

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-10054 V1

WATER RIGHT NUMBER: 43-10054 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROUND MOUNTAIN RANCH HC 72 BOX 2346 MALTA, ID 83342 (208)824-5721
Original Owner	MARK L HIGLEY 3951 S 5500 W HOOPER, UT 84315 (801)731-3118
Original Owner	DIANE HIGLEY 3951 S 5500 W HOOPER, UT 84315 (801)731-3118
Original Owner	BETH R JONES SUBLETT RT MALTA, ID 83342 (208)645-2370
Original Owner	HAROLD A JONES SUBLETT RT MALTA, ID 83342 (208)645-2370

Priority Date: 12/31/1939

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SE1/4	Sec. 34, Twp 15S, Rge 27E, B.M.
CASSIA County		

Place of UseSTOCKWATER Within CASSIA County

T15S R27E S34 SESE

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-10054 V1

2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. 15S27E344800 STOCKWATER, 200 RANGE

Comments:

1. VHANCOCK 6/2/1998 OWNERSHIP CHANGE
Comment: ADDED BETH PER NOTICE REC'D 5-14-98

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JUL 15 2003

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. 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
<u>43-37</u>	_____	_____	<u>43-286A</u>	<u>43-10054</u>	_____
<u>43-84</u>	_____	_____	<u>43-2401</u>	_____	_____
<u>43-85</u>	_____	_____	<u>A43-10051</u>	_____	_____
<u>43-259</u>	_____	_____	<u>A43-10052</u>	_____	_____
<u>43-260</u>	_____	_____	<u>A43-10053</u>	_____	_____

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. → **Not applicable; claims are pending in SRBA**

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): → **Not Required: per Trish at IDWR, Southern Region**
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**.

3. Name and Address of Former Owner/Claimant(s) Mark Higley and Diane Higley - 3951 South, 5500 West, Hooper, Utah 84315
Jeff L. Sessions and Jennifer Sessions - HC 72, Box 2346, Malta, Idaho 83342
4. New Owner/Claimant(s) Round Mountain Ranch, an Idaho general partnership
 New Mailing Address HC 72, Box 2346
 City, State and ZIP Code Malta, Idaho 83342
 New Telephone Number (208) 824-5721
5. Date you acquired the property April 27, 2001

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe in detail your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box. You may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

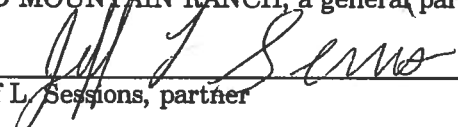
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number & type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number & type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s): ROUND MOUNTAIN RANCH, a general partnership
(include title if applicable)

By: 
Jeff L. Sessions, partner

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

For Office Use Only

Received by  Date 7/15/03 Fee _____
Received by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

274661

QUITCLAIM DEED

#34000

For Value Received

JEFF L. SESSIONS and JENIFER SESSIONS, husband and wife, and MARK L. HIGLEY and DIANE HIGLEY, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

ROUND MOUNTAIN RANCH, an Idaho general partnership
ADDRESS: 3475 Round Mountain Lane
Malta, Idaho 83342

Hereinafter called the grantee, the following described premises, 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 $\frac{1}{4}$

PARCEL NO. 3:

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

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 24: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

RECORDED AT THE REQUEST OF
 LAND TITLE & ESCROW

01 APR 27 PM 4 05

CASSIA COUNTY, IDAHO
 DARRELL H. ROSKELLEY
 RECORDER
 9.00 DEPUTY

274661

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.

RECEIVED
JUL 15 2003
 Department of Water Resources
 Southern Region

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
<u>43-45</u>	_____	_____	<u>43-10117</u>	_____	_____
<u>43-286B</u>	_____	_____	<u>43-10118</u>	_____	_____
<u>43-2110</u>	_____	_____	<u>43-10824</u>	_____	_____
<u>43-10116</u>	_____	_____	_____	_____	_____
_____	<u>43-2061</u>	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. → **Not applicable; claims are pending in SRBA**
- 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): → **Not required: per Trish at IDWR, Southern Region**
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**.

3. Name and Address of Former Owner/Claimant(s) Shirley A. Jones and Merle Jones
1755 Alvarado, Twin Falls, Idaho 83301
4. New Owner/Claimant(s) Round Mountain Ranch, an Idaho general partnership
 New Mailing Address HC 72, Box 2346
 City, State and ZIP Code Malta, Idaho 83342
 New Telephone Number (208) 824-5721
5. Date you acquired the property April 27, 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe in detail your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box. You may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number & type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s): ROUND MOUNTAIN RANCH, a general partnership
(include title if applicable)

By: Jeff L. Sessions
Jeff L. Sessions, partner

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

For Office Use Only

Received by [Signature] Date 7/15/03 Fee _____
 Received by [Signature] Date _____ Receipt No. _____
 Processed by [Signature] AJ Date 7/16/03 WR _____ Date _____

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and
SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 4:

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

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 5:

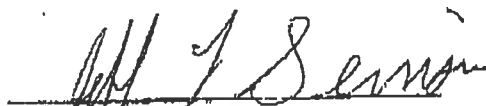
TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

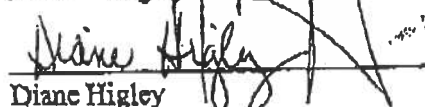
TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: April 27, 2001


Jeff L. Sessions


Jennifer Sessions


Mark L. Higley


Diane Higley

07/03/2003

08:15

LANDTITLE -- BURLEY -> LING ROBINSON

NO. 937 0009

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 27th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFF L. SESSIONS and JENIFER SESSIONS**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Larry Roberts
Notary Public
State of Idaho

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

STATE OF IDAHO)

) ss.

COUNTY OF Cassia)

On this 27th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **MARK L. HIGLEY and DIANE HIGLEY**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Larry Roberts
Notary Public
State of Idaho

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

274702

WARRANTY DEED

FOR VALUE RECEIVED ROBERT MERLE JONES and SHIRLEY ANN JONES, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto JEFF L. SESSIONS and JENIFER SESSIONS, husband and wife, and DIANE HIGLEY, a married woman dealing in and with her sole and separate property, whose present address is 1657 North 4500 West, West Point, Utah 84015, the Grantees, the following described premises, located in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

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

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$

Section 24: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

Except all oil, gas, coal and other minerals of
every kind and nature whatsoever, in and under that
may be produced from the above described property.

PARCEL NO. 2:

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

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 19: W $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

SAVE AND EXCEPTING THEREFROM and reserving to the
Sellers 70% of all mineral rights on the premises
described as Parcels No. 1, 2 and 3, which are
owned by the Sellers.

WATER RIGHTS: Claims filed in Snake River Adjudication,
Case No. 39376;

Claim Filed, Ident. No. A43-10118 0.040 cfs Stockwater
Claim Filed, Ident. No. A43-10117 0.040 cfs Stockwater

Claim Filed, Ident. No. A43-10116 20.000 cfs Irrigation
 Claim Filed, Ident. No. A43-10119 0.040 cfs Stockwater
 and Domestic
 Claim Filed, Ident. No. A43-02061 0.160 cfs Irrigation
 Claim Filed, Ident. No. A43-02110 0.800 cfs Irrigation
 Claim Filed, Ident. No. A43-00286 4.300 cfs Irrigation
 Claim Filed, Ident. No. A43-00414 2.100 cfs Irrigation
 0.040 cfs Stockwater
 Claim Filed, Ident. No. A43-00045 1.700 cfs Irrigation

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

DATED this 28th day of February, 1992.

274702

CASSIA COUNTY, IDAHO
 DANIEL L. MCCOY, CLERK

RECEIVED
 FEB 28 1992

01 APR 30 PM 3 08

RECORDED AT THE REQUEST OF
 LARRY ROBERTS

Robert Merle Jones
 Robert Merle Jones

Shirley Ann Jones
 Shirley Ann Jones

STATE OF IDAHO)
 County of Cassia) ss.

On this 28th day of February, 1992, before me, a Notary Public in and for said State, personally appeared Robert Merle Jones and Shirley Ann Jones 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 first above written.

LARRY ROBERTS
 (SEAL) NOTARY PUBLIC
 STATE OF IDAHO

Residing at Burley, Idaho
 My Commission Expires

Notary Public
 Residing at Burley
 My Commission Expires 6-15-97

32683

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 RECORDS OF
LAND TITLE RECORD

00 JUN 2 PM 3 49

REC 9.00 30 JUN 2003

CASSIA COUNTY, IDAHO
MARCEL A. JOHNSON
REGISTER

269545

Name: 00269545.000

Dimensions: 2496 x 3282 pixels

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)
County of Cassia) ss.

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

LING, ROBINSON & WALKER

BRENT T. ROBINSON
JASON D. WALKER

ATTORNEYS AT LAW
615 "H" STREET

P. O. BOX 396

RUPERT, IDAHO 83350-0396

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

KELLY ARTHUR ANTHON

ROGER D. LING, OF COUNSEL

July 14, 2003

RECEIVED
JUL 15 2003
Department of Water Resources
Southern Region

Department of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RE: Notice of Change of Water Right Ownership

Enclosed herewith for processing by the Department are two (2) signed and completed *Notice of Change of Water Right Ownership* forms along with copies of aerial photos. It is my understanding that no filing fee is required as these cases are currently pending in the SRBA.

Your anticipated assistance in this matter is greatly appreciated. Please feel free to contact the undersigned if you have any questions or comments in regard to this matter.

Very truly yours,



Jason D. Walker

JDW:jb

encs

pc w/encs: Mr. Larry Roberts,
Land Title and Escrow, Inc.

AJ5856NP

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

DATE: AUG-18-1997

PAGE: A-27

RIGHT NUMBER: 43-10054

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: 12/31/1939

POINT OF DIVERSION: T15S R27E S34 NWSESE 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
T15S R27E S34 SESE

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. 15S27E344800
STOCKWATER, 200 RANGE

Claim proofread by: KT
Date: 9-4



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

July 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HAROLD A JONES
BETH R JONES
SUBLETT RT
MALTA ID 83342

Re: Adjudication claims for Kelso Ranch

Dear Mr. and Mrs. Jones:

Enclosed please find the printouts of all adjudication claims for Kelso Ranch you requested July 21. I apologize for not getting these to you last week, but rather than send you incomplete or wrong information, I waited for Doug Jones to return from vacation so I could check with him to make sure which of your claims were for Kelso Ranch.

Thank you for your patience and should you have any questions or need more information, please do not hesitate to call.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

A43-00037
A 43-00084
A 43-00085
A 43-00259
A 43-00260
A 43-00286A

A43-10054
43-10055

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: **A43-10054**
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, 1939

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	27E	34	NW	SE	SE		CASSIA

5. Description of diverting works:
6" X 200' WELL WITH 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
15S	27E	34	SE	SE		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'.

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).: ~~00260~~, -00286A, -02401, -02550B, -10051, -10053, -10054
Adjudication Claim No(s).: A43-10052, -10055, -00037, -00084, -00085, -00259
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
Harold A. Jones
Sublet R. Malta, Ida 83342
- X 4. New Owner/Claimant(s)
Beth R. Jones - Harold 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)
Harold 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-31

RIGHT NUMBER: 43-10054

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1939

POINT OF DIVERSION: T15S R27E S34 NWSE 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
T15S R27E S34 SESE

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

PARCEL NO. 15S27E344800

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KST

Date: 08/13/97

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: A43-10054
Date Received: 3/21/1989
Receipt No: 5006628 *for*
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, 1939

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	27E	34	NW	SE	SE		CASSIA

5. Description of diverting works:
6" X 200' WELL WITH 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
15S	27E	34	SE	SE		STOCK	

11. Place of use in counties: CASSIA

A43-10054

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 x 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): David 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 Lee D. Monte
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/92

WATER RIGHT NUMBER - A43-10054 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (C) NUMBER -
+ - - - - LAST NAME - - - - + - FIRST NAME - - + - - - - ADDRESS - - - - -

*** C - CURRENT OWNER *** HAROLD A.
JONES
1 - SUBLETT ROUTE
2 -
3 -
CITY- MALTA
PHONE - 208-645-2370
STATE- ID ZIP- 83342

+ - - PRIORITY DATE - - + - - REGION - - + - - STAGE - - + - - STATUS - - - +
12/31/1939
J - BENEFICIAL USE
+ - - - - SOURCE - - - - + - - - - TRIBUTARY - - - - -

GROUNDWATER
+ - - - - - - - - - - - - - - - POINT OF DIVERSION - - - - -
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

15S 27E 34 NW SE SE (31) CASSIA

+ - - - - - - - - - - - - - - - WATER USE - - - - - DIVERSION RATE DIVERSION VOLUME
CODE DESCRIPTION PERIOD FROM PERIOD TO

04 - STUCKWATER 01/01 12/31 0.040
+ - - TOTAL DIV. RATE - + - - TOTAL DIV. VOLUME - + - - TOTAL DIV. CAPACITY - + - - TOTAL CONSUMPTIVE USE - + - - KW USAGE - +
0.040

+ - - - - - - - - - - - - - - - PLACE OF USE - - - - - DESCRIPTION COUNTY
TWN RNG SEC TRACT LOT ACRES CODE

15S 27E 34 SE SE 04 STOCKWATER (31) CASSIA

+ - - DIVERSION MEANS - 6" X 200' WELL WITH PUMP

+ - - NON-IRRIGATION USE - S/ 200 RANGE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - - - - - - - - - - - REMARKS - - - - -
NO REMARKS FOUND.

+ - - - - - - - - - - - - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - - - - - - - - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + - - - - DECREE DEFENDANT - - - + - - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 03/21/99 MERRITT

