

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: **A43-04238B**
Date Received: 8/25/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN A PIERCE 208-645-2580
Address: MALTA ID 83342
AND
Name: MABEL PIERCE 208-645-2580
Address: MALTA ID 83342

2. Date of Priority: JAN 22, 1960

3. Source: GROUNDWATER Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	19		SE	SE		CASSIA
		30		SW	NW		CASSIA
				SE	NW		CASSIA
				SW	SE		CASSIA
				SE	SE		CASSIA

5. Description of diverting works:
6 WELLS, TURBINE PUMPS, INTERCONNECTED DITCHES AND MAINLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.315		
STOCKWATER	01/01	12/31	0.055		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

10. Place of Use:

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

43-0442, 0443, 0032, 0253, 0030, 2304, 2394, 2284, 2455

14. Remarks:

ACREAGE CALCULATED BY THE ASCS FROM AERIAL PHOTOGRAPHY
7-14-99: OWNERSHIP CHANGED PIERCE TO C BAR CATTLE CO PER NOTICE
REC'D - VH

10-25-99: OWNERSHIP CHANGE 7-14-99 WAS IN ERROR. IT DID NOT
REFLECT THE SPLIT MADE NECESSARY BY NOTICE OF CHANGE OF OWNERSHIP
REC'D 7-16-1990. PER WARRANTY DEED SUBMITTED 7-16-1990 AND DOCS
REC'D 11-18-98 THIS RIGHT HAS BEEN SPLIT. "A" PORTION CONVEYED TO
PIERCE, INC AND SUBSEQUENTLY TO C BAR CATTLE CO FOR STOCKWATER
AND DOMESTIC AND 1.085 CFS FOR IRRIGATION OF 62 ACRES. THIS PART
REMAINS IN NAME OF JOHN A AND MABEL PIERCE. - VH

15. Basis of Claim: BENEFICIAL USE

AJ5809NP
No. A43-04238

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT**

DATE: 10/20/99
PAGE: 6

20/11/11

OWNER CODE	NAME & ADDRESS
C	C BAR CATTLE COMPANY 139 EAST SOUTH TEMPLE #310 SALT LAKE CITY UT 84111 (801) 328-1600

PRIORITY	WATER USE
DATE	
01/22/1960	IRRIGATION
	STOCKWATER
	DOMESTIC

USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
FROM	TO		
03-15	11-15	1.400 CFS	
01-01	12-31	0.330 CFS	
01-01	12-31	0.080 CFS	

TOTAL DIVERSION:	1.400 CFS
CONSUMPTIVE USE:	280.00 AFA

Water Source: GROUNDWATER	Tributary to: RAFT RIVER	Stage: STATUTORY CLAIM
---------------------------	--------------------------	------------------------

Point(s) of Diversion:	T13S R27E S19 S30	SESE SNW	SEW	SWSE	SESE CASSIA County
					CASSIA County

Place of use Legal Description for: IRRIGATION

[illegible]

ALL A per 615

$$A=17.4 \quad B=18$$

TOTAL ACRES

$$A = 62 \quad B = 18$$
Place of use Legal Description for: STOCKWATER¹¹

		NE		NW		SU		SE		H
T R S :	MENE	MNME	SMNE	SEMNE	:	NESS	NWSM	SMSM	SESM	:
13S 27E 19 :	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:
13S 27E 30 :					:					:
		\$16 (\$ cat)		S		S		(S)		

$\text{A} \text{---} \text{S} \text{---} \text{B}$
 Description for:

$\begin{matrix} S \\ \swarrow \\ A.D.75 \\ \downarrow \\ B.D.75 \end{matrix}$

S

Place of use Legal Description for: DOMESTIC

[illegible]

B.12

40.

~~0.07 = 0.07~~

Non-Irrigation Uses: D/3 HOMES S/1500 RANGE

Other Rights: 43-0442, 0443, 0032, 0253, 0030, 2304, 2394, 2284, 2455

REMARKS: GEN ACREAGE CALCULATED BY THE ASCS FROM AERIAL PHOTOGRAPHY
7-14-99: OWNERSHIP CHANGED PIERCE TO C BAR CATTLE CO PER NOTICE
REC'D - VH

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

Split off chg 18-98.
 S. red 11-18-98
 over red over 11-18-98
 over red 7-10-1990
 Split red chg 10-25-91

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[X] Water Right Number(s): A43-02284; A43-02304; A43-04238; A43-02394;
A43-02455; A43-00254; A43-10571; A43-00030

[X] Name and Address of
Former Claimant: Jack A. Pierce, Malta, Idaho 83342

[X] New Claimant(s): John A. and Mabel Pierce

[X] New Mailing Address: Malta, Idaho 83342

RECEIVED
JUL 16 1990

Department of Water Resources

New Telephone Number: (208) 645 - 2580

[X] Does the change in ownership result in a splitting of the
water right claimed? X yes no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

SENW, Sec. 30, T13S, R27E - 18 acres; SWNE, Sec. 30, T13S, R27E - 13 acres;

PD: SENW, Sec. 30, T13S, R27E; SWNE, Sec. 30, T13S, R27E

[X] Attach proof of ownership

Describe proof attached: Warranty Deed

[X] Signature of New Claimant(s): John A. Pierce

Date: 7/6/90

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:

A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

?

Exhibit E to Agreement - Pierce - Robinson

208272

WARRANTY DEED

THIS INDENTURE, made this 27th day of JUNE, 1990,
 between JOHN A. PIERCE and MABELLE PIERCE, husband and wife, of
 Malta, Idaho, 83342, ("Grantor"), and PIERCE, INC., a
 corporation, whose address is 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 successors and assigns of Grantee
 forever, all of the following described real estate situated in
 the County of Cassia, State of Idaho, to-wit:

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

Section 30: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT the
 following described tract:

Beginning at the center quarter section corner
 of said Section 30, which shall be the Point
 of Beginning;

Thence North 89°43'57" West along the quarter
 section line for 1204.63 feet to a $\frac{1}{2}$ inch
 rebar;

Thence North 2°16'27" East for 63.65 feet to a
 $\frac{1}{2}$ inch rebar;

Thence North 37°49'43" East for 762.42 feet to
 a $\frac{1}{2}$ inch rebar;

Thence North 0°01'08" East for 235.38 feet to
 a $\frac{1}{2}$ inch rebar;

Thence North 89°17'35" East for 687.43 feet to
 a $\frac{1}{2}$ inch rebar;

Thence North 89°16'53" East for 353.19 feet to

1 a ½ inch rebar;
2 Thence South 0°40'42" West for 354.97 feet to
3 a ½ inch rebar;
4 Thence North 85°04'42" East for 226.25 feet to
5 a ½ inch rebar;
6 Thence North 89°03'02" East for 215.14 feet to
7 a ½ inch rebar;
8 Thence South 0°26'17" East for 591.25 feet to
9 a ½ inch rebar on the quarter section line;
10 Thence North 89°43'57" West along the quarter
11 section line for 746.97 feet to the Point of
12 Beginning.

13 AND FURTHER EXCEPTING and reserving unto the
14 Grantor the water rights described on Exhibit
15 A attached hereto for the excepted parcel.

16 SUBJECT TO: Accruing taxes, levies and
17 assessments and easements and agreements of
18 record.

19 TOGETHER with all and singular the tenements,
20 hereditaments, appurtenances, and water rights thereunto
21 belonging or in anywise appertaining, the reversion and
22 reversions, remainder and remainders, rents, issues and profits
23 thereof, and all estate, right, title and interest in and to
24 said property as well in law as in equity of the Grantor.

25 TO HAVE AND TO HOLD, all and singular the above-
26 mentioned and described premises, together with appurtenances
unto the Grantee and to the successors 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 successors 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 Deed

the day and year first above written.

John A. Pierce
John A. Pierce

Mabelle Pierce
Mabelle Pierce

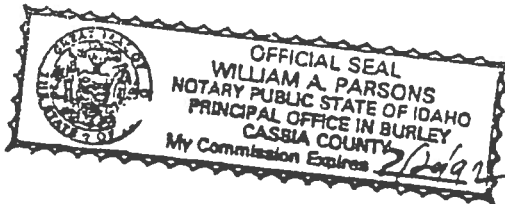
STATE OF IDAHO

County of Cassia

)
) ss
)

On this 27 day of JUNE, in the year 1990,
before me, the undersigned, a Notary Public in and for said
State, personally appeared JOHN A. PIERCE and MABELLE PIERCE,
husband and wife, known or identified to me to be the persons
whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

William A. Parsons
Notary Public for Idaho
Residing at _____
My commission expires on _____



PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

EXHIBIT A TO WARRANTY DEED

RESERVED WATER RIGHTS:

All of the following described water licenses are expressly reserved to the Grantor for the portions of the appurtenant water therefrom for the excepted parcel. The following numbers are Department of Water Resources identification regarding the water rights:

Portions of the excepted lands within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 13 South, Range 27 East, Boise Meridian, Cassia County, Idaho:

- A43- 02455✓
- A43- 02304✓
- A43- 02394✓
- A43- 02284✓
- A43- 04238✓
- A43- 00030

Portions of the excepted lands within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, Township 13 South, Range 27 East, Boise Meridian, Cassia County, Idaho:

- A43- 02455✓
- A43- 02304✓
- A43- 04238✓
- A43- 00254✓

EX A-WTR RTS

COPY

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[] Water Right Number(s): Listed on Exhibit A attached hereto.

[] Name and Address of Former Claimant: Jack A. Pierce, a/k/a J. A. Pierce, a/k/a John A. Pierce
Malta, Idaho

RECEIVED
JUL 16 1990

[] New Claimant(s): Pierce, Inc.

Department of Water Resources

[] New Mailing Address: 139 East South Temple - Suite 310
Salt Lake City, Utah 84111

New Telephone Number: (801) 328 - 1600

[] Does the change in ownership result in a splitting of the water right claimed? yes ☒ no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached:

[] Signature of New Claimant(s):

PIERCE, INC.
John A. Pierce

Date: June 18, 1990

Conveys water
rights to
Pierce, Inc.
From John A.
Pierce

Y

by:

Step 1

crimo
A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
(A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

The validity of
this list was, &
still is questioned.

- 1) NOT EXHIBIT "A"
- 2) List of claims not
owned by Pierce
in 1990 when
submitted.

VH 10-20-99

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

☐ Water Right Number(s): Listed on Exhibit A attached hereto.

☐ Name and Address of Former Claimant: Pierce, Inc. and J. A. Pierce
Malta, Idaho

☐ New Claimant(s): Pierce, Inc.
Malta, Idaho

RECEIVED
JUL 16 1990

☐ New Mailing Address: _____

Department of Water Resources

New Telephone Number: (801) 328-1600

☐ Does the change in ownership result in a splitting of the water right claimed? yes X no

If yes, then describe the portion of the water right that is now claimed by the new owner:

☐ Attach proof of ownership
Describe proof attached: _____

☐ Signature of New Claimant(s): Pierce Inc
John A. Pierce

Date: June 18, 1990

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:

A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

*The validity of
this list was, and
still is, in question.*

- 1) NOT EXHIBIT "A"*
- 2) claims on List @
not owned by
Pierce in 1990
when submitted*

U.H. 10-20-99

RECEIVED
JUL 16 1990

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM Department of Water Resources

[] Water Right Number(s): Listed on Exhibit A attached hereto.

[] Name and Address of Former Claimant: Pierce, Inc.

Malta, Idaho 83342

[] New Claimant(s): C Bar Cattle Company

Successor in interest to Pierce, Inc.

[] New Mailing Address: 139 East South Temple - Suite 310

Salt Lake City, Utah 84111

New Telephone Number: (801) 328-1600

[] Does the change in ownership result in a splitting of the water right claimed? yes X no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached:

[] Signature of New Claimant(s): C-BAR CATTLE CO
Christopher F. Robinson

*Conveys water
rights to
C-Bar Cattle
Co. from
Pierce, Inc.*

Date: June 18, 1990

try
:

any:

Step 2

A43-00089
A43-00090
A43-00201
A43-00202
A43-00203
A43-00204
A43-00206
A43-00207
A43-00415A
A43-00415B
A43-02358
A43-02390
A43-02397
A43-02400
A43-02554A
A43-04003A
A43-04003B
A43-04126
A43-04127
A43-04128
A43-04130
A43-04131

*The validity of
this list was, and
still is, in question.*

- 1) NOT EXHIBIT "A"*
- 2) claims not owned
by Pierce in 1990
when submitted*

UAT 10-20-99

04/02/2001

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

RIGHT NUMBER: 43-4238B

NAME AND ADDRESS: JOHN A PIERCE
MABEL PIERCE
2304 E 1800 S
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.055 CFS
39.8 AFY

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

PRIORITY DATE: 01/22/1960

POINT OF DIVERSION: T13S R27E S30 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.06 CFS
		39.80 AFY
DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE:

<u>STOCKWATER Within CASSIA County</u>			
T13S R27E S30	SWNE	T13S R27E S30	SENW

<u>DOMESTIC Within CASSIA County</u>			
T13S R27E S30	SWNE	T13S R27E S30	SENW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
STOCKWATER 250 HEAD, DOMESTIC 2 HOMES

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

05/10/2001

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

RIGHT NUMBER: 43-4238B
NAME AND ADDRESS: MABEL PIERCE
2304 E 1800 S
MALTA ID 83342

JOHN A PIERCE
2304 E 1800 S
MALTA ID 83342

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.055 CFS
39.80 AFY

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

PRIORITY DATE: 01/22/1960

POINT OF DIVERSION:

T13S R27E S30 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.055 CFS 39.80 AFY
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County

T13S R27E S30 SWNE ✓ T13S R27E S30 SENW ✓

DOMESTIC Within CASSIA County

T13S R27E S30 SWNE ✓ T13S R27E S30 SENW ✓

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.
STOCKWATER 250 HEAD, DOMESTIC 2 HOMES
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

05/10/2001

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 43-4238B

MABEL PIERCE
2304 E 1800 S
MALTA ID 83342
Telephone Number: (208) 645-2580

JOHN A PIERCE
2304 E 1800 S
MALTA ID 83342
Telephone Number: (208) 645-2580

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

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

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

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

DATE: 5-24-01

SIGNATURE:

Mabel Pierce John A. Pierce by Mabel Pierce
POC

Please print your name: Mabel Pierce and John A. Pierce

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

055

~~Pro Lie
pale qib
#0018ac~~

NOTE TO FILE

From: Vikie Hancock

1/18/01

Regarding: Claim numbers - **43-02455A & 43-02455B** Groundwater
43-4238A & 43-4238B Groundwater
43-10571 Raft River

Stockwater claims on the irrigated place of use Sections 19 and 30 T13S, R27E

43-2455A & B

The 1957 license was for irrigation and stockwater. The original SRBA claim based upon this license listed stockwater for 1500 head of cattle with a stockwater place of use spread out within the irrigated place of use. 435 acres were included in the license, but no notations were made regarding the number of cattle, nor was the diversion for stock differentiated in the license. Upon investigation, documents in the original licensing file show that 787 cattle were on property owned by A. D. Pierce at the time of his death in 1960. Therefor, the diversion rate and volume for stockwater with a 1957 priority date should not be based on 1500 cattle, but upon 787 cattle or a combined total for the two claims of 0.17 cfs.

43-4238A & B

Statutory claim 43-4238 was filed in 1985, and claimed a priority date of 1960 for stockwater for 1200 to 1500 head of cattle. 1962 aerial photos show that a feedlot located just north of the Pierce home was probably in existence by that time. SRBA claims 43-4238A & B could therefor be recommended for additional stockwater for up to 1500 head, or a combined total for the two claims of 0.33 cfs.

43-10571

Recommended as 43-12928 (C Bar Cattle Company) and 43-12931 (Pierce).

*SEE 43-4238A For evidence of
priority, AERIAL PHOTOGRAPHY*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that John A. Pierce
(Name of Claimant)

Molt, Idaho 83342 Telephone No. 645-2580
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Jan 27, 1960 Chewee

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground water tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs. or)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>0.0843</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>	
Quantity <u>0.33 cfs</u>	Use <u>Stock</u>	Period of Use From	To	
Quantity <u>1.4 cfs</u>	Use <u>Irrigation</u>	Period of Use From	To	
Quantity	Use	Period of Use From	To	
Quantity	Use	Period of Use From	To	

- (4) 1.4 cfs TOTAL QUANTITY USED.
(cfs. or)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NW 1/4, Sec. 30 Twp. 13S Rge. 21E B.M. County of Cassia

Additional points of diversion:

- 3) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Well Turbine Pump - Well 3 hp. with variable power
Main line + sprinklers and domestic pipelines

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13	27E	30		X	20		X		40										80
				X	X				20	X									
13	27E	14											X					X	

No. of acres 80

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

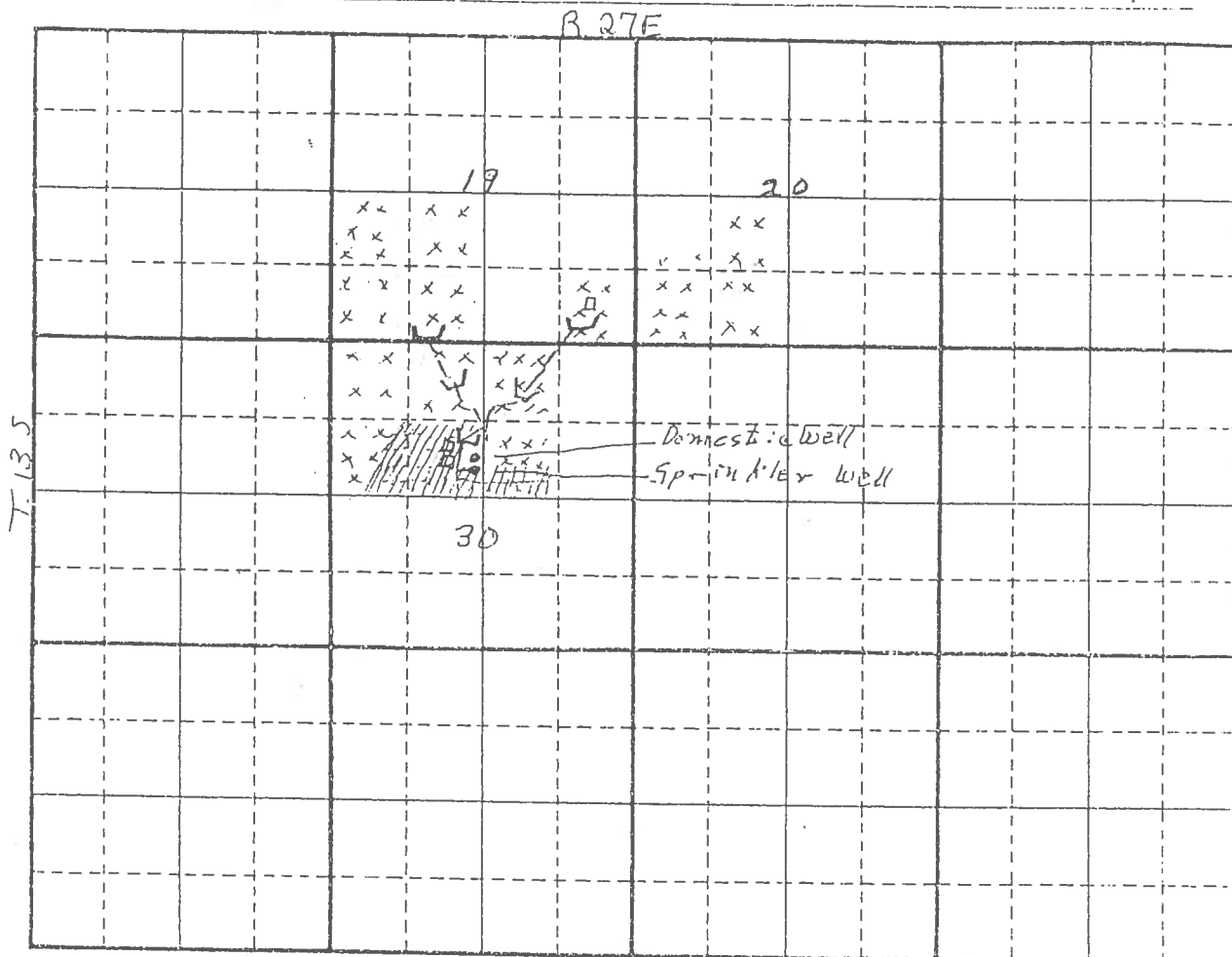
Uses other than Irrigation on 3 horses
Feed lot 9 pastures fields for approx 1200-1500 head of cat.

NOTE: Include here the type and number of stock watered: 1200-1500 Hd. Range Cattle + Feedlot

- 17) If you are claiming water as a member of an organization, list name of organization:

43-4238

18) Remarks Originally both pumps in same well - but service
problems necessitated adjoining well



Scale: 2 inches equal 1 mile.

Map 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 Cassia) ss.

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.

Sworn to before me this 1st day of July, 1985
John A. Pinner (Claimant)
Gene Baxter
Notary Public
Residing at Malta, Id.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. P. Smith Date 7-1-85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by TCB Date 7-9-85
\$200,530.00 fee received by JD Date 7-1-85 49667 claimant by: _____
Published in Bozeman Id. Press
Dates 8/8 + 8/15/85



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

CHANGE IN ADDRESS

RECEIVED

JAN 22 2001

Department of Water Resources
Southern Region

☐ Water Right Number(s): 43-12929, etc

☐ Old Mailing Address: John A Pierce

Malta, Idaho

☒ New Mailing Address: 2304 E 1500S

MALTA, IDAHO

83342

☐ New Telephone Number: (208) 645-2580

☒ Signature of Claimant(s): John Pierce Michele Pierce

Date: 1-19-2001

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: 1/22/01	By: [Signature]