

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TRUDY TRACY 2262 E 1500 S MALTA, ID 83342-8628 (208)645-2432
Current Owner	KEVIN W TRACY 2262 E 1500 S MALTA, ID 83342 (208)645-2432
Original Owner	ALVIN NEDDO 2252 E 1500 S MALTA, ID 83342-8628 (208)645-2270
Original Owner	ROSELLA NEDDO HC 67 BOX 1000 MALTA, ID 83342 (208)645-2270

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

RAFT RIVER SW1/4NE1/4 Sec. 7, Twp 13S, Rge 27E, B.M.
CASSIA County

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
13S	27E	6									39.0	50.0	45.0	37.0			38.0		209.0
												L 6	L 7						

1. E51 RIGHT NOS. 43-00217, 43-00218, 43-00219, 43-00220, 43-02249, 43-02502 AND 43-12954 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.50 CFS.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-12954 V1

2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. E55 RIGHT NOS. 43-00217, 43-00218, 43-00219, 43-00220, 43-02249, 43-02502 AND 43-12954 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE IRRIGATION SEASON.

Remarks:

Comments:

1. CFRITSCH 2/28/2001 Priority Date

Comment: Priority date recommended is based on an observation noted by the field examiner for licensing exam 43-02249, Even though the priority date recommended is earlier than the date of the Jobe Adams decree,

Water Supply Bank:

WARRANTY DEED

FOR VALUE RECEIVED BEING THE LOVE AND AFFECTION FOR THE GRANTEES, Charles Alvin Neddo, aka Alvin Neddo, and Rosella Neddo, husband and wife, the Grantors, do hereby grant, bargain, sell and convey to Kevin W. Tracy and Trudy Tracy, husband and wife, whose present address is 2262 East 1500 South, Malta, Idaho 83342, the Grantees, the following described premises, located in Cassia County, Idaho, to-wit:

East Half of Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) of Section Thirty (30), Township Twelve (12) South, Range Twenty-seven (27) East, Boise Meridian; and

Lots Six (6) and Seven (7), East Half Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) and Southwest Quarter Southwest Quarter ($SW\frac{1}{4}SE\frac{1}{4}$) of Section Six (6), Township Thirteen (13) South, Range Twenty-seven (27) East, Boise Meridian, SAVE AND EXCEPTING the following three (3) parcels described as follows:

Parcel 1:

Commencing 162 feet North of the Southwest corner of Lot 7, Section 6, Township 13 South, Range 27 East of the Boise Meridian; Thence running North 84 feet; Thence East 168 feet; Thence South 246 feet; Thence West 108 feet; Thence North 162 feet; Thence West 60 feet to the Point of Beginning.

Parcel 2:

Township 13 South, Range 27 East, Boise Meridian, Cassia County, Idaho.

Section 6: A part of Lot 7 of said Section 6, more particularly described as follows: Beginning at a point located North $89^{\circ}43'$ West 4606.34 feet from the Southeast corner of said Section 6; Thence North $89^{\circ}43'$ West 323.87 feet along the South section line; Thence North $0^{\circ}43'57''$ West 134.50 feet; Thence South $89^{\circ}43'$ East 323.87 feet; Thence South $0^{\circ}43'57''$ East 134.50 feet to the Point of Beginning.

Parcel 3:

Township 13 South, Range 27 East, Boise Meridian, Cassia County, Idaho.

Section 6: A part of Lot 7 of said Section 6, more particularly described as follows:

Beginning at a point located North 89°43' West 4930.21 feet from the Southeast corner of said Section 6; Thence North 89°43' West 157.83 feet along the South section line; Thence North 0°43'57" West 276.00 feet; Thence South 89°43' East 157.83 feet; Thence South 0°43'57" East 276.00 feet to the Point of Beginning.

Together with all water and water rights appurtenant thereto including, but not limited to the following:

Idaho Department of Water Resources Water Right Nos: 43-217; 43-218; 43-219; 43-220; 43-2249; 43-2445; 43-2502; and 43-12945.

Subject to property taxes for 2006 and subsequent years and any easements or rights of way apparent or recorded on said real property

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that Grantors the owners in fee of said premises, that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 6th day of January, 2006.

Charles Alvin Neddo
Charles Alvin Neddo

Rosella Neddo
Rosella Neddo

STATE OF IDAHO)
) ss.
County of Minidoka.)

On this 6th day of January, 2006 before me the undersigned Notary Public in and for said State, personally appeared Charles Alvin Neddo and Rosella Neddo, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

WILLIAM T. GOODMAN
NOTARY PUBLIC
STATE OF IDAHO

William T. Goodman
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/24/06

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 900 DEPUTY 46
2006 JAN 9 AM 11 00
RECORDED AT THE REQUEST OF
William T. Goodman
PO Box D
Rupert ID 83350

306100



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 25, 2006

KEVIN & TRUDY TRACY
2262 E 1500 S
MALTA ID 83342

Re: #43-217, #43-218, #43-219, #43-220, #43-2249, #43-2445, #43-2502,
#43-12954

Dear Mr. and Mrs. Tracy,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the water rights noting the change in owners. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn', written over a faint, larger signature.

Carrie Hahn
Office Specialist

Enc.

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 43-12954
Date Received: 2/28/01
Receipt No:
Received By: *CF*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ALVIN NEDDO Phone: (208)645-2270

HC 67 BOX 1000
MALTA ID USA 83342

ROSELLA NEDDO Phone: (208)645-2270

HC 67 BOX 1000
MALTA ID USA 83342

2. Date of Priority: 09/14/1925

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	Type
13S	27E	7	SW NE	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.18	

7. Total Quantity Appropriated is:
0.18 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	27E	6	NE	SW	IRRIGATION	39
			NW	SW	6 IRRIGATION	50
			SW	SW	7 IRRIGATION	45
			SE	SW	IRRIGATION	37
			SW	SE	IRRIGATION	38
					Section Acres	209
					Total Acres	209

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 for the irrigation of 9 acres not covered by license 43-02249.

15. Basis of Claim: Beneficial Use

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 43-12954Date Received 2-27-01 ca

Receipt Number _____

RECEIVED

FEB 27 2001

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Alvin and/or Rosella Neddo Phone (208) 645-2270Mailing Address HC 67 Box 1000 Malta ID 83342 Zip _____2. Date of Priority (Only one (1) per claim) September 14, 19253. Source of water supply (a) Raft River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 13 S Range 27 E Section 7,
_____ 1/4 of SW 1/4 of NE 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:

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,

_____ 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. _____

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 3-15 to 11-15 amount 0.18 or _____

or _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.18 (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.) _____

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	
<u>13S</u>	<u>27E</u>	<u>6</u>									<u>39</u>	<u>Lot 6</u> <u>50</u>	<u>Lot 7</u> <u>45</u>	<u>37</u>			<u>38</u>		<u>209</u>

Total number of acres irrigated 209

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.
43-00217, 43-00218, 43-00219, 43-00220, 43-02249 + 43-02502 or None ()

14. Remarks: This claim is for the irrigation of 9 acres not covered by license 43-02249.

Last Name Neddo Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Alvin Teddo Date 2-22-01
Roseanne Teddo Date 2-22-01

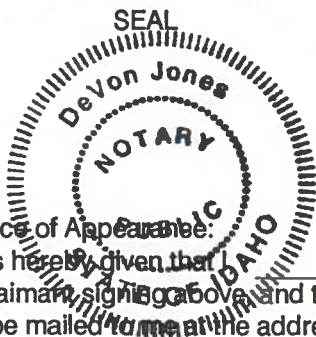
For Organizations: I do solemnly swear or affirm that I am _____

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 Alvin Teddo
Title and Organization owner Date _____

State of Idaho/or Idaho)
County of CASSIA) SS.

Subscribed and sworn (or affirmed) before me this 22 day of FEBRUARY 2001



Notary Public [Signature]
Residing at MALTA
My Commission Expires 2003

Please Print Name

17. Notice of Appearance:
Notice is hereby given that Alvin Teddo 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 Alvin Teddo
Address 2252 E. 1500 E. Malta, ID. 83342
Date 2-22-01

RECEIVED
FEB 27 2001

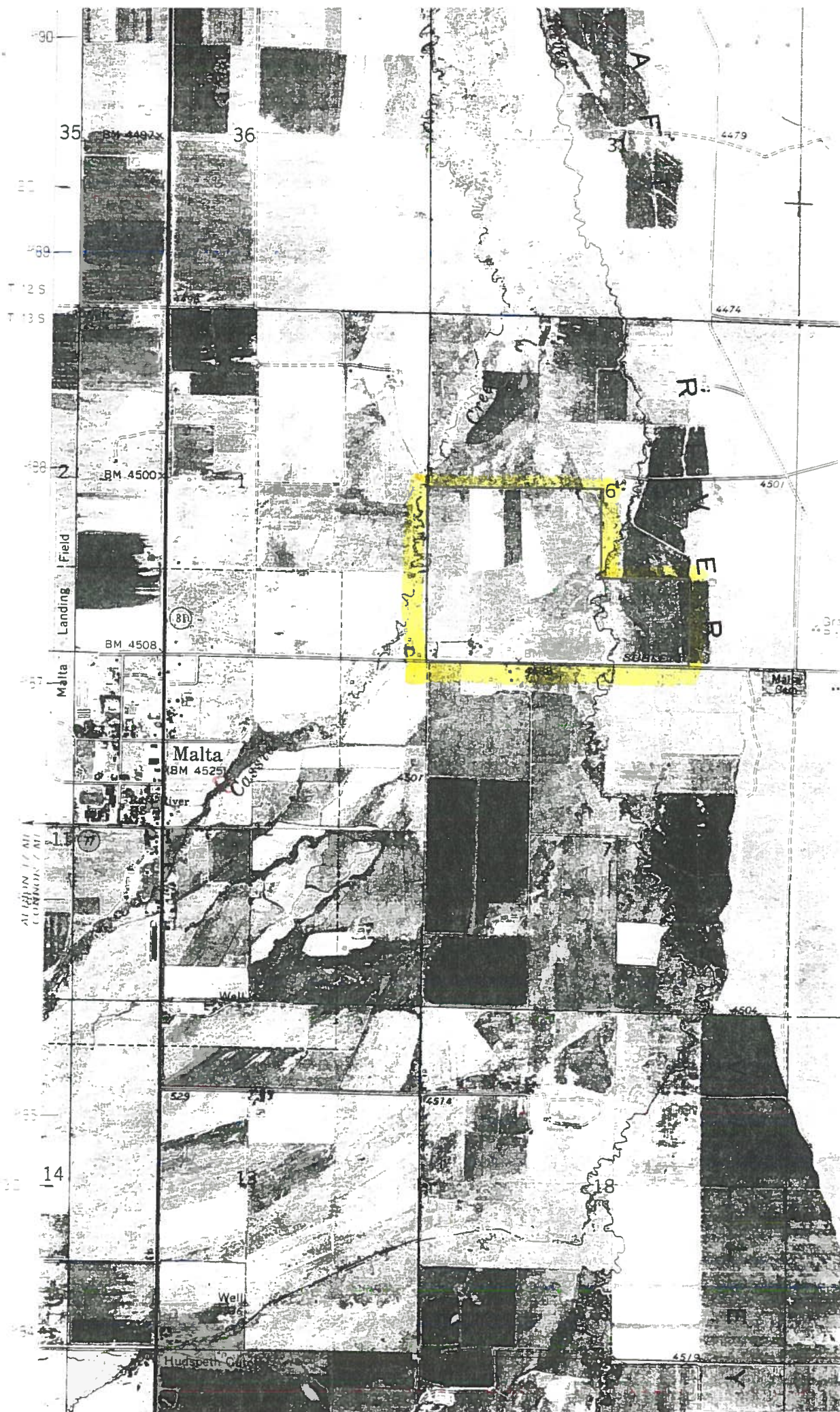
Department of Water Resources

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

T13S

1/2 mile



05/10/2001

RECEIVED
JUN 18 2001
Department of Water Resources
Southern Region

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-12954

ALVIN NEDDO
HC 67 BOX 1000
MALTA ID 83342
Telephone Number: (208)645-2270

ROSELLA NEDDO
HC 67 BOX 1000
MALTA ID 83342
Telephone Number: (208)645-2270

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 6/10/01 SIGNATURE: Alvin Neddo
Please print your name: ALVIN NEDDO

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

02/28/2001

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

RIGHT NUMBER: 43-12954

NAME AND ADDRESS: ALVIN NEDDO
ROSELLA NEDDO
HC 67 BOX 1000
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.18 CFS

RIGHT NOS. 43-00217, 43-00218, 43-00219, 43-00220, 43-02249,
43-02502 AND 43-12954 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 5.50 CFS.

PRIORITY DATE: 09/14/1925

POINT OF DIVERSION: T13S R27E S7 SWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.18 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T13S R27E S6		NESW	39	T13S R27E S6	LOT 6	NWSW	50
T13S R27E S6	LOT 7	SWSW	45	T13S R27E S6		SESW	37
T13S R27E S6		SWSE	38				

209 ACRES TOTAL

RIGHT NOS. 43-00217, 43-00218, 43-00219, 43-00220, 43-02249,
43-02502 AND 43-12954 ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 209 ACRES IN A SINGLE IRRIGATION SEASON.

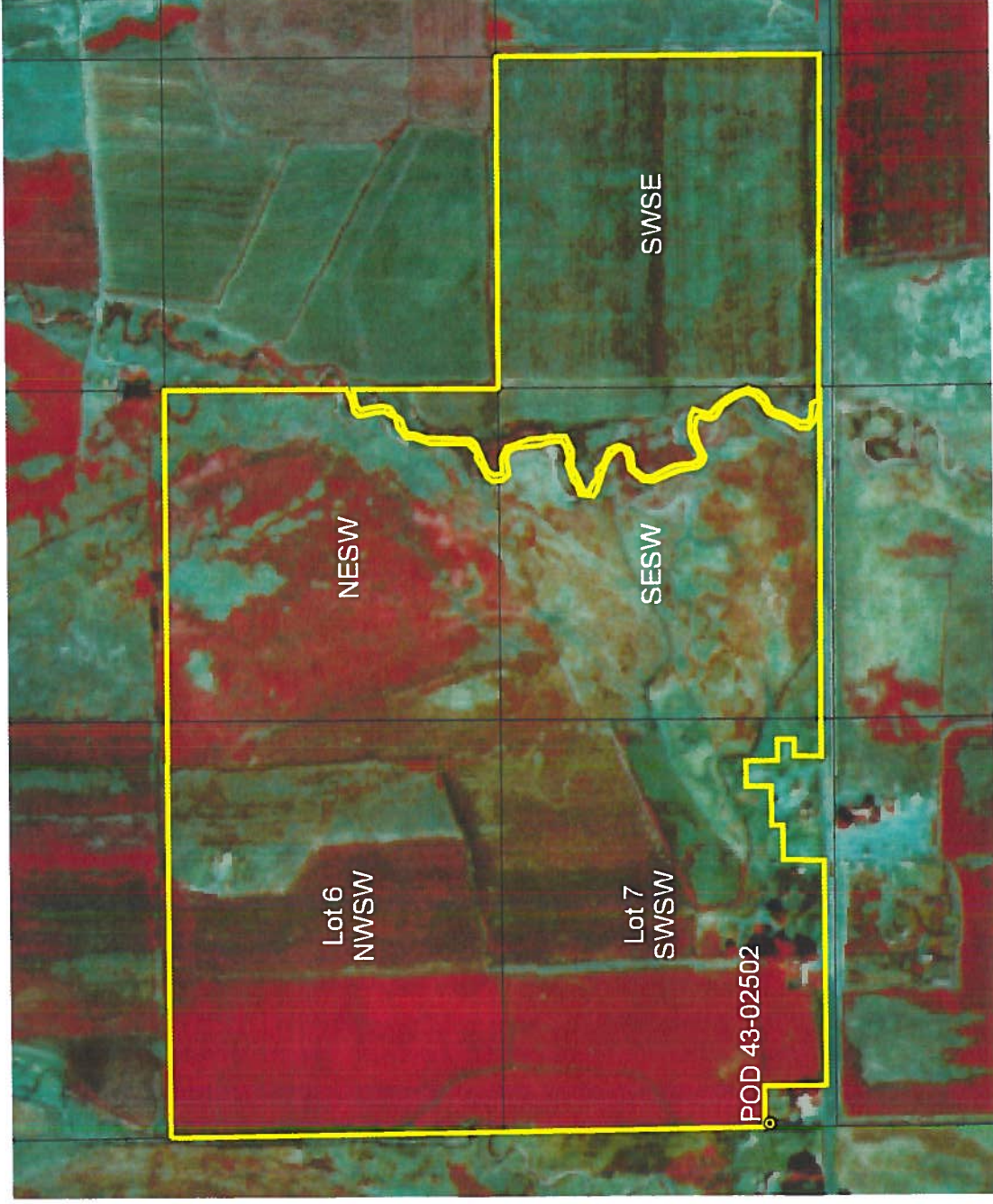
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY

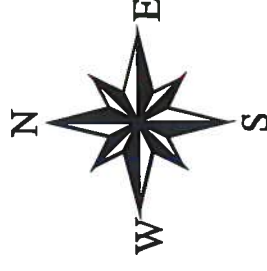
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**43-00217, 43-00218, 43-00219, 43-00220
43-02249, 43-02502 & 43-12954**



T13S R27E S06



1000 0 1000 2000 Feet



Map prepared by: Carter Fritschle
Date prepared: 01/29/01
1987-1988 NAPP photography
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 31, 2001

ALVIN NEDDO
ROSELLA NEDDO
HC 67 BOX 1000
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA)

Dear Claimants:

I am reviewing the claims you filed in the SRBA. One of your claims for Cassia Creek water, 43-00218, was claimed with a priority date of April 30, 1882. However, when checking this date against the decree, I found the decreed priority date was April 1, 1882. Therefore, I have enclosed an amended claim for 43-00218 to change the priority date back to April 1, 1882. The amended claim also reflects a change in the claimed point of diversion from Section 1 to Section 12, where the water is actually diverted from Cassia Creek. Your other claims to Cassia Creek water, 43-00217, 43-00219 and 43-00220 will be recommended with the point of diversion in Section 12 as well. Please sign the amended claim, have your signature(s) notarized and return the claim to my attention at this office.

Additionally, claim 43-02249 for Raft River water is limited to the licensed amount of 200 acres. Since you are actually irrigating a total of 209 acres, I have enclosed a new claim to a water right from the Raft River for the additional nine acres of irrigation. If you wish to claim a Raft River water right for the additional nine acres, please sign the new claim, have your signature(s) notarized and return the claim to my attention at this office. You may retain the yellow copies for your records.

I have also enclosed two copies of a map depicting the area of your water rights. If you could place a circle on one of the maps at your point of diversion from the Raft River and return it with your claim it would be appreciated and facilitate the processing of your claim. You may retain the other copy for your records.

If you have any questions, you may contact me at (208) 327-7939.

Sincerely,

A handwritten signature in cursive script, reading 'Carter Fritschle'.

Carter Fritschle
Water Right Supervisor
Idaho Department of Water Resources

Enclosures:
Claim forms and maps