

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13357

WATER RIGHT NUMBER: 43-13357

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALAN R ZOLLINGER 495 S 650 E BURLEY, ID 83318 (208)654-2440
Current Owner	J MAX JONES 2060 E 1000 S DECLO, ID 83323 (208) 645-3275
Original Owner	LARRY COOPER 227 W 20 S KNOX DR BURLEY, ID 83318 (208)678-8015
Current Owner	DIANE D JONES 2060 E 1000 S DECLO, ID 83323 (208) 645-3275
Original Owner	BARBARA JEAN COOPER 227 W 20 S KNOX DR BURLEY, ID 83318 (208)678-8015
Original Owner	JUDY R ZOLLINGER RT 3 BOX 3310 BURLEY, ID 83318 (208)654-2440

Priority Date: 08/07/1950

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.710 CFS	257.20 AF
	<u>Total Diversion:</u>	0.710 CFS	257.20 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 11, Twp 12S, Rge 26E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4NW1/4	Sec. 11, Twp 12S, Rge 26E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 11, Twp 12S, Rge 26E, B.M.
CASSIA County		

Place of UseIRRIGATION Within CASSIA County

T12S R26E S10	NESE 40.0	T12S R26E S10	SESE 35.0
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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 43-13357

Total Acres: 75

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Place of Use - Irrigation USE OF RIGHT NOS. 43-13357, 43-13359 AND 43-13361 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75 ACRES IN A SINGLE IRRIGATION SEASON.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 43-13359 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 64.3 ACRES IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 274.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-423B, 43-13357, 43-13358, 43-13359, 43-13360, 43-13361 AND 43-13362.
4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 257.2 AF. COMBINED RIGHT NOS.: 43-13357, 43-13359, & 43-13361.
5. Explanatory TWO POINTS OF DIVERSION LOCATED IN T12S, R26E, S11, SWSWSW.
6. Explanatory RIGHT NO. 43-13361 IS AN EXPANSION OF 43-13357 AND 43-13359 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
7. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 64.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. tfawcett 8/2/2004 owner change split

Comment: Claim flow rate was split according to percentages listed in warranty deed with Harper getting 75.5% and Jones retaining 24.5%. Volume and acre limits were calculated using the actual proportional split of 72.6% for Harper and 27.4% for Jones.

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 43-2353
Date Received: 5/31/1989
Receipt No: S007399
Received By:

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

1. Name of Claimant(s)

J MAX JONES
2060 E 1000S
DECLO ID USA 83323

Phone: (208) 645-3275

DIANE D JONES
2060 E 1000 S
DECLO ID USA 83323

Phone: (208) 645-3275

2. Date of Priority: 08/07/1950

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

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

5. Description of diverting works:

3 WELLS AND 3 PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.9	

7. Total Quantity Appropriated is:
2.9 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
12S	26E	3	NE	SE		IRRIGATION	34
			SE	SE		IRRIGATION	37
						Section Acres	71
12S	26E	10	NE	NE		IRRIGATION	34
			SE	NE		IRRIGATION	37
			NE	SE		IRRIGATION	38
			SE	SE		IRRIGATION	27
			NW	NE		IRRIGATION	28
						Section Acres	164
						Total Acres	235

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:

Ownership Change to Max & Diane Jones per Warranty Deed. Transfer needed to change place of use.

See remarks for additional conditions of approval.

7/13/2000 TF; OWNERSHIP CHANGED LOUGHMILLER RECLAMATION TO COOPER PER 1409(6) AND WARRANTY DEED RECD 5/30/2000.

15. Basis of Claim: License



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s): 43-2353, 43-2545, 43-13108, 43-13110, 43-13112

43-13114, 43-13354, & 43-13356

☐ Old Mailing Address:

☐ New Mailing Address:

J Max & Diane Jones

2060 E 1000 South

Declo, ID 83323

☐ New Telephone Number: (208) 645 - 3275

☐ Signature of Claimant(s):

J Max Jones

Diane Jones

Date:

2/23/2004

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 2/25/04 By: [Signature]

Further Action Needed:

Further Action Taken

Date: 2/25/04 By: [Signature]

Final Review and Data Entry

Date: 2/25/04 By: [Signature]

RECEIVED
FEB 25 2004
Department of Water Resources
Southern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 18, 2004

J MAX & DIANE JONES
2060 E 1000 S
DECLO ID 83323

RE: Cooper-Jones Ownership Change/Address Correction for SRBA Recommendations
43-2353, 43-2545, 43-13108, 43-13110, 43-13112, 43-13114, 43-13354, & 43-13356

Dear Mr. Jones,

I have been working on the ownership changes for the property you purchased from Larry Cooper. Be aware that some of the original rights needed to be split between you and Cooper which resulted in different water right numbers than those on the document you submitted. You still have a total of 8.17 cfs after the 1.65 cfs you sold to Harper and should be receiving copies of everything soon. The address on the original ownership change is outdated so please complete the enclosed Change of Address form and return it to our office so we can update the Department's records with the correct address.

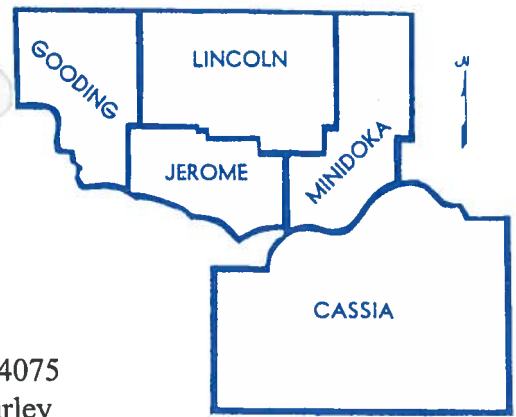
Feel free to call if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #34075
OFFICE: Burley

September 14, 2001

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

RECEIVED

SEP 17 2001

Department of Water Resources
Southern Region

Dear Ms. Roberts:

Enclosed with this letter please find the original executed Notice of Change In Water Right Ownership with supporting documents from Larry Cooper and Barbara Jean Cooper to J. Max Jones and Diane D. Jones.

Also enclosed in this envelope is the Notice of Change In Water Right Ownership between J. Max Jones and Diane D. Jones to Gary B. Harper and Susan Harper.

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

Very truly yours
Land Title and Escrow, Inc.

A handwritten signature in blue ink, appearing to read "Larry Roberts", is written over the typed name.

Larry Roberts
President and General Manager

LR/nrg
enc.

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

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5890

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

SEP 17 2001

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-2332			43-12953		X
43-2402			43-2353		
43-2478			43-2545		
43-10150A					
43-10150B		X			

43-13354

43-13356

The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former
Owner/Claimant(s)

Larry Cooper and Barbara Jean Cooper

New Owner/Claimant(s)

J. Max Jones and Diane D. Jones

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

19246 Kodiak Road

City, State and ZIP Code

Jameson, MO 64647

New Telephone Number

(660) 828-4042

Date you acquired the property

July 10, 2001

WARRANTY DEED
("Exchange Property")

RECEIVED

SEP 17 2001

Department of Water Resources
Southern Region

For Value Received, **Larry Cooper and Barbara Jean Cooper**, husband and wife, ("Grantors"), do hereby grant, bargain, sell and convey unto **J. Max Jones and Diane D. Jones**, ("Grantees"), whose address is:

J. Max Jones and Diane D. Jones
c/o Joseph Jones
2060 E. 1000 S.
Declo, ID 83323

the following described premises in Cassia County, Idaho, to-wit:

See legal description attached as Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. The Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises, that the premises are free from all encumbrances save and except that encumbrance more particularly identified below:

That certain mortgage dated May 18, 2000 and recorded in the records of Cassia County on May 23, 2000 as instrument no. 269403. Larry Cooper and Barbara Jean Cooper are the named mortgagors and D.L. Evans Bank is the named mortgagee. D.L. Evans Bank assigned its interest in the mortgage to U.S. Bank Trust National Association pursuant to that certain assignment, dated May 18, 2000 and recorded May 23, 2000 in the records of Cassia County as instrument no. 269404.

Furthermore, this conveyance shall be subject to all building and zoning laws and regulations, all easements, rights of way, covenants and restrictions, and any reservations of record, including but not limited to the following:

1. Any and all rights to sand and gravel, pursuant to the Royalty Agreement by and between Loughmiller Reclamation, LLC and Larry K. Cooper and Barbara Jean Cooper, dated February 16, 2000, as amended by an Amendment to the Royalty Agreement, dated July 12, 2001.
2. That certain mineral rights reservation that is more particularly described in Exhibit B.

Subject to the foregoing exceptions and limitations, Grantors covenant that they will forever warrant the title to said premises.

GRANTORS:

7-14-01
Dated

7-14-01
Dated

Larry Cooper
Larry Cooper

Barbara Jean Cooper
Barbara Jean Cooper

STATE OF IDAHO)
County of Cassia) :ss

On this 14th day of July, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **LARRY COOPER** and **BARBARA JEAN COOPER**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

[SEAL]

Larry Roberts
Notary Public
State of Idaho

[Signature]
NOTARY PUBLIC FOR IDAHO

Residing at Burley, ID

My Commission Expires: 8-30-03

Legal Description of property being exchanged

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3:

Parcel Number 1:

E $\frac{1}{2}$ SE $\frac{1}{4}$, LESS the following described parcel:

That portion deeded to the State of Idaho for a public highway.

Parcel Number 2:

Commencing at the Southeast corner of said Section 3; thence along the East line of said Section, North a distance of 1414.2 feet, more or less, to the True Point of Beginning, said point beginning 50.0 feet distance northeasterly, measured at right angles, from the centerline of the abandoned main track of the Raft River Branch of the Oregon Short Line Railroad Company, as formerly constructed and operated;

Thence along a straight line parallel with said centerline of abandoned main track, North 27°15' West a distance 750.0 feet, more or less, to the most easterly corner of the second described parcel of land conveyed by the Union Pacific Railroad Company to Martin F. Sanders by Quitclaim Deed dated May 5, 1949, UPRR Co. L.S.D.A. 1788;

Thence along the Southeast line of said parcel South 62°45' West a distance of 100.0 feet, to a point that is 50.0 feet distant Southwesterly, measured at right angles, from said centerline of abandoned main track;

Thence along a straight line parallel with said centerline of abandoned main track and the Southeasterly extension thereof, South 27°15' East a distance of 944.16 feet, more or less, to a point on the East line of said Section 3;

Thence along said East line of Section 3, North a distance of 218.4 feet to the True Point of Beginning.

Section 10:

E $\frac{1}{2}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

EXHIBIT

tabbles

A

Mineral Reservation contained in Deed recorded May 2, 1961 as Instrument No. 1447, which reads as follows: "Reserving, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including without limiting the generality of the foregoing, coal, oil, gas and sandstone or valuable rock deposits and rights thereto, together with the sole and exclusive and perpetual right, to explore for and remove and dispose of said minerals by any means or methods suitable, to Martin F. Sanders, his heirs and assigns, including the right of access to, and use of, such parts of said described lands upon and below the surface thereof as may be necessary and convenient for any purpose in connection with the exploration for, removal, storage, disposition and transportation of said minerals and the deposition of tailings and together also with the perpetual right to remove and subjacent support from the surface of sand lands, except such as is necessary for the support of permanent structures erected thereon, prior to the time such right is exercised, without thereby incurring any liability whatsoever for damages so caused." (Affects Parcel Nos.1, 3 and additional property not included herein)

276117

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY

RECORDER

FEE \$300 DEPUTY

[Signature]

01 JUL 16 PM 2 20

RECORDED AT THE REQUEST OF

LAND TITLE & ESCROW



WARRANTY DEED
("Sale Property")

For Value Received, **Larry Cooper** and **Barbara Jean Cooper**, husband and wife, ("Grantors"), do hereby grant, bargain, sell and convey unto **J. Max Jones** and **Diane D. Jones**, ("Grantees"), whose address is:

J. Max Jones and Diane D. Jones
c/o Joseph Jones
2060 E. 1000 S.
Declo, ID 83323

the following described premises in Cassia County, Idaho, to-wit:

See legal description attached as Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. The Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises, that the premises are free from all encumbrances save and except that encumbrance more particularly identified below:

That certain mortgage dated May 18, 2000 and recorded in the records of Cassia County on May 23, 2000 as instrument no. 269403. Larry Cooper and Barbara Jean Cooper are the named mortgagors and D.L. Evans Bank is the named mortgagee. D.L. Evans Bank assigned its interest in the mortgage to U.S. Bank Trust National Association pursuant to that certain assignment, dated May 18, 2000 and recorded May 23, 2000 in the records of Cassia County as instrument no. 269404.

Furthermore, this conveyance shall be subject to all building and zoning laws and regulations, all easements, rights of way, covenants and restrictions, and any reservations of record, including but not limited to the following:

1. Any and all rights to sand and gravel, pursuant to the Royalty Agreement by and between Loughmiller Reclamation, LLC and Larry K. Cooper and Barbara Jean Cooper, dated February 16, 2000, as amended by an Amendment to the Royalty Agreement, dated July 12, 2001.
2. That certain mineral rights reservation that is more particularly described in Exhibit B.

Subject to the foregoing exceptions and limitations, Grantors covenant that they will forever warrant the title to said premises.

GRANTORS:

7.14.01
Dated

7-14-01.
Dated

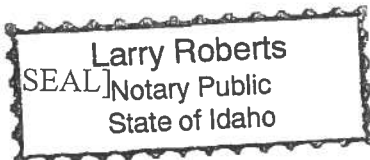
Larry Cooper
Larry Cooper

Barbara Jean Cooper
Barbara Jean Cooper

STATE OF IDAHO)
 :SS
County of Cassia)

On this 14th day of July, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **LARRY COOPER** and **BARBARA JEAN COOPER**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



[Signature]
NOTARY PUBLIC FOR IDAHO

Residing at Burley, ID

My Commission Expires: 6-30-03

Legal Description of property being sold

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 11: SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$

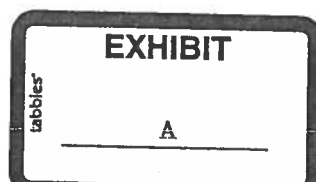
EXCEPTING THEREFROM, all that portion deeded to the State of Idaho
for highway purposes.

Section 10: SW $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 11: S $\frac{1}{2}$ N $\frac{1}{2}$, EXCEPT highway right-of-way.



276120

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY

RECORDER

FILED *22* DEPUTY *MR*

01 JUL 16 PM 2 24

RECORDED AT THE REQUEST OF

LAND TITLE & ESCROW

Mineral Reservation contained in Deed recorded May 2, 1961 as Instrument No. 1447, which reads as follows: "Reserving, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including without limiting the generality of the foregoing, coal, oil, gas and sandstone or valuable rock deposits and rights thereto, together with the sole and exclusive and perpetual right, to explore for and remove and dispose of said minerals by any means or methods suitable, to Martin F. Sanders, his heirs and assigns, including the right of access to, and use of, such parts of said described lands upon and below the surface thereof as may be necessary and convenient for any purpose in connection with the exploration for, removal, storage, disposition and transportation of said minerals and the deposition of tailings and together also with the perpetual right to remove and subjacent support from the surface of sand lands, except such as is necessary for the support of permanent structures erected thereon, prior to the time such right is exercised, without thereby incurring any liability whatsoever for damages so caused." (Affects Parcel Nos.1, 3 and additional property not included herein)

EXHIBIT

tabbles
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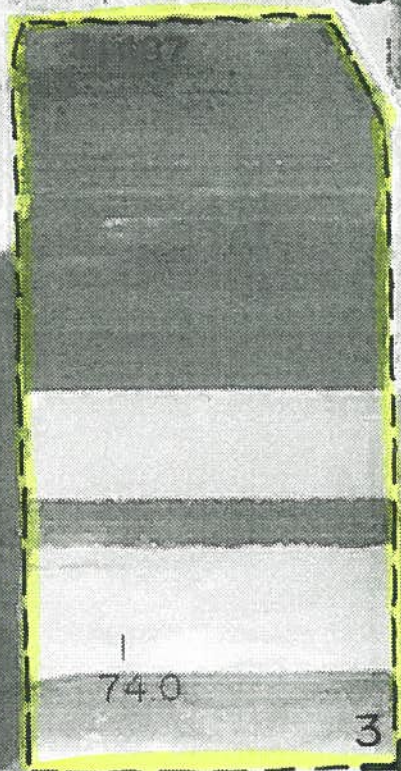
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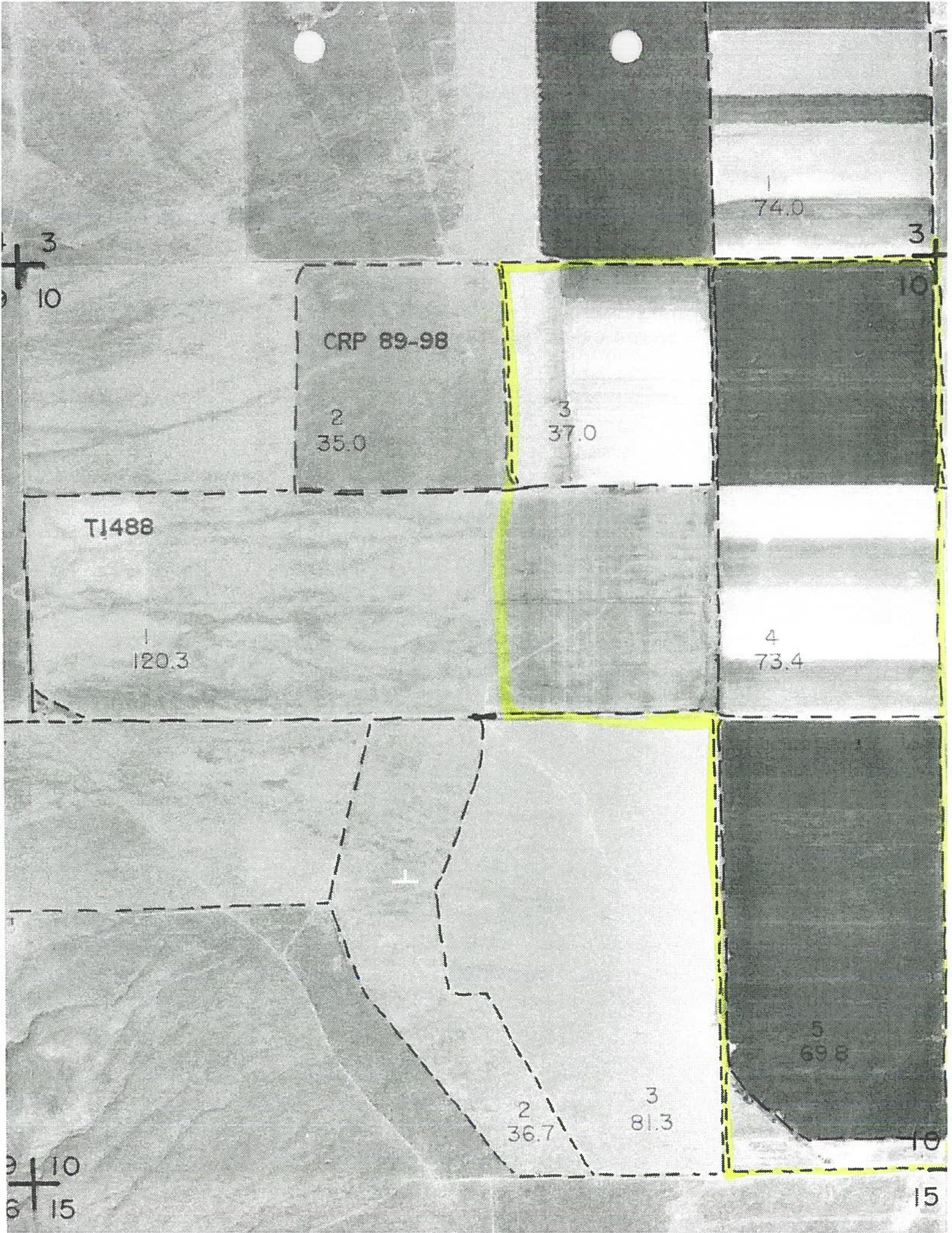
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CRP 89-98

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CRP 89-98

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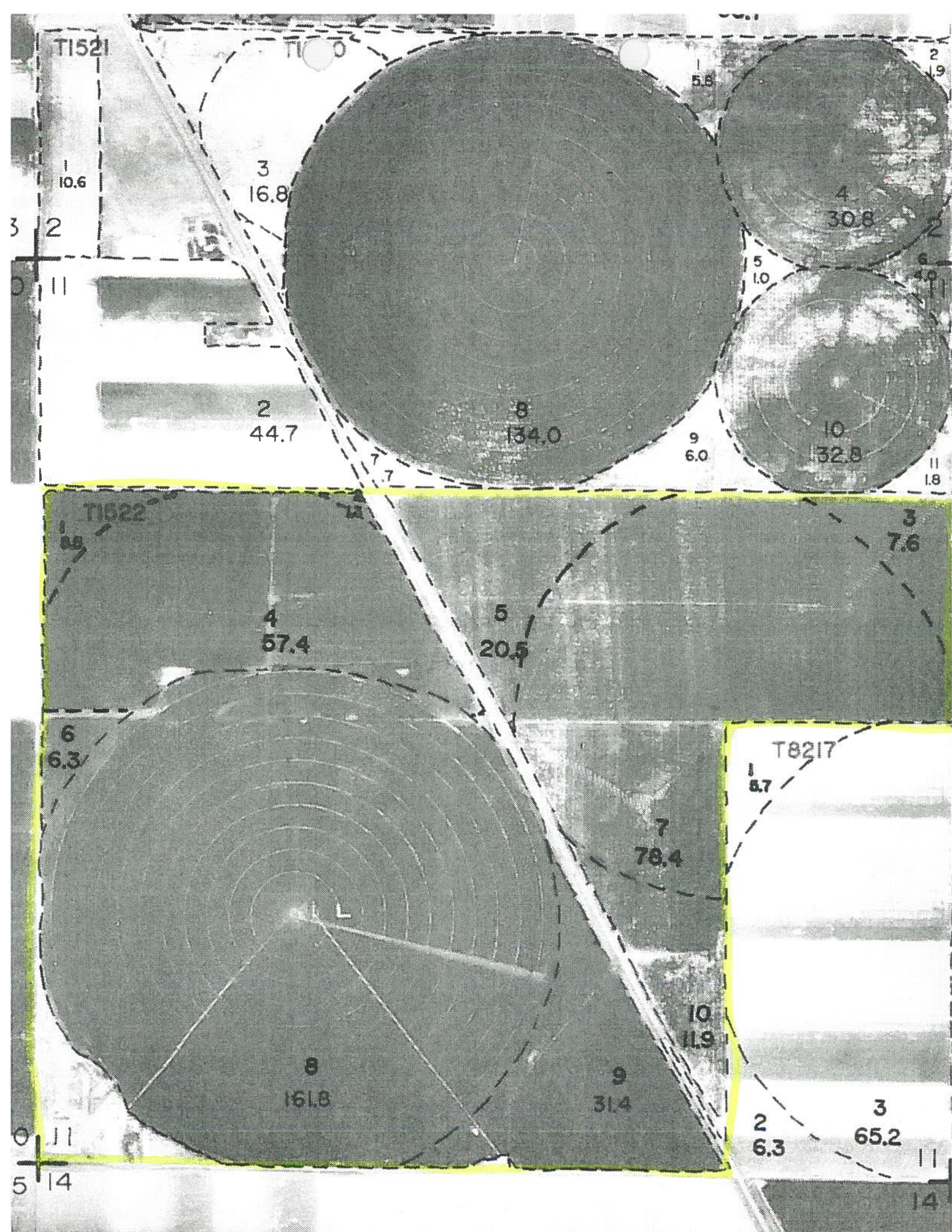
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 43-02353
Date Received: 5/31/89
Receipt No: S007399
Received By:

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

1. Name of Claimant(s)

Name: BARBARA JEAN COOPER Phone: (208) 678-8015
Address : 227 W 20 S KNOX DR
BURLEY ID USA 83318

AND

Name: LARRY COOPER Phone: (208) 678-8015
Address: 227 W 20 S KNOX DR
BURLEY ID USA 83318

2. Date of Priority: 08/07/1950

3. Source: Ground Water Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	26E	11	SW	SW	SW	0	CASSIA
12S	26E	11	SE	SE	NW	0	CASSIA

5. Description of diverting works:

3 WELLS AND 3 PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.9	0

7. Total Quantity Appropriated is:
2.9 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
12S	26E	3	NE SE		IRRIGATION	34
			SE SE		IRRIGATION	37
					Section Acres	71
12S	26E	10	NE NE		IRRIGATION	34
			SE NE		IRRIGATION	37
			NE SE		IRRIGATION	38
			SE SE		IRRIGATION	27
			NW NE		IRRIGATION	28
					Section Acres	164
					Total Acres	235

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:

See remarks for additional conditions of approval.
7/13/2000 TF; OWNERSHIP CHANGED LOUGHMILLER RECLAMATION TO COOPER PER 1409(6) AND
WARRANTY DEED REC'D 5/30/2000.

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

October 23, 2000

LARRY COOPER
227 W 20 S KNOX DR
BURLEY ID 83318

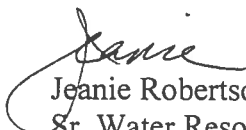
RE: Ownership Change on Adjudication Claims A43-00423A, A43-02332, A43-02402,
A43-02478, and A43-10150A & B

Dear Mr. Cooper,

Enclosed is an ownership change form and profile reports of the claims our records still show in the name of Allen Enterprises. Please complete the form and return it along with the required information as soon as possible.

I have also enclosed some maps and a copy of the 1987 aerial photo of the area. Please indicate on the large copy of the ASCS map, the irrigation system layout for the Bartschi Bros. Property. (I already talked to Scott Allen about his irrigation system when I was out there several years ago.) Now that you own both properties, I may have to reanalyze my initial recommendations for the claims, but I'm mainly interested in how and what was being irrigated in 1987, the commencement of the adjudication. Changes that have been made after that will need to be dealt with through our transfer process. Please call when you receive this information so we can go over it together.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent

MAY 30 2000

Department of Water Resources
Bozeman, Montana

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 Number(s) _____
 Adjudication Claim Number(s) A43-02353/ A43-02545 / A43-00423B

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 on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) LOUGHMILLER RECLAMATION, L.L.C.
3170 Hwy 93 Twin Falls, Id 83301

4. New Owner/Claimant(s) LARRY COOPER AND BARBARA JEAN COOPER
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 227 West 20 South, Knox Dr., Burley, Id 83318
 City, State and ZIP Code _____
 New Telephone Number (____) _____

5. Date you acquired the property 5/18/2000

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 actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 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/Claimant(s) Larry Cooper Date 5/18-00
Barbara Jean Cooper Date 5/18/2000

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

269400

RECEIVED

MAY 30 2000

Department of Water Resources
Bozeman, Montana

32384③

WARRANTY DEED

FOR VALUE RECEIVED, LOUGHMILLER RECLAMATION, L.L.C., hereinafter called "Grantor," hereby grants, bargains, sells and conveys unto LARRY COOPER and BARBARA JEAN COOPER, Husband and Wife, whose mailing address is 227 West 20 South Knox Dr. Burley, Idaho 83318, hereinafter called "Grantee," the following described premises, in Cassia County, Idaho, to wit:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

The conveyance of the property described herein, is subject to a reservation in favor of Loughmiller Reclamation, L.L.C. expressly reserving to Loughmiller Reclamation, L.L.C. any and all sand and gravel rights in and to said property subject to that certain Royalty Agreement dated February 16, 2000.

DATED this 18 day of May, 2000.

LOUGHMILLER RECLAMATION, L.L.C.

By William J. Loughmiller
Member

269400

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FEE 9.00 DEPUTY du

'00 MAY 23 PM 2:43
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

STATE OF IDAHO)
)ss.
COUNTY OF CASSIA)

On this 18TH day of MAY, 2000, before me, the undersigned, a Notary Public, personally appeared WILLIAM J. LOUGHMILLER known or identified to me to be (the manager, the managers, a member, the members) of LOUGHMILLER RECLAMATION, L.L.C. the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.



RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-12-2003

Barbara Ehle
Notary Public
Residing at: Burley, Id
My Commission Expires: 6/12/2003

EXHIBIT "A"

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3: E $\frac{1}{2}$ SE $\frac{1}{4}$, LESS the following described parcel:

Commencing at the Southeast corner of said Section 3; thence along the East line of said Section, North a distance of 1414.2 feet, more or less, to the True Point of Beginning, said point beginning 50.0 feet distance northeasterly, measured at right angles, from the centerline of the abandoned main track of the Raft River Branch of the Oregon Short Line Railroad Company, as formerly constructed and operated;

Thence along a straight line parallel with said centerline of abandoned main track, North 27°15' West a distance 750.0 feet, more or less, to the most easterly corner of the second described parcel of land conveyed by the Union Pacific Railroad Company to Martin F. Sanders by Quitclaim Deed dated May 5, 1949, UPRR Co. L.S.D.A. 1788;

Thence along the Southeast line of said parcel South 62°45' West a distance of 100.0 feet, to a point that is 50.0 feet distant Southwesterly, measured at right angles, from said centerline of abandoned main track;

Thence along a straight line parallel with said centerline of abandoned main track and the Southeasterly extension thereof, South 27°15' East a distance of 944.16 feet, more or less, to a point on the East line of said Section 3;

Thence along said East line of Section 3, North a distance of 218.4 feet to the True Point of Beginning.

Section 10: E $\frac{1}{2}$ E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 11: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of said Section 11;

Thence North 318.99 feet;

Thence South 89°08' East 299.07 feet;

Thence South 0°52' West 318.95 feet to a point;

Thence North 89°08' West for a distance of 294.25 feet to the Point of Beginning.



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

July 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LARRY COOPER
BARBARA JEAN COOPER
227 W 20 S KNOX DR
BURLEY ID 83318

RE: SRBA Claim(s) A43-02353, A43-02545, A43-00423B

Dear Mr. and Mrs. Cooper:

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

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A43-02353
Date Received: 5/31/1989
Receipt No: S007399
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LOUGHMILLER RECLAMATION LLC 208-733-5161
Address: 3170 HWY 93
TWIN FALLS ID 83301

2. Date of Priority: AUG 7, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
3 WELLS AND 3 PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.900		

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

8. Total consumptive use is 705.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	3	NE	SE		IRR	34.0
			SE	SE		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	71.0
		10	NE	NE	IRR	34.0
			NW	NE	IRR	28.0
			SE	NE	IRR	37.0
			NE	SE	IRR	38.0
			SE	SE	IRR	27.0
					Section Acres	164.0
					Total Acres	235.0

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:
43-02545, 43-00423

14. Remarks:

2 WELLS IN SWSWSW OF SEC 11

6/2/99 TF; OWNERSHIP CHANGED BARTSCHI BROS TO LOUGHMILLER
RECLAMATION PER 1409(6) AND WARRANTY DEED REC'D 5/24/99.

15. Basis of Claim: LICENSE

Water Right Number: 21642



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

June 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LOUGHMILLER RECLAMATION LLC
3170 HWY 93
TWIN FALLS ID 83301

RE: SRBA Claim(s) A43-00423B, A43-02353, A43-02545

Dear Claimants:

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

cc: Land Title & Escrow - Burley

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAY 24 1999

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 Number(s) _____
Adjudication Claim Number(s) A43-02353/ A43-02545/ A43-00423B
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Bartschi Brothers
Box 37, Malta, Idaho 83342
4. New Owner/Claimant(s) Loughmiller Reclamation, L.L.C.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 3170 Hwy. 93
City, State and ZIP Code Twin Falls, Idaho 83301
New Telephone Number (208) 733 - 5161
5. Date you acquired the property May 4, 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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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.
LOUGHMILLER RECLAMATION, L.L.C.
7. Signature of New Owner/Claimant(s) By William J. Loughmiller, President Date May 4, 1999
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

For Value Received

BARTSCHI BROTHERS, a general partnership

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

LOUGHMILLER RECLAMATION, L.L.C., an Idaho limited liability company

Address: 3170 Hwy.93
Twin Falls, Idaho 83301

Hereinafter called the Grantee, the following described premises situated in County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3: E $\frac{1}{2}$ SE $\frac{1}{4}$, LESS the following described parcel:

Commencing at the Southeast corner of said Section 3; thence along the East line of said Section, North a distance of 1414.2 feet, more or less, to the True Point of Beginning, said point beginning 50.0 feet distance northeasterly, measured at right angles, from the centerline of the abandoned main track of the Raft River Branch of the Oregon Short Line Railroad Company, as formerly constructed and operated;
Thence along a straight line parallel with said centerline of abandoned main track, North 27°15' West a distance 750.0 feet, more or less, to the most easterly corner of the second described parcel of land conveyed by the Union Pacific Railroad Company to Martin F. Sanders by Quitclaim Deed dated May 5, 1949, UPRR Co. L.S.D.A. 1788;
Thence along the Southeast line of said parcel South 62°45' West a distance of 100.0 feet, to a point that is 50.0 feet distant Southwesterly, measured at right angles, from said centerline of abandoned main track;
Thence along a straight line parallel with said centerline of abandoned main track and the Southeasterly extension thereof, South 27°15' East a distance of 944.16 feet, more or less, to a point on the East line of said Section 3;
Thence along said East line of Section 3, North a distance of 218.4 feet to the True Point of Beginning.

Section 10: E $\frac{1}{2}$ E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 11: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of said Section 11;
Thence North 318.99 feet;
Thence South 89°08' East 299.07 feet;
Thence South 0°52' West 318.95 feet to a point;
Thence North 89°08' West for a distance of 294.25 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited State of Idaho Water Adjudication Nos. A43-02353, A43-02545 and A43-00423B.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1999 and subsequent years.

Right of Way Deed State Highway, to the State of Idaho executed by Vern P. McEuen and B.W. McEuen, her husband, recorded October 17, 1933, as Instrument No. 110366, in Book 42 of Deeds on Page 549, records of Cassia County, Idaho.

Reserving all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including without limiting the generality of the foregoing, coal, oil, gas and sandstone or valuable rock deposits and rights thereto, together with the sole and exclusive and perpetual right, to explore for, and remove and dispose of said minerals by any means or methods suitable, to MARTIN F. SANDERS, his heirs and assigns, including the right of access to, and the use of, such parts of said described lands upon and below the surface thereof as may be necessary and convenient for any purpose in connection with the exploration for, removal, storage, disposition and transportation of said minerals and the deposition of tailings and together also with the perpetual right to remove and subjacent support from the surface of said lands, except such as is necessary for the support of permanent structures erected thereon, prior to the time such right is exercised, without thereby incurring any liability whatsoever for damages so caused, reserved in Deed recorded May 2, 1961 as Instrument No. 1447, records of Cassia County, Idaho.

Agreement to Purchase Power between Raft River Rural Electric Cooperative, Inc., an O.A. Power, dated May 3, 1956, and recorded September 12, 1958 as Instrument No. 198523 in Book 10 of Bills of Sale and Agreements on Pages 65 and 66 in the office of the Recorder of Cassia County, Idaho.

Well Agreement dated October 10, 1969 between Donald J. Cooper and Mary Jo Cooper, husband and wife, parties of the first part, and Larry K. Cooper and Barbara Jean Cooper, husband and wife, parties of the second part, recorded October 10, 1969 as Instrument No. 48265 on Film No. 62, in the office of the County Recorder of Cassia County, Idaho.

Easement Agreement dated October 10, 1969, between Donald J. Cooper and Mary Jo Cooper, husband and wife, parties of the first part, and Larry K. Cooper and Barbara Jean Cooper, husband and wife, parties of the second part, recorded October 10, 1969 as Instrument No. 48266 on Film No. 62 in the office of the Recorder of Cassia County, Idaho.

Effects of Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., as Seller and Allen Enterprises, A. LeRoy Allen, the Consumer, dated May 17, 1977 and recorded May 24, 1977 as Instrument No. 98825 on Film No. 109, records of Cassia County, Idaho.

Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., as Seller, and Alan Zollinger, Jacob Zollinger and Paul Zollinger, the Consumer, dated April 24, 1981 and recorded May 20, 1981 as Instrument No. 135153 on Film No. 142, records of Cassia County, Idaho.

Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., as Seller and Alan Zollinger, Jacob Zollinger, and Paul Zollinger, the Consumer, dated April 24, 1981 and recorded May 20, 1981 as Instrument No. 135154, on Film No. 142, records of Cassia County, Idaho.

Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., as Seller and Alan Zollinger, Jacob Zollinger, and Paul Zollinger, the Consumer, dated April 24, 1981 and recorded May 20, 1981 as Instrument No. 135155, on Film No. 142, records of Cassia County, Idaho.

Grant of Easement from Alan Zollinger and Judy Zollinger, husband and wife, as Grantors to Allen Enterprises, Inc., an Idaho Corporation, as Grantee, dated May 30, 1985 and recorded May 31, 1985 as Instrument No. 169842 on Film No. 173, records of Cassia County, Idaho.

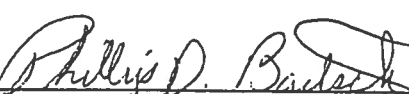
Easement Agreement between Alan Zollinger and Judy Zollinger, husband and wife, Grantor, and Southern Idaho Production Credit Association, a federally chartered corporation organized and existing under and by virtue of the provisions of the Farm Credit Act of the United States of America, Grantee, dated June 5, 1985 and recorded June 10, 1985 as Instrument No. 170129 on Film No. 173, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 4, 1999

BARTSCHI BROTHERS

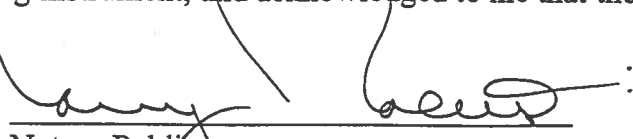
By: 
O. Duane Bartschi

By: 
Phillip D. Bartschi

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

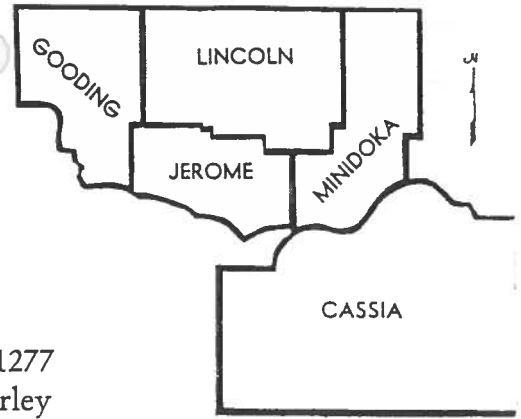
On this 17th day of May, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **O. DUANE BARTSCHI and PHILLIP D. BARTSCHI**, known or identified to me to be the partner or one of the partners in the Partnership of Bartschi Brothers, and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.

Larry Roberts
Notary Public
State of Idaho


Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #31277
OFFICE: Burley

May 21, 1999

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

RECEIVED

MAY 24 1999

Department of Water Resources
Southern Region

Re: Bartschi Brothers

Dear Trish:

Enclosed with this letter please find an original executed Notice of Change of Water Right Ownership on property located in Cassia County, a copy of the recorded Warranty Deed and an aerial photo.

Would you please make the necessary changes in your records to indicate the new owner as Loughmiller Reclamation, L.L.C. for future water assessments. Would you please send a receipted copy to this office.

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.

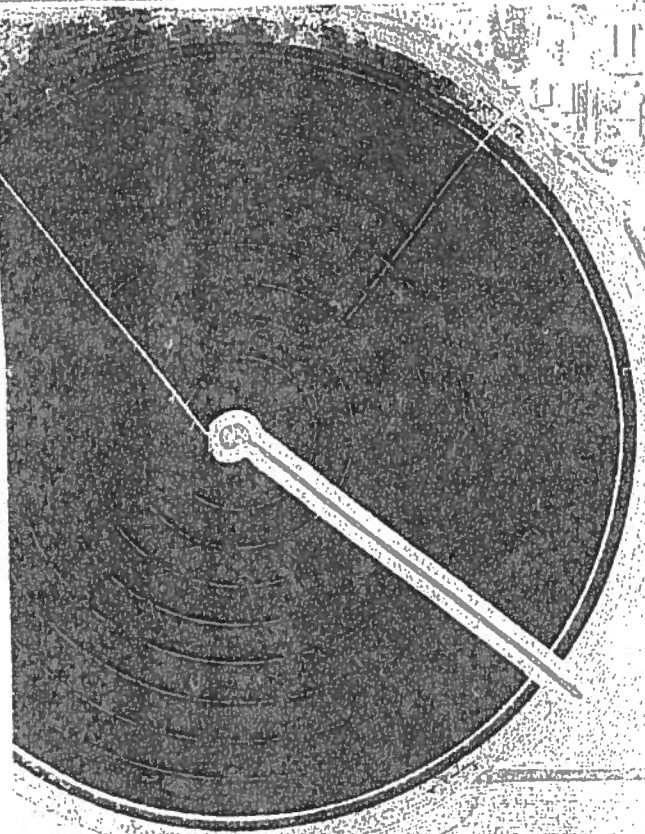
BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, 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

15 14



2 36.7
3 81.3

5 69.8

4 73.4

2 35.0

3 37.0

CRP 89.08

SEE MAP DD18

1 74.0
2 3

T1521

T1489

CC-18
S-3-18
T-12
R-26

1 72

2 3

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: A43-02353
Date Received: 5/31/1989
Receipt No: S007399
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BARTSCHI BROTHERS
Address: PO BOX 37
MALTA ID

208-645-2255

83342

2. Date of Priority: AUG 7, 1950

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
3 WELLS AND 3 PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.900		

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

A.F.A.

8. Total consumptive use is 705.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	3	NE	SE		IRR	34.0
			SE	SE		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	71.0
		10	NE	NE	IRR	34.0
			NW	NE	IRR	28.0
			SE	NE	IRR	37.0
			NE	SE	IRR	38.0
			SE	SE	IRR	27.0
					Section Acres	164.0
					Total Acres	235.0

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:
43-02545, 43-00423

14. Remarks:
2 WELLS IN SWSWSW OF SEC 11

15. Basis of Claim: LICENSE

Water Right Number: 21642

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

RECEIVED

FEB 17 1993

Department of Water Resources
Southern Region Office

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A43-00423 B, A43-02353, A43-02545
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): ALAN ZOLLINGER and JUDY ZOLLINGER
- ☐ New Owner/Claimant (Purchaser): BARTSCHI BROTHERS, a general partnership
- ☐ New Mailing Address: Box 37 Malta, Idaho 83342
- ☐ New Telephone Number: (208) 645-2255
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) x Phillip D. Bartschi Date 2/3/95
x Edmund Bartsch Date 2-3-95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

Claim Numbers of Split, if any:

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

19-Feb-1993 14:21

Bartschi Brothers
PO Box 37
Malta, ID 83342

RE: SRBA Claims A43-00423B, A43-02353 & A43-02545

Dear Claimant:

Pursuant to the notification that you presently own the property inwhich the above referenced adjudication claim are appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claims noting the change in claimant. Please review the record and if you have any corrections please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

Encl:

cc: Land Title & Escrow, Inc.
Alan & Judy Zollinger

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: A43-02353
Date Received: 5/31/1989
Receipt No: 5007399
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALAN R. ZOLLINGER 208-654-2440
Address: RT. 3, BOX 3310
BURLEY, ID 83318

AND/OR

Name: JUDY R. ZOLLINGER 208-654-2440
Address: RT. 3, BOX 3310
BURLEY, ID 83318

2. Date of Priority: AUG 07, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
3 WELLS AND 3 PUMPS TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.900		

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

8. Total consumptive use is 705.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	3	NE	SE		IRR	34.0
			SE	SE		IRR	37.0
						Section Acres	71.0
		10	NE	NE		IRR	34.0
			NW	NE		IRR	28.0
			SE	NE		IRR	37.0
			NE	SE		IRR	38.0
			SE	SE		IRR	27.0
						Section Acres	164.0
						Total Acres	235.0

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:
43-02545, 43-00423

14. Remarks:
2 WELLS IN SWSWSW OF SEC 11

15. Basis of Claim: LICENSE
Water Right Number: 21642

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: 0

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): Alan R. Zollinger Date: 5-31-89

Date: _____

State of Idaho)
County of TWIN FALLS) SS.

Subscribed and sworn (or affirmed) before me this 31ST day
of MAY 19 89

Jeff Peppersack
Notary Public

Seal

Residing at _____

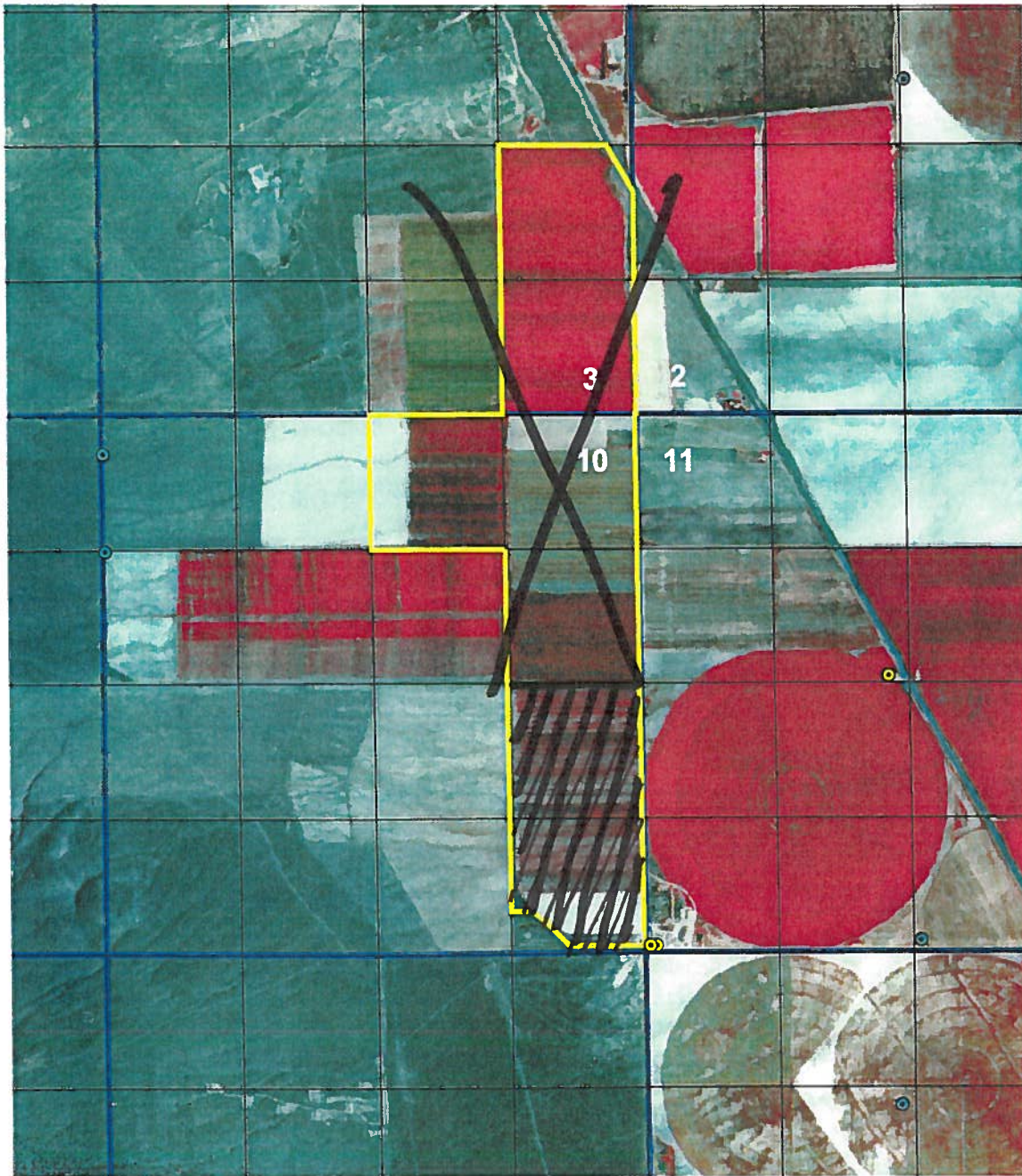
My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

Jones

Idaho Department of Water Resources

43-2353, 43-2545, & 43-13354
-13357, -13359 -13361



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 18, 2004
TWP 12S, RNG 26E, SEC. 3 & 10

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

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

02/18/2004

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

RIGHT NUMBER: 43-2353
NAME AND ADDRESS: J MAX JONES
2060 E 1000S
DECLO ID 83323

DIANE D JONES
2060 E 1000 S
DECLO ID 83323

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 2.900 CFS
940.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.37 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 940 AF. COMBINED RIGHT NOS.: 43-02353, 43-02545,
& 43-13354.

PRIORITY DATE: 08/07/1950

POINT OF DIVERSION:

T12S R26E S11 SESENW Within CASSIA County
T12S R26E S11 SWSWSW Within CASSIA County
T12S R26E S11 SWSWSW Within CASSIA County
TWO POINTS OF DIVERSION LOCATED IN T12S, R26E, S11.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.900 CFS 940.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T12S R26E S03	NESE	39.0	T12S R26E S03 SESE 40.0
T12S R26E S10	NENE	40.0	T12S R26E S10 NWNW 40.0
T12S R26E S10	SENE	40.0	T12S R26E S10 NESE 40.0
T12S R26E S10	SESE	35.0	

274 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-02545 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 274 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00423B, 43-02353, 43-02545, & 43-13354.

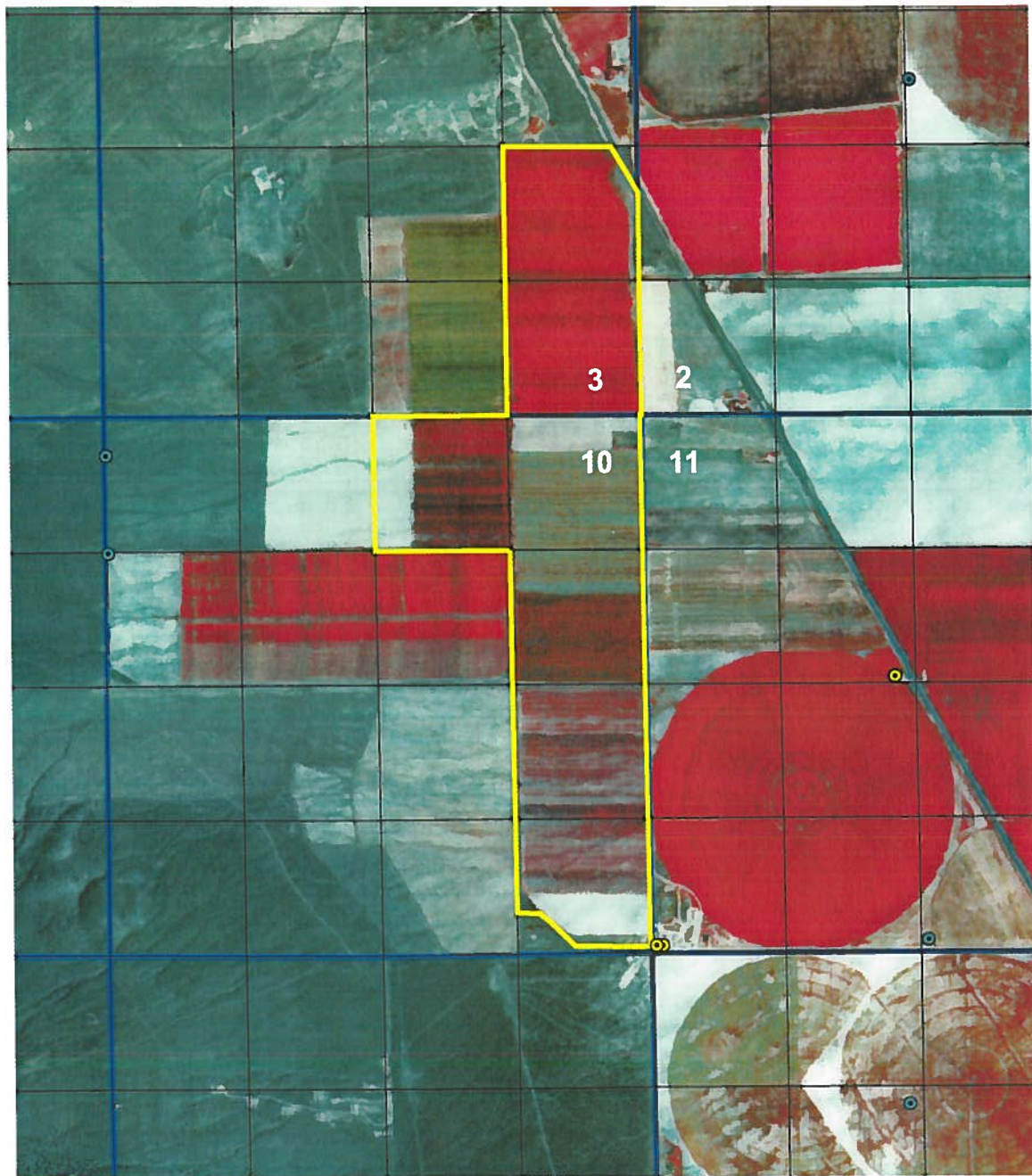
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License

RIGHT NO. 43-13354 IS AN EXPANSION OF 43-02353 & 43-02545
PURSUANT TO SECTION 42-1416B, IDAHO CODE.

43-2353, 43-2545, & 43-13354



0 1320 2640 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 18, 2004
TWP 12S, RNG 26E, SEC. 3 & 10

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2353 V2

WATER RIGHT NUMBER: 43-2353 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALAN R ZOLLINGER 495 S 650 E BURLEY, ID 83318 (208)654-2440
Current Owner	J MAX JONES 2060 E 1000S DECLO, ID 83323 (208) 645-3275
Original Owner	LARRY COOPER 227 W 20 S KNOX DR BURLEY, ID 83318
Current Owner	DIANE D JONES 2060 E 1000 S DECLO, ID 83323 (208) 645-3275
Original Owner	BARBARA JEAN COOPER 227 W 20 S KNOX DR BURLEY, ID 83318 (208)678-8015
Original Owner	JUDY R ZOLLINGER RT 3 BOX 3310 BURLEY, ID 83318 (208)654-2440

Priority Date: 08/07/1950

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.900 CFS	940.00 AF
	<u>Total Diversion:</u>	2.900 CFS	940.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 11, Twp 12S, Rge 26E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4NW1/4	Sec. 11, Twp 12S, Rge 26E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 11, Twp 12S, Rge 26E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec		NE		NW		SW		SE	
-----	-----	-----	--	----	--	----	--	----	--	----	--

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2353 V2

			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S 26E	3														39.0			40.0	79.0
12S 26E	10	40.0	40.0		40.0									40.0			35.0		195.0

Total Acres: 274

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 43-02545 IS LIMITED TO THE IRRIGATION OF A
- Irrigation COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON.
2. Place of Use USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
- Irrigation TOTAL OF 274 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
43-00423B, 43-02353, 43-02545, & 43-13354.

Comments:

1. jroberts 2/18/2004 V2 Rec

Comment: New recommendation was created after Cooper objected to all the rights he sold to Jones, until he could file a new claim for additional water (43-13321).

VERIFIED BY X 7/3/01

07/02/2001

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

RIGHT NUMBER: 43-2353

NAME AND ADDRESS: BARBARA JEAN COOPER
LARRY COOPER
227 W 20 S KNOX DR
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 2.9 CFS
940 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.37 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 940 AF. COMBINED RIGHT NOS.: 43-
02353, 43-02545, & 43-12953.

PRIORITY DATE: 08/07/1950

POINT OF DIVERSION:	T12S R26E S11	SESENW	Within CASSIA County
	T12S R26E S11	SWSWSW	Within CASSIA County
	T12S R26E S11	SWSWSW	Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T12S, R26E, S11.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.90 CFS 940.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R26E S10	NENE	40	T12S R26E S10	NWNE	40
T12S R26E S10	SENE	40	T12S R26E S10	NENW	32
T12S R26E S10	NESE	40	T12S R26E S10	SESE	35
T12S R26E S3	NESE	39	T12S R26E S3	SESE	40

306 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-02545 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 306 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-00423B, 43-02353, 43-02545, &
43-12953.

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

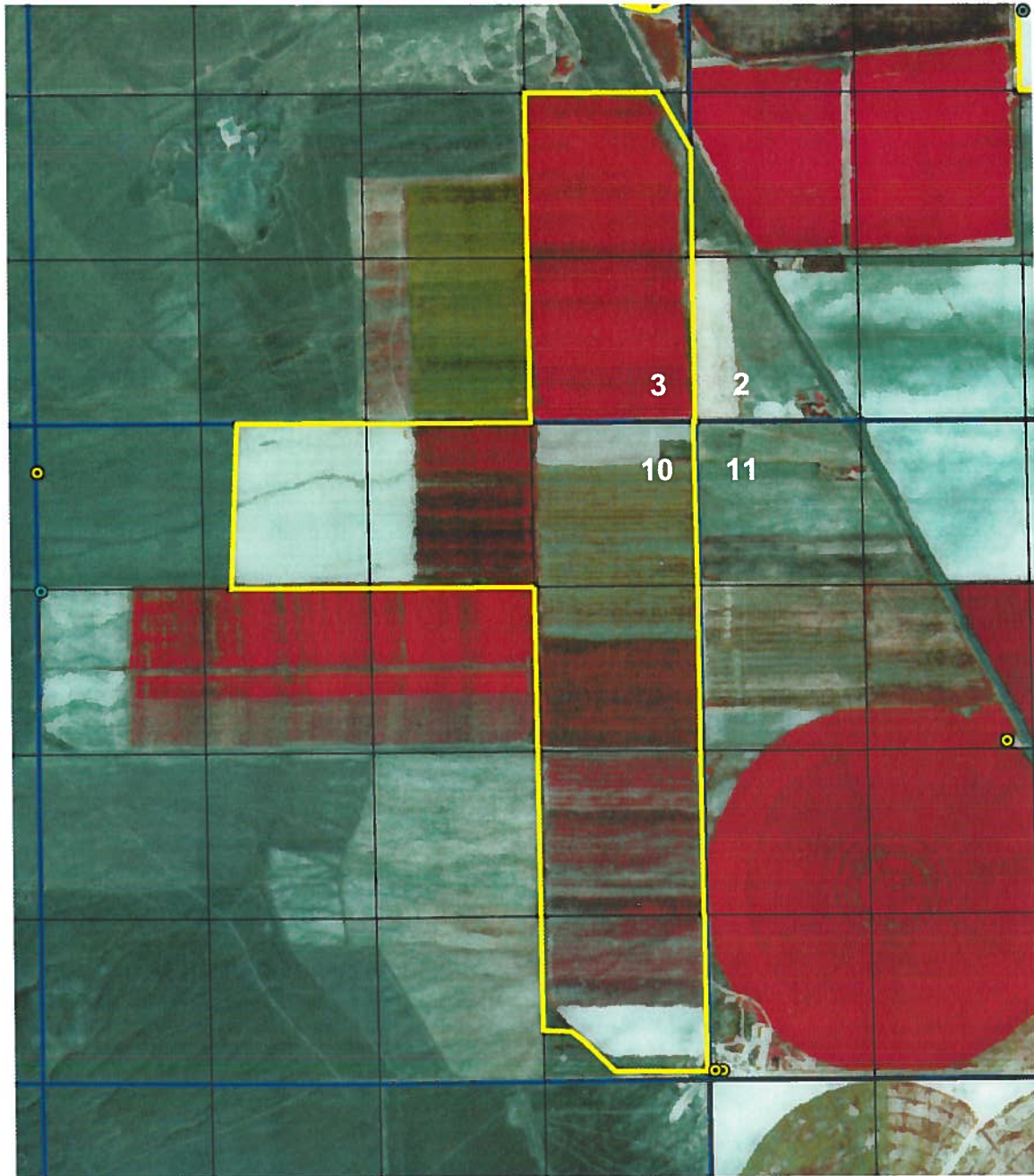
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE

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. 43-12953 IS AN EXPANSION OF 43-02353 & 43-02545
PURSUANT TO SECTION 42-1416B, IDAHO CODE.

43-00423B, 43-02353, 43-02545, & 43-12953



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 3, 2001
TWP 12S, RNG 26E, SEC. 3 & 10



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

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

VERIFIED BY *3/1/01*
03/01/2001

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

RIGHT NUMBER: 43-2353
NAME AND ADDRESS: BARBARA JEAN COOPER
LARRY COOPER
227 W 20 S KNOX DR
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 2.9 CFS
940 AFY

~~WHEN COMBINED THE FOLLOWING RIGHT NOS. SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.: 43-00423B 43-02353, 43-02545, & 43-12953.~~

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.37 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 940 AF. COMBINED RIGHT NOS.: 43-02353, 43-02545, & 43-12953.

PRIORITY DATE: 08/07/1950

POINT OF DIVERSION:	T12S R26E S11	SESENW	Within CASSIA County
	T12S R26E S11	SWSWSW	Within CASSIA County
	T12S R26E S11	SWSWSW	Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T12S, R26E, S11.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	2.90 CFS 940.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T12S R26E S10	NENE	40	T12S R26E S10	NWNE	40
T12S R26E S10	SENE	40	T12S R26E S10	NENW	40
T12S R26E S10	NWNW	30	T12S R26E S10	NESE	40
T12S R26E S10	SESE	35	T12S R26E S3	NESE	39
T12S R26E S3	SESE	40			

306
~~344~~ ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-02545 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON.

306
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 344 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00423B, 43-02353, 43-02545, & 43-12953.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 274 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02353, 43-02545, & 43-12953.~~

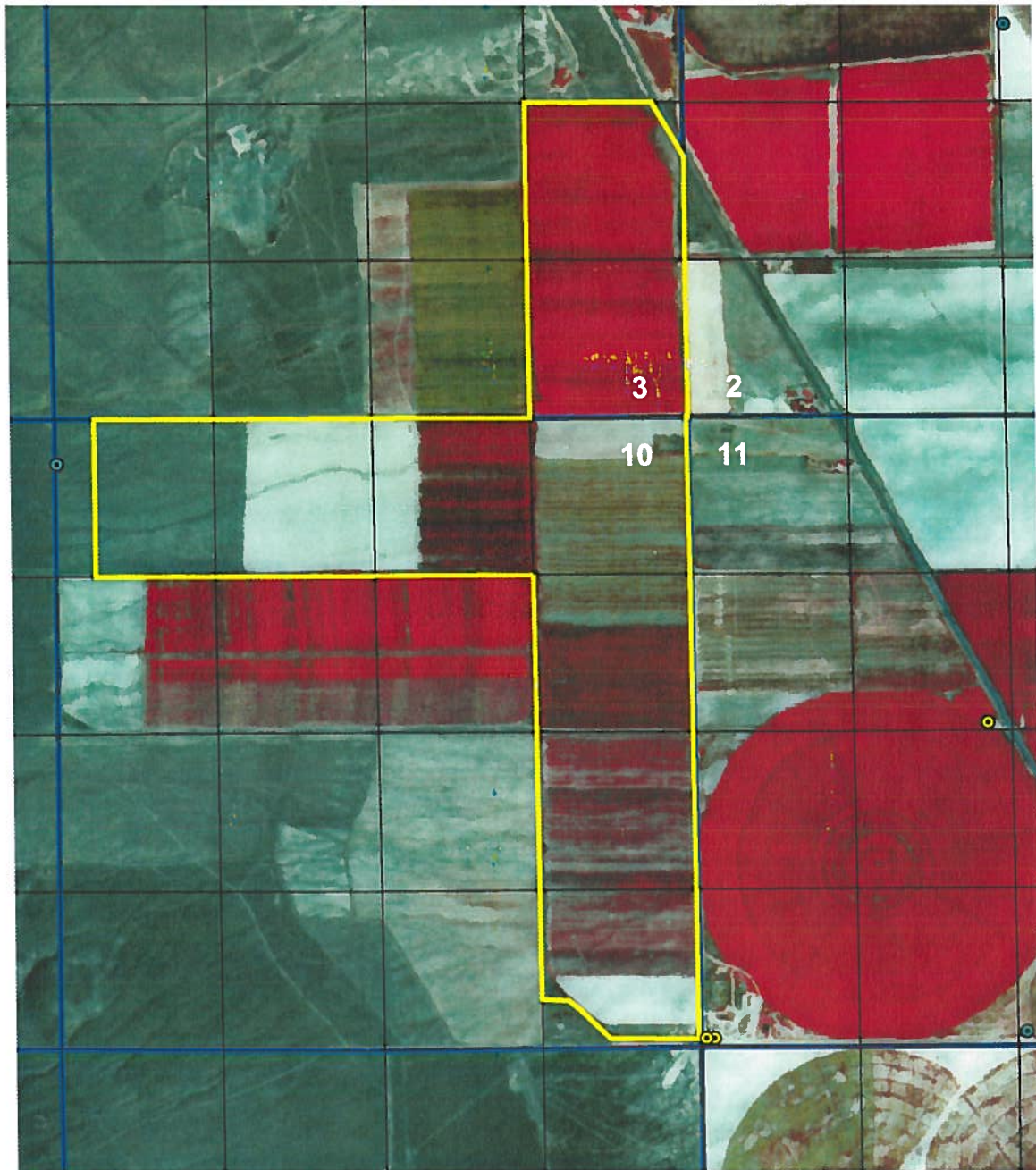
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 43-12953 IS AN EXPANSION OF 43-02353 & 43-02545 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

43-00423B, 43-02353, 43-02545, & 43-12953



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR. 2, 2001
TWP 12S, RNG 26E, SEC. 3 & 10



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

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

* needed $\rightarrow$

GIS = 344 Ac.
LIC = 235
EXP = 39 Ac. } 274

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
GIS	12S	26E	3													39			40
02353																34			37
02545																34			37
00423B																34			37
12953																-5			-3

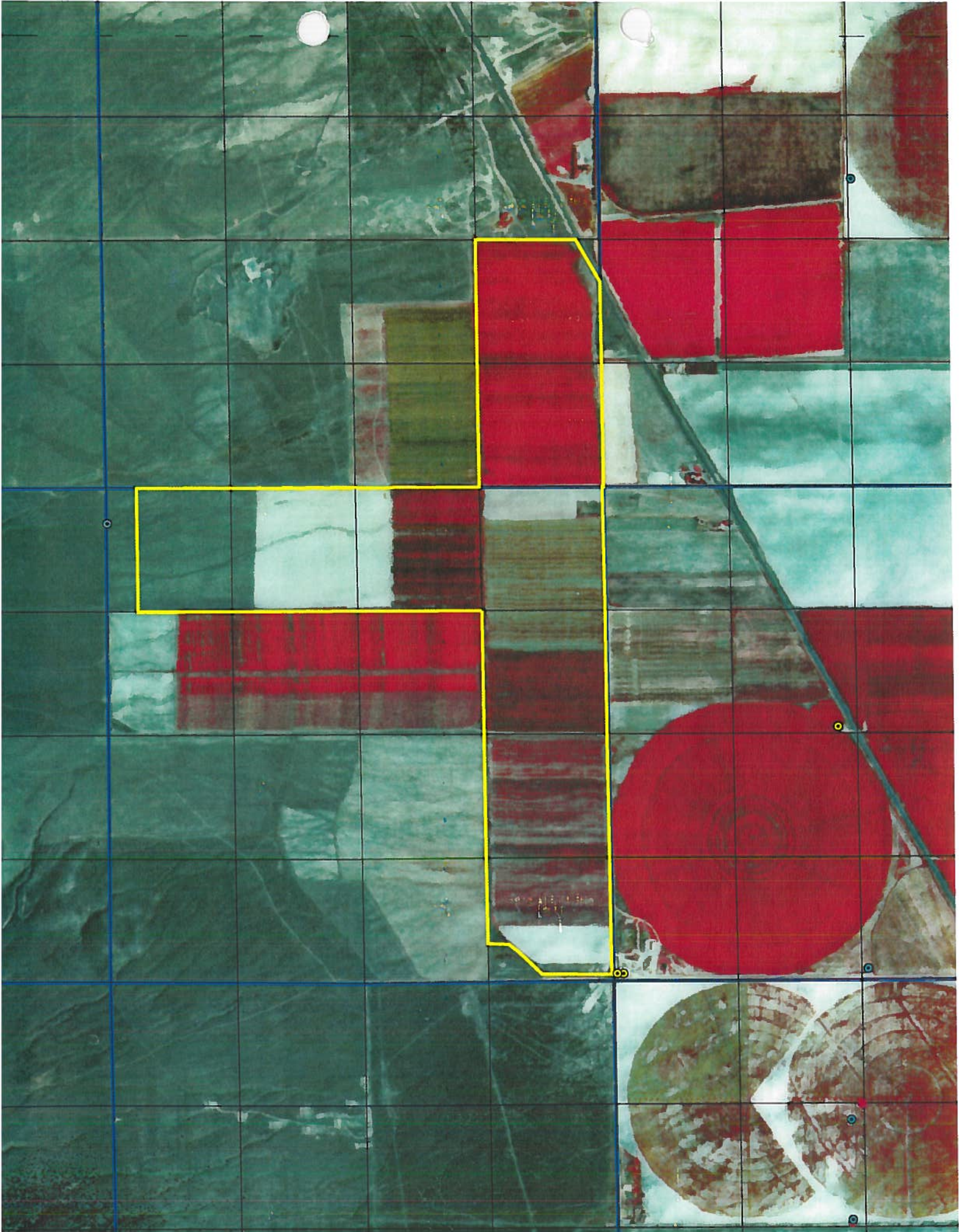
RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
515	125	26E	10	40	40		40	40	30							40			35	265
02353				34	28		37									38			27	164
22545				34	28		37									38			27	164
00423B				34	40		37	40	30							38			27	246
12953				-6	-12		-3									-2			-8	-31

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

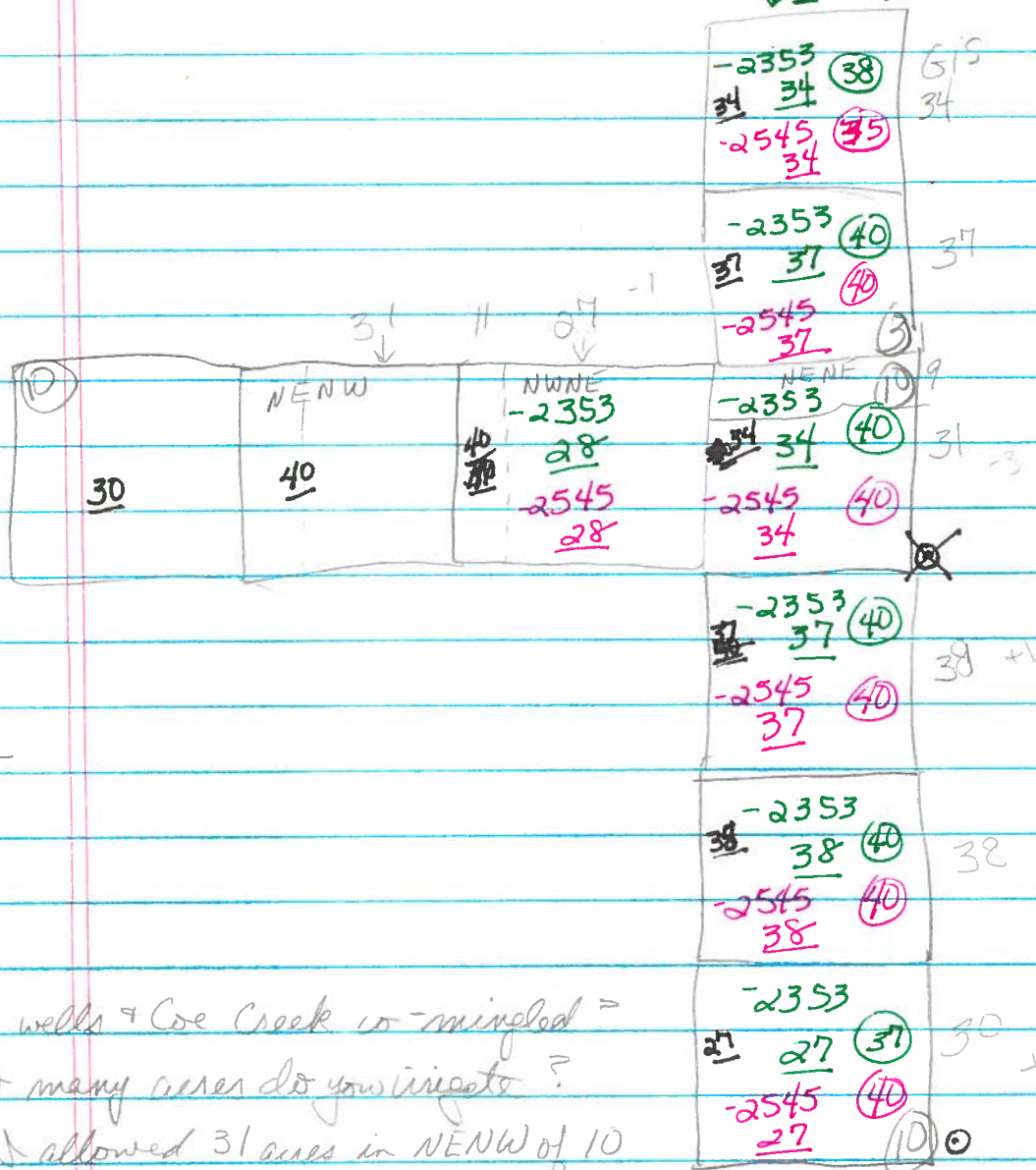
\$90⁰⁰ filing fee
+ 29⁰⁰ acre fee

$\$50^{02}$ filing fee
 $+ 39^{02}$ a/c fee
 $\$89^{02}$

[illegible]



claimed
claimed
orig. lic.
if. lic.
 (transfer in 1982 moved to as claimed) #2526



2353 -

- are wells & Coe Creek co-mingled?
- how many acres do you irrigate?
- if ↓ allowed 31 acres in NENW of 10 under Coe Cr. & 11 acres in NWNE plus 9 acres in, that would require an expansion claim for 51 acres

Ae. = 235 lic
 = 51 app.
 = 286 total

ASCS shows app. 289?



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 2001

LARRY COOPER
227 W 20 S KNOX DR
BURLEY ID 83318

RE: A43-02353, & A43-02545

Dear Mr. Cooper,

I have been trying to complete my review of these claims, which were formerly the Bartschi Brothers Property. It appears that approximately 294 acres were irrigated in the 1987 photo, of which I have enclosed a copy for your review. The two groundwater-licensed rights cover 235 acres. Any additional acres must be claimed in an expansion claim per Idaho Code 42-1416b. These claims are viewed as having expanded the groundwater onto additional acres after the area was declared a Critical Groundwater Management Area on July 23, 1963. All such claims have the priority date of 6/30/1985 with no additional diversion rate or volume associated with them. If you agree that you are irrigating more than the 235 acres in this area, please give me a call as soon as possible so I can prepare an expansion claim. There will be a \$50.00 filing fee plus \$1.00 per additional acre. (I'm curious about the acres in the NWSE and SWSE of Section 3, the qq's with a ? in them. Are they also irrigated? If so, they would need to be included in this expansion claim.

Please call soon so we can determine the totals. We are scheduled to be mailing our Preliminary Director's Reports for the area very soon. If we can't get this done before then, we can always do it after through the Notice of Error process.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

7123, R26E, Sections 3 & 10

not in
decided
pool

③
④⑩

NENW
32

NWNE
40

NENE
39

③ ②
⑩ ⑥

Total = 294 Ac.

⑩

NESE
35

SESE
38

SENE
40

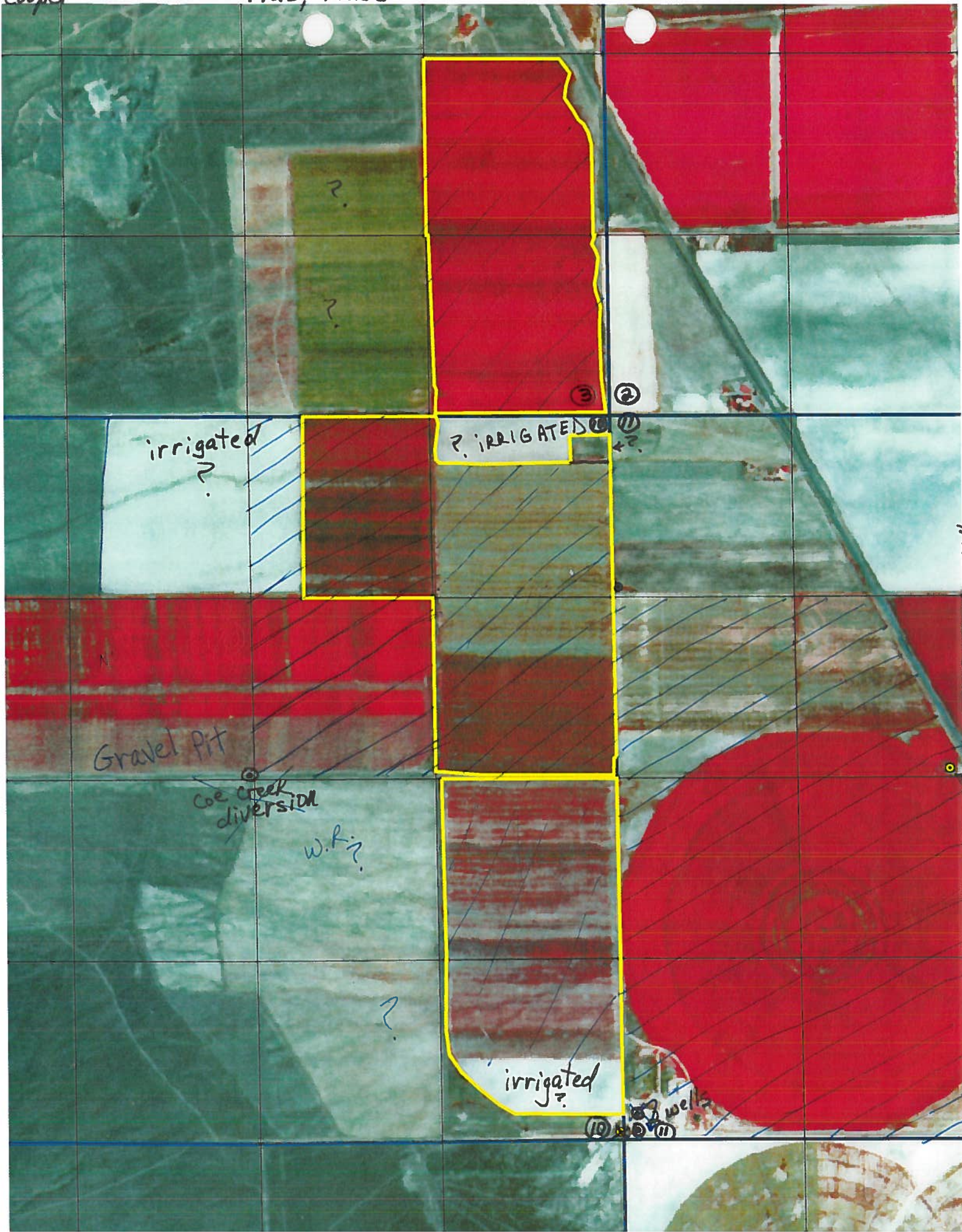
NESE
39

SESE
31

⑩ ⑩ ⑩

Cooper

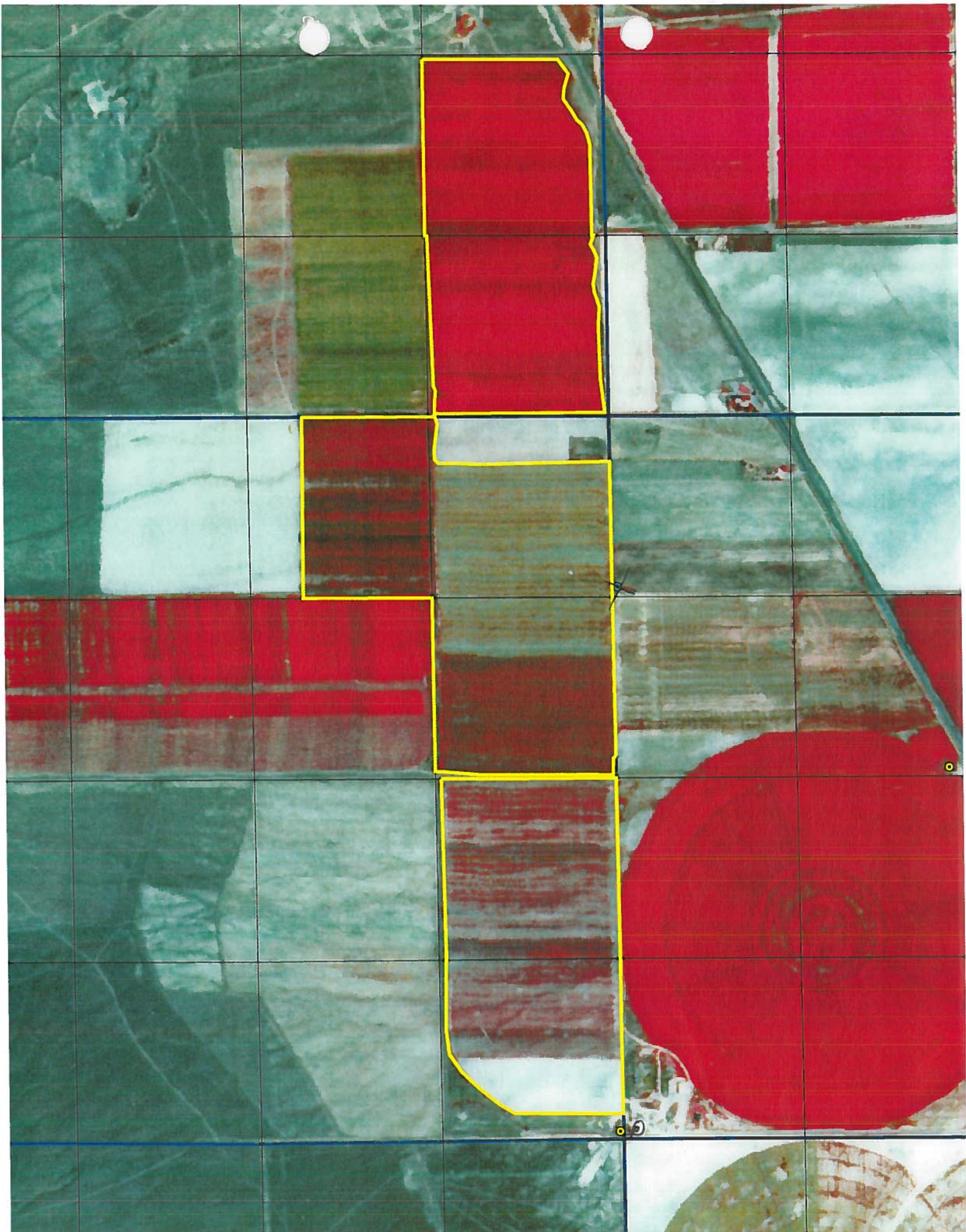
T12S, R26E



Cooper

T123, R26E





COOPER EQUIPMENT INC.

227 WEST 20 SOUTH KNOX DR.

BURLEY ID 83318

(208) 678-8015 FAX (208) 678-0169

We Cube the World



Cooper Equipment, Inc.

NEW!! E-MAIL

CUBEEASY@PMT.ORG FOR COOPER EQUIPMENT INC.
LKCOOPER@PMT.ORG FOR LARRY COOPER

FACSIMILE TRANSMITTAL SHEET

TO:

Jeanie Hobertson

FROM:

Larry

COMPANY:

Dept of Water Resources

DATE:

10/24

FAX NUMBER:

208-736-3037

TOTAL NO. OF PAGES INCLUDING COVER:

2

PHONE NUMBER:

736-3033

SENDER'S REFERENCE NUMBER:

RE:

YOUR REFERENCE NUMBER:

☐ URGENT☐ FOR REVIEW☐ PLEASE COMMENT☐ PLEASE REPLY☐ PLEASE RECYCLE

NOTES/COMMENTS:

Cio per

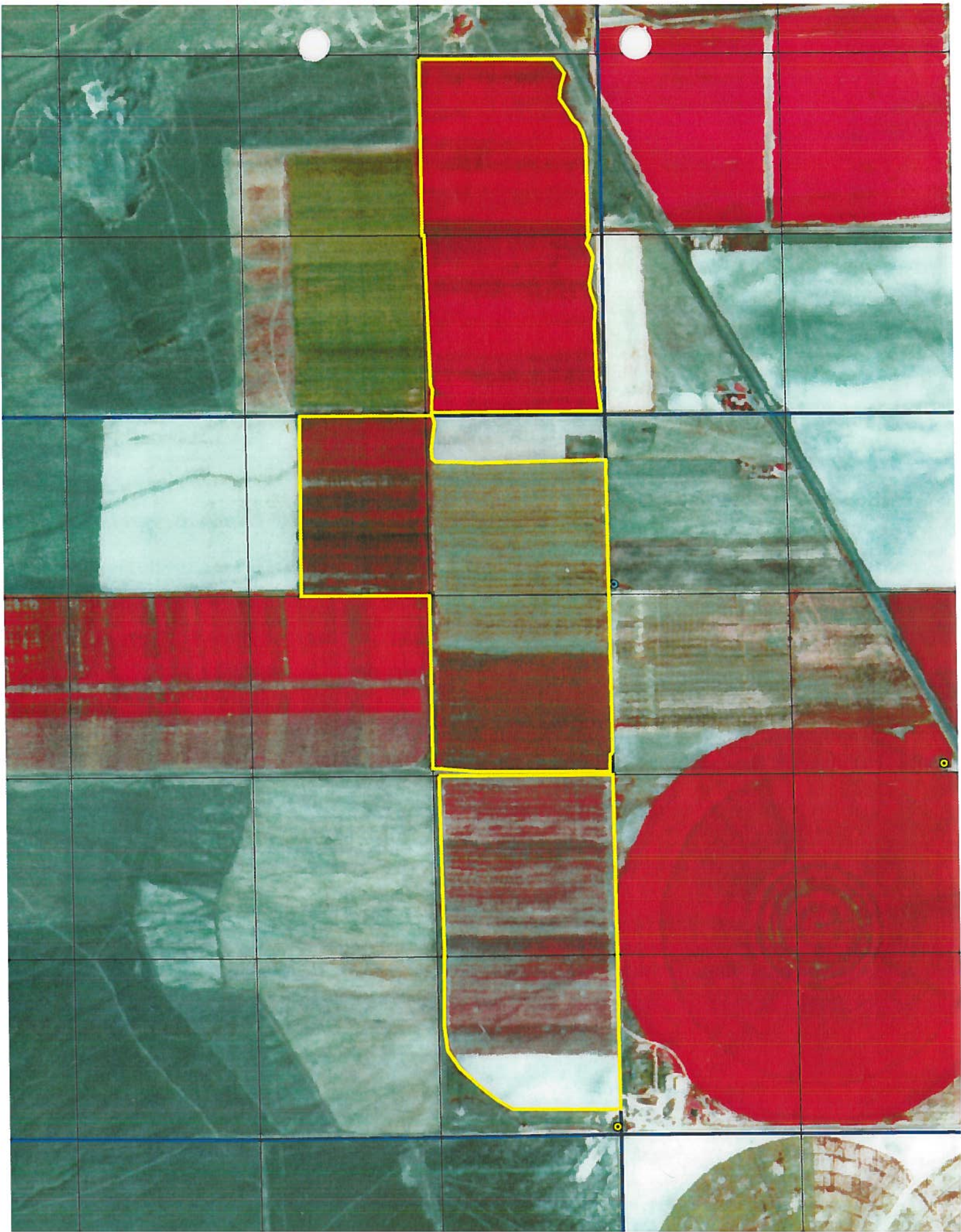
[illegible]

Gravel Pit

Top soil to be replaced
after every 20 Acres Harvested,
Ground to be planted in pasture
& Fig - from a Pivot Planted
for the 2001 Fig Season

All water from the creek & wells in
Section 11 are Hooped together

Wheel Sems 4.00



[illegible]

CLAIM NUMBER A43-02353
A43-02545

DATE _____
AGENT _____

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 235
GIS ACRE TOTAL 238

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	12S	26E	3													34			37 71
GIS	12S	26E	3													34			37 71
RECOM	12S	26E	3																
CLAIM	12S	26E	10	34	28		37									38			27 164
GIS	12S	26E	10	30	28		39									39			31 164
RECOM	12S	26E	10																
CLAIM																			
GIS																			
RECOM																			

B43-DBPOU.SHP
SHAPE NOS.

43-DBPOD.SHP
NOS. DESCRIPTION

DBF TABLES UPDATED _____

B43-DBPOU.DBF _____

B43-DBPOD.DBF _____

JPEG LAYOUT _____

~~12-10232~~

~~-02402~~

there are 2 wells in SWSW SW of Section 11

2.9 cfs ⁻⁰²³⁵³

0.47 cfs ⁻⁰²³⁴⁵ 3.37 both licensed to same well

first time measured at 4.0 cfs (02353)

- fe mentions well has been drilled deeper and 145' meas
done 6/10/60 for -02353

fe. for 02545 done 10/4/67 and mentions how
145" already licensed to same well in -02353

allows 0.47 cfs to bring up to total 3.37 cfs,
measured since 2.9 already licensed

2353 - Martin Sanders ^{8/9/50} fe in 6/10/60

2545 - D. A. Power ^{8/24/62} fe in 10/4/67

2332 - Morris Schauer ^{1/3/49} fe in 12/30/54

2402 - Martin Sanders ^{1/4/54} fe in 7/20/57

2478 - D. A. Power ^{10/5/59} fe in 10/5/59

if 2402 & 2478 were both allowed for 6 cfs on 19.5 Ac.
that would be 0.03 cfs/Ac. or $1\frac{1}{2}$ " which is not allowed

COMMUNICATION DOCUMENTATION

Claim No. _____

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 10/25/94Contact Person(s) Sgt Allen - neighbor (Allen Enterprises)Nature of Contact field exam

Substance of Communication While doing a field exam on the neighboring properties, I asked where Mr. Bartschi's wells were located. Mr. Allen told me ^{so} I got the pump & motor information and took some pictures. I also drove the fields and observed the lines. Will talk with Mr. Bartschi at another time about his claims...

IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

FARM 2950
Prepared: 12/27/93
Crop Year: 94
Page: 1

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
82-0418005 E BARTSCHI BROTHERS 8555 NOUNAN RD MONTFELIER ID 83254	360.0	289.6	289.6	254.6	NONE	ACTIVE

CRP: 35.0
IFM: N
RECON. REF. NO.: A30063
OFAY NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	P&CP		YIELD		
						YEAR		YEAR	NI	IR
WHEAT	1	69.3	.0			93	70.0	94	25	75
						92	69.9	85	25	81
						91	69.0			
						90	71.1			
						89	66.5	94	75	
						88	73.8	85	81	
BARLEY	1	98.6	21.2	77.4	12/20/93	93	100.8	94	25	88
						92	103.4	85	25	90
						91	104.0			
						90	90.3			
						89	94.3	94	88	
						88	111.9	85	90	

No. of Tracts: 1

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	HG	CWTE	CWVA	PCW
1487	360.0	289.6	289.6	Y	Y	Y	N	N									N
IDENTIFIER			S-3.10	T-12	R-26	CC-18-20											
OWNER	1 - BARTSCHI BROTHERS																

T 1487

T1521

NOV
HEL 3

74.8

10

10.0

T 12

N.C.

T1488

NOV
HEL

120.3

73.8

5

10.0

no pins

31.0
HEL

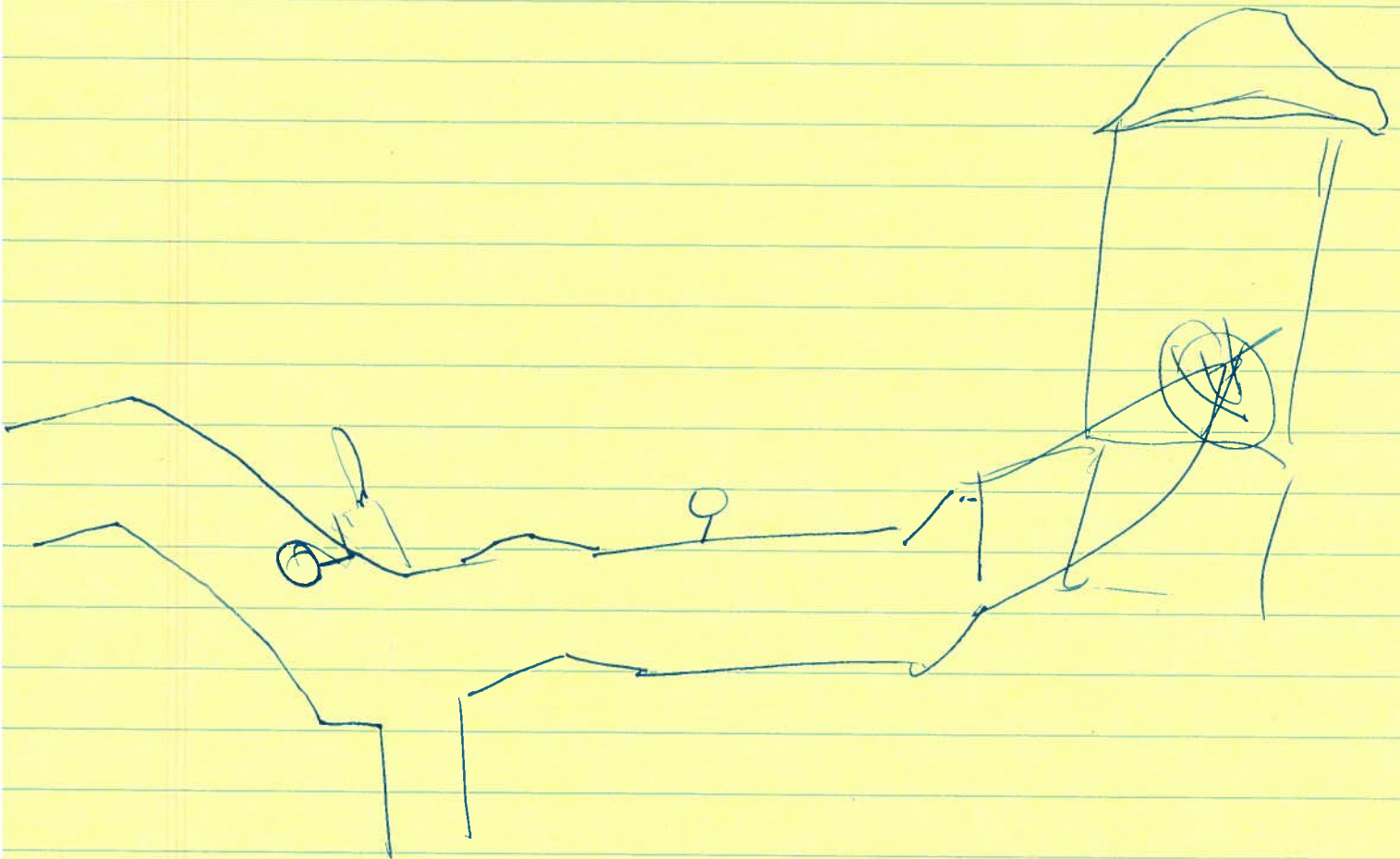
2
35.0
ANHEL/W

Bartschi Bros. Well #1 (close to pole)

pole # 14018

Johnston Vertical Pump
(no # on plate)

U.S. Motor 125 h.p.
ser. # 1117230
type CF4



roll # 60 - 3 pics 2, 3, 4



Well #1

T12S, R26E, Sec. 11

SWSWSW

125 h.p. motor

(closer to pole)

Bartschi Bros. Well - 2 (closer to house)

pole # 14018

Verti-Line Aurora Pump

38370035

G.E. Motor 100 h.p.

mod 5K6267XH45A

ser. CEJ319163



roll # 60 - 3 pgs 5, 6, 7



Well #2
 T12S, R26E, Sec. 11
 SWSWSW
 100 h.p. motor
 (closer to house)

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

ADDENDUM

flood right from Coe Creek

J. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

- Amount of water:
 - cubic feet per second
 - &/or acre feet per annum
- Point of diversion $\frac{1}{4}$ $\frac{1}{4}$, Section Township Range , B.M., County Additional points
- Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

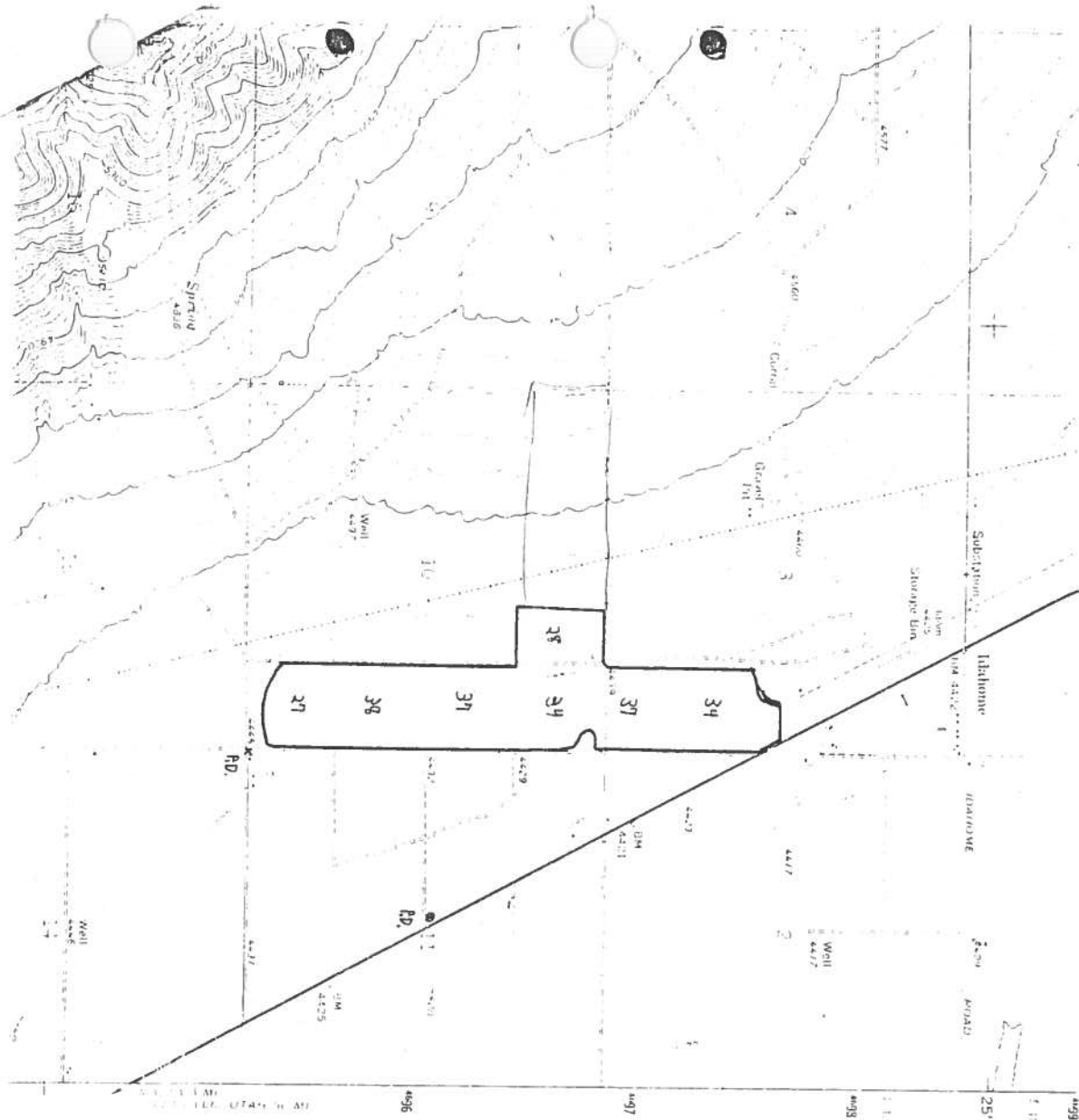
K. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- Change in point of diversion
 - Amount of water to be diverted 3.37 c.f.s. &/or acre feet
 - Point(s) of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11 Township 12S Range 26E, B.M., Cassia County Additional points SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T. 12S R. 26E
 - Description of diverting works Two existing wells and pumps
 - Describe the reasons for applying for a change in point(s) of diversion Add a second well to make up for decline in water supply in our well. We have purchased 37% of the well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 for this reason.

- Change in place of use
 - Describe the lands or place of use to which the right will be transferred:

VP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2S	26E	3													34			37	71
		10	34	28		37									38			27	164

Total number of acres to be irrigated 235



4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Alan R. Zollinger
(Signature of applicant)

Subscribed and sworn to before me this 7th day of November, 19 80.

Mary A. Hill
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2353 and 43-2545 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. An access port as specified by the Department shall be installed and maintained at both points of diversion to provide for the installation of measuring equipment by the Department.
2. Only lands shown in Part C(2) of the Transfer may be irrigated under this water right.
3. Failure to comply with any of the conditions of approval on the Transfer, or irrigation of more than the specified 235 acres, will void the approval of the Transfer.

Witness my hand this 26th day of August, 19 82.

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 11-7-80

Protest filed by _____

Prelim. check by [Signature] Fee 50.00

Receipted by [Signature] Date 11/7/80 # 16665

Published in South Idaho Press

Copies of protest forwarded by _____

Pub. dates 11/25 + 12/2/80

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

_____ rec'd. _____

by JH DCT

A43-02353 8/7/1950 ~~2.9 cfs~~ 2.9 cfs 235 Ac. $0.012/Ac.$
well in ~~SW~~ ^{SW} SW of Sec. 11 measured 145" (on 2.9 cfs)
field open done 6/10/60

A43-02545 8/24/1962 0.47 cfs 235 Ac. $0.014/Ac.$
same well in SWSW of Sec. 11 measured 3.37 cfs
(minus the 2.9 from 43-2353 = 0.47 cfs)
transfer in 1982 added 2nd well in SE NW of Sec. 11
- says ~~that~~ they purchased 37% of well for this purpose
* this is "Allen Enterprises well" which was licensed
for 3.2 cfs (& measured at that!) 43-02332
? → Allen rec. s/b reduced 1.18 cfs from this well!?

? * ~~to~~ a should → combine both the Allen st. from this
well and these sts. from the same well to
the system capacity of 3.2 cfs ? in Remarks

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:01:58
02/27/01
6

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02353

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUGHMILLER RECLAMATION LLC <i>LARRY COOPER</i>	08/07/1950	IRRIGATION	03-15 11-15	2.900 CFS	<i>940 AF</i>
TOTAL DIVERSION:					2.900 CFS	
~~CONSUMPTIVE USE:~~						~~705.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T12S R26E S11

SESENW

SWSWSW

SWSWSW

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
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	: SUM	
12S	26E	3	:				:				:	34		37	: 71.0	
12S	26E	10	:	34	28	37	:				:	38		27	: 164.0	
TOTAL ACRES														235.0		

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: 43-02545, 43-00423

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: GEN 2 WELLS IN SWSWSW OF SEC 11

6/2/99 TF; OWNERSHIP CHANGED BARTSCHI BROS TO LOUGHMILLER
RECLAMATION PER 1409(6) AND WARRANTY DEED REC'D 5/24/99.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Cond. Code C18
Remarks:
POU 1 E11. 235 Ac. w/2545
E14 344 Ac. w/2545
E14 274 w/groundwater
E28 0.028 w/alt
QNT E27 3.37 940AF w/others
POD F02 2 pps in SWSWSW
Exp. Claim: 1K03
EXP -12953

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:01:49
02/27/01

PAGE: 2
QUICKLOOK INFORMATION

5
CLAIM NUMBER: A43-02353

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-							
POINT OF DIV	-							
SOURCE	-							
PLACE OF USE	-							
DIV. AMOUNT CFS/VOLUME	-							
CONSUMPTIVE USE	-							
PURPOSES OF USE	-							
PERIOD OF USE	-							
BASIS OF CLAIM	-							
REMARKS	-							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant Alan &/or Jacob &/or Paul Zollinger Phone 349-5771Post office address Star Route, Declo, Idaho 83323

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

RECEIVED

AUG 30 1982

Department of Water Resources
Southern District Officeb. License No. A) 43-2353 B) 43-2545 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

purchase of land3. Source of water Groundwater tributary to _____4. Date of priority A) 8-7-1950 B) 8-24-1962

5. Water is used for the following purposes:

amount A) 2.90 cfs for irrigation & dom. purposes from _____ to _____amount B) 0.47 cfs for irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month-day - both dates inclusive)

6. Total amount of water under right: a. 3.37 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11
Township 12S Range 26E, B.M., in _____ Cassia _____ County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	26E	3													38			40	78
		10	40			40									40			37	157

Total number of acres to be irrigated 235

9. Describe any other water rights used for the same purposes as described above

flood right from Coe Creek

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

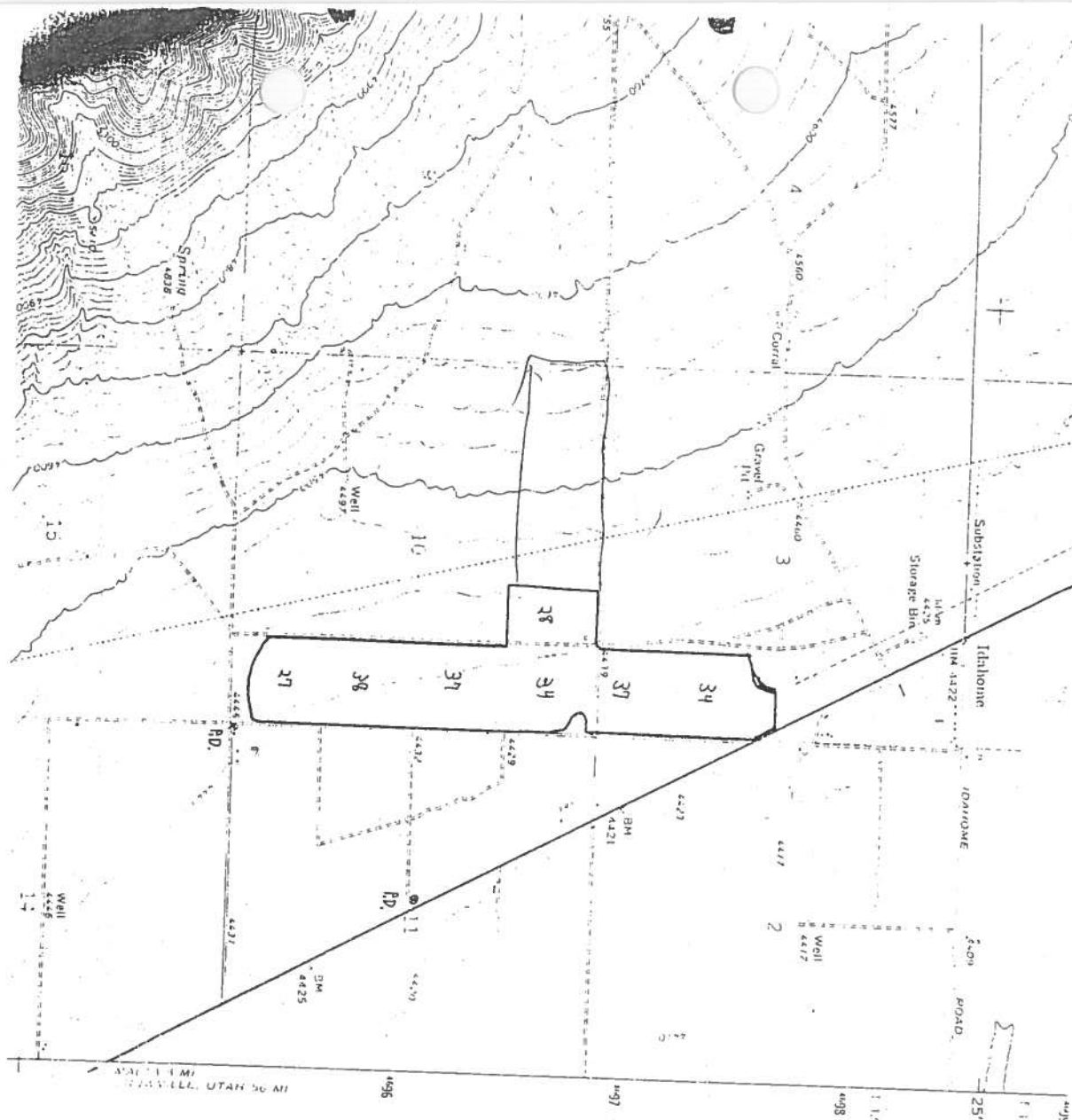
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 3.37 c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion SW ¼ SW ¼, Section 11 Township 12S
Range 26E, B.M., Cassia County
Additional points SE¼NW¼ Sec. 11 T. 12S R. 26E
 - c. Description of diverting works Two existing wells and pumps
 - d. Describe the reasons for applying for a change in point(s) of diversion
Add a second well to make up for decline in water supply in our well. We
have purchased 37% of the well in the SE¼NW¼ Sec. 11 for this reason.
2. Change in place of use
 - a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>12S</u>	<u>26E</u>	<u>3</u>													<u>34</u>			<u>37</u>	<u>71</u>
		<u>10</u>	<u>34</u>	<u>28</u>		<u>37</u>									<u>38</u>			<u>27</u>	<u>164</u>

Total number of acres to be irrigated 235



T.12S R.26E

SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Alan R. Zollinger
(Signature of applicant)

Subscribed and sworn to before me this 7th day of November, 19 80.

Mary A. Linn
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2353 and 43-2545 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. An access port as specified by the Department shall be installed and maintained at both points of diversion to provide for the installation of measuring equipment by the Department.
2. Only lands shown in Part C(2) of the Transfer may be irrigated under this water right.
3. Failure to comply with any of the conditions of approval on the Transfer, or irrigation of more than the specified 235 acres, will void the approval of the Transfer.

Witness my hand this 26th day of August, 19 82.

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 11-7-80

Protest filed by _____

Prelim. check by [Signature] Fee 50.00

Receipted by [Signature] Date 11/1/80 # 16665

Published in South Idaho Press

Copies of protest forwarded by _____

Pub. dates 11/25 + 12/2/80

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

_____ rec'd. _____

by LH DET

State of Idaho License and Certificate of Water Right

Water License No. 21612

Amount 2.90 c.f.s.

Water District No.

Priority August 7, 1950

THIS IS TO CERTIFY that MARTIN F. SANDERS - Assignee - J. W. WELLS of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 7, 1950; that Permit No. 21612 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.0 second feet, was issued thereunder on September 9, 1955, showing that said works were completed on the 8th day of August, 1955, and that on the 26th day of January, 1960, J. W. WELLS

of Las Vegas, State of Nevada, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of Subterranean Flow, for the purpose of Irrigation and domestic use, under Use Permit No. 21612 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7251, on the 8th day of March, 1962; The right hereby confirmed dates from August 7, 1950;

The Point of Diversion is located in the SW 1/4 SW 1/4, Sec. 11, Tp. 12 S., R. 26 E., B. M. Cassia County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.90 cubic feet per second.

Description and location of use:

Top	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	26 E.	3	NE 1/4	40	38
			SE 1/4	40	40
		10	NE 1/4	40	40
			SE 1/4	40	40
			NE 1/4	40	40
			SE 1/4	40	37
Total number of acres to be irrigated:					235

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESSES the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 8th day of March, 1962.

(SEAL)

R. RALPH V. THOMAS
Deputy State Reclamation Engineer

43 2253

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21642

This proof is for Beneficial Use

In Water District No.

1. Name of applicant J. M. Wells, Box 410, Las Vegas, Nevada
2. Source of water supply: Subterranean water by wells and pumps
3. Location of point of diversion: Is in the SW¹/₄ of Section 11
T. 12 S. R. 26 E., B.M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same:
125 hp. & Morse Motor "E 22053" 440V.
F. Morse Turbine No. number
10' x 10' del. to work into metal stack 8' x 5' d.
Cone base 6' x 8' no protest
5. Water is used for:
6. State whether or not water has been turned into works of diversion: yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
E¹/₄ Sec. 3; E¹/₄ Sec. 10, T. 12 S., R. 26 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Claim Robinson along

well has been drilled deeper

has a larger pump and motor

145' measured thru spouting water

This examination was made on the

10 day of

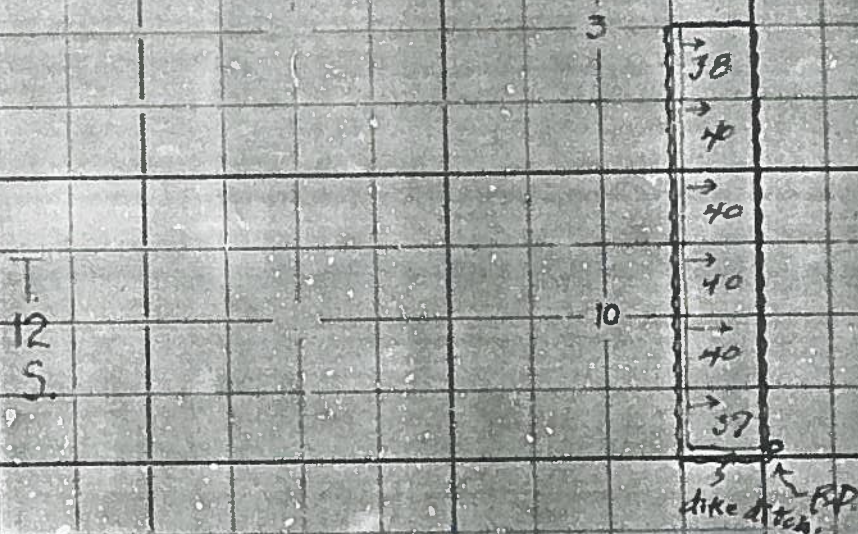
June

1920

(Signed)

E. H. Thompson
Engineer

R-265



Subdivisions = 6

Area = 235 acres

Q = 145" ~~and of 1/2~~2.904

State of Idaho License and Certificate of Water Right

Water License No. 20872

Amount 3.8 cusecs

Water District No.

Priority January 3, 1949

THIS IS TO CERTIFY that MORRIS LYLE SCHAUER of Palo Alto, California, made application for a permit to appropriate the public waters of the State of Idaho, dated January 3, 1949, that Permit No. 20872 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.8 second feet, was issued thereunder on December 30, 1954, showing that said works were completed on the 19th day of November, 1954; and that on the 19th day of November, 1954,

O. A. POWER, Assignee,

of Pocatello, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, with minimum (subterranean flow), for the purpose of Irrigation and domestic use, under Use Permit No. 20872 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 2 of Licenses at page 5450, on the 30 day of December, 1954.

The right hereby confirmed dates from January 3, 1949.

The Point of Diversion is located

In the SE 1/4 NW 1/4, Sec. 11, Tp. 18 S., R. 24 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.8 cubic feet per second.

Description and location of place:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
18 S.	24 E.	11	SW 1/4	40	40
			SE 1/4	40	40
			SW 1/4	40	40
			SE 1/4	40	40
Number of Acres Actually Irrigated - - - - -					160

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 30th day of December, 1954.

MARK S. KULP

State Reclamation Engineer

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE IDAHO

REPORT OF ENGINEER

Project No. 11

This project is for the beneficial use of water. In Water District No. 11

1. Name of applicant L. A. Power, Box 250, Pocatello, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11

T. 12 S. R. 26 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Well is 20" diameter by 200', cased to bottom. Bowls set at 80', Column 10". Single Stage 10" bowls. Peerless Pump No. P 13734. 30 hp Motor-220-V. Delivery to North through a 10" pipe into a tower 4' diameter by 7' high to the fields by gravity irrigation. There is a relift pump a short distance to the West, centrifugal pump, Serial No. 792322. 8" intake, 6" outlet. Chrysler defense pump unit Serial No. 104-3670.

LIFT = 53' H = 52'

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11, Township 12 South, Range 26 East, S. W.

See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

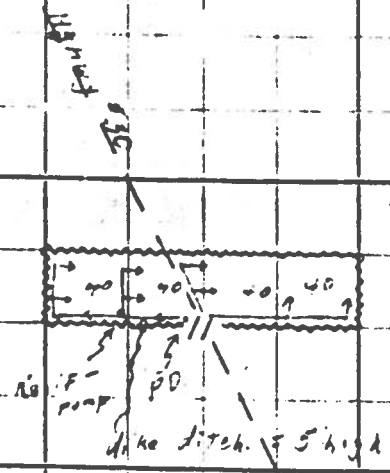
Remarks:

This examination was made on the 31st day of August, 19 54

(Signed) E. A. Humphrey Examiner

30572

Two: 2 1/2 1/2 1/2



T = 5405

Subdivisions = 4

Area = 1602

Q = 160 inches

First dimension = 161" then spacing to

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant Alan &/or Jacob &/or Paul Zollinger Phone 349-5771

Post office address Star Route, Declo, Idaho 83323

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

RECEIVED

AUG 30 1982

Department of Water Resources
Southern District Office

b. License No. A) 43-2353 B) 43-2545 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
_____ purchase of land _____

3. Source of water Groundwater tributary to _____

4. Date of priority A) 8-7-1950 B) 8-24-1962

5. Water is used for the following purposes:

amount A) 2.90 cfs for irrigation & dom. purposes from _____ to _____

amount B) 0.47 cfs for irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month, day, - both dates inclusive)

6. Total amount of water under right: a. 3.37 cubic feet per second
&/or
b. _____ acre feet per annum

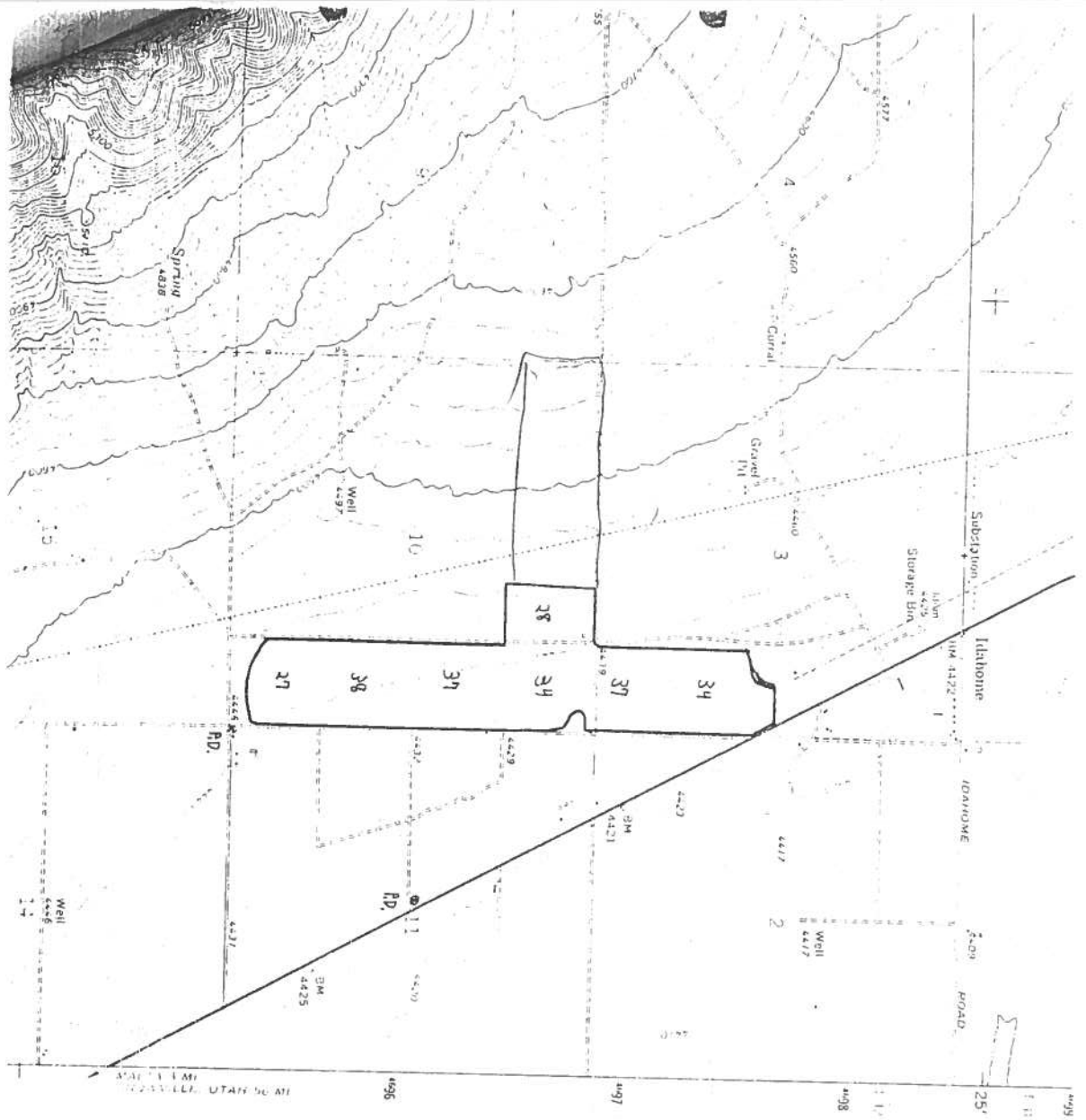
7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11
Township 12S Range 26E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	26E	3													38			40	78
		10	40			40									40			37	157

Total number of acres to be irrigated 235

9. Describe any other water rights used for the same purposes as described above _____
_____ flood right from Coe Creek _____



T.12S R.26E



ALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Alan R. Zollinger
(Signature of applicant)

Subscribed and sworn to before me this 7th day of November, 19 80.

Mary A. Hill
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2353 and 43-2545 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. An access port as specified by the Department shall be installed and maintained at both points of diversion to provide for the installation of measuring equipment by the Department.
2. Only lands shown in Part C(2) of the Transfer may be irrigated under this water right.
3. Failure to comply with any of the conditions of approval on the Transfer, or irrigation of more than the specified 235 acres, will void the approval of the Transfer.

Witness my hand this 26th day of August, 19 82.

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>11-7-80</u>	Protest filed by _____
Prelim. check by <u>[Signature]</u>	Fee <u>50.00</u>	_____
Receipted by <u>[Signature]</u>	Date <u>11/1/80 # 16665</u>	_____
Published in <u>South Idaho Press</u>	Copies of protest forwarded by _____	
Pub. dates <u>11/25 + 12/2/80</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>IA DET</u>	

[illegible]

1. Amount of water: a. _____ cubic feet per second
 &/or
 _____ feet per annum

1. Amount of water: a. _____ &/or
b. _____ acre feet per annum

2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County _____

Additional points _____

3. Place of use:

[illegible]

1. Change in point of diversion

a. Amount of water to be diverted 3.37 c.f.s. &/or _____ acre feet
 1/4 Section 11 Township 12S

a. Amount of water to be diverted 3.37 C.F.S. &/or Township 12S
b. Point(s) of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11 County

Point(s) of interest _____ County _____
Range 26E, B.M., Cassia
Additional points SE 1/4 NW 1/4 Sec. 11 T. 12S R. 26E

c. Description of diverting works Two existing wells and pumps

d. Describe the reasons for applying for a change in the point(s) of diversion

Describe the reasons for applying for a change of the permit(s) _____
 Add a second well to make up for decline in water supply in our well. We
 have purchased 37% of the well for the SE1/4NW1/4 Sec. 11 for this reason.

2. Change in place of use

Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

2. Change in price

a. Describe the lands or place of use to which the right will be transferred.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	26E	3													34			37	71
		10	34	28		37									38			27	164

Total number of acres to be irrigated 235

Total number of acres to be irrigated 235