

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: A43-00260

Date Received: 3/21/1989

Receipt No: 5006624 *AD*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD A. JONES 208-645-2370
Address: SUBLETT ROUTE
MALTA, ID 83342
2. Date of Priority: NOV 05, 1914
3. Source: SPRING (KELSO SPRINGS) Trib. to: ROUND MOUNTAIN CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 16S | 27E | 2 | SW | SE | NW | | CASSIA |
5. Description of diverting works:
CHECK DAM TO EARTHEN DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.900 | | |
7. Total Quantity Appropriated is:
0.900 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 1485.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 15S | 27E | 34 | NE | SW | | IRR | 40.0 |
| | | | NW | SW | | IRR | 40.0 |
| | | | SW | SW | | IRR | 40.0 |
- A43-00260 Page 1 Date: 03/21/89

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	34	SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	280.0
16S	27E	2	NW	NW	4	IRR	38.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	118.0
		3	NE	NE	1	IRR	38.0
			NW	NE	2	IRR	38.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
						Section Acres	196.0
						Total Acres	594.0

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:
A43-02401, A43-00259 & A43-00037

14. Remarks:
THE WATER FROM KELSO PR;INGS SEEPS INTO ROUND MOUNTAIN CREEK
AND IS DIVERTED FROM THE STREAM AT THE INDICATED P/D.
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND
DESCRIBED; PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL
GROUNDWATER AREA.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

A43-00260

Page

2

Date: 03/21/89

MICROFILMED
MAR U 2 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: See Map A43-02401

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): Harold A. Jones Date: 3-21-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of March 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/30/94

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JUL 18 PM 2 08

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

In Re SRBA	)	Subcase No. 43-37, 43-84, ⁴³ ~~37~~ -85,
	)	43-259, 43-260, 43-286A, 43-2401
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

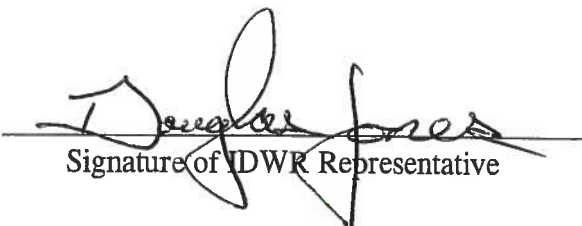
Does the change in "ownership" result in a splitting of the water right claimed? ☐Yes ☒No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: _____

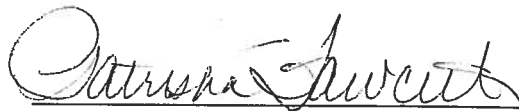
7/17/03


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/18, 2003, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Mark Higley
Diane Higley
3951 S 5500W
Hooper UT 84315
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Jason Walker
Ling Robinson & Walker
PO Box 396
Rupert ID 83350-0396
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-37

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/01/1881

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0			

333 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

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

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

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

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-84

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/14/1911

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

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

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

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

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-85

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 1.800 CFS

PRIORITY DATE: 07/14/1912

POINT OF

DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.800 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

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

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

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

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-259

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: SPRING

TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 1.000 CFS

PRIORITY DATE: 07/24/1911

POINT OF
DIVERSION: T16S R27E S2 SWSEWN Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.000 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4	NWNW	37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00260 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00260, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

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

SOURCE IS ALSO KNOWN AS KELSO SPRING.

RIGHT NUMBER 43-00260 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

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

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-260
NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342
SOURCE: SPRING
TRIBUTARY: ROUND MOUNTAIN CREEK
QUANTITY: 0.900 CFS
PRIORITY DATE: 11/05/1914
POINT OF
DIVERSION: T16S R27E S2 SWSNW Within CASSIA County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.900 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4 NWNW		37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1 NENE		38.0	T16S R27E S03 Lot 2 NWNE		27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

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

RIGHT NO. 43-00259 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

SOURCE IS ALSO KNOWN AS KELSO SPRING.

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

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

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-286A
NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342
SOURCE: CLEAR CREEK TRIBUTARY: SINKS
QUANTITY: 3.200 CFS
PRIORITY DATE: 11/23/1911
POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

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

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

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

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2401

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.740 CFS
735.00 AFY

PRIORITY DATE: 11/30/1953

POINT OF
DIVERSION: T16S R27E S3 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	1.740 CFS 735.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4	NWNW	37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00259, 43-00260, 43-00037 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

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 - License

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



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

July 18, 2003

JASON WALKER
LING ROBINSON & WALKER
PO BOX 396
RUPERT ID 83350-0396

RE: SRBA Claim(s) 43-45, 43-286B, 43-2110, 43-10116
43-37, 43-84, 43-85, 43-259, 43-260, 43-286A, 43-2401
43-10051, 43-10053
Decreed Water Right 43-10052

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find print outs of 43-10051 and 43-10053. 43-10052 was decreed 7/24/1998 and must be changed by our state office staff. There is a \$25.00 fee for this. If you send the check to my attention I will receipt it and forward the owner change documents to our state office.

Please feel free to contact me if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Shirley Jones
Mark and Diane Higley

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.

RECEIVED
JUL 15 2003

Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>43-45</u>	<u> </u>	<u> </u>	<u>43-10117</u>	<u> </u>	<u> </u>
<u>43-286B</u>	<u> </u>	<u> </u>	<u>43-10118</u>	<u> </u>	<u> </u>
<u>43-2110</u>	<u> </u>	<u> </u>	<u>43-10824</u>	<u> </u>	<u> </u>
<u>43-10116</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u>43-2061</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. → **Not applicable; claims are pending in SRBA**
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): → **Not required: per Trish at IDWR, Southern Region**
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
- OR**
- ☒ If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the 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(s) Shirley A. Jones and Merle Jones
1755 Alvarado, Twin Falls, Idaho 83301
4. New Owner/Claimant(s) Round Mountain Ranch, an Idaho general partnership
 New Mailing Address HC 72, Box 2346
 City, State and ZIP Code Malta, Idaho 83342
 New Telephone Number (208) 824-5721
5. Date you acquired the property April 27, 2001

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe in detail your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box. You may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number & type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number & type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s): **ROUND MOUNTAIN RANCH, a general partnership**
(include title if applicable)

By: Jeff L. Sessions
Jeff L. Sessions, partner

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

For Office Use Only

Received by 4400000 Date 7/15/03 Fee _____
Received by _____ Date _____ Receipt No. _____
Processed by 4400000 AJ Date 7/16/03 WR _____ Date _____

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUL 15 2003

Department of Water Resources
Southern Region

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>43-37</u>	<u> </u>	<u> </u>	<u>43-286A</u>	<u>43-10054</u>	<u> </u>
<u>43-84</u>	<u> </u>	<u> </u>	<u>43-2401</u>	<u> </u>	<u> </u>
<u>43-85</u>	<u> </u>	<u> </u>	<u>A43-10051</u>	<u> </u>	<u> </u>
<u>43-259</u>	<u> </u>	<u> </u>	<u>A43-10052</u>	<u> </u>	<u> </u>
<u>43-260</u>	<u> </u>	<u> </u>	<u>A43-10053</u>	<u> </u>	<u> </u>

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. → **Not applicable; claims are pending in SRBA**

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): → **Not Required: per Trish at IDWR, Southern Region**
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

☒ If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the 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(s) Mark Higley and Diane Higley - 3951 South, 5500 West, Hooper, Utah 84315
Jeff L. Sessions and Jennifer Sessions - HC 72, Box 2346, Malta, Idaho 83342
4. New Owner/Claimant(s) Round Mountain Ranch, an Idaho general partnership
 New Mailing Address HC 72, Box 2346
Name Connector (Check one): [] and, [] or, [✓] and/or
 City, State and ZIP Code Malta, Idaho 83342
 New Telephone Number (208) 824-5721
5. Date you acquired the property April 27, 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe in detail your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box. You may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
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Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number & type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s): ROUND MOUNTAIN RANCH, a general partnership
(include title if applicable)

By: Jeff L. Sessions
Jeff L. Sessions, partner

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

For Office Use Only

Received by: [Signature] Date: 7/15/03 Fee: _____
 Received by: _____ Date: _____ Receipt No.: _____
 Processed by: _____ AJ Date: _____ WR: _____ Date: _____

JUL-16-2003 WED 02:09 PM

FAX NO.

07/03/2003 08:15 LAN TLE -- BURLEY → LING ROBINSON

P. 07

NO. 937 0007

274661

QUITCLAIM DEED

#34000

For Value Received

JEFF L. SESSIONS and JENIFER SESSIONS, husband and wife, and MARK L. HIGLEY and DIANE HIGLEY, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

**ROUND MOUNTAIN RANCH, an Idaho general partnership
ADDRESS: 3475 Round Mountain Lane
Malta, Idaho 83342**

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

PARCEL NO. 1:

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

Section 34: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 3: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 27: NE $\frac{1}{4}$, S $\frac{1}{2}$

PARCEL NO. 2:

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

Section 2: W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 3:

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

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

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

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
01 APR 27 PM 4 05

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 9.00 DEPUTY *Whe*

274661

JUL-16-2003 WED 02:09 PM

FAX NO.

07/03/2003

08:15

LAND -- BURLEY → LING ROBINSON

P. 08
NO. 937

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

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and
SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 4:

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

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 5:

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

Section 19: W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

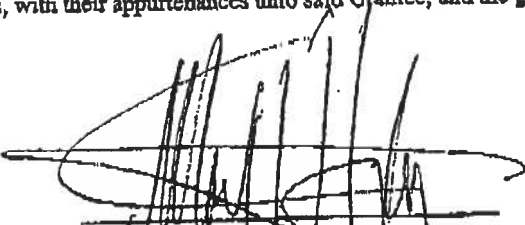
TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

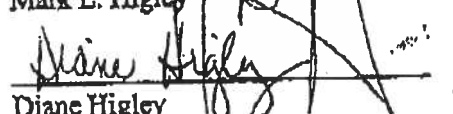
TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: April 27, 2001


Jeff L. Sessions


Jennifer Sessions


Mark L. Higley


Diane Higley

JUL-16-2003 WED 02:09 PM

FAX NO.

P. 09

27/03/2003 08:15 LAN FILE -- BURLEY → LING ROBINSON

NO. 937 0009

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 27th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFF L. SESSIONS** and **JENIFER SESSIONS**, 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.

Larry Roberts
Notary Public
State of Idaho


Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 27th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **MARK L. HIGLEY** and **DIANE HIGLEY**, 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.

Larry Roberts
Notary Public
State of Idaho


Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

274702

WARRANTY DEED

FOR VALUE RECEIVED ROBERT MERLE JONES and SHIRLEY ANN JONES, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto JEFF L. SESSIONS and JENIFER SESSIONS, husband and wife, and DIANE HIGLEY, a married woman dealing in and with her sole and separate property, whose present address is 1657 North 4500 West, West Point, Utah 84015, the Grantees, the following described premises, located in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

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

Section 13: SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$

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

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

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

Except all oil, gas, coal and other minerals of
every kind and nature whatsoever, in and under that
may be produced from the above described property.

PARCEL NO. 2:

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

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 3:

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

Section 19: W $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

SAVE AND EXCEPTING THEREFROM and reserving to the
Sellers 70% of all mineral rights on the premises
described as Parcels No. 1, 2 and 3, which are
owned by the Sellers.

WATER RIGHTS: Claims filed in Snake River Adjudication,
Case No. 79376:

Claim Filed, Ident. No. A43-10118 0.040 cfs Stockwater
Claim Filed, Ident. No. A43-10117 0.040 cfs Stockwater

Claim Filed, Ident. No. A43-10116 20.000 cfs Irrigation
 Claim Filed, Ident. No. A43-10119 0.040 cfs Stockwater
 and Domestic
 Claim Filed, Ident. No. A43-02061 0.160 cfs Irrigation
 Claim Filed, Ident. No. A43-02110 0.800 cfs Irrigation
 Claim Filed, Ident. No. A43-00286 4.300 cfs Irrigation
 Claim Filed, Ident. No. A43-00414 2.100 cfs Irrigation
 0.040 cfs Stockwater
 Claim Filed, Ident. No. A43-00045 1.700 cfs Irrigation

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 hereby covenant to and with the Grantees that they are the owners in fee of said premises, that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 28th day of February, 1992.

Robert Merle Jones
 Robert Merle Jones

Shirley Ann Jones
 Shirley Ann Jones

STATE OF IDAHO)
) ss.
 County of Cassia)

On this 28th day of February, 1992, before me, a Notary Public in and for said State, personally appeared Robert Merle Jones and Shirley Ann Jones known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

LARRY ROBERTS
 (SEAL) NOTARY PUBLIC
 STATE OF IDAHO
 Residing at Burley, Idaho
 My Commission Expires _____

Larry Roberts
 Notary Public
 Residing at Burley
 My Commission Expires 6-24-97

32683

269545

WARRANTY DEED

FOR VALUE RECEIVED, HAROLD A. JONES and BETH R. JONES, husband and wife, of Sublett Road, Malta, Idaho, the Grantors, do hereby grant, bargain, sell and convey unto MARK L. HIGLEY and DIANE HIGLEY, husband and wife, the Grantees, whose current address is 3951 South 5500 West, Hooper, Utah 84315, the following described premises, located in Cassia County, Idaho, to wit:

PARCEL NO. 1:

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

Section 34: SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 3: Lots 1 and 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 26: W $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$

Section 27: NE $\frac{1}{4}$, SE $\frac{1}{4}$

PARCEL NO. 2:

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

Section 2: W $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO an Oil, Gas and Mineral Lease between Harold A. Jones and Beth R. Jones, husband and wife, and Standard American Company, dated July 27, 1973, and recorded August 14, 1973, as Instrument No. 71907 on Film No. 84, records of Cassia County, Idaho. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative,

RECORDED IN THE RECORDS OF
LAND TITLE RECORDS

00 JUN 2 PM 3 49

FEES 9.00

CASSIA COUNTY, IDAHO
PARCEL NO. 269545
RECORDED

269545

Inc., an Idaho rural electric Cooperative of Malta, Seller and Clear Creek Ranches - Harold A. Jones, Beth Jones; Harold Devon Jones, Sheryl Jones; Ray Jones, Karen Jones, Consumer, dated June 24, 1985, and recorded May 15, 1986, as Instrument No. 178402 on Film No. 180, records of Cassia County, Idaho, covering the NE¼ of Section 3, Township 16 South, Range 27 East, Boise Meridian. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold Jones, Consumer, dated January 26, 1990, and recorded February 5, 1990, as Instrument No. 206054 on Film No. 213, records of Cassia County, Idaho covering the "SE¼ of Section 34, Township 16 South, East of Boise Meridian." (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold A. Jones and Beth R. Jones, Consumer, dated April 1, 1999, and recorded April 12, 1999, as Instrument No. 262067, records of Cassia County, Idaho covering the SE¼NE¼ of Section 27, Township 16 South, Range 27 East of the Boise Meridian. (Parcel No. 1)

Together with appurtenant water rights, including 2,500 shares in Naf Irrigation District Company and water under license # G24589 and creek waters of Clear Creek and the following Idaho water rights:

Water Rights Nos. 43-00037, 43-00084, 43-00085, 43-00286A, 43-00259, 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-10053

Reserving one-half of all mineral rights currently owned by Seller in each parcel of land. Seller makes no representations or warranties as to the nature or extent of any such mineral rights.

To have and to hold the said premises with their appurtenances to the said Grantee, its heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of said premises,

that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of May, 2000.

Harold A. Jones
Harold A. Jones

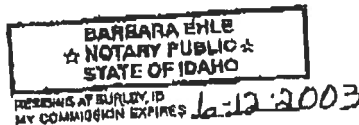
Beth R. Jones
Beth R. Jones

STATE OF IDAHO)
) ss.
County of Cassia)

On this 31 day of May, in the year of 2000, before me the undersigned notary public in and for said state, personally appeared Harold A. Jones & Beth R. Jones, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)



Barbara Ehle
Notary Public
Residing at Burley, ID
My Commission expires 6-12-2003

LING, ROBINSON & WALKER

BRENT T. ROBINSON
JASON D. WALKER

KELLY ARTHUR ANTHON

ROGER D. LING, OF COUNSEL

ATTORNEYS AT LAW
615 'H' STREET
P. O. BOX 396
RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

July 14, 2003

RECEIVED
JUL 15 2003
Department of Water Resources
Southern Region

Department of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RE: Notice of Change of Water Right Ownership

Enclosed herewith for processing by the Department are two (2) signed and completed *Notice of Change of Water Right Ownership* forms along with copies of aerial photos. It is my understanding that no filing fee is required as these cases are currently pending in the SRBA.

Your anticipated assistance in this matter is greatly appreciated. Please feel free to contact the undersigned if you have any questions or comments in regard to this matter.

Very truly yours,


Jason D. Walker

JDW:jb

encs

pc w/encs: Mr. Larry Roberts,
Land Title and Escrow, Inc.

COPY

200 NOV 17 PM 1:15

CLERK OF DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

) SUBCASE NO. 43-00037, 43-00084

) 43-00085, 43-00259, 43-00260,

) 43-00286A, 43-02401

) NOTICE OF COMPLETED

) ADMINISTRATIVE PROCEEDING

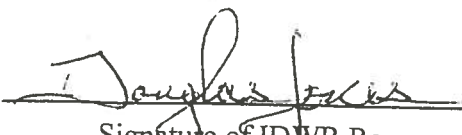
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

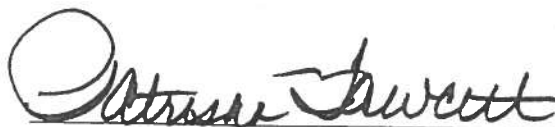
Dated: 11/14/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/17, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Harold A Jones
Beth R Jones
Sublett Rt
Malta ID 83342
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Mark L Higley
Diane Higley
3951 S 5500 W
Hooper UT 84315
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

11/08/2000

RIGHT NUMBER: 43-37

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.4 CFS

PRIORITY DATE: 06/01/1881

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	1.40 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T15S R27E S34	NESW	20	T15S R27E S34	NWSW	10
T15S R27E S34	SESW	16	T15S R27E S34	NWSE	38
T15S R27E S34	SWSE	40	T15S R27E S34	SESE	24
T16S R27E S3 LOT 1	NENE	38	T16S R27E S3 LOT 2	NWNE	27
T16S R27E S3	SWNE	40	T16S R27E S3	SENE	40
T16S R27E S3	NESE	40			
333 ACRES TOTAL					

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

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

11/08/2000

RIGHT NUMBER: 43-84

NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.4 CFS

PRIORITY DATE: 06/14/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	1.40 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County					
T15S R27E S34	NESW	20	T15S R27E S34	NWSW	10
T15S R27E S34	SESW	16	T15S R27E S34	NWSE	38
T15S R27E S34	SWSE	40	T15S R27E S34	SESE	24
T16S R27E S3 LOT 1	NENE	38	T16S R27E S3 LOT 2	NWNE	27
T16S R27E S3	SWNE	40	T16S R27E S3	SENE	40
T16S R27E S3	NESE	40	T16S R27E S26	NWNW	35
T16S R27E S26	SWNW	25	T16S R27E S27	NENE	35
T16S R27E S27	NWNE	40	T16S R27E S27	SWNE	10
T16S R27E S27	SENE	20			
498 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON

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 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

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

11/08/2000

RIGHT NUMBER: 43-85
NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315
SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.8 CFS

PRIORITY DATE: 07/14/1912

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	1.80 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County			
T15S R27E S34	NESW	20	T15S R27E S34 NWSW 10
T15S R27E S34	SESW	16	T15S R27E S34 NWSE 38
T15S R27E S34	SWSE	40	T15S R27E S34 SESE 24
T16S R27E S3 LOT 1	NENE	38	T16S R27E S3 LOT 2 NWNE 27
T16S R27E S3	SWNE	40	T16S R27E S3 SENE 40
T16S R27E S3	NESE	40	T16S R27E S26 NWNW 35
T16S R27E S26	SWNW	25	T16S R27E S27 NENE 35
T16S R27E S27	NWNE	40	T16S R27E S27 SWNE 10
T16S R27E S27	SENE	20	
498 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON

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 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

Water Right 43-85

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

11/08/2000

RIGHT NUMBER: 43-259
NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315
SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 1 CFS

PRIORITY DATE: 07/24/1911

POINT OF DIVERSION: T16S R27E S2 SWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	1.00 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County			
T15S R27E S34	NESW	20	T15S R27E S34 NWSW 10
T15S R27E S34	SESW	16	T15S R27E S34 NWSE 38
T15S R27E S34	SWSE	40	T15S R27E S34 SESE 24
T16S R27E S2 LOT 4	NWNW	37	T16S R27E S2 SWNW 40
T16S R27E S3 LOT 1	NENE	38	T16S R27E S3 LOT 2 NWNE 27
T16S R27E S3	SWNE	40	T16S R27E S3 SENE 40

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00260 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00260, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON

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

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

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

SOURCE IS ALSO KNOWN AS KELSO SPRING

RIGHT NUMBER 43-00260 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

11/08/2000

RIGHT NUMBER: 43-260
NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315
SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.9 CFS

PRIORITY DATE: 11/05/1914

POINT OF DIVERSION: T16S R27E S2 SWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	0.90 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County					
T15S R27E S34	NESW	20	T15S R27E S34	NWSW	10
T15S R27E S34	SESW	16	T15S R27E S34	NWSE	38
T15S R27E S34	SWSE	40	T15S R27E S34	SESE	24
T16S R27E S2 LOT 4	NWNW	37	T16S R27E S2	SWNW	40
T16S R27E S3 LOT 1	NENE	38	T16S R27E S3 LOT 2	NWNE	27
T16S R27E S3	SWNE	40	T16S R27E S3	SENE	40

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON

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

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

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

RIGHT NO. 43-00259 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE

SOURCE IS ALSO KNOWN AS KELSO SPRING

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

11/08/2000

RIGHT NUMBER: 43-286A
NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315
SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 3.2 CFS

PRIORITY DATE: 11/23/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	3.20 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T15S R27E S34	NESW	20	T15S R27E S34 NWSW 10
T15S R27E S34	SESW	16	T15S R27E S34 NWSE 38
T15S R27E S34	SWSE	40	T15S R27E S34 SESE 24
T16S R27E S3 LOT 1	NENE	38	T16S R27E S3 LOT 2 NWNW 27
T16S R27E S3	SWNE	40	T16S R27E S3 SENE 40
T16S R27E S3	NESE	40	T16S R27E S26 NWNW 35
T16S R27E S26	SWNW	25	T16S R27E S27 NENE 35
T16S R27E S27	NWNE	40	T16S R27E S27 SWNE 10
T16S R27E S27	SENE	20	
498 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON

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 43-B

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

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

11/08/2000

RIGHT NUMBER: 43-2401
NAME AND ADDRESS: DIANE HIGLEY
MARK L HIGLEY
3951 S 5500 W
HOOPER, UT 84315

SOURCE: GROUND WATER

QUANTITY: 1.74 CFS
735 AFY

PRIORITY DATE: 11/30/1953

POINT OF DIVERSION: T16S R27E S3 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	1.74 CFS 735.0 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20	T15S R27E S34	NWSW	10
T15S R27E S34	SESW	16	T15S R27E S34	NWSE	38
T15S R27E S34	SWSE	40	T15S R27E S34	SESE	24
T16S R27E S2 LOT 4	NWNW	37	T16S R27E S2	SWNW	40
T16S R27E S3 LOT 1	NENE	38	T16S R27E S3 LOT 2	NWNE	27
T16S R27E S3	SWNE	40	T16S R27E S3	SENE	40

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00259, 43-00260, 43-00037 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON

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 - License

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



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

November 17, 2000

DIRK KEMPTHORNI
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK HIGLEY
DIANE HIGLEY
3951 S 5500 W
HOOPER UT 84315

RE: SRBA Claim(s) 43-00037 43-00084, 43-00085, 43-00259,
43-00260, 43-00286A, 43-02401, 43-10051,
43-10053
Decreed Water Right 43-10052

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find printouts of claims 43-10051 and 43-10053. These claims have not yet been reported to the SRBA court in a Director's Report and as such do not require a Notice of Administrative Proceeding. Water Right 43-10052 has been decreed and will be changed by our state office in Boise. You will receive a separate notice from them when the change has been completed.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Harold and Beth Jones



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

43

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6-2-00

SEE ATTACHED LEGAL DESCRIPTION

RECEIVED
JUN 21 2000
Idaho Department of Water Resources
Boise, Idaho

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
43-00037, 43-00084, 43-00085, 43-00286A, 43-00259
- ☐ Water Right Number(s) Assigned by IDWR: 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-1
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Harold A. and Beth R. Jones
Sublett Route
Malta, Idaho 83342
- ☐ New Owner/Claimant (Purchaser): Mark L. Higley & Diane Higley
- ☐ New Mailing Address: 3951 South 5500 West,
Hooper, Utah 84315
- ☐ New Telephone Number: (501) 731-3110
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Mark Higley Date 5-31-00
Diane Higley Date 5-31-00
- ☐ Signature of Former Owner/Claimant(s): Harold A. Jones Date 5-31-00
Beth R. Jones Date 5-31-00

(Signature of former claimant(s) is not required if proof of ownership is attached.)

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: 11/13/00 By: [Signature]

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

269545

32685

WARRANTY DEED

FOR VALUE RECEIVED, HAROLD A. JONES and BETH R. JONES, husband and wife, of Sublett Road, Malta, Idaho, the Grantors, do hereby grant, bargain, sell and convey unto MARK L. HIGLEY and DIANE HIGLEY, husband and wife, the Grantees, whose current address is 3951 South 5500 West, Hooper, Utah 84315, the following described premises, located in Cassia County, Idaho, to wit:

PARCEL NO. 1:

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

Section 34: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 3: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 27: NE $\frac{1}{4}$, S $\frac{1}{2}$

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

1:00 JUN 2 PM 3 49

CASSIA COUNTY, IDAHO
FARRELL M. JACKELLEY
RECORDER
FEB 9 2000 DEPUTY CLERK

PARCEL NO. 2:

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

Section 2: W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO an Oil, Gas and Mineral Lease between Harold A. Jones and Beth R. Jones, husband and wife, and Standard American Company, dated July 27, 1973, and recorded August 14, 1973, as Instrument No. 71907 on Film No. 84, records of Cassia County, Idaho. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative,

Inc., an Idaho rural electric Cooperative of Malta, Seller and Clear Creek Ranches - Harold A. Jones, Beth Jones; Harold Devon Jones, Sheryl Jones; Ray Jones, Karen Jones, Consumer, dated June 24, 1985, and recorded May 15, 1986, as Instrument No. 178402 on Film No. 180, records of Cassia County, Idaho, covering the NE¼ of Section 3, Township 16 South, Range 27 East, Boise Meridian. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold Jones, Consumer, dated January 26, 1990, and recorded February 5, 1990, as Instrument No. 206054 on Film No. 213, records of Cassia County, Idaho covering the "SE¼ of Section 34, Township 15 South, East of Boise Meridian." (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold A. Jones and Beth R. Jones, Consumer, dated April 1, 1999, and recorded April 12, 1999, as Instrument No. 262067, records of Cassia County, Idaho covering the SE¼NE¼ of Section 27, Township 16 South, Range 27 East of the Boise Meridian. (Parcel No. 1)

Together with appurtenant water rights, including 2,500 shares in Naf Irrigation District Company and water under license # G24589 and creek waters of Clear Creek and the following Idaho water rights:

Water Rights Nos. 43-00037, 43-00084, 43-00085, 43-00286A, 43-00259, 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-10053

Reserving one-half of all mineral rights currently owned by Seller in each parcel of land. Seller makes no representations or warranties as to the nature or extent of any such mineral rights.

To have and to hold the said premises with their appurtenances to the said Grantee, its heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of said premises,

that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of May, 2000.

Harold A. Jones
Harold A. Jones

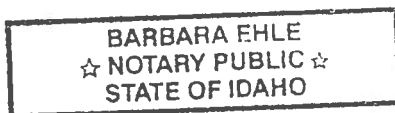
Beth R. Jones
Beth R. Jones

STATE OF IDAHO)
) ss.
County of Cassia)

On this 31 day of May, in the year of 2000, before me the undersigned notary public in and for said state, personally appeared Harold A. Jones & Beth R. Jones, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)



RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-12-2003

Barbara Ehle
Notary Public
Residing at Burley, Id
My Commission expires 6-12-2003



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

July 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HAROLD A JONES
BETH R JONES
SUBLETT RT
MALTA ID 83342

Re: Adjudication claims for Kelso Ranch

Dear Mr. and Mrs. Jones:

Enclosed please find the printouts of all adjudication claims for Kelso Ranch you requested July 21. I apologize for not getting these to you last week, but rather than send you incomplete or wrong information, I waited for Doug Jones to return from vacation so I could check with him to make sure which of your claims were for Kelso Ranch.

Thank you for your patience and should you have any questions or need more information, please do not hesitate to call.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

A43-00037

A 43-00084

A 43-00085

A 43-00259

A 43-00260

A 43-00286A

A 43-02401

A43-10054

43-10055

COPY

1998 JUL 15 PM 2:26
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 43-00037, 43-00084,
43-00085, 43-00259, 43-00260,
43-00286A, 43-02401, 43-10052,
43-10055

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Harold A Jones
Sublett Rt
Malta ID 83342

Phone: 645-2370

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Harold A Jones
Beth R Jones
Sublett Rt
Malta ID 83342

Phone: 645-2370

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

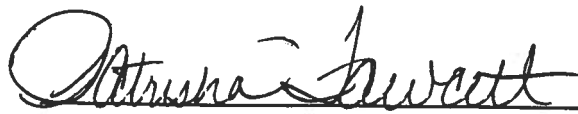
DATED: 6/11/98


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6-15, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Harold A Jones
Sublett Rt
Malta ID 83342
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Harold A Jones
Beth R Jones
Sublett Rt
Malta ID 83342
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-11-1998
PAGE: A-10

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

RIGHT NUMBER: 43-00260

NAME & ADDRESS: HAROLD A JONES
SUBLETT ROUTE
MALTA ID 83342

SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.9 CFS

PRIORITY DATE: 11/05/1914

POINT OF DIVERSION: T16S R27E S02 SWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 11-01 0.9 CFS

PLACE OF USE: IRRIGATION Within CASSIA County
T15S R27E S34 NESW 20 NWSW 10 SESW 16 NWSE 38
SWSE 40 SESE 24
T16S R27E S02 Lot 4 (NWNW)37 SWNW 40
S03 Lot 1 (NENE)38 Lot 2 (NWNE)27 SWNE 40 SENE 40
370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037,
43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

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

RIGHT NO. 43-00259 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

SOURCE IS ALSO KNOWN AS KELSO SPRING.



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

June 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HAROLD A JONES
BETH R JONES
SUBLETT RT
MALTA ID 83342

RE: SRBA Claim(s) 43-00037, 43-00084, 43-00085, 43-00259,
43-00260, 43-00286A, 43-02401, 43-10052,
42-10055

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

RECEIVED

MAY 14 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

15

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): ~~100260~~ -00260, -00286A, -02401, -02550B, -10051, -10053, 10
Adjudication Claim No(s): A43-10052, -10055, -00037, -00084, -00085, -00259
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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Harold A. Jones
Sublet Rl. Malta, Ida 83342
- X 4. New Owner/Claimant(s) Beth R. Jones - Harold A. Jones
Name Connector (Check one): [] and, [] or, ☒ and/or
New Mailing Address Sublet Rl. Malta, Idaho
City, State and ZIP Code Malta, Idaho 83342
New Telephone Number (208) 645-2370
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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.
7. Signature of New Owner or Claimant(s) Harold A. Jones
Beth R. Jones
(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..

COPY

RECEIVED
JUL 13 1998
Department of Water ResourcesIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 43-00260(insert water right number
from the Objection Form)STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Harold & Beth Jones, Ray JonesAddress: Sublett RouteMalta, ID 83342Daytime Phone: (208) 645-2370

Name & Address of Attorney, if any:

Patrick D. BrownParker, Warr & Brown, LLP812 Shoshone St. E.Twin Falls, ID 83301C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDINGName: Jeff SessionsAddress: HC 72, Box 2346Malta, ID 83342

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

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

☐ This water right should not exist.

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

E.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Twin Falls)

Patrick D. Brown, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 10, 1998
John E. McMillan
Notary Public for Idaho
Residing at: Jerome
My Commission Expires: 8/24/2001

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. FAX ings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on July 10, 1998, I mailed the original and copies of this sponse, including all attachments, to the following persons:

Original to:

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

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

Name: _____
Address: _____

One copy to the party who filed the objection at the following address:

Name:	<u>Jeff Sessions</u>	<u>Roger D. Ling</u>
Address:	<u>HC 72 Box 2346</u>	<u>Ling, Nielsen & Robinson</u>
	<u>Malta, ID 83342</u>	<u>P.O. Box 396</u>
		<u>Rupert, ID 83350</u>

Copies to:

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

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

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



Your signature or signature of attorney
mailing on your behalf

**Addendum to Certificate of Mailing
SF2 – Response to Objection**

Afton L. Hoskins
Boyd I. Hoskins
c/o Naf Store
Strevell Road, Box 2350
Naf, ID 833345

Arimo Corporation
c/o Christopher F. Robinson
139 East South Temple
Salt Lake City, UT 84111

Holmgren Land & Livestock
P. O. Box 78
Bear River, UT 84301

Reid S. Stewart
Ruth O. Stewart
1655 Sunset Drive
Logan, UT 84321

RECEIVED

JUL 06 1998

Department of Water Resource
Southern Region

RECEIVED

JUN 29 1998

Department of Water Resources

RECEIVED

JUL 01 1998

Department of Water Resources
Adjudication Bureau

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

In Re SRBA

Case No. 39576

A. Subcase No. 43-00260

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Jeff Sessions

Address: HC 72, Box 2346
Malta, ID 83342

Daytime Phone (208) 824-5721

Name & Address of Attorney, if any:
ROGER D. LING
LING, NIELSEN & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

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

Name: Harold A. Jones

Address: Sublett Route
Malta, Idaho 83342

VERIFICATION (Must be Completed)

State of Idaho)

County of Minidoka) -

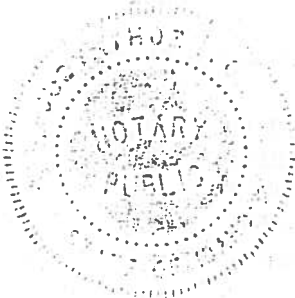
Jeff Sessions / Roger D. Linn, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Signature of person filing objection

Roger D. Linn
Attorney signing in representative capacity

Subscribed and sworn to before me on: June 16, 1998.



Indy Thornton Barne
Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 03/02/1999

Water Right Number - R43-00260

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - - First Name - - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
JONES

HAROLD A

1 - SUBLETT ROUTE
2 -
3 -City- MALTA State- ID Zip- 83342
Phone - 208-645-2370+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/05/1914 17 SOUTHERN D - DECREED+ - - Source - - - - - + + - - - - - Tributary - - - - -
SPRING ROUND MOUNTAIN CREEK

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

| Tw | Rng | Sec | Tract | Lot | Rflg | County |
|-----|-----|-----|----------|-----|------|--------|
| 16S | 27E | 2 | SW SE NW | | (31) | CASSIA |

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +

01 - IRRIGATION 04/01 11/01 0.900
+ - Total Div. Rate - + - - Total Div. Volume - + + - - Total Consumptive Use - + - - KW Usage - +
0.900 1485.0

| Tw | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 15S | 27E | 34 | NE SW | | 20.0 | 01 | IRRIGATION | (31) CASSIA |
| 15S | 27E | 34 | NW SW | | 10.0 | 01 | IRRIGATION | (31) CASSIA |
| 15S | 27E | 34 | SE SW | | 16.0 | 01 | IRRIGATION | (31) CASSIA |
| 15S | 27E | 34 | NW SE | | 38.0 | 01 | IRRIGATION | (31) CASSIA |
| 15S | 27E | 34 | SW SE | | 40.0 | 01 | IRRIGATION | (31) CASSIA |
| 15S | 27E | 34 | SE SE | | 24.0 | 01 | IRRIGATION | (31) CASSIA |
| 16S | 27E | 2 | NW NW | 4 | 37.0 | 01 | IRRIGATION | (31) CASSIA |
| 16S | 27E | 2 | SW NW | | 40.0 | 01 | IRRIGATION | (31) CASSIA |
| 16S | 27E | 3 | NE NE | 1 | 38.0 | 01 | IRRIGATION | (31) CASSIA |
| 16S | 27E | 3 | NW NE | 2 | 27.0 | 01 | IRRIGATION | (31) CASSIA |
| 16S | 27E | 3 | SW NE | | 40.0 | 01 | IRRIGATION | (31) CASSIA |
| 16S | 27E | 3 | SE NE | | 40.0 | 01 | IRRIGATION | (31) CASSIA |

Total Acres: 370.0

+ - - Diversion Means - CHECK DAM TO EARTHEN DITCHES

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A43-02401, A43-00259 & A43-00037

Water right number - R43-00260 Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE
IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037,
43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 43-00259 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
SOURCE IS ALSO KNOWN AS KELSO SPRING.

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

+ - - - - - Conditions of Approval - - - - - +

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

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

+ - - - - - Comments- - - - - +

Date: 05/29/1998 User Id: DJONES Subject: COPIED FROM REMARKS
THE WATER FROM THE SPRINGS SEEPS INTO ROUND MOUNTAIN CREEK AND IS DIVERTED FROM THE STREAM AT THE INDICATED P/D.
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND DESCRIBED; PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL
GROUNDWATER AREA. THIS SOURCE IS LOCALLY KNOWN AS KELSO SPRING, THOUGH THE LOCATION OF THE SPRING IS DIFFERENT THAN GIVEN IN THE
DECREE.

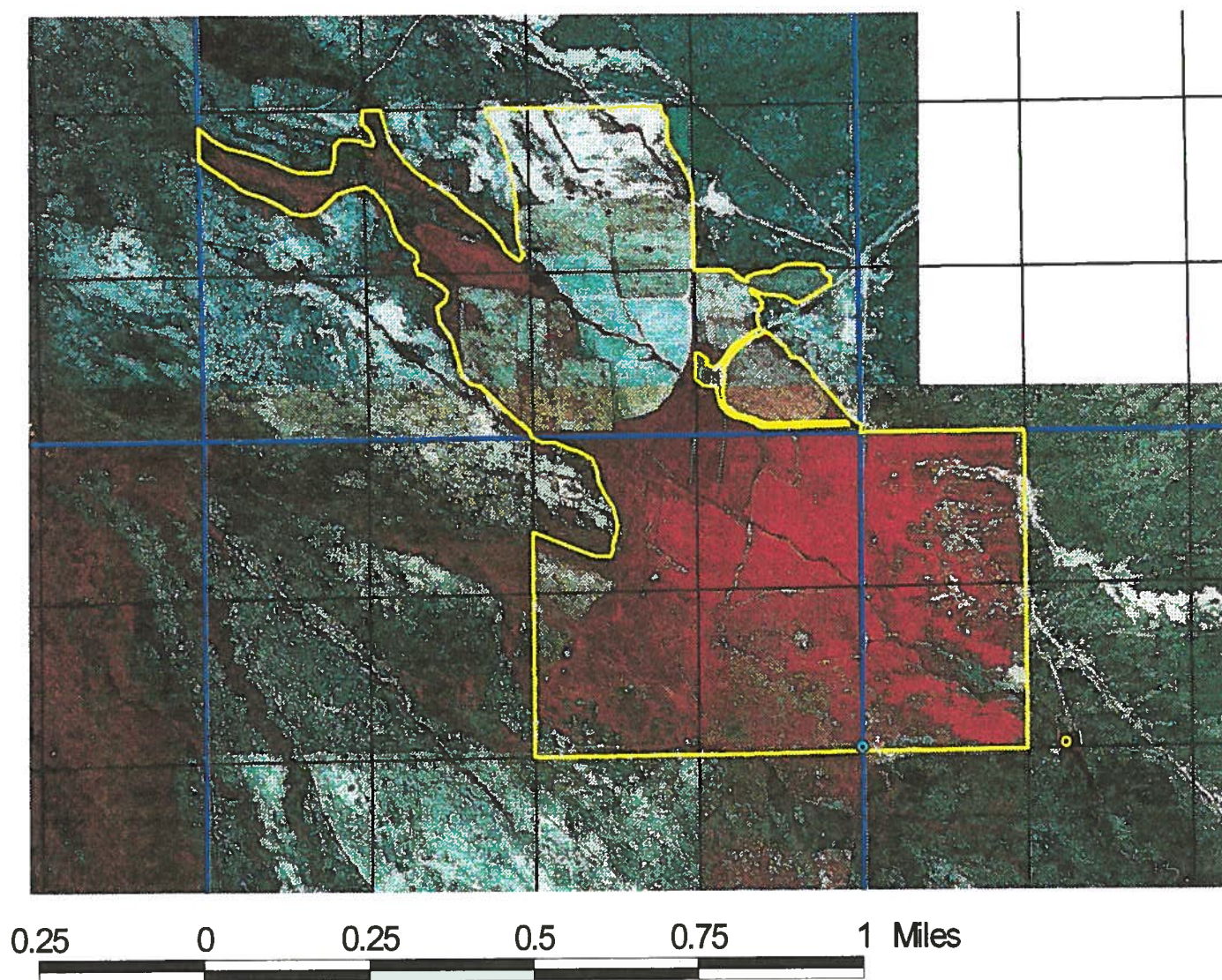
+ - - Audit Fields - - +
05/29/98 DJONES

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

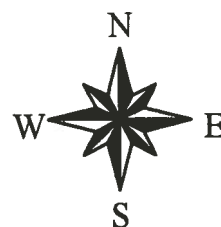
| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 03/21/1989 | Last Amended Date | - 10/25/1995 | Temporary Right | - P |
| | | Receipt Number | - S006624 | Water District | - 43B |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - D |
| | | | | Notice of Error Flag | - |

IDAHO DEPARTMENT OF WATER RESOURCES

43-00259 & 43-00260



TNS 15S, RNG 27E, SEC 34
TNS 16S, RNG 27E, SEC 2 & 3



-  Recommended Place of Use
-  Recommended Point of Diversion
-  Section Lines
-  Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 NAPP PHOTOGRAPHY
DATA ENTRY: MAY 29, 1998
BY: DOUGLAS JONES

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TARA BACKLUND

DATE November 30, 1995 2:18pm CUSTOMER **LEANN-HEPWORTH**

SUBJECT:A43-00037, A43-00084, A43-00085, A43-00259, A43-00260,
A43-00286A, & A43-02401
phone call (X) walk-in (.)

LEANN FROM HEPWORTH'S OFFICE CALLED TO ASK FOR THE NOTICE OF CLAIM FOR THESE CLAIM. I ASKED IF SHE WANTED THE WHOLE FILES. SHE SAID NO, ONLY THE NOTICE OF CLAIM. I MADE COPIES AND CALLED HER TO SAY THEY WERE READY FOR PICK UP.

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

| DATE | CUSTOMER |
|-------------------------|--------------------------------|
| October 25, 1995 2:42pm | LEE ANN FROM HEPWORTH'S OFFICE |

SUBJECT: WANTS CLAIM FORMS TO USE FOR AMENDMENTS
phone call (X) walk-in (.)

She indicated that a client wants to ammend the following claims and she requested claim forms for these rights. I explained the general procedure for using the forms for amendments.

claims

A43-00037 ✓
-00084 ✓
-00085 ✓
-00259 ✓
-00260 ✓
-02868A ✓
-02401 ✓

COPY

9/20/94

COMMUNICATION DOCUMENTATION

File No.

This form is to be used to document public record information requests regarding any SRBA claim or other water right. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request.

IDWR Employee/Agent Allen Merritt Date July 7, 1995

Contact person(s): Jeff Sessions, Mont Campbell, Blaine Campbell, Vern Kempton, Larry Kempton, Steve Holmgren

Nature of Contact: Meeting at IDWR Twin Falls office on 7/6/95. They came in to discuss the advertised transfer filed by Jeff Sessions. They brought Jeff so he could hear the discussion and understand their concerns. Of particular note or concern was two of the rights advertised in the transfer. The first was the portion of the decree 43-00286B. The original right was decreed to Settlers land for 60 cfs. Since this group was from Utah and Vern Kempton was the watermaster which delivers water in Utah and turns water to Idaho they did not have a record the "Idaho decree" (Jobe Adams) and only showed that they delivered water with this priority to Clear Creek Ranch (160 inches) and the Naf Store (160 inches). (Clear Creek Ranch is Harold or Ray Jones and claims 160 inches under A43-00286A; the Naf Store has not yet filed a claim) I provided them copies of the "Idaho decree" as well as the one it superseded and the Decree setting delivery between Idaho & Utah. The Utah users indicated that the 60 cfs has not been used other than what they show. They showed me a copy of a denial of transfer in the name of Omin (Spelling?) for a portion of the right. They interpreted this to show that all parts of the right had been abandoned. I told them I interpreted it as only the Omin part was gone and the other parts I didn't know about but would be determined in the SRBA. They asked about our delivery records and I told them I knew of none. I explained that I understood that Vern Kempton was the watermaster organized under Utah law and although he delivers water to Idaho I did not think he has been recognized by Idaho under our watermaster statutes. I told them I knew of no organized district in Idaho and did not know of any delivery records.

They also were concerned about right 43-10116 for 20 cfs. We discussed the source as described and the amount. They were confused since both sources are listed in the claim and they also didn't understand the basis of the claim as beneficial use and

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exactly the status of the claim. They indicated that in Utah Rice Creek is decreed and used. They were not certain that their priority was earlier than the 1900 being claimed. I told them if it was then the claim should not interfere. I also explained that the claim was undergoing SRBA review and may not be found or recommended as claimed. Larry Kempton indicated that he didn't mind Sessions using the water after he got thru with it and he also indicated that he may wish to build a pond and didn't want this record to interfere with his plans. I stated that if he was in Idaho what ever future plans he might have would be junior to Sessions right what ever it might be; but, since he was in Utah I was not sure. They discussed a potential agreement and if Idaho would recognize it. I told them that if Session's and Kempton's made some sort of agreement that the department many condition approval of the application acknowledging the agreement existed but the department would not enforce a private agreement between parties.

During the discussion Mr. Holmgren met with Kelly Christensen and filed on some decrees that the Utah guys indicate he is delivered but had not yet claimed.

I provided protest forms to the parties and then they left.

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R27E

43-00259

43-00260

Decree

Source: Kelso Spring

Amt: 43-00259 1.0 cfs 7/24/1911
43-00260 0.9 cfs 11/5/1914

P/D Deeded NWSE Sec 34



T 15S
T 16S

MAPS USED:

DATE: 1976

ASCS

ORTHO

NAPP

BLM

USGS-NAF

DD 82

43-00260

ORIGINAL IN 43-00259

JONES, HAROLD

R27

SRBA claim
594 acres

155
165

MAPS USED: DD B2 DATE: 1976

ASCS

ORTHO

NAPP

BLM

USGS-NHE

A43-00260



POD

JONES, HAROLD