

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: A43-00245B
Date Received: 6/ 1/1989
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: JOHN H WIGHT 208-645-2486
Address: PO BOX 621
MALTA ID 83342
OR
Name: ELMOINE O WIGHT 208-645-2486
Address: PO BOX 621
MALTA ID 83342

2. Date of Priority: APR 30, 1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	26E	12	SW	SE	NW		CASSIA

5. Description of diverting works:
HEADGATE, LATERALS AND HAND LINES OR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.260		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	26E	12	NE	NE		IRR	2.2

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	12	NW	NE		IRR	32.0
Section Acres							34.2
Total Acres							34.2

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:
43-00244B

14. Remarks:

CHANGE OF OWNERSHIP DATA ENTERED BASED UPON A WARRANTY DEED
AND CHANGE OF OWNERSHIP SUBMITTED WITH A43-04178. KKC 10-26-99.
THE PROPERTY IS SPLIT BASED UPON THE WARRANTY DEED. ACCORDING TO
JOHN WIGHT, WATER DIVISION WAS NOT DISCUSSED. THE SPLIT IS ON
A PROPORTIONATE BASIS OF IRRIGATED ACRES WITHIN THE CLAIMED P/U.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree Defendant

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: A43-00245
Date Received: 6/01/1989
Receipt No: MA03803
Received By: RAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. RICHARD BUTLER
Address: 278 SO. 300 W. 801-544-2883
KAYSVILLE, UT 84037
OR
Name: DONNA W. BUTLER 801-544-2883
Address: 278 SO. 300 W.
KAYSVILLE, UT 84037
2. Date of Priority: APR 30, 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	12	SW		SE		NW		CASSIA
		14	NE		NW		NE		CASSIA
5. Description of diverting works:
HEADGATE, LATERALS AND HAND LINES OR FLOOD IRRIGATION
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	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:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	12	NE	NE		IRR	31.0
			NW	NE		IRR	31.0
						Section Acres	62.0
						Total Acres	62.0

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:
43-0244

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

16. Signature(s)

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): Richard Butler Date: 6/1/89
_____ Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of June 19 89 Bruce A. Schuld
Notary Public

Seal

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

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 43-00244 & 43-00245
Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant RICHARD & DONNA BUTLER

KAYSVILLE UTAH

4. New Owner/Claimant(s) ELMOINE O. WIGHT
JOHN H. WIGHT

Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address PO Box 621

City, State and ZIP Code MALTA, Id. 83342

New Telephone Number 208) 645-2486

5. Date you acquired the property 9/7/90

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 32 Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) John H. Wight

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

43-00244 & 43-00245 SPLIT ANALYSIS

March 31, 2000
By Kelly K Christensen
File: 43-0244 00245 split analysis

John Wight purchased approximately 34.2 acres of the property covered by these rights. He indicated that Art Whitaker has purchased the remaining property (mainly in the NENE of Sec 12. The department has not received a change of ownership for that property as of this date.

John's warranty deed was silent as to the split rate for the water rights. When I asked John, he indicated that the water right split proportion was never discussed during the sale. I am splitting the two rights proportionately based upon the found irrigated acres for both individuals.

I

Owner	Irrigated acres		Claim Number	Diversion rate
Wight	33		43-00244	0.60
Butler	26		43-00245	0.40
total	59		total	1.00
Butler proportionate share				
A43-00244A	<u>26</u>	of 0.60 =	0.264	≈ 0.26 cfs
A43-00245A	59	of 0.40 =	0.176	≈ 0.18 cfs
Wight proportionate share				
A43-00244B	<u>33</u>	of 0.60 =	0.335	≈ 0.34 cfs
A43-00245B	59	of 0.40 =	0.223	≈ 0.22 cfs

209647

WARRANTY DEED

For Value Received

RICHARD BUTLER and DONNA BUTLER, husband and wife

the grantor s. does hereby grant, bargain, sell and convey unto

JOHN H. WIGHT and ELMOINE O. WIGHT, husband and wife
Box 621, Malta, Idaho 83342

the grantees, the following described premises. to-wit:

SEE ATTACHED "EXHIBIT A" FOR LEGAL DESCRIPTION.

RECEIVED

JAN 31 1994

Department of Water Resources
Southern Region Office

SUBJECT TO:

General taxes for the year 1990, and subsequent years.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do es hereby covenant to and with the said Grantees, that the y are the owners in fee simple of said premises; that said premises are free from all incumbrances except as above described, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 7, 1990

Richard Butler
RICHARD BUTLER

Donna Butler
DONNA BUTLER

STATE OF IDAHO, COUNTY OF CASSIA

On this 21st day of September, 1990 before me, a
notary public in and for said State, personally appeared

RICHARD BUTLER and DONNA BUTLER, husband
and wife

known to me to be the person s whose names are subscribed to the
within instrument, and acknowledged to me that they executed the same.

Vicki B. Wright
Notary at Kayserville

Utah
Idaho. Comm. Expires 2-16-92



NOTARY PUBLIC
VICKI B. WRIGHT
201 Virginia Street
Maya, ID 83401
My Comm. Expires
February 16, 1992
STATE OF UTAH

"EXHIBIT A"

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA
COUNTY, STATE OF IDAHO

Section 12: Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Beginning at the NE corner of Section 12 of Township
13 South, Range 26 E., B.M. said corner marked by a 3"
Cassia County survey cap; Thence N 89°34'11" W along
section line for 1070.82 feet to the Point of Beginning;

Thence S 7°20'53" W for 41.22 feet to a $\frac{1}{4}$ " rebar;
Thence S 7°20'53" W for 283.56 feet to a $\frac{1}{4}$ " rebar;
Thence N 68°50'29" W for 151.97 feet to a $\frac{1}{4}$ " rebar;
Thence S 7°38'55" W for 376.91 feet to a $\frac{1}{4}$ " rebar;
Thence S 51°45'58" W for 681.69 feet to a $\frac{1}{4}$ " rebar;
Thence S 73°34'58" W for 343.31 feet to a $\frac{1}{4}$ " rebar;
Thence S 89°52'47" W for 482.29 feet to a $\frac{1}{4}$ " rebar
on the west line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence N 0°05'02" W along the west line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$;
for 1172.63 feet to a 3" Cassia County survey cap at
the north $\frac{1}{4}$ section corner of Section 12;
Thence S 89°34'11" E along section line for 1582.25
feet to the Point of Beginning.

SUBJECT TO a 25 foot wide county road right-of-way along the north side.

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA
COUNTY, STATE OF IDAHO

Section 12: NE $\frac{1}{4}$ NW $\frac{1}{4}$ EXCEPT the Highway right-of-way and
EXCEPT the following described parcels:

Parcel #1: Beginning at a point 40 feet East and 268.71 feet
North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section
12, Township 13 South, Range 26 EBM; Thence East 417.42 feet;
Thence North 141 feet; Thence West 417.42 feet; Thence South
141 feet to the Point of Beginning.

Parcel #2: Beginning at the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$
of said Section 12, Thence East 45 feet; Thence South 30
feet to the Point of Beginning; Thence East 210 feet; Thence
South 208 feet; Thence West 210 feet; Thence North 208 feet
to the Point of Beginning.

Parcel #3: Beginning at a point 40 feet East and 409.71
feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 12, Thence East 417.42 feet; Thence North
104.35 feet; Thence West 417.42 feet; Thence South
104.35 feet to the Point of Beginning.

Parcel #4: Beginning at a point 40 feet East and 514.6
feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 12; Thence East 200 feet; Thence North
200 feet; Thence West 200 feet; Thence South 200 feet
to the Point of Beginning.

Parcel #5: Beginning at a point 30 feet South and 255
feet East of the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 12, Thence East 210 feet; Thence South
208 feet; Thence West 210 feet; Thence North 208 feet
to the Point of Beginning.

Parcel #6: Beginning at the Northwest corner of the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence East along the North
line of said Section 12 for 515.0 feet to the True
Point of Beginning, Thence continuing East along said
section line a distance of 500.0 feet, Thence South a
distance of 500.0 feet, Thence West a distance of 500.0
feet, Thence North a distance of 500.0 feet to the
Point of Beginning.

Parcel #7: Beginning at a point 40 feet East and 914.06
feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 12, Thence 420.0 feet East, Thence 160.5
feet North, Thence 420.0 feet West, Thence 160.5 feet
South to the Point of Beginning.

Parcel #8: Beginning at a point 240 feet East and 714.06
feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of
said Section 12, Thence East 220 feet, Thence North
200 feet, Thence West 220 feet, Thence South 200 feet
to the Point of Beginning.

(Continued)

Parcel #9: Beginning at a point 40 feet East and 714.06 feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence East 200 feet, Thence North 200 feet, Thence West 200 feet, Thence South 200 feet to the Point of Beginning.

Parcel #10: Beginning 240 feet East and 514.6 feet North of the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence East 220 feet, Thence North 200 feet, Thence West 220 feet, Thence South 200 feet to the Point of Beginning.

Parcel #11: Beginning at the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence running North along the West boundary line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 208.71 feet, Thence East on a line parallel with the South boundary line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 417.42 feet, Thence South on a line parallel with the West boundary line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 208.71 feet, Thence West along the South boundary line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ for 417.42 feet to the Point of Beginning.

Parcel #12: Beginning at the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence North 448 feet, Thence West at a right angle 179 feet, Thence South at a right angle 448 feet, Thence East at a right angle 179 feet to the Point of Beginning.

SUBJECT TO a 25 foot wide county road right-of-way along the north side.

TOGETHER WITH a water conduit to be placed 36" below the surface, a strip of land 3 feet in width running North and South across the West face of the following described property:

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, STATE OF IDAHO

Section 12: Beginning at a point 40 feet East and 268.71 feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Township 13 South, Range 26 EBM; Thence East 417.42 feet; Thence North 141 feet; Thence West 417.42 feet; Thence South 141 feet to the Point of Beginning.

TOGETHER WITH a 6' wide irrigation ditch right of way running East and West approximately 180 feet South of the North boundary line and a ditch running substantially North and South along the East line commonly known as the Scott ditch over, upon and across the following described property:

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, STATE OF IDAHO

Section 12: Beginning at the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence North 448 feet, Thence West at a right angle 179 feet, Thence South at a right angle 448 feet, Thence East at a right angle 179 feet to the Point of Beginning.

TOGETHER WITH a 3 foot right-of-way from the West property line and running parallel thereto to be used for a 12" water conduit placed 36 inches below the ground surface described as follows:

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, STATE OF IDAHO

Section 12: Beginning at a point 40 feet East and 409.71 feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence East 417.42 feet; Thence North 104.35 feet; Thence West 417.42 feet; Thence South 104.35 feet to the Point of Beginning.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

inches b / the ground surface described as follows:

TIP 13 SOUTH, RANGE 26 EAST, BO IDIAN, CASSIA
STATE OF IDAHO

Section 12: Beginning at a point 40 feet East and 409.71 feet North from the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12, Thence East 417.42 feet; Thence North 104.35 feet; Thence West 417.42 feet; Thence South 104.35 feet to the Point of Beginning.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

Attached to and forming a part of Warranty Deed, dated September 7, 1990. executed by Richard Butler and Donna Butler, husband and wife.

203647

CASSIA COUNTY ABSTRACT

220

SEP 27 11 45

CASSIA COUNTY ABSTRACT

FEELER

CASSIA COUNTY ABSTRACT

12751

THIS BLANK FURNISHED BY CASSIA COUNTY ABSTRACT COMPANY

209648

WARRANTY DEED

For Value Received

BRIAN J. HAWKINS and SUE E. HAWKINS, husband and wife

the grantors do hereby grant, bargain, sell and convey unto

GARY W. JOHNSON and LOWANA JOHNSON, husband and wife
2666 Fairmont Drive, Burley, Idaho 83318

the grantees, the following described premises, to-wit:

Lot 5 in Block 2 of FAIRMONT PARK DIVISION NO. 1 to the City of Burley, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of the County of Cassia, State of Idaho.



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**

April 3, 2000

**JOHN H WIGHT
PO BOX 621
MALTA ID 83342**

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS: A43-00244A AND A43-00245A

Dear John

Enclosed are the copies of the claims as split. Please review them to make sure that every entry is correct.

Please note that I have split the claims based upon a proportionate share of the irrigated ground as opposed to land owned by individual.

If you have any questions please give me a call.

Sincerely

Kelly K Christensen

Enclosures

02/07/2001

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

RIGHT NUMBER: 43-245B

NAME AND ADDRESS: ELMOINE O WIGHT
JOHN H WIGHT
PO BOX 621
MALTA, ID 83342

VERIFIED BY KKC

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.26 CFS

PRIORITY DATE: 04/30/1886

POINT OF DIVERSION: T13S R26E S12

SESENW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3-15 11-15

QUANTITY
0.26 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R26E S12

NENE

1.2

T13S R26E S12

NWNE

31.8

33 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 33 ACRES IN A SINGLE IRRIGATION SEASON
COMBINED RIGHTS: 43-00244B AND 43-00245B

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

Water Right Number - R43-002458

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***

JOHN H

1 - PO BOX 621

State- ID Zip- 83342

VERIFIED BY 

WIGHT

ELMOINE O

1 - PO BOX 621

State- ID Zip- 83342

*** O - ORIGINAL OWNER ***

BUTLER

DONNA W

1 - 278 SO 300 WEST

State- ID Zip- 83342

BUTLER

R RICHARD

1 - 278 SO 300 WEST

State- UT Zip- 84037

City- KAYSVILLE
Phone - 801-544-2883

State- UT Zip- 84037

+ - - Priority Date - - +

+ - - Region - - - +

+ - - Stage - - - +

+ - - Status - - - +

04/30/1886

17 SOUTHERN

D - DECREED

+ - - - - Source - - - - +

+ - - - - Tributary - - - - +

CASSIA CREEK

RAFT RIVER

+ - - - - Point of Diversion - - - - +

13S 26E 12 SE SE NW

(31) CASSIA

+ - - - - Code Description

Period From Period To

Water Use - - - - - Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

0.260

+ - Total Div. Rate - + + - Total Div. Volume - +

+ - Total Consumptive Use - + + - KW Usage - +

0.260

0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13S	26E	12	NE NE	1.2	01	IRRIGATION	(31) CASSIA	
13S	26E	12	NW NE	31.8	01	IRRIGATION	(31) CASSIA	

Total Acres: 33.0

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 43-00244B

.....Remarks.....

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
ALBION-IDAHO LAND CO.	JOE ADAMS ET AL	00/00/0000

Date	User Id	Subject	Comments
04/04/2000	KCHRISTE	COPIED FROM REMARKS CHANGE OF OWNERSHIP DATA ENTERED BASED UPON A WARRANTY DEED THE PROPERTY IS SPLIT BASED UPON THE WARRANTY DEED. ACCORDING TO A PROPORTIONATE BASIS OF IRRIGATED ACRES WITHIN THE CLAIMED P/U.	AND CHANGE OF OWNERSHIP SUBMITTED WITH AA3-04178. KKC 10-26-99. WATER DIVISION WAS NOT DISCUSSED. THE SPLIT IS ON

----- Adjudication Rights Dates and Flags Area -----

Court Report Filing	- 00/00/0000	Field Inspection Made	- 03/27/2000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 04/04/2000	Old Judicial District	-	
Claim Received Date	- 06/01/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Receipt Number	- X777777	Water District	- 43C	
		POU Ownership Flag	- Y	Federal/State Indicator	- S	
		Name Connector	- OR	Presumption Flag	-	
				Notice of Error Flag	-	

RECOMMENDED PLACE OF USE FOR 43-00244B & 43-00245B

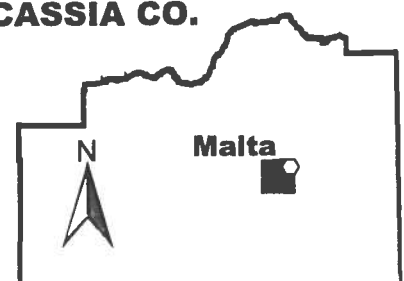


PLACE OF USE
TWP 13S RNG 26E, SEC 12
data entry on: April 4, 2000

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

CASSIA CO.



CLAIM NUMBER
43-00244B
- 00245B

DATE
4-3-00
AGENT
KKC

TRANSFER NUMBER
CLAIMED ACRE TOTAL
34.2
GIS ACRE TOTAL
33

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13S	26E	12	2.2	32															34.2
GIS				1.2	31.8															33
RECOM				1.2	31.8															33
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP
SHAPE NOS.
191

B43-POD.SHP
NOS.
DESCRIPTION

128
Sec 12

SESE NW
43-00244B is for .34 CFS
43-00245B is for .22 CFS
.56 CFS
33 acres @ .02 = 0.66 CFS
the decreed rate is slightly less than 1 inch/acre

DBF TABLES UPDATED
B43-DBPOU.DBF
4-4-00
B43-DBPOD.DBF
"
JPEG LAYOUT
43-00244B-Wight.JPG

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:50:38
04/04/00

PAGE: 2
QUICKLOOK INFORMATION

4
CLAIM NUMBER: A43-00245B

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-		KKC 3-27-00					
POINT OF DIV	-							
SOURCE	-							
PLACE OF USE	-							
DIV. AMOUNT CFS/VOLUME	-							
CONSUMPTIVE USE	-							
PURPOSES OF USE	-							
PERIOD OF USE	-							
BASIS OF CLAIM	-							
REMARKS	-							

This is a combined system with 43-00244B
See 43-00244B for Complete CVR.

BARCODE UPDATED
WHOM/DATE

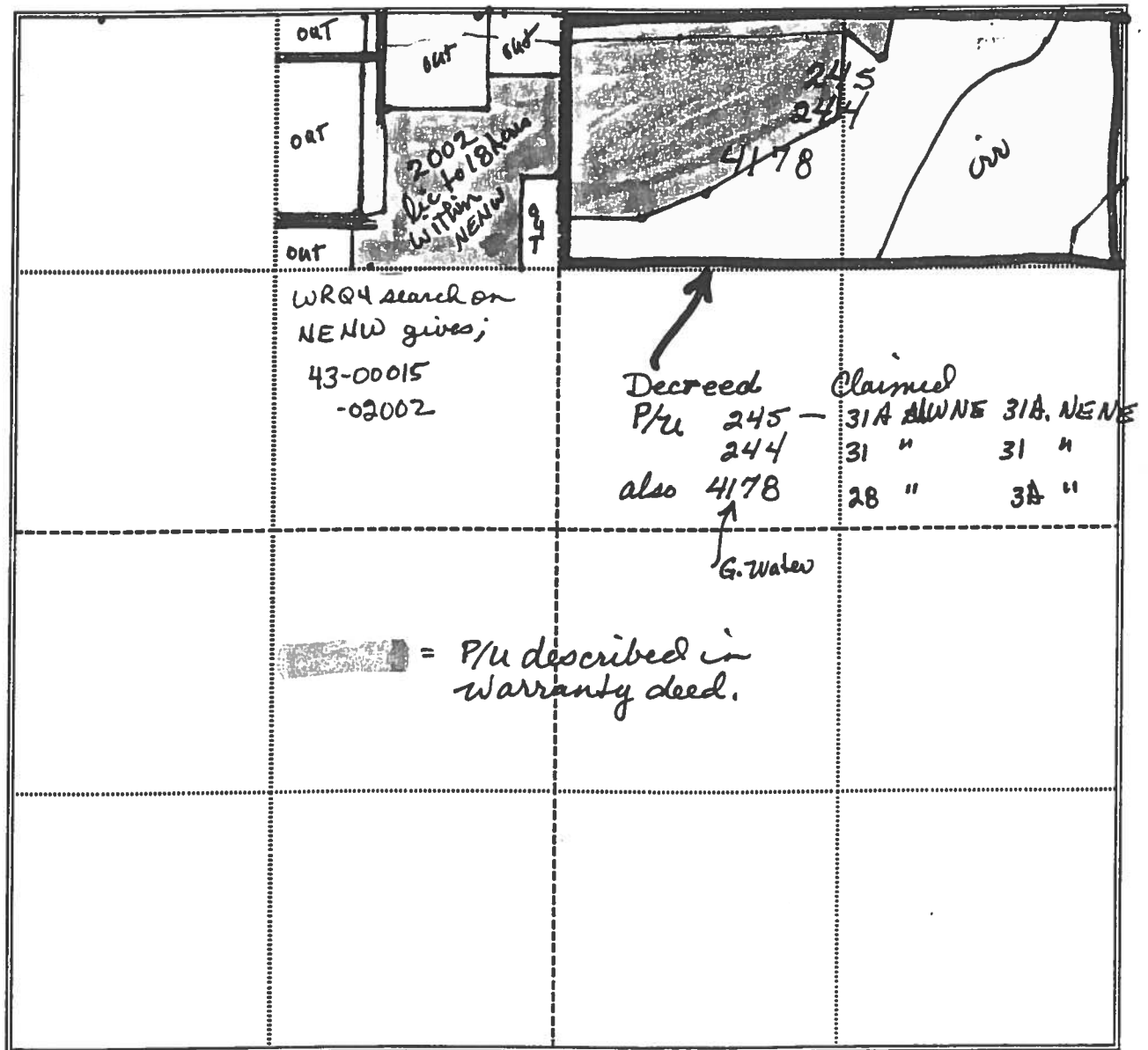
KKC
4-4-00

No other pgs of this CVR
retained

Kelly Christensen
Sr Water Resource Agt
4-4-00

TOWNSHIP 13S
RANGE 26E
SECTION 12

CLAIM NUMBER _____
DATE _____
AGENT _____



43-00244 & 43-00245 SPLIT ANALYSIS

March 31, 2000
By Kelly K Christensen
File: 43-0244 00245 split analysis

John Wight purchased approximately 34.2 acres of the property covered by these rights. He indicated that Art Whitaker has purchased the remaining property (mainly in the NENE of Sec 12. The department has not received a change of ownership for that property as of this date.

John's warranty deed was silent as to the split rate for the water rights. When I asked John, he indicated that the water right split proportion was never discussed during the sale. I am splitting the two rights proportionately based upon the found irrigated acres for both individuals.

I

Owner	Irrigated acres		Claim Number	Diversion rate
Wight	33		43-00244	0.60
Butler	26		43-00245	0.40
total	59		total	1.00
Butler proportionate share				
A43-00244A	<u>26</u>	of 0.60 =	0.264	≈ 0.26 cfs
A43-00245A	59	of 0.40 =	0.176	≈ 0.18 cfs
Wight proportionate share				
A43-00244B	<u>33</u>	of 0.60 =	0.335	≈ 0.34 cfs
A43-00245B	59	of 0.40 =	0.223	≈ 0.22 cfs