

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 43-92
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LEONARD E HALL Phone: (208)645-2531
PEARL HALL Phone: (208)645-2531
PO BOX 652
MALTA ID USA 83342

Amended
(pending court action)
1-28-03

2. Date of Priority: 11/15/1886

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13S	26E	14	SW SE SE	CASSIA	

5. Description of diverting works:

DIVERSION DAM IN MIDDLE FORK OF CASSIA CREEK -- IRRIG. DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	26E	14	SE	SE	IRRIGATION	40
					Section Acres	40
					Total Acres	40

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:

14. Remarks:

CHG OF ADDRESS PER LETTER 12/22/97 DMS

Amended claim generated to recognize the entire irrigated property. kkc

15. Basis of Claim: Decreed

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.

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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: A43-00092
Date Received: 5/16/1989
Receipt No: M003595
Received By: ET. 21

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEONARD E. HALL 208-645-2531
Address: MALTA, ID 83342
OR
Name: PEARL HALL 208-645-2531
Address: MALTA, ID 83342
2. Date of Priority: NOV 15, 1886
3. Source: CASSIA CREEK Trib. to: RAFT RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
13S 26E 14 SW SE SE CASSIA
5. Description of diverting works:
DIVERSION DAM IN MIDDLE FORK OF CASSIA CREEK -- IRRIG. DITCH.
6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
IRRIGATION 04/01 10/31 0.400
7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	26E	14	SE SE		IRR	

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:
43-0091

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ALBION-IDAHO LAND CO.

Decree Plaintiff

vs

JOBE ADAMS ET AL

Decree Defendant

MICROFILMED

MAR 02 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): X Leonard E. Hall Date: X 5-16-89
Pearl C. Hall Date: 5-16-89

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of May 19 89

Robert V. Warstell
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires 1/16/1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 3, 1997

RECEIVED

DEC 09 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEONARD & PEARL HALL
PO BOX 652
MALTA ID 83342

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Water Right No. A43-00091, A43-00092, A43-02257, A43-10173 & A43-10175
Change of Address

Dear Water Right Holder:

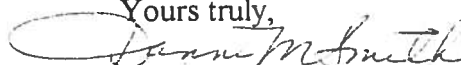
IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by December 17, 1997. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,


Danni M. Smith
SRBA Sr. Secretary

The address is correct as shown above or as otherwise changed.


Signature of water right claimant

Malta, Ida
Dec 6 - 1997

State of Idaho
Department of Water Resources
1301 N. Orchard St.
Bosei, Ida 83706-2237

Dear Sirs -

The address is
correct but my husband
Leonard Hall has passed
away.

RECEIVED Sincerely

DEC 09 1997

Department of Water Resources

Pearl Hall
P.O. Box 652
Malta Id. 83342

Version 2

01/28/2003

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

RIGHT NUMBER: 43-92
NAME AND ADDRESS: PEARL HALL
PO BOX 654
MALTA ID 83342

LEONARD E HALL
PO BOX 652
MALTA ID 83342

VERIFIED BY KKC

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER
QUANTITY: 0.400 CFS
PRIORITY DATE: 11/15/1886
POINT OF DIVERSION:

T13S R26E S23 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R26E S14 SESE 40.0

40 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 40 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-91 & 43-92

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 26, 2002

BUD TRACY
PO BOX 654
MALTA ID 83342

RE: LAVERE & FONTELLA TRACY CLAIM 43-293B AND PEARL HALL CLAIMS 43-91, 43-92,
AND 43-2257

Dear Bud

After our meeting in Burley you should have stayed around to discuss the results of our meeting and to set tentative hearing dates. I just attempted to check with the SRBA court home page on the internet to see what dates had been set but their site is not operative right now. I will have to check later.

I received the power of attorney and personal representative documents and submitted them to the state office for their review. It is my understanding that both Lavere and Fontella are deceased. If this is correct then the Power of attorney for Fontella is no longer valid. You indicated that the current owner is a trust. If this is correct then a change of ownership is necessary. I have enclosed a change of ownership for your use. It is required that an authorized trustee sign the change of ownership form.

I have submitted the basis of our discussions to the legal department for review concerning the validity of the right and I will contact you if additional information or action is necessary.

Pearl's claims 43-91, 43-92, AND 43-2257

The department needs to know who has the authority to act on Pearl's behalf. If you are to represent her, then we need power of attorney or other legal representation to proceed on these rights. As the claims are before the court, we are now working on their time schedule and do not have as much flexibility to schedule or reschedule appointments and/or deadlines. Please notify the department attorney, Candice Mc Hugh, or me as soon as possible.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us
enclosures

RECEIVED
FEB 12 2002
Department of Water Resources
Southern Region

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)

A. Subcase 43-92

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: BUD TRACY

Address: Box 654

MALTA, IDAHO 83342

Daytime Phone: (208) 645-2211

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: LEONARD and PEARL HALL

Address: Box 652

MALTA, IDAHO 83342

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

UNAWARE OF INCOMPLETE CLAIM

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of CASSIA)

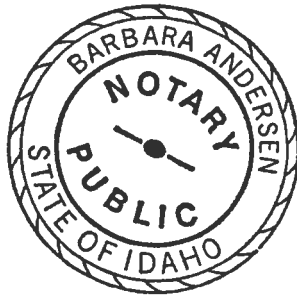
Bud Tracy _____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 4, 2002



Barbara Andersen
Notary Public for Idaho
Residing at: Albion, Idaho
My Commission Expires: 7/23/05

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on February 4 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: _____
Address: _____

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO 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



Signature of Objector or attorney
mailing on Objector's behalf

05/04/2001

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

RIGHT NUMBER: 43-92

NAME AND ADDRESS: LEONARD E HALL
PEARL HALL
PO BOX 652
MALTA, ID 83342

DISALLOWED

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.4 CFS

VERIFIED BY *KKC*

PRIORITY DATE: 11/15/1886

POINT OF DIVERSION: T13S R26E S14

SWSESE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-01 10-31

QUANTITY
0.40 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R26E S14 SESE

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

CLAIM INCOMPLETE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

05/04/2001

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

RIGHT NUMBER: 43-91

NAME AND ADDRESS: LEONARD E HALL
PEARL HALL
PO BOX 652
MALTA, ID 83342

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.4 CFS

VERIFIED BY KKC

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T13S R26E S23

NWSWNE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03-15 11-15

QUANTITY
0.40 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R26E S14 SESE

36

36 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. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 24, 2002

Attn BUD TRACY
RAFT RIVER RURAL ELECTRIC
BOX 617
MALTA ID 83342

RE: OBJECTIONS AND RECOMMENDATIONS FOR BASIN 43 RIGHTS

Dear Bud

I have enclosed 6 claims in your name, 2 claims in Fontella's name, and 3 claims in Pearl's name, all for irrigation.

I have also enclosed 4 objection forms for your use. An instruction sheet on how to complete the forms is attached to one of the objection forms. You may duplicate the forms if you need additional forms. Please remember that the deadline for filing objections is February 8, 2002.

If you have any questions please call or come in to this office and I will assist you.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us
enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

E-mail address: kchrste@idwr.state.id.us

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 16, 2001

Attn Bud Tracy
RAFT RIVER RURAL ELECTRIC
BOX 617
MALTA ID 83342

RE: CHANGES TO RECOMMENDATIONS OF ADJUDICATION CLAIMS

Dear Bud

Enclosed is a copy of my March 23, 2001 letter that describes issues that relate to the various claims that you indicated that you represent. I am unable to travel to Malta to review these rights with you but we can discuss them over the phone or we can schedule an appointment here in Twin Falls.

I will be out of the office next week (Aug 20 through Aug 24) but will be available the following week.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

enclosure

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

05/04/2001

RIGHT NUMBER: 43-92

NAME AND ADDRESS: LEONARD E HALL
PEARL HALL
PO BOX 652
MALTA, ID 83342

DISALLOWED

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.4 CFS

VERIFIED BY KKC

PRIORITY DATE: 11/15/1886

POINT OF DIVERSION: T13S R26E S14

SWSESE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-01 10-31

QUANTITY
0.40 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R26E S14 SESE

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

CLAIM INCOMPLETE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 23, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Attn BUD TRACY
RAFT RIVER RURAL ELECTRIC
BOX 617
MALTA ID 83342

RE: LEONARD HALL CLAIMS 43-91, 43-92, AND 43-2257; LAVERE TRACY CLAIMS 43-293B
AND DECREED RIGHT 43-296

Dear Bud

LEONARD HALL CLAIMS

I have enclosed claims for 43-91 and 43-92. They currently show the claims as recorded by the department. Please strike out the acres you want to change, enter the correct acres, and initial the changes. If there is anything else you want changed on those claims, please follow the same procedure for those elements. When those rights are combined with 43-2257 the variable fees paid total \$40.00, therefore, if you do not claim in excess of 40 acres within the SESE of sec 14 there will be NO additional fees. Any additional acreage exceeding 40 requires an additional \$1.00 per acre variable fee.

LAVERE TRACY CLAIMS

I have included a copy of page 35 of the Jobe Adams decree that describes the rights associated with Laverre's property and the Harper's property. I have also enclosed two worksheet pages showing the split analysis for 43-293 and 43-296. The worksheets show the allocations rights listing, the adjudication claims listings, and a split tree listing some elements of the rights. These are just my notes and do not necessarily represent a finding of any material elements of the rights.

If you elect to claim a portion of 43-296 please use the four-page claim form NOTICE OF CLAIM TO A WATER RIGHT, which is enclosed. I have enclosed the instructions and you should have no trouble completing the claim but if you have any questions please give me a call. I have also enclosed a copy of 43-293B that you can use to compare legal descriptions and such. The claim form requests a map or sketch of the system on page 3 but you can skip that portion as that information is already available to me in the other claims. Variable fees of \$110.00 were paid for this system so if you file against 43-296 there would be no variable fees due so long as you claim the same 110 acres. There IS a \$50.00 variable fee due for this filing. The late fee is waived. Fontella Tracy should file this claim unless there is a change of ownership change. She needs to sign the claim and have it notarized.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

