

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 43-287
Date Received: 6/20/89
Receipt No:
Received By:

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

1. Name of Claimant(s)

C BAR CATTLE COMPANY Phone:

CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY UT USA 84111

2. Date of Priority: 04/01/1893

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

4. Point of Diversion:

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

5. Description of diverting works:

HEADGATE FROM RAFT RIVER AND ASSOCIATED DITCHES, BOOSTER PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/01	1.6	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
13S	26E	25	SE	NE		IRRIGATION	6.2
						Section Acres	6.2
13S	27E	19	NW	SW	3	IRRIGATION	49.4
			SW	SW	4	IRRIGATION	49.5
						Section Acres	98.9
13S	27E	30	NW	NW	1	IRRIGATION	49.5
			SW	NW	2	IRRIGATION	16.5
			NE	SW		IRRIGATION	39.3
			NW	SE		IRRIGATION	34.5
			SW	SE		IRRIGATION	40
						Section Acres	179.8
						Total Acres	284.9

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

ACREAGES CALCULATED BY ASCS FROM AERIAL PHOTOS

01-04-01 OWNERSHIP CHANGE PIERCE TO C BAR CATTLE CO PER NOTICE RECEIVED 11-18-98
WITH TITLE INS. SEE COMPLETE DOCS IN 43-2097C. VH
THIS RIGHT IS ALSO CLAIMED AS 43-10569 WITH ADDITIONAL POINTS OF DIVERSION.

15. Basis of Claim: Decreed

Meadow Creek
SpringsSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

NOV 18 1997

Department of Water Resources
Southern Region

Water Right No(s).:

A43-02097C

Adjudication Claim No(s).:

43-0287 (UH)

The following REQUIRED information must be submitted with this form:

(see enclosure)

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.

Name and Address of Former
Owner/ClaimantJack A. PierceMalta ID 83342

New Owner/Claimant(s)

C Bar Cattle CompanyName Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

139 East South Temple Suite 310

City, State and ZIP Code

Salt Lake City UT 84111

New Telephone Number

(801) 328-1600

Date you acquired the property

June 27-1998

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 1500 Cattle

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.

Signature of New Owner
or Claimant(s)C BAR CATTLE COMPANY.By: Christopher F. Robinson, President

(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..

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

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

COMMONWEALTH LAND TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

ORDER NUMBER: 30762

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

2. Policy or Policies to be issued:

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

Amount \$
Premium \$

Proposed Insured:

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

Amount of Loan
Premium based on amount of loan
Premium \$

Proposed Insured:

NAME OF LENDER

C. ☐

Amount \$
Premium \$

Proposed Insured:

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

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

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

SEE SCHEDULE A, PAGES 2 thru 12

Countersigned:

COPY

Authorized Officer or Agent

This Commitment is valid only if Schedule B is attached.

RECEIVED

NOV 19 1998

Department of Business
Corporation Division

CONTINUATION

SCHEDULE A

Order Number: 30762

PARCEL NO. 1:

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

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

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

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

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

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

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

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

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

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

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

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

CONTINUATION

SCHEDULE A

Order Number: 30762

Section 32: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 33: ALL
Section 34: ALL
Section 35: ALL, EXCEPT the W $\frac{1}{2}$ SE $\frac{1}{4}$

TOWNSHIP 14 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 2: E $\frac{1}{2}$ NE $\frac{1}{4}$
Section 5: W $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6: E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
Section 7: E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 3 and 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 8: NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 17: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 18: E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Lots 1, 2 and 3
Section 19: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$
Section 20: NW $\frac{1}{4}$

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

Section 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 3: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$

-Continued-

CONTINUATION

SCHEDULE A

Order Number: 30762

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

-Continued-

CONTINUATION
SCHEDULE A

Order Number: 30762

PARCEL NO. 2:

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

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

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

Section 36: W½

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

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

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

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

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

CONTINUATION

SCHEDULE A

Order Number: 30762

PARCEL NO. 3:

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

Section 16: E½

PARCEL NO. 4:

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

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

Beginning at the center quarter section corner of said Section 30, which shall be the Point of Beginning;
Thence North 89°43'57" West along the quarter section line for 1204.63 feet to a ½ inch rebar;
Thence North 2°16'27" East for 63.65 feet to a ½ inch rebar;
Thence North 37°49'43" East for 762.42 feet to a ½ inch rebar;
Thence North 0°01'08" East for 235.38 feet to a ½ inch rebar;
Thence North 89°17'35" East for 687.43 feet to a ½ inch rebar;
Thence North 89°16'53" East for 353.19 feet to a ½ inch rebar;
Thence South 0°40'42" West for 354.97 feet to a ½ inch rebar;
Thence North 85°04'42" East for 226.25 feet to a ½ inch rebar;
Thence North 89°03'02" East for 215.14 feet to a ½ inch rebar;
Thence South 0°26'17" East for 591.25 feet to a ½ inch rebar on the quarter section line;
Thence North 89°43'57" West along the quarter section line for 746.97 feet to the Point of Beginning.

PARCEL NO. 5:

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

Section 19: W½W½SW¼SE¼

-Continued-

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: A43-00287
Date Received: 6/20/1989
Receipt No: C007642
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: APR 01, 1893

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

4. Point of Diversion:

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

5. Description of diverting works:
HEADGATE FROM RAFT RIVER AND ASSOCIATED DITCHES, BOOSTER PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/01	1.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	25	SE	NE		IRR	6.2 ✓
						Section Acres	6.2
	27E	19	NW	SW	3	IRR	49.4 ✓

A43-00287

Page 1

Date: 07/11/89

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MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	19	SW	SW	4	IRR	49.5 ✓
Section Acres							98.9
		30	NW	NW	1	IRR	49.5 ✓
			SW	NW	2	IRR	16.5 ✓
			NE	SW		IRR	39.3 ✓
			NW	SE		IRR	34.5 ✓
			SW	SE		IRR	40.0 ✓
Section Acres							179.8
Total Acres							284.9

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

43-4237, 0030, 0442, 0443, 0253, 0255, 0171, 2394, 2284

14. Remarks:

ACREAGES CALCULATED BY ASCS FROM AERIAL PHOTOS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ALBION-IDAHO LAND CO.

Decree Plaintiff

vs

JOBE ADAMS ET AL

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number A43-00287Date Received 6-20-89 *CF*Receipt Number C00 7642

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

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

**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW

RECEIVED
JUN 20 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Jack A. Pierce Phone (208) 645-2580

Mailing Address Malta, Idaho Zip 83342

2. Date of Priority (Only one (1) per claim) April 1, 1893

3. Source of water supply (a) Raft River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 14S Range 27E Section 20,
NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any: None

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

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

Govt. Lot B.M., County of

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

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

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

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 10/1 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	26E	25				6.2													6.2
13S	27E	19										49.4	49.5						98.9
13S	27E	30						49.5	16.5		39.3					34.5	40		179.8

Total number of acres irrigated 284.9

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
43-4237; 0030; 0032; 0442; 0443; 0253; 0255; 0171; 2394; 2284 or None ()

14. Remarks: Acreages calculated by ASCS fro aerial photos.

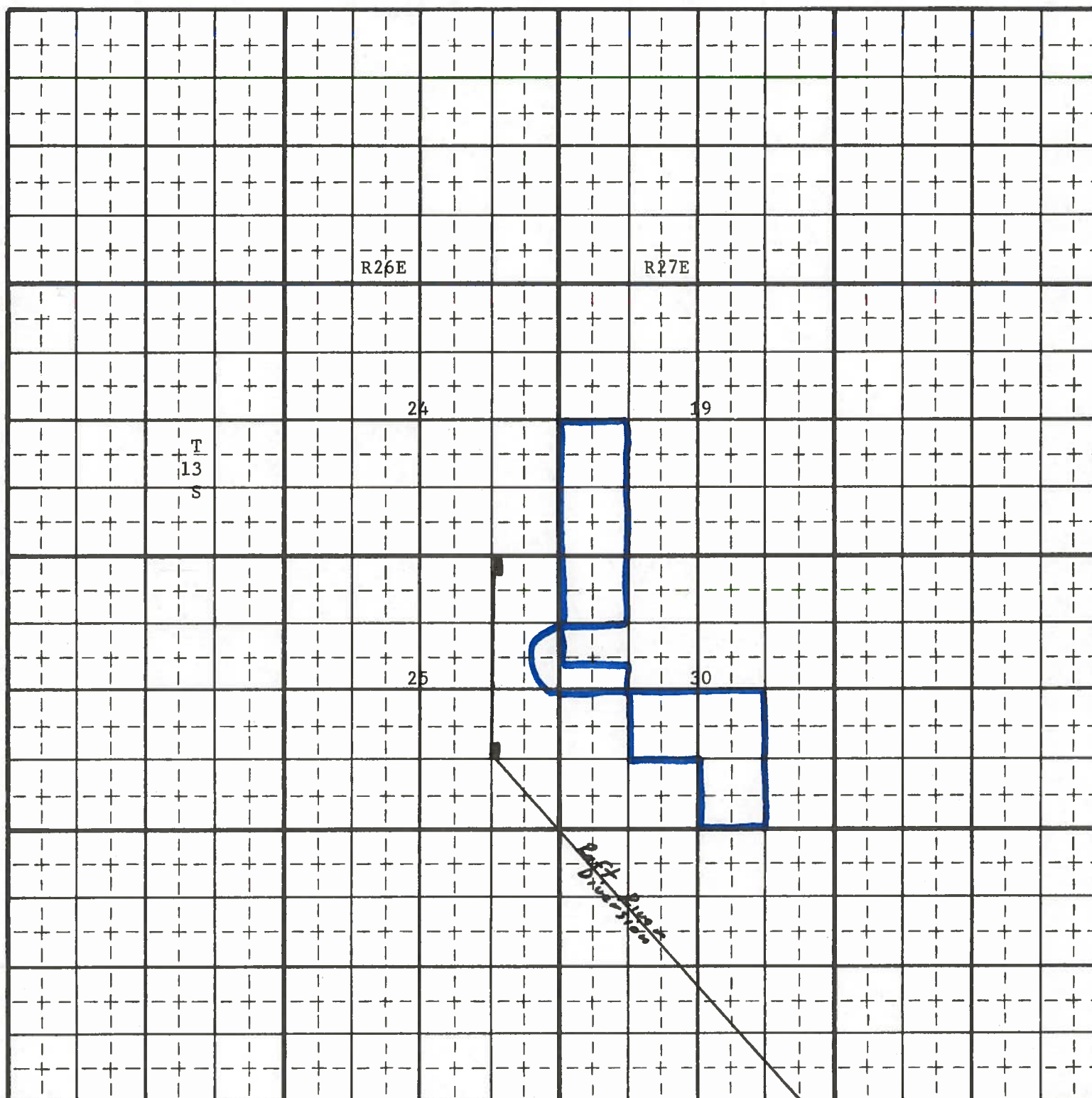
MICROFILMED
MAR 03 1993

Last Name Pierce Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



MICROFILMED

MAR 03 1993

Last Name Pierce Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 43-0287
Court U.S. District Case Number _____ Decree Date Oct. 18, 1928
Plaintiff vs Defendant Albion Land Co. V Jobe Adams

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

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

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

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

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

Notary Public Sherl L. Chapman

Residing at 3205 E. Hubbard Rd. Mendocino

My Commission Expires 6/14/94

Please Print Name

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

Signature _____

Address _____

Date _____

MICROFILMED
MAR 03 1993

Last Name Pierce Ident. Number _____

Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Pierce CLAI IDENT. NO. A43-00287

DATE RECEIVED 6-20-89 CK # COO 7642 AMOUNT \$ 000.00

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

Claim checked by: CA Date: 7-11-89

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: CA Date: 6-20-89
Claim data entered by: CA Date: 7-11-89 Checked by: MICROFILMED Date:
Sent to claimant by: Date:

Comments:

MAR 03 1993

07/13/2001

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

RIGHT NUMBER: 43-287

NAME AND ADDRESS: C BAR CATTLE COMPANY
CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY, UT 84111

SOURCE: RAFT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.6 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 13.75 CFS. COMBINED RIGHT NOS.: 43-
171C, 43-178G, 43-254A, 43-287, 43-12926, 43-12927, 43-12928,
43-13075.

PRIORITY DATE: 04/01/1893

POINT OF DIVERSION: T14S R27E S20

NWNWSW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	1.60 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R26E S24	NESE	22	T13S R26E S24	SESE	23
T13S R26E S25	NENE	23	T13S R26E S25	SENE	20
T13S R26E S25	SESE	18	T13S R27E S19	NESW	40
T13S R27E S19	NWSW	49	T13S R27E S19	SWSW	49
T13S R27E S19	SESW	39	T13S R27E S30	NWNE	34
T13S R27E S30	SWNE	17	T13S R27E S30	NENW	29
T13S R27E S30	NWNW	49	T13S R27E S30	SWNW	49
T13S R27E S30	SENW	18	T13S R27E S30	NESW	40
T13S R27E S30	SWSW	43	T13S R27E S30	SESW	40
T13S R27E S30	NWSE	36	T13S R27E S30	SWSE	40

678 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 678 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-171C, 43-178G, 43-254A, 43-
287, 43-12926, 43-12927, 43-12828, 43-13075.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 897 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-171C, 43-178G, 43-254A, 43-
287, 43-2284A, 43-2304A, 43-2305, 43-2393A, 43-2455A, 43-4237,
43-12926, 43-12927, 43-12828, 43-13074, 43-13075.

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

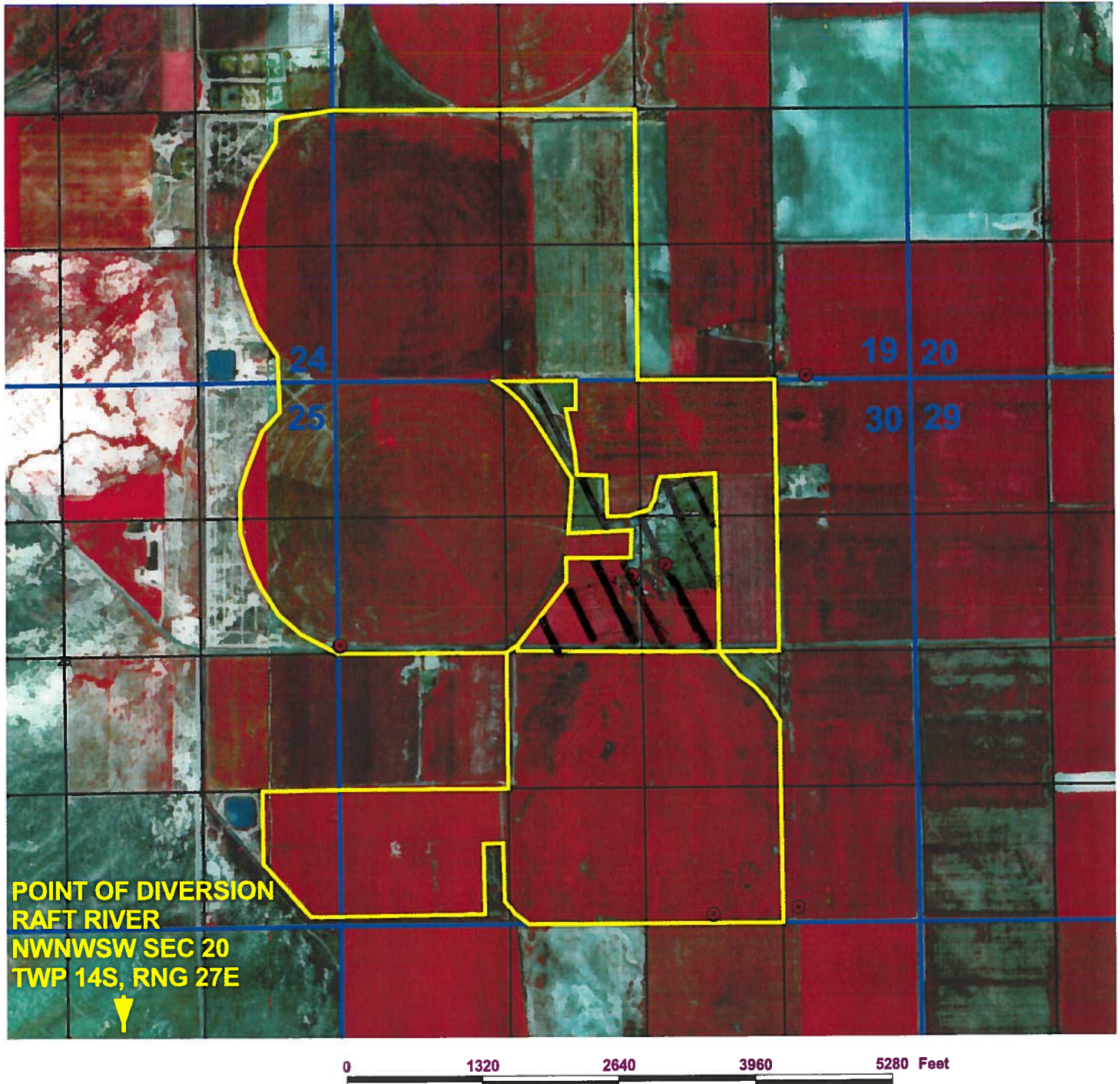
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

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

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



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



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

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 808 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-171C, 43-178G, 43-254A, 43-287, 43-2284A, 43-2304A, 43-2305, 43-2393A, 43-2455A, 43-4237, 43-12926, 43-12927, 43-12828.

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PAGE: 18
PROFILE REPORT

TOTAL DIVERSION: 1.60 CFS

Stage: DECREED

CASSIA County

NE

TOTAL ACRES

Other Rights: 43-4237, 0030, 0442, 0443, 0253, 0255, 0171, 2394, 2284

Dates: Exam Made Date: 04/08/1985

**Field Inspection
Presumption Flag:**

42

CC # 1786
SPD apt 1786
unmail

Good luck
Diana

	SUM
6.2	
98.9	
179.8	
284.9	

RECOMMENDATION NOTES

From: Vikie Hancock

1/23/01

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Duplicate Claims:

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

Duplicate Claim
Asserting PODs at wells
DISSALLOWED

Basis Claim
Claiming only Raft River POD
RECOMMENDED

Duplicate Claim
Asserting PODs at wells
DISSALLOWED

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

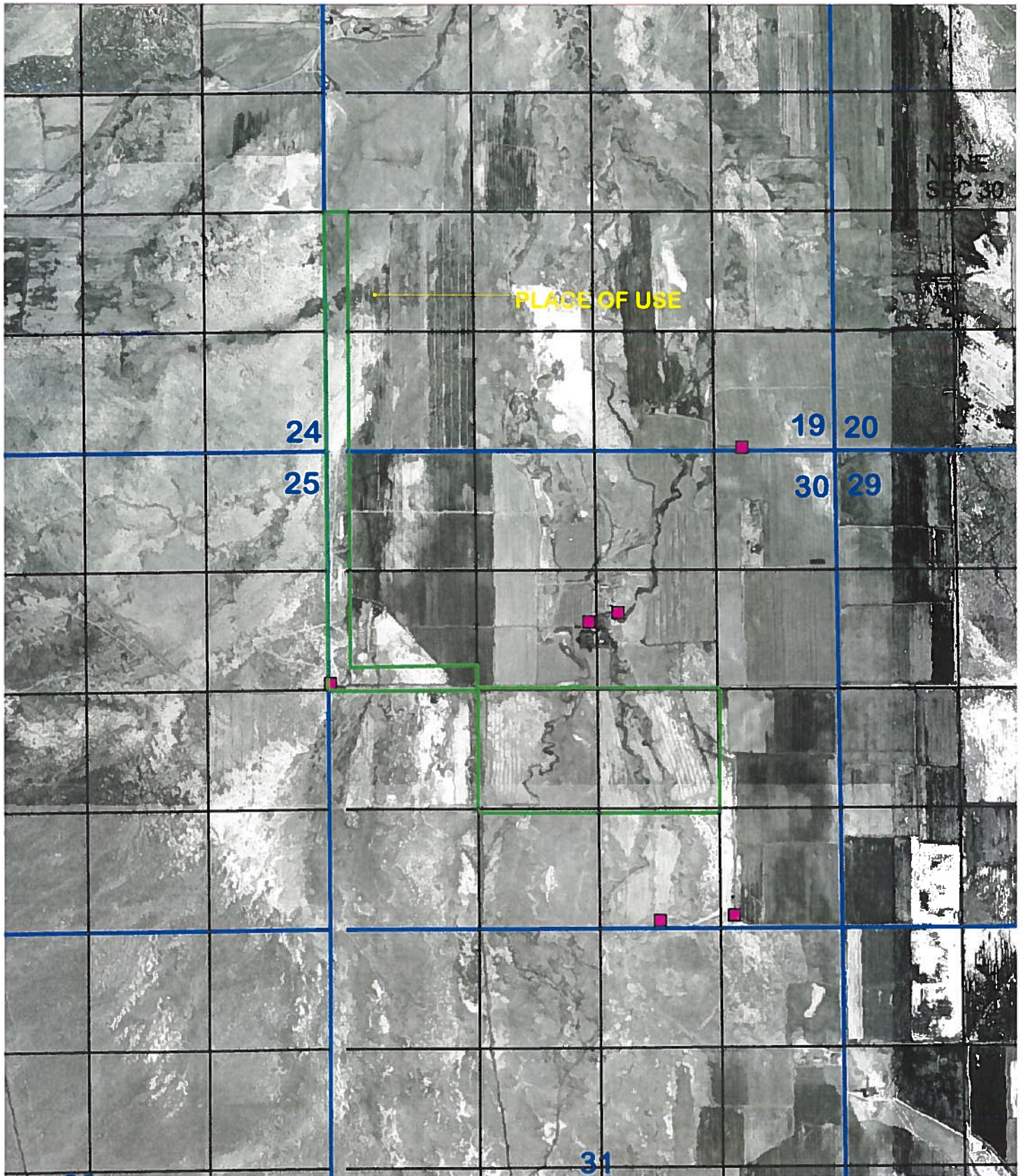
Basis Claim
Claiming only Raft River POD
RECOMMENDED

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

FILE NOTES

C BAR CATTLE CO

TWP13S, RNG27E POU
TWP14S, RNG27E POD



DECREED PLACE OF USE 1928 JOBE ADAMS DECREE
160 ACRES

V. HANCOCK

1987 AERIAL PHOTOGRAPHY

Ada C. Rice
1872-Apr. 30
1880-Apr. 30
1872-Apr. 30

1 s.f.
1.5 s.f.

To be diverted from Cassia Creek for the irrigation of All of the waters of Warm Creek for the irrigation of $E\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$, Sec. 20, Twp. 13 S. R. 26 E.B.M.

Wm. H. Robertson
1883-Apr. 1
1884-Sept. 30
1894-Apr. 1

.8 s.f.
.4 s.f.
1.2 s.f.

To be diverted from Cassia Creek for the irrigation of $S\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 15 Twp. 13 S. R. 26 E.B.M.

Orson J. Sanders
Chloe Sanders

278
279
280
1872-Apr. 1
1872-Apr. 1
1879-Apr. 1

1.6 s.f.
3.2 s.f.
4.8 s.f.

To be diverted from Raft River, April 1 to July 1 each year -
To be diverted from Raft River, July 1 to October 1 each year, the same being a part of the 4.8 s.f. aforesaid, from April 1 to July 1, and not in addition thereto, for the irrigation of $NE\frac{1}{4}NE\frac{1}{4}$, Sec. 10, $S\frac{1}{2}NE\frac{1}{4}$, Sec. 11, $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, Sec. 12, all in Twp. 16 S. R. 25 E.B.M.

Marion Savage and
Rose Savage
1885-Apr. 30

2.4 s.f.

To be diverted from Green Canyon Creek for the irrigation of $NW\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 7, Twp. 14 S. R. 25 E.B.M.

David E. Sawyer
1909-Apr. 16

3.2 s.f.

To be diverted from Black Pine Creek, a tributary of Clear Creek for the irrigation of $E\frac{1}{2}SE\frac{1}{4}$, Sec. 30, $N\frac{1}{2}SW\frac{1}{4}$, Sec. 29 Twp. 15 S. R. 28 E.B.M.

George M. Scott and
Maggie Scott

1880-Apr. 30
1881-Apr. 30
1894-Apr. 1

1.8 s.f.
2.9 s.f.
3.4 s.f.

To be diverted from Cassia Creek for the irrigation of Lot 1, $SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, Sec. 1, Twp. 13 S. R. 26 E.B.M., Lot 3 and 4, $E\frac{1}{2}SW\frac{1}{4}$, Sec. 31, Twp. 12 S. R. 27 E.B.M.

Settlers Land & Water Company
1911-Nov. 23

60 s.f.

To be diverted from Clear Creek for the irrigation of All of Sec. 2, $S\frac{1}{2}$ and $NW\frac{1}{4}$, Sec. 3, $S\frac{1}{2}$ and $W\frac{1}{2}NW\frac{1}{4}$, Sec. 4, $E\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, Sec. 5, all of Sec. 8, all of Sec. 9, $N\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 10, all of Sec. 11, $W\frac{1}{2}$, $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, Sec. 12, $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 13, all of Sec. 14, $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 15, all of Sec. 16, all of Sec. 17, $SE\frac{1}{4}$, Sec. 21, all of Sec. 22, $NE\frac{1}{4}SE\frac{1}{4}$ and $W\frac{1}{2}$, Sec. 23, all of Sec. 24, $NW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}NE\frac{1}{4}$, Sec. 27, $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$, Sec. 26, $NW\frac{1}{4}NW\frac{1}{4}$, Sec. 25, all in Twp. 16 S. R. 27 E.B.M.

287
Willis Sears and
Lulu Sears
1893-Apr. 1

1.6 s.f.

$W\frac{1}{2}SE = 80$ ac
 $NE SW = 40$
 $S\frac{1}{2}SWNW = 13.4 (40 \div .333)$
 $216' \times 5280' = 26.1$
 159.5 ac

Willis Sears
Lulu Sears

To be diverted from Raft River for the irrigation of $W\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}$, $SW\frac{1}{4}NW\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M. and a tract of land described as follows: Beginning at the SW corner of $NW\frac{1}{4}$, Sec. 30, thence East $13\frac{1}{12}$ rods, thence North 1 mile, $13.08 \times 16.5 = 216'$
 $5280'$

thence West $13\frac{1}{12}$ rods, thence South 1 mile, to place of beginning.

$216' \times 5280' = 1140480 = 26$ ac
 43560