Deeds/508. [SRBA60179].
- IDP&R Exhibit 22: 12/7/1878. Franklin C. Robertson to Polete Mace. Instrument No. 35071. 87/Deeds/227. [SRBA60180].
- IDP&R Exhibit 23: 10/28/1885. William L. Thurman and Victoria Thurman to Martha E. McCarty. 11/Deeds/329. [SRBA60186].

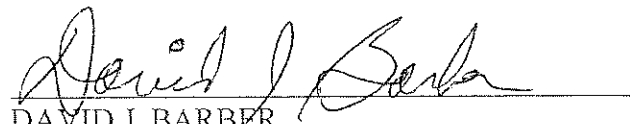
- IDP&R Exhibit 24: 3/16/1887. Joseph E. Woods and Elisabeth Woods to T. C. Catlin. 12/Deeds/255. [SRBA60191].
- IDP&R Exhibit 25: 9/3/1887. United States to Polete Mace. Instrument No. 35070. 4/Patents/377. [SRBA60192].
- IDP&R Exhibit 26: 4/24/1893. Martha E. McCarty to Truman C. Catlin. 26/Deeds/37. [SRBA60197].
- IDP&R Exhibit 27: 12/30/1926. Estate of Polete Mace to Charles P. Mace, Frank Mace, Grover Mace, Benjamin Mace, and Wesley Mace. Instrument No. 123893. 178/Deeds/29. [SRBA60358].
- IDP&R Exhibit 28: 12/31/1926. Charles P. & Mary Mace, Frank & Josie A. Mace, Benjamin & Grace J. Mace, and Wesley & Rosa Mace to Grover Mace. Instrument No. 123977. 177/Deeds/68. [SRBA60362].
- IDP&R Exhibit 29: 12/31/1926. Charles P. & Mary Mace, Frank & Josie A. Mace, Benjamin & Grace J. Mace, and Grover & Cora B. Mace to Wesley Mace. Instrument No. 123978. 177/Deeds/69. [SRBA60363].
- IDP&R Exhibit 30: 12/31/1926. Charles P. & Mary Mace, Grover & Cora B. Mace, Benjamin & Grace J. Mace, and Wesley & Rosa Mace to Frank Mace. Instrument No. 123978. 177/Deeds/67. [SRBA60361].
- IDP&R Exhibit 31: 12/31/1926. Frank & Josie A. Mace, Grover & Cora B. Mace, Benjamin & Grace J. Mace, and Wesley & Rosa Mace to Charles P. Mace. Instrument No. 123978. 177/Deeds/65. [SRBA60359].
- IDP&R Exhibit 32: 12/31/1926. Charles P. & Mary Mace, Frank & Josie A. Mace, Grover & Cora B. Mace, and Wesley & Rosa Mace to Benjamin Mace. Instrument No. 123978. 177/Deeds/66. [SRBA60360].
- IDP&R Exhibit 33: 3/15/1928. Estate of T. C. Catlin to Karl Fischer. Instrument No. 129718. 182/Deeds/389. [SRBA60366].
- IDP&R Exhibit 34: 3/15/1928. Karl Fischer to A. G. Coker. 182/Deeds/391. [SRBA60367].
- IDP&R Exhibit 35: 11/19/1929. Agreement between Karl Fischer, Charles P. & Mary Mace, Frank & Josie A. Mace, Benjamin & Grace J. Mace, Wesley & Rosa Mace, Grover & Cora B. Mace, and A. G. & Margaret C. Coker. Instrument No. 137565. 12/Contracts/192. [SRBA60369].
- IDP&R Exhibit 36: 11/20/1929. Karl Fischer to State of Idaho. Instrument No. 137566. 191/Deeds/16. [SRBA60370].

- IDP&R Exhibit 37: 2/28/1992. IDL to IDP&R. Instrument No. 9215747. [SRBA60635].
- IDP&R Exhibit 38: 2/8/1994. IDL to IDP&R. (Correction Deed). Instrument No. 94026232. [SRBA60661].
- IDP&R Exhibit 39: 9/11/1995. IDP&R to IDP&R. Instrument No. 95065465. [SRBA60679].
- IDP&R Exhibit 40: 12/7/1995. IDP&R to Ron & Sharon E. Taylor. Instrument No. 95091510. [SRBA60682].
- IDP&R Exhibit 41: 4/21/1997. Ron & Sharon E. Taylor to Todd & Cassy Lindsey. Instrument No. 97033421. [SRBA60699].
- IDP&R Exhibit 42: 2/12/1953. Letter to Edward Woozley, State Land Commissioner, from Idaho State Board of Correction.
- IDP&R Exhibit 43: 2/28/1995. Memo from Stanley F. Hamilton, Director of IDL, to Philip E. Batt, Governor.
- IDP&R Exhibit 44: Transfer No. 179, Certificate of Change in Point of Diversion of Decreed Water Right.
- IDP&R Exhibit 45: Affidavit of Charles C. Smith Dated March 13, 2008.
- IDP&R Exhibit 46: 2/5/2007. Todd & Cassy Lindsey to E, LLC. Instrument No. 107018316.

RESPECTFULLY SUBMITTED this 14th day or March 2008.

LAWRENCE G. WASDEN
ATTORNEY GENERAL

CLIVE J. STRONG
DEPUTY ATTORNEY GENERAL
STATE OF IDAHO



DAVID J. BARBER
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on this 14th day of March 2008, I caused to be served the original and/or copy of the STATE OF IDAHO, DEPARTMENT OF PARKS AND RECREATION'S BRIEF IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT on each of the following persons by the indicated method:

1. Original to:

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

- ☐ U.S. Mail, postage prepaid
- ☒ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (208) 736-2121
- ☐ Statehouse Mail

2. Copies to the following persons:

Hart-Davis Ditch Company
Represented by:
S. Bryce Farris
RINGERT CLARK
455 South Third St.
PO Box 2773
Boise, ID 83701-2773

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☐ Statehouse Mail

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

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

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- ☐ Facsimile: _____
- ☒ Statehouse Mail

Mace Catlin Mutual Ditch Company
Incorporated
Represented by:
Jon C. Gould
RINGERT CLARK
455 South Third St.
PO Box 2773
Boise, ID 83701-2773

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☐ Statehouse Mail

Idaho Department of Parks and
Recreation
5657 Warm Springs Avenue
Boise, ID 83716

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☒ Statehouse Mail

Ron Sali & Ron Sali Properties
Ron Sali Properties, Inc.
Represented by:
Michael C. Creamer
GIVENS PURSELY
601 W. Bannock St.
PO Box 2720
Boise, ID 83701-2720

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☐ Statehouse Mail

Ron Sali
PO Box 488
Boise, ID 83701-0488

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☐ Statehouse Mail

Ron Sali Properties, Inc.
Profit Sharing Plan
919 S. Linder Rd
Eagle, ID 83616-5513

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☐ Statehouse Mail

Ron Sali
919 S. Linder Rd.
Eagle, ID 83616-5513

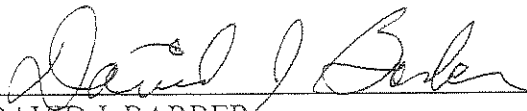
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Special Master Theodore Booth
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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- ☐ Facsimile: 345-8800
- ☐ Statehouse Mail

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

Not Applicable



DAVID J. BARBER
Deputy Attorney General

Attachments may be viewed in the repository
or legal file