

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 05 2004
Department of Water Resources
Southern Region

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

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 No(s): 43-25740 ; 43-25760 ; 43-10597A-AJ
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest
Western AgCredit, FLCA
P.O. Box 95850
South Jordan, Utah 84095
4. Name of Water Right Owner/Claimant(s) David O. Hinckley
5. Expiration Date of Notification Period March 01, 2024
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) (and title if applicable) *David O. Hinckley*
Vice President - Credit Services

For Office Use Only

Received by <u>M</u>	Date <u>3-16-04</u>	Fee <u>\$75.00</u>
Receipted by <u>M</u>	Date <u>3-16-04</u>	Receipt No. <u>C 073104</u>
Processed by <u>[Signature]</u>	Date <u>3-24-04</u>	WR _____ Date _____

SCANNED
MAR 24 2004

Recording Requested by:
WHEN RECORDED MAIL TO:

COPY

FILE COPY
ORIGINAL IN
COLLATERAL VAULT

RECEIVED

MAR 16 2004

Department of Water Resources

Western AgCredit, FLCA
P.O. Box 95850
South Jordan, Utah 84095-0850

294281

38499

Loan No. 4400062501

**REAL ESTATE MORTGAGE,
FIXTURE FILING AND SECURITY AGREEMENT**

THIS MORTGAGE is made this 17th day of February, 2004 between

DAVID O. HINCKLEY

hereinafter called "Mortgagor", and Western AgCredit, FLCA hereinafter called "Mortgagee", a corporation, existing and operating under the Farm Credit Act of 1971, as amended, having its principal place of business in South Jordan, Utah.

WITNESSETH: That Mortgagor IRREVOCABLY GRANTS, BARGAINS, SELLS, CONVEYS AND ASSIGNS unto Mortgagee together with right of entry and possession the following described real property situated in the County of Cassia, State of Idaho:

FOR DESCRIPTION OF REAL PROPERTY SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH: all buildings, structures, equipment, fixtures (including trees, vines and shrubs) and improvements of every kind and description now or hereafter constructed or placed thereon; all standing timber and timber to be cut located thereon; all existing and future water rights, however evidenced, including irrigation and watering equipment and systems, ditches, laterals, conduits, and rights-of-way used to convey such water or to drain the above-described property, all of which rights are hereby made appurtenant to the property, and all pumping plants, electrical generators, wind machines, and fencing and storage tanks, now or hereafter used in connection with the property, all of which are hereby declared to be fixtures; all existing and future grazing rights, leases, permits and licenses; all oil, gas, and mineral leases, permits and rights used with the property; all tenements, hereditaments, easements, rights-of-way and appurtenances to the property; and all right, title, and interest at any time of Mortgagor (or any of its bailees, agents, or instrumentalities), whether now existing or hereafter arising or acquired, whether direct or indirect, whether owned legally, of record, equitably or beneficially, whether constituting real or personal property (or subject to any other characterizations), whether created or authorized under existing or future laws or regulations, and however arising in, including without limitation, the water, water rights and other assets and items described below in subparagraphs (a) through (h) which shall collectively be called "**Water Assets**" (hereafter collectively referred to as the "**Property**"). References to "**water**" and "**water rights**" are used herein in the broadest and most comprehensive sense of the term(s). The term "**water**" includes water rights and right to water or whatever rights to money, proceeds, property or other benefits are exchanged or received for or on account of any Water Assets or any conservation or other nonuse of water, including whatever rights are achieved by depositing one's shares of any Water Assets in any water bank or with any water authority, or any other water reallocation rights:

a. All water (including any water inventory in storage), water rights and entitlements, other rights to water and other rights to receive water or water rights of every kind or nature whatsoever including (i) the groundwater on, under, pumped from or otherwise available to the Property, whether as the result of groundwater rights, contractual rights or otherwise, (ii) Mortgagor's right to remove and extract any such groundwater including any permits, rights or licenses granted by any governmental authority or agency or any rights granted or created by any use, easements, covenant, agreement or contract with any person or entity, (iii) any rights to which the Property is entitled with respect to surface water, whether such right is appropriative, riparian, prescriptive, decreed or otherwise and whether or not pursuant to permit or other governmental authorization, or the right to store any such water, (iv) any water, water right, water allocation, distribution right, delivery right, water storage right, or other water-related entitlement appurtenant or otherwise applicable to the Property by virtue of the Property being situated within the boundaries of any district, agency, or other governmental entity or within the boundaries of any private water company, mutual water company, or other non-governmental entity;

b. All stock, interest or rights (including any water allocations, voting or decision rights) in any entity, together with any and all rights from any entity or other person to acquire, receive, exchange, sell, lease, or otherwise transfer any water or other Water Assets, to store, deposit or otherwise create water credits in a water bank or similar or other arrangement for allocating water, to transport or deliver water, or otherwise to deal with any Water Asset;

c. All licenses, permits, approvals, contracts decrees, rights and interest to acquire or appropriate any water or other Water Assets, water bank or other credits evidencing any right to water or other Water Assets, to store, carry, transport or deliver water or other Water Assets, to sell, lease, exchange, or otherwise transfer any water or other Water Asset, or to change the point for diversion of water, the location of any water or Water Asset, the place of use of any water or Water Asset, or the purpose of the use of any water or Water Asset;

d. All rights, claims, causes of action, judgments, awards, and other judicial, arbitral or administrative relief in any way relating to any water or Water Asset;

SCANNED

MAR 24 2004

character or use of the Property may be reasonably necessary, the specific enumerations herein not excluding the general; to observe and perform all obligations of Mortgagor under any lease of the Property.

3. To provide, maintain and deliver to Mortgagee fire and all other types of insurance of the type and in amounts as Mortgagee may require, with loss payable clauses solely in favor of Mortgagee. In the event of loss, the insurance proceeds, or any part thereof, may be applied by Mortgagee, at its option, to the reduction of the indebtedness hereby secured or to the restoration or repair of the property damaged. In the event that the Mortgagor shall fail to provide satisfactory hazard insurance, Mortgagee may procure, on Mortgagor's behalf, insurance in favor of Mortgagee alone. If insurance cannot be secured by Mortgagor to provide the required coverage, such inability shall constitute an event of default hereunder.
4. To appear in and litigate any action or proceeding purporting to affect the security hereof, the title to the Property, or the rights or powers of Mortgagee; Mortgagee may appear in and litigate any such action or proceedings, including any bankruptcy, partition or condemnation proceeding, affecting the Property, or Mortgagee's interest therein, in which event Mortgagor agrees to pay all costs and expenses thereof, including attorney's fees and costs of securing evidence of title.
5. To pay on or before the due date all taxes and assessments affecting the Property, including all assessments upon water company stock and all rents, assessments and charges for water, appurtenant to or used in connection with the Property; to pay, when due, all encumbrances, charges, and liens, on the Property or any part thereof, which at any time appear to be prior or superior hereto.
6. In case of any suit to foreclose this Mortgage or to collect any charge arising out of the debt hereby secured, or of any suit which the Mortgagee may deem necessary to prosecute or defend to effect or protect the lien herein, including any proceeding in bankruptcy, or if Mortgagee retains an attorney to advise Mortgagee in connection with this Mortgage or any other agreement related to the indebtedness secured by this Mortgage, Mortgagor agrees to pay a reasonable sum as attorney's fees and all costs and legal expenses in connection with said suit, and further agrees to pay the reasonable costs of searching the records and abstracting or insuring the title, and such sums, costs and expenses shall be secured hereby and shall be included in any decree of foreclosure. The fees and costs described herein and elsewhere in this Mortgage shall be in addition to those set forth in the loan agreement or any other written agreement between Mortgagor and Mortgagee.
7. Should Mortgagor fail to make any payment or to do any act as provided for in this Mortgage, then Mortgagee, but without obligation to do so and without notice to or demand upon Mortgagor and without releasing Mortgagor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the Property, Mortgagee being authorized to enter upon the Property for such purposes: commence, appear in and litigate any action or proceeding purporting to affect the security hereof or the rights or powers of Mortgagee, including any bankruptcy proceeding affecting the Property; pay, purchase, contest, or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and in exercising any such powers, incur any liability, expend whatever amounts in its absolute discretion it may deem necessary therefore, including attorney's, accountant's, and appraisal fees, environmental fees, and costs of securing evidence of title, and all amounts so expended shall be obligations of Mortgagor secured by this Mortgage. Nothing contained herein shall prohibit Mortgagee from entering the Property, at a reasonable time and upon reasonable notice to Mortgagor, without incurring or assuming any obligations or liabilities whatsoever, for the sole purpose of inspecting the Property.
8. To pay immediately and without demand all sums expended by Mortgagee pursuant to the provisions hereof, with interest from date of expenditure at the same rate as is provided for in the note or notes secured by this Mortgage. In the event that such sums are not immediately paid, they shall be added, along with the appropriate amount of capital stock or participation certificates, to the principal balance of the indebtedness secured hereby and shall accrue interest as herein set forth. All such sums shall be secured hereby.
9. Environmental Representations, Warranties and Covenants.
 - (a) Except as disclosed in writing to Mortgagee, or except as otherwise provided in any loan agreement between Mortgagee and Mortgagor which specifically refers to the Property, to the best knowledge of Mortgagor after due inquiry, Mortgagor hereby further represents, warrants and covenants as follows:
 - (i) No pollutants, contaminants (including oil or other petroleum products), toxic or hazardous substances, or solid or hazardous wastes, as such terms are defined under any federal, state or local Environmental Law, regulation or ordinance (hereinafter "Contaminants") have been, are being or will be generated, manufactured, produced, stored, disposed of, discharged, released threatened to be released, or otherwise allowed to migrate or escape on, under or from the Property in such quantities or concentrations as would violate any federal, state or local Environmental Law, regulation or ordinance or as would require Mortgagor to report such condition to any governmental authority or to undertake removal or remedial action to clean up such contaminants;
 - (ii) No Contaminants are located on, in or under any property located adjacent to the Property in such quantities or concentrations as would constitute a violation of any Environmental Law or as would require the owner of the adjacent property to report such condition to any governmental authority or to undertake removal or remedial action to clean up such Contaminants;
 - (iii) Neither the Property, nor any portion thereof, nor any adjacent property or portion thereof, has been or is proposed to be listed under the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601, et seq.), or any analogous state law. Mortgagor shall immediately notify Mortgagee if Mortgagor acquires any information concerning the listing or proposed listing of the Property or any adjacent property and shall provide Mortgagee with any documents in Mortgagor's possession relative thereto;

SCANNED

(b) Mortgagor will perform all obligations imposed as a requirement of exercise of said grazing permits or other rights and will comply with all laws, rules and regulations applicable thereto;

(c) Mortgagor will take such timely action as may be required to cause the renewal or reissuance of said grazing permits or other rights from time to time as they expire during the term thereof. Mortgagor agrees and acknowledges that the failure to renew or cause the reissuance of any said permits for any reason, whether the result of an act or omission of Mortgagor or for reasons beyond Mortgagor's control, is an event of default hereunder and Mortgagee shall have the right to exercise the rights hereinafter set forth in this Mortgage; and

(d) Mortgagor agrees to pay all fees, charges, rents or other payments accruing under said permits or any renewals thereof prior to delinquency. In the event Mortgagor fails to pay any such payment, the amount unpaid shall become a part of the indebtedness secured by this Mortgage and shall be immediately due and payable.

B

IT IS MUTUALLY AGREED THAT:

1. Any award of damages in connection with any taking or condemnation or injury to the Property by reason of public use, or for damages resulting from private trespass or injury to the Property, is absolutely and unconditionally assigned and shall be paid to Mortgagee, under the terms and conditions of this Mortgage pertaining to Rents. Upon receipt of such money Mortgagee may apply the same on the indebtedness secured hereby. Mortgagor agrees to execute such further documents as may be required to effect the assignments herein made as Mortgagee may require.
2. At any time, without affecting the liability of any person for the payment of the indebtedness secured hereby, and without otherwise affecting the security hereof, Mortgagee may (a) consent to or join in the making of any map or plat of the Property; (b) grant any easement or create any restriction thereof; (c) subordinate this Mortgage; (d) extend or modify the term of the loan or loans secured hereby; and (e) release without warranty, all or any part of the Property.
3. Prior to any default by Mortgagor in the payment, observance, performance and discharge of any condition, obligation, covenant, or agreement of Mortgagor contained herein. Mortgagor may, for collection and distribution purposes only, collect and receive the Rents as they come due and payable; the Rents are to be applied by Mortgagor to the payment of the principal and interest and all other sums due or payable on any promissory note or guaranty secured by this Mortgage and to the payment of all other sums payable under this Mortgage and, thereafter, so long as the aforesaid has occurred, the balance shall be distributed to the account of Mortgagor. Upon any such default, Mortgagee may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of the Property or any part thereof, in his own name, sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Mortgagee may determine; also perform such acts of repair, cultivation, irrigation or protection, as may be necessary or proper to conserve the value of the Property; also lease the same or any part thereof for such rental, term, and upon such conditions as its judgment may dictate; also prepare for harvest, remove, and sell any crops that may be growing upon the Property, and apply the proceeds thereof upon the indebtedness secured hereby.
4. The entering upon and taking possession of the Property, the collection of such rents, issues, and profits, or the proceeds of fire and other insurance policies, or compensation or awards for any taking of or damage to the Property, and the application or release thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
5. Upon default by Mortgagor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Mortgagee and in accordance with applicable state law. In the event of default, Mortgagee may employ counsel to enforce payment of the obligations secured hereby, may foreclose and, if applicable, sell the Property by advertisement and sale, and in accordance with other applicable state law, and may exercise such other rights and remedies granted by law and equity, which rights and remedies shall be cumulative and not exclusive. Mortgagee may resort to and realize upon the security hereunder and any other real or personal property security now or hereafter held by Mortgagee for the obligations secured hereby in such order and manner as Mortgagee may, in its sole discretion, determine. Resort to any or all such security may be taken concurrently or successively and in one or several consolidated or independent judicial actions or lawful nonjudicial proceedings, or both. If the obligation secured by this Mortgage is also secured by personal property, fixtures or crops, Mortgagee may enforce its security interest in the personal property, fixtures and crops and its lien under this Mortgage in any manner and in any order or sequence permitted by applicable law. All remedies are cumulative and none are exclusive; no election by Mortgagee to pursue one remedy or item of collateral shall be deemed to be a release or waiver of any other item of collateral or a release or modification of the liability of Mortgagor or any guarantor to pay and perform in full all obligations to Mortgagee. The procedures governing the enforcement by Mortgagee of its foreclosure and provisional remedies against Mortgagor shall be governed by the laws of the state in which the Property is located. Nothing contained herein shall be construed to provide that the substantive law of the state in which the Property is located shall apply to Mortgagee's rights and Mortgagor's obligations hereunder or under the promissory note(s) or guaranties described herein, which are and shall continue to be governed by the substantive law of the state in which the promissory note(s) or guaranties were executed.
6. The failure on the part of the Mortgagee to promptly enforce any right hereunder shall not operate as a waiver of such right and the waiver by Mortgagee of any default shall not constitute a waiver of any other subsequent defaults. Subsequent acceptance of any payment by the holder hereof shall not be deemed a waiver of any default by Mortgagor, or of Mortgagee's rights hereunder as the result

SCANNED

(Page 5 of 6)

EXHIBIT "A"

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 11: ALL, EXCEPTING the following described tracts:

Tract No. 1:

Beginning on the North boundary line of said Section 11, North $89^{\circ}30'$ West 98 feet from the Northeast corner of said Section 11;

Thence North $89^{\circ}30'$ West 209 feet;

Thence South $0^{\circ}30'$ West 104 feet;

Thence South $89^{\circ}30'$ East 208 feet;

Thence North $0^{\circ}30'$ East 104 feet to the Point of Beginning.

Tract No. 2:

Beginning at a point on the North line of said Section 11, said point being 1760.7 feet West of the Northeast corner of said Section 11;

Thence at right angles South 489.7 feet;

Thence North $88^{\circ}40'$ West 671.9 feet;

Thence South $9^{\circ}34'$ East 160.7 feet;

Thence North $85^{\circ}59'$ West 1253.6 feet;

Thence South $6^{\circ}47'$ West 953.6 feet;

Thence South $4^{\circ}37'$ West 1661.7 feet;

Thence South $89^{\circ}37'$ West 1307.8 feet, more or less to the West line of Section 11;

Thence North $0^{\circ}21'$ East along the West line of Section 11, 3156.8 feet, more or less, to the Northwest corner of Section 11;

Thence East along said North line 3430.4 feet, more or less, to the Point of Beginning.

Tract No. 3:

Beginning at the $E\frac{1}{4}$ section corner of said Section 11, said corner marked by a $\frac{5}{8}$ inch rebar which shall be the Point of Beginning;

Thence South $00^{\circ}05'28''$ East along the East line of the $NE\frac{1}{4}SE\frac{1}{4}$ for a distance of 781.27 feet;

Thence North $44^{\circ}47'08''$ West for a distance of 31.87 feet to a $\frac{1}{2}$ inch rebar;

Thence North $44^{\circ}47'08''$ West for a distance of 968.95 feet to a $\frac{1}{2}$ inch rebar;

Thence North $02^{\circ}07'07''$ East for a distance of 46.47 feet to a $\frac{1}{2}$ inch rebar;

Thence North $42^{\circ}49'38''$ East for a distance of 636.67 feet to a $\frac{1}{2}$ inch rebar;

Thence North $89^{\circ}57'12''$ East for a distance of 247.38 feet to a $\frac{1}{2}$ inch rebar;

Thence North $89^{\circ}57'12''$ East for a distance of 21.52 feet to the East line of the $SE\frac{1}{4}NE\frac{1}{4}$;

Thence South $00^{\circ}02'48''$ East along said line for a distance of 442.66 feet to the Point of Beginning.

-Continued-

SCANNED

MAR 7 4 2004

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 14: ALL, EXCEPTING the following described tract:

Beginning at the Southwest corner of said Section 14;
Thence South 89°26' East along the South line of Section 14 1535.1 feet;
Thence North 19°49' West 4452.0 feet more or less to the West line of Section
14;
Thence South 0°21' West 4173.0 feet more or less to the Point of Beginning.

Section 23: ALL

TOGETHER WITH THE FOLLOWING WATER RIGHTS REGISTERED WITH THE STATE OF
IDAHO DEPARTMENT OF WATER RESOURCES: WUC No.(s) 43-2574D, 43-2576D and
43-10597A

2004261

CASSIA COUNTY, IDAHO
LARRY A. WICKELSEN
RECORDER

2400 DEPUTY
FEE

2004 MAR 2 PM 1 18

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

SCANNED

MAR 24 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 43-10597A
Date Received: 8/8/89
Receipt No:
Received By:

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

1. Name of Claimant(s)

Name: RAFT RIVER RANCHES INC
Address: PO BOX 11503
SALT LAKE CITY UT 84147

Phone: (208)595-6322

2. Date of Priority: 06/30/1985

3. Source: Ground Water

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	27E	11	NE	SE		0	CASSIA
11S	27E	23	SE	NE		0	CASSIA
11S	27E	21	SW	SE		0	CASSIA
11S	27E	22	SW	SW		0	CASSIA
11S	27E	23	SE	SE		0	CASSIA
11S	27E	11	SE	SE		0	CASSIA
11S	27E	20	SE	SE		0	CASSIA
11S	27E	23	NE	NE		0	CASSIA
11S	27E	21	SE	SW		0	CASSIA
11S	27E	11	SE	NE		0	CASSIA

5. Description of diverting works:

WELLS W/ PUMPS & INTERCONNECTED PIPELINE TO SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.901	792

7. Total Quantity Appropriated is:
3.901 C.F.S. and/or 792 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	27E	11	SE SE		IRRIGATION	1
			NW SE		IRRIGATION	12
			SW NE		IRRIGATION	5
			SE NE		IRRIGATION	2
			SE NW		IRRIGATION	20
			NE SW		IRRIGATION	11
			NE SE		IRRIGATION	15
					Section Acres	66
11S	27E	14	NE NW		IRRIGATION	2
			NE NE		IRRIGATION	1
			SW NE		IRRIGATION	16
			SE NE		IRRIGATION	13
			NW NW		IRRIGATION	13
			SW NW		IRRIGATION	14
			SE NW		IRRIGATION	24
			NE SW		IRRIGATION	5
			NE SE		IRRIGATION	8
			NW SE		IRRIGATION	3
			SE SE		IRRIGATION	1
					Section Acres	100
11S	27E	23	NW NW		IRRIGATION	1
			SW NW		IRRIGATION	5
			NE SW		IRRIGATION	2
			SW SW		IRRIGATION	4
			SE SW		IRRIGATION	5
			NE SE		IRRIGATION	1
			SE SE		IRRIGATION	3
			NW SW		IRRIGATION	6
			NE NE		IRRIGATION	1
			NW NE		IRRIGATION	1
			SE NE		IRRIGATION	2
			NE NW		IRRIGATION	1
					Total Acres	198

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM COVERS ACREAGES PLACED UNDER IRRIGATION SINCE 1964 IN THE SAME AREAS
COVERED BY THE ABOVE REFERENCED RIGHTS AND USES THE SAME WATER SOURCES
.....
THIS IS A PORTION OF 43-10597 WHICH WAS SPLIT INTO PARTS A & B AS THE RESULT OF AN
OWNERSHIP CHANGE. 3/5/98 jr

15. Basis of Claim: Beneficial Use

06/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 43-10597A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID O HINCKLEY 3500 N 2200 W SALT LAKE CITY, UT 84116 (801)595-6339
Representative	ERO RESOURCES CORP C/O SHERL L CHAPMAN 1106 N COLE RD STE C BOISE, ID 83704-8661 (208)373-7985
Original Owner	RAFT RIVER RANCHES INC PO BOX 11503 SALT LAKE CITY, UT 84147 (801)595-6322

Priority Date: 06/30/1985
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.96 CFS		
Total Diversion			2.96 CFS		

Location of Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 11	Township 11S	Range 27E	CASSIA County
GROUND WATER	SESESE	Sec. 11	Township 11S	Range 27E	CASSIA County
GROUND WATER	SENENE	Sec. 23	Township 11S	Range 27E	CASSIA County
GROUND WATER	NESESE	Sec. 23	Township 11S	Range 27E	CASSIA County

IRRIGATION Use:
Acre Limit: 188.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA 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>
11S	27E	11		NENE	37		NWNE	35		SWNE	40		SENE	34
				NENW	20		SENW	35						
				NESW	38		NWSW	35		SWSW	40		SESW	40
				NESE	30		NWSE	40		SWSE	40		SESE	39
		14		NENE	39		NWNE	40		SWNE	40		SENE	40

Water Right 43-10597A

23

NENW	40	NWNW	40	SWNW	31	SENW	40
NESW	40	NWSW	15	SWSW	2.5	SESW	38
NESE	39	NWSE	40	SWSE	40	SESE	39
NENE	40	NWNE	40	SWNE	40	SENE	40
NENW	40	NWNW	40	SWNW	40	SENW	40
NESW	40	NWSW	40	SWSW	40	SESW	40
NESE	40	NWSE	40	SWSE	40	SESE	40

Total Acres: 1706.5

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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1706.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.
2. General THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02574D & 43-02576D PURSUANT TO SECTION 42-1416B, IDAHO CODE.
3. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 26.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 6072 AF. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date:
 Claim Received Date: 08/08/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s): X777777
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:NONE RECEIVED
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

**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: 43-10597A

RAFT RIVER RANCHES INC

PO BOX 11503

SALT LAKE CITY UT 84147

Telephone Number: (801)595-6322

RECEIVED
JUN 12 2001
Department of Water Resources
Southern Region

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:

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

DATE: 5 June 2001

SIGNATURE: David O Hinckley

Please print your name: David O Hinckley

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

JR

RECEIVED
JUN 12 2001
Department of Water Resources
Southern Idaho

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
4302574					
4302576 D					
43-10597A					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) RAFT River Ranches INC
PO Box 11503 S.R.C. Utah 84147
4. New Owner/Claimant(s) David O. Hinckley
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3500 No 2200 West
- City, State and ZIP Code Salt Lake City Utah 84116
- New Telephone Number 801 5956339 Cell 5541705
5. Date you acquired the property 1987

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

David O. Hixkey David O. Hixkey
owner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

VERIFIED BY *[Signature]* 12/4/2000

12/04/2000

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

RIGHT NUMBER: 43-10597A

NAME AND ADDRESS: RAFT RIVER RANCHES INC
PO BOX 11503
SALT LAKE CITY, UT 84147

SOURCE: GROUND WATER

QUANTITY: 2.96 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 26.82 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 6072 AF. COMBINED RIGHT NOS.: 43-
02574D, 43-02576D, & 43-10597A.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:	T11S R27E S11	SESENE	Within CASSIA County
	T11S R27E S11	SESESE	Within CASSIA County
	T11S R27E S23	SENENE	Within CASSIA County
	T11S R27E S23	NESESE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.96 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T11S R27E S11	NENE	37	T11S R27E S11 NWNE 35
T11S R27E S11	SWNE	40	T11S R27E S11 SENE 34
T11S R27E S11	NENW	20	T11S R27E S11 SENW 35
T11S R27E S11	NESW	38	T11S R27E S11 NWSW 35
T11S R27E S11	SWSW	40	T11S R27E S11 SESW 40
T11S R27E S11	NESE	30	T11S R27E S11 NWSE 40
T11S R27E S11	SWSE	40	T11S R27E S11 SESE 39
T11S R27E S14	NENE	39	T11S R27E S14 NWNE 40
T11S R27E S14	SWNE	40	T11S R27E S14 SENE 40
T11S R27E S14	NENW	40	T11S R27E S14 NWNW 40
T11S R27E S14	SWNW	31	T11S R27E S14 SENW 40
T11S R27E S14	NESW	40	T11S R27E S14 NWSW 15
T11S R27E S14	SWSW	2.5	T11S R27E S14 SESW 38
T11S R27E S14	NESE	39	T11S R27E S14 NWSE 40
T11S R27E S14	SWSE	40	T11S R27E S14 SESE 39
T11S R27E S23	NENE	40	T11S R27E S23 NWNE 40
T11S R27E S23	SWNE	40	T11S R27E S23 SENE 40
T11S R27E S23	NENW	40	T11S R27E S23 NWNW 40

Water Right 43-10597A

T11S R27E S23	SWNW	40	T11S R27E S23	SENW	40
T11S R27E S23	NESW	40	T11S R27E S23	NWSW	40
T11S R27E S23	SWSW	40	T11S R27E S23	SESW	40
T11S R27E S23	NESE	40	T11S R27E S23	NWSE	40
T11S R27E S23	SWSE	40	T11S R27E S23	SESE	40

1706.5 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1706.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

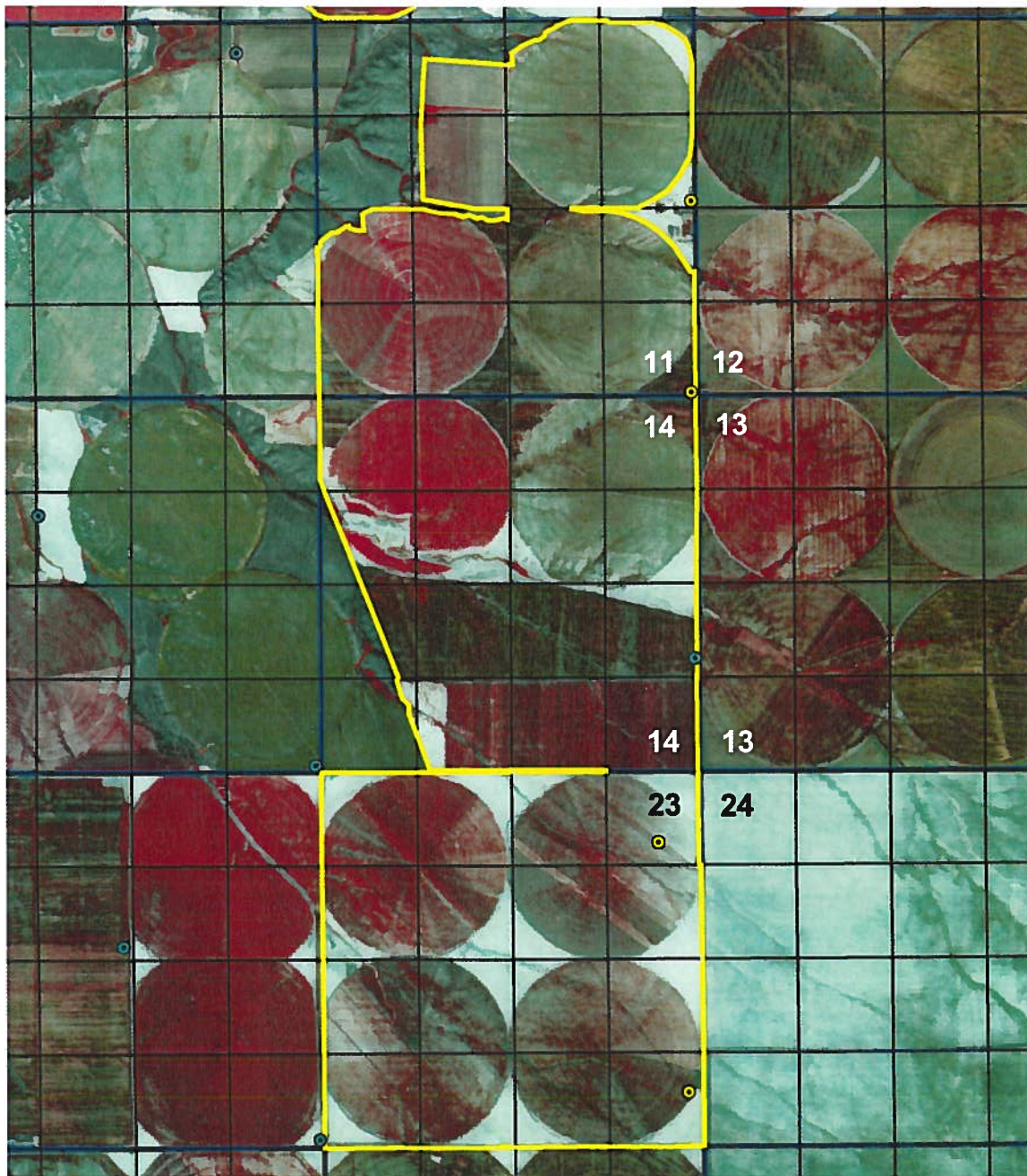
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02574D & 43-02576D PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

43-02574D, 43-02576D, & 43-10597A



0 1320 2640 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON DEC. 4, 2000
TWP 11S, RNG 27E, SEC. 11, 14, & 23

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

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

A total of 1737 acres were claimed and 1708 acres appeared to be irrigated per GIS and the 1987 aerial photography. There are two claims based on portions of licenses for 1539 acres and one expansion claim for 198 acres.

The two claims based on licenses for 1539 acres should only be for a total of 1518 acres, according to the water rights. I have reduced the diversion rates based on their proportionate share of the licenses. This allows a total of 27.1cfs on 1518 acres, or 0.017 cfs/ac. They have also claimed domestic and stockwater. I will allow the stockwater, with limitations, but domestic use was not part of the original licenses. *no limiting remarks cause licensed*

A43-02574D	7/19/63	23.45 cfs	1539 ac
R43-02574D	7/19/63	16.26 cfs	1518/1708 ac ppu
A43-02576D	3/24/64	15.77 cfs	1539 ac
R43-02576D	3/24/64	10.84 cfs	1518/1708 ac ppu

Expansion claim A43-10597A for 198 acres will be recommended for 190 acres, the difference between the licensed acres (1518) and the recommended acres (1708), with no additional diversion rate or volume allowed. *188.5*

A43-10597A	6/30/1985	3.90 cfs	198 ac
R43-10597A	6/30/1985	3.01 cfs	190/1708 ac ppu

$$\begin{array}{r} 1706.5 \text{ GIS} \\ - 1518.0 \text{ Lic} \\ \hline 188.5 \text{ EXP} \end{array}$$

(43,105,97)

Capacity of 4 wells = $26.82 \text{ cfs} - \frac{16.26 \text{ cfs}}{10.56} = 26.82 \text{ cfs} - 1.54 \text{ cfs} = 25.28 \text{ cfs}$

* reduce -02576 D to 10.56 cfs

$$43-10597A \quad 26.82 \div 1706.5 \times 188.5 \text{ ac} = 2.96 \text{ cfs}$$

Claimed = 1737

GIS = 1706.5 Ac.
LIC = 1518 Ac.
EXP = 188.5 Ac.

CLAIM NUMBER A43-02574D
A43-02576D
A43-10597A

DATE _____
AGENT _____

TRANSFER NUMBER _____

T = 1737 CLAIMED ACRE TOTAL 1539/198

GIS ACRE TOTAL 1706.5

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	11S	27E	11	38	30	35	38	25			38	49	31	40	40	25	28	40	39	458
GIS	11S	27E	11	36.8	34.9	40.4	34	19.9			34.8	37.7	35.4	40.3	40.3	30	40	40	39	
ECOM	11S	27E	11	37	35	40	34	20			35	38	35	40	40	30	40	40	39	503
CLAIM	11S	27E	14	39	40	40	40	38	27	18	16	35	17	05	39	32	37	40	39	473
GIS	11S	27E	14	39	40	40	40	40	40	31	40	40	15	25	38.4	39	40	39.7	39	
ECOM	11S	27E	14	39	40	40	40	40	40	31	40	40	15	3	38	39	40	40	39	516.5
CLAIM	11S	27E	23	39	39	40	38	39	39	35	40	38	34	36	35	39	40	40	37	608
GIS	11S	27E	23	39.6	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	40.4	
ECOM	11S	27E	23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

43-POU.SHP

HAPE NOS.

43-POD.SHP

IOS. DESCRIPTION

DBF TABLES UPDATED

43-DBPOU.DBF

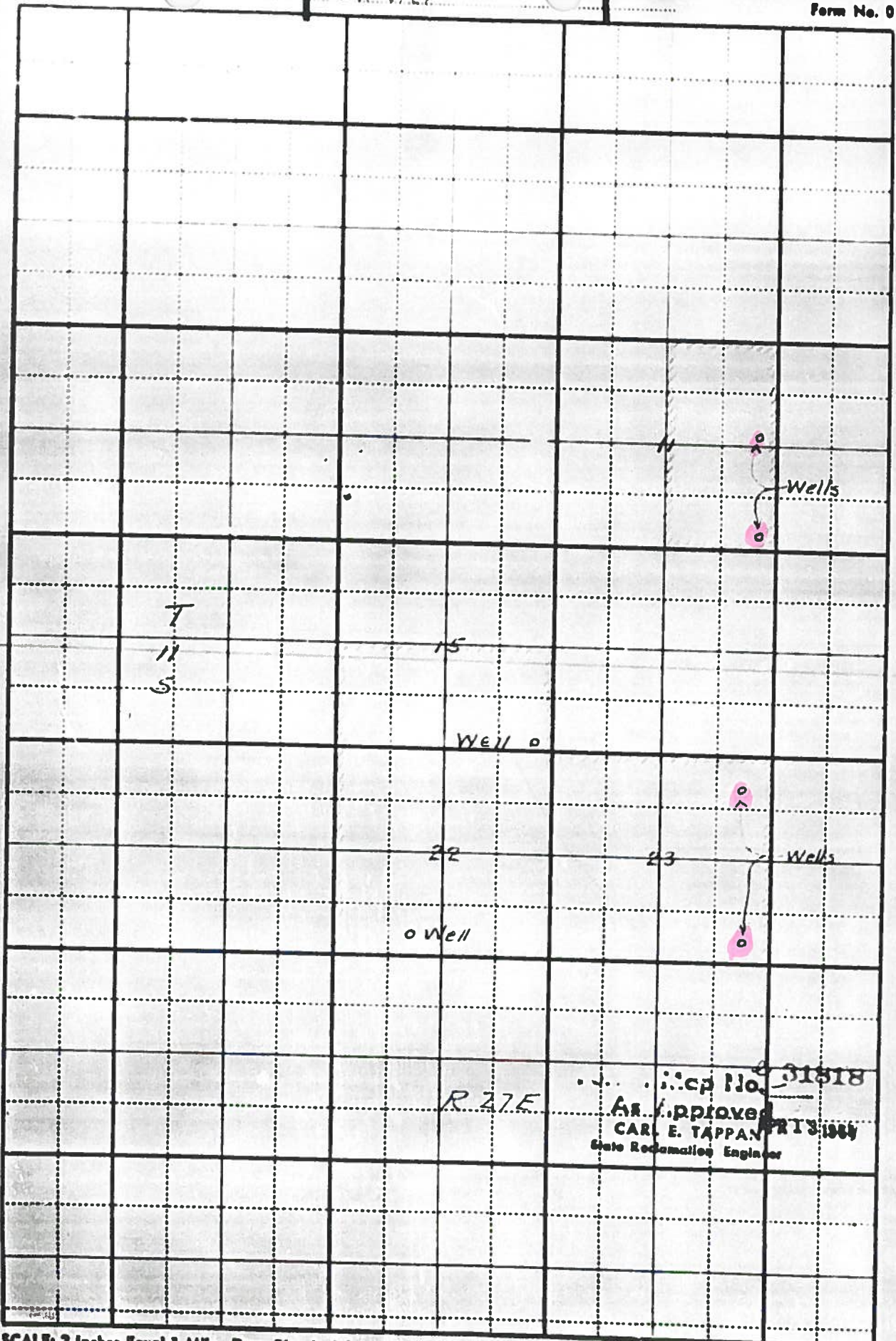
43-DBPOD.DBF

PEG LAYOUT

NAME OF APPLICANT

W. H. T. Co., Inc.

Form No. 0



Map No. 31818
As Approved
CARL E. TAPPAN
State Reclamation Engineer

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

631818

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:15:49
07/18/00
9

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-10597A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAFT RIVER RANCHES INC	06/30/1985	IRRIGATION	04-01 11-01	3.901 CFS	792.00 AFA
TOTAL DIVERSION:					3.901 CFS	792.00 AFA
					3.01 + 2.98	2.96 CFS
Water Source: GROUNDWATER					Stage: BENEFICIAL USE	

Point(s) of Diversion: T11S R27E S11

	SENE	NESE	SESE	
~~S20~~	~~SESE~~			
~~S21~~	~~SESW~~	~~SWSE~~		
~~S22~~	~~SWSW~~			
S23	NENE	~~GENE~~	SESE	

CASSIA County
CASSIA County
CASSIA County
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM		
11S	27E	11	:			05	02	:			20	:	11			:	15	12		01	66.0	
11S	27E	14	:	01		16	13	:	02	13	14	24	:	05			:	08	03		01	100.0
11S	27E	23	:	01	01		02	:	01	01	05		:	02	06	04	05	:	01		03	32.0
TOTAL ACRES																				198.0		

POU County: CASSIA

Other Rights: 43-02574D, 43-02576D

Remarks: GEN THIS CLAIM COVERS ACREAGES PLACED UNDER IRRIGATION SINCE 1964 IN THE SAME AREAS COVERED BY THE ABOVE REFERENCED RIGHTS AND USES THE SAME WATER SOURCES.

THIS IS A PORTION OF 43-10597 WHICH WAS SPLIT INTO PARTS A & B AS THE RESULT OF AN OWNERSHIP CHANGE. 3/5/98 jr

copy to comments

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Cond. Code C18
Remarks: POU1 - E14 1706.5 w/c
KPB 188.5 Ac.
QNT E27 26.82 cfs
6072 AF
GEN KPB4 (expansion)

27.1 cfs ÷ 1718 × 190 = 3.01 cfs
26.82 cfs ÷ 1706.5 × 188.5 = 2.96 cfs
sys. cap. ↑



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

March 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID O HINCKLEY
1501 N 3200 W
SALT LAKE CITY UT 84116

RE: OWNERSHIP CHANGE SRBA CLAIMS A43-02574A, A43-02576A, A43-10597

Dear Mr. Hinckley,

Based on Warranty Deeds submitted by Dan and Bob Moss, I have split the above mentioned claims. Your portions are A43-02574D, A43-02576D, and A43-10597A. I have enclosed an ownership change form which I need you to complete, sign and return to me. Please also enclose a copy of an ASCS map showing your property. I can then complete our paperwork and transfer the claims into your name. I can use the deeds already submitted but do need this form and a map.

I have also enclosed Profile Reports of how your portions look now. Please notice there are numerous points of diversion (wells). If these are not all still in use, please indicate the points of diversion you wish to claim, both on the form and the map.

If you have any questions, please give me a call at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

WHEN RECORDED, MAIL TO:

215257

David O. Hinckley

1501 North 3200 West

Salt Lake City, UT 84116

Space Above for Recorder's Use

Warranty Deed

(Corporate Form)

Raft River Ranches, Inc.
organized and existing under the laws of the State of Idaho, with its principal office at 431 W. 300 N
Salt Lake City, UT 84103, of County of Salt Lake
grantor, hereby conveys and warrants to David O. Hinckley
1501 N. 3200 West
Salt Lake City Utah
84116
of Salt Lake City, UT
Ten Dollars
the following described tract of land in Cassia
State of Idaho:

, a corporation

, State of Utah,

, Grantee,
for the sum of
DOLLARS,
County,

SEE EXHIBIT "A"

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 1st day of June A.D., 1991

Attest:

David O. Hinckley

Secretary.

(Corporate Seal)

Raft River Ranches, Inc. Company

By

Layton P. Ott

President.

STATE OF UTAH

COUNTY OF

ss.

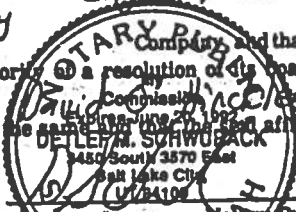
On the 1st day of June, 1991
Layton P. Ott
who being by me duly sworn, did say, each for himself, that he, the said
is the president, and he, the said David O. Hinckley
of Raft River Ranches, Inc.
Layton P. Ott
each duly acknowledged to me that said corporation executed the
corporation.

A.D., personally appeared before me
and David O. Hinckley
Layton P. Ott

is the secretary

Company, and that the within and foregoing
is a resolution of its board of directors, and said

and



affixed is the seal of the said

Notary Public

My Commission Expires: 6-20-92

Resident at:

FORM 100-1 - WARRANTY DEED CORP. - Kelly Co., 25 W. North South, S.L.C., Utah

Salt Lake County

Real Property

All that certain real property situated in the County,
of Cassia, State of Idaho, to wit:

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE NOISE
MERIDIAN

Section 11: ALL EXCEPTING: A portion thereof
beginning on the North boundary line
of said Sec. 11, North 89° 30' West
98 feet from the Northeast Corner of
said Sec. 11, thence North 89°30'
West 209 feet, thence South 0°30'
West 104 feet, thence South 89°30'
East 203 feet, thence North 0°30'
East 104 feet to the point of begin-
ning. AND EXCEPTING: A tract of
land in the N $\frac{1}{4}$ of Section 11, T11S,
R27E, B.M. more particularly
described as follows:
Beginning at a point on the North
line of Section 11, T11S, R27E,
B.M., said point being 1760.7 ft
west of the Northeast Corner of
said Section 11; thence at Right
Angles South 489.7 ft. thence N.
88°40' W 671.9 ft; thence S 9°34'E
160.7 ft; thence N 85°59'W 1253.6
ft; thence S 6°47'W 953.6 ft;
thence S 4°37'W 1661.7 ft; thence
S 89°37'W 1307.8 ft more or less to
the West line of Sec. 11; thence N
0°21'E along the West line of Sec.
11 3156.8 ft, more or less to the
Northwest Corner of Section 11;
thence East along said north line
3430.4 ft more or less to the Point
of Beginning. AND containing 127.7
Acres more or less.

Section 14: ALL EXCEPTING: A tract of land in
the W $\frac{1}{4}$ of Section 14 T11S, R27E,
B.M. more particularly described as
follows:
Beginning at the Southwest Corner
of Section 14, T11S, R27E, B.M.;
thence S 89°26'E along the South
line of Section 14 1535.1 feet;
thence N 19°49'W 4452.0 ft more or
less to the West line of Section
14; thence S 0°21'W 4173.0 ft more
or less to the Point of beginning.
AND containing 73.5 Acres more or
less.

Section 23: • ALL •

215258

RECORDED AT THE REQUEST OF
David H. Harkley
FILM 023

SEP 13 4 51 PM '91

CASSIA COUNTY, IDAHO
FRANK S. EARNES

RECORDED
FEE 6-00

RE: 15611.
320021. JLC 24.
84116

234660

QUITCLAIM DEED

For Value Received

LAYTON P. OTT & ASSOCIATES, a general partnership consisting of
LAYTON P. OTT and BETTY J. OTT

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

LAYTON P. OTT and BETTY J. OTT, husband and wife
850 South 1950 West, St. George UT 84770

Hereinafter called the grantee, the following described premises, in CASSIA County, Idaho
to-wit:

Township 11 South, Range 27 East of the Boise Meridian
Cassia County, Idaho

Section 20: E $\frac{1}{2}$

Section 21: ALL

Section 22: W $\frac{1}{2}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: December 30, 1994

LAYTON P. OTT & ASSOCIATES

BY Layton P. Ott
LAYTON P. OTT, PARTNER

BY Betty J. Ott
BETTY J. OTT, PARTNER

Partnership

STATE OF Utah COUNTY OF Washington

On this 5th day of JANUARY, 1995
before me, a Notary Public in and for said State,
personally appeared

LAYTON P. OTT

AND
BETTY J. OTT

known or identified to me to be the partners or
one of the partners in the Partnership of LAYTON
P. OTT & ASSOCIATES and the partner
or one of the partners who subscribed said Partnership name to the foregoing instrument and
acknowledged to me that they
executed the same in said Partnership name.

Deb Wanlass
DEB WANLASS Notary Public
Residing at Washington, Utah 84780
Commission expires: 5-30-98

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM

1995 JAN 10 P 3:48

234660

DANIEL M. RUSSELL
RECORDER

DEB WANLASS LAND TITLE & ESCROW
NOTARY PUBLIC - STATE OF UTAH
P.O. BOX 372
WASHINGTON, UT 84780
COMM. EXPI. 5-30-98

215256

WHEN RECORDED, MAIL TO:

Layton P. Ott431 West 300 NorthSalt Lake City, UT 84103

Space Above for Recorder's Use

Warranty Deed

(Corporate Form)

Raft River Ranches, Inc. , a corporation
 organized and existing under the laws of the State of Idaho, with its principal office at 431 W. 300 N.
 Salt Lake City, UT 84103 , of County of Salt Lake , State of Utah,
 grantor, hereby conveys and warrants to Layton P. Ott & Associates
 431 West 300 N Salt Lake City Utah Grantee,
 of Salt Lake City, UT 84103 for the sum of
 Ten Dollars DOLLARS,
 the following described tract of land in Cassia County,
 State of Idaho:

TOWNSHIP 11 SOUTH, RINAGE 27 EAST OF THE BOISE
 MERIDIAN:

Section 20: East 1/2
 Section 21: All
 Section 22: West 1/2

RE: See Above
 SEP 13 4 51 PM '91
 FILM 228
 CASSIA
 FRANK
 J. H. HARRIS
 J. H. HARRIS
 J. H. HARRIS

215256

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 1st day of June A.D., 1991

Attest:

David O. Hinckley

(Corporate Seal)

Secretary.

Raft River Ranches, Inc.

Company

By

Layton P. Ott

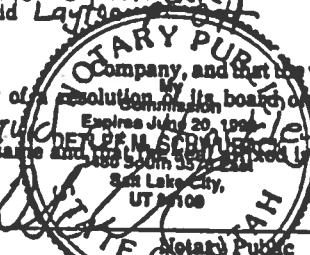
President.

STATE OF UTAH

COUNTY OF

ss.

On the 1st day of June, 1991
Layton P. Ott and David O. Hinckley, A.D., personally appeared before me
 who being by me duly sworn, did say, each for himself, that he, the said Layton P. Ott
 is the president, and he, the said David O. Hinckley is the secretary
 of Raft River Ranches Inc Company, and that the within and foregoing
 instrument was signed in behalf of said corporation by authority of a resolution of its board of directors, and said
Layton P. Ott and David O. Hinckley each duly acknowledged to me that said corporation executed the same and that the seal of the said
 corporation.



My Commission Expires: 6-20-92

Residing at:

FORM 1001 - WARRANTY DEED CORP. - Kelly Co., 55 W. Ninth South, S.L.C., Utah

Salt Lake County

RECEIVED

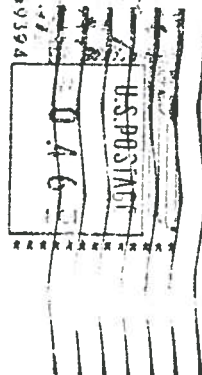
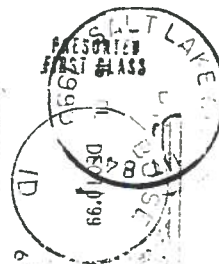
JAN 10 2000

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

cc: W.A.

RETURN SERVICE
REQUESTED



Return Service Requested

~~R43-02574D~~

~~R43-02576D~~

~~R43-10597A~~

~~A43-02574D~~

RECEIVED

DEC 21 1999

Department of Water Resources

83720-0098
PO BOX 83720

|||||

RAFT RIVER RANCHES INC
PO BOX 11503
SALT LAKE CITY UT

REFUSED
NO SUCH NUMBER
RETURN TO SENDER
NOT KNOWN
FORWARDING EXPIRED
Initials

Request for info on historic pumping rates - S. King.
enclosures in 43-02574D.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Request for information on historic pumping rates

The Idaho Department of Water Resources (IDWR) is preparing to recommend claims to water rights to the Snake River Basin Adjudication (SRBA) court for irrigation uses in the Raft River Basin. To facilitate this process, we are requesting data from you in order to estimate historic irrigation well pumping capacities. Specifically, we are requesting information regarding pumping flow rate for wells that have not been previously measured for water right licensing.

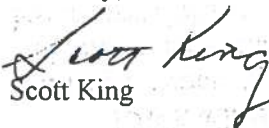
This request is made so that IDWR may estimate historic flow rate based on available information including: past flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department understands that water levels throughout much of the Raft River Basin have been declining for many years, most often reducing the water users' ability to divert at the same rate as previously able. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

IDWR will use the information you submit to make recommendations to the SRBA court for your water right claims. Specifically, recommendations will be made for diversion rate (cfs). The enclosed form will help us reach conclusions pertaining to water quantity recommendations for adjudication claims based on historic beneficial use rather than a decree or license.

The goal of this project is to determine historic maximum diversion rates. It is expected that many irrigation systems change over time. Please detail the system configuration that produced the highest flow put to beneficial use. Since this is a general form, some parts may not apply to your system. Include any additional detail that may help in determining historic flow rates. If you have any questions regarding this data request, or if you prefer to discuss these questions with us instead of completing the form, your call is welcomed. Contact either Scott King at (208) 327-7897 or Cindy Bird at (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

Please take a moment to complete the form or to give Cindy or I a telephone call. It would be most helpful if we could have this information by December 22, 1999.

Sincerely,


Scott King

Enclosure

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4310597A
RAFT RIVER RANCHES INC
11S27E21SWSE

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: _____ (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.

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.

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)

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.

5) Other information:

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

TT2014TTT222

WELL PUMP CHARACTERISTICS

December 6, 1999

A4310597A

RAFT RIVER RANCHES INC

11S27E11NESE

FOR ADJ. BUREAU

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: _____ (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.

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.

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)

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.

5) Other information:

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

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4310597A

RAFT RIVER RANCHES INC

11S27E22SWSW

101 1001 1001

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: _____ (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.

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.

Flow	Head (ft)	Motor	Depth (ft)	Discharge	Pressure (psi)
Flow	Head (ft)	Motor	Depth (ft)	Discharge	Pressure (psi)

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)

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.

5) Other information:

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

1977-1978

1977-1978

1977-1978

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4310597A

RAFT RIVER RANCHES INC

11S27E23SENE

101 2001 001

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: _____ (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.

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.

Year	Person or Entity	Device	Flow (cfs or gpm)	Head (ft)	Notes

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)

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.

5) Other information:

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

1981-1982

1981-1982

1981-1982

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4310597A

RAFT RIVER RANCHES INC

11S27E21SESW

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: _____ (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.

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.

motor	horsepower	rated flow	rated head	number of stages	manufacturer
7.5HP	7.5HP	1000 gpm	100 ft	1	Booster

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)

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.

5) Other information:

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

AJ0749NP

No. R43-10597A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 03/13/97
PAGE: 1

OWNER
CODE C NAME & ADDRESS
RAFT RIVER RANCHES INC
PO BOX 11503
SALT LAKE CITY UT 84147
(208) 595-6322

PRIORITY
DATE 06/30/1985

WATER USE
IRRIGATION

USE PERIOD
FROM 04-01 TO 11-01

DIVERSION
RATE 3.90 CFS

DIVERSION
VOLUME 792.00 AFA

TOTAL DIVERSION:
3.90 CFS

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion: T11S R27E S11 SENE NESE SESE
S20 SESE
S21 SESW
S22 SWSW
S23 NENE

Stage: LICENSE

CASSIA County
CASSIA County
CASSIA County
CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
		NENE		NWNW		SENE		SESW		NWSW		SESW		NENE		SUM			
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
11S 27E 11	:	05	02	:	02	13	14	05	:	11	:	15	12	:	01	:	66.0		
11S 27E 14	:	01	16	:	13	:	05	:	02	:	08	:	03	:	01	:	100.0		
11S 27E 23	:	01	01	:	02	:	01	05	:	02	06	04	05	:	01	03	32.0		
TOTAL ACRES																198.0			

POU County: CASSIA

Other Rights: 43-025740, 43-025760

Remarks: GEN THIS CLAIM COVERS ACREAGES PLACED UNDER IRRIGATION SINCE 1964 IN
THE SAME AREAS COVERED BY THE ABOVE REFERENCED RIGHTS AND USES
THE SAME WATER SOURCES.

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

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

Comments: Date: 03/13/1997 User-ID: JROBERTS Subject: PENDING OWNERSHIP CHANGE
DEEDS HAVE BEEN RECEIVED WHICH SHOW THIS CLAIM SHOULD BE SPLIT.
I HAVE TENTATIVELY MADE THE SPLIT AND PLACED IT ON THE TEMP UNTIL
FURTHER DOCUMENTATION IS RECEIVED. jr

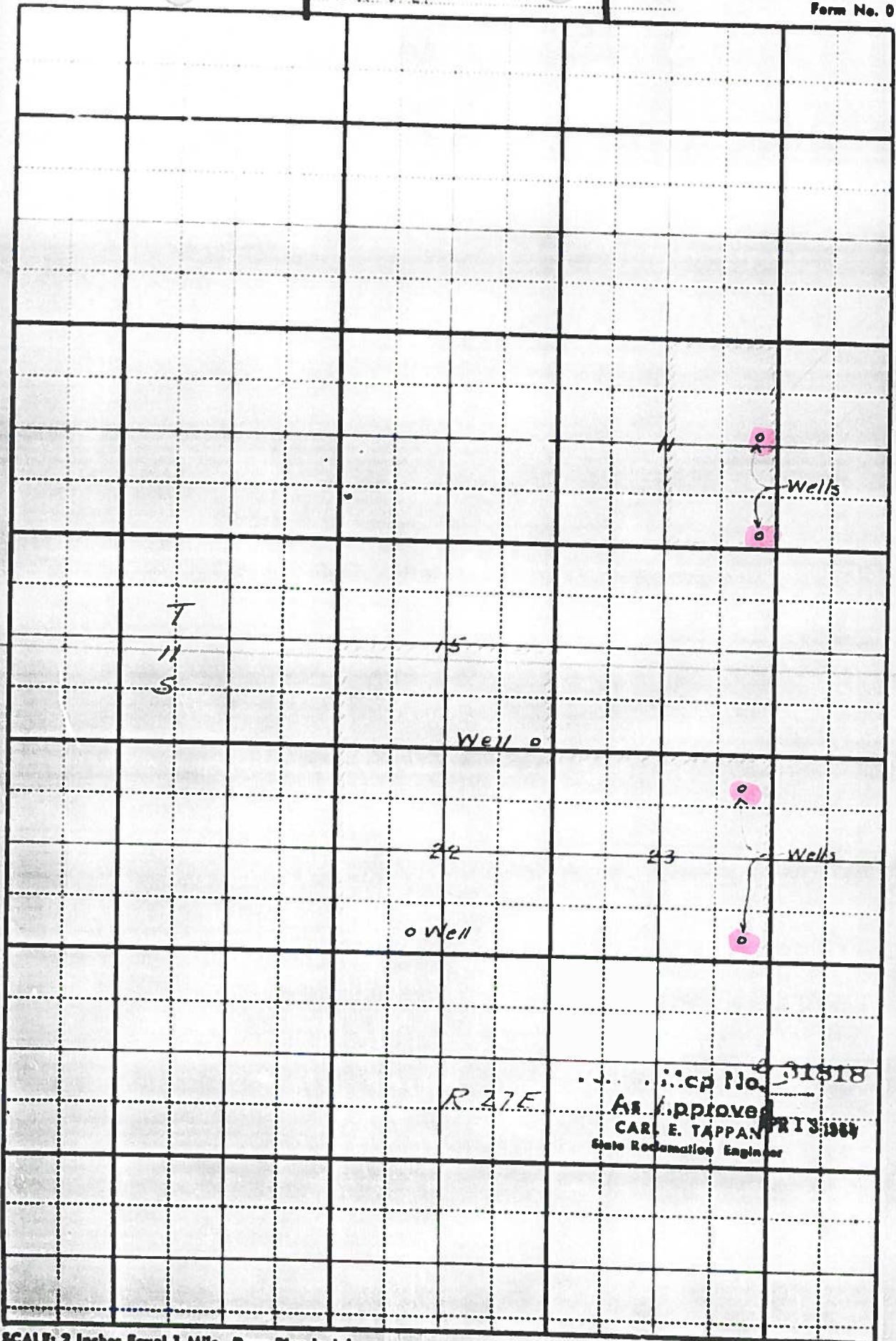
Audit: 03/13/97 JROBERTS

HINCKLEY

NAME OF APPLICANT

Handwritten name

Form No. 0



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

...cp No. 31818
As Approved
CARL E. TAPPAN
State Reclamation Engineer

631818

TOTAL DIVERSION: 3.90 CFS 792.00 AFA

Stage: LICENSE

CASSIA	Country
CASSIA	Country
CASSIA	Country
CASSIA	Country
CASSIA	Country

1

SE	SWSE	SESE
2	01	01
3	01	01
03		03

Other Rights: 43-02574D, 43-02576D

THIS CLAIM COVERS ACREAGES PLACED UNDER IRRIGATION SINCE 1964 IN THE SAME AREAS COVERED BY THE ABOVE REFERENCED RIGHTS AND USES THE SAME WATER SOURCES.

THIS IS A PORTION OF 43-10597 WHICH WAS SPLIT INTO PARTS A & B
AS THE RESULT OF AN OWNERSHIP CHANGE. 3/5/98 jr

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Presumption Flag:

Water Right Number - R43-10597A

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
RAFT RIVER RANCHES INC

*** R - REPRESENTATIVE ***
CHAPMAN

SHERL L

1 - PO BOX 11503
2 -
3 -
City- SALT LAKE CITY
Phone - 208-595-6522
State- UT Zip- 84147
1 - 410 S ORCHARD SUITE 144
2 -
3 -
City- BOISE
Phone - 208-344-6690
State- ID Zip- 83705

Priority Date - + 06/30/1985 + - - - Region - - - + L - LICENSE + - - - Stage - - - + + - - - Status - - - +

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

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
11S	27E	11	SE NE	(31)	CASSIA	(31)	CASSIA
			NE SE	(31)	CASSIA	(31)	CASSIA
			SE SE	(31)	CASSIA	(31)	CASSIA
		20	SE SE	(31)	CASSIA	(31)	CASSIA
		21	SE SW	(31)	CASSIA	(31)	CASSIA
			SW SE	(31)	CASSIA	(31)	CASSIA
		22	SW SW	(31)	CASSIA	(31)	CASSIA
		23	NE NE	(31)	CASSIA	(31)	CASSIA
			SE NE	(31)	CASSIA	(31)	CASSIA
			SE SE	(31)	CASSIA	(31)	CASSIA

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		3.901	792.00
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		
3.901		792.00		0.0		

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11S	27E	11	SW NE	5.0	01	IRRIGATION	(31)	CASSIA	(31)
11S	27E	11	SE NE	2.0	01	IRRIGATION	(31)	CASSIA	(31)
11S	27E	11	SE NW	20.0	01	IRRIGATION	(31)	CASSIA	(31)
11S	27E	11	NE SW	11.0	01	IRRIGATION	(31)	CASSIA	(31)
11S	27E	11	NE SE	15.0	01	IRRIGATION	(31)	CASSIA	(31)
11S	27E	11	NW SE	12.0	01	IRRIGATION	(31)	CASSIA	(31)
11S	27E	11	SE SE	1.0	01	IRRIGATION	(31)	CASSIA	(31)
11S	27E	14	NE NE	1.0	01	IRRIGATION	(31)	CASSIA	(31)

Water right number - R43-10597A

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11S	27E	14	SW NE		16.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	SE NE		13.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	NE NW		2.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	NW NW		13.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	SW NW		14.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	SE NW		24.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	NE SW		5.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	NE SE		8.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	NW SE		3.0		01	IRRIGATION	(31) CASSIA
11S	27E	14	SE SE		1.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	NW NE		1.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	SE NE		2.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	NE NW		1.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	SW NW		5.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	NE SW		2.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	SW SW		4.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	SE SW		5.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	NE SE		1.0		01	IRRIGATION	(31) CASSIA
11S	27E	23	SE SE		3.0		01	IRRIGATION	(31) CASSIA

Total Acres: 198.0

- - - Diversion Means - WELLS W/ PUMPS & INTERCONNECTED PIPELINE TO SPRINKLER SYSTEMS

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 43-02574D, 43-02576D

- - - - - Remarks - - - - -

GEN THIS CLAIM COVERS ACREAGES PLACED UNDER IRRIGATION SINCE 1964 IN
THE SAME AREAS COVERED BY THE ABOVE REFERENCED RIGHTS AND USES
THE SAME WATER SOURCES.

THIS IS A PORTION OF 43-10597 WHICH WAS SPLIT INTO PARTS A & B
AS THE RESULT OF AN OWNERSHIP CHANGE. 3/5/98 jr

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

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

- - - - - Decree Plaintiff - - - - - Decree Defendant - - - - -
Decree Date - - - - -
00/00/0000

Prefix Translation: RESEARCH

+ - - Audit Fields - - +
03/05/98 JROBERTS

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 08/08/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- X777777
		POU Ownership Flag	- Y
		Name Connector	-
		Civil Case Number	-
		Old Case Number	- 39576
		Old Judicial District	-
		Temporary Right	- T
		Water District	-
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-

AJ5809NP
No. A43-10597

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/04/97
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAFT RIVER RANCHES INC PO BOX 11503 SALT LAKE CITY UT 84147 (208) 595-6322	06/30/1985	IRRIGATION	04-01 11-01	4.00 CFS	812.00 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					4.00 CFS	812.00 AFA 710.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:	T11S R27E S11	SENE	NESE	SESE	CASSIA County
	S20	SESE			CASSIA County
	S21	SESW	SUSE		CASSIA County
	S22	SWSW	~~SESW~~		CASSIA County
	S23	NENE	SENE	SESE	CASSIA County

Place of use legal Description for: IRRIGATION

	NE	NESE	SENE	SESE	SE	SUM
T R S : Lt Ac	NE	NESE	SENE	SESE	SE	
11S 27E 11 :	05	02	20	11	15	66.0
11S 27E 14 :	01	13	14	05	12	66.0
11S 27E 22 :	01	03	01	01	01	100.0
11S 27E 23 :	01	02	02	06	04	5.0
TOTAL ACRES						32.0

POU County: CASSIA

Other Rights: ~~43-04014~~ 43-02574, 43-02576

Remarks: GEN THIS CLAIM COVERS ACRES PLACED UNDER IRRIGATION SINCE 1964 IN THE SAME AREAS COVERED BY THE ABOVE REFERENCED RIGHTS AND USES THE SAME WATER SOURCES.

Dates: Exam Made Date: Verified Date: Objection filed Date:

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

Audit: 12/04/91 FRITSCHL 02/13/92 BAUMHOFF 03/30/95 POST-STD

A43-10597
R43-10597A = 3.901 acs
R43-10597B = .098 acs
5 Ac.

4 acs ÷ 203 Ac. = .019 acs/Ac

A-792
B-20
X4
X3.5
A-1043
B-15

DATE: 03/13/97
PAGE: 5

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
04-01 11-01	4.00 CFS	812.00 AFA
TOTAL DIVERSION:		812.00 AFA
CONSUMPTIVE USE:		710.00 AFA

Stage: BENEFICIAL USE

CASSIA County
CASSIA County
CASSIA County
CASSIA County
CASSIA County

SE

T	R	S	NE NE	NE NE	SH NE	SE NE	NE NE	NE NE	SH NE	SE NE	NE NE	NE NE	SH NE	SE NE	NE NE	NE NE	SH NE	SE NE	SUM
			lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	
11S	27E	11			05	02													66.0
11S	27E	14	01		16	13		02	13	14	24			05		08	03		100.0
11S	27E	22						03			01								5.0
11S	27E	23	01	01		02		01	01	05			02	06	04	05		01	32.0
TOTAL ACRES																			203.0

Other Rights: 43-04014, 43-02574, 43-02576

Remarks: GEN THIS CLAIM COVERS ACREAGES PLACED UNDER IRRIGATION SINCE 1964 IN THE SAME AREAS COVERED BY THE ABOVE REFERENCED RIGHTS AND USES THE SAME WATER SOURCES.

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

MOSS