



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

September 15, 2000

WARR BROS.
2231 S 2350 E
MALTA ID 83342

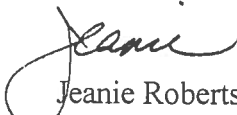
RE: AMENDED CLAIM #A43-04003D

Dear Claimants:

Enclosed is a copy of an amended claim which increases the diversion rate to match the water right upon which I believe it to be based. I've also corrected the location of the well to Section 33. (It was originally claimed in Section 6.) I've enclosed copies of the Water Right and your original claim. If you agree with the amendment, please sign, have notarized, and return it to my attention. (If you do not amend your claim, you cannot have the excess water recommended.)

Please review the record and if you have any corrections or questions, feel free to contact this office.

Sincerely,


Jeanie Robertson
Sr. Water Right Agent

/jr
Enclosures

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: **A43-04003D**
Date Received: 6/ 7/1989
Receipt No: S007632
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WARR BROTHERS
Address: HC 72 BOX 2208
MALTA ID

208-645-2485

83342

2. Date of Priority: JUN 23, 1959

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	27E	33	NW	SW	NW		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.720		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	27E	32	NW	NE		IRR	40.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-02289, A43-02301

14. Remarks:

ACTUAL AMOUNT CLAIMED IS .0089873 CFS
*****AMENDED CLAIM*****
CLAIM AMENDED TO INCREASE DIVERSION RATE TO MATCH WR 43-04003C,
UPON WHICH IT APPEARS TO BE BASED. ALSO CHANGED POINT OF
DIVERSION TO WELL IN SECTION 33. 10/28/99 jr

15. Basis of Claim: BENEFICIAL USE

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 43-4003D
Date Received: 6/7/89
Receipt No:
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)
WARR BROTHERS
2231 S 2350 E
MALTA ID 83342
Phone: (208) 645-2485

2. Date of Priority: 06/23/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
14S	27E	33	NW SW NW		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	3/15	11/15	0.72		

7. Total Quantity Appropriated is:
0.72 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
14S	27E	32	NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
					Section Acres	80
					Total Acres	80

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:

ACTUAL AMOUNT CLAIMED IS .0089873 CFS

CLAIM AMENDED TO INCREASE DIVERSION RATE TO MATCH WATER RIGHT 43-4003C, UPON WHICH IT APPEARS TO BE BASED. ALSO CHANGED POINT OF DIVERSION TO THE WELL IN NWSWNW OF SECTION 33. 9/15/00 jr

15. Basis of Claim: Beneficial Use

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 Organizations:

I do solemnly swear or affirm that I am _____ of _____

Title

_____, that I have signed the foregoing

Organization

document in the space below as _____ of

Title

_____ and that the statements contained in the

Organization

foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date _____

State of Idaho)

) SS.

County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

TEMP

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: A43-04003D
Date Received: 6/ 7/1989
Receipt No: S007632
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WARR BROTHERS
Address: HC 72 BOX 2208
MALTA ID

22315 2350E

208-645-2485

83342

2. Date of Priority: JUN 23, 1959

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township
14S

haven't returned
sign & amended
claim 9/15/00

1/4 of 1/4 of 1/4 Lot
NW SW NW

County
CASSIA

5. Description: WELL 2

6. Water is for the following purposes:

Purpose
IRRIGATION

From To
03/15 11/15

C.F.S (or)
0.720

A.F.A.

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	32	NW	NE		IRR	40.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-02289, A43-02301

14. Remarks:

ACTUAL AMOUNT CLAIMED IS .0089873 CFS
*****AMENDED CLAIM*****
CLAIM AMENDED TO INCREASE DIVERSION RATE TO MATCH WR 43-04003C,
UPON WHICH IT APPEARS TO BE BASED. ALSO CHANGED POINT OF
DIVERSION TO WELL IN SECTION 33. 10/28/99 jr

15. Basis of Claim: BENEFICIAL USE

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

WR5809NP
No. 43-04003C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDA E TOBIN	06/23/1959	IRRIGATION	03/01 11/01	0.720 CFS	
TOTAL DIVERSION:					0.720 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T15S R27E S06 SESE CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
14S	27E	32	:		40	40	:																							80.0		
TOTAL ACRES																												80.0				

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

43-02400 43-04003B 43-04131

Other Water Rights Listing Overlapping Place(s) of use:

43-02289 43-02301

Remarks: GEN TRANS. 2771/2950.

Dates:	App. Received:	Priority Date:	06/23/1959
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/23/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 2950
Transfer No. 2950 was filed to add & combine points of diversion
under all of Right Nos. 43-02390 & 43-02397, and a portion of
Right No. 43-04003A, splitting this right into parts C & D.

Audit: 01/23/97 PSKAGGS 01/27/97 SCURTIS

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: A43-04003D
Date Received: 6/07/1989
Receipt No: 5007632
Received By: Rat

RECEIVED

JUN 7 1989

NOTICE OF CLAIM TO A WATER RIGHT

Department of Water Resources
ACQUIRED UNDER STATE LAW

1. Name: WARR BROTHERS
Address: HC 72, BOX 2208
MALTA, ID

208-645-2485

83342

2. Date of Priority: JUN 23, 1959

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	27E	6		SE	SE		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.008		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	32	NW	NE		IRR	40.0
			SW	NE		IRR	40.0

Section Acres 80.0

A43-04003D

Page 1

Date: 06/07/89

MICROFILM
MAR 04 1991

10. Place of Use: Continued

Total Acres 80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-02289, A43-02301

14. Remarks:
ACTUAL AMOUNT CLAIMED IS .0089873 CFS

15. Basis of Claim: BENEFICIAL USE

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: 1

For Organizations:

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

Olene Wan
Signature of Authorized Agent
Partner Wan Bros.
Title and Organization
6-2-89
Date

State of Idaho)
County of Twiss Falls.) SS.

Subscribed and sworn (or affirmed) before me this 7th day .
of June 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
My Commission Expires Residing at Boise, Idaho

EE 34

S 32, 33

T 14

R 27

'13-04003A

STAT. CLAIM

1959

GROUNDWATER

4.97 CFS

(IF CLAIMED -
SPLIT RIGHT)

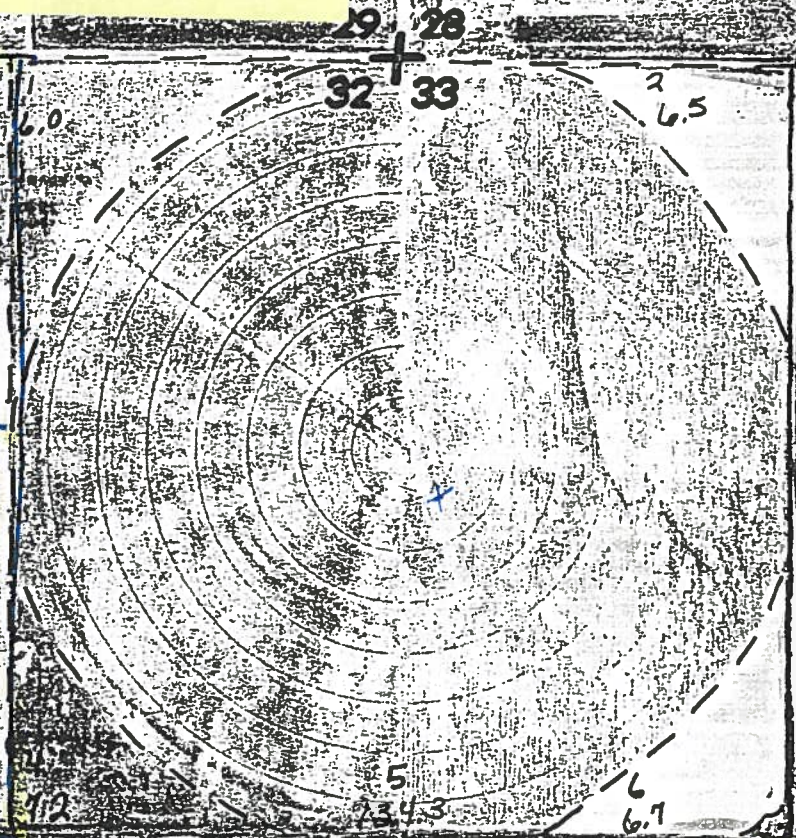
WILLITS

1020
T 1657

40

40

WILLITS



POD IN
SE SE
SEC 8
T 155
R 27E

WILLITS

WILLITS

OFFICIAL

4-1993

Water Right Number - 43-04003A

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
TOBIN

IDA E.

1 - 2211 CHESTNUT ST. #4

2 -
3 -
City- LONG BEACH
Phone -

State- CA Zip-

+ - - Priority Date - - +
06/23/1959

+ - - Region - - - +
17

+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

+ - - Source - - - - +
GROUNDWATER

+ - - Tributary - - - - +

+ - - - - Point of Diversion - - - - +
Stream Index (Blank if no Index Code)

Twn Rng Sec Tract Lot RFlg County
15S 27E 6 SE SE (31) CASSIA

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 03/01 11/01

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
4.970

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14S	27E	30	SE SE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	31	NE NE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	31	SW NE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	31	SE NE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	31	NE SE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	31	NW SE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	31	SW SE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	31	SE SE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	32	NW NE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	32	SW NE		40.0	01	IRRIGATION	(31) CASSIA	
14S	27E	32	SW SW		12.0	01	IRRIGATION	(31) CASSIA	
15S	27E	5	NW NW		8.0	01	IRRIGATION	(31) CASSIA	
15S	27E	5	SW NW		11.0	01	IRRIGATION	(31) CASSIA	
15S	27E	6	NE NE		40.0	01	IRRIGATION	(31) CASSIA	
15S	27E	6	NW NE		40.0	01	IRRIGATION	(31) CASSIA	
15S	27E	6	SE NE		40.0	01	IRRIGATION	(31) CASSIA	
15S	27E	6	NE SE		2.0	01	IRRIGATION	(31) CASSIA	

Total Acres: 553.0

+ - - Diversion Means -

IF CLAIMED - SPLIT RIGHT

MICROFILMED
MAR 04 1993

Standard Water Right Number

Remarks	
71.	

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

+ - - - Decree Defendant - - - +

05/28/88 CONVERT

```

-- -- Water Rights Dates and Flags Area -- --

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00/00/0000	Field Exam Made	00/00/0000	Field
00/00/0000	Tested Date	00/00/0000	Swan
00/00/0000	Hearing Date	00/00/0000	Temp
00/00/0000	Verified Date	06/03/1985	DLE
00/00/0000	Receipt Number		Wath
00/00/0000	Appl Received	00/00/0000	Trat

MICROFILM
+
MAR 04 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

JUNE 13, 1990

R. KEITH HIGGINSON
Director

ED BURGESS
AGRI WEST REALTY
1501 BURTON AVE.
BURLEY, ID 83318

RE: A43-04003D

Dear Mr. Burgess,

Pursuant to your request, I have reviewed the following adjudication claims: A43-04003A - L&G Cattle, A43-04003B - ARIMO Corporation, A43-04003C - Barnes Bros., A43-04003D - Warr Bros. You were correct in your assessment of these claims.

First, all the claims above are based on a Statutory Claim, 43-04003. This claim is recorded with the IDWR for information purposes and has never been verified as a valid Water Right. It can only become a valid Water Right through the adjudication process. Transfer 2771 split 43-04003 into parts 43-04003A and 43-04003B; it split the ownership but did not validate the water right.

Secondly, in the SRBA, parts A & B were claimed as transferred and additional splits were created as parts C & D. Again these are only claims to a Water Right; supported by evidence of a Statutory Claim. IDWR requires a field exam to verify the Water Right. Also, in an adjudication anyone can claim anything, but through the review process the correct owners and valid water rights are sifted out and verified by IDWR. The results are submitted to the public for review and objections.

Finally, water rights are treated as real property and are appurtenant to the land described therein as place of use, therefore, whoever owns the land owns the water right appurtenant to it.

Your claim A43-04003D for 80 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32, T14S. R27E., is clearly based on a portion of the original Statutory Claim 43-04003A. The Adjudication Claims A43-04003A and A43-04003C also claim this same 80 acre tract as you mentioned. Although a complete IDWR review and field exam will be required to validate this Water Right, it would appear this 80 acre tract is well protected in the SRBA. The question will be who owns the tract that is claimed in all three Adjudication Claims; he will be the owner of the water rights on that land.

If you have any further questions please contact me at our office.

Sincerely,

Steve Clelland
Water Resource Agent

SC:sc

MICROFILME

MAR 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-04003D
WARR BROTHERS
MC 72. BOX 2208

MALTA

ID 83842

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date**, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILM

MAR 04 1993

05/11/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-4003D

WARR BROTHERS

2231 S 2350 E

MALTA ID 83342

Telephone Number: (208)645-2485

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-12-01

SIGNATURE: Steve Warr

Please print your name: Steve Warr

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

RECEIVED

JUN 18 2001

**Department of Water Resource
Southern Region**

VERIFIED BY *g* 12/22/00
12/22/2000

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

RIGHT NUMBER: 43-4003D

NAME AND ADDRESS: WARR BROTHERS
2231 S 2350 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.008 CFS
284 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.11 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 284 AF. COMBINED RIGHT NOS.: 43-
02289, 43-02301, & 43-04003D.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.45 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 764 AF. COMBINED RIGHT NOS.: 43-
02289, 43-02301, 43-02302, 43-04003D, & 43-10633.

PRIORITY DATE: 06/23/1959

POINT OF DIVERSION: T14S R27E S33 NWSWN Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.01 CFS 284.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S32	NENE	40	T14S R27E S32	NWNE	37
T14S R27E S32	SWNE	34	T14S R27E S32	SENE	40
T14S R27E S33	NWNW	32	T14S R27E S33	SWNW	40

223 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 71 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02289, 43-02301, & 43-04003D.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02289, 43-02301, 43-02302, 43-04003D, &
43-10633.

Water Right 43-4003D

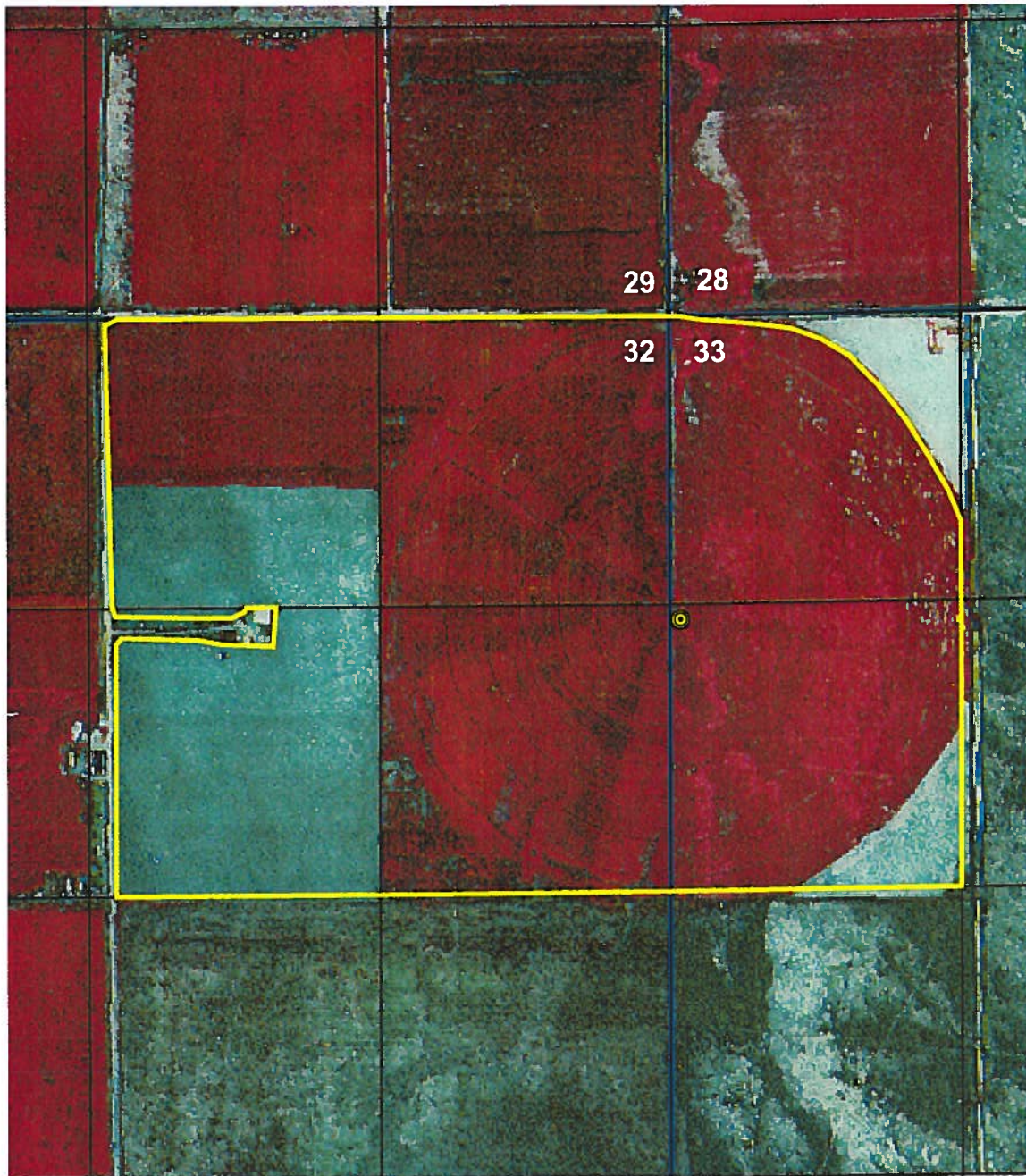
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use

Idaho Department of Water Resources

43-02289, 43-02301, 43-02302,
43-04003D, & 43-10633



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON SEPT. 18, 2000
TWP 14S, RNG 27E, SEC. 32 & 33



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

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

A43-02289 4/13/43 0.26 cfs 13 Ac.

- claimed as licensed and transfer #2978 in 1984 moved PoD to SWNW of Section 33 as claimed.
- two other rights overlap the POU ^(71 Ac. total) so combined limits with 43-02301 & 43-04003D are needed
- gis showed 223 ac in p.p.u.

R43-02289 4/13/43 0.26 cfs / Vol. ^{284 AF} comb. w/ -02301 -04003D 13 Ac. / 223 p.p.

A43-02301 6/4/47 0.84 cfs 55 Ac.

- claimed as licensed and transfer #2978 in 1984 moved PoD to SWNW of Section 33, as claimed.
- POU overlaps with 43-02289 & 43-04003D so combined limits are needed (71 Ac. total)
- gis showed 223 ac in p.p.u.

R43-02301 6/4/47 0.84 cfs / Vol. ^{284 AF} comb. w/ -02289 -04003D 55 Ac. / 223 p.p.

A43-04003D 6/23/59 ^{.008 (amended)} 0.72 cfs 80 ac.

- gis showed 71 acres irrigated where 80 were claimed
- affidavits in file & '62 & '68 photos support priority date
- out of 71 acres, 16 acres were new & not overlapping w/ -02289 -02301
- field exam for 43-02302 (done 8/26/57) showed 0.86 cfs available system capacity after license
- 16 new acres $\times .02 = \underline{0.32}$ cfs needed

R43-04003D 6/23/59 0.32 cfs / Vol. ^{284 AF} comb. w/ -02289 -02301 71 Ac. / 223 p.p.

A
no amendment received -
back to
claimed
amount
12/22/2000

GIS = 223 Ac.
Lic = 175 Ac
B.U. = 16 new Ac.
EXP = 32 Ac.

37
- 15 from bill.
- 16 new bill.

[illegible]

Ed well (Lumis has identification at 20-30)

(33)

(32)

20-02302
12.5-10633

40-02302

20-02302
20-10633

40-02302

15-02301
~~25-10633~~
40-04003D

13-02289
40-02301
40-04003D

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:47:13
09/14/00
12

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-04003D

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARR BROTHERS	06/23/1959	IRRIGATION	03-15 11-15	0.008 CFS	284 AF - comb. w - -02289 -02301
TOTAL DIVERSION:					0.008 CFS	
CONSUMPTIVE USE:					0.008 CFS	-240.00-AFA

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion:

T14S R27E S33 NWSWNW
T15S R27E S06 SESE

Stage: BENEFICIAL USE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
14S	27E	32	:		40		40	:												80.0
TOTAL ACRES																			80.0	

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02289, A43-02301

Remarks: GEN ACTUAL AMOUNT CLAIMED IS .0089873 CFS

copy to comments

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

71x4 = 284 AF
(comb. limits)
w - 02289
- 02301

71 Ac. x .02 = 1.42 cfs
- 0.26 cfs from - 02289
- 0.84 cfs from - 02301
0.32 cfs needed for .02/Ac.

.008
back to .008 cfs
- no amendment
ever received...

C18 Cond. Code
Remarks:
POU1 - E14(223), E14(71)
K06(71)
QNT - E27(11.11 cfs, 284 AF)
E27(3.45 cfs, 76'

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:46:59
09/14/00

PAGE: 2
QUICKLOOK INFORMATION

11
CLAIM NUMBER: A43-04003D

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

BARCODE UPDATED
WHOM/DATE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

JUNE 13, 1990

R. KEITH HIGGINSON
Director

ED BURGESS
AGRI WEST REALTY
1501 BURTON AVE.
BURLEY, ID 83318

RE: A43-04003D

Dear Mr. Burgess,

Pursuant to your request, I have reviewed the following adjudication claims: A43-04003A - L&G Cattle, A43-04003B - ARIMO Corporation, A43-04003C - Barnes Bros., A43-04003D - Warr Bros. You were correct in your assessment of these claims.

First, all the claims above are based on a Statutory Claim, 43-04003. This claim is recorded with the IDWR for information purposes and has never been verified as a valid Water Right. It can only become a valid Water Right through the adjudication process. Transfer 2771 split 43-04003 into parts 43-04003A and 43-04003B; it split the ownership but did not validate the water right.

Secondly, in the SRBA, parts A & B were claimed as transferred and additional splits were created as parts C & D. Again these are only claims to a Water Right; supported by evidence of a Statutory Claim. IDWR requires a field exam to verify the Water Right. Also, in an adjudication anyone can claim anything, but through the review process the correct owners and valid water rights are sifted out and verified by IDWR. The results are submitted to the public for review and objections.

Finally, water rights are treated as real property and are appurtenant to the land described therein as place of use, therefore, whoever owns the land owns the water right appurtenant to it.

Your claim A43-04003D for 80 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32, T14S. R27E., is clearly based on a portion of the original Statutory Claim 43-04003A. The Adjudication Claims A43-04003A and A43-04003C also claim this same 80 acre tract as you mentioned. Although a complete IDWR review and field exam will be required to validate this Water Right, it would appear this 80 acre tract is well protected in the SRBA. The question will be who owns the tract that is claimed in all three Adjudication Claims; he will be the owner of the water rights on that land.

If you have any further questions please contact me at our office.

Sincerely,

Steve Clelland
Water Resource Agent

SC:sc

Water Right Number - A43-040030

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
HARR BROTHERS

1 - HC 72, BOX 2208
2 -
3 -
City- MALTA
Phone - 208-645-2485

State- ID Zip- 83342

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/23/1959 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

15S 27E 6 SE SE (31) CASSIA

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.008

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.008 240.0

+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
14S 27E 32 NW NE 40.0 01 IRRIGATION (31) CASSIA
14S 27E 32 SW NE 40.0 01 IRRIGATION (31) CASSIA

Total Acres: 80.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A43-02289, A43-02301

+ - - - - - - - - - - - Remarks - - - - - +
ACTUAL AMOUNT CLAIMED IS .0089873 CFS

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

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 06/07/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S007632 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

R PROOF

CVR

MAPS

PHOTOS

MISC

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SD-0611-2 Basin: 43 Starting Water Right: 04003

| S | Water | Name | W | Priority | STG/ | Use | S |
|---|------------|-----------------------------------|---|------------|------|-------------|--------|
| L | Right No. | Last, First | N | Date | STS | Source | Desc |
| - | 43-04003 | | | 00/00/0000 | /Z | | WR |
| - | 43-04003A | | | 00/00/0000 | /Z | | WR |
| - | 43-04003B | GOLDSTEIN, DICK 1.03, 115 Ac | C | 06/23/1959 | S/ | GROUNDWATER | IRR WR |
| - | 43-04003C | TOBIN, IDA E 1.72, 80 Ac | C | 06/23/1959 | S/ | GROUNDWATER | IRR WR |
| - | 43-04003D | BIG B RANCH 4.25, 473 Ac | C | 06/23/1959 | S/ | GROUNDWATER | IRR WR |
| - | A43-04003A | L & G CATTLE COMPANY 1.97, 553 Ac | C | 06/23/1959 | S/ | GROUNDWATER | IRR AJ |
| - | A43-04003B | ARIMO CORPORATION 1.03, 115 Ac | C | 06/23/1959 | J/ | GROUNDWATER | IRR AJ |
| - | A43-04003C | BIG B RANCHES 4.25, 473 Ac | C | 06/23/1959 | S/ | GROUNDWATER | IRR AJ |
| - | A43-04003D | WARR BROTHERS 0.28, 80 Ac | C | 06/23/1959 | J/ | GROUNDWATER | IRR AJ |
| - | R43-04003A | L & G CATTLE COMPANY 1.97, 553 Ac | C | 06/23/1959 | /I | GROUNDWATER | IRR AJ |
| - | R43-04003B | ARIMO CORPORATION | C | 06/23/1959 | J/ | GROUNDWATER | IRR AJ |
| - | R43-04003C | BIG B RANCHES | C | 06/23/1959 | S/ | GROUNDWATER | IRR AJ |

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

SD-0611-2 Basin: 43 Starting Water Right: 04003

| S | Water | Name | W | Priority | STG/ | Use | S |
|---|------------|----------------------|---|------------|------|-------------|--------|
| L | Right No. | Last, First | N | Date | STS | Source | Desc |
| - | 43-04003 | | | 00/00/0000 | /Z | | WR |
| - | 43-04003A | | | 00/00/0000 | /Z | | WR |
| X | 43-04003B | GOLDSTEIN, DICK | C | 06/23/1959 | S/ | GROUNDWATER | IRR WR |
| X | 43-04003C | TOBIN, IDA E | C | 06/23/1959 | S/ | GROUNDWATER | IRR WR |
| X | 43-04003D | BIG B RANCH | C | 06/23/1959 | S/ | GROUNDWATER | IRR WR |
| - | ----- | ----- | - | ----- | --- | ----- | -- |
| X | A43-04003A | L & G CATTLE COMPANY | C | 06/23/1959 | S/ | GROUNDWATER | IRR AJ |
| X | A43-04003B | ARIMO CORPORATION | C | 06/23/1959 | J/ | GROUNDWATER | IRR AJ |
| X | A43-04003C | BIG B RANCHES | C | 06/23/1959 | S/ | GROUNDWATER | IRR AJ |
| X | A43-04003D | WARR BROTHERS | C | 06/23/1959 | J/ | GROUNDWATER | IRR AJ |
| - | R43-04003A | L & G CATTLE COMPANY | C | 06/23/1959 | /I | GROUNDWATER | IRR AJ |
| - | R43-04003B | ARIMO CORPORATION | C | 06/23/1959 | J/ | GROUNDWATER | IRR AJ |
| - | R43-04003C | BIG B RANCHES | C | 06/23/1959 | S/ | GROUNDWATER | IRR AJ |

END OF DATA...FOR REPORTS - PRESS GOLD1 OR GOLD 6 IF NOT ALREADY ACTIVATED -

OR MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(G8=Cancel)

(Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

WR5809NP
No. 43-04003B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/14/00
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|--|------------------|------------|-----------------------|-------------------|---------------------|
| C | DICK GOLDSTEIN
DBA L & G CATTLE CO.
STAR RT.
MALTA ID 83342 | 06/23/1959 | IRRIGATION | 03/01 11/01 | 1.030 CFS | |
| TOTAL DIVERSION: | | | | | 1.030 CFS | |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T15S R27E S06
S08

SESE
NWNW
NWSE

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

| NE | | | | | | | | | | | | NW | | | | | | | | | | | | SW | | | | | | | | | | | | SE | | | | | | | | | | | | | | | | | | | | | | | |
|-------------|-----|----|---|---|---|---|---|---|---|---|---|------|---|---|---|---|---|---|---|---|---|---|---|------|---|---|---|---|---|---|---|---|---|---|---|------|---|---|---|---|---|---|---|---|---|---|---|-------|---|---|---|--|--|--|--|--|--|--|--|
| NENE | | | | | | | | | | | | NENW | | | | | | | | | | | | NWSW | | | | | | | | | | | | NESW | | | | | | | | | | | | | | | | | | | | | | | |
| : Lt | | | | | | | | | | | | : Lt | | | | | | | | | | | | : Lt | | | | | | | | | | | | : Lt | | | | | | | | | | | | | | | | | | | | | | | |
| T | R | S | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | | | | | | | | |
| 14S | 27E | 32 | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | | | | | | | | | |
| 15S | 27E | 5 | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | | | | | | | | |
| 15S | 27E | 6 | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | | | | | | | | |
| TOTAL ACRES | | | | | | | | | | | | 28 | | | | | | | | | | | | 18 | | | | | | | | | | | | 08 | | | | | | | | | | | | 115.0 | | | | | | | | | | | |

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

43-02400 43-04003C 43-04130 43-04131 T43-04130A

Other Water Rights Listing Overlapping Place(s) of use:

43-00090 43-02390 43-02397 43-04003D 43-04130 T43-02298 T43-02395 T43-02416 T43-04130 T43-04130A
T43-041308 T43-11200

Remarks: GEN TRANS. 2771.

Dates: App. Received: 06/23/1959
Proof Due Date:
Exam Made Date:
Exam Sent to S.O.:

Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 06/18/85 05/28/88 CONVERT

HR5809NP
No. 43-04003D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/14/00
PAGE: 3

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|---|------------------|------------|-----------------------|-------------------|---------------------|
| C | BIG B RANCH
390 E 300 S
BURLEY ID 83318
(208) 678-2651 | 06/23/1959 | IRRIGATION | 04/01 10/31 | 4.250 CFS | 1332.00 AFA |
| TOTAL DIVERSION: | | | | | 4.250 CFS | 1332.00 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T14S R27E S31 NESE
T15S R27E S06 Lot 02(MNE) SENE
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

| | NE | NE | SE | NE | NE | SE | SE | SE | SUM |
|--------------|----|----|----|----|----|----|----|----|-------|
| T | R | S | Ac | Ac | Ac | Ac | Ac | Ac | Ac |
| 14S 27E 30 : | 40 | | 40 | | | | | | 40.0 |
| 14S 27E 31 : | | | | | | | | | 280.0 |
| 14S 27E 32 : | | | | | | | | | 12.0 |
| 15S 27E 5 : | | | | 08 | 11 | | | | 19.0 |
| 15S 27E 6 : | 40 | | 40 | | | | | | 122.0 |
| TOTAL ACRES | | | | | | | | | 473.0 |

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
43-02390 43-02397

Other Water Rights Listing Overlapping Place(s) of use:
43-00090 43-02104 43-02331 43-02390 43-02397 43-02430 43-04003B 43-04130 43-02298 43-02395
T43-02416 T43-04130 T43-04130A T43-04130B T43-11200

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - 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.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Conditions of Approval:

- 028 - After specific notification by the department, the right holder
- shall annually report the amount of water diverted to the
- department.

Remarks: GEN Right Nos. 43-02390, 43-02397 and 43-04003D when combined shall
not exceed a total diversion rate of 4.65 cfs, a total annual
diversion volume of 1332.0 af, and the irrigation of 333.0 acres.

Dates: App. Received: Priority Date: 06/23/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/23/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 4673
Transfer No. 4673 was filed to change the point of diversion
under Right Nos. 43-02390, 43-02397 & 43-04003D.
Date: 01/23/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 2950
Transfer No. 2950 was filed to add & combine points of diversion
under all of Right Nos. 43-02390 & 43-02397, and a portion of
Right No. 43-04003A, splitting this right into parts C & D.

Audit: 01/23/97 PSKAGGS 01/23/97 PSKAGGS 01/23/97 PSKAGGS 03/31/97 PSKAGGS

CASSIA County

NE

POU County: CASSIA

Other Rights: A43-040038, A43-02390, A43-04130, A43-2397, A43-00090

Remarks: GEN TRANS. 2771.

| | | | | |
|--------|-----------------|----------------|------------|-----------------------|
| Dates: | Exam Made Date: | Verified Date: | 06/03/1985 | Objection Filed Date: |
|--------|-----------------|----------------|------------|-----------------------|

| | | |
|-------|------------------------|------------------------|
| Misc: | Water District Number: | Field Inspection Flag: |
| | | Presumption Flag: |

| | | | | |
|--------|----------|----------|----------|----------|
| Audit: | 02/14/89 | CLELLAND | 03/30/95 | POST-STD |
|--------|----------|----------|----------|----------|

CASSIA County
CASSIA County

Other Rights: A43-04003A, A43-02390, A43-02397, A43-00090

AS LAST SIGNED BY ARIMO. - VH

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

| | | | | | | | |
|----------|----------|----------|----------|----------|----------|----------|----------|
| 02/14/89 | CLELLAND | 06/27/89 | WHITE | 04/09/91 | WORSTELL | 08/16/94 | TBACKLUN |
| 08/30/94 | TBACKLUN | 03/30/95 | POST-STD | 03/01/00 | VHANCOCK | 03/02/00 | VHANCOCK |

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|---|------------------|------------|-----------------------|-------------------|-----------------------|
| C | BIG B RANCHES
300 S 390 E
BURLEY ID 83318
(208) 678-2651 | 06/23/1959 | IRRIGATION | 04-01 10-31 | 4.250 CFS | |
| | | | | | TOTAL DIVERSION: | 4.250 CFS 1332.00 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T14S R27E S31 NESE
T15S R27E S06 Lot02(WNE) SENE
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

| T | R | S | NE | | | NW | | | SW | | | SE | | | SUM |
|-------------|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
| | | | NE | NE | SE | NE | NE | SE | NE | NE | SE | NE | NE | SE | |
| 14S | 27E | 30 | 40 | | | | | | | | | | | | 40.0 |
| 14S | 27E | 31 | 40 | | | | | | | | | | | | 280.0 |
| 14S | 27E | 32 | | | | | | | | | | | | | 12.0 |
| 15S | 27E | 5 | | | | 08 | 11 | | | | | | | | 19.0 |
| 15S | 27E | 6 | 40 | 40 | 40 | | | | | | | | | | 122.0 |
| TOTAL ACRES | | | | | | | | | | | | | | | 473.0 |

POU County: CASSIA

Other Rights: A43-02390A, A43-2397A, A43-02104

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - 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.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- 028 - After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Remarks: GEN TRANS. 2771.

AU5809NP
No. A43-04003C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/14/00
PAGE: 4

Remarks:

DMR NOTE**
THIS CLAIMANT IS THE OWNER OF THE P/U LISTED.

2/20/98 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFERS 2950
AND 4673.
RIGHT NOS. A43-02390A, A43-02397A AND A43-04003C WHEN COMBINED
SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 4.65 CFS, A TOTAL
ANNUAL DIVERSION VOLUME OF 1332.0 AF, AND THE IRRIGATION OF
333.0 ACRES.
APPROVAL OF THIS TRANSFER IN NO WAY CONFIRMS CLAIMED RIGHT
NO. A43-04003C.

| | | | |
|--------|--|---|-----------------------|
| Dates: | Exam Made Date: | Verified Date: | Objection Filed Date: |
| Misc: | Water District Number: | Field Inspection Flag: | |
| | | Presumption Flag: | |
| Audit: | 05/10/89 CLELLAND
02/20/98 TFAWCETT | 01/24/92 ROBERTISO
03/30/95 POST-STD | 07/10/95 FHITCHCO |

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|---|------------------|------------|-----------------------|-------------------|---------------------|
| C | WARR BROTHERS
HC 72 BOX 2208
MALTA ID 83362
(208) 645-2485 | 06/23/1959 | IRRIGATION | 03-15 11-15 | 0.008 CFS | |
| | | | | | TOTAL DIVERSION: | 0.008 CFS |
| | | | | | CONSUMPTIVE USE: | 240.00 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T15S R27E S06

SESE

CASSIA County

Place of use Legal Description for: IRRIGATION

| | NE | NE | SE | NE | SE | SE | SE | SE | SUM |
|------------|------|----|----|----|----|----|------|----|-------------|
| | NE | NE | SE | NE | NE | SE | SE | SE | |
| T R S | : Lt | Ac | Lt | Ac | Lt | Ac | : Lt | Ac | Lt |
| 14S 27E 32 | : 40 | 40 | : | : | : | : | : | : | : |
| | | | | | | | | | TOTAL ACRES |
| | | | | | | | | | 80.0 |
| | | | | | | | | | 80.0 |

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02289, A43-02301

Remarks: GEN ACTUAL AMOUNT CLAIMED IS .0089873 CFS

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 06/07/89 SSRBA 03/30/95 POST-STD

Identification No. 43-4003

Claim No. 42423

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Ida E. Tobin
post office address Apt. 4, 2211 Chestnut St., Long Beach, California

2. The point of diversion is in SE 1/4 of SE 1/4 Section 6 Township 11 South
Range 27 B.M. located on a drilled well

(Name of source)

tributary to _____ in Cassia County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed: June 12, 1957 amount: 6.0 c.f.s. or _____ acre feet
amount _____ c.f.s. or _____ acre feet
amount _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from March 1 to Nov. 1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)

4. Description of diverting works:

a. Surface water diversion dam and or headgate: material is composed of _____
length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity of structure over first built, giving dates and estimated capacities if known _____

b. If using some water diverting works, well flowing or pumped pumped; depth of well is _____
diameter of well is _____ inches; type of pump is turbine pump
name of pump _____ name and address of well driller is Waymon Yarbrough,
Box 141, Carey, Idaho

| Top. | Range | Sec. | NE 1/4 | | NW 1/4 | | SW 1/4 | | SE 1/4 | | Totals |
|-------|-------|----------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|--------|----|--------|----|------------------|
| | | | NE 1/4 NW 1/4 SW 1/4 SE 1/4 | NE 1/4 NW 1/4 SW 1/4 SE 1/4 | NE 1/4 NW 1/4 SW 1/4 SE 1/4 | NE 1/4 NW 1/4 SW 1/4 SE 1/4 | | | | | |
| 14 S. | 27 E. | 30
31
32 | 40 | 40 | 40 | 40 | | 40 | 40 | 40 | 40
280
120 |
| 15 S. | 27 E. | 5
6 | 40 | 40 | 40 | | | 20 | 8 | | 80
148
668 |

attach well logs if available; has there been any change in pump or motor since well was first completed

attach well logs if available; has there been any change in pump or motor since well was first completed
None, if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is 0 feet; width of ditch at top is 10 feet;
width of bottom of ditch is 2 feet; depth of water is 2 feet; grade of ditch per 1000
feet is 5 feet; material through which ditch passes is top soil;
maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches;
type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving
date and dimensions if possible none

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____;
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

If feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe
location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and
describe _____

5. e. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

| TWP. | RANGE | SEC. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 14 S | 27 | 32 | | | | | | | | | | | | | | | | | |

See attachment #2 for actual description of place of use

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known None
during ownership of Vincent B. Tobin, the Condor Co., nor up to 1964 when sold.

10. Do you get water through a ditch owned by several users? If yes, give the name of the ditch. The other users and their respective interests in the ditch are (if known)

11. Where water is used for stock watering, give number of each kind of stock watered

12. Where water is used for domestic or municipal purposes give number of families served name of town supplied

13. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities

14. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

Spade upon which the two mentioned claims have been put to benefit use on the same as those described in the original document to which I will send point of dimensions are the same. Please make reference thereto.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

Apr 9, 1968
(Date)

State of Calif.
County of Orange ss.

Ida E. Tobin
(Signature of Claimant)

By Robert D. Tobin
Her Attorney In Fact

On this 9th day of April 1968, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same. as the Attorney In Fact for Ida E. Tobin.

A. Miller
Notary Public residing at Beverly

My commission expires Feb 20, 1970

For Department Use Only

Received by Ida Date 4-9-68

Exception filed by:

Forwarded to claimant by: Date

Prelim. check by Ida Date 4-9-68 100' 1" 753 gpm

on received by Ida Date 4-9-68 Fee \$10.00

Approved for publication by

Published in Dates

13-1000

State of Idaho
County of _____

Lois Whitaker being first duly sworn,

deposes and says: That Raft River Rural Electric Coop. Inc. serving the needs of the Raft River area has supplied electric energy to two well pumps on the Tobin Ranch at Bridge, Idaho, as follows: Contract date on 60 HP is August 16, 1955. It was connected Sept. 9, 1955. This was to replace a diesel motor. This pump is on a well located on the Tobin Ranch, at a point near the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6; Township 15 South; Range 27 East of Boise Meridian on the

East side of US 30 South at Bridge, Idaho. \$305.94 - 1955; 1,624.28 - 1956; 1,438.32 - 1957; 1,899.65 - 1958; 1,792.72 - 1959; 537.05 - 1960 Contr.Min. 537.15 - 1961 Contr. Min. Cancelled - 1962; 817.79 - 1963; 1,158.89 - 1964; 982.04 - 1965 - Matthews; 998.71 - 1966 - Matthews; 1,348.43 - 1967 - Barnes.

Contract on 100 HP dated January 15, 1957, was not connected until June 23, 1959, Seeing that the contract was dated 1957 a contract minimum had to be charged in 1958. This well is located 25 feet West and 25 feet North of the Southeast corner of Section 6; Township 15 South; Range 27 East of Boise Meridian, immediately on the East side of U.S Highway 30 South at Bridge, Idaho. \$450 00 - 1958 Contr. Min.: 1,515.16 - 1959; 2,111.68 - 1960

2,319.42 - 1961; 1,893.75 - 1962; 1,877.43 - 1963; 1,112.17 - 1964 - IM Kelly; 2,816.80 - 1965 - Chisholm, changed to 250 HP; 3,403.56 - 1966 - John Chisholm; 3,571.84 - 1967 - J. Chisholm. The two wells and pumps mentioned were supplied power as shown and electric equipment serviced by our service department during these years. Water was used to irrigate crops on lands in the Tobin Ranch lying East of U.S. 30 South and in Section 5 and 6; Township 15 South; Range 27 East; and in Sections 31 and 32; Township 14 S.; Range 27 East of Boise Meridian, Cassia County, Idaho

Lois Whitaker, Cashier, Sec.
(S. E. H. Corp. Inc.)

Subscribed and sworn to before me this 24th day of February 1968.

Gene Baxter
(Notary Public)

Residing at Martha Idaho.
My commission expires 5/3/71.

IN THE MATTER OF:

AFFIDAVIT

State of Idaho)
County of Cassia)

Lester Thompson

being first duly sworn,

deposes and says: I have been a resident of the Raft River Valley since 1952. I

have been familiar with the Tobin Ranch on U. S. Highway No. 30 South at
Bridge, Idaho, since the first settling in this area. I have been on the property
many times each year since then. In 1953 a well was drilled on the West side
of U. S. Highway No. 30 South and in 1955 one was drilled on the East side and
to the South of the first well near Raft River in the Southeast corner of the SE 1/4
of Section 6, Township 15 South, Range 27, E.B.M. This well was equipped with
a pump and diesel engine, later replaced with an electric motor. With both power
sources this produced a stream I would estimate at over 200 inches. This
water was carried through ditches and used to irrigate lands lying to the North and
on the East side of U. S. Highway No. 30 South. I have observed this well so used
during each irrigation season up to the present time.

In 1957, Mr. Waymon Yarbrough drilled a well on the Tobin Ranch
some half mile or more South of the the aforementioned well, in the Southeast
corner of Section 6, Township 15 South, Range 27, E.B.M. This well was
equiped with a pump and was in use in 1959 on the land upon which it is situated
and water was conveyed by a steel pipe flume across Raft River and on to
the Tobin Ranch land to the north of the well and lying east of U. S. Highway
No. 30 South. I saw the well being so used up until Mr. L. M. Kelly acquired
this property and began using the well on his adjacent lands in the summer of
1964.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6,
Twp. 15 S., Rge 27, E.B.M. was used from 1955 to 1964 to water lands as follows:

SE 1/4, NE 1/4, SW 1/4, NW 1/4 of Sec. 5, SW 1/4, NW 1/4 of Sec.
all in Twp. 15 S., Rge 27, and the SW 1/4 of Sec. 32, SE 1/4, SW 1/4, NE 1/4,
NW 1/4, SE 1/4, SW 1/4, NE 1/4 of Sec. 33 and the SE 1/4 of Sec. 34 all in
Twp. 14 S., Rge. 27, E.B.M. and the W 1/4 of Sec. 32, Twp. 14 S., Rge. 27, E.B.M.

The well located in the SE corner of SE 1/4 of Sec. 6, Twp. 15 S., Rge 27, E.B.M.
was used to water lands in these same parcels from 1955 to the present, except it was
not used in any part of SE 1/4, NW 1/4 of Sec. 5, Twp. 15 S., Rge 27, E.B.M. at
any time.

Lester Thompson
(signature)

Subscribed and sworn to before me this 23rd day of February, 19 68.

[Signature]
(Notary Public) For Idaho

Residing at Burley, Idaho

My commission expires 2-20-70

43 4003

IN THE MATTER OF:

AFFIDAVIT

State of Idaho
County of Cassia

Frank Olson

being first duly sworn,

deposes and says: I have been a resident of Bridge, Idaho, for 72 years and have known Vincent B. Tobin since 1941. The Tobin family has owned land adjoining my property since 1953. I have walked and ridden over the Tobin property many times and am familiar with the farming and irrigation systems thereon. A well was drilled on the Tobin Ranch on the east side of U. S. Highway No. 30 South near the banks of Raft River in the southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 15 South, Range 27, E.B.M. in the spring of 1955, and a pump and diesel engine were installed during the summer of 1955. Some land adjacent to U. S. Highway No. 30 South was irrigated in the late summer of 1955 and in the fall, an electric motor was installed later that year. This pump has been used steadily every year since to irrigate land on the Tobin Ranch with the exception of some lands on the west side of U. S. Highway No. 30 South (about 100 acres) and with the exception of 80 acres sold to L. M. Kelly, Jr. in 1964. I am familiar with the Kelly land also. This well produced over 200 inches of water.

Further, in 1957 a well had been drilled in the southeast corner of Section 6, Township 15 South, Range 27, E.B.M. on a parcel of some 33 acres which I had previously sold to Vincent B. Tobin. In 1958 a pump was installed and in the spring of 1959 this well was producing about 300 inches of water I estimate and was used to irrigate the 33 acres of land I had sold to Vincent B. Tobin and all the other lands in the Tobin Ranch lying east of U. S. Highway No. 30 South were irrigated from the water from this well at one time or another during each year of 1959, 1960, 1961, 1962, 1963 and in the early summer of 1964 when the well and the aforementioned 33 acres and another plot of 80 acres were sold to L. M. Kelly, Jr. who then used this particular well to irrigate these purchased acres and other lands on the adjoining Kelly Ranch property.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6, Twp. 15 S., Rge 27, E.B.M. was used from 1959 to 1964 to water lands as follows:

Select, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ (1 of 11) of Sec. 6; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 5, all in Twp. 15 S., Rge 27, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 30, all in Twp. 14 S., Rge. 27, E.B.M. and the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 32, Twp. 14 S., Rge. 27, E.B.M.

The well located in the SE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge 27, E. B.M. was used to water lands in these same parcels from 1955 to the present, except it was not used in any part of SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge 27, E.B.M. at any time.

Frank Olson
(signature)

Subscribed and sworn to before me this 24th day of February 19 68.

Gene Baxter
(Notary Public) For Idaho

Wilatta
Residing at Burley, Idaho

My commission expires 2-20-70 5/3/71.

43 4003

AFFIDAVIT

State of Idaho
County of Cassia

Allen Sexton

being first duly sworn,

deposes and says: I moved to the Raft River Valley area in 1957 and in the fall of 1957 I leased the Tobin Ranch property on U. S. Highway No. 30 South at Bridge, Idaho, and farmed this land during that fall and the following 1958 season.
Irrigation water was available from three wells. Two of them located as follows, (1) 25 feet west and 25 feet north of the southeast corner of Section 6, Township 15 South, Range 27, E.B.M., and (2) a well located at a point near the southwest corner of the SE 1/4 NE 1/4 of Section 6, Township 15 South, Range 27, E.B.M. Water from this second well was used on land where it is located and to the north (downhill). The first mentioned well was not used in 1958.

In 1960 I was employed by Raft River Rural Electric Corp., Inc., Malta, Idaho, which provides power in this area and to the wells above mentioned. I was employed until July of 1964. During those years I was on the Tobin Ranch many times each year and in connection with my work, visited the pumps to do electrical work on the switches, motors, etc. In 1959 and during subsequent years up to 1964 I saw these last two mentioned wells delivering water to the lands upon which they are situated and to the north and east of them throughout the Tobin Ranch property.

I have been a steady resident and have observed these wells regularly up to the present date. Since 1964 the first mentioned well, southwest corner of Section 6, has been used on the 30 odd acres of land in a long narrow piece paralleling U. S. Highway No. 30 South where it is located and on another 80 acres on the east side of the Tobin Ranch which pieces were sold to L. M. Kelly, Jr. in 1964 as well as various fields on the Kelly Ranch lying east of this well.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6, Twp. 15 S., Rge. 27, E.B.M. was used from 1959 to 1964 to water lands as follows:

~~SE¹SE¹, NE¹SE¹, S², E¹, NE¹NE¹ (Twp. 11) of Sec. 6; SW¹SW¹, NW¹NW¹ of Sec. 5 all in Twp. 15 S.; Rge. 27, and the SW¹SW¹ of Sec. 32, SE¹SE¹, SW¹SE¹, NE¹SE¹, NW¹SE¹, S¹NE¹, SW¹NE¹, NE¹NW¹ of Sec. 31 and the SE¹SE¹ of Sec. 32, all in Twp. 14 S., Rge. 27, E.B.M. and the W¹NE¹ of Sec. 32, Twp. 14 S., Rge. 27, E.B.M.~~

The well located in the SE corner of the SE1/4 of Sec. 6, Twp. 15 S., Rge 27, E.B.M. was in use on these lands when I first came to the area in 1957 and has been used on the area described up to the present time, except it was never used in any part of the SE1/4 or NE1/4 of Sec. 6, Twp. 15 S., Rge 27, E.B.M. at any time.

43 4003

(signature)

Subscribed and sworn to before me this 24th day of February 1968.

(Notary Public) for Idaho

Residing at ~~7700~~ ⁷⁷⁰⁰ Burley, Idaho

My commission expires 2-20-70-5/8/71

43 4003

A F F I D A V I T

State of Idaho
County of Cassia

being first duly sworn,

deposes and says: During the winter of 1956-1957 I drilled a well on the property of Vincent B. Tobin, Bridge, Idaho, located 25 feet west and 25 feet north of the southeast corner of Section 6, Township 15 South, Range 27, E.B.M. just off U. S. Highway No. 30 South at Bridge, Idaho. I finished this well to a depth of 400 feet in the early spring of 1957. In 1958 I observed a pump had been installed in this well and was producing a large stream of water I estimate at 300 inches of water. In 1959 it had been ditched to adjacent fields and to a point near the Raft River Highway bridge of U. S. Highway No. 30 South. In the early summer of 1957 I contracted to construct a flume over Raft River and in 1959 this well's water was carried through this flume and to lands on the east side of U. S. Highway No. 30 South and to the north end and the extreme east of the Tobin Ranch.

I have been active in business in the Bridge area and have observed this well in use and irrigating these lands from 1959 to 1964. I am also familiar with another well in use on the Tobin Ranch located north some one-half mile of the aforementioned well near the southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 15 South, Range 27, E.B.M. This well produces a stream I estimate at over 200 inches of water and was used on land lying north and east of this well. I have been on the Tobin Ranch in each of the years from 1955 to the present date and have observed this well in operation and in use on this land each of these years with the exception of 80 acres sold to L. M. Kelly, Jr. of Bridge, Idaho in 1964. This well has not been used on this 80 acres, now L. M. Kelly's, since the summer of 1964.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6, Twp. 15 S., Rge. 27, E.B.M. was used from 1959 to 1964 to water lands as follows:

SE1/4, NE1/4, SW1/4, NW1/4 (Sec. 31) of Sec. 6, SW1/4, NW1/4 of Sec. 9, all in Twp. 15 S., Rge. 27, and the SW1/4 of Sec. 32, SE1/4, SW1/4, NE1/4, NW1/4 of Sec. 31 and the SW1/4 of Sec. 30, all in Twp. 14 S., Rge. 27, E.B.M. and the NW1/4 of Sec. 32, Twp. 14 S., Rge. 27, E.B.M.

The well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge 27, E.B.M. was used to water lands in these same parcels from 1955 to the present, except it was not used in any part of SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge 27, E.B.M. at any time.

(signature)

Subscribed and sworn to before me this

24th day of February 19 68

(Notary Public) for Idaho

Residing at Burley, Idaho

My commission expires 2-20-70

| TRANSFER NO. | NAME | AMOUNT
C.F.S. | BALANCE
C.F.S. | RIGHT
NO. |
|--------------|---|------------------|-------------------|--------------|
| | Tobin, Ida E. | | 6.0 | 43-4003 |
| 2771 | Goldstein, Dick
dba L & G Cattle Co. | | 1.03 | 43-4003B |
| | Tobin, Ida E. | | 4.97 | 43-4003A |
| 2950 | Barnes Brothers | | 4.97 | 43-4003A |

RECEIVED
MAR 28 1984

Department of Water Resources
Southern District Office

S

N

A

R

2357
4003
T

Transfer No. 2950
Water Right No. 43-23902397#003STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

To Change the Point of Diversion and/or the Place of Use

Name of applicant Barnes Brothers partnership Phone 645-2773
Post Office address H.C. 72 Box 2244, Malta ID. 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D. REMARKS.

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B). 43-2397 AND 43-2390 R11

-4003A 1. Amount of water a. 4.25 cubic feet per second &/or b. _____ acre feet per annum

2. Point of diversion SE 1/4 SE 1/4, Section 6 Township 15S Range 27E, B.M., Cassia County
Additional points _____

3. Place of use:

| TWP. | RANGE | SEC. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTALS |
|------|-------|------|--------|--------|--------|--------|------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 14S | 27E | 30 | | | | | | | | | | | | | | | | 40 | 40 |
| 14S | 27E | 31 | 40 | | 40 | 40 | | | | | | | | | 40 | 40 | 40 | 40 | 280 |
| 14S | 27E | 32 | | | | | | | | | | | 12 | | | | | | 12 |
| 15S | 27E | 5 | | | | | Lot 4
8 | | 11 | | | | | | | | | | 19 |
| 15S | 27E | 6 | 40 | 40 | | 40 | | | | | | | | 2 | | | | | 122 |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 473

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information 43-2390 2.88 cfs
43-2397 4.36 cfs
43-4003A 4.25 cfs
a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet

b. Description of diverting works Wells, Pumps, Sprinkler Systems

c. Describe the reasons for the proposed changes To add a point of diversion and define portion owned under claim.

2. Change in point of diversion

Point of diversion SE 1/4 SE 1/4, Section 30 Township 14S Range 27E, B.M., Cassia County

Additional points SE 1/4 NE 1/4 Sec. 6, Twp 15S, Rge 27E, Lot # 2 (NW 1/4 NE 1/4) Sec 6 Twp 15S Rge 27E

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes DNA No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer DNA

Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 43-2390 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Through purchase

3. Source of water Groundwater tributary to _____
4. Date of priority 4-10-1953
5. Water is used for the following purposes: No Period of use on license
amount 2.88 cfs for Irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates included)
6. Total amount of water under right: a. 2.88 cfs cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is (NW 1/4 of NE) ^{Lot #2} % of Section 6
Township 15S Range 27E, B.M., in CASSIA County
Additional points of diversion, if any SENE Sec. 6 Twp. 15S. Rge 27E

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTALS |
|--------------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 1.4 cfs to: | | | | | | | | | | | | | | | | | | | |
| 14S | 27E | 31 | | | | | | | | | | | | | | 15 | 30 | - | 45 - |
| | | | | Lot #2 | | | | | | | | | | | | | | | |
| 15S | 27E | 6 | | 40 | | | | | | | | | | | | | | | 40 - |
| 1.48 cfs to: | | | | | | | | | | | | | | | | | | 40 | 40 - |
| 14S | 27E | 30 | | | | | | | | | | | | | | | | | |
| | | 31 | 40 | | 40 | 40 | | | | | | | | | 40 | 25 | 4 | 40 | 229 - |
| | | 32 | | | | | | | | | | 10 | | | | | | | 10 - |
| 15S | 27E | 5 | | | | | | 10 | | | | | | | | | | | 10 - |
| | | 6 | 40 | | | 33 | | | | | | | | | | | | | 73 ✓ |

Total number of acres to be irrigated 447

9. Describe any other water rights used for the same purpose as described above 43-2397
43-4003A, 43-2430, 43-2104
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive year

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ (Name)
dated in _____ in _____ county of _____
(Name of court)

b. License No. 43-2397 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Through
Purchase

3. Source of water Groundwater tributary to _____

4. Date of priority July 7, 1953

5. Water is used for the following purposes:

No period of use on license:

amount 4.36 cfs for Irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates incl)

6. Total amount of water under right: a. 4.36 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6
Township 15 S Range 27 E, B.M., in Cassia Count

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 14S | 27E | 30 | | | | | | | | | | | | | | | | 40 | 40 |
| " | " | 31 | 40 | | 40 | 40 | | | | | | | | | 40 | 25 | 4 | 40 | 229 |
| " | " | 32 | | | | | | | | | | | 10 | | | | | | 10 |
| 15S | 27E | 5 | | | | | 10 | | | | | | | | | | | | 10 |
| | | 6 | 40 | | | 33 | | | | | | | | | | | | | 73 |

Total number of acres to be irrigated 362

9. Describe any other water rights used for the same purpose as described above 43-4003A, 43-2430, 43-2104

10. To your knowledge, has any portion of this water right under _____

Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ VS _____
dated in _____ in _____ (Name of court) county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 43-4003A on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Through purchase

3. Source of water Ground water tributary to _____
4. Date of priority June 23, 1959
5. Water is used for the following purposes:
amount 4.97 cfs for Irrigation purposes from Mar. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates included)
6. Total amount of water under right: a. 4.97 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6
Township 15S Range 27E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 14S | 27E | 30 | | | | | | | | | | | | | | | | 40 | 40 |
| " | " | 31 | 40 | | 40 | 40 | | | | | | | | | 40 | 40 | 40 | 40 | 280 |
| " | " | 32 | | 40 | 40 | | | | | | | | 12 | | | | | | 92 |
| 15S | 27E | 5 | | | | | | Lot 4
8 | 11 | | | | | | | | | | 19 |
| 15S | 27E | 6 | 40 | 40 | | 40 | | | | | | | | | 2 | | | | 122 |

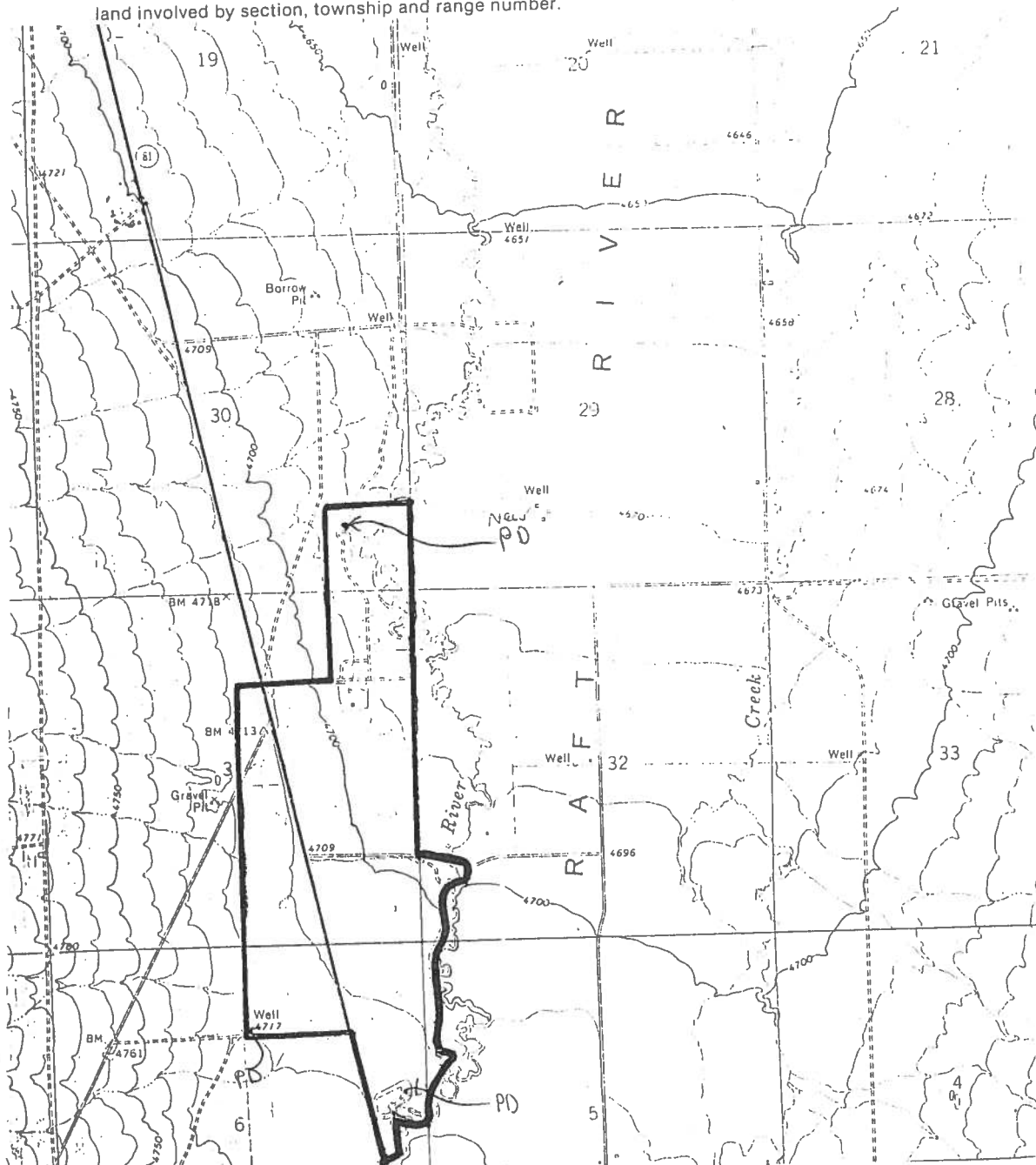
Total number of acres to be irrigated 553

9. Describe any other water rights used for the same purpose as described above 43-2390
43-2397, 43-2430, 43-2104
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

[illegible]

4. Describe any other water rights used for the same purpose as described above. 43-2104
43-2430

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Paul W. Barnes
(Signature of Applicant)

Subscribed and sworn to before me this 23 day of September, 19 83.

Loren O'Halloran
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2390/2397/4003A and said application is hereby APPROVED, subject to the following limitations and conditions: Approval of this transfer in no way validates the Claim to a Water Right identified herein.

Witness my hand this 27th day of March, 19 84.

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by go Date 9-23-83 Protest filed by None
Prelim. check by ADK Fee \$50.00 \$32881
Receipted by go Date 9-23-83
Published in South Idaho Press
Pub. dates 10/17 & 11/3/83
Watermaster recommendation requested on N/A
_____ rec'd. _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ADK June 84

RECEIVED

JUN 28 1983

Transfer No. 2771

Water Right No. 43-4003

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

1983
Department of Water Resources
Southern District Office

Name of applicant Dick Goldstein dba L&G Cattle Co. Phone 645-2266Post office address Star Rd., Malta, ID 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. 43-4003 on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Acquired by purchase, copy of warranty deed attached. Only a portion
of the land described was acquired by current owner.

3. Source of water Ground water tributary to _____4. Date of priority June 23, 1959

5. Water is used for the following purposes:

amount 6.0 cfs for irrigation purposes from Mar. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 6.0 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6
Township 15S Range 27E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 14S | 27E | 30 | | | | | | | | | | | | | | | 40 | | 40 |
| | | 31 | 40 | | 40 | 40 | | | | | | | | | 40 | 40 | 40 | 40 | 280 |
| | | 32 | | 40 | 40 | | | | | | 40 | | | | | | | | 120 |
| 15S | 27E | 5 | | | | | 40 | 40 | | | | | | | | | | | 80 |
| | | 6 | 40 | 40 | | 40 | | | | | | | | | 20 | | | 8 | 148 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 668

9. Describe any other water rights used for the same purposes as described above _____

70-700

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If entire right is owned by the applicant, omit part B).

1. Amount of water: a. 1.03 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6 Township 15S
Range 27E, B.M., Cassia County
Additional points _____

3. Place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 14S | 27E | 32 | | | | | | | | | | | 28 | | | | | | 28 |
| 15S | 27E | 5 | | | | | | lot 4
32 | 29 | | | | | | | | | | 61 |
| | | 6 | | | | | | | | | | | | | 18 | | | 8 | 26 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | 115 |

DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 1.03 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6 Township 15S
Range 27E, B.M., Cassia County
Additional points Wells in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, both in T 15S, R 27E.
- c. Description of diverting works Wells, pumps and pipelines to integrated sprinkler system.
- d. Describe the reasons for applying for a change in the point(s) of diversion No change in original P.D.; showing that two additional P.D.'s are in use.

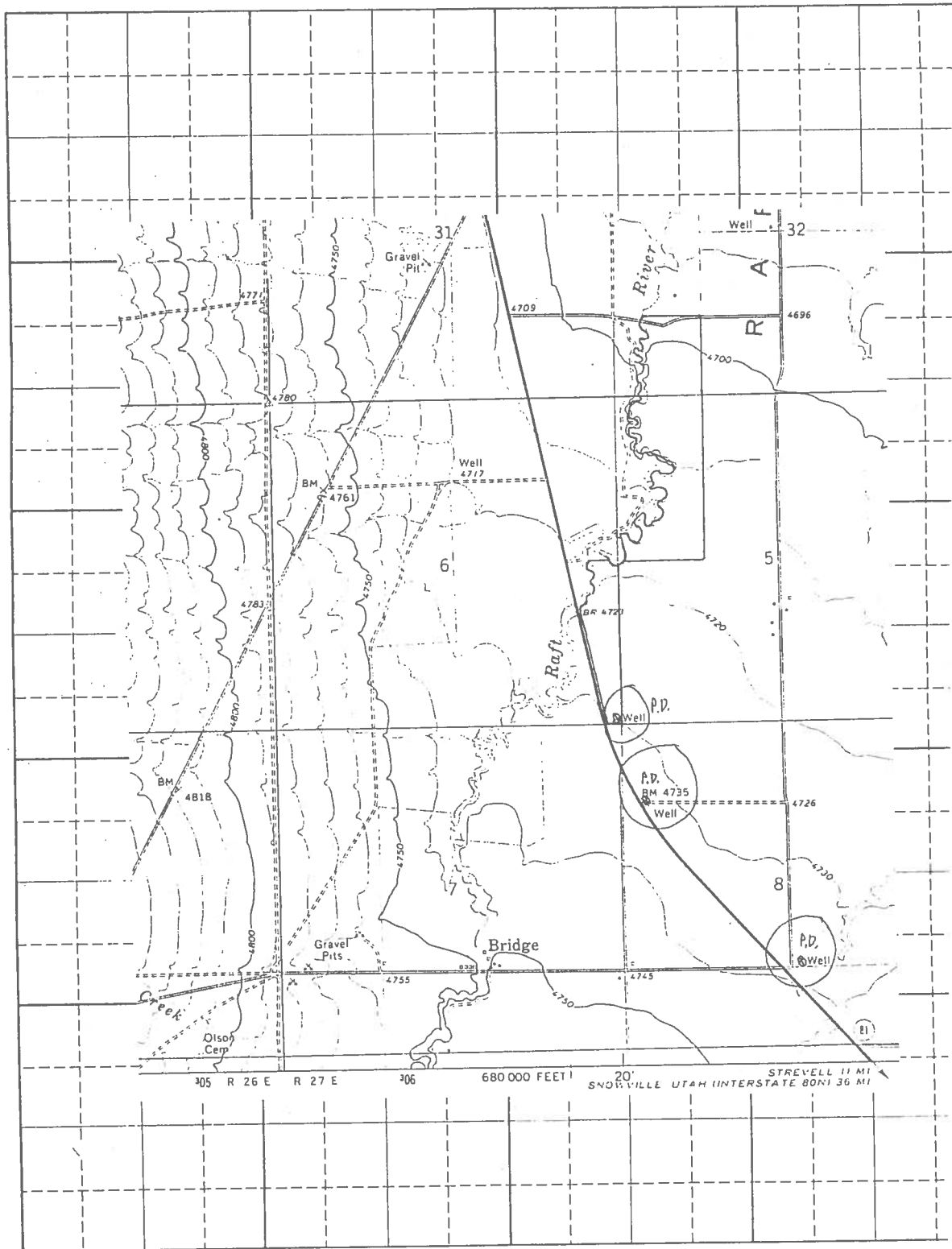
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

| VP. | RANGE | SEC. | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | TOTALS |
|-----|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 4S | 27E | 32 | | | | | | | | | | | 28 | | | | | | 28 |
| 5S | 27E | 5 | | | | | | lot 4
32 | 29 | | | | | | | | | | 61 |
| | | 6 | | | | | | | | | | | | | 18 | | | 8 | 26 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres to be irrigated 115

3. Draw a map indicating the new point(s) of diversion and/or the new point(s) to be irrigated. Show clearly the land involved by section, township and range number.



4. Remarks _____

I hereby assert that no one will be injured by such change and 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.

x Wick Salas
(Signature of applicant)

Subscribed and sworn to before me this 29 day of Dec, 19 82.

Gene Baxter
(Notary public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4003 and said application is hereby APPROVED, subject to the following limitations and conditions:
1. Approval of this transfer does not validate Claim No. 43-4003.

Witness my hand this 15th day of June, 19 83.

L. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

| | | |
|--|--|------------------------------|
| Received by <u>ADM</u> | Date <u>1/5/83</u> | Protest filed by <u>None</u> |
| Prelim. check by <u>gd</u> | Fee <u>50⁰⁰</u> | |
| Received by <u>LH</u> | Date <u>5/10/82</u> # <u>22172</u> | |
| Published in <u>South Idaho Press</u> | Copies of protest forwarded by _____ | |
| Pub. dates <u>1/20 + 1/27/83</u> | Hearing held by _____ Date _____ | |
| Watermaster recommendation requested on <u>N/A</u> | Recommended for <u>approval</u> denial | |
| _____ rec'd. _____ | by <u>ADM Jims</u> | |

INTER-DEPARTMENT MEMO — 1

DATE 3/14/84

FROM Sharla

TO Files 43-2397 & 43-4003

SUBJECT

See file 43-2390 for all correspondence regarding transfer No. 2950.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4673
WATER RIGHT NO(S). 43-02390/43-02397/43-04003D

This is to certify that: BIG B RANCH
390 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> |
|---|----------------------|-----------------------|----------------------|
| Right No. 43-02390 ;
IRRIGATION
Priority: 04/10/1953 | 04/01 to 10/31 | 2.88 CFS | 1216.8 AF |
| Right No. 43-02397 ;
IRRIGATION
Priority: 07/07/1953 | 04/01 to 10/31 | 4.36 CFS | 1332.0 AF |
| Right No. 43-04003D ;
IRRIGATION
Priority: 06/23/1959 | 04/01 to 10/31 | 4.25 CFS | 1332.0 AF |
| TOTAL: | | 4.65 CFS | 1332.0 AF |

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Lot 2(NESE , Sec. 31, Township 14S, Range 27E
NWNE), Sec. 6, Township 15S, Range 27E
SENE , Sec. 6, Township 15S, Range 27E
CASSIA County

PAGE 2

TRANSFER NO. 4673
WATER RIGHT NO(8). 43-02390/43-02397/43-04003D

Right No. 43-02390 ;

PLACE OF USE: IRRIGATION

| TWN | RGE | SEC | SESE | ACRES | ACRES | ACRES | TOTAL |
|-----|-----|-----|------|-------|----------------------------------|---------|-------|
| 14S | 27E | 30 | SESE | 40 | | | 40 |
| | | 31 | NENE | 40 | SWNE 40 | SENE 40 | |
| | | | NESE | 40 | NWSE 40 | SWSE 34 | |
| | | 32 | SESE | 40 | | | 274 |
| 15S | 27E | 5 | SWSW | 10 | | | 10 |
| | | 6 | NWNW | 10 | | | 10 |
| | | | NENE | 40 | | | 113 |
| | | | | | Lot 2(NWNE) 40 | SENE 33 | 473 |
| | | | | | Total number of acres irrigated: | | |

Right No. 43-02397 ;

PLACE OF USE: IRRIGATION

| TWN | RGE | SEC | SESE | ACRES | ACRES | ACRES | TOTAL |
|-----|-----|-----|------|-------|----------------------------------|---------|-------|
| 14S | 27E | 30 | SESE | 40 | | | 40 |
| | | 31 | NENE | 40 | SWNE 40 | SENE 40 | |
| | | | NESE | 40 | NWSE 25 | SWSE 4 | |
| | | 32 | SESE | 40 | | | 229 |
| 15S | 27E | 5 | SWSW | 10 | | | 10 |
| | | 6 | NWNW | 10 | | | 10 |
| | | | NENE | 40 | | | 73 |
| | | | | | SENE 33 | | 362 |
| | | | | | Total number of acres irrigated: | | |

Right No. 43-04003D ;

PLACE OF USE: IRRIGATION

| TWN | RGE | SEC | SESE | ACRES | ACRES | ACRES | TOTAL |
|-----|-----|-----|------|-------|----------------------------------|---------|-------|
| 14S | 27E | 30 | SESE | 40 | | | 40 |
| | | 31 | NENE | 40 | SWNE 40 | SENE 40 | |
| | | | NESE | 40 | NWSE 40 | SWSE 40 | |
| | | 32 | SESE | 40 | | | 280 |
| 15S | 27E | 5 | SWSW | 12 | | | 12 |
| | | 6 | NWNW | 8 | SWNW 11 | | 19 |
| | | | NENE | 40 | NWNE 40 | SENE 40 | 122 |
| | | | NESE | 2 | | | 473 |
| | | | | | Total number of acres irrigated: | | |

TRANSFER NO. 4673
WATER RIGHT NO(S). 43-02390/43-02397/43-04003D

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
8. Right Nos. 43-02390, 43-02397 and 43-04003D when combined shall not exceed a total diversion rate of 4.65 cfs, a total annual diversion volume of 1332.0 af, and the irrigation of 333.0 acres.
9. Approval of this transfer in no way confirms claimed Right No. 43-04003D.

Dated this 14th day of August, 1997.

J. Glen Saylor
Chief, Water Alloc. Bureau

State of Idaho
County of _____

Lois Whitaker

deposes and says: That Raft River Rural Electric Coop. Inc. serving the needs of the Raft River area has supplied electric energy to two well pumps on the Tobin Ranch at Bridge, Idaho, as follows: Contract date on 60 HP is August 16, 1955. It was connected Sept. 9, 1955. This was to replace a diesel motor. This pump is on a well located on the Tobin Ranch, at a point near the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6; Township 15 South; Range 27 East of Boise Meridian on the East side of US 30 South at Bridge, Idaho. \$305.94 - 1955; 1,624.28 - 1956; 1,438.32 - 1957; 1,899.68 - 1958; 1,792.72 - 1959; 537.05 - 1960 Contr.Min. 537.15 - 1961 Contr. Min. Cancelled - 1962; 817.79 - 1963; 1,158.82 - 1964; 982.54 - 1965 - Matthews; 998.71 - 1966 - Matthews; 1,348.43 - 1967 - Barnes.

Contract on 100 HP dated January 15, 1957, was not connected until June 23, 1959. Seeing that the contract was dated 1957 a contract minimum had to be charged in 1958. This well is located 25 feet West and 25 feet North of the Southeast corner of Section 6; Township 15 South; Range 27 East of Boise Meridian, immediately on the East side of U.S Highway 30 South at Bridge, Idaho. \$450.00 - 1958 Contr. Min.; 1,515.16 - 1959; 2,111.68 - 1960; 2,319.42 - 1961; 1,893.78 - 1962; 1,877.48 - 1963; 1,122.17 - 1964 - IM Kelly; 2,816.80 - 1965 - Chisholm, changed to 250 HP; 3,403.56 - 1966 - John Chisholm; 3,571.84 - 1967 - J. Chisholm. The two wells and pumps mentioned were supplied power as shown and electric equipment serviced by our service department during these years. Water was used to irrigate crops on lands in the Tobin Ranch lying East of U.S. 30 South and in Section 5 and 6; Township 15 South; Range 27 East; and in Sections 31 and 32; Township 14 S., Range 27 East of Boise Meridian, Cassia County, Idaho.

Lois Whitaker Cashin, Sec.
(Signature) R.R.E. Coop. Inc.

Subscribed and sworn to before me this 24th day of February 1968.

Gene Baxter
(Notary Public)

Residing at Malta, Idaho
My commission expires 5/3/71

State of Idaho

County of Cassia

Lester Thompson

being first duly sworn,

deposes and says: I have been a resident of the Raft River Valley since 1952. I

have been familiar with the Tobin Ranch on U. S. Highway No. 30 South at Bridge, Idaho, since the first settling in this area. I have been on the property many times each year since then. In 1953 a well was drilled on the West side of U. S. Highway No. 30 South and in 1955 one was drilled on the East side and to the South of the first well near Raft River in the Southeast corner of the SE 1/4 of Section 6, Township 15 South, Range 27, E.B.M. This well was equipped with a pump and diesel engine, later replaced with an electric motor. With both power sources this produced a stream I would estimate at over 200 inches. This water was carried through ditches and used to irrigate lands lying to the North and on the East side of U. S. Highway No. 30 South. I have observed this well so used during each irrigation season up to the present time.

In 1957, Mr. Waymon Yarbrough drilled a well on the Tobin Ranch some half mile or more South of the the aforementioned well, in the Southeast corner of Section 6, Township 15 South, Range 27, E.B.M. This well was equipped with a pump and was in use in 1959 on the land upon which it is situated and water was conveyed by a steel pipe flume across Raft River and on to the Tobin Ranch land to the north of the well and lying east of U. S. Highway No. 30 South. I saw the well being so used up until Mr. L. M. Kelly acquired this property and began using the well on his adjacent lands in the summer of 1964.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6, Twp. 15 S., Rge 27, E.B.M. was used from 1955 to 1964 to water lands as follows:

SE 1/4, NE 1/4, SE 1/4, NE 1/4 of Sec. 11, Twp. 14 S., Rge 27, E.B.M. and the SW 1/4 of Sec. 32, SE 1/4, SW 1/4, NE 1/4, NW 1/4, SE 1/4, SW 1/4, NE 1/4 of Sec. 31 and the SE 1/4 of Sec. 30, all in Twp. 14 S., Rge 27, E.B.M. and the W 1/4 of Sec. 32, Twp. 14 S., Rge 27, E.B.M.

The well located in the SE corner of SE 1/4 of Sec. 6, Twp. 15 S., Rge 27, E.B.M. was used to water lands in these same parcels from 1955 to the present, except it was not used in any part of SE 1/4, NW 1/4 of Sec. 6, Twp. 15 S., Rge 27, E.B.M. at any time.

(Signature)

Subscribed and sworn to before me this 23rd day of February, 1968.

(Notary Public) For Idaho

Residing at Burley, Idaho

My commission expires 2-20-70

State of Idaho
County of Cassia

Frank Olson

being first duly sworn,

deposes and says: I have been a resident of Bridger, Idaho, for 72 years and have known Vincent B. Tobin since 1941. The Tobin family has owned land adjoining my property since 1953. I have walked and ridden over the Tobin property many times and am familiar with the farming and irrigation systems thereon. A well was drilled on the Tobin Ranch on the east side of U. S. Highway No. 30 South near the banks of Raft River in the southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 15 South, Range 27, E.B.M. in the spring of 1955, and a pump and diesel engine were installed during the summer of 1955. Some land adjacent to U. S. Highway No. 30 South was irrigated in the late summer of 1955 and in the fall, an electric motor was installed later that year. This pump has been used steadily every year since to irrigate land on the Tobin Ranch with the exception of some lands on the west side of U. S. Highway No. 30 South (about 100 acres) and with the exception of 80 acres sold to L. M. Kelly, Jr. in 1964. I am familiar with the Kelly land also. This well produced over 200 inches of water.

Further, in 1957 a well had been drilled in the southeast corner of Section 6, Township 15 South, Range 27, E.B.M. on a parcel of some 33 acres which I had previously sold to Vincent B. Tobin. In 1958 a pump was installed and in the spring of 1959 this well was producing about 300 inches of water. I estimate and was used to irrigate the 33 acres of land I had sold to Vincent B. Tobin and all the other lands in the Tobin Ranch lying east of U. S. Highway No. 30 South were irrigated from the water from this well at one time or another during each year of 1959, 1960, 1961, 1962, 1963 and in the early summer of 1964 when the well and the aforementioned 33 acres and another plot of 80 acres were sold to L. M. Kelly, Jr. who then used this particular well to irrigate these purchased acres and other lands on the adjoining Kelly Ranch property.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6, Twp. 15 S., Rge 27, E.B.M. was used from 1959 to 1964 to water lands as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, all in Twp. 15 S., Rge 27, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 31 and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, all in Twp. 14 S., Rge 27, E.B.M. and the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 32, Twp. 14 S., Rge 27, E.B.M.

The well located in the SE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge 27, E.B.M. was used to water lands in these same parcels from 1955 to the present, except it was not used in any part of SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge 27, E.B.M. at any time.

Frank Olson
(signature)

Subscribed and sworn to before me this 24th day of February 19 64.

Gene Baxter
(Notary Public) For Idaho

Residing at Malta, Burley, Idaho

My commission expires 2-20-70 5/4/71.

43 4003

State of Idaho
County of Cassia

Allen Sexton

being first duly sworn,

deposes and says: I moved to the Raft River Valley area in 1957 and in the fall of 1957 I leased the Tobin Ranch property on U. S. Highway No. 30 South at Bridge, Idaho, and farmed this land during that fall and the following 1958 season. Irrigation water was available from three wells. Two of them located as follows, (1) 25 feet west and 25 feet north of the southeast corner of Section 6, Township 15 South, Range 27, E.B.M., and (2) a well located at a point near the southwest corner of the SE 1/4 of Section 6, Township 15 South, Range 27, E.B.M. Water from this second well was used on land where it is located and to the north (downhill). The first mentioned well was not used in 1958.

In 1960 I was employed by Raft River Rural Electric Corp., Malta, Idaho, which provides power in this area and to the wells above mentioned. I was employed until July of 1964. During these years I was on the Tobin Ranch many times each year and in connection with my work, visited the pumps to do electrical work on the switches, motors, etc. In 1959 and during subsequent years up to 1964 I saw these last two mentioned wells delivering water to the lands upon which they are situated and to the north and east of them throughout the Tobin Ranch property.

I have been a steady resident and have observed these wells regularly up to the present date. Since 1964 the first mentioned well, southwest corner of Section 6, has been used on the 30 odd acres of land in a long narrow piece paralleling U. S. Highway No. 30 South where it is located and on another 80 acres on the east side of the Tobin Ranch which pieces were sold to L. M. Kelly, Jr. in 1964 as well as various fields on the Kelly Ranch lying east of this well.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6, Twp. 15 S., Rge. 27, E.B.M., was used from 1959 to 1964 to water lands as follows:

SE 1/4, NE 1/4, SW 1/4, NW 1/4 of Sec. 6, Twp. 15 S., Rge. 27, E.B.M. and the SW 1/4 of Sec. 32, SE 1/4, SW 1/4, NE 1/4, NW 1/4, SW 1/4, NW 1/4, and the SW 1/4 of Sec. 31 and the SW 1/4 of Sec. 30, all in Twp. 14 S., Rge. 27, E.B.M. and the NW 1/4 of Sec. 32, Twp. 14 S., Rge. 27, E.B.M.

The well located in the SE corner of the SE 1/4 of Sec. 6, Twp. 15 S., Rge. 27, E.B.M. was in use on these lands when I first came to the area in 1957 and has been used on the area described up to the present time, except it was never used in any part of the SE 1/4 or NE 1/4 of Sec. 6, Twp. 15 S., Rge. 27, E.B.M.

43 4003

Allen Sexton
(signature)

Subscribed and sworn to before me this 24th day of February 1968.

Gene B. Baker
(Notary Public) for Idaho

Residing at Malta
Burley, Idaho

My commission expires 2-20-70 6/8/71

43 4003

State of Idaho)
County of Cassia)

Waymon Yarbrough

being first duly sworn,

deposes and says: During the winter of 1956-1957 I drilled a well on the property of Vincent B. Tobin, Bridge, Idaho, located 25 feet west and 25 feet north of the southeast corner of Section 6, Township 15 South, Range 27, E.B.M., just off U. S. Highway No. 30 South at Bridge, Idaho. I finished this well to a depth of 400 feet in the early spring of 1957. In 1958 I observed a pump had been installed in this well and was producing a large stream of water I estimate at 300 inches of water. In 1959 it had been ditched to adjacent fields and to a point near the Raft River Highway bridge of U. S. Highway No. 30 South. In the early summer of 1957 I contracted to construct a flume over Raft River and in 1959 this well's water was carried through this flume and to lands on the east side of U. S. Highway No. 30 South and to the north end and the extreme east of the Tobin Ranch.

I have been active in business in the Bridge area and have observed this well in use and irrigating these lands from 1959 to 1964. I am also familiar with another well in use on the Tobin Ranch located north some one-half mile of the aforementioned well near the southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 15 South, Range 27, E.B.M. This well produces a stream I estimate at over 200 inches of water and was used on land lying north and east of this well. I have been on the Tobin Ranch in each of the years from 1955 to the present date and have observed this well in operation and in use on this land each of these years with the exception of 80 acres sold to L. M. Kelly, Jr. of Bridge, Idaho in 1964. This well has not been used on this 80 acres, now L. M. Kelly's, since the summer of 1964.

Specifically, The well located 25 feet west and 25 feet north of the SE corner, Section 6, Twp. 15 S., Rge. 27, E.B.M. was used from 1959 to 1964 to water lands as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (all of) Sec. 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 5, all in Twp. 15 S., Rge. 27, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34 and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, all in Twp. 14 S., Rge. 27, E.B.M. and the W $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 32, Twp. 14 S., Rge. 27, E.B.M.

The well located in the SE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge. 27, E.B.M. was used to water lands in these same parcels from 1955 to the present, except it was not used in any part of SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, Twp. 15 S., Rge. 27, E.B.M. at any time.

Waymon Yarbrough
(signature)

Subscribed and sworn to before me this 2nd day of February 19 68.

[Signature]
(Notary Public) for Idaho

Residing at Burley, Idaho

My commission expires 2-20-70

SD-0611-2 Basin: 43 Starting Water Right: 04003

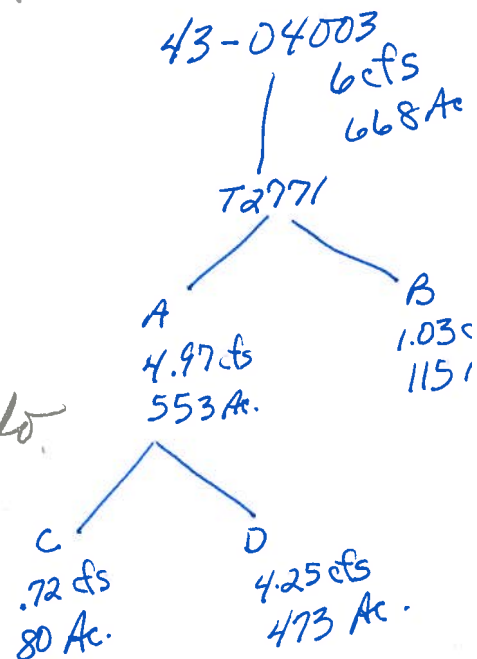
| S
E
L | Water
Right No. | Name
Last, First | O
W
N | Priority
Date | STG/
STS | Source | Use
Desc | S
Y
S |
|-------------|--------------------|----------------------|-------------|------------------|-------------|-------------|-------------|-------------|
| | 43-04003 | | | 00/00/0000 | /Z | | | WF |
| | 43-04003A | | | 00/00/0000 | /Z | | | WF |
| bcb | 43-04003B | GOLDSTEIN, DICK | C | 06/23/1959 | S/ | GROUNDWATER | IRR | WF |
| | 43-04003C | TOBIN, IDA E | C | 06/23/1959 | S/ | GROUNDWATER | IRR | WF |
| | 43-04003D | BIG B RANCH | C | 06/23/1959 | S/ | GROUNDWATER | IRR | WF |
| | A43-04003A | L & G CATTLE COMPANY | C | 06/23/1959 | S/ | GROUNDWATER | IRR | Ac |
| | A43-04003B | ARIMO CORPORATION | C | 06/23/1959 | S/ | GROUNDWATER | IRR | Ac |
| | A43-04003C | BIG B RANCHES | C | 06/23/1959 | S/ | GROUNDWATER | IRR | Ac |
| | A43-04003D | WARR BROTHERS | C | 06/23/1959 | J/ | GROUNDWATER | IRR | Ac |
| | R43-04003C | BIG B RANCHES | C | 06/23/1959 | S/ | GROUNDWATER | IRR | Ac |

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

L & G Cattle (disallow or who owns)
 + Big B Ranches
 claim the same property, except for the 80 acres
 in Sec 32, which is owned and also claimed by Warr

* - Warr Bros. claim (part A) matches W.R. part C
 - amended to .72 cfs

yes - prepare amended claim
 check fische for any info



WR5809NP
No. 43-040038

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/18/99
PAGE: 1

OWNER
CODE
C
NAME & ADDRESS
DICK GOLOSTEIN
DBA L & G CATTLE CO.
STAR RT.
MALTA ID 83342
PRIORITY
DATE
06/23/1959
WATER USE
IRRIGATION
USE PERIOD
FROM
03/01 11/01
TO
DIVERSION
RATE
1.030 CFS
DIVERSION
VOLUME
1.030 CFS
TOTAL DIVERSION:
1.030 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

CASSIA County
CASSIA County

SESE
NWNW

T15S R27E S06
S08

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION

| NE | | | | | | | | | | SW | | | | | | | | | | SE | | | | | | | | | | SUM | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--|--|-------------|--|--|--|--|--|--|--|--|--|
| NENE NWNE SWNE SENE | | | | | | | | | | NENW NWNW SWNW SENW | | | | | | | | | | NENE NWSE SWSE SESE | | | | | | | | | | | | | | | | | | | |
| T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac | | | | | | | | | | Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac | | | | | | | | | | Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac | | | | | | | | | | | | | | | | | | | |
| 14S 27E 32 : | | | | | | | | | | : | | | | | | | | | | : | | | | | | | | | | 28 | | | | | | | | | |
| 15S 27E 5 : | | | | | | | | | | : | | | | | | | | | | : | | | | | | | | | | : | | | | | | | | | |
| 15S 27E 6 : | | | | | | | | | | : | | | | | | | | | | : | | | | | | | | | | 18 | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | TOTAL ACRES | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 28.0 | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 61.0 | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 26.0 | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 115.0 | | | | | | | | | |

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

43-02400 43-04003C 43-04130 43-04131

Other Water Rights Listing Overlapping Place(s) of use:

43-00090 43-02390 43-02397 43-04003D 43-04130

Remarks: GEN TRANS. 2771.

Dates: App. Received: 06/23/1959

Proof Due Date:
Exam Made Date:
Exam Sent to S.O.:

Misc: Water District Number: Field Exam Fee:

Audit: 06/18/85 05/28/88 CONVERT

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

WR5809NP
No. 43-040030

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|---|------------------|------------|-----------------------|-------------------|---------------------|
| C | BIG B RANCH
390 E 300 S
BURLEY ID 83318
(208) 678-2651 | 06/23/1959 | IRRIGATION | 04/01 10/31 | 4.250 CFS | 1332.00 AFA |
| | | | | TOTAL DIVERSION: | 4.250 CFS | 1332.00 AFA |

Stage: STATUTORY CLAIM

Tributary to:

Water Source: GROUNDWATER

CASSIA County
CASSIA County

| Lot | NESE | SENE |
|----------------------|------|------|
| T14S R27E S31 | | |
| T15S R27E S06 Lot 02 | | |

Place of use Legal Description for: IRRIGATION

| | | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|-----|-----|------|----|------|----|------|----|-----|----|-----|----|------|----|------|----|------|----|-------------|-------|--|
| | | NENE | | NWNE | | SENE | | NNW | | WNW | | SESW | | NWSW | | SESE | | | | |
| T | R | S | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | SUM | |
| 14S | 27E | 30 | | | | | | | | | | | | | | | | | 40.0 | |
| 14S | 27E | 31 | 40 | | 40 | 40 | | | | | | | | | | | | | 280.0 | |
| 14S | 27E | 32 | | | | | | | | | | | 12 | | | | | | 12.0 | |
| 15S | 27E | 5 | | | | | | | 08 | | | | | | | | | | 19.0 | |
| 15S | 27E | 6 | 40 | | 40 | 40 | | | | | | | | | | | | | 122.0 | |
| | | | | | | | | | | | | | | | | | | TOTAL ACRES | 473.0 | |

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
43-02390 43-02397

| Other Water Rights | Listing Overlapping | Place(s) of use: | |
|--------------------|---------------------|------------------|--|
| 43-00090 | 43-02104 | 43-02331 | 43-02390 43-02397 43-02430 43-04038 43-04130 |

Conditions of Approval:

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 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.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- After specific notification by the department, the right holder

AJ5809NP
No. A43-04003A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/99
PAGE: 1

OWNER CODE: C L & G CATTLE COMPANY
C/O DICK GOLDSTEIN
1355 HWY 46 W
PASO ROBLES CA 93446
(805) 238-5046

NAME & ADDRESS: C L & G CATTLE COMPANY
C/O DICK GOLDSTEIN
1355 HWY 46 W
PASO ROBLES CA 93446
(805) 238-5046

PRIORITY DATE: 06/23/1959

WATER USE: IRRIGATION

USE PERIOD FROM TO: 03-01 11-01

DIVERSION RATE: 4.970 CFS

DIVERSION VOLUME: 1659.00 AFA

TOTAL DIVERSION: 4.970 CFS

CONSUMPTIVE USE:

Water Source: GROUNDWATER

Tributary to: SESE

Point(s) of Diversion: T15S R27E S06

Stage: STATUTORY CLAIM

CASSIA County

Place of use Legal Description for: IRRIGATION

| NE | | | | | | | | | | | | NW | | | | | | | | | | | | SW | | | | | | | | | | | | SE | | | | | | | | | | | | SUM | |
|------------|---|---|---|-------|---|---|---|-------|---|---|---|-------|---|---|---|-------|---|---|---|-------|---|---|---|-------|---|---|---|-------|---|---|---|-------|---|---|---|-------|---|---|---|------|---|---|---|-----|---|---|---|-----|
| NENE | | | | NNNE | | | | SWNE | | | | SENE | | | | NENW | | | | NNNW | | | | SWNW | | | | SESW | | | | NWSW | | | | SWSW | | | | SESE | | | | SUM | | | | |
| Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | SUM | | | | | | | | |
| 14S 27E 30 | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : |

owned by W&W

POU County: CASSIA

Other Rights: A43-04003B, A43-02390, A43-04130, A43-2397, A43-00090

Remarks: GEN TRANS. 2771.

Dates: Exam Made Date: Verified Date: 06/03/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 02/14/89 CLELLAND 03/30/95 POST-STD

Conditions of Approval:

- shall annually report the amount of water diverted to the department.

Remarks: GEN Right Nos. 43-02390, 43-02397 and 43-04003D when combined shall not exceed a total diversion rate of 4.65 cfs, a total annual diversion volume of 1332.0 af, and the irrigation of 333.0 acres.

Dates: App. Received: 06/23/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/23/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 4673
Transfer No. 4673 was filed to change the point of diversion
under Right Nos. 43-02390, 43-02397 & 43-04003D.

Date: 01/23/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 2950
Transfer No. 2950 was filed to add & combine points of diversion
under all of Right Nos. 43-02390 & 43-02397, and a portion of
Right No. 43-04003A, splitting this right into parts C & D.

Audit: 01/23/97 PSKAGGS 01/23/97 PSKAGGS 01/23/97 PSKAGGS 03/31/97 PSKAGGS

AJ5809NP
No. A43-040030

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/99
PAGE: 5

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|---|------------------|------------|-----------------------|-------------------|---------------------|
| C | MARR BROTHERS
HC 72 BOX 2208
MALTA ID 83342
(208) 645-2485 | 06/23/1959 | IRRIGATION | 03-15 11-15 | 0.008 CFS | |
| | | | | | TOTAL DIVERSION: | |
| | | | | | CONSUMPTIVE USE: | 240.00 AFA |

Water Source: GROUNDWATER
Points(s) of Diversion: T15S R27E S06
Tributary to: SESE
Stage: BENEFICIAL USE
CASSIA County

Place of use Legal Description for: IRRIGATION

| | NE | NW | SW | SE | |
|------------|---------|---------|---------|---------|-------------|
| T R S | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac | : SUM |
| 14S 27E 32 | : 40 | : 40 | : | : | : 80.0 |
| | | | | | TOTAL ACRES |
| | | | | | 80.0 |

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02289, A43-02301

Remarks: GEN ACTUAL AMOUNT CLAIMED IS .0089873 CFS

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 06/07/89 SSRBA 03/30/95 POST-STD

AJ5809NP
No. A43-04003C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/99
PAGE: 3

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|---|------------------|------------|-----------------------|-------------------|---------------------|
| C | 816 B RANCHES
300 S 390 E
BURLEY ID 83318
(208) 678-2651 | 06/23/1959 | IRRIGATION | 04-01 10-31 | 4.250 CFS | |
| TOTAL DIVERSION: | | | | | 4.250 CFS | 1332.00 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

| Points(s) of Diversion: | T14S R27E S31
T15S R27E S06 Lot02(NWNE) | NESE
SENE |
|-------------------------|---|--------------------------------|
| | | CASSIA County
CASSIA County |

Place of use legal Description for: IRRIGATION

| | NE | NW | SW | SE | SUM |
|---|----|----|----|----|-------|
| T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac | | | | | |
| 14S 27E 30 : | 40 | 40 | 40 | 40 | 40.0 |
| 14S 27E 31 : | 40 | 40 | 40 | 40 | 280.0 |
| 14S 27E 32 : | 40 | 40 | 40 | 40 | 12.0 |
| 15S 27E 5 : | 40 | 40 | 40 | 40 | 19.0 |
| 15S 27E 6 : | 40 | 40 | 40 | 40 | 122.0 |
| TOTAL ACRES | 40 | 40 | 40 | 40 | 473.0 |

POU County: CASSIA

Other Rights: A43-02390A, A43-2397A, A43-02104

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - 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.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- 028 - After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Remarks: GEN TRANS. 2771.

Remarks:

DMR NOTE**
THIS CLAIMANT IS THE OWNER OF THE P/U LISTED.

2/20/98 IF, CLAIM AMENDED PURSUANT TO APPROVED TRANSFERS 2950
AND 4673.
RIGHT NOS. A43-02390A, A43-02397A AND A43-04003C WHEN COMBINED
SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 4.65 CFS, A TOTAL
ANNUAL DIVERSION VOLUME OF 1332.0 AF, AND THE IRRIGATION OF
333.0 ACRES.
APPROVAL OF THIS TRANSFER IN NO WAY CONFIRMS CLAIMED RIGHT
NO. A43-04003C.

| | | | |
|--------|---------------------------------------|--|-----------------------|
| Dates: | Exam Made Date: | Verified Date: | Objection Filed Date: |
| Misc: | Water District Number: | Field Inspection Flag: | |
| | | Presumption Flag: | |
| Audit: | 05/10/89 CLELAND
02/20/98 TFANCETT | 01/24/92 ROBERTSO
03/30/95 POST-STD | 07/10/95 FHITCHCO |

AJ5809NP
No. A43-040038

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/99
PAGE: 2

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|--|------------------|------------|-----------------------|-------------------|---------------------|
| C | ARIJO CORPORATION
139 EAST SOUTH TEMPLE
SUITE 310
SALT LAKE CITY UT 84111
(801) 328-1600 | 06/23/1959 | IRRIGATION | 03-01 11-01 | 1.030 CFS | |
| TOTAL DIVERSION: | | | | | 1.030 CFS | |
| CONSUMPTIVE USE: | | | | | | 345.00 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T15S R27E S06 SESE CASSIA County
S08 NWNW CASSIA County

Place of use Legal Description for: IRRIGATION

| | NE | NW | SW | SE | SUM |
|-------------|---------|---------|---------|---------|---------|
| T R S | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac |
| 14S 27E 32 | : | : | : | : | : |
| 15S 27E 5 | : | : | : | : | : |
| 15S 27E 6 | : | : | : | : | : |
| TOTAL ACRES | | | | | 13 |
| | | | | | 114.0 |

POU County: CASSIA

Other Rights: A43-04003A, A43-02390, A43-02397, A43-00090

Remarks: GEN TRANS. 2771.
ADDRESS CHANGE MADE 8-30-94 BY TLB

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/14/89 CLELLAND 06/27/89 WHITE 04/09/91 WORSTELL 08/16/94 TBACKLUN
08/30/94 TBACKLUN 03/30/95 POST-STD