

7-11

RECEIVED

JUL 11 2011

DEPARTMENT OF
WATER RESOURCES

Robert L. Harris, Esq. (ISB # 7018)

rharris@holdenlegal.com

HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

P.O. Box 50130

1000 Riverwalk Dr., Ste. 200

Idaho Falls, Idaho 83405

Telephone: (208) 523-0620

Facsimile: (208) 523-9518

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

In Re SRBA

Subcase No: 22-163B

AFFIDAVIT OF ROBERT L. HARRIS

Case No. 39576

STATE OF IDAHO)
) ss.
County of Bonneville)

I, Robert L. Harris, do solemnly swear (or affirm) that the testimony given in this sworn statement is the truth, the whole truth, and nothing but the truth, that it is made on my personal knowledge, and that I would so testify in open court if called upon to do so.

And being so sworn I depose and say:

1. I am an attorney licensed to practice law in the state of Idaho. I am a member of the firm of HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C. I represent Siddoway Sheep Co., Inc. in its motion to set aside the partial decree for Water Right No. 22-163B.

COPY

2. Attached hereto as **Exhibit A** is a true and correct copy of page 4 of the Rexburg Decree, which is from a copy of the Rexburg Decree that has been retained in the records of Holden, Kidwell, Hahn & Crapo, PLLC. The black outline of the water right decreed to James T. Beard for 200 inches from the Teton River, with a priority date of April. 1, 1896, was drawn by myself on this copy in order to reference this specific right. This water right was eventually numbered as Water Right No. 22-163.
3. Attached hereto as **Exhibit B** is a true and correct copy of page 45 of the Rexburg Decree, which is from a copy of the Rexburg Decree that has been retained in the records of Holden, Kidwell, Hahn & Crapo, PLLC. The black outline of the place of use description of the water right on this page was drawn by myself. The owner listing of this place of use description matches the water right decreed to James T. Beard for 200 inches from the Teton River, with a priority date of April. 1, 1896. This water right is Water Right No. 22-163, and it describes a place of use of "N1/2 of NW1/4 of Sec. 22, T. 7 N., R. 41 E.; S1/2 of SW1/4 of Sec. 14; E1/2 of SE1/4 of Sec. 15, T. 7 N., R. 41 E. B.M., containing 240 acres."
4. Attached hereto as **Exhibit C** is a true and correct copy of approved Transfer No. 2260, which was filed by Siddoway Sheep Co., Inc. on June 13, 1978, and was approved in August of 1978.
5. Attached hereto as **Exhibit D** is a true and correct copy of the advertised notice that was published for Transfer No. 2260 on June 29th and July 6th, 1978. As stated in the notice, the proposed change was described as follows: "Only 2.67 c.f.s. of water will be diverted within the SE1/4SW1/4, Sec. 14, T. 7N, R. 41E, B.M., Fremont County and used to irrigate 160 acres within the S1/2SW1/4, Sec. 14, NE1/4SE1/4, S1/2SE1/4, Sec. 15, T. 7N, R. 41 E, B.M."

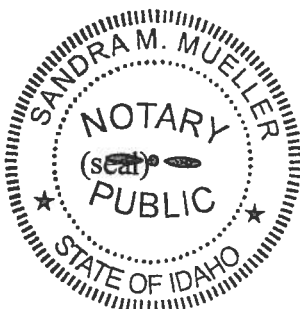
6. Attached hereto as **Exhibit E** is a true and correct copy of a contract of sale, dated January 31, 1985, obtained from the Idaho Department of Resources' website water rights backfile for Water Right No. 22-163A. The contract of sale memorializes the sale of 66 2/3 inches (1.33 cfs, or 1/3 of the water right) of Water Right No. 22-163 to the Canyon Creek Lateral Ditch Water Users Association. The 1.33 cfs portion was appurtenant to the "North Half of the Northwest Quarter of Section 22" of "Township 7 North, Range 41 East, Boise Meridian" and was owned by Wright R. and DeAnn B. Noel and Arnold R. and Sarah Bingham. The 80 acres owned by the sellers amount to 1/3 of the total decreed place of use, and appears to have been the basis for the 1/3 split of the water right.
7. Attached hereto as **Exhibit F** is a true and correct copy of approved Transfer No. 3146, which was filed by Canyon Creek Lateral Ditch Water Users Association on April 22, 1985 as a result of the contract of sale attached as Exhibit E. Page 2 of the transfer application references the "purchase agreement" in part C, item 1.c. The transfer purported to move the purchased 1.33 cfs portion of Water Right No. 22-163 to the service area of the Canyon Creek Lateral Ditch Water Users Association. The transfer was approved on August 13, 1985.
8. Attached hereto as **Exhibit G** is a true and correct copy of the original claim filed for Water Right No. 22-163B on October 18, 1988, by Jeff Siddoway on behalf of Siddoway Sheep Co., Inc. The claim was for the 2.67 cfs portion of original Water Right No. 22-163 that is appurtenant to 160 acres. Under item No. 14, the claim references "Trans. 2260" which is attached hereto as Exhibit C, along with the notice of the transfer attached as Exhibit D, both of which are described in paragraph 4 and 5 of this affidavit.

9. Attached hereto as **Exhibit H** is a true and correct copy of approved Transfer No. 3729, which was filed by Canyon Creek Lateral Ditch Water Users Association on June 12, 1990, which was **after** the claim attached hereto as Exhibit G was filed. The transfer purported to change the point of diversion of Water Right No. 22-163B (2.67 cfs) to the SENE of Section 30, Township 7N, Range 42E, which was an authorized point of diversion for the Canyon Creek Lateral Ditch Water Users Association. The transfer was approved on October 29, 1990, which was **after** the claim attached hereto as Exhibit G was filed.
10. Attached hereto as **Exhibit I** is a true and correct copy of the original partial decree for Water Right No. 22-163B issued on October 23, 2008. This partial decree does not contain the same elements as approved Transfer No. 3729 (attached hereto as Exhibit H).
11. Attached hereto as **Exhibit J** is a proposed amended partial decree that outlines how the original partial decree issued for Water Right No. 22-163B should be amended in order to comport with the IDWR administrative order approving Transfer No. 3729 issued in October of 1990.

DATED this 8th day of July, 2011.

Robert L. Harris
Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

SUBSCRIBED AND SWORN TO before me this 8th day of July, 2011.



Sandra M. Mueller
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 6/7/2016

CERTIFICATE OF MAILING

I certify that on this 8th day of July, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

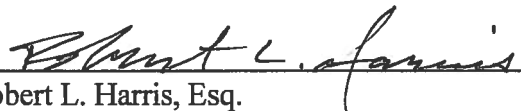
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

G:\WPDATA\RLH\Siddoway Sheep Co. Inc\RLH.Aff.wpd:cdv

EXHIBIT A

Andrews, Heber, and Robert, the Farmers' Friend Canal Company.
Andrus, Robert, The Farmers' Friend Canal Company.
Ashmead, Charles, 100 inches, June 1, 1895, Teton Creek.
Asbury, G. C. (Disclaim any interest.)
Avery, Mrs. J. (See Talitha C. Avery.)
Avery, Talitha C., 160 inches, June 1, 1896, Trail Creek.

B.

Bagshaw, Ellen, 30 inches, Aug. 15, 1900, Pine Creek.
Baker & Dixon Ditch Company, 1,150 inches, Aug. 15, 1893, Palisade
Baker, Joseph D., 120 inches, June 1, 1903, Sheridan Creek.
Baker, Richard L., 100 inches, June 1, 1903, Sheridan Creek and I
Slough.
Ballantyne, Martha J. (See Z. Ballantyne.)
Ballantyne, Z., 160 inches, June 1, 1884, Spring Creek, near Menan.
Ballantyne, Z., 120 inches, Nov. 14, 1899, Spring Creek, near Menan.
Barnes, Charles W., The Farmers' Friend Canal Company.
Barnes, Thomas H., The Farmers' Friend Canal Company.
Barney, Walter, 160 inches, June 1, 1891, South Leigh Creek.
Barney, Walter W., 120 inches, June 1, 1896, South Leigh Creek.
Barrett, C. H., The Farmers' Friend Canal Company.
Barrett, E. C., The Farmers' Friend Canal Company.
Barrett, Nathan A., 160 inches, May 11, 1900, Driggs Springs and v
from swamp.
Barrus, John N., 160 inches, May 20, 1889, Palisade Creek.
Barrus, John N., 140 inches, June 30, 1890, Palisade Creek.
Barrus, R. N., Watson Slough Irrigation Company.
Bates, Thomas, 140 inches, May 3, 1889, Mahogany Creek.
Beam, Charles, 120 inches, June 1, 1895, Rainey Creek.
Beam, Frank, 40 inches, June 1, 1898, Rainey Creek.
Beam, Herbert L., 150 inches, June 1, 1891, Rainey Creek.
Beam, Matilda E., 80 inches, Sept. 19, 1897, Rainey Creek.
Beam, Nellie M., 80 inches, June 1, 1902, Rainey Creek.

Beard, James T., 200 inches, Apr. 1, 1896, Teton River. Also spring
ranch.

Beckstrand, Charley, Enterprise Canal Company.
Beckstrom, Niels, The Sunnydell Irrigation Company.
Beezley, Ebenezer, and J., 80 inches, June 1, 1889, Fox Creek.
Beezley, Ebenezer, and J., 80 inches, June 1, 1890, Fox Creek.
Bell, Joseph, 260 inches, Sept. 26, 1889, Fall River.
Belnap, A. W., North Salem Agricultural & Milling Canal Company.
Bernard, Alfred Joseph, 160 inches, Apr. 15, 1889, Rainey Creek.
Bernard, Alfred Joseph, 80 inches, June 20, 1889, Rainey Creek.
Bernard, Alfred Joseph, 80 inches, Apr. 9, 1889, Rainey Creek.
Bernston, Richard, 160 inches, June 1, 1899, Badger Creek.
Bess, O. C., The Farmers' Friend Canal Company.
Bettis, Alice, and Joseph, 80 inches, May 1, 1893, Trail Creek.
Bevan, Maria, 80 inches, Apr. 6, 1901, Swamp Creek.
Bigler, Jesse E., 320 inches, May 1, 1893, Moody Creek; to be reduc
160 inches after June 20th in each year.
Bigler, Mark S., Good Luck Canal Company and Pioneer Ditch Com
Birch, Mary H., Admx. Estate of Thomas Birch, deceased, Pioneer I
Company.
Birch, Mary H., Admx. Estate of Samuel Stewart, deceased; and
Birch, Mary H. (See Stewart, Samuel deceased, Mary H. Birch, Ad
Bird, Martin L., F. W. Garner and Geo. A. Pincock, 444 inches, Mar
1884, Pincock-Garner Ditch.
Bird, Martin L., F. W. Garner and Geo. A. Pincock, 800 inches, Apr
1898, Pincock-Garner Ditch.
Bishop, J. B., 300 inches, May 10, 1889, Sheridan Creek.

EXHIBIT B

30 rods, to beginning, containing 30 acres.

Hogan, NW $\frac{1}{4}$ of Sec. 31, T. 7 N., R. 40 E., B. M., containing

I., E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 31, T. 7 N., R. 40 E., containing

ar H., SE $\frac{1}{4}$ of Sec. 31, T. 7 N., R. 40 E., B. M., containing

1, Lots 3, 4, 5 and 6, and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 20, T. 5

3. M., containing 160 acres.

7., S $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and Lot 2, Sec. 6, T. 3

3. M.

2., SE $\frac{1}{4}$ of Sec. 19, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26, and SW $\frac{1}{4}$ of SW

T. 1 N., R. 38 E., B. M., containing 160 acres.

NE $\frac{1}{4}$ of Sec. 36, T. 1 N., R. 37 E., B. M., containing

bert, SE $\frac{1}{4}$ of Sec. 11, E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 11, S $\frac{1}{2}$ of NE

T. 2 N., R. 37 E., B. M., containing 320 acres.

ries, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 12, N $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$

ec. 13, T. 5 N., R. 44 E., B. M., containing 200 acres.

1 C., SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1 and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec.

of Sec. 11, T. ?? N., R. 45 E., B. M.

B.

n, W $\frac{1}{2}$ of NE $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 8, T. 3 N., R. 45

Baker & Dixon Ditch Company.

s, S $\frac{1}{2}$ of NE $\frac{1}{4}$ and Lots 3 and 4, Sec. 20, T. 1 N., R. 44

aining 160 acres.

S., W $\frac{1}{2}$ of NW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec.

44 E., B. M., containing 160 acres.

E., E $\frac{1}{2}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$ and

Sec. 21, T. 1 N., R. 44 E., B. M., containing 320 acres.

J., SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 21; SW $\frac{1}{4}$ of N

f SW $\frac{1}{4}$ Sec. 22, T. 1 N., R. 44 E., B. M.

rge, W $\frac{1}{2}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec.

44 E., B. M., containing 160 acres.

1 D., Lots 1 and 2 and N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 6, T. 12

3. M., containing 160 acres.

d L., NW $\frac{1}{4}$ of Sec. 8., T. 12 N., R. 42 E., B. M., contain

., SW $\frac{1}{4}$ of Sec. 29, T. 5 N., R. 38 E., B. M., containing

es W., SE $\frac{1}{4}$ of Sec. 10, T. 3 N., R. 45 E., B. M., contain

er, unsurveyed NW $\frac{1}{4}$ of Sec. 32, T. 6 N., R. 46 E. B. M.

0 acres.

er W., unsurveyed E $\frac{1}{2}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of

1., R. 46 E., B. M., containing 160 acres.

an A. (No description given.)

N., Lots 1 and 4, Sec. 28, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 21; N

Sec. 27; S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 22, T. 1 N., R. 44 E., B

g 267 $\frac{1}{2}$ acres.

, W $\frac{1}{2}$ of W $\frac{1}{2}$ of Sec. 14 and E $\frac{1}{2}$ of E $\frac{1}{2}$ of Sec. 15, T.

B. M., containing 320 acres.

is, NE $\frac{1}{4}$ of Sec. 24, T. 4 N., R. 44 E., B. M., containing

el, Clara and William, Lots 3, 5 and 7, and SW $\frac{1}{4}$ of NE

$\frac{1}{2}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 9, and NW $\frac{1}{4}$ of N

; S $\frac{1}{2}$ of SW $\frac{1}{4}$ (except ten acres in square form in SEC

of SW $\frac{1}{4}$ of SW $\frac{1}{4}$), and Lot 6, Sec. 13, T. 5 S., R. 32 E., B. M., contain-
ing 442 acres.

Bauman, Herman, NE $\frac{1}{4}$ of Sec. 23, S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 34, T. 3 N., R. 38
E. B. M., containing 240 acres.

Beach, A. W., S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 34, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, T. 3 N., R.
38 E., B. M., containing 120 acres.

Beahrensmeier, Grace P., and H. H. Plank, N $\frac{1}{2}$ of Sec. 21 and N $\frac{1}{2}$ of S $\frac{1}{2}$
of Sec. 21, T. 1 N., R. 38 E., B. M., containing 480 acres.

Beam, Charles A., SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lots 1, 2 and 3 of Sec. 4, T. 1 N., R. 44
E. B. M.

Beam, Frank, Lot 1, Sec. 5, T. 1 N., R. 44 E., B. M.

Beam, Herbert L., SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 4, T. 1 N., R. 44 E., B. M., containing 160 acres.

Beam, Matilda E., SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T. 2 N.,
R. 44 E., B. M., containing 80 acres.

Beam, Nellie M., SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T. 2 N., R. 44 E., B. M., and
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 4, T. 1 N., R. 44 E., B. M.

Beard, James T., N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 22, T. 7 N., R. 41 E.; S $\frac{1}{2}$ of SW $\frac{1}{4}$
of Sec. 14; E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 15, T. 7 N., R. 41 E., B. M., containing
240 acres.

Beasley, Joseph, S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 35, T. 5 N., R. 45 E.; Lot 1 of Sec.
5, Lot 1 of Sec. 2, T. 4 N., R. 45 E., B. M.

Beasley, S. J., SW $\frac{1}{4}$ of Sec. 15, T. 1 N., R. 38 E., B. M., containing 160
acres.

Beckstead, W. W., beginning 50 rods S of NE corner of NE $\frac{1}{4}$ of Sec. 15,
T. 5 N., R. 40 E., B. M., thence S. 50 rods, thence W. 160 rods, thence
N. 50 rods, thence E. 160 rods, to beginning, containing 50 acres.

Beezley, Ebenezer, and J., NE $\frac{1}{4}$ of Sec. 23, T. 4 N., R. 45 E., B. M., con-
taining 160 acres.

Bequin, J. W., E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 25, T. 1 N., R. 37 E., B. M., containing
80 acres.

Bell, Joseph, E $\frac{1}{2}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 20, T. 8
N., R. 42 E., B. M., containing 160 acres.

Beland, A. W., E $\frac{1}{2}$ of W $\frac{1}{2}$ of Sec. 32, T. 7 N., R. 40 E., B. M., containing
160 acres.

Benton, C. E., SW $\frac{1}{4}$ of Sec. 27, T. 1 N., R. 37 E., B. M., containing 160
acres.

Bernard, Alfred Joseph, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7; N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 8;
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 5, T. 1 N., R. 44 E., B. M.; E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec.

36, T. 2 N., R. 44 E., B. M.; SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 6, SW $\frac{1}{4}$ of SW $\frac{1}{4}$
Sec. 5, T. 1 N., R. 44 E., B. M., containing in all 320 acres.

Bernston, Richard, E $\frac{1}{2}$ of SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and Lot 3, Sec. 6, T. 6
N., R. 45 E., B. M.

Betts, Alice, and Joseph, W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 14, T. ?? N., R. 45 E., B. M.,
containing 80 acres.

Bryan, Maria, N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 17, T. 5 N., R. 45 E., B. M., containing
80 acres.

Big Bend Land Company, lands of stockholders, the description of said
lands and the names of said stockholders not being given in the
pleadings of said company.

Bigger, Jesse E., NE $\frac{1}{4}$ of Sec. 13, T. 6 N., R. 40 E., B. M., containing 160
acres.

Birch, Mary H., Adminx. of Estate of Thomas Birch, deceased, lands under
"Stewart Ditch." (NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 30, T. 7 N., R. 41 E., B. M.,
containing 40 acres.)

Bisher, J. E., S $\frac{1}{2}$ of NE $\frac{1}{4}$, N $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 2, T. 12 N., R. 41 E., B. M.;
S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 2, and NE $\frac{1}{4}$ of Sec. 11, T. 12 N., R. 41 E., B. M.

Bishop, Jennie, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 1, and NW $\frac{1}{4}$ of
NW $\frac{1}{4}$ of Sec. 12; SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 1

EXHIBIT C

Transfer No. 2260
Application No. 22 0163STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED*splits right into A & B*Name of applicant Siddoway Sheep Co., Inc. Phone 624-7534
Post office address c/o R. K. Siddoway, Box 39, St. Anthony, Idaho 83445**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree to James T. Beard (Name)
In case of Rexburg Irrigation Co. et al vs Teton Irrigation Co. et al
dated 12-16-1910 in Sixth Dist. county of Fremont
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Teton River tributary to Snake River
4. Date of priority 4-01-1896
5. Water is used for the following purposes:
amount 4.00 for Irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 4.00 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any Not given in decree

B. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	41E	22						40	40										80
		14										40	40						80
		15												40			40		80

Total number of acres to be irrigated 240

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 2.67 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points (not given in decree) _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	41E	14											40	40					80
		15													40			40	80

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 2.67 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion SE 1/4 SW 1/4, Section 14 Township 7N
Range 41E, B.M., Fremont County
Additional points _____
 - c. Description of diverting works 50 hp diesel
 - d. Describe the reasons for applying for a change in the point(s) of diversion
Land has been leased for hay, grain and potatoes

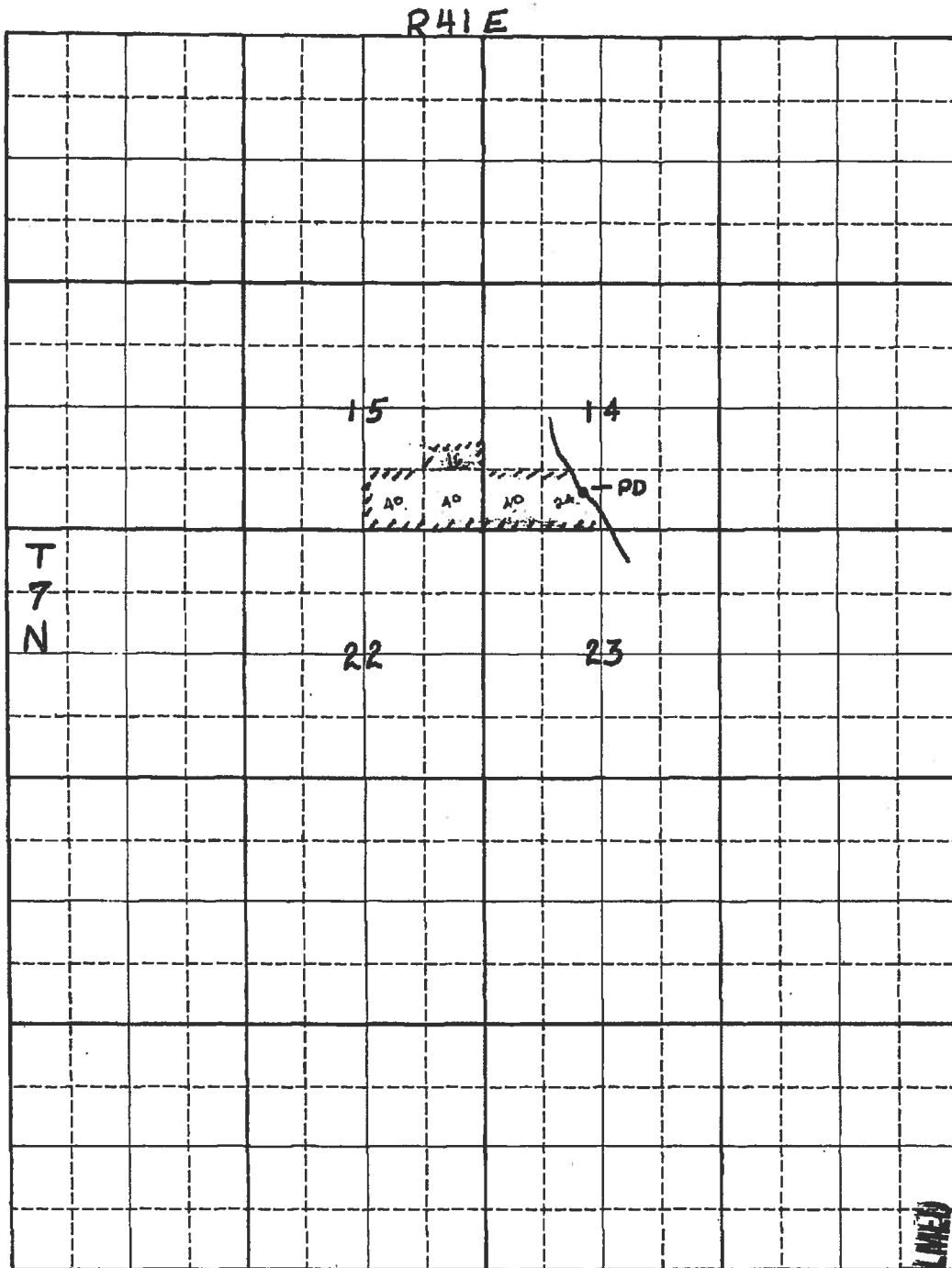
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	41E	14											40	24					64
		15													16		40	40	96

Total number of acres to be irrigated 160

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICKELAND

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Liddoway Sheep Co., Inc.
By R. K. Liddoway - Pres.
(Signature of applicant)

Subscribed and sworn to before me this 13th day of June, 1978.

Ronald W. Carson
(Notary public)

My commission expires 2/14/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0163 and said application is hereby APPROVED, subject to the following limitations and conditions:
A measuring device of a type approved by this Department shall be installed and maintained as part of the diverting works.
Use of water under this transfer is subject to control by the watermaster of State Water District No. 01, Snake River.
The maximum rate of diversion shall not exceed 2.67 cubic feet per second or 560 acre feet per year.

Witness my hand this _____ day of August, 19 78.

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by <u>(11)</u>	Date <u>6-13-78</u>	Protest filed by _____
Prelim. check by <u>RDC</u>	Fee <u>\$-20.00</u>	_____
Received by <u>(7.1)</u>	Date <u>6-22-78</u>	_____
Published in <u>Idaho State Official Gazette</u>		Copies of protest forwarded by _____
Pub. dates <u>June 24, July 6-1978</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>6-23-78</u>		Recommended for <u>approval</u> denial
<u>W.D. #01</u> rec'd. <u>6-30-78</u>		by <u>Ernest Calhoun</u> <u>J.S.</u>
<u>R. Carson</u>		

EXHIBIT D

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 22-0163

Notice is hereby given that Siddoway Sheep Co., Inc., St. Anthony, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of the Teton River tributary to Snake River. The right sought to be changed is evidenced by decree to James T. Beard in case of Rexburg Irrigation Co. et al -vs- Teton Irrigation Co. et al, dated 12-16-1910 in Sixth District Court, County of Fremont and is recorded as follows:

AMOUNT: 4.00 cfs

PRIORITY: 4-01-1896

POINT OF DIVERSION: not listed in decree.

The water is used to irrigate 240 acres within the $W\frac{1}{2}NW\frac{1}{4}$, Sec. 22, $S\frac{1}{2}SW\frac{1}{4}$, Sec. 14, $E\frac{1}{2}SE\frac{1}{4}$, Sec. 15, T. 7N, R. 41E, B.M.

TO BE CHANGED AS FOLLOWS

Only 2.67 c.f.s. of water will be diverted within the $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 14, T. 7N, R. 41E, B.M., Fremont County and used to irrigate 160 acres within the $S\frac{1}{2}SW\frac{1}{4}$, Sec. 14, $NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$, Sec. 15, T. 7N, R. 41E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 17, 1978.

C. STEPHEN ALLRED

Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho, on June 29 and July 6, 1978.

MICROFILMED

EXHIBIT E

CONTRACT OF SALE

THIS AGREEMENT, Made and entered this 31st day of January, 1985, by and between WRIGHT R. NOEL and DEANN B. NOEL, husband and wife, and ARNOLD R. BINGHAM and SARAH BINGHAM, husband and wife, all of Newdale, Idaho 83426, hereinafter called "Seller" and CANYON CREEK LATERAL DITCH WATER USERS ASSOCIATION, an Idaho corporation with its principal place of business at Newdale, Idaho, hereinafter called "Buyer,"

WITNESSETH:

1. Purchase of Water Rights.

Seller agrees to sell to Buyer, and Buyer agrees to buy from Seller, on the terms and conditions herein specified, the following described water rights, 66 2/3 inches of the 1896 decreed water in the name of James T. Beard Division of the Teton River, originally decreed to the following described real property situated in Fremont County, Idaho to-wit:

The North Half of the Northwest Quarter of Section 22; the South Half of the Southwest Quarter of Section 14; and the East Half of the Southeast Quarter of Section 15, all in Township 7 North, Range 41 East, Boise Meridian.

2. Price.

Buyer shall pay Seller for said property a purchase price of \$3,500.00, payable as follows:

The entire sum of \$3,500.00 cash paid on execution hereof, receipt of which is hereby acknowledged.

3. Possession.

Buyer is granted possession of the water rights on the date of this contract.

4. Water Assessments.

Seller shall pay all of the 1984 water assessments levied and assessed against the decreed water rights, and Buyer shall pay all of the 1985 and all subsequent water assessments levied and assessed against the decreed water rights when the same are due and payable and before the same shall become delinquent.

5. Assignment of Water Decree.

Seller agrees that he will execute and deliver to Buyer a good and sufficient assignment of water decree to the above-described decreed water, free from all encumbrances except any placed thereon by Buyer.

6. Attorneys' Fees.

In the event either party hereto shall be required to employ an attorney for the enforcement of this contract, with or without suit, the defaulting party agrees to pay the prevailing party's reasonable attorneys' fees. In the event of default by Buyer, Buyer agrees to pay attorneys' fees of Seller in issuing notice of default, or otherwise enforcing the contract, without suit.

7. Binding Effect.

This agreement is not only binding upon the parties hereto, but upon their respective successors, heirs, administrators and assigns.

The terms "Seller" and "Buyer" shall be construed, as used herein, to include the actual parties hereto.

IN WITNESS WHEREOF, the parties have executed this contract.

"SELLER"

Wright R. Noel
Wright R. Noel

DeAnn B. Noel
DeAnn B. Noel

Arnold R. Bingham
Arnold R. Bingham

Sarah Bingham
Sarah Bingham

"BUYER"

CANYON CREEK LATERAL DITCH
WATER USERS ASSOCIATION,

By: Grant Klingler
President

ATTEST:

Mark Schenkman
Secretary

STATE OF IDAHO)
County of Madison.) ss.

On this 31st day of January, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared WRIGHT R. NOEL, DEANN B. NOEL, ARNOLD R. BINGHAM and SARAH BINGHAM, 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.

Marsha L. Mahoney
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission expires: Life

EXHIBIT F

Trans No. 3146Water Right No. 22-0163B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant C/O Leigh Chantrill Phone 458-4496
Post Office address Newdale, ID 83436

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. 22-0163 B (T2241) Decreed to _____
(Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Purchased from right holder.

3. Source of water Teton River tributary to Henry's Fork Snake River

4. Date of priority 4-1-1896

5. Water is used for the following purposes:

amount 1.33 cfs for Irrigation purposes from 4-1 to 11-1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.33 cubic feet per second
&/or
b. 160 acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30
Township 7N Range 41E, B.M., in Fremont County
Additional points of diversion, if any _____

8. Lands irrigated or place of use: SEE REMARKS.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	42E	5					40	40			40	40							160
		6								40			40	40	40	40	40	40	240

Total number of acres to be irrigated 400*

*No more than 160 af will be pumped under this right

9. Describe any other water rights used for the same purpose as described above 22-0195/0196
22-7213/7253/7276

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in Item D, REMARKS.

RECORDED
JAN 10 1985

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

MICROFILMED

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information Only 160 af./yr. will be diverted.

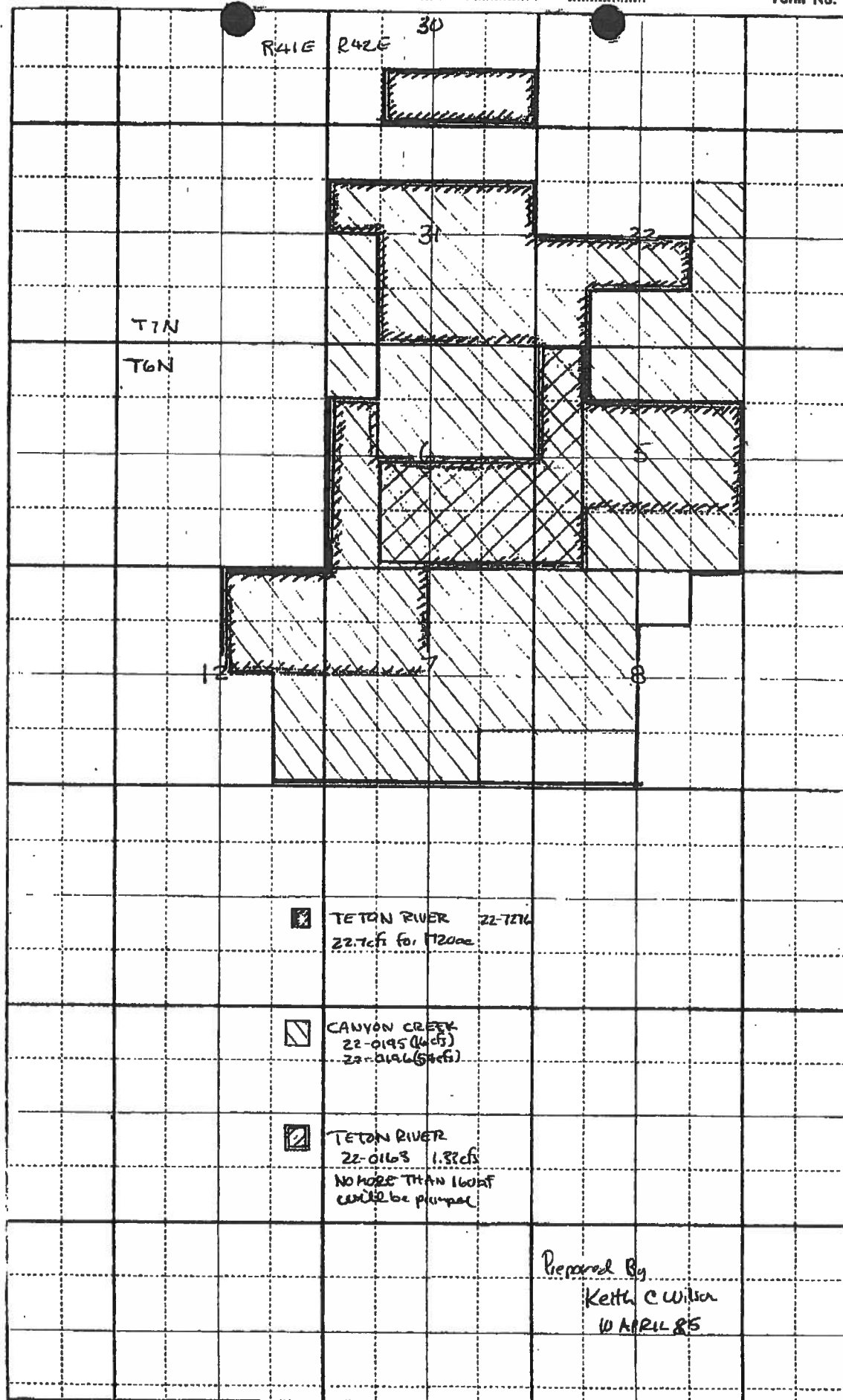
- a. Amount of water to be diverted 1.33 c.f.s. &/or 160 acre feet
- b. Description of diverting works Pump & pipeline into Canyon Creek Lateral Water users system
- c. Describe the reasons for the proposed changes Correct P/D legal to actual location and include purchase agreement with transfer.

2. Change in point of diversion

Point of diversion SE 1/4 NE 1/4, Section 30 Township 7N
Range 42E, B.M., Madison County
Additional points _____

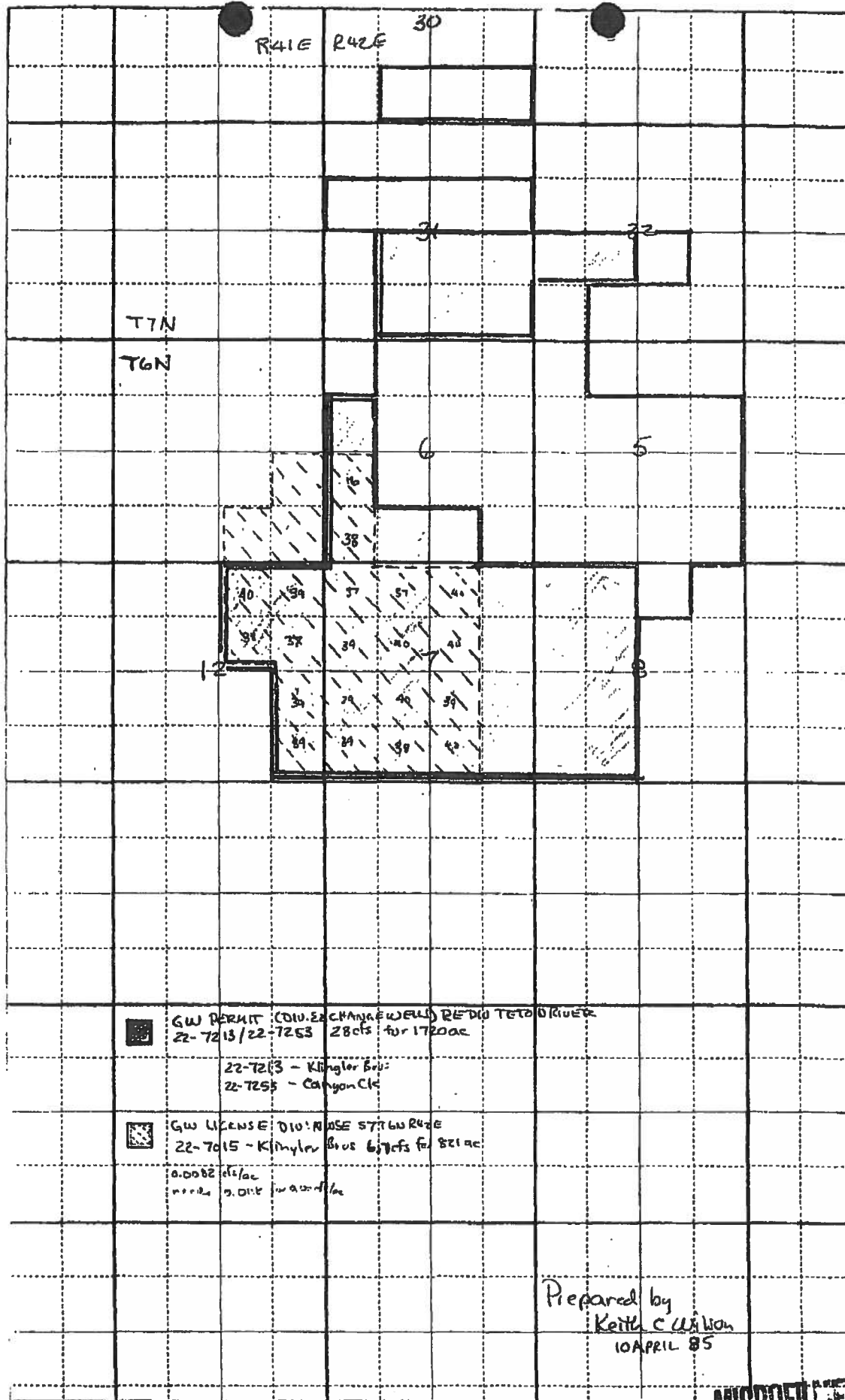
3. Change in place of use NO CHANGE

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None.



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

MICROFILMED



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

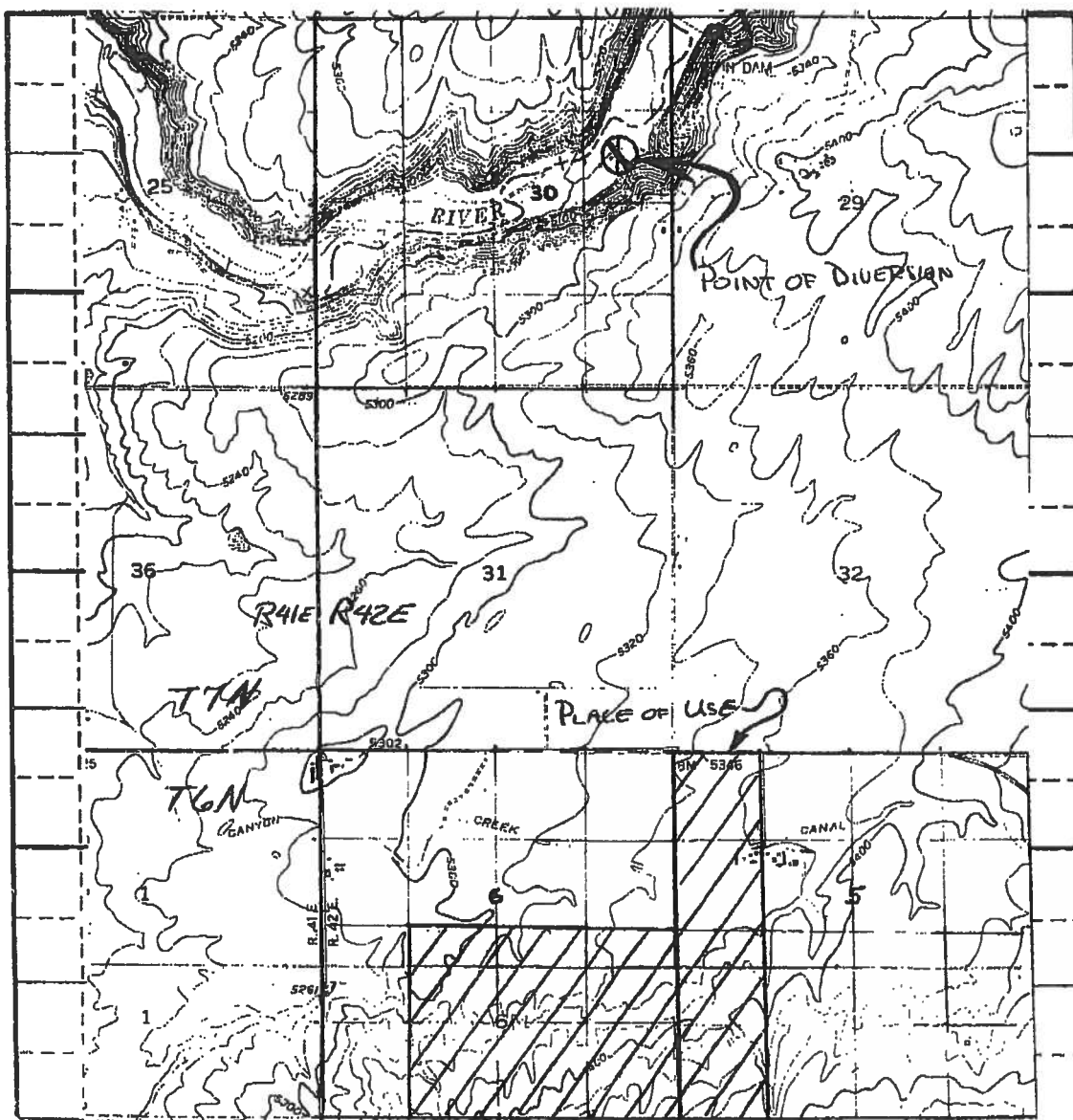
MICROFILMED

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	42E	5					40	40			40	40							160
		6								40				40	40	40	40	40	240

Total number of acres to be irrigated 400*

No more than 160 af. will be diverted in any given year.

- Describe any other water rights used for the same purpose as described above. 22-0195/0196
22-7213/7253/7276
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



MICROFILMED

MICROFILMED

D. REMARKS

No more than 160 af. may be diverted in any one year. This portion (1.33 cfs)
of the decreed right was for irrigation of 80 acres under the original right.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement
in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 22nd day of April, 1985

J. Leigh Chantrell
(Signature of Applicant)

Marsha L. Mahoney
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0163B
and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device of a type approved by this Department shall be permanently
installed and maintained as part of the diverting works.
2. Use of water under
this right is subject to control by the watermaster of State Water District
No. 01, Snake River.
3. No more than 160 acre feet of water may be diverted
in any one year.

Witness my hand this 13th day of August, 1985

J. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

QUERIED BY KCCW 19 April 1985

Received by 111 Date 4-23-85 Protest filed by _____

Prelim. check by HUT Fee \$500.00

Received by 111 Date 5-1-85

Published in Snake River Copies of protest forwarded by _____

Pub. dates 5-7-85 5-16-85 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

WD #1 rec'd. ✓ by ARC Sim

EXHIBIT G

210-00

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: A22-00163B
Date Received: 10/18/1988
Receipt No: E004254
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SIDDOWAY SHEEP CO., INC. 208-663-4385
Address: C/O JEFF SIDDOWAY
BOX 3160
TERRETON, ID 83450-0000
2. Date of Priority: APR 01, 1896
3. Source: TETON RIVER Trib. to: HENRYS FORK SNAKE RIV
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	41E	14	SE	SW			FREMONT

5. Description of diverting works:
PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.670		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	14	SW	SW		IRR	40.0
			SE	SW		IRR	24.0

Section Acres 64.0

A22-00163B

Page 1

Date: 10/18/88

A2200163B



MICROFILMED

NOV 04 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	41E	15	NE	SE		IRR	16.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	96.0
						Total Acres	160.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 2260.

15. Basis of Claim: DECREED
Water Right Number: 0163
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO, ET AL
Decree Plaintiff

vs

TETON IRR. CANAL., 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: 1

For Organizations:

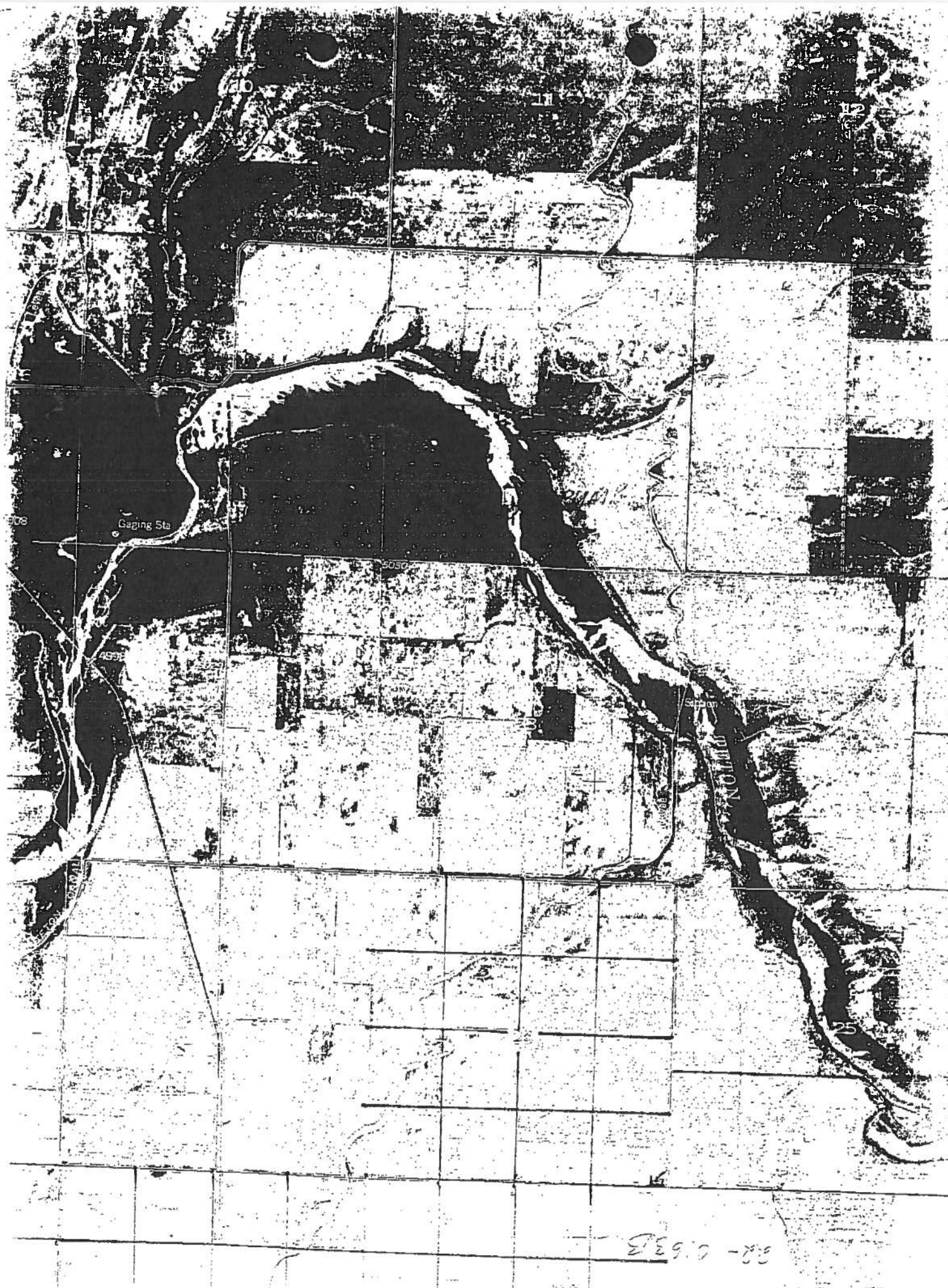
I do solemnly swear or affirm that I am President of
Siddoway Sheep Co Inc. that I have signed the foregoing
Organization document in the space below as President of
Siddoway Sheep Co Inc. and that the statements contained in the
Organization foregoing document are true and correct.
Jeff Siddoway
Signature of Authorized Agent
Pres. Siddoway Sheep Co Inc
Title and Organization
Nov. 9, 1988
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of November 19 88
Cindy Nichell
Notary Public

Seal

Residing at Perneton
My Commission Expires October 1989



Log for claim 22-00163B

Spatial Dynamics LTD

7/25/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07n41e	14	SWSW	40	39	
07n41e	14	SESW	24	27	
07n41e	15	NESE	16	20	
07n41e	15	SWSE	40	38	
07n41e	15	SESE	40	39	
Totals:			160	163	

EXHIBIT H

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3729APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Canyon Creek Lateral Ditch Water Users Phone 458-4496
Post Office address Box 8 Newdale, ID 83426 % Leigh Chantrell

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Siddoway Sheep Company wants water to be delivered via our pipeline system to the existing place of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
22-001638 4-01-1896 2.67 Irrigation 4-1 to 11-1

2. Total amount of water being transferred 2.67 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Teton River tributary to Henry's Fork
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	30	7N	42E	Madison	

5. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	41E	14											40	24					64
		15													16		40	40	96

Total acres 160

PART 1

6. General Information:

- a. Description of diversion system Pumping plant at Teton Dam site to pipeline system for Canyon Creek Lateral Water Users.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change
- d. Remarks:
Applicant will get disclaimer from Siddoway Sheep Co.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0163BAnd said application is hereby APPROVED subject to the following limitations and conditions:

1. Use of water under this right is subject to control by the watermaster of State
Water District No. 01.
2. This right when combined with all other rights shall provide no more than 3.5 afa per
acre for the lands above.

Witness my hand this 29th day of October, 19 90

MICROFILMED

NOV 01 1990

J. Glen Saxton
Chief, Water Alloc. Bureau

PART 2

Transfer No. 3729

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

RECORDED
NOV 01 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
In case of _____ vs. _____
dated _____ In _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2260/22-001638 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Disclaimer

3. Source of water Teton River tributary to Henry's Fork**4. Date of priority** 4-01-1896**5. Water is used for the following purpose:**

amount 2.67 for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.67 cubic feet per second and/or _____ acre-feet per annum.**7. Point(s) of Diversion:**

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	14	7N	41E	Fremont	

8. Lands irrigated or place of use:

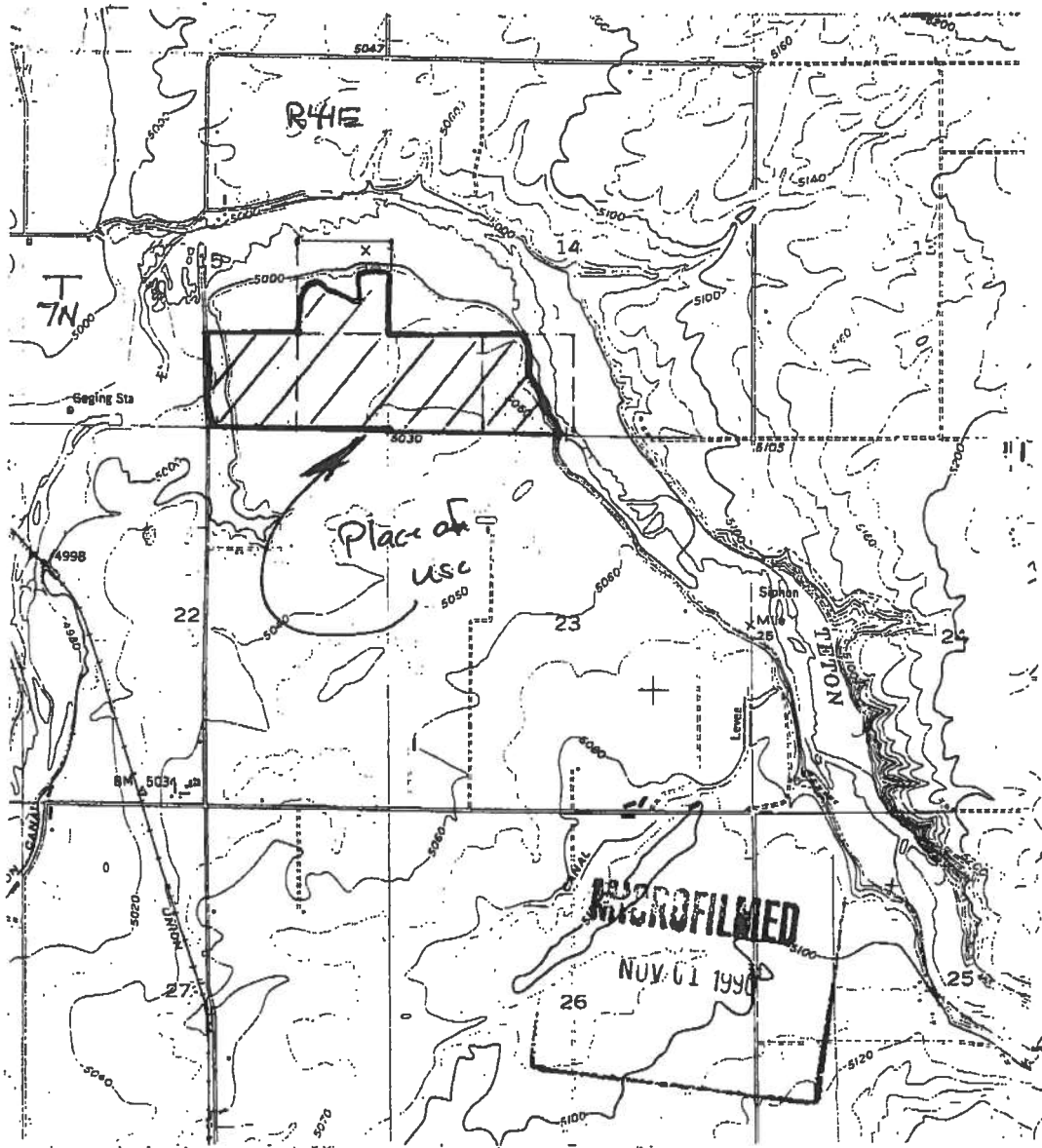
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	41E	14											40	24					64
		15													16		40	40	96

Total acres 160

9. Describe any other water rights used for the same purpose as described above 21-00459 / 00300

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Carson Creek Lateral Ditch Water Users Association

J. Leigh Hambrick Vice-President
(Signature of Applicant) Title

Subscribed and sworn to before me this 12th day of June, 19 90.

Marilyn Hansen
(Notary Public)

My commission expires 4-24-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by aw Date 6-13-90 Protest filed by _____

Prelim. check by amb Fee \$0.00 #E014826

Received by HWT Date 6-13-90

Published in Desburg Standard Journal Copies of protest forwarded by _____

Pub. dates July 5-12-90 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECORDED

NOV 01 1990

EXHIBIT I

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-00163B

NAME AND ADDRESS: SIDDOWAY SHEEP CO INC
C/O JEFF SIDDOWAY
1764 E 1200 N
PO BOX 3160
TERRETON, ID 83450

SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK

QUANTITY: 1.70 CFS

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION: T07N R41E S14 NESESW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.70 CFS

PLACE OF USE:	Irrigation	Within Fremont County
	T07N R41E S14	NWSW 0.1 SESW 24.0 SESE 39.0
	S15	
	102.1 Acres Total	

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. I.C. SECTION 42-1412(5).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

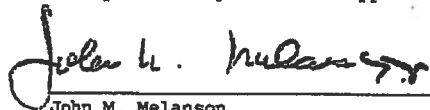

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

EXHIBIT J

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-00163B.

NAME AND ADDRESS: SIDDOWAY SHEEP CO INC
C/O JEFF SIDDOWAY
1764 E 1200 N
PO BOX 3160
TERRETON, ID 83450

SOURCE: TETON RIVER TRIBUTARY: HENRYS FORK

QUANTITY: ~~1.70 CFS~~ 2.67 cfs

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION: T07N R41E S14 NESESW Within Fremont County

PURPOSE AND PERIOD OF USE: P42E S30 NESE

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	1.70 CFS

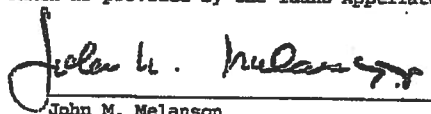
PLACE OF USE: Irrigation
T07N R41E S14 Within Fremont County
S15 SWSW 24.0
S15 SESE 40.0
160 Acres Total NESE 16.0 SWSE 40.0

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. I.C. SECTION 42-1412(5).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication