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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 31-11454
Date Received: 11/8/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A3111454



1. Name of Claimant(s)

MARY KAY HISLOP Phone: (406)723-9165

1804 PORTER ST
BUTTE MT USA 59701

2. Date of Priority: 06/01/1930

3. Source: BERRY CREEK Trib. to: MODOC CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
14N	36E	30	NE NE NW	CLARK
14N	35E	25	SE NE SE	CLARK

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

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:

14. Remarks:

INSTREAM STOCKWATER ON BERRY CREEK

15. Basis of Claim:

RECEIVED # 25

NOV 06 2000

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

Department of Water Resources
Eastern Region

**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 31-11454

Date Received _____

Receipt Number E026318

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

RECEIVED

OCT 23 2000

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) MARK KAY Hislop Phone (406) 723-9165Mailing Address 1804 PORTER - BUTTE, MT Zip 597012. Date of Priority (Only one (1) per claim) 6/01/19303. Source of water supply (a) Berry Creek
which is tributary to (b) MODOC CREEK4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 14N Range 35E Section 25, SE 1/4 of NE 1/4 of SE 1/4,Govt. Lot _____ B.M., County of CLARKending point is: Township 14N Range 36E Section 30, NE 1/4 of NE 1/4 ofNW 1/4, Govt. Lot _____ B.M., County of CLARK5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Instream stockwater on Berry Creek

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For stockwater purposes from 1/1 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 150 CATTLE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	35E	25				S									S				
14N	36E	30					S	S	S										

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
NONE or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

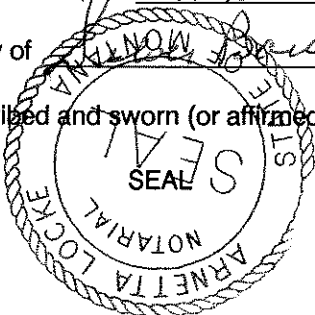
Signature of Claimant (s) Mary R. Halap Date 10-20-00
_____ Date _____

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho / or Montana)
County of Beauregard) SS.

Subscribed and sworn (or affirmed) before me this 20th day of October 192000



Notary Public Arnette Locke

Residing at Butte

My Commission Expires 9-30-2002

Please Print Name

17. Notice of Appearance:

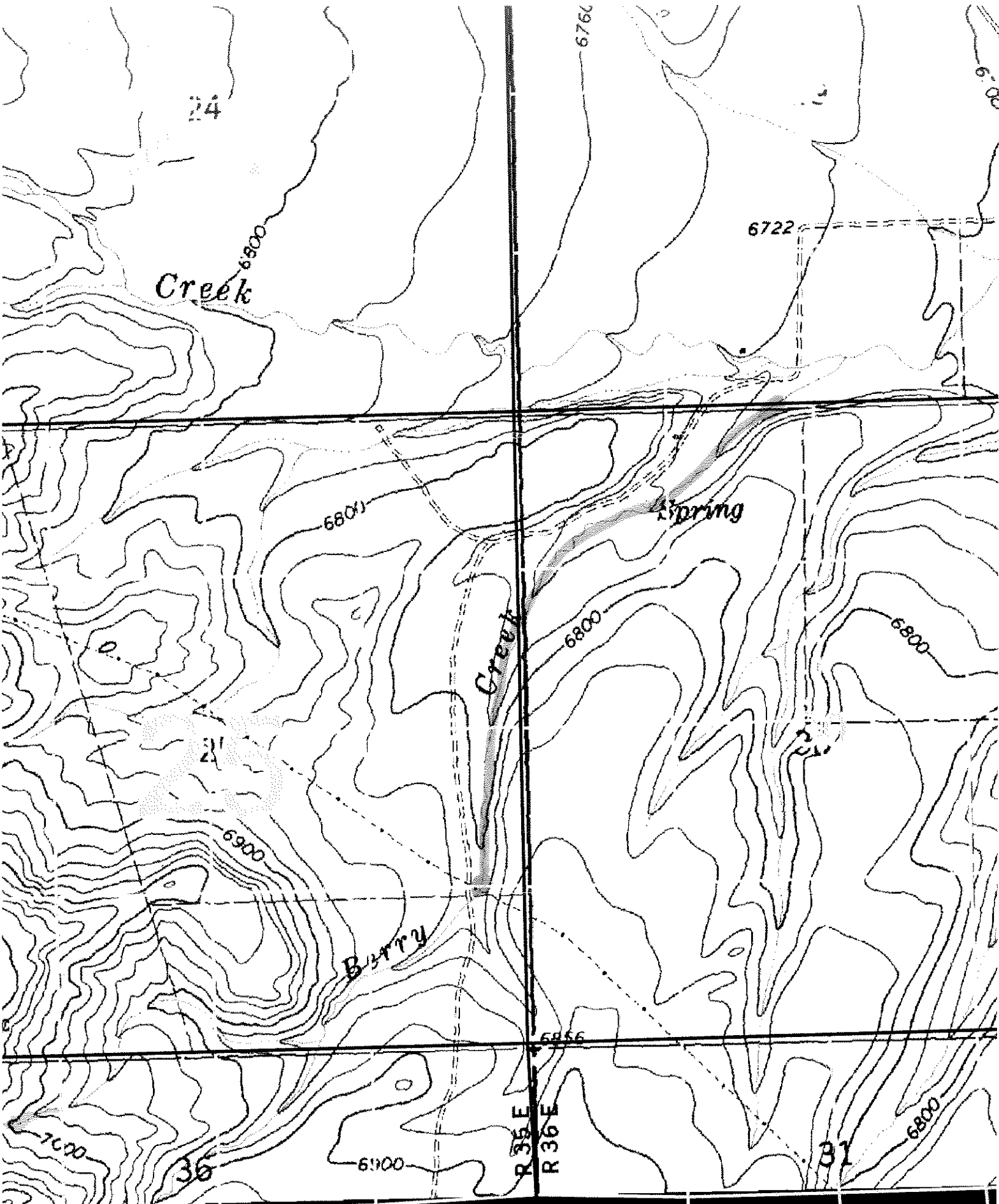
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



Idaho Department of Water Resources Receipt

Receipt ID E026318

Payment Amount Date Received Region Status ☐
Payment Type ☐ Check ☒ Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	ADJUDICATION FILING FEE	0337			1155

Cheri Undermeulen
Signature Line (Dept. Representative)

ecv

12/15/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11454

Owner Type Name and Address
Current Owner MARY KAY HISLOP
 1804 PORTER ST
 BUTTE, MT 59701
 (406)723-9165

Priority Date: 06/01/1930
Basis: Beneficial Use
Status: Valid

Source Tributary to
BERRY CREEK MODOC CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.02 CFS		
Total Diversion			0.02 CFS		

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
E 14N	36E	30	NE NE NW	CLARK	
S 14N	35E	25	SE NE SE	CLARK	

[Handwritten signature]

Place(s) of use:

Place of Use Legal Description: STOCKWATER CLARK County

<u>Townsh</u>	<u>Rang</u>	<u>Secti</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>
<u>ip</u>	<u>e</u>	<u>on</u>	<u>t</u>			<u>t</u>			<u>t</u>			<u>t</u>		
14N	35E	25		SENE										
				NESE										
	36E	30		NENW			NWNW			SWNW				

Conditions of Approval:

- ~~N05~~ THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- ✓ C18 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.
- ~~N08~~ THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

[Handwritten signature]
Confused

Remarks:

- Explanatory STOCKWATER, 150 CATTLE

Dates:

Licensed Date:
Claim Received Date: 11/08/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:

d.e. done
JC
12/20/00

~~N05?~~
~~N13?~~

11/15/2000

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

RIGHT NUMBER: 31-11454

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

SOURCE: BERRY CREEK TRIBUTARY: MODOC CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1930

POINT OF DIVERSION:	T14N R35E S25	SENESE	Beginning of Stream Flow	Within CLARK County
	T14N R36E S30	NENENW	End of Stream Flow	Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

<u>STOCKWATER Within CLARK County</u>			
T14N R35E S25	SENE	T14N R35E S25	NESE
T14N R36E S30	NENW	T14N R36E S30	NWNW
T14N R36E S30	SWNW		

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.

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 - Beneficial Use

STOCKWATER, 150 CATTLE

RECEIVED

JAN 10 2001

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

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

Department of Water Resources

OKJC
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	SNCP				

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 [Signature] Date 1/10/01 Fee \$250
 Received by [Signature] Date 1/10/01 Receipt No. 0051801
 Processed by _____ AJ Date _____ WR _____ Date _____

05/14/2001

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

RIGHT NUMBER: 31-11454

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

SOURCE: BERRY CREEK

TRIBUTARY: MODOC CREEK

QUANTITY: 0.020 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 Begin of Stream Flow Within CLARK County
T14N R36E S30 NENENW End of Stream Flow Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within CLARK County

T14N R35E S25	SENE	T14N R35E S25	NESE
T14N R36E S30	NENW	T14N R36E S30	NWNW
T14N R36E S30	SWNW		

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
STOCKWATER, 150 CATTLE

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.

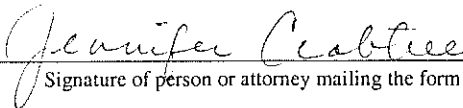
DATED: May 15, 2001

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



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