

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10812
Date Received: 6/14/1989
Receipt No: X777777
Received By: O/C HLB

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: HARRIS AG
Address: BOX 1024
2655 E 1400 S
MALTA ID

83342

2. Date of Priority: APR 1, 1963

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	2	SE	SW	SE		CASSIA
		3	NE	SE	NW		CASSIA
		4	SW	NW	NE		CASSIA
			SE	NE	SE		CASSIA
		9	SE	SE	NW		CASSIA
			SE	SE	SE		CASSIA
		10	SE	SE	NE		CASSIA
		11	SE	SW	SE		CASSIA

5. Description of diverting works:
8 WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	8.380		

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

8. Total consumptive use is 4494.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	2	SW		NE		IRR	33.0
			NE		NW		IRR	33.0
			NW		NW		IRR	33.0
			SW		NW		IRR	33.0
			SE		NW		IRR	33.0
			NE		SW		IRR	33.0
			NW		SW		IRR	33.0
			SW		SW		IRR	33.0
			SE		SW		IRR	33.0
			NW		SE		IRR	33.0
							Section Acres	330.0
		3	NE		NE		IRR	36.0
			NW		NE		IRR	37.0
			SW		NE		IRR	37.0
			SE		NE		IRR	37.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	38.0
			SE		NW		IRR	39.0
							Section Acres	302.0
		4	NE		NE		IRR	36.0
			NW		NE		IRR	35.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		SE		IRR	36.0
			NW		SE		IRR	36.0
			SW		SE		IRR	36.0
			SE		SE		IRR	36.0
							Section Acres	287.0
		9	NE		NE		IRR	36.0
			NW		NE		IRR	36.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		NW		IRR	36.0
			NW		NW		IRR	35.0
			SW		NW		IRR	35.0
			SE		NW		IRR	31.0
							Section Acres	281.0
		10	NE		NE		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	10	NW		NE		IRR	35.0
			SW		NE		IRR	37.0
			SE		NE		IRR	37.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	39.0
			SE		NW		IRR	37.0

Section Acres 300.0

Total Acres 1500.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

P/D & P/U COMBINED WITH OTHER RTS. BY TRANS. 1838.
THIS IS A COMBINATION OF THE WR'S 43-04031 FOR 4.42 CFS AND
43-04027A FOR 3.96 CFS. SOME UNRECORDED TRANSFER OF ACRES HAS
OCCURRED IN P/U.
THE 8 WELLS AND PUMPS ARE USED IN ONE SYSTEM.
OTHER WATER RIGHTS:
A43-04029 A43-02368 A43-02438B
A43-04028A A43-04032 A43-10490

OWNERSHIP CHANGE MADE 3/11/96 BY TLB.

15. Basis of Claim: STATUTORY CLAIM



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 25 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ SBM Northern Region
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: See Attached
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): C McGee Harris & Sons
- ☐ New Owner/Claimant (Purchaser): Harris Ag
- ☐ New Mailing Address: Box 1024 2655E 1400S
Malta Id 83342
- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

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

- ☐ Signature of New Owner/Claimant(s) Todd Harris Pasture for Date 1-26-96
Harris Ag Date _____
- ☐ Signature of Former Owner/Claimant(s): Todd Harris Pasture for Date 1-26-96
McGee Harris & Sons Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed: _____

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: 2/4/96 By: YLB
Claim Numbers of Split, if any: _____

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

STATE

C	MC GEE HARRIS & SONS				
C	A43-10811	04/01/1962	GROUNDWATER	9.060	01 IRR
C	A43-10812	04/01/1963	GROUNDWATER	8.380	01 IRR

(Menu _____)

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-10812**
Date Received: 6/14/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. MC GEE HARRIS & SONS 208-645-2382
Address: HC 70 BOX 1024
MALTA ID 83342

2. Date of Priority: APR 1, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	2	SE	SW	SE		CASSIA
		3	NE	SE	NW		CASSIA
		4	SW	NW	NE		CASSIA
			SE	NE	SE		CASSIA
		9	SE	SE	NW		CASSIA
			SE	SE	SE		CASSIA
		10	SE	SE	NE		CASSIA
		11	SE	SW	SE		CASSIA

5. Description of diverting works:
8 WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	8.380		

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

8. Total consumptive use is 4494.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	2	SW		NE		IRR	33.0
			NE		NW		IRR	33.0
			NW		NW		IRR	33.0
			SW		NW		IRR	33.0
			SE		NW		IRR	33.0
			NE		SW		IRR	33.0
			NW		SW		IRR	33.0
			SW		SW		IRR	33.0
			SE		SW		IRR	33.0
			NW		SE		IRR	33.0
			Section Acres					330.0
		3	NE		NE		IRR	36.0
			NW		NE		IRR	37.0
			SW		NE		IRR	37.0
			SE		NE		IRR	37.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	38.0
			SE		NW		IRR	39.0
			Section Acres					302.0
		4	NE		NE		IRR	36.0
			NW		NE		IRR	35.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		SE		IRR	36.0
			NW		SE		IRR	36.0
			SW		SE		IRR	36.0
			SE		SE		IRR	36.0
			Section Acres					287.0
		9	NE		NE		IRR	36.0
			NW		NE		IRR	36.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		NW		IRR	36.0
			NW		NW		IRR	35.0
			SW		NW		IRR	35.0
			SE		NW		IRR	31.0
			Section Acres					281.0
		10	NE		NE		IRR	37.0
			NW		NE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	10	SW	NE		IRR	37.0
			SE	NE		IRR	37.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	37.0

Section Acres 300.0

Total Acres 1500.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

P/D & P/U COMBINED WITH OTHER RTS. BY TRANS. 1838.
THIS IS A COMBINATION OF THE WR'S 43-04031 FOR 4.42 CFS AND
43-04027A FOR 3.96 CFS. SOME UNRECORDED TRANSFER OF ACRES HAS
OCCURRED IN P/U.
THE 8 WELLS AND PUMPS ARE USED IN ONE SYSTEM.
OTHER WATER RIGHTS:
A43-04029 A43-02368 A43-02438B
A43-04028A A43-04032 A43-10490

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

COPY

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: ~~A43-04031~~ 10812
Date Received: 6/14/1989
Receipt No: S008227
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. MC GEE HARRIS & SONS 208-645-2382
Address: HC 70 BOX 1024
MALTA, ID 83342

2. Date of Priority: APR 01, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	2	SE	SW	SE		CASSIA
		3	NE	SE	NW		CASSIA
		4	SW	NW	NE		CASSIA
			SE	NE	SE		CASSIA
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5. Description of diverting works:
8 WELLS AND PUMPS, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	8.380		

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

8. Total consumptive use is 4494.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A43-04031-
10812

Page 1

Date: 06/14/89

MICROFILMED
MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	2	SW		NE		IRR	33.0
			NE		NW		IRR	33.0
			NW		NW		IRR	33.0
			SW		NW		IRR	33.0
			SE		NW		IRR	33.0
			NE		SW		IRR	33.0
			NW		SW		IRR	33.0
			SW		SW		IRR	33.0
			SE		SW		IRR	33.0
			NW		SE		IRR	33.0
							Section Acres	330.0
		3	NE		NE		IRR	36.0
			NW		NE		IRR	37.0
			SW		NE		IRR	37.0
			SE		NE		IRR	37.0
			NE		NW		IRR	39.0
			NW		NW		IRR	39.0
			SW		NW		IRR	38.0
			SE		NW		IRR	39.0
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		4	NE		NE		IRR	36.0
			NW		NE		IRR	35.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		SE		IRR	36.0
			NW		SE		IRR	36.0
			SW		SE		IRR	36.0
			SE		SE		IRR	36.0
							Section Acres	287.0
		9	NE		NE		IRR	36.0
			NW		NE		IRR	36.0
			SW		NE		IRR	36.0
			SE		NE		IRR	36.0
			NE		NW		IRR	36.0
			NW		NW		IRR	35.0
			SW		NW		IRR	35.0
			SE		NW		IRR	31.0
							Section Acres	281.0
		10	NE		NE		IRR	37.0

A43-04031-
10812

Page 2

Date: 06/14/89

MICROFILMED
MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	10	NW	NE		IRR	35.0
			SW	NE		IRR	37.0
			SE	NE		IRR	37.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	37.0

Section Acres 300.0

Total Acres 1500.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

P/D & P/U COMBINED WITH OTHER RTS. BY TRANS. 1838.
THIS IS A COMBINATION OF THE WR'S 43-04031 FOR 4.42 CFS AND
43-04027A FOR 3.96 CFS. SOME UNRECORDED TRANSFER OF ACRES HAS
OCCURRED IN P/U.

THE 8 WELLS AND PUMPS ARE USED IN ONE SYSTEM.

OTHER WATER RIGHTS:

A43-04029	A43-02368	A43-02438B
A43-04028A	A43-04032	A4310490

15. Basis of Claim: STATUTORY CLAIM

A43-04031
10812

Page 3

Date: 06/14/89

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MAR 05 1993

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 Partner of
Title
C. Mc Lee Harris & Sons, that I have signed the foregoing
Organization
document in the space below as Partner of
Title
C. Mc Lee Harris & Sons. and that the statements contained in the
Organization
foregoing document are true and correct.
C. Mc Lee Harris
Signature of Authorized Agent
C. Mc Lee Harris & Sons
Title and Organization
4 14 89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of June 1989
Seal
Steve C. O. O.
Notary Public

Residing at Twin Falls
My Commission Expires Dec 7, 1994



10

22

5/31

MICROFILM
MAR 05 1993

AT 3101023



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

07-Feb-1992

C. MC GEE HARRIS AND SONS
HC 70 BOX 1024
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A43-04031
Identification Number Change

Dear Mr. Harris:

The Identification Number of your Notice of Claim to a Water Right has been changed from A43-04031 to A43-10812. The change in numbers has been done to better reflect the fact that your Notice of Claim combined Decreed rights 43-04031 and 43-04027A. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this Identification Number in any future inquiries or correspondence.

Please do not hesitate to contact this office, if you have any questions.

Sincerely,

Jeanie Robertson
Records Clerk

/jr

Enclosure:

Copy of Claim A43-10812

MICROFILMED

MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

108/2
A43-~~04031~~
C. MC GEE HARRIS & SONS
MC 70 BOX 1024

MALTA

ID 83342

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED
MAR 05 1993

1-14-92

FOR CLAIMS

A43-4028A

A43-4029

A43-4031

10812

A43-4032

A43-10490

Proof of priority for these claims is on record on microfiche. It appears that no additional proof is required.

Mr. McSee was in this office this day to review his claims.

A43-10490 was amended to reflect the ^{final} date property (cornus) were irrigated ~~and~~ ^{and} portions increased substantially when a waste water pond was converted to irrigation. 80 acres in 2 Q/Qs were just ^{apparently} missed in previous filings. The 1976 ortho photo supports full 40 acre in per Q/Q. The claimed 1974 priority date seems reasonable. Affidavit to substantiate that date is to be submitted.

MICROFILMED

MAR 05 1993

Water Right Number - A43-10812 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + + - - - First Name - - - + + - - - Address - - - - -
*** C - CURRENT OWNER ***
C. MC GEE HARRIS & SONS

1 - HC 70 BOX 1024
2 -
3 -
City- MALTA
Phone - 208-645-2382
State- ID Zip- 83342

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1963 17 SOUTHERN S - STATUTORY CLAIM
+ - - - - Source - - - - - + + - - - Tributary - - - - - +
GROUNDWATER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
13S	27E	2	SE SW SE	(31)	CASSIA		
		3	NE SE NW	(31)	CASSIA		
		4	SW NW NE	(31)	CASSIA		
		9	SE NE SE	(31)	CASSIA		
		10	SE SE NW	(31)	CASSIA		
		11	SE SE SE	(31)	CASSIA		
			SE SW SE	(31)	CASSIA		

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		8.380	

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
8.380 4494.0

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
13S	27E	2	SW NE		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	NE NW		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	SW NW		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	SE NW		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	NE SW		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	SW SW		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	SE SW		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	NW SE		33.0	01	IRRIGATION	(31) CASSIA
13S	27E	2	NE NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	NW NE		37.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	SW NE		37.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	SE NE		37.0	01	IRRIGATION	(31) CASSIA

Prefix Translation: ADJUDICATION CLAIM

Total Acres: 1500.0

+ - - Other Rights for Same Use - SEE REMARKS.

P/D & P/U COMBINED WITH OTHER RTS. BY TRANS. 1838

OCCURRED IN P/U.

THE 8 WELLS AND PUMPS ARE USED IN ONE SYSTEM.

OTHER WATER RIGHTS:

A43-04029	A43-02368	A43-024388
-----------	-----------	------------

A43-04028A A43-04032 A43-10490

MICROFILMED
MAR 05 1993

Water right number - A43-10812

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Old Water Right Numbers - - - - - +
+ - - - - - Old Water Right Numbers - - - - - +
4304031
4304027A

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

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

+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
00/00/00

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 06/14/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - X777777 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag - C
Notice of Error Flag -

MICROFILMED
MAR 05 1993

Water Right Number - 43-04031

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
BENCHMARK RANCHES

1 - P.O. BOX 147
2 -
3 -
City- MALTA
Phone -

State- ID Zip- 83342

*** O - ORIGINAL OWNER ***
VISTA LAND CO.

1 -
2 -
3 -
City-
Phone -
State- Zip-

+ - Priority Date - - +
04/01/1963

+ - Region - - - +
17 SOUTHERN

+ - Stage - - - +
S - STATUTORY CLAIM

+ - Status - - - +

+ - Source - - - - +
GROUNDWATER

+ - Tributary - - - - +

+ - - - - +
Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - +
Stream Index (Blank if no Index Code)

13S 27E 2 SM SE (31) CASSIA
13S 27E 3 NE NW (31) CASSIA
13S 27E 3 NW SW (31) CASSIA
13S 27E 9 SE NW (31) CASSIA
13S 27E 9 SE SE (31) CASSIA
13S 27E 10 SE NE (31) CASSIA

+ - - - - +
Code Description Period From Period To Water Use - - - - +
Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 4.420
04 - STOCKWATER 01/01 12/31

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +
4.420

+ - - - - +
Twn Rng Sec Tract Lot Acres Place of Use - - - - +
Description County
13S 27E 2 SM NE (31) CASSIA
13S 27E 2 SM NW (31) CASSIA
13S 27E 2 SE NW (31) CASSIA
13S 27E 2 NE SW (31) CASSIA
13S 27E 2 NW SW (31) CASSIA
13S 27E 2 SM SW (31) CASSIA
13S 27E 2 SE SW (31) CASSIA
13S 27E 2 NW SE (31) CASSIA
13S 27E 3 NE NE (31) CASSIA
13S 27E 3 NW NE (31) CASSIA
13S 27E 3 NW NE (31) CASSIA

Water right number - 43-04031

Prefix Translation:

WATER RIGHT

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13S	27E	3	SW NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	SE NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	NE NW		35.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	NW NW		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	SW NW		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	3	SE NW		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	NE NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	NW NE		35.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	SW NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	SE NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	NE SE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	NW SE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	SW SE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	4	SE SE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	NE NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	NW NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	SW NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	SE NE		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	NE NW		36.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	NW NW		35.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	SW NW		29.0	01	IRRIGATION	(31) CASSIA
13S	27E	9	SE NW		29.0	01	IRRIGATION	(31) CASSIA
Total Acres:					1137.0			
+ - - Diversion Means -								
+ - - Non-Irrigation Use -								
+ - - Other Rights for Same Use - 43-4029-2368-4032-2436 & 2438.								
+ - - Remarks								
AC. IRR.=2741.								
P/D & P/U COMBINED WITH OTHER RTS. BY TRANS. 1838.								
+ - - Old Water Right Numbers								
No Old Water Right Numbers found.								
+ - - Conditions of Approval								
No Conditions of Approval found.								
+ - - Decree Plaintiff								
+ - - Decree Defendant								
+ - - Decree Date								
00/00/0000								
+ - - Comments								
No Comments Found								
+ - - Audit Fields - 12/10/79 05/28/88 CONVERT								

MICROFILMED

MAR 05 1993

Prefix Translation: WATER RIGHT

MICROFILMED
MAR 05 1993

413-10812

Land Title and Escrow, Inc.

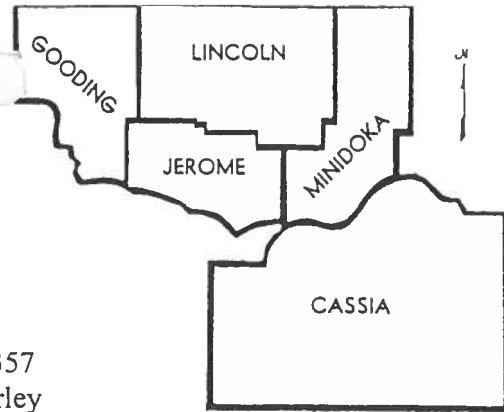
A FULL SERVICE TITLE COMPANY

RECEIVED

MAY 24 2000

Department of Water Resources

REFER TO: 32357
OFFICE: Burley



April 27, 2000

State of Idaho
Department of Water Resources
P. O. Box 83720
Boise, Idaho 83720
Attention: Reclamation Engineer

RE: C. McGee Harris et al water rights in Cassia County, Idaho

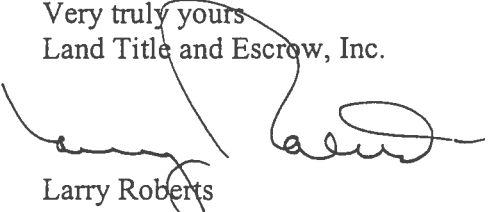
Gentlemen:

Please find enclosed the following documents:

1. The original and one executed copy of a Notice of Pledge signed by the Harris. Please execute one copy of this Notice of Pledge and forward it to Lannette C. Wilson in the enclosed self-addressed stamped envelope.
2. A copy of a letter to the Idaho Department of Water Resources, Southern Region where the Notice of Change of Water Right Ownership was submitted for Water Right Nos. A43-02436, 43-02438, 43-04028A, 43-04029, 43-04030, 43-04027A, 43-04031, 43-07223 and 43-02371 along with copies of the executed deeds.

Should you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.


Larry Roberts
President and General Manager

LR/nrg
enc.

Certified Mail

cc: Lannette C. Wilson -
Scott J. Poulsen

Federal Land Bank
PO BOX 95850
SOUTH JORDAN UT 84095-0850

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 878-4435

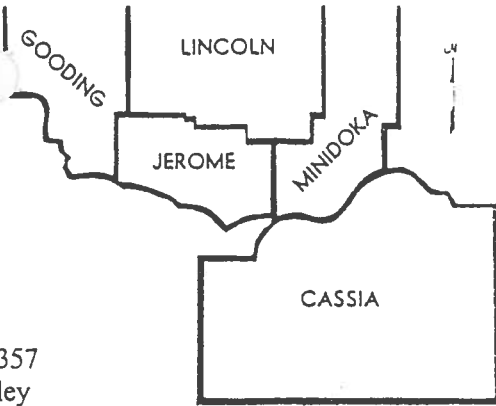
BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #32357
OFFICE: Burley

April 27, 2000

Idaho Dept. of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: C. McGee Harris, et al

Dear Sir/Madam:

Please find enclosed the following:

1. An executed Notice of Change of Water Right Ownership for Water Right No. 43-02371 along with a copy of the plat map and the recorded deeds in the chain of title from Eldon H. Chandler through to C. McGee Harris and Janet Harris, husband and wife, Wade G. Harris and Renee Harris, husband and wife, Todd D. Harris and Cindy Harris, husband and wife, and Kurt Harris and Jackie Harris, husband and wife.
2. An executed Notice of Change of Water Right Ownership for Water Right Nos. 43-07223 along with a plat map and a copy of the recorded deeds in the chain of title from Norman Brothers to C. McGee Harris, et al.
3. An executed Notice of Change of Water Right Ownership for Water Right Nos. A43-02436, 43-02438, 43-04028A, 43-04029, 43-04030, 43-04027A and 43-04031 executed by C. McGee Harris as new Owner/Claimant for the above water rights including copies of the deeds in the chain of title from Benchmark Ranches through C. McGee Harris et al.

Would you please make the necessary changes in your records to indicate the water rights listed in paragraphs 1, 2 and 3 in the name of C. McGee Harris, et al.

Should you have any questions concerning this matter, or need additional information, please do not hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.

Larry Roberts
President and General Manager

LR/nrg
enc.
Certified Mail

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0806 - FAX 436-1199

NOTICE OF PLEDGE

STATE OF IDAHO
Department of Water Resources
Statehouse
Boise, Idaho 83720

Loan No. 3064069101/3064069201

Attention: Reclamation Engineer

Please be notified that the undersigned have this date executed a Mortgage in favor of the Federal Land Bank Association of Utah, FLCA, covering certain land in Cassia, State of Idaho, together with all of the Mortgagor's right to use the following:

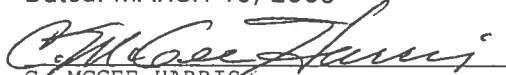
<u>Claim No.</u>	<u>Source</u>	<u>Flow</u>	<u>Uses</u>	<u>Acres/head</u>	<u>Status</u>
A43-02368	Groundwater	4.53 cfs	Irrigation	2773 Ac	License
A43-02436	Groundwater	4.27 cfs	Irrigation	2751 Ac	License
A43-02438	Groundwater	4.27 cfs	Irrigation	2716 Ac	License
A43-02438B	Groundwater	8.54 cfs	Irrigation	2745 Ac	License
43-04028A	Groundwater	5.40 cfs	Irrigation	1141 Ac	Stat. Claim
A43-04032	Waste water	4.63 cfs	Irrigation	1037 Ac	Stat. Claim
A43-10811	Groundwater	9.06 cfs	Irrigation	1735 Ac	Stat. Claim
43-04029	Groundwater	4.53 cfs	Irrigation	1631 Ac	Stat. Claim
43-04030	Groundwater	4.53 cfs	Irrigation	1143 Ac	Stat. Claim
43-04027A	Groundwater	3.96 cfs	Irrigation	1127 Ac	Stat. Claim
43-04031	Groundwater	4.42 cfs	Irrigation	1137 Ac	Stat. Claim
A43-10812	Groundwater	8.38 cfs	Irrigation	1500 Ac	Stat. Claim
A43-10490	Groundwater	24.04 cfs	Irrigation	404 Ac	Ben. Use
43-07223	Groundwater	5.00 cfs	Irrigation	339 Ac	Application
A43-02371	Groundwater	4.00 cfs	Irrigation	196 Ac	License
A43-02438C	Groundwater	4.04 cfs	Stockwater/Commercial		License
A43-10499	Groundwater	.04 cfs	Domestic	House	Ben. Use
A43-10498	Groundwater	.04 cfs	Domestic	House	Ben. Use
A43-10497	Groundwater	.06 cfs	Domestic	2 Houses	Ben. Use
A43-10496	Groundwater	.12 cfs	Stockwater	500 Beef	Ben. Use

The said Mortgage, given to secure a promissory note of even date, was recorded

March 31, 2000, in the office of the County Recorder of the above referenced County, as
Instrument No. 268428.

Please file this notice with your records of the above referenced and direct notice of any intended change of the place of use or other change which materially affects the beneficiary's security interest in the said rights to the Federal Land Bank Association of Utah, FLCA, 406 West South Jordan Parkway (Suite 500), South Jordan, Utah 84095.

Dated: MARCH 15, 2000

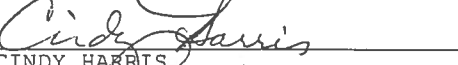

C. MCGEE HARRIS

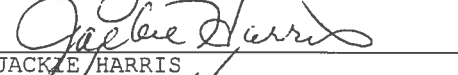

JANET G. HARRIS


WADE G. MCGEE HARRIS


TODD D. HARRIS


RENEE HARRIS


CINDY HARRIS

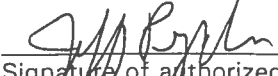

JACKIE HARRIS


KURT M. HARRIS

ACKNOWLEDGEMENT FROM STATE DEPARTMENT OF WATER RESOURCES

Receipt of the Notice of Pledge, of which this is a duplicate original, is acknowledged. One original of this notice will be filed with the records of the subject water rights in this Office.

6/15/00
Date


Signature of authorized person representing
the Department of Water Resources

Water Right Permits Section Mar.

03/07/2001

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

RIGHT NUMBER: 43-10812

NAME AND ADDRESS: HARRIS AG
BOX 1024
2655 E 1400 S
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 8.38 CFS
3550 AFY

USE OF THIS RIGHT WITH RIGHT NOS 43-11218, 43-10811, 43-10812, 43-4028A, 43-10490 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10,964 AF.

PRIORITY DATE: 04/01/1963

POINT OF DIVERSION:	T13S R27E S2	SESWSE	Within CASSIA County
	T13S R27E S3	NESENW	Within CASSIA County
	T13S R27E S4	SWNWNE	Within CASSIA County
	T13S R27E S4	SENESE	Within CASSIA County
	T13S R27E S9	SESENE	Within CASSIA County
	T13S R27E S9	SESESE	Within CASSIA County
	T13S R27E S10	SESENE	Within CASSIA County
	T13S R27E S11	SESWSE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	8.38 CFS
		3,550.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S10	SENE	40	T13S R27E S10	SWNE	40
T13S R27E S10	SENE	40	T13S R27E S10	SNNW	40
T13S R27E S10	NESE	40	T13S R27E S10	NWSE	40
T13S R27E S10	NESW	40	T13S R27E S10	NWSW	40
T13S R27E S10	SESE	40	T13S R27E S10	SWSE	40
T13S R27E S10	SESW	40	T13S R27E S10	SWSW	40
T13S R27E S10	NENE	40	T13S R27E S10	NWNE	40

T13S R27E S10		NENW	40	T13S R27E S10		NWNW	40
T13S R27E S11		SWNE	40	T13S R27E S11		SENE	40
T13S R27E S11		SWNW	40	T13S R27E S11		NWSE	40
T13S R27E S11		NESW	40	T13S R27E S11		NWSW	40
T13S R27E S11		SWSE	40	T13S R27E S11		SESW	40
T13S R27E S11		SWSW	40	T13S R27E S11		NWNE	40
T13S R27E S11		NENW	40	T13S R27E S11		NWNW	40
T13S R27E S2		SWNE	40	T13S R27E S2		SENE	40
T13S R27E S2		SWNW	40	T13S R27E S2		SWSE	40
T13S R27E S2		SESW	40	T13S R27E S2		SWSW	40
T13S R27E S2		NWSE	40	T13S R27E S2		NESW	40
T13S R27E S2		NWSW	40	T13S R27E S2	LOT 3	NENW	40
T13S R27E S2	LOT 4	NWNW	40	T13S R27E S3		SESE	40
T13S R27E S3		SWSE	40	T13S R27E S3		SESW	40
T13S R27E S3		SWSW	40	T13S R27E S3		SENE	40
T13S R27E S3		SWNE	40	T13S R27E S3		SENE	40
T13S R27E S3		SWNW	40	T13S R27E S3		NESE	40
T13S R27E S3		NWSE	40	T13S R27E S3		NESW	40
T13S R27E S3		NWSW	40	T13S R27E S3	LOT 1	NENE	40
T13S R27E S3	LOT 2	NWNE	40	T13S R27E S3	LOT 3	NENW	40
T13S R27E S3	LOT 4	NWNW	40	T13S R27E S4		NWSE	40
T13S R27E S4		SESE	40	T13S R27E S4		SWSE	40
T13S R27E S4		SENE	40	T13S R27E S4		SWNE	40
T13S R27E S4		NESE	40	T13S R27E S4	LOT 1	NENE	40
T13S R27E S4	LOT 2	NWNE	40	T13S R27E S9		NWNW	40
T13S R27E S9		SENE	40	T13S R27E S9		SWNE	40
T13S R27E S9		SENE	40	T13S R27E S9		SWNW	40
T13S R27E S9		SENE	40	T13S R27E S9		NWSE	40
T13S R27E S9		NESE	40	T13S R27E S9		NWSW	40
T13S R27E S9		NESW	40	T13S R27E S9		SWSE	40
T13S R27E S9		SESE	40	T13S R27E S9		SWSW	40
T13S R27E S9		SESW	40	T13S R27E S9		NWNE	40
T13S R27E S9		NENE	40				
T13S R27E S9		NENW	40				

3160 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1500 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3160 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS 43-11218, 43-10811, 43-10812, 43-2368, 43-4028A, 43-10490

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2741 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS 43-11218, 43-10811, 43-10812, 43-2368, 43-4028A

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statutory Claim

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.43-4031, 43-4027.

RIGHT NOS. 43-11218, 43-4028A, 43-10490, 43-10811, 43-2368 ARE
ALSO DIVERTED THROUGH POINT OF DIVERSIONS DESCRIBED ABOVE.

RIGHT NO. 43-10490 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

01/17/2001

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

RIGHT NUMBER: 43-10812

NAME AND ADDRESS: HARRIS AG
BOX 1024
2655 E 1400 S
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY:

8.38 CFS
839 AFY

25173550

USE OF THIS RIGHT WITH RIGHT NOS 43-11218, 43-10811, 43-10812, 43-4028A, 43-10490 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10,964 AF.

PRIORITY DATE: 04/01/1963

POINT OF DIVERSION:	T13S R27E S2	SESWSE	Within CASSIA County
	T13S R27E S3	NESENW	Within CASSIA County
	T13S R27E S4	SWNWNE	Within CASSIA County
	T13S R27E S4	SENESE	Within CASSIA County
	T13S R27E S9	SESENW	Within CASSIA County
	T13S R27E S9	SESESE	Within CASSIA County
	T13S R27E S10	SESENE	Within CASSIA County
	T13S R27E S11	SESWSE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
8.38 CFS
839.00 AFY

25173550

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R27E S10	SENE	40	T13S R27E S10	SWNE	40
T13S R27E S10	SENE	40	T13S R27E S10	SWNW	40
T13S R27E S10	NESE	40	T13S R27E S10	NWSE	40
T13S R27E S10	NESW	40	T13S R27E S10	NWSW	40
T13S R27E S10	SESE	40	T13S R27E S10	SWSE	40

T13S R27E S10		SESW	40	T13S R27E S10		SWSW	40
T13S R27E S10		NENE	40	T13S R27E S10		NWNE	40
T13S R27E S10		NENW	40	T13S R27E S10		NWNW	40
T13S R27E S11		SWNE	40	T13S R27E S11		SENE	40
T13S R27E S11		SWNW	40	T13S R27E S11		NWSE	40
T13S R27E S11		NESW	40	T13S R27E S11		NWSW	40
T13S R27E S11		SWSE	40	T13S R27E S11		SESE	40
T13S R27E S11		SWSW	40	T13S R27E S11		NWNE	40
T13S R27E S11		NENW	40	T13S R27E S11		NWNW	40
T13S R27E S2		SWNE	40	T13S R27E S2		SENE	40
T13S R27E S2		SWNW	40	T13S R27E S2		SWSE	40
T13S R27E S2		SESW	40	T13S R27E S2		SWSW	40
T13S R27E S2		NWSE	40	T13S R27E S2		NESW	40
T13S R27E S2		NWSW	40	T13S R27E S2	LOT 3	NENW	40
T13S R27E S2	LOT 4	NWNW	40	T13S R27E S3		SESE	40
T13S R27E S3		SWSE	40	T13S R27E S3		SESW	40
T13S R27E S3		SWSW	40	T13S R27E S3		SENE	40
T13S R27E S3		SWNE	40	T13S R27E S3		SENE	40
T13S R27E S3		SWNW	40	T13S R27E S3		NESE	40
T13S R27E S3		NWSE	40	T13S R27E S3		NESW	40
T13S R27E S3		NWSW	40	T13S R27E S3	LOT 1	NENE	40
T13S R27E S3	LOT 2	NWNE	40	T13S R27E S3	LOT 3	NENW	40
T13S R27E S3	LOT 4	NWNW	40	T13S R27E S4		NWSE	40
T13S R27E S4		SESE	40	T13S R27E S4		SWSE	40
T13S R27E S4		SENE	40	T13S R27E S4		SWNE	40
T13S R27E S4		NESE	40	T13S R27E S4	LOT 1	NENE	40
T13S R27E S4	LOT 2	NWNE	40	T13S R27E S9		NWNW	40
T13S R27E S9		SENE	40	T13S R27E S9		SWNE	40
T13S R27E S9		SENE	40	T13S R27E S9		SWNW	40
T13S R27E S9		NESE	40	T13S R27E S9		NWSE	40
T13S R27E S9		NESW	40	T13S R27E S9		NWSW	40
T13S R27E S9		SESE	40	T13S R27E S9		SWSE	40
T13S R27E S9		SESW	40	T13S R27E S9		SWSW	40
T13S R27E S9		NENE	40	T13S R27E S9		NWNE	40
T13S R27E S9		NENW	40				

3160 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1500 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3160 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS 43-11218, 43-10811, 43-10812, 43-2368, 43-4028A, 43-10490

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2741 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS 43-11218, 43-10811, 43-10812, 43-2368, 43-4028A

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statutory Claim

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-4031, 43-4027.

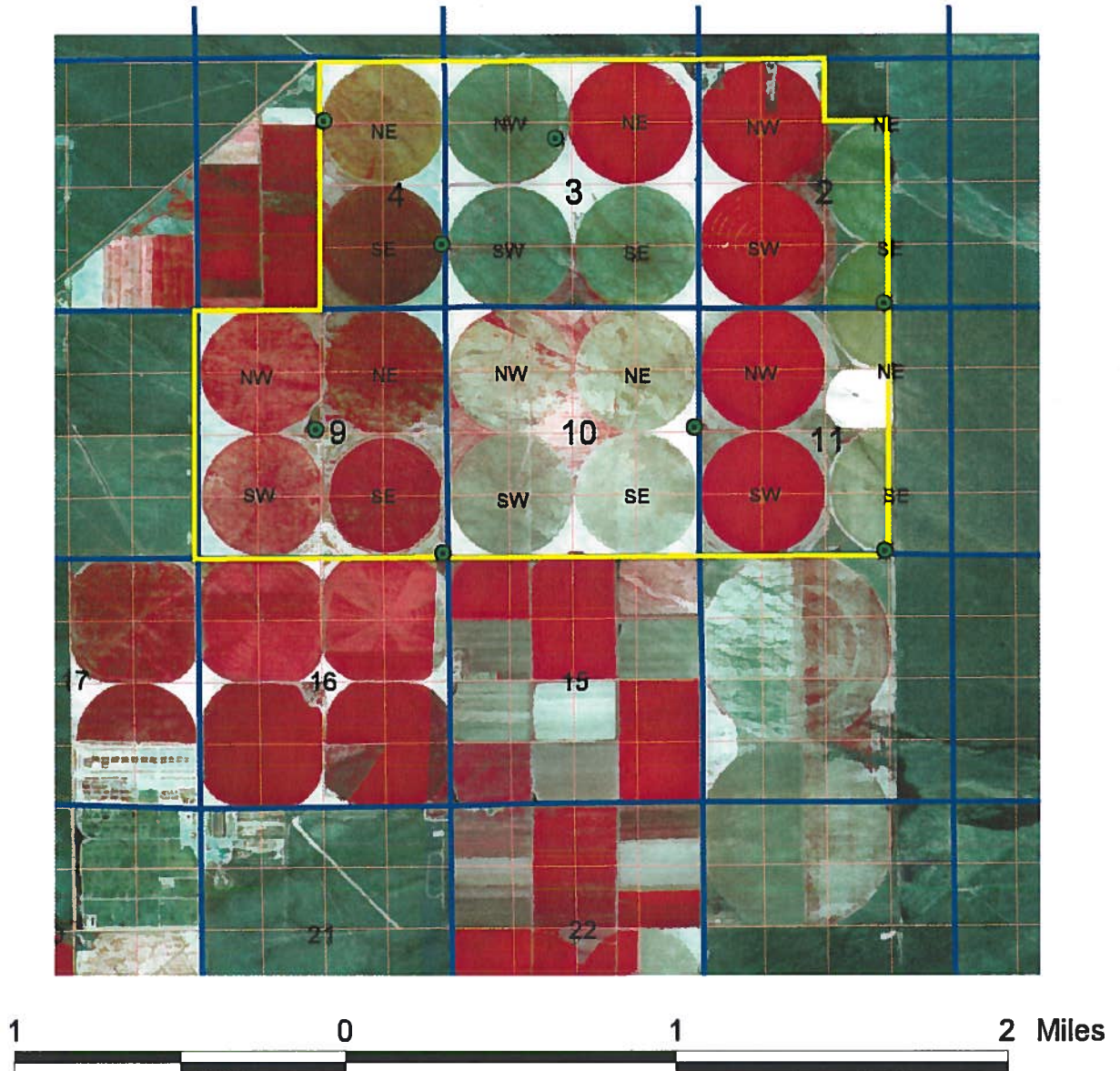
RIGHT NOS. 43-11218, 43-4028A, 43-10490, 43-10811, 43-2368 ARE ALSO DIVERTED THROUGH POINT OF DIVERSIONS DESCRIBED ABOVE.

RIGHT NO. 43-10490 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY PLACE OF USE

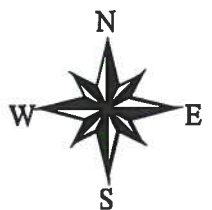
43-2368, 4028A, 10811, 10812,
11218 & 10490



T13S, R27E
Sect 2, 3, 4, 9, 10 & 11

Map prepared by: Cbird
November 9, 2000
1987-1988 NAPP Photography

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 43-4031

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BENCHMARK RANCHES
Original Owner	VISTA LAND CO

Priority Date: 04/01/1963
Basis: Statutory Claim
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	4.42 CFS		
STOCKWATER	1/01	12/31			

Total Diversion 4.42 CFS

Location of Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 02	Township 13S	Range 27E	CASSIA County
GROUND WATER	NENW	Sec. 03	Township 13S	Range 27E	CASSIA County
GROUND WATER	NWSW	Sec. 03	Township 13S	Range 27E	CASSIA County
GROUND WATER	SENE	Sec. 09	Township 13S	Range 27E	CASSIA County
GROUND WATER	SESE	Sec. 09	Township 13S	Range 27E	CASSIA County
GROUND WATER	SENE	Sec. 10	Township 13S	Range 27E	CASSIA County

IRRIGATION Use:
Acre Limit: 1137

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CASSIA County

<u>Townshi</u>	<u>Rang</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>
13S	27E	2		SWNE	36									
				SWNW	36		SENE	37						
				NESW	37		NWSW	36		SWSW	36		SESW	36
				NWSE	36									
		3		NENE	36		NWNE	36		SWNE	36		SENE	36
				NENW	35		NWNW	36		SWNW	36		SENE	36
		4		NENE	36		NWNE	35		SWNE	36		SENE	36
				NESE	36		NWSE	36		SWSE	36		SESE	36
		9		NENE	36		NWNE	36		SWNE	36		SENE	36
				NENW	36		NWNW	35		SWNW	29		SENE	29

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 1137

Remarks:

1. General AC. IRR.=2741.

P/D & P/U COMBINED WITH OTHER RTS. BY TRANS. 1838.

Dates:

Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
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:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

CLAIM NUMBERS A43-10812

DATE _____
AGENT _____

TRANSFER NUMBER _____
HOMESTEAD ENTRY NO. _____
CLAIMED ACRE TOTAL 1500
GEOGRAPHIC INFO ACRES _____

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13S	27E	2			33		33	33	33	33	33	33	33	33		33			330
GIS	13S	27E	2																	
RECOM	13S	27E	2																	
CLAIM	13S	27E	3	36	37	37	37	39	39	38	39									302
GIS	13S	27E	3																	
RECOM	13S	27E	3																	
CLAIM	13S	27E	4	36	35	36	36									36	36	36	36	287
GIS	13S	27E	4																	
RECOM	13S	27E	4																	
CLAIM	13S	27E	9	36	36	36	36	36	35	35	31									281
GIS	13S	27E	9																	
RECOM	13S	27E	9																	
CLAIM	13S	27E	10	37	35	37	37	39	39	39	37									300
GIS	13S	27E	10																	
RECOM	13S	27E	10																	

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

PEG LAYOUT

R PROOF

CVR

MAPS

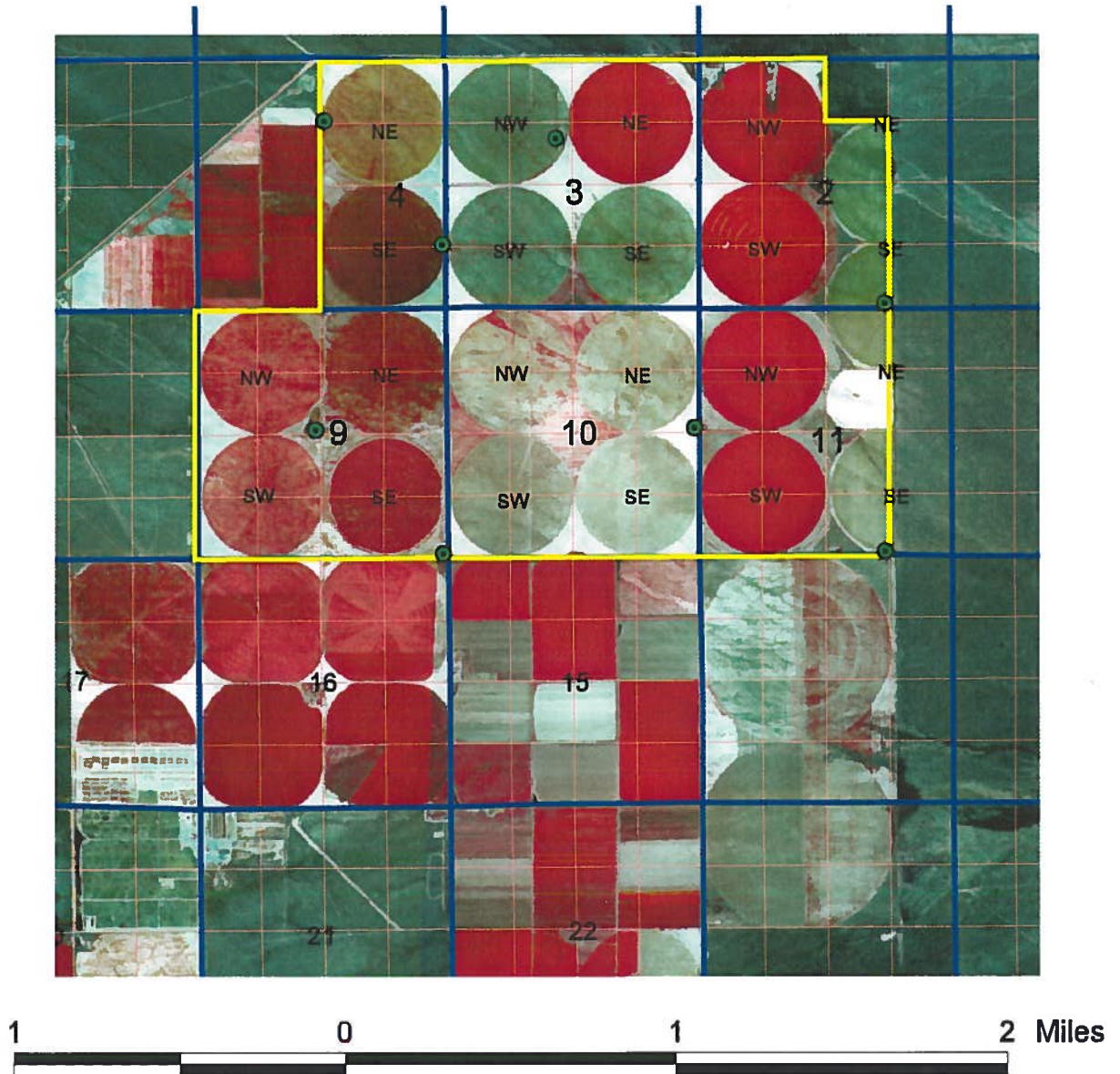
PHOTOS

MISC

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY PLACE OF USE

43-2368, 4028A, 10811, 10812,
11218 & 10490



T13S, R27E
Sect 2, 3, 4, 9, 10 & 11

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- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUATER LINES

