

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 47-32
Date Received: 1/11/1989
Receipt No: S005870
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ASLETT RANCHES PARTNERSHIP Phone: (208)734-5533
PO BOX B
TWIN FALLS ID USA 83303-0015

AMENDED

2. Date of Priority: 05/01/1909

3. Source: HOUSE CREEK Trib. to: CEDAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15S	12E	1	SW SE NW	TWIN FALLS	
15S	13E	18	NW NW 1	TWIN FALLS	
15S	13E	18	SW NW NW 1	TWIN FALLS	

5. Description of diverting works:

TWO ROCK & WOODEN CHECK DAMS TO EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.2	

7. Total Quantity Appropriated is:
1.2 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	
15S	12E	1	NW	NE	2	IRRIGATION	33
			SE	NE		IRRIGATION	15
			NE	NE	1	IRRIGATION	9
			SW	NE		IRRIGATION	35
			SE	NW		IRRIGATION	8

COPY

NW	SE	IRRIGATION	9
SW	SE	IRRIGATION	2
SE	SE	IRRIGATION	18
		Section Acres	129
		Total Acres	129

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

2/25/2000 TF; OWNERSHIP CHANGED SWAN LAND & LIVESTOCK TO ASLETT RANCHES PARTNERSHIP PER 1409(6) AND WARRANTY DEED REC'D 12/23/1999. CLAIM ALSO AMENDED TO REFLECT ACTUAL PLACE OF USE.

claim amended to add a point of diversion

15. Basis of Claim: Decreed

16. Signature(s)

For Organizations:

I do solemnly swear or affirm that I am Partner of Title

Aslett Ranches Partnership, that I have signed the foregoing Organization

document in the space below as Partner of Title

Aslett Ranches Partnership and that the statements contained in the Organization

foregoing document are true and correct.

Steve Aslett
Signature of Authorized Agent

Partner of Aslett Ranches Partnership
Title and Organization

11-14-06
Date

State of Idaho)
) SS.
County of Twin Falls)

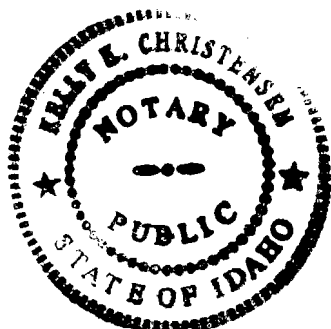
Subscribed and sworn (or affirmed) before me this 14th day of November 2006

Kelly K. Christensen

Notary Public

Residing at Twin Falls ID

My commission Expires 4-2-2010



DEC 21 2001

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: **A47-00032**
Date Received: 1/11/1989
Receipt No: S005870
Received By: _____

AMENDED

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

AMENDED

1. Name: ASLETT RANCHES PARTNERSHIP 208-734-5533
Address: PO BOX B
TWIN FALLS ID 83303-0015

2. Date of Priority: MAY 1, 1909

3. Source: HOUSE CREEK Trib. to: CEDAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	12E	1	SW	SE	NW		TWIN FALLS
	13E	18	SW	NW	NW	1	TWIN FALLS

5. Description of diverting works:
TWO ROCK & WOODEN CHECK DAMS TO EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 276.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	1	NE	NE	1	IRR	9.0
			NW	NE	2	IRR	33.0
			SW	NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	1	SE	NE		IRR	15.0
			SE	NW		IRR	8.0
			NW	SE		IRR	9.0
			SW	SE		IRR	2.0
			SE	SE		IRR	18.0

Section Acres 129.0

Total Acres 129.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

A47-00038

14. Remarks:

2/25/2000 TF; OWNERSHIP CHANGED SWAN LAND & LIVESTOCK TO ASLETT
RANCHES PARTNERSHIP PER 1409(6) AND WARRANTY DEED REC'D
12/23/1999. CLAIM ALSO AMENDED TO REFLECT ACTUAL PLACE OF USE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

IRA BRACKETT ET AL

Decree Plaintiff

THE CEDAR CANAL CO. ET AL

vs Decree 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 Organizations:

I do solemnly swear or affirm that I am Partner of
Adelt Ranches, that I have signed the foregoing
document in the space below as Partner of
Adelt Ranches and that the statements contained in the
foregoing document are true and correct.

Steve Adelt
Signature of Authorized Agent

Partner
Title and Organization

2/9/00
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of February 20 00

[Signature]
Notary Public

Seal

Residing at Buhl Id

My Commission Expires 8/8/2001

RECEIVED

DEC 23 1999

Department of Water Resources
Snake River Basin

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 of this page.
Incomplete forms will be returned.

1. Water Right No(s): _____

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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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 SWAN LAND & LIVESTOCK COMPANY

ROGERSON, ID 83302

4. New Owner/Claimant(s) ASLETT RANCHES PARTNERSHIP

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

New Mailing Address P O BOX B

City, State and ZIP Code TWIN FALLS, ID 83303-0015

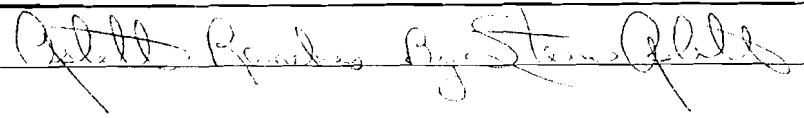
New Telephone Number (208) 734-5533

5. Date you acquired the property 12/3/99

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7.** If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) 

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.

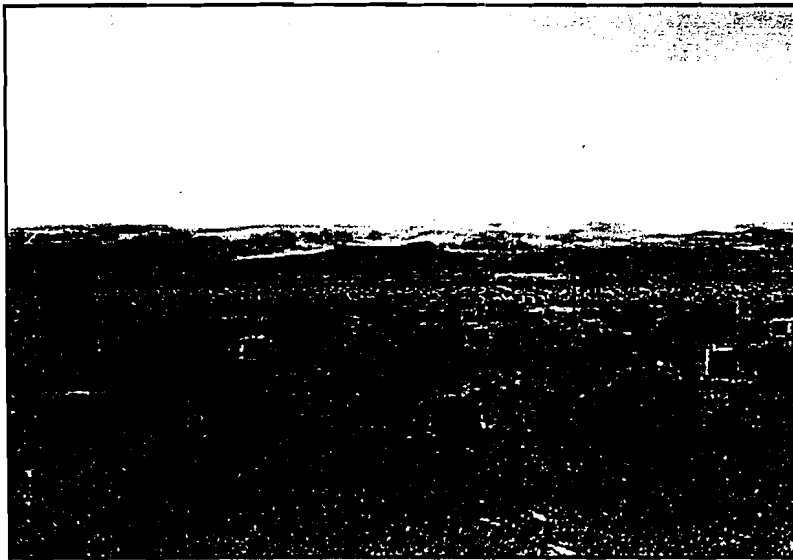
ACREAGE

Approximately 16,695 total deeded acres

- " 1,000 acres hay and irrigated pasture
- " 200 acres sub-irrigated meadow and creek bottom
- " 15,495 dry grazing

Bureau of Land Management	4,764 AUM's	John Biar (208) 736-2350
Forest Service	1,601 AUM's	Mike McNeil (208) 543-4129
Idaho State Leases	371 AUM's	
Private Lease	Approximately 1,000 deeded acres - 915 AUM's on BLM.	

*Coordinated Resource Management Plan: Allows landowner flexibility in determining numbers and periods of usage on federal and state leases. Has been in effect since 1981. AMP renewed March of 1998 with nine years remaining. Please call for detailed explanation.



*Swan Land & Livestock
Controls the water
source*

WATER

All irrigation is via flood method. Water from House Creek and Deadwood Creek is decreed as follows:

92 miners inches 5/1/1897 A47-00026	100 miners inches 5/1/1893 A47-00038
120 miners inches 5/1/98 A47-00030	45 miners inches 5/1/1893
80 miners inches 5/1/1889 A47-00040	92 miners inches 5/1/1904
70 miners inches 5/1/1909 A47-00041	110 miners inches 5/1/1905
60 miners inches 5/1/1909 A47-00032	175 miners inches 9/1/1915 A47-11491

Stock water is plentiful in the higher forest, BLM and deeded country. It is supplied by numerous creeks, seeps and natural springs. Many springs have been improved and developed to further enhance stock water. Water to the lower BLM desert allotment is primarily provided by a pipeline owned by Swan Land & Livestock along with other area ranchers. Swan Land & Livestock owns 38% of the pipeline and controls the water source. Ownership is based on AUM's.

GENERAL PARTNERSHIP AGREEMENT

1. **Parties.** This Agreement made among the MARVIN ASLETT, LARRY ASLETT, STEVE ASLETT, and STEVE ASLETT, JR. on December 22, 1999.

2. **Name of Business.** The parties form a general partnership which shall transact business under the name of ASLETT RANCHES.

3. **Partnership Business.** The partnership shall engage in the business of cattle ranching and in such other businesses of a similar or related nature as may be determined by the partners.

4. **Place of Business.** The place of business of the partnership shall be located at Rogerson, Idaho or at such other location or locations as the partners may from time to time designate.

5. **Term.** The term of the partnership shall begin on the date of its execution and shall continue until terminated as provided in this agreement.

6. **Capital.** The partners have made unequal contributions to the capital accounts of the partnership. The interest of each member of the partnership in the total shall be controlled by that partner's capital account indicating the proportional share of his investment to the total investment in the partnership. An individual capital account shall be established for each Partner. The initial capital accounts of the Partners shall be equivalent to their respective contributions to the

capital of the partnership. If at any time the partners should unanimously determine that further capital is required in the interests of the partnership, and that the capital of the partnership should be increased, the additional capital shall be contributed by the partners in the same percentages as their then capital accounts.

7. **Salaries and Expenses.** No partner shall receive any salary for services rendered to the partnership except as may be unanimously agreed by the partners. The partners shall have such drawing and expenses accounts as may be agreed upon.

8. **Partnership Profits and Losses.** The net profits of the partnership shall be divided among the Partners, and the net losses of the partnership shall be borne by the Partners, in proportion to their respective capital contributions as set forth in Section 6 of this agreement. For income tax purposes, all gains, losses, credits, and depreciation deductions on partnership property shall be allocated among the Partners in proportion to their capital contributions as provided in Section 6 of this agreement.

9. **Fiscal Year.** The fiscal year of the partnership shall commence on January 1.

10. **Book and Records.** The partnership shall maintain full and accurate books of account, which shall be kept at the office of Circle A Construction, Inc., 240 Highland Avenue, Twin Falls, Idaho 83301. Each Partner shall have access to and the

right to inspect and copy such books and all other partnership records during normal business hours.

11. **Bank Accounts.** The partnership shall maintain such bank accounts as the partners shall determine. Checks shall be drawn for partnership purposes only, and may be signed only by the person or persons designated by the partners. All moneys received by the partnership shall be deposited in such accounts.

12. **Management Duties and Restrictions.** The partners shall have rights in the management of the partnership proportionate to their capital accounts. No partner shall be required to devote any given time to the management of the partnership affairs. of Section 15 of this agreement, to lease such property

13. **Matters Requiring Unanimity.** No partner shall, without the consent of all other partners (which consent shall not be unreasonably withheld), do any of the following:

- a. Assign the partnership property in trust for creditors or on the assignee's promise to pay the debts of the partnership.
- b. Dispose of the good will of the partnership business.
- c. Do any other act which would make it impossible to carry on the ordinary business of the partnership.
- d. Confess a judgment against the partnership.
- e. Submit a partnership claim or liability to arbitration or reference.
- f. Make, execute or deliver for the partnership any bond, mortgage, deed of trust, guarantee, indemnity bond, surety bond or accommodation paper or accommodation endorsement.

g. Borrow money in the partnership name or use partnership property as collateral.

h. Assign, transfer, pledge, compromise or release any claim of or debt owing to the partnership except upon payment in full.

i. Convey any partnership real property.

j. Pledge or transfer in any manner his or her interest in the partnership except to another partner.

k. Any other act for which unanimity is required under other Sections of this Agreement.

14. **Transferability of Partnership Interests.** Except as otherwise provided in this agreement with respect to withdrawing or decreased partners, the interest of any partner in the partnership, or in the profits, assets, property, receivables, records, files, or clientele of the partnership, should not be sold, assigned, pledged, mortgaged, or transferred in any manner by a partner unless the written consent to do so is first obtained from every other partner.

15. **Partnership Property.** Partnership property, personal and real, shall be acquired, held, and conveyed in the name of the partnership, except that upon the unanimous consent of the partners, partnership property may be acquired, held, or conveyed in the name of any partner or other person as nominee for the partnership. Property acquired, held, or conveyed by a nominee shall be recorded as partnership property in the partnership books and records.

16. **Admission of New or Substituted Partners.** A new partner may be admitted to the partnership only upon the written consent of all existing partners. A substituted partner may be

admitted to the partnership only upon the written consent of two-thirds of the existing partners and only if the substituted partner purchases the partnership interest of a deceased or withdrawing partner. Upon the admission of a new partner, the name and capital contribution of the new partner shall be added to Section 6 of this agreement.

17. **Retirement of a Partner.** Any partner shall have the right to retire from the partnership at the end of any fiscal year. Written notice of intention to retire shall be served upon the other partners at the office of the partnership at least three months before the end of the fiscal year. Thereafter the retiring partner and the surviving partners shall have the same rights and elections as are specified in paragraph 18 with respect to the "Estate" and the surviving partners respectively, in the event of the death of a partner.

18. **Death of a Partner.** Upon the death of a partner, the partnership shall continue in operation and shall be managed by the surviving partners. The operation shall continue at last until the end of the fiscal year or to such other time as is necessary for the surviving partners to wind up the affairs of the partnership.

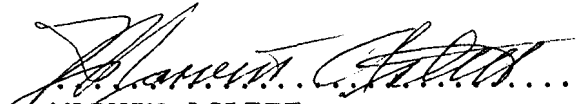
a. The surviving partners may elect to carry on the partnership business and to purchase the decedent's entire interest in the partnership. The value of the interest to be purchased will be agreed upon between the surviving partners and the personal representative of the

deceased partner. If the parties cannot agree upon a value, each shall appoint an appraiser, and the appraisers shall reach a value that will be binding upon the parties. The surviving partners shall give notice of their intent to purchase pursuant to this paragraph within six months of the death of the deceased partner and shall have three years from the date of death. in which to pay the purchase price to the personal representative of the deceased partner.

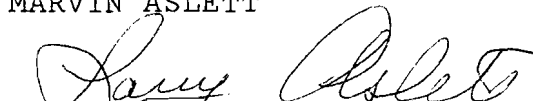
b. If the surviving partners do not elect to purchase the interest of the deceased partner, the partnership shall be terminated and its assets liquidated.

19. **Binding Effect.** This agreement shall bind the Partners, their heirs, personal representatives, and assignees.

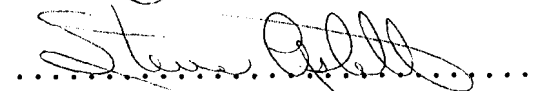
Dated December 22, 1999.


MARVIN ASLETT

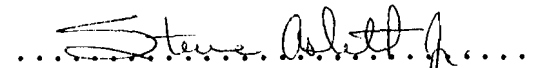
Dated December 22, 1999.


LARRY ASLETT

Dated December 22, 1999.


STEVE ASLETT

Dated December 22, 1999.


STEVE ASLETT, JR.

42118fc
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

NY

**** SPACE ABOVE FOR RECORDER ****

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED SWAN LAND AND LIVESTOCK COMPANY, a Utah corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto ASLETT RANCHES PARTNERSHIP, Grantee, whose address is: **Box B, Twin Falls, Idaho 83303**, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

PARCEL NO. 1

Township 15 South, Range 12 East, Boise Meridian, Twin Falls County, Idaho

Section 1: S $\frac{1}{2}$ SW $\frac{1}{4}$; Lots 1 and 2; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 11: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12: N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$; N $\frac{1}{2}$

Section 13: SW $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ W $\frac{1}{2}$; E $\frac{1}{2}$

Section 24: E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$

Section 25: E $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$

EXCEPT

A strip of land 80 feet wide, being 40 feet right and left of the following described centerline of Jarbidge Road Project No. S2701(3) Highway Survey as shown on the plans thereof now on file in the Office of the Department of Highways of the State of Idaho and lying over and across the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 15 South, Range 12 E., B.M., Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at a point on the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, which point is approximately Station 538+56 of said Highway Survey, which station is a point on a tangent approximately North 515 feet from the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 11;

THENCE North 69°11' East for 3,690 feet, more or less, to Station 575+46.87 which station is a point of curvature:

THENCE 570.95 feet with a 7 degree curve left, said curve having a central angle of 39°58' to Station 581+17.82, which station is a point of tangent;

THENCE North 29°13' East on tangent for 212.1 feet, more or less, to approximate Station 583+30 of said Highway Survey which station is a point on the East boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 lying North approximately 1015 feet from the Southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1.

AND EXCEPT

A strip of land lying across the SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 15 South, Range 12 E., B.M., more particularly described as follows:

A strip of land 40 feet in width extending 40 feet right and left of the following described centerline of Jarbidge Road Project No. S-2701(3) Highway Survey as shown on the plans thereof now on file in the office of the Department of Highway, State of Idaho;

BEGINNING at a point on the west boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ designated as approximate station 583+20 of said Highway Survey, which point lies North approximately 1015 feet from the southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE running North 29°13' East on tangent for 100.5 feet, more or less, to Station 584+20.46, which station is a point of curvature;

THENCE describing a strip of land extending 40 feet left and 50 feet right on the following described centerline, 635.56 feet with a 6° curve right, said curve having a central angle of 38°08' to Station 590+56.02 which station is a point of tangent and also being a point of equation (590+56.02 BK. = 590+68.61 Ah);

THENCE North 67°21' East on tangent 8833 feet, more or less, on tangent to Station 599+39.3 of said Highway Survey, which station is a point on the east boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and lying North 00°11' East approximately 566 feet of the Southeast corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$.

AND ALSO EXCEPT

A parcel of ground in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, Township 15 South, Range 12 E., B.M., Twin Falls County, Idaho, and more particularly described as follows:

BEGINNING at the Southeast corner of said Section 2 and using the recorded bearing of the South line of said Section 2 of North 89°24' West as basis of bearings;

THENCE North 37°30'30" West a distance of 794.09 feet to the TRUE POINT OF BEGINNING;

THENCE from said TRUE POINT OF BEGINNING North 58°35'14" West a distance of 208.71 feet;

THENCE North 31°24'46" East a distance of 208.71 feet;

THENCE South 58°35'14" East a distance of 208.71 feet;

THENCE South 31°24'46" West a distance of 208.71 feet to the TRUE POINT OF BEGINNING.

ALSO a 30-foot-wide road right of way centered on a connecting line from said TRUE POINT OF BEGINNING South 37°30'30" East a distance of 1547.93 feet to intersection with the centerline of the Rogerson-Three Creek Road.

Township 14 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

✓Section 21: SE $\frac{1}{4}$; SW $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$

✓Section 22: SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$

Township 15 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

✓Section 5: S $\frac{1}{2}$ SW $\frac{1}{4}$

✓Section 6: SE $\frac{1}{4}$ SE $\frac{1}{4}$; Lot 7

✓Section 7: ALL

✓Section 8: NW $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$

✓Section 18: Lots 1, 2 and 4; E $\frac{1}{2}$ W $\frac{1}{2}$; W $\frac{1}{2}$ E $\frac{1}{2}$; E $\frac{1}{2}$ NE $\frac{1}{4}$

✓Section 19: Lots 1, 2, 3 and 4; E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ E $\frac{1}{2}$

✓Section 20: SE $\frac{1}{4}$

✓Section 21: NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; SE $\frac{1}{4}$

✓Section 22: W $\frac{1}{2}$

✓Section 27: W $\frac{1}{2}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

✓Section 28: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

✓Section 29: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

✓Section 30: Lots 1, 2, 3 and 4; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$

✓Section 31: ALL

✓Section 33: N $\frac{1}{2}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

✓Section 34: NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

Township 16 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

✓Section 3: NW $\frac{1}{4}$ NW $\frac{1}{4}$

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

✓Section 6: Lots 2, 3 and 4; E $\frac{1}{2}$ W $\frac{1}{2}$; E $\frac{1}{2}$

✓Section 7: Lots 1, 2, 3 and 4; E $\frac{1}{2}$ W $\frac{1}{2}$; W $\frac{1}{2}$ E $\frac{1}{2}$; E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 2

A parcel of ground in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 15 South, Range 12 E., B.M., Twin Falls County, Idaho, and more particularly described as follows:

BEGINNING at the Southeast corner of said Section 2 and using the recorded bearing of the South line of said Section 2 of North 89°24' West as basis of bearings;

THENCE North 37°30'30" West a distance of 794.09 feet to the TRUE POINT OF BEGINNING;

THENCE from said TRUE POINT OF BEGINNING North 58°35'14" West a distance of 208.71 feet;

THENCE North 31°24'46" East a distance of 208.71 feet;

THENCE South 58°35'14" East a distance of 208.71 feet;

THENCE South 31°24'46" West a distance of 208.71 feet to the TRUE POINT OF BEGINNING.

ALSO a 30-foot-wide road right of way centered on a connecting line from said TRUE POINT OF BEGINNING South 37°30'30" East a distance of 1547.93 feet to intersection with the centerline of the Rogerson-Three Creek Road.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: December 2, 1999

SWAN LAND AND LIVESTOCK COMPANY, a Utah corporation

By: *George H. Swan*
GEORGE H. SWAN, President

BY: *Katherine Swan-Jones*
KATHERINE SWAN-JONES, Secretary

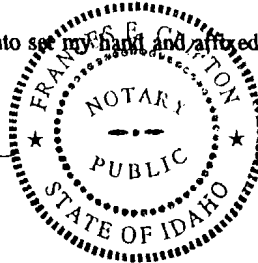
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 2nd day of December, 1999, before me, the undersigned, Notary Public in and for said State, personally appeared GEORGE H. SWAN, known to me to be the President, and KATHERINE SWAN-JONES, known to be the Secretary, of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Francis E. Clifton
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 01-20-2004



2436
RERECORDED TO CORRECT LEGAL
RERECORD TO CORRECT SCRIVENER ERROR
230604 12/28/99

FILED - RECORD
9. LC-6 PM 3:11

'42118fc
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

CHY...
BY *Cal*

RECEIVED
FEB 09 2000

**** SPACE ABOVE FOR RECORDER ****

DIS OF
Promer
89.00

Department of Water Resources
Southern Region

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED **SWAN LAND AND LIVESTOCK COMPANY**, a Utah corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **ASLETT RANCHES PARTNERSHIP**, Grantee, whose address is: **Box B, Twin Falls, Idaho 83303**, the following described real estate, situated in Owyhee County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: December 3, 1999

SWAN LAND AND LIVESTOCK COMPANY, a Utah corporation

By: *George H. Swan*
GEORGE H. SWAN, President

By: *Katherine Swan-Jones*
KATHERINE SWAN-JONES, Secretary

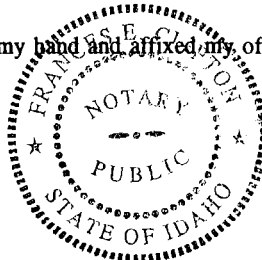
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 3rd day of December, 1999, before me, the undersigned, Notary Public in and for said State, personally appeared **GEORGE H. SWAN**, known to me to be the President, and **KATHERINE SWAN-JONES**, known to be the Secretary of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Francis E. Clifton
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 01-20-2004



PO2436

Exhibit "A"

In Township 13 South, Range 10 East, Boise Meridian, Owyhee County, Idaho.

Section 26: ^{W1/2}~~W1/4~~ SE1/4 NE1/4

In Township 13 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 31: Lots 1, 2 and 3, E1/2 W1/2

In Township 14 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: S1/2

Section 3: W1/2

Section 4: All

Section 5: W1/2

Section 6: Lots 3, 5, 6 and 7, SE1/4 NW1/4, E1/2 SW1/4

Section 8: E1/2 NW1/4, SW1/4, W1/2 SE1/4

Section 10: All

Section 11: S1/2

Section 15: All

Section 17: S1/2 S1/2

Section 20: N1/2 N1/2

Section 21: N1/2

Section 22: N1/2

Section 28: N1/2

Section 29: W1/2

In Township 15 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: N1/2 SW1/4, SE1/4 SW1/4, SW1/4 SE1/4

CORRECTION

¹⁵
In Township ~~16~~ South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

Section 29: W1/2 SW1/4

EXCEPTING LESS the following described parcel:

A strip of land 60 feet wide, 30 feet on either side of the center line of a center line survey, said center line being situate and running as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of the Northwest Quarter, Section 29, Township 15 South, Range 12 East, Boise Meridian, Owyhee County, Idaho; thence

South 0° 04' West a distance of 281.46 feet, to a point being station 236+37.86 of said center line survey, and said point being the REAL POINT OF BEGINNING; thence

North 69° 10' East a distance of 646.17 feet to a point being station 242+84.03 of said center line survey, the point of commencement of a 14° curve having a delta angle of 57° 28' to the left; thence around said curve for a distance of 101.82 feet to a point being station 243+85.85 of said center line survey.

Section 30: SE1/4 SE1/4

Section 31: NE1/4 NE1/4

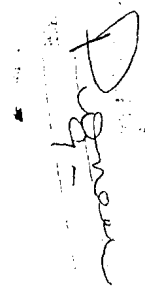
Section 32: NW1/4, E1/2 SW1/4, SW1/4 SE1/4

In Township 16 South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

Section 5: N1/2 NE1/4, SE1/4 NE1/4

EXCEPTING from said property described above:

Any right, title, or interest in any minerals, minerals rights or related matters including but not limited to oil, gas, coal and other hydrocarbon, whether or not shown by the public records.



230909



FILED - RECORDED
99 DEC 28 PM 4:22

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: A47-00032
Date Received:
Receipt No: 1/11/88 5005870
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SWAN LAND & LIVESTOCK COMPANY 208-857-2235
Address: HOUSE CREEK RANCH
ROGERSON, ID 83302

2. Date of Priority: MAY 01, 1909

3. Source: HOUSE CREEK Trib. to: CEDAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	12E	1	SW	SE	NW		TWIN FALLS
	13E	18	SW	NW	NW	1	TWIN FALLS

5. Description of diverting works:
TWO ROCK & WOODEN CHECK DAMS TO EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 276.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	1	NE	NE	1	IRR	9.0
			NW	NE	2	IRR	33.0

A47-00032

Page 1

Date: 11/10/88

MICROFILMED

MAR 10 1988

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	12E	1	SW		NE		IRR	35.0
			SE		NE		IRR	15.0
			NE		NW	3	IRR	1.0 ✓
			SE		NW		IRR	8.0
			NE		SE		IRR	8.0 ✓
			NW		SE		IRR	9.0
			SW		SE		IRR	2.0
			SE		SE		IRR	18.0

Section Acres 138.0

Total Acres 138.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
A47-00038

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

IRA BRACKETT ET AL
Decree Plaintiff

vs

THE CEDAR CANAL CO. ET AL
Decree Defendant

MICROFILMED
MAR 10 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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A47-00032

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of _____ Title

SWAN LAND & LIVESTOCK CO., that I have signed the foregoing Organization

document in the space below as PRESIDENT of _____ Title

SWAN LAND & LIVESTOCK CO. and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

PRES. SWAN LAND & LIVESTOCK CO.
Title and Organization

1/11/89
Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 11 day

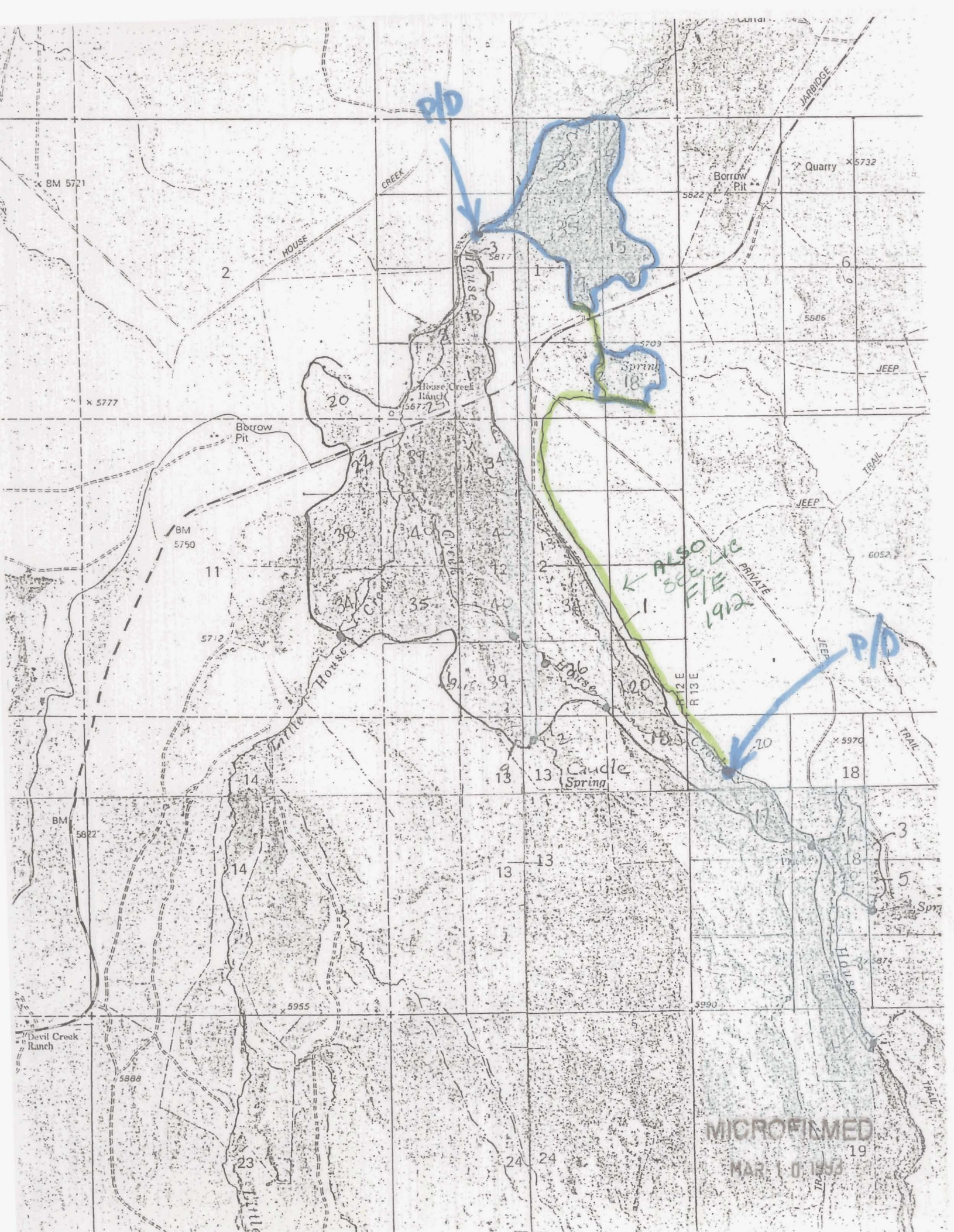
of January 19 89

[Signature]
Notary Public

Seal

Residing at Swan Falls, Idaho

My Commission Expires 6-18-91



MICROFILMED
MAR 10 1953

System 1	47-32	23.4 ac	1.20 cf
	- 38	90 ac	2.00 cf

System 2	47-26	(Bound A = 35 ac B = 28 ac)	total	Rate
	- 30		63 ac	1.84
	- 40		124.5 ac	2.40 cf
	- 41		80 ac	1.60 cf
	- 11491		70 ac	1.40 cf
			<u>31.4 ac</u>	<u>1.63 cf</u>
		subtot	368.9 ac	7.87 cf
17417		*	<u>259.3</u>	* <u>5.19 cf</u>
	total		<u>628.2 ac</u>	<u>13.06 cf</u>

found P/u = 628.2 ac

- 368.9 ac
 * 259.3 ac * .02 = * 5.19 cf

11/15/2006

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

RIGHT NUMBER: 47-32
NAME AND ADDRESS: ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS ID 83303-0015
SOURCE: HOUSE CREEK TRIBUTARY: CEDAR CREEK
QUANTITY: 1.200 CFS
The portion of Right 47-032 used for conveyance losses is .64 cfs.
PRIORITY DATE: 05/01/1909
POINT OF DIVERSION:

T15S R12E S1 NESENW Within TWIN FALLS County
T15S R12E S1 SWSENW Within TWIN FALLS County
T15S R13E S18 SWSENW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.200 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T15S R12E S01 Lot 1 NENE	6.50	T15S R12E S01 Lot 2 NWNE	32.00
T15S R12E S01 SWNE	36.00	T15S R12E S01 SENE	16.00
T15S R12E S01 SENW	6.50	T15S R12E S01 NWSE	11.00
T15S R12E S01 SWSE	1.00	T15S R12E S01 SESE	17.00

126 ACRES TOTAL

This right is limited to the irrigation of 28 acres within the place of use described above in a single irrigation season.

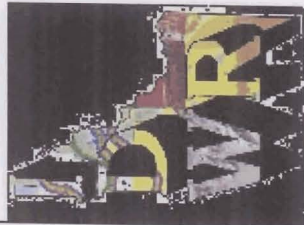
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



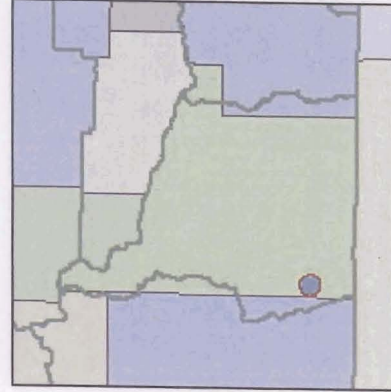
Idaho Department of Water Resources

SRBA Recommendation:

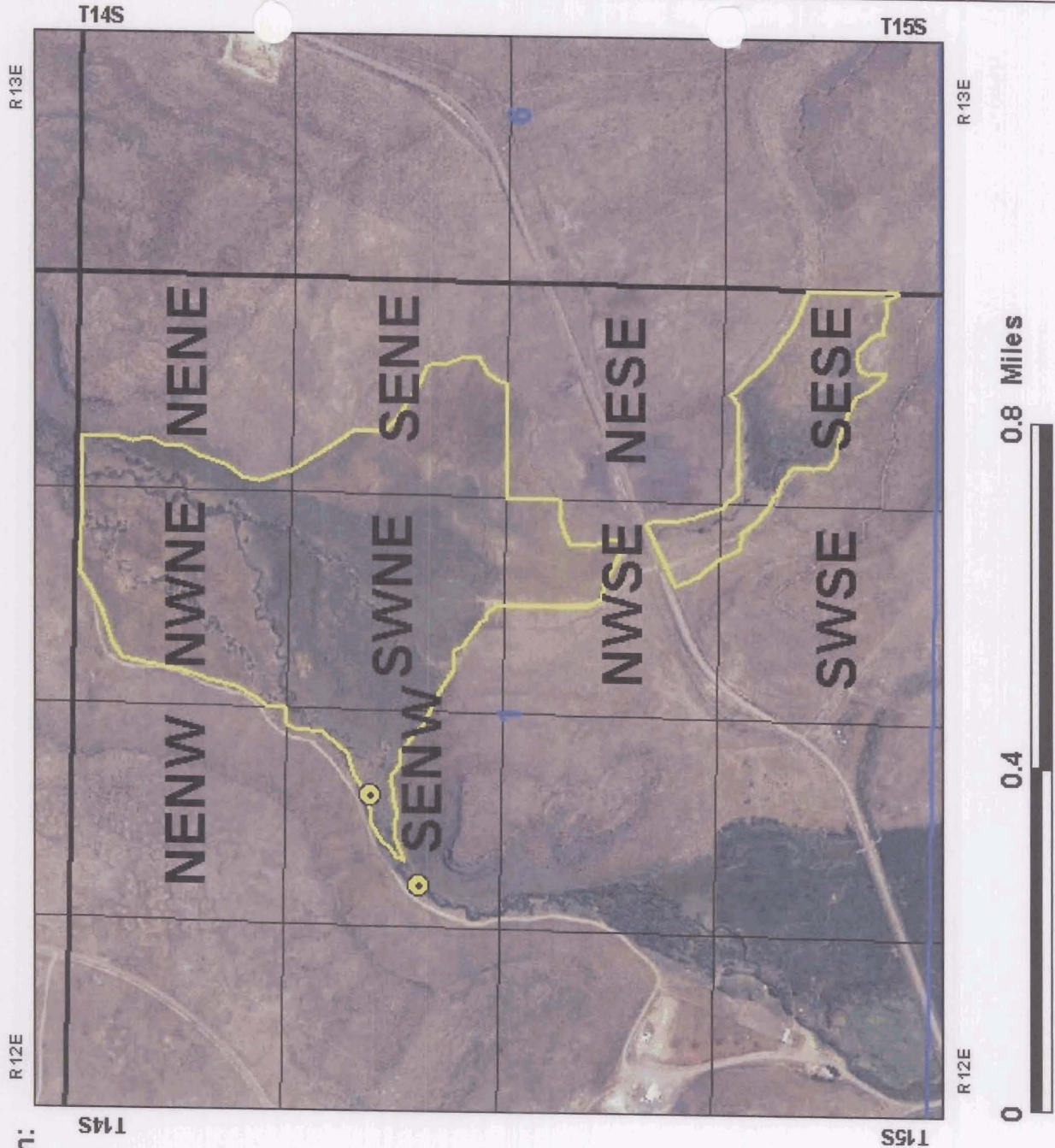
47-32

Legend

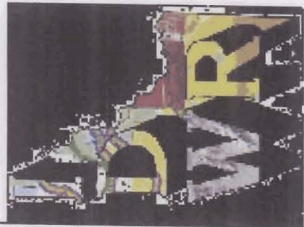
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Twin Falls County
IDWR Basin 47



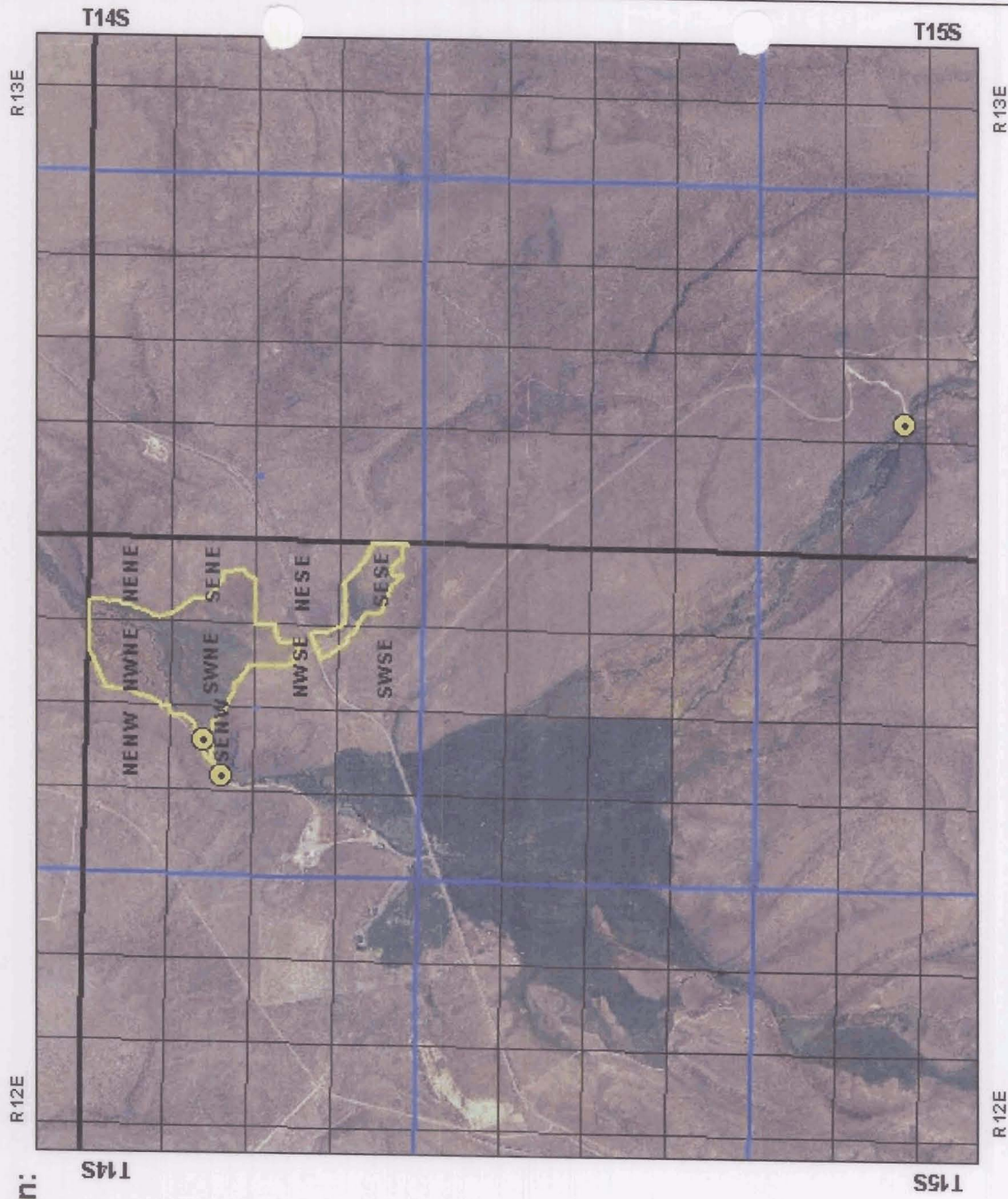
Prepared by N. Erickson
On Wednesday, November 15, 2006
2004 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

47-32



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Twin Falls County
IDWR Basin 47

Prepared by N. Erickson
On Wednesday, November 15, 2006
2004 Aerial Photography

MEMO TO FILE

From: Vikie Hancock

2/25/05

Re: Recommendation

Claim No(s): 47-032 & 47-038

After meeting with Steve Aslett Jr. on December 21, 2004 I agreed to review historical aerial photos of the ranch to ensure that the maximum acres ever irrigated on their private land under these two rights are included in my recommendation. Note that 160 total inches were decreed under 47-032 & 47-038 but that I initially found only 129 acres within the PPU as was identified in the amended claims on February 9, 2000.

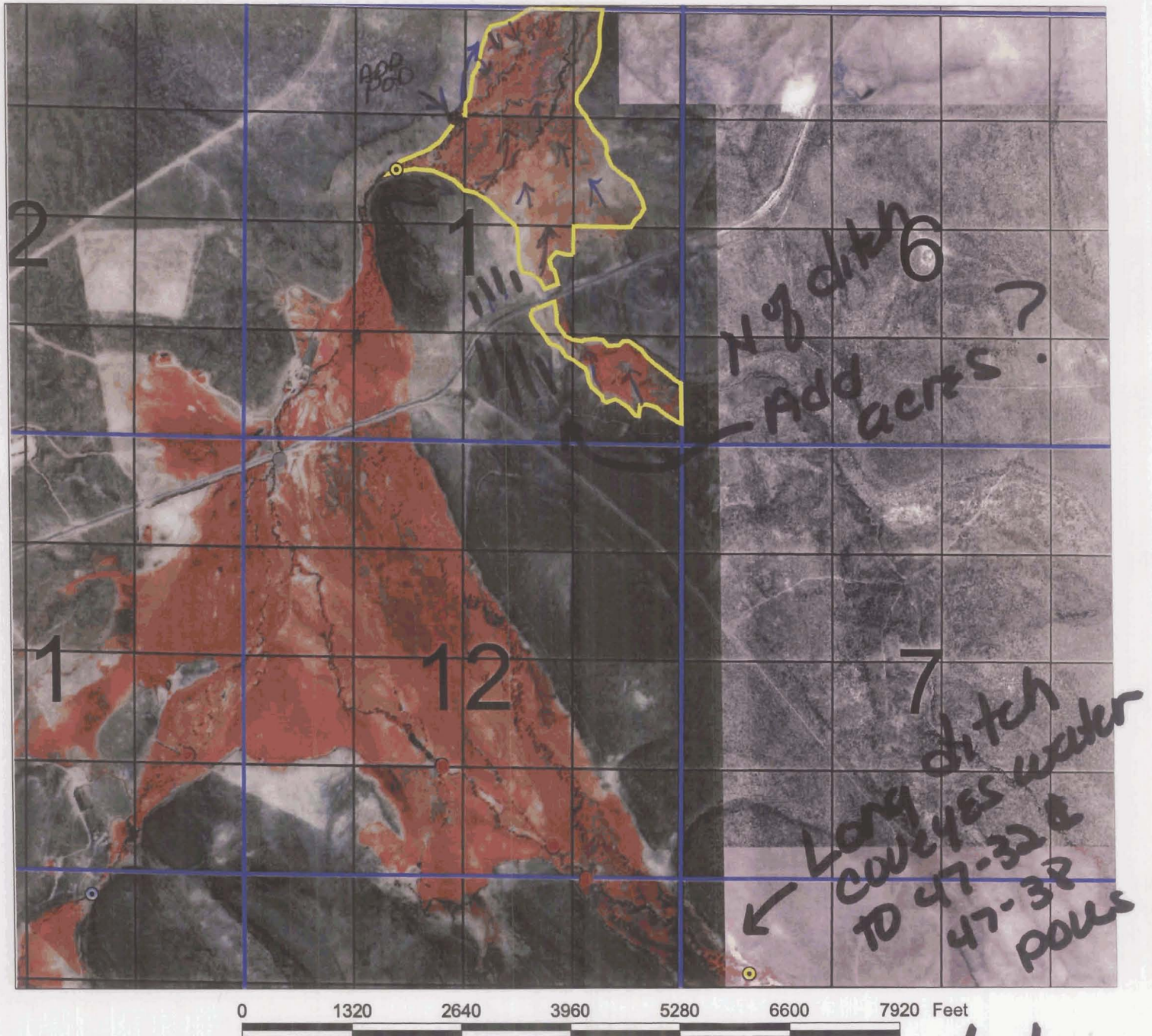
A review of 1950, 1957 and 1977 aerial photos provided by the claimants allowed me to increase the number of acres irrigated under these rights from a total of 129 to a total of 136.5. Interestingly, the number of acres I found historically irrigated under claim 47-032 very closely matched old license 47-2067 superceded by the 1914 decree.

As of this date, claimants need to amend the claims to identify 136.5 acres and to add a point of diversion in the NESENW Section 1.

Idaho Department of Water Resources

RIGHTS: 47-032 & 47-038

RECOMMENDED PLACE OF USE
TWP 15S RNG 12E
PREPARED NOVEMBER 05, 2004



- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER SECTION LINES



Per mtg 11/17/04
OK

GIS PLACE OF USE PRESENTATION
1987 AERIAL PHOTOGRAPHY

PREPARED BY VIKIE HANCOCK

MEMO TO FILE

From: Vikie Hancock
Re: Recommendation
Claim No(s): 47-032, 47-038

2/25/05

47-032 } Claimed on a 129 acre PPU
 47-038 }

WR #	PRIORITY	RATE	ACRES INDICATED	PER GIS 1987 PHOTO		CLAIMED ACRES
				IN DECR POU	OUTSIDE DECR	
47-032	1909	1.2 CFS	60 @ 1" PER AC	33	13.5	37
47-038	1893	<u>2.0</u>	<u>100</u> @ 1" PER AC	<u>90</u>	<u>-0-</u>	<u>92</u>
		3.2 CFS	160	123	13.5	129

136.5 AC

136.5 AC X .02 CFS = 2.73 CFS 160 - 136.5 = 23.5 AC

3.20 - 2.73 = .47 CFS IN EXCESS OF 1 INCH PER ACRE

.47 CFS APPLICABLE TO CONVEYENCE DITCH LOSS PER WORSTELL WORKSHEET
 SEE ATTACHED.

100AC-90AC = 10AC/23.5(EXCESS) AC = 43% X .47CFS = .20 CFS CONVEYANCE LOSS ATTACHED TO 47-038
 60AC-46.5AC = 13.5AC/23.5(EXCESS) AC = 57% X .47CFS = .27 CFS CONVEYANCE LOSS ATTACHED TO 47-032

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: ASLETT DITCH

BY: VH

DATE: 11/04/04

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	9240	2.0	2.50	0.58		0.00	0.0000	0.00	0.58
2				0.00		0.00	0.0000	0.00	0.00
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	9240			0.58	0.00			0.00	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

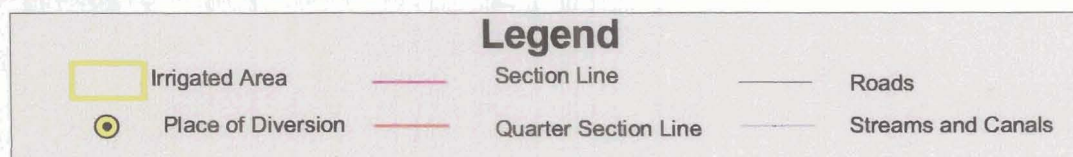
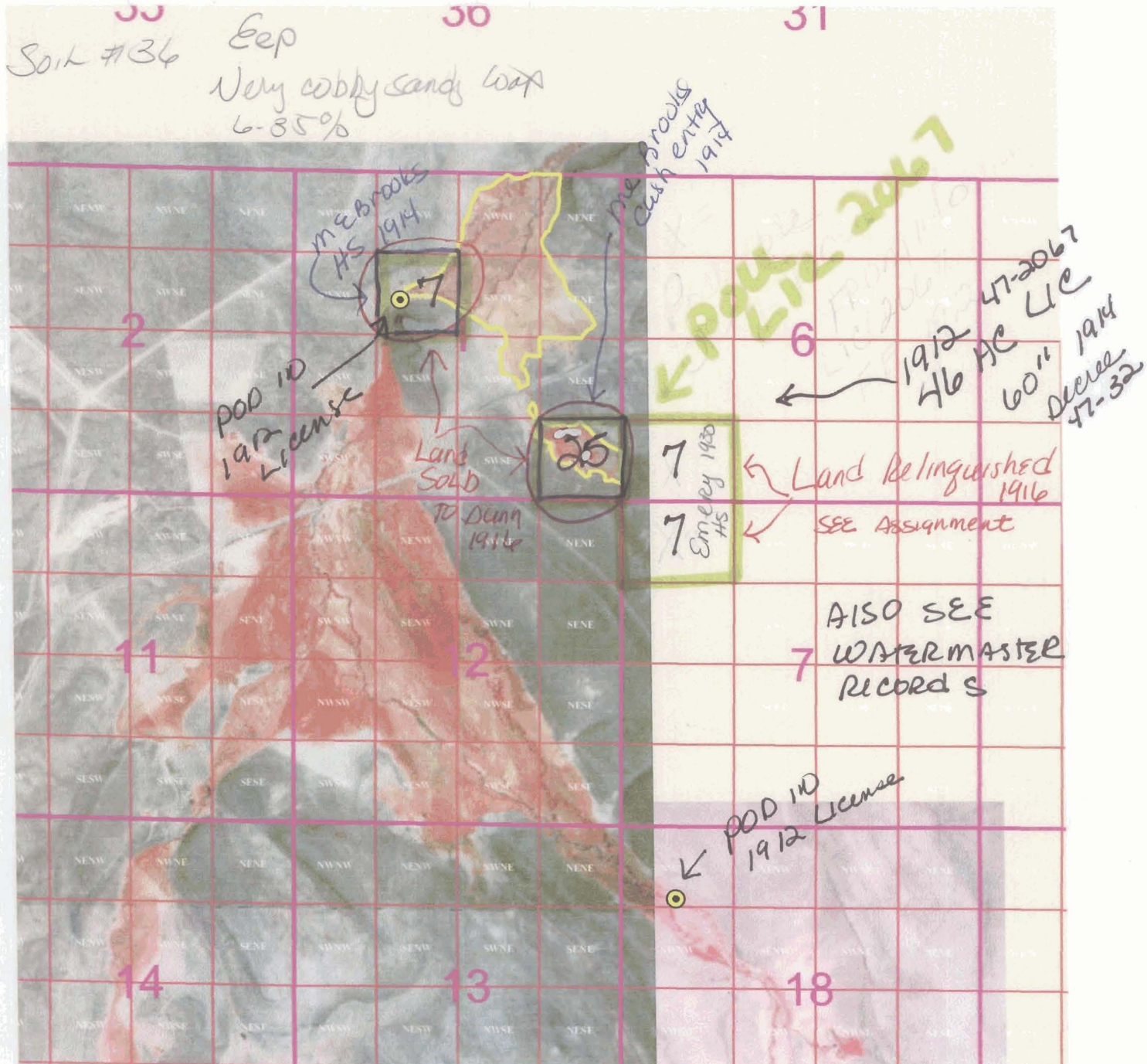
DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE
PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

close to
EXCESS AMT

03/09/2001

Water Right Claim Numbers 47-00032 & 47-00038 Townships, 14S12E, 15S12E, 15S13E



1600 0 1600 3200 Feet



**SPATIAL
DYNAMICS**

4N

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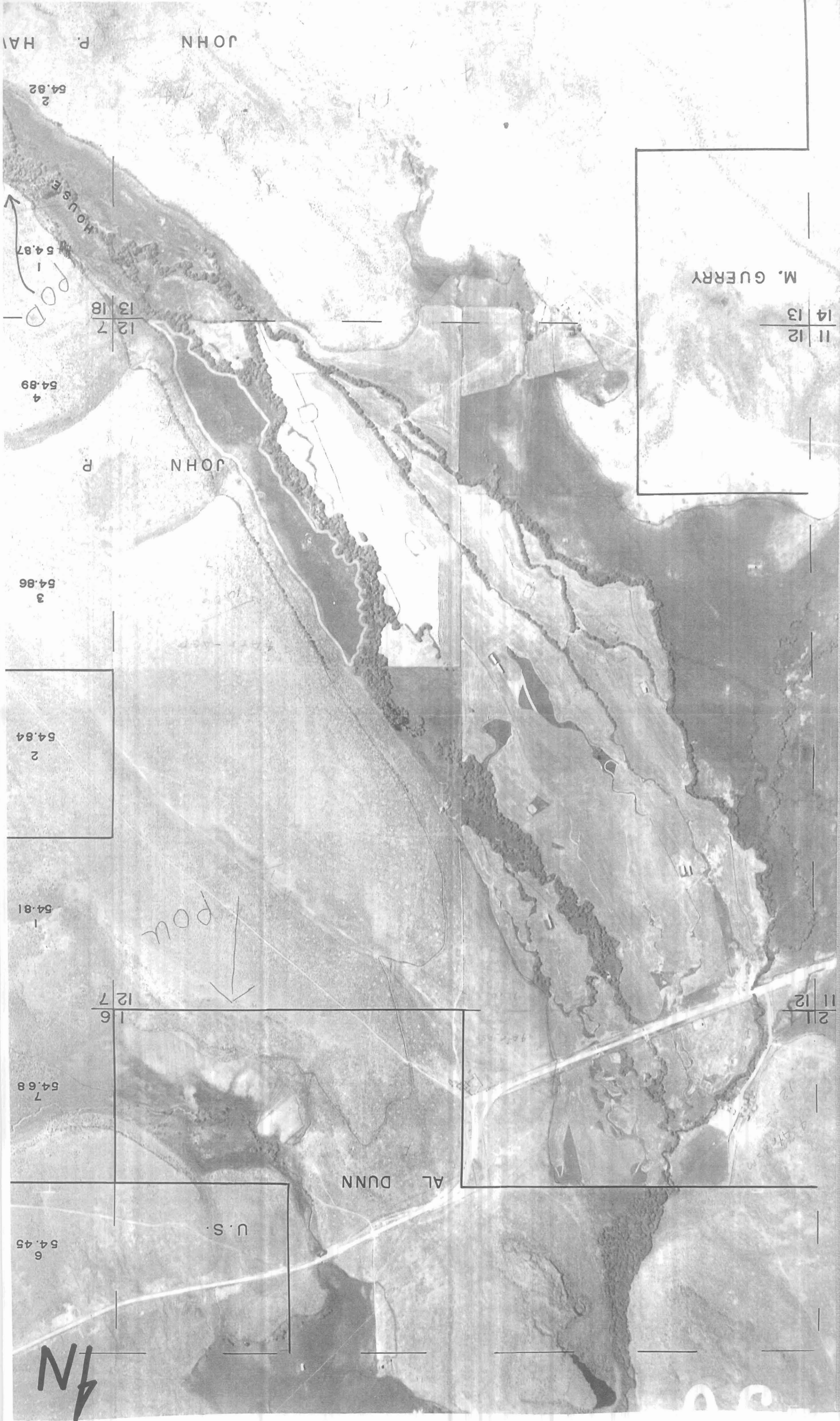
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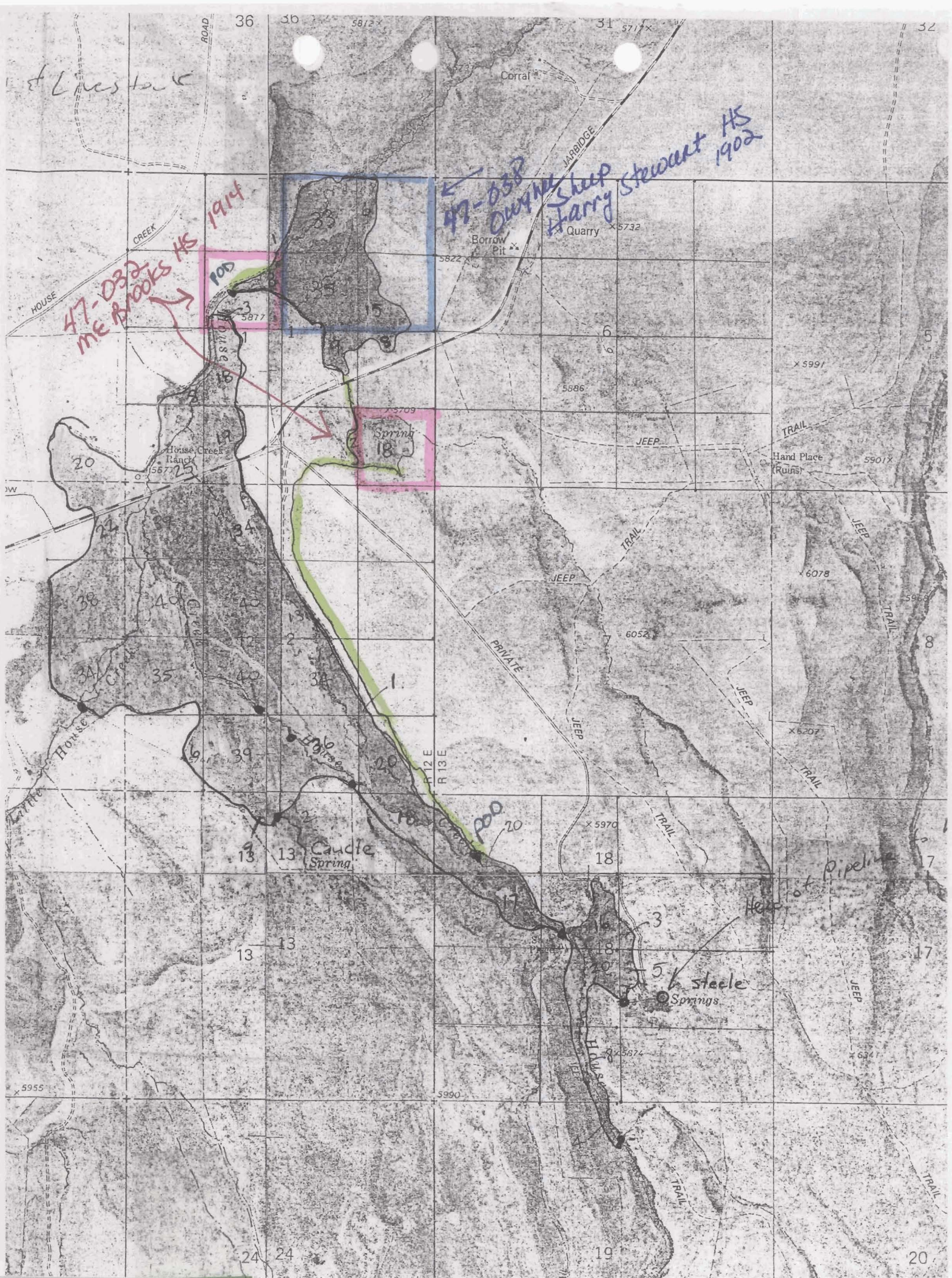
Provided by Steve Aslett
1977 Photo

47-032

Photo provided by Steve Aslett

1950 ASCS





Accession/Serial #: 384906 **BLM Serial #:** IDH 0000713

Names

Patentee: MANUEL E BROOKS

Survey

State: IDAHO

Acres: 40

Metes/Bounds: No

Title Transfer

Issue Date: 2/13/1914

Land Office: Hailey

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: April 24, 1820: Sale-Cash Entry (3 Stat. 566)

Document Numbers

Document Nr.: 0713

Accession/Serial Nr.: 384906

BLM Serial Nr.: IDH 0000713

Aliquot	Sec./		Fract.				Survey
Parts	Block	Township	Range	Section	Meridian	State	Counties
							Nr.
SESE	1/	15-S	12-E	No	Boise	ID	Twin Falls

Accession/Serial #: 435452 **BLM Serial #:** IDH 0000712

Names

Patentee: MANUEL E BROOKS

Survey

State: IDAHO
Acres: 40
Metes/Bounds: No

Title Transfer

Issue Date: 10/13/1914
Land Office: Hailey
Cancelled: No
U.S. Reservations: Yes
Mineral Reservations: No
Authority: May 20, 1862: Homestead EntryOriginal (12 Stat. 392)

Document Numbers

Document Nr.: 0712
Misc. Doc. Nr.: 0
Accession/Serial Nr.: 435452
BLM Serial Nr.: IDH 0000712

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
SENW	1/	15-S	12-E	No	Boise	ID	Twin Falls	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 47-32

WATER RIGHT NUMBER: 47-32

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MANUEL E BROOKS
	THREE CREEK, ID

Priority Date: 05/01/1909

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HOUSE CREEK	CEDAR CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.200 CFS	
DOMESTIC	/ to /		
STOCKWATER	/ to /		
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

HOUSE CREEK

Place of Use

Conditions of Approval:

Remarks:

- | | |
|---------------|--|
| 1. General | P/U NOT GIVEN IN DECREE.
EXHAUSTIVE SEARCH OF COURTHOUSE RECORDS FAILED TO LOCATE P/U.
PRESENT STATUS OF RIGHT IS UNKNOWN. |
|---------------|--|

Comments:

✓ waters of said Cedar Creek and its tributaries for stock and domestic purposes and for the irrigation of a certain tract of land situated in Twin Falls County, State of Idaho, and described as follows, to-wit: The West half of the Southwest quarter of Section 13; and the Northwest quarter of the Northeast quarter of Section 23, Township 14 South of Range 13 East of the Boise Meridian, and that priority of said appropriation date from the 1st day of May, 1900. } T 22 23 NE 1/4

✓ 47 0032

8. That plaintiff M. E. Brooks have and enjoy the right to use one and ten-fiftieths cubic feet per second of time of the flow of the waters of said House Creek and its tributaries, for stock and domestic purposes, and for the irrigation of a certain tract of land situated in Twin Falls County, State of Idaho, and particularly described as follows, to-wit: The certain tract of land situated on House Creek, and known as the M. E. Brooks Homestead Entry; and also the certain tract of land, in said county and state, situated near to the M. E. Brooks Homestead Entry, and known as the M. E. Brooks Desert Entry, and that priority of said appropriation date from the 1st day of May, 1909. 600

✓ 47 0033

9. That plaintiff P. D. Davis have and enjoy the right to use one and ten-fiftieths cubic feet per second of time of the flow of the waters of said Cedar Creek, for stock and domestic purposes, and for the irrigation of a certain tract of land situated in Twin Falls County, State of Idaho, described as follows, to-wit: The Southwest quarter of the Southwest quarter of Section 25, in Township 14 South, of Range 13 East of the Boise Meridian and Northwest quarter of the Northwest quarter of Section 32; and Northeast quarter of the Northwest quarter of Section 32 and the Southeast quarter of Southeast quarter of Section 31, and the Southwest quarter of the Southwest quarter of Section 2, in Township 15 South of Range 13 East of the Boise Meridian, and that priority of said appropriation date from May 1st, 1905.

✓ 47 0034

10. That plaintiff Jerry Emery have and enjoy the right to use forty-fiftieths cubic feet per second of time of the flow of the waters of said Cedar Creek and its tributaries, for stock and domestic purposes, and for the irrigation of a certain tract of land situated in Twin Falls

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 47-2067

WATER RIGHT NUMBER: 47-2067

Owner Type

Current Owner

Name and Address

MANUEL E BROOKS ✓

deed holder

THREE CREEK, ID

Priority Date: 04/04/1912 ✓

Basis: License

Status: Active

Source

HOUSE CREEK ✓

*source*Tributary

CEDAR CREEK

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

0.920 CFS

DOMESTIC

/ to /

Annual VolumeTotal Diversion: 0.920 CFSLocation of Point(s) of Diversion

HOUSE CREEK

SW1/4NW1/4

Sec. 18, Twp 15S, Rge 13E, B.M.

TWIN FALLS County

HOUSE CREEK

SW1/4SW1/4

Sec. 1, Twp 15S, Rge 12E, B.M.

TWIN FALLS County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	12E	1								7.0								25.0	32.0
15S	13E	6												7.0					7.0
15S	13E	7							7.0										7.0

Total Acres: 46

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:*Relinquished Tracts**M E BROOKS
HOMESTEADS**License 47-2067
superceded by
1914 decree
47-32*

ASSIGNMENT OF WATER LICENSE.

KNOW ALL MEN BY THESE PRESENTS:-

That I, Manuel E. Brooks, of Rogerson, Twin Falls County, Idaho, for and in consideration of the sum of One Dollar (\$1.00) to me in hand paid by Samuel C. Dunn, of Three Creek, State of Idaho, receipt whereof is hereby acknowledged, and in further consideration of the purchase from me by said Samuel C. Dunn of the Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE) and the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{2}$) of Section One (1) Township Fifteen (15) South, Range twelve (12) East Boise Meridian, and of the acceptance of my relinquishment to Lot Seven (7) of Section Six (6) and Lot One (1) of Section Seven (7), Township Fifteen (15) South, Range Thirteen (13) East Boise Meridian, do hereby sell, assign, transfer and set over unto the said Samuel C. Dunn, his heirs, representatives administrators and assigns, all my right, title and interest in and to that certain Water License No. 8218, issued by the State Engineer of the State of Idaho, granting and confirming to me, the above named Manuel E. Brooks, a perpetual right dating from April 4, 1912, to the use of forty-six fiftieths of one cubic foot per second of the waters of House Creek, to be applied to the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{2}$) and Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section One (1), Township Fifteen (15) South, Range Twelve (12) East Boise Meridian, and the southwest quarter of the southwest quarter (SW $\frac{1}{4}$ SW)(Lot 7) Section Six (6) and the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{2}$) (Lot 1), Section Seven (7), Township Fifteen (15) South, Range Thirteen (13) East Boise Meridian.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of April, A.D. 1916, at the City and County of Twin Falls, State of Idaho.

Manuel E. Brooks.

State of Idaho)
 (ss.
County of Twin Falls,)

I HEREBY CERTIFY that on this 7th day of April, A.D. 1916, before me, C.M. Booth, a Notary Public in and for said County and State, personally appeared Manuel E. Brooks, to me personally known to be the same person who signed the foregoing instrument and acknowledged to me that he signed the same on the day and year in this certificate first above written.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 7th day of April, A.D. 1916.

C.M. BOOTH.

Notary Public.

My commission expires January 12, 1920.

((((((SEAL))))))

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9:00 A.M. April 10, 1916.

J.H. Smith, State Engineer.

47-2067

County: **Twin Falls**
 Stream: **House creek**
 Amount: **46/50 sec.ft.**
 Use: **Irrigation**
 Priority: **4/4/12**

STATE OF IDAHO

Water License No. 8218

WHEREAS, On the 4th day of April, A. D. 1912, **Manuel E. Brooks**,
 of **Three Creek**, County of **Owyhee**, State of **Idaho**, duly made application
 (No. 12225) to me for a permit to use **three and two-tenths (3.2) cubic feet per second** of
 of the waters of **House Creek**,
 County of **Twin Falls**, State of **Idaho**, for **irrigation and domestic** purposes, and,

WHEREAS, On the 4th day of **May**, A. D. 1912, Permit No. 8218 was issued
 to said applicant for the diversion of said water and providing for the completion of the works of diversion
 therein described on or before the 4th day of **November**, A. D. 1912, and for the application to ben-
 efcial use of said water on or before the 4th day of **November**, A. D. 1914, and,

WHEREAS, On the 28th day of October, A. D. 1912, **Manuel E. Brooks**,
 the holder of said permit, duly made proof of the completion of adequate works for the diversion of
3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 8218,
 dated **January 11, 1913**, confirming the completion of works of sufficient capacity for diverting and
 conveying to the place of intended use **3.2 cubic feet per second of water**,
 with date of priority of **April 4, 1912**, and

WHEREAS, On the 28th day of October, A. D. 1912, **Manuel E. Brooks**,
 the holder of said permit, duly made proof of the application to beneficial use of **46/50 of 1** cubic
feet per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
 hereby grant and confirm to

Manuel E. Brooks

of **Three Creek**, County of **Owyhee**, State of **Idaho**, the holder and owner
 of said Permit No. 8218, a perpetual right, dating from **April 4, 1912**,
 to the use of **46/50ths of 1 cubic foot per second of the waters of House Creek**,

in the County of **Twin Falls** and State of Idaho, or so much thereof as may be necessary for the
 purposes hereinbelow mentioned, to be diverted in the Southwest quarter (SW4 NW4)
 Section 18, Township 15 South, Range 13 E.B.M. (unsurveyed), and in the Southwest
 quarter of Southwest quarter (SW4 SW4), Section 1, Township 15 South, Range 12 E.B.M.,

and conducted to and upon 46 acres divided as follows: 7 acres in the SE4 of NW4 and
 25 acres in the SE4 of SE4, Section 1, Township 15 South, Range 12 E.B.M.; 7 acres
 in the SW4 of SW4, Section 6, and 7 acres in the NW4 of NW4, Section 7, Township 15
 South, Range 13 East of Boise Meridian, unsurveyed,

for the purpose of **irrigation and domestic use**, subject, however, to the laws of the
 State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
 or community customs, rules and regulations which have been or may be adopted from time to time by
 a majority of the users from a common source of supply, canal or lateral from which such water may
 be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 11th day of January,
 A. D., nineteen hundred and thirteen.

A.E. Robinson,

(Seal)

State Engineer.

17 2067

REPORT OF ENGINEER.

1. State name of applicant and number of permit: 8218
2. State source of water supply: House Creek
3. Location of point of diversion: Nor. S E 1/4 of N. W 1/4 Sec. 18. Township
15. Range 13. E. (No. 1) S W 1/4 S W 1/4 Sec. 1 T. 15. R. 12 E.
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: yes
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: No. 2 2 1/2 ft No. 1 1 ft
 - (b) Width at water line: No. 2 3 ft No. 1 3 in
 - (c) Depth of water: No. 2 1 ft No. 1 1 ft
 - (d) Grade per mile: About 6 ft per 7 mile No. 1 6 ft per mile
 - (e) Capacity of ditch: 125 in second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent: yes to full capacity
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: ditch 7.2. 1 S. E 1/4 of N. W 1/4 Sec. 1 T. 15. R. 12 E
7 acres No. 2 40 acres S E 1/4 of S E 1/4 Sec. 1 T. 15. R. 12 E
25 acres under cultivation 40 S W 1/4 S W 1/4 Sec. 6
T. 15. R. 13 E 7 acres 40 acres N. W 1/4 of N. W 1/4 Sec. 7
T. 15. R. 13 E 7 acres
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks: The Land in Range 13 do not
surround the point of diversion
+ where ditch strikes land to be
irrigated is right but it may be
a little of from where I have
drawn on the map

STATE OF IDAHO.

County of Sum. Falls } ss.

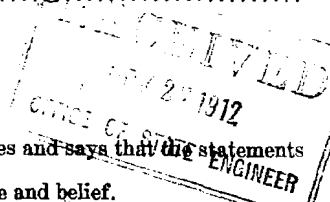
J. B. Stull, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

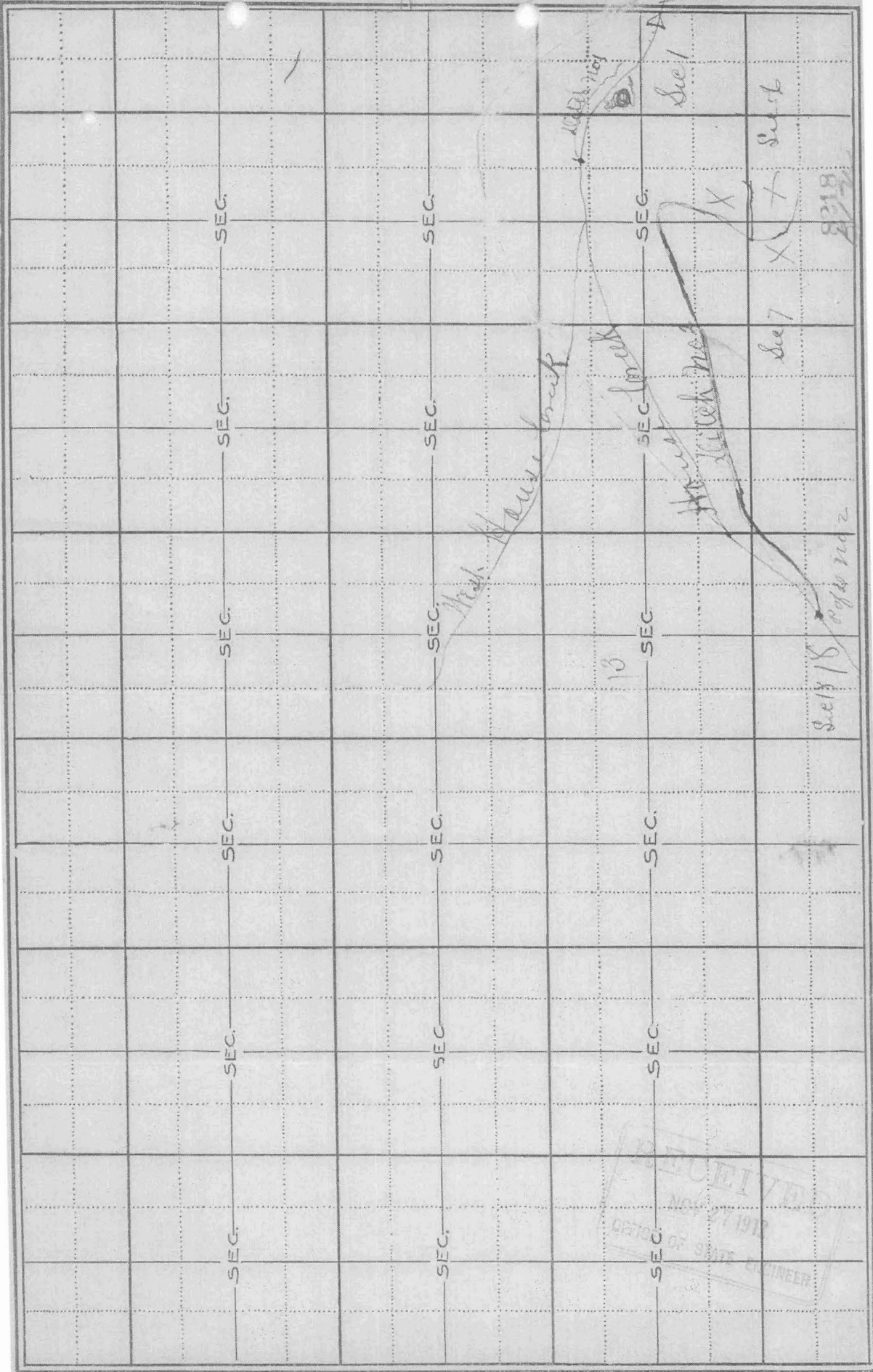
Subscribed and sworn to before me this 26th day of May 1912.

My Commission Expires June 25 1914

8218

Notary Public.





RECEIVED
NOV 27 1918
OFFICE OF STATE ENGINEER

Name of Applicant

N
↑

47-2067

No. 12225.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Manuel E. Brooks.

Postoffice address: Three Creek.

County: Owyhee State: Idaho.

2. The quantity of water claimed is Three and one fifth cubic feet per second.

3. Source of water supply: House Creek.

4. Location of points of diversion: No. 1 SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1, T. 15 S. R. 12 E. 4/5 cu. ft. No. 1.
No. 2. SW $\frac{1}{4}$ of unsurveyed SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 18, T. 15 S. R. 13 E. 2 2/5 cu. ft. No. 2.

County of Twin Falls.

5. To be used for: Irrigation.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 160 acres.

(b) In the following legal subdivisions: SE 40 of NW $\frac{1}{4}$ Sec. 1, T. 15 S. R. 12 E.

SE 40 of SE $\frac{1}{4}$ Sec. 1, T. 15 S. R. 12 E. also unsurveyed. SW 40 of SW $\frac{1}{4}$ Sec. 6, T. 15
S. R. 13 E. and NW 40 of NW $\frac{1}{4}$ of Sec. 7, T. 15 S. R. 13 E.

6. Estimated cost of works: \$600.

7. Description of works for diversion:

I. Kind of works: open ditches.

II. Dimensions of work:

(c) Size of headgate: Width 2 feet, height 2 feet. for No. 2.

(d) No. 2. Conduit ditch, width at bottom 2 $\frac{1}{2}$ feet, width at water line 1. feet, depth of water 1 foot. Length of conduit is 2 miles, and it crosses the following quarter sections: E $\frac{1}{2}$ of Sec. 12, T. 15 S. R. 12 E. SE $\frac{1}{4}$ Sec. 1, T. 15 S. R. 12 E. and unsurveyed NW $\frac{1}{4}$ S. 18 T. 15 S. R. 13 E. No. 1. (d) conduit, ditch, width at bottom 1 ft., depth of water 1 ft., and it crosses the following quarter sections: W $\frac{1}{2}$ of sec. 1, T. 15 S. R. 12 E.

8. The time required for the completion of the construction of such work is completed.

9. Time required for the complete application of the water to the proposed use is 2 additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Manuel E. Brooks,

Applicant.

AJ5809NP
No. A47-00032

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/12/01
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ASLETT RANCHES PARTNERSHIP PO BOX B TWIN FALLS ID 833030015 (208) 734-5533	05/01/1909	IRRIGATION	04-01 11-01	1.200 CFS	
TOTAL DIVERSION:					1.200 CFS	
CONSUMPTIVE USE:						276.00 AFA

Water Source: HOUSE CREEK

Tributary to: CEDAR CREEK

Stage: DECREED

Point(s) of Diversion: T15S R12E S01 SWSNW
R13E S18 Lot01(SWNWNW)

TWIN FALLS County
TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
15S	12E	1	:	01-09	02-33	35	15	:				08	:					09	02	18	:	129.0
TOTAL ACRES																				129.0		

POU County: TWIN FALLS

Non-Irrigation Uses: NONE

Other Rights: A47-00038

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-00026 A47-00030 A47-00038 A47-00040 A47-00041 A47-11491

Other Water Rights Listing Overlapping Place(s) of Use:
A47-00026 A47-00030 A47-00038 A47-00040 A47-00041 A47-11491

Remarks: GEN 2/25/2000 TF; OWNERSHIP CHANGED SWAN LAND & LIVESTOCK TO ASLETT
RANCHES PARTNERSHIP PER 1409(6) AND WARRANTY DEED REC'D
12/23/1999. CLAIM ALSO AMENDED TO REFLECT ACTUAL PLACE OF USE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 47C Field Inspection Flag:
Presumption Flag: D

Audit: 11/10/88 MERRITT 03/30/95 POST-STD 02/10/00 TFAWCETT