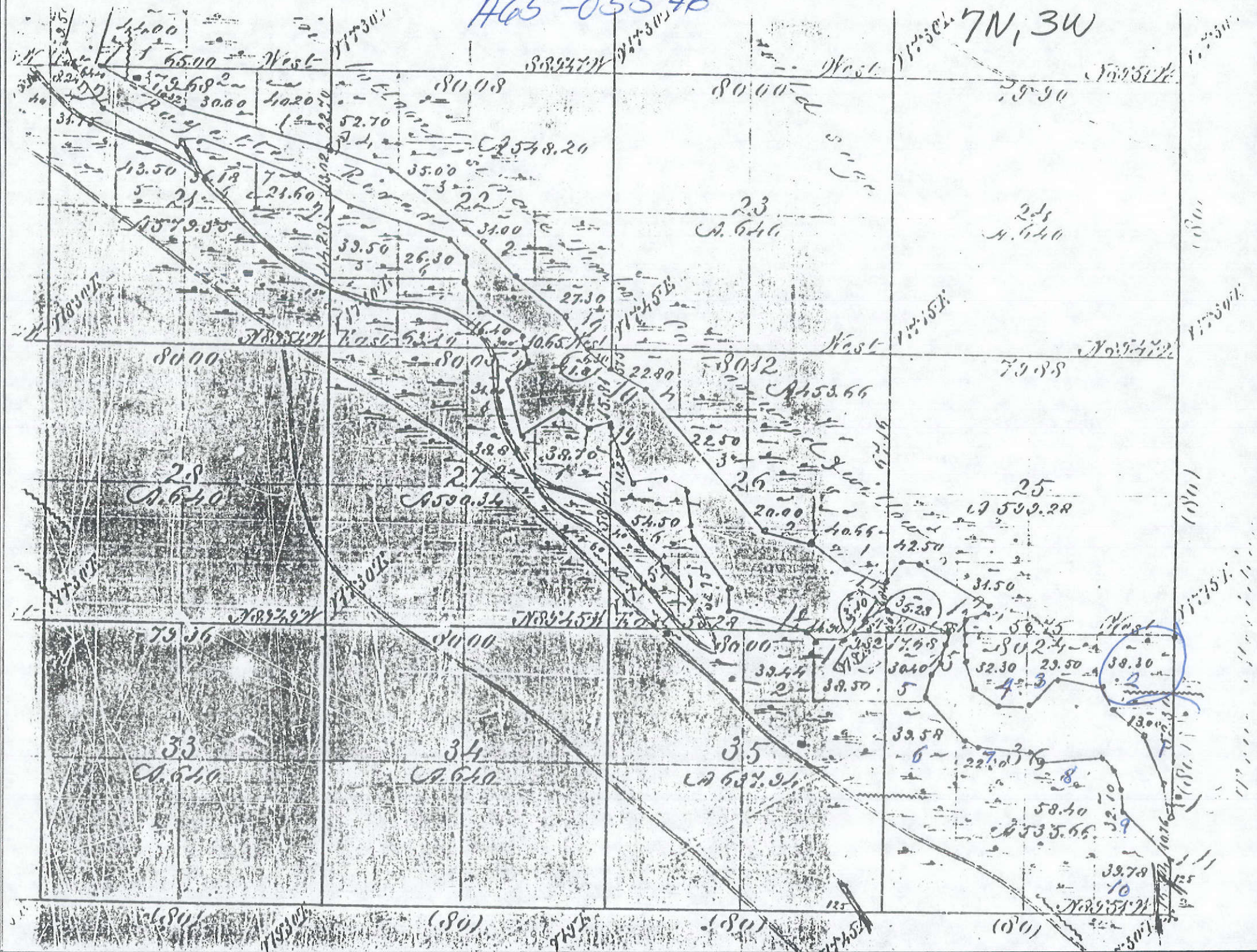


7N, 3W



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: A65-05546
Date Received: 4/05/1989
Receipt No: X999999
Received By: RET

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SOULEN LIVESTOCK CO. 208-549-1878
Address: 1760 FAIRMONT DR.
WEISER, ID 83672

2. Date of Priority: APR 01, 1922

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	03W	36		2	GEM

5. Description of diverting works:
1 ARTESIAN WELL, 1 WELL WITH 1/2 HP SUBM. PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		28.00

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 28.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/12,000 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	03W	36		2	STOCK	

11. Place of use in counties: GEM

A65-05546

Page 1

Date: 04/05/89

MICROFILMED
SEP 22 1992

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

13. Other Water Rights Used:
A65-05545

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHT 65-5545 SHALL PROVIDE NO
MORE THAN .04 CFS/ACRE.

15. Basis of Claim: DECREED
Case Number: 3667
Court :
Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Vice - President of
Title
Soulen Livestock Co., that I have signed the foregoing
Organization
document in the space below as Vice- President of
Title
Soulen Livestock Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Harry C. Soulen
Signature of Authorized Agent

Vice-President of Soulen Livestock
Title and Organization

April 5, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day .
of April 19 89

Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____

AJ0749NP
No. R65-05546

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/06/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOULEN LIVESTOCK CO 1760 FAIRMONT DR WEISER ID 83672 (208) 549-1878	04/01/1922	STOCKWATER	01-01 12-31	0.040 CFS	28.00 AFA
TOTAL DIVERSION:					0.040 CFS	28.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R03W S36 Lot02(NENE)

GEM County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	03W	36	:	02-S	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: GEM

Other Rights: 65-05545

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-05545 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .04 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 28 AF.

POD TWO POINTS OF DIVERSION LOCATED IN T07N, R03W, S36, LT2, NENE.

EXP STOCKWATER, 12000 SHEEP
PARCEL NO. 5027.00 5

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/06/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 ADDED IF NOT ALREADY PART OF RECORD.

AJ0749NP
No. R65-05546

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/06/00
PAGE: 2

Comments: Date: 01/06/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 03/06/00 MSCHULTE

AJ5809NP
No. R65-05546

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/06/98
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOULEN LIVESTOCK CO 1760 FAIRMONT DR WEISER ID 83672 (208) 549-1878	04/01/1922	STOCKWATER ✓	01-01 12-31 ✓	0.04 CFS ✓	28.00 AFA ✓
TOTAL DIVERSION:					0.04 CFS	28.00 AFA

Water Source: GROUNDWATER ✓

Tributary to:

Stage: DECREED ✓

Point(s) of Diversion:

T07N R03W S36 Lot02(NENE)

GEM County

Lots Without 1/4 1/4 Description: STOCKWATER
07N 03W 36 02-S NENE

POU County: GEM

Other Rights: 65-05545

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP
fence #

stockwater
12,000 SHEEP
5027.00 5

add QNT - E25

Hold - Exceeds Deminimums

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Comments: Date: 03/06/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
delete THIS RIGHT WHEN COMBINED WITH RIGHT 65-5545 SHALL PROVIDE NO MORE THAN .04 CFS ~~PER DAY~~

Date: 01/06/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 03/06/97 CORR4 01/05/98 AJU5-JSH

POD - F02

WR5809NP
No. 65-05546

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/05/98
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOULEN LIVESTOCK CO. WEISER ID 83672	04/01/1922	STOCKWATER	01/01 12/31	0.040 CFS	28.00 AFA
TOTAL DIVERSION:					0.040 CFS	28.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R03W S36 Lot 02()

GEN County

Lots Without 1/4 1/4 Description: STOCKWATER
07N 03W 36 02-S

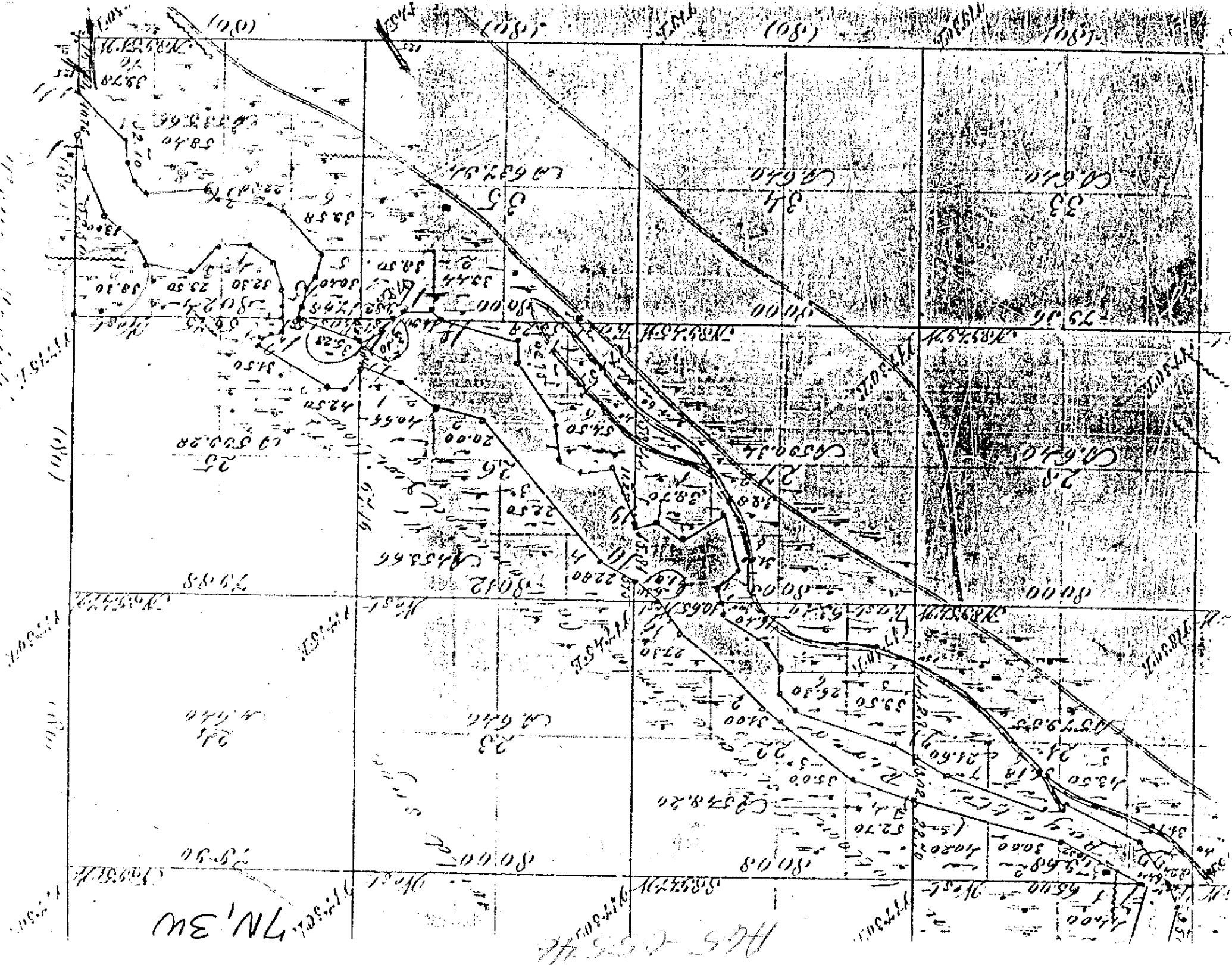
Pou County:

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-5545 SHALL PROVIDE NO
MORE THAN .04 CFS/ACRE.

Dates:	App. Received:	Priority Date:	04/01/1922
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/16/86 04/30/88 CONVERT



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO.

RECEIVED
MAP NO.

Notice is hereby given that Soulen Livestock Company

(Name of Claimant)

Weiser, Idaho

(Mailing Address)

claims a right to the diversion

(Mailing Address)
and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- The extent and nature of said claim is as follows:
- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 4/1/1922
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Groundwater

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both Dates Inclusive)

28 AFA
U

Use Stockwater Period of Use From 1/1 To 12/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

- (4) Quantity of water claimed: .04 Cubic Feet Per Second, or ~~28~~ Acre Feet Per Annum,
and/or Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source lot 2 %
Sec. 36 Twp. 7N Rge. 3W, B.M.; additional points:

B) Describes means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities: be as specific as possible.

1 well and pump and 1 artesian well.

- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
12,000 head of sheep → 2,000 head cattle

- (7) Effluent, sewage waste, or return water from this use is discharged into
Payette River
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks

- 2 wells in lot 1, Sec. 36, 7N, 3W also provide stockwater
(This right was combined with right to 55 cfs shall provide no more than 200 cfs)
(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. .04 cfs/perc.)
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, license, or claims filed with State Reclamation Engineer, Office No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

1/26/1975
(Date)

(Signature of Claimant)

State of Idaho

Organisation

County of 2 Gem

On this 26 day of January, in the year 1972, before me

a notary public, personally appeared Phil Soulen
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or) executed the same.

Notary Public residing at 1111 1st St. S. E. Okla. City, Okla.

My commission expires 7/29/1975

David R. Tuttle 4-20-78

A65-05546

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 143

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *1.90*AFA *.06*CFS		SAME AS OTHER USE	
65-5047	BROGAN, BILL & BROGAN, LELIA 1464 CASCADE ROAD, EMMETT, IDAHO 83617	4/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S12 T 6N R 2W	NESW S12 T 6N R 2W	BENEFICIAL USE
65-6588	HORN, CLIFFORD L. ROUTE 1, BOX 323, FRUITLAND, IDAHO 83619	4/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 9 S14 T 8N R 5W	LOT8 S14 T 8N R 5W	BENEFICIAL USE
65-5896	HOWARD, ARNOLD R. ROUTE #1, NEW PLYMOUTH, IDAHO 83655	4/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S31 T 7N R 3W	SESW S31 T 7N R 3W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	1.40 AFA .03 CFS *2.60*AFA *.07*CFS		SAME AS OTHER USE	
65-6931	NAKI, JACOB A. BOX 686, LAKE FORK, IDAHO 83635	4/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S 9 T17N R 3E	NENE S 9 T17N R 3E	BENEFICIAL USE
65-5546	SOULEN LIVESTOCK COMPANY WEISER, IDAHO 83672 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-5545 SHALL PROVIDE NO MORE THAN .04 CFS/ACRE.	4/ 1/1922	STOCKWATER	1/ 1 12/31	28.00 AFA .04 CFS	LOT 2 S36 T 7N R 3W	LOT2 S36 T 7N R 3W	BENEFICIAL USE
65-5510	TURNBULL, CLOVIS & TURNBULL, FAY MOUNTED ROUTE, EMMETT, IDAHO 83617 REMARKS: LOT 11, BLOCK 4, STEWART SUBDIVISION.	4/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S12 T 6N R 2W	NESE S12 T 6N R 2W	BENEFICIAL USE
65-3700	WILFONG, F. W. ROUTE 1, EMMETT, IDAHO 83617	4/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S17 T 6N R 2W	SESW S17 T 6N R 2W	BENEFICIAL USE
65-3353	WYNN, G. EDGAR BOX 626, EMMETT, IDAHO 83617	4/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWSE S12 T 6N R 2W	NWSE S12 T 6N R 2W	BENEFICIAL USE
65-11079	BOSWELL, ARMIN E. & BOSWELL, STELLA 1004 SOUTH BOISE AVENUE, EMMETT, IDAHO 83617 REMARKS: BLOCK 1, SUNNY SLOPE ADDITION.	6/ 1/1922	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S 7 T 6N R 1W	SWSE S 7 T 6N R 1W	BENEFICIAL USE

WATER RIGHT NUMBER - A65-05546

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
SOULEN LIVESTOCK CO.

1 - 1760 FAIRMONT DR.

2 -

3 -

CITY- WEISER

STATE- ID ZIP- 83672

PHONE - 208-549-1878

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
04/01/1922 14 WESTERN D - DECREED+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

07N 03W 36 2 (45) GEM

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.040 28.00

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 28.00 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

07N 03W 36 2 04 STOCKWATER (45) GEM

+ - - DIVERSION MEANS - 1 ARTESIAN WELL, 1 WELL WITH 1/2 HP SUBM. PUMP.

+ - - NON-IRRIGATION USE - S/12,000 SHEEP

+ - - OTHER RIGHTS FOR SAME USE - A65-05545

+ - - - - - REMARKS - - - - - +
THIS RIGHT WHEN COMBINED WITH RIGHT 65-5545 SHALL PROVIDE NO
MORE THAN .04 CFS/ACRE.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
STATE OF IDAHO A & C CORP., ET AL. 00/00/0000

+ - - AUDIT FIELDS - 04/05/89 HARRINGT

WATER RIGHT NUMBER - A65-05546

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	- 3667
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 04/05/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 65
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- X999999	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

5027.00 5

DATA ENTRY

ENTERED 74 3-6

CHECKED 74 3-7

Verified By
Topo Map/Ortho/PO
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
MAY 28 1992

CERTIFIED
NOV 27 1992
WATER EXAMINER