

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: A43-00178A
Date Received: 5/25/1989
Receipt No: S007316
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOYD BOOTH
Address: P.O. BOX 664
160 N. 1ST WEST
MALTA, ID 83342-0000

208-645-2464

2. Date of Priority: DEC 12, 1911

3. Source: RAFT RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	26E	13	SE	SE	SE		CASSIA

5. Description of diverting works:
DAM AND HEADGATE, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	3.200		

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

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	7	SE	SW		IRR	40.0
			SW	SE		IRR	40.0

Section Acres 80.0

A43-00178A

Page

1

Date: 05/25/89

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	18	NE	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	160.0

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:
A43-02278, A43-10240, A43-00174

14. Remarks:
TRANS. 3233.
PERIOD OF USE NOT GIVEN IN DECREE BUT COMMONLY REFERED TO AS
CONTINUOUS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS 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: _____

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): ~~May-25~~ Boyd Boock Date: May-25-1989

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day

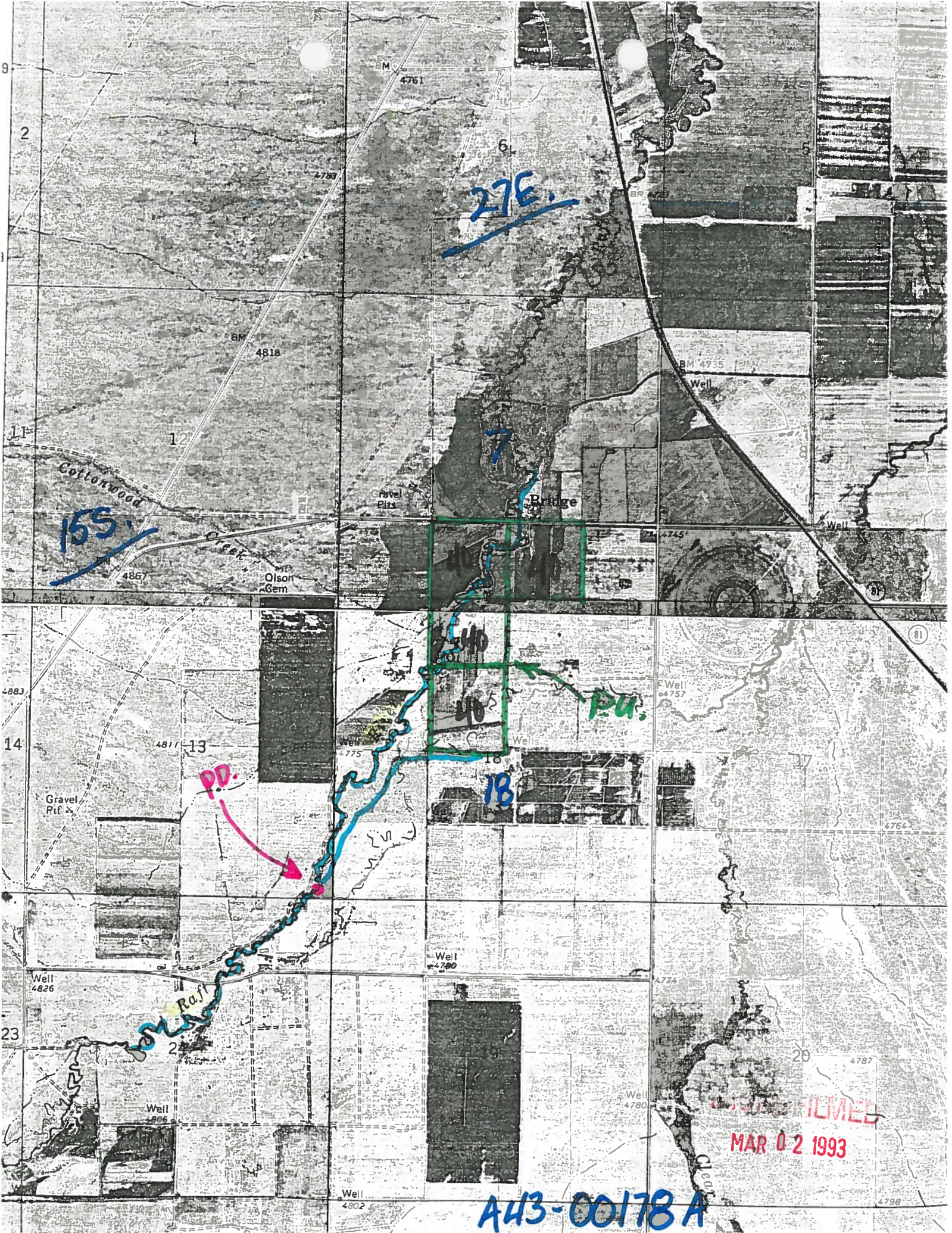
of May 19 89

Seal

Steve Cella
Notary Public

Residing at Twin Falls

My Commission Expires Dec 7 1994



09/28/2000

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

RIGHT NUMBER: 43-178A
NAME AND ADDRESS: BOYD R BOOTH
PO BOX 664
160 N 1ST WEST
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: Snake River

QUANTITY: 3.2 CFS

PRIORITY DATE: 12/12/1911

POINT OF DIVERSION: T15S R27E S18 LOT 4 NWSWS 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	3.20 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T15S R27E S18	NENW	40	T15S R27E S18	SENW	40
T15S R27E S7	SWSE	40	T15S R27E S7	SESW	40
160 ACRES TOTAL					

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00174, 43-02278,
43-10240

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.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

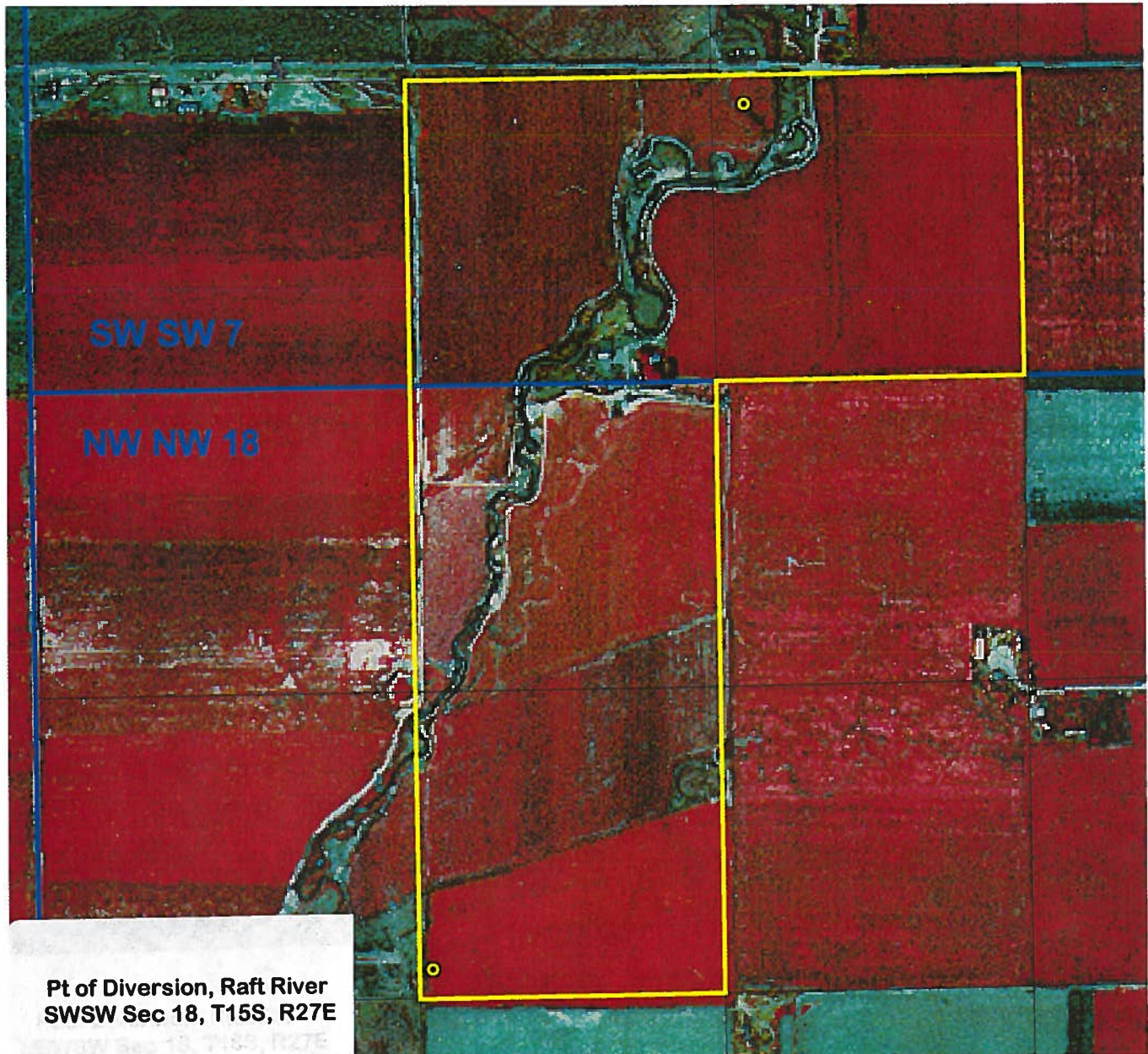
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO
INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATERUSER
MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASMENT
AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

Idaho Department of Water Resources

**RIGHTS: 43-00174, 43-00178A
43-02278, 43-10240**

**RECOMMENDED PLACE OF USE
TWP 15S, RNG 27E, SEC 7, 18
Data entry on December 27, 1999**



0 1320 2640 3960 Feet



● RECOMMENDED POINT OF DIVERSION

□ RECOMMENDED PLACE OF USE

□ SECTION LINES

□ QUARTER/QUARTER LINES

**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY**

DATA ENTRY BY VIKIE HANCOCK

Old (D) Number -

State- ID Zip- 833420000

Status - - - -

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	-	+	+	-	-
Total Consumptive Use	-	+	+	-	-
KM Usage	-	+	+	-	-

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

15S	27E	7	SE SW	40.0	01	IRRIGATION	(31)	CASSIA
15S	27E	7	SW SE	40.0	01	IRRIGATION	(31)	CASSIA
15S	27E	18	NE NW	40.0	01	IRRIGATION	(31)	CASSIA
15S	27E	18	SE NW	40.0	01	IRRIGATION	(31)	CASSIA

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A43-02278, A43-10240, A43-00174

Remarks

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.2 CFS. COMBINED RIGHT NOS.:
~~43-00174, 43-02278, 43-10240.~~

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE

C2 pad
 in section, not
 directly covered
 pass, pk
 no

Water right number - R43-00178A

Prefix Translation: RESEARCH

Remarks
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00174, 43-02278,
43-10240.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43B.

No Old Water Right Numbers Found

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff
ALBION-IDAHO LAND CO.

Decree Defendant
JOBE ADAMS ET AL

Decree Date
10/18/1928

Date: 12/29/1999 User Id: VHANCOCK Subject: COPIED FROM REMARKS
TRANS. 3233.
CONTINUOUS.
Date: 12/29/1999 User Id: VHANCOCK Subject: RECOMMENDATION
SEASON OF USE RECOMMENDED TO IDWR STANDARD FOR IRRIGATION.

PERIOD OF USE NOT GIVEN IN DECREE BUT COMMONLY REFERRED TO AS

Audit Fields
12/29/99 VHANCOCK

Adjudication Rights Dates and Flags Area	
Court Report Filing	00/00/0000
Objection Filed Date	00/00/0000
Response Filed Date	00/00/0000
Claim Received Date	05/25/1989
Field Inspection Made	00/00/0000
Verified Date	00/00/0000
Last Amended Date	00/00/0000
Receipt Number	S007316
POU Ownership Flag	Y
Name Connector	-
Civil Case Number	39576
Old Case Number	-
Old Judicial District	-
Temporary Right	P
Water District	43B
Federal/State Indicator	S
Presumption Flag	-
Notice of Error Flag	-

CLAIM NUMBER

43-00174

DATE

12-29-99

TRANSFER NUMBER

43-00178A

AGENT

VA

CLAIMED ACRE TOTAL

160

GIS ACRE TOTAL

160

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	5S	27E	7												40			40		80
GIS															40			40		80
RECOM															40			40		80
CLAIM			18					40			40									80
GIS								40			40									80
RECOM								40			40									80
CLAIM																				
GIS																				
RECOM																				Recommend = 160

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

✓ 43-00174

NOTE TO FILE

From: Vikie Hancock

9/1/00

Regarding: Claim number 43-178A and 43-174

Although both of the above rights were decreed to International Mortgage in the Jobe Adams Decree, they were not included in the 1944 Transfer #665 by Malta Land and Livestock, that changed the place of use for many of the surrounding International Mtg rights.

Transfer #665 split decreed right 43-178 into A and B portions. The A portion remained on the original decreed place of use that corresponded to the 160 acre place of use for decreed right 43-174. Both rights are for 3.2 cfs.

The Jobe Adams Decree specified right 43-178 to be a flood water right. It appears that this right decrees an additional 1 inch per acre - priority date 1911- to 160 acres already awarded 1 inch per acre with an 1884 priority date identified as 43-174. Per conversation with Dave Tuthill and Attorney Susan Hamlin, the intent of the Jobe Adams Decree is to be honored, and the additional 1 inch per acre of flood water is to be allowed. Combined diversion rate limits on this property will not include right 43-178A.

You Are Invited!

What: Public Meeting about Snake River Basin Adjudication Claims
seeking to divert Raft River water rights from wells

When: 7 PM, June 20, 2000 (Tuesday)

Where: Raft River High School Auditorium
55 N 1st W, Malta

Who: All Raft River water right holders, Any interested public

By: Idaho Department of Water Resources

Please post this reminder



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 6, 2000

RE: Invitation to a public meeting in the Raft River Basin.

Dear Water User,

As you are likely aware, the Idaho Department of Water Resources is presently reviewing claims filed for the Snake River Basin Adjudication (SRBA) in the Raft River Basin. One element of this review is the relationship between diversions from the Raft River, and nearby wells. The purpose of this letter is to invite you to a meeting on June 20th, as described on the attached page, to discuss this issue along with other general SRBA issues.

It has long been acknowledged that there is a correlation between ground water pumping and surface flows in the Raft River. Due to the unique characteristics of the Raft River basin with respect to water rights, IDWR is considering recognizing that some water rights from Raft River are now being diverted from wells located near the river.

The intent of the meeting will be to discuss with waterusers in the Raft River basin (1) the unique hydrology of the Raft River, (2) potential courses of action, and (3) methods of amending claims should this be necessary. Please take the opportunity to attend this meeting and contribute to the discussion.

Sincerely,

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

TURN SERVICE REQUESTED

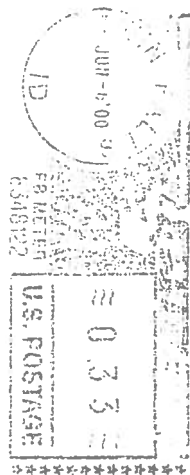
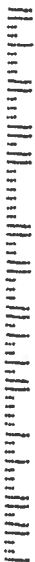
Boott 664

A43-00178A
BOYD R BOOTH
PO BOX 664
160 N 1st
MALTA

BOOT 664
BOOTH

TA33422003 1500 05 06/09/00
RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER

83342X0664
83301/3380





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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 16, 1999

Murray Hansen
375 East Ustick Rd
Meridian, Idaho 83642

RE: Snake River Basin Adjudication (SRBA)
Claim Nos: A43-00178A, A43-00174, A43-02278, A43-10240

Dear Mr. Hansen:

In 1996, this department contacted you regarding your purchase of property along the Raft River in Cassia County. There is no response from you in my files, however, the county courthouse confirmed your current ownership of this property.

Water right claims appurtenant to this land were filed in the Snake River Basin Adjudication by your predecessor in interest, Mr. Boyd Booth. I am in the process of investigating the validity of all claims along the Raft River, and you may not receive important information regarding the above claims, unless you formally notify the Department of your ownership. If I receive no additional information from you, all instructions and correspondence will be sent to the last owner of record, and any water right decrees will be issued in the name of Mr. Boyd Booth.

I have enclosed a Notice of Change of Ownership for your convenience. Instructions for completion, and a list of documents needed, are on the form. If you have any questions regarding the form, or the above claims, don't hesitate to call me at this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'V. Hancock'.

Vikie Hancock
Water Resource Agent

SRBA



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 17, 1996

Murray Hansen
375 E Ustick Rd
Meridian, ID
83642

RE: Water Right 43-00174, SRBA Claim A43-00174

Dear Mr. Hansen;

It has come to our attention that you recently purchased property and a water right in the Malta area from Boyd Booth. Sec. 42-248 of the Idaho Code requires that IDWR be notified within 120 days of such a change of ownership (or a change in mailing address) on a form designated for this purpose. As long as we receive notice within this period, no fee is required. For late notices, there is a \$100. fee that must accompany the notice. For sufficient cause, our Director may waive all or a portion of the fee. This law became effective July 1 of this year.

The required form is enclosed for your use. This will change the ownership of both the claim and the underlying water right. The claim is still subject to SRBA review, of course. If you have questions, feel free to contact me. If you need to discuss waiver of the late fee, contact Glen Saxton in our Boise office (327-7955).

Regards,

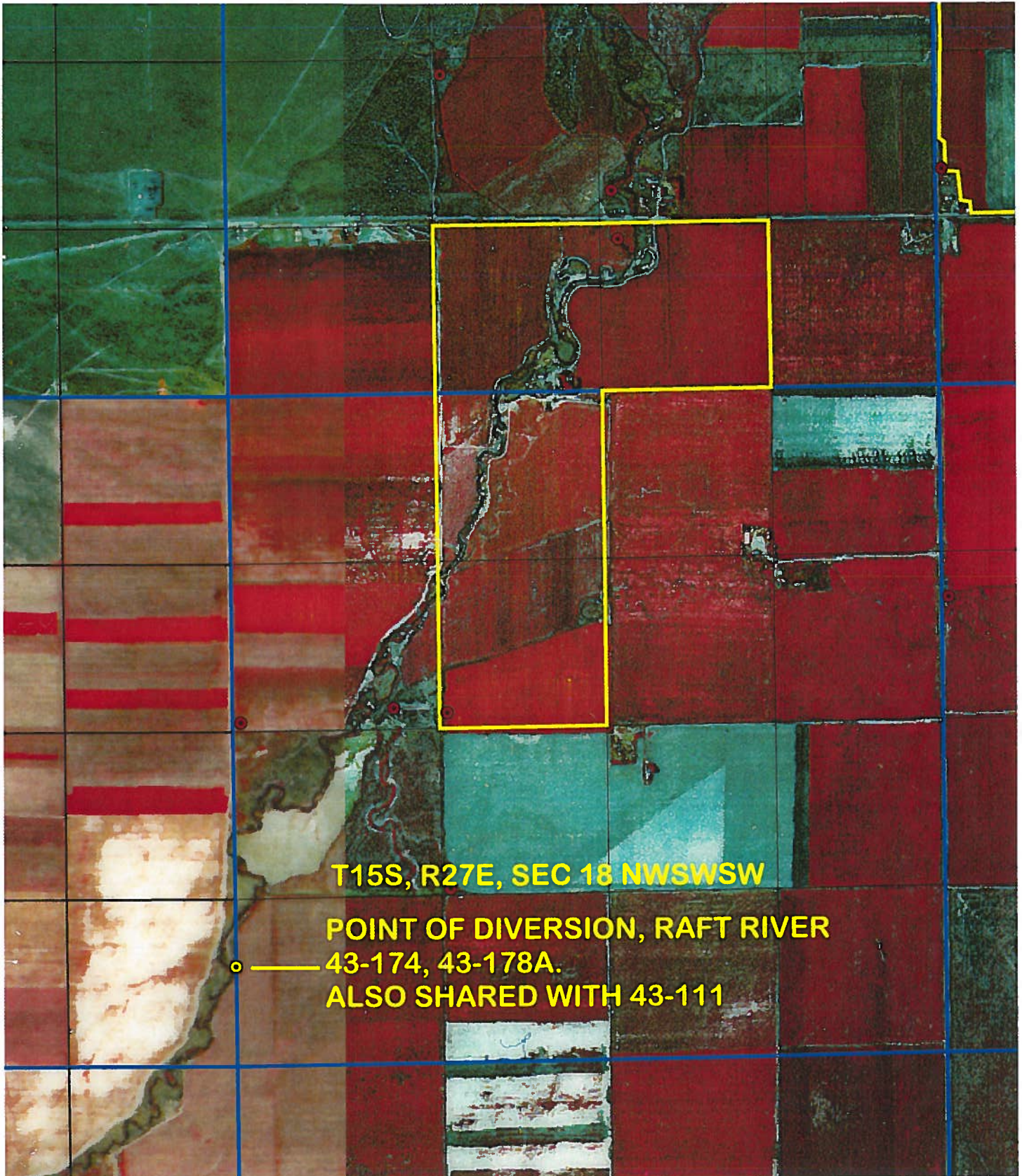
James E. Stanton
Sr. Water Resource Agent

- 00178A
- 02278
- 10240

FILE NOTES

CLAIM NO(S): 43-174, 178A
SOURCE, RAFT RIVER

TWP 15S RNG 27E



T15S, R27E, SEC 18 NWSWSW

POINT OF DIVERSION, RAFT RIVER

43-174, 43-178A.

ALSO SHARED WITH 43-111

RECEIVED
APR 4 1986
NOV 6 1985
Department of Water Resources
Southern District Office

Transfer No. 3233Water Right No. A) 43-0174

B) 43-0178A

Trans. 665

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant Boyd Booth Phone 645-2464Post Office address Malta, Idaho 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

A. 43-0174
a. Decree No. 43-0174 Decreed to International Mortgage Bank
B. 43-0178A (Name)
in case of Jobe Adams, et al vs Albion-Land Company, a Corp.
dated in Oct. 18, 1928 in U.S. District Court 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. 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 _____

By Contract3. Source of water Raft River tributary to _____4. Date of priority A. April 30, 1884; B. December 12, 1911

5. Water is used for the following purposes:

amount (A) 3.2 cfs for irrigation purposes from October 1 to October
amount (B) 3.2 cfs for irrigation purposes from no season of use on Decree
amount _____ for _____ purposes from _____ to _____
(month/day — both dates included)

6. Total amount of water under right: a. (A) 3.2 cfs cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE % of NE % of Section 24
Township 15S Range 26 E.B.M., in Cassia County

Additional points of diversion, if any (The above not given in Decree)

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	27E	7												40			40		80
15S	27E	18					40			40									80

Total number of acres to be irrigated 160

Describe any other water rights used for the same purpose as described above water right
174; priority date April 30, 1984; amount 3.2 cfs

To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

T# 3233

2-0174
2-0178A
T# 665

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

1. Amount of water: a. (A) 3.2 cfs
(B) 3.2 cfs cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24 Township 15S
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

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 $\frac{1}{4}$	
15S	27	7												40			40		80
15S	27	18					40			40									80

Total number of acres to be irrigated 160

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

1. General Information
 - a. Amount of water to be diverted (A) 3.2 cfs
(B) 3.2 cfs c.f.s. &/or _____ acre feet
 - b. Description of diverting works Dam in Raft River and open ditch
 - c. Describe the reasons for the proposed changes The diversion existing for other water users will make it easier and less expensive to take water from river.
2. Change in point of diversion

Point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 Township 15S
Range 26 E, B.M., Cassia County
Additional points _____
3. Change in place of use
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

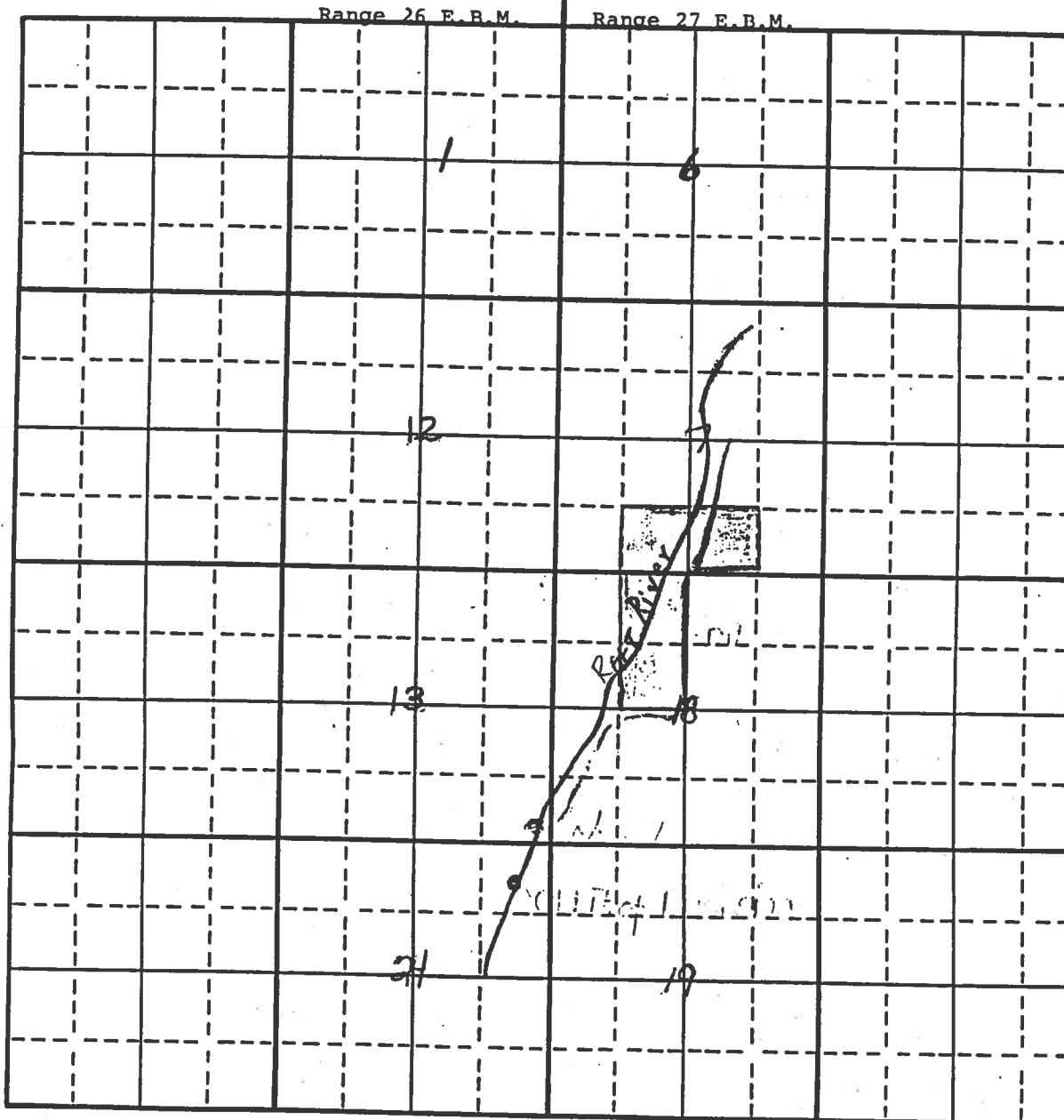
c. Describe the land place of use to which the right will be transferred:

No new lands

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

- Describe any other water rights used for the same purpose as described above. water right # 174; priority date April 30, 1984; amount 3.2 cfs.
- 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. Township 15S



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

-D. MARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Ray B. Boord

(Signature of Applicant)

Subscribed and sworn to before me this 31st day of October, 1985

Burley, Idaho
(Notary Public)

My commission expires 7-27-86

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-0174/0178A and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. The issuance of this transfer in no way grants any right-of-way or easement across the land of another.
3. Use of water under these rights is subject to control by the watermaster of State Water District No. 43B, Upper Raft River.

Witness my hand this 1st day of April, 19 86

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>mayne</u>	Date <u>11/6/85</u>	Protest filed by <u>None</u>
Prelim. check by <u>JS</u>	Fee <u>\$50.</u>	
Received by <u>JS</u>	Date <u>11-22-85</u> # <u>26780</u>	
Published in <u>sunco state press</u>	Copies of protest forwarded by _____	
Pub. dates <u>12/12 & 12/19/85</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>12/3/85</u>	Recommended for <u>approval</u> denial	
rec'd. <u>12/9/85</u>	by <u>ADM Jim</u>	

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
*	Keogh, Thomas J.	52.0		43-017R
*187	Keogh, Thomas J.	12.8		
*Rt. included in Albion-Idaho Land Co. vs. Jobe Adams, et al decree This decree superceded right description.				
	International Mortgage Bank	52.0		43-017R
665	Malta Land & Irrigation Co.	48.8		43-0178B
	International Mortgage Bank	3.2		43-0178A
321	Booth, Boyd	3.2		43-0178A

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of
Transfer of Water Right
No. 665

ORDER AMENDING TRANSFER

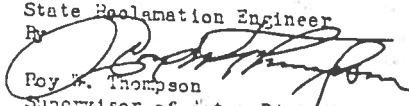
In accordance with the request of the MALTA LAND AND IRRIGATION COMPANY, represented by Mr. John A. Elison, as agent, the following clause, on page 3, Transfer of Water Right No. 665, which reads as follows:

"It is further stipulated by the applicant, Malta Land and Irrigation Company, that One (1.0) cubic foot per second of the above described water rights decreed as continuous flow right, with priority of April 1, 1871, be used for stock watering purposes, and left in Raft River for such purpose, to be used at any time between August 1 and November 15 of each year as the needs may demand and as directed by said Malta Land and Irrigation Company".

is hereby ordered amended to read as follows:

"It is further stipulated by the applicant, Malta Land and Irrigation Company, that One (1.0) cubic foot per second of the above described water rights decreed as continuous flow, with priority of April 1, 1871, be used for stock watering purposes, and any time after July 1st of each year the said company may direct the use of this water as needed for stock watering purposes."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 5th day of March, A. D. 1945.

MARK R. KULP
State Reclamation Engineer
By 
Roy W. Thompson
Supervisor of Water Distribution

RECORDED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of

MALTA LAND & IRRIGATION COMPANY,
of Malta, Idaho

For a Transfer of Water Right, in Water
District No. 2-B, County of Cassia

ORDER GRANTING TRANSFER

WHEREAS, On the 15th day of April, 1944, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of MALTA LAND & IRRIGATION COMPANY, of Malta, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a more efficient use, and that no one will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED That the application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 18th day of May, A. D. 1944.

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RECORDED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 655

THIS IS TO CERTIFY that the MALTA LAND AND IRRIGATION COMPANY, of Malta, Idaho, duly qualified as an Idaho corporation, represented by John A. Elison, of Malta, Idaho, as its legal agent, is the owner of certain water rights, described as being 129.61 cubic feet per second of the waters of Raft River, County of Cassia, State of Idaho, with various dates of priority hereinafter set forth, said water being originally decreed to the International Mortgage Bank, by decree of Judge Charles C. Cavanah, of the United States District Court for the District of Idaho, Southern Division, in the case of

ALBION-IDAHO LAND COMPANY,

Plaintiff

vs.

JOHN ADAMS, ET AL,

Defendants

Said decree bearing date of October 18, 1928.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 324.

That said MALTA LAND AND IRRIGATION COMPANY has become the owner thereof by purchase.

The specific amounts of said water rights in cubic feet per second, with the various dates of priority, are appurtenant to the following described lands, from which the water is hereby transferred.

That now, upon the application of the Malta Land and Irrigation Company for a transfer of water rights, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 129.61 cubic feet per second of the waters of Raft River is hereby abandoned upon the lands hereinafter described as the lands from which the water is to be transferred, and the place of use under such water rights, and to which the water rights hereby confirmed by this Certificate shall become appurtenant for irrigation and domestic use is hereinafter described as the lands to which the water rights are being transferred, together with the respective amounts of such water rights and priorities.

3.2 cubic feet per second, priority April 1, 1871, April 1 to July 1 each year, decreed to the E¹SE¹ Section 6, W¹SW¹ Section 5, Twp. 14 S., Range 27 E., B.M.

3.2 cubic feet per second, priority April 1, 1871, April 1 to July 1 each year, decreed to the NE¹ Section 6, Twp. 14 S., Range 27 E., B.M.

3.2 cubic feet per second, priority April 1, 1871, April 30 to July 1 each year, decreed to the SE¹NE¹, W¹NE¹, NE¹SE¹ Section 7, Twp. 14 S., Range 27 E., B.M.

9.6 cubic feet per second, priority April 1, 1879, July 1 to October 1 each year, decreed to the E¹SE¹ Section 6, W¹SW¹ Section 5, NE¹ Section 6, SE¹NE¹, W¹NE¹, NW¹SE¹ Section 7, Twp. 14 S., Range 27 E., B.M.

0.5 cubic foot per second, priority April 1, 1871, continuous flow, decreed to the SE¹NE¹, W¹NE¹, NW¹SE¹ Section 7, Twp. 14 S., Range 27 E., B.M.

0.5 cubic foot per second, priority April 1, 1871, continuous flow,
decreed to the SE $\frac{1}{4}$, E $\frac{1}{2}$ N $\frac{1}{2}$ Section 31, Twp. 13 S.,
Range 27 E., B.M.

4.21 cubic foot per second, priority April 1, 1871, April 1 to
July 1 each year, decreed to the SE $\frac{1}{4}$, E $\frac{1}{2}$ N $\frac{1}{2}$ Section 31,
Twp. 13 S., Range 27 E., B.M.

3.2 cubic foot per second, priority April 1, 1879, April 1 to
October 1 each year, decreed to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29,
Twp. 14 S., Range 27 E., B.M.

7.2 cubic foot per second, priority June 1, 1879, April 1 to
October 1 each year, decreed to the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5,
NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, NW $\frac{1}{4}$
Section 20, Twp. 14 S., Range 27 E., B.M.

to the following described lands:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 6; NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 7;
NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 8; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; and NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18; Twp. 14 S., Range 27 E., B.M.

Also

5.6 cubic foot per second, priority June 1, 1879, April 1 to
October 1 each year, decreed to the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5,
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 20, Twp. 14 S., Range 27 E., B.M.

2.4 cubic foot per second, priority April 1, 1881, April 1 to
October 1 each year, decreed to the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5, Twp. 14 S., Range 27 E., B.M.

to be transferred to the following described lands:

W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Twp. 13 S., Range 27 E., B.M.; and E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7,
S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5,
S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 17, Twp. 14 S.,
Range 27 E., B.M.

Also

6.4 cubic foot per second, priority April 1, 1882, April 1 to
October 1 each year, decreed to the NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 29, and S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 20, Twp. 14 S.,
Range 27 E., B.M.

to be transferred to the following described lands:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Twp. 13 S., Range
27 E., B.M.; S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 17, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6,
Twp. 14 S., Range 27 E., B.M.

Also

10 cubic foot per second, priority March 1, 1883, April 1 to
October 1 each year, decreed to the SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section
31, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30, Twp. 13 S., Range 27 E., B.M.;
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Twp. 13 S., Range 26 E., B.M.; and
E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 6, Twp. 14 S., Range 27 E., B.M.

to be transferred to the following described lands:

$\frac{1}{2}$ and $\frac{1}{2}$ NE $\frac{1}{4}$ Section 31, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 30, Twp. 13 S., Range 27 E., B.M.
and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, Twp. 13 S., Range 26 E., B.M.

Also

21.6 cubic feet per second, priority May 24, 1909, decreed to the
N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 20, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section
17, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 18, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{2}$ NE $\frac{1}{4}$ Section 7,
SW $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 6, Twp. 14 S., Range
27 E., B.M.; and E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{2}$ Section 31, SW $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{2}$ SW $\frac{1}{4}$
Section 32, Twp. 13 S., Range 27 E., B.M.

to be transferred to the following described lands:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, SW $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{2}$ Section
20, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 18, Twp. 14 S., Range 27 E., B.M.;
and S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, SW $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{2}$ SW $\frac{1}{4}$ Section 32, Twp. 13 S.,
Range 27 E., B.M.; and E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Twp. 14 S., Range 27 E., B.M.

Also

43-0178

48.8 cubic feet per second, priority December 12, 1911, decreed to the
NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, SW $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{2}$ Section
20, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 20, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 17,
S $\frac{1}{2}$ Section 8, NW $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{2}$ NE $\frac{1}{4}$ Section 7, E $\frac{1}{2}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 6, W $\frac{1}{2}$ Section 5, Twp. 14 S., Range
27 E., B.M.; SW $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 31, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30,
Twp. 13 S., Range 27 E., B.M.; SE $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25,
Twp. 13 S., Range 26 E., B.M.

to be transferred to the following described lands:

N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ Section 17, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ Section 8, SW $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$
Section 5, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 6, E $\frac{1}{2}$ Section 7, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 18,
Twp. 14 S., Range 27 E., B.M. E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$
Section 31, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30, Twp. 13 S., Range 27 E., B.M.
E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, Twp. 13 S., Range 26 E., B.M.

It is further stipulated by the applicant, Malta Land and Irrigation Company, that One (1.0) cubic foot per second of the above described water rights decreed as continuous flow right, with priority of April 1, 1871, be used for stock watering purposes, and left in Kapt River for such purposes to be used at any time between August 1 and November 15 of each year as the needs may demand, and as directed by said Malta Land and Irrigation Company.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed 129.61 cubic feet per second, for the several amounts and with the several priorities above set forth and described.

That the water rights hereby transferred have been conducted to the lands from which said water is transferred from Kapt River at various established points of diversion on or adjacent to the places of use through private ditches.

That the water rights hereby transferred will hereafter be conducted to the place of use to which said water rights are transferred with no change in place of diversion, except one additional point of diversion located in the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, Township 14 South, Range 27 East, B. M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use to which said water has been transferred, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 18th day of May, A. D. 1944.

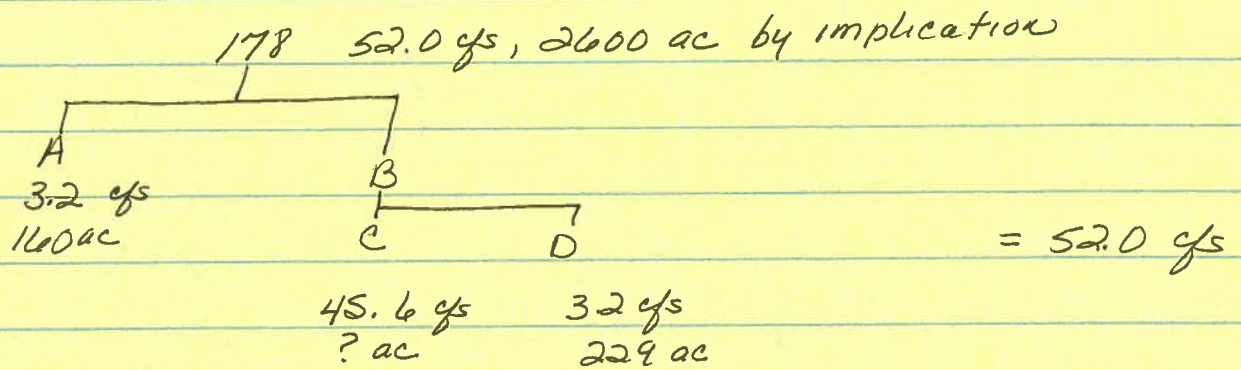
MARK R. KULP
State Reclamation Engineer
By

Roy A. Thompson
Supervisor of Water Distribution

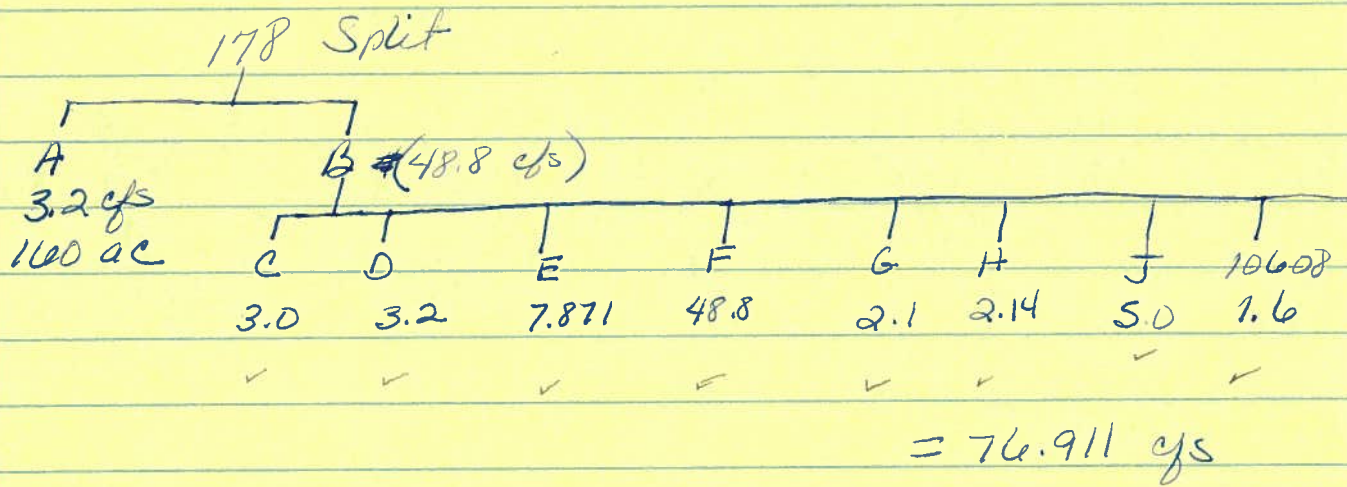
RECORDED

Decreed Right 43-00178

WR



AJ



16

172

1879-Apr. 1 3.2 s.f.

To be diverted from Raft River, April 1 to Oct. 1 each year, for the irrigation of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 14 S. R. 27 E.B.M.

173

International Mortgage Bank
1882-Apr. 1 6.4 s.f.

To be diverted from Raft River, April 1 to Oct. 1 each year, for the irrigation of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20 Twp. 14, S. R. 27 E.B.M.

174

1884-Apr. 30 3.2 s.f.

To be diverted from Raft River, Oct. 1 to Oct. 15 each year, for the irrigation of SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18, Twp. 15 S. R. 27 E.B.M.

175

1871-Apr. 1 .5 s.f.

To be diverted from Raft River, continuous flow, for the irrigation of SE $\frac{1}{4}$ and E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31, Twp. 13 S. R. 27 E.B.M.

176

1871-Apr. 1 4.21 s.f.

To be diverted from Raft River, April 1 to July 1 each year, for the irrigation of SE $\frac{1}{4}$ and E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31, Twp. 13 S. R. 27 E.B.M.

177

1909-May 24 21.6 s.f.

To be diverted from Raft River for the irrigation of N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 17, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6, Twp. 14 S. R. 27 E.B.M., and E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 31, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 13 S. R. 27 E.B.M.

FOR IRRIGATION

178

1911-Dec. 12 52 s.f.

Flood waters to be diverted from Raft River and Tributaries for the irrigation of E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Twp. 15 S. R. 27 E.B.M., NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$, Sec. 29, SW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17, W $\frac{1}{2}$, Sec. 8, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, E $\frac{1}{2}$ and the E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, W $\frac{1}{2}$, Sec. 5, Twp. 14 S. R. 27 E.B.M., and SW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 31, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M., SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 13 S. R. 26 E.B.M.

178A
140 ac

TOTAL
52 / 2600 ac = 0.02

179

1883-Apr. 29 10.1 s.f.

To be diverted from Raft River for the irrigation of W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, Twp. 10, S. R. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 3 and 4, Sec. 18, Twp. 10 S. R. 28 E.B.M., and S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13, Twp. 10 S. R. 27 E.B.M., W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 10 S. R. 27 E.B.M.

180

1886-Apr. 1 3.8 s.f.

To be diverted from Raft River for the irrigation of Lots 3 and 4 and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, and Lots 1 and 2 and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp. 10 S. R. 28 E.B.M.

181

International Mortgage Bank
1908-Jan. 25 21 s.f.

To be diverted from Raft River for the irrigation of E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6 and part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 7, Twp. 10 S. R. 28 E. B.M., and part of NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 10 S. R. 27 E.B.M.

also Follet-Taylor Decree 1956

applies to
vid
-14

PROVIDED, however, that the water for the purpose International Mortgage Bank shall be taken from Ra Heglar Ranch, and that the said International Mort to have any of the water above the Heglar Ranch us

ALBION-IDAHO LAND COMPANY
-vs-
JOBE ADAMS, et al
DECREE #992 10-18-1928

The Jobe Adams decree lists the duty of water at 1"inch to the acre in section XVIII. That section states,

"... that the duty of water for the irrigation of said land is hereby established and fixed at one-fiftieth ($1/50^{\text{th}}$) of a second foot per acre; and that, notwithstanding the fact that in some instances lands hereinafter described have decreed water rights of different priorities, the maximum amount which may be diverted by any appropriator at any one time under any and all of the priorities hereinafter set out shall be and is hereby, limited to one-fiftieth ($1/50^{\text{th}}$) of a second foot of water per acre for land described in this decree, and that at all times when the water hereby decreed is not being actually used upon the land to which the same is hereby decreed, the said water must be permitted to flow down the stream for the benefit of junior appropriators."

therefore, the maximum acres that can be recognized within a decreed place of use is limited to the maximum combined diversion rate divided by 0.02 cfs (one miners inch).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:08:39
05/24/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A43-00178A

LAST: BOOTH FIRST: BOYD R
ADDRESS: PO BOX 664
160 N 1ST WEST
CITY: MALTA STATE: ID ZIP: 833420000
PHONE NUMBER: 208-645-2464
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y() N()
CLAIM REMARKS: TRANS. 3233.
PERIOD OF USE NOT GIVEN IN DECREE BUT COMMONLY REFERRED TO AS CONTINUOUS.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: PHONE NUMBER: () - -
DATE OF FIELD EXAM: _/_/_ APPOINTMENT MADE: Y() N() TIME: _ : _ A() P()
ACCOMPANIED BY: PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

No field exam. Recommendations based upon
best top level and the view sis program
interpretation & calculations.
Ownership provided by Cassia Cty Assessor to be:
Murray Daniels, 375 East Stick Rd, Meridian ID 83642
No response from me since the date 12/28/99