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RECEIVED
SEP 10 2009
DEPARTMENT OF
WATER RESOURCES

Attorneys for Moo View Cow Palace

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
Case No. 39576

)
) Subcase No. 45-14182
)
)

) **AFFIDAVIT OF TRAVIS L. THOMPSON**
) **IN SUPPORT OF MOTION TO FILE**
) **LATE NOTICE OF CLAIM**
)
)
)

State of IDAHO
County of Twin Falls

)
) ss
)

I, TRAVIS L. THOMPSON, being first duly sworn upon oath, deposes and hereby states
as follows:

1. I am one of the attorneys representing the Claimant Moo View Cow Palace in the
above-captioned subcase, I am over the age of 18, and state the following based on my personal
knowledge.

2. My client Kent Searle provided me with copies of the documents attached hereto as Exhibits A, and C-J. Mr. Searle obtained these documents from the Cassia County Recorder's office in Burley, Idaho.

3. Attached hereto as **Exhibit A** is a true and correct copy of the *Findings of Fact, Conclusions of Law, and Decree* in the case entitled *Robinson v. Matthews* in the Cassia County District Court dated May 11, 1916.

4. Attached hereto as **Exhibit B** is a true and correct copy of the water right report for Moo View's water right #45-690 obtained from the IDWR website www.idwr.idaho.gov.

5. Attached hereto as **Exhibit C** is a true and correct copy of the land patent issued by the United States to Heber C. Dayley on August 10, 1907.

6. Attached hereto as **Exhibit D** is a true and correct copy of the deed from Heber C. Dayley and Adriann Dayley to J. Howard Allen issued on June 16, 1916.

7. Attached hereto as **Exhibit E** is a true and correct copy of the deed from J. Howard Allen and Katherine Allen to J.W. Harris issued on September 30, 1918.

8. Attached hereto as **Exhibit F** is a true and correct copy of the deed from J.W. Harris and Jenna F. Harris to Valentine Wenk issued on September 10, 1926.

9. Attached hereto as **Exhibit G** is a true and correct copy of the deed from Valentine Wenk to S.H. Kunau issued on August 15, 1927.

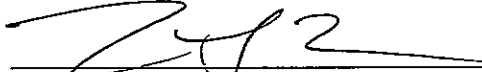
10. Attached hereto as **Exhibit H** is a true and correct copy of the deed from S.H. Kunau and Dorothy Kunau to Leland R. Woodbury issued on March 21, 1938.

11. Attached hereto as **Exhibit I** is a true and correct copy of the deed from Leland Woodbury and Myrlene Woodbury to Orin Woodbury and Linda Woodbury issued on April 1, 1980.

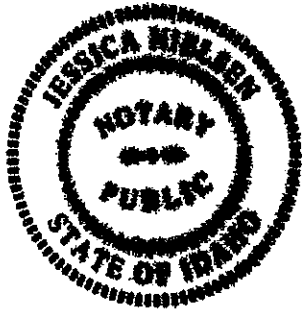
12. Attached hereto as **Exhibit J** is a true and correct copy of the deed from Orin B. Woodbury and Linda Woodbury issued on March 9, 2006.

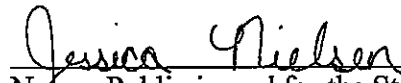
13. Attached hereto as **Exhibit K** is a true and correct copy of water right claim #45-690 filed by Orin B. Woodbury on May 30, 1989.

FURTHER YOUR AFFIANT SAYETH NAUGHT


Travis L. Thompson

SUBSCRIBED & SWORN to before me this 4 day of September, 2009.




Notary Public in and for the State of Idaho
My Commission Expires: 4/3/12

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of September, 2009, I served a true and correct copy of the foregoing document(s) on the person(s) listed below, in the manner indicated:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 3rd Ave North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort St., MSC 033
Boise, Idaho 83724


Travis L. Thompson

Exhibit A

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA.

E. C. Davis,
Plaintiff.
vs.
W. M. Worthington,
Defendant.

SATISFACTION OF JUDGMENT.

For and in consideration of the sum of one (\$1.00) dollar, and other valuable considerations, to me paid by the defendant in the above-entitled action, in behalf of plaintiff, full satisfaction is hereby acknowledged of that certain judgment rendered in said court in the said action, on the 16th day of March, 1915, in favor of E. C. Davis plaintiff in the said action, and against W. M. Worthington, the said defendant, for the sum of Two hundred thirty-three and 89/100 with interest and costs of the action and attorney fees amounting to Sixty-five and no/100 dollars, and recorded in book 2 of judgments, at page 35 and 36.

And I hereby authorize the Clerk of said Court to enter satisfaction of record of said judgment in the said action.

Dated at Burley, Idaho, this the 8th day of March 1916.

C. A. Sunderlin,

Attorney for Plaintiff.

Filed for record at the request of Burley R & A Co., March 13, 1916, at 10:43 a.m.

Ray Gudmunson, County Recorder.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR CASSIA COUNTY.

Sarah E. Robinson, ...Plaintiff,
vs.

H. R. Matthews, Heber C. Dayley, Sr.,
and Mrs. Hattie Austin, late Mrs,
Hattie Schneider, ...Defendants,

H. C. Austin, Leslie Schneider, Dallas
Schneider, Nellie Schneider, Bertha
Schneider, Otto Schneider and Lula
Schneider, ...Impleaded defendants.

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND DECREE.

This action came on regularly for hearing at the September, 1915 term of the above entitled court, a jury having been waived the cause, by consent of counsel, was

tried to the court; the plaintiff, by her counsel herein, T. Bailey Lee, Esq., filed a disclaimer to any right, title, or interest in or to the use of any of the waters involved in this action, and the defendant H. R. Matthews by his counsel herein, S. T. Lowe, Esq., also filed a disclaimer to any right, title, or interest in or to the use of the waters involved in this action.

The defendant defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants, H. C. Austin, Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider and Lula Schneider, appeared by and with their counsel herein, J. C. Rogers, Esq., and disclaimed any right, title, or interest in or to the use of any of the waters of Lunch Creek, and Dayley Canyon, which is a portion of the waters involved in this action; and the defendant Heber C. Dayley, Sr., appeared by and with his counsel herein, C. A. Sunderlin, Esq., and thereupon, the case as to the waters of Rocky or Slide Canyon, and the waters of Antelope, or Summit Springs, was heard upon the evidence and proofs introduced by said parties respectively, and the court having heard and considered the same, and being fully advised in the premises, both as to the law and the facts, finds the following facts:

FINDINGS OF FACT

1.

The court finds that on the first day of May, 1882, the defendant Heber C. Dayley, Sr., was the owner, ever since has been, and now is the owner and in possession of a certain tract of land situated in Cassia County, State of Idaho, and described as follows, to-wit, The Southeast Quarter of Section Thirty-one in Township Eleven South of Range Twenty-four East of the Boise Meridian.

11.

The court finds that on the first day of May, 1882, the defendant Heber C. Dayley, Sr., appropriated and has continuously and adversely used since the first day of May 1882, on the above described land for the irrigation thereof and for stock and domestic purposes, all and the whole of the flow of the waters of Lunch Creek, situated in the vicinity of his said tract of land above described, in Cassia County, Idaho.

111.

The Court finds that on the first day of May, 1882, the defendant Heber C. Dayley, Sr., appropriated, and since the said date last above mentioned, has continuously and adversely used on his said tract of land above described for the irrigation thereof and for stock and domestic purposes, all and the whole of the flow of the waters of Dayley Canyon, situated in Cassia County, Idaho, and in the vicinity of his said tract of land above described.

1V

That during the month of May, 1882, the defendant Heber C. Dayley, Sr., appropriated all of the waters of Rocky, or Slide Canyon, and by means of dams and ditches by

him constructed, diverted and conducted all the waters of said Rocky, or Slide Canyon to and upon his said tract of land herein above described, and continuously used the same for the irrigation of said land, and for stock and domestic purposes, during each and every year thereafter, down to the 18th day of March, 1912, when, and at which time the said Heber C. Dayley, Sr., and Adrian Dayley, his wife, by deed, conveyed all the waters of said Rocky, or Slide Canyon, together with all his rights and licenses for the use and enjoyment thereof, to one Frank W. Schneider.

V.

That on the 18th day of March, 1912, said Frank W. Schneider, was the owner, in possession, and entitled to the possession of a certain tract of land situated in said Cassia County, State of Idaho, and Described as Lots Three, Four, Five, Six and Seven, in Section Six, Township Twelve South of Range Twenty-four East of the Boise Meridian, and that on and after the date last aforesaid, he, the said Frank W. Schneider, diverted and used all of the waters of Rocky, or Slide Canyon, to and upon his saidlands herein before described, in the irrigation thereof and for stock and domestic purposes, the same being the water described in the said deed of conveyance from said Heber C. Dayley, Sr., and Adrian Dayley, his wife, to said Frank W. Schneider, down to the date of said Frank W. Schneider's death as hereinafter set forth.

VI.

That thereafter, to-wit, on the 6th day of October, 1913, the said Frank W. Schneider, died intestate, leaving as his heirs at law, his wife, the defendant, Hattie Austin, late Hattie Schneider, and certain minor children, issue of said Frank W. Schneider, deceased and his said wife Mrs. Hattie Austin, late Mrs. Hattie Schneider, to-wit: Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider, and as such heirs at law of said Frank W. Schneider, ever since the death of said Frank W. Schneider, aforesaid, and now are the successors in interest of said Frank W. Schneider in and to all the said waters of said Rocky, or Slide Canyon, and the tract of land herein above described as being the tract of land owned by said Frank W. Schneider on the 18th day of March, 1912.

VII.

That since the 18th day of March, 1912, all and the whole of the waters of said Rocky, or Slide Canyon, have been used by said Frank W. Schneider, deceased, and his said heirs at law on their said tract of land herein before described for the irrigation thereof and for stock and domestic purposes.

VIII.

That Antelope, or Summit Spring is not a tributary to Rocky, or Slide Canyon, and is not a part of the waters of said Rocky, or Slyde Canyon, the waters of which are

appropriated by defendant Heber C. Dayley, Sr., on the 1st day of May, 1882, and have been used by him ever since said date last aforesaid, in the irrigation of his said tract of land herein above described, and for stock and domestic purposes.

IX.

The court further finds that on the 10th day of May, 1913, under and by virtue of a Permit issued from the State Engineer's Office, the said Frank W. Schneider, appropriated Three and one half cubic feet per second of time, of the flush of flood waters of said Rocky, or slide Canyon, and that afterwards, to-wit: on the 28th day of August, 1914, the defendant Heber C. Dayley, Sr., under a Permit from said State Engineer's Office was authorized to appropriate One Hundred and Sixty inches of the waters of said Rocky, or Slide Canyon.

X.

The court finds from the evidence introduced upon the trial of this action, that at the time of the issuance of said Permit to said Heber C. Dayley, Sr., from the State Engineer's Office, as aforesaid, there was no unappropriated flush, or flood water, or any water in said Rocky, or Slide Canyon, available for appropriation.

As conclusions of law from the foregoing findings of fact, the Court concludes as follows:

1.

That the defendant Heber C. Dayley, Sr., is the owner and entitled to the possession of that certain tract of land situated in Cassia County, Idaho, and described as follows, to-wit, The Southeast Quarter of Section Thirty-one in Township Eleven South of Range Twenty-four East of the Boise Meridian.

11.

That the defendant Heber C. Dayley, Sr., is entitled to the sole and exclusive right to appropriate, divert, and use, in the irrigation of his said land herein before described, and for stock and domestic purposes, all and the whole of the flow of the waters of Antelope, or Summit Springs, Dayley Canyon, and Lunch Creek, and that his said right to the appropriation and use of said streams of water and each of them dates from the 1st day of May, 1882.

111.

That the defendant Heber C. Dayley, Sr., requires all and the whole of the flow of the waters of Antelope, or Summit Springs, Dayley Canyon and Lunch Creek for the proper irrigation of his said tract of land herein before described, and for stock and domestic purposes.

IV.

That the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the Impleaded defendants, H. C. Austin, Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider, and each of them, are without any

right, title, or interest in or to the flow of the waters of said Antelope, or Summit Springs, Dayley Canyon, or Lunch Creek, or the appropriations or use thereof.

V.

That the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, and Lula Schneider, as the heirs at law of Frank W. Schneider, deceased, are the owners and entitled to the possession of a certain tract of land situated in Cassia County, Idaho, and described as follows, to-wit, Lots, Three, Four, Five, Six, and Seven, in Section Six, Township Twelve, South of Range Twenty-four East of the Boise Meridian.

VI.

That the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider and Lula Schneider, are entitled to the sole and exclusive right to appropriate, divert, and use in the irrigation of their said tract of land herein before described, and for stock and domestic purposes, all and the whole of the flow of the waters of Rocky, or Slide Canyon.

VII.

That the said defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider, for the purpose of conducting the said waters of Rocky, or Slide Canyon down to and upon their said tract of land hereinbefore described, are the sole and exclusive owners of, and entitled to the possession use and enjoyment, of that certain ditch, designated and known as the Dayley Ditch, and which has heretofore been used for the purpose of conducting the waters on said Rocky, or Slide Canyon down to and upon the tracts of land hereinbefore descings, down to a point on said ditch not to exceed fifty feet above where said ditch intersects with the waters of Antelope, or Summit Springs.

VIII.

That the defendant Heber C. Dayley, Sr., is without any right, title or interest in or to the waters of said Rocky, or Slide Canyon, or the use or enjoyment thereof or any part thereof, and is without right, title or interest in or to the ditch described in the last preceeding paragraph hereof above that certain point thereon where the said ditch intersects with and picks up the waters of said Antelope, or Summit Springs.

IX.

That the right of the defendant Mrs. Hattie Austin, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider, to the appropriation and use of the waters of said Rocky, or Slide Canyon, dates from and after the 1st day of May, 1882.

X.

That the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider, as the heirs at law of Frank W. Schneider, deceased, are entitled to the sole and exclusive right to appropriate, use, and enjoy, all and the whole of the flow of flush, or flood waters of said Rocky, or Slide Canyon, for the irrigation of their said tract of land hereinbefore described and for stock and domestic purposes, and that their right so to divert, appropriate, use, and enjoy said flood, or flush waters of said Rocky or Slide Canyon, date from and after the 10th day of May, 1913.

XI.

That the defendant Heber C. Dayley, Sr., is without right, title or interest in or to the flood, or flush waters of said Rocky, or Slide Canyon, or any portion thereof.

XII.

That the temporary restraining order heretofore issued in this this action, as far as the same relates to Antelope, or Summit Springs, should be dissolved, and that said restraining order, as far as the same relates to Rocky or Slide Canyon, should be maintained and made perpetual.

Dated this 11th day of March 1916.

Wm. A. Babcock,
District Judge.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR CASSIA COUNTY.

Sarah E. Robinson,.....Plaintiff.

vs.

H. R. Matthews, Heber C. Dayley, Sr., and
Mrs. Hattie Austin, late Mrs. Hattie Schneider,
Defendants.

H. C. Austin, Leslie Schneider, Dallas
Schneider, Nellie Schneider, Bertha Schneider,
Otto Schneider, and Lula Schneider.

Impleaded Defendants.

D E C R E E

.....
Upon filing the findings of fact and conclusions of law herein, counsel having been heard thereon, and the court being fully advised in the premises, both as to the law and the facts, it is considered, ordered, adjudged, and decreed, that the waters of the several streams involved in this action be distributed, allotted, and decreed as follows, to-wit:

That the defendant Heber C. Dayley, Sr., be and he is hereby allotted, adjudged, and decreed the use and the right to divert and use all and the whole of the flow of the waters of Dayley Canyon, Cassia County, Idaho, for the irrigation of his tract of land described in the findings of fact herein, and for stock and domestic purposes, said right to date from the First day of May, 1882.

II.

That the defendant Heber C. Dayley, Sr., be and he is hereby allotted, adjudged, and decreed the use and the right to divert and use all and the whole of the flow of the waters of Lunch Creek, Cassia County, Idaho, for the irrigation of his tract of land described in the findings of fact herein and for stock and domestic purposes, said right to date from the First day of May, 1882.

III.

That the defendant Heber C. Dayley, Sr., be and he is hereby allotted, adjudged, and decreed the use and the right to divert and use all and the whole of the flow of the waters of Antelope, or Summit Springs, Cassia County, Idaho, for the irrigation of his said tract of land described in the findings of fact herein and for stock and domestic purposes, said right to date from the 1st day of May, 1882.

IV.

It is further ordered, adjudged, and decreed, that the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants, H. C. Austin, Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider be, and they are hereby perpetually enjoined and restrained from the use of any of the water herein allotted and decreed to the defendant Heber C. Dayley, Sr., or in any manner interfering with said Heber C. Dayley, Sr's., use thereof.

V.

That the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider, be and they are hereby allotted, adjudged, and decreed the use and the right to divert and use all and the whole of the flow of the waters of Rocky, or Slide Canyon, Cassia County, Idaho, for the irrigation of their tract of land described in the findings of fact herein, and for stock and domestic purposes, said right to date from the First day of May 1882.

VI.

That the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants, Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider, be and they are hereby allotted, adjudged and decreed the use and the right to divert and use all and the whole of the flow of the flush or flood waters of Rocky, or Slide Canyon, Cassia County, Idaho, for the irrigation of their said tract of land described in the findings of fact herein and for stock and domestic

purposes, said right to date from the 10th day of May, 1913.

VII.

It is further ordered, adjudged, and decreed that the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider and Lula Schneider, have and enjoy the sole and exclusive right to the use of the Dayley Ditch for the purpose of conveying the waters of Rocky, or Slide Canyon and its tributaries, from the head thereof down through its course to a point on said Dayley Ditch not to exceed fifty feet above where said ditch intersects with the waters on Summit, or Antelope springs, and the said defendant Hebre C. Dayley, Sr., be and he is hereby perpetually enjoined and restrained from the use of said ditch above said point, to-wit, not to exceed fifty feet above where said ditch intersects with the waters of Antelope of Summit Springs, or in any manner interfearing with the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider, and Lula Schneider's use thereof.

VIII.

It is further ordered, adjudged, and decreed, that the defendant Heber C. Dayley, Sr., be and he is hereby perpetually enjoined and restrained from the use of any of the waters herein allotted and decreed to the defendnat Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider and Lula Schneider, or in any manner interfearing with their use thereof.

IX.

It is hereby further ordered, adjudge, and decreed that the temporary restraining order heretofore issued in this action, as far as the same pertains or relates to Antelope, or Summit Springs, be and the same is hereby dissolved, and that said restraining order, as far as the same pertains or relates to Rocky, or Slide Canyon and the waters thereof, be and the same is hereby maintained and made perpetual.

X.

It is further ordered, adjudged and decreed that the clerk's and sheriff's fees in this cause shall be paid as follows, to-wit:
One half by the defendant Heber C. Dayley, Sr. and the other
One half by the defendant Mrs. Hattie Austin, late Mrs. Hattie Schneider, and the impleaded defendants Leslie Schneider, Dallas Schneider, Nellie Schneider, Bertha Schneider, Otto Schneider and Lula Schneider.

It is further ordered, adjudged and decreed that each party to this action shall pay his, or her own witnesses and attorneys fees and none shall have the right to tax the costs against another.

Dated at Twin Falls, Idaho, 11th day of Mch, 1916.

Wm. A. Babcock

Judge of the District Court.

Exhibit B

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/17/2009

WATER RIGHT NO. 45-690

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MOO VIEW COW PALACE 474 E 550 S BURLEY, ID 83318 (208)312-2464
Original Owner	HEBER C DAYLEY SR BURLEY, ID 83318

Priority Date: 05/01/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LUNCH CREEK	SINKS
UNNAMED STREAM	SINKS
DAYLEY CREEK	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	3.2 CFS	
STOCKWATER	03/15	11/15	0.05 CFS	
Total Diversion			3.2 CFS	

Location of Point(s) of Diversion:

LUNCH CREEK	NESESE	Sec. 05	Township 12S	Range 24E	CASSIA County
UNNAMED STREAM	SWSENW	Sec. 07	Township 12S	Range 24E	CASSIA County
DAYLEY CREEK	NENESE	Sec. 07	Township 12S	Range 24E	CASSIA County

IRRIGATION Use:

Acre Limit: 160

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	24E	31		NENE	40		SENE	40						
				NESE	40		NWSE	40		SWSE	40		SESE	40
		32		NENE	39		NWNE	39		SWNE	39		SENE	39
				NENW	39		NWNW	39		SWNW	39		SENW	39
				NWSW	40		SWSW	40						
				NESE	40		NWSE	40						
		33		NENW	40		NWNW	40		SWNW	40		SENW	40
12S	23E	12		NENE	21		NWNE	15		SWNE	6		SENE	40

				NESW	34										
				NESE	8			NWSE	34						
	24E	5	3	NENW	33	4		NWNW	33		SWNW	37		SENW	33
				NESW	7			NWSW	37						
		6	1	NENE	39	2		NWNE	39		SWNE	39		SENE	39
			3	NENW	41	4		NWNW	38	5	SWNW	38		SENW	41
				NESW	41	6		NWSW	38	7	SWSW	38		SESW	40
				NESE	40			NWSE	40		SWSE	30		SESE	30
		7	1	NWNW	25	2		SWNW	17						

Place of Use Legal Description: STOCKWATER CASSIA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	24E	31		NENE			SENE							
				NESE			NWSE			SWSE			SESE	
		32		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NWSW			SWSW							
				NESE			NWSE							
		33		NENW			NWNW			SWNW			SENW	
12S	23E	12		NENE			NWNE			SWNE			SENE	
				NESW										
				NESE			NWSE							
	24E	5	3	NENW		4	NWNW			SWNW			SENW	
				NESW			NWSW							
		6	1	NENE		2	NWNE			SWNE			SENE	
			3	NENW		4	NWNW		5	SWNW			SENW	
				NESW		6	NWSW		7	SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		7	1	NWNW		2	SWNW							

Total Acres: 1863

Conditions of Approval:

1.		When combined the following rights shall provide no more than .02 cfs per acre nor more than 4 afa per acre. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
2.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3.		Use of the rights listed below is limited to the irrigation of a combined total of 1863 acres in a single irrigation season. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
4.	B01	The source recommended as Unnamed Stream is also known as Antelope Spring Creek.
5.	N08	The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6.	K06	This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
7.	N05	The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/06/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:
Water District Number: 140
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 1863
Combined Volume Limit:
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Exhibit C

B I O D E N

341

#6141.

Timber-Culture Certificate No. 47.)
Application 516)

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS There has been deposited in the General Land Office of the United States a Certificate of the Registrar of the Land Office at Hailey Idaho, whereby it appears that, pursuant to the Acts of Congress approved March 3, 1873, March 13, 1874, and June 14, 1878, "To Encourage the Growth of Timber on the Western Prairies," the claim of Heber C. Dayley has been established and duly consummated, in conformity to law, for the South east quarter of Section thirty one in Township eleven South of Range twenty four East of Boise Meridian in Idaho, containing one hundred and sixty acres according to the Official Plat of the survey of the said land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said Heber C. Dayley the tract of land above described: TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said Heber C. Dayley and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes,

and the rights to the ditched and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF I, William McKinley, President of the United States of America, have caused these letters to be made patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the city of Washington, the twenty fifth day of June, in the year of our Lord one thousand nine hundred, and of the Independence of the United States the one hundred and twenty fourth.

(United States)
(General Land Office)

By the President: William McKinley.

By F. M. McKean? Secretary.

C. W. Brush, Recorder of the General Land Office.

Recorded Miscellaneous, Vol. 441, Page 281.

Filed for record at the request of W. D. Kenyon at 9:00 A.M. Aug 10th 1907.

Jos. Y. Haight, County Recorder.

Exhibit D

THIS INDENTURE, Made this 16th day of June in the year of our Lord one thousand nine hundred and sixteen between Heber C. Dayley and Adriann Dayley, his wife, of Albion, County of Cassia, State of Idaho, the parties of the first part, and J. Howard Allen, of Burley, County of Cassia, State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of FIVE THOUSAND AND NO/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and by these presents ~~do~~ grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Cassia County, State of Idaho, to-wit: The South East Quarter (SE¹) of Section Thirty one (31) Township Eleven (11) South, Range Twentyfour (24) East, Boise Meridian, containing 160 Acres, together with all water rights, ditches, dams and reservoirs, and water privileges thereunto belonging, consisting of all the water at all seasons of the year, rising and flowing from "Dayley Creek", "Lunch Creek" and "Summit Springs". Subject to three certain mortgages, all executed and delivered by the said first parties herein, and all recorded in the office of the County Recorder of said Cassia County, Idaho, and more particularly described as follows:

One for \$2000.00 to Utah Mortgage Loan Corporation, recorded in Book 5 at page 488, on May 29, 1912.

One for \$500.00 to Utah Mortgage Loan Corporation, recorded in Book 5 at page 504 on June 17, 1912.

One for \$2748.00 to Minneapolis Threshing Machine Co., recorded in Book 5 of mortgages at page 4 on May 22, 1914, all of which the said second parties herein agree to assume and pay.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

B. F. Scott.

Eda Matthews.

Revenue \$5.00.

State of Idaho,

Heber C. Dayley (SEAL)
her
Adriann [X] Dayley (SEAL)
(mark)

Exhibit E

45988 COMPARED

B280 EU

1918

THIS INDENTURE, Made this 30th day of September, in the year of our Lord one thousand nine hundred and eighteen, between J. Howard Allen and Katherine Allen, husband and wife, of Burley, County of Cassia, State of Idaho, the parties of the first part, and J.W. Harris, of Burley, County of Cassia, State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Eight Thousand eight hundred twelve (\$8,812.00) dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents, do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Cassia County, State of Idaho, to-wit:

Southeast quarter (SE $\frac{1}{4}$) Section Thirty-one (31) Township Eleven (11) South Range Twenty-four (24) East of the Boise Meridian, together with the sole and exclusive right to appropriate, divert and use in the irrigation of said above described land and for stock and domestic purposes, all and the whole of the flow of the waters of Antelope or Summit Springs, Dayley Canyon, Dayley Creek, and Lunch Creek; subject to the following liens and encumbrances, which the said party of the second part assumes and agrees to pay mortgages to Holland Bank, recorded in Book 12 of Mortgages, page 94, together with all accrued interest thereon, one mortgage to Minneapolis Threshing Machine Company, and all accrued interest thereon, recorded in Book 13 of Mortgages, at page 422, both of said mortgages being recorded in the office of the County Recorder of Cassia County, Idaho; all taxes for the years 1916, 1917 and 1918, all the above mentioned taxes and mortgages, being assumed as part of the above expressed consideration, of eight thousand eight hundred twelve (\$8,812.00) dollars,

This deed is re-recorded to correct error in description. It appears on record as "Southwest quarter (SW $\frac{1}{4}$)" and should read South-east (SE $\frac{1}{4}$).

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.
Signed, Sealed and Delivered in the Presence of J. Howard Allen (SEAL)
Katherine Allen (SEAL)

C.W. Thomas.
REV. STAMP
\$3.50
dually cancelled.

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this thirtieth day of September, in the year 1918, before me C.W. Thomas, a Notary Public, in and for said County, personally appeared J. Howard Allen and Katherine Allen, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

C.W. Thomas
Notary Public, Residing at Burley, Idaho.
My commission expires on the
14th day of June, 1921.

Filed for record at the request of Bowers & Thomas, at 9:30 P.M. Oct. 14, 1918. Bk. 26, pg. 32.
Re-filed for J.W. Harris, at 3:40 P.M. Jan 31, 1920.

B.F. Wilson, County Recorder.

Exhibit F

WARRANTY DEED

INSTRUMENT NO. 82464

CO. 1111 AR 11

THIS INDENTURE, Made this 10 day of September
 in the year of our Lord one thousand nine hundred and Twenty-six
 between J.W.Harris and Jenna F.Harris
 of _____ County of Cassia
 State of Idaho the parties of the first part, and
 Valentine Wenk
 of _____ County of Peoria
 State of Illinois the party of the second part,
 WITNESSETH, That the said part is of the first part, for and in consideration of the sum of
 One 00/100 DOLLARS,
 lawful money of the United States of America, to them in hand paid by the said part y of
 the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do -- grant,
 bargain, sell, convey and confirm unto the said part y of the second part, and to his heirs and assigns forever, all the following
 described real estate, situated in Cassia County,
 State of Idaho, to-wit:

The Southeast quarter of Section thirty-one (31) Twp. Eleven (11)
 South, Range twenty-four (24) E.B.M. together with all water rights,
 especially all the water at all seasons of the year rising and
 flowing from Dayley Creek, Lunch Creek and Summit Springs.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining,
 the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to
 the said property, as well in law as in equity, of the said part of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto
 the party of the second part, and to his heirs and assigns forever. And the said part is of the first part, and their
 heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns,
 against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
 claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part is of the first part have hereunto set their hands and seals the
 day and year first above written.

Signed, Sealed and Delivered in the Presence of

J.W.Harris (SEAL)

Jenna F.Harris (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,
 County of Cassia } ss.
 On this 15th day of

September

in the year 1926, before

me J.C.Gaskill
 in and for said County, personally appeared

J.W.Harris and Jenna F.Harris his wife
 known to me to be the person whose names are

subscribed to the within instrument, and acknowledged to me that they 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.

(N.F. Seal)

J.C.Gaskill

My commission expires on the 3rd
 day of June, 1930.

Filed for record at the request of Burley R.&A.Co.
 at 3:30 o'clock P.M., Sept. 25, 1926.

B.F.Wilson
 County Recorder.

Exhibit G

1428
B 18
297
297
COMPARED
#87736

DEED. SPECIAL WARRANTY AGAINST GRANTOR.

KNOW ALL MEN BY THESE PRESENTS, That Valentine Wenk, a widower of the County of Peoria State of Illinois in consideration of Five thousand two hundred fifty and no/100 Dollars, to him paid by S. H. Kunau of the County of _____ State of Idaho, has bargained and sold, and by these presents does grant, bargain, sell and convey unto said S. H. Kunau his heirs and assigns, all the following bounded and described real property, situated in the County of Cassia and State of Idaho:

The Southeast Quarter of Section Thirty one (31), in Township Eleven (11) South, Range Twenty four (24) East of the Boise Meridian, together with all water rights, especially all the waters at all seasons of the year rising and flowing from Dayley Creek, Lunch Creek and Summit Springs, subject to all taxes for the year 1927 and subsequent years

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all his estate, right, title and interest in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD the above described and granted premises unto the said _____ heirs and assigns forever. And Valentine Wenk, a widower grantor above named does covenant to and with S. H. Kunau the above named grantee his heirs and assigns, that he will, and his heirs, executors and administrators, shall warrant and defend the above granted premises, and every part and parcel thereof, against the acts and deeds of said grantor, and all persons claiming by, from, through or under the said grantor unto the said grantee his heirs and assigns forever.

IN WITNESS WHEREOF, I the grantor above named, hereunto set my hand and seal this Fifteenth day of August 1927.

Executed in Presence of
Alice E. Risser
Barbara E. Imhoff

Valentine Wenk (SEAL)

STATE OF ILLINOIS,
County of Tazewell.

ss.

BE IT REMEMBERED, That on this 16th day of August A. D. 1927 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Valentine Wenk who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and Notarial seal the day and year last above written.

(N.P. SEAL)

Paul W. Busse

Notary Public for Illinois.

My Commission Expires June 4th, 1928.

Filed for record at request of Burley R. & A. Co., at 10:30 A.M., January 24, 1928.

Fee: \$1.20

B. F. Wilson County Recorder.

DEED RECORD No. 41

B41DED

WARRANTY DEED

#127413

JANUARY

(\$3.00 revenue stamps attached)

THIS INDENTURE, Made this 21st day of March, in the year of our Lord one thousand nine hundred and thirty-eight, between S. H. Kunau and Dorothy Kunau, husband and wife, of Burley, County of Cassia, State of Idaho, the part ies of the first part, and Leland H. Woodbury, of Burley, County of Cassia, State of Idaho, the part y of the second part:

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of Three thousand and 00/100----- DOLLARS lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said part y of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Cassia County, State of Idaho, to-wit:

The Southeast quarter (SE $\frac{1}{4}$), Section thirty-one (31), Township eleven (11) South, Range twenty-four (24), East of the Boise Meridian,

Together with all water rights, especially all the water at all seasons of the year rising and flowing from Deyley Creek, Lunch Creek and Summit Springs.

The parties of the first part do hereby respectively certify, represent and declare that at all times during which they or either of them have had any right, title, claim, interest or estate in or to the above described premises, they have been and now are husband and wife.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said part ies of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part ha ve hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

S. H. Kunau [SEAL]
Dorothy Kunau [SEAL]
[SEAL]
[SEAL]

STATE OF IDAHO,

COUNTY OF Cassia

On this 21st day of April, in the year 19 38, before me, the undersigned S. H. Kunau and Dorothy Kunau, husband and wife, a Notary Public in and for said State, personally appeared known to me ~~personally known to me~~

to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

(NOTARIAL SEAL)

My commission expires on the 3rd day of June, 1938.

STATE OF IDAHO,
COUNTY OF CASSIA,

I hereby certify that this instrument was filed for record at the request of Cassia County Abstract Co., at 56 minutes past 2 o'clock P. M., this 23rd day of April, A.D. 19 38, in my office, and duly recorded in Book 41 of Deeds at page 480.

George E. Booth, Jr.,
Ex-Officio Recorder.

Exhibit I

247868

WARRANTY DEED

For Value Received LELAND WOODBURY and MYRLENE WOODBURY, husband and wife, of Route #3, Box 194, Burley, Idaho the grantor s , do hereby grant, bargain, sell and convey unto ORIN WOODBURY and LINDA WOODBURY, husband and wife the grantee s , whose current address is Route #3, Burley, Idaho

The following described premises, to-wit:

See Exhibit "A" Attached hereto and by reference made a part of this Warranty Deed.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the grantee s that they are the owner in fee of said premises, that said premises are free from all encumbrances.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: April 1, 1980.

Leland Woodbury
Leland Woodbury

Myrleene Woodbury
Myrleene Woodbury

STATE OF IDAHO COUNTY OF Blaine
Subscribed and sworn to before me this 1st day of April 1980
by LELAND WOODBURY and MYRLENE WOODBURY, husband and wife,
in my face and presence who so name s
are personally known to me and the said
Leland Woodbury, Myrleene Woodbury
Notary Public for Idaho
My Comm. Expires 1982

STATE OF IDAHO COUNTY OF Blaine
I hereby certify that this instrument was filed for record at the request of
Leland Woodbury and Myrleene Woodbury
and duly recorded in Book
100 Page 100
By Notary Public

EXHIBIT "A"

An undivided three-fourths (3/4) interest in the following described property:

The E $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12; all in Township 12 South, Range 23, East of the Boise Meridian.

The W $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12; all in Township 12 South of Range 23, East of the Boise Meridian.

The NE $\frac{1}{4}$ of Section 33; all in Township 11 South of Range 24, East of the Boise Meridian.

The S $\frac{1}{4}$ of Section 33; all in Township 11 South of Range 24, East of the Boise Meridian.

The W $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4; all in Township 12 South of Range 24, East of the Boise Meridian.

The E $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$, the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5; all in Township 12 South of Range 24, East of the Boise Meridian.

Lot 2, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6; all in Township 12 South of Range 24, East of the Boise Meridian.

Lot 1, the SE $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6; all in Township 12 South of Range 24, East of the Boise Meridian.

Lots 3, 4, 5, 6, and 7, the SE $\frac{1}{4}$ SW $\frac{1}{4}$, the W $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6; all in Township 12 South of Range 24, East of the Boise Meridian.

The N $\frac{1}{4}$, the N $\frac{1}{4}$ SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 7; all in Township 12 South of Range 24, East of the Boise Meridian.

The NE $\frac{1}{4}$, the NW $\frac{1}{4}$ NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8; all in Township 12 South of Range 24, East of the Boise Meridian.

Lots 2 and 3, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5; all in Township 12 South of Range 24, East of the Boise Meridian.

The W $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32; all in Township 11 South of Range 24, East of the Boise Meridian.

Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12 of Township 11 South of Range 24, East of the Boise Meridian. Beginning at the NW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32 of Township 11 South of Range 24, E.B.M. which shall be the Point of Beginning.

EXHIBIT "A" CONT.

Thence East along the Section line for 100. feet;
thence South 100. feet; thence West 100 feet; thence
North along the Section Line for 100 feet to the True
Point of Beginning.

Together with an easement along the West side of the
NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32 for the purpose of delivery of
water and maintenance of the delivery system from
the well or wells located on the real property just
described.

The SE $\frac{1}{4}$ of Section 31; all in Township 11 South of
Range 24, East of the Boise Meridian, SAVE AND EXCEPT:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31 of Township 11 South,
Range 24 East of the Boise Meridian.

Beginning at the SE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section
31 of T. 11 S., R. 24 E., B.M. said point marked
by a 5/8" rebar which shall be the Point of Beginning.

Thence N 88°28' W (Basis of Bearing) along section
line for 249.27 feet to a 1/2" rebar;

Thence N 1°08'38" E for 358.25 feet to a 1/2" rebar;

Thence S 87°31'42" E for 249.76 feet to a P.K.
nail on section line;

Thence S 1°12'48" W along said section line for
354.16 feet to the Point of Beginning.

Contains 2.04 acres more or less and is subject to
a 25.0 foot wide county road Right-of-Way along
the East side.

Together with a undivided one-half (1/2) interest in
the Spring rights on said Section 31 and the right
to use the pipeline for domestic purposes upon the
above-described tract. That said Spring rights and
right to use the pipeline are being reserved by the
Seller.

The NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5; all in Township
12 South of Range 24, East of the Boise Meridian.

All in Cassia County, State of Idaho, together with
the water rights referred to in the Decree which is
filed in the District Court of the Fourth Judicial
District of the State of Idaho, in and for Cassia
County, which is dated March 11, 1916, and which is
recorded in Book 2 Judgments, Pages 62-4.

EXHIBIT "A" CONT.

(Exhibit "A" to Warranty Deed dated April 1, 1980,
wherein Leland Woodbury and Myrlene Woodbury, husband
and wife, release, remise, grant, bargain, sell,
convey, and forever quit claim unto Orin Woodbury
and Linda Woodbury, husband and wife, the above-
described property.)

OW L.W. M.W.
L.W.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 185
1981 MAR 11 P 3 48
CASSIA COUNTY, IDAHO
CARROLL K. HOSKINS
RECORDER
FEE DEPUTY JEM

247868

Exhibit J

WARRANTY DEED

#40230

For Value Received

309377

ORIN B. WOODBURY, also known as ORIN WOODBURY and
LINDA WOODBURY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MOO VIEW COW PALACE, an Idaho Partnership
Address: 474 East 500 South, Burley, ID 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Department of Water Resources water right numbers 45-690, 45-691, 45,7004, 45,7186A, and 45-7186B.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Mineral Reservation contained in Idaho Deed from The Union Central Life Insurance Company, a corporation, to Leland R. Woodbury, dated June 4, 1940 and recorded September 2, 1941 as Instrument No. 139843 in Book 47 of Deeds, Page 53, records of Cassia County, Idaho, which reads as follows: "Excepting and reserving, however, from these presents an undivided one-half interest in all oil, gas and other minerals beneath the surface of above described land, with the rights of ingress and egress at all times for the purpose of mining, drilling and exploring said land for oil, gas and other minerals, and removing the same therefrom, and any and all rights and privileges necessary, incident to, or convenient for the economical operation of said land for such purpose." (Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 12 South, Range 24 East of the Boise Meridian)
NOTICE OF INTENT TO PRESERVE MINERAL RIGHTS, dated December 30, 2002 and recorded January 13, 2003 as Instrument No. 285878, records of Cassia County, Idaho.
NOTICE OF INTENT TO PRESERVE MINERAL RIGHTS, dated March 4, 2003 and recorded March 11, 2003 as Instrument No. 287187, records of Cassia County, Idaho.

Right of Way contained in Warranty Deed executed by Leland Woodbury and Myrlene Woodbury, husband and wife, to Verl A. Woodbury and Hilda T. Woodbury, husband and wife, dated December 21, 1987 and recorded April 2, 1990 as Instrument No. 206878 on Film No. 215, records of Cassia County, Idaho, which reads as follows: "LESS a 25.0 foot wide county road right-of-way along the East side." (Parcel No. 3)

Right of Way as contained in Warranty Deed from Myrlene S. Woodbury, a widow, and Myrlene S. Woodbury, as Personal Representative of the Estate of Leland R. Woodbury, deceased, to Orin Woodbury and Linda Woodbury, husband and wife, dated September 2, 1993 and recorded September 23, 1993 as Instrument No. 226773 on Film No. 248, records of Cassia County, Idaho, which reads as follows: "Subject to a 25 foot wide county road right of way along the East side."

RECORDED AT THE REQUEST OF
LAND TITLE & ESROW

2003 JUN 29 PM 1 13

FEE 2498 ORDER DEPUTY

CASSIA COUNTY, IDAHO
LARRY A. MCKELSEN

309377

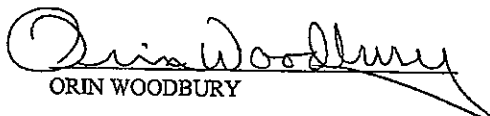
Terms and conditions contained in Agreement Regarding Potato Cellar and Consent By Key Bank by and between Orin Woodbury and wife and Moo-View Cow Palace, an Idaho general partnership, consisting of Cloyd R. Searle and Gwendolyn F. Searle, husband and wife; Kent R. Searle and Marilyn Searle, husband and wife; Craig E. Searle and Beverly J. Searle, husband and wife; Clifford L. Searle and Terri Louise Searle, husband and wife; and Kelly C. Searle and Shawna Searle, husband and wife; dated September 10, 1993 and recorded July 7, 1999 as Instrument No. 263804, records of Cassia County, Idaho. (Parcel No. 4)

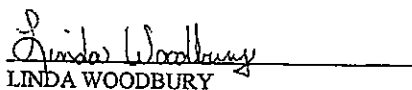
Terms and conditions contained in Agreement Regarding Interest of D. L. Evans Bank In Certain Real Property by and between Moo-View Cow Palace, an Idaho general partnership consisting of: The Cloyd R. Searle Family Trust dated November 29, 1994, Cloyd R. Searle and Gwendolyn F. Searle, Trustees; The Kent R. Searle Family Trust dated August 23, 1994, Kent R. Searle and Marilyn Searle, Trustees; The Craig E. Searle Family Trust dated January 18, 1995, Craig E. Searle and Beverly J. Searle, Trustees; The Clifford L. Searle Family Trust dated January 2, 1998, Clifford L. Searle and Terri Louise Searle, Trustees; and, The Kelly C. Searle Family Trust dated April 28, 1994, Kelly C. Searle and Shawna Searle, Husband and wife, referred to as "Moo-View, which formerly consisted of the following individuals as partners: Cloyd R. Searle and Gwendolyn F. Searle, husband and wife; Kent R. Searle and Marilyn Searle, Husband and wife; Craig E. Searle and Beverly J. Searle, husband and wife; Clifford L. Searle and Terri Louise Searle, husband and wife; and Kelly C. Searle and Shawna Searle, husband and wife, and D. L. Evans Bank, dated September 15, 1997 and recorded June 25, 2001 as Instrument No. 275750, records of Cassia County, Idaho. (Parcel No. 4)

Terms and conditions contained in Resolution 2005-09-3 of the Cassia County Planning and Zoning Commission granting a Permit for a Confined Animal Feeding Operation, dated September 15, 2005 and recorded September 19, 2005 as Instrument No. 304184, records of Cassia County, Idaho.

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

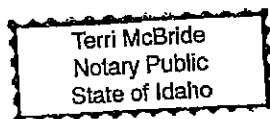
Dated: March 9, 2006


ORIN WOODBURY


LINDA WOODBURY

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 9th day of March, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared ORIN WOODBURY and LINDA WOODBURY, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



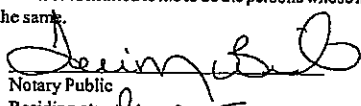

Notary Public
Residing at: Boyer
My Commission expires: 5-5-08

Exhibit "A"

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE $\frac{1}{4}$, SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, said point marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 88°28' West (Basis of Bearing) along section line for 249.27 feet to a 1/2 inch rebar;
Thence North 1°08'38" East for 358.25 feet to a 1/2 inch rebar;
Thence South 87°31'42" East for 249.76 feet to a P.K. nail on section line;
Thence South 1°12'48" West along said section line for 354.16 feet to the Point of Beginning.

Tract No. 2:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 31, said corner marked by a 5/8" rebar; Thence North 1°12'48" East along section line for 354.16 feet to a P.K. nail; Thence North 87°31'42" West for 119.08 feet to a 1/2" rebar which shall be the Point of Beginning;
Thence North 87°31'42" West for a distance of 130.68 feet to a 1/2" rebar;
Thence North 01°12'48" East for a distance of 400.00 feet to a point;
Thence South 87°31'42" East for a distance of 3.09 feet to a 1/2" rebar;
Thence South 87°31'42" East for a distance of 246.67 feet to a 1/2" rebar on section line;
Thence South 01°12'48" West along section line for a distance of 321.69 feet to a 1/2" rebar;
Thence North 87°31'42" West for a distance of 119.08 feet to a 1/2" rebar;
Thence South 01°12'48" West for a distance of 78.31 feet to the Point of Beginning.

-Continued-

Section 32: W $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32, which point shall be the Point of Beginning;
Thence East along the Section line for 100 feet;
Thence South 100 feet;
Thence West 100 feet;
Thence North along the Section line for 100 feet to the True Point of Beginning.

Section 33: NE $\frac{1}{4}$, S $\frac{1}{4}$, EXCEPT the following described tracts:

Tract No. 1:

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast corner of Section 33, said corner marked by a 1 $\frac{1}{2}$ inch iron pipe with cap; Thence South 00°00'00" East along the East line of Section 33 for a distance of 201.24 feet to the Point of Beginning;
Thence South 00°00'00" East along the East line of Section 33 for a distance of 249.95 feet;
Thence South 87°17'42" West for a distance of 18.85 feet to a $\frac{1}{2}$ inch rebar;
Thence South 87°17'42" West for a distance of 569.30 feet to a $\frac{1}{2}$ inch rebar;
Thence North 07°07'09" East for a distance of 270.98 feet to a $\frac{1}{2}$ inch rebar;
Thence North 89°05'16" East for a distance of 532.28 feet to a $\frac{1}{2}$ inch rebar;
Thence North 89°05'16" East for a distance of 21.70 feet to the Point of Beginning.

Tract No. 2:

Part of the NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast section corner of said Section 33 said corner marked by an U.S.R.S. iron pipe which shall be the Point of Beginning;
Thence South 00°25'06" West (S 00°00'00" East rec.) along the East section line for a distance of 201.24 feet;
Thence South 89°30'22" West (S 89°05'16" West rec.) for a distance of 21.70 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°30'22" West (S 89°05'16" West rec.) for a distance of 532.28 feet to a $\frac{1}{2}$ inch rebar;
Thence South 07°32'16" West (S 07°07'09" West rec.) for a distance of 270.98 feet to a $\frac{1}{2}$ inch rebar;
Thence North 87°42'47" East (N 87°17'42" East rec.) for a distance of 569.30 feet to a $\frac{1}{2}$ inch rebar;
Thence North 87°42'47" East (N 87°17'42" East rec.) for a distance of 18.85 feet to the East section line;
Thence South 00°25'06" West along said line for a distance of 648.81 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°40'25" West for a distance of 1520.24 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°25'06" East for a distance of 1075.00 feet to a $\frac{1}{2}$ inch rebar;

Page: 3
Continuation

Thence North 00°25'06" East for a distance of 25.00 feet to the North section line;
Thence North 89°40'25" East along said line for a distance of 1520.24 feet to the
Point of Beginning.

Tract No. 3:

Part of the NW¼SW¼, more particularly described as follows:

Beginning at the West ¼ section corner of said Section 33 said corner marked by
a 5/8 inch rebar with a 3 inch aluminum cap which shall be the Point of
Beginning;
Thence North 89°56'46" East along the North line of the NW¼SW¼ for a distance of
695.69 feet to a ½ inch rebar;
Thence South 00°06'36" West for a distance of 313.07 feet to a ½ inch rebar;
Thence South 89°56'46" West for a distance of 670.69 feet to a ½ inch rebar;
Thence South 89°56'46" West for a distance of 25.00 feet to the West line of the
NW¼SW¼;
Thence North 00°06'36" East along said line for a distance of 313.07 feet to the Point
of Beginning.

TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: W¼NW¼

Section 5: E½NE¼, SE¼, SW¼SW¼, NE¼SW¼, W¼NW¼, NW¼SW¼, Lots 2 & 3,
SE¼NW¼, SW¼NE¼ SAVE AND EXCEPT a part of the NW¼NW¼
described as follows:

Beginning at the Northwest section corner of said Section 5 said corner marked by a 5/8
inch rebar with a 3 inch aluminum cap; Thence South 89°15'37" East along the
North section line for a distance of 328.27 feet to a ½ inch rebar which shall be
the Point of Beginning.
Thence South 89°15'37" East continuing along said line for a distance of 425.77 feet;
Thence South 00°44'23" West for a distance of 4.88 feet to a ½ inch rebar;
Thence South 49°43'57" West for a distance of 603.01 feet to a ½ inch rebar;
Thence North 04°55'16" East for a distance of 401.62 feet to the Point of Beginning.

Section 6: All

Section 7: N½, N¼SW¼, SE¼

Section 8: NE¼, NW¼NW¼, SW¼SW¼

-Continued-

Page: 4
Continuation

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{4}$

Section 32: N $\frac{1}{2}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$, SAVE AND EXCEPT a part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the North west corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 32, which shall be the True Point of Beginning;
Thence East along the section line for 100 feet;
Thence South 100 feet;
Thence West 100 feet;
Thence North along the section line for 100 feet to the True Point of Beginning.

Section 33: NW $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, said point marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 88°28' West (Basis of Bearing) along section line for 249.27 feet to a 1/2 inch rebar;
Thence North 1°08'38" East for 358.25 feet to a 1/2 inch rebar;
Thence South 87°31'42" East for 249.76 feet to a P.K. nail on Section line;
Thence South 1°12'48" West along said Section line for 354.16 feet to the Point of Beginning.

-Continued-

PARCEL NO. 4:

AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE FOLLOWING:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 31, said corner marked by a 5/8" rebar; Thence North 1°12'48" East along section line for 354.16 feet to a P.K. nail; Thence North 87°31'42" West for 119.08 feet to a 1/2" rebar which shall be the Point of Beginning;
Thence North 87°31'42" West for a distance of 130.68 feet to a 1/2" rebar;
Thence North 01°12'48" East for a distance of 400.00 feet to a point;
Thence South 87°31'42" East for a distance of 3.09 feet to a 1/2" rebar;
Thence South 87°31'42" East for a distance of 246.67 feet to a 1/2" rebar on section line;
Thence South 01°12'48" West along section line for a distance of 321.69 feet to a 1/2" rebar;
Thence North 87°31'42" West for a distance of 119.08 feet to a 1/2" rebar;
Thence South 01°12'48" West for a distance of 78.31 feet to the Point of Beginning.

PARCEL NO. 5:

An Irrigation Mainline Easement for the benefit of the above described parcels more particularly described as follows:

Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5 of Township 12 South, Range 24 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Northwest section corner of Section 5 of T.12 S., R.24 E., B.M., said corner marked by a 3/4" rebar with a 3" aluminum cap; Thence South 89 degrees 15 minutes 37 seconds East along the north section line for a distance of 328.27 feet to a 1/2" rebar; Thence South 04 degrees 55 minutes 16 seconds West for a distance of 117.92 feet to the Point of Beginning;

THENCE South 39 degrees 55 minutes 17 seconds East for a distance of 199.95 feet;

THENCE South 49 degrees 43 minutes 57 seconds West for a distance of 10.00 feet;

THENCE North 39 degrees 55 minutes 17 seconds West for a distance of 189.95 feet;

THENCE North 04 degrees 55 minutes 16 seconds East for a distance of 14.18 feet to the Point of Beginning.

Page: 6
Continuation

Reserving unto the Grantors, their successors and assigns, a non exclusive 25' access easement for the benefit of the following described parcel:

TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

Beginning at the Northwest section corner of said Section 5 said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap; Thence South 89°15'37" East along the North section line for a distance of 328.27 feet to a 1/2 inch rebar which shall be the Point of Beginning.
Thence South 89°15'37" East continuing along said line for a distance of 425.77 feet;
Thence South 00°44'23" West for a distance of 4.88 feet to a 1/2 inch rebar;
Thence South 49°43'57" West for a distance of 603.01 feet to a 1/2 inch rebar;
Thence North 04°55'16" East for a distance of 401.62 feet to the Point of Beginning.

Said 25' access easement is more particularly described as follows:

Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32 of Township 11 South, Range 24 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Southwest section corner of Section 32 of T.11 S., R.24 E., B.M., said corner marked by a 5/8" rebar with a 3" aluminum cap which shall be the Point of Beginning;

THENCE North 01 degrees 17 minutes 23 seconds East along the west section line for a distance of 25.00 feet;

THENCE South 89 degrees 15 minutes 37 seconds East for a distance of 753.80 feet;

THENCE South 00 degrees 44 minutes 23 seconds West for a distance of 25.00 feet to the south section line;

THENCE North 89 degrees 15 minutes 37 seconds West along said line for a distance of 425.77 feet to a 1/2" rebar;

THENCE North 89 degrees 15 minutes 37 seconds West continuing along said line for a distance of 328.27 feet to the Point of Beginning.

Exhibit K

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: A45-00690
Date Received: 5/30/1989
Receipt No: 1100 3753
Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORIN B. WOODBURY 208-654-9354
Address: RT 3 BOX 3345
BURLEY, ID 83318

2. Date of Priority: MAY 01, 1882

3. Source: DAYLEY CANYON Trib. to: SNAKE RIVER
LUNCH CREEK SNAKE RIVER
ANTELOPE OR SUMMIT SPRINGS SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
12S	24E	5	NW	NW	NW		CASSIA
		7	SW	NE	NE		CASSIA
			NW	NW	SE		CASSIA
		9	SW	NW	NW		CASSIA

5. Description of diverting works:
SPRING BOX AND PIPELINE INTO RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.350		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
200 BEEF

A45-00690

Page 1

Date: 05/30/89

MICROFILMED
MAR 08 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	24E	5	SE		NE		IRR	33.0
			NE		NW		IRR	33.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			Section Acres					146.0
		31	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					160.0
			Total Acres					306.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
45-00691, 45-07186, 45-07004

14. Remarks:
RT. IS FOR ENTIRE FLOW OF SAID WATER SOURCES.

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

SARAH E. ROBINSON
Decree Plaintiff

vs

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

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Din B Woodbury Date: May 30 1989
Date:

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of May 19 89 Bruce A. Schuld
Notary Public

Seal

BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995