

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: A43-04024A

Date Received: 8/30/1989

Receipt No: S009007

Received By: *address change*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BROOKE R ANDERSON 208-645-2345
Address: 2142 S 2450 E
MALTA ID 83342

AND/OR

Name: HAL T ANDERSON 208-645-2345
Address: 2142 S 2450 E
MALTA ID 83342

2. Date of Priority: APR 1, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	8	SW	SE	NE		CASSIA
		9	NW	NW	NW		CASSIA

5. Description of diverting works:
TWO WELLS & PUMPS DELIVERING TO PIPELINE TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.810		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 1008.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 RANGE &/OR HORSES OR 5000 SHEEP

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14S	27E	5	SW	NE		IRR	20.0
			SE	NE		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	200.0
		8	NE	NE		IRR	40.0
	NW		NE		IRR	40.0	
	SW		NE		IRR	32.0	
	SE		NE		IRR	24.0	
						Section Acres	136.0
						Total Acres	336.0

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:
A43-04025A

14. Remarks:

THIS CLAIM IS BASED ON 336/1295 PORTION OF 43-04024.
SEE ATTACHED COPY OF AMENDMENT OF IRRIGATION SYSTEM OPERATING AGREEMENT.
STOCK ARE WATERED AT SAME PLACE OF USE AS IRRIG.
ADDRESS CHANGE FORM RECEIVED 9/4/98 jr

15. Basis of Claim: STATUTORY CLAIM

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: _____



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

SEP 04 1998

Department of Water Resources
Southern Region

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s):

^RA43-10604, ^RA43-10609, ^RA43-10610, ^RA43-10611
43-10603, A43-10612, 43-10613, A43-1080
A43-04176, A43-04088, A43-04087
A43-04024A, A43-02414, A43-10605, A43-1060
A43-10607, A43-10608, A43-02399, A43-02298A

or American West Group/Enterprises
Hal T. Anderson Inc.

☐ Old Mailing Address:

H.C 72 Box 2150
Malta, Idaho 83342

☐ New Mailing Address:

2142 So. 2450 East
Malta, Idaho 83342

☐ New Telephone Number: () -

☐ Signature of Claimant(s):

Hal T. Anderson

Date:

Sept 4, 1998

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 9/4/98 By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: 9/8/98 By:

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

RECEIVED

AUG 30 1989

Ident. Number: A43-04024A
Date Received: 8/24/1989
Receipt No: 5009007
Received By:

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAL T. ANDERSON 208-645-2345
Address: H.C. 72 BOX 2150
MALTA, ID 83342
AND/OR
Name: BROOKE R. ANDERSON 208-645-2345
Address: H.C. 72 BOX 2150
MALTA, ID 83342

2. Date of Priority: APR 01, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	8	SW	SE	NE		CASSIA
		9	NW	NW	NW		CASSIA

5. Description of diverting works:
TWO WELLS & PUMPS DELIVERING TO PIPELINE TO SPRINKLERS.

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8. Total consumptive use is 1008.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 RANGE &/OR HORSES OR 5000 SHEEP

A43-04024A

Page 1

Date: 08/24/89

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MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	27E	5	SW		NE		IRR	20.0
			SE		NE		IRR	20.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					200.0
		8	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	32.0
			SE		NE		IRR	24.0
			Section Acres					136.0
			Total Acres					336.0

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:
A43-04025A

14. Remarks:
THIS CLAIM IS BASED ON 336/1295 PORTION OF 43-04024.
SEE ATTACHED COPY OF AMENDMENT OF IRRIGATION SYSTEM OPERATING
AGREEMENT.
STOCK ARE WATERED AT SAME PLACE OF USE AS IRRIG.

15. Basis of Claim: STATUTORY CLAIM

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: 3

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): *John L. Anderson* Date: August 30, 1989
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of August 1989

Seal

Steve C. [Signature]
Notary Public

Residing at Twin Falls
My Commission Expires Dec 7, 1994

Hal
Anderson

141944

AMENDMENT OF IRRIGATION SYSTEM OPERATING AGREEMENT

THIS AGREEMENT made and entered into this 8 day of MARCH 1982, by and between ROLAND ALLEN LAND AND LIVESTOCK, INC., an Idaho Corporation, Party of the First Part hereinafter called "Corporation", and HAL T. ANDERSON and BROOKE R. ANDERSON, husband and wife, Parties of the Second Part hereinafter called "Anderson".

WITNESSETH:

WHEREAS, on or about the 19th day of November, 1976, Dale Eli Anderson and Janet S. Anderson, husband and wife, as party number 1, Hal T. Anderson and Brooke R. Anderson, husband and wife, as party number 2, Marlin K. Allen and Julia A. Allen, husband and wife, as party number 3, and Ted K. Anderson, a single person, as party number 4, entered into a certain Irrigation System Operating Agreement which said agreement was recorded in the office of the County Recorder of the County of Cassia, State of Idaho, on the 30th day of November, 1976, as Instrument #94665 on Film #105; and,

WHEREAS, since the date the said Irrigation System Operating Agreement was entered into the Corporation has acquired ownership of all of the land formerly owned by Dale Eli Anderson and Janet S. Anderson, husband and wife, Warren K. Allen and Julia A. Allen, formerly husband and wife, and Ted K. Anderson, formerly a single man, and of all said persons interest in and to the said Irrigation System Operating Agreement; and,

WHEREAS, by reason of the Corporation's acquisition of said parties' land and appurtenant water rights, the Corporation is now the owner of 75% of the lands and water rights described in said Irrigation System Operating Agreement, and Anderson is the owner of 25% of the land and water rights described in said agreement; and,

WHEREAS, under such conditions the parties hereto have agreed to amend and modify the said Irrigation System Operating Agreement by allowing Anderson to withdraw from said agreement and to own and hold Anderson's real estate and water rights separate and apart from the provisions of said Irrigation System Operating Agreement;

NOW, THEREFORE, by reason of the premises aforesaid, and in consideration of the mutual covenants, promises, and agreements herein contained, it is agreed:

WELLS

There now exists seven (7) deep irrigation wells situated on the premises owned by the parties hereto (Exhibit "A"); that the location of the said deep irrigation wells together with pumps, panels, and motors are situated

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as hereinafter set forth which said location also designates the owner of the parcel of ground on which the same are situated:

<u>LOCATION OF WELL</u>	<u>OWNER</u>
Well #1 The SW1/4SW1/4 of Section 4, Township 14 South, Range 27, EBM	Anderson
Well #2 The SE1/4 SW1/4 of said Section 4	Corporation
Well #3 The SE1/4NW1/4 of Section 9, Township 14 South, Range 27, EBM	Corporation
Well #4 The SE1/4SW1/4 of said Section 9	Corporation
Well #5 The SE1/4SW1/4 of said Section 9	Corporation
Well #6 The SE1/4NE1/4 of Section 8 Township 14 South, Range 27, EBM	Anderson
Well #7 The NE1/4NE1/4 of Section 5 Township 14 South, Range 27, EBM	Corporation

WATER RIGHTS, CLAIMS AND LICENSES

It is agreed between the parties hereto that the parties own claims of water rights and/or licenses which have been filed or registered with the Idaho State Department of Water Resources and which claims and/or licenses total 38.11 C.F.S. That said water rights are evidenced by claims of water rights or licenses designated by certain filing numbers as follows: #43-2441 (formerly G-26,234), #43-4022, #43-4023, #43-4024, #43-4025 and #43-4026. That said water rights together with all of the irrigation system situated on the real estate (Exhibit "A") are subject to the Irrigation System Operating Agreement.

DIVISION OF WATER RIGHTS AND IRRIGATION SYSTEM

It is agreed by the parties hereto under the hereinbefore mentioned Irrigation System Operating Agreement that each original party was the owner in common of an undivided one-fourth (1/4) interest in and to the irrigation system and water rights; that at the present time the Corporation is the owner of an undivided 75% in and to said irrigation system and water rights, and Anderson is the owner of an undivided 25% of said system and water rights. The purpose of this agreement is to allow Anderson to withdraw as a party to such irrigation system operating agreement and at the same time transfer to Anderson his share of the water right pertaining to his land and as set forth and designated on State of Idaho licenses #43-2441 (G-26,234), #43-4024, #43-4025 and #43-4026. Therefore, the Corporation does hereby assign, transfer and convey unto Anderson the following:

a. The deep irrigation well together with pump, motor and panel hereinbefore described as Well #1, and said parties also grant and give unto Anderson a permanent easement and/or right-of-way to go upon the premises which the said well is located for the purpose of inspecting, maintaining, replacing and/or repairing the pump, motor, panel and/or pipeline extending from said pump to premises owned or controlled by Anderson

b. That certain deep irrigation well hereinbefore referred to as Well #6, together with the pump, motor, panel and all irrigation equipment, apparatus and paraphernalia which is situated on a portion of the premises owned by Anderson to wit: the SE1/4NE1/4 of Section 8, in Township 14 South, Range 17, EBM.

c. Anderson's share as set forth and designated in the State of Idaho licenses #43-2441, #43-4024, and #43-4025 of the water rights or claims of water rights owned by the parties hereto and set out in the hereinbefore mentioned Irrigation System Operating Agreement; provided, however, Anderson's share of the irrigation water rights as set forth and designated in the State of Idaho licenses #43-2441, #43-4024, and #43-4025, shall be pumped from and/or produced by two wells hereinbefore conveyed to Anderson (Well #1 and Well #6).

Anderson does hereby transfer, sell, assign and convey unto the Corporation, all of his right, title and interest in and to five (5) deep irrigation wells, to wit: Well #2, Well #3, Well #4, Well #5 and Well #7, together with all the pumps, motors, panels and irrigation equipment apparatus and paraphernalia situated and located on the real property owned by the Corporation, except the pump, motor, panel and other irrigation equipment attached to and appurtenant to Well #1, which was hereinbefore conveyed to Anderson by the Corporation.

The parties hereto covenant and agree to make, execute and deliver to each other such documents and papers necessary to transfer the wells, water rights and irrigation equipment to the proper parties in the manner as hereinbefore agreed.

It is agreed that from the date of these presents Anderson (Hil T. Anderson and Brooke R. Anderson, husband and wife), shall not be a party to the hereinbefore mentioned Irrigation System Operating Agreement; that such agreement shall be modified and amended to omit the said party; that the Corporation shall be the only member or party to the said Irrigation System Operating Agreement and the said agreement shall pertain to deep irrigation Wells #2, #3, #4, #5, and #7, and the irrigation system that remains on the premises owned by the said party, which irrigation system is exclusive of that portion transferred to Anderson under the terms of this agreement. That said remaining party shall own the original water rights or claims to water rights, to water which shall be produced from Wells #2, #3, #4, #5, and #7, and as set forth and designated in State of Idaho licenses #43-4022, #43-4023, and #43-4026.

Feminine or neuter pronouns shall be substituted for those of masculine in form or vice versa, and the plural shall be substituted for the singular number or vice versa, in any place or places where the context may require such substitution or substitutions.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals and executed these presents the day and year in this instrument first above written.

ROLAND ALLEN LAND & LIVESTOCK, INC.

BY

Authorized Signature

ATTEST:

Secretary

"CORPORATION"

HAL T. ANDERSON

BROOKE R. ANDERSON

"ANDERSONS"

STATE OF IDAHO)

: ss

County of Bannock)

On this 8 day of March, 1982, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Roland & Allen and Karen Allen known to me to be the Real Parties and S.O., respectively of ROLAND ALLEN LAND & LIVESTOCK, INC. that executed the within instrument and acknowledged to me that the corporation executed the same.

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

NOTARY PUBLIC for Idaho
Residing at: Donnelly

(SEAL)

STATE OF IDAHO)

: ss

County of Cassida)

On this 16 day of April, 1982, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared HAL T. ANDERSON and BROOKE R. ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument; and acknowledged to me that they executed the same.

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

NOTARY PUBLIC for Idaho
Residing at: Adida

(SEAL)

EXHIBIT "A"

Real Property of Corporation:

Parcel #1.

W1/2 of Section 9, SW1/4SW1/4 Section 4, all in Township 14 South, Range 27, EBM

Parcel #2.

S1/2 SE1/4 and S1/2SW1/4, Section 32, Township 13 South, Range 27, EBM, and Lots 3 and 4, N1/2 NE1/4, and N1/2S1/2NE1/4 of Section 5, Township 14 South, Range 27 EBM

Parcel #3.

Township 13 South, Range 27, EBM, S1/2SW1/4, Section 33, Township 14 South, Range 27, EBM, Section 4 NW1/4, N1/2SW1/4 and SE1/4SW1/4

Real Property of Anderson:

NE1/4 of Section 8, Township 14 South, Range 27, EBM, and SE1/4, and S1/2S1/2NE1/4, Section 5, Township 14 South, Range 27, EBM

ALL IN CASSIA COUNTY, IDAHO.

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EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, ROLAND ALLEN LAND AND LIVESTOCK, INC., an Idaho Corporation, for valuable consideration, has granted and by these presents does grant unto HAL T. ANDERSON and BROOKE R. ANDERSON, husband and wife, and their heirs, successors and assigns, a permanent easement to operate, maintain, repair and/or replace a certain deep irrigation well together with pump, motor and panel on a certain parcel of real estate owned by the undersigned.

The said well, pump, motor and panel is owned by the said Hal T. Anderson and Brooke R. Anderson, husband and wife, and is situated on real estate located in the County of Cassia, State of Idaho, described as follows:

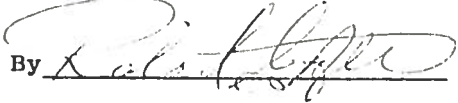
Commencing with the Southwest corner of Section 4, Township 14 South, Range 27, EBM; thence running East along the South boundary line of said Section 4, 30 feet more or less to the true point of beginning; thence North 15 feet more or less to an existing fence; thence East 24 feet more or less along said fence; thence South 35 feet to a point; thence West parallel to the South boundary line of said Section 4, 24 feet to a point; thence North 20 feet to the true point of beginning.

The said easement above granted is appurtenant to and shall run with the ownership of the following described real estate situated in Cassia County, Idaho, to wit:

NE1/4 of Section 8, Township 14 South, Range 27, EBM, and the SE1/4, and the S1/2S1/2NE1/4, of Section 5, Township 14 South, Range 27 EBM.

IN WITNESS WHEREOF, the undersigned has hereunto caused its corporate name to be hereunto subscribed this 8 day of MARCH, 1982.

ROLAND ALLEN LAND AND LIVESTOCK, INC.

By 

ATTEST:


Secretary

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MAR 05 1982

STATE OF IDAHO)
) ss
County of Bannock)

On this 8 day of March, 1982, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Roland G. Allen and Karen Allen, known to me, or proved to me on oath to be, the Sec. and Vice Pres, respectively, of ROLAND ALLEN LAND AND LIVESTOCK, INC., the corporation that executed the foregoing and annexed instrument, and the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Dan Shober
NOTARY PUBLIC FOR IDAHO
Residing at: Downey

(SEAL)

RECORDED AT THE REQUEST OF
Roland G. Allen
FILE 148
MAR 18 1 05 PM '82
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
FEE \$10.00 DEPUTY 241
K.S. & K.A.
Malte
83542

141944

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MAR 05 1993

94665

Irrigation System Operating Agreement

THIS AGREEMENT, made this 19th day of November, 1976, between all the users of that certain irrigation system situate in the County of Cassia, State of Idaho, and more particularly described in paragraph 9 of this agreement.

WITNESSETH:

That to more specifically determine the rights of the parties hereto, it is mutually agreed as follows:

(1) This agreement shall not become effective until signed and acknowledged by all the owners of said irrigation system, but when so signed and acknowledged shall become effective as of the date hereinabove specified.

(2) Said system is owned in common by the parties hereto in the proportionate interests specified on the respective signature pages hereto attached, and said parties are entitled to have delivered from and through said system to the lands described on the respective signature pages, for domestic, livestock, irrigation or other lawful uses thereon, such proportionate quantities of water now or hereafter developed by said system as the interest of each party bears to the total of the interests of all the parties hereto.

(3) Said system shall not be or become a public utility, and except as hereinafter provided in paragraph 5, shall be operated only for the delivery of water for the uses above specified on the lands of the parties hereto; the respective interests and rights in said system and hereby made appurtenant to the hereinafter described lands of the parties hereto, and shall not be separated therefrom, in whole or in part, without the consent in writing of the owner of the land affected, and the holder or holders of any liens or encumbrances thereon, except tax liens. When a part only of the tract of land described on any signature page hereto is transferred, such part of the rights and obligations herein specified shall pass with such transfer as the number of acres transferred bears to the total acres in the whole tract so transferred shall, however, be subject to liens and encumbrances now existing or hereafter existing at the date of such transfer.

(4) Each party hereby agrees to pay such proportionate part of the costs of constructing, altering, improving, repairing, maintaining, operating and supervising said system as his interest in the system bears to the total interests; provided, however, that any party may elect not to take his proportionate quantity of water for any period, in which event that party's proportionate quantity shall be distributed to the remaining parties in the proportion that their respective interests in the system bear to the total interests of the parties taking water, and the actual costs of operating the system during that period shall be provided in like manner among such remaining parties, unless the party electing not to take his proportionate quantity shall assign his right to another party, in which event the party to which the right is assigned shall pay the proportionate part of the actual costs of operating the system during that period of the party making the assignment. Payments shall be made monthly for each month's expense on or before the 10th day of the next succeeding month, unless a different date of payment is agreed upon by the parties owning the majority interest. Payments shall be made to the manager of the system. No party shall be entitled to delivery of water when delinquent in such payments, and any party hereto may pay the amount due from any other party delinquent in such payment, and the party for whom such payment is made hereby agrees to repay on demand the amount thereof to the party making such payment, together with interest at six per cent per annum from the date of such payment; provided, however, that if the holder of any lien on the land of any party shall have filed with the manager appointed under this agreement a written request for notice of delinquencies of such landowner, delivery of water shall not be withheld because of delinquencies of such landowner, nor shall any action be commenced by any party paying the delinquent amount due from such landowner, until fifteen days after written notice of the amount of such delinquency and the period covered thereby is mailed to such lienholder.

Janet S. Anderson

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MAR 05 1993

(5) Water may be delivered for use upon lands owned by persons who are not parties to this agreement only upon the following conditions:

(a) When water is available from the system in excess of the reasonable needs of the parties to the agreement, or when needed by such persons not parties hereto during an emergency shortage, or when such person is a neighboring landowner of whom no other water supply for irrigation or domestic purposes is equally available; and

(b) When such delivery is made pursuant to a written contract consented to in writing by all parties hereto, and limiting such delivery to one irrigation season at rates specified in said contract.

(6) Each party hereby grants and confirms to each other party hereto such rights of way across any of the lands hereinafter described as may be necessary to enable each party to convey to his respective lands his proportionate share of water from said system, or any system that may be constructed to replace the present system, together with the right of ingress and egress for the purpose of operating and maintaining the pipeline, ditch or other conduit now or hereafter installed. The costs of installing, operating and maintaining conduits and rights of way used solely for the delivery of water to the lands of only one party shall be paid solely by such party. Like costs for conduits and rights of way used for the delivery of water to the lands of two parties shall be paid by said parties in the proportion that the acreage so irrigated bears to the total acreage irrigated through said conduits. Conduits crossing lands not irrigated from such conduits shall be maintained and kept in repair entirely by the owners of the lands served by such conduits. Such payments shall be made and may be enforced in the manner provided in paragraph 4.

(7) A manager of the system shall be elected annually by vote of the parties owning the majority interest, and shall serve in such capacity for a period of one year, or until his successor is elected. A meeting for the election of the first manager shall be held within thirty days after the effective date of this agreement, and the term of the manager first elected shall begin as of the date of this agreement. Regular annual meetings for the election of a manager shall be held beginning one year from the effective date of this agreement, and the manager so elected shall hold office for the year commencing on such date. It shall be the duty of the manager to keep all minutes, books, accounts, papers, and records in connection with the system, to supervise the operation, maintenance, repair and improvement of the system, and to apportion the costs thereof and to notify the parties in writing of the charges payable by them respectively, and to regulate the distribution of water among the various users. The manager shall receive such reasonable compensation as shall be agreed upon by the parties owning the majority interest. The parties agree that when deemed necessary for the economical use of the water, rotation of use may be required by the manager. A manager may be removed from office prior to the expiration of his term and a successor elected for the unexpired portion by vote of the parties owning the majority interest. In the event there are not more than two parties to this agreement, the provisions of this paragraph shall not be operative.

(8) All questions arising in connection with the use of the system which are not here in provided for, shall be decided by vote of the parties owning the majority interest. A meeting of the parties may be called at any time by written notice signed by the manager, or by at least two parties, and delivered personally to each party or mailed to each party at least twenty-four hours before the time of the meeting, unless all the parties are present and agree to a meeting without notice. At each meeting, parties owning the majority interest shall constitute a quorum, and at each meeting the manager shall preside.

Dale Eli Anderson

Janet S. Anderson

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MAR 05 1993

(9) In addition to the conduits and rights of way heretofore mentioned, said irrigation system consists of the following:

(a) Type of pumping plant or diversion works: At least 7 deep well turbine pumps, wells and one booster pump.

(b) Source of water supply: Underground water.

(c) Type of water right (riparian, appropriative, or underground): Appropriative underground.

(d) Said pumping plant or diversion works is situate upon that certain parcel of land situate in the County of Cassia, State of Idaho, containing 1,440 acres, and more particularly described as follows:

(10) Claims and licenses to water rights registered with Idaho State's Department of Natural Resources.

G - 26,234

43 - 4,026

43 - 4,026

43 - 4,024

43 - 4,023

43 - 4,022

Well # 1 originally drilled 1949) claims being researched by
Well # 2 originally drilled 1953) Jack A. Barnett

Note:

Jack A. Barnett, consultant on water rights, examined the records and reported a valid right to a total of 36.11 c.f.w. June 22, '76.

Township 13 South, Range 27 East, Boise Meridian

Section 32: S 1/2 SE 1/4 and S 1/2 SW 1/4

Section 33: S 1/2 SW 1/4

Township 14 South, Range 27 East, Boise Meridian

Section 4: W 1/2

Section 5: E 1/2 and Lots 3 & 4 (N 1/2 NW 1/4)

Section 8: NE 1/4

Section 9: W 1/2

(11) Said system described in paragraph 9 may be replaced in whole or in part, or moved in whole or in part to any other location on any of the lands of any of the parties here to with the written consent of the parties owning the majority interest and of the owner of the land to which the same is moved. No such replacement or change in location shall change the rights and liabilities of the parties hereto, which shall be binding upon and shall inure to the benefit of the heirs, executors, administrators, successors in interest or assigns of the parties hereto.

IN WITNESS WHEREOF, the owners of interest in said system have hereunto signed their names and specified their interests as follows:

PARTY NO. 1:

(a) Proportionate interest: 25 per cent.

(b) Land for which water shall be delivered is that certain parcel or parcels of land situate in the County of Cassia, State of Idaho, consisting of 380 acres, and more particularly described as follows:

W 1/2 Section 9, SW 1/4 SW 1/4 Section 47- All in Township 14 South Range 27 E. B. M.

Date November 19, 1976

Eli Anderson
Date Eli Anderson

Janet S. Anderson
Janet S. Anderson

PARTY NO. II:

- (a) Proportionate Interest: 25 per cent.
- (b) Land for which water shall be delivered is that certain parcel or parcels of land situate in the County of Cassia, State of Idaho, consisting of 360 acres, and more particularly described as follows:

NE 1/4 of Section 8, Township 14 South, Range 27 EBM and SE 1/4 and S 1/2 S 1/2 NE 1/4, Section 5 Township 14 South, Range 27 EBM

Date

Nov. 19, 1976

[Signature] X

Brooke R. Anderson

PARTY NO. III:

- (a) Proportionate Interest: 25 per cent.
- (b) Land for which water shall be delivered is that certain parcel or parcels of land situate in the County of Cassia, State of Idaho, consisting of 360 acres, and more particularly described as follows:

S 1/2 SE 1/4 and S 1/2 SW 1/4, Section 32 Township 13 South Range 27 EBM and Lots 3 and 4, N 1/2 NE 1/4, and N 1/2 S 1/2 NE 1/4 of Section 5, Township 14 South, Range 27 EBM.

Date

Nov 19 1976

[Signature] X
Marlin K. Allen

[Signature]
Julia A. Allen

Edon Willet

PARTY NO. IV:

- (a) Proportionate Interest: 25 per cent.
- (b) Land for which water shall be delivered is that certain parcel or parcels of land situate in the County of Cassia, State of Idaho, consisting of 360 acres, and more particularly described as follows:

Township 13 South, Range 27 EBM, S 1/2 SW 1/4, Section 33 Township 14, Range 27 EBM Section 4, NW 1/4, N 1/2 SW 1/4 and SE 1/4 of SW 1/4

Date

Nov 19, 1976

[Signature]
Ted K. Anderson
[Signature] Udy Anderson

[Signature]
Janet S. Anderson

(9) In addition to the conduits and rights of way hereinabove mentioned, said irrigation system consists of the following:

(a) Type of pumping plant or diversion works: At least 7 deep well turbine pumps, wells and one booster pump.

(b) Source of water supply: Underground water.

(c) Type of water right (riparian, appropriative, or underground): Appropriative underground.

(d) Said pumping plant or diversion works is situate upon that certain parcel of land situate in the County of Cassia, State of Idaho, containing 1,440 acres, and more particularly described as follows:

(10) Claims and licenses to water rights registered with Idaho State's Department of Natural Resources.

G - 26,234

43 - 4,026

43 - 4,025

43 - 4,024

43 - 4,023

43 - 4,022

Well # 1 originally drilled 1919) claims being researched by

Well # 2 originally drilled 1953) Jack A. Barnett

(43-2441) license # for

Note:

Jack A. Barnett, consultant on water rights, examined the records and reported a valid right to a total of 38,11 c.f.s. June 22, '76.

Township 13 South, Range 27 East, Boise Meridian

Section 32: S 1/2 SE 1/4 and S 1/2 SW 1/4

Section 33: S 1/2 SW 1/4

Township 14 South, Range 27 East, Boise Meridian

Section 4: W 1/2

Section 5: E 1/2 and Lots 3 & 4 (N 1/2 NW 1/4)

Section 8: NE 1/4

Section 9: W 1/2

(11) Said system described in paragraph 9 may be replaced in whole or in part, or moved in whole or in part to any other location on any of the lands of any of the parties here to with the written consent of the parties owning the majority interest and of the owner of the land to which the same is moved. No such replacement or change in location shall change the rights and liabilities of the parties hereto, which shall be binding upon and shall inure to the benefit of the heirs, executors, administrators, successors in interest or assigns of the parties hereto.

IN WITNESS WHEREOF, the owners of interest in said system have hereunto signed their names and specified their interests as follows:

PARTY NO. 1:

MICROFILMED

MAR 05 1993

STATE OF Idaho
COUNTY OF Cassia

On the 19th day of November, 1976, personally appeared before me Dale E. Anderson and Janet S. Anderson, his wife, the signers of the foregoing Amendment to Real Estate Contract, who duly acknowledged to me that they executed the same.

June 30, 1977
My Commission Expires

Richard K. Smith
Notary Public - Residing at: Burley, Idaho

STATE OF Idaho
COUNTY OF Cassia

On the 19th day of November, 1976, personally appeared before me the signers of the foregoing Amendment to Real Estate Contract, who duly acknowledged to me that they executed the same.

June 30, 1977
My Commission Expires

Harry K. Smith
Notary Public - Residing at: Burley, Idaho

STATE OF Idaho
COUNTY OF Cassia

On the 19th day of November, 1976, personally appeared before me Marlin Allen and Julia A. Allen, his wife, the signers of the foregoing Amendment to Real Estate Contract, who duly acknowledged to me that they executed the same.

June 30, 1977
My Commission Expires

Harry K. Smith
Notary Public - Residing at: Burley, Idaho

STATE OF Idaho
COUNTY OF Cassia

On the 19th day of November, 1976, personally appeared before me Ted K. Anderson, the signer of the foregoing Amendment to Real Estate Contract, who duly acknowledged to me that he executed the same.

June 30, 1977
My Commission Expires

Harry K. Smith
Notary Public - Residing at: Burley, Idaho

State of Idaho
County of Cassia

I hereby certify that the within instrument was
filed at the request of

CASSIA COUNTY ABSTRACT CO.

On 11/19/76
At 11:19 P.M.
recorded on Film 165
Book & Page 94622

Richard K. Smith
CASSIA COUNTY ABSTRACT CO.

State of Idaho
County of Cassia

I hereby certify that the within instrument was
filed at the request of

JOHN L. AND ESCROW, INC.

On 11/19/76
At 11:19 P.M.
recorded on Film 165

Book & Page 94665

Richard K. Smith
Recorder
Deputy

JOHN L. AND ESCROW, INC.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 17, 1989

Mr. Hal T. Anderson
DBA: American West Enterprises, Inc.
HC 72, Box 2150
Malta, ID 83342

RE: Snake River Basin Adjudication (SRBA)
Cassia County

Dear Mr. Anderson:

Thank you for your letter dated July 1, 1989 regarding your denied Request for Extension dated June 2, 1989 and the protection of your water rights in Cassia County.

This letter is an extension of time for the filing of Notice of Claims to a Water Right. The original filing deadline for these claims was June 8, 1989. The extension is granted until September 5, 1989. Please keep this extension of time with your other legal documents.

This extension is granted under the authority of §42-1409 (10), Idaho Code.

Signed this 17th day of August, 1989.

David B. Shaw
Adjudication Bureau Chief

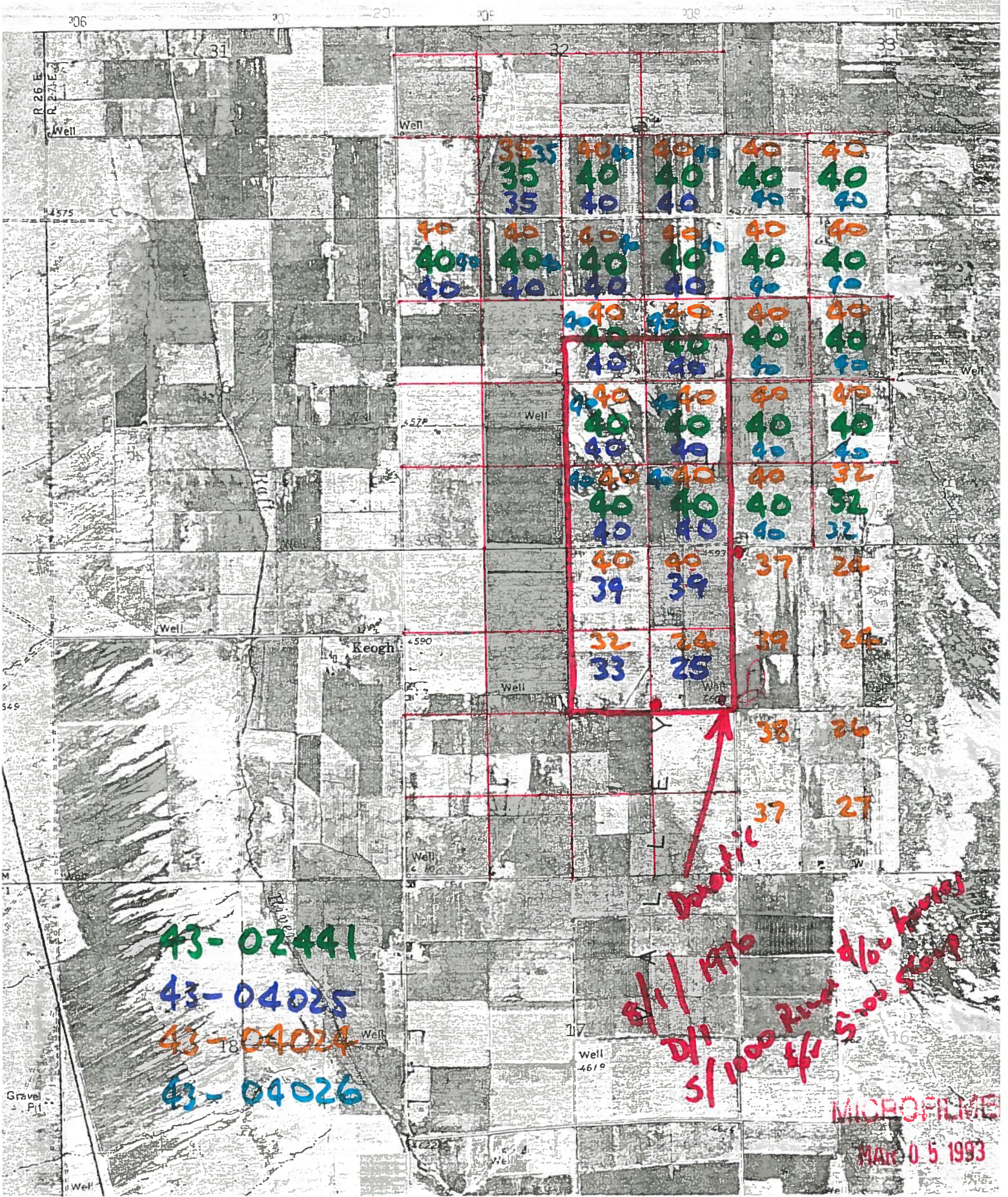
DBS;dms

MICROFILMED

DATE 11 5 1993

R27E

R10R





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

A43-04024A
HAL T. ANDERSON
BROOKE R. ANDERSON
H.C. 72 BOX 2150
MALTA ID 83342

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

MICROFILMED

MAR 05 1993

MEMORANDUM

DATE: 07-Feb-1992

FROM: Allen Merritt

TO: FILES A43-10612

04024A

04088

10605

04087

04176

SUBJECT: PHONE CALL

THIS DAY HAL ANDERSON PHONED AND INDICATED HE HAD BEEN IN THE HOSPITAL RECENTLY AND WOULD GET THE EVIDENCE OF PRIORITY FOR THE ABOVE CLAIMS TO OUR OFFICE WITHIN THE NEXT FEW WEEKS.

MICROFILMED

MAR 05 1993

Water Right Number - 43-04024A		Prefix Translation: WATER RIGHT		Old (D) Number -	
+ - - - - Last Name - - - - +		+ - - - - First Name - - - +		+ - - - - Address - - - - - +	
+ - - - - Priority Date - - +		+ - - - - Region - - - +		+ - - - - Stage - - - +	
00/00/0000		ERROR IN REGION		+ - - - - Status - - - +	
+ - - - - Source - - - - - +		+ - - - - Point of Diversion -		+ - - - - Tributary - - - - - +	
+ - - - - - - - - - - - - -		+ - - - - County		+ - - - - Stream Index (Blank if no Index Code) -	
Tw	Rng	Sec	Tract	Lot	Rflg
+ - - - - Description		Period From		Water Use	
Code		Period To		Diversion Rate	
+ - - - - Total Div. Rate - +		+ - - - - Total Div. Volume - +		+ - - - - Total Div. Capacity - +	
Tw	Rng	Sec	Tract	Lot	Acres
+ - - - - - - - - - - - - -		+ - - - - Place of Use - - - - -		+ - - - - Description	
+ - - - - Diversion Means -		+ - - - - Remarks - - - - -		+ - - - - County	
+ - - - - Non-Irrigation Use -		+ - - - - No Remarks found.		+ - - - -	
+ - - - - Other Rights for Same Use -		+ - - - - Old Water Right Numbers -		+ - - - -	
+ - - - - - - - - - - - - -		+ - - - - No Old Water Right Numbers found.		+ - - - -	
+ - - - - - - - - - - - - -		+ - - - - Conditions of Approval -		+ - - - -	
+ - - - - Decree Plaintiff - - - +		+ - - - - Decree Defendant - - - +		+ - - - - Decree Date - - +	
00/00/0000		00/00/0000		00/00/0000	
+ - - - - - - - - - - - - -		+ - - - - Comments - - - - -		+ - - - -	
+ - - - - - - - - - - - - -		+ - - - - No Comments Found		+ - - - -	
+ - - - - - - - - - - - - -		+ - - - - Water Rights Dates and Flags Area - - - - -		+ - - - -	
Proof Due Date - 00/00/0000		Field Exam Made - 00/00/0000		Field Exam Fee -	
Approved/Denied - 00/00/0000		Protested Date - 00/00/0000		Swan Falls -	
Proof Made Date - 00/00/0000		Hearing Date - 00/00/0000		Temporary Right -	
Exam to S.O. Date - 00/00/0000		Verified Date - 00/00/0000		DLE/Carey Act -	
Order Show Cause - 00/00/0000		Receipt Number -		Water District -	
Licensed Date - 00/00/0000		Appl Received - 00/00/0000		Transfer/Amended -	
Decree Date - 00/00/0000		Presumption Flag -			

10/04/2000

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

RIGHT NUMBER: 43-4024A

NAME AND ADDRESS: BROOKE R ANDERSON
HAL T ANDERSON
2142 S 2450 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.55 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO.43-10801 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1420 AF.

PRIORITY DATE: 03/15/1954

POINT OF DIVERSION: T14S R27E S8 SWSENE Within CASSIA County
T14S R27E S9 NWNWNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.55 CFS
STOCKWATER	01-01 12-31	0.07 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County			
T14S R27E S5	SENE	20	T14S R27E S5 SWNE 20
T14S R27E S5	NESE	39	T14S R27E S5 NWSE 40
T14S R27E S5	SESE	39	T14S R27E S5 SWSE 40
T14S R27E S8	SENE	38	T14S R27E S8 SWNE 40
T14S R27E S8	NENE	39	T14S R27E S8 NWNE 40
STOCKWATER Within CASSIA County			
T14S R27E S5	SENE		T14S R27E S5 SWNE
T14S R27E S5	NESE		T14S R27E S5 NWSE
T14S R27E S5	SESE		T14S R27E S5 SWSE
T14S R27E S8	NENE		T14S R27E S8 NWNE
T14S R27E S8	SENE		T14S R27E S8 SWNE

355 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-10801 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 355 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 336 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Water Right 43-4024A

10/04/2000

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

RIGHT NUMBER: 43-4024A

NAME AND ADDRESS: BROOKE R ANDERSON
HAL T ANDERSON
2142 S 2450 E
MALTA, ID 83342

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PRIORITY DATE: 03/15/1954

POINT OF DIVERSION: T14S R27E S8 SWSENE Within CASSIA County
T14S R27E S9 NWNWNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.55 CFS
STOCKWATER	01-01 12-31	0.07 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County			
T14S R27E S5	SENE	20	T14S R27E S5 SWNE 20
T14S R27E S5	NESE	39	T14S R27E S5 NWSE 40
T14S R27E S5	SESE	39	T14S R27E S5 SWSE 40
T14S R27E S8	SENE	38	T14S R27E S8 SWNE 40
T14S R27E S8	NENE	39	T14S R27E S8 NWNE 40
STOCKWATER Within CASSIA County			
T14S R27E S5	SENE		T14S R27E S5 SWNE
T14S R27E S5	NESE		T14S R27E S5 NWSE
T14S R27E S5	SESE		T14S R27E S5 SWSE
T14S R27E S8	NENE		T14S R27E S8 NWNE
T14S R27E S8	SENE		T14S R27E S8 SWNE

355 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-10801 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 355 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 336 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Water Right 43-4024A

VERIFIED BY *X* 9/28/2000

09/28/2000

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

RIGHT NUMBER: 43-4024A

NAME AND ADDRESS: BROOKE R ANDERSON
HAL T ANDERSON
2142 S 2450 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.55 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO.43-10801 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1420 AF.

PRIORITY DATE: 03/15/1954

POINT OF DIVERSION: T14S R27E S8 SWSENE Within CASSIA County
T14S R27E S9 NWNWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.55 CFS
STOCKWATER	01-01 12-31	0.07 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County			
T14S R27E S5	SENE	20	T14S R27E S5 SWNE 20
T14S R27E S5	NESE	39	T14S R27E S5 NWSE 40
T14S R27E S5	SESE	39	T14S R27E S5 SWSE 40
T14S R27E S8	NENE	39	T14S R27E S8 NWNE 40
T14S R27E S8	SENE	38	T14S R27E S8 SWNE 40

355 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-10801 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 355 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 336 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water Right 43-4024A



LAYNE PUMPS, Inc.

VERTICAL TURBINE PUMPS

PHONE 733-3284

P. O. BOX 640

TWIN FALLS, IDAHO 83301

Section 3

43-4024A

43-10801

WELL TESTING REPORT AND AGREEMENT

NAME HAL ANDERSON LOCATION MALTA - WEST WELL

I. D. WELL 16" -14" LINER WELL DEPTH 420' WATER TEMP. _____ STATIC WATER LEVEL 105'

ORIFICE SIZE 8" DISCHARGE PIPE 10" COLUMN & LENGTH 360' AIRLINE 360'

TIME	WATER LEVEL FT. FROM TOP	R. P. M.	ORIFICE READING	G. P. M.	REMARKS: SAND? CASCADING WATER? etc.
2/23/01 11:45	140'	1300	13.0	1086	NONE
12:00	146'	1300	12.0	1044	NON3
12:30	150'	1300	10.5	976	NONE -VERY LITTLE SAND
R PSI 12:45	165'	1550	31.0	1676	"
12:50	175'	1550	28.5	1609	"
86 - 1:25	185'	1550	26.5	1551	"
74 - 1:30	190'	1650	34.0	1757	CLEAR
2:00	210'	1850	46.0	2044	CLEAR
2:30	210'	1950	50.5	2141	CLEAR
2:45	215'	2000	53.0	2194	CLEAR
3:00	217'	2000	52.5	2183	CLEAR
3:30	220'	2000	51.5	2162	CLEAR
3:45	230'	2000	51.5	2162	CLEAR

Jeannie 7/10/01
Hal Anderson came in the
office yesterday and dropped off these
information forms. He would like them added
to his claim files. I'm not
sure of the water right numbers
for the wells in section 16.
Cindy

FT. 3 MINUTES

APPROVED BY:

HAL ANDERSON

(LAYNE & BOWLER, INC.)

(OWNER OF WELL)

INSTALLED BY: KEVIN PETERSON

DATE 2/23/01

A43-04024 A

4/1/54

0.81 cfs

336 Ac.

There was sufficient evidence on micro-fiche to recommend this claim, both for priority date and diversion rate. I ^{moved} advanced the priority date to the new standard season of use for the area of Mar. 15, however. I also changed the season of use to new standards of 3/15 - 11/15. I changed the diversion rate to a proportionate share of 2.11 cfs, as measurement info in the file indicated and according to split analysis done by Kelly Christensen. Changed basis of claim from Statutory to Beneficial Use. Found total of 355 acres in Plan of Use per GIS of 1987 aerial photos, so recommended this right as a ppu w/ 43-10801, with a limit of 336 acres. Added volume combined limits with 43-10801 of 1420 AF (355×4). I ~~can~~ recommended a total of 7.01 cfs for the 355 Ac.,

(0.55	43-04024A
6.46	43-10801
7.01	cfs)

$$7.01 \div 355 \text{ Ac.} = 0.019 \text{ cfs/Ac.}$$

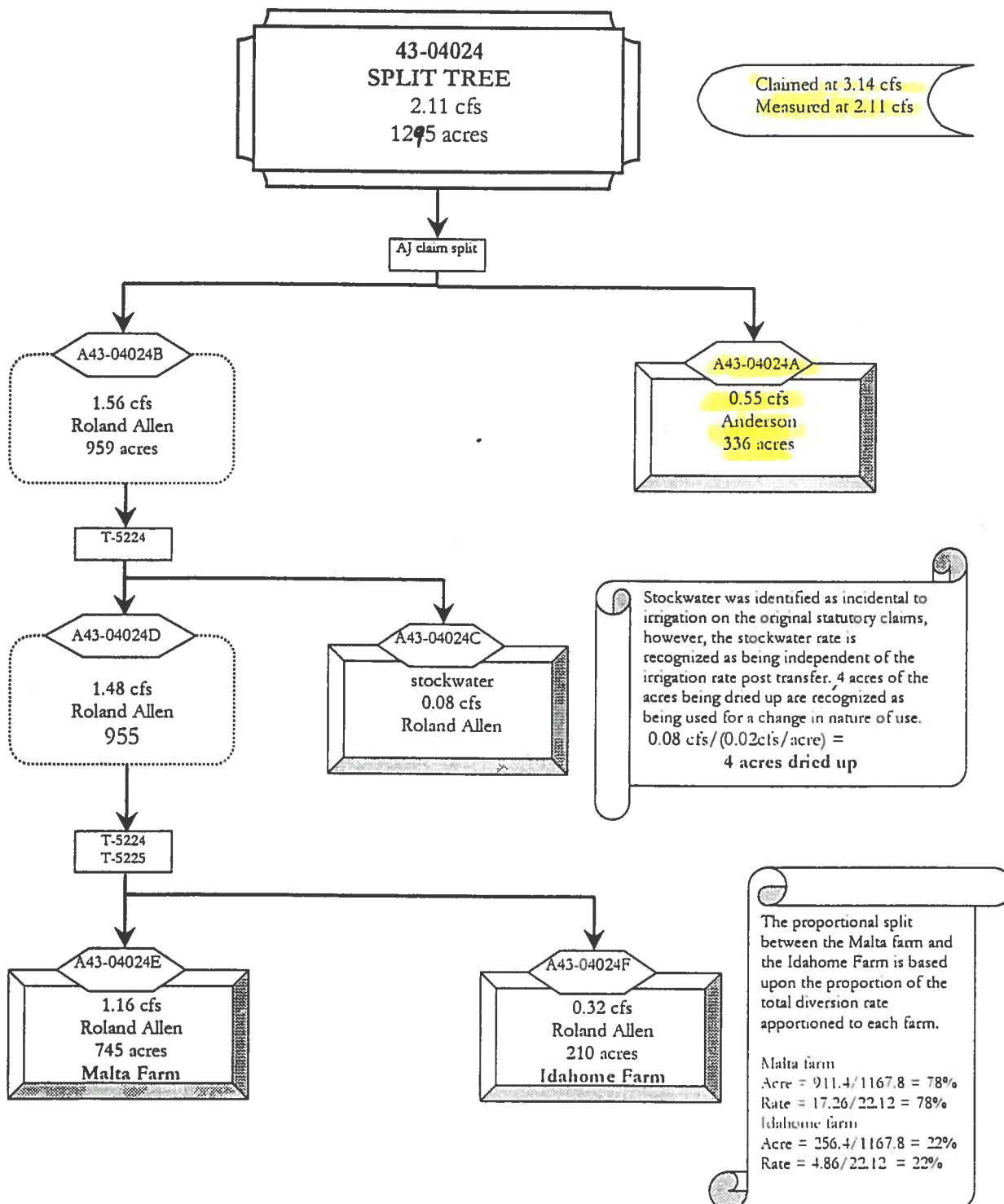
R43-04024A

3/15/54

0.55 cfs / 1420 AF
comb. w/
- 10801

336/355 ppu

JPEG LAYOUT



on the statutory claims and the total diversion rate matched the claimed irrigation rates. The adjudication claims reduced the irrigation-claimed rate by 0.24 cfs and included stockwater at 0.24 cfs. The total rate matched the original statutory claimed rate.

As stockwater was developed incidental to the irrigation use, I agree with the transfer position of reducing the irrigation rate by the amount recognized for stockwater. However, I do not feel that each right should be recommended for stockwater at 0.24 cfs and then conditioned in remarks to a combined limit of 0.24 cfs. I recommend that the stockwater use be proportioned between the three earliest statutory claims at 0.08 cfs each (totaling 0.24 cfs). This appears to better describe the historical development of stockwater and does not give the appearance of a series of stockwater rights (when combined) exceeding 0.24 cfs.

Included with the documentation of the statutory claims was evidence of measurements made in 1963. As those measurements represent the best evidence of the original developed diversion rate, they are the basis for the recommendations.

The total claimed diversion rates for the statutory claims and the one licensed right, when combined, exceed an inch to the acre. My recommendation recognizes the rights in order by priority date, up to one inch per acre. In accepting each statutory claim as valid, the issue of which claims to recommend and at what rate then becomes one of diversion rates vs. priority date up to the required system total rate.

The pre transfer conditions identified by Corey Skinner are as follows:

PLACE OF USE MALTA FARM

1,025 acres irrigated -- transfer field review by CS
(this excludes a portion of the original
farm now owned and claimed by Anderson.)

66 acres for application for permit 43-07209 (on hold)
959 balance irrigated as of commencement (pre transfer)

959 acres * 0.02 cfs = 19.18 cfs

* from Kelly's Memo re: transfer
5224 & 5225 of Roland
Aller

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent JEANIE M ROBERTSON

DATE February 14, 1997 10:00am CUSTOMER JAY WARD/MTN. WEST REALTY

SUBJECT: HAL ANDERSON - AJ, WR, WELL LOGS
phone call (X) walk-in (.)

Gave me leagal descriptions and asked for profile reports (both WR and AJ) and well logs, if available, for the following areas:

Parcel #1 - T14S, R27E, S16:		
A43-02399	A43-10612	A43-10613
Parcel #2 - T14S, R27E, S5 & S8:		
A43-04024	A43-10604	A43-10801
Parcel #3 - T14S, R27E, S18:		
A43-02414	A43-10605	A43-10606
A43-10607	A43-10608	A43-10609
A43-10610	A43-10611	
Parcel #4 - T13S, R27E, S14 & S23:		
A43-04087	A43-04088	A43-04176
A43-10603		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:55:08
09/28/00
3

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-04024A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BROOKE R ANDERSON	~~04/01/1954~~	IRRIGATION	~~04-01~~ 3/15-11/15 11-01	~~0.810 CFS~~ 0.55	
C	HAL T ANDERSON	3/15/54	STOCKWATER	01-01 12-31	0.070 CFS	1420 AF w/comb. w/ -
TOTAL DIVERSION:					0.810 CFS	
~~CONSUMPTIVE USE:~~					0.55	1008.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: ~~STATUTORY CLAIM~~ B.U.

Point(s) of Diversion: T14S R27E S08 SWSENE CASSIA County
S09 NWNWNW 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	5	:				20	20	:								40	40	40	40	200.0
14S	27E	8	:	40	40	32	24	:												136.0	
TOTAL ACRES																			336.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CASSIA

Non-Irrigation Uses: S/1000 RANGE &/OR HORSES OR 5000 SHEEP

Other Rights: A43-04025A

Remarks: GEN THIS CLAIM IS BASED ON 336/1295 PORTION OF 43-04024.
SEE ATTACHED COPY OF AMENDMENT OF IRRIGATION SYSTEM OPERATING
AGREEMENT.
STOCK ARE WATERED AT SAME PLACE OF USE AS IRRIG.
ADDRESS CHANGE FORM RECEIVED 9/4/98 jr

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Gen
Cond. Code C18, N08, N08
Remarks: E11 (355 A)
POU1 K06 (336)
QNT E05 (1420)
w/ -1080
w/ -10

355 x 4 = 1420 AF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:55:05
09/28/00

PAGE: 2
QUICKLOOK INFORMATION

2
CLAIM NUMBER: A43-04024A

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	Y -							
POINT OF DIV	- N							
SOURCE	- N							
PLACE OF USE	Y -							
DIV. AMOUNT CFS/VOLUME	Y -							
CONSUMPTIVE USE	/							
PURPOSES OF USE	- N							
PERIOD OF USE	Y -							
BASIS OF CLAIM	Y -							
REMARKS	Y -							

BARCODE UPDATED
WHOM/DATE

MEMORANDUM

To: File
From: Scott King *SK*
Date: July 18, 2000
Subject: A43-04024A, A43-10801, Hal Anderson

*Note: See also Kelly's Trans,
analysis in 43-02356 (T5225)*

Cindy Bird and I visited several of Hal Anderson's systems on May 31, 2000, including this one. It includes two wells, only one of which is operational, for irrigation of approximately 360 acres.

The main well is located at 14S 27E 08 SWSENE. It is equipped with a rebuilt 180-hp motor. This site was gps-located and tagged A0004507. The well supplies water to 8 handlines with 9/64" nozzles. Flow rate was measured at 1340 gpm. The pump tag indicates a rated flow of 1500 gpm at 383 feet. Hal states that this well has produced significantly more water and that it's production declines as the season progresses. Last year, he was able to operate 10 lines early in the season, then cut back to 9 lines by fall. At one time, flow is approximated at 1800 gpm (145 gpm per line x 12 lines). The tag on the discharge head indicates an Aurora Verti-line pump, serial number 37671797, model 14RXL, 5 stage.

This well replaces an old irrigation well located in the SESENE of section 8, which is now used as a domestic supply for Anderson's home. This old well was measured for licensing of right 43-02441 at 5.52 cfs. Notes in claim file for 43-04025 state that this well was also measured at 6.83 cfs in 8/27/1964 per an IDWR report, and at 4.90 cfs in 1969 by Jay Bingham. This well caved in, and Anderson states that instead of attempting to repair this old well, a new one was drilled about 1/4 mile to the west (SWSENE section 8).

Another well is located at 14S 27E 09, NWNWNW (or SWSWSW section 4; GPS location plots this well on the line dividing sections 4 and 9), and was tagged A0004508. It is currently inoperable due to surging and declining water levels, and hasn't been used for several years. A 125-hp motor and pump was used to divert well water to the same system described for A0004507. Flow capacity for this well estimated at 2.50 cfs.

Review of 1962 and 1968 photography and information in various files, including 43-02441, 43-04022 through -04026 indicate that most all of the claimed 360 acres was irrigated in 1962, except for approximately 25 to 100 acres in the NE quarter of section 8. Review of topo maps indicates an area of higher elevation in the southern portion of the NE quarter of section 8 that was probably not irrigable with the gravity flow systems used for developing these rights (about 25 acres). Photography raises some question about irrigation of the east half of the NE quarter of section 8 (about 70 to 80 acres).

Although it appears clear that the two wells currently used for this property do not have the capacity to divert 1" per acre for the claimed lands, documentation in 43-02441 indicates that during the licensing exam, the wells measured produced flow significantly exceeding 1" per acre. Because these lands were developed with flows exceeding 1" per acre, and much of them licensed at 1" per acre, this flow quantity appears to be a reasonable recommendation for these claims.

Estimated Pumping Rate Documentation Form

Flow Analysis Performed by: Scott King

Date: 6/16/2000

Page 1 of 2

Record ID	104	Measured Flow:	2.99 cfs
Water Right No.	A43-04024A	Designed Flow:	3.34 cfs
Name	Hal Anderson	HP/Eff Flow:	3.40 cfs
pod	14S 27E 08 SWSENE	Sprinkler Flow:	2.96 cfs
year:	2000	Pivot/System Flow:	
Flow Measurement:	1340 gpm =	2.99 cfs	Fuji ultrasonic flow measurement
Curve/Pump Design:	1500 gpm =	3.34 cfs	at 383 ft per pump tag, Model = 14RXL
Horsepower / Efficiency Method			
Horsepower	180 hp	Motor re-wound up	
PWL	210 ft	Assumed numbers for rated 383 feet of head	
Disch Psi	75 psi	Assumed numbers for rated 383 feet of head	
PUMP Eff Estimate	0.82 %		
TDH	383 ft		
OHP	147.6 hp		
Flow	1525 gpm =	3.40 cfs	
System Method:			
No Lines	8	Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$	
Birds per line	32	C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	256	r=	0.0059 ft Nozzle radius
Nozzle size	9/64 in	A=	0.00011 ft ² Nozzle area
Nozzle pressure	60 psi	h=	139 ft Head
Flow per nozzle	4.57 gpm	g=	32.2 ft/sec ² Gravitational constant
Sprinkler Flow	1171 gpm	Q=	0.010 cfs Flow per nozzle
Percent Leaks	12 %	=	4.573 gpm Flow per nozzle
Total Flow	1330 gpm =	2.96 cfs	
Pivot / System rating	gpm =		

Comments / Data Supplied:

Most of above data from May 31, 2000 field exam. This well and another deliver water to combined sprinkler system. Other well (section 9) is currently inoperable due to declining water table. Measured flow with Fuji ultrasonic flowmeter. Pressure not measured, but nozzle pressure estimated to be near 60 psi. Pump tag on discharge head rated 1500 gpm at 383 feet of head. This system currently operating 8 handlines with 9/64" nozzles. Hal claims this well used to produce 1800 gpm and operate 12 lines at 65 psi. Last year, pump operated 10 lines at the beginning of the season, and declined to 9 lines as the season progressed. At one time, this land was irrigated from an old well located about 1/4 mile to the east. The old well is now used by Hal for domestic water, and has been measured during previous licensing exams. It has since caved in and is now not used for irrigating except for house lawn.

snk 6/26/2000

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form
Flow Analysis Performed by: Scott King

ed 1/6/2000

Date: 6/16/2000

Page 1 of 1

Record ID 105	Measured Flow:
Water Right No. A43-04024A	Designed Flow:
Name Hal Anderson	HP/Eff Flow: 2.50 cfs <--Max
pod 14S 27E 09 NWNWNW	Sprinkler Flow:
year: ?	Pivot/System Flow:
Flow Measurement: gpm =	
Curve/Pump Design: gpm =	
Horsepower / Efficiency Method	
Horsepower 125 hp	nameplate horsepower
PWL 200 ft	Assumed
Disch Psi 70 psi	Assumed
PUMP Eff Estimate 0.82 %	
TDH 362 ft	
OHP 102.5 hp	
Flow 1122 gpm = 2.50 cfs	
System Method:	
No Lines	Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$
Birds per line	C= 1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles 0	r= 0.0000 ft Nozzle radius
Nozzle size in	A= 0.00000 ft^2 Nozzle area
Nozzle pressure psi	h= 0 ft Head
Flow per nozzle 0.00 gpm	g= 32.2 ft/sec^2 Gravitational constant
Sprinkler Flow 0 gpm	Q= 0.000 cfs Flow per nozzle
Percent Leaks %	= 0.000 gpm Flow per nozzle
Total Flow 0 gpm =	
Pivot / System rating gpm =	

Comments / Data Supplied:

This analysis is for a currently inoperable well pump on combined well system. Assumed water level and discharge pressure that is similar to rating for other pump in system to estimate potential diversion rate for this pump.
snk 6/16/2000

41700 PV
T1644
7.5

2.8

NHEL/W

3
27.3 NHEL/W

4
74.2 NHEL/W

5
53.5 NHEL/W

T1642

T1643

NW

1
123.7 NHEL/W

2
127.9 NHEL/W

2560
T1644
6.1 NHEL/W

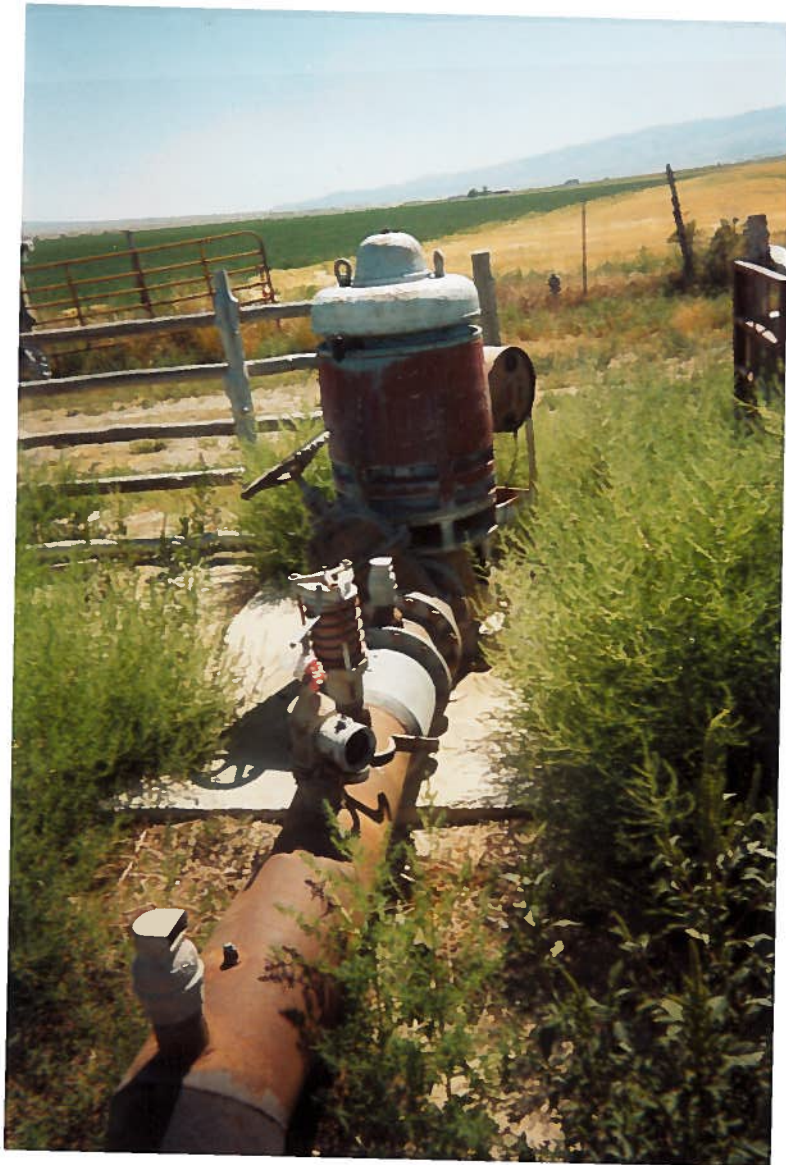
1
356.2 NHEL/W

2
49.6 NHEL/W

5
8

NW











A43-04024A
336 Ac.

A43-10801
360 Ac.

20-04024A

20-10801

20-04024A

20-10801

40-04024A

40-10801

40-04024A

40-10801

40-04024A

40-10801

40-04024A

40-10801

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⑧ ⑨

40-04024A

40-10801

40-04024A

40-10801

32-04024A

40-10801

24-04024A

40-10801

2.8

NHEL/W

110.10

SEE EE28

1047
T1639

7

5.5

NHEL/W

5 4 147.6 NHEL/W
8 2

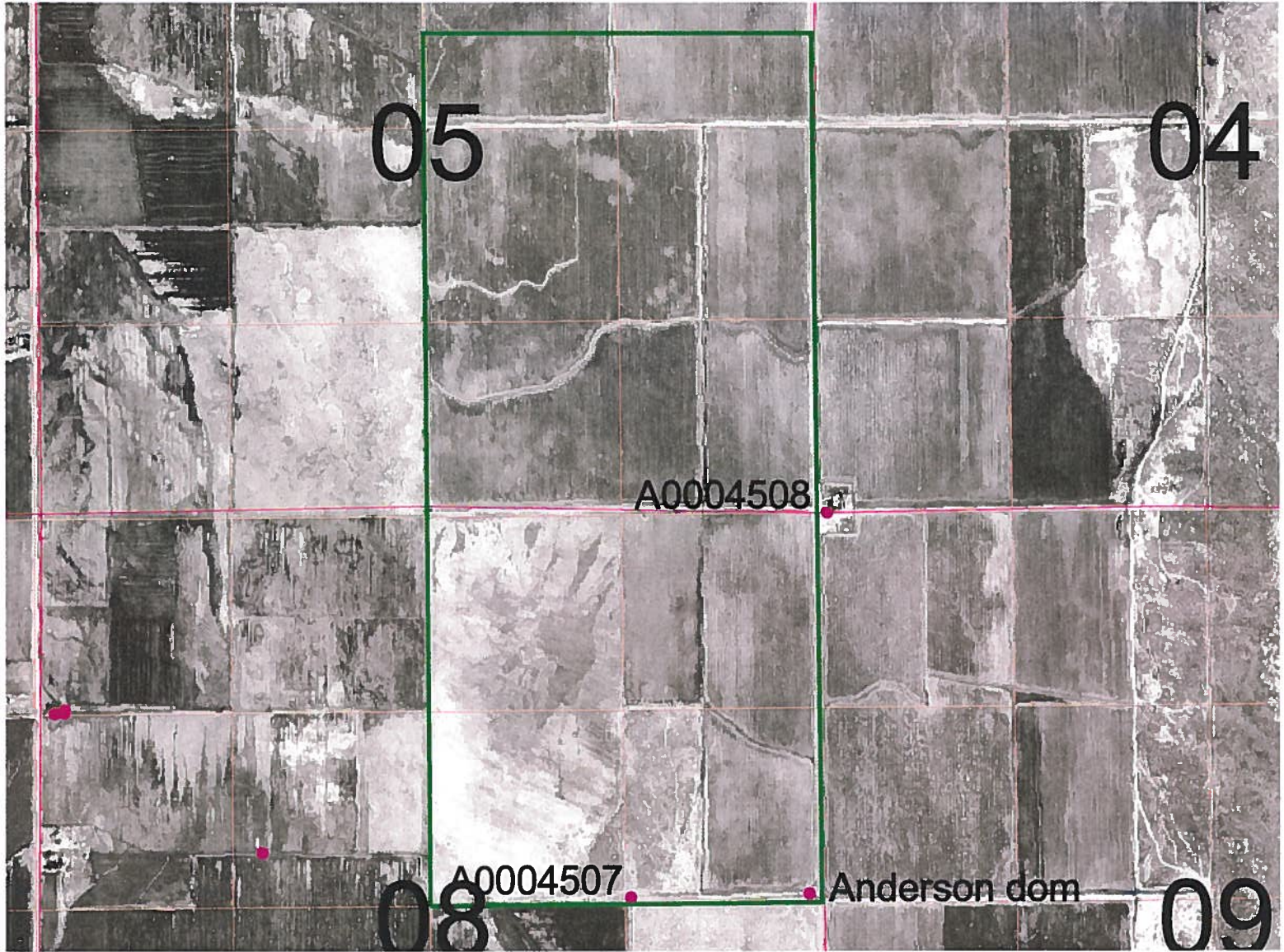
NHEL/W

356.2

NHEL/W

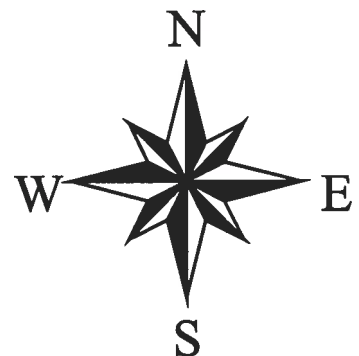
124.4 NHEL/W

A43-10801
A43-04024A
HAL ANDERSON
14S 27E, SEC 05 & 08



0.2 0 0.2 0.4 Miles

-  Claimed pou.shp
-  Gps features.shp
-  Tandr.shp
-  B43plss.shp
-  T14s27e.shp



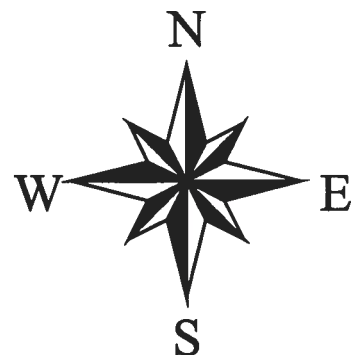
A43-10801
A43-04024A
HAL ANDERSON
14S 27E 08 NE



0.1 0 0.1 0.2 Miles

1968 photography

-  Claimed pou.shp
-  Gps features.shp
-  Tandr.shp
-  B43plss.shp
-  T14s27e.shp



SK 6-16-2000

Hal Anderson
A43-04024A
May 30, 2000



1. Hal Anderson A43-04024A; T14S R27E sec 8 SWSENE, located ¼ mile west of the home. Gps file A0004507. Looking east.



2. Hal Anderson A43-04024A; T14S R27E sec 8 SWSENE Looking west. Fairbanks-Morse Motor 180hp.



3. From the pump in section 8 looking north at the POU.



4. From the section 8 POD, looking east at the POU.



Hal Anderson A43-04024A, T14S R27E 8 SESENE. This well was previously used for irrigation. After caving in the well was converted to a domestic well. The well is located south of the Anderson home. No site tag. GPS file name t053120a.

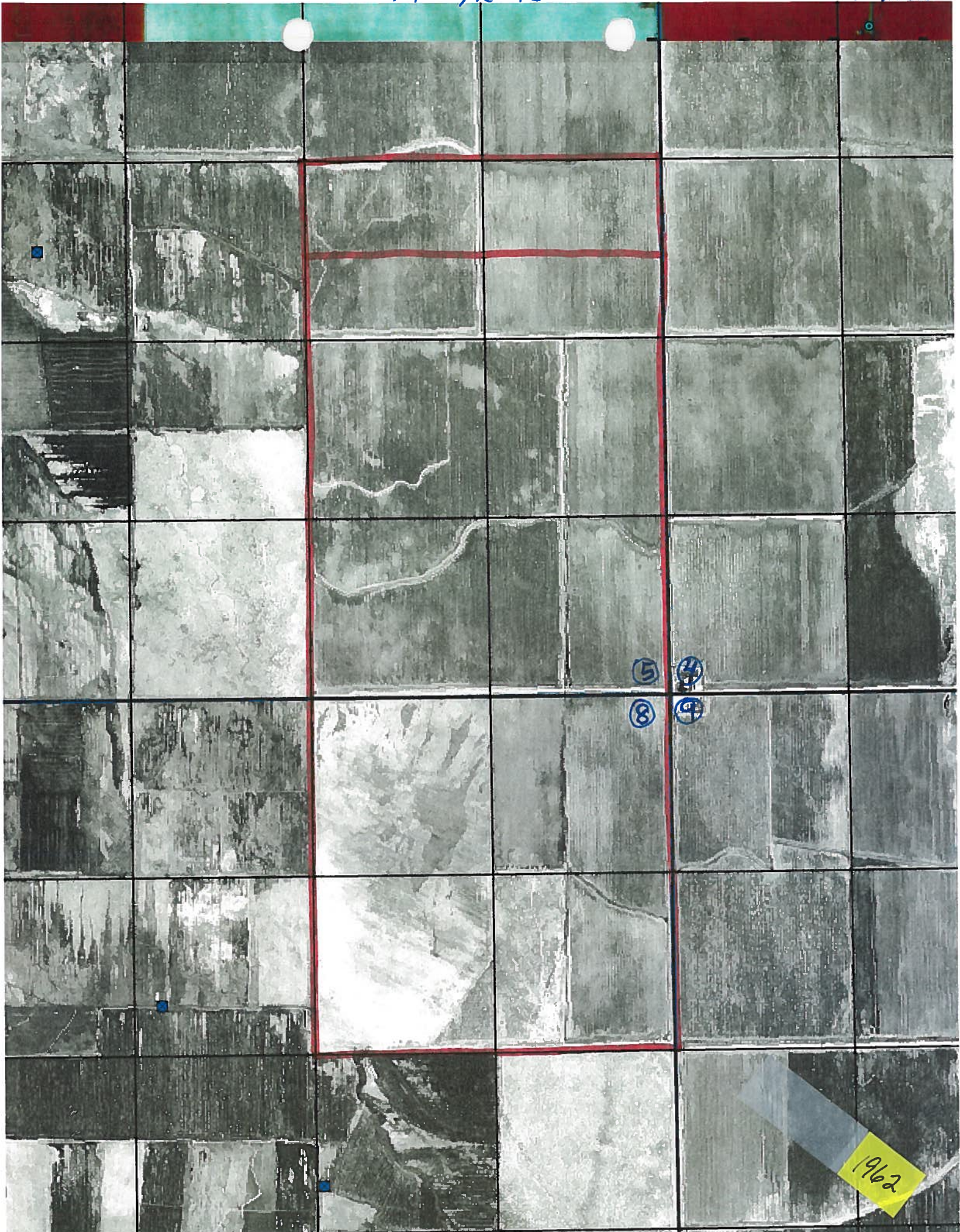
T 14S, R 27E

1968 photo

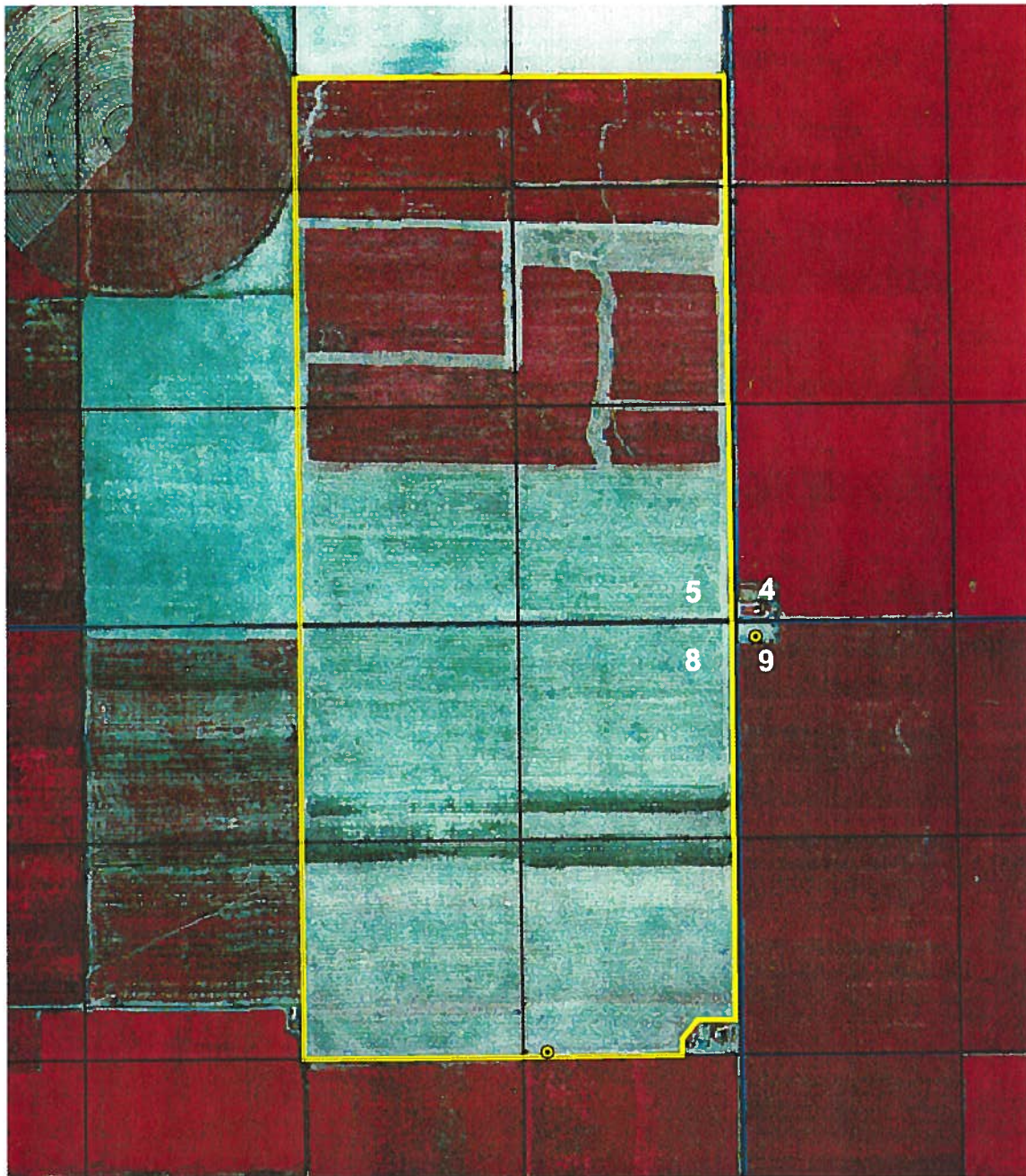


T14S, R27E

1962 Photo



43-04024A & 43-10801



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON SEPT. 29, 2000
TWP 14S, RNG 27E, SEC. 5 & 8



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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

claim A43-10801
Permit No. A43-04024A

A. GENERAL INFORMATION

1. Owner: HAL ANDERSON Phone No. _____

Current Address: 2142 S 2450 E Malta ID 83342

2. ^{Examiners}Accompanied by: Cindy Bird, Scott King EXAM DATE: 5-31-2000

Address: _____ Phone No. _____

Relationship to Permit Holder:

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

E. NARRATIVE/REMARKS/COMMENTS

#1 A0004507 Ratt River RE Pole 24011. Power Meter Sangamo
SN 37037433, $K_h = 4.8$, Mult = ? . Demand = $3.62 \times \frac{40}{1} = 144.8$ kW
 $Q = 6700 \text{ gal} / 5 \text{ min} = 1340 \text{ gpm Fuji} = 2.99 \text{ cfs}$
Power meter 8 rev in 38.78, 38.94, 39.03 sec ^{ans 38.92 sec}
 $KW = 3.6 \times 4.8 \times 8 \text{ rev} \times \frac{40}{\text{assumed}} \div 38.92 \text{ sec} = 142.1 \text{ KW} = 190 \text{ IHP}$

Old well to East used to produce 3000 gpm per Hal.
This well used to produce 1800 gpm (145 gpm/line $\times$ 12 lines) ^{65-68 psi at pump}
Now running 8 hand lines $\frac{1}{4}$ " nozzles, 32 per line
Last year 10 at beginning of season, 9 at end.
After 1st installing pump (new well in 1976), replaced
twice during 1st year. Then replaced every $2\frac{1}{2}$ yrs
for next 3 more times. Due to SAND wear.

GPS tag banded to discharge pipe.
SWL in mid 70's 33 to 37 ft

#2 River File T053119A GPS Tag No A0004508
Well not used past couple years. Last turned on couple
years ago and well surged. Shallow well.
River Pole 2402. Meter: Sangamo SN 47598234 $K_h = 4.8$
Not live today.

Both wells are connected to irrigate same land. But
at this time this well pump doesn't operate due
to surging

Have conditions of permit approval been met? ☐ yes ☐ no

43-02441

Licensing exam 1963

"Anderson dom" SESENE

Exam well #7 125 hp $Q = 5.52$ cfs

A0004507 Not mentioned

A0004508 = #1 exam well = 40 hp $Q = 1.84$ cfs

For complete right, 907 acres developed. well
capacity $\Rightarrow 1" / \text{acre}$

See 1962 ASES Photo in 43-04026
Vault file
for cropping in NE Sec 8

43-04025 "Anderson dom"

measured	8/27/64	6.83 cfs	DWR report
	6/19/63	5.52 cfs	F.L. Exam
	1969	4.90 cfs	- Jay Bingham

Photograph (1969) and 1962 photos indicate
some of Sec 8 land segetbrush
(higher elevation - see topo)

Water Right Number - A43-10801

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

ANDERSON

HAL T

1 - 2142 S 2450 E

2 -

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-645-2345

ANDERSON

BROOKE R

1 - 2142 S 2450 E

2 -

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-645-2345

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
04/01/1956 17 SOUTHERN S - STATUTORY CLAIM+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name14S 27E 8 SW SE NE (31) CASSIA
9 NW NW NW (31) CASSIA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION 04/01 11/01 9.150
04 - STOCKING 01/01 12/31 0.070+ - Total Diversion Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1080.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Acres Code Description County

14S				20.0	01	IRRIGATION	(31) CASSIA
14S				20.0	01	IRRIGATION	(31) CASSIA
14S				40.0	01	IRRIGATION	(31) CASSIA
14S				40.0	01	IRRIGATION	(31) CASSIA
14S				40.0	01	IRRIGATION	(31) CASSIA
14S				0.0	01	IRRIGATION	(31) CASSIA
14S				1.0	01	IRRIGATION	(31) CASSIA
14S				40.0	01	IRRIGATION	(31) CASSIA
14S				40.0	01	IRRIGATION	(31) CASSIA
14S				40.0	01	IRRIGATION	(31) CASSIA

Total Acres: 360.0 @ 1"/acre = 7.2 cfs

+ - - Diversion Means - TWO WELLS & PUMPS DELIVERING TO PIPELINE TO SPRINKLERS.

Water right number - A43-10801

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use - S/1000 RANGE &/OR HORSES OR 5000 SHEEP

+ - - Other Rights for Same Use - A43-04024A

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

GEN SEE ATTACHED COPY OF AMENDMENT OF IRRIGATION SYSTEM OPERATING AGREEMENT.

STOCK ARE WATERED AT SAME PLACE OF USE AS IRRIG.

THIS CLAIM IS BASED ON THE FOLLOWING COMBINATION OF RIGHTS:

43-02441 200/907 PORTION 4.00 CFS

43-04026 200/907 PORTION 1.62 CFS

43-04025 336/651 PORTION 3.53 CFS

TOTAL 9.15 CFS

THE LAND COVERED BY THIS CLAIM WAS DEVELOPED BY THE ABOVE
DESCRIBED WATER RIGHTS AND ADDITIONALLY LAND WAS COVERED BY A
PORTION OF LIC. 43-02372. TO MY BEST KNOWLEDGE THE 360 ACRES
WERE ALL COVERED UNDER THESE DEVELOPMENTS.

ADDRESS CHANGE FORM RECEIVED 9/4/98 jr

+ - - - - - Old Water Right Numbers - - - - - +

4304025

4304026

4302441

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

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
1	1	1
2	2	2
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5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
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95	95	95
96	96	96
97	97	97
98	98	98
99	99	99
100	100	100

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 01/15/92 BAUMHOFF 03/30/95 POST-STD 09/08/98 JROBERTS

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

No Comments Found

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/30/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S009007	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

Water Right Number - A43-04024A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

ANDERSON	BROOKE R	1 - 2142 S 2450 E	
		2 -	
		3 -	
		City- MALTA	State- ID Zip- 83342
		Phone - 208-645-2345	
ANDERSON	HAL T	1 - 2142 S 2450 E	
		2 -	
		3 -	
		City- MALTA	State- ID Zip- 83342
		Phone - 208-645-2345	

+ - - Priority Date - - +	+ - - Region - - - +	+ - - Stage - - - +	+ - - Status - - - +
04/01/1954	17 SOUTHERN	S - STATUTORY CLAIM	

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

TwN	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
14S	27E	8	SW SE NE			(31) CASSIA	
		9	NW NW NW			(31) CASSIA	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	0.810	
04 - STOCKWATER		01/01	12/31	0.070	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.810			1008.0	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14S	27E	5	SW NE		20.0	01	IRRIGATION	(31) CASSIA
14S	27E	5	SE NE		20.0	01	IRRIGATION	(31) CASSIA
14S	27E	5	NE SE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	5	NW SE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	5	SW SE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	5	SE SE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	8	NE NE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	8	NW NE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	8	SW NE		32.0	01	IRRIGATION	(31) CASSIA
14S	27E	8	SE NE		24.0	01	IRRIGATION	(31) CASSIA

Total Acres: 336.0

+ - - Diversion Means - TWO WELLS & PUMPS DELIVERING TO PIPELINE TO SPRINKLERS.

Water right number - A43-04024A

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use - S/1000 RANGE &/OR HORSES OR 5000 SHEEP

+ - - Other Rights for Same Use - A43-04025A

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

GEN THIS CLAIM IS BASED ON 336/1295 PORTION OF 43-04024.
SEE ATTACHED COPY OF AMENDMENT OF IRRIGATION SYSTEM OPERATING
AGREEMENT.
STOCK ARE WATERED AT SAME PLACE OF USE AS IRRIG.
****ADDRESS CHANGE FORM RECEIVED 9/4/98 jr****

+ - - - - - Old Water Right Numbers - - - - - +

4304024

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

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +

00/00/0000

+ - - Audit Fields - 08/24/89 MERRITT 10/22/91 FRAZEE 11/01/91 FRAZEE 01/15/92 BAUMHOFF 03/30/95 POST-STD
09/08/98 JROBERTS

-----Comments-----

No Comments Found

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 08/30/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S009007	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

APPIDAVIT

I Lester Thompson attest the following to be true and correct:

I developed several thousand acres in the Raft River Valley, specifically the Malta-Bridge area , over a three decade period in the mid-nineteen hundreds. I am attesting to the water yield and flow on two wells adjacent to where I built my first home. The well at the immediate south-west corner of my home pumped approximately 1000 – 1200 gpm. This is Township 14 South, Range 27 East, Section 5 applied (point of diversion is in section 9) of the Boise Meredian. The second well located in Same township and Range and in Section 8, is approximately one half mile south of my first home and on the South side of Clover Lane in the immediate south-east corner of the field (old photographs provided by enclosed). This well produced approximately 2000 – 2200 gpm. These wells at the time were pumped into open ditches for flood irrigation.

360 Acres
—
Sec 5
8

State of Washington

County of Benton

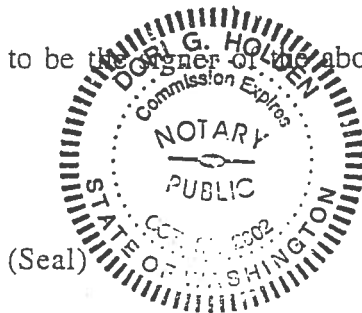
On October 3rd, ²⁰1900, Lester Thompson personally appeared
before me,

_____ who is personally known to me

Lester Thompson whose identity I proved on the basis of WDL THOMPJL858mz
_____ whose identity I proved on the oath/affirmation of exp. 07/03

_____, a credible witness

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.



Doris G. Holden
Notary Public

My commission expires October 23, 2002

Claver Lane

Thompson house

Picture #1
(1000-1200 GPM)

Main line

Anderson house
built 1979

Well pictured in the
photographs you sent
earlier - now used
as house well

Picture #2
Well redrilled in 1976

this well was redrilled in the
same 40 acres.
(2000-2200 GPM)

picture #3
#4

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

Identification No.

Claim No.

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 42-226a, 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 Deseret Livestock Co.

post office address 531 South State, Salt Lake City, Utah

2. The point of diversion is in the SE 1/4 of SW 1/4 Section 9 Township 10N Range 27E 8M located on Underground water within the

substream — Raft River Valley

in Canada

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

April 1934

amount 3.14 c.f.s. or acre feet

amount c.f.s. or acre feet

amount c.f.s. or acre feet

Total claimed 3.14 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 April 1 to October 31 (both dates inclusive)

use Stockwatering period of use from January 1 to December 31 (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 since structure was first built, giving dates and estimated capacities if known

b. Underground water diverting works: is well flowing or pump depth of well is

200 feet diameter of well is 20 inches type of pump is Vertical

capacity of pump is 1 (25 HP) p.m.s. name and address of well owner Well was originally

drilled by a person named Donna Rodgers (address not now known). The well was

later purchased and operated by a well by the name of Wayne Farbrugh of Busley, Idaho.

c. Conveying works length of ditch to place of use is 500 feet remarks
width of bottom of ditch is _____ feet depth of water is _____ feet grade of ditch per 100
feet is _____ feet material through which ditch passes is _____
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, giv-
ing date and dimensions if possible. None

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. a. If surface water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres.

ROW	SAMPLE	SEC	N01a				N01b				N01c				N01d				TOTAL
			N01a	N01b	N01c	N01d	N01a	N01b	N01c	N01d	N01a	N01b	N01c	N01d	N01a	N01b	N01c	N01d	
148	27E	9					24	37	39	24	26	38	37	27					252
149	27E	8	40	40	32	24													136
148	27E	4					40	40	40	40	40	40	40	32					312
149	27E	3	40	40	40	60	60	40							40	40	40	40	400
138	27E	32																	115
138	27E	33																	80

Total number of eggs to be planted - 229

All the activity was increased the first year.

There is no such thing as a free lunch.

The other sons of their respective

6. Where water is used for stock watering, give number of each kind of stock watered, 1,000 head of cattle
and 3,000 head of sheep.

7. Where water is used for domestic or irrigation
name of town, district, and purpose.

7. Where water is used for domestic or similar purposes, give number of females served _____

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. None

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

This well was drilled in 1933, however, it was not put to use until sometime in the spring of 1934. The original well driller or his report, if prepared, is not available at this time. The incomplete log marked as "Exhibit A" is believed to represent this well, known to Deceret Livestock Company as Well #3, and is the only record available. The Rapt River Electric Co-op has provided the power for the well as verified by the affidavit marked "Exhibit B". It is located on the wry western edge of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the section and has been at times in the past described as being in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$. This has led to confusion with an abandoned well (1a) located in this 40 acre tract of ground. The abandoned well has been covered by Claim 43-4004 and the rights transferred several miles north to a well located in Sec. 17 of T 13 N. R 27 E. The well covered under this claim (Well #3) is also sometimes confused with a producing well located less than 1/4 of a mile east and also located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9 (Well #A). Well #3 covered by this claim has been identified on Well 14-27-20d in reports as follows:

BE IT KNOWN that the undersigned hereby makes claim to a water right in and to the water of Lake 7, 1/2

united information and certifies that all statements

of Lake 7, 1/2

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
 married information and certifies that all documents are true and correct to the best of his knowledge
 of John T. Little
 J. Little & Co.

State of Idaho Territory
County of Idaho

It is known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the same is to the best of the affiant's knowledge.

Sworn to before me this

day of

2-12

Reading of

Robert W. Rassin
New York
Salt Lake City, Utah

Exception filed by

Forwarded to
claimant by

244

U.S. 5-13-70

4575
5-13-70

5-13-70
5/12/70

D

DATE OF THE - 10-1-1971

Remarks - Con't. (1)

1. Idaho State Department of Reclamation - "Raft River Valley, Idaho - Ground Water Conditions, March - April, 1964" by H. G. Naught on page 26. 2. Idaho State Department of Reclamation - "Raft River Valley, Idaho - Ground Water Conditions, March - April, 1963" by H. G. Naught on page 25. 3. U. S. Geological Survey, Water-Supply Paper 1619-cc, "Ground Water in the Raft River Basin, Idaho, With Special Reference to Irrigation Use, 1956-60" on page 101. 4. U. S. Geological Survey, Water-Supply Paper 1587, "Water Resources of the Raft River Basin, Idaho - Utah" page 131.

The water was placed in clay to sandy clay ditches in the spring of 1934 from Well #5 and commingled with water from Well #4 to irrigate the SW $\frac{1}{4}$ of Sec. 9. These waters were also commingled with water from a well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9 (Well #3) and used to irrigate the NW $\frac{1}{4}$ of Sec. 9. It was also commingled with water from two wells located along the southern edge of Sec. 4 (Wells #1 and 2) and used to irrigate the W $\frac{1}{2}$ of Sec. 4 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 33 in the township to the north (T.13S., R.27E.). Water from these 4 wells has been used together with water from a well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 to irrigate the E $\frac{1}{2}$ Sec. 3, the N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 3, and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ Sec. 32 in the township to the north. In 1936 and continuing to this date, water was run north from a well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 30 (Well #7) and commingled with the water from Well #3 and used on all of the land described. An aerial photo filed under Claim 43-4026 (Well #7) and marked as "Exhibit D" under that claim should be used to observe the location of the wells and land.

For the most part potatoes, beets, alfalfa and grain have been the major crops grown. The acres irrigated were determined in Section 8 and 9 from the photo and the A.S.C.S. acreage determination noted on the photo (See claim 43-4026). The A.S.C.S. acreage determinations noted on the photos are by fields so adjustment have been made when section subdivisions cut across fields. Acreages in Sec. 3 and 5 of T.13S., R.27E., and Sec. 32 and 33 in T.13S. R.27E. were from a determination made by the Idaho Department of Reclamation when that agency was preparing to license permit G26234 (43-2441) which covers the use of wells 1, 2, 3 and 4 on these lands.

"Exhibit A"

Center Thompson

Well Log No. 5

#5

300-320---clay
320-370---gravel
370-420---clay
420-450---sand and gravel
450-470---clay
470-480---gravel
480-490---soft clay
490-500---soft sand
500-520---blue clay
520-530---" "
530-540---blue sand and gravel

Top of 16" 290'

Top of 16" liner 350' Bottom 480'

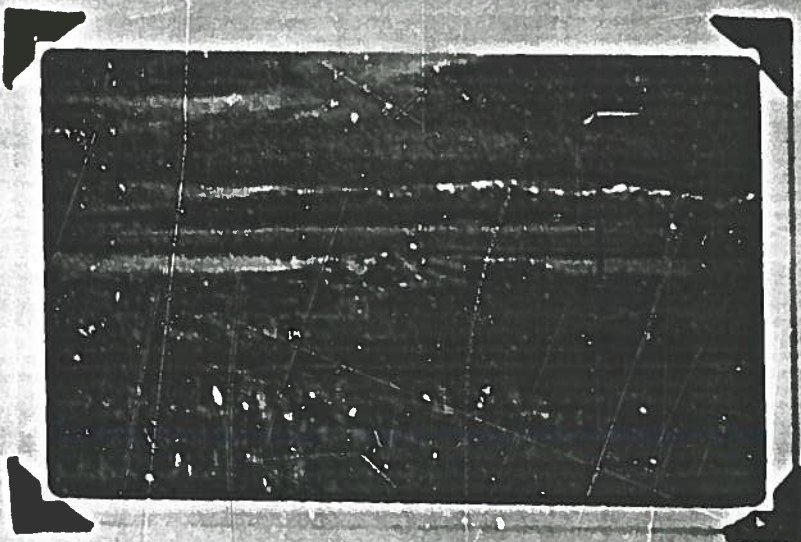
290' 16" 290'

Remarks -(Con't.) (2)

The discharge of the well has been measured several times. The Idaho Department of Reclamation reports indicated a measured flow of 3.14 cfs on 6-19-63 in the 1964 Waight report referred to before in this claim. A similar Waight report for 1963 indicates a flow of 3.10 cfs on 8-27-64. Water Supply Paper 1619-CG reports a discharge of 1,000 gpm (2.4 cfs) on 4-3-55. A flow of 2.11 cfs was measured in the irrigation season of 1969 as witnessed by the affidavit marked "Exhibit C".

The stock water use from the well has been minor, compared to irrigation, however, from time to time during and outside of the irrigation season the well was turned on for use by livestock foraging in the fields served by the well.

The photograph illustrates the stock water use in December 1969.



Wells #4 and #5

Photo #20 - Photograph was taken December 19, 1969 by Jack Barnett of Decoret Livestock Co. wells #4 and #5. Photo is looking east. In the foreground at the end of the ditch can be seen the top of a well casing from an abandoned well. Well #5 is near the transformer in the middle distance. Well #4 is near the transformer almost 1 mile east in the far distance. Fields to the north (left) is in the NW 1/4 of Sec. 6 and is irrigated by the well. Much of the field were drinking water from Well #4 at the time of the photo.

Remarks - Con't. (1)

From the time the well was drilled until the 1969 irrigation season, the property was owned by Purvitt-Thompson, Inc. and operated under the direction of Lester Thompson. A brief statement of his knowledge of the use of the well is included with this claim as "Exhibit D". Kent Holtman worked on the property for many years and his statement is marked "Exhibit E".

Keith E. Anderson, an engineer specializing in water related matters visited the properties in the past and his statement is included as "Exhibit F".

Jack A. Barnett, working as a water right consultant, helped research and prepare this claim and his statement is marked "Exhibit G".

The map marked "Exhibit H" is a map showing the relative location of wells and irrigated lands described in this claim.

43-4024

AFFIDAVIT

STATE OF IDAHO }
COUNTY OF CASSIA } ss

GENE BAXTER, being first duly sworn on his oath,
deposes and says:

The affiant is the office manager of the Raft
River Electric Coop with offices at Malta, Idaho. That
the Coop supplies electrical power for many irrigation
wells in Raft River Valley. That the Coop has for several
years supplied electrical power to the properties owned
by Pewitt-Thompson, Inc. and their successors, Deseret
Livestock Company. The affiant states that the records
of the Coop show that electrical power was first delivered
and used to pump irrigation water from two wells in the
SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, T.14S., R.27E. during 1934 and power has
been used by those wells each year since 1934 to date.
The well to the west has been identified by our account
#2409 and the well to the east by our account #2408.

Gene Baxter
Gene Baxter

Subscribed and sworn to before me this 25th day of
March, 1970.

Paul Arnold Smith
Notary Public Residing in Boise, Idaho

My Commission Expires:

Jan. 21, 1974

Exhibit C

CERTIFICATE

This is to certify that I am a registered engineer residing at 120 W. 1500 South, Bountiful, Utah. The discharge of water from several wells located on property owned by Desert Livestock Co. in the Raft River Valley, Idaho was measured during the 1969 irrigation season under my direction. Measurements were with a Sparling flow meter that had been recently rated to insure accurate measurements.

The flow of a well located in the SE1/4, Sec. 9, T.14S., R.27E. (Well #5) was measured at 2.11 cfs.

John R. Dingham
John R. Dingham

Exhibit D

A F F I D A V I T

STATE OF IDAHO)
COUNTY OF CASSIA) SS

LESTER THOMPSON, being first duly sworn on his oath,
deposes and says:

The affiant hired a driller to drill two wells for
him in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, T.14S., R.27E. in 1933. The
water from the well has been used under the affiant's direction,
since the spring of 1934 until the property was very recently
sold for irrigation. The land has been flood irrigated and
for the most part potatoes, beets, alfalfa and grain have
been raised. The water has, since the spring of 1934, been
placed in ditches and commingled with other waters from
other wells and used to irrigate acreage in the W $\frac{1}{2}$ of Sec. 9,
the NE $\frac{1}{4}$ of Sec. 8, the E $\frac{1}{2}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, the
W $\frac{1}{2}$ of Sec. 4 all in T.14S., R.27E. and the lands in the
S $\frac{1}{2}$ of Sec. 32 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33 in T.13S., R.27E.
The affiant states that the well was originally equipped
with a 75HP motor.

Lester Thompson
Lester Thompson

Subscribed and sworn to before me this 25th day of
March 1970

Jack Donald Bennett
Notary Public residing in Boise, Idaho

My Commission Expires:

Jan. 31, 1974

AFFIDAVIT

STATE OF IDAHO)
) ss
COUNTY OF CASSIA)

Kent Holtman, being first duly sworn on his oath,
deposes and says:

The affiant has irrigated lands with water from two
wells located in the SE $\frac{1}{4}$ of Sec. 9, T.14N., R.27E.
The affiant has either been responsible for the irrigation
or observed the irrigation of land in Sec. 8, 9, 4 and
5, T.14N., R.27E. and Sec. 32 and 33, T.13N., R.27E., each
year starting in the spring of 1939 when the affiant first
became acquainted with the property, to the present and has
also harvested or observed the harvest of crops benefiting
from this irrigation, each of these years.

Kent Holtman
Kent Holtman

Subscribed and sworn to before me this 25th day of
March, 1970.

Irish Arnold Bennett
Notary Public Residing in Boise, Idaho

My Commission Expires:

Jan. 21, 1974

AFFIDAVIT

STATE OF IDAHO)
COUNTY OF ADA) SS

Keith E. Anderson, being first duly sworn on his oath, deposes and says:

The affiant is a registered Professional Engineer in the State of Idaho. The affiant states that in 1961 he was employed as a consultant to perform services in the Raft River Valley relating to the uses of wells and the irrigation of land. During this employment the affiant had occasion to visit two irrigation wells located in the SE SW of Sec. 9, T.14S., R.27E. The affiant observed the wells being pumped to supply irrigation water for land north of the well. The book of field notes taken at that time indicate that the furthest west of the two wells was equipped with a 75 HP motor and that the water being pumped had a temperature of 62°F.

Keith E. Anderson
Keith E. Anderson

Subscribed and sworn to before me this 20th day of
MARCH, 1970.

Jack Arnold Bennett
Notary Public Residing in Boise, Idaho

My Commission Expires

Jan. 21, 1974

Exhibit G

AFFIDAVIT

STATE OF IDAHO)
) SS
COUNTY OF ADA)

JACK A. BARNETT, being first duly sworn on his oath, deposes and says:

The affiant performed services as a consulting engineer, geologist and water right specialist for Desert Livestock Co., in the last few months of 1969 and the first few months of 1970, to research and determine the water rights on property owned by the company in the Raft River Valley.

The affiant visited the property and observed the irrigated fields and the irrigation facilities including the wells. The affiant interviewed the previous land owner, the well driller, power company officials, persons involved with irrigation of the land, and persons involved with record keeping for both the present and previous land owner. The affiant also visited the A.S.C.S. office, talked with personnel in that office, and observed aerial photos on file in that U.S. Government Office. The affiant has also examined the records of the Idaho Department of Reclamation.

To the best knowledge of the affiant the claim filed by the land owner, Vista Land Company, on a well located at the western edge of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 9, T.14N., R.27E., known by the owner as well number 5, is correct and true in every respect.

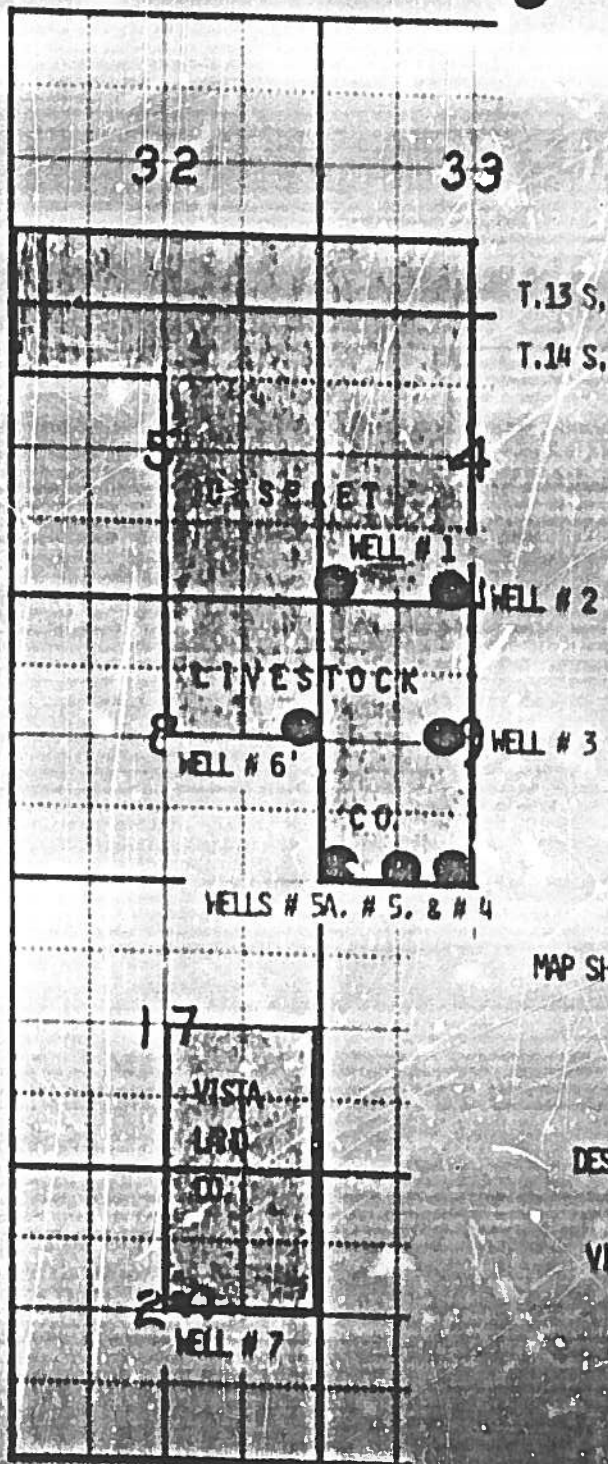

Jack A. Barnett

Subscribed and sworn to before me this 27th day of March, 1970.


Notary Public Residing in Boise, Idaho

My Commission Expires: 9/24/74

EXHIBIT



MAP SHOWING GENERAL
FOR
LANDS AND WELLS
OF
DESERT LIVESTOCK
AND
VISTA LAND COMPANY

December 18, 1974

Mr. John Gray
Federal Land Bank Association
Burley, ID 83318

Dear Mr. Gray:

We have reviewed the water rights appurtenant to the land now owned by Benchmark Ranches, at their request, and find the following water rights claimed in addition to the water recently transferred by Transfer No. 43-4029 thru 43-4032, 43-2368, 43-2436 and 43-2438.

A portion of the output of the well located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, and included as a point of diversion in Claim No. 43-4022 and License No. 43-2441 equal to about 2.18 cfs.

A portion of the output of the well located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, and included as a point of diversion in Claim No. 43-4023 and License No. 43-2441 equal to about 2.24 cfs.

A portion of amount on Claim No. 43-4024 based upon the proportion of the land purchased by Benchmark Ranches equal to about 0.61 cfs.

A portion of amount on Claim No. 43-4027 based upon the proportion of land irrigated under this claim and Claim No. 43-4001 equal to about 4.00 cfs.

These claims were not included in the recent transfer made by Benchmark Ranches since the water is already appurtenant to their lands. The rates of diversion indicated above are in addition to the 24.04 cfs allowed on the transfer.

If you have any questions, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:js

[illegible]

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

MEMORANDUM

10/16/77

FROM: Jim Johnson

TO: Files 43-4022, 43-4023, 43-4024, 43-4025, 43-4026, and 43-2441.

SUBJECT: Review of License No. 43-2441 and Claims No. 43-4022 thru 43-4026.

This review of water rights came about from a request from Mr. Parley Hall, 147 N. 800 W. Orin, Utah, Phone: 801-724-0110, who wanted to know how much water was allocated to 360 acres of land located in Sec. 32, Twp. 13S, Rge. 27E, and Sec. 3, Twp. 14S, Rge. 27E.

The confusing part of his request was determining what was intended in claims 43-4022 and 43-4023. Water license 43-2441 allocated 18.14 cfs for irrigation of 907 acres using 4 groundwater wells for points of diversion. Claim 43-4022 stated that one point of diversion, well #3, supplied water to 124 acres which should have been included in the license. Therefore the purpose of the claim was to establish record that part of the water in the license was being used on the 124 acres. However it is difficult to determine how much water would be allocated to the claimed 124 acres.

Using the standard prorate of water per acre procedure, the amount allocated to the 124 acres would be:

$124 \text{ acres} / 907 \text{ acres} \times 18.14 \text{ cfs} = 2.18 \text{ cfs}$

This does not match the amount listed on the claim form 43-4022. I believe that the 2.18 cfs should be used instead of the figures used in the claim.

Claim 43-4023 is of the same nature as 43-4022.

The effect of the claims 43-4022 and 43-4023, assuming they are valid, would be to spread the licensed amount of 18.14 cfs over 1159 acres instead of 907 acres. Therefore instead of 18.14 cfs being 0.02 cfs/acre for 907 acres the amount would be 0.016 cfs/acre for 1159 acres. The amount of water on the 315 acres in question were calculated as follows:

Licensed Water Right 43-2441

$18.14 \text{ cfs on } 907 \text{ acres} = 0.02 \text{ cfs/acre}$

Claim #43-4022 and 43-4023 added 252 acres with no increase in water diverted, therefore the effect of the claim is applying 18.14 cfs on 1159 acres or 0.016 cfs/acre.

The amount of land actually irrigated within the 360 acres is 315 acres (see land description in the License No. 43-2441) on the amount of water allocated to the described land would be 0.016 cfs/acre x 315 acres = 4.93 cfs or 246 inches.

Other water allocated to the 315 acres are identified in the following claims:

Claim 43-4024: 3.14 cfs on 1295 acres
 $315/1295 \times 3.14 \text{ cfs} = 0.76 \text{ cfs}$

Claim 43-4023: 6.83 cfs on 631 acres
 $315/631 \times 6.83 = 3.30 \text{ cfs}$

Claim 43-4026: which transferred 7.34 cfs to 907 acres $315/907 \times 7.34 = 2.55 \text{ cfs}$

SUMMARY: Location of the 315 acres are described as follows:

35 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 138, Rge. 27E
 80 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, "
 80 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, Twp. 148, Rge. 27E
 80 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, "
 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, "
 315 acres

Water allocated to this land is:

License #43-2441	4.93 cfs	246 inches
Claim #43-4024	0.76	38
Claim #43-4023	3.30	165
Claim #43-4026	2.55	127.5
TOTAL	11.54 cfs	576.5 inches

SD-0611-2 Basin: 43 Starting Water Right: 04024

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
X	43-04024	DESERET LIVESTOCK CO	C	04/01/1954	S/	GROUNDWATER	IRR STOCK	WR
-	T43-04024	ROLAND ALLEN LAND &	C	04/01/1954	S/	GROUNDWATER	IRR STOCK	WR
-	T43-04024C	ROLAND ALLEN LAND &	C	04/01/1954	S/	GROUNDWATER	IRR	WR
-	T43-04024D	ROLAND ALLEN LAND &	C	04/01/1954	S/	GROUNDWATER	IRR	WR
-	T43-04024E	ROLAND ALLEN LAND &	C	04/01/1954	S/	GROUNDWATER	STOCK	WR
-	A43-04024	RENUMBERED CLAIM SPLIT RIGHT	C C	04/01/1954	/Z	GROUNDWATER RENUMBERED CLAIM SPLIT RIGHT	IRR STOCK	AJ
-	A43-04024A	ANDERSON, BROOKE R ANDERSON, HAL T	C C	04/01/1954	S/	GROUNDWATER	IRR STOCK	AJ
-	A43-04024B	ROLAND ALLEN LAND &	C	04/01/1954	S/	GROUNDWATER	IRR STOCK	AJ

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

WRS809NP
No. 43-04024

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DESERET LIVESTOCK CO. 531 S. STATE SALT LAKE CITY UT	04/01/1954	IRRIGATION STOCKWATER	04/01 10/31 01/01 12/31	3.140 CFS	
TOTAL DIVERSION:					3.140 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T14S R27E S09

SESW

CASSIA County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE		SUM	
T	R S	NE	SW	NE	NW	SW	SE	NE	NW	SW	SE
13S 27E 32	4	40	40	40	40	40	40	40	40	40	40
13S 27E 33	4	40	40	40	40	40	40	40	40	40	40
14S 27E 4	4	40	40	40	40	40	40	40	40	40	40
14S 27E 5	4	40	40	40	40	40	40	40	40	40	40
14S 27E 8	4	40	40	40	40	40	40	40	40	40	40
14S 27E 9	4	40	40	40	40	40	40	40	40	40	40
TOTAL ACRES										1295.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
43-02441 43-04023 43-07209 T43-02441A

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

43-00055	43-00056	43-00057	43-00308	43-00309	43-00312	43-00313	43-02372	43-02441	43-04005A
43-04022	43-04023	43-04025	43-04026	43-07209	T43-023568	T43-02441A	T43-02441B	T43-04022	T43-04022A
T43-04023	T43-04023A	T43-04024	T43-04024C	T43-04025	T43-04025C	T43-04026	T43-04026B		

Dates: App. Received: 04/01/1954

Proof Due Date: Priority Made Date:

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

Misc: Water District Number: 06/18/85 05/28/88 CONVERT

Audit: