

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: A43-04109

Date Received: 6/15/1989

Receipt No: S008250

Received By: *address change*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JODEE W WILLETT 208-645-2252
Address: 2534 S 2400 E
MALTA ID 83342

AND

Name: OLETA WILLETT 208-645-2252
Address: 2534 S 2400 E
MALTA ID 83342

2. Date of Priority: AUG 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	28	SW	SW	SW		CASSIA

5. Description of diverting works:
WELL, PUMP, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is 252.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	27E	28	SW	NW		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	28	NW	SW		IRR	18.0
			SW	SW		IRR	35.0
Section Acres							56.0
		29	SE	NE		IRR	5.0
			NE	SE		IRR	40.0
Section Acres							45.0
Total Acres							101.0

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:
A43-02282, A43-10500

14. Remarks:
OWNERSHIP CHANGE MADE 8/28/95 TF. REC'D 8/23/95.

ADDRESS CHANGE 10/13/99 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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____



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

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

OCT 13 1999

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

- ☐ Water Right Number(s): A43-00177B, A43-00191A, A43-02282,
A43-04109, A43-10500, A43-02416,
A43-02395
- ☐ Old Mailing Address: Jodee Willett or Oleta Willett
HC 72 Box 2236
Malta ID 83342
- ☐ New Mailing Address: Jodee Willett or Oleta Willett
2534 S. 2400 E.
Malta ID. 83342
- ☐ New Telephone Number: (208) 645-2252
- ☐ Signature of Claimant(s): Oleta Willett

Date: 10-7-99

FOR IDWR USE ONLY
Initial Review and Data Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data Entry
Date: 10/13/99 By: [Signature]

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: **A43-04109**
Date Received: 6/15/1989
Receipt No: S008250
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JODEE W WILLETT
Address: HC 72 BOX 2236
MALTA ID

208-645-2252

83342

AND

Name: OLETA WILLETT
Address: HC 72 BOX 2236
MALTA ID

208-645-2252

83342

2. Date of Priority: AUG 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	28	SW	SW	SW		CASSIA

5. Description of diverting works:
WELL, PUMP, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

A.F.A.

8. Total consumptive use is 252.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	27E	28	SW	NW		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	28	NW	SW		IRR	18.0
			SW	SW		IRR	35.0
					Section Acres		56.0
		29	SE	NE		IRR	5.0
			NE	SE		IRR	40.0
					Section Acres		45.0
					Total Acres		101.0

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:
A43-02282, A43-10500

14. Remarks:
OWNERSHIP CHANGE MADE 8/28/95 TF. REC'D 8/23/95.

15. Basis of Claim: STATUTORY CLAIM



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 28, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JODEE W AND OLETA WILLETT
HC 72 BOX 2236
MALTA ID 83342

RE: SRBA Claim(s) A43-04109, A43-10500, A43-02282

Dear Mr. and Mrs. Willett:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: _____

AUG 23 1995

LEGAL DESCRIPTION OF PROPERTY: Township 14 Range 27 Department of Water Resources
Section 28 & 29 1/4 of 1/4 of 1/4 Govt. Lot PM Southern Region
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See Warranty Deed

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) Assigned by IDWR: A43-04109, A43-10500, A43-02282

[] Name and Address of Former Owner/Claimant(s)(Seller): JOANN L. BRIGGS TRUST DATED MAY 3, 1986
760 East 425 South
Layton, Utah 84041

[] New Owner/Claimant (Purchaser): Jodee W. Willett and Oleta Willett
HC72 Box 2236

[] New Mailing Address: Malta, Idaho 83342

[] New Telephone Number: (208) 645 2252

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: See copy of Warranty Deed

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

[] Signature of New Owner/Claimant(s) Jodee W. Willett Date 7-13-95
Oleta Willett Date 7-13-95

[] Signature of Former Owner/Claimant(s): JOANN L. BRIGGS TRUST BY Date 7/13/95
Jan Hal Briggs Date 7/13/95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

237964

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA
MAGISTRATE DIVISION

In the Matter of	)	
	)	Case No. SP95-00172
JOANN L. BRIGGS,	)	<u>ORDER OF INTESTACY AND</u>
	)	<u>DETERMINATION OF HEIRS</u>
Deceased.	)	

The Petition of Thomas Amby Briggs for an adjudication of intestacy and determination of heirs having come before the court, the court makes the following findings:

1. Joann L. Briggs, a/k/a Joann Larsen Briggs, died on May 3, 1991 at the age of 63 years. At the time of her death she was domiciled in Davis County, Utah, however, the decedent owned real estate in Cassia County, Idaho.

2. More than three (3) years have elapsed since the date of the decedent's death and no probate of her will was conducted and pursuant to law the decedent is presumed to have died intestate.

3. Decedent is survived by the following heirs:

<u>NAME & ADDRESS</u>	<u>RELATIONSHIP</u>	<u>AGE</u>
Anita Powell Box 670425 Chugiak, Alaska 95567	Daughter	Over 21
Thomas A. Briggs 760 E. 425 S. Layton, Utah 84041	Son	Over 21
Van H. Briggs 760 E. 4225 S. Layton, Utah 84041	Son	Over 21
James L. Briggs 1168 N. 250 W. Sunset, Utah 84015	Son	Over 21
Todd J. Briggs 15051 Digger Dr. San Antonio, Texas 78247	Son	Over 21

4. The decedent left an estate consisting of separate property.

5. Venue is proper because the decedent died leaving real estate in Cassia County, Idaho.

6. All notices have been given as required by law.

NOW, THEREFORE, IT IS ORDERED AND DECREED:

1. That the decedent died intestate.

2. The decedent is survived by the following heirs:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	<u>AGE</u>
Anita Powell Box 670425 Chugiak, Alaska 95567	Daughter	Over 21
Thomas A. Briggs 760 E. 425 S. Layton, Utah 84041	Son	Over 21

Van H. Briggs
760 E. 425 S.
Layton, Utah 84041

Son

Over 21

James L. Briggs
1168 N. 250 W.
Sunset, Utah 84015

Son

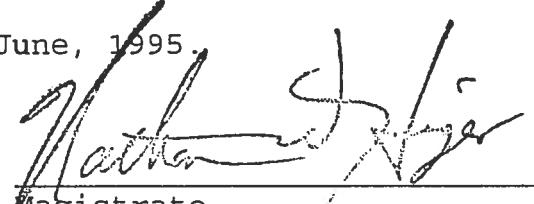
Over 21

Todd J. Briggs
15051 Digger Dr.
San Antonio, Texas 78247

Son

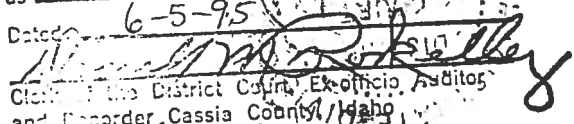
Over 21

DATED this 5th day of June, 1995.


Magistrate

State of Idaho
County of Cassia } ss

I hereby certify that the foregoing instrument
is a full, true and correct copy of the original
as _____ in this office.

Dated 6-5-95

Clerk of the District Court, Ex-officio Auditor
and Recorder, Cassia County, Idaho

By J. Blahley
Deputy

237965

QUITCLAIM DEED

THIS INDENTURE, made this 29th day of JUNE, 1995,
 between ANITA POWELL, of Box 670425, Chugiak, Alaska, 95567,
 contracting as and with his sole and separate property, herein
 called the "Grantor", and THOMAS AMBY BRIGGS and VAN HAL BRIGGS,
 as Trustees of the JOANN L. BRIGGS TRUST, dated May 3, 1986, of
 760 E., 425 S., Layton, Utah 84041, herein called the "Grantee".

W I T N E S S E T H:

The said Grantor, for and in consideration of the sum of
 Ten Dollars (\$10.00), lawful money of the United States of
 America, and other valuable consideration to Grantor in hand
 paid by the Grantee, the receipt whereof is hereby acknowledged,
 does by these presents remise, release and forever quitclaim
 unto the Grantee and to the heirs and assigns of the Grantee,
 all of the interest of the Grantor in that certain lot, piece or
 parcel of land situated, lying and being in the County of Cassia,
 State of Idaho, bounded and particularly described as follows,
 to-wit:

TOWNSHIP 14 SOUTH, RANGE 27 EAST, OF THE BOISE
 MERIDIAN

Section 28: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

TOGETHER with Water Rights A43-04109, A43-10500,
 and A43-02282.

TOGETHER with all and singular the tenements,
 hereditaments, and appurtenances thereunto belonging or in
 anywise appertaining, the reversion and reversions, remainder
 and remainders, rents, issues, and profits thereof. To have and

1 to hold all and singular the said premises, together with the
2 appurtenances, unto the Grantee, and to the heirs and assigns of
3 Grantee forever.

4 IN WITNESS WHEREOF, the Grantor has executed this
5 Quitclaim Deed.

Anita Powell

7 STATE OF Alaska)
8 County of Anchorage) ss

9 On this 24th day of June, in the year of 1995,
10 before me, the undersigned, a Notary Public in and for said
11 State, personally appeared ANITA POWELL, known or identified to
me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that She executed the same.

Tanya Sue Nelson
Notary Public for Alaska
Residing at Anchorage
My commission expires on 2/17/98



237966

QUITCLAIM DEED

1 THIS INDENTURE, made this 11 day of May, 1995,
2 between THOMAS AMBY BRIGGS, of 760 E., 425 S., Layton, Utah
3 84041, contracting as and with his sole and separate property,
4 herein called the "Grantor", and THOMAS AMBY BRIGGS and VAN HAL
5 BRIGGS, as Trustees of the JOANN L. BRIGGS TRUST, dated May 3,
6 1986, of 760 E., 425 S., Layton, Utah 84041, herein called the
7 "Grantee".

W I T N E S S E T H:

8 The said Grantor, for and in consideration of the sum of
9 Ten Dollars (\$10.00), lawful money of the United States of
10 America, and other valuable consideration to Grantor in hand
11 paid by the Grantee, the receipt whereof is hereby acknowledged,
12 does by these presents remise, release and forever quitclaim
13 unto the Grantee and to the heirs and assigns of the Grantee,
14 all of the interest of the Grantor in that certain lot, piece or
15 parcel of land situated, lying and being in the County of Cassia,
16 State of Idaho, bounded and particularly described as follows,
17 to-wit:
18

19 TOWNSHIP 14 SOUTH, RANGE 27 EAST, OF THE BOISE
20 MERIDIAN

21 Section 28: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
22 Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

23 TOGETHER with Water Rights A43-04109, A43-10500,
24 and A43-02282.

25 TOGETHER with all and singular the tenements,
26 hereditaments, and appurtenances thereunto belonging or in
anywise appertaining, the reversion and reversions, remainder

1 and remainders, rents, issues, and profits thereof. To have and
2 to hold all and singular the said premises, together with the
3 appurtenances, unto the Grantee, and to the heirs and assigns of
4 Grantee forever.

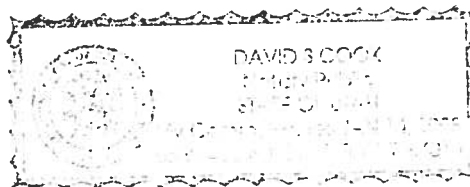
5 IN WITNESS WHEREOF, the Grantor has executed this
6 Quitclaim Deed.

7 Thomas Ambly Briggs

8 STATE OF UTAH)
9 County of Davis) ss

10 On this 11th day of May, in the year of 1995,
11 before me, the undersigned, a Notary Public in and for said
12 State, personally appeared THOMAS AMBY BRIGGS, known or
13 identified to me to be the person whose name is subscribed to the
14 within instrument, and acknowledged to me that he executed the
15 same.

16 David S. Cook
17 Notary Public for Utah
18 Residing at Bountiful, Utah
19 My commission expires on 1/14/98



558517

237967

QUITCLAIM DEED

THIS INDENTURE, made this 18th day of MAY, 1995,
between VAN H. BRIGGS, of 760 E., 425 S., Layton, Utah 84041,
contracting as and with his sole and separate property, herein
called the "Grantor", and THOMAS AMBY BRIGGS and VAN HAL BRIGGS,
as Trustees of the JOANN L. BRIGGS TRUST, dated May 3, 1986, of
760 E., 425 S., Layton, Utah 84041, herein called the "Grantee".

W I T N E S S E T H:

The said Grantor, for and in consideration of the sum of
Ten Dollars (\$10.00), lawful money of the United States of
America, and other valuable consideration to Grantor in hand
paid by the Grantee, the receipt whereof is hereby acknowledged,
does by these presents remise, release and forever quitclaim
unto the Grantee and to the heirs and assigns of the Grantee,
all of the interest of the Grantor in that certain lot, piece or
parcel of land situated, lying and being in the County of Cassia,
State of Idaho, bounded and particularly described as follows,
to-wit:

TOWNSHIP 14 SOUTH, RANGE 27 EAST, OF THE BOISE
MERIDIAN

Section 28: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

TOGETHER with Water Rights A43-04109, A43-10500,
and A43-02282.

TOGETHER with all and singular the tenements,
hereditaments, and appurtenances thereunto belonging or in
anywise appertaining, the reversion and reversions, remainder
and remainders, rents, issues, and profits thereof. To have and

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 to hold all and singular the said premises, together with the
2 appurtenances, unto the Grantee, and to the heirs and assigns of
3 Grantee forever.

4 IN WITNESS WHEREOF, the Grantor has executed this
5 Quitclaim Deed.

6 Van H. Briggs

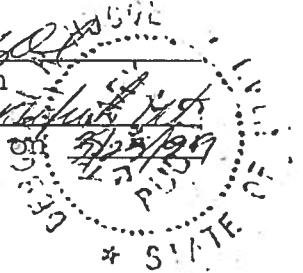
7 STATE OF UTAH)
8 County of Davis) ss

9 On this 18th day of May, in the year of 1995,
10 before me, the undersigned, a Notary Public in and for said
11 State, personally appeared VAN H. BRIGGS, known or identified to
12 me to be the person whose name is subscribed to the within
13 instrument, and acknowledged to me that he executed the same.

14 Robert H. Briggs
Notary Public for Utah

15 Residing at West Burley, Idaho

16 My commission expires on 5/25/97



237968

QUITCLAIM DEED

1 THIS INDENTURE, made this 19th day of May, 1995,
2 between JAMES L. BRIGGS, of 1168 N. 250 W., Sunset, Utah 84015,
3 contracting as and with his sole and separate property, herein
4 called the "Grantor", and THOMAS AMBY BRIGGS and VAN HAL BRIGGS,
5 as Trustees of the JOANN L. BRIGGS TRUST, dated May 3, 1986, of
6 760 E., 425 S., Layton, Utah 84041, herein called the "Grantee".

W I T N E S S E T H:

8 The said Grantor, for and in consideration of the sum of
9 Ten Dollars (\$10.00), lawful money of the United States of
10 America, and other valuable consideration to Grantor in hand
11 paid by the Grantee, the receipt whereof is hereby acknowledged,
12 does by these presents remise, release and forever quitclaim
13 unto the Grantee and to the heirs and assigns of the Grantee,
14 all of the interest of the Grantor in that certain lot, piece or
15 parcel of land situated, lying and being in the County of Cassia,
16 State of Idaho, bounded and particularly described as follows,
17 to-wit:

18 TOWNSHIP 14 SOUTH, RANGE 27 EAST, OF THE BOISE
19 MERIDIAN

20 Section 28: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

21 Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

22 TOGETHER with Water Rights A43-04109, A43-10500,
 and A43-02282.

23 TOGETHER with all and singular the tenements,
24 hereditaments, and appurtenances thereunto belonging or in
25 anywise appertaining, the reversion and reversions, remainder
26 and remainders, rents, issues, and profits thereof. To have and

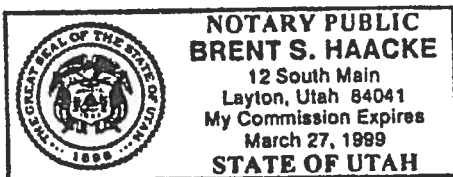
1 to hold all and singular the said premises, together with the
2 appurtenances, unto the Grantee, and to the heirs and assigns of
3 Grantee forever.

4 IN WITNESS WHEREOF, the Grantor has executed this
5 Quitclaim Deed.

James L. Briggs

7 STATE OF UTAH)
8 County of Davis) ss

9 On this 19th day of May, in the year of 1995,
10 before me, the undersigned, a Notary Public in and for said
11 State, personally appeared JAMES L. BRIGGS, known or identified
12 to me to be the person whose name is subscribed to the within
13 instrument, and acknowledged to me that he executed the same.



Brent S. Haacke
Notary Public for Utah
Residing at Layton
My commission expires on March 27, 1999

237969

QUITCLAIM DEED

1 THIS INDENTURE, made this 19 day of MAY, 1995,
2 between TODD J. BRIGGS, of 15051 Digger Drive, San Antonio, Texas
3 78247, contracting as and with his sole and separate property,
4 herein called the "Grantor", and THOMAS AMBY BRIGGS and VAN HAL
5 BRIGGS, as Trustees of the JOANN L. BRIGGS TRUST, dated May 3,
6 1986, of 760 E., 425 S., Layton, Utah 84041, herein called the
7 "Grantee".

W I T N E S S E T H:

8 The said Grantor, for and in consideration of the sum of
9 Ten Dollars (\$10.00), lawful money of the United States of
10 America, and other valuable consideration to Grantor in hand
11 paid by the Grantee, the receipt whereof is hereby acknowledged,
12 does by these presents remise, release and forever quitclaim
13 unto the Grantee and to the heirs and assigns of the Grantee,
14 all of the interest of the Grantor in that certain lot, piece or
15 parcel of land situated, lying and being in the County of Cassia,
16 State of Idaho, bounded and particularly described as follows,
17 to-wit:
18

19 TOWNSHIP 14 SOUTH, RANGE 27 EAST, OF THE BOISE
20 MERIDIAN

21 Section 28: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
22 Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

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24 and A43-02282.

25 TOGETHER with all and singular the tenements,
26 hereditaments, and appurtenances thereunto belonging or in
anywise appertaining, the reversion and reversions, remainder

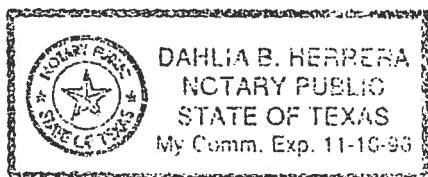
1 and remainders, rents, issues, and profits thereof. To have and
2 to hold all and singular the said premises, together with the
3 appurtenances, unto the Grantee, and to the heirs and assigns of
4 Grantee forever.

5 IN WITNESS WHEREOF, the Grantor has executed this
6 Quitclaim Deed.

7 Todd J. Briggs

8 STATE OF Texas)
9 County of Bexar) ss

10 On this 19 day of May, in the year of 1995,
11 before me, the undersigned, a Notary Public in and for said
12 State, personally appeared TODD J. BRIGGS, known or identified
to me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he executed the same.



Dahlia B. Herrera
Notary Public for Bexar County
Residing at 12303 Nacogdoches
My commission expires on 11-10-96

237970

WARRANTY DEED

THIS INDENTURE, made this 1st day of August, 1995, between THOMAS AMBY BRIGGS and VAN HAL BRIGGS, as Trustees of the JOANN L. BRIGGS TRUST dated May 3, 1986, of 760 East 425 South, Layton, Utah 84041, ("Grantor"), and JODEE W. WILLETT and OLETA WILLETT, husband and wife, whose address is HC72 Box 2236, Malta, Idaho 83342, ("Grantee").

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

TOWNSHIP 14 SOUTH, RANGE 27 EAST, BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 28: W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 29: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER with water rights A43-04109, A43-10500 and A43-02282.

SUBJECT TO: Accruing taxes, levies and assessments; oil, gas and mineral lease recorded as Instrument No. 72427 on film 84, records of Cassia County, Idaho; Reservation in Warranty Deed recorded as

Instrument No. 186050 on film 188, records of Cassia County, Idaho; Agreement for Electric Service recorded as Instrument No. 191166, film 193, records of Cassia County and those exceptions on Title Commitment 25856 of Land Title and Escrow #S1-10 Schedule B.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor. All water rights including, but not limited to A43-04109, A43-10500, and A43-02282.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this
(continued)

Deed the day and year first above written.

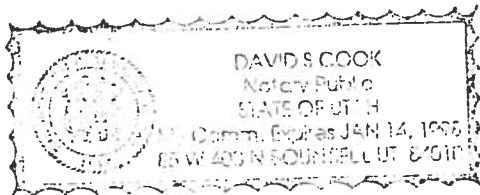
JOANN L. BRIGGS TRUST DATED
MAY 3, 1986

BY Normal
Trustee

BY John F.
Trustee

STATE OF UTAH)
) ss
County of DAVIS)

On this 1st day of ^{August} July, in the year 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS AMBY BRIGGS and VAN HAL BRIGGS,, known or identified to me to be the persons whose names are subscribed to the within instrument, as Trustees of the Joann L. Briggs Trust dated May 3, 1986, and acknowledged to me that they executed the same as such Trustees.



Notary Public for UTAH
Residing at Bountiful, UTAH
My commission expires on 11/14/98

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

August 22, 1995

RECEIVED

AUG 23 1995

Department of Water Resources
Southern Region

Department of Water Resources
222 Shoshone Avenue East
Twin Falls, Idaho 83301

RE: Briggs - Willett

Gentlemen:

Enclosed is the Notice of Change of Water rights for appropriate filing.

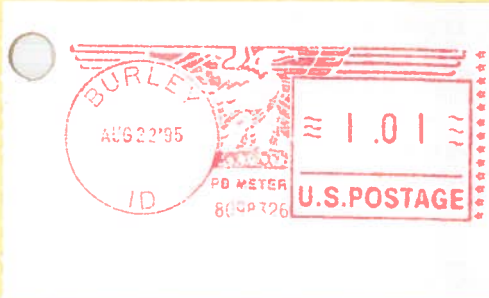
We have enclosed copies of the Order of Intestacy and Determination of Heirs in the Estate of Joann L. Briggs, Quitclaim Deed from Anita Powell to the Joann L. Brigg Trust, Quitclaim deed from Thomas Amby Briggs to the Trust, Quitclaim Deed from Van H. Briggs to the Trust, Quitclaim Deed from James L. Briggs to the Trust, Quitclaim Deed from Todd J. Briggs to the Trust and Warranty Deed from Trust to Willetts.

Very truly yours,


William A. Parsons

WAP:rt
Enc.

PARSONS, SMITH, STONE & FLETCHER
ATTORNEYS AT LAW
P.O. BOX 910
137 WEST 13TH STREET
BURLEY, IDAHO 83318



Department of Water Resources
222 Shoshone Avenue East
Twin Falls, Idaho 83301

RECEIVED

AUG 23 1995
Department of Water Resources
Southern Region

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: A43-04109
Date Received: 6/15/1989
Receipt No: S008250
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOANN L. BRIGGS 801-295-4263
Address: 1143 EAST 3RD SOUTH
BOUNTIFUL, UT 84010

2. Date of Priority: AUG 01, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	28	SW	SW	SW		CASSIA

5. Description of diverting works:
WELL, PUMP, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is 252.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	28	SW	NW		IRR	3.0
			NW	SW		IRR	18.0
			SW	SW		IRR	35.0
						Section Acres	56.0

A43-04109

Page 1

Date: 06/15/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	29	SE	NE		IRR	5.0
			NE	SE		IRR	40.0
						Section Acres	45.0
						Total Acres	101.0

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:
A43-02282, A43-10500

14. Remarks:

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: _____

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): Jo Ann L. Brugge Date: 6-27-89

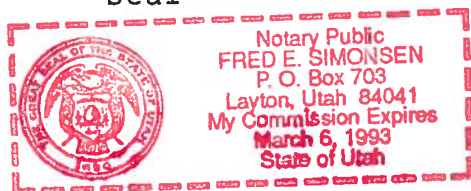
Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of June 19 89

Fred Simonson
Notary Public

Seal



Residing at Davis Co. Utah
My Commission Expires 3-6-93

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 A43-04109
Date Received _____
Receipt Number 5008250 *su*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 8 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) 10 ANN L. BRIGGS Phone (801) 295-4263

Mailing Address 1143 EAST 3RD SOUTH BEAUTIFUL UTAH Zip 84010

2. Date of Priority (Only one (1) per claim) 8/1/54

3. Source of water supply (a) Well with Pumps
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 1450 Range 27 EAST Section 28, 29
~~SW~~ ~~NE~~ ~~SE~~ ~~SW~~ ~~SW~~ ~~SW~~ 1/4 of ~~SE~~ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Cassia

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well with pumps, Twin 6"
MAIN LINES, EACH SIDE OF THE ROAD. 10 1/4 mile HAND LINES

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MARCH 15 to Nov 15 amount 2.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 222.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>14S</u>	<u>27E</u>	<u>28</u>							<u>3</u>				<u>18</u>				<u>35</u>		<u>56</u>
		<u>29</u>				<u>5</u>									<u>40</u>				<u>45</u>

Total number of acres irrigated 101

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

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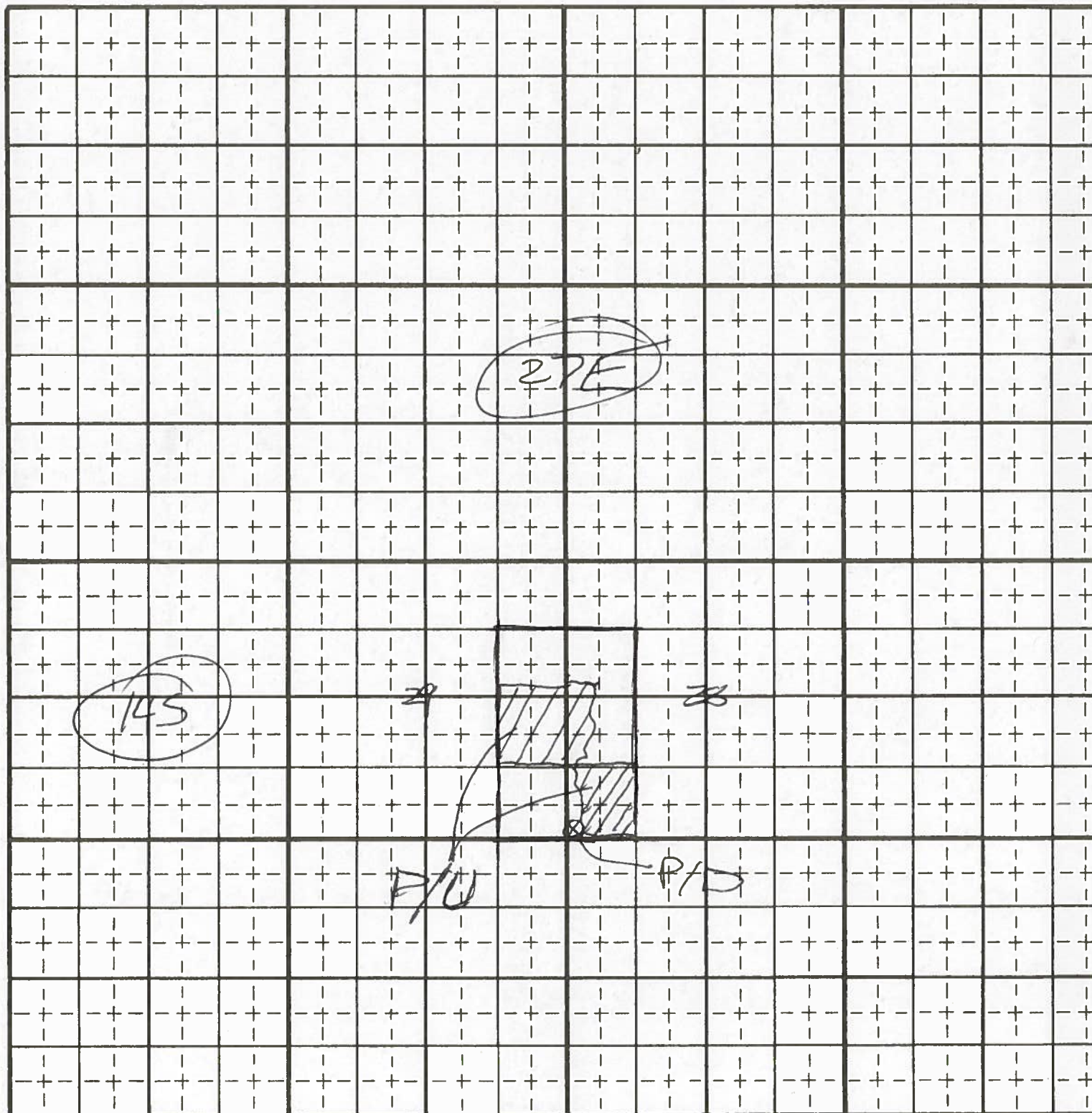
MAR 04 1993

Last Name BRIGGS Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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MAR 04 1993

Last Name BRIGGS Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☒ Permit ☐
Decree _____
If applicable provide IDWR Water Right Number 43-4109
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant(s) Thomas A. Briggs (Trustee) Date 6/8/89
Van Hal Briggs (Trustee) Date 6/8/89

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8 day of June 1989

SEAL

Notary Public Loren O. Halum

Residing at Twin Falls

My Commission Expires 3/21/93

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name BRIGGS Ident. Number _____

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MAR 9 4 1993
Copies: Blue State, Yellow Claimant

R 27

(5) 4109

(3) 4109

(18) 4109

(5) 2082

(35) 4109

4
364

29 28

5
403

1
7.0

2
7.0

4
7.0

6
7.0

1320

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MAR 4 1993

2 EXHIBIT "A" TO THE JOANN L. BRIGGS TRUST AGREEMENT

The following assets are hereby sold, transferred, conveyed and assigned to THOMAS AMBY BRIGGS and VAN HAL BRIGGS, as Trustees of the JOANN L. BRIGGS TRUST under trust agreement dated the 31st day of May 1986.

1. Trustors residential real property situated at 1143 E. 300 So., Bountiful, Utah 84010, more particularly described as follows:

BEG at Pt 14.76 CHS W & 156.75 Ft. N fr SE Cor Sec. 20, Township 2N, Rg 1E, SLM S 123.75 FT. MOL to N Ln of St W along SD N Ln 99 ft N 123.75 ft. E 99 ft. to beg. cont. .28 acres.

2. 2 parcels of real property located West of Farmington, Davis County, Utah more particularly described as follows:

Parcel No. 1

Beginning at a point 8.15 chains South and 31.3 chains West of the Northeast corner of Sec. 26, Township 3 North, Range 1 West, Salt Lake Meridian, and North 3.73 chains; West 10.49 chains to the center of a street; South along the center line of said street 24.58 chains; thence West 38.05 chains to the West line of said Section 26; which point is 29.00 chains South of Northwest Corner of Section 26, Township 3 North, Range 1 West, Salt Lake Meridian; thence South 11.0 chains to the West 1/4 corner of Section 26; thence East 5.60 chains; thence South 0.80 chains to the North line of Glover's Lane; thence East along said North line 13.30 chains; thence North 11.30 chains, more or less to the North line of the Parrish Farm, thence West 18.99 chains, more or less to point of beginning.

Parcel No. 2

Beginning 29.50 chains South and 51.29 chains West from the Northeast corner of Section 26, Township 3 North, Range 1 West, Salt Lake Meridian; thence West 9.56 chains, thence South 11.80 chains; thence East 9.43 chains; thence North 11.80 chains more or less to the point of beginning.
EXCEPTING THEREFROM the following: Beginning at a point which is South 89°58'24" West 141.90 feet along the Quarter Section line to the center line of 1525 West Street and North 0°30'51" East 362.03 feet along centerline of 1525 West Street and North 89°29'09" West 33.0 feet from the center of Section 26, Township 3 North, Range 1 West, Salt Lake Base and Meridian and running thence North 89°23'30" West 720.67 feet; thence South 03°32'16" East 439.23 feet to the North line of Glover Lane, thence South 89°23'30" East 689.63 feet along said North line to a point which is North 0°30'51" East 33.05 feet and North 89°29'09" West 33.00 feet from the centerline intersection of said Glover Lane and said 1525 West Street, thence parallel to the centerline of said 1525 West Street North 0°30'51" East 438.08 feet to the

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MAR 4 1993

point of beginning.

3. The seller's interest in that certain land contract of sale executed by Hal A. Briggs and JoAnn L. Briggs in favor of We Five, a Limited Partnership, dated September 1978 covering certain property located West of Farmington, Davis County, Utah, more particularly described as follows:

Beginning at a point 29.50 chains South and 41.79 chains West from the Northeast corner of Section 26, Township 3 North, Range 1 West, Salt Lake Meridian; and running thence West 9.50 chains; thence South 340 feet more or less to the North line of property conveyed in Book 643 at page 455; thence South 89°23'30" East 9.5 chains more or less to a point South of the point of beginning; thence North 340 feet more or less to the point of beginning, subject to an easement for the existing Weber water pipeline running through the property in an East and West direction. It is guaranteed there should be 4.89 acres of land.

4. Sellers interest in a certain agreement dated November 2, 1979 executed by Hal A. Briggs and JoAnn L. Briggs as sellers in favor of Jack H. Hill and LaMonte B. Keller as buyers, the buyers interest in which has been transferred to D.L. Evans Bank covering property in Cassia County, State of Idaho, more particularly described as follows:

Township 14 South, Range 27 East, Boise Meridian:
Section 28: W 1/2 SW 1/4 and SW 1/4 NW 1/4
Section 29: E 1/2 SE 1/4 and SE 1/4 NE 1/4

5. All of Trustors checking accounts, savings accounts, and other accounts of every kind and description wheresoever situated.

6. All tangible property of every kind and description situated in or about Trustors residential premises, or elsewhere.

7. All other property of every kind and description owned directly or indirectly by Trustor however evidenced.

TRUSTOR:

Jo Ann L Briggs
JOANN L. BRIGGS

TRUSTEES:

Thomas Amby Briggs
THOMAS AMBY BRIGGS
Van Hal Briggs
VAN HAL BRIGGS



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

A43-04109
JOANN L. BRIGGS
1143 EAST 3RD SOUTH

BOUNTIFUL

UT 84010

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 04 1993

Lau Offices

DAVID S. COOK

January 15, 1992

85 WEST 400 NORTH
BOUNTIFUL, UTAH 84010
TELEPHONE 292-7216

RECEIVED

JAN 23 1992

Department of Water Resources
Southern Region Office

State of Idaho Dept. of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: A43-04109 and A43-10500

Gentlemen:

With reference to your letter dated December 5, 1991 regarding evidence of priority concerning the captioned water identification numbers, I enclose two affidavits, one pertaining to A43-04109 executed by Jodee W. Willett, an area rancher who has been in the area since about 1949, and an affidavit pertaining to A43-10500 executed by Thomas Briggs, who personally participated in an extension of the irrigation system to water the balance of Brigg's 240 acre ranch.

I note from documents in Tom Brigg's possession, which apparently were primarily generated by your office, that the priority date your office shows with respect to A43-04109 is August 1, 1954.

However, it is the recollection of Jodee W. Willett that the irrigated area pertaining to that claim was being irrigated several years earlier.

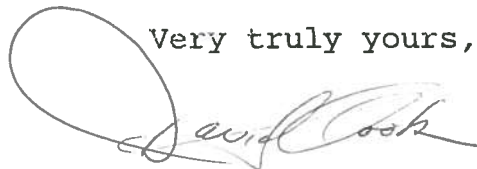
I also note that the priority date your office shows with respect to A43-10500 is 1985.

However, the land under that claim was actually irrigated commencing in 1975 or 1976.

If it would be appropriate for the Briggs to apply for earlier priorities based on the enclosed affidavits showing the years of actual dates of use, please advise.

Thank you for your courtesy in this matter.

Very truly yours,



David S. Cook

DSC:kh
cc: Thomas A. Briggs
Enclosures

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MAR 04 1993

RECEIVED

JAN 11 1992

AFFIDAVIT

Re: Water Id. No. A43-04109
Department of Resources
Southern District Office

State of Idaho)
 : ss
County of Cassia)

JODEE W. WILLETT, being first duly sworn on oath, deposes and says:

1. Affiant is a resident of Cassia County, Idaho and presently operates a certain irrigated ranch of 240 acres, owned by Thomas Amby Briggs and Van Hal Briggs, Trustees of the JoAnn L. Briggs Trust under Trust Agreement dated May 3, 1986, which is described as follows:

Township 14 South, Range 27 East, Boise Meridian:
Section 28: West 1/2 SW 1/4 and SW 1/4 NW 1/4
Section 29: East 1/2 SE 1/4 and SE 1/4 NE 1/4

2. Affiant is a resident of Cassia County, Idaho, having moved to that area in 1949 when Affiant was 12 years of age.

3. Affiant's ^{STEP FATHER J.W.} ~~father-in-law~~, Paul James Van Komen, a.k.a. James Van Komen, acquired part of said real property in approximately 1951 or 1952 and eventually purchased all of said 240 acres.

4. Within 2 or 3 years after 1949 and in about 1952 or 1953, Affiant observed that by means of improvements to and extensions of the irrigation system, irrigation water from the well located in the extreme southwest corner of the west half of the SW 1/4 of said Section 28 was being applied upon the SW 1/4 of the SW 1/4 of said Section 28 and also upon the NE 1/4 of the SE 1/4 of said Section 29 by one Winston Hutchinson. Said Hutchinson irrigated said parts of said ranch both by pumping

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MAR 04 1993

water from said well and also applied some surface water upon said land which at that time came down a draw running north through the property.

5. Affiant recalls that said well was one of the first irrigation wells in the valley. For many years the well has been the only source of irrigation water for said ranch.

6. Said 240 acre ranch has been irrigated for a number of years from said well.

DATED this 20th day of January, 1992.

Jodee W. Willett
JODEE W. WILLETT
H.C. 72 Box 2236
Malta, Cassia County, Idaho 83342

Subscribed and sworn to be before me, FRED E. SIMONSEN,
a Notary Public in and for the State of Utah this 20th day of
January, 1992



Fred Simonsen
NOTARY PUBLIC
Residing at: Davis County Utah

My Commission Expires:
3-6-93

VERIFIED BY

2/19/01

02/19/2001

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

RIGHT NUMBER: 43-4109

NAME AND ADDRESS: JODEE W WILLETT
OLETA WILLETT
2534 S 2400 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 2 CFS
400 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.9 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 580 AF. COMBINED RIGHT NOS.: 43-
02282, 43-04109, & 43-10500.

WHEN COMBINED THE FOLLOWING RIGHT NOS. SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.: 43-00314, 43-02282, 43-04109, &
43-10500.

PRIORITY DATE: 08/01/1954

POINT OF DIVERSION: T14S R27E S28 SWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	2.00 CFS 400.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County			
T14S R27E S28	SWNW	39	T14S R27E S28 NWSW 38
T14S R27E S28	SWSW	39	T14S R27E S29 SENE 39
T14S R27E S29	NESE	39	T14S R27E S29 SESE 39

233 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 233 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00314, 43-02282, 43-04109, & 43-10500.

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

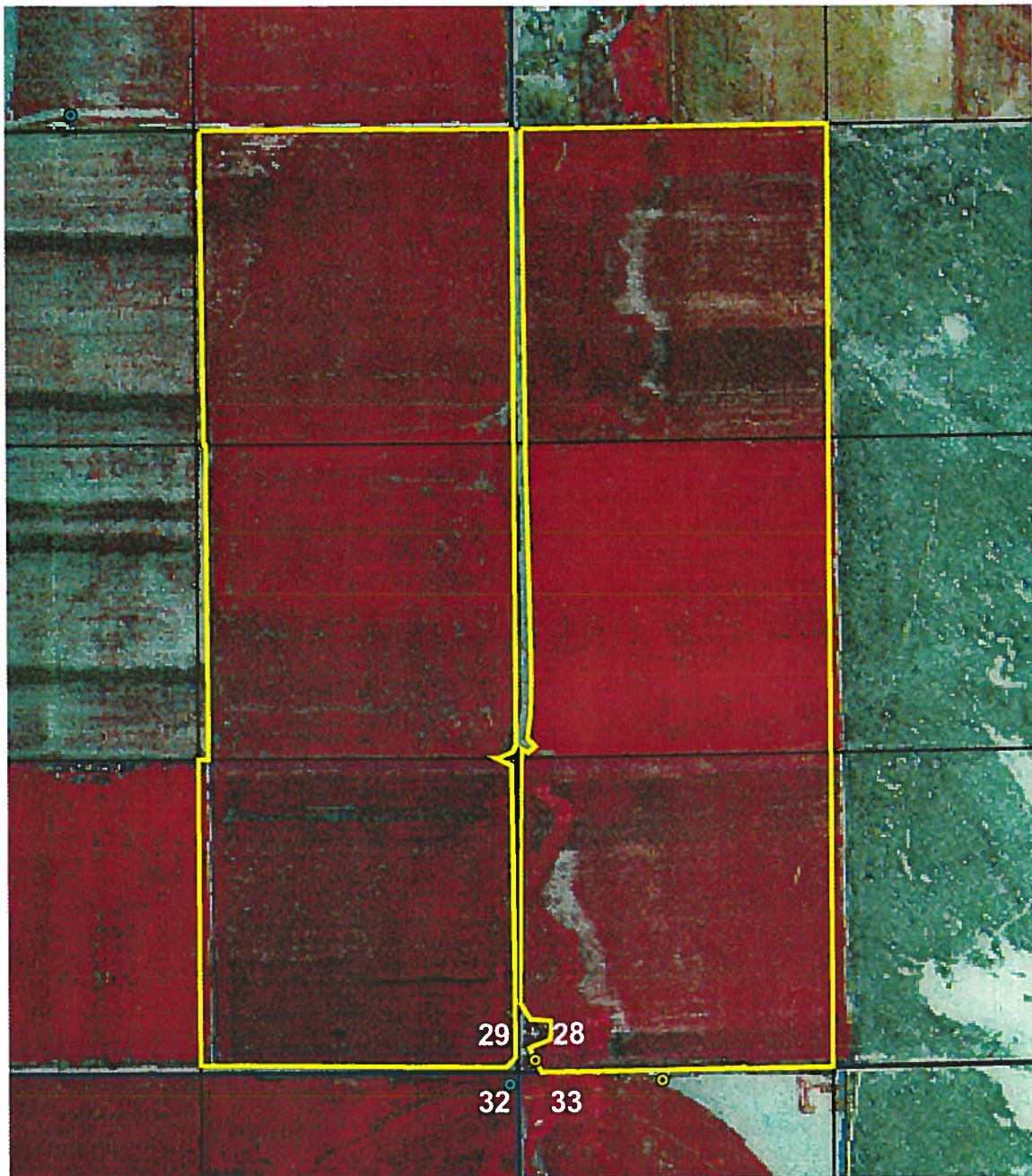
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 43-10500 IS AN EXPANSION OF RIGHT NOS. 43-02282 &
43-04109 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

Idaho Department of Water Resources

43-00314, 43-02282, 43-04109, & 43-10500



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 19, 2001
TWP 14S, RNG 27E, SEC. 28 & 29



- 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
ADJUDICATION CLAIM VERIFICATION REPORT

09:01:03
12/12/00
36

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-04109

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JODEE W WILLETT	08/01/1954	IRRIGATION	03-15 11-15	2.000 CFS	400 AF
C	OLETA WILLETT					(100x4)
TOTAL DIVERSION:					2.000 CFS	
~~CONSUMPTIVE USE:~~						~~252.50 APA~~

Water Source: GROUNDWATER

Tributary to:

Stage: ~~STATUTORY CLAIM~~

Point(s) of Diversion: T14S R27E S28 SWSWSW CASSIA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
14S	27E	28	:											03																	56.0	
14S	27E	29	:																												45.0	
																														TOTAL ACRES	101.0	

POU County: CASSIA

Other Rights: A43-02282, A43-10500

Remarks: GEN OWNERSHIP CHANGE MADE 8/28/95 TF. REC'D 8/23/95.

ADDRESS CHANGE 10/13/99 jr

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Cond. Code C18
Remarks:
POU 1 K06 100 Ae.
E14 233 Ae.
QNT E27 2.9 cfs
580 AF
E28 .02 cfs
EXP K03 exp. cla

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:59:50
12/12/00

PAGE: 2
QUICKLOOK INFORMATION

35
CLAIM NUMBER: A43-04109

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

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

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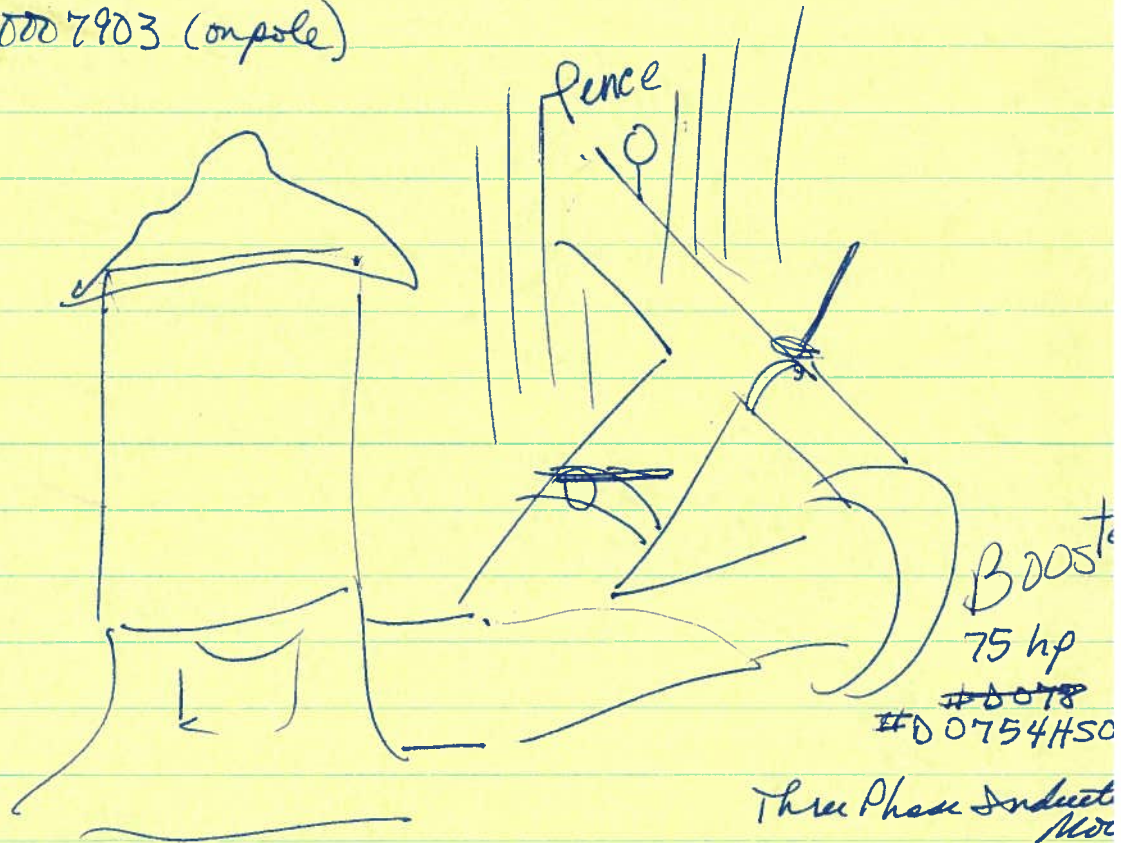
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Willott 10/7/99

Briggs Well - pole # 24095
gps R100719A
tag # A0007903 (on pole)

U.S. Motor
ser # 906151
50 hp



(pics 6-8 roll 1)

Claimed = 235

$$GIS = 233$$
$$L'c = 45$$
$$B.U. = 100$$
$$EXP = 88$$

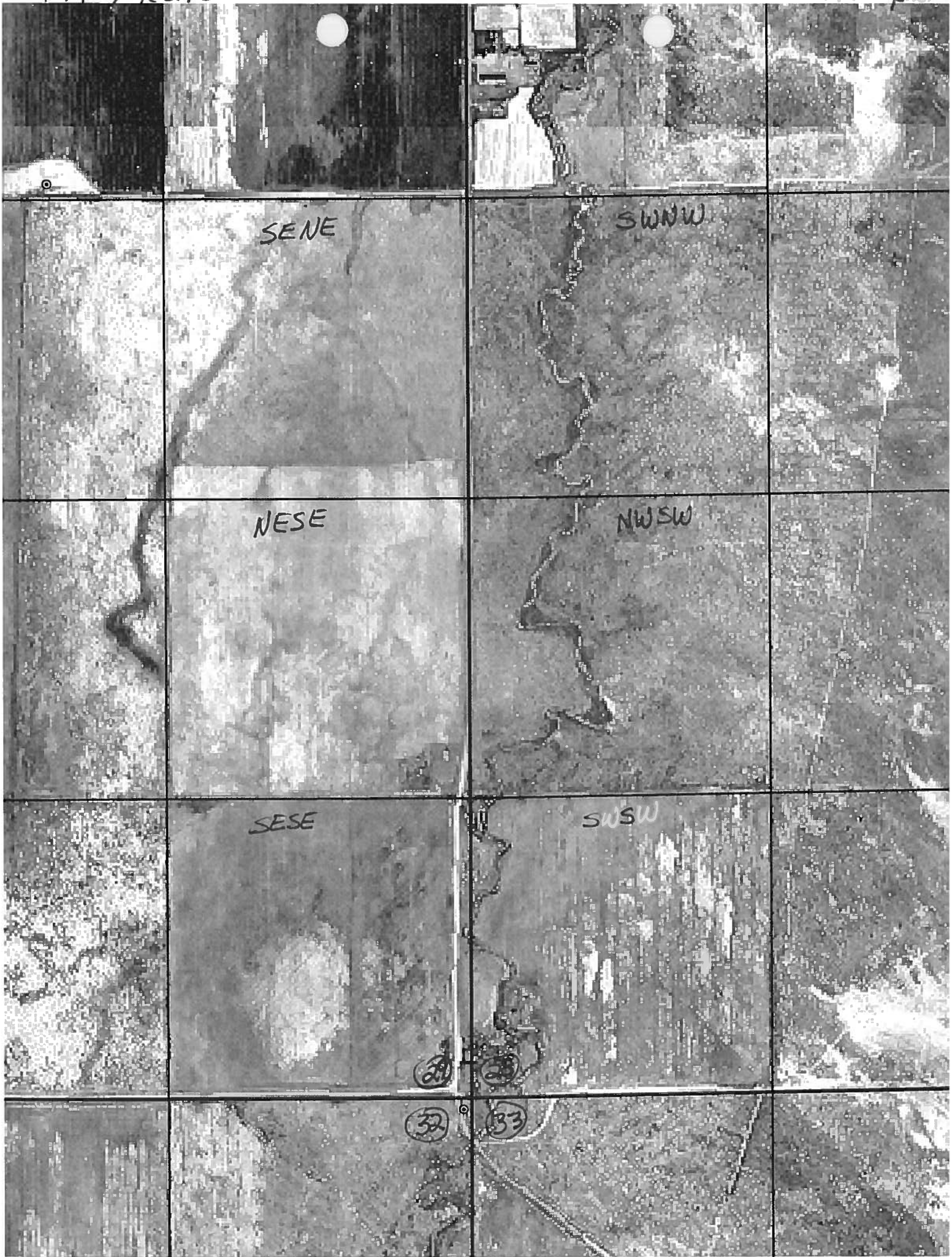
RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
G-15	145	27E	28							39				38	39				
-02282																			
-04109															5				
-10500	(exp.)									3				18	35				
-00314	(clean break)									37				22					
															40				

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GIS	145	27E	29				39									39			39	11'
-02282																			40	40
-04109							5									40				45
-10500 (exp.)							35													35
-00314 (Clear Creek)																			40	40

[illegible][illegible]

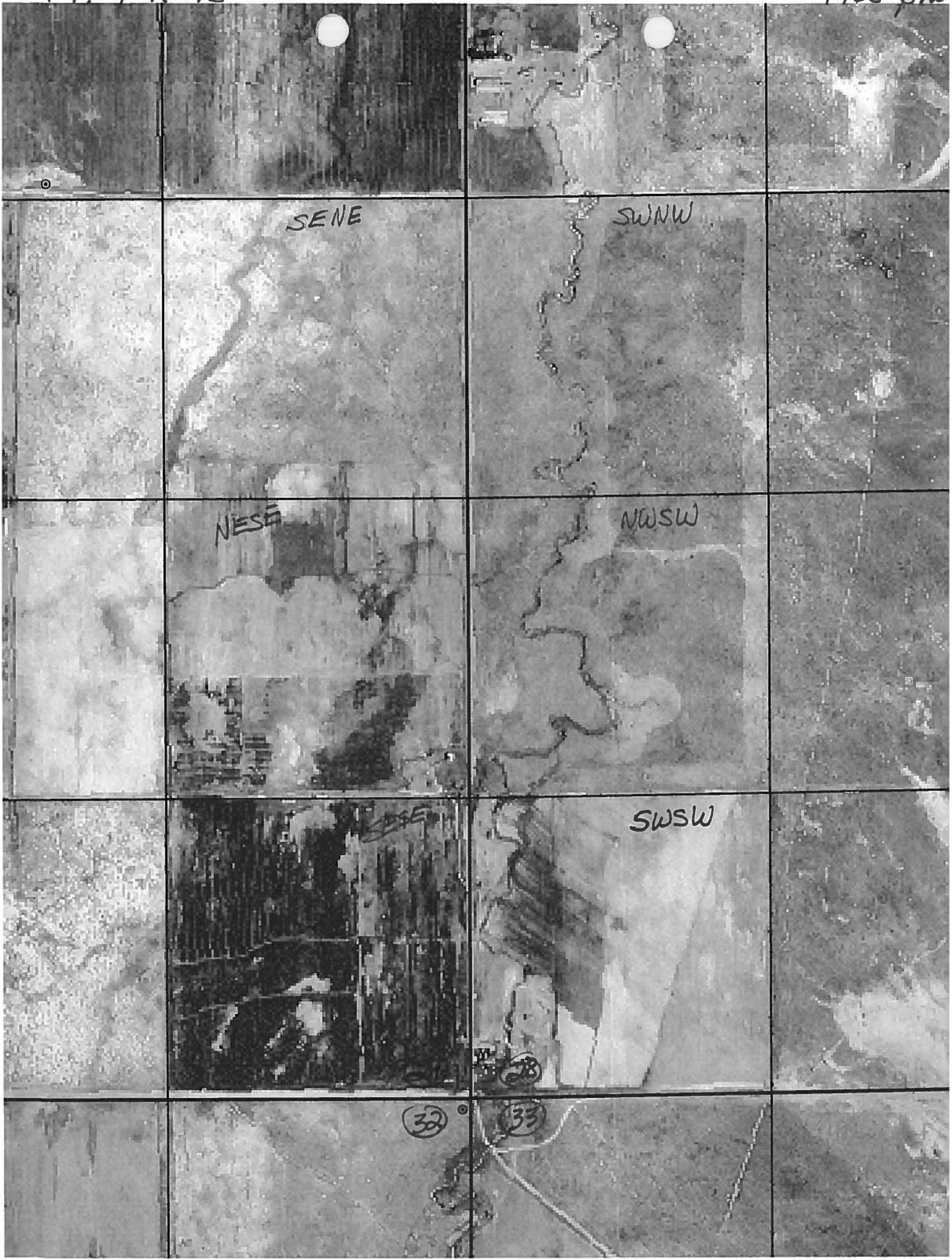
T14S, R27E

1962 photo



T 14S, R 27E

1968 photo



T14S, R27E

1987 photo



A43-02282 4/28/1941 0.9 cfs 45 Ac.

- well in SWSWSW of Sec. 28 licensed at 1" per Ac.
- field exam 8/1/43
- ~~test~~ pump w/ gas engine

A43-04109 8/1/1954 2 cfs 101 Ac.

- original stat. claim for 100 Ac.
- claims same well in SWSWSW
- affidavit submitted at time of original filing stated well was capable of 80" (but claim was for 2 cfs - ~~50~~¹⁰⁰') and 60 Ac. (but claim was for 100 Ac.)
- ? - check '68 & '68 photos
- Scott's notes show sys. op. of 4.77 (already lic. for 0.9) $4.77 - .9 = 3.87$ cfs
- can recommend claimed rate of 2 cfs

A43-10500 6/30/1985 1.88 cfs 94 Ac.

- expansion claim of above license and B.U. claim

A43-00314 4/06/1921 1.6 cfs 80 Ac.

- ?
- Clear Creek & ~~the~~ Groundwater

A43-04109

10

T

5 6.9	3 37.1	4 38.4	20 21 17.8	HEL/NW
			29 28 1.9	NW HEL
4 2.3	5 31.1	6 39.0	13 161.0	HEL/NW
	1850 TIL53	1850 T8463		
9 3.5		1 35.3	2 40.5	NHEL/W
11 19.4	1 79.8	3 48.3	4 42.3	NHEL/W
		5 35.5	29 20 38.5	HEL/NW
			32 33	

CLAIM TO A WATER RIGHT

Telephone No. 645-2322

[illegible]

No. of acids 150

B) If water is used for other than irrigation, fully describe that use, being as specific as possible. N/A

AFFIDAVIT

1. Walter J. H. ..., of 178 Bayview Building, Ma.
Post Office Address

do hereby affirm that I have personal knowledge of the well located in the
1/4, 1/4, Section 14, Township 14, Range 30, commonly known
as the 14 well. Information I can formally attest to is as follows:

1. Date drilled 1954
2. Well driller Don Baker
3. Date of first use of water 1954
4. Nature of use irrigation
5. Quantity of water diverted 50 cfs
6. Lands irrigated by this well 600 Acres

7. Duration of use each year, from May to Sept
8. Other information on Shoshone Indian Reservation
Sept. 1954 Don Baker Shoshone Indian Reservation

Signature _____

STATE OF Idaho

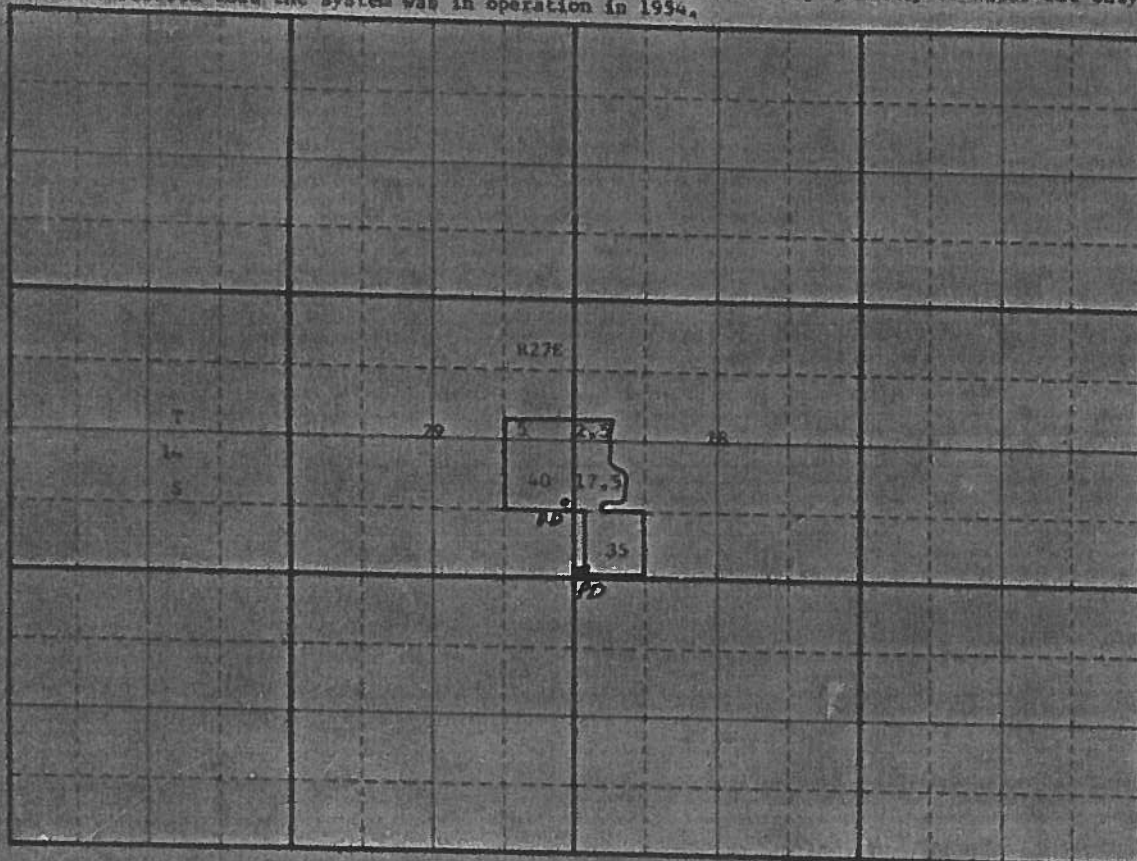
County of Cassia

Subscribed and sworn to before me this 15th day of June, 1937

(NOTARY SEAL)

Notary Public

Property was originally irrigated in 1954 from small well, water was insufficient so well was reamed to allow larger flow. Entire property was irrigated but only a portion was included under license #43-2282. This license is for 0.9 cfs to irrigate 45 acres adjacent to but not included on this claim. Affidavit attached is not to verify quantity of water but only for verification that the system was in operation in 1954.



This should show the location of the point of diversion and the place of use of the water by 40 acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Be it 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 matters and facts therein are true to the best of the affiant's knowledge.

I, _____, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the Department of Water Resources.

Day of

19

Notary Public

Residing at

My commission expires

FOR DEPARTMENT USE ONLY

Received by

Date

Exception filed by

Received by

Date

Filed by

Date

Filed by

Filed by

Date

Filed by

Date

Filed by

Filed by

Date

Filed by

Date

Filed by

Filed by

Date

T1144

Joan Briggs
(John Willett farms)

5
6.9
3
37.1

NHEL/W

4
38.4

NHEL/W

20
21
17.8
29
28
2
7.9

NW
HE

4
2.3
5
31.1

NHEL/W

6
39.0

NHEL/W

13
161.0

HEL/NW

1850
T1653

1850
T8463

9
3.5
NHEL/W

1
35.3
NHEL/W

2
40.5
NHEL/W

11
19.4
1
79.8

NHEL/W

3
48.3
NHEL/W

4
42.3
NHEL/W

5
35.5

NHEL/W

29
28
38.5

HEL/NW

32
33

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form

ed 1/6/2000

Flow Analysis Performed by: Scott King

Date: 1/31/00

Page 1 of 1

Record ID	87	Measured Flow:	
Water Right No.	A43-04109	Designed Flow:	3.94 cfs
Name	Willet, Jodee & Oleta	HP/Eff Flow:	4.77 cfs <--Max
pod	14S27E28SWSWSW	Sprinkler Flow:	3.71 cfs
year:	1986	Pivot/System Flow:	
Flow Measurement:	gpm =		
Curve/Pump Design:	1770 gpm =	3.94 cfs	Estimate by Jerry Udy, Raft River Rural Electric
Horsepower / Efficiency Method			
Horsepower	125 hp	50-hp well, 75-hp booster	
PWL	51 ft	per form	
Disch Psi	60 psi	per form	
PUMP Eff Estimate	0.82 %		
TDH	190 ft		
OHP	102.5 hp		
Flow	2141 gpm =	4.77 cfs	
System Method:			
No Lines	10	Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line	32	C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	320	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	1463 gpm	Q=	0.010 cfs Flow per nozzle
Percent Leaks	12 %	=	4.573 gpm Flow per nozzle
Total Flow	1663 gpm =	3.71 cfs	
Pivot / System rating	gpm =		

Comments / Data Supplied:

1/31/2000 snk

Per returned form: "Jerry Udy of Raft River Rural Electric co-op in Malta figured the rate of flow and head using the IDWR power conservation coefficient formula."

1986, 50-hp well, 75-hp booster, 51 ft PWL, 60 psi discharge pressure.

1986 to present: 10 handlines, 32 birds per line, 9/64" nozzles, 60 psi at the sprinklers.

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4304109
WILLETT OLETA
14S27E28SWSWSW

RECEIVED

JAN 20 2000

Department of Water Resources

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on available information including: flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: 1770.44 GPM (cfs or gpm)

Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

Terry Udy of RAFT River Rural Electric co-op in MALTA
Figured the rate of flow and head using the IDWR
Power Conservation Coefficient Formula 1-14-2000

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

50 HP US Motors
75 HP GE Booster Pump model H D0754H500
Flow rate 1770.44 Head 189

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)
1986	50	75		51	60

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

1986 to Present 10 handlines 32 birds per line 9/64" nozzles
60 PSI at the sprinklers

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well.

A 4304109
14 S 27 E 28 SWSW SW

IDWR Power Conservation Coefficient Formu

		Pumping Level	TDH
PSI			
60	2.31	51	189.60
TDH			PCC
189.60	0.68	1.0235	285.38
KWH	PCC	AC/FT	
64,934	285.38	227.54	

CONSUMER NAME AND SVC#
SEASON 1986

IDWR Power Conservation Coefficient Formu

KW		BHP		
92	1.35	0.91	113.02	
BHP		TDH	GPM	
113.02	0.75	3960	189.60	1770.44
KW		GPM	PCC	
92	5431	1770.44	282.22	
KWH	PCC	Months	AC/FT	
64,934	282.22	1	230.08	
Acres	AC/FT	AC/FT Per AC		
9	230.08	25.56		