



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 13, 2000

CURT OSTLER
6616 W 10760 N
HIGHLAND UT 84003

RE: ADJUDICATION CLAIMS A43-02412 and A43-10029

Dear Mr. Ostler,

AS promised, enclosed are proof reports for the two adjudication filings I found under your name. A43-02412 is for 331 acres of irrigation and A43-10029 is for domestic and stockwater use. The Director's Report for these claims is due to be filed sometime within the next few months. I have pretty much completed my review of these rights, and except for a few minor corrections or clarifications, they will be recommended as claimed.

If you have any questions, feel free to give me a call at the office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie Robertson".

Jeanie Robertson
Sr. Water Resource Agent

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: A43-02412
Date Received: 3/ 7/1989
Receipt No: S006467
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: KURT E OSTLER
Address: 6616 W 10760 N
HIGHLAND UT

801-763-0377

84003

AND

Name: VALAYNE L OSTLER
Address: 6616 W 10760 N
HIGHLAND UT

801-763-0377

84003

2. Date of Priority: AUG 30, 1965

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	26E	2		SW	SE		CASSIA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.900		1324.00

7. Total Quantity Appropriated is:
4.900 C.F.S. (and/or) 1324.00 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
11S	26E	2	NE	NE		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	26E	2	NW		NE		IRR	33.0
			SW		NE		IRR	32.0
			SE		NE		IRR	33.0
			NE		SW		IRR	15.0
			NW		SW		IRR	6.0
			SW		SW		IRR	14.0
			SE		SW		IRR	33.0
			NE		SE		IRR	33.0
			NW		SE		IRR	33.0
			SW		SE		IRR	33.0
			SE		SE		IRR	33.0

Section Acres 331.0

Total Acres 331.0

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:
NONE

14. Remarks:

OWNERSHIP CHANGE MADE 5/15/96 BY TLB.

AMENDED PURSUANT TO APPROVED TRANSFER NO. 5165. 4/9/98 jr

6-22-98: CHANGE OF OWNERSHIP PER NOTICE REC'D 6-17-98 - VH

15. Basis of Claim: LICENSE

Water Right Number: 25258



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 22, 1998

Kurt E. and Valayne L. Ostler
6616 West 10760 North
Highland, Utah 84003

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A43-02412 and A43-10029
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

Form 42-300(42-100)(6) 6/1/98

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

JUN 17 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resource
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. Water Right Number(s) ^A A43-02412 and ^B A43-10029

Adjudication Claim Number(s) _____

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

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

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Todd and Brenda Gerratt, Alan and Kayla Gerratt, Dan and Mary Ann Clayton
246 East 300 South, Burley, ID 833184. New Owner/Claimant(s) Kurt E. Ostler and Valayne L. Ostler
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address 6616 West 10760 NorthCity, State and ZIP Code Highland, Utah 84003
New Telephone Number (801) 763-03775. Date you acquired the property June 11, 1998

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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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/Claimant(s) Kurt E. Ostler Date 6/11/98
Valayne L. Ostler Date 6/11/988. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

#29673

256040

For Value Received

TODD GERRATT and BRENDA GERRATT, husband and wife and
ALAN GERRATT and KAYLA GERRATT, husband and wife and
DAN CLAYTON and MARY ANN CLAYTON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

KURT E. OSTLER and VALAYNE L. OSTLER, husband and wife
Address: 6616 WEST 10760 NORTH, HIGHLAND, UT 84003

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

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: E $\frac{1}{2}$ and E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPT the following described tract of land:

Beginning at the N $\frac{1}{4}$ corner of said Section 2, said corner marked by a
U.S. General Land office iron pipe with brass cap; Thence North 89°38'14"
West along the North section line for a distance of 200.00 feet to a $\frac{1}{2}$ inch
rebar which shall be the Point of Beginning;
Thence South 00°03'19" East for a distance of 2659.91 feet to the South
line of the E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence North 89°47'42" West along said line for a distance of 461.85 feet
to the Southwest corner of the E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence North 00°05'46" West along the West line of the E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ for a
distance of 2661.19 feet to the Northwest corner of the
E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence South 89°38'14" East along the North section line for a distance
of 463.76 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: Part of the SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the S $\frac{1}{4}$ corner of said Section 2, said corner marked by a
U.S. General Land Office iron pipe with brass cap which shall be the
Point of Beginning;
Thence North 89°46'40" West along the South section line for a distance
of 1850.91 feet;
Thence North 00°13'26" East for a distance of 30.28 feet to a highway
right of way marker;
Thence North 89°46'14" West for a distance of 95.82 feet to a $\frac{1}{2}$ inch
rebar;
Thence North 00°12'07" East for a distance of 1882.61 feet to a $\frac{1}{2}$ inch
rebar;
Thence South 89°46'40" East for a distance of 1738.14 feet to a $\frac{1}{2}$ inch
rebar;
Thence North 00°03'19" West for a distance of 733.23 feet to the North
line of the SW $\frac{1}{4}$;
Thence South 89°47'42" East along said line for a distance of 200.00 feet
to the Center $\frac{1}{4}$ corner;
Thence South 00°03'19" East along the East line of the SW $\frac{1}{4}$ for a
distance of 2646.21 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Water Adjudication Numbers A43-10029 and A43-02412.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years.

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Ivan E. Schrenk, Viola E. Schrenk, his wife and B.L. Hofman, as Consumer, dated November 30, 1954 and recorded August 5, 1955 as Instrument No. 187082 in Book 9 of Bills of Sales and Agreements, Page 115, records of Cassia County, Idaho, Covering the South half, Section 2, Township 11 South, Range 26 East.

Easement from Bernard L. Hofman and Bertha C. Hofman, husband and wife, to the Ruby Company, a Utah Corporation, dated September 28, 1964, and recorded October 5, 1964 as Instrument No. 20752 on Film No. 30, records of Cassia County, Idaho, granting to said corporation an easement 50 feet in width and 1 mile long, along the East boundary of Section 2, Township 11 South, Range 26 East of the Boise Meridian.

Billboard and building restrictions and access limitations as set forth in Deed to the State of Idaho, dated November 19, 1964, and recorded December 28, 1964, as Instrument No. 21857 on Film No. 31, records of Cassia County, Idaho.

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller, and D. R. Satterwhite, as Consumer, dated March 18, 1971, and recorded September 1, 1972 as Instrument No. 64982 on Film No. 78, records of Cassia County, Idaho, covering the S½; E½; NE¼ of Section 2, Township 11 South, Range 26 East of the Boise Meridian.

Agreement for Electric Service executed by Todd Gerratt, Alan Gerratt, Dan Clayton to Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, dated March 18, 1997, and recorded June 16, 1997 as Instrument No. 249570 on Film No. 288, records of Cassia County, Idaho, covering the E½ and E½E½NW¼ of Section 2 Township 11 South Range 26 East of the Boise Meridian.

Grant of Easements by and between James B. Bodily and Melba R. Bodily, a/k/a Melba Bodily, husband and wife and Todd Gerratt and Brenda Gerratt, husband and wife; Alan Gerratt and Kayla Gerratt, husband and wife; and Dan Clayton and Mary Ann Clayton, husband and wife, dated September 29, 1997 and recorded October 6, 1997 as Instrument No. 251548 on Film No. 291, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc, an Idaho rural electric Cooperative of Malta, Seller, and Ida Gold Farms, Larry Gerratt, Consumer, dated March 16, 1998 and recorded March 30, 1998 as Instrument No. 254574 on Film No.297, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

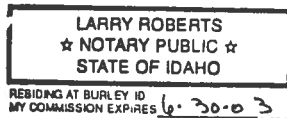
Dated: June 10, 1998

Todd Gerratt
TODD GERRATT
BY: Larry Gerratt
LARRY GERRATT, his Attorney-In-Fact

Brenda Gerratt
BRENDA GERRATT
BY: Larry Gerratt
LARRY GERRATT, her Attorney-In-Fact

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 11th day of June, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared LARRY GERRATT, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of Todd Gerratt and Brenda Gerratt and acknowledged to me that he subscribed the name of Todd Gerratt and Brenda Gerratt thereto as principal, and his own name as Attorney-In-Fact.



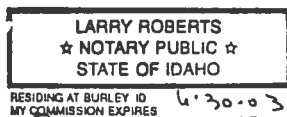
Larry Roberts
Notary Public
Residing at: Burley
My Commission expires: 06/30/03

Alan Gerratt
ALAN GERRATT
BY: Larry Gerratt
LARRY GERRATT, his Attorney-In-Fact

Kayla Gerratt
KAYLA GERRATT
BY: Larry Gerratt
LARRY GERRATT, her Attorney-In-Fact

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 11th day of June, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared LARRY GERRATT, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of Alan Gerratt and Kayla Gerratt and acknowledged to me that he subscribed the name of Alan Gerratt and Kayla Gerratt thereto as principal, and his own name as Attorney-In-Fact.



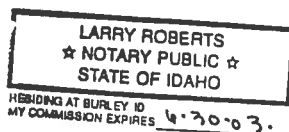
Larry Roberts
Notary Public
Residing at: Burley
My Commission expires: 06/30/03

Dan Clayton
DAN CLAYTON
BY: Larry Gerratt
LARRY GERRATT, his Attorney-In-Fact

Mary Ann Clayton
MARY ANN CLAYTON
BY: Larry Gerratt
LARRY GERRATT, her Attorney-In-Fact

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 11th day of June, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared LARRY GERRATT, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of Dan Clayton and Mary Ann Clayton and acknowledged to me that he subscribed the name of Dan Clayton and Mary Ann Clayton thereto as principal, and his own name as Attorney-In-Fact.



Larry Roberts
Notary Public
Residing at: Burley
My Commission expires: 06/30/03

6
47.5

4.3

3
6.0

35

36

ORTHO WITH
1997 SLIDES

2

2

5.9

T1547

$1/6.0$

$4/7.8$

5
34.7

6

5.3

$1/30.8$

6.8

136

18509

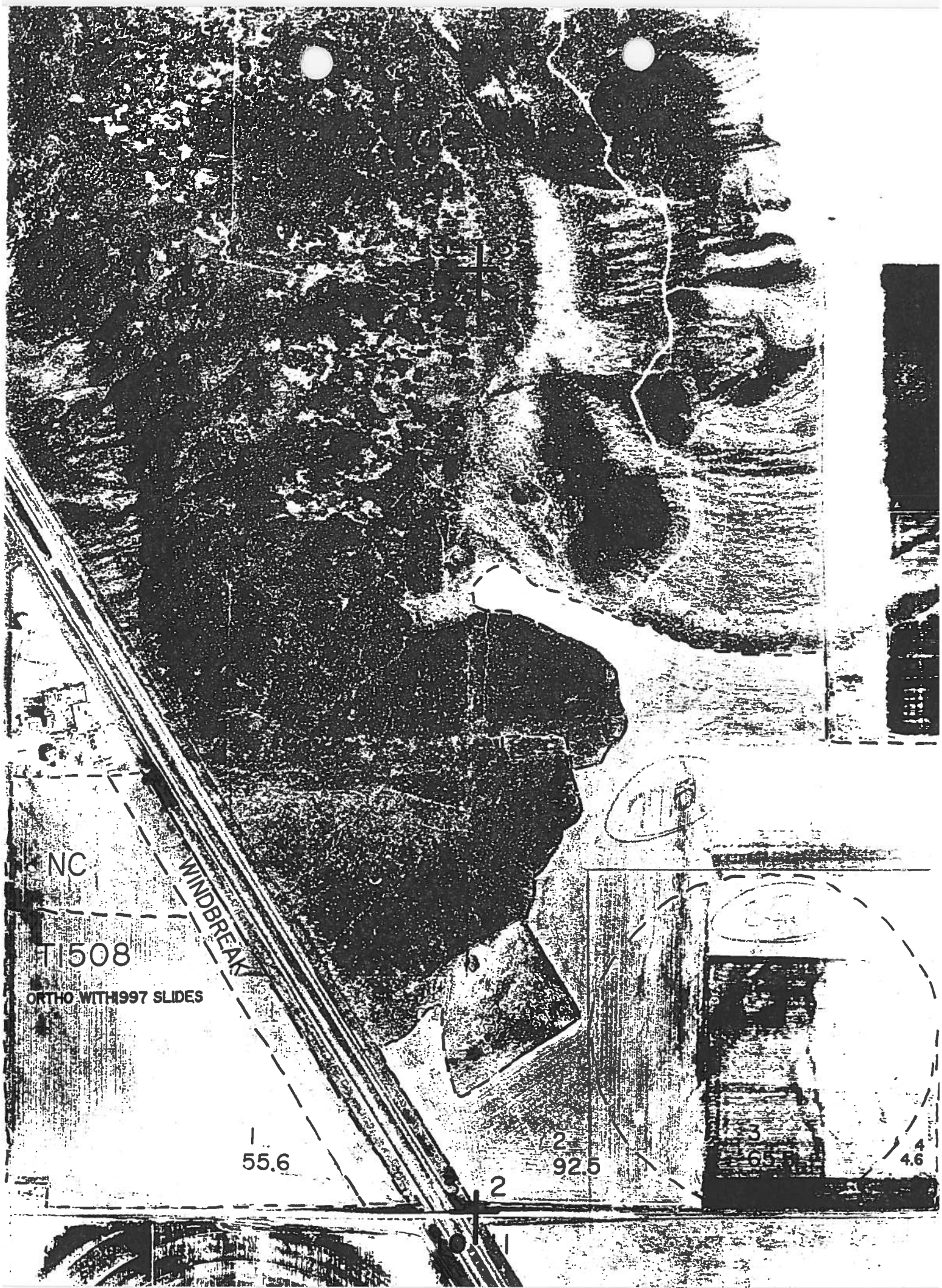
$10/31.3$

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11

12

57
5.5



NC

TI508

ORTHO WITH 1997 SLIDES

WINDBREAK

55.6

2

2
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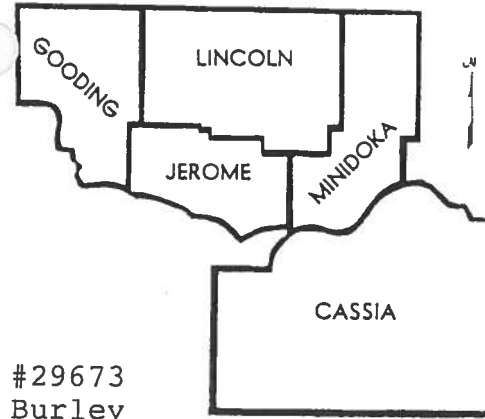
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6

4
4.6

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #29673
OFFICE: Burley

June 16, 1998

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

JUN 17 1998

Department of Water Resources
Southern Region

Dear Sir or Madam:

Enclosed with this letter please find an original executed Notice of Change of Water Right Ownership on property located in Cassia County.

Would you please make the necessary changes in your records to indicate the new owners for future water assessments. Please send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact this office. Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8861

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0808 - FAX 438-1199

Southern

This is to certify that: TODD GERRATT
BRENDA GERRATT
KAYLA GERRATT
MARY ANN CLAYTON
ALAN GERRATT
DAN CLAYTON
246 E 300 S
BURLEY ID 83318

המלך המשיח

Department of Water Resource
Southern Region

45-02412-5 # 5/65

SOURCE
GROUNDWATER

Priority: 08/30/1965

SWSE , Sec. 2, Township 11S, Range 26E
CASSIA County

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	26E	2	NENE 33	NWNE 33	SWNE 32		
			SENE 33	NESW 15	NWSW 6		
			SWSW 14	SESW 33	NESE 33		
			NWSE 33	SWSE 33	SESE 33		331
			Total number of acres irrigated:				* 331

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5165
WATER RIGHT NO. 43-02412

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. The right holder shall cease irrigation of 23.0 acres previously authorized under this right, and consolidate use of water on the remaining 331.0 acres.

Dated this 12th day of March, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 43-02412

FROM: PAM SKAGGS/^{CS}STATE OFFICE

SUBJECT: TRANSFER 5165

DATE: March 4, 1998

=====

Transfer 5165 changes and reduces the place of use under Right ✓
43-02412, reflecting a change from handlines to a pivot system.
The irrigated acres are reduced 23 acres concentrating the total
diversion rate on the remaining 331 acres.

Cassia County Assessor's office confirmed that the applicants are ✓
the owners of the licensed acres by telecon today. Farm Credit
Services as the lienholder provided a letter agreeing to the
proposed transfer.

Recommended conditions include reduction of irrigated acres, future ✓
measuring & annual reporting, irrigation overlap and standard
transfer conditions. dg

DEC 04 1997

Date Sent to:

FORM 22a
9/96

IDWR TRANSFER ANALYSIS SHEET

T # 516

APPLICANT

Gerritt Clayton

TRANSFER NO.

43-0241

1. Right number(s)

43-02412

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other:

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of useComments: Claim 43-04020 represents same use as license, but
was not claimed in SRBA.

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred Confirmed by Farm Credit Services
- h. ☒ Expansion in use of right - Comments: None.
Licensed acres will be reduced under proposed transfer

43-02412, 1 # 5165

- i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

N/A

- j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

Claimed as licensed

- k. ☒ Comment letters ☒ Yes ☐ No
If yes ☒ Water District #
☒ Lienholder, others, see #2
below for name and address

INITIAL ALLOCATION REVIEW BY _____
SRBA SUPERVISOR REVIEW BY _____
PUBLICATION REVIEW BY _____

DATE 10-7-97
DATE 12/3/97
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT

X Yes @ 10:37
10/24/97

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ☒ Yes ☐ No
4. Affidavit of publication received? ☒ Yes ☐ No
5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny due to 1. Subject to SRBA 2. Man device.
2. Other standard Transfer Conditions.

3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: _____

4. By Alm

Date 12/3/97

OCT 01 1997 APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources
Southern Region

Name of applicant Todd &/or Brenda &/or Kayla &/or Alvin Gerratt &/or Dan &/or Mary Ann C/gyto Phone 678-4820 office
Post Office address 246 E 300 S, Burley, ID 83318 678-2935

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Convert system from handlines to pivots

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-02412</u>	<u>8-30-1965</u>	<u>4.90 cfs</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.90 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	26E	2	33	33	32	33					15	6	14	33	33	33	33	33	331

Total acres 331

PART 1**6. General Information:**

- a. Description of diversion system Well, motor, pump, mainline to two 1/4-mile pivots & one 6-tower pivot.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated.
- d. Remarks:
The licensed ~~on~~ number of acres has been irrigated within the last 5 years.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-02412

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.90 CFS	1416.0 AF

SOURCE

GROUNDWATER

Priority: 08/30/1965

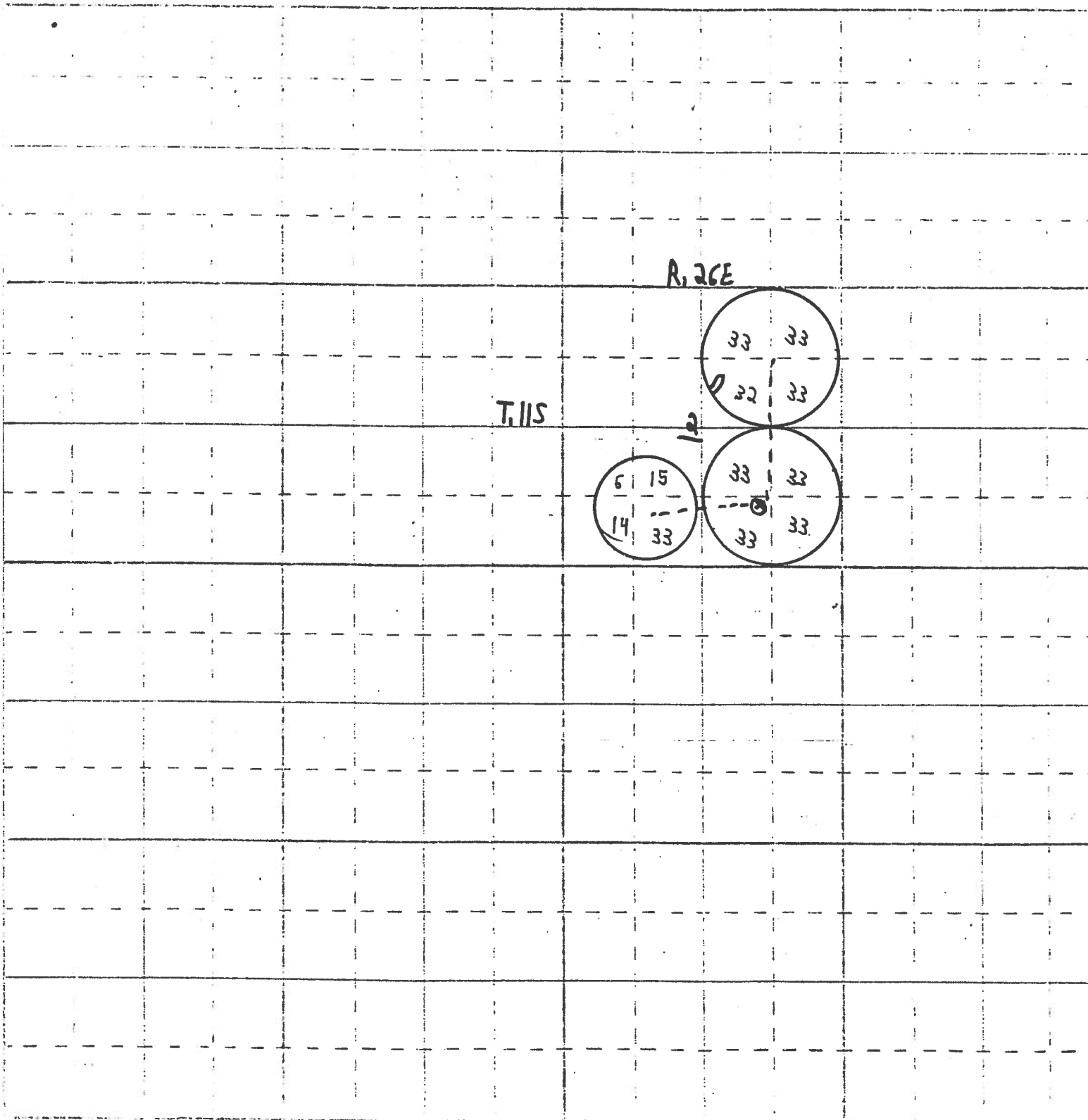
LOCATION OF POINT(S) OF DIVERSION:SWSE , Sec. 2, Township 11S, Range 26E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	26E	2	NENE 39	NWNE 40	SWNE 40	
			SENE 39	NENW 20	SENE 20	
			NESE 39	NWSE 40	SWSE 39	
			SESE 38			354
						Total number of acres irrigated: 354

CONDITIONS/REMARKS:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Alan Gerratt

(Signature of Applicant)

Subscribed and sworn to before me this 25th day of September, 19 97.Caroline Rogers

(Notary Public)

My commission expires 6-8-98**FOR DEPARTMENT USE ONLY**Transfer contains 5 pages and 1 attachmentsReceived by J. F. Stanton Date 10-1-97

Protest filed by _____

Prelim. check by JF Fee \$100. \$020606Receipted by C. SKINNER Date 10/01/97Published in So Ed Press

Copies of protest forwarded by _____

Pub. dates 11/3 & 11/10/97

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

RECEIVED**OCT 01 1997****Department of Water Resources
Southern Region**

T# 5165

80.8

3
40.1

3
84.3

6
382
1
4.3

2
5.6
NW
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3
6035

43-02412
 43-02412 after transfer

T# 516.

43-04020
 43-04020

43-02412

110 CTRIC

43-02412

10/01/97

Page

1115

20	40	40	37	37
20	33	33	33	33
20 20	40 40	37	37	37
	32	33	33	33
	40	40	39	39
6	15	33	33	33
14	33	39	38	38
	33	39	38	38

TO: File

DATE: October 7, 1997

FROM: Jim Stanton

SUBJECT: App. for Transfer, Todd Gerratt

I have completed the in-office review of this application. Jeannie has measured the well and looked at the ground as part of the SRBA review. Although she has not reached any official conclusions, it seems clear that this right is in use. Forfeiture does not appear to be an issue, although she measured only about 550 gpm (much less than the 2200 gpm licensed. Something was obviously wrong during the measurement, as you can't irrigate half a section with 60" of water. The ASCS photo shows that all the licensed ground is farmed. The applicant wants to convert from wheel lines to pivot sprinklers, which would require just about the whole licensed flow rate. Fewer acres will be irrigated with the pivots than with the present system. The transfer appears reasonable, and should be approved.

T # 516

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: **A43-02412**

Date Received: 3/ 7/1989

Receipt No: S006467

Received By: Amended/transfer

AMENDED

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

AMENDED

1. Name: TODD GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318
AND
Name: BRENDA GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318
AND
Name: KAYLA GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318
AND
Name: ALAN GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318
AND
Name: DAN CLAYTON
Address: 246 EAST 300 SOUTH
BURLEY ID 83318
AND
Name: MARY ANN CLAYTON
Address: 246 EAST 300 SOUTH
BURLEY ID 83318

2. Date of Priority: AUG 30, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	26E	2		SW	SE		CASSIA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.900		1324.00

7. Total Quantity Appropriated is:
4.900 C.F.S. (and/or) 1324.00 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
11S	26E	2	NE		NE		IRR	33.0
			NW		NE		IRR	33.0
			SW		NE		IRR	32.0
			SE		NE		IRR	33.0
			NE		SW		IRR	15.0
			NW		SW		IRR	6.0
			SW		SW		IRR	14.0
			SE		SW		IRR	33.0
			NE		SE		IRR	33.0
			NW		SE		IRR	33.0
			SW		SE		IRR	33.0
			SE		SE		IRR	33.0

Section Acres 331.0

Total Acres 331.0

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:
NONE

14. Remarks:

OWNERSHIP CHANGE MADE 5/15/96 BY TLB.

AMENDED PURSUANT TO APPROVED TRANSFER NO. 5165. 4/9/98 jr

15. Basis of Claim: LICENSE

Water Right Number: 25258

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

TRANSFER OF WATER RIGHT

APR 02 1998

TRANSFER NO. 5165
WATER RIGHT NO. 43-02412

Department of Water Resource
Southern Region

This is to certify that: TODD GERRATT
BRENDA GERRATT
KAYLA GERRATT
MARY ANN CLAYTON
ALAN GERRATT
DAN CLAYTON
246 E 300 S
BURLEY ID 83318

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.90 CFS	1324.0 AF

SOURCE
GROUNDWATER

Priority: 08/30/1965

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 2, Township 11S, Range 26E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S 26E 2	NENE 33	NWNE 33	SWNE 32	
	SENE 33	NESW 15	NWSW 6	
	SWSW 14	SESW 33	NESE 33	
	NWSE 33	SWSE 33	SESE 33	331
		Total number of acres irrigated:		* 331

CONDITIONS OF APPROVAL AND REMARKS

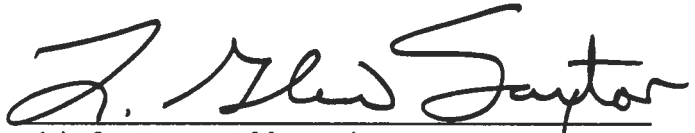
1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5165
WATER RIGHT NO. 43-02412

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. The right holder shall cease irrigation of 23.0 acres previously authorized under this right, and consolidate use of water on the remaining 331.0 acres.

Dated this 12th day of March, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 43-02412

FROM: PAM SKAGGS/^{GO}STATE OFFICE

SUBJECT: TRANSFER 5165

DATE: March 4, 1998

=====

Transfer 5165 changes and reduces the place of use under Right ✓
43-02412, reflecting a change from handlines to a pivot system.
The irrigated acres are reduced 23 acres concentrating the total
diversion rate on the remaining 331 acres.

Cassia County Assessor's office confirmed that the applicants are ✓
the owners of the licensed acres by telecon today. Farm Credit
Services as the lienholder provided a letter agreeing to the
proposed transfer.

Recommended conditions include reduction of irrigated acres, future ✓
measuring & annual reporting, irrigation overlap and standard
transfer conditions.

dk



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 9, 1998

TODD AND BRENDA GERRATT
ALAN AND KAYLA GERRATT
DAN AND MARY ANN CLAYTON
246 E 300 S
BURLEY ID 83318

RE: Amendment of SRBA Claim #A43-02412

Dear Claimants:

Pursuant to the approval of Transfer No. 5165, the above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way your claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change.

If you have questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Sr. Water Resource Agent

Encl:

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: **A43-02412**
Date Received: 3/ 7/1989
Receipt No: S006467
Received By: OC 74B

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: TODD GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318

AND
Name: BRENDA GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318

AND
Name: KAYLA GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318

AND
Name: ALAN GERRATT
Address: 246 EAST 300 SOUTH
BURLEY ID 83318

AND
Name: DAN CLAYTON
Address: 246 EAST 300 SOUTH
BURLEY ID 83318

AND
Name: MARY ANN CLAYTON
Address: 246 EAST 300 SOUTH
BURLEY ID 83318

2. Date of Priority: AUG 30, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	26E	2	SW	SE			CASSIA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.900		1416.00

7. Total Quantity Appropriated is:
4.900 C.F.S. (and/or) 1416.00 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
11S	26E	2	NE		NE		IRR	39.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	20.0
			SE		NW		IRR	20.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0

Section Acres 354.0

Total Acres 354.0

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:
NONE

14. Remarks:
OWNERSHIP CHANGE MADE 5/15/96 BY TLB.

15. Basis of Claim: LICENSE

Water Right Number: 25258



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-303
Fax (208) 736-303

JUN 10, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

GERRATT, GERRATT, & CLAYTON
246 EAST 300 SOUTH
BURLEY ID 83318

RE: SRBA CLAIM(S): A43-10029 & A43-02412
BODILY

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S). WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

CC: N. GARRETT, LAND TITLE & ESCROW, BOX 177, BURLEY, ID 83318



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: April 22, 1996

APR 25 1996

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.
See attached Exhibit "A" for legal description

Department of Water Resources
Southern Region

☐ Served Only by a Public Service Water Supply (all water is received from a city or comp maintains water supply system, owns the water right, and bills the customer on a regular

A43-10029

☐ Water Right Number(s)
Assigned by IDWR: A-43-02412 and A43-04020

☐ Name and Address of Former Owner/Claimant(s)(Seller): James B. Bodily and Melba Bodily
Star Route Box 76

☐ New Owner/Claimant (Purchaser): Declo, Idaho 83323

☐ New Mailing Address: Todd & Brenda Gerratt, Alan & Kayla Gerratt, and
Dan & Mary Ann Clayton
246 East 300 South

☐ New Telephone Number: () _____ - _____

☐ 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: recorded 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): X Alan Gerratt X Kayla Gerratt Date _____
X Dan Clayton X Mary Ann Clayton Date _____
☐ Signature of Former Owner/Claimant(s): X [Signature] [Signature] Date _____
Date _____

(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: 5/15/96 By: HCB
Claim Numbers of Split, if any:

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

242343

WARRANTY DEED

#26960

For Value Received

JAMES B. BODILY and MELBA BODILY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

TODD GERRATT and BRENDA GERRATT, husband and wife AND ALAN GERRATT and KAYLA GERRATT, husband and wife AND DAN CLAYTON and MARY ANN CLAYTON, husband and wife
Address: 246 EAST 300 SOUTH, BURLEY, ID 83318

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho, to-wit:

TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 2: E½ and E½E½NW¼

TOGETHER WITH all water and water rights, ditches or ditch rights used thereon or appurtenant thereto, including but not limited to water under license No. A43-02412, A43-10029 and claim to water No. 43-04020.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1996 and subsequent years.

Agreement to Purchase Power dated November 30, 1954, and recorded August 5, 1955 as Instrument No. 187082 in Book 9 of Bills of Sale and Agreements, page 115, records of Cassia County, Idaho.

Easement dated September 28, 1964, and recorded October 5, 1964 as Instrument No. 20752 on Film No. 30, records of Cassia County, Idaho.

Agreement For Purchase of Power dated March 18, 1971 and recorded September 1, 1972 as Instrument No. 64982 on Film No. 78, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 22, 1996

James B. Bodily
JAMES B. BODILY

Melba Bodily
MELBA BODILY

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 22nd day of April, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES B. BODILY and MELBA BODILY, 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

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

Notary Public
Residing at: Burley
My Commission expires: 6.30.97

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM 276

1996 APR 22 P 3:52

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

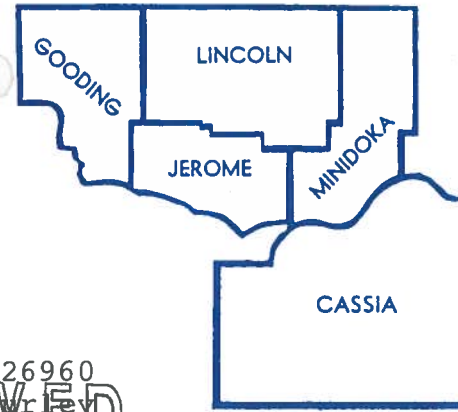
FEE 3.00 DEPUTY LM

LAND TITLE & ESCROW

242343

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #26960
OFFICE: Burley
RECEIVED

April 24, 1996

APR 25 1996

Idaho Dept. of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region

Dear Clerk:

Enclosed please find an original executed Notice of Change of Water Right Ownership on property located in Cassia County.

Would you please make the necessary changes in your records to indicate the new owners as Gerratts and Claytons. Please send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact this office.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in blue ink that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5860

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1189

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: A43-02412
Date Received: 3/07/1989
Receipt No: S006467
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES B. BODILY 208-349-5776
Address: STAR RT BOX 76
DECLO, ID 83323

2. Date of Priority: AUG 30, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	26E	2	SW	SE			CASSIA

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	4.900		1416.00

7. Total Quantity Appropriated is:
4.900 C.F.S. (and/or) 1416.00 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
11S	26E	2	NE	NE		IRR	39.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0

A43-02412

Page 1

Date: 03/07/89

MICROFILMED

MAR 03 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	26E	2	NE		NW		IRR	20.0
			SE		NW		IRR	20.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0

Section Acres 354.0

Total Acres 354.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 25258

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): James B Bodily Date: 3/7/89
Melba Bodily Date: 3/7/89

State of Idaho)
County of TF) ss.

Subscribed and sworn (or affirmed) before me this 7th day
of Mar 19 89 Lois Winters
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

VERIFIED BY: X 12/22/2000

12/22/2000

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

RIGHT NUMBER: 43-2412

NAME AND ADDRESS: KURT E OSTLER
VALAYNE L OSTLER
6616 W 10760 N
HIGHLAND, UT 84003

SOURCE: GROUND WATER

QUANTITY: 4.9 CFS
1324 AFY

PRIORITY DATE: 08/30/1965

POINT OF DIVERSION: T11S R26E S2 NESWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	4.90 CFS 1,324.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within CASSIA County							
T11S R26E S2	LOT 1	NENE	32	T11S R26E S2	LOT 2	NWNE	33
T11S R26E S2		SWNE	34	T11S R26E S2		SENE	33
T11S R26E S2		NESW	15	T11S R26E S2		NWSW	6
T11S R26E S2		SWSW	15	T11S R26E S2		SESW	32
T11S R26E S2		NESE	33	T11S R26E S2		NWSE	34
T11S R26E S2		SWSE	33	T11S R26E S2		SESE	31

331 ACRES TOTAL

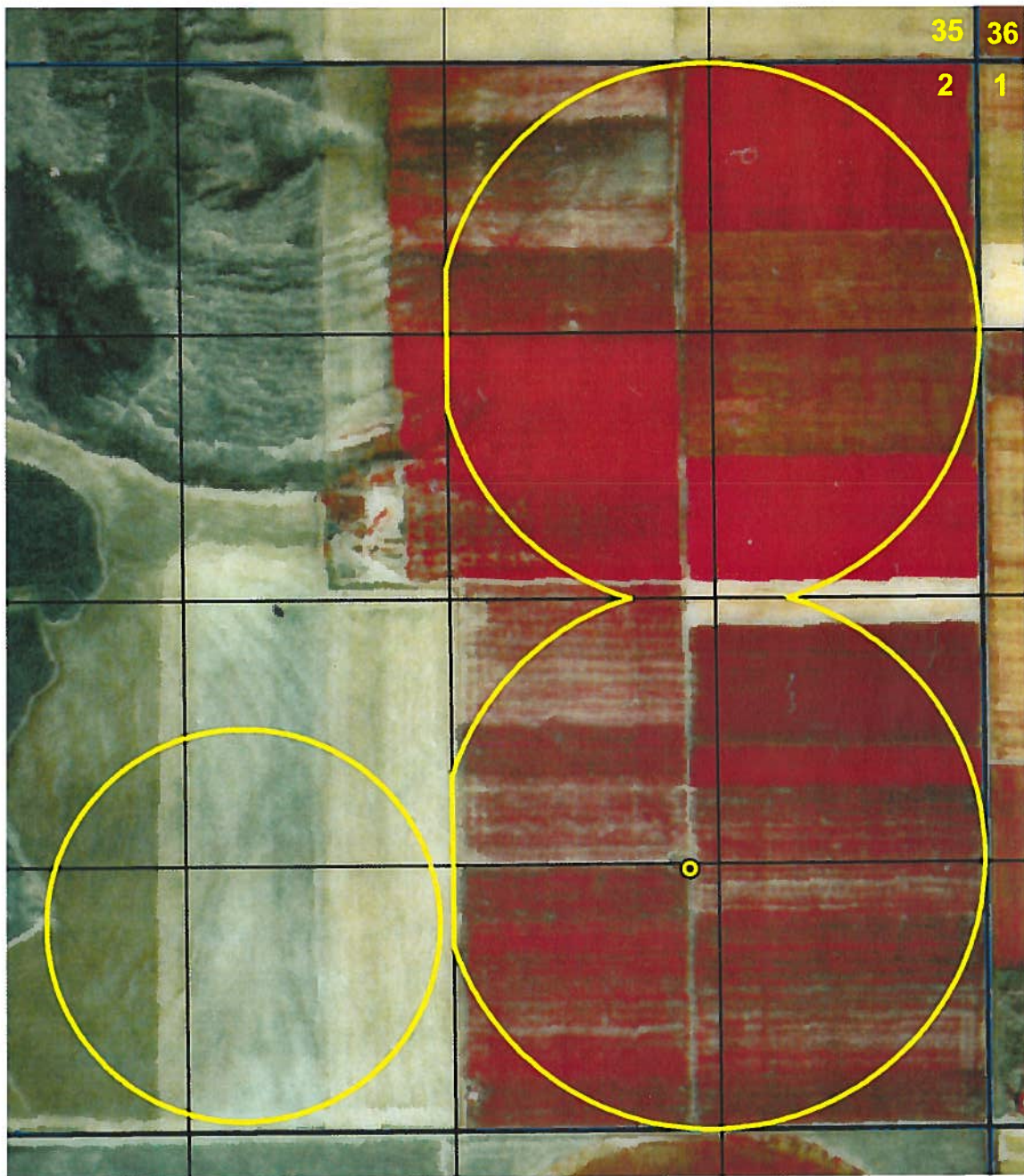
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Water Right 43-2412

43-02412



0 1320 2640 3960 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JUNE 13, 2000
TWP 11S, RNG 26E, SEC. 2



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

Field Inspection Flag:
Presumption Flag:

CLAIM NUMBER A43-02412 DATE 4/13/00
AGENT R

TRANSFER NUMBER 516
CLAIMED ACRE TOTAL 3
GIS ACRE TOTAL 3

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	11S	26E	02	33	33	32	33					15	6	14	33	33	33	33	33
GIS	11S	26E	02	32	33	34	33					15	6	15	32	33	34	33	31
RECOM	11S	26E	02																
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT ☒

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:06:18
06/13/00
3

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02412

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KURT E OSTLER	08/30/1965	IRRIGATION	04-01 10-31	4.900 CFS	1324.00 AFA
C	VALAYNE L OSTLER					
(shoulder remarks)					TOTAL DIVERSION:	4.900 CFS 1324.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R26E S02 NE SWSE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
11S	26E	2	:	33		33			32		33		:		15	06	14	33	:	33	33	33	33	:	331.0
				32					34								15	32							
																							TOTAL ACRES	31	331.0

POU County: CASSIA

Other Rights: NONE

Remarks: GEN OWNERSHIP CHANGE MADE 5/15/96 BY TLB.

AMENDED PURSUANT TO APPROVED TRANSFER NO. 5165. 4/9/98 jr

6-22-98: CHANGE OF OWNERSHIP PER NOTICE REC'D 6-17-98 - VH

copy to comments

Remarks:
"Use" S03

Dates: Exam Made Date: 8/5/94

Verified Date: 6/13/00

Objection Filed Date:

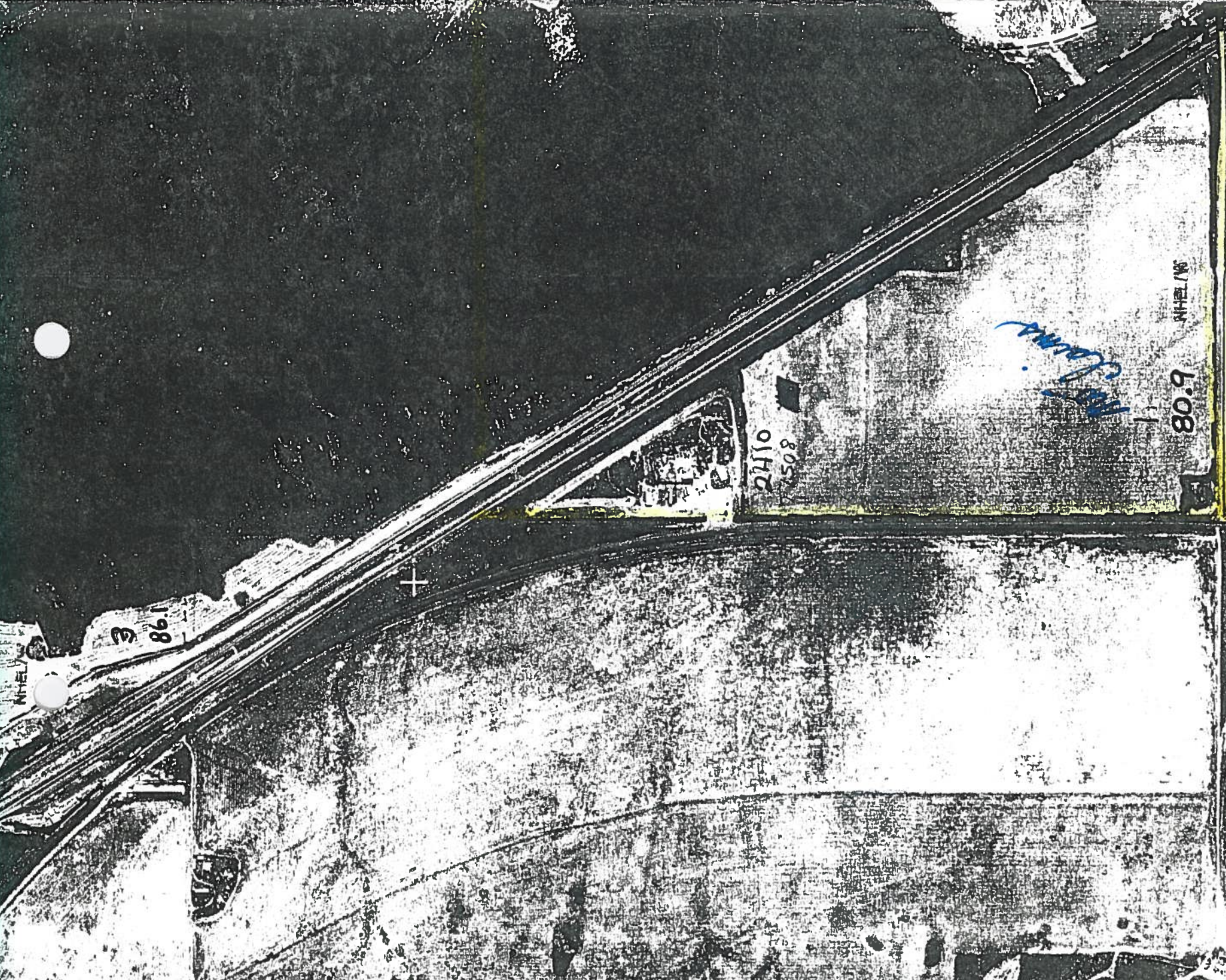
Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

3 34
4 3

3 861

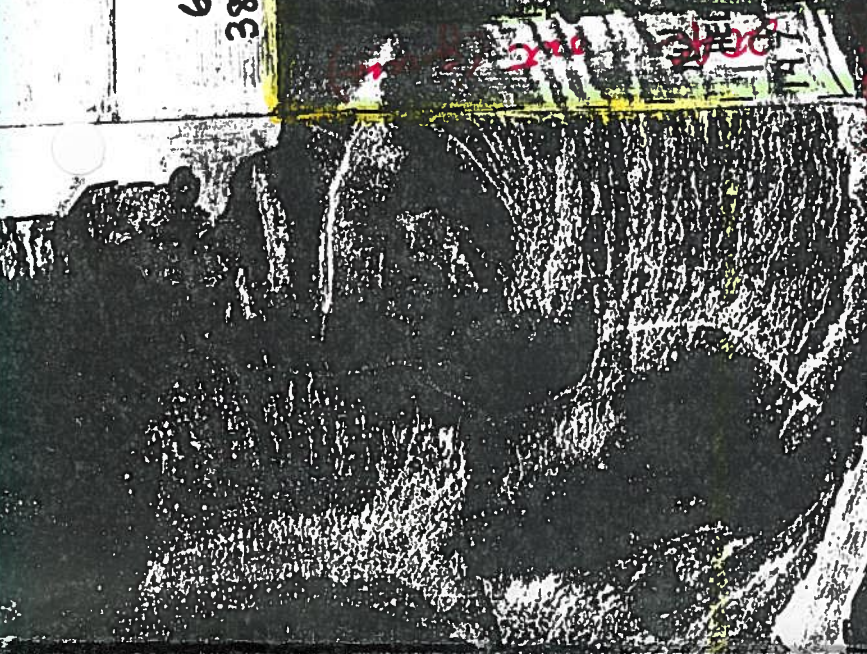


2410
2508

My Clams

80.9

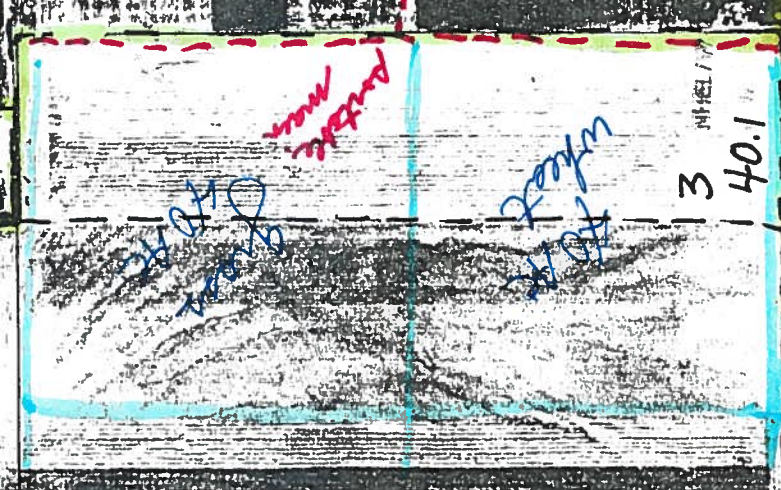
NHEL/W



6 1 1 4.3 NHEL/W
38.2 65.6
3 3
NW
HEL
6035

2410
2507

3 84.3
NHEL/W



put the man

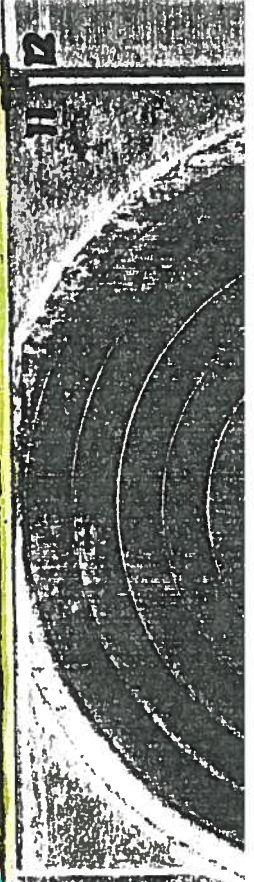
green

wheel

3

40.1

NHEL/W





Bodily Well
43-02412





43-02412



Place of Use

43-02412

8/5/94

James Bodily - Well

no pump

James Bodily
MODE SELECT INPUT Well #1 (hill)

OUTER DIAMETER 8.0370 IN

PIPE MATERIAL CS, SS

WALL THICKNESS 0.1910 IN

INNER LINING NO LING.

KIND OF FLUID WATER

SENSOR MOUNTING U

TYPE OF SENSOR SMALL

DATA CHANGE NO

SPACING 5.963 IN U

ZERO MODE CLEAR

ZERO MODE AUT ZERO

ZERO MODE ZERO OPR

08-05 10:2700 *R +525.438E 06GPM

08-05 10:2700 *R +002.60 % AI2

MODE SELECT TO CHECK

0292.2 MMSEC 102.14 % T0

MODE SELECT INPUT

OUTER DIAMETER 8.0370 IN

PIPE MATERIAL CS, SS

WALL THICKNESS 0.1909 IN

INNER LINING NO LING.

KIND OF FLUID ANOTHER

SOUND VELOCITY

pole # 8088, 8035

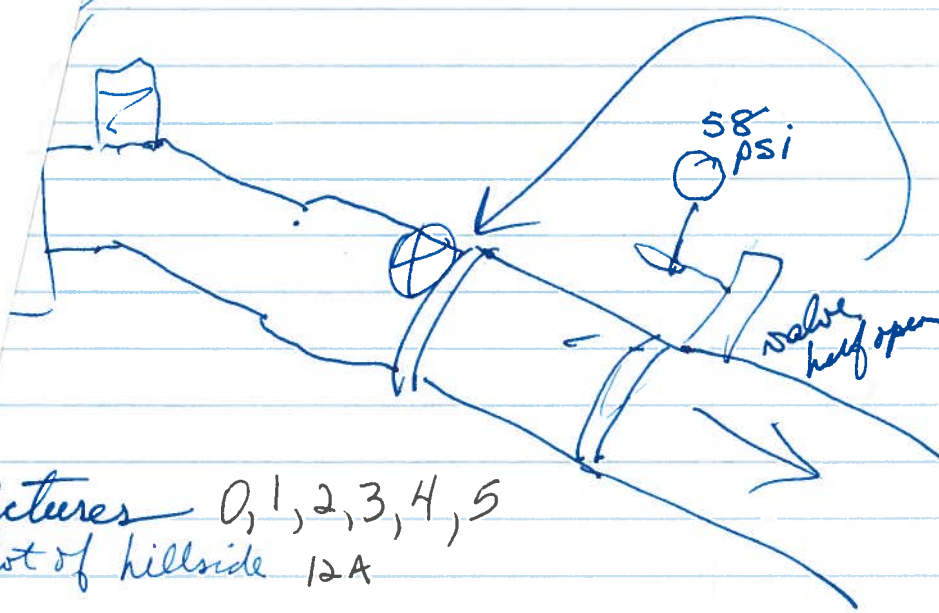
Hollockraft Motor 200h.p.

722G MD - MBA

1404809

Booster L.1
Reliance Mo
4457
B446

(booster)



sictures 0,1,2,3,4,5
shot of hillside 12A

will run 13 wheel-lives in Spring
pump designed for 1800 gpm

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A43-02412

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 Jeanie Robertson Date 8/3/94

Contact Person(s) James Bodily

Nature of Contact to confirm field exam on 8/4/94; 8/5/94 to do field exam; to measure his well

Substance of Communication Mr. Bodily said he planned to see me tomorrow and pointed out the wells in case they were busy at first. He also complained a little and said he gets crabby cause he can't hardly make a living, let alone a profit, and yet the government comes up with all this money to have people come out and "heck" on him
8/4 Went back out to James Bodily's in the afternoon and found his well up on the hill. Couldn't measure it cause the wheel-lines were right there and it was too muddy. Measured his son's wells and told him to come back tomorrow when the lines were moved. We drew lines around his irrigated acres on the ASCS map and he explained his irrigation system

COMMUNICATION DOCUMENTATION

Claim No. A43-02412

Page No. 2 /

and how the 50' right of way for the road along the section line between 1 & 2 is all out of his property according to some gentlemen's agreement made years ago - it accounts for a little over 6 acres. He talked about maybe doing some transfers someday to move the water from some acres he can't irrigate to some that he can - but doesn't want the FMHA to have their name on the other property, so he won't yet.

8/5 Measured the well on the hill and stopped to give him a copy of my measurement and how it was when converted to CFS and inches. He thought it seemed low but probably accurate. He said he knows his pump needs re-doing. He has cascading water and pumps pea gravel (leaks pretty bad too) and this is getting late in the season during a particularly bad drought year... Robin Wells never did any measurements on his well so we didn't need the release form. He and his wife, Melba, told me who owned some of the nearby farms and how to get ~~to~~ them.

IDAHO

CASSIA

Report ID: ASCS-156EZ

U.S. Dept. of Agriculture

Aqri. Stab. & Conserv. Svc.

Abbreviated 156 Farm Record

FARM 24.1 (

Prepared: 12/27/11

Crop Year: 1981

Page:

No. of Tracts: 2

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	HG	CWTE	CWNA	PCW
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1507	360.0	343.3	343.3	Y	Y	Y	N	N	N	N
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IDENTIFIER S-2 T-11 R-26 CC-12

OWNER 1 - JAMES B BODILY, 2 - MELBA BODILY

1508	320.0	243.5	243.5	N	N	N	N	N	N	N
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IDENTIFIER CC12 S2.3 T11 R26

OWNER 1 - JAMES B BODILY, 2 - MELBA BODILY

R PROOF

CVR

MAPS

PHOTOS

MISC

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