

Receipt Number 41-10274

Department of Water Resources

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3-1 to 10-15 amount 1 inches or .005 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .005 (1 inch) (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10	31	6											X						1 A.

Total number of acres irrigated 1

11. In which county (ies) are lands listed above as place of use located? Power.

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

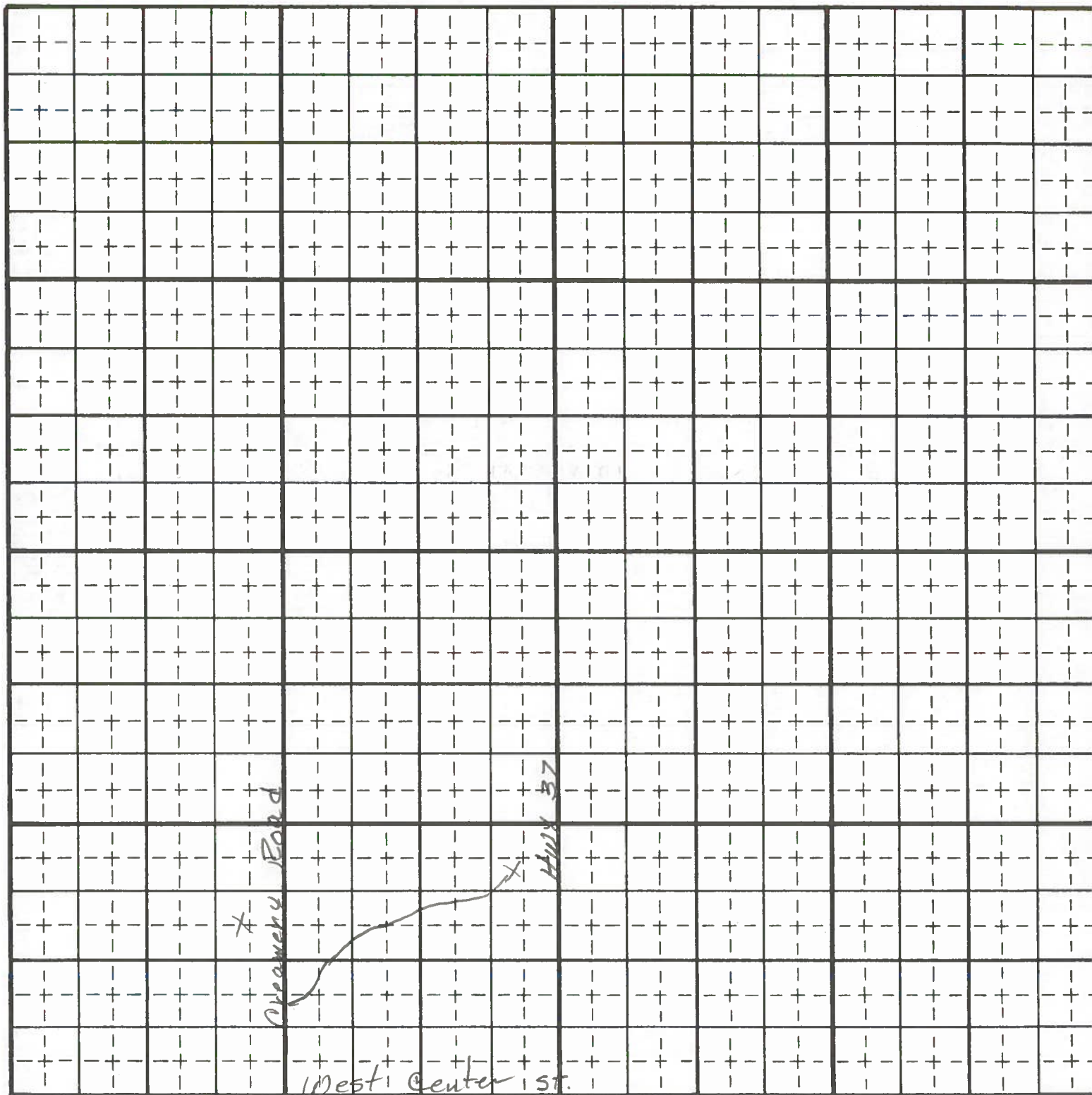
14. Remarks:

Last Name Ralphs Ident No. 41-10274

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Ralphs

Ident No. 41-10274

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 411020
Court _____ Case Number _____ Decree Date June 6, 1903
Plaintiff vs Defendant _____

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 _____

For individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Brad Ralph Date 11-21-00

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Rockland) SS.

Subscribed and sworn (or affirmed) before me this 21st day of November 19 2000



Notary Public Lorri Robinson
Residing at Rockland
My Commission Expires 7-23-2000

Please Print Name

17. Notice of Appearance
Notice is hereby given that _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name Ralphs Ident. Number 41-10274

Copies White-State, Yellow-Claimant

ORIGINAL
Copy

WARRANTY DEED

Warranty deed made as of January 1, 1983, between Ray Ralphs, a married man dealing with his sole and separate property, from now on referred to as Grantor, and B & R Farms, an Idaho general partnership, whose current address is Rockland, Idaho, from now on referred to as Grantee. Grantor and Grantee are referred in the singular and by the pronouns his or him for ease of reading regardless of actual number or gender. The deed is to be interpreted as though the proper number and gender had been used.

Grantor, in consideration of \$10.00 and other good and valuable consideration to him paid, the receipt of which is acknowledged, does grant, bargain, sell, and convey to grantee, his heirs, successors and assigns, all the real property located in the County of Power, State of Idaho, described as follows:

The property is described on attachment 1.

Together with:

1. All improvements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues and profits.
2. Other items as described on attachment 2.

Subject To:

1. Taxes and assessments for 1983 and all subsequent years.
2. All facts, rights, claims and interests ascertainable by inspection of the property or by inquiry of persons in possession.

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3. Unpatented mining claims, reservations and exceptions in patents or in acts authorizing their issuance.
4. Other items as set forth on attachment 3.

Grantee and his heirs and assigns shall have and hold a fee simple estate in the premises subject to the exceptions listed in this deed.

Grantor, for himself and his heirs or successors, hereby covenants with Grantee his heirs, successors and assigns, that Grantor is lawfully seised in fee simple of the property; that he has good right to convey; that the property is free from all encumbrances except as otherwise noted in this deed; and that Grantor and his heirs or successors will forever warrant and defend all of the property so granted to grantee, his heirs, successors and assigns, against every person lawfully claiming any part of the property.

Signed at Idaho Falls, Idaho, on March 24, 1983.

Ray Ralphs
Ray Ralphs

B & R Farms

By Brad Ralphs
A Partner

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STATE OF IDAHO,

County of Bonneville.

)
(ss.
)

On this 24 day of March, 1983, before me, the undersigned, a Notary Public in and for said state, personally appeared Ray Ralphs, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Winston V. Beard
Notary Public for State of Idaho,
Residing at Idaho Falls, Idaho

(SEAL)

STATE OF IDAHO,

County of Bonneville.

)
(ss.
)

On this 24 day of March, 1983, before me, the undersigned, a Notary Public in and for said state, personally appeared Brad Ralphs, known to me to be a partner of B & R Farms, the partnership that executed the within and foregoing instrument, and acknowledged to me that such partnership 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.

Winston V. Beard
Notary Public for State of Idaho
Residing at Idaho Falls, Idaho

(SEAL)

2216d

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ATTACHMENT 1

PARCEL 1:

TOWNSHIP 10 SOUTH, RANGE 30 E.B.M., POWER COUNT, IDAHO,

SECTION 28: S1/2SE1/4
SECTION 33: NE1/4, NE1/4SE1/4, S1/2SE1/4
SECTION 34: N1/2NW1/4
SECTION 3: GOVERNMENT LOTS 2 AND 3, SE1/4NW1/4, NE1/4SW1/4,
SW1/4NE1/4, NW1/4SE1/4
SECTION 1: GOVERNMENT LOT 2; N1/2NW1/4, SW1/4NW1/4

TOWNSHIP 9 SOUTH, RANGE 30 E.B.M., POWER COUNTY IDAHO

SECTION 34: SW1/4SE1/4, SE1/4SW1/4

TOWNSHIP 11 SOUTH, RANGE 30 E.B.M., POWER COUNTY, IDAHO,

SECTION 3: N1/2NW1/4

TOWNSHIP 10 SOUTH, RANGE 31 E.B.M., POWER COUNTY, IDAHO,

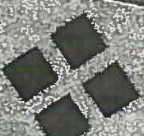
SECTION 6: Tax 96, described as follows: Begin at a point 41 1/2 rods South of the Northeast corner of Lot 7, Section 6, Township 10 South, Range 31 E.B.M.; thence South 77 feet; thence West 22 1/2 rods; thence North 77 feet; thence East 22 1/4 rods to the place of beginning:

Also, Tax 86 described as follows: commencing at a point 34 1/2 rods South of the Northeast corner of Lot 7, Section 6, Township 10 South, Range 31, East, Boise Meridian, Power County, Idaho, running South 6 3/4 rods; thence West 23 1/2 rods; thence North 6 3/4 rods; thence East 23 1/2 rods to the place of beginning.

Less a portion of Tax 86 and 96 described as follows: Begin at a point 34 1/2 rods South of the Northeast corner of Lot 7, Section 6, Township 10 South, Range 31 East, Boise Meridian; thence South 118 feet; thence West 206 feet; thence North 118 feet; thence East 206 feet to the place of beginning.

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		TRANSACTION	
Date	5/13/1999		
To	ROCKLAND WATER DIST. 411		
For	WOODS DITCH ASSESSMENT		
SIGNED <i>Al L. Deane</i>		Reference	TSRA)
		Payment	PAID 15
		Charge	2.37

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		TRANSACTION			
Date	6/11/2000	Reference	BRAD RALPHS		
Re	ROCKLAND WATER DIST 41	Payable To	91.97		
For	WOODS DIRT ASSESSMENT	Charge			
Signed					

In the matter of the application of
H.P. Houtz-et al, for the arbitration of
the of the claims to the use of water of
Rock Creek and its Tributaries.

Now on this day comes the parties by their attorney,
D.W. Standrod and having filed a stipulation in writing signed by all the parties
to said controversey agreeing to submit the matter mentioned in said controversey
to arbitration; now on motion of D. W. Standrod, their attorney it is ordered that
the said controversey be submitted to Frank Campbell of American Falls, H. R. Evans
and D. W. Standrod of Maled City, said County and Territory, for determination who
shall have their award drawn up in writing and signed by them or two of them and
filed in this Court on or before the 20th, day of June, A.D. 1890.

I hereby certify the above and foregoing to be a full, true and correct copy of
the minutes of the Court made and entered in the record of the District Court of
the 3rd Judicial District of Idaho, in and for Oneida County on the 2nd day of April,
A.D. 1890. in the above entitled matter.

(SEAL)

D. J. Reynolds,
Clerk

In the District Court of the Third Judicial District of Idaho,
in and for Oneida County.

In the matter of the Arbitration of
Henry Houtz- et-al, to the rights to the use of the waters of Rock Creek and its
Tributaries.

We the undersigned, mutually agree to submit and do submit
all our matters of differences, in the matter of the division of the waters of
Rock Creek; in Oneida County Idaho, and its tributaries, to the award and decia-
sion of Frank Campbell D. W. Standrod and Henry R. Evans, for them to hear and
determine the same and make their award in writing. and we further agree that
this submission to arbitration of the controversy herein named shall be entered
as an order of the District Court of the Third Judicial District of Idaho, in and
for Oneida County.

Dated this the March, 1890.

Henry Houtz Jr.
S. N. Morris
L. Barnard

Andrew Allen
D. C. Tyler
Wm. Furgeson

L. Lance
Joseph Brown.
D. A. Budge

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In Jan., 6th., 1881 Heber C. Wood made settlement upon the following described tract; S.W. 1/4 S.E. 1/4 and E. 1/2 S.W. 1/4 sec. 8 tp., 10 S. R. 31 E. containing 120 acres and has resided upon it continuously and made final proof and through some mistake or error in said final proof he permitted his brother D. C. Wood to entry of it; the said D. C. Wood obtained patent for same and deeded E 1/2 S.W. 1/4 of said land to said H. C. Wood Apr. 30th, 1889 and S.W. 1/4 S.E. 1/4 of said land to H. Houtz Jr. by deed of same date that the said H. C. Wood Mar. 12th., 1881 diverted from east fork of Rock Creek by means of a ditch constructed on north and south side of same, water for irrigation of land above described and has increased the acreage on all of said every year untill 1889 when he had in cultivation on the tract now owned by him about 65 acres and the tract owned by Henry Houtz Jr 34 acres all in a state of cultivation. That the said H. C. Wood is Entitled at all times to the flow of 70 inches of water from east fork of said Rock Creek to irrigate said land now owned by him the same to be taken from the ditches constructed by him leading to and upon said land the right to use of same to date from Mar., 12th., 1881. and that the said Henry Houtz Jr., is entitled to the flow at all times of 34 inches of the water of said east fork to be used upon the land above described owned by him through the ditches constructed to and upon said land, his right to date from the 12th., day of March, 1881. That J. Lewis on June 16th., 1889 made homestead entry on N.E. 1/4 N.E. 1/4 sec 8 N. 1/2 N.W. 1/4 S.E. 1/4 N.W. 1/4 sec 9 tp., 10 S. R. 31 E., 160 acres; that in May 1888 he took from the main channel of east fork creek a ditch to and upon said land and by means thereof diverted water to and upon said land for the purpose of irrigating the same and has continued the use thereof each and every season since; that about 9 acres of said land only is susceptible of irrigation from that said ditch. That the said J. Lewis is entitled to the use at all times of 10 inches of water of said east fork for the purpose of irrigating said land the same to be taken through his said ditch; said right to date from the first day of May 1888. That in the summer of 1879 Lewis Lance made settlement upon the following described land: Lots 4, 5, 6, sec. 6 tp., 10 S. R. 31 E., N.E. 1/4 S.E. 1/4 sec 1, tp., 10 S. R. 30 E. containing 106.72 acres; that in Aug. 1879 by means of a ditch constructed from the east fork of said Rock Creek called the Lance ditch, did appropriate sufficient water to irrigate all of said land; that since said time he has conveyed by deed a large portion of said tract together with the water right thereto; that the said Lewis Lance and his grantees under the terms of said conveyances are entitled to the use of 100 inches at all times of the waters of the east fork, for irrigating the above described tract, the same to be taken from the ditch above mentioned, said right to date from Aug., 1st., 1879. that D. C. Tyler Jr in the year 1882 settled upon and made entry to the following described tract: Lots 2, 3, 4 and E. 1/2 S.W. 1/4 sec 31 tp. 9 S. R. 31 E. containing 147.86 acres and has in June 1883 by means of enlarging what is known as the Wood's north ditch diverted and appropriated water from the east fork of Rock Creek and has continued each and every season to use said water untill he now has in cultivation on said land about 40 acres; that the said D. C. Tyler is entitled to the flow at all times of 40 inches of the waters of said east fork of Rock Creek to irrigate said land, the same to be taken through the H. C. Wood north ditch, his right to date from the 15th., day of June 1883. that in the spring of 1884 Lyman S. Barnard made settlement upon the following described land: contained in the D. A. Budge claim to wit: commencing 68 rods from the S.E. corner, running 92 rods west, 80 rods north, 92 rods south, and 80 rods east to place of beginning sec., 4 tp., 10 S. R. 31 E. 46 acres; said land and water right were purchased from J. Cook and George Young by D. A. Budge; that in the fall of 1883 a ditch was constructed by said grantors from the east fork of said Rock Creek to and upon said land for the purpose of irrigating same and has been used thereon continually by said L. S. Barnard and his grantors ever since. That the said Lyman S. Barnard is entitled to the use of 40 inches of the water flowing in the said east fork of Rock Creek for the purpose of irrigating said land to be taken through the ditches constructed to and upon said land, his right to date from Oct., 1st., 1883. That the said D. A. Budge still owns and claims 80 acres in the said tract of land described as follows. S. 1/2 S.W. 1/4 S. 1/2 S.E. 1/4 sec., 4 tp., 10., S. R. 31, E.

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Rock Creek and tributaries										JUDICIAL DIST.		5		DATE OF DECREE		Jun 6, 1903		RECORDED		IN BOOK NO. 1		AT PAGE NO. 200		H.P. Evans		FILE NO. 73			
DECREE		OWNER		NAME		PRESENT OWNER		AMT SEC. FLD.		PRIORITY		SUBDIV.		SEC.		TWP.		R3.		REMARKS, LAND TO BE IRRIGATED, ETC.		C.T.							
No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.	
41-0120		Catalina Valdez		Barnard		18 3/4		0.46 11 75		100		East Fork Rock Creek		2-15-79		East Fork Rock Creek		2-15-79		S 1/2 SW, S 1/2 SE, Sec 5; TP 10 S, R 31 E.		100							
41-0121		Louis Lance		Harris		10		88.54		8-1-79		East Fork Rock Creek		8-1-79		East Fork Rock Creek		8-1-79		Lots 4, 5, & 6, TP 10 S, R 31 E. NE NE, Sec 1, TP 10 S, R 30 E.		200							
41-0125		H. Houtz, Jr.		Mass		34		3-12-81		3-12-81		East Fork Rock Creek		3-12-81		East Fork Rock Creek		3-12-81		SW SE, Sec 6, TP 10 S, R 31 E.		200							
41-0126		H. C. Wood		50		70		3-12-81		3-12-81		East Fork Rock Creek		3-12-81		East Fork Rock Creek		3-12-81		E 1/2 SW, Sec 6, TP 10 S, R 31 E.		200							
41-0127		Joseph Henry-Grantee		Ole		60		6-1-82		6-1-82		East Fork Rock Creek		6-1-82		East Fork Rock Creek		6-1-82		N 1/2 NE, Sec 7, NW NE, Sec 8; SE SE, Sec 6; TP 10 S, R 31 E.		200							
41-0128		Catalina Valdez		Stokes		50		5-1-83		5-1-83		East Fork Rock Creek		5-1-83		East Fork Rock Creek		5-1-83		S 1/2 NW, W 1/2 NE, Sec 10, TP 10 S, R 31 E.		200							
41-0129		E. C. Tyler, Jr.		Kildow		Hartley		6-15-83		6-15-83		East Fork Rock Creek		6-15-83		East Fork Rock Creek		6-15-83		Lots 2, 3, & 4, E 1/2 SW, Sec 31, TP 9 S, R 31 E.		200							
41-0130		Fronton Stock Ranch Co.		Ashby		Nelson		10-1-83		10-1-83		East Fork Rock Creek		10-1-83		East Fork Rock Creek		10-1-83		34 acres in S 1/2 SW, S 1/2 SE, Sec 4, TP 10 S, R 31 E.		200							
41-0131		L. S. Bernard		McLain		40		10-1-83		10-1-83		East Fork Rock Creek		10-1-83		East Fork Rock Creek		10-1-83		45 acres in Sec. 4, TP 10 S, R 31 E.		200							
41-0132		D. A. Briggs		McLain		35		10-1-83		10-1-83		East Fork Rock Creek		10-1-83		East Fork Rock Creek		10-1-83		35 acres in S 1/2 SW, S 1/2 SE, Sec. 4, TP 10 S, R 31 E.		200							
41-0133		Bunch Ditch		325		5-10-84		5-10-84		5-10-84		East Fork Rock Creek		5-10-84		East Fork Rock Creek		5-10-84		shareholder's land near head of East Fork Rock Creek.		200							
41-0134		Bunch Ditch		Fred		Weyner		5-10-84		5-10-84		East Fork Rock Creek		5-10-84		East Fork Rock Creek		5-10-84		domestic use for shareholders on bench land		200							
41-0135		James Shearman		Robinson		30		5-1-85		5-1-85		East Fork Rock Creek		5-1-85		East Fork Rock Creek		5-1-85		CAN Mayor TALKS dam on bench land		200							
41-0136		George Stanger		L.C. Reed		40		5-1-85		5-1-85		East Fork Rock Creek		5-1-85		East Fork Rock Creek		5-1-85		NW SW, S 1/2 SW, S 1/2 SE, Sec 3, TP 10 S, R 31 E.		200							
41-0137		E. C. Tyler, Sr.		Harris		30		5-1-85		5-1-85		East Fork Rock Creek		5-1-85		East Fork Rock Creek		5-1-85		S 1/2 NW, Sec 11, E 1/2 NE, Sec 10, TP 10 S, R 31 E.		200							
41-0138		DANIELSON		Harris		10		6-1-85		6-1-85		East Fork Rock Creek		6-1-85		East Fork Rock Creek		6-1-85		SE NW, Lot 3, Sec 6; TP 10 S, R 31 E.		200							
41-0139		Fronton Stock Ranch Co.		Harris		10		10-1-85		10-1-85		East Fork Rock Creek		10-1-85		East Fork Rock Creek		10-1-85		NE NE, Sec 9, TP 10 S, R 31 E.		200							
41-0140		DANIELSON		Harris		10		5-1-85		5-1-85		East Fork Rock Creek		5-1-85		East Fork Rock Creek		5-1-85		SE NW, E 1/2 SW, S 1/2 SE, Sec 10, TP 10 S, R 31 E.		200							
41-0141		H. P. Houtz		City		25		6-1-86		6-1-86		East Fork Rock Creek		6-1-86		East Fork Rock Creek		6-1-86		SE SE, Sec 1; NE NE, Sec 12, TP 10 S, R 30 E. Lot 7, Sec 6; Lot 1, Sec 7; TP 10 S, R 31 E. E 1/2 NW, S 1/2 NE, NW SE, Sec 7, TP 10 S, R 31 E.		200							
41-0142		H. P. Houtz		City		25		6-1-86		6-1-86		East Fork Rock Creek		6-1-86		East Fork Rock Creek		6-1-86		NW NE, Sec 7; NW NE, Sec 8; SE SE, Sec 5, TP 10 S, R 31 E.		200							
41-0143		H. P. Houtz		City		25		6-1-86		6-1-86		East Fork Rock Creek		6-1-86		East Fork Rock Creek		6-1-86		NW NE, Sec 7; NW NE, Sec 8; SE SE, Sec 5, TP 10 S, R 31 E.		200							

RECEIVED

MAR 26 2001

Department of Water Resources

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

In Re SRBA

Subcase 41-10274

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On December 21, 2000, Claimant Brad Ralphs filed a *Motion to File Late Notice of Claim*. Hearing was held on the *Motion* March 22, 2001. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* water right 41-10274 is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated March 22, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

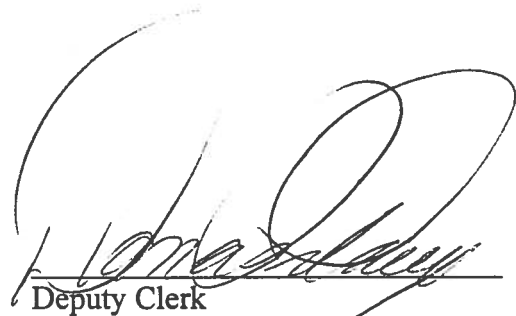
I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** was mailed on March 22, 2001, with sufficient first-class postage to the following:

Brad Ralphs
PO Box 174
Rockland, ID 83271

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

March 29, 2001

KARL J. DREHER
Director

Brad Ralphs
P.O. Box 174
Rockland, ID 83271-0174

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #41-10274

Dear Mr. Ralphs:

Your Notice of Claim to a Water Right was received from the SRBA Court recently. We have enclosed a data-entered copy of your claim. We have also enclosed your receipt #C052900 for the filing fees. Please retain these documents for your records.

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Please notify us in writing if your address changes or if there is a change in ownership of your property and water right.

Sincerely,

Donald V. Shaff, Manager
Adjudication Technical Section

DS:ss:region

Enclosure:

Data-entered Copy of Claim
Receipt #C052900

02/04/2003

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

RIGHT NUMBER: 41-10274

NAME AND ADDRESS: BRAD RALPHS
PO BOX 174
ROCKLAND ID 83271-0174

SOURCE: EAST FORK ROCK CREEK

TRIBUTARY: ROCK CREEK

QUANTITY: 0.020 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T10S R31E S6 NWSWSE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.020 CFS

PLACE OF USE: IRRIGATION Within POWER County

T10S R31E S06 Lot 7 SWSW 1.0

1 ACRES TOTAL

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.

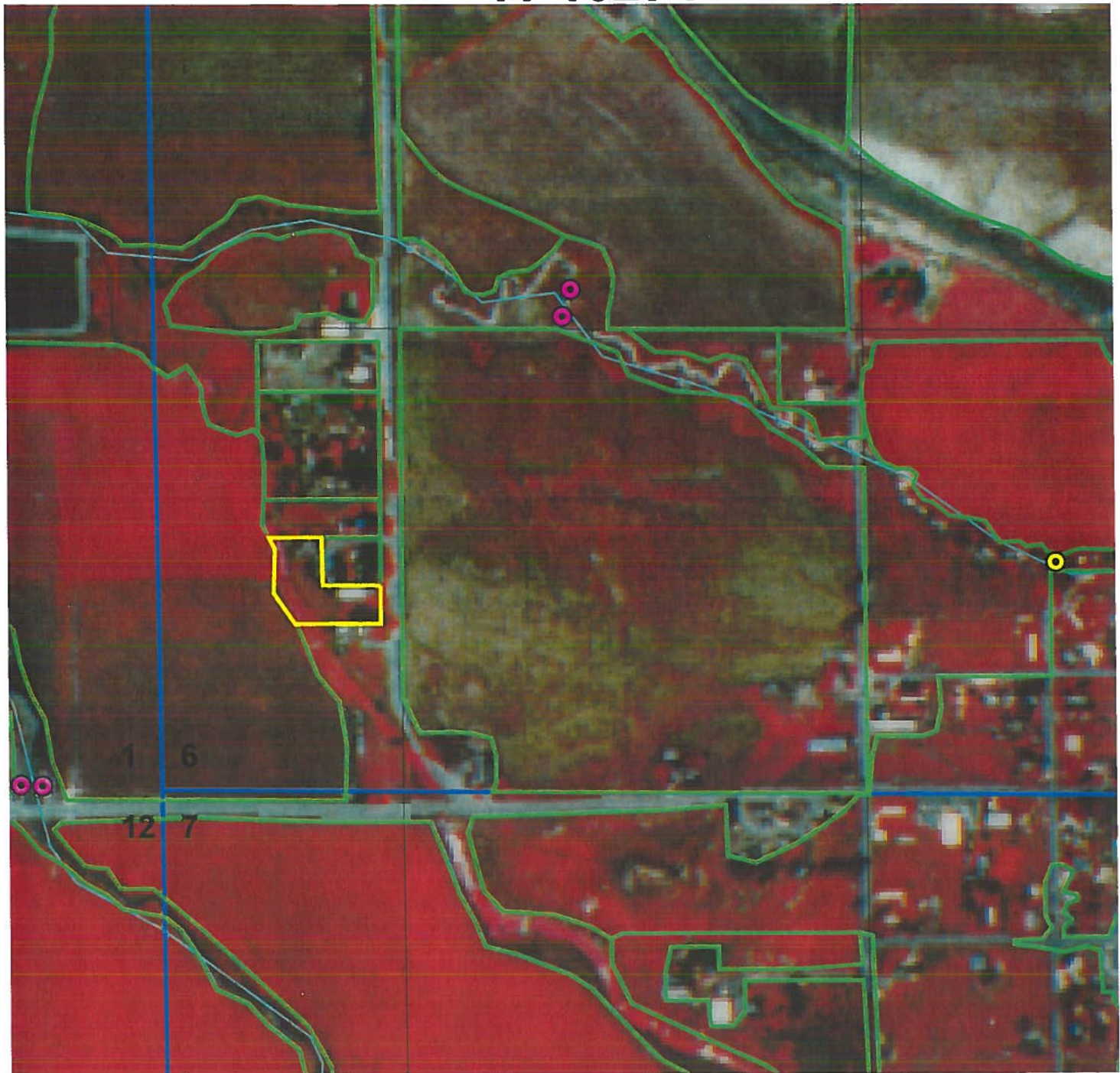
EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH WOODS DITCH.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 41-33.

IDAHO DEPT OF WATER RESOURCES

41-10274



660 0 660 1320 Feet

T10S, R31E
SEC 6
SWSW LOT 7



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY: STEVE CLELLAND
DATE: FEBRUARY 4, 2003

41-10274

2/3/03
SCC

POU LOT: Deed lists TAX LOTS 86 & 96;
these lots are found on the PLAT MAP.

Claim is for 3-12-81 and attachment lists
WR 41-20. The 1881 water is fully appropriated
41-20 is actually 1879 water also " " .

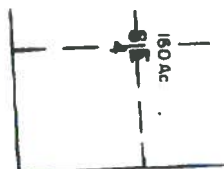
* Plan to allow 1" of 41-33 to replace
known, delivered right of 41-02. (Swapped w/ City)

POD: WOODS DITCH - T10S R31E S6 NWSWSE

POU: T10S R31E S6 SWSW LOT 7

SOU: 4/1 to 10/31 (STD)

Remarks: N16 (Houtz box)

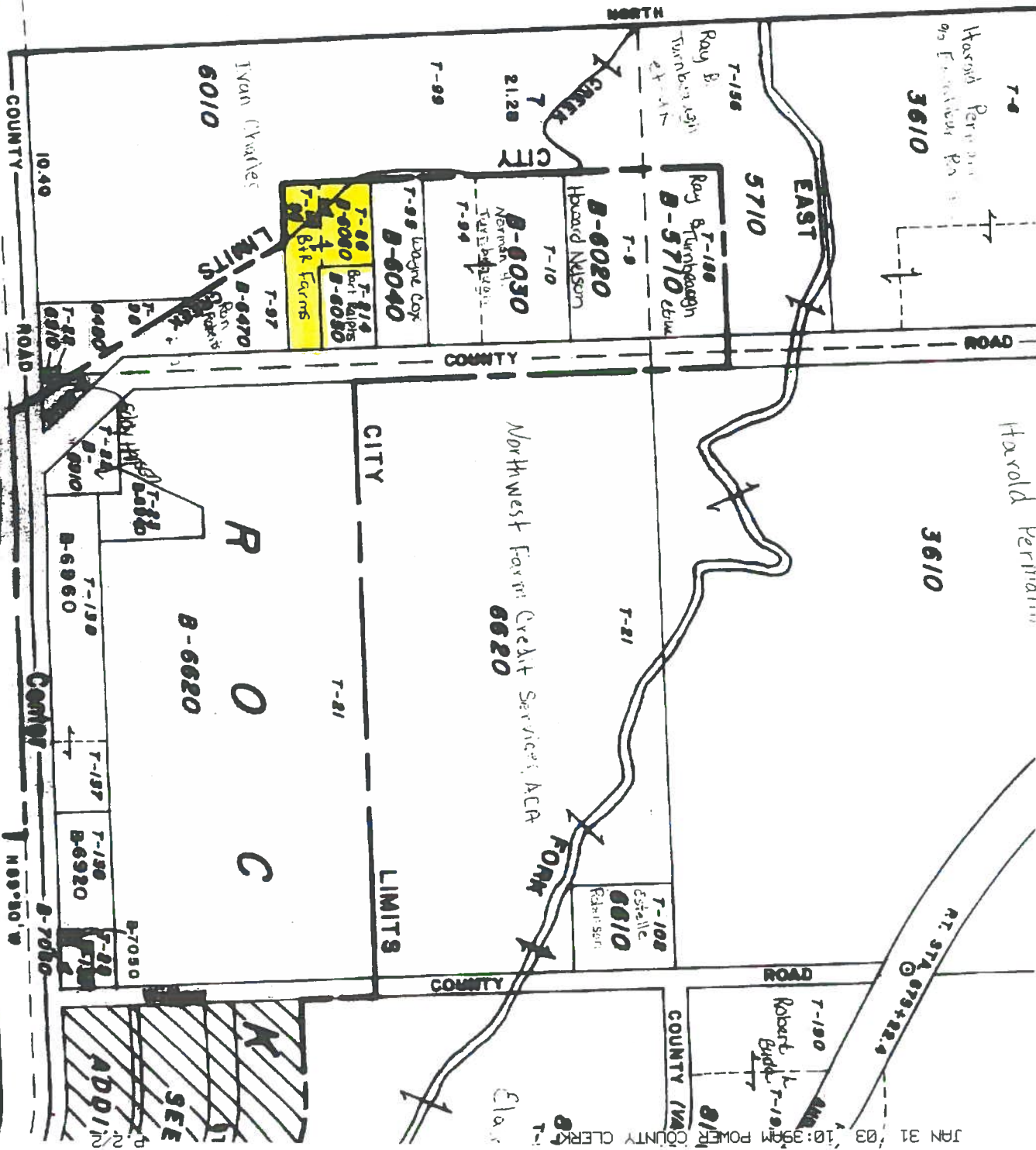


as Hereon Were
 600 Township
 4. Distances Are
 Hereon Were Plotted
 Notland As Shown
 1916 Map Drawn
 Official 1916



SAVER: R. CHILS
 MONUMENT
 DATE PLAT

FAY from Power Co.
 1/21/03



IDAHO DEPT OF WATER RESOURCES

41-10274 DRAFT



660 0 660 1320 Feet

T10S, R31E
SEC 6
SWSW LOT 7



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- ▬ SECTION LINES
- 1/4 - 1/4 LINES

Not sent

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY: STEVE CLELLAND
DATE: JANUARY 31, 2003

DRAFT

COMMUNICATION DOCUMENTATION

James will make the call to Alan Permann to keep these claimants on the water district mailing list for the up coming meeting. It appears there is still one party that failed to file a claim when the group was allowed to file late claims. Claims filed are 41-02, 41-10272, 41-10273 & 41-10274.

8:32 AM 4/4/01

41-10274

Sherman, Sally

From: Sherman, Sally
Sent: Wednesday, April 04, 2001 8:30 AM
To: Grindle, Dave
Cc: Shaff, Don; Sherman, Sally
Subject: Contact ID - Updated Record w/+4 zip

I talked to Rockland P.O. this morning and confirmed the +4 digits should be in the address for Brad Ralphs and Lisa Ralphs. I changed the records accordingly and added remark/location information.

Records are 41-10126, -10127, -10128 & 10274.

Since mail will be delivered to their P.O. Box without the +4 added, I don't think an NCAP is necessary unless you do, Don.

also changed Lisa Ralphs - added +4.

8:09 AM 4/4/01

41-10274

Sherman, Sally

From: Sherman, Sally
Sent: Wednesday, April 04, 2001 8:06 AM
To: Grindle, Dave
Cc: Sherman, Sally
Subject: contact id

Good morning. Would u please delete contact id 79129 and 79130 and replace these with 79131.

Record numbers involved are 41-10126, -10127, -10128 and -10274. It is 41-10274 that has Contact ID 79131.

I called the Rockland, ID, Post Office and confirmed 0174 is the correct "+4" addition to Brad Ralph's zip code. I have added that to his other three claims.

Thank you, Dave.

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 41-10274
Date Received: 12/21/00
Receipt No:
Received By:

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

1. Name of Claimant(s)

BRAD RALPHS

Phone: (208)548-2228

PO BOX 174
ROCKLAND ID USA 832710174

2. Date of Priority: 03/12/1881

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
10S	31E	6	SE SW	POWER

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	10/15	0.005	

7. Total Quantity Appropriated is:
0.005 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
10S	31E	6	SW	SW	IRRIGATION	1
					Section Acres	1
					Total Acres	1

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 41-10274

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

IDWR Employee/Agent: Steve Clelland

12/21/200012:45 PM

NAME :

RE:

JENNIFER @ SRBA COURT

CALLIN

NUMBER FOR B41 CLAIM

She needed a number for the late claim filed by Brad Ralphs. I called her back with the number 41-10274. I told her this is part of the 5 claims being filed late for 5 inches of water. I told her every claim so far has been incorrectly filed.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 41-10274

Date Received _____

Receipt Number _____

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

RECEIVED

DEC 21 2000

Department of Water Resource
Southern Region

Please type or print clearly

1. Name of Claimant (s) Brad Ralphs Phone (208) 548-2228Mailing Address PO Box 174 Rockland, Idaho Zip 832712. Date of Priority (Only one (1) per claim) 3-12-18813. Source of water supply (a) Ground water
which is tributary to (b) Rock Creek4. a. Location of existing point of diversion is: Township 10S Range 31 Section 6,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, E B.M., County of PowerAdditional points of diversion if any: none

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-1 to 10-15 amount 1 inches or .005

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .005 (inches) (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>10</u>	<u>31</u>	<u>6</u>											<u>X</u>						<u>1 A.</u>

Total number of acres irrigated 1

11. In which county (ies) are lands listed above as place of use located? Power.

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. The grid is divided into four 10x10 quadrants by a vertical line between columns 10 and 11, and a horizontal line between rows 10 and 11. Handwritten labels include "Crawley Road" written vertically on the left side of the horizontal line, "Hwy 37" written vertically on the right side of the horizontal line, and "West Center st." written horizontally at the bottom center. A curved line is drawn across the bottom of the grid, starting from the left side and ending near the "Hwy 37" label. There are also small 'x' marks drawn on the grid.

Last Name Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 411020

Court _____ Case Number _____ Decree Date June 6, 1903

Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Brad Balaban Date 11-21-00

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Rockland) SS.

Subscribed and sworn (or affirmed) before me this 21st day of November 19 2000



Notary Public Lorri Robinson

Residing at Rockland

My Commission Expires 7-23-2000

Please Print Name

17. Notice of Appearance
Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

RECEIVED

DEC 22 2000

Department of Water Resources

RECEIVED

DEC 28 2000

Department of Water Resources
Southern Region

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

In Re SRBA

Case 39576

Subcase

(41-10274) ID# 11/2/01
(Insert water right number)

STANDARD FORM 4

MOTION TO FILE:

☒ **LATE NOTICE OF CLAIM**

☐ **AMENDED NOTICE OF CLAIM**

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Brad Ralpin

My address is P O Box 174 Rockland, Td. no
83271

My phone number is: Work 208-221-3075 Home 208-541-2228

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

Over sight.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

- ☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 101.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on March 20 1:30

(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

Deed

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
- ☒ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Power

Brad Ralph, being first duly sworn, upon oath, deposes and says:

(Insert name of person filing form)

Brad Ralph

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Brad Ralph
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 12-8-2000
(Insert Date)



Lorri Robinson
Notary Public for Idaho
Residing at: Rockland
My Commission expires: 7-23-2004

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Dec 19, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert names/addresses of parties)


Signature of person or attorney mailing the form

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: 41-10274 39576

Ident. Number

Date Received

Receipt Number

RECEIVED

DEC 29 1990

Department of Water Resources

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Brad Ralphs Phone (208) 548-2228Mailing Address 90 Box 174 Rockland, Idaho Zip 832712. Date of Priority (Only one (1) per claim) 3-1-19813. Source of water supply (a) Ground water
which is tributary to (b) Rock Creek4. a. Location of existing point of diversion is: Township 105S Range 3E Section 6,
SE 1/4 of SW 1/4 of 1/4, Govt. Lot, E B.M., County of PowerAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township 105S Range 3E Section 6, 1/4 of 1/4 of 1/4,Govt. Lot 1 B.M., County of Powerending point is: Township 105S Range 3E Section 6, 1/4 of 1/4 of 1/41/4, Govt. Lot 1 B.M., County of Power5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Post-it® Fax Note 7671

Date 1/17 # of pages 4

To <u>Crystal</u>	From <u>D Jones</u>
Co./Dept. <u>Rashalts</u>	Co.
Phone #	Phone #
Fax #	Fax #

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-1 to 10-15 amount 1 inches or 0.005

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.005 (1 inch) (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10	31	6											X						1 A.

Total number of acres irrigated 1

11. In which county (ies) are lands listed above as place of use located? Power.

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

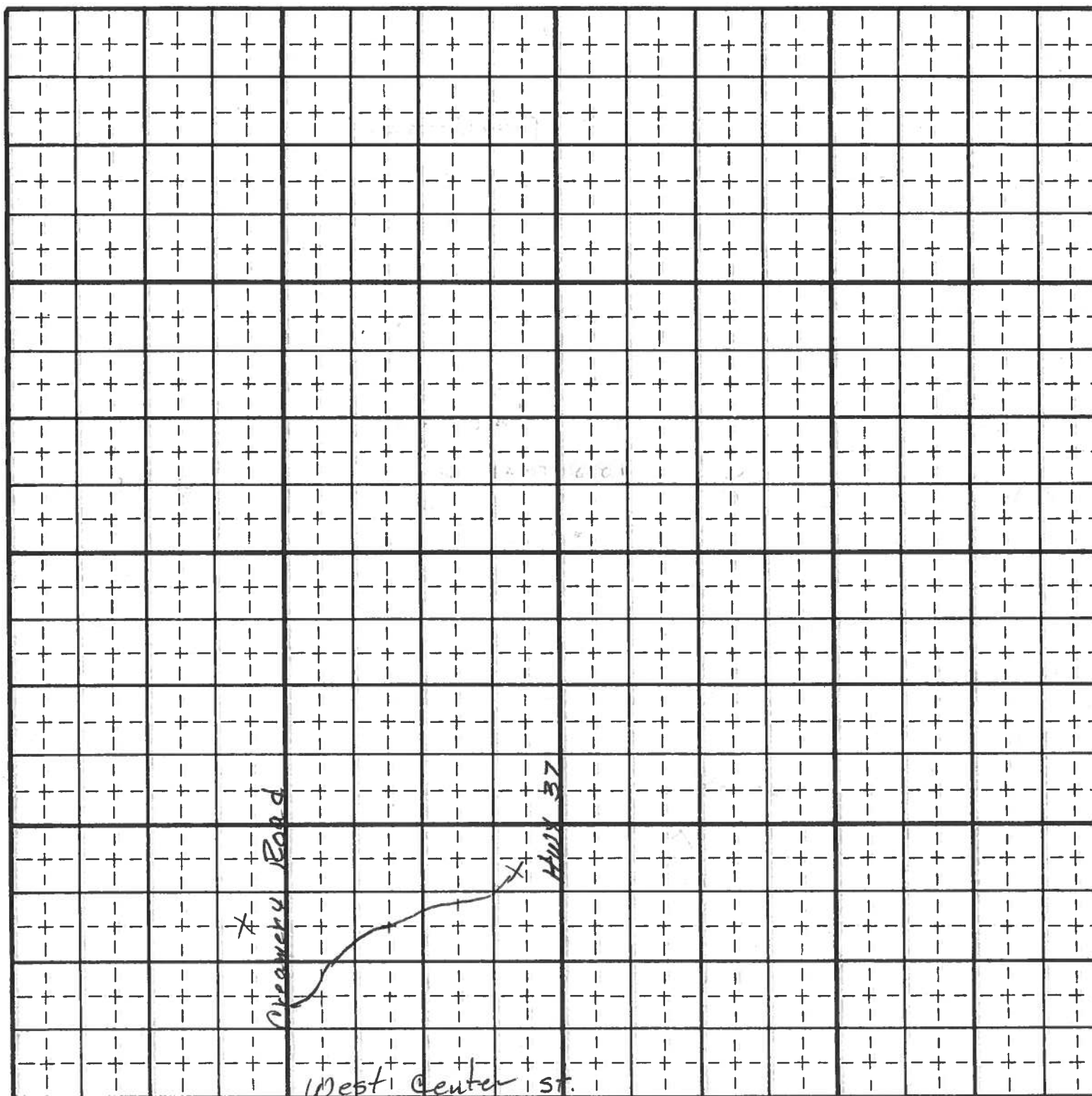
14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 411020

Court _____ Case Number _____ Decree Date June 6, 1903

Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Brad Balph Date 11-21-00

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Rockland) SS.

Subscribed and sworn (or affirmed) before me this 21st day of November 19 2000

Notary Public Lorri Robinson

Residing at Rockland

My Commission Expires 7-23-2000

Please Print Name



17. Notice of Appearance
Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

~~ORIGINAL~~
Copy

WARRANTY DEED

Warranty deed made as of January 1, 1983, between Ray Ralphs, a married man dealing with his sole and separate property, from now on referred to as Grantor, and B & R Farms, an Idaho general partnership, whose current address is Rockland, Idaho, from now on referred to as Grantee. Grantor and Grantee are referred in the singular and by the pronouns his or him for ease of reading regardless of actual number or gender. The deed is to be interpreted as though the proper number and gender had been used.

Grantor, in consideration of \$10.00 and other good and valuable consideration to him paid, the receipt of which is acknowledged, does grant, bargain, sell, and convey to grantee, his heirs, successors and assigns, all the real property located in the County of Power, State of Idaho, described as follows:

The property is described on attachment 1.

Together with:

1. All improvements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues and profits.
2. Other items as described on attachment 2.

Subject To:

1. Taxes and assessments for 1983 and all subsequent years.
2. All facts, rights, claims and interests ascertainable by inspection of the property or by inquiry of persons in possession.

3. Unpatented mining claims, reservations and exceptions in patents or in acts authorizing their issuance.
4. Other items as set forth on attachment 3.

Grantee and his heirs and assigns shall have and hold a fee simple estate in the premises subject to the exceptions listed in this deed.

Grantor, for himself and his heirs or successors, hereby covenants with Grantee his heirs, successors and assigns, that Grantor is lawfully seised in fee simple of the property; that he has good right to convey; that the property is free from all encumbrances except as otherwise noted in this deed; and that Grantor and his heirs or successors will forever warrant and defend all of the property so granted to grantee, his heirs, successors and assigns, against every person lawfully claiming any part of the property.

Signed at Idaho Falls, Idaho, on March 24, 1983.

Ray Ralphs
Ray Ralphs

B & R Farms

By Brad Ralphs
A Partner

STATE OF IDAHO,

County of Bonneville.

)
(ss.
)

On this 24 day of March, 1983, before me, the undersigned, a Notary Public in and for said state, personally appeared Ray Ralphs, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Winston V. Beard
Notary Public for State of Idaho,
Residing at Idaho Falls, Idaho

(SEAL)

STATE OF IDAHO,

County of Bonneville.

)
(ss.
)

On this 24 day of March, 1983, before me, the undersigned, a Notary Public in and for said state, personally appeared Brad Ralphs, known to me to be a partner of B & R Farms, the partnership that executed the within and foregoing instrument, and acknowledged to me that such partnership 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.

Winston V. Beard
Notary Public for State of Idaho
Residing at Idaho Falls, Idaho

(SEAL)

2210d

ATTACHMENT 1

PARCEL 1:

TOWNSHIP 10 SOUTH, RANGE 30 E.B.M., POWER COUNT, IDAHO,

SECTION 28: S1/2SE1/4
SECTION 33: NE1/4, NE1/4SE1/4, S1/2SE1/4
SECTION 34: N1/2NW1/4
SECTION 3: GOVERNMENT LOTS 2 AND 3, SE1/4NW1/4, NE1/4SW1/4,
SW1/4NE1/4, NW1/4SE1/4
SECTION 1: GOVERNMENT LOT 2; N1/2NW1/4, SW1/4NW1/4

TOWNSHIP 9 SOUTH, RANGE 30 E.B.M., POWER COUNTY IDAHO

SECTION 34: SW1/4SE1/4, SE1/4SW1/4

TOWNSHIP 11 SOUTH, RANGE 30 E.B.M., POWER COUNTY, IDAHO,

SECTION 3: N1/2NW1/4

TOWNSHIP 10 SOUTH, RANGE 31 E.B.M., POWER COUNTY, IDAHO,

SECTION 6: Tax 96, described as follows: Begin at a point 41 1/2 rods South of the Northeast corner of Lot 7, Section 6, Township 10 South, Range 31 E.B.M.; thence South 77 feet; thence West 22 1/2 rods; thence North 77 feet; thence East 22 1/4 rods to the place of beginning:

Also, Tax 86 described as follows: commencing at a point 34 1/2 rods South of the Northeast corner of Lot 7, Section 6, Township 10 South, Range 31, East, Boise Meridian, Power County, Idaho, running South 6 3/4 rods; thence West 23 1/2 rods; thence North 6 3/4 rods; thence East 23 1/2 rods to the place of beginning.

Less a portion of Tax 86 and 96 described as follows: Begin at a point 34 1/2 rods South of the Northeast corner of Lot 7, Section 6, Township 10 South, Range 31 East, Boise Meridian; thence South 118 feet; thence West 206 feet; thence North 118 feet; thence East 206 feet to the place of beginning.

In the matter of the application of
H.P. Houtz-et al, for the arbitration of
the of the claims to the use of water of
Rock Creek and its Tributaries.

Now on this day comes the parties by their attorney,
D.W. Standrod and having filed a stipulation in writing signed by all the parties
to said controversey agreeing to submit the matter mentioned in said controversey
to arbitration; now on motion of D. W. Standrod, their attorney it is ordered that
the said controversey be submitted to Frank Campbell of American Falls, H. R. Evans
and D. W. Standrod of Malad City, said County and Territory, for determination who
shall have their award drawn up in writing and signed by them or two of them and
filed in this Court on or before the 20th, day of June, A.D. 1890.

I hereby certify the above and foregoing to be a full, true and correct copy of
the minutes of the Court made and entered in the record of the District Court of
the 3rd Judicial District of Idaho, in and for Oneida County on the 2nd day of April,
A.D. 1890. in the above entitled matter.

(SEAL)

D. J. Reynolds,
Clerk

In the District Court of the Third Judicial District of Idaho,
in and for Oneida County.

In the matter of the Arbitration of
Henry Houtz- et-al, to the rights to the use of the waters of Rock Creek and its
Tributaries.

We the undersigned, mutually agree to submit and do submit
all our matters of differences, in the matter of the division of the waters of
Rock Creek; in Oneida County Idaho, and its tributaries, to the award and decia-
sion of Frank Campbell D. W. Standrod and Henry R. Evans, for them to hear and
determine the same and make their award in writing. and we further agree that
this submission to arbitration of the controversy herein named shall be entered
as an order of the District Court of the Third Judicial District of Idaho, in and
for Oneida County.

Dated this the 2nd March, 1890.

Henry Houtz Jr.
S. N. Morris
L. Barnard

Andrew Allen
D. C. Tyler
Wm. Furgeson

L. Lance
Joseph Brown.
D. A. Budge

In Jan., 6th., 1881 Heber C. Wood made settlement upon the following described tract; S.W. 1/4 S.E. 1/4 and E. 1/2 S.W. 1/4 sec. 6 tp., 10 S. R. 31 E. containing 120 acres and has resided upon it continuously and made final proof and through some mistake or error in said final proof he permitted his brother D. C. Wood to entry of it; the said D. C. Wood obtained patent for same and deeded E. 1/2 S.W. 1/4 of said land to said H. C. Wood Apr. 30th, 1889 and S.W. 1/4 S.E. 1/4 of said land to H. Houtz Jr. by deed of same date that the said H. C. Wood Mar. 12th., 1881 diverted from east fork of Rock Creek by means of a ditch constructed on north and south side of same, water for irrigation of land above described and has increased the acreage on all of said every year untill 1889 when he had in cultivation on the tract now owned by him about 65 acres and the tract owned by Henry Houtz Jr 34 acres all in a state of cultivation. That the said H. C. Wood is entitled at all times to the flow of 70 inches of water from east fork of said Rock Creek to irrigate said land now owned by him the same to be taken from the ditches constructed by him leading to and upon said land the right to use of same to date from Mar., 12th., 1881. and that the said Henry Houtz Jr., is entitled to the flow at all times of 34 inches of the water of said east fork to be used upon the land above described owned by him through the ditches constructed to and upon said land, his right to date from the 12th., day of March, 1881. That J. Lewis on June 16th., 1889 made homestead entry on N.E. 1/4 N.E. 1/4 sec 8 N. 1/2 N.W. 1/4 S.E. 1/4 N.W. 1/4 sec 9 tp., 10 S. R. 31 E., 160 acres; that in May 1888 he took from the main channel of east fork creek a ditch to and upon said land and by means thereof diverted water to and upon said land for the purpose of irrigating the same and has continued the use thereof each and every season since; that about 9 acres of said land only is susceptible of irrigation from that said ditch. That the said J. Lewis is entitled to the use at all times of 10 inches of water of said east fork for the purpose of irrigating said land the same to be taken through his said ditch; said right to date from the first day of May 1888. That in the summer of 1879 Lewis Lance made settlement upon the following described land: Lots 4, 5, 6, sec. 6 tp., 10 S. R. 31 E., N.E. 1/4 S.E. 1/4 sec 1, tp., 10 S. R. 30 E., containing 106.72 acres; that in Aug. 1879 by means of a ditch constructed from the east fork of said Rock Creek called the Lance ditch, did appropriate sufficient water to irrigate all of said land; that since said time he has conveyed by deed a large portion of said tract together with the water right thereto; that the said Lewis Lance and his grantees under the terms of said conveyances are entitled to the use of 100 inches at all times of the waters of the east fork, for irrigating the above described tract, the same to be taken from the ditch above mentioned, said right to date from Aug., 1st., 1879. that D. C. Tyler Jr in the year 1882 settled upon and made entry to the following described tract: Lots 2, 3, 4 and E. 1/2 S.W. 1/4 sec 31 tp. 9 S. R. 31 E. containing 147.86 acres and has in June 1883 by means of enlarging what is known as the Wood's north ditch diverted and appropriated water from the east fork of Rock Creek and has continued each and every season to use said water untill he now has in cultivation on said land about 40 acres; that the said D. C. Tyler is entitled to the flow at all times of 40 inches of the waters of said east fork of Rock Creek to irrigate said land, the same to be taken through the H. C. Wood north ditch, his right to date from the 15th., day of June 1883. that in the spring of 1884 Lyman S. Barnard made settlement upon the following described land: contained in the D. A. Budge claim to wit: commencing 68 rods from the S.E. corner, running 92 rods west, 80 rods north, 92 rods south, and 80 rods east to place of beginning sec., 4 tp., 10 S. R. 31 E. 46 acres; said land and water right were purchased from J. Cook and George Young by D. A. Budge; that in the fall of 1883 a ditch was constructed by said grantors from the east fork of said Rock Creek to and upon said land for the purpose of irrigating same and has been used thereon continually by said L. S. Barnard and his grantors ever since. That the said Lyman S. Barnard is entitled to the use of 40 inches of the water flowing in the said east fork of Rock Creek for the purpose of irrigating said land to be taken through the ditches constructed to and upon said land, his right to date from Oct., 1st., 1883. That the said D. A. Budge still owns and claims 80 acres in the said tract of land described as follows, S. 1/2 S.W. 1/4 S. 1/2 S.E. 1/4 sec., 4 tp., 10., S. R. 31, E.

CASE				JUDICIAL DIST.				JUDGE Frank Campbell, D. W. Starnes, H.P. Evans.				RECORDED IN BOOK NO. 1 AT PAGE NO. 266 FILE NO. 27			
Rock Creek and tributaries				5				JUN 6, 1903				REMARKS, LAND TO BE IRRIGATED, ETC.			
DATE OF DECREE				DIVISION				SUBDIV. SEC. TWP. RS.				C.T.			
DECREED OWNER				PRESENT OWNER				ACRES				PRIORITY			
INCHES				EAST FORK				CREEK				ROCK			
41-020	41-020	41-020	41-020	Guadalupe Valdez	Guadalupe Valdez	18 3/4	18 3/4	100	100	100	100	2-15-79	2-15-79	2-15-79	2-15-79
41-021	41-021	41-021	41-021	Louis Lance	Harold Permon West	10	10	88.54	88.54	88.54	88.54	8-1-79	8-1-79	8-1-79	8-1-79
41-022	41-022	41-022	41-022	H. Houtz, Jr.	Moss Gerrard	34	34	46.100	46.100	46.100	46.100	3-12-81	3-12-81	3-12-81	3-12-81
41-023	41-023	41-023	41-023	H. S. Wood	50" Woods	70	70	34	34	34	34	3-12-81	3-12-81	3-12-81	3-12-81
41-024	41-024	41-024	41-024	Joseph Henry-Grantes	20" Wood	60	60	70	70	70	70	6-1-82	6-1-82	6-1-82	6-1-82
41-025	41-025	41-025	41-025	Guadalupe Valdez	Stoller	50	50	60	60	60	60	5-1-83	5-1-83	5-1-83	5-1-83
41-026	41-026	41-026	41-026	E. C. Tyler, Jr.	Kildew (Hartley)	40	40	50	50	50	50	6-15-83	6-15-83	6-15-83	6-15-83
41-027	41-027	41-027	41-027	Fronton Stock Ranch Co.	Lashay (Nelson)	35	35	40	40	40	40	10-1-83	10-1-83	10-1-83	10-1-83
41-028	41-028	41-028	41-028	Ernest S. Bernard	McLain	40	40	35	35	35	35	10-1-83	10-1-83	10-1-83	10-1-83
41-029	41-029	41-029	41-029	D. A. Bisco	McLain (Danielson)	325	325	75	75	75	75	5-10-84	5-10-84	5-10-84	5-10-84
41-030	41-030	41-030	41-030	Ranch Ditch	Fred Weyner	10	10	40	40	40	40	5-10-84	5-10-84	5-10-84	5-10-84
41-031	41-031	41-031	41-031	James Sherman	R. B. Binn	30	30	10	10	10	10	5-15-85	5-15-85	5-15-85	5-15-85
41-032	41-032	41-032	41-032	George Stanger	L. C. Reed	40	40	30	30	30	30	5-1-85	5-1-85	5-1-85	5-1-85
41-033	41-033	41-033	41-033	E. C. Tyler, Sr.	Harold Taylor	10	10	10	10	10	10	5-1-85	5-1-85	5-1-85	5-1-85
41-034	41-034	41-034	41-034	Danielson	Stock Ranch Co.	10	10	10	10	10	10	6-1-85	6-1-85	6-1-85	6-1-85
41-035	41-035	41-035	41-035	Danielson	Stokes	10	10	10	10	10	10	10-1-85	10-1-85	10-1-85	10-1-85
41-036	41-036	41-036	41-036	H. P. Houtz	City	25	25	10	10	10	10	5-1-85	5-1-85	5-1-85	5-1-85
41-037	41-037	41-037	41-037	Guadalupe Valdez	Guadalupe Valdez	18 3/4	18 3/4	25	25	25	25	5-1-86	5-1-86	5-1-86	5-1-86

C.T. = CUMULATIVE TOTAL

D.H. = DECREE NUMBER

P.R. = PRIORITY NUMBER