

VERIFIED BY

01/12/2001

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

RIGHT NUMBER: 43-11246
NAME AND ADDRESS: TODD GERRATT
246 E 300 S
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.01 CFS

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

PRIORITY DATE: 02/01/1984

POINT OF DIVERSION: T11S R27E S30 SWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.01 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County
T11S R27E S30 SWNE

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water Right 43-11246

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 43-11246
Date Received: 8/24/00
Receipt No: S023336
Received By: SCC

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

1. Name of Claimant(s)

Name: TODD GERRATT

Phone: (208) 678-2935

Address: 246 E 300 S
BURLEY ID USA 83318

2. Date of Priority: 02/01/1984

3. Source: GROUNDWATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
11S	27E	30	SW NE	CASSIA

5. Description of diverting works:
PUMP AND PRESSURE TANK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.01	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 250

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	27E	30	SW	NE	STOCKWATER	

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:

15. Basis of Claim: Beneficial Use

16. Signature(s)

(Paper Claim Signed and Received.)

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

Identification No. A43-11246

Date Received _____

Receipt Number S023336 *see*

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

AUG 24 2000

Department of Water Resources
Southern Region

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Todd Gerratt, et al Phone (208) 678-2935

Mailing Address 246 East 300 South, Burley, Id. Zip 83318

2. Date of Priority (Only one per claim) February 1, 1984 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 11 S Range 27 EBM

Section 30, SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of Cassia

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pump and Pressure Tank

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For _____ purposes from _____ Month/Day _____ Month/Day _____ (cfs)
amount 5 Gallons
per minute
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater. Type and Number of livestock) 250 Head

10. Place of use is: Township: 11 S Range 27 EBM

Section 30, SW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

County of _____ for (Circle One) **Domestic** **Stock** **Domestic and Stock**

Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

None

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments 1 Deed

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

Signature of Claimant (s) [Signature] Date 8-23-2000

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title _____ of _____, that I have signed the foregoing

document in the space below as _____ Organization _____ of _____

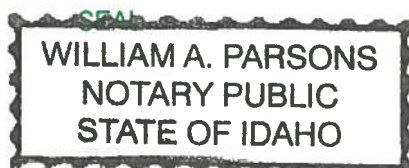
_____ Title _____ Organization _____ and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of August 2000



Notary Public [Signature]

Residing at Burley

My Commission Expires 7-20-2004

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

WARRANTY DEED

THIS INDENTURE, made this 29th day of February, 2000, between ROLAND ALLEN LAND AND LIVESTOCK, INC., an Idaho corporation,, ("Grantor"), and TODD GERRATT and BRENDA GERRATT, husband and wife, ALAN GERRATT and KAYLA GERRATT, husband and wife, DAVID GERRATT and LORI GERRATT, husband and wife, and DAN CLAYTON and MARY ANN CLAYTON, husband and wife, whose address is 246 East, 300 South, Burley, Idaho 83318, ("Grantee").

W I T N E S S E T H:

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

That property more particularly described on Exhibit A attached hereto and made a part hereof by reference.

SUBJECT TO: Accruing taxes, levies and assessments; billboard and building restrictions, recorded as Instrument numbers 23014 and 23015, records of Cassia County, Idaho; easement to the State of Idaho recorded as Instrument No. 23016 and easement recorded as 23017, records of Cassia County, Idaho.

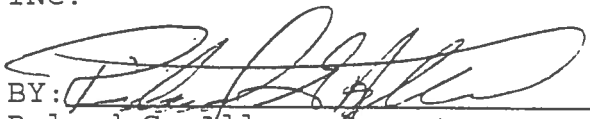
1 TOGETHER with water rights, including, but not
2 limited to A43-00479 and A43-00480, and all and singular the
3 tenements, hereditaments and appurtenances thereunto belonging
4 or in anywise appertaining, the reversion and reversions,
5 remainder and remainders, rents, issues and profits thereof,
6 and all estate, right, title and interest in and to said
7 property as well in law as in equity of the Grantor.

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

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

17 IN WITNESS WHEREOF, the Grantor has executed this
18 Deed the day and year first above written.

19 ROLAND ALLEN LAND AND LIVESTOCK,
20 INC.

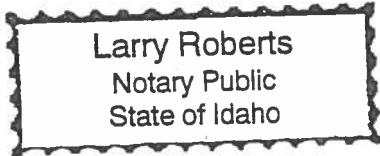
21 BY: 
22 Roland G. Allen, Secretary

23 STATE OF IDAHO)
24) ss
25 County of Cassia)

26 On this 29th day of February, in the year 2000,
before me, the undersigned, a Notary Public in and for said
State, personally appeared ROLAND G. ALLEN, known or identified

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

to me to be the Secretary of ROLAND ALLEN LAND AND LIVESTOCK, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



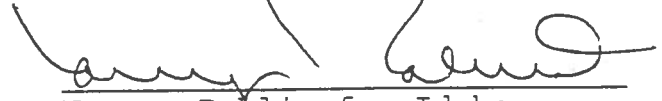

Notary Public for Idaho
Residing at Burley, Idaho
My Commission Expires: 6.30.03

EXHIBIT A

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

Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19: E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 20: W $\frac{1}{2}$ W $\frac{1}{2}$
Section 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30: That portion of the SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and East of the
East right-of-way of Interstate 80 North.

267696

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FILED *1900* DEPUTY *W*

• 00 PM 1 AM 9 33

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

August 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TODD GERRATT
246 E 300 S
BURLEY ID 83318

RE: Late Claim Received; 43-11246

Dear Mr. Gerratt,

Enclosed is a copy of your SRBA Claim as recorded with the Department. Please review the document for accuracy and contact us if you notice any errors; otherwise no action is necessary.

If you have further questions on your water right then please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

Enc: