

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: A43-00254A
Date Received: 6/20/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: C BAR CATTLE CO 801-328-1600
Address: 139 EAST SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

2. Date of Priority: APR 1, 1898

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	20	NW	NW	SW		CASSIA

5. Description of diverting works:
HEADGATE FROM RAFT RIVER & ASOCIATED DITCHES, BOOSTER PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	1.620		

7. Total Quantity Appropriated is:
1.620 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	25	SE	NE		IRR	6.8
						Section Acres	6.8
	27E	20	NE	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	6.0
		30	SW	NE	IRR	14.2
					Section Acres	14.2
					Total Acres	27.0

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:

43-0030, 0032, 0442, 0253, 0255, 0171, 0287, 2305, 2304,

14. Remarks:

THIS CLAIM INCLUDES WATER RIGHT NUMBERS: 43-00030, 43-00032, 43-00443, 43-00253, 43-00442, 43-00255 WHICH ARE FROM A COMMON PRIORITY DATE. ACREAGE CALCULATED BY ASCS USING AERIAL PHOTOS.

10-20-99: OWNERSHIP CHANGE JACK PIERCE TO JOHN AND MABEL PIERCE PER NOTICE AND WD REC'D 7-16-1990 RESULTED IN A SPLIT OF SWNE SEC 30. 13 AC AND .78 CFS CONVEYED TO JOHN AND MABEL. BALANCE REMAINED IN NAME OF JACK PIERCE.

10-20-99: OWNERSHIP CHANGE JACK PIERCE TO PIERCE, INC PER NOTICE REC'D 7-16-1990.

10-20-99: OWNERSHIP CHANGE PIERCE, INC TO C BAR CATTLE CO PER NOTICE REC'D 7-16-1990. SEE SUPPORTING DOCS IN FILE A43-00254 -VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs Decree Defendant

Old (D) Number -

State- ID Zip- X

State- ID Zip- 00000

State- ID Zip- 00000

State- ID Zip- 83705

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KM Usage - +
2.400		0.0	

Water right number - A43-00254

Prefix Translation: ADJUDICATION CLAIM

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13S	26E	25	SE NE		6.8	01	IRRIGATION	(31) CASSIA
13S	27E	20	NE SW		6.0	01	IRRIGATION	(31) CASSIA
13S	27E	30	SW NE		27.2	01	IRRIGATION	(31) CASSIA

Total Acres: 40.0

- - - Diversion Means - HEADGATE FROM RAFT RIVER & ASSOCIATED DITCHES, BOOSTER PUMPS.

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 43-0030, 0032, 0442, 0253, 0255, 0171, 0287, 2305, 2304,

- - - Remarks - - - - -

GEN OTHER WATER RIGHTS (CONT.):

43-4238, 43-2455

10-20-99: OWNERSHIP JACK PIERCE TO JOHN A AND MABEL PIERCE PER
NOTICE REC'D 7-16-90 RESULTED IN A SPLIT. PORTION "A" REMAINED
IN NAME OF JACK PIERCE WITH 27 AC AND 1.62 CFS. "B" PORTION WAS
CONVEYED TO JOHN A AND MABEL PIERCE WITH 13 AC AND .78 CFS. THE
"A" PORTION WAS SUBSEQUENTLY CONVEYED TO PIERCE, INC AND C BAR
CATTLE CO. SEE DEED SUBMITTED IN 1990 AND SUPPORTING DOCS IN
FILE. - VH

- - - No Old Water Right Numbers Found - - - Old Water Right Numbers - - -

- - - Conditions of Approval - - - No Conditions of Approval found.

- - - Decree Plaintiff - - - + JOBE ADAMS ET AL - - - Decree Date - +
ALBION-IDAHO LAND CO. 00/00/0000

- - - Comments - - - No Comments Found

- - - Audit Fields - - +
10/20/99 VHANCOCK

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C007642	Water District	- 438
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C

AJ5809NP
No. A43-00254

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK A PIERCE MALTA ID 83342 (208) 645-2580	04/01/1998	IRRIGATION	04-01 10-01	2.400 CFS	41.02
TOTAL DIVERSION:					2.400 CFS	15.78

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T14S R27E S20

MMNSW

CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	SE	SW	SE	SUM
T R S	NE NE NE NE NE	SE NE NE NE NE	SW NE NE NE NE	SE NE NE NE NE	
13S 26E 25	06				6.8
13S 27E 20					6.0
13S 27E 30					27.2
TOTAL ACRES					40.0

POU County: CASSIA

Other Rights: 43-0030, 0032, 0442, 0253, 0255, 0171, 0287, 2305, 2304,

Remarks: GEN OTHER WATER RIGHTS (CONT.):
43-4238, 43-2455

Dates: Exam Made Date: Verified Date: 03/26/1985 Objection Filed Date:
Misc: Water District Number: 438 Field Inspection Flag: C
Presumption Flag: C

2.4 / 40 = .06

40.0
A 2.4
B 13

Arimo Corporation
139 East South Temple, Ste 310
Salt Lake City, UT 84111
ATTN: Christopher Robinson

ND TITLE AND ESCROW INC.
211 West 13th Street
P.O. Box 177
Burley, Id. 83318
(208)678-3524

COMMONWEALTH LAND TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

ORDER NUMBER: 30762

1. Effective Date: October 28, 1998 at 8:00 A.M.

2. Policy or Policies to be issued:

A. ☐ ALTA Owners Policy - Standard Coverage
(10/17/92)

Proposed Insured:

B. ☒ ALTA Loan Policy ☒ Standard ☐ Extended
(10/17/92)

☐ With Endorsements

Proposed Insured:

NAME OF LENDER

Amount \$
Premium \$

Amount of Loan
Amount of loan
Premium \$

C. ☐

Proposed Insured:

Amount \$
Premium \$

3. The Estate or Interest in the land described or referred to in this Commitment and covered herein is **FEE SIMPLE** and is at the effective date vested in:

* **PARCEL NO. 1, 2, 3, 4, & 5:** **C BAR CATTLE COMPANY**, an Idaho corporation, formerly **PIERCE, INC.**, An Idaho Corporation
PARCEL NO. 6, 7, 8, 9, 10 & 11: **ARIMO CORPORATION**, an Idaho Corporation

4. The land referred to in this Commitment is situated in the County of CASSIA, State of Idaho, and described as follows:

SEE SCHEDULE A, PAGES 2 thru 12

Countersigned:

COPY

Authorized Officer or Agent

This Commitment is valid only if Schedule B is attached.

RECEIVED

NOV 12 1998

Department of Water Resources
Southern Region

NOV 18 1998

If you have any
questions, please
give me a call @
(801) 328-1600.

RECEIVED
NOV 18 1998
Department of Water Resources
Southern Region
Bar Cattle Co.

CONTINUATION

SCHEDULE A

Order Number: 30762

PARCEL NO. 1:

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

Section 24: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 25: E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT
E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30: Lots 1, 2 and 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, less a strip of land 3 rods wide along the North
boundary of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPT the West 6 rods of said strip of land.

The West 6 rods of the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of the County Highway.

TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: All that part of Section 26 lying South and West of the Sublet, Meadow
Creek and Juniper Road, EXCEPT that part deeded to the State of Idaho, by
Warranty Deed, recorded May 10, 1967 as Instrument No. 34928, records of
Cassia County, Idaho.

Section 27: All, EXCEPT the following described parcel of land:

Commencing at the Northwest corner of said Section 27;
Thence East along the Government Section line on the North side of said
Section 27 for 208.71 feet;
Thence South along a line parallel with the West boundary line of said
Section 27 for 208.71 feet;
Thence West along a line parallel with the North boundary line of said
Section 27 for 208.71 feet;
Thence North along the Government section line on the West side of said
Section 27 for 208.71 feet to the Point of Beginning.

CONTINUATION

SCHEDULE A

Order Number: 30762

Section 5:	SW $\frac{1}{4}$
Section 6:	N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7:	E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
Section 8:	All, EXCEPT that part deeded for Highway right of way.
Section 9:	ALL, EXCEPT that part deeded for Highway right of way.
Section 10:	W $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT that part deeded for Highway right of way.
Section 14:	SW $\frac{1}{4}$ SW $\frac{1}{4}$, that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying South of the Interstate Highway right of way.
Section 15:	W $\frac{1}{2}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT that part deeded for Highway right of way.
Section 17:	NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 18:	N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 20:	S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21:	W $\frac{1}{2}$ NE $\frac{1}{4}$
Section 22:	N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 23:	W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

-Continued-

CONTINUATION
SCHEDULE A

Order Number: 30762

PARCEL NO. 2:

C TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: S½S½, EXCEPTING THEREFROM that portion deeded to the State of Idaho in Warranty Deed from James Van Komen and Ellen Van Komen, husband and wife, dated January 23, 1967 and recorded July 14, 1967 as Instrument No. 35966 on Film No. 50, records of Cassia County, Idaho.

NW¼SW¼, EXCEPTING THEREFROM that portion deeded to the State of Idaho in Warranty Deed from J. T. Gregory and Catherine M. Gregory, husband and wife, dated March 21, 1967 and recorded April 20, 1967 as Instrument No. 34600 on Film No. 48, records of Cassia County, Idaho.

Section 36: W½

TOWNSHIP 14 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: Lot 2, E½E½NW¼, SE¼, and S½NE¼

EXCEPTING THEREFROM that portion deeded to the State of Idaho in Warranty Deed from James Van Komen and Ellen Van Komen, his wife, dated January 23, 1967 and recorded July 14, 1967 as Instrument No. 35967 on Film No. 50, records of Cassia County, Idaho.

ALSO EXCEPTING THEREFROM the following described tract of land:
Beginning at a point 2090.16 feet South 72°43' East from the Northwest corner of said Section 5; thence 654.8 feet South 00°09' East; thence 769 feet North 80°47' East; thence 312.5 feet North 55°00' West; thence 255.1 feet North 68°42' West; thence 231.9 feet North 52°41' West; thence 143.2 feet North 33°51' West to the Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract of land:
Beginning at a point (concrete right of way marker) 2909.3 feet South 87°34' East from the Northwest corner of said Section 5; thence 1098.3 feet South 16°13' East; thence 575.9 feet North 53°18' East; thence 578 feet North 39°46' West; thence 256.3 feet North 11°21' West; thence 222 feet North 44°48' West; thence 240 feet South 53°21' West to the Point of Beginning.

CONTINUATION

SCHEDULE A

Order Number: 30762

PARCEL NO. 3:

TOWNSHIP 14 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 16: E½

PARCEL NO. 4:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: SE¼NW¼, SW¼NE¼, EXCEPT the following described tract:

Beginning at the center quarter section corner of said Section 30, which shall be the Point of Beginning;

Thence North 89°43'57" West along the quarter section line for 1204.63 feet to a ½ inch rebar;

Thence North 2°16'27" East for 63.65 feet to a ½ inch rebar;

Thence North 37°49'43" East for 762.42 feet to a ½ inch rebar;

Thence North 0°01'08" East for 235.38 feet to a ½ inch rebar;

Thence North 89°17'35" East for 687.43 feet to a ½ inch rebar;

Thence North 89°16'53" East for 353.19 feet to a ½ inch rebar;

Thence South 0°40'42" West for 354.97 feet to a ½ inch rebar;

Thence North 85°04'42" East for 226.25 feet to a ½ inch rebar;

Thence North 89°03'02" East for 215.14 feet to a ½ inch rebar;

Thence South 0°26'17" East for 591.25 feet to a ½ inch rebar on the quarter section line;

Thence North 89°43'57" West along the quarter section line for 746.97 feet to the Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: W½W½SW¼SE¼

-Continued-

CONTINUATION
SCHEDULE A

Order Number: 30762

PARCEL NO. 6:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM:

Beginning at the Southwest corner of said Section 32;
Thence North 1320 feet;
Thence East 713 feet;
Thence South 6°20' West 500 feet;
Thence West 283 feet;
Thence South 26°50' West 226 feet;
Thence South 6°52' East 383 feet;
Thence South 17°35' West 254 feet;
Thence West 240 feet to the Point of Beginning.

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

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: W $\frac{1}{2}$

Section 5: ALL, EXCEPTING THEREFROM:

Beginning at the Northwest corner of said Section 5;
Thence East 240 feet;
Thence South 25°48' West 336 feet;
Thence South 2°57' East 385 feet;
Thence South 17°45' East 310 feet;
Thence South 12°08' West 360 feet;
Thence West 139 feet;
Thence North 1320 feet to the Point of Beginning.

ALSO EXCEPTING:

Beginning at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 5;
Thence East 139 feet;
Thence South 2°33' West 263 feet;
Thence South 88°20' East 285 feet;
Thence South 9°48' East 130 feet;
Thence South 43°22' West 134 feet;
Thence South 33°53' West 307 feet;
Thence South 65°37' West 180 feet;
Thence North 815 feet to the Point of Beginning.

CONTINUATION

SCHEDULE A

Order Number: 30762

Section 8: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 8;
Thence North 20 rods;
Thence West 16 rods;
Thence South 20 rods;
Thence East 16 rods to the Point of Beginning.

Section 17: E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: NE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 15 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 7: NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 20: ALL

Section 29: N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$

Section 32: ALL

Tax Number 1100 described as: A tract of land lying in a portion of Sections 15 and 16, Township 15 South, Range 28 East of the Boise Meridian, Cassia County, Idaho, described as follows: Beginning at corner #1 from which the corner common to Sections 16 and 17 and Sections 20 and 21, Township 15 South, Range 28 East of the Boise Meridian, bears North 89°48' West 19.84 chains; thence North 38.61 chains to corner #2; thence South 84°29' East 70.20 chains to corner #3; thence South 19' East 11.27 chains to corner #4; thence South 89°3' West 49.98 chains to corner #5; thence South 3°4' East 19.87 chains to corner #6; thence West 21.17 chains to corner #1 the Place of Beginning.

-Continued-

CONTINUATION
SCHEDULE A

Order Number: 30762

Tax Number 1101 described as: A tract of land within the Minidoka National Forest: Beginning at corner #1 from which the quarter corner common to Sections 16, 17, 20 and 21, Township 15 South, Range 28 East of the Boise Meridian, Cassia County, Idaho, bears North (South) $0^{\circ}14'$ East 39.73 chains distant; thence North $0^{\circ}14'$ West 19.63 chains to corner #2; thence East 79.98 chains to corner #3; thence South 20 chains to corner #4; thence North $89^{\circ}47'$ West 79.92 chains to corner #1 the Place of Beginning.

H. E. Survey No. 314, embracing a portion of approximately Sections 16 and 21, Township 15 South, Range 28 East of the Boise Meridian, Cassia County, Idaho, more particularly bounded and described as follows: Beginning at corner #1, identical with the West corner to said Sections 16 and 21; thence North $11'$ West 38.58 chains to corner #2; thence South $89^{\circ}57'$ East 19.98 chains to corner #3; thence South 38.61 chains to corner #4; thence East 21.17 chains to corner #5; thence South 20 chains to corner #6; thence West 41 chains to corner #7; thence North $14'$ West 20.01 chains to corner #1 the Place of Beginning.

PARCEL NO. 7:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Beginning at the Southeast corner of the SE $\frac{1}{4}$ of said Section 6;
Running thence West 266 feet to the center line of U.S. Highway No. 30
South;
Thence running North $13^{\circ}47'$ West 405 feet along the center line of U.S.
Highway No. 30 South;
Running thence North $12^{\circ}3'$ West 1642 feet;
Running thence North $61^{\circ}32'$ East 270 feet;
Running thence North $9^{\circ}53'$ West 518 feet to the North boundary line of the
SE $\frac{1}{4}$ of said Section 6;
Thence running East 151 feet along said North boundary line of the said SE $\frac{1}{4}$
of said Section 6;
Thence running in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6, North $28^{\circ}59'$ East 125
feet;
Thence South $67^{\circ}14'$ East 175 feet;
Thence South $13^{\circ}54'$ East 31 feet to the North boundary line of the SE $\frac{1}{4}$ of
said Section 6;
Thence running South $13^{\circ}54'$ East 111.5 feet;
Thence running East 150 feet to the East boundary line of the said SE $\frac{1}{4}$ of
said Section 6;
Thence South 2530 feet along the said East boundary line of the said SE $\frac{1}{4}$ of
said Section 6 to the Point of Beginning.

EXCEPTING from all of the above described property, that portion conveyed
for road purposes. (Parcels No. 6 and 7)

CONTINUATION

SCHEDULE A

Order Number: 30762

PARCEL NO. 8:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 8: S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 17: NW $\frac{1}{4}$

PARCEL NO. 9:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$

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

Section 13: W $\frac{1}{2}$ W $\frac{1}{2}$

Section 14: SW $\frac{1}{4}$ and E $\frac{1}{2}$

Section 17: SE $\frac{1}{4}$

Section 22: SE $\frac{1}{4}$

Section 23: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 24: NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 7: SW $\frac{1}{4}$ SW $\frac{1}{4}$ EXCEPT that portion deeded to the State of Idaho for Highway purposes.

Section 18: That portion lying West of U.S. Highway 30.

-Continued-

CONTINUATION

SCHEDULE A

Order Number: 30762

PARCEL NO. 11:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 6: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying East of U.S. Highway No. 30 South, and EXCEPT Highway Right-of-Way.
- Section 7: E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPT that portion of said NE $\frac{1}{4}$ lying East of U.S. Highway No. 30 South, and EXCEPT Highway Right-of-way.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION I

Order Number: 30762

The following are the requirements to be complied with:

1. Instrument creating the estate or interest to be insured must be executed and filed for record, to-wit:
 - a. **Mortgage from C Bar Cattle Company, an Idaho Corporation, formerly Pierce, Inc., an Idaho Corporation, and Arimo Corporation, an Idaho Corporation, to Name of Lender, securing the loan.**
2. Pay the full consideration to, or for the account of, the grantors or mortgagors.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor or material. (Applicable to Extended Coverage only)
5. **Termination of Financing Statement between Pierce, Inc., as Debtor and John A. Pierce, as Secured Party, recorded July 2, 1990 as Instrument No. 208375 on Film No. 217, records of Cassia County, Idaho. (Affects Parcels No. 1 thru 5)**
6. **Satisfaction of Mortgage to secure payment of a note for \$15,000.00 and \$80,000.00, and any other amounts as therein provided, together with interest and any other obligations secured thereby:**

Recorded:	June 13, 1991 as Instrument No. 213880 on Film No. 226, records of Cassia County, Idaho.
Dated:	June 7, 1991
Mortgagor:	Arimo Corporation, an Idaho Corporation
Mortgagee:	Ruby Bedke

(Affects Parcel No. 11)
7. **Partial Release of Financing Statement between Peter J. Grush as Debtor #1, Sylvia T. Grush as Debtor #2, and Northwest Farm Credit Services, ACA, as Secured Party, recorded February 19, 1997 as Instrument No. 247500 on Film No. 284, records of Cassia County, Idaho.**

-Continued-

CONTINUATION

SCHEDULE B - SECTION I

Order Number: 30762

8. A certified copy of the resolution of Board of Directors of C Bar Cattle Company, an Idaho corporation, formerly Pierce, Inc., an Idaho Corporation should be furnished us, authorizing and directing the execution of the Mortgage.
9. A certified copy of the resolution of Board of Directors of Arimo Corporation, an Idaho Corporation should be furnished us, authorizing and directing the execution of the Mortgage.

NOTE: In the event this commitment is cancelled prior to the issuance of the policy committed for herein, a fee will be charged in compliance with the State of Idaho Department of Insurance Regulations.

COPY

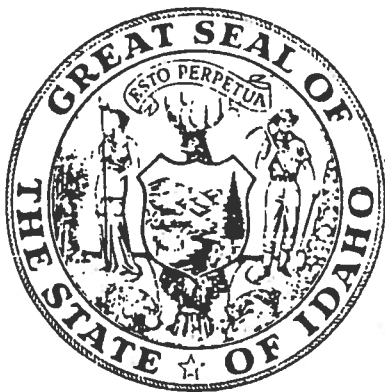
State of Idaho

Department of State

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the corporation and limited partnership records of this State.

I FURTHER CERTIFY That the annexed is a full, true and complete transcript of articles of amendment of PIERCE, INC., an Idaho corporation, received and filed in this office on the 9th day of July, 1990, changing the name to C BAR CATTLE COMPANY, as appears of record in this office as of this date.

Dated: April 10, 1991



Pete T. Cenarrusa

SECRETARY OF STATE

by: *Shirley J. Clark*

RECEIVED

NOV 18 1990

Department of Water Resources
Southern Region

State of Idaho

Department of State

CERTIFICATE OF AMENDMENT OF

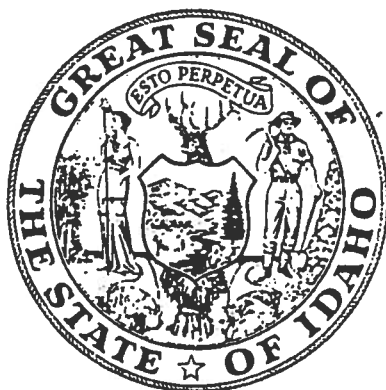
PIERCE, INC.

I PETE T. CENARRUSA, Secretary of State of the State of Idaho hereby, certify that
duplicate originals of Articles of Amendment to the Articles of Incorporation of
C BAR CATTLE COMPANY

duly signed and verified pursuant to the provisions of the Idaho Business Corporation Act, have
been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of
Amendment to the Articles of Incorporation and attach hereto a duplicate original of the Articles
of Amendment.

Dated July 9, 19 90.



Pete T. Cenarrusa
SECRETARY OF STATE

[Signature]
Corporation Clerk

NOV 18 1990

Department of Water Resources
Southern Region

ARTICLES OF AMENDMENT TO THE ARTICLES OF INCORPORATION
OF PIERCE, INC.

Pursuant to the provisions of Section 30-1-61 of the Idaho Business Corporation Act, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation:

1. The name of the corporation is PIERCE, INC.
2. The following amendments of the Articles of Incorporation were adopted by the shareholders of the corporation on June 18, 1990:

ARTICLE ONE: The name of the corporation shall be C BAR CATTLE COMPANY.

3. The number of shares of the corporation outstanding at the time of such adoption was Ten Thousand (10,000) and the number of shares entitled to vote thereon was ten thousand (10,000).

4. All of the shares outstanding were entitled to vote thereon and the number of shares that voted for the amendment was ten thousand (10,000) and the number of shares that voted against the amendment was none.

DATED this 18th day of June, 1990.

PIERCE, INC.

Christopher F. Robinson
President

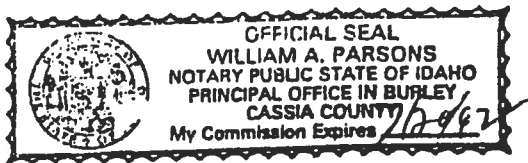
ATTEST:

Nistoria A. Davis
Secretary

30 JUL 9 PM 10 29
RECEIVED
NOV 18 1993
Department of Natural Resources
Southern Region

STATE OF IDAHO)
) SS
County of Cassia)

I, William A. Parsons, a Notary Public, do hereby certify that on this 18th day of June, 1990, personally appeared before me, CHRISTOPHER F. ROBINSON, who being by me first duly sworn declared that he is the President of Pierce, Inc., that he signed the foregoing document as President of the corporation, and the statements therein contained are true.



William A. Parsons

Notary Public for Idaho
Residing at Burley, Idaho
My commission expires 7-20-92



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 28, 1990

Sherl L. Chapman
410 S. Orchard, Ste. 144
Boise, ID 83705

RE: Snake River Basin Adjudication (SRBA)
Cassia County - Ownership Change/John A. Pierce

Dear Sherl:

I have reviewed the "Change in Ownership of Notice of Claim" forms you submitted on behalf of John A. Pierce, Pierce, Inc. and C-Bar Cattle Company. I need some additional information to insure the change of ownership appears correctly on the claims that are being split. It would be helpful if the amount of water and/or number of acres appurtenant to each portion of the split water rights could be further described. A map depicting the place of use for each portion of the split water rights would also be helpful.

Also, the portion of the rights in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 13 South, Range 27 East that according to the warranty deed are reserved by John A. and Mabelle Pierce, appear to have the points of diversion only within these quarter-quarter sections. However, not all of the original filings included these points of diversion for each water right claimed. Therefore, it appears that a transfer of the point of diversion may be necessary for some of the water rights.

A listing of water right numbers labeled "Exhibit E to Agreement - Pierce - Robinson" was attached to the change in ownership forms. The numbers included on the list do not appear in Mr. Pierce's name in our records. Since the change of ownership form references an "Exhibit A", I was wondering if perhaps a different attachment should have been included with the change of ownership form.

Sherl, I feel that the simplest way to answer my questions would be to have you drop by the office at your earliest convenience. Please give me a call so I'll be sure to be here.

Thank you,

Carter Fritschle
Sr. Water Rights Agent

CF:sf:state

May
27
1993

COPY

Sherl L. Chapman

CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

July 13, 1990

RECEIVED
JUL 16 1990

Mr. Carter Fritschle
Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

Department of Water Resources

Dear Carter:

Enclosed you will find several forms relating to change in ownership of notice of claim for the Snake River Basin Adjudication. These deal with the claims filed in behalf of John A. Pierce which you handled for us originally.

If you need any additional information, please don't hesitate to give me a call.

Sincerely yours,



Sherl L. Chapman
Consultant

SLC:kje
enclosures
cc:Mr. William Parsons

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[X] Water Right Number(s): A43-02284; A43-02304; A43-04238; A43-02394;
A43-02455; A43-00254; A43-10571; A43-00030

[X] Name and Address of
Former Claimant: Jack A. Pierce, Malta, Idaho 83342

[X] New Claimant(s): John A. and Mabel Pierce

[X] New Mailing Address: Malta, Idaho 83342

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JUL 16 1990

Department of Water Resources

New Telephone Number: (208) 645 - 2580

[X] Does the change in ownership result in a splitting of the
water right claimed? X yes no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

SENW, Sec. 30, T13S, R27E - 18 acres; SWNE, Sec. 30, T13S, R27E - 13 acres;

PD: SENW, Sec. 30, T13S, R27E; SWNE, Sec. 30, T13S, R27E

[X] Attach proof of ownership

Describe proof attached: Warranty Deed

[X] Signature of New Claimant(s): John A. Pierce

Date: 7/6/90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

?

208272

WARRANTY DEED

THIS INDENTURE, made this 27th day of JUNE, 1990,
 between JOHN A. PIERCE and MABELLE PIERCE, husband and wife, of
 Malta, Idaho, 83342, ("Grantor"), and PIERCE, INC., a
 corporation, whose address is Malta, Idaho 83342, ("Grantee").

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of
 Ten Dollars (\$10.00), lawful money of the United States of
 America, and other good and valuable consideration, to the
 Grantor in hand paid by the Grantee, the receipt whereof is
 hereby acknowledged, has granted, bargained, and sold and by
 these presents does grant, bargain and sell, convey and confirm
 unto the Grantee, and to the successors and assigns of Grantee
 forever, all of the following described real estate situated in
 the County of Cassia, State of Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE
 MERIDIAN, CASSIA COUNTY, IDAHO

Section 30: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT the
 following described tract:

Beginning at the center quarter section corner
 of said Section 30, which shall be the Point
 of Beginning;

Thence North 89°43'57" West along the quarter
 section line for 1204.63 feet to a $\frac{1}{2}$ inch
 rebar;

Thence North 2°16'27" East for 63.65 feet to a
 $\frac{1}{2}$ inch rebar;

Thence North 37°49'43" East for 762.42 feet to
 a $\frac{1}{2}$ inch rebar;

Thence North 0°01'08" East for 235.38 feet to
 a $\frac{1}{2}$ inch rebar;

Thence North 89°17'35" East for 687.43 feet to
 a $\frac{1}{2}$ inch rebar;

Thence North 89°16'53" East for 353.19 feet to

PARSONS, SMITH, STONE & FLETCHER
 LAWYERS
 BURLEY, IDAHO

1 a ½ inch rebar;
2 Thence South 0°40'42" West for 354.97 feet to
3 a ½ inch rebar;
4 Thence North 85°04'42" East for 226.25 feet to
5 a ½ inch rebar;
6 Thence North 89°03'02" East for 215.14 feet to
7 a ½ inch rebar;
8 Thence South 0°26'17" East for 591.25 feet to
9 a ½ inch rebar on the quarter section line;
10 Thence North 89°43'57" West along the quarter
11 section line for 746.97 feet to the Point of
12 Beginning.

13 AND FURTHER EXCEPTING and reserving unto the
14 Grantor the water rights described on Exhibit
15 A attached hereto for the excepted parcel.

16 SUBJECT TO: Accruing taxes, levies and
17 assessments and easements and agreements of
18 record.

19 TOGETHER with all and singular the tenements,
20 hereditaments, appurtenances, and water rights thereunto
21 belonging or in anywise appertaining, the reversion and
22 reversions, remainder and remainders, rents, issues and profits
23 thereof, and all estate, right, title and interest in and to
24 said property as well in law as in equity of the Grantor.

25 TO HAVE AND TO HOLD, all and singular the above-
26 mentioned and described premises, together with appurtenances
unto the Grantee and to the successors and assigns of Grantee
forever.

The Grantor shall and will warrant and by these
presents will forever defend the said premises in the quiet and
peaceable possession of the Grantee, and the successors and
assigns of Grantee against all and every person and persons
whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed

the day and year first above written.

John A. Pierce
John A. Pierce

Mabelle Pierce
Mabelle Pierce

STATE OF IDAHO
County of Cassia

)
) ss
)

On this 27 day of JUNE, in the year 1990,
before me, the undersigned, a Notary Public in and for said
State, personally appeared JOHN A. PIERCE and MABELLE PIERCE,
husband and wife, known or identified to me to be the persons
whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

William A. Parsons
Notary Public for Idaho
Residing at _____
My commission expires on _____

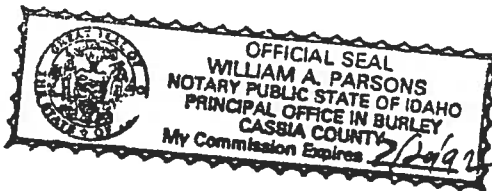


EXHIBIT A TO WARRANTY DEED

RESERVED WATER RIGHTS:

All of the following described water licenses are expressly reserved to the Grantor for the portions of the appurtenant water therefrom for the excepted parcel. The following numbers are Department of Water Resources identification regarding the water rights:

Portions of the excepted lands within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 13 South, Range 27 East, Boise Meridian, Cassia County, Idaho:

A43- 02455 ✓
A43- 02304 ✓
A43- 02394 ✓
A43- 02284 ✓
A43- 04238 ✓
A43- 00030

Portions of the excepted lands within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, Township 13 South, Range 27 East, Boise Meridian, Cassia County, Idaho:

A43- 02455 ✓
A43- 02304 ✓
A43- 04238 ✓
A43- 00254 ✓ ALSO CLAIMED AS 43-10570

COPY

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): Listed on Exhibit A attached hereto.

[] Name and Address of Former Claimant: Jack A. Pierce, a/k/a J. A. Pierce, a/k/a
John A. Pierce
Malta, Idaho

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JUL 16 1990

[] New Claimant(s): Pierce, Inc.

Department of Water Resources

[] New Mailing Address: 139 East South Temple - Suite 310
Salt Lake City, Utah 84111

New Telephone Number: (801) 328 - 1600

[] Does the change in ownership result in a splitting of the water right claimed? yes X no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: _____

[] Signature of New Claimant(s):

PIERCE, INC.
John A. Pierce

Date: June 18, 1990

y

ny:

Conveys water
rights to
Pierce, Inc.
from John A.
Pierce

Step 1

enue
A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

The validity of
this list was, &
still is questioned.

- 1) NOT EXHIBIT "A"
- 2) List of claims not
owned by Pierce
in 1990 when
submitted.

VH 10-20-99

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

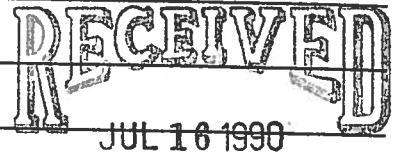
☐ Water Right Number(s): Listed on Exhibit A attached hereto.

☐ Name and Address of Former Claimant: Pierce, Inc. and J. A. Pierce

Malta, Idaho

☐ New Claimant(s): Pierce, Inc.

Malta, Idaho



☐ New Mailing Address: _____

Department of Water Resources

New Telephone Number: (801) 328-1600

☐ Does the change in ownership result in a splitting of the water right claimed? yes x no

If yes, then describe the portion of the water right that is now claimed by the new owner:

☐ Attach proof of ownership
Describe proof attached: _____

☐ Signature of New Claimant(s): *Pierce Inc*
John A. Pierce

Date: June 18, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

The validity of
this list was, and
still is, in question.

- 1) NOT EXHIBIT "A"
- 2) claims on list @
not owned by
Pierce in 1990
when submitted

V.H. 10-20-99

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CHANGE IN OWNERSHIP OF NOTICE OF CLAIM Department of Water Resources

[] Water Right Number(s): Listed on Exhibit A attached hereto.

[] Name and Address of Former Claimant: Pierce, Inc.

Malta, Idaho 83342

[] New Claimant(s): C Bar Cattle Company

Successor in interest to Pierce, Inc.

[] New Mailing Address: 139 East South Temple - Suite 310

Salt Lake City, Utah 84111

New Telephone Number: (801) 328-1600

[] Does the change in ownership result in a splitting of the water right claimed? yes X no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: C-BAR CATTLE CO.

[] Signature of New Claimant(s): Christopher F. Robinson

Date: June 18, 1990

try

any:

Conveys water
rights to
C-Bar Cattle
Co. from
Pierce, Inc.

Step 2

A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

*The validity of
this list was, and
still is, in question.*

- 1) NOT EXHIBIT "A"*
- 2) claims not owned
by Pierce in 1990
when submitted*

UAT 10-20-99

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: A43-00254
Date Received: 6/20/1989
Receipt No: C007642
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK A. PIERCE 208-645-2580
Address: MALTA, ID 83342

2. Date of Priority: APR 01, 1898

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	20	NW	NW	SW		CASSIA

5. Description of diverting works:
HEADGATE FROM RAFT RIVER & ASOCIATED DITCHES, BOOSTER PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	2.400		

7. Total Quantity Appropriated is:
2.400 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 of	Lot	Use	Acres
13S	26E	25	SE	NE		IRR	6.8
						Section Acres	6.8
	27E	20	NE	SW		IRR	6.0
						Section Acres	6.0

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	27E	30	SW NE		IRR	27.2

princ split

Section Acres 27.2

Total Acres 40.0

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:

43-0030, 0032, 0442, 0253, 0255, 0171, 0287, 2305, 2304,

14. Remarks:

OTHER WATER RIGHTS (CONT.):

43-4238, 43-2455

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

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:

Ident. Number

Date Received

Receipt Number

39576

A43-00254

6-20-89 CA

C007642

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

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

RECEIVED

JUN 20 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Jack A. Pierce Phone (208) 645-2580Mailing Address Malta, Idaho Zip 833422. Date of Priority (Only one (1) per claim) April 1, 18983. Source of water supply (a) Raft River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 14S Range 27E Section 20,
NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate from Raft River and associated ditches.
Booster pumps at reservoirs on the property for pressurization.

MICROFILMED

MAR 02 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 10/1 amount 2.4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	27E	30			27.2														27.2
13S	27E	20									6								6
13S	26E	25				6.8													6.8

Total number of acres irrigated 40

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

43-0030; 0032; 0442; 0443; 0253; 0255; 0171; 0287; 2305; 2304; 4238; 2455 or None ()

14. Remarks:

MICROFILMED
MAR 02 1993

Last Name Pierce Ident No. _____

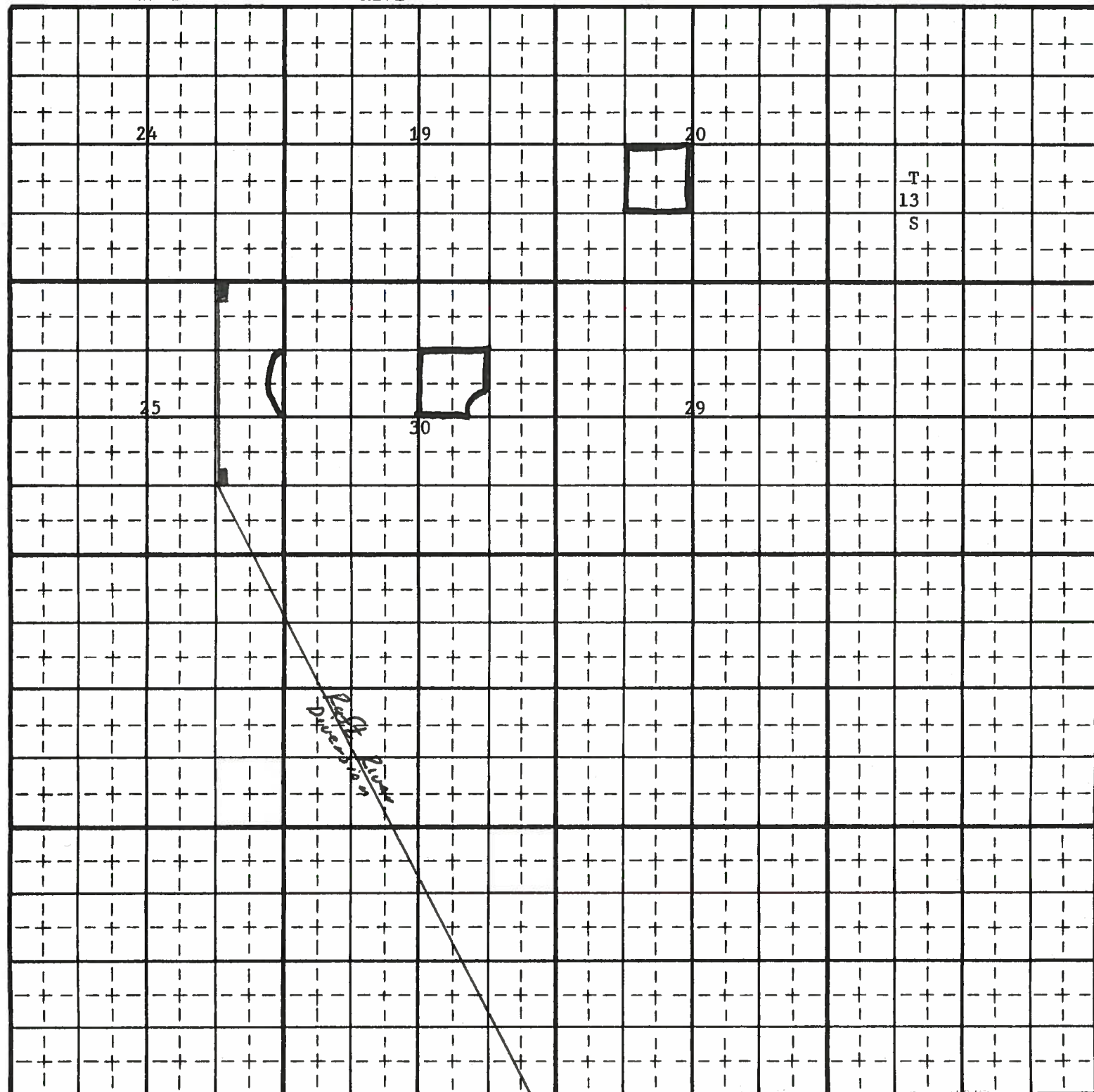
Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile

R26E

R27E



MICROFILMED

MAR 02 1993

Last Name Pierce Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 43-0254
Court U. S. District Case Number _____ Decree Date Oct. 18, 1928
Plaintiff vs Defendant Albion Land Company V Jobe Adams

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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) John A Pierce Date June 1, 1989
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1 day of June 19 89

Notary Public Sherl Chapman

Residing at 3205 E Hubbard Rd Meridian ID

My Commission Expires 6/14/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
MAR 02 1993

Last Name Pierce Ident. Number _____

Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Pierce

CLA

IDENT. NO.

A43-00254

DATE RECEIVED

6-20-89

CK #

AMOUNT \$

000 7642

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
(b) Is a tributary to entered? (if required) ☐ YES ☒ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ Required Info? *
Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☐ YES ☒ NO ☐ Required Info? *
Is the consumptive use correct? ☐ YES ☒ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☐ YES ☒ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by: CADate: 7-11-89

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☐ (No)Receipt Prepared by: CAClaim data entered by: CASent to claimant by: CADate: 6-20-89Date: 7-11-89Date: 7-11-89Checked by: CADate: 7-11-89

MICROFILMED

Comments: _____

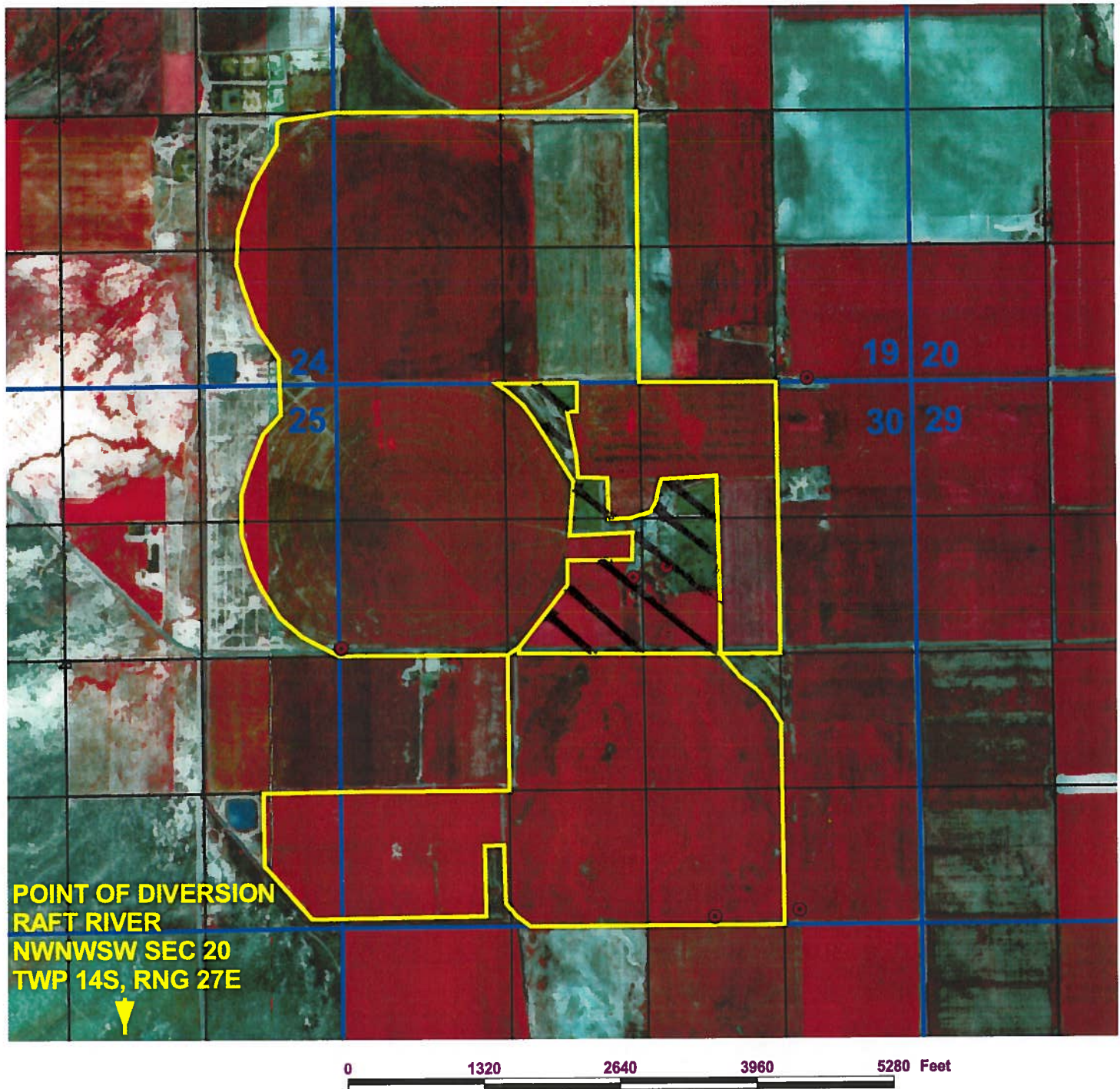
MAR 02 1993

1

Idaho Department of Water Resources

**RIGHTS: 43-171C, 43-178G, 43-254A, 43-287,
43-12926, 43-12927, 43-12928, 43-13075**

**RECOMMENDED PLACE OF USE
TWP 13S, RNG 26E
TWP 13S, RNG 27E
Data entry on July 12, 2001**



⊙ RECOMMENDED POINT OF DIVERSION

▭ RECOMMENDED PLACE OF USE

▭ SECTION LINES

▭ QUARTER/QUARTER LINES



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK**

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

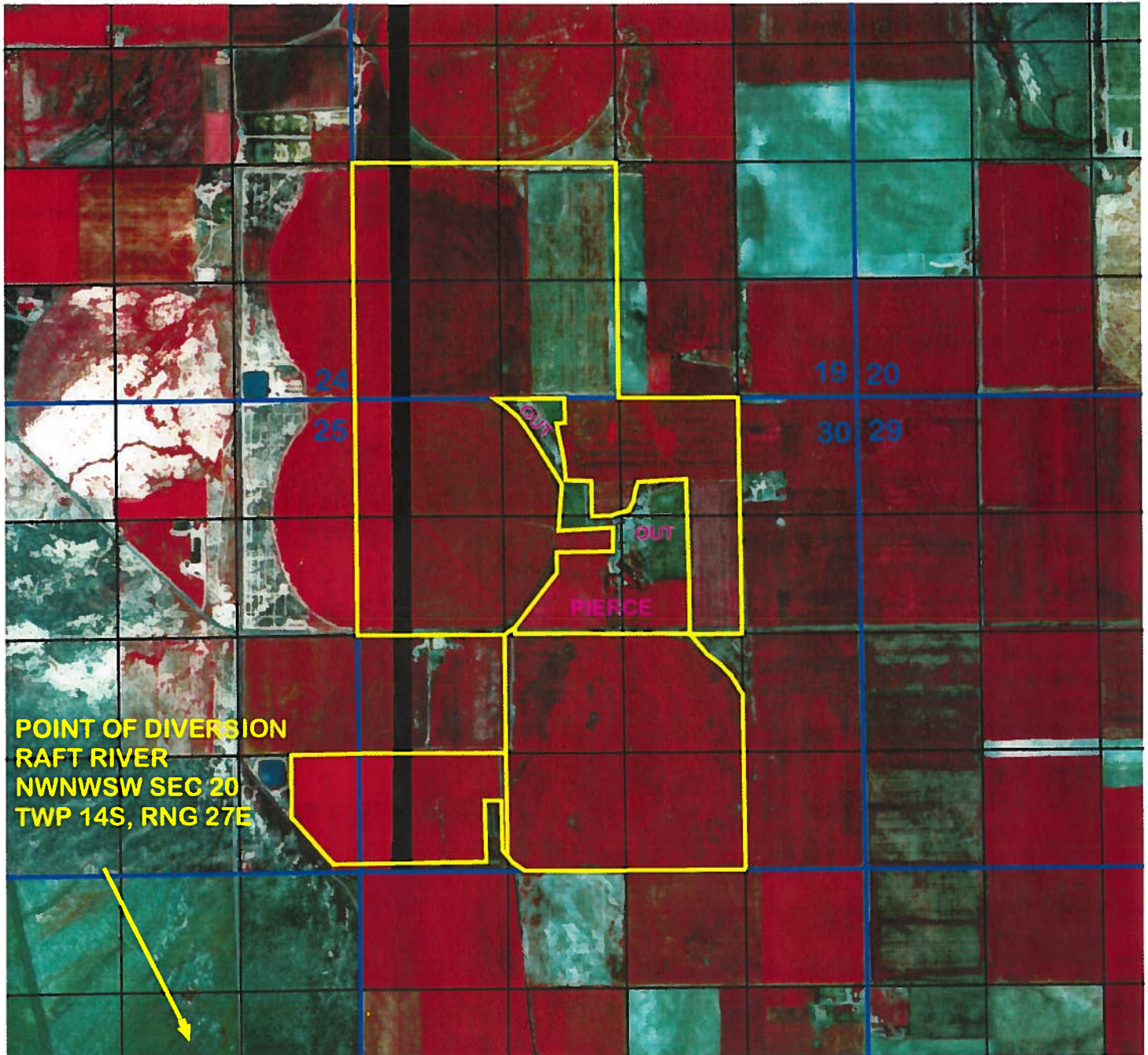
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

**RIGHTS: 43-171C, 43-178G, 43-245A, 43-287
43-12926, 43-12927, 43-12928
SOURCE: RAFT RIVER**

**RECOMMENDED PLACE OF USE
TWP 13S, RNG 27E,
Data entry on January 21, 2001**



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



*Superseded
7-6-01
VH*

**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK A PIERCE	04/01/1898	IRRIGATION	04-01 10-01	2.40 CFS	
TOTAL DIVERSION:					2.40 CFS	

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T14S R27E S20

MMNWSM

CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	ENE	NENE	SENE	ENE	SENE	SE	ENE	SENE	SE	ENE	SENE	SE	ENE	SENE	SUM
T R S	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	
13S 26E 25																6.8
13S 27E 20																4.0
13S 27E 30																27.2
	27															40.0
TOTAL ACRES																40.0

POU County: CASSIA

Other Rights: 43-0030, 0032, 0442, 0253, 0255, 0171, 0287, 2305, 2304,

Remarks: OTHER WATER RIGHTS (CONT.):
43-4238, 43-2455

Dates:

Exam Made Date:

Verified Date:

03/26/1985

Misc:

Water District Number: 43B

Field Inspection Flag: C

Presumption Flag: C

CD5

pull comb limits
300 400 500 ac

202 45 but 1785
all 1000 800 ac

Alt

20 x 20

206 17 ac

1.12 1800

RECOMMENDATION NOTES

From: Vikie Hancock

1/23/01

**Regarding: 43-171C, 43-178G, 43-254A, 43-287, also
43-030, renumbered and split into 43-10798A, subsequently
split into 43-12926, 43-12927 & 43-12928
SOURCE - RAFT RIVER**

The above claims are based upon 1928 Jobe Adams decreed rights from Raft River. Claims 43-254 and 43-10798 were split into A and B portions in a 1990 real estate transaction between Pierce and C Bar Cattle Company.

43-171C & 43-178G are portions of rights which were decreed appurtenant to the same place of use. Decreed right 43-178 was identified and decreed as floodwater. As such, it allows more than 1 inch per acre for the decreed tracts. C Bar Cattle Company's portion of that right is 100 acres and corresponds with their portion of right 43-171.

Claim **43-10798** was originally filed by Jack Pierce as 43-00030 and included decreed rights 43-030, -032, -443, -253, -254, -255 and -444. As they are described in transfer 2505, 43-030 and 43-032 were also appurtenant to the NWSE Section 19. Only 10 acres on the west edge of this $\frac{1}{4}$ $\frac{1}{4}$ are now owned by successor in interest C Bar Cattle Company, and it appears from 1962 and 1968 aerial photos that the acreage irrigated within this 40 was the east 30 acres. At some point after T2505 in 1975, the east 30 acres of the NWSE Sec 19 was evidently conveyed from Jack Pierce to Dale Pierce (and subsequently to Thornton). Original claimant Jack Pierce asserted his claim to the entire portion of decreed rights 43-030 and 032, however there is no information as to when an accomplished transfer of water from the east 30 acres may have occurred. Neither Dale Pierce, or current owner of the east 30 acres in NWSE Sec 19 Thornton, have asserted a claim to any portion of these rights. I am recommending the claim as filed, but suspect that a valid right to the entire amount does not belong to C Bar Cattle Company.

In 1990, an ownership change split right 43-10798 into A and B portions. After review of this right, it was determined that a further split of each portion was also necessary to accurately recommend the decreed rights combined within.

- An error occurred in transfer 2505 that identified .093cfs for irrigation that was originally decreed for stockwater under right 43-443, and .231 cfs for irrigation that was originally decreed for stockwater under right 43-444. IDWR subsequently noted the error on right 43-444, but made no such note of 43-443 in the database. The errors were perpetuated in SRBA Claim number 43-10798 which listed a diversion amount of 6.807 for irrigation.
- Claim 43-10798 included decreed rights with different seasons of use.

It was necessary to split each portion of right 43-10798 into three portions. 43-10798A, in the name of C Bar Cattle Co, was split into the following rights:

43-12926 Portions of decreed rights 43-032 and 43-253 combined into one claim with a season of 4/1 to 7/1.

43-12927 Claim based upon decreed right 43-255 with a season of 4/1 to 10/1 with the appropriate combined limits applied to 43-253, as decreed.

43-12928 A year round diversion amount of 0.29 cfs for stockwater based upon decreed rights 43-443 and 43-444 included with 0.77 cfs from decreed right 43-030 for full season irrigation use.

SEE SRBA CLAIM FILE 43-12926 FOR COMPLETE DOCUMENTATION OF THE NECESSITY FOR THE ABOVE CHANGES.

There are overlapping places of use for the Raft River decrees (see T2505), and in addition, not all acres within each tract were historically irrigated at the time of the 1928 decree (see 1962 aerial photos). The SRBA claims identify use of water from Raft River upon acres in Sections 20, 24 and 25 to which the rights, as recorded, are not appurtenant. In the course of my review, aerial photos from 1962, 1968 and 1987 were analyzed. There is no indication that any accomplished transfer of place of use has occurred, as more acres within the decreed place of use are under irrigation in the 1987 photos than in the 1962 or 1968 photos.

A 1994 field exam found the claimed point of diversion in section 20 T14S, R27E and a manmade channel conveying water to the perimeter of the farm and the ponds identified in the claims. A June 2000 filed exam further verified that, as original claimant Jack Pierce stated, surface and groundwater are mingled in a common sprinkling system to irrigate the entire place of use. A permissible place of use including both surface and groundwater would be appropriate, given this irrigation system. An expansion claim for the use of Raft River water is needed if the claimant wishes complete coverage from surface water on his entire place of use in a single irrigation season.

In cases where the season of use was identified in the Jobe Adams decree, that season of use has been recommended in the SRBA. In cases where no season of use but irrigation season is indicated, the current IDWR standard is being recommended.

Duplicate Claims:

The following claims, and their corresponding basis claims, were filed simultaneously by original claimant John Pierce, to assert the diversion of Raft River Decreed water from his various wells. In agreement with Department policy at this time, these duplicate claims were dissallowed and the water rights recommended as filed with only a point of diversion on Raft River.

Duplicate Claim
Asserting PODs at wells
DISSALLOWED

Basis Claim
Claiming only Raft River POD
RECOMMENDED

Duplicate Claim
Asserting PODs at wells
DISSALLOWED

43-10576
43-10567
43-12921
43-10569
43-12919

Basis Claim
Claiming only Raft River POD
RECOMMENDED

43-171C
43-178G
43-254A
43-287
43-12926, 43-12927, 43-12928

20 feet wide off of the South side of said tract now used as a road.

Frederick W. Parish

1883-Apr. 1

.24 s.f.

1887-Apr. 1

.6 s.f.

To be diverted from Cassia Creek for the irrigation of NE $\frac{1}{4}$, Sec. 26, Twp. 13 S. R. 24 E.B.M.

A. J. Peterson

Laura Peterson

1894-Apr. 1

.8 s.f.

To be diverted from Cassia Creek for the irrigation of N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 13 S. R. 26 E.B.M.

J. C. Pettingill

Agnes Pettingill

1881-Apr. 30

1.3 s.f.

To be diverted from Cassia Creek for the irrigation of Lots 2 and 3, Sec. 6, Twp. 14 S. R. 25 E.B.M., and a tract of land described as follows:

Commencing at the SE corner of Lot 2, thence South 12.65 rods, thence West 160 rods, thence North 18.91 rods, thence East to the place of beginning, containing 10.78 acres.

253 A.D. Pierce

Bula Pierce

1871-Apr. 1

4.5 s.f.

To be diverted from Raft River, April 1 to July 1 each year, for the irrigation of E $\frac{1}{2}$ SW $\frac{1}{4}$, Lots 3 and 4, Sec. 19, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M.

An undivided 225/526 pro rata interest in and to 25 inches of continuous flow of Raft River decree to Sweetser Bros. & Pierce for stock purposes.

254 1898-Apr. 1

2.4 s.f.

To be diverted from Raft River for the irrigation of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M.

255 A. D. Pierce

Bula Pierce

1871-Apr. 1

2.651 s.f.

To be diverted from Raft River, April 1 to October 1 each year, the same being a part of 4.5 s.f. aforesaid from April 1 to July 1 of each year and not in addition thereto, for the irrigation of E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, and 2/3 SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30, Twp. 13 S. R. 27 E.B.M., excepting a tract of land described as follows: Beginning at the SW corner of the NW $\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M., thence East 13 $\frac{1}{2}$ rods, thence North 1 mile, thence West 13 $\frac{1}{2}$ rods, thence South 1 mile to the place of beginning.

W. J. Pierce
1909-Sept. 13

1.04 s.f.

To be diverted from Raft River for the irrigation of Lot 1, Sec. 31 and Lot 3, Sec. 30, Twp. 11 S. R. 27 E.B.M.

1910-Apr. 1

1.2 s.f.

To be diverted from Raft River for the irrigation of SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, Twp. 12 S. R. 27 E.B.M.

AMEND