

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13359

WATER RIGHT NUMBER: 43-13359

<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
Original Owner	JUDY R ZOLLINGER RT 3 BOX 3310 BURLEY, ID 83318 (208)654-2440
Original Owner	BARBARA JEAN 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

Priority Date: 08/24/1962

Basis: Decreed

Status: Active

SourceTributary

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	0.120 CFS	58.60 AF
	<u>Total Diversion:</u>	0.120 CFS	58.60 AF

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13359

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	10													40.0			35.0	75.0

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. 43-13357 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 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00423B, 43-13357, 43-13358, 43-13359, 43-13360, 43-13361 & 43-13362.
4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .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 & 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 43-2545
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: 08/24/1962

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	0.47	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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.

2 WELLS IN SWSWSW OF SEC 11

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

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.

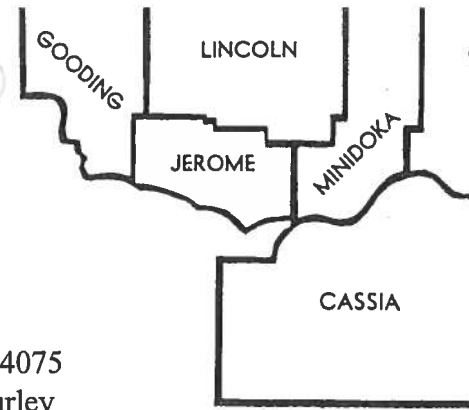
Feel free to call if you have any questions.

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 black ink, appearing to read "Larry Roberts", 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 324-8861

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

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

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

#24075

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			

43-1335

43-13356

2. 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

276117

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

[Signature]
Larry Cooper

7-14-01
Dated

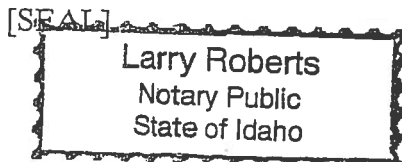
[Signature]
Barbara Jean Cooper

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: 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:

Parcel Number 2:

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

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;

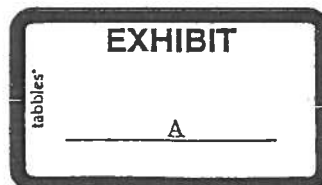
Thence along the Southeast line of said parcel South 62°45' West a distance of 100.0 feet, to a point that is 50.0 feet distant Southwesterly, measured at right angles, from said centerline of abandoned main track;

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 $\frac{1}{4}$



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

FEEL 1700 DEPUTY *DM*

'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

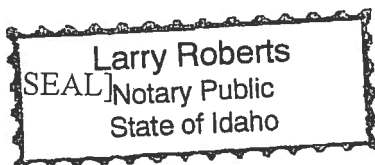
[Signature]
Larry Cooper

[Signature]
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 $\frac{1}{4}$

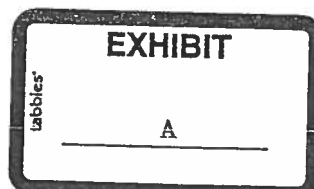
EXCEPTING THEREFROM, all that portion deeded to the State of Idaho
for highway purposes.

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

FEEL *ad* DEPUTY *me*

'01 JUL 16 PM 2 24

RECORDED AT THE REQUEST OF

LAND TITLE & ESCRROW

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

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tabbies

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34

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T1517

17.2

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74.0

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CRP 89-98

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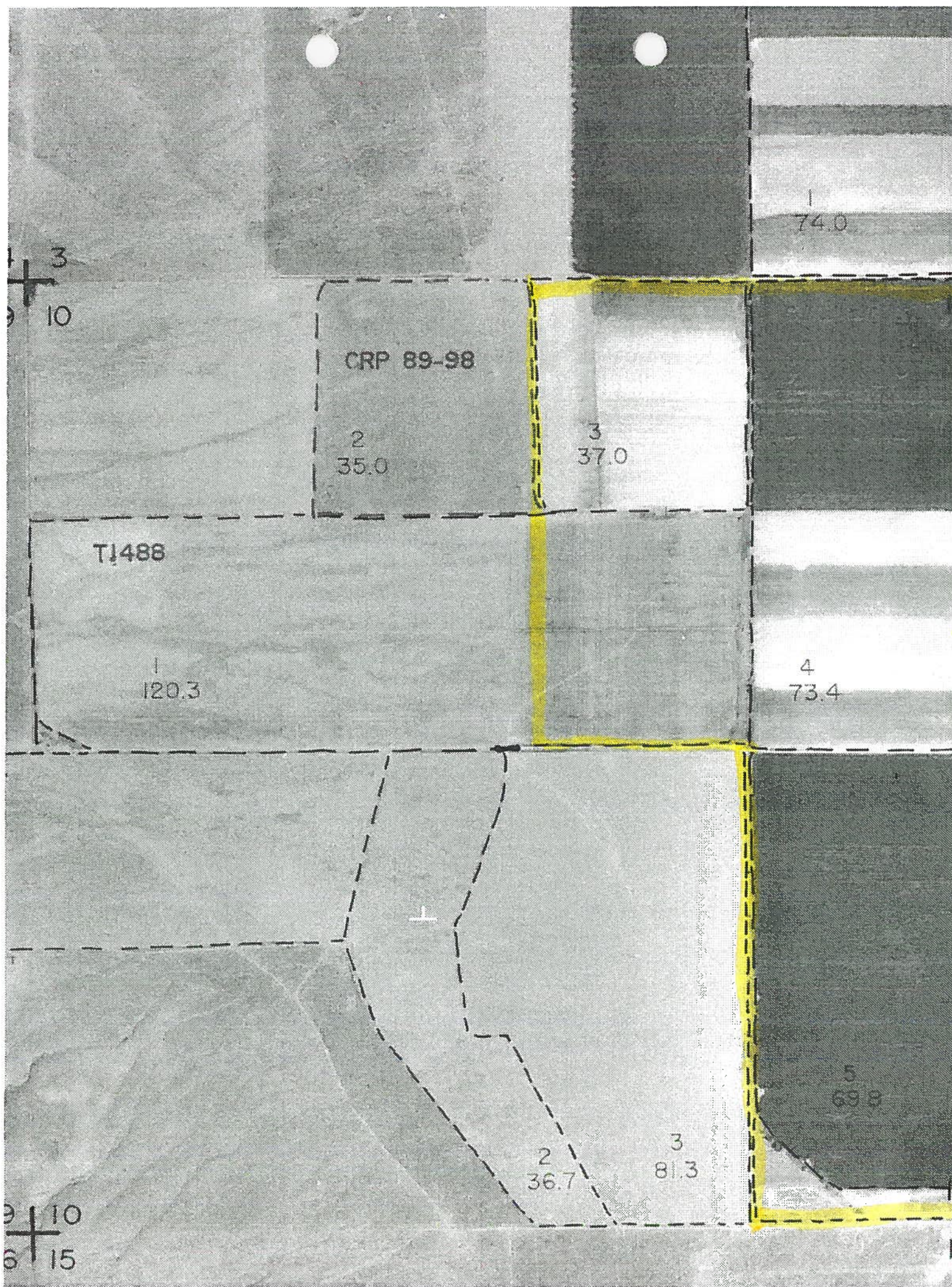
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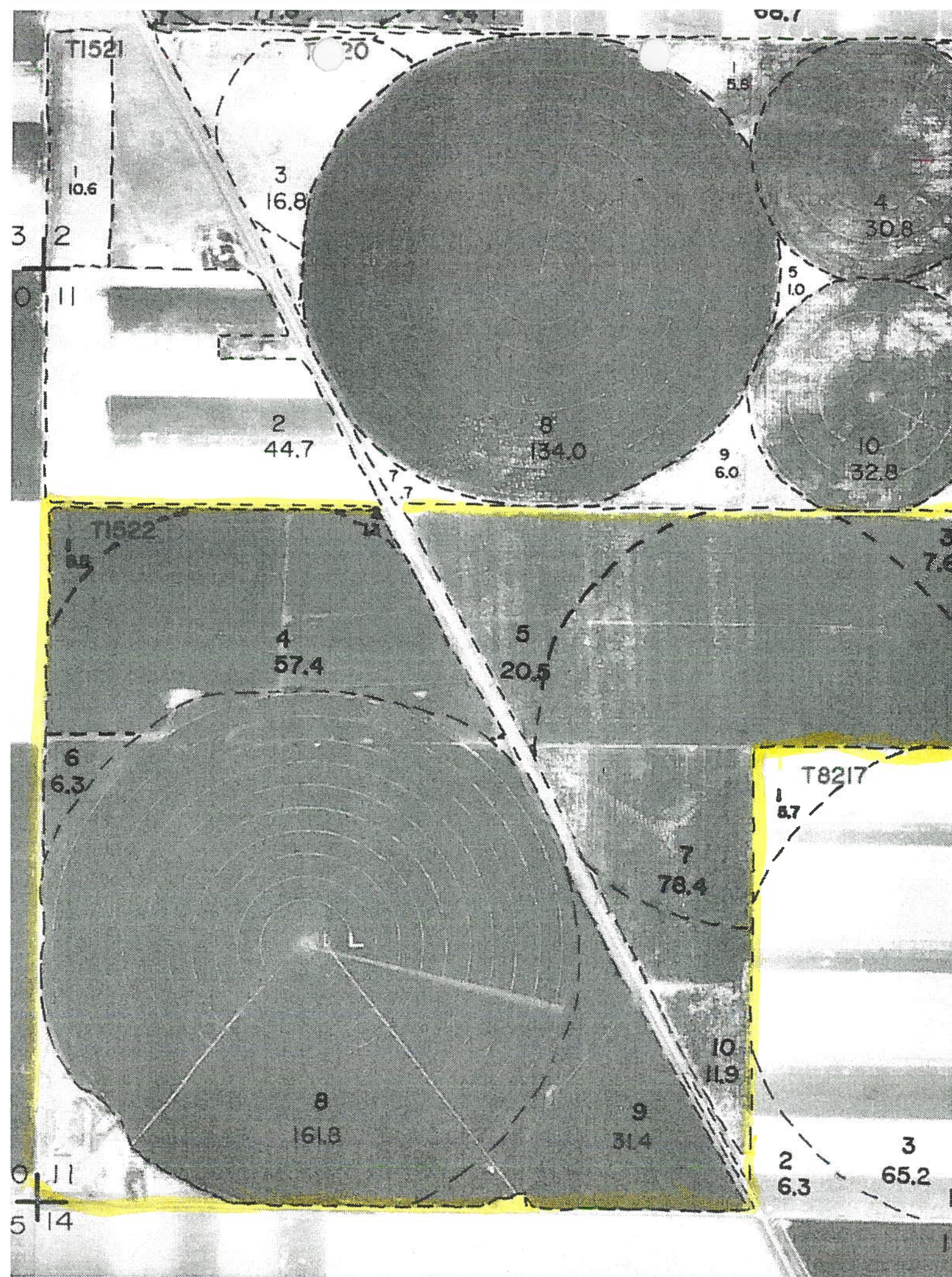
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37.0

10

T1488





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 43-02545
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: 08/24/1962

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	SE SE NW	0	CASSIA
12S	26E	11	SW SW SW	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	0.47	0

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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:

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

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

RECEIVED

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
Bureau of Reclamation

323841

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

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FEE 9.00 DEPUTY

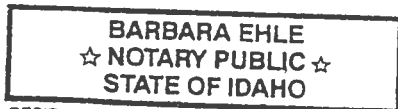
'00 MAY 23 PM 2 43

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: E½SE¼, 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: E½E½, N½NW¼ and NW¼NE¼

Section 11: Part of the SW¼SW¼, 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: **A43-02545**
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 24, 1962

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	0.470		

7. Total Quantity Appropriated is:
0.470 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 of	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:
43-02353, 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: 30404



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.

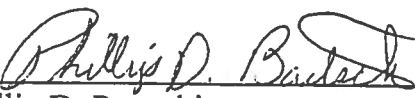
Easement Agreement between Alan Zollinger and Judy Zollinger, husband and wife, Grantor, and Southern Idaho Production Credit Association, a federally chartered corporation organized and existing under and by virtue of the provisions of the Farm Credit Act of the United States of America, Grantee, dated 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)

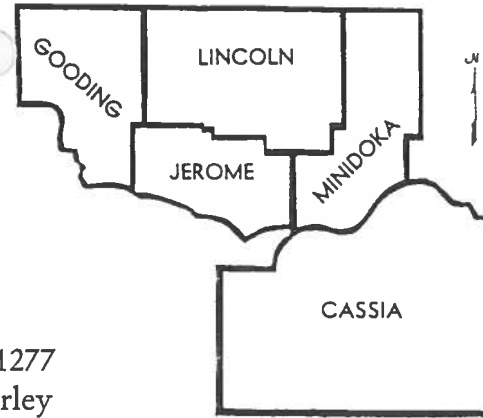
On this 11th day of May, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **O. DUANE BARTSCHI and PHILLIP D. BARTSCHI**, known or identified to me to be the partner or one of the partners in the Partnership of Bartschi Brothers, and the partner or one of the 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.

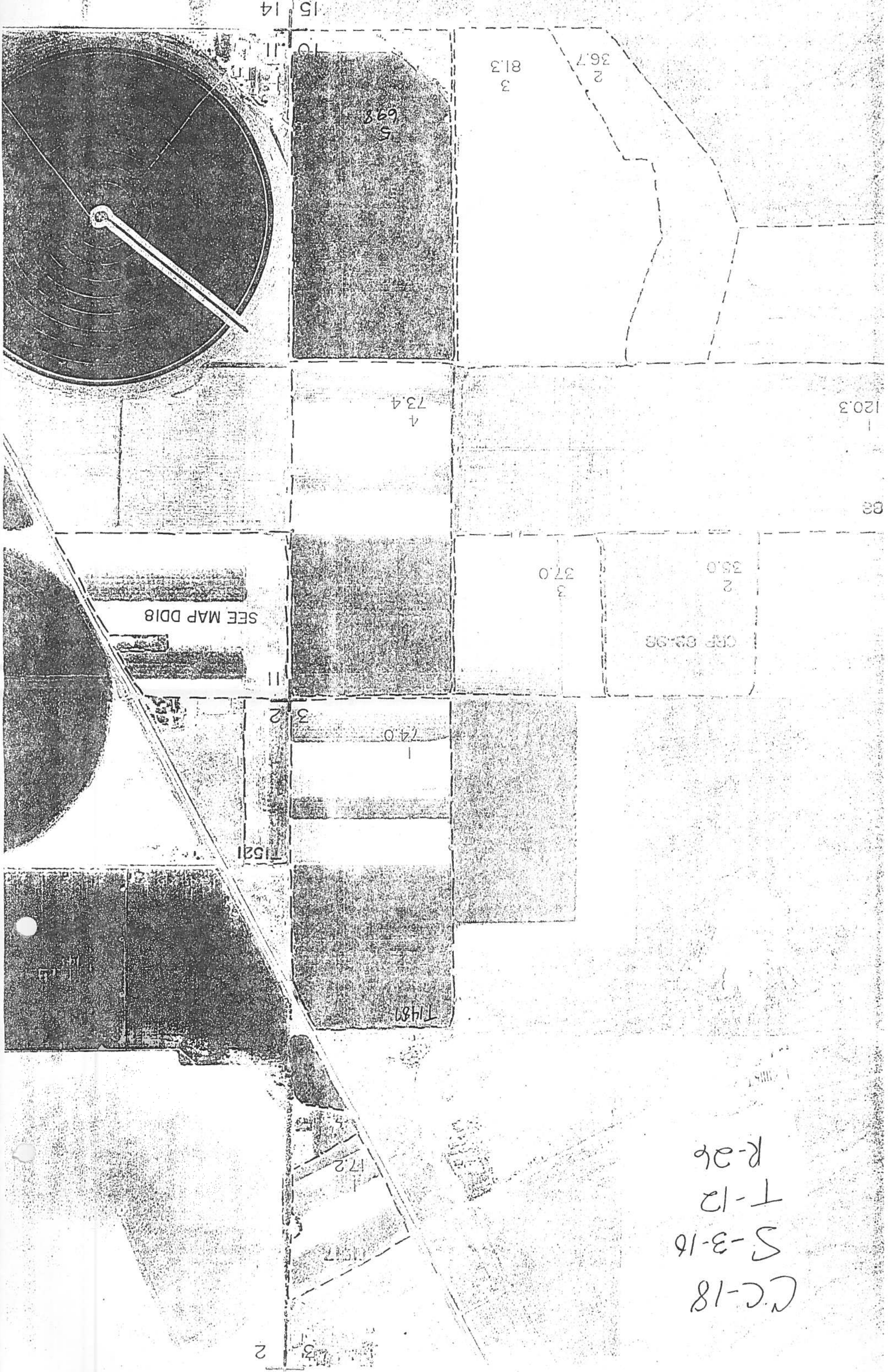
BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

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 436-0806 - FAX 436-1199

C.C-18
S-3-16
T-12
R-26



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: A43-02545

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 24, 1962

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	0.470		

7. Total Quantity Appropriated is:
0.470 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 of	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:
43-02353, 43-00423

14. Remarks:
2 WELLS IN SWSWSW OF SEC 11

15. Basis of Claim: LICENSE

Water Right Number: 30404



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 2/3/93

FEB 17 1993

LEGAL DESCRIPTION OF PROPERTY: Township 12 Range 26
Section 1/4 of 1/4 of 1/4 Govt. Lot east, BM Department of Water Resources
Lot 1/4, Block 1/4, Subdivision/Townsite 1/4, Southern Region Office
If you have additional legal descriptions, please attach separate sheet.

- ☐ 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 2/3/93
x Alan Zollinger Date 2-3-93
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2/19/93 By: AD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 2/19/93 By: AD

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'. The signature is written in dark ink and is positioned below the word 'Sincerely,'.

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: A43-02545
Date Received: 5/31/1989
Receipt No: 5007399
Received By: g

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 24, 1962

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	0.470		

7. Total Quantity Appropriated is:
0.470 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:
43-02353, 43-00423

14. Remarks:
2 WELLS IN SWSWSW OF SEC 11

15. Basis of Claim: LICENSE
Water Right Number: 30404

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 _____

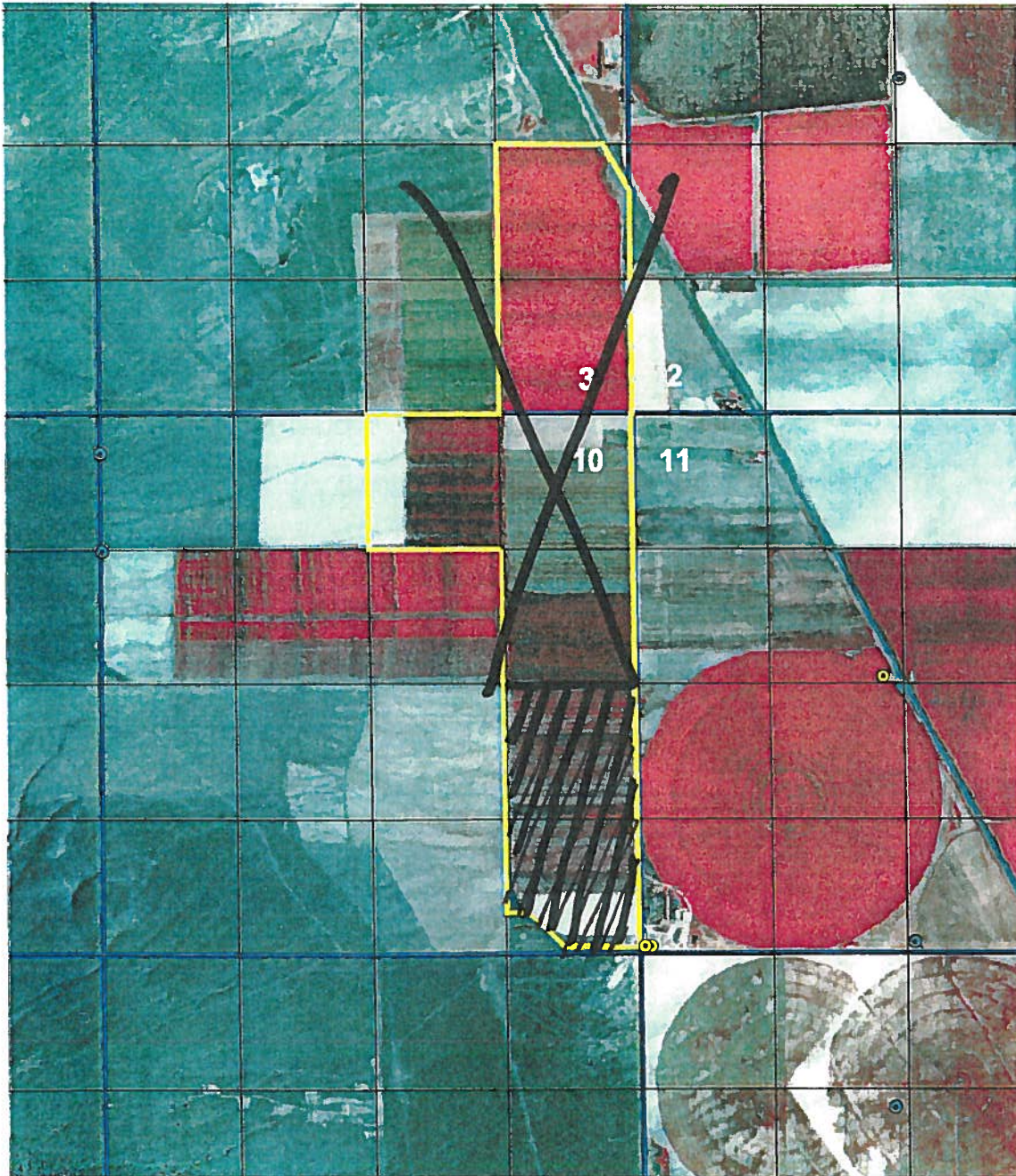
My Commission Expires _____

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: 43-2545
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
QUANTITY: 0.470 CFS
940.000 AFY

TRIBUTARY:

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: 08/24/1962

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	0.470 CFS 940.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S03	NESE	39.0	T12S R26E S03	SESE	40.0
T12S R26E S10	NENE	40.0	T12S R26E S10	NWNE	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. 43-02353 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.

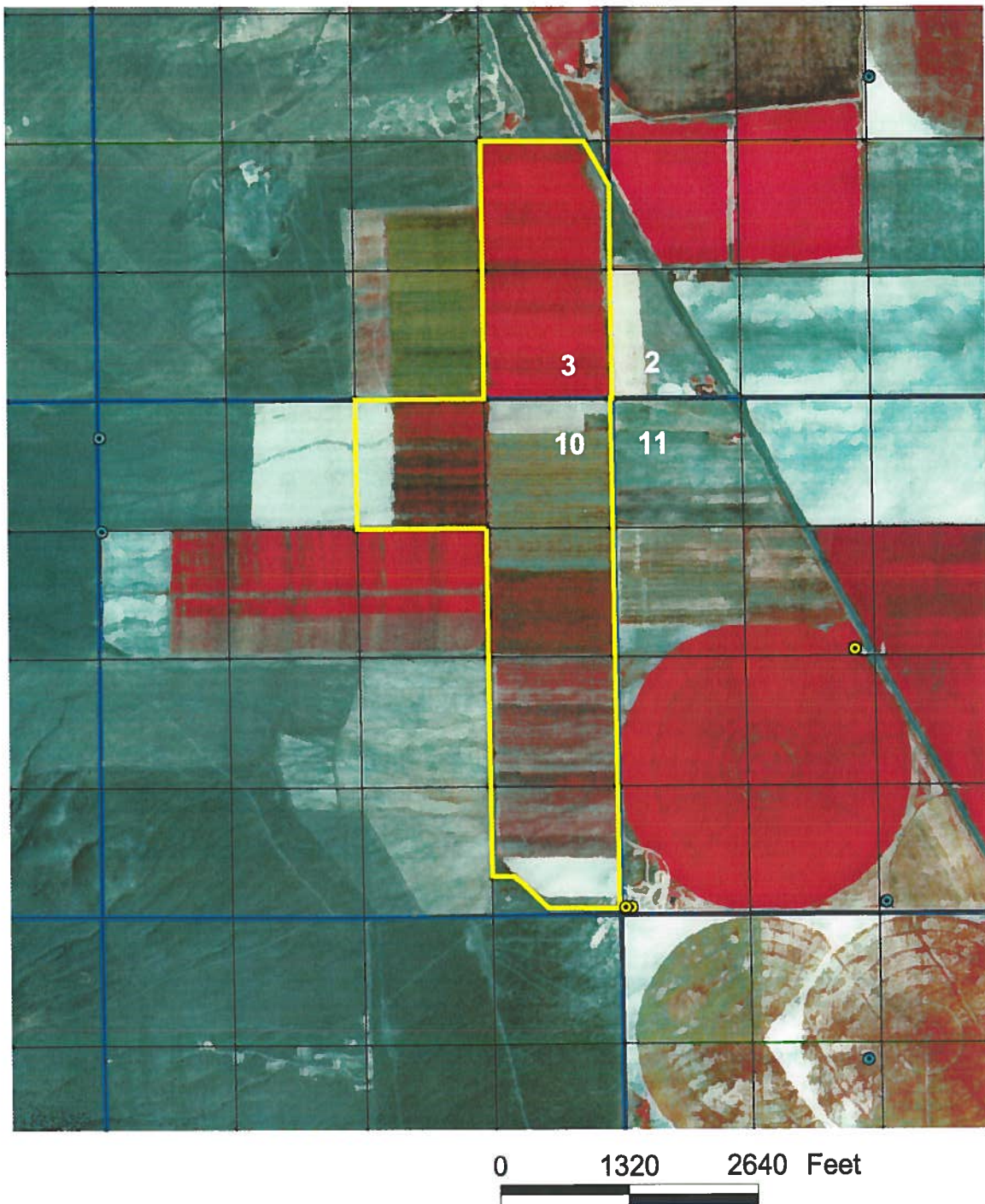
EXPLANATORY MATERIAL: License

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

Water Right 43-2545

1

Idaho Department of Water Resources
43-2353, 43-2545, & 43-13354



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 43-2545 V2

WATER RIGHT NUMBER: 43-2545 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
Original Owner	JUDY R ZOLLINGER RT 3 BOX 3310 BURLEY, ID 83318 (208)654-2440
Original Owner	BARBARA JEAN 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

Priority Date: 08/24/1962

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	0.470 CFS	940.00 AF
	<u>Total Diversion:</u>	0.470 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	
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2545 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. 43-02353 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 7/3/01
07/03/2001

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

RIGHT NUMBER: 43-2545
NAME AND ADDRESS: BARBARA JEAN COOPER
LARRY COOPER
227 W 20 S KNOX DR
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.47 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: 08/24/1962

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	0.47 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. 43-02353 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

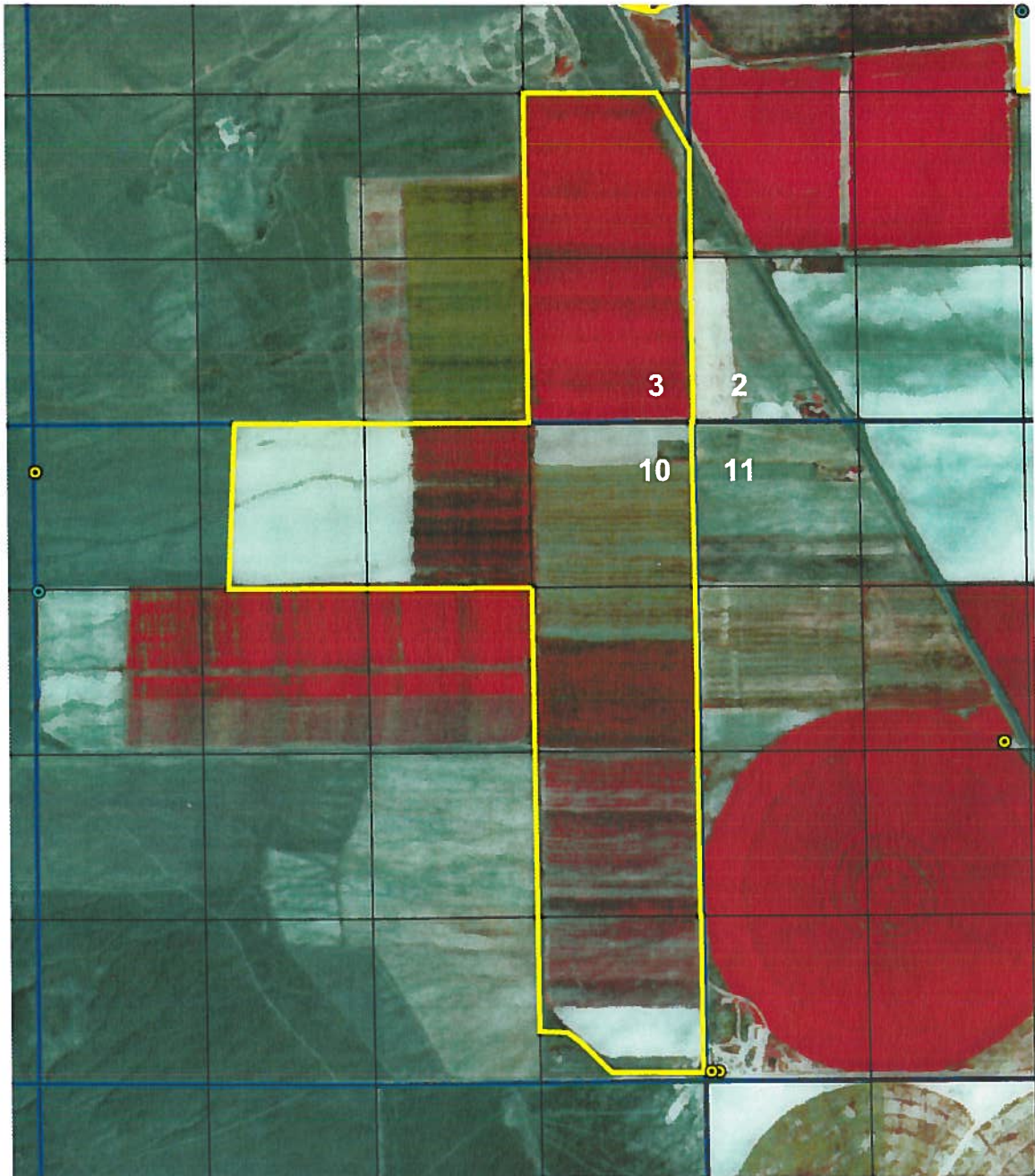
Water Right 43-2545

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



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

RECEIVED BY

3/2/01

03/02/2001

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

RIGHT NUMBER: 43-2545

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

SOURCE: GROUND WATER

QUANTITY: 0.47 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: 08/24/1962

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	0.47 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			

344 ACRES TOTAL

~~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.~~

USE OF THIS RIGHT WITH RIGHT NO. 43-02353 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 344 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00423B, 43-02353, 43-02545, & 43-12953.

Water Right 43-2545

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

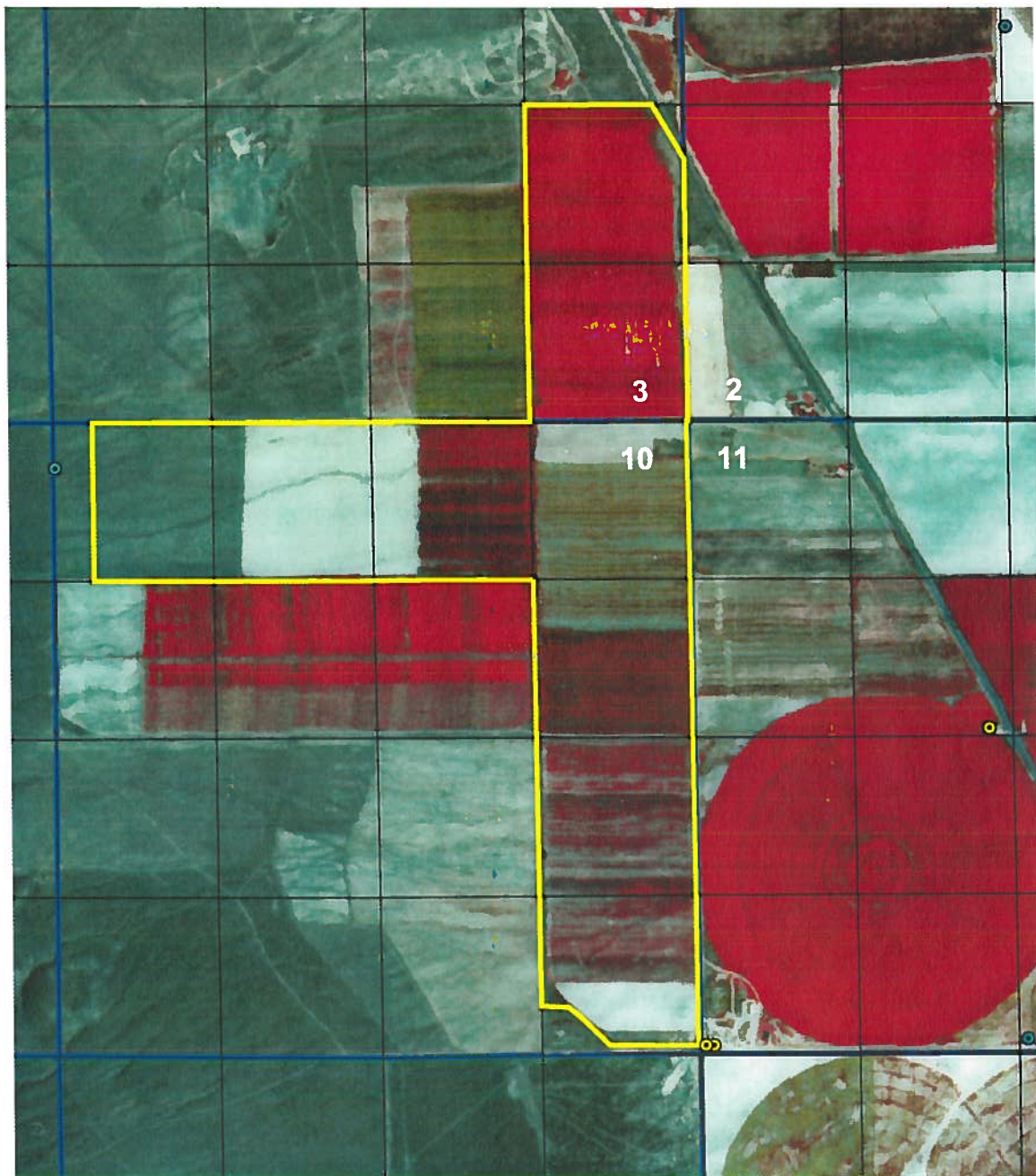
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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.

Idaho Department of Water Resources

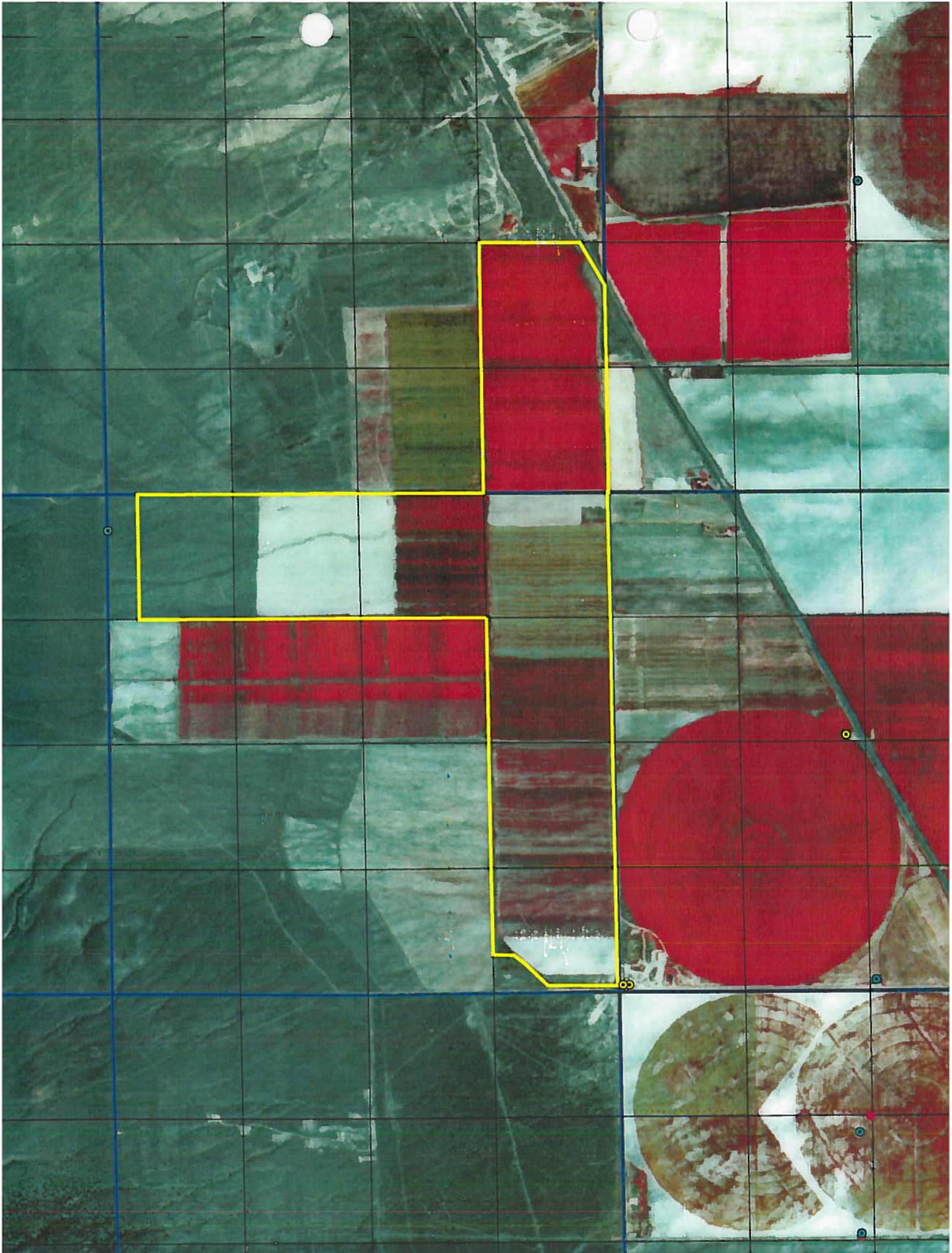
43-00423B, 43-02353, 43-02545, & 43-12953



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





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,

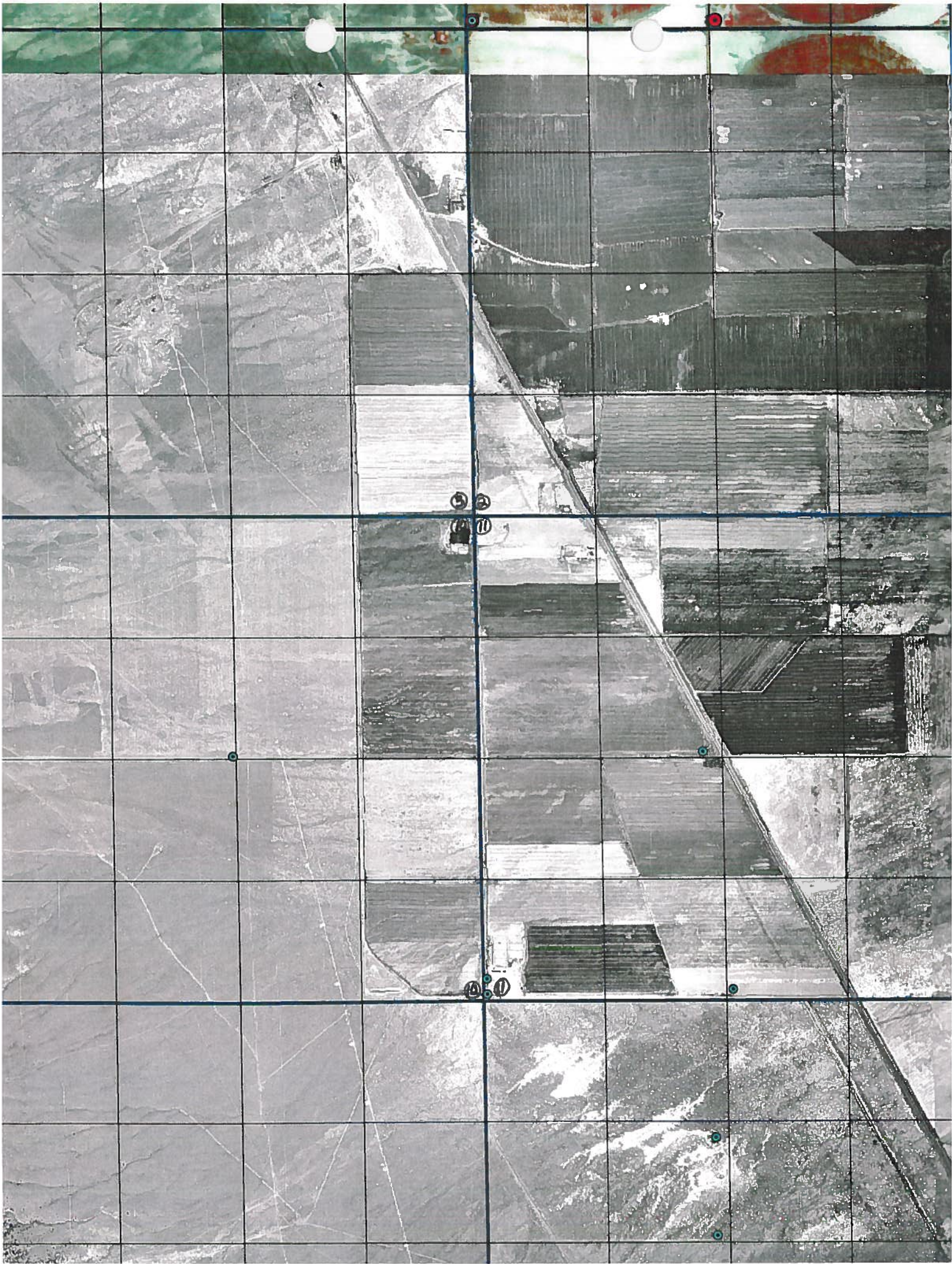
A handwritten signature in cursive script, appearing to read 'Jeanie', written over the printed name.

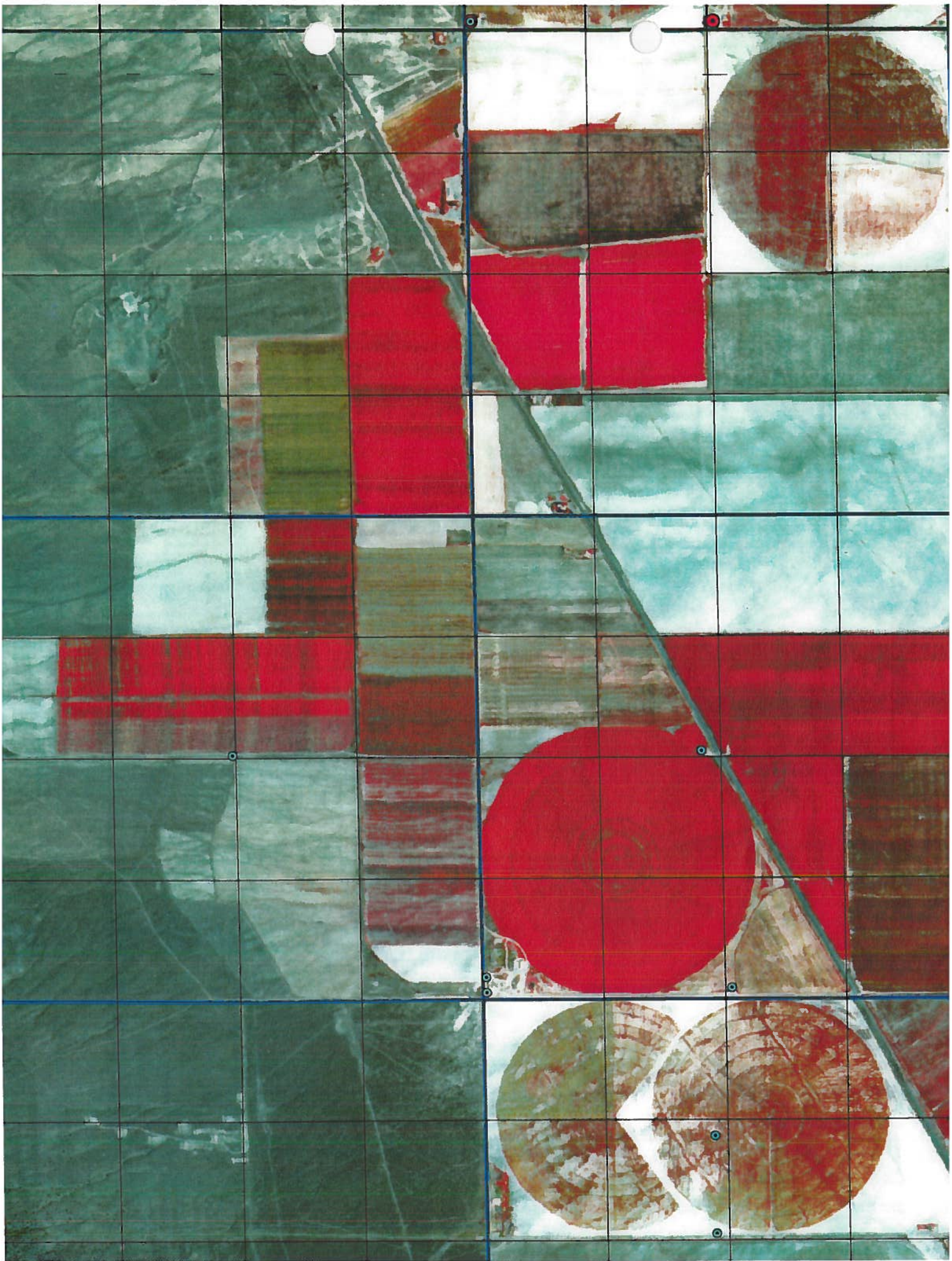
Jeanie Robertson
Sr. Water Resource Agent



claimed =
317 Ac.

POB?
how?





Transfer No. 2526

Water Right No. A) 43-2353
B) 43-2545

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)

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 1/4 of SW 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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 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

6. 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 _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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

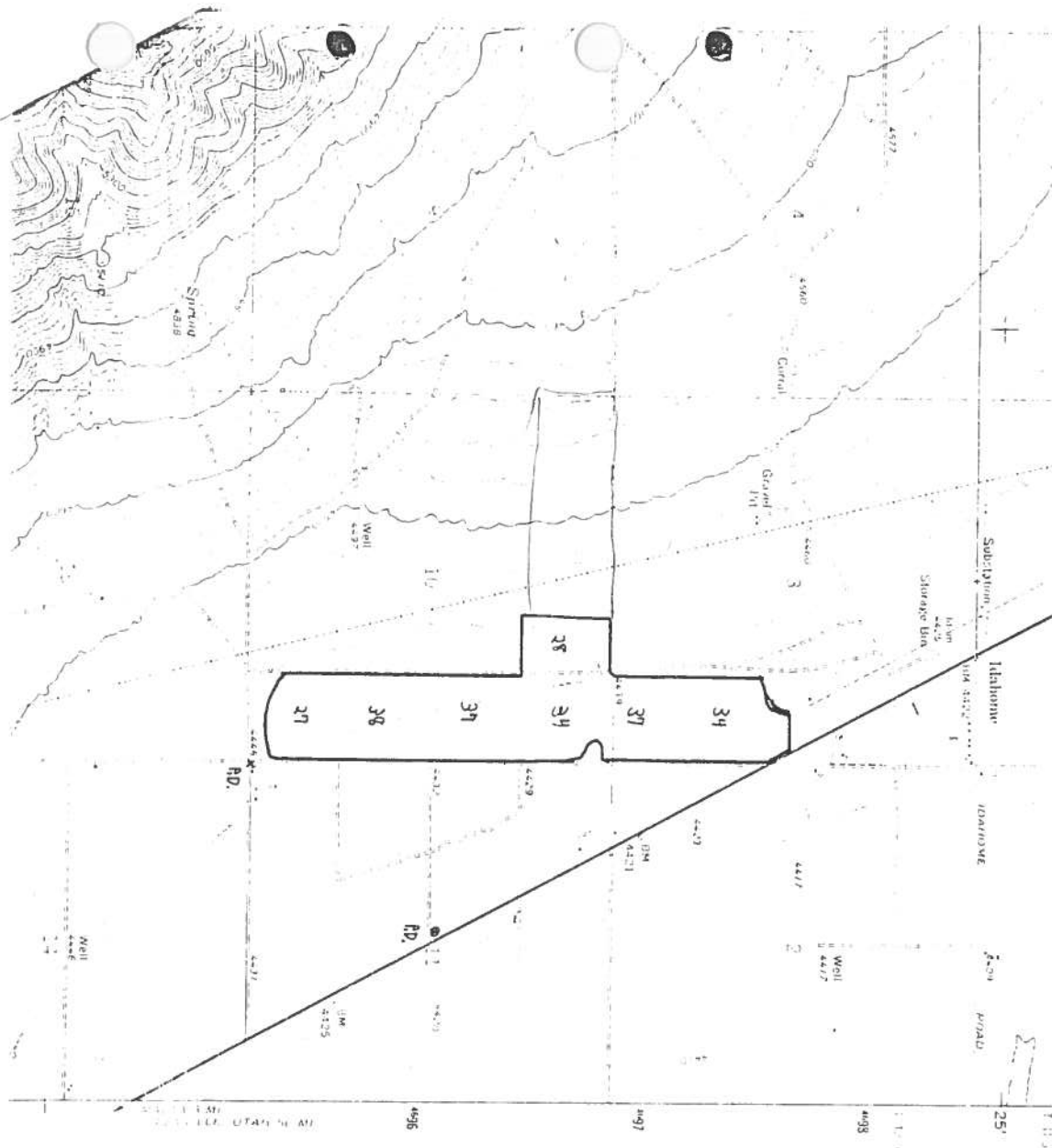
1. Change in point of diversion
- a. Amount of water to be diverted 3.37 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW 1/4 SW 1/4, Section 11 Township 12S
Range 26E, B.M., Cassia County
Additional points SE 1/4 NW 1/4 Sec. 11 T. 12S R. 26E
- c. Description of diverting works Two existing wells and pumps
- d. Describe the reasons for applying for a change in 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 1/4 NW 1/4 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:

WP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	26E	3													34			37	71
		10	34	28		37									38			27	164

Total number of acres to be irrigated 235



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. 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 43-25 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 Saylor
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 JH DET

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:02:04
02/27/01
9

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02545

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUGHMILLER RECLAMATION LLC <i>LARRY COOPER</i>	08/24/1962	IRRIGATION	03-15 11-15	0.470 CFS	<i>940 AF</i>
TOTAL DIVERSION:					0.470 CFS	
~~CONSUMPTIVE USE:~~						~~-705.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T12S R26E S11

SESENW

SWSWSW

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
12S	26E	3	:					:					:					:						
12S	26E	10	:	34		28		:					:					:						
TOTAL ACRES																							235.0	

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: 43-02353, 43-00423

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:

Concl. Code C18
Remarks: E14 274Ac w/8
POU 1 E11 235Ac w/ 2353
E14 344Ac w/a
QNT E28 22Ac w/a
E27 3.37cfs
940 AF w/a
POD F02 1 pool in SW
EXP K03
? app claim
-12953

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:01:49
02/27/01

PAGE: 2
QUICKLOOK INFORMATION

8
CLAIM NUMBER: A43-02545

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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A43-02549

1M 3-1-66

State of Idaho License and Certificate of Water Right

Water License No. G-30404 Priority August 24, 1962 Amount 0.47 c.f.s.
(date proof)

THIS IS TO CERTIFY that O. A. POWER

of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 8, 1962; that Permit No. G-30404 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.47 second feet, was issued thereunder on April 5, 1968, showing that said works were completed on the 28 day of August, 1967; and that on the 28 day of August, 1967, O. A. POWER

of Pocatello, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-30404 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 Water of subterranean flow, on the 5 day of April, 1968

The right hereby confirmed dates from August 24, 1962 (date proof)

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 11, Twp. 12 S, R. 26 E, B.M. Cassin 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 0.47 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Four-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S	26 E	3	NE 1/4 SE 1/4	40	38
			SE 1/4 NE 1/4	40	40
			NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	37
		10			

Total number of acres 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.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho.

State Reclamation Engineer.

T.
12
S.

R-26E.

3

10

11

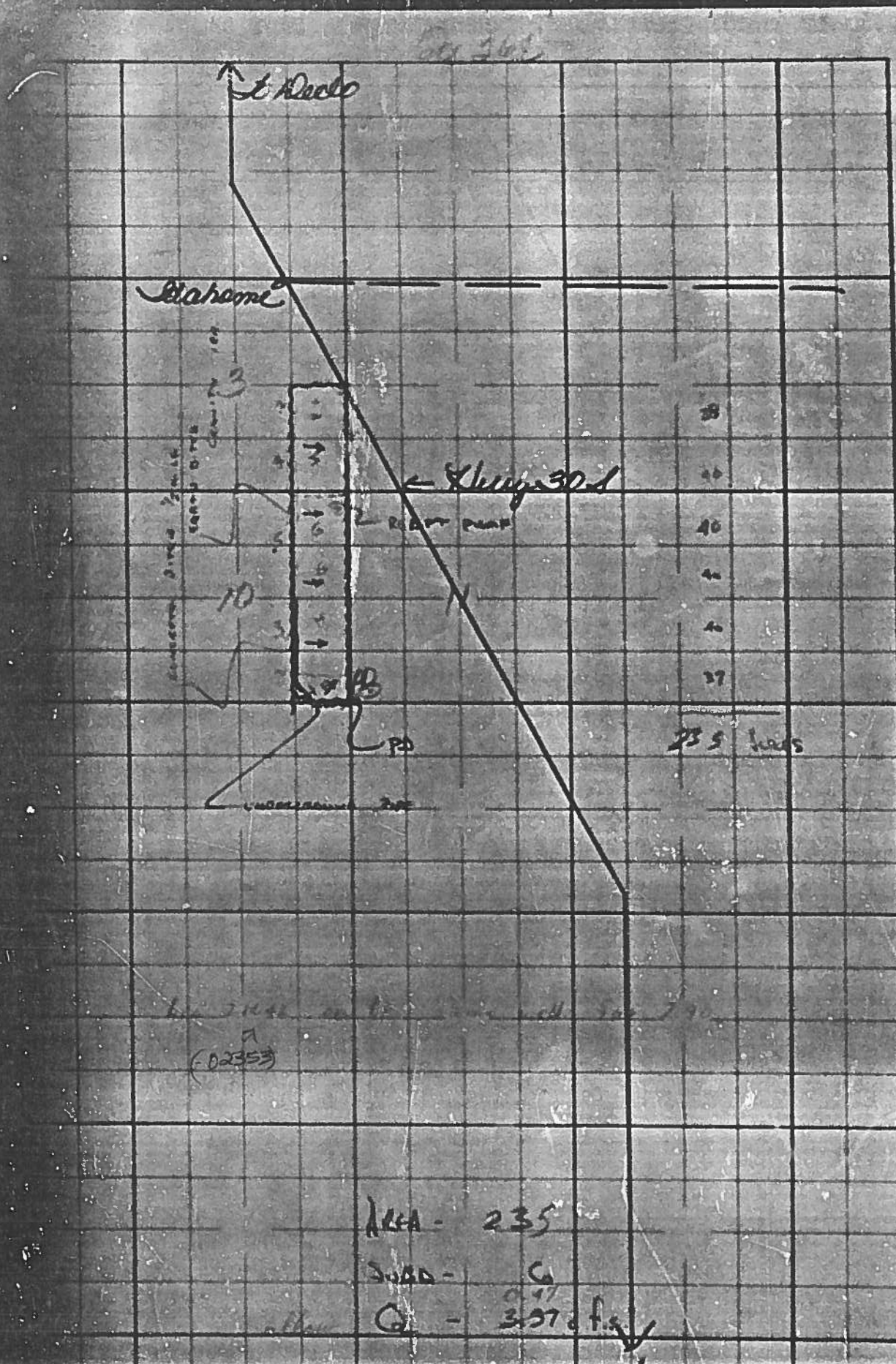
10

Subdivision C

area 235 acres

Allow 5' RICKS on 50' center

Permit 21647 licensed 145' from same well
(02353)



RECEIVED
JUN 1 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 0-30404

Proof of Application of Water to Beneficial Use
and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. O. A. Rymer; residence, Pocatello, Idaho; occupation, engineer & farming; postoffice address, same as above, 578 Myland, Pocatello, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same and your authority for appearing in its behalf.

Ans. Individual.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit 0-30404; date of permit 3/12/62; date of priority, 3/3/62.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. The source of this water is a well in SW corner of SW 1/4, Sec. 11, T12N-R26E, S. B. Ida.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Extending westerly from the well is an open ditch which will carry approx. 350" of water. Extending northerly is a private ditch for 1 1/2 miles, open ditch which will also carry 350". The well is drilled to a depth of 330', water stands at 120' and pumps from 165'. Equipped with 125 hp turbine type pump & motor and the hole is 18", cased 250' of 18" and 80' of 16" casing. All irrigation is open ditch gravity. No sprinklers. Well was measured by Greath Pump Co. by uriflow pressure method and discharges 220".

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation of 40 acres in each of the following subdivisions: T12N-R26E, Section 3, SW 1/4; Section 10, E 1/2. 38 acres is irrigated in Section 3, T12N-R26E. This is all arid land, no natural meadow and all improvements which consist approximately \$35,000 were made as a direct result of this water improvement.

Ques. 6-a. If this is a ground water permit, give name and address of person that drilled the well.

Ans. Frank Colby, Malba, Idaho

2400

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. Irrigation only.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. I have to have at least 1" to the acre here and need every bit that I am given now.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Original applicant.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Well was drilled in 1950 and development has been continuous since then.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands here described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Permit 21612 which was licensed for 2.9 cfs., and the two permits (21612 and 21614) are the primary sources of irrigation for this entire 240 acres; however, we have this interchangeable for E. 30E, Sec. 10, which can be irrigated from the well in E. 30E, Sec. 11 and is under permits G-24670 and G-28198.

(Sign)

Al Power

I hereby certify that the foregoing testimony was read to the above subscribed before its signing and that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in _____

Boise

County of Ada

State of Idaho, on this 25

day of

May

A. D. 1962

Harley M. L. Cudwelle
Notary Public for the State of Idaho.

My commission expires 10/11/63

February 21, 1968

Re: Permit No. G-30404

O. A. Power
1728 P. O. Box
Frontalio, Idaho

Dear Mr. Power:

A representative of this department has made an examination of the works covered by your permit G-30404 and has found the following:

Quantity of water diverted: 0.47 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.47 c.f.s.

Purpose of use: irrigation (supplemental)
for 235 acres in the Kiser, sec. 31, T4N, sec. 10,
Road 2 S. R. 26 E. R. 4E.

The priority date established is: August 24, 1967.

A fee totaling \$ 17.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McElwainey
Appropriation Examiner

DW:hs

30404

30404

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30404

This proof is for C/W & B/U

In Water District No. _____

1. Name of applicant O. A. Power

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW 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:

125 HP PARBANKS - WARE motor # F 220515
JOHNSON VERTICAL PUMP (No 4)
12" DISCHARGE - THROUGH GATE VALVE - THROUGH
1/2 mile UNDERGROUND 8" PIP. ALSO 12" DISCHARGE
7' INTO FARM CATCH. NOTE DIAGRAM PAGE 108

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):

E 1/2, Sec. 10; E 1/2 SE 1/4, Sec. 3, T. 12 S, R. 26 E, B.M.

See 230 ACRES

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

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

Remarks:

CURRENT METER MEASUREMENT MADE

Q = 3.374 c.f.s. on 150 S"

See PREVIOUS Exam. of Perm. # 2412

This examination was made on the 1st day of OCT, 19 57

(Signed) _____

Examiner

30404 Plat 1

15 mi. 305.

R-26E.

T
12
S.

9

35

40

40

40

10

40

40

11

PD.

Subdivision C

area

235 ac.

Allow ϕ 1-1 CFS OR 50 inches

Permit 21642 licensed 145" from same well

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30404

This proof is for C/W & B/U

In Water District No.

1. Name of applicant O. A. Power

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW 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:

125 HP JARVIS - MESS MOTOR # F 320515
JUNCTION VERTICAL PUMP (No 4)
12" DISCHARGE - THROUGH GATE VALVE - THROUGH
1/2 mile underground 8" PIP. ALSO 12" DISCHARGE
9' INTO EARTH CATCH. NOTE DIAPHR. PIPE 1.56"

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):
E 1/2, Sec. 10; E 1/2 SE 1/4, Sec. 3, T. 12 S, R. 26 E, B.M. L. 22. 230 ACRES

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

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

Remarks:

CURRENT MEASUREMENT MADE

R-2.371 cfs or 150.5"

This examination was made on the

(Signed)

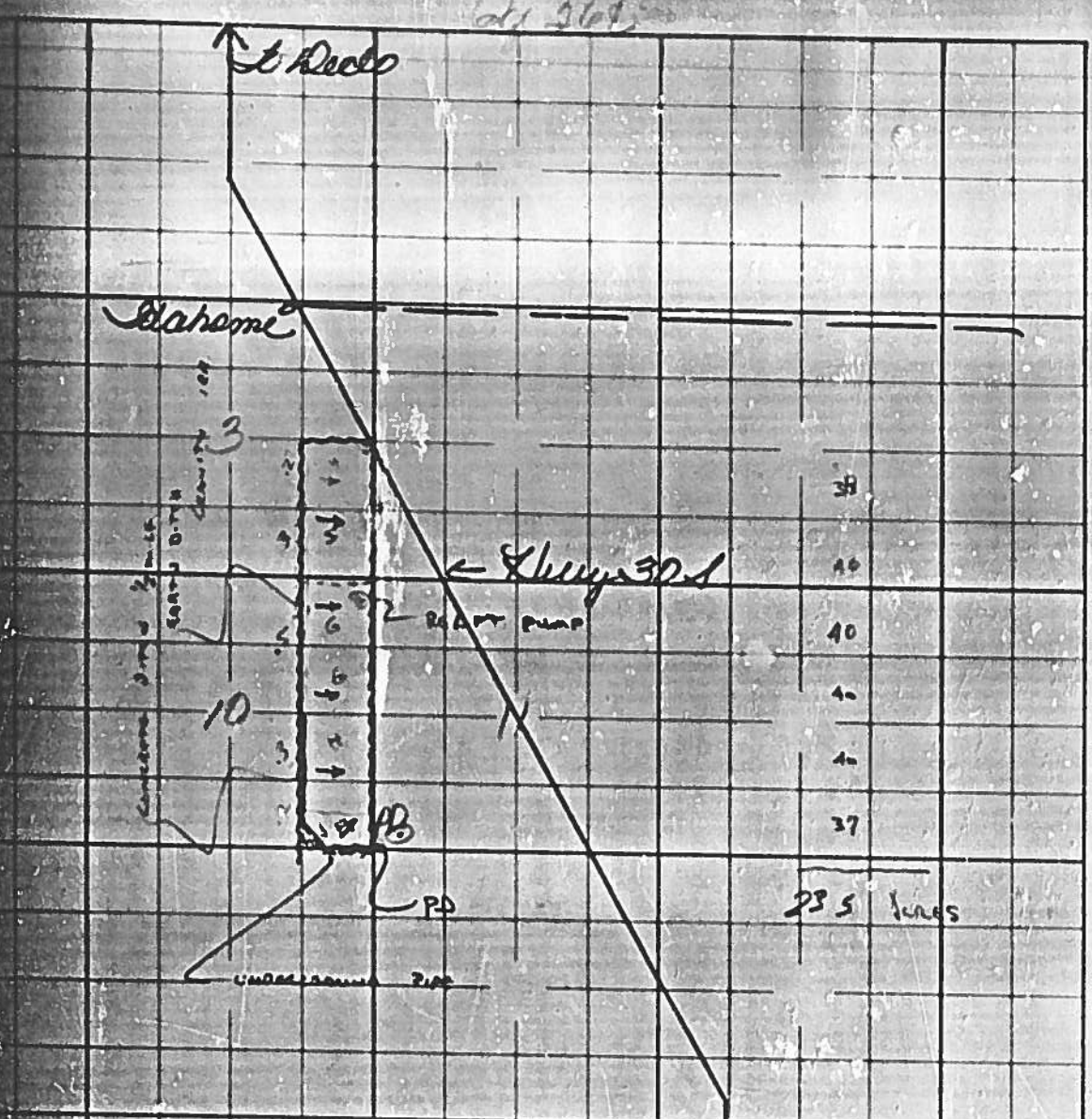
day of

Oct

19 57

Examiner

21 365



for 2142 on the same well for 2.90

AREA - 235

SUBD - 6

at base Q - 3.97 c.f.s.

6malla

- June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION
Boise, Idaho
August 13, 1962

Re: Permit No. G-30404

C. A. Power
578 Highland
Pocatello, Idaho

Dear Mr. Power:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30404 shows the well is (~~now~~) capable of conveying 60 miner's inches, or 1.1 c.f.s. of water for the irrigation of 235 acres.

Upon receipt of the statutory fees, totaling \$17.00, which consists of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$12.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right, confirming the right, with priority of March 8, 1962 to the use of 1.1 second feet of subterranean water with the point of diversion in the SE1/4, Sec. 11 for irrigation of 235 acres in the E1/2, Sec. 3, E1/2, Sec. 10, T. 12 S., R. 26 E., 2nd. N.

Very truly yours,

GEO. H. GARDNER
State Reclamation Engineer
By

(Mrs.) Edna F. Nule
Chief Clerk

WR:mf

30404

August 27, 1962

Mr. Harold Roy, G-3110

Mr. C. L. Rouse,
2nd District,
Bismarck, Idaho.

Dear Mr. Rouse:

Returned herewith is your check for \$1.00 which we received
in answer to our letter dated August 13, 1962.

It appears that our letter was in error, unless there are two
wells in the SE corner of G-3110, Sec. 15, T. 12 N., R. 26 E. Water
License No. 21817 has been issued for 2.0 cfs from a well in that league
to irrigate the B-311, Sec. 25, T. 12 N., R. 26 E.
The report of Mr. Rouse, dated June 10, 1960, and this report, show
that the equipment in both reports is the same which indicates that
one well is in operation in that area.

This report shows that the pump in, recording 7.5 cfs and
a license has been issued for 2.0 cfs so further water can be licensed.

We may withdraw your permits under this permit and
transfer equipment, if you wish. You would have to reexamine
permits at a later date.

Very truly yours

W. H. CARTER
State Reclamation Engineer
by

RALPH M. THOMAS, Deputy
State Reclamation Engineer

Encl.
W. H. Carter, National
Box 2161
Bismarck, Idaho

304/50

30404
21642

O. A. POWER
ROUTE 1 SOUTH
POCATELLO, IDAHO
83201

RECEIVED
JUL 5 1967

June 30, 1967 Department of Reclamation

Mr. Jack Barnett
Department of Reclamation
107 State House
Boise, Idaho

Dear Mr. Barnett: Re: Permit G-30404

I have your letter of June 26, 1967 on Permit G-30404. I am still a bit confused on the status of the Permit on this particular well and would appreciate further information.

Originally we had licensed Permit No. 21642 which gave us 2.90 cubic feet of water per second. We had a great deal of trouble with this well due to sand and later on we pulled the pump and cleaned the well out and thought we had more water; therefore, we applied for supplemental water under Permit G-30404. In a letter dated June 1, 1962 from Mrs. Rule, we received notice that we had properly completed the deposition of the holder and two witnesses and that a field examination would be made.

This is the point where I become confused and I suspect that an examination was made and that we had not improved the output of the well, but I would appreciate your advice on this.

For your information, two years ago we went into the well once more and I am not sure whether we improved it and an accurate measurement should be made to tell us how much water we are pumping at the moment. I am fairly confident, however, that we are producing about all this well will produce, but I am, of course, anxious to license the amount we are now producing. Would it be possible for you to make another measurement? If we are producing more water than our original Permit granted then I should request that cancellation of Permit No. G-30404 not be made

30404

INSTRUCTIONS TO DELIVERING EMPLOYEE
Show to whom and
Show to whom and
Show to whom and
Show to whom and

Page 2
Mr. Jack Barnett
June 30, 1967

and that I comply with the regulations.

In any event, I will sincerely appreciate your advice on the entire matter.

Very truly yours,

O. A. Power
O. A. Power

30404

30404