

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 43-10051
Date Received: 3/21/89
Receipt No:
Received By:

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

1. Name of Claimant(s)

MARK L HIGLEY Phone: (801)731-3118
3951 S 5500 W
HOOPER UT USA 84315

DIANE HIGLEY Phone: (801)731-3118
3951 S 5500 W
HOOPER UT USA 84315

2. Date of Priority: 12/31/1954

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
16S	27E	26	SW SW SW	CASSIA

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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
16S	27E	26	SW	SW	STOCKWATER	

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:

6-2-98: OWNERSHIP CHANGE ADDED BETH PER NOTICE RECD 5-14-98 - VH
11-13-00 tf, ownership changed Jones to Higley per request and warranty deed
received 6-21-00.

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

November 17, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK HIGLEY
DIANE HIGLEY
3951 S 5500 W
HOOPER UT 84315

RE: SRBA Claim(s) 43-00037 43-00084, 43-00085, 43-00259,
43-00260, 43-00286A, 43-02401, 43-10051,
43-10053

Decreed Water Right 43-10052

Dear Claimant:

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

Enclosed you will also find printouts of claims 43-10051 and 43-10053. These claims have not yet been reported to the SRBA court in a Director's Report and as such do not require a Notice of Administrative Proceeding. Water Right 43-10052 has been decreed and will be changed by our state office in Boise. You will receive a separate notice from them when the change has been completed.

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Harold and Beth Jones



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 6-2-00

SEE ATTACHED LEGAL DESCRIPTION

43
RECEIVED
JUN 21 2000
Idaho Department of Water Resources
Bozeman, Montana

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. _____

Lot _____, Block _____, Subdivision/Townsite _____.

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)
43-00037, 43-00084, 43-00085, 43-00286A, 43-00259.
- ☐ Water Right Number(s) Assigned by IDWR: 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-10053
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Farold A. and Beth R. Jones
Sublett Route
Malta, Idaho 83342
- ☐ New Owner/Claimant (Purchaser): Mark L. Higley & Diane Higley
- ☐ New Mailing Address: 3951 South 5500 West,
Hooper, Utah 84315
- ☐ New Telephone Number: (501) 731-3118
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x 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: Warranty Deed

(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 Mark Higley Date 5-31-00
x Diane Higley Date 5-31-00
- ☐ Signature of Former Owner/Claimant(s) x Farold A. Jones Date 5-31-00
x Beth R. Jones Date 5-31-00

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11/13/00 By: gawatt

Claim Numbers of Split, if any:

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

269545

269545

WARRANTY DEED

FOR VALUE RECEIVED, HAROLD A. JONES and BETH R. JONES, husband and wife, of Sublett Road, Malta, Idaho, the Grantors, do hereby grant, bargain, sell and convey unto MARK L. HIGLEY and DIANE HIGLEY, husband and wife, the Grantees, whose current address is 3951 South 5500 West, Hooper, Utah 84315, the following described premises, located in Cassia County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 3: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 27: NE $\frac{1}{4}$, S $\frac{1}{2}$

PARCEL NO. 2:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

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

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO an Oil, Gas and Mineral Lease between Harold A. Jones and Beth R. Jones, husband and wife, and Standard American Company, dated July 27, 1973, and recorded August 14, 1973, as Instrument No. 71907 on Film No. 84, records of Cassia County, Idaho. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative,

RECORDED IN THE OFFICE OF
LAND TITLE & ESCROW

00 JUN 2 PM 3 49

CASSIA COUNTY, IDAHO
RACONTELL M. DOCKRELL
RECORDER
FEB 9 20 1974

269545

Inc., an Idaho rural electric Cooperative of Malta, Seller and Clear Creek Ranches - Harold A. Jones, Beth Jones; Harold Devon Jones, Sheryl Jones; Ray Jones, Karen Jones, Consumer, dated June 24, 1985, and recorded May 15, 1986, as Instrument No. 178402 on Film No. 180, records of Cassia County, Idaho, covering the NE¼ of Section 3, Township 16 South, Range 27 East, Boise Meridian. (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold Jones, Consumer, dated January 26, 1990, and recorded February 5, 1990, as Instrument No. 206054 on Film No. 213, records of Cassia County, Idaho covering the "SE¼ of Section 34, Township 15 South, East of Boise Meridian." (Parcel No. 1)

ALSO SUBJECT TO an Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Harold A. Jones and Beth R. Jones, Consumer, dated April 1, 1999, and recorded April 12, 1999, as Instrument No. 262067, records of Cassia County, Idaho covering the SE¼NE¼ of Section 27, Township 16 South, Range 27 East of the Boise Meridian. (Parcel No. 1)

Together with appurtenant water rights, including 2,500 shares in Naf Irrigation District Company and water under license # G24589 and creek waters of Clear Creek and the following Idaho water rights:

Water Rights Nos. 43-00037, 43-00084, 43-00085, 43-00286A, 43-00259, 43-00260, 43-02401, 43-07225, A43-10051, A43-10052 and A43-10053

Reserving one-half of all mineral rights currently owned by Seller in each parcel of land. Seller makes no representations or warranties as to the nature or extent of any such mineral rights.

To have and to hold the said premises with their appurtenances to the said Grantee, its heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of said premises,

that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 31 day of May, 2000.

Harold A. Jones
Harold A. Jones

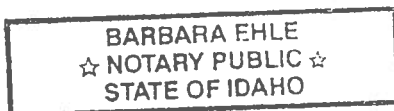
Beth R. Jones
Beth R. Jones

STATE OF IDAHO)
) ss.
County of Cassia)

On this 31 day of May, in the year of 2000, before me the undersigned notary public in and for said state, personally appeared Harold A. Jones & Beth R. Jones, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(SEAL)



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

Barbara Ehle
Notary Public
Residing at Burley, Id
My Commission expires 6-12-2003

AJ5856NP

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

DATE: AUG-18-1997
PAGE: A-25

RIGHT NUMBER: 43-10051

NAME & ADDRESS: HAROLD A JONES
SUBLETT RT
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1954

POINT OF DIVERSION: T16S R27E S26 SWSWSW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T16S R27E S26 SWSW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP16S27E263000
STOCKWATER, 200 RANGE

Claim proofread by: KT

Date: 9-2

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: **A43-10051**
Date Received: 3/21/1989
Receipt No: S006624
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: HAROLD A JONES
Address: SUBLETT ROUTE
MALTA ID

208-645-2370

83342

Name: BETH R JONES
Address: SUBLETT ROUTE
MALTA ID

208-645-2370

83342

2. Date of Priority: DEC 31, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	27E	26	SW	SW	SW	.	CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 RANGE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16S	27E	26	SW SW		STOCK	

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:
NONE

14. Remarks:

6-2-98: OWNERSHIP CHANGE ADDED BETH PER NOTICE REC'D 5-14-98 - VH

15. Basis of Claim: BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HAROLD A JONES
BETH R JONES
SUBLETT RT
MALTA ID 83342

RE: SRBA Claim(s) A43-02550B, A43-10051, A43-10053, A43-10054

Dear Mr. and Mrs. Jones:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to include you both. 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.

The remainder of the rights listed on the ownership change form you submitted were reported to the SRBA Court in a Director's Report. As such, the court was notified of the change in a Notice of Completed Administrative Proceeding and copies were mailed to you earlier this week.

Sincerely,

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

Trish Fawcett
Technical Records Specialist

enc.

RECEIVED

MAY 14 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

15

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

1. Water Right No(s): ~~00200~~, -00286A, -02401, -0253B, -10051, -10053, -10054
Adjudication Claim No(s): A43-10052, -10055, -10037, -10084, -10085, -100259
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Donald A. Jones
Sublet R. Malta, Ida 83342
- X 4. New Owner/Claimant(s): Beth R. Jones - Donald A. Jones
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address: Sublet R. Malta, Idaho
City, State and ZIP Code: Malta, Idaho 83342
New Telephone Number: (208) 645-2370
5. Date you acquired the property: _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Donald A. Jones
Beth R. Jones
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

AJ5856NP

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

DATE: AUG-8-1997
PAGE: A-29

RIGHT NUMBER: 43-10051

NAME & ADDRESS: HAROLD A JONES
SUBLETT RT
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1954

POINT OF DIVERSION: T16S R27E S26 SWSWSW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STOCKWATER, 200 RANGE	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T16S R27E S26 SWSW

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

PARCEL NO. RP16S27E263000

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KST

Date: 8/13/97

Data entry verified by: [Signature]

Date: 8-15-97

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: A43-10051
Date Received: 3/21/1989
Receipt No: 5006624 *AD*
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD A. JONES 208-645-2370
Address: SUBLETT ROUTE
MALTA, ID 83342

2. Date of Priority: DEC 31, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	27E	26	SW	SW	SW		CASSIA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 200 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16S	27E	26	SW	SW		STOCK	

11. Place of use in counties: CASSIA

A43-10051

Page 1

Date: 03/21/89

MICROFILMED

MAR 05 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Harold A. Jones Date: 3-21-89

Date: _____

State of Idaho)
County of Twila Falls) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of March 19 89
[Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94

