

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 43-12989
Date Received: 3/13/01
Receipt No:
Received By:

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

1. Name of Claimant(s)

LYNN TAYLOR Phone: (208) 654-2111

1102 E HWY 81
DECLO ID USA 83323

LISA TAYLOR Phone: (208) 654-2111

1102 E HWY 81
DECLO ID USA 83323

2. Date of Priority: 06/30/1985

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
11S	26E	12	NW	NW	SW	CASSIA	
11S	26E	11	SW	SW	NW	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	0.44	
STOCKWATER	01/01	12/31	0.08	

7. Total Quantity Appropriated is:
0.44 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
11S	26E	11	NE	SE	IRRIGATION	31.3
			NW	SE	IRRIGATION	31.2
			SW	SE	IRRIGATION	31.2
			SE	SE	IRRIGATION	31.3
					Section Acres	125
					Total Acres	125

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:

3-13-2001: 1999 OWNERSHIP CHANGE MATTHEWS TO TAYLOR RESULTED IN A SPLIT OF EXPANSION CLAIM 43-11132 INTO 43-12988 AND 43-12989, ALSO SPLIT LICENSED RIGHT 43-2338A INTO 43-12986 AND 43-12987. SPLIT RATES PER PERCENTAGE OF PPU CONVEYED. SEE FILE.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
 NOV 08 2000
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s).: 43-02338
 Adjudication Claim No(s).: A43-11132 and A43-02338

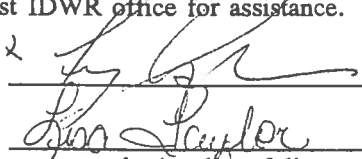
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: G. H. Matthews and Linda Matthews
Malta, Idaho 83342

4. New Owner/Claimant(s): Lynn Taylor and Lisa Taylor
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address: 1102 East Highway 81
 City, State and ZIP Code: Declo, Idaho 83323
 New Telephone Number: (208) 654-2111

5. Date you acquired the property: May of 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): 
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

262826

WARRANTY DEED

THIS INDENTURE, made this 13th day of May, 1999, between G. H. MATTHEWS and LINDA MATTHEWS, husband and wife, a/k/a G. H. "PETE" MATTHEWS and LINDA H. MATTHEWS, husband and wife, ("Grantor"), and LYNN TAYLOR and LISA TAYLOR, husband and wife, whose address is 1102 East Highway 81, Declo, Idaho 83323, ("Grantee").

W I T N E S S E T H:

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

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

AND TOGETHER WITH all water rights, including, but not limited to 43-02338, A43-11132, and A43-02338.

SUBJECT TO: 1999 taxes, levies and assessments; Right of Way Contract on the Southeast Quarter Southeast Quarter (SE~~1~~SE~~4~~) of Section 11, Township 11 South, Range 26 East, Boise Meridian, as recorded on Instrument No. 15562, records of Cassia County; Right of Way Deed recorded as

Page 1 - Warranty Deed

PARSONS, SMITH & STONE, LLP
LAWYERS
BURLEY, IDAHO

EXHIBIT A

Part of the SE $\frac{1}{4}$ of Section 11 of Township 11 South, Range 26 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the SE corner of Section 11 of T.11 S., R.26 E., B.M. said corner marked by a U.S. BLM pipe with cap which shall be the Point of Beginning;

THENCE North 89 degrees 48 minutes 38 seconds West along the south line of Section 11 for a distance of 1970.28 feet to a $\frac{1}{2}$ " rebar on the east right of way of Interstate Highway 84;

THENCE North 31 degrees 38 minutes 08 seconds West along the east right of way of Interstate Highway 84 for a distance of 93.40 feet to a highway right of way marker at Station 614+91.02;

THENCE North 31 degrees 38 minutes 39 seconds West along the east right of way of Interstate Highway 84 for a distance of 1194.99 feet to a $\frac{1}{2}$ " rebar on the west line of the SE $\frac{1}{4}$;

THENCE North 00 degrees 02 minutes 26 seconds West along the west line of the SE $\frac{1}{4}$ for a distance of 1550.51 feet to a 5/8" rebar at the center $\frac{1}{4}$ corner of Section 11;

THENCE South 89 degrees 48 minutes 31 seconds East along the north line of the SE $\frac{1}{4}$ for a distance of 2649.64 feet to a U.S. BLM pipe with cap at the east $\frac{1}{4}$ section corner of Section 11;

THENCE South 00 degrees 03 minutes 01 seconds West along the east line of Section 11 for a distance of 2645.02 feet to the point of Beginning.

FILED
1999 MAY 18 A 9:30
CASSIA COUNTY, IDAHO
DARRELL L. ROSKELLEY
RECORDER

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

Exhibit A

262826

Name: 00262826.003
Dimensions: 2528 x 3270 pixels

PARSONS, SMITH & STONE, LLP

ATTORNEYS AT LAW

137 WEST 13TH STREET

P. O. BOX 910

BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0143

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
rcstone@cyberhighway.net

LANCE A. LOVELAND
love9593@cyberhighway.net

November 7, 2000

RECEIVED
NOV 08 2000
Department of Water Resources
Southern Region

Mr. John Freitag
Idaho Department of Water Resources
1341 Fillmore Street - Suite 200
Twin Falls, Idaho 83301-3380

RE: Taylor

Dear John:

I was wrong. The title company inadvertently forgot to send you the change of water right ownership concerning the purchase by Taylor of a part of the SE $\frac{1}{4}$ of Section 11, Township 11 South, Range 26 E.B.M.

With the change of ownership is the deed and the map as required.

I assume you can amend the profile report that you sent me to reflect the change of ownership.

I apologize for the inconvenience.

Very truly yours,

PARSONS, SMITH & STONE, LLP


William A. Parsons

WAP:rt
Enc.
cc: Larry Roberts

262828

WELL AGREEMENT WITH EASEMENTS

AGREEMENT, made this 12th day of May, 1999, between G. H. MATTHEWS, a/k/a G. H. "PETE" MATTHEWS, and LINDA MATTHEWS, a/k/a LINDA H. MATTHEWS, husband and wife, ("Matthews") and LYNN TAYLOR and LISA TAYLOR, husband and wife, 1102 East Highway 81, Declo, Idaho 83323 ("Taylor").

1. RECITALS: The parties recite:

1.1. Taylor owns the North Half (N½), all of the Southwest Quarter (SW¼) of Section 11, Township 11 South, Range 26 East, Boise Meridian, lying East of the Interstate Highway, and the Southeast Quarter (SE¼) of Section 11, Township 11, Range 26 East, Boise Meridian, in Cassia County, Idaho ("Taylor Property").

1.2. Matthews owns the Southwest Quarter (SW¼) of Section 12, Township 11 South, Range 26 East, Boise Meridian, Cassia County, Idaho ("Matthews Property").

1.3. There is a well located on the Taylor Property for which delivers water both to the Taylor Property and to the Matthews Property.

1.4. The parties desire to provide for an easement from Taylor to Matthews for ingress and egress to the well located on the Taylor Property. The parties further desire to provide for the use of the well for delivery of water to the respective parcels and to provide for the costs and expenses

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BURLEY, IDAHO

1 incident thereto.

2 NOW, THEREFORE, in consideration of the recitals, the
3 terms and conditions hereof and other consideration herein
4 receipted for but not recited the parties agree:

5 2. TAYLOR: Taylor does hereby grant and convey to
6 Matthews a perpetual non-exclusive easement on, over, and
7 across the property in Cassia County, more particularly
8 described on Exhibit A attached hereto and made a part hereof
9 by reference ("Easement"), to a well located upon the West end
10 of the Easement and for a pipeline across the SE¼ of Section
11 11, Township 11 South, Range 26 East Boise Meridian, for
12 delivery of water to the Matthews Property, also described on
13 Exhibit A. This Easement shall be for the benefit of the
14 Matthews land located in the Southwest Quarter (SW¼) of
15 Section 12, Township 11 South, Range 26 East, Boise Meridian.
16 The use of such Easement shall be for ingress and egress to the
17 well including the withdrawal of water therefrom, repairs and
18 maintenance of the pump, motor and apparatus and for a pipeline
19 to a booster pump at the East end of the Easement.

20 3. NONASSIGNMENT: The Easement granted in the
21 preceding paragraph is nonassignable except to the owners of
22 the Matthews land in the said Southwest Quarter (SW¼) of
23 Section 12, Township 11 South, Range 26 East Boise Meridian.

24 4. TERMINATION: The Easement may be terminated only
25 by an instrument in writing signed by Taylor and Matthews or
26

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1 their successors in interest of the respective parcels
2 described in the recitals of this agreement. No modification
3 of the Easement shall take place except by an instrument in
4 writing signed by the owners of the respective Taylor and
5 Matthews parcels as described in the recitals of this
6 agreement.

7 5. EFFECTIVE DATE: This agreement and Easement
8 shall be effective when executed by the parties and recorded in
9 the office of the County Recorder of the County of Cassia,
10 State of Idaho.

11 6. WATER: Each party shall be entitled to withdraw
12 water from the well located on the West end of the Easement for
13 irrigation of their respective parcels as defined in the
14 recitals of this agreement and as authorized by water right
15 appurtenant to their lands. The parties shall cooperate each
16 with the other in utilizing the well and the delivery of water
17 to the respective parcels. The parties shall have equal rights
18 to the withdrawal of the water consistent with prudent farming
19 practices and considering the nature of the crops being grown
20 by each of the parties on their designated parcels and the
21 legal water rights.

22 7. MAINTENANCE: Taylor shall be responsible for
23 three-fourths (3/4) of the repairs, maintenance, improvements,
24 replacements of the well and apparatus. Matthews shall be
25 responsible for one-fourth (1/4) of the repairs, maintenance,
26

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BURLEY, IDAHO

1 improvements, and replacements of the well and apparatus.
2 Matthews shall be responsible for the pipeline repairs across
3 the Southeast Quarter (SE $\frac{1}{4}$) of Section 11, Township 11 South,
4 Range 26 East, Boise Meridian, as described on Exhibit A.
5 The cost thereof shall be due and payable within five (5) days
6 after the parties being advised of the cost thereof, that is to
7 be paid by the other party. Except in an emergency the parties
8 will consult with each other relative to the needs of the
9 necessary repairs, maintenance, replacement and general
10 maintenance. In the event the parties cannot agree upon the
11 necessary expenditures for the designated purposes Taylor shall
12 be entitled to make the final decision. In the event either
13 party fails to reimburse the other for necessary items herein
14 designated then that party shall not be entitled to draw water
15 from the well until the expenses have been reimbursed to the
16 other party.

17 8. ATTORNEY FEES: The prevailing party in any
18 action arising under this agreement shall be entitled to
19 reasonable attorney fees in addition to all other relief
20 provided by law.

21 9. BINDING EFFECT: This Well Agreement and Easement
22 shall be binding upon the parties and their successors and
23 assigns and the successors and assigns of the respective
24 parcels as defined in the recitals of this agreement.

25 10. COVENANTS RUNNING WITH THE LAND: This agreement
26

1 and the Easement shall be deemed covenants running with the
2 land and shall inure to and be for the benefit of the parties
3 and their respective successors and assigns of the parcels
4 described in paragraphs 1.1 and 1.2 of this agreement.

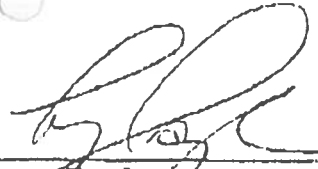
5 11. RELATIONSHIP OF PARTIES: The parties are not
6 partners, joint venturers or any other relationship which may
7 create an obligation one between the other. The parties are
8 strictly entitled to use the water and the easement as separate
9 individuals. Neither party shall bind or purport to bind the
10 other party for any obligations or liabilities in connection
11 with the well easement and apparatus.

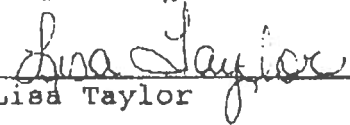
12 12. ENCUMBRANCE: Neither party shall encumber the
13 well, pump, motor, or Easement without the written consent of
14 the other party.

15 13. DURATION: This agreement shall continue until
16 terminated by written agreement signed by the parties or their
17 successors in interest of the respective parcels described in
18 paragraphs 1.1 and 1.2.

19 IN WITNESS WHEREOF, the parties have executed this
20 agreement the day and year first above written.

21 G. H. Matthews
22 G. H. Matthews
23 Linda Matthews
24 Linda Matthews
25
26


Lynn Taylor

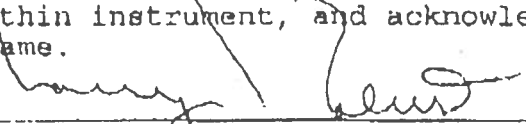

Lisa Taylor

STATE OF IDAHO)

County of Cassia) ss

On this 12th day of May, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared G. H. MATTHEWS, a/k/a G. H. "PETE" MATTHEWS, and LINDA MATTHEWS, a/k/a LINDA H. MATTHEWS, 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.

Larry Roberts
Notary Public
State of Idaho

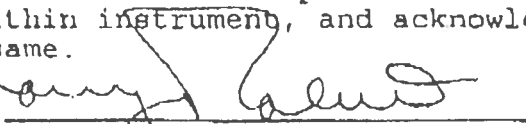

Notary Public for Idaho
Residing at Burley, Idaho
My Commission Expires: 6-30-03

STATE OF IDAHO)

County of Cassia) ss

On this 12th day of May, in the year 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared LYNN TAYLOR and LISA TAYLOR, 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.

Larry Roberts
Notary Public
State of Idaho


Notary Public for Idaho
Residing at Burley, Idaho
My Commission Expires: 6-30-03

PARSONS, SMITH & STONE, LLP
LAWYERS
BURLEY, IDAHO

EXHIBIT A

Part of the NW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ of Section 11 of Township 11 South, Range 26 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Center $\frac{1}{4}$ corner of Section 11 of T.11 S., R.26 E., B.M., said corner marked by a $\frac{3}{8}$ " which shall be the Point of Beginning;

THENCE North 89 degrees 48 minutes 31 seconds West along the south line of the NW $\frac{1}{4}$ for a distance of 50.43 feet;

THENCE North 00 degrees 11 minutes 29 seconds East for a distance of 41.92 feet;

THENCE South 89 degrees 48 minutes 31 seconds East for a distance of 50.26 feet to the east line of the NW $\frac{1}{4}$;

THENCE South 00 degrees 02 minutes 26 seconds East along said line for a distance of 10.00 feet;

THENCE South 89 degrees 48 minutes 31 seconds East for a distance of 1312.58 feet;

THENCE North 00 degrees 11 minutes 29 seconds East for a distance of 18.08 feet;

THENCE South 89 degrees 48 minutes 31 seconds East for a distance of 50.00 feet;

THENCE South 00 degrees 11 minutes 29 seconds West for a distance of 50.00 feet to the south line of the NE $\frac{1}{4}$;

THENCE North 89 degrees 48 minutes 31 seconds West along said line for a distance of 1362.45 feet to the Point of Beginning.

AND

A ten foot (10') easement for the installation, maintenance and repair of an irrigation pipeline for delivery of water to the Southwest Quarter (SW $\frac{1}{4}$) of Section 12, Township 11 South, Range 26 East, Boise Meridian, which begins 1362.45 feet South 89°48'31" East from the Northwest Corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 11, Township 11 South, Range 26 East Boise Meridian; thence Southeasterly across the Southeast Quarter (SE $\frac{1}{4}$) of said Section 11, Township 11 South, Range 26 East, Boise Meridian to a point on the West boundary of Section 12, Township 11 South, Range 26 East, Boise Meridian that is 628 feet South of the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 11, Township 11 South, Range 26 East, Boise Meridian, being the terminus point of the easement.

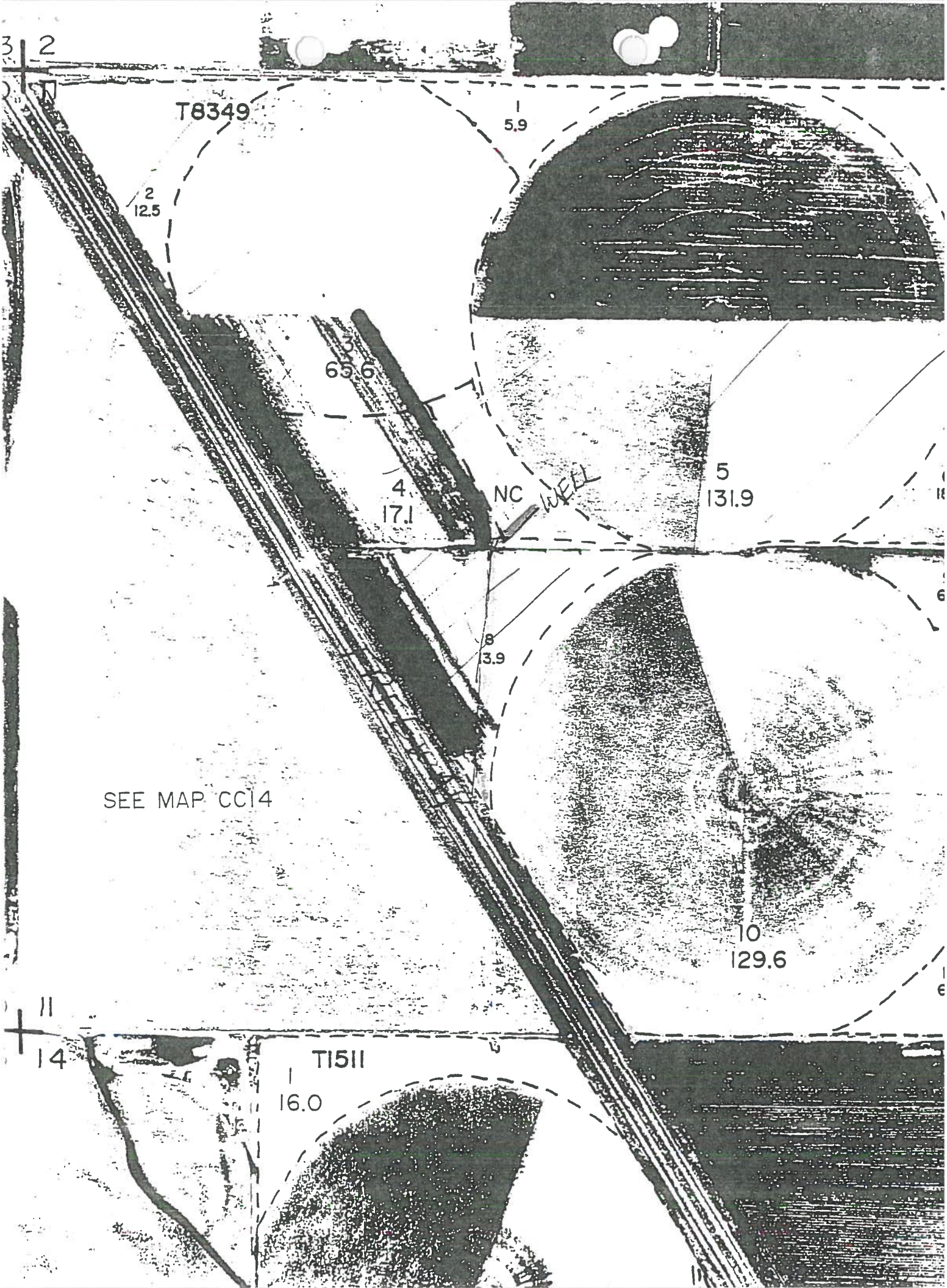
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM

1999 MAY 18 A 9:34

262828

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FEE 2.00 DEPUTY



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: **A43-11132A**

Date Received: 9/30/1994

Receipt No: X777777

Received By: ownership change/spl

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

1. Name: G T MATTHEWS 208-349-5777
Address: STAR RT
DECLO ID 83323
OR
Name: G H MATTHEWS 208-349-5777
Address: STAR RT
DECLO ID 83323

2. Date of Priority: MAR 15, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	26E	12	NW	NW	SW		CASSIA

5. Description of diverting works:
TWO IRRIGATION WELLS DELIVERING TO PIPELINE NETWORK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.080		

7. Total Quantity Appropriated is:
1.640 C.F.S. (and/or) 424.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	26E	11	NE		SE		IRR	3.8
			NW		SE		IRR	3.7
			SW		SE		IRR	3.7
			SE		SE		IRR	3.8
							Section Acres	15.0
		12	NE		SW		IRR	16.2
			NW		SW		IRR	16.3
			SW		SW		IRR	16.3
			SE		SW		IRR	16.2
							Section Acres	65.0
							Total Acres	80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS AN EXPANSION OF A43-02338.

5/7/99 TF; THIS CLAIM WAS SPLIT FROM A43-11132 PER 1409(6) AND
WARRANTY DEED REC'D 7/28/98.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 21315

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: _____

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

JUL 28 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 43-02338
Adjudication Claim No(s): A 43-02338 A 43-11132
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant G. H. Matthews & Linda Matthews
Malta ID 83211
4. New Owner/Claimant(s) Lynn Taylor & Lisa Taylor
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 1102 East Highway 81
City, State and ZIP Code Declo ID 83323
New Telephone Number (208) 654-2111
5. Date you acquired the property June 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 210 Number and type of stock None
Diversion rate in CFS 5 1/2 Number of homes None Other uses None
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Lynn Taylor & Lisa Taylor
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

WARRANTY DEED

THIS INDENTURE, made this 17 day of June, 1998, between G. H. MATTHEWS, a/k/a G. H. "PETE" MATTHEWS and LINDA MATTHEWS, a/k/a LINDA H. MATTHEWS, husband and wife, of Cassia County, Idaho, ("Grantor"), and LYNN TAYLOR and LISA TAYLOR, husband and wife, whose address is 1102 East Highway 81, Declo, Idaho 83323, ("Grantee").

W I T N E S S E T H:

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

TOWNSHIP 11 SOUTH, RANGE 26 EAST BOISE MERIDIAN
Section 11: All of the North Half and all of
the Southwest Quarter lying East of the
Interstate highway.

SUBJECT TO: 1998 taxes, levies and
assessments; Easements and access
limitations as recorded in Instrument NO.
67108, on film 79, records of Cassia
County, Idaho; Agreements for the purchase
of power from Raft River Rural Electric as
Instrument Nos. 124420, 124421, and 219406.

Conveying unto the Grantee all water rights

1
2 appurtenant to said property, including, but not
3 limited to identification numbers 43-02338
(A43-02338) and A43-11132.

4 TOGETHER with all and singular the tenements,
5 hereditaments and appurtenances thereunto belonging or in
6 anywise appertaining, the reversion and reversions, remainder
7 and remainders, rents, issues and profits thereof, and all
8 estate, right, title and interest in and to said property as
9 well in law as in equity of the Grantor.

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

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

19 This conveyance is expressly made pursuant to an
20 Order Authorizing Sale of Real Property issued by The Honorable
21 Jim D. Pappas, United States Bankruptcy Judge in Case No. 96-
22 00228 of the United States Bankruptcy Court for the District of
23 Idaho, April 30, 1998, pursuant to 11 USC § 1206 of the
24 Bankruptcy Code as the same is amended.

25
26 IN WITNESS WHEREOF, the Grantor has executed this

Deed the day and year first above written.

G. H. Matthews
G. H. Matthews

Linda Matthews
Linda Matthews

STATE OF IDAHO)
County of Cassia) ss

On this 17th day of June, in the year 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared G. H. MATTHEWS, a/k/a G. H. "PETE" MATTHEWS, and LINDA MATTHEWS, a/k/a LINDA H. MATTHEWS, 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.

LARRY ROBERTS
★ NOTARY PUBLIC ★
STATE OF IDAHO

RESIDING AT BURLEY ID
MY COMMISSION EXPIRES

Larry Roberts
Notary Public for Idaho
Residing at Burley
My Commission Expires: 6-30-03

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 200

1998 JUN 22 P 2:35

256251

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FEE 9.00 REFUND Nil

LAND TITLE & ESCROW

T8349

2
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5.9

3
65.6

4
17.1

NC WELL

5
131.9

6
18

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13.9

9
6

SEE MAP CC14

10
129.6

11
6.4

11

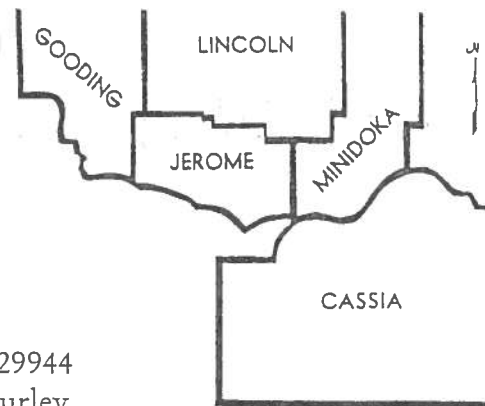
14

T1511

16.0

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #29944
OFFICE: Burley

July 27, 1998

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

RECEIVED
JUL 28 1998
Department of Water Resources
Southern Region

Dear Sir/Madam:

Enclosed with this letter please find an original executed Notice of Change of Water Right Ownership on G. H. and Linda Matthews to Lynn and Lisa Taylor.

Please make the necessary changes in the records to indicate the new owners for future water assessments.

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

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

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

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

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

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0608 - FAX 436-1199

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	G T MATTHEWS	03/15/1979	IRRIGATION	03-15	11-15	~~5.88~~ ^{2.00} CFS	per JR.
C	G H MATTHEWS		STOCKWATER	01-01	12-31	0.08 CFS	Matthews
	STAR RT		DOMESTIC	01-01	12-31	0.04 CFS	Matthews
	DECLO ID 83323						
	(208) 349-5777						
TOTAL DIVERSION:						2.12 CFS	
CONSUMPTIVE USE:							318.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R26E S11 SWSWNE Taylor
S12 NWNWSW Matthews

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION															
NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
11S	26E	11	: 02.5	02.5	02.5	02.5	: 04	: 12				: 03	03	03	03
11S	26E	12	:				:	16	16	16	16	:			
TOTAL ACRES														106.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A43-02338 R43-02338

Other Water Rights Listing Overlapping Place(s) of Use:
A43-02338 R43-02338

26 ac Taylor
106
= 25

2.00 cfs
x .25
= .50 cfs to Taylor

Remarks: GEN THIS CLAIM IS AN EXPANSION OF A43-02338.

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

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

Audit: 10/04/94 AMERRITT 03/30/95 POST-STD

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: **A43-11132**
Date Received: 9/30/1994
Receipt No: S017434
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: G T MATTHEWS 208-349-5777
Address: STAR RT
DECLO ID 83323
OR
Name: G H MATTHEWS 208-349-5777
Address: STAR RT
DECLO ID 83323

2. Date of Priority: MAR 15, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	26E	11	SW	SW	NE		CASSIA
		12	NW	NW	SW		CASSIA

5. Description of diverting works:
TWO IRRIGATION WELLS DELIVERING TO PIPELINE NETWORK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	5.880	2	
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.080		

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

8. Total consumptive use is 318.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	26E	11	NE		NE		IRR	2.5
			NW		NE		IRR	2.5
			SW		NE		IRR	2.5
			SE		NE		IRR	2.5
			SW		NW		IRR	4.0
			NE		SW		IRR	12.0
			NE		SE		IRR	3.8
			NW		SE		IRR	3.7
			SW		SE		IRR	3.7
			SE		SE		IRR	3.8
						Section Acres	41.0	
		12	NE		SW		IRR	16.2
			NW		SW		IRR	16.3
			SW		SW		IRR	16.3
SE			SW		IRR	16.2		
				Section Acres	65.0			
				Total Acres	106.0			

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS AN EXPANSION OF A43-02338.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 21315

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.

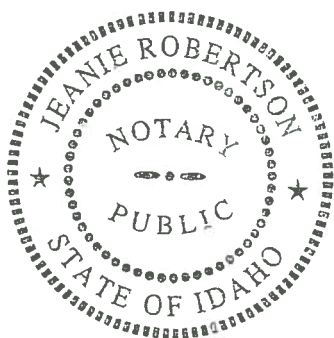
Signature of Claimant(s): G.H. Matthews Date: Sept 30, 94
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of Sept. 19 94

Jeanie Robertson
Notary Public

Seal



Residing at Twin Falls, Id.
My Commission Expires 9/23/2000

COPY

2002 JAN 25 PM 2:24

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

) **Water Rights: 43-2338B, 43-11132B,**
) **43-12986, 43-12987, 43-12989, 43-13034**

) **NOTICE OF COMPLETED**
) **ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative Proceeding:

☒ Address change

☐ Substitution of party

☒ I.C. § 42-222 transfer

☐ Point of diversion

☒ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

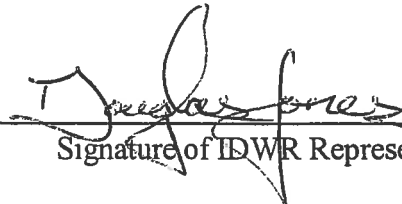
☐ Change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding and Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated

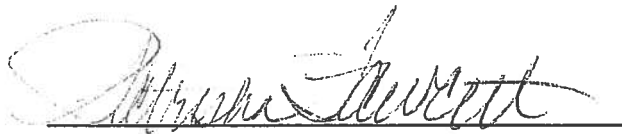
1/23/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/25, ²⁰⁰²~~2001~~, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue N
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Lynn Taylor
Lisa Taylor
1102 E Hwy 81
Declo ID 83323
3. One Copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:
5. One copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2338B
NAME AND ADDRESS: LISA TAYLOR
1102 E HWY 81
DECLO ID 83323

LYNN TAYLOR
1102 E HWY 81
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.410 CFS
512.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-11132B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.41 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 512 AF.

USE OF THIS RIGHT WITH RIGHT NO. 43-11132B, 43-12986, 43-12987, 43-12989,
43-13034 AND 43-13068 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
6.75 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1,546.0
AF.

PRIORITY DATE: 12/17/1949

POINT OF
DIVERSION:

T11S R26E S11 SWSWNE Within CASSIA County
T11S R26E S12 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.410 CFS 512.00 AFY

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

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R26E S11	NENE	31.0	T11S R26E S11	NWNE	31.0
T11S R26E S11	SWNE	33.0	T11S R26E S11	SENE	33.0
T11S R26E S11	NENW	36.0	T11S R26E S11	NWNW	14.0
T11S R26E S11	SWNW	4.0	T11S R26E S11	SENW	28.0
T11S R26E S11	NESW	13.0	T11S R26E S11	NESE	31.0
T11S R26E S11	NWSE	32.0	T11S R26E S11	SWSE	31.0
T11S R26E S11	SESE	31.0	T11S R26E S12	NESW	33.0
T11S R26E S12	NWSW	31.0	T11S R26E S12	SWSW	32.0
T11S R26E S12	SESW	34.0			

478 ACRES TOTAL

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 128 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-11132B, 43-12986, 43-12987, 43-12989,
43-13034 AND 43-13068 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
478 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 - License

RIGHT NO. 43-11132B IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION
42-1416B, IDAHO CODE.

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-11132B
NAME AND ADDRESS: LYNN TAYLOR
1102 E HWY 81
DECLO ID 83323

LISA TAYLOR
1102 E HWY 81
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-02338B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.41 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 512 AF.

USE OF THIS RIGHT WITH RIGHT NOS. 43-2338B, 43-12986, 43-12987, 43-12989, 43-13034 AND 43-13068 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.75 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1,546.0 AF.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION:

T11S R26E S11 SWSWNE Within CASSIA County
T11S R26E S12 NWNWSW 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	0.600 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R26E S11	NENE	31.0	T11S R26E S11	NWNE	31.0
T11S R26E S11	SWNE	33.0	T11S R26E S11	SENE	33.0
T11S R26E S11	NENW	36.0	T11S R26E S11	NWNW	14.0
T11S R26E S11	SWNW	4.0	T11S R26E S11	SENW	28.0
T11S R26E S11	NESW	13.0	T11S R26E S11	NESE	31.0
T11S R26E S11	NWSE	32.0	T11S R26E S11	SWSE	31.0
T11S R26E S11	SESE	31.0	T11S R26E S12	NESW	33.0
T11S R26E S12	NWSW	31.0	T11S R26E S12	SWSW	32.0
T11S R26E S12	SESW	34.0			

478 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 43 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-2338B, 43-12986, 43-12987, 43-12989, 43-13034 AND 43-13086 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 478.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-2338B PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-12986
NAME AND ADDRESS: LYNN TAYLOR
1102 E HWY 81
DECLO ID 83323

LISA TAYLOR
1102 E HWY 81
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.830 CFS
392.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 43-2338B, 43-11132B, 43-12987, 43-12989, 43-13034 AND 43-13068 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.75 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1,546.0 AF.

USE OF THIS RIGHT WITH RIGHT NO. 43-13034 AND 43-13035 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 392.0 AF.

PRIORITY DATE: 12/17/1949

POINT OF
DIVERSION:

T11S R26E S11 SWSWNE Within CASSIA County
T11S R26E S12 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.830 CFS 392.00 AFY

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

PLACE OF USE:

IRRIGATION Within CASSIA County

T11S R26E S11	NENE	31.0	T11S R26E S11	NWNE	31.0
T11S R26E S11	SWNE	33.0	T11S R26E S11	SENE	33.0
T11S R26E S11	NENW	36.0	T11S R26E S11	NWNW	14.0
T11S R26E S11	SWNW	4.0	T11S R26E S11	SENW	28.0
T11S R26E S11	NESW	13.0	T11S R26E S11	NESE	31.0
T11S R26E S11	NWSE	32.0	T11S R26E S11	SWSE	31.0
T11S R26E S11	SESE	31.0	T11S R26E S12	NESW	33.0
T11S R26E S12	NWSW	31.0	T11S R26E S12	SWSW	32.0
T11S R26E S12	SESW	34.0			

478 ACRES TOTAL

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 98 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NOS. 43-2338B, 43-11132B, 43-12987, 43-12989, 43-13034 AND 43-13068 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 478.0 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 - License

RIGHT NO. 43-13034 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-12987
NAME AND ADDRESS: LYNN TAYLOR
1102 E HWY 81
DECLO ID 83323

LISA TAYLOR
1102 E HWY 81
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.760 CFS
376.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-12989 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 376 AF.

USE OF THIS RIGHT WITH RIGHT NO. 43-2338B, 43-11132B, 43-12986, 43-12989,
43-13034 AND 43-13068 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
6.75 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1,546.0
AF.

PRIORITY DATE: 12/17/1949

POINT OF
DIVERSION:

T11S R26E S11 SWSNW Within CASSIA County
T11S R26E S12 NWNWS Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.760 CFS 376.00 AFY

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

PLACE OF USE:

IRRIGATION Within CASSIA County

T11S R26E S11	NENE	31.0	T11S R26E S11	NWNE	31.0
T11S R26E S11	SWNE	33.0	T11S R26E S11	SENE	33.0
T11S R26E S11	NENW	36.0	T11S R26E S11	NWNW	14.0
T11S R26E S11	SWNW	4.0	T11S R26E S11	SENW	28.0
T11S R26E S11	NESW	13.0	T11S R26E S11	NESE	31.0
T11S R26E S11	NWSE	32.0	T11S R26E S11	SWSE	31.0
T11S R26E S11	SESE	31.0	T11S R26E S12	NESW	33.0
T11S R26E S12	NWSW	31.0	T11S R26E S12	SWSW	32.0
T11S R26E S12	SESW	34.0			

478 ACRES TOTAL

11/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 94 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-2338B, 43-11132B, 43-12986, 43-12989, 43-13034 AND 43-13068 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 478 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 - License

RIGHT NO. 43-12989 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

01/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-12989
NAME AND ADDRESS: LYNN TAYLOR
1102 E HWY 81
DECLO ID 83323

LISA TAYLOR
1250 E 11 N
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.440 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-12987 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 376 AF.

USE OF THIS RIGHT WITH RIGHT NO. 43-2338B, 43-11132B, 43-12986, 43-12987,
43-13034 AND 43-13068 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
6.75 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1,546.0
AF.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION:

T11S R26E S11 SWSWNE Within CASSIA County
T11S R26E S12 NWNWSW 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	0.440 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R26E S11	NENE	31.0	T11S R26E S11	NWNE	31.0
T11S R26E S11	SWNE	33.0	T11S R26E S11	SENE	33.0
T11S R26E S11	NENW	36.0	T11S R26E S11	NWNW	14.0
T11S R26E S11	SWNW	4.0	T11S R26E S11	SENW	28.0
T11S R26E S11	NESW	13.0	T11S R26E S11	NESE	31.0
T11S R26E S11	NWSE	32.0	T11S R26E S11	SWSE	31.0
T11S R26E S11	SESE	31.0	T11S R26E S12	NESW	33.0
T11S R26E S12	NWSW	31.0	T11S R26E S12	SWSW	32.0
T11S R26E S12	SESW	34.0			
478 ACRES TOTAL					

USE OF THIS RIGHT WITH RIGHT NO. 43-2338B, 43-11132B, 43-12986, 43-12987,
43-13034 AND 43-13068 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
478.0 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-12987 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

01/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-13034
NAME AND ADDRESS: LYNN TAYLOR
1102 E HWY 81
DECLO ID 83323

LISA TAYLOR
1250 E 11 N
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.450 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-12986 AND 43-13035 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 392 AF.

USE OF THIS RIGHT WITH RIGHT NO. 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989 AND 43-13068 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.75 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1,546.0 AF.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION:

T11S R26E S11 SWSWNE Within CASSIA County
T11S R26E S12 NWNWSW 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	0.450 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R26E S11	NENE	31.0	T11S R26E S11	NWNE	31.0
T11S R26E S11	SWNE	33.0	T11S R26E S11	SENE	33.0
T11S R26E S11	NENW	36.0	T11S R26E S11	NWNW	14.0
T11S R26E S11	SWNW	4.0	T11S R26E S11	SENW	28.0
T11S R26E S11	NESW	13.0	T11S R26E S11	NESE	31.0
T11S R26E S11	NWSE	32.0	T11S R26E S11	SWSE	31.0
T11S R26E S11	SESE	31.0	T11S R26E S12	NESW	33.0
T11S R26E S12	NWSW	31.0	T11S R26E S12	SWSW	32.0
T11S R26E S12	SESW	34.0			

478 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 32 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989 AND 43-13068 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 478.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-12986 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



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

January 25, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LYNN TAYLOR
LISA TAYLOR
1102 E HWY 81
DECLO ID 83323

RE: SRBA Claim(s) 43-2338B, 43-11132B, 43-12989, 43-12986,
43-12987, 43-13162, 43-13034

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Mark and Diane Baker

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69236

This is to certify that: LISA TAYLOR And/Or
LYNN TAYLOR
1102 E HWY 81
DECLO ID 83323
(208)654-2111

RECEIVED

NOV 07 2001

Department of Water Resources
Southern Region

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
1 43-2338B	AJC/License	12/17/1949	2.41 cfs	512.0 af	128.0	171.1	GROUND WATER
2 43-11132B	AJC/Beneficial Use	06/30/1985	0.60 cfs		43.0	171.4	GROUND WATER
3 43-12989	AJC/Beneficial Use	06/30/1985	0.44 cfs		31.0	125.0	GROUND WATER
4 43-12986	AJC/License	12/17/1949	1.83 cfs	392.0 af	98.0	130.0	GROUND WATER
5 43-12987	AJC/License	12/17/1949	1.76 cfs	376.0 af	94.0	125.0	GROUND WATER
6 43-13162	AJC/License	03/16/1963	0.82 cfs	284.8 af	71.2	71.2	GROUND WATER
7 43-13034	AJC/Beneficial Use	06/30/1985	0.45 cfs		32.0	130.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2338B	NO	NO	YES	NO	NO	NO
43-11132B	NO	NO	YES	NO	NO	NO
43-12989	NO	NO	YES	NO	NO	NO
43-12986	NO	NO	YES	NO	NO	NO
43-12987	NO	NO	YES	NO	NO	NO
43-13162	YES	NO	YES	YES	NO	NO
43-13034	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2338B	43-2338B	2.41 cfs	512.0 af	128.0	478.0		N/A	N/A	N/A	N/A
43-11132B	43-11132B	0.60 cfs		43.0	478.0		N/A	N/A	N/A	N/A
43-12989	43-12989	0.44 cfs		31.0	478.0		N/A	N/A	N/A	N/A
43-12986	43-12986	1.83 cfs	392.0 af	98.0	478.0		N/A	N/A	N/A	N/A
43-12987	43-12987	1.76 cfs	376.0 af	94.0	478.0		N/A	N/A	N/A	N/A
43-13162	43-13068	0.75 cfs	266.0 af	66.5	478.0	43-13067	0.07 cfs	18.8 af	N/A	4.7
43-13034	43-13034	0.45 cfs		32.0	478.0		N/A	N/A	N/A	N/A
TOTALS		6.75 cfs	1546.0 af	N/A	478.0		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69236

Detailed Water Right Description(s) attached

Dated this 5th day of November, 2001

J. Glen Saxton
Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2338B
As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-2338B is now described as follows.

Right Holder: LISA TAYLOR And/Or
 LYNN TAYLOR
 1102 E HWY 81
 DECLO ID 83323

Priority Date: 12/17/1949

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	2.41 CFS	512.0 AF
		2.41 CFS	512.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 11 Twp 11S Rge 26E CASSIA County

GROUND WATER NWNWSW Sec. 12 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 11	31.0	31.0	33.0	33.0	36.0	14.0	4.0	28.0	13.0				31.0	32.0	31.0	31.0	348.0
11S 26E 12									33.0	31.0	32.0	34.0					130.0

Total Acres: 478

CONDITIONS OF APPROVAL

- ✓1. Right 43-2338B is limited to the irrigation of 128.0 acres within the place of use described above in a single irrigation season.
- ✓2. Right 43-11132B is an expansion of Right 43-2338B pursuant to Section 42-1416B, Idaho Code.
- ✓3. Rights 43-2338B and 43-11132B when combined shall not exceed a total diversion rate of 2.41 cfs and a total annual maximum diversion volume of 512.0 af at the field headgate.
- ✓4. The total instantaneous diversion of water from all points of diversion under Rights 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989, 43-13034 and 43-13068 shall not exceed 6.75 cfs, nor total combined annual volume of 1,546.0 af, for the irrigation of 478.0 total acres.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

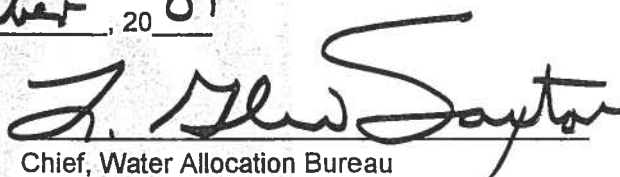
WATER RIGHT NO. 43-2338B
As Modified by Transfer No. 69236

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-11132B
As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-11132B is now described as follows.

Right Holder: LISA TAYLOR And/Or
 LYNN TAYLOR
 1102 E HWY 81
 DECLO ID 83323

Priority Date: 06/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.60 CFS	
			0.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 11 Twp 11S Rge 26E CASSIA County

GROUND WATER NWNWSW Sec. 12 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	11	31.0	31.0	33.0	33.0	36.0	14.0	4.0	28.0	13.0				31.0	32.0	31.0	31.0	348.0
11S	26E	12									33.0	31.0	32.0	34.0					130.0

Total Acres: 478

CONDITIONS OF APPROVAL

- ✓1. Right 43-11132B is limited to the irrigation of 43.0 acres within the place of use described above in a single irrigation season.
- ✓2. Right 43-11132B is an expansion of Right 43-2338B pursuant to Section 42-1416B, Idaho Code.
- ✓3. Rights 43-2338B and 43-11132B when combined shall not exceed a total diversion rate of 2.41 cfs and a total annual maximum diversion volume of 512.0 af at the field headgate.
- ✓4. The total instantaneous diversion of water from all points of diversion under Rights 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989, 43-13034 and 43-13068 shall not exceed 6.75 cfs, nor total combined annual volume of 1,546.0 af, for the irrigation of 478.0 total acres.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

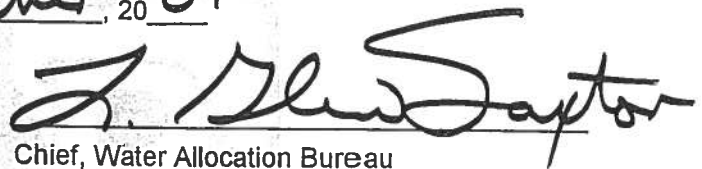
WATER RIGHT NO. 43-11132B
As Modified by Transfer No. 69236

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-12986
As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-12986 is now described as follows.

Right Holder: LISA TAYLOR And/Or
 LYNN TAYLOR
 1102 E HWY 81
 DECLO ID 83323

Priority Date: 12/17/1949

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.83 CFS	392.0 AF
			1.83 CFS	392.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 11 Twp 11S Rge 26E CASSIA County

GROUND WATER NWNWSW Sec. 12 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 11	31.0	31.0	33.0	33.0	36.0	14.0	4.0	28.0	13.0				31.0	32.0	31.0	31.0	348.0
11S 26E 12									33.0	31.0	32.0	34.0					130.0

Total Acres: 478

CONDITIONS OF APPROVAL

- ✓1. Right 43-12986 is limited to the irrigation of 98.0 acres within the place of use described above in a single irrigation season.
- ✓2. Right 43-13034 is an expansion of Right 43-12986 pursuant to Section 42-1416B, Idaho Code.
- ✓3. Rights 43-12986, 43-13034 and 43-13035 when combined shall not exceed a total diversion rate of 1.83 cfs and a total annual maximum diversion volume of 392.0 af at the field headgate.
- ✓4. The total instantaneous diversion of water from all points of diversion under Rights 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989, 43-13034 and 43-13068 shall not exceed 6.75 cfs, nor total combined annual volume of 1,546.0 af, for the irrigation of 478.0 total acres.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

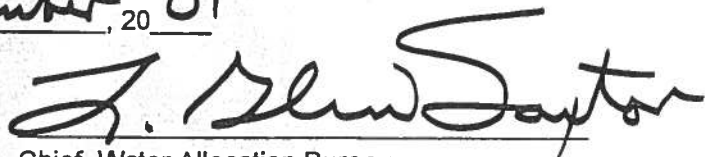
WATER RIGHT NO. 43-12986
As Modified by Transfer No. 69236

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-12987
As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-12987 is now described as follows.

Right Holder: LISA TAYLOR And/Or
 LYNN TAYLOR
 1102 E HWY 81
 DECLO ID 83323

Priority Date: 12/17/1949

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.76 CFS	376.0 AF
			1.76 CFS	376.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 11 Twp 11S Rge 26E CASSIA County

GROUND WATER NWNWSW Sec. 12 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals	
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
11S 26E 11	31.0	31.0	33.0	33.0	36.0	14.0	4.0	28.0	13.0					31.0	32.0	31.0	31.0	348.0
11S 26E 12									33.0	31.0	32.0	34.0						130.0

Total Acres: 478

CONDITIONS OF APPROVAL

- ✓1. Right 43-12987 is limited to the irrigation of 94.0 acres within the place of use described above in a single irrigation season.
- ✓2. Right 43-12989 is an expansion of Right 43-12987 pursuant to Section 42-1416B, Idaho Code.
- ✓3. Rights 43-12987 and 43-12989 when combined shall not exceed a total diversion rate of 1.76 cfs and a total annual maximum diversion volume of 376.0 af at the field headgate.
- ✓4. The total instantaneous diversion of water from all points of diversion under Rights 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989, 43-13034 and 43-13068 shall not exceed 6.75 cfs, nor total combined annual volume of 1,546.0 af, for the irrigation of 478.0 total acres.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

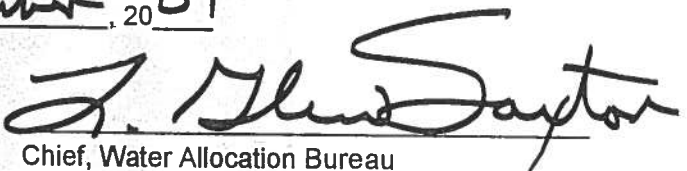
WATER RIGHT NO. 43-12987
As Modified by Transfer No. 69236

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-12989
As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-12989 is now described as follows.

Right Holder: LISA TAYLOR And/Or
 LYNN TAYLOR
 1102 E HWY 81
 DECLO ID 83323

Priority Date: 06/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.44 CFS	
			0.44 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 11 Twp 11S Rge 26E CASSIA County

GROUND WATER NWNWSW Sec. 12 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 11	31.0	31.0	33.0	33.0	36.0	14.0	4.0	28.0	13.0				31.0	32.0	31.0	31.0	348.0
11S 26E 12									33.0	31.0	32.0	34.0					130.0

Total Acres: 478

CONDITIONS OF APPROVAL

- ✓1. Right 43-12989 is limited to the irrigation of 31.0 acres within the place of use described above in a single irrigation season.
- ✓2. Right 43-12989 is an expansion of Right 43-12987 pursuant to Section 42-1416B, Idaho Code.
- ✓3. Rights 43-12987 and 43-12989 when combined shall not exceed a total diversion rate of 1.76 cfs and a total annual maximum diversion volume of 376.0 af at the field headgate.
- ✓4. The total instantaneous diversion of water from all points of diversion under Rights 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989, 43-13034 and 43-13068 shall not exceed 6.75 cfs, nor total combined annual volume of 1,546.0 af, for the irrigation of 478.0 total acres.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

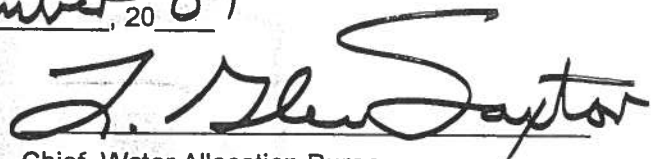
WATER RIGHT NO. 43-12989
As Modified by Transfer No. 69236

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13034
As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-13034 is now described as follows.

Right Holder: LISA TAYLOR And/Or
 LYNN TAYLOR
 1102 E HWY 81
 DECLO ID 83323

Priority Date: 06/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.45 CFS	
		0.45 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 11 Twp 11S Rge 26E CASSIA County

GROUND WATER NWNWSW Sec. 12 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 11	31.0	31.0	33.0	33.0	36.0	14.0	4.0	28.0	13.0				31.0	32.0	31.0	31.0	348.0
11S 26E 12									33.0	31.0	32.0	34.0					130.0

Total Acres: 478

CONDITIONS OF APPROVAL

- ✓1. Right 43-13034 is limited to the irrigation of 32.0 acres within the place of use described above in a single irrigation season.
- ✓2. Right 43-13034 is an expansion of Right 43-12986 pursuant to Section 42-1416B, Idaho Code.
- ✓3. Rights 43-12986, 43-13034 and 43-13035 when combined shall not exceed a total diversion rate of 1.83 cfs and a total annual maximum diversion volume of 392.0 af at the field headgate.
- ✓4. The total instantaneous diversion of water from all points of diversion under Rights 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989, 43-13034 and 43-13068 shall not exceed 6.75 cfs, nor total combined annual volume of 1,546.0 af, for the irrigation of 478.0 total acres.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

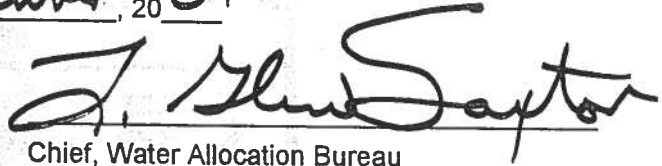
WATER RIGHT NO. 43-13034
As Modified by Transfer No. 69236

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13067

As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-13067 is now described as follows.

Right Holder: MARK BAKER And/Or
 DIANE BAKER
 2050 E 1000 S
 DECLO ID 83323-6000

Priority Date: 03/16/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.07 CFS	18.8 AF
			0.07 CFS	18.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 10 Twp 12S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 26E 10															4.7		4.7

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13068
As Modified by Transfer No. 69236

In accordance with the approval of Transfer No. 69236, Water Right No. 43-13068 is now described as follows.

Right Holder: LISA TAYLOR And/Or
 LYNN TAYLOR
 1102 E HWY 81
 DECLO ID 83323

Priority Date: 03/16/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.75 CFS	266.0 AF
			0.75 CFS	266.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 11 Twp 11S Rge 26E CASSIA County

GROUND WATER NWNWSW Sec. 12 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	11	31.0	31.0	33.0	33.0	36.0	14.0	4.0	28.0	13.0				31.0	32.0	31.0	31.0	348.0
11S	26E	12									33.0	31.0	32.0	34.0					130.0

Total Acres: 478

CONDITIONS OF APPROVAL

- Right 43-13068 is limited to the irrigation of 66.5 acres within the place of use described above in a single irrigation season.
- The total instantaneous diversion of water from all points of diversion under Rights 43-2338B, 43-11132B, 43-12986, 43-12987, 43-12989, 43-13034 and 43-13068 shall not exceed 6.75 cfs, nor total combined annual volume of 1,546.0 af, for the irrigation of 478.0 total acres.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WATER RIGHT NO. 43-13068
As Modified by Transfer No. 69236

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of November, 2001



Chief, Water Allocation Bureau

03/14/2001

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

RIGHT NUMBER: 43-12989

NAME AND ADDRESS: LISA TAYLOR
LYNN TAYLOR
1102 E HWY 81
DECLO, ID 83323

*chg address
per deed
43-12984*

SOURCE: GROUND WATER

QUANTITY: 0.44 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO. 43-12987 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 376 AF

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:	T11S R26E S11	SWSWNE	Within CASSIA County
	T11S R26E S12	NWNWSW	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	0.44 CFS
STOCKWATER	01-01 12-31	0.08 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County			
T11S R26E S11	NESE	33	T11S R26E S11 NWSE 32
T11S R26E S11	SWSE	30	T11S R26E S11 SESE 30
STOCKWATER Within CASSIA County			
T11S R26E S11	NESE		T11S R26E S11 NWSE
T11S R26E S11	SWSE		T11S R26E S11 SESE

125 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-12987 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 125 ACRES IN A SINGLE IRRIGATION SEASON

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

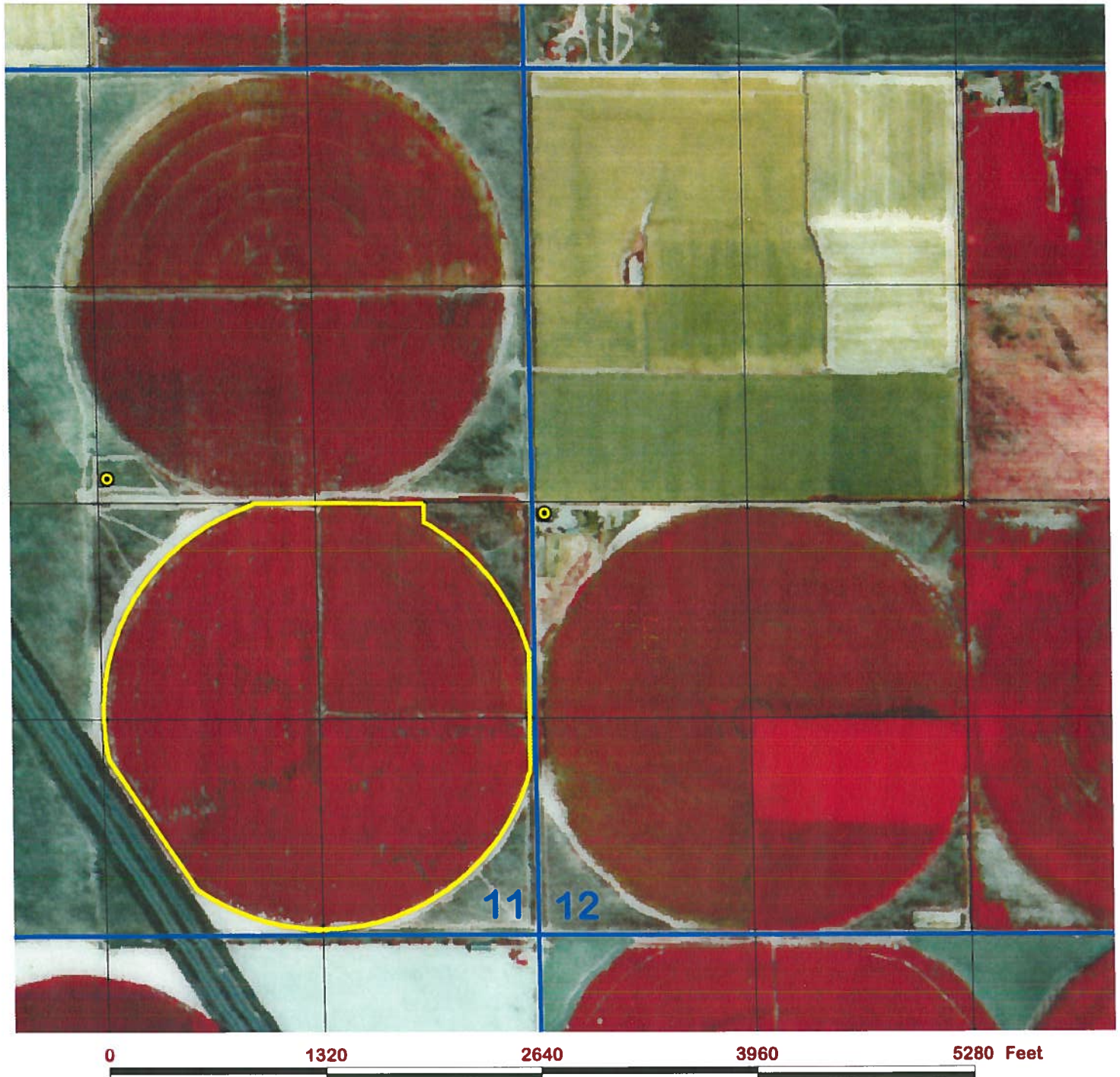
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-12987 PURSUANT TO SECTION 42-1416B, IDAHO CODE

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHTS: 43-12987, 43-12989

RECOMMENDED PLACE OF USE
TWP 11S, RNG 26E,
Data entry on March 14, 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

3-13-01

DPH

— Recommended —

mattheus - Taylor Split 1999 Deed

43-2338A & 43-11132A

255 ac PPU 3.59 cfs

mattheus

Taylor

$130 \text{ ac} / 255 \text{ ac} = .51$

$125 / 255 = .49$

43-2338A

mattheus

192 ac 3.59 cfs

TAYLOR

43-12986

768 af

43-12987

192 ac

98 ac

94 ac

3.59 cfs

1.83 cfs 392 af

1.76 cfs 376 af

768 af

43-11132A

63 ac & cfs
(.89 cfs)

mattheus

Taylor

43-12988

43-12989

63 ac

32 ac

31 ac

(.45 cfs)

Totals

(.44 cfs)

255 ac

130 ac

125 ac

3.59 cfs

1.83 cfs

1.76 cfs

mattheus Rights ($130 / 426 = .305$)

Taylor Rights ($296 / 426 = .695$)

43- 98 ac 1.83

43-2338B 128 ac 2.4

43- 32 ac &

43-11132B 43 ac &

43- 94 ac 1.7

43- 31 ac &

426 ac

130 ac

296 ac

6.0 cfs

1.83 cfs

4.17 cfs

3-13-01

— Recommended —

Matthews - Taylor Split 1998 Quad

43-2338 & 43-11132

426 PPU 6 cfs

Matthews



Taylor

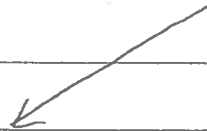
$$255 \text{ ac} / 426 \text{ ac} = .598$$

$$171 \text{ ac} / 426 \text{ ac} = .402$$

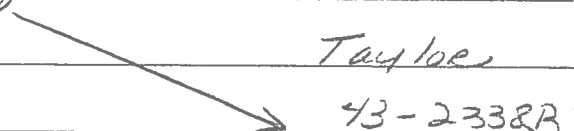
43-2338

320 ac 6 cfs

Matthews



Taylor



43-2338A

43-2338B

320 ac

192 ac

128 ac

6 cfs

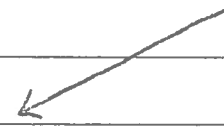
3.59 cfs

2.41 cfs

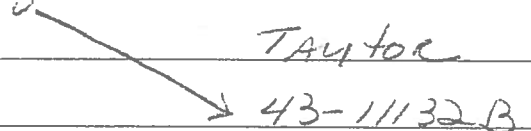
43-11132

106 ac 6 cfs

Matthews



Taylor



43-11132A

43-11132B

106 ac

63 ac

43 ac

6 cfs

6 cfs

6 cfs

Totals

426 ac

255 ac

171 ac

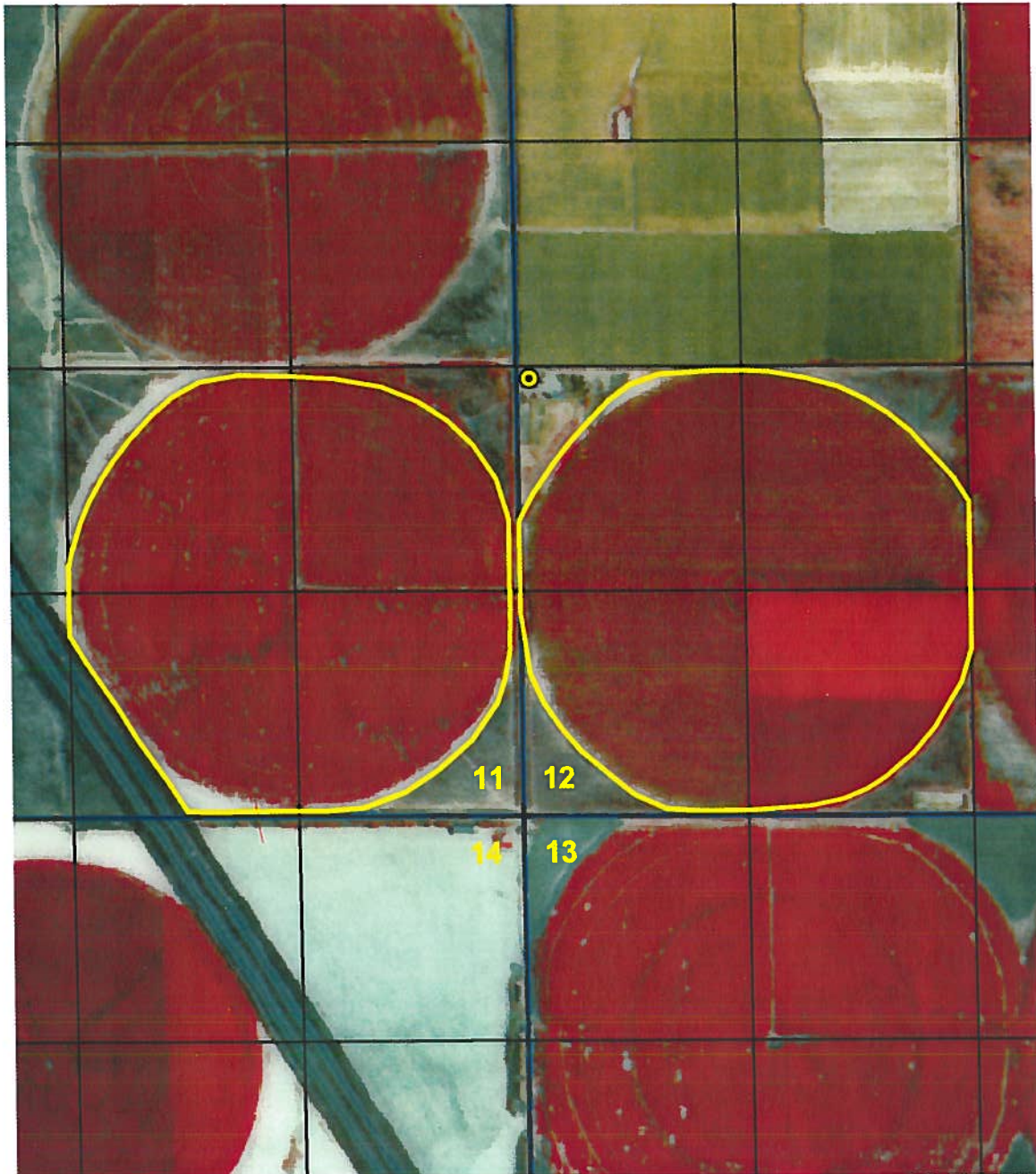
6 cfs

3.59 cfs

2.41 cfs

Idaho Department of Water Resources

43-02338A and 43-11132A



0 1320 2640 3960 Feet

POU PRIOR TO 1999 SPLIT
255 AC 3.59 CFS
TWP 11S, RNG 26E, SECTIONS 11 & 12



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

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

**ANALYSIS OF LICENSED AND EXPANSION ACRES
T11S, R26E SECTIONS 11 & 12, AND T11S, R27E, SECTION 7**

From: V. Hancock

3-14-2001

HISTORY

1949 Permit for License 43-2338 is issued. 1956 FE finds 320 acres irrigated in the S½ Section 12, POD well located in NWSE Section 12. 6cfs allowed. Licensee = G T Matthews

1953 Permit for license 43-2396 is issued. 1955 field exam finds 464 acres irrigated in N½ Section 7 and N½ NE & SENE Section 12. 6 cfs allowed. POD well in NWNE Sec 12. Licensee = H C Matthews

1967 H C Matthews is granted a DLE patent for the SWNE Sec 12. Transfer 894 adds this 40 acres to the licensed place of use making it 504 acres. No change in diversion amt. Div Rate = 0.012 per acre.

1960 Permit for license 43-2492 issued for 400 acres in the NE ¼ and N½ NW Sec 7 and the NW ¼ Section 8. Application stated that 160 inches were for new lands and 140 inches were supplemental to existing rights. Permit later amended to remove 160 acres in the NW¼ section 8 and add the E½ SW Section 7 making a total of 320 acres. FE in 1965 found 240 acres irrigated in the NE¼ and E½ NW Section 7 and allowed 3.83 cfs. The POU entirely overlapped license 43-2396, which was not mentioned. The supplemental right increased the diversion rate per acre to 0.026 cfs on the appurtenant 240 acres. POD well in NENW Sec 7. Licensee = estate of G.S. Matthews.

1968 Aerial photos show irrigation of the SE¼ Section 11 with no associated water right. Land is assumed to be owned by Matthews at this time.

1971 HC Matthews sells NE ¼ Sec 12 and N ½ Section 7 to Burton Anderson.

1975 Anderson applies for a transfer to add a point of diversion to 43-2396. He adds the well in NENW Section 7 that was licensed to 43-2492. Reason for the transfer states the land has been split by ownership and a point of diversion is needed on included lands.

1975 Anderson sells to Fridel the N½ Section 7 except the west 24 acres. This parcel includes 320 acres.

1976 Anderson sells to Matthews the NE¼ section 12 and 24 acres in the W½ W½ NW¼ Section 7 (portions of lots 1 and 2). This parcel includes 184 acres.

1980 Matthews installs two pivots in the S½ Section 12 and transfers the corner acres to the NE ¼ Section 11.

1987 Farm Credit forecloses on Fridel acquiring his property in the N½ Section 7.

1987 Claims are filed in the SRBA:

- Matthews files claim based upon 43-2338 on 264 acres in the S½ section 12 (the original licensed place of use) and 294 acres in the E½ section 11. (Total 558 ac). This would be an expansion of 238 acres over 1980 transfer 2382, all in the E½ section 11. 416 acres are paid for under this claim.
- Matthews files claim based upon 43-2492 on 344 acres in the E½ Section 12 asserting that the claim is based upon a contract agreement giving 3.83 cfs under license 43-2492 to him for use in Section 12. This claim overlaps 132 acres in the SE ¼ Sec 12 also claimed under 43-2338. 344 acres are paid for with this claim.
- Farm Credit files claim A43-2492A based upon license 43-2492 for 3.83 cfs on the original 240 acre place of use in Section 7.
- Farm Credit files claim based upon 43-2396 for 6 cfs on 344 acres in the N½ Section 7. It is later found that they have an ownership/security interest only on the 320 acres that had been owned by Fridel. A total of 344 acres are paid for by Farm Credit on the two claims.
- No claim is filed on lands irrigated in the SE ¼ Section 11.

1990 Heward purchases the Fridel land in N½ Section 7. Farm Credit holds security interest.

1995 Matthews transfers 132 acres of the POU of 43-2338 entirely off the SE¼ of section 12 onto various places in Section 11 including the SE¼. Remarks included in transfer #4490 state that this administrative action acknowledges changes in POU that occurred after 1980 transfer #2382 but were not recorded with IDWR. Overlapping POU of claim 43-2492 is addressed only indirectly by "pending Adjudication review". Expansion claim 43-11132 for 106 acres in conjunction with the transfer is filed at this time by Matthews.

1996 Matthews sells SE¼ and also the NE¼ Section 12 plus 24 acres of W½NW¼ Section 7 to Heward. Water right adjudication claim 43-2492 is referenced in both deeds conveying the individual parcels.

ANALYSIS

ANALYSIS

43-2492, 43-2492A & 43-2396A The contract agreement between Anderson, Matthews and Fridel that is referenced in claim 43-2492, and which pertains to the split of property originally covered by License 43-2396 and the overlapping license 43-2492, is not in our files. It appears that the agreement awards license 43-2492 to Matthews for use in Section 12 and on 24 acres in the W½ NW ¼ Section 7. It is supposed that license 43-2396 for 6 cfs was to be used on the remaining 320 acres in N½ Section 7.

Matthews SRBA claim 43-2492 is on 344 acres which includes the SE ¼ section 12 as an accomplished transfer. Any use of this right in the SE¼ of section 12 would be an un-stacking of overlapping licensed rights and would not be allowed by IDWR, despite the private contract agreement. If both licensed rights must stay within the original 504 acres, awarding the entire claim based on 43-2492 to either Farm Credit or Heward would unevenly distribute water on the place of use, therefore a portion of 43-2492 should be owned by Farm Credit, or a portion of 43-2396 should be owned by Heward.

A total of 504 acres were irrigated under the combined licenses 43-2492 and 43-2396, with a combined diversion rate of 9.83 cfs. It seems that the fair thing to do would be to combine the diversion rates of the two licenses, calculate the rate per acre on 504 acres (0.019 cfs) and divide by ownership. I believe this was the intent of the parties who split ownership of the property when Anderson sold to Matthews and Fridel.

$$9.83/504 \times 184 = 3.59 \text{ cfs} \quad 9.83/504 \times 320 = 6.24 \text{ cfs}$$

43-2492 represents 184 of the licensed acres and should be awarded to Heward with a diversion rate of 3.59 cfs. POD NWNE Sec 12.

43-2492A, filed by Farm Credit, would represent the remaining acres and diversion rate awarded under the original overlapping license. $240 - 184 = 56$ acres. $3.83 - 3.59 = 0.24$ cfs. Combined POU limits with 43-2396A would apply. POD NENW Sec 7.

43-2396A was also filed by Farm Credit for 6 cfs on 344 acres in the N½ Section 7. It has been determined that they only own 320 acres exempting the West 24 acres of the NW¼. Nevertheless, they have a valid claim on 320 acres based upon license 43-2396 for 6 cfs. Combined POU limits with 43-2492A apply. POD NENW Sec 7.

43-12990 Because it has been determined that 43-2338 was transferred from the SE¼ of Section 12 prior to the adjudication (see below), an expansion of license 43-2492 may be filed by Heward to

cover those acres irrigated by the well in the NE Section 12 in 1987, but not included in the recommendation for claim 43-2492. It appears that there are approximately 127 acres irrigated by pivot in the SE¼ Section 12. These acres were paid for by Matthews at claim filing. Expansion claim was filed by Heward for 130 acres on 3-15-01. **43-2338** Matthews' original claim included the licensed POU, which overlapped his SRBA claim 43-2492 on the SE¼ of Section 12. When he transferred the POU from the SE¼ section 12 to the SE¼ section 11 he stated that this represented a transfer that had been accomplished prior to 1987. It is possible that he was given direction at the time of claims filing to identify this right as licensed and not how it was currently being used, as when the claim was amended in 1994 remarks were added that the acres in SE Sec 12 were served by the well on claim 43-2492. This claim should be recommended as described in transfer 4490 which included 320 acres in sections 11 and 12. And pods in NWSW 12 and SWNW 11. Expansion claim **43-11132** was also filed in conjunction with transfer 4490 and included 106 acres, listing both pods described above. 43-2338 and 43-11132 should be recommended as filed which is a PPU of 426 acres.

SUBSEQUENT SPLITTING BY OWNERSHIP OF 43-2338 & 43-11132

1998 Warranty deed from Matthews to Taylor split both rights 43-2338 and 43-11132, which were included in a permissible place of use totaling 426 acres, into A (255 ac) and B (171 ac). This permissible place of use was created prior to the 1998 sale. It was noticed on the ASCS photo/map included with the change of ownership that a small pivot of around 65 acres was proposed, or had been installed, within the NE $\frac{1}{4}$ of Section 11. According to T4490 and expansion claim 43-11132, only 28 acres of the NW $\frac{1}{4}$ Sec 11 has a water right. There was no indication of a change in points of diversion from transfer 4490. Both wells in Section 11 and Section 12 remain connected (on paper) to portions A (Matthews) and B (Taylor).

1999 Warranty deed from Matthews to Taylor further splits Matthews A portions of 43-2338 and 43-11132. Matthews now retains only 130 acres in the SW $\frac{1}{4}$ Section 12 of the original 426 acres. A well agreement submitted with the change of ownership states that Matthews has an easement to access and withdraw water from the well located in the SWSWNE Section 11, which is now Taylor's property. The water withdrawn from this well is to be used upon property located in the SW $\frac{1}{4}$ of Section 12, and water rights 43-2338 and 43-11132 are referenced. According to a memo from Jim Stanton, it has been reported that the well located in the NWSW Section 12 has been capped and is no longer in use.

2001 It appears that if the place of use in the NW $\frac{1}{4}$ of Section 11 has changed, and if the well in NWSW Section has been abandoned, that transfers are required to make changes for both the Taylor and Matthews water rights. There is also some question as to whether there are acres being irrigated with no water right in Section 11 by Taylor.