

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 43-12926
Date Received: 1/11/01
Receipt No:
Received By:

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

1. Name of Claimant(s)

C BAR CATTLE COMPANY Phone: (801)328-1600

139 EAST SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

2. Date of Priority: 04/01/1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
14S	27E	20	NW NW SW	CASSIA

5. Description of diverting works:

HEADGATE FROM RAFT RIVER & ASSOCIATED DITCHES, BOOSTER PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	07/01	5.47	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres			
13S	26E	24	SE	SE		IRRIGATION	14.3			
			NE	SE		IRRIGATION	14.3			
			Section Acres					28.6		
13S	26E	25	NE	NE		IRRIGATION	14.3			
			NE	SE		IRRIGATION	2.5			
			Section Acres					16.8		
13S	27E	19	NE	SW		IRRIGATION	38.5			
			NW	SW	3	IRRIGATION	49.4			
			SE	SW		IRRIGATION	40			
			NW	SE		IRRIGATION	10			
			SW	SE		IRRIGATION	10			
			SW	SW	4	IRRIGATION	49.5			
			Section Acres					197.4		
			13S	27E	30	NW	NE		IRRIGATION	33.4
						NE	NW		IRRIGATION	28
						NW	NW	1	IRRIGATION	49.5
SW	NW	2				IRRIGATION	48.8			
SE	NW					IRRIGATION	17.4			
Section Acres					177.1					
Total Acres					419.9					

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 is a combination of decreed rights 43-032 and 43-253.
This claim represents a portion of claim 43-10798A (renumbered from 43-00030), which was split so that the claim could be more accurately recommended as originally decreed for use and season of use. See SRBA file regarding T2502 and Jobe Adams Decree. VH 1-11-2001.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 16, 2001

C Bar Cattle Company
Christopher Robinson
139 East South Temple #310
Salt Lake City, Utah 84111

RE: Snake River Basin Adjudication (SRBA)
Splitting of Claim 43-10798

Dear Mr. Robinson:

The above Adjudication claim was filed by John A. Pierce in 1989 to assert his claim to several Raft River Decreed rights with a common priority date. The claim was actually originally claimed under the identifying number of 43-00030, but was later renumbered to 43-10798 to more accurately reflect that it was the combination of more than one water right. This claim was subsequently split into 43-10798A and 43-10798B portions when you purchased a major portion of Mr. Pierce's property.

During recent investigation of the Pierce and C Bar Cattle claims in the SRBA, I have discovered that, although the six decreed water rights combined within 43-10798A and B do share a common priority date, they have different seasons of use and different uses. When Mr. Pierce filed the original claim, he lumped them all into one irrigation claim with a short season of April 1 to July 1, however two of the claims had seasons of use which extended into October. Although I am aware that currently Raft River is probably not available after July 1, I feel it may not be wise to give up the right to use a full season of water should conditions ever change.

In addition, two of the rights included as irrigation rights were actually decreed for year round stockwater. These two rights, 43-443 and 43-444 were listed in error as irrigation rights by the Department on Transfer number 2505 in March 1975, which was filed to add a point of diversion to a number of decreed surface water rights in the area.

To correctly recommend the above claim in the SRBA, it was necessary to split both your portion, 43-10798A, and Mr. Pierce's portion into three different claims. Your claims are summarized below, with the use and season of use noted. Also find enclosed copies of the new claims for your records. I have noted on each that they represent replacements to claim 43-10798A.

The preliminary recommendations for the Raft River portion of claims in the Adjudication are due to be sent to all individual claimants in the next month or so, but I wanted to give you an advance notice of this substantial change in

the above water right. If you have any questions or concerns please don't hesitate to contact me here at the office.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent

Summary of Rights:

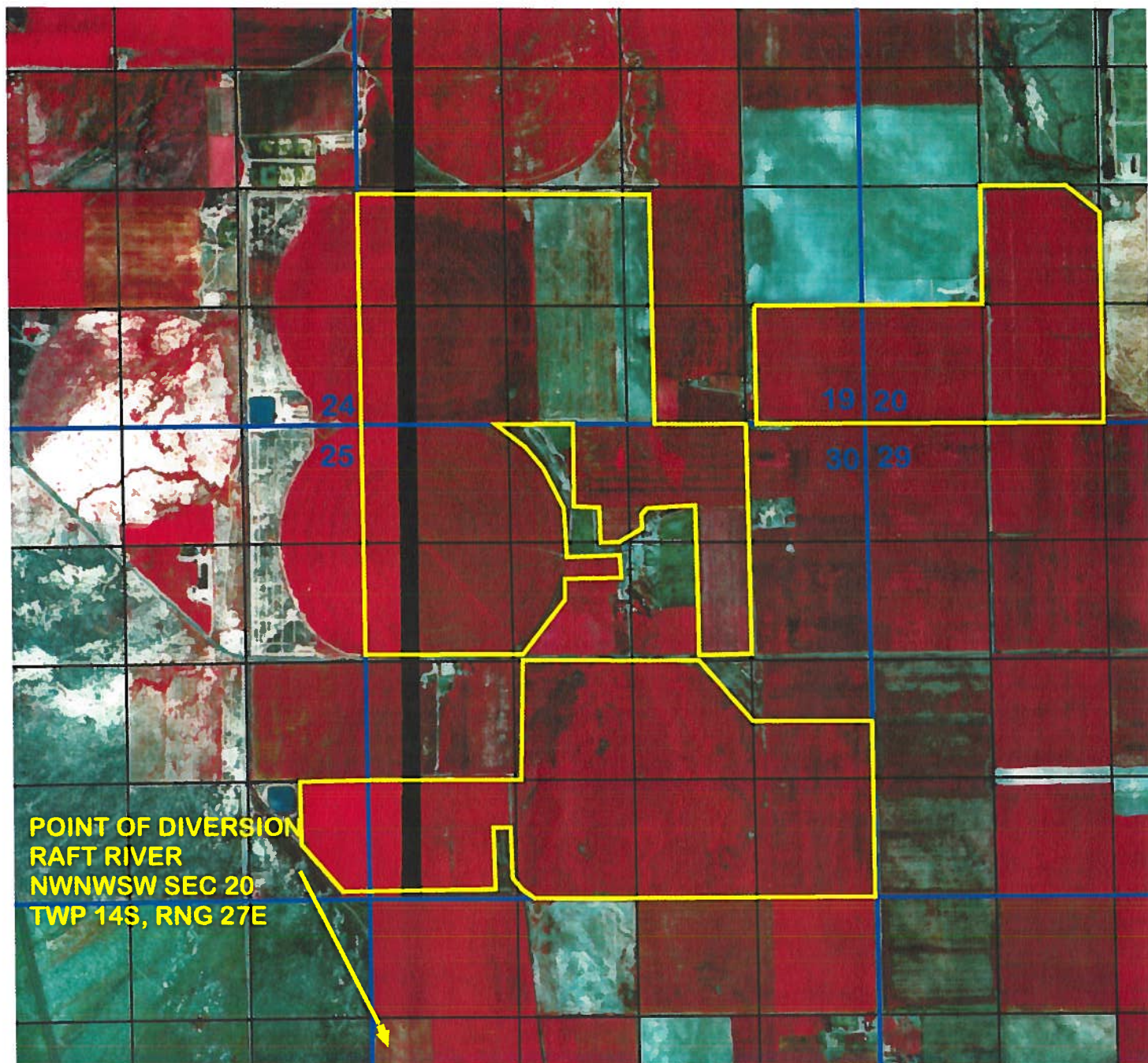
43-12926	Irrigation from 4/1 to 7/1	5.47 cfs
43-12927	Irrigation from 4/1 to 10/1	2.521 cfs*
43-12928	Irrigation from 3/15 to 11/15	0.77 cfs
	Stockwater from 1/1 to 12/31	0.29 cfs

*this 2.521 cfs included in and not in addition to 5.47 cfs in 43-12926 above.

Idaho Department of Water Resources

**RIGHTS: 43-171C, 43-178G, 43-254A,
43-287, 43-12926, 43-12927, 43-12928
SOURCE RAFT RIVER**

**RECOMMENDED PLACE OF USE
FOR IRRIGATION
TWP 13S, RNG 27E,
Data entry on January 11, 2001**



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



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

01/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 43-10798A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPLIT RIGHT XXXX X, ID 00000
Representative	SHERL L CHAPMAN 410 S ORCHARD SUITE 144 BOISE, ID 83705 (208)344-6690
Original Owner	ALBION-IDAHO LAND CO
Original Owner	CHARLES WARR ET AL
Original Owner	JACK A PIERCE
Original Owner	CHARLES WARR , ID
Original Owner	PIERCE INC 139 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84111 (801)328-1600
Original Owner	C BAR CATTLE COMPANY 139 EAST SOUTH TEMPLE #310 SALT LAKE CITY, UT 84111 (801)328-1600

Priority Date: 04/01/1871
Basis: Decreed
Status: Parent

<u>Source</u>	<u>Tributary to</u>
RAFT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	7/01	6.537 CFS		
Total Diversion			6.537 CFS		

Location of Point(s) of Diversion:

RAFT RIVER NWNWSW Sec. 20 Township 14S Range 27E CASSIA County

IRRIGATION Use:
Acre Limit: 419.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CASSIA County

<u>Townsh</u> <u>id</u>	<u>Rang</u> <u>e</u>	<u>Sectio</u> <u>n</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	26E	24		NESE	14.3		SESE	14.3						
		25		NENE	14.3									
				NESE	2.5									
	27E	19		NESW	38.5	3	NWSW	49.4	4	SWSW	49.5		SESW	40
				NWSE	10		SWSE	10						
		30		NWNE	33.4									
				NENW	28	1	NWNW	49.5	2	SWNW	48.8		SENW	17.4

Total Acres: 419.9

Remarks:

1.

THIS CLAIM INCLUDES WATER RIGHT NUMBERS: 43-00030, 43-00032, 43-00443, 43-00253, 43-00442, 43-00255 WHICH ARE FROM A COMMON PRIORITY DATE. ACREAGE CALCULATED BY ASCS USING AERIAL PHOTOS. ***** 10-20-99: OWNERSHIP CHANGE JACK PIERCE TO JOHN AND MABEL PIERCE PER NOTICE AND WD REC'D 7-16-1990 RESULTED IN A SPLIT OF SENW SEC 30. 18 AC AND .27 CFS CONVEYED TO JOHN AND MABEL. BALANCE REMAINED IN NAME OF JACK PIERCE.
10-20-99: OWNERSHIP CHANGE JACK PIERCE TO PIERCE, INC PER NOTICE REC'D 7-16-1990.
10-20-99: OWNERSHIP CHANGE PIERCE, INC TO C BAR CATTLE CO PER NOTICE REC'D 7-16-1990. SEE SUPPORTING DOCS IN FILE A43-00254 -VH *****THIS RIGHT WAS SPLIT INTO 3 PORTIONS TO MORE ACCURATELY REFLECT THE USES AND SEASONS OF USE OF THE VARIOUS DECREED RIGHTS WITHIN IT. **THIS RIGHT IS NOW REPRESENTED BY CLAIM NUMBERS 43-12926, 43-12927 AND 43-12928. FOR DOCUMENTS REGARDING ORIGINAL RIGHTS SEE SRBA CLAIM FILE 43-12926. 1-11-2001 VH.**

Dates:

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

Other Information:

Receipt Number(s):
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:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Child Right(s): 43-12926
43-12927
43-12928

WRADJUDICATIONCLAIM
WRADJUDICATIONCLAIM
WRADJUDICATIONCLAIM

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: A43-10798A
Date Received: 6/20/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: C BAR CATTLE COMPANY 801-328-1600
Address: 139 EAST SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

2. Date of Priority: APR 1, 1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	20	NW	NW	SW		CASSIA

5. Description of diverting works:
HEADGATE FROM RAFT RIVER & ASSOCIATED DITCHES, BOOSTER PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	6.537		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	26E	24	NE	SE		IRR	14.3
			SE	SE		IRR	14.3

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	28.6
		25	NE	NE	IRR	14.3
			NE	SE	IRR	2.5
					Section Acres	16.8
	27E	19	NE	SW	IRR	38.5
			NW	SW	3 IRR	49.4
			SW	SW	4 IRR	49.5
			SE	SW	IRR	40.0
			NW	SE	IRR	10.0
			SW	SE	IRR	10.0
					Section Acres	197.4
		30	NW	NE	IRR	33.4
			NE	NW	IRR	28.0
			NW	NW	1 IRR	49.5
			SW	NW	2 IRR	48.8
			SE	NW	IRR	17.4
					Section Acres	177.1
					Total Acres	419.9

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
43-02284, 43-02455, 43-02394

14. Remarks:
THIS CLAIM INCLUDES WATER RIGHT NUMBERS: 43-00030, 43-00032, 43-00443, 43-00253, 43-00442, 43-00255 WHICH ARE FROM A COMMON PRIORITY DATE. ACREAGE CALCULATED BY ASCS USING AERIAL PHOTOS.

10-20-99: OWNERSHIP CHANGE JACK PIERCE TO JOHN AND MABEL PIERCE PER NOTICE AND WD REC'D 7-16-1990 RESULTED IN A SPLIT OF SENW SEC 30. 18 AC AND .27 CFS CONVEYED TO JOHN AND MABEL. BALANCE REMAINED IN NAME OF JACK PIERCE.
10-20-99: OWNERSHIP CHANGE JACK PIERCE TO PIERCE, INC PER NOTICE REC'D 7-16-1990.
10-20-99: OWNERSHIP CHANGE PIERCE, INC TO C BAR CATTLE CO PER NOTICE REC'D 7-16-1990. SEE SUPPORTING DOCS IN FILE A43-00254 -VH

14. Remarks: Continued

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs

Decree Defendant

Water Right Number - A43-10798

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - -

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 -
2 -
3 -
City- X
Phone - 208-000-0000
State- ID Zip- X

*** O - ORIGINAL OWNER ***
CHAPMAN

SHERL L

1 - 410 S ORCHARD SUITE 144
2 -
3 -
City- BOISE
Phone - 208-344-6690
State- ID Zip- 83705

ALBION-IDAHO LAND CO

WARR

CHARLES

City- N/A
Phone - 208-000-0000
State- ID Zip- 00000
1 -
2 -
3 -
City- MALTA
Phone - 208-000-0000
State- ID Zip- 83342

WARR ET AL

CHARLES

PIERCE

JACK A

City- N/A
Phone - 208-000-0000
State- ID Zip- 00000
1 -
2 -
3 -
City- MALTA
Phone - 208-645-2580
State- ID Zip- 83342

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1871 17 SOUTHERN 2 - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPLIT RIGHT SPLIT RIGHT

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14S 27E 20 NW NW SW (31) CASSIA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 07/01 6.807

Water right number - A43-10798

Prefix Translation: ADJUDICATION CLAIM

+ - Total Div. Rate - + - Total Div. Volume - +
6.807

+ - Total Consumptive Use - + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13S	26E	24	NE SE		14.3	01	IRRIGATION	(31) CASSIA
13S	26E	24	SE SE		14.3	01	IRRIGATION	(31) CASSIA
13S	26E	25	NE NE		14.3	01	IRRIGATION	(31) CASSIA
13S	26E	25	NE SE		2.5	01	IRRIGATION	(31) CASSIA
13S	27E	19	NE SW	3	38.5	01	IRRIGATION	(31) CASSIA
13S	27E	19	NW SW		49.4	01	IRRIGATION	(31) CASSIA
13S	27E	19	SW SW	4	49.5	01	IRRIGATION	(31) CASSIA
13S	27E	19	SE SW		40.0	01	IRRIGATION	(31) CASSIA
13S	27E	19	NW SE		10.0	01	IRRIGATION	(31) CASSIA
13S	27E	19	SW SE		10.0	01	IRRIGATION	(31) CASSIA
13S	27E	30	NW NE		33.4	01	IRRIGATION	(31) CASSIA
13S	27E	30	NE NW	1	28.0	01	IRRIGATION	(31) CASSIA
13S	27E	30	NW NW		49.5	01	IRRIGATION	(31) CASSIA
13S	27E	30	SW NW	2	48.8	01	IRRIGATION	(31) CASSIA
13S	27E	30	SE NW		35.4	01	IRRIGATION	(31) CASSIA
Total Acres:					437.9			

+ - - Diversion Means - HEADGATE FROM RAFT RIVER & ASSOCIATED DITCHES, BOOSTER PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-02284, 43-02455, 43-02394

+ - - - - - Remarks - - - - -

GEN

THIS CLAIM INCLUDES WATER RIGHT NUMBERS: 43-00030, 43-00032, 43-00443, 43-00253, 43-00442, 43-00255 WHICH ARE FROM A COMMON PRIORITY DATE. ACREAGE CALCULATED BY ASCS USING AERIAL PHOTOS.

10-20-99: OWNERSHIP CHANGE JACK PIERCE TO JOHN AND MABEL PIERCE RESULTED OF A SPLIT OF SEW SEC 30. 43-10798 GIVES .27 CFS AND 18 AC TO JOHN AND MABEL. 43-10798A RETAINS BALANCE OF ACREAGE AND 6.537 CFS IN NAME OF JACK PIERCE. A43-10798A IS SUBSEQUENTLY CONVEYED TO PIERCE INC AND THEN TO C BAR CATTLE CO. SEE W OEDD SUBMITTED WITH NOTICE IN 1990 AND SUPPORTING DOCS IN A43-00254 -VH

+ - - - - - Old Water Right Numbers - - - - -

- 4300030
- 4300032
- 4300253
- 4300255
- 4300442
- 4300443

Prefix Translation: ADJUDICATION CLAIM

Decree Plaintiff	Decree Defendant	Decree Date
ALBION-IDAHO LAND CO.	JOBE ADAMS ET AL	00/00/0000

10/20/99 VHANCOCK

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	06/20/1989	Last Amended Date	00/00/0000
		Receipt Number	C007642
		POU Ownership Flag	Y
		Name Connector	OR
		Civil Case Number	39576
		Old Case Number	
		Old Judicial District	
		Temporary Right	P
		Water District	43B
		Federal/State Indicator	S
		Presumption Flag	D
		Notice of Error Flag	

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

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

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

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

[X] New Mailing Address: Malta, Idaho 83342

RECEIVED
JUL 16 1990

Department of Water Resources

New Telephone Number: (208) 645 - 2580

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

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

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

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

[X] Attach proof of ownership

Describe proof attached: Warranty Deed

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

Date: 7/6/90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

?

Exhibit E to Agreement - Pierce - Robinson

208272

WARRANTY DEED

THIS INDENTURE, made this 27th day of JUNE, 1990,
 between JOHN A. PIERCE and MABELLE PIERCE, husband and wife, of
 Malta, Idaho, 83342, ("Grantor"), and PIERCE, INC., a
 corporation, whose address is Malta, Idaho 83342, ("Grantee").

W I T N E S S E T H:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IN WITNESS WHEREOF, the Grantor has executed this Deed

the day and year first above written.

John A. Pierce
John A. Pierce

Mabelle Pierce
Mabelle Pierce

STATE OF IDAHO)
County of Cassia) ss

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

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

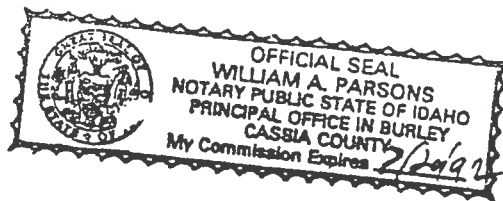


EXHIBIT A TO WARRANTY DEED

RESERVED WATER RIGHTS:

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

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

A43- 02455✓

A43- 02304✓

A43- 02394✓

A43- 02284✓

A43- 04238✓

A43- 00030 ← included in 10798 & 10568

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

A43- 02455✓

A43- 02304✓

A43- 04238✓

A43- 00254✓

Exhibit A to Warranty Deed

EX A-WTR.RTS.

COPY

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

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

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

RECEIVED
JUL 16 1990

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

Department of Water Resources

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

New Telephone Number: (801) 328 - 1600

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

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

[] Attach proof of ownership
Describe proof attached:

[] Signature of New Claimant(s):

PIERCE, INC.
John A. Pierce

Date: June 18, 1990

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

y

ay:

Step 1

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

The validity of
this list was, &
still is questioned.
1) NOT EXHIBIT "A"
2) List of claims not
owned by Pierce
in 1990 when
submitted.

V# 10-20-99

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

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

[] Name and Address of
Former Claimant:

Pierce, Inc. and J. A. Pierce

Malta, Idaho

[] New Claimant(s):

Pierce, Inc.

Malta, Idaho

RECEIVED
JUL 16 1990

[] New Mailing Address:

Department of Water Resources

New Telephone Number: (801) 328- 1600

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

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

[] Attach proof of ownership
Describe proof attached:

[] Signature of New Claimant(s):

PIERCE INC
John A. Pierce

Date: June 18, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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

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

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

V.H. 10-20-99

RECEIVED
JUL 16 1990

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM Department of Water Resources

- [] Water Right Number(s): Listed on Exhibit A attached hereto.
- [] Name and Address of Former Claimant: Pierce, Inc.
Malta, Idaho 83342
- [] New Claimant(s): C Bar Cattle Company
Successor in interest to Pierce, Inc.
- [] New Mailing Address: 139 East South Temple - Suite 310
Salt Lake City, Utah 84111
- New Telephone Number: (801) 328-1600
- [] Does the change in ownership result in a splitting of the water right claimed? yes X no
- If yes, then describe the portion of the water right that is now claimed by the new owner:

- [] Attach proof of ownership
Describe proof attached: C-BAR CATTLE CO.
- [] Signature of New Claimant(s): Christopher F. Robinson

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

Date: June 18, 1990

try
:

any:

Step 2

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

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

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

UH 10-20-99

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: **A43-10798**
Date Received: 6/20/1989
Receipt No: C007642
Received By: _____

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

1. Name: JACK A. PIERCE 208-645-2580
Address: MALTA ID 83342

2. Date of Priority: APR 1, 1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	20	NW	NW	SW		CASSIA

5. Description of diverting works:
HEADGATE FROM RAFT RIVER & ASSOCIATED DITCHES, BOOSTER PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/01	6.807		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot
13S	26E	24	NE	SE	
			SE	SE	

*NR proofs for
rts. combined?*

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	28.6
		25	NE	NE		IRR	14.3
			NE	SE		IRR	2.5
						Section Acres	16.8
	27E	19	NE	SW		IRR	38.5
			NW	SW	3	IRR	49.4
			SW	SW	4	IRR	49.5
			SE	SW		IRR	40.0
			NW	SE		IRR	10.0
			SW	SE		IRR	10.0
						Section Acres	197.4
		30	NW	NE		IRR	33.4 ^e
			NE	NW		IRR	28.0 ^e
			NW	NW	1	IRR	49.5 ^e
			SW	NW	2	IRR	48.8 ^e
			SE	NW		IRR	35.4 ^e
						Section Acres	195.1
						Total Acres	437.9

profile spit

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
43-02284, 43-02455, 43-02394

14. Remarks:
THIS CLAIM INCLUDES WATER RIGHT NUMBERS: 43-00030, 43-00032, 43-00443, 43-00253, 43-00442, 43-00255 WHICH ARE FROM A COMMON PRIORITY DATE. ACREAGE CALCULATED BY ASCS USING AERIAL PHOTOS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree Defendant

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 _____

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: ~~A43-00030~~ 10798
Date Received: 6/20/1989
Receipt No: C007642
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK A. PIERCE 208-645-2580
Address: MALTA, ID 83342

2. Date of Priority: APR 01, 1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	20	NW	NW	SW		CASSIA

5. Description of diverting works:
HEADGATE FROM RAFT RIVER & ASSOCIATED DITCHES, BOOSTER PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	6.807		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	24	NE	SE		IRR	14.3
			SE	SE		IRR	14.3
Section Acres							28.6

A43-00030
10798

Page 1

Date: 07/11/89

MICROFILM

MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	25	NE	NE		IRR	14.3
			NE	SE		IRR	2.5
			Section Acres				16.8
	27E	19	NE	SW		IRR	38.5
			NW	SW	3	IRR	49.4
			SW	SW	4	IRR	49.5
			SE	SW		IRR	40.0
			NW	SE		IRR	10.0
			SW	SE		IRR	10.0
			Section Acres				197.4
		30	NW	NE		IRR	33.4
			NE	NW		IRR	28.0
			NW	NW	1	IRR	49.5
			SW	NW	2	IRR	48.8
			SE	NW		IRR	35.4
			Section Acres				195.1
			Total Acres				437.9

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
43-02284, 43-02455, 43-02394

14. Remarks:
THIS CLAIM INCLUDES WATER RIGHT NUMBERS: 43-00030, 43-00032, 43-00443, 43-00253, 43-00442, 43-00255 WHICH ARE FROM A COMMON PRIORITY DATE. ACREAGE CALCULATED BY ASCS USING AERIAL PHOTOS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
Decree Defendant

A43-00030
10798

Page 2

Date: 07/11/89

MICROFILM
MAR 05 1990

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 _____

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

A 43 - 00030/0798

Date Received

6-20-89

Receipt Number

C007642 CT

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JUN 20 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Jack A. Pierce Phone (208) 645-2580
Mailing Address Malta, Idaho Zip 83342

2. Date of Priority (Only one (1) per claim) April 1, 1871

3. Source of water supply (a) Raft River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 14S Range 27E Section 20,
NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Headgate from Raft River and associated
ditches. Booster pumps at reservoirs on the property for pressurization.

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MAR 05 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 7/1 amount 6.807 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6.807 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	27E	19									38.5	49.4	49.5	40		10	10		197.4
13S	26E	24													14.3			14.3	28.6
13S	26E	25	14.3	2.5		2.5													16.8
13S	27E	30		33.4			28	49.5	48.8	35.4									195.1

Total number of acres irrigated 437.9

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.
43-2284; 43-2455; 43-2394 or None ()

14. Remarks: This claim includes water right numbers: 43-0030; 0032; 0443; 0253; 0442; 0255
which are from a common source, delivered through a common system and have a common
priority date. Acreages calculated by ASCS using aerial photos.

Last Name Pierce Ident No. _____

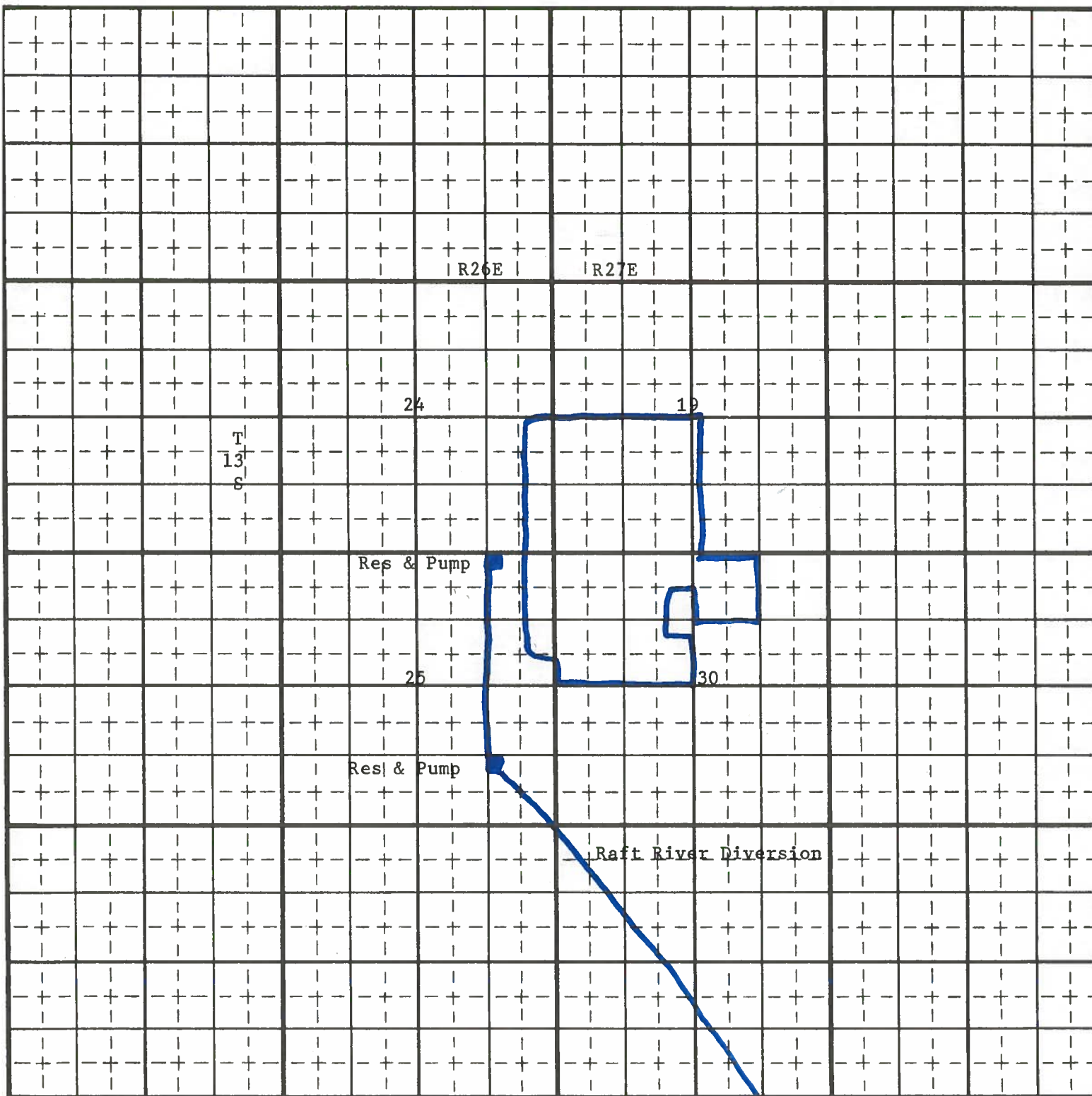
Copies: White -State, Yellow-Claimant

MICROFILM

MAR 05 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



NOTE: PD is off map several miles

Last Name Pierce Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILM

MAR 05 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number See remarks
Court US District For Cassia Cty Case Number _____ Decree Date Oct. 18, 1928
Plaintiff vs Defendant Albion Land Co. VS Jobe Adams

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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

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

Signature of Claimant (s) John A. Pierce Date June 1, 1989
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 1 day of June 19 89



Notary Public Sherl Chapman
Residing at 3205 E. Hubbard Rd. Meridian
My Commission Expires 6/14/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Pierce Ident. Number _____

MICROFILME
Copies White-State, Yellow-Claimant
MAR 05 1993

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Pierce

CLAIM

INT. NO.

A43-10798-00030

DATE RECEIVED

6-20-89

CK #

AMOUNT \$

600764.2

YES

NO

Required Info?

1. Is the name and address complete with zip code? YES COO 764.2 ✓ ✓ *
2. Is a priority date entered? ✓ *
- Is the priority date acceptable in view of mandatory filing dates? ✓ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ✓ *
3. (a) Is a source entered? ✓ *
- (b) Is a tributary to entered? (if required) N/A ✓ ✓ *
4. Is the legal description of the p.d. sufficient? ✓ *
5. Is there a description of the diverting works? ✓ ✓ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ✓ *
- Is the period of use included? ✓ ✓ *
- Is a quantity claimed for each use? ✓ *
7. Is a total quantity claimed entered? ✓ ✓ *
8. If required is a consumptive use entered? N/A ✓ ✓ *
- Is the consumptive use correct? N/A ✓ ✓ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ✓ ✓ *
10. Is (are) the place(s) of use and purpose(s) indicated? ✓ ✓ *
11. Is (are) the county(ies) entered? ✓ ✓ *
12. Is the ownership of p.u. checked? ✓ ✓ *
13. Are other water rights listed or "none" indicated? ✓ ✓ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ✓ ✓ *
15. Is the basis of the claim indicated? ✓ ✓ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ✓ ✓ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ✓ ✓ *
18. Has the claim been signed, sealed, and dated by a notary? ✓ ✓ *
19. Was this claim filed on time, or was an extension granted? ✓ ✓ *
20. Is the fee enclosed correct? Exempt ✓ ✓ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ✓ ✓ *
22. Should this claim be data entered? ✓ ✓ *

Claim checked by: CADate: 7-11-89Claim must be returned to claimant: ✓ (Yes) ✓ (No)Claimant must be notified of modifications: ✓ (Yes) ✓ (No)Receipt Prepared by: CAClaim data entered by: CASent to claimant by: CADate: 6-20-89Date: 7-11-89Date: 7-11-89Checked by: CADate: 7-11-89

Comments: _____

MICROFILM

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

R. KEITH HIGGINSON
Director

23-Dec-1991

JACK A PIERCE
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A43-00030
Identification Number Change

Dear Mr. Pierce:

The Identification Number of your Notice of Claim to a Water Right has been changed from A43-00030 to A43-10798. The change in numbers has been done to better reflect the fact that your Notice of Claim combined Decreed rights 43-00030, 43-00032, 43-00253, 43-00255, 43-00442 and 43-00443. 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,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Records Clerk

/jr
Enclosure:
Copy of Claim A43-10798

MICROFILM
MAR 05 1993

(00-26)

Water Right Number - 43-00030

Prefix Translation:

WATER RIGHT

Old (0) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***

CHARLES

1 -

2 -

3 -

City- MALTA

Phone - 208-000-0000

State- ID Zip- 83342

WARR

CHARLES

1 -

2 -

3 -

City-

Phone - 208-000-0000

State- ID Zip-

*** O - ORIGINAL OWNER ***
ALBION IDAHO LAND CO.

1 -

2 -

3 -

City-

Phone - 208-000-0000

State- ID Zip-

+ - - Priority Date - - +
04/01/1871+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - +
RAFT RIVER+ - - Tributary - - - - +
SNAKE RIVER+ - - - - Point of Diversion - - - - +
Stream Index (Blank if no Index Code)14S 27E 7 SW NE (31) CASSIA
14S 27E 20 NW SW (31) CASSIA

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

0.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.800

Trm	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
13S	27E	19	NE SW			01	IRRIGATION	(31) CASSIA
13S	27E	19	NW SW	3		01	IRRIGATION	(31) CASSIA
13S	27E	19	SW SW	4		01	IRRIGATION	(31) CASSIA
13S	27E	19	SE SW			01	IRRIGATION	(31) CASSIA
13S	27E	19	NW SE			01	IRRIGATION	(31) CASSIA
13S	27E	30	NW NE			01	IRRIGATION	(31) CASSIA
13S	27E	30	NE NE			01	IRRIGATION	(31) CASSIA
13S	27E	30	NW NW			01	IRRIGATION	(31) CASSIA
13S	27E	30	SW NW	1		01	IRRIGATION	(31) CASSIA
13S	27E	30	SE NW	2		01	IRRIGATION	(31) CASSIA

MICROFILM

MAR 05 1993

WATER RIGHT

+ - - Other Rights for Same Use -

Remarks

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

+ - Decree Date - +
10/18/1928

No Comments Found

+ - - Audit Fields - 05/06/85 05/28/88 CONVERT 08/11/89 CURTIS

+ - - - - - Water Rights Dates and Flags Area

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	- P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	05/06/1985	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	- 43B
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	- T
Decree Date	-	10/18/1928	Presumption Flag	-			

Water Right Number - A43-10798

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
PIERCE

JACK A.

*** O - ORIGINAL OWNER ***
ALBION-IDAHO LAND CO.1 -
2 -
3 -
City- MALTA
Phone - 208-645-2580
State- ID Zip- 83342

WARR

CHARLES

1 -
2 -
3 -
City- N/A
Phone - 208-000-0000
State- ID Zip- 00000
1 -
2 -
3 -
City- MALTA
Phone - 208-000-0000
State- ID Zip- 83342
1 -
2 -
3 -
City- N/A
Phone - 208-000-0000
State- ID Zip- 00000

WARR, ET. AL.

CHARLES

*** R - REPRESENTATIVE ***
CHAPMAN

SHERL L.

1 - 410 S. ORCHARD, SUITE 144
2 -
3 -
City- BOISE
Phone - 208-344-6690
State- ID Zip- 83705+ - - Priority Date - - +
04/01/1871+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
RAFT RIVER+ - - Tributary - - - - - +
SNAKE RIVER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14S 27E 20 NW NW SW (31) CASSIA+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 07/01 6.807+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - - +
6.807 0.0MICROFILMED
MAR 05 1993

Water right number - A43-10798

Prefix Translation: ADJUDICATION CLAIM

Twn		Ring	Sec	Tract	Lot	Place of Use		Description	County
							Code		
13S	26E	24	25	NE SE		14.3	01	IRRIGATION	(31) CASSIA
				SE SE					(31) CASSIA
				NE NE					(31) CASSIA
				NE SE					(31) CASSIA
				NE SW					(31) CASSIA
27E	19	30		NW SW		49.4			(31) CASSIA
				SW SW					(31) CASSIA
				SE SW					(31) CASSIA
				NW SE					(31) CASSIA
				SW SE					(31) CASSIA
				NW NE		10.0			(31) CASSIA
				NE NE					(31) CASSIA
				NW NW					(31) CASSIA
				SW NW					(31) CASSIA
				SE NW					(31) CASSIA
				NE NW		49.5			(31) CASSIA
				SW NW					(31) CASSIA
				SE NW					(31) CASSIA
				NW NW					(31) CASSIA
				SE NW					(31) CASSIA

Total Acres: 437.9

+ - - Diversion Means - HEADGATE FROM RAFT RIVER & ASSOCIATED DITCHES, BOOSTER PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-02284, 43-02455, 43-02394

Remarks - THIS CLAIM INCLUDES WATER RIGHT NUMBERS: 43-00030, 43-00032, 43-00443, 43-00253, 43-00442, 43-00255 WHICH ARE FROM A COMMON PRIORITY DATE. ACREAGE CALCULATED BY ASCS USING AERIAL PHOTOS.

4300030
4300032
4300253
4300255
4300442
4300443

- - - Old Water Right Numbers -

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

+ - - - Decree Plaintiff - - - +
ALBION-IDAHO LAND CO.

+ - - - Decree Defendant - - - +
JOBE ADAMS ET AL

+ - Decree Date - +
00/00/0000

MICROFILME
MAR 05 1993

Prefix Translation: ADJUDICATION CLAIM

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

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	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C007642	Water District	- 43B
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILME
MAR 05 1993

07/13/2001

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

RIGHT NUMBER: 43-12926

NAME AND ADDRESS: C BAR CATTLE COMPANY
139 EAST SOUTH TEMPLE #310
SALT LAKE CITY, UT 84111

SOURCE: RAFT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 5.47 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-12927 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.47 CFS.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 13.75 CFS. COMBINED RIGHT NOS.: 43-
171C, 43-178G, 43-254A, 43-287, 43-12926, 43-12927, 43-12928,
43-13075.

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S20 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 07-01	5.47 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R26E S24	NESE	22	T13S R26E S24	SESE	23
T13S R26E S25	NENE	23	T13S R26E S25	SENE	20
T13S R26E S25	SESE	18	T13S R27E S19	NESW	40
T13S R27E S19	NWSW	49	T13S R27E S19	SWSW	49
T13S R27E S19	SESW	39	T13S R27E S30	NWNE	34
T13S R27E S30	SWNE	17	T13S R27E S30	NENW	29
T13S R27E S30	NWNW	49	T13S R27E S30	SWNW	49
T13S R27E S30	SENW	18	T13S R27E S30	NESW	40
T13S R27E S30	SWSW	43	T13S R27E S30	SESW	40
T13S R27E S30	NWSE	36	T13S R27E S30	SWSE	40

678 ACRES TOTAL

WITH 43-12927 & 43-12928

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 897 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-171C, 43-178G, 43-254A, 43-
287, 43-2284A, 43-2304A, 43-2305, 43-2393A, 43-2455A, 43-4237,
43-12926, 43-12927, 43-12828, 43-13074, 43-13075.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 678 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-171C, 43-178G, 43-254A, 43-
287, 43-12926, 43-12927, 43-12828, 43-13075.

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

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

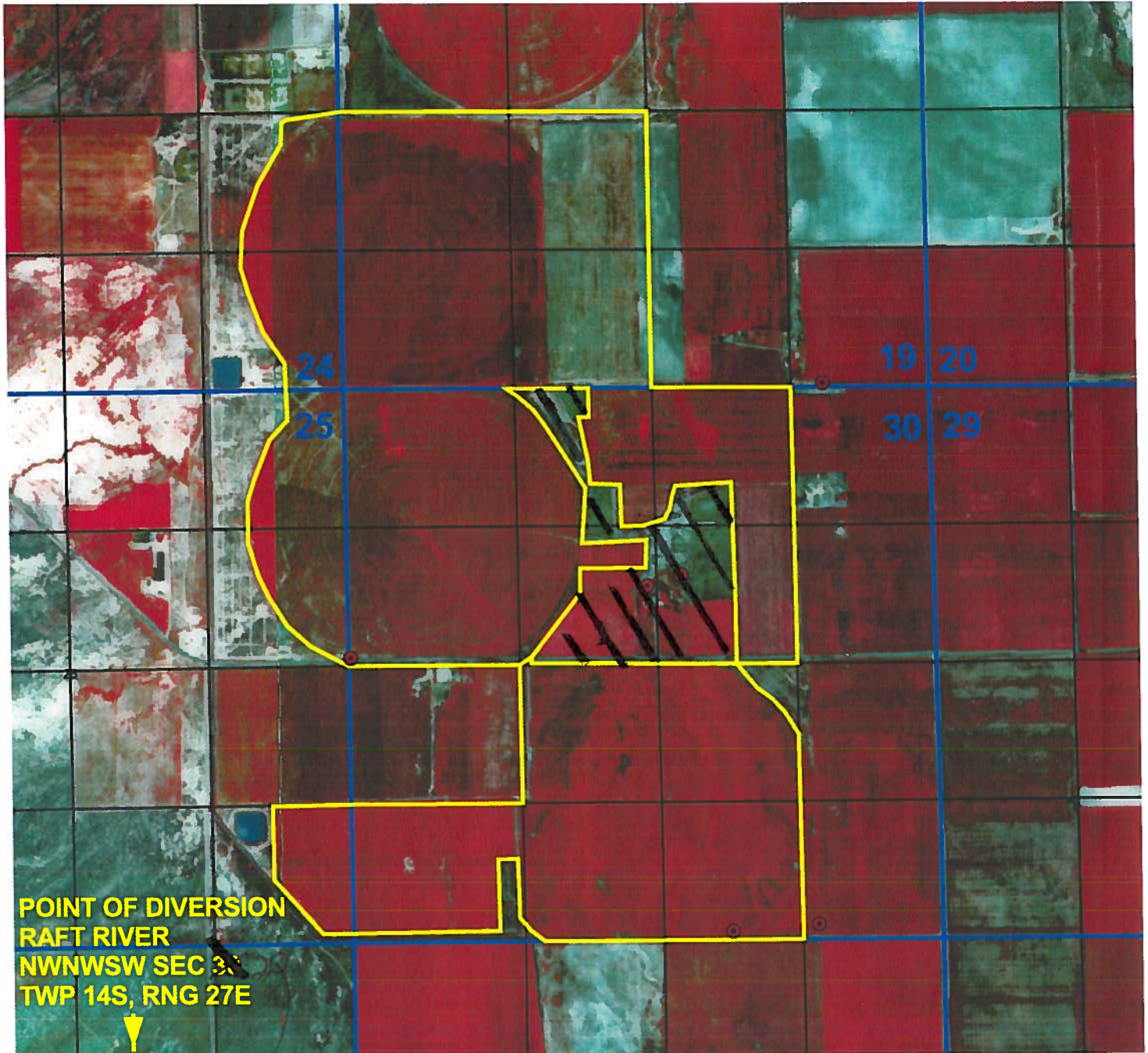
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-032, 43-253.

Idaho Department of Water Resources

**RIGHTS: 43-171C, 43-178G, 43-254A, 43-287,
43-12926, 43-12927, 43-12928, 43-13075**

**RECOMMENDED PLACE OF USE
TWP 13S, RNG 26E
TWP 13S, RNG 27E
Data entry on July 12, 2001**



SEC 20

0 1320 2640 3960 5280 Feet

○ RECOMMENDED POINT OF DIVERSION

□ RECOMMENDED PLACE OF USE

□ SECTION LINES

□ QUARTER/QUARTER LINES



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK**

SEASON. COMBINED RIGHT NOS.: 43-171C, 43-178G, 43-254A, 43-287, 43-4237, 43-12926, 43-12927, 43-12828.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 808 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-171C, 43-178G, 43-254A, 43-287, 43-2284A, 43-2304A, 43-2305, 43-2393A, 43-2455A, 43-4237, 43-12926, 43-12927, 43-12828.

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.

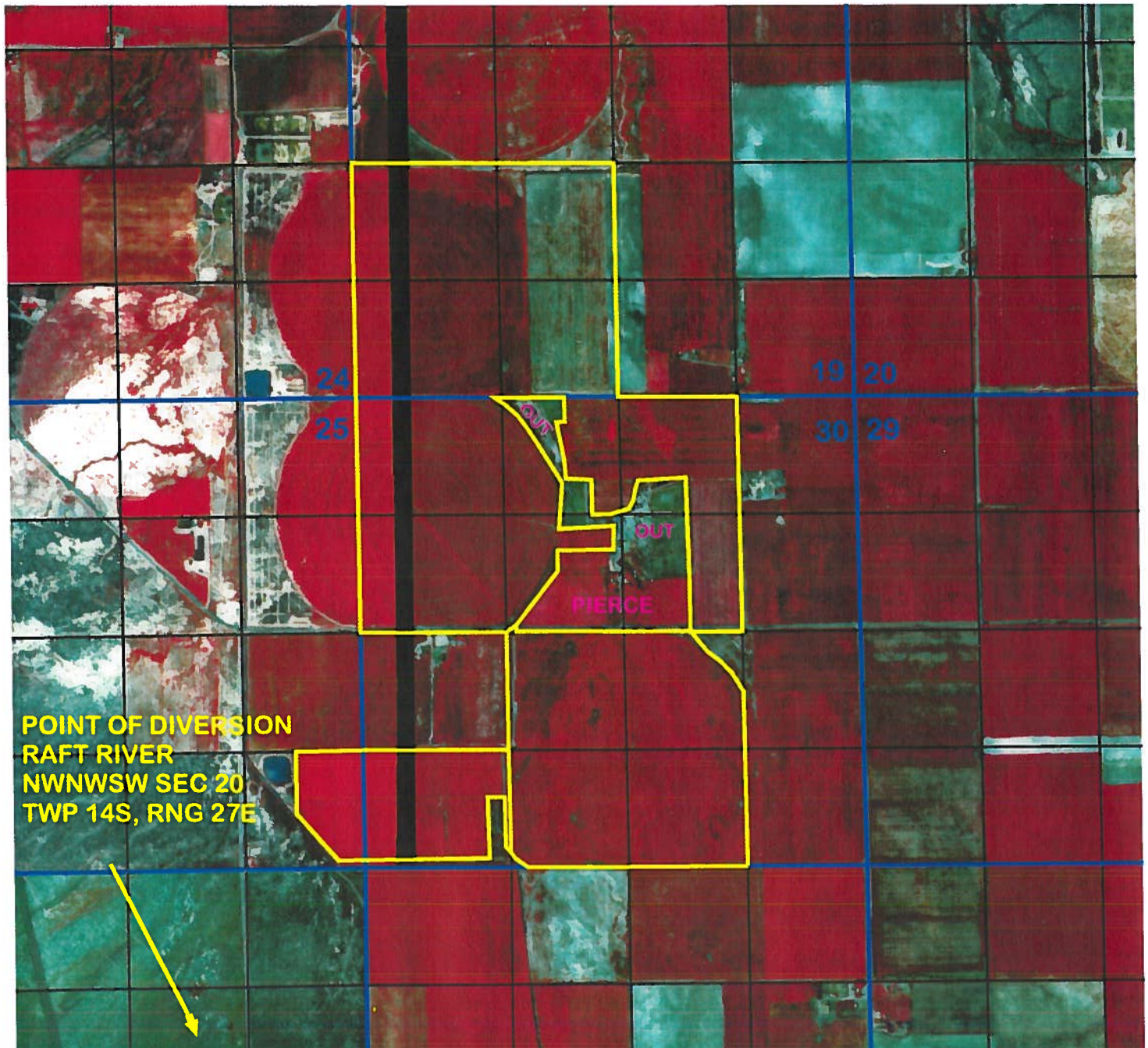
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

RIGHTS: 43-171C, 43-178G, 43-245A, 43-287
43-12926, 43-12927, 43-12928
SOURCE: RAFT RIVER

RECOMMENDED PLACE OF USE
TWP 13S, RNG 27E,
Data entry on January 21, 2001



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



GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

RECOMMENDATION NOTES

From: Vikie Hancock

1/23/01

**Regarding: 43-171C, 43-178G, 43-254A, 43-287, also
43-030, renumbered and split into 43-10798A, subsequently
split into 43-12926, 43-12927 & 43-12928
SOURCE - RAFT RIVER**

The above claims are based upon 1928 Jobe Adams decreed rights from Raft River. Claims 43-254 and 43-10798 were split into A and B portions in a 1990 real estate transaction between Pierce and C Bar Cattle Company.

43-171C & 43-178G are portions of rights which were decreed appurtenant to the same place of use. Decreed right 43-178 was identified and decreed as floodwater. As such, it allows more than 1 inch per acre for the decreed tracts. C Bar Cattle Company's portion of that right is 100 acres and corresponds with their portion of right 43-171.

Claim **43-10798** was originally filed by Jack Pierce as 43-00030 and included decreed rights 43-030, -032, -443, -253, -254, -255 and -444. As they are described in transfer 2505, 43-030 and 43-032 were also appurtenant to the NWSE Section 19. Only 10 acres on the west edge of this $\frac{1}{4}$ $\frac{1}{4}$ are now owned by successor in interest C Bar Cattle Company, and it appears from 1962 and 1968 aerial photos that the acreage irrigated within this 40 was the east 30 acres. At some point after T2505 in 1975, the east 30 acres of the NWSE Sec 19 was evidently conveyed from Jack Pierce to Dale Pierce (and subsequently to Thornton). Original claimant Jack Pierce asserted his claim to the entire portion of decreed rights 43-030 and 032, however there is no information as to when an accomplished transfer of water from the east 30 acres may have occurred. Neither Dale Pierce, or current owner of the east 30 acres in NWSE Sec 19 Thornton, have asserted a claim to any portion of these rights. I am recommending the claim as filed, but suspect that a valid right to the entire amount does not belong to C Bar Cattle Company.

In 1990, an ownership change split right 43-10798 into A and B portions. After review of this right, it was determined that a further split of each portion was also necessary to accurately recommend the decreed rights combined within.

- An error occurred in transfer 2505 that identified .093cfs for irrigation that was originally decreed for stockwater under right 43-443, and .231 cfs for irrigation that was originally decreed for stockwater under right 43-444. IDWR subsequently noted the error on right 43-444, but made no such note of 43-443 in the database. The errors were perpetuated in SRBA Claim number 43-10798 which listed a diversion amount of 6.807 for irrigation.
- Claim 43-10798 included decreed rights with different seasons of use.

It was necessary to split each portion of right 43-10798 into three portions. 43-10798A, in the name of C Bar Cattle Co, was split into the following rights:

43-12926 Portions of decreed rights 43-032 and 43-253 combined into one claim with a season of 4/1 to 7/1.

43-12927 Claim based upon decreed right 43-255 with a season of 4/1 to 10/1 with the appropriate combined limits applied to 43-253, as decreed.

43-12928 A year round diversion amount of 0.29 cfs for stockwater based upon decreed rights 43-443 and 43-444 included with 0.77 cfs from decreed right 43-030 for full season irrigation use.

SEE SRBA CLAIM FILE 43-12926 FOR COMPLETE DOCUMENTATION OF THE NECESSITY FOR THE ABOVE CHANGES.

There are overlapping places of use for the Raft River decrees (see T2505), and in addition, not all acres within each tract were historically irrigated at the time of the 1928 decree (see 1962 aerial photos). The SRBA claims identify use of water from Raft River upon acres in Sections 20, 24 and 25 to which the rights, as recorded, are not appurtenant. In the course of my review, aerial photos from 1962, 1968 and 1987 were analyzed. There is no indication that any accomplished transfer of place of use has occurred, as more acres within the decreed place of use are under irrigation in the 1987 photos than in the 1962 or 1968 photos.

A 1994 field exam found the claimed point of diversion in section 20 T14S, R27E and a manmade channel conveying water to the perimeter of the farm and the ponds identified in the claims. A June 2000 filed exam further verified that, as original claimant Jack Pierce stated, surface and groundwater are mingled in a common sprinkling system to irrigate the entire place of use. A permissible place of use including both surface and groundwater would be appropriate, given this irrigation system. An expansion claim for the use of Raft River water is needed if the claimant wishes complete coverage from surface water on his entire place of use in a single irrigation season.

In cases where the season of use was identified in the Jobe Adams decree, that season of use has been recommended in the SRBA. In cases where no season of use but irrigation season is indicated, the current IDWR standard is being recommended.

Duplicate Claims:

The following claims, and their corresponding basis claims, were filed simultaneously by original claimant John Pierce, to assert the diversion of Raft River Decreed water from his various wells. In agreement with Department policy at this time, these duplicate claims were disallowed and the water rights recommended as filed with only a point of diversion on Raft River.

Duplicate Claim
Asserting PODs at wells
DISSALLOWED

Basis Claim
Claiming only Raft River POD
RECOMMENDED

Duplicate Claim
Asserting PODs at wells
DISSALLOWED

43-10576
43-10567
43-12921
43-10569
43-12919

Basis Claim
Claiming only Raft River POD
RECOMMENDED

43-171C
43-178G
43-254A
43-287
43-12926, 43-12927, 43-12928

NOTE TO FILE

From: Vikie Hancock

1/12/01

Regarding: SPLITTING OF CLAIM 43-10798

43-10798 (RENUMBERED FROM 43-00030)

BASED ON DECREED RIGHTS 43-030, 43-032, 43-253, 43-255, 43-443, 43-444
SPLIT INTO **A** and **B** PORTIONS BY OWNERSHIP CHANGE

A PORTION = C BAR CATTLE COMPANY, 6.53 cfs
B PORTION = JOHN AND MABEL PIERCE, .27 cfs

ROOT	4/1 TO 7/1		4/1 TO 10/1		FULL SEAS.		TOTAL
	A	B	A	B	A	B	
43-30					.77	.03	.80
43-32	1.15	.05					1.2
43-253	4.32	.18					4.5
43-255			2.521	.11			2.631*
43-443 & 43-444					.29	.01	.30
	5.47	.23	2.521*	.11*	1.06	.04	= 6.80

*Extended season but included in 43-253 diversion rate per Jobe Adams decree.

RESULTS of split:

C BAR	43-12926 = 5.47	43-12927 = 2.521	43-12928 = 1.06
PIERCE	43-12929 = 0.23	43-12930 = 0.11	43-12931 = 0.04

BEFORE THE DIRECTOR OF THE DEPARTMENT OF
OF THE
STATE OF IDAHO

T2505

IN THE MATTER OF APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 43-0030, etc. in the name of
CHARLES WARR, ET AL

MEMORANDUM DECISION
AND ORDER

On November 27, 1974, Charles Warr, Oleen Warr, Melvin Warr, Tom Smith, Gary Fowles, Juan Tracey, Melba Hanks, Denton Whitaker, J. D. Hutchison, John Nye, Elmo Ellison, Lane Ellison, Jay Harper, John A. Pierce, and Cooperative Security Corporation filed an Application for Transfer of the following water rights decreed to Albion-Idaho Land Co., A. D. and Bula Pierce, and the International Mortgage Bank in the case of Albion-Idaho Land Co. -vs- John Adams, dated October 18, 1928, in the U.S. District Court, County of Cassia:

43-0030 is for the diversion of 0.8 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the SW¹/₄, NW¹/₄SE¹/₄, Sec. 19; NW¹/₄, NW¹/₄NE¹/₄, Sec. 30, Twp. 13S, Rge. 27E, S. 1.

43-0032 is for the diversion of 1.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the SW¹/₄, NW¹/₄SE¹/₄, Sec. 19, NW¹/₄, NW¹/₄NE¹/₄, Sec. 30, Twp. 13S, Rge. 27E, S. 1.

43-0443 is for the diversion of .093 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the SW¹/₄, NW¹/₄SE¹/₄, Sec. 19; NW¹/₄, NW¹/₄NE¹/₄, Sec. 30, Twp. 13S, Rge. 27E, S. 1.

43-0253 is for the diversion of 4.5 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the E¹/₂SW¹/₄, Lot 3 & 4, Sec. 19; E¹/₂NE¹/₄, Sec. 30, Twp. 13S, Rge. 27E, S. 1.

43-0444 is for the diversion of .214 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the E¹/₂SW¹/₄, Lot 3 & 4, Sec. 19; E¹/₂NE¹/₄, Sec. 30, Twp. 13S, Rge. 27E, S. 1.

43-0255 is for the diversion of 2.651 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to October 1, for the irrigation of land in the E¹/₂SW¹/₄, Sec. 19; SE¹/₄NE¹/₄, NW¹/₄NE¹/₄, Sec. 30, Twp. 13S, Rge. 27E, S. 1.

43-0164 is for the diversion of .5 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 30, to July 1, for the irrigation of land in the SE¹/₄SW¹/₄, Sec. 3; NE¹/₄NE¹/₄, NW¹/₄NE¹/₄, E¹/₂NE¹/₄, Sec. 6; NE¹/₄NE¹/₄, SE¹/₄NE¹/₄, Sec. 7; NE¹/₄NE¹/₄, E¹/₂NE¹/₄, Sec. 8; NE¹/₄, NE¹/₄NE¹/₄, Sec. 17; NE¹/₄NE¹/₄, Sec. 18, Twp. 14S, Rge. 27E, S. 1.

43-0165 is for the diversion of 1.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 30, to July 1, for the irrigation of land in the SE¹/₄SW¹/₄, Sec. 3; NE¹/₄NE¹/₄, NW¹/₄NE¹/₄, E¹/₂NE¹/₄, Sec. 6; NE¹/₄NE¹/₄, SE¹/₄NE¹/₄, Sec. 7; NE¹/₄NE¹/₄, E¹/₂NE¹/₄, Sec. 8; NE¹/₄, NE¹/₄NE¹/₄, Sec. 17; NE¹/₄NE¹/₄, Sec. 18, Twp. 14S, Rge. 27E, S. 1.

SEE
WR PROOF
→

400

NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NE₁, N₁SE₁NE₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.

- 43-0175 is for the diversion of .5 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the S₁SW₁SW₁, Sec. 5; NE₁NW₁, W₁NW₁NW₁, E₁SW₁NW₁, SE₁NW₁, SE₁, E₁SW₁, Sec. 6; NE₁NW₁, E₁NW₁NW₁, S₁NW₁, SE₁, Sec. 7; NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NW₁, N₁SE₁NW₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0176 is for the diversion of 4.21 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the S₁SW₁SW₁, Sec. 5; NE₁NW₁, W₁NW₁NW₁, E₁SW₁NW₁, SE₁NW₁, SE₁, E₁SW₁, Sec. 6; NE₁NW₁, E₁NW₁NW₁, S₁NW₁, SE₁, Sec. 7; NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NW₁, N₁SE₁NW₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0166 is for the diversion of 3.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the S₁SW₁SW₁, Sec. 5; NE₁NW₁, W₁NW₁NW₁, E₁SW₁NW₁, SE₁NW₁, SE₁, E₁SW₁, Sec. 6; NE₁NW₁, E₁NW₁NW₁, S₁NW₁, SE₁, Sec. 7; NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NW₁, N₁SE₁NW₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0167 is for the diversion of 3.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the S₁SW₁SW₁, Sec. 5; NE₁NW₁, W₁NW₁NW₁, E₁SW₁NW₁, SE₁NW₁, SE₁, E₁SW₁, Sec. 6; NE₁NW₁, E₁NW₁NW₁, S₁NW₁, SE₁, Sec. 7; NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NW₁, N₁SE₁NW₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0168 is for the diversion of 9.6 cfs of water with a priority of April 1, 1879, to be diverted within the period of July 1, to October 1, for the irrigation of land in the S₁SW₁SW₁, Sec. 5; NE₁NW₁, W₁NW₁NW₁, E₁SW₁NW₁, SE₁NW₁, SE₁, E₁SW₁, Sec. 6; NE₁NW₁, E₁NW₁NW₁, S₁NW₁, SE₁, Sec. 7; NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NW₁, N₁SE₁NW₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0172 is for the diversion of 3.2 cfs of water with a priority of April 1, 1879, to be diverted during the period of April 1, to October 1, for the irrigation of land in the S₁SW₁SW₁, Sec. 5; NE₁NW₁, W₁NW₁NW₁, E₁SW₁NW₁, SE₁NW₁, SE₁, E₁SW₁, Sec. 6; NE₁NW₁, E₁NW₁NW₁, S₁NW₁, SE₁, Sec. 7; NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NW₁, N₁SE₁NW₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0169a is for the diversion of 7.2 cfs of water with a priority of June 1, 1879, to be diverted during the period of April 1, to October 1, for the irrigation of land in the S₁SW₁SW₁, Sec. 5; NE₁NW₁, W₁NW₁NW₁, E₁SW₁NW₁, SE₁NW₁, SE₁, E₁SW₁, Sec. 6; NE₁NW₁, E₁NW₁NW₁, S₁NW₁, SE₁, Sec. 7; NW₁NW₁, S₁NW₁, SW₁, Sec. 8; NW₁, N₁SW₁, Sec. 17; NE₁NW₁, N₁SE₁NW₁, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0169b is for the diversion of 5.6 cfs of water with a priority of June 1, 1879, to be diverted during the period of April 1, to October 1, for the irrigation of land in the W₁SW₁SE₁, Sec. 31, Twp. 13S, Rge. 27E, B.M., and the E₁NW₁NW₁, NE₁NW₁, W₁SW₁NW₁, W₁SE₁NW₁, Sec. 6; W₁NW₁NW₁, Sec. 7; S₁SE₁NW₁, Sec. 18; N₁SW₁SW₁, S₁NW₁SW₁, NE₁SW₁, N₁SE₁SW₁, Sec. 5; S₁NE₁NW₁, W₁NW₁SE₁, SW₁SE₁, Sec. 8; W₁NE₁, Sec. 17, Twp. 14S, Rge. 27E, B.M.
- 43-0170 is for the diversion of 2.4 cfs of water with a priority of April 1, 1881, to be diverted during the period of April 1, to October 1, for the irrigation of land in the W₁SW₁SE₁, Sec. 31, Twp. 13S, Rge. 27E, B.M., and the E₁NW₁NW₁, NE₁NW₁, W₁SW₁NW₁, W₁SE₁NW₁, Sec. 6; W₁NW₁NW₁, Sec. 7; S₁SE₁NW₁, Sec. 18; N₁SW₁SW₁, S₁NW₁SW₁, NE₁SW₁, N₁SE₁SW₁, Sec. 5; S₁NE₁NW₁, W₁NW₁SE₁, SW₁SE₁, Sec. 8; W₁NE₁, Sec. 17, Twp. 14S, Rge. 27E, B.M.
- 43-0173 is for the diversion of 6.4 cfs of water with a priority of April 1, 1882, to be diverted during the period of April 1, to October 1, for the irrigation of land in the W₁NW₁SE₁, E₁SW₁SE₁, SE₁SE₁, NE₁SE₁, Sec. 31, Twp. 13S, Rge. 27E, B.M., and in the S₁NW₁, N₁NW₁SW₁, E₁SE₁SW₁, Sec. 5; N₁NE₁NW₁, E₁NW₁SE₁, SE₁SE₁, Sec. 8; E₁

43-0171 is for the diversion of 10.0 cfs of water with a priority of March 1, 1883, to be diverted during the period of April 1, to October 1, for the irrigation of land in the NW 1/4, SE 1/4, Sec. 31; SE 1/4, Sec. 30, Twp. 13S, Rge. 27E, E.M., and in the E 1/2 SE 1/4, Sec. 25, Twp. 13S, Rge. 26E, E.M.

The point of diversion for the above described rights is presently in the NE 1/4, Sec. 18, Twp. 14S, Rge. 27E, E.M., which is requested changed by this transfer application to points within the SW 1/4, Sec. 7; NE 1/4, Sec. 20, Twp. 14S, Rge. 27E, E.M., Cassia County. Notice of this proposed transfer was published in the South Idaho Press, Burley, Idaho, on December 10, 1974, and December 17, 1974.

The Department received protest against approval of said application from Frank Olson and Dwayne B. Ward. Mr. Ward withdrew his protest on January 6, 1975. A hearing concerning this matter was held at Burley, Idaho, on February 14, 1975. At the hearing, the applicants were represented by their attorney, William A. Parsons, and the protestant was represented by his attorney, Lloyd Webb.

The issues raised at the hearing were whether the rights would be expanded by changing the season of use, and whether the change would injure the existing water rights.

Following the hearing, a field inspection of the proposed transfer was conducted by Department personnel with representatives of both the applicants and the protestant present.

Based upon the information in the file, the statements made at the hearing, the information obtained from the field inspection, and the Department's understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law, and Order:

Findings of Fact

- (1) The applicants are the owners of the water rights requested transferred.
- (2) The applicants did not intend to apply for a change in the period of use set forth in the Albion-Idaho Land Company -vs- Jobe Adams decree for the rights included in the application for transfer, nor are they expanding the use of those rights or changing the season of use.
- (3) The protestant's wells are located up-gradient, in relation to the flow of the Raft River, from the points of diversion of the surface waters being transferred, and ground water levels in that area will not be affected by the changes in the points of diversion.

(4) The transmission losses in the existing Raft River channel are high, therefore, the change of the points of diversion, and a more efficient delivery system will, in the case of each right, result in the net reduction of water lost.

Conclusions of Law

- (1) There will be no expansion of the rights sought to be transferred.

(2) There will be no injury to existing water rights since the protestant's wells are up-gradient from those of the applicant.

(3) The applicants are the owners of the rights sought to be transferred and are entitled to transfer the water as proposed.

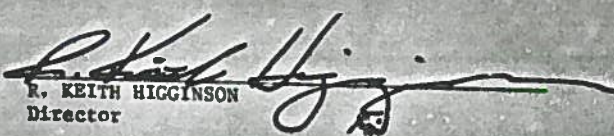
(4) The protest of Frank Olson is unfounded and must be rejected.

Order

IT IS, THEREFORE, ORDERED that the Application for Transfer No. 43-0030, 43-0032, 43-0443, 43-0253, 43-0444, 43-0255, 43-0164, 43-0165, 43-0175, 43-0176, 43-0166, 43-0167, 43-0168, 43-0172, 43-0169a, 43-0169b, 43-0170, 43-0173, 43-0171 is hereby APPROVED subject to the following conditions:

1. That measuring devices of the type approved by the Department be permanently installed and maintained as part of the diversion works.
2. That the season of use for each right transferred be limited to that set forth for that right by the decree.

Dated this 31 day of March, 1975.


R. KEITH HIGGINSON
Director

Transfer No 43-0090, etc.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

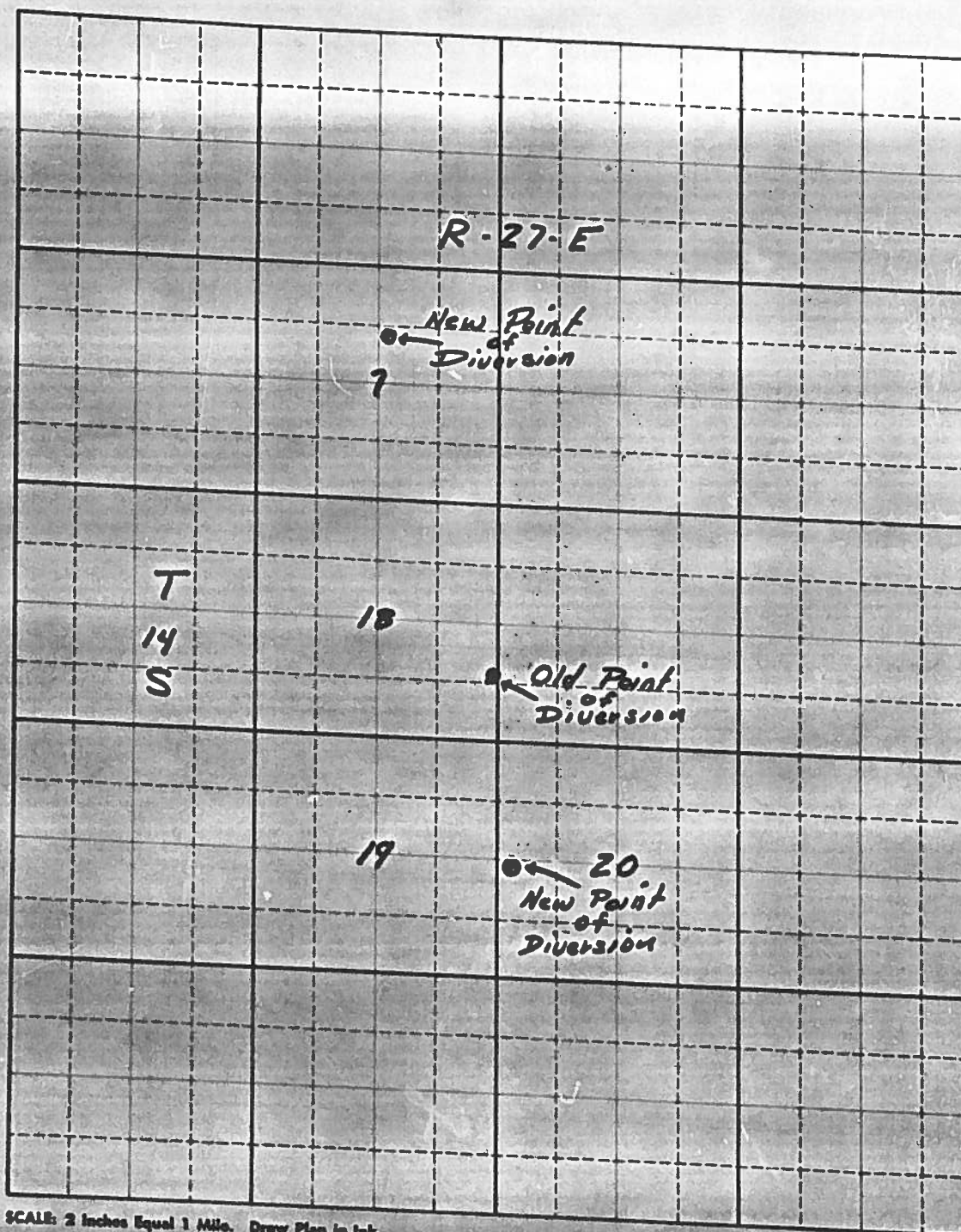
APPROVED

1. Name of Right Holder (See Attached Form)
Post office address (See Attached Form)
2. Right obtained by:
- a. Decree to (See Attached Form) in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Raft Rivers & Tributaries tributary to Snake River
(Name of stream or source)
4. Date of Priority (See Attached Form)
5. Amount of water a. (See Attached Form) c.f.s. and/or
b. _____ cuse feet per annum
all or none not forth by the decree
6. Water is used for irrigation from March 15 to November 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE 1/4 SE 1/4 of Section 10
Township 10S, Range 27E, B.M. in Cassia County.
Additional points of diversion, if any _____

8. Land presently irrigated or place of use Same

[illegible]

Total number of AFRs presently being



1. Name of Right Holders

Address

1. Charles Warr	Malta, Idaho
2. Oleen Warr	"
3. Melvin Warr	"
4. Tom Smith	"
5. Gary Fowles	"
6. Juan Tracey	"
7. Maiba Hanks	"
8. Denton Whitaker	"
9. J. D. Hutchison	"
10. John Nye	"
11. Elmo Ellison	"
12. Lano Ellison	"
13. Jay Harper	"
14. Cooperative Security Corporation	"
15. John A. Pierce	"

2. Right obtained by:

a. Decreed to Albion-Idaho Land Co., A. D. & Bula Pierce & International Mortgage Bank in Case of Albion-Idaho Land Co. vs. Jobe Adams, Dated October 18, 1928 in U. S. District Court, County of Cassia.

3. Source of Water: Raft Rivers & Tributaries tributary to Snake River.

4. Date of Priority:

<u>Ident. No.</u>	<u>Decreed Owner</u>	<u>C.F.S.</u>	<u>Priority</u>	<u>Land Description</u>
(A) 43-0030	Albion-Idaho Land Co. Trans. #544	.8	4-1-71	SW,NWSE,Sec. 19,NW, NWNE, Sec.30, T.13S,R.27E
(B) 43-0032	"	1.2	4-1-71	SW,NWSE,Sec. 19,NW, NWNE, Sec.30, T.13S,R.27E
(C) 43-0443	"	.093	4-1-71	SW,NWSE,Sec. 19,NW, NWNE, Sec.30, T.13S,R.27E
(D) 43-0253	A. D. & Bula Pierce	4.5	4-1-71	E ₂ SW, Lot 3 & 4, Sec. 19; E ₂ NW, Sec. 30, T.13S,R.27E
(E) 43-0442	"	.214	4-1-71	E ₂ SW, Lot 3 & 4, Sec. 19; E ₂ NW, Sec. 30, T.13S,R.27E
(F) 43-0255	"	2.651	4-1-71	E ₂ SW, Sec. 19; SWNW, NWNW, Sec. 30, T.13S, R.27E
(G) 43-0164	International Mort.Bank Trans. #665	.5	4-1-71	S ₂ SWSW,Sec. 5, NENW, W ₂ NWNE, E ₂ SWNE, SENE, SE, E ₂ SW,6;NENE, E ₂ NWNE, S ₂ NE, SE,7; NWNW, S ₂ NW, SW, 8; NW, N ₂ SW,17; NENE, N ₂ SENE, 18, T.14S, R.27E, B.M.
(H) 43-0165	"	3.2	4-1-71	S ₂ SWSW, Sec. 5, NENW, W ₂ NWNE, E ₂ SWNE, SENE, SE, E ₂ SW, 6; NENE, E ₂ NWNE, S ₂ NE, SE, 7; NWNW, S ₂ NW, SW, 8; NW, N ₂ SW, 17 NENE, N ₂ SENE, 18, T.14S, R.27E, B.M.
(I) 43-0175	"	.5	4-1-71	S ₂ SWSW, Sec. 5, NENW, W ₂ NWNE, E ₂ SWNE, SENE, SE, E ₂ SW, 6; NENE, E ₂ NWNE, S ₂ NE, SE, 7; NWNW, S ₂ NW, SW, 8; NW, N ₂ SW, 17 NENE, N ₂ SENE, 18, T.14S, R.27E, B.M.
(J) 43-0176	"	4.21	4-1-71	S ₂ SWSW, Sec. 5, NENW, W ₂ NWNE, E ₂ SWNE, SENE, SE, E ₂ SW, 6; NENE, E ₂ NWNE, S ₂ NE, SE, 7; NWNW, S ₂ NW, SW, 8; NW, N ₂ SW, 17; NENE, N ₂ SENE, 18, T.14S, R.27E, B.M.

SEE
444

<u>Ident. No.</u>	<u>Decreed Owner</u>	<u>C.F.S.</u>	<u>Priority</u>	<u>Land Description</u>
(K) 43-0166	International Mort. Bank Trans. #665	3.2	4-1-71	S ₁ /2SWSW, Sec. 5, NENW, W ₁ /2NWNE, E ₁ /2SWNE, SENE, SE, E ₁ /2SW, 6; NENE, E ₁ /2NWNE, S ₁ /2NE, SE, 7; NWNW, S ₁ /2NW, SW, 8; NW, N ₁ /2SW, 17; NENE, N ₁ /2SENE, 18, T.14S, R.27E, B.M.
(L) 43-0167	"	3.2	4-1-71	S ₁ /2SWSW, Sec. 5, NENW, W ₁ /2NWNE, E ₁ /2SWNE, SENE, SE, E ₁ /2SW, 6; NENE, E ₁ /2NWNE, S ₁ /2NE, SE, 7; NWNW, S ₁ /2NW, SW, 8; NW, N ₁ /2SW, 17; NENE, N ₁ /2SENE, 18, T.14S, R.27E, B.M.
(M) 43-0168	"	9.6	4-1-79	S ₁ /2SWSW, Sec. 5, NENW, W ₁ /2NWNE, E ₁ /2SWNE, SENE, SE, E ₁ /2SW, 6; NENE, E ₁ /2NWNE, S ₁ /2NE, SE, 7; NWNW, S ₁ /2NW, SW, 8; NW, N ₁ /2SW, 17; NENE, N ₁ /2SENE, 18, T.14S, R.27E, B.M.
(N) 43-0172	"	3.2	4-1-79	S ₁ /2SWSW, Sec. 5, NENW, W ₁ /2NWNE, E ₁ /2SWNE, SENE, SE, E ₁ /2SW, 6; NENE, E ₁ /2NWNE, S ₁ /2NE, SE, 7; NWNW, S ₁ /2NW, SW, 8; NW, N ₁ /2SW, 17; NENE, N ₁ /2SENE, 18, T.14S, R.27E, B.M.
(O) 43-0169a	"	7.2	6-1-79	S ₁ /2SWSW, Sec. 5, NENW, W ₁ /2NWNE, E ₁ /2SWNE, SENE, SE, E ₁ /2SW, 6; NENE, E ₁ /2NWNE, S ₁ /2NE, SE, 7; NWNW, S ₁ /2NW, SW, 8; NW, N ₁ /2SW, 17; NENE, N ₁ /2SENE, 18, T.14S, R.27E, B.M.
(P) 43-0169b	"	5.6	6-1-79	W ₁ /2SWSE, 31; T.13S, R.27E, B.M. E ₁ /2NWNE, NENE, W ₁ /2SWNE, W ₁ /2SENE, 6; W ₁ /2NWNE, 7; S ₁ /2SENE, 18; N ₁ /2SWSW, S ₁ /2NWSW, NESW, N ₁ /2SESW, 5; S ₁ /2NENW, W ₁ /2NWSE, SWSE, 8; W ₁ /2NE, 17; T.14S, R.27E, B.M.
(Q) 43-0170	"	2.4	4-1-81	W ₁ /2SWSE, 31; T.13S, R.27E, B.M. E ₁ /2NWNE, NENE, W ₁ /2SWNE, W ₁ /2SENE, 6; W ₁ /2NWNE, 7; S ₁ /2SENE, 18; N ₁ /2SWSW, S ₁ /2NWSW, NESW, N ₁ /2SESW, 5; S ₁ /2NENW, W ₁ /2NWSE, SWSE, 8; W ₁ /2NE, 17; T.14S, R.27E, B.M.
(R) 43-0173	"	6.4	4-1-82	W ₁ /2NWSE, E ₁ /2SWSE, SESE, NESE, 31; T.13S, R.27E, B.M., S ₁ /2NW, N ₁ /2NWSW, S ₁ /2SESW, 5; N ₁ /2NENW, E ₁ /2NWSE, SESE, 8; E ₁ /2NE, 17; E ₁ /2SENE, 6, T.14S, R.27E.
(S) 43-0171	"	10.0	3-1-83	W ₁ /2, N ₁ /2NE, 31; S ₁ /2SW, 30; T.13S, R.27E, B.M., E ₁ /2SESE, 25; T.13S, R.26E

a. Quantity to be diverted at new point: 68,668 c.f.s. and/or -- acre feet

b. New point of diversion: SW 1/4 NE 1/4, Section 7, Township 14S, Range 27E, B.M. & NMSW, Sec. 20, T 14S, R 27E

c. Description of method of diversion and conveyance from new points of diversion:
Concrete headgate with measuring devices

6. Describe the reasons for applying for a change in the point of diversion.

The old channel absorbs too much of the water in the creek.

The total amount can be delivered at both points of diversion.

9. Do you intend to abandon completely the old point of diversion? yes

11. CHANGE IN PLACE OF USE Same

[illegible]

Total number of acres to be irrigated _____

b. Do you intend to make the transfer permanent? _____
c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

(See Attached Form)

Subscribed and sworn to before me this _____ day of _____, 19____

(signature of applicant)

My commission expires _____

(notary public)

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 43-0030, etc. and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

Pursuant to Memorandum Decision of March 31, 1975.

2. Denial of said application is for the following reasons: _____

Witness my hand this 4 day of April, 19 75.

[Signature]
S. H. JACKSON, JR.
Director

FOR DEPARTMENT USE ONLY

Received by RWA Date 11-27-74

Protest check by RWA Date 11-27-74

Fee received by C.C. Date 11-27-74 \$ 30.00

Approved for publication by RWA

Published in South Idaho Press 12-10 & 12-17-74

Hearing held _____

Watermaster Recommendation sent _____

Protest filed by: _____ Date _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 544

THIS IS TO CERTIFY That the CALIFORNIA WESTERN STATES LIFE
INSURANCE COMPANY is the owner of and using certain water rights for

.8 c.f.s., as of April 1, 1871
1.2 c.f.s., as of April 1, 1871, to be diverted
from April 1st to July 1st of each year,
an undivided 100/100th interest in .8 cubic feet
per second, continuous flow,

of the waters of Raft River, County of Cassia, State of Idaho, decreed
to the Albion-Idaho Land Company by decree of Judge C. C. Cavanah, of
the District Court of the United States for the District of Idaho,
Southern Division, in and for the County of Cassia, in the case of

ALBION-IDAHO LAND COMPANY vs. JOHN ADAMS, et al

said decree bearing date of October 19, 1928, for the purpose of irri-
gating the following described lands, situate, lying and being in Water
District No. 4-B in the County of Cassia, State of Idaho, to wit:

Lot Four (4), Southeast quarter of the South-
west quarter, (SW¹/₄) of Section 18; Lot one
(1) and the Northeast quarter of the Northwest
quarter, (NE¹/₄) of Section 19, Township 15
South, Range 27 East, Boise Meridian.

AND THAT SAID Decree has been entered in the records of the
Department of Reclamation of the State of Idaho, in Book V, of Decrees,
at Page 384,

THAT THE said California Western States Life Insurance Company
became the owner of said land and said water rights by the deed thereof.

THAT, NOW, UPON THE APPLICATION of the CALIFORNIA WESTERN
STATES LIFE INSURANCE COMPANY for a transfer of

.8 c.f.s., of the waters of Raft River, April 1, 1871
1.2 c.f.s., to be diverted from Raft River, from April 1,
to July 1 of each year, with date of April 1, 1871
An undivided 100/536th interest in .5 cubic feet per second
continuous flow of the waters of Raft River

made before the Commissioner of Reclamation of the State of Idaho, and the
said application having been granted, the right to the use of the aforesaid
waters upon the lands above described is HEREBY ABANDONED and the lands to
be irrigated under such right, and to which the right hereby confirmed,
shall become appurtenant, by this Certificate, for irrigation and domestic
purposes, are described as follows:

Southwest Quarter (SW₁); Northwest Quarter
of the Southeast quarter (SE₁SW₁) of Section
19; Northwest quarter (NW₁) and the Northwest
quarter of the Northeast quarter (NW₁NE₁) of
Section 20, all in Township 13 South, Range
27 East, B. M.

situate, lying and being in the County of Cassia, State of Idaho, said water
to be limited at any given time to an amount actually needed and beneficially
used for such purposes, and shall not exceed the following amounts, to wit:

.8 c.f.s., as of April 1, 1871
1.2 c.f.s., as of April 1, 1871, to be diverted
from April 1 to July 1, of each year.
An undivided 100/536th interest in .5 cubic feet
continuous flow of Raft River.

THAT THE Water right hereby transferred has heretofore been diverted
from the said Raft River at a point in the

Northeast quarter of the Southeast quarter (NE₁SE₁)
of Section 18, Township 14 South, Range 27 East

and conducted to the first above described lands through the Pierce Ditch,
and will hereafter be diverted from the said Raft River at the same place
and conducted to the last above described lands through the same ditch.

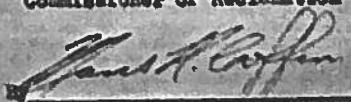
THAT, IN ADDITION TO THE FOREGOING, The last above named lands
have appurtenant to them, the following water rights

4.5 sec. ft. with date of April 1, 1871, to be diverted
from Raft River from April 1 to July 1 of each year;
2.4 sec. ft. with date of April 1, 1888;
an undivided 225/333th interest in and to 20 inches of
continuous flow of Raft River.

THAT THE Right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the Laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation to be hereunto affixed at Boise, Idaho, this 26th day of February, 1935.

R. W. FARIS
Commissioner of Reclamation


Hans H. Coffin
Director of Water Resources

1886-Jan. 1 43 0027 .8 s.f. 11

To be diverted from Cassia Creek for the irrigation of SW1/4, E1/4, Sec. 13, Twp. 12 S. R. 26 E.B.M., and Lot 1, Sec. 18, Twp. 12 S. R. 27 E.B.M.

1888-May 31 43 0028 1 s.f. 11

To be diverted from Raft River, April 1 to July 1, for the irrigation of SW1/4, E1/4, Sec. 13, Twp. 12 S. R. 26 E.B.M., and Lot 1, Sec. 18, Twp. 12 S. R. 27 E.B.M.

1886-Mar. 7 43 0029 1.6 s.f. 11

To be diverted from Raft River for the irrigation of SW1/4, Sec. 7, Twp. 12 S. R. 27 E.B.M.

1871-Apr. 1 Trans 544 .8 s.f. 11

To be diverted from Raft River during entire irrigation season -

(1874-May 31) 43 0030 .8 s.f. 11

To be diverted from South Fork of Cassia Creek, April 1 to July 1 -

1871-Apr. 1 Trans 544 1.2 s.f. 11

To be diverted from Raft River, April 1 to July 1, for the irrigation of -

Lot 4, SW1/4, Sec. 18, Lot 1, E1/4, Sec. 19, Twp. 13 S. R. 27 E.B.M.

An undivided 100/336 interest in .8 s.f. Raft River, decreed as continuous flow for stock purposes to Sweetser Bros. & Pierce 43-0443 Trans 544

1881-June 1 43 0031 2.4 s.f. 11

To be diverted from Clear Creek for the irrigation of NW1/4, SW1/4, Sec. 29, SW1/4, Sec. 29, Twp. 15 S. R. 27 E.B.M.

1881-June 1 43 0032 2 s.f. 11

To be diverted from Clear Creek for the irrigation of NW1/4, SW1/4, Sec. 33, Twp. 15 S. R. 27 E.B.M., NW1/4, Sec. 4, Twp. 16 S. R. 27 E.B.M.

1881-June 1 43 0033 2 s.f. 11

To be diverted from Clear Creek for the irrigation of NW1/4, Sec. 33, Twp. 15 S. R. 27 E.B.M.

1881-June 1 43 0034 2.2 s.f. 11

To be diverted from Clear Creek for the irrigation of SW1/4, Sec. 4, Twp. 16 S. R. 27 E.B.M.

1881-June 1 43 0035 1.4 s.f. 11

To be diverted from Clear Creek for the irrigation of NW1/4, Sec. 3, Twp. 16 S. R. 27 E.B.M.

are numbered out
of order. They have
been reversed to be
in correct decree order.

020	1878-May 31	.8 s.f.	To be divert irrigation o Twp. 11 S. R. Twp. 12 S. R.
21	1888-May 31	2.4 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of $E\frac{1}{2}SW\frac{1}{4}$, Lot 4, Sec. 31, Twp. 11 S. R. 27 E.B.M. and Lot 3, Sec. 6, Twp. 12 S. R. 27 E.B.M.
22	1882-May 31	3.2 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of Lots 2 and 3 and $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 31, Twp. 11 S. R. 27 E.B.M.
23	1882-May 31	1 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of $E\frac{1}{2}SW\frac{1}{4}$ and Lot 4, Sec. 30, $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 31, Twp. 11 S. R. 27 E.B.M.
24	1882-May 31 (Gallagher Claim)	5 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of $E\frac{1}{2}NW\frac{1}{4}$ and Lot 2, Sec. 30, $SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 19, $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 30, Twp. 11 S. R. 27 E.B.M.
25	1883-May 31	2.8 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of $NE\frac{1}{4}$, Sec. 19, Twp. 11 S. R. 27 E.B.M.
26	1873-May 31	4 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of $N\frac{1}{2}SW\frac{1}{4}$, Sec. 17, $E\frac{1}{2}SE\frac{1}{4}$, Sec. 18, Twp. 11 S. R. 27 E.B.M.
27	1886-Jan. 1	0.8 sf ~~18 s.f.~~	To be diverted from Cassia Creek for the irrigation of $SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$, Sec. 13, Twp. 12 S. R. 26 E.B.M., and Lot 1, Sec. 18, Twp. 12 S. R. 27 E.B.M.
28	1888-May 31	1 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of $SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$, Sec. 13, Twp. 12 S. R. 26 E.B.M., and Lot 1, Sec. 18, Twp. 12 S. R. 27 E.B.M.
29	1886-Mar. 7	1.6 s.f.	To be diverted from Raft River for the irrigation of $E\frac{1}{2}NW\frac{1}{4}$, Sec. 7, Twp. 12 S. R. 27 E.B.M.
30	1871-Apr. 1	.8 s.f.	To be diverted from Raft River during entire irrigation season -
31	1874-May 31	.8 s.f.	To be diverted from South Fork of Cassia Creek, April 1 to July 1 -
32	1871-Apr. 1	1.2 s.f.	To be diverted from Raft River, April 1 to July 1, for the irrigation of Lot 4, $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 18, Lot 1, $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 19, Twp. 13 S. R. 27 E.B.M.
443	An undivided 100/536 interest in .5 s.f. Raft River, decreed as continuous flow for stock purposes to Sweetser Bros. & Pierce		
33	1881-June 1 (Baker Tract)	2.4 s.f.	To be diverted from Clear Creek for the irrigation of $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 29, $SW\frac{1}{4}SW\frac{1}{4}$, Sec. 28, Twp. 15 S. R. 27 E.B.M.

AS DECREEED 1928 JOBE - ADAMS

Frederick W. Parish

1883-Apr. 1

1887-Apr. 1

.24 s.f.

.6 s.f.

20 feet wide off of the South side of said tract now used as a road.

To be diverted from Cassia Creek for the irrigation of $NE\frac{1}{4}$, Sec. 26, Twp. 13 S. R. 24 E.B.M.

A. J. PetersonLaura Peterson

1894-Apr. 1

.8 s.f.

To be diverted from Cassia Creek for the irrigation of $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 13, Twp. 13 S. R. 26 E.B.M.

J. C. PettingillAgnes Pettingill

1881-Apr. 30

1.3 s.f.

To be diverted from Cassia Creek for the irrigation of Lots 2 and 3, Sec. 6, Twp. 14 S. R. 25 E.B.M., and a tract of land described as follows:

Commencing at the SE corner of Lot 2, thence South 12.65 rods, thence West 160 rods, thence North 18.91 rods, thence East to the place of beginning, containing 10.78 acres.

A.D. PierceBula Pierce

1871-Apr. 1

4.5 s.f.

To be diverted from Raft River, April 1 to July 1 each year, for the irrigation of $E\frac{1}{2}SW\frac{1}{4}$, Lots 3 and 4, Sec. 19, $E\frac{1}{2}NW\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M.

An undivided 225/526 pro rata interest in and to 25 inches of continuous flow of Raft River decree to Sweetser Bros. & Pierce for stock purposes.

444 STOCKWATER

SEE ATTACHED ALSO

1898-Apr. 1

2.4 s.f.

To be diverted from Raft River for the irrigation of $SW\frac{1}{4}NE\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M.

A. D. PierceBula Pierce

1871-Apr. 1

2.651 s.f.

To be diverted from Raft River, April 1 to October 1 each year, the same being a part of 4.5 s.f. aforesaid from April 1 to July 1 of each year and not in addition thereto, for the irrigation of $E\frac{1}{2}SW\frac{1}{4}$, Sec. 19, and $2/3 SW\frac{1}{4}NW\frac{1}{4}$ and $NW\frac{1}{4}NW\frac{1}{4}$ Sec. 30, Twp. 13 S. R. 27 E.B.M., excepting a tract of land described as follows: Beginning at the SW corner of the $NW\frac{1}{4}$, Sec. 30, Twp. 13 S. R. 27 E.B.M., thence East $13\frac{1}{2}$ rods, thence North 1 mile, thence West $13\frac{1}{2}$ rods, thence South 1 mile to the place of beginning.

W. J. Pierce

1909-Sept. 13

1.04 s.f.

To be diverted from Raft River for the irrigation of Lot 1, Sec. 31 and Lot 3, Sec. 30, Twp. 11 S. R. 27 E.B.M.

1910-Apr. 1

1.2 s.f.

To be diverted from Raft River for the irrigation of $SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, Sec. 6, $NW\frac{1}{4}NE\frac{1}{4}$, Sec. 7, Twp. 12 S. R. 27 E.B.M.

AS DECREED

1928 JOBE - ADAMS



located in the SE corner of said land, and excepting a strip of land 50 feet wide off of the East side and a strip of land 20 feet wide off of the South side of said tract now used as a road.

Frederick W. Parish
-1883-Apr. 1
-1887-Apr. 1

.24 s.f.
.6 s.f.

To be diverted from Cassia Creek for the irrigation of Sec. 35, Twp. 13 S. R. 24 E.B.M.

A. J. Peterson
Laura Peterson
-1894-Apr. 1

.8 s.f.

To be diverted from Cassia Creek for the irrigation of Sec. 13, Twp. 13 S. R. 26 E.B.M.

J. C. Pettingill
Agnes Pettingill
-1881-Apr. 1

1.3 s.f.

To be diverted from Cassia Creek for the irrigation of Lots 2 and 3, Sec. 6, Twp. 14 S. R. 25 E.B.M., and a tract of land described as follows:

79.92 ac.

Commencing at the SE corner of Lot 2, thence South 12.65 rods, thence West 100 rods, thence North 18.21 rods, thence East to the place of beginning, containing 10.78 acres.

A. D. Pierce
Bula Pierce
-1871-Apr. 1

4.5 s.f.

To be diverted from Raft River, April 1 to July 1 each year, for the irrigation of Lots 3 and 4, Sec. 19, Twp. 13 S. R. 27 E.B.M.

7,2505

~~4-30-1872~~

43-0444

An undivided 225/325 pro rata interest in and to 20 inches of continuous flow of Raft River decreed to Sweetser Bros. & Co for stock purposes.

-1898-Apr. 1

2.4 s.f.

To be diverted from Raft River for the irrigation of Sec. 30, Twp. 13 S. R. 27 E.B.M.

Page 1

Old (D) Number -

State- ID Zip- 83342

State- ID Zip- 83342

State- ID Zip-

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+ - - - Status - - - +

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- - Tributary
SNAKE RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
14S	27E	7	S4 NE			(31)	CASSIA			
		20	N4 SW			(31)	CASSIA			

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.214	

	-	+ - Total Div.	-	+	-	Total Div.	-	+	-	Total Div.	-	+	-	KM Usage	-	+
		Rate				Volume				Capacity						
		0.214								0.0						

Tract	Sec	Rng	Lot	Acres	Code	Description	County
1	1	1	1	1	1	1	1

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks

RT. MAY HAVE BEEN ESTABLISHED IN A PRIOR DECREE, BUT NOT RECORD EXISTS IN THE FILE.

RT. DECREE AS CONTINUOUS USE FOR STOCK, WITH NO EXACT P/U.

WATER RIGHT

RT. SHOWN INCORRECTLY AS AN IRRIG. RT. IN TRANS. 2505.
PRIORITY DATE NOT GIVEN IN DECREE.
SHOWN INCORRECTLY AS 43-0442 ON TRANSFER, BUT CORRECTLY ON ORDER..

Conditions of Approval
No Conditions of Approval found.

10/18/1928

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

+ - - Audit Fields - 05/20/85 05/28/88 CONVERT 08/11/89 CURTIS

Water Rights Dates and Flags Area

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Pretested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	- P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	05/20/1985	DLE/Carrey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	- 43A
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	- T
Presumption Flag	-		Name Connector	-		POU Ownership Flag	-
RRBA Decreed Flag	-						

Water Right Number - 43-00442

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

Priority Date - 00/00/0000

Region - 17 SOUTHERN

Stage -

Status -
Z - SEE REMARKS

Source -

Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
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Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KM Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
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+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks -

GEN NUMBER NOT USED. DO NOT ISSUE.

+ - - 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 - 05/20/85 05/28/88 CONVERT 11/15/99 STATUSZ

+ - - Water Rights Dates and Flags Area -

Proof Due Date	- 00/00/0000	Field Exam Made -	00/00/0000	Field Exam Fee -
Approved/Denied	- 00/00/0000	Protested Date -	00/00/0000	Swan Falls -
Proof Made Date	- 00/00/0000	Hearing Date -	00/00/0000	Temporary Right - P
Exam to S.O. Date	- 00/00/0000	Verified Date -	05/20/1985	DLE/Carey Act -
Order Show Cause	- 00/00/0000	Receipt Number -		Water District -