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DEPARTMENT OF
WATER RESOURCES

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

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.
- IDP&R Exhibit 47: Affidavit of David J. Barber Dated April 14, 2008.
- IDP&R Exhibit 48: Certificate of Administrative Action of Mace-Catlin Mutual Ditch Company, Incorporated, File Number C128566, dated April 9, 2008.
- IDP&R Exhibit 49: Affidavit of David M. Ricks Dated April 14, 2008.
- IDP&R Exhibit 50: True and correct copy of the Director's Recommendation for water right no. 63-31312.
- IDP&R Exhibit 51: True and correct copy of the Director's Recommendation for water right no. 63-31313.

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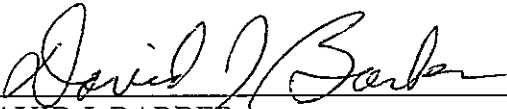
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RESPECTFULLY SUBMITTED this 25th day of April 2008.

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 25th day of April 2008, I caused to be served the original and/or copy of the STATE OF IDAHO, DEPARTMENT OF PARKS AND RECREATION'S SECOND AMENDED LIST OF EXHIBITS 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

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

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

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ 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 Warms 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

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- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
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Ron Sali Properties, Inc.
Profit Sharing Plan
919 S. Linder Rd
Eagle, ID 83616-5513

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

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

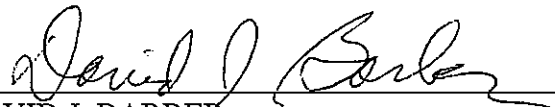
- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☐ Statehouse Mail

Special Master Theodore Booth
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: 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

12/12/2005

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

RIGHT NUMBER: 63-31312

NAME AND ADDRESS: JON W WROTEN
PO BOX 686
799 W SOUTH CHANNEL RD
EAGLE ID 83616

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.480 CFS
85.70 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-31313 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.72 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 129.0 AF.

PRIORITY DATE: 07/21/1980

POINT OF
DIVERSION: T04N R01E S16 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 07/15	0.460 CFS 83.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 2.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER JULY 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S17	SWSW	3.00	T04N R01E S17	SESW	11.00
T04N R01E S20 Lot 3	NENW	7.00	T04N R01E S20 Lot 4	NWNW	2.00

STOCKWATER same as IRRIGATION

23 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-31313 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 35 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

Use of this right is combined with water from Mace-Catlin Ditch Company.

Stockwater use is for 200 range cattle.

Use of this right is combined with water from Eagle Island Water Users
Irrigation.

12/12/2005

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

RIGHT NUMBER: 63-31313
NAME AND ADDRESS: MARIETTA WROTEN
799 W SOUTH CHANNEL RD
EAGLE ID 83616

JAMES L WROTEN
2305 S CHANNEL RD
MERIDIAN ID 83642

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.240 CFS
43.30 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-31312 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.72 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 129.0 AF.

PRIORITY DATE: 07/21/1980
POINT OF
DIVERSION: T04N R01E S16 SWSW Within ADA County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 07/15	0.240 CFS 43.30 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER JULY 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County
T04N R01E S17 SWSW 10.00 T04N R01E S17 SESW 2.00
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-31312 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 35 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

Use of this right is combined with water from Mace-Catlin Ditch Company.

Use of this right is combined with water from Eagle Island Water Users
Irrigation.