

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 2-20
Date Received: 1/13/1989
Receipt No: M002578
Received By:

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

1. Name of Claimant(s)

LINDA D MORRIS
44 BELL RAPIDS RD
HAGERMAN ID USA 83332

Phone: (208) 837-6090

LEONARD H MORRIS
44 BELL RAPIDS RD
HAGERMAN ID USA 83332

Phone: (208) 837-6090

2. Date of Priority: 04/01/1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	13E	1	NE SW 8	TWIN FALLS	

5. Description of diverting works:

PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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085

13E 1

NE SW 8

IRRIGATION 1

Section Acres 1

Total Acres 1

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

THE LEGAL LAND DESCRIPTION FOR THIS CLAIM IS ALSO KNOWN AS LOT 5 OF THE NICHOLSON SUDIVISION...

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s): 2-20 & 37-13015

Previous Mailing Address: PO Box 291

Pacific Grove Ca 93950
& 52 Bell Rapids Rd
Hagerman, Id 83332

New Mailing Address: 44 Bell Rapids Road

Hagerman, Idaho 83332

Telephone Number: (208) 837-6090

Signature of Claimant(s): _____

Spencer D. Morris

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: D. King

SCANNED

NOV 19 2003

Date: 11/19/2003

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
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Receipt No: M002578
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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LINDA D MORRIS Phone:
52 BELL RAPIDS RD
HAGERMAN ID 83332

LEONARD H MORRIS Phone:
52 BELL RAPIDS RD
HAGERMAN ID 83332

2. Date of Priority: 04/01/1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	13E	1	NE SW 8	TWIN FALLS	

5. Description of diverting works:

PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	13E	1	NE SW	8	IRRIGATION	1
					Section Acres	1
					Total Acres	1

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

THE LEGAL LAND DESCRIPTION FOR THIS CLAIM IS ALSO KNOWN AS LOT 5 OF THE NICHOLSON SUDIVISION.

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 11, 2001

LINDA D MORRIS
LEONARD H MORRIS
52 BELL RAPIDS RD
HAGERMAN ID 83332

RE: SRBA Claim(s) 2-20

Dear Mr. and Mrs. Morris:

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.

RECEIVED

JUN 07 2001

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 2-20
Adjudication Claim Number(s) _____

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Magic Valley Foods, Inc.

4. New Owner/Claimant(s) Leonard H. Morris and Linda D. Morris

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address 52 Bell Rapids Road, Hagerman, Idaho 83332

City, State and ZIP Code _____

New Telephone Number (____) _____ - _____

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

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

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Leonard H. Morris Linda D. Morris Date June 4, 2001
LEONARD H. MORRIS LINDA D. MORRIS Date _____

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

05/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 2-20

Owner Type Name and Address
Current Owner MAGIC VALLEY FOODS INC
 PO BOX 475
 RUPERT, ID 83350
 (208)436-3126

Priority Date: 04/01/1962
Basis: Beneficial Use
Status: Active

Source Tributary to
SNAKE RIVER COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.02 CFS		
Total Diversion			0.02 CFS		

Location of Point(s) of Diversion:

SNAKE RIVER NESW Lt 8 Sec. 01 Township 08S Range 13E TWIN FALLS County

IRRIGATION Use:
Acre Limit: 1

Place(s) of use:

Place of Use Legal Description: IRRIGATION TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	13E	1	8	NESW	1									

Total Acres: 1

Remarks:

1. General THE LEGAL LAND DESCRIPTION FOR THIS CLAIM IS ALSO KNOWN AS LOT 5 OF THE NICHOLSON SUDIVISION...

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Water Right 2-20

Order No. T010444

Twin Falls County, Idaho

Recorded for:
TWIN FALLS TITLE

09:19am Jun.06.2001

2001-009963

No. of Pages: 2 Fee: \$5.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CN

CORPORATION WARRANTY DEED

For Value Received

MAGIC VALLEY FOODS, INC., AN IDAHO CORPORATION

a corporation duly organized and existing under the laws of the State of Idaho, does hereby Grant, Bargain, Sell, and Convey unto

LEONARD H MORRIS AND LINDA D. MORRIS 1997 TRUST

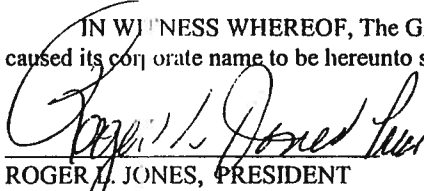
the grantee(s), whose current address is: **52 Bell Rapids Road, Hagerman, Idaho 83332**

the following described real estate, situated in **TWIN FALLS** County, Idaho, to-wit:

See Exhibit "A" Attached

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its board of directors has caused its corporate name to be hereunto subscribed by its President this 2nd day of June, 2001.

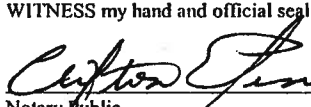


ROGER L. JONES, PRESIDENT

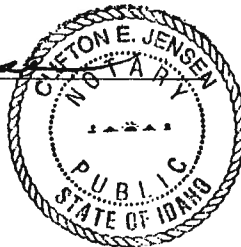
State of Idaho }
 } ss.
County of Gooding }

On this 2nd day of June, in the year 2001, before me, the undersigned, personally appeared ROGER L. JONES, known or identified to me to be the president, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.



Notary Public
Residing At: Hagerman, Idaho
Commission Expires: 5-10-03



RECEIVED
JUN 07 2001
Department of Water Resources
Southern Region

EXHIBIT A

Order No. T010444

Lot 5 of **NICHOLSON SUBDIVISION**, Twin Falls County, Idaho, according to the plat thereof, recorded in Book 8 of Plats, Page 22, in the Office of the County Recorder of said County.

EXCEPTING THEREFROM a portion of said Lot 5, being more particularly described as follows:

BEGINNING at the most Southerly corner of said Lot 5;
Thence North $50^{\circ}07'$ West along the Southwesterly boundary of said Lot 5 for a distance of 5 feet;
Thence North $32^{\circ}07'$ East to a point on the Northeasterly line of said Lot 5;
Thence Southeasterly along said Northeasterly line to the most Easterly corner of said Lot 5;
Thence South $32^{\circ}07'$ West 190.5 feet along the line common to Lots 4 and 5 to the
POINT OF BEGINNING.



TWIN FALLS
TITLE & ESCROW
COMPANY

6/6/01

VIA HAND DELIVER

Idaho Department of Water Resources
1341 Fillmore, Ste. 200
Twin Falls, Idaho 83301

RECEIVED
JUN 07 2001
Department of Water Resources
Southern Region

Re: Order No. T010444
Morris Trust

Dear Ladies and Gentlemen,

In connection with the above mentioned order, attached please find originals of the following document(s):

☒ Notice of Change of Water Rights Ownership, along with a copy of the recorded Deed.

Thank you for using Twin Falls Title & Escrow Company. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Jayne Shepard
Escrow Officer
Twin Falls Title & Escrow Company

js

encl.

\$51.00 89

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

Ident. Number: A02-00020
Date Received: 1/05/1989
Receipt No: M002578
Received By: B

JAN 9 1989

Department of Water Resources
Southern Region Office

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

1. Name: MAGIC VALLEY FOODS INC 208-436-3126
Address: P.O. BOX 475
RUPERT, ID 83350

2. Date of Priority: APR 01, 1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	13E	1	NE	SW		8	TWIN FALLS

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	13E	1	NE	SW	8	IRR	1.0

Section Acres 1.0

Total Acres 1.0

A02-00020

Page 1

Date: 01/05/89

MICROFILMED

MAR 19 1993

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:
THE LEGAL LAND DESCRIPTION FOR THIS CLAIM IS ALSO KNOWN AS LOT 5
OF THE NICHOLSON SUDIVISION...

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

_____ Magic Valley Foods, Inc. _____, that I have signed the foregoing
Organization
document in the space below as _____ President _____ of
Title

_____ Magic Valley Foods, Inc. _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Robert L. Jones
Signature of Authorized Agent

President, Magic Valley Foods, Inc.
Title and Organization

1-5-89

Date

State of Idaho)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of January 19 89

Wm. Schow
Notary Public

Seal

Residing at Rupert, Idaho

My Commission Expires 2-18-94

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Magic Valley Foods, Inc. CLAIM NO. A02-00020
DATE RECEIVED 1/9 CK # 17100 AMOUNT \$ 51.00

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? | ☒ | ☐ |
| Is the consumptive use correct? | ☒ | ☐ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ |
| 15. Is the basis of the claim indicated? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | ☒ | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

Comments: 1 Acre = \$51.00

Claim checked by: B

MICROFILMED
MAR 19 1993

11/19/2003

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

RIGHT NUMBER: 2-20

NAME AND ADDRESS: LINDA D MORRIS
44 BELL RAPIDS RD
HAGERMAN ID 83332

LEONARD H MORRIS
44 BELL RAPIDS RD
HAGERMAN ID 83332

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION:

T08S R13E S1 SENESW Lot 8 Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.020 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T08S R13E S01 Lot 8 NESW 0.2

0.2 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Idaho Department of Water Resources

Place of Use Layout 2-20



250 0 250 Feet



Township 8S Range 13E Section 1 NESW Lot 8
Nicholson Subdivision Lot 5



GIS Place of Use Presentation
1992 B&W photography.
Map prepared by: Scott King
Date prepared: November 19, 2003

	Point of Diversion
	Place of Use
	PLSS Township
	PLSS Section Lines
	PLSS quarter-quarter lines

RECEIVED

OCT 27 2003

Department of Water Resources

October 23, 2003

Scott King
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RE: Snake River Basin Adjudication Claim Nos. A02-00020

Dear Mr. King:

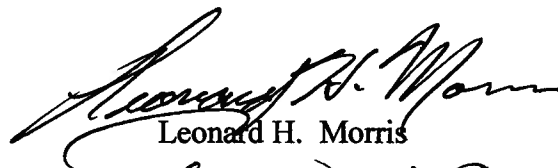
We are responding to your letter dated October 3, 2003, regarding "Evidence of Priority Date for claims during the Snake River Basin Adjudication (SRBA) claims taking.

As requested we are enclosing a signed and notarized statement dated October 18, 2003, from our neighbors, George and Joan Walton, stating that they personally witnessed water usage for both domestic and irrigation for our property at 44 Bell Rapids Road, Hagerman, Idaho, prior to our Date of Priority: 04/01/1962.

We have also enclosed a change of address for Claim 020 and Water Right Number 37-13015 for our property at Magic City.

Please advise if additional information is required to fulfil the evidence of priority date for claims filed in the SRBA.

Sincerely,



Leonard H. Morris



Linda D. Morris

44 Bell Rapids Road
Hagerman, Idaho
83332
(208)837-6090

SCANNED

NOV 19 2003

October 18, 2003

Scott King
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Dear Mr. King:

RE: Snake River Basin Adjudication Claim Nos. A02-00020

Our property at 46 Bell Rapids Road is adjacent to Linda and Leonard Morris' residence, 44 Bell Rapids Road, Hagerman, Idaho. Our property has been in our family since 1960. We can testify to the fact that the property that they own has used water for domestic and irrigation purposes since we have owned our property.

Joan Walton
Joan Walton

George Walton
George Walton
46 Bell Rapids Road
Hagerman, Idaho 83332
208 733-6120

STATE OF IDAHO _____)
COUNTY OF Twin Falls) ss

On this 20th day of October, in the year 2003, before me
Gabriela Morales, a notary public in and for the State of Idaho, personally
appeared Joan and George Walton, known or identified to me (or proved to me on
the oath of _____), to be the person whose name is
subscribed to the within instrument and acknowledged to me that he or she executed the
same.

Gabriela Morales
Notary Public for Idaho

Residing at Twin Falls

GABRIELA MORALES
Notary Public
State of Idaho

My commission expires _____

My Commission Expires On
June 25, 2007

SCANNED

NOV 19 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 3, 2003

LINDA D MORRIS
LEONARD H MORRIS
52 BELL RAPIDS RD
HAGERMAN ID 83332

RE: Snake River Basin Adjudication Claim Nos. A02-00020

Dear Claimants:

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer-generated print out of the claim(s) for your reference only, this print out is not to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority to be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible.

The required evidence supporting the priority date(s) requested needs to be submitted by December 5, 2003. Please let me know if you may not be able to submit proof of priority, or have any questions not covered by this letter and the enclosed pamphlet, by the date above. I can be reached by mail at the above address or by phone at (208) 327-7897.

Sincerely,


Scott King

Engineer, Technical I
Adjudication Bureau

SCANNED

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 2-20 V1

WATER RIGHT NUMBER: 2-20 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MAGIC VALLEY FOODS INC PO BOX 475 RUPERT, ID 83350-0475 (208)436-9606
Current Owner	LINDA D MORRIS 52 BELL RAPIDS RD HAGERMAN, ID 83332
Current Owner	LEONARD H MORRIS 52 BELL RAPIDS RD HAGERMAN, ID 83332

Priority Date: 04/01/1962

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.020 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L8 (SE1/4NE1/4SW1/4)	Sec. 1,	Twp 08S,	Rge 13E, B.M.
TWIN FALLS County				

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	13e	1									X								
											L 8								

Conditions of Approval:

1. C18 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.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s).

2-20

1. No Change NAME IS SAME

NEW OWNER:

Morris

No Change ADDRESS

NEW ADDRESS:

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is:

(If the priority date, based on your exam, seems questionable, explain below.)

Treated recommendation as D&S, not seeking
priority and rec. as domestic. If changed
to irrigation, seek evidence of priority.

3. No Change — SAME SOURCE

Source is different than that claimed:

Source found:

4. No Change — POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's:

Township 8S Range 13E Section 1 1/4 NE 1/4 SW lot 8
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

see field exam - 1983

**TWIN FALLS COUNTY ASSESSORS OFFICE
FAX (208) 736-4181**

Date: 10-1-03

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: Scott

Firm:

Telephone:

Fax No.

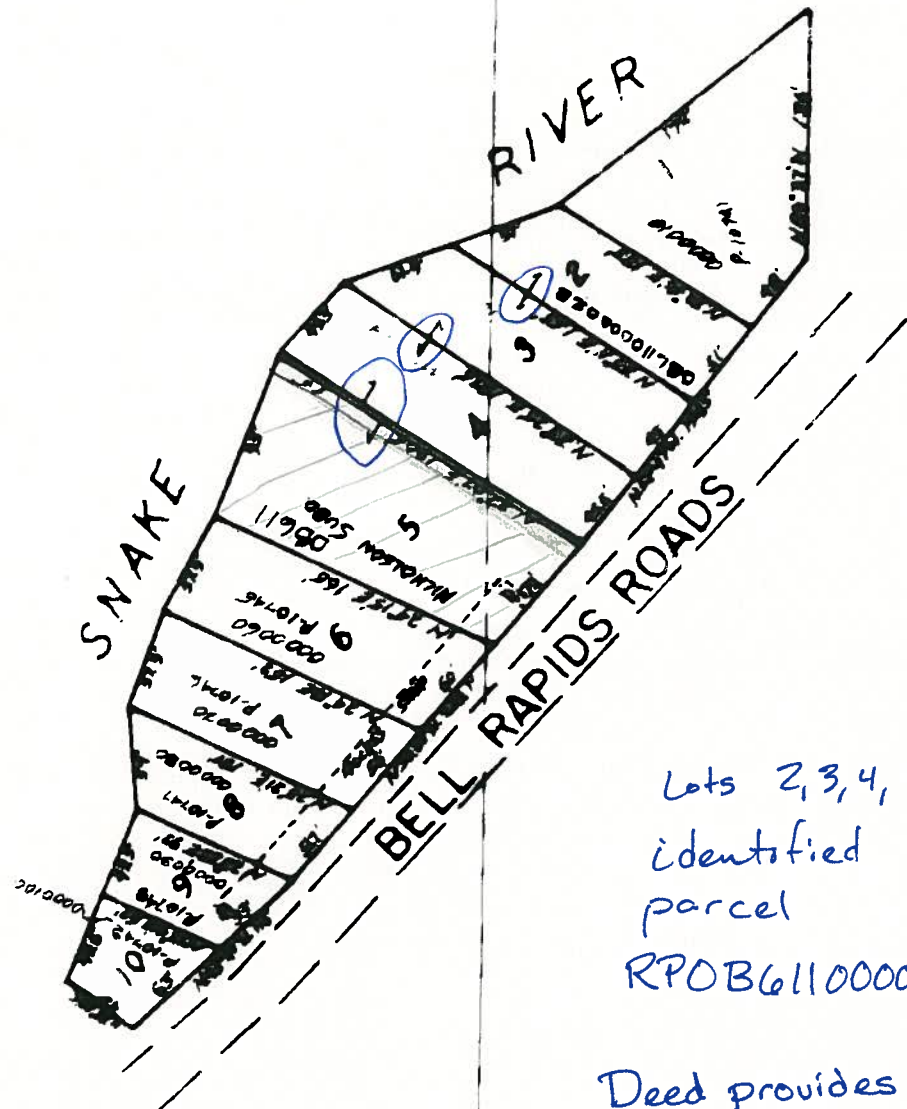
From: Twin Falls County Assessors Office

Name: June

TOTAL NUMBER OF PAGES (2) INCLUDING THIS COVER PAGE.

IF YOU DON'T RECEIVE ALL PAGES, PLEASE CALL (208) 736-4010.

**RECORDS ARE OPEN TO THE PUBLIC. FEEL FREE TO VISIT OUR OFFICE. WE
ARE OPEN MONDAY THRU FRIDAY 8:00 am - 5:00 pm. FAX REQUEST WILL BE
ANSWERED WITHIN 3 TO 10 BUSINESS DAYS.**



2

Lots 2, 3, 4, 5
identified as
parcel

RPOB61100000ZBA

Deed provides this
right is for Lot 5 of
this subdivision, ~~excepting~~
a narrow strip along
the eastern border of lots
2-0020

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 11/01/83

Right No. 02-0020

Claimant CUNNINGHAM

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☐ Other _____
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 9/08/83

☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement .02 cfs. Amount recommended .02 cfs.
Type of measuring device: ESTIMATE Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. HAGERMAN, _____, _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks _____

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-0020

1. Name of Applicant Robert C. Cunningham
2. Priority _____
3. Source of Water Snake River
4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
0.02 cfs Use irrigation From Mar 15 to Nov 15
 _____ cfs Use _____ From _____ to _____
 _____ cfs Use _____ From _____ to _____
5. Location of Point of Diversion: Lot 8 (NE/SW) of Section 1
 Twp. 8S, Rge. 13E, County of Juin Falls
6. Describe Diversion Works: inlet, Sears 1 1/2 hp pump, rainbird-type heads
7. Describe Location of Use:

TWP	RGE	SEC	NE 1/4				NW 1/4				SE 1/4				SW 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	13E	1													1/8				1/8
															1/8				

TWP.	RGE.	COUNTY	SCALE: 1" = 1 MILE															

8. Purpose other than irrigation: _____
9. Remarks: not over 1/8 acre irrigated.

This examination was made on the 8th day of September, 19 83.

(Signed) J.F. Stanton
Examiner

Colase Meridian, Idaho.



SEC. 1

2037

GRILEY

2037

ISLAND

Map in Hand

WATER RIGHT NUMBER 02-0020

OWNER LBST NAME - CUNNINGHAM

ADDRESS LINE 1 - P.O. BOX 458

ADDRESS LINE 3 -

SOURCE - SNAKE RIVER

STAGE -

STATUS -

TRIBUTARY OF - COLUMBIA RIVER

PRIORITY - 04-01-1962

TOTAL DIV. VOLUME -

.00 AFR TRFR/AMEND -

WATER DIST. - 02

DLE/CAREY PCT -

RIGHT BASIS - R

.0200 -CFS

DIVERSION POINT - NESM-01 085 13E-LOT 08-REDIV -

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE - IRRIGATION

PLACE OF USE - TWIN-085 RING-13E-SEC 01 TRACT NESM-LOT 08 AC 01

DECFREE NAME -

DATE -

TOTAL ACRES

1

REMARKS - P/U = LOT 5 NICHOLSON SUBD. IRR. = 1/8 AC.

IRR. AC. = 1/8.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HERRING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

OK

RECEIVED

APR 6 1981

RECEIVED
APR 7 1981
Department of Water Resources
Southern District OfficeIN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OFIN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OFNOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources	
02-0020	
I.D. No.	Map No.
\$ 30.00	116938
Fee Paid	Receipt No.

Notice is hereby given that Robert C. Cunningham

(Name of Claimant)

Box 458

Hagerman, Idaho

83332

Telephone No. 837-4952

(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, or priority date of decreed, licensed or permit right) April 1, 1962(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to COLUMBIA RIVER

(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 0.02 Use irrigation Period of Use From Mar 15 To Nov. 15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)(4) 0.02 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

SE Lt. 8

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 1, Twp. 8S, Rge. 13E, B.M., Twin Falls CountyAdditional Points: SCI: 2720(1) 583.0

B) 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.

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
8S	13E	1									1								1

Total no. of acres 1

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

NOTE: Include here the type and number of stock watered:

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

(8) Remarks Place of use is Lt 5, Nicholson Subdivision
(P/U = Lot 5 Nicholson Subd. 1RR = 98 Ac.)(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

KEYPUNCHED

Se 8/22/84

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

March 31, 1981
(Date)State of Idaho

Organization

County of Gooding

ss.

Seal

(Signature of Authorized Agent)

On this 31st day of March, in the year 1981, before me
a notary public, personally appeared Robert C. Cunningham & Elaine J. Cunningham
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they) corporation,
partnership or _____) executed the same.My commission expires LifetimeNotary Public residing at Hagerman, Idaho

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
Snake River from base of
Nicholson Dam
to Oregon border
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-0020	
I.D. No.	Map No.
\$ 70.00	46938
Fee Paid	Receipt No.

Notice is hereby given that Robert C. Cunningham
(Name of Claimant)

Box 458 Hagerman, Idaho 83332 Telephone No. 837-4952
(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, or priority date of decreed, licensed or permit right) April 1, 1962

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River 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 0.02 Use irrigation Period of Use From Mar 15 To Nov. 15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 0.02 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF) Lt. 8

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 SW 1/4
Sec. 1, Twp. 8S, Rge. 13E, B.M., Twin Falls County

Additional Points: _____

B) 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. _____

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	13E	1																	1

Total no. of acres 1

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

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Place of use is Lt 5, Nicholson Subdivision

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual Robert C. Cunningham
(Signature of Claimant)

Elaine Cunningham
(Signature of Spouse)

Organization _____

State of Idaho ss, Organization _____

County of Blaine Seal _____
(Signature of Authorized Agent)

On this 31st day of March, in the year 1981 before me
a notary public, personally appeared Robert C. Cunningham

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires February Notary Public residing at _____