

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

RIGHT NUMBER: 1-10489

NAME AND ADDRESS:

BEAR CREST LTD LLC  
PO BOX 160  
REXBURG ID 83440

SOURCE:

Source:  
SNAKE RIVER

Tributary:

COLUMBIA RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T05N R39E S35 SESENW  
Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| Purpose of use: | Period of use: | Quantity: |
|-----------------|----------------|-----------|
| IRRIGATION      | 04/01 10/31    | 0.500 CFS |

PLACE OF USE:

IRRIGATION within MADISON County

T05N R39E S27 SWNW 5.9

T05N R39E S28 Lot 4 SENE 27.0

T05N R39E S28 Lot 3 NESE 5.8

~~T05N R39E S28 Lot 3 SWSE 5.8~~

38.7 ACRES TOTAL

This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season.

Right Nos. 1-319A and 1-10489 are limited to the irrigation of a combined total of 38.7 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Bannock Jim Canal to Nelson Corey Canal.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 1-129.

11/14/2006

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

RIGHT NUMBER: 1-10489

NAME AND ADDRESS: BEAR WORLD LTD LLC  
PO BOX 413  
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T05N R39E S35 SESENW Within MADISON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
0.500 CFS

PLACE OF USE:

IRRIGATION in MADISON County

|                     |                         |      |                          |       |
|---------------------|-------------------------|------|--------------------------|-------|
| T05N R39E S27       | SWNW                    | 5.90 | T05N R39E S28 Lot 4 SENE | 27.00 |
| T05N R39E S28 Lot 3 | <del>SWSE</del><br>NESE | 5.80 |                          |       |

38.7 ACRES TOTAL

This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season.

Right Nos. 1-319 A and 1-10489 are limited to the irrigation of a combined total of 38.7 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Bannock Jim Canal to Nelson Corey Canal.

This right is a split from former right 1-129.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

12/14/2005

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

RIGHT NUMBER: 22-653A

NAME AND ADDRESS: BEAR WORLD LTD LLC  
PO BOX 413  
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.160 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T05N R39E S35 SESENW Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 1.160 CFS       |

PLACE OF USE: IRRIGATION Within MADISON County

|                     |      |     |                          |      |
|---------------------|------|-----|--------------------------|------|
| T05N R39E S27       | SWNW | 6.3 | T05N R39E S28 Lot 4 SENE | 27.0 |
| T05N R39E S28 Lot 3 | SWSE | 6.3 |                          |      |

39.6 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: BASIS OF CLAIM - Decreed

This right originated as 01-0129 to James D. Nelson. Then renumbered to 22-653; split by SRBA to A, B, C.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

The following rights are also diverted through point of diversion described above: 22-653A, 22-653B, 22-653C.



# Idaho Department of Water Resources

SRBA Recommendation:

**1-10489**

(Irrigation)

R39E

SCANNED

MAY 24 2007

## Legend

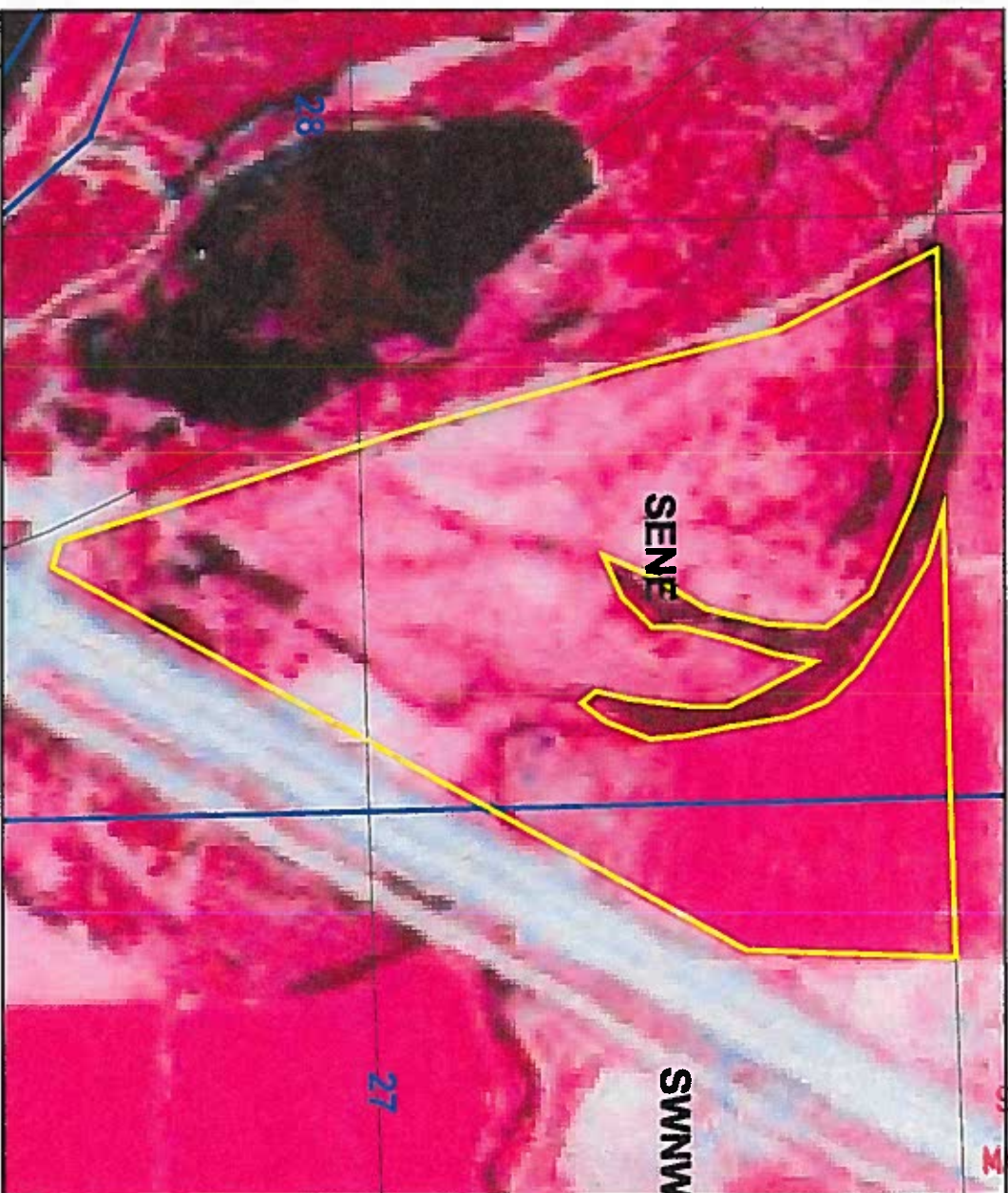
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County  
IDWR Basin 1



T05N



Prepared by A. Golart  
On Monday, October 2, 2006  
1987/88 Aerial Photography

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

Water Rights: 1-319A & 1-10489

Case No. 39576

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BEAR WORD LTD LLC-BEAR CREST LTD LLC
- ☐ I.C. § 42-222 transfer
  - ☐ point of diversion ☐ place of use
  - ☐ period of use ☐ nature of use
  - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Feb 20, 2008

Ernest M. Carlson  
Signature of IDWR Representative

# **CERTIFICATE OF MAILING**

I certify that on February 21, 2008, I mailed the original and copies of this form to the following persons, postage-prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
Bear World LTD LLC  
PO Box 413  
Rexburg ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
Bear Crest LTD LLC  
PO Box 160  
Rexburg ID 83440

4. One copy to:

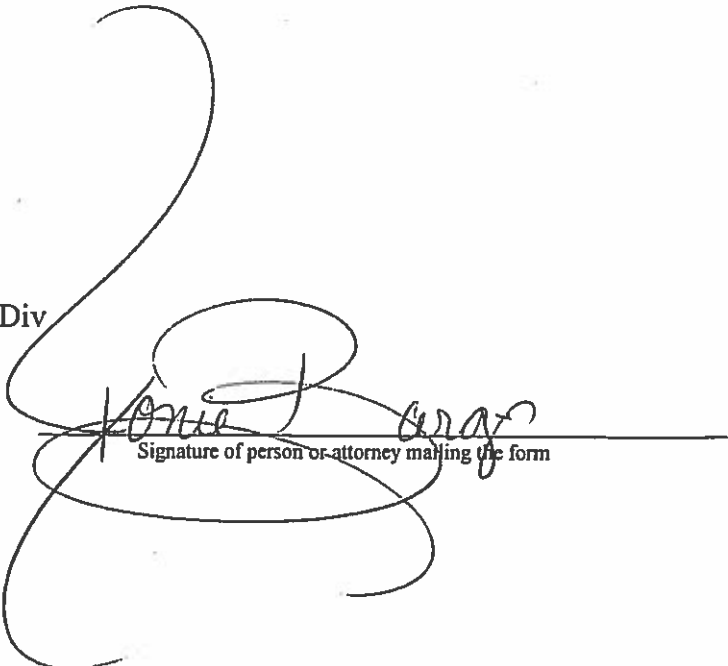
Each party in the subcase, or attorney of record  
Michael Ferguson  
PO Box 160  
Rexburg ID 83440

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724



Signature of person or attorney making the form

02/15/2008

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

RIGHT NUMBER: 1-319A

NAME AND ADDRESS: BEAR CREST LTD LLC  
PO BOX 160  
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.930 CFS

PRIORITY DATE: 04/01/1939

POINT OF  
DIVERSION: T05N R39E S35 SESENW Within MADISON County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>               | <u>PERIOD OF USE</u>     | <u>QUANTITY</u> |
|---------------|-------------------------------------|--------------------------|-----------------|
|               | IRRIGATION                          | 04/01 10/31              | 0.930 CFS       |
| PLACE OF USE: | <u>IRRIGATION in MADISON County</u> |                          |                 |
|               | T05N R39E S27 SWNW 5.90             | T05N R39E S28 Lot 4 SENE | 27.00           |
|               | T05N R39E S28 Lot 3 NESE 5.80       |                          |                 |

38.7 ACRES TOTAL

Right Nos. 1-319 A and 1-10489 are limited to the irrigation of a combined total of 38.7 acres in a single irrigation season.

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

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Bannock Jim Canal to Nelson Corey Canal.

SCANNED

FEB 22 2003

02/15/2008

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

RIGHT NUMBER: 1-10489

NAME AND ADDRESS: BEAR CREST LTD LLC  
PO BOX 160  
REXBURG ID 83440

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 06/01/1887

POINT OF

DIVERSION: T05N R39E S35 SESENW Within MADISON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.500 CFS

PLACE OF USE: IRRIGATION in MADISON County

|                     |      |      |                          |       |
|---------------------|------|------|--------------------------|-------|
| T05N R39E S27       | SWNW | 5.90 | T05N R39E S28 Lot 4 SENE | 27.00 |
| T05N R39E S28 Lot 3 | NESE | 5.80 |                          |       |

38.7 ACRES TOTAL

This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season.

Right Nos. 1-319 A and 1-10489 are limited to the irrigation of a combined total of 38.7 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Bannock Jim Canal to Nelson Corey Canal.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 1-129.

SCANNED

FEB 22 2008

11/15/2006

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:**

Water right number: 1-10489

BEAR WORLD LTD LLC

PO BOX 413

REXBURG ID 83440

Telephone Number: (208)356 0657

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-20-06

SIGNATURE:

Michael D. Ferguson

Please print your name:

Michael D. Ferguson

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

MAY 24 2007

LAB  
12/11

## SPLIT History of 22-653

There is NO RECORD ON WR side of DATA BASE  
ALTHOUGH NOTES IN 01-129 STATE 'RECOMMENDED TO  
22-653. NO MICROFILM FOR 01-129 OR 22-653.

RECORDS US TOXON DECREE SHOWS THIS 01-129 (SEE ATTACHMENT)

DECEED AS: #42 (pgs.), TO JAMES D. NELSON, JUN 81,  
1987, BANNOCK Fm SLOUGH, 300" (6 cfs)  $\Rightarrow$  @ 0.02 cfs/ac  
= 300 ac

## SRBA CLAIMS FLOOD

22-653A, 2.00 cfs, Snake River, TO BOAR WARD

22-653B, 4.00 cfs, Snake River, TO ALLARD BROS.

22-653C, 1.50 cfs, Snake River, TO LARRY HILL

7.50 cfs claims - (Previously Deceased)

CLAIMS AC

$$471 \times .02 = 0.94$$

$$75 \times .02 = 1.50$$

$$35 \times .02 = 0.70$$

$$3.14$$

$$- 6.00$$

$$2.86 \text{ cfs}$$

UNDER RECOM

9/28/05 Letter to Larry Hill REQUESTING EVIDENCE OF  
OWNERSHIP OF CLAIMED PORTION OF THIS RIGHT.

SENT COPY OF DEED - DOES NOT MENTION WILL'S

RECOMMENDATION:

$$685 \rightarrow 40 \text{ ac} @ .02 = 0.80 \text{ cfs} + 45\% (5\% / 100) = 1.16 \text{ cfs (Claims 2 cfs on 47 ac)}$$

$$\frac{6.8 \text{ cfs}}{160 \text{ decreed acres}} = 0.0425 \text{ in/acre} \times 38.94 = 1.45 \text{ acs}$$

SCANNED

MAY 24 2007

Claim No. 22-6531A

Document Checklist

☒ Copy License/Decree

hexburg UTston

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

10/28/04 Phone book 359-9688 7:44 am recording said  
call back 9:30 am

10/28/04 359-9688 11:00 am Leslie - call  
Courtney Ferguson 390-1616

10/28/04 390-1616 11:00 am, 4 PM Friday @ Bear World.

SCANNED

MAY 24 2007

## Contacts Data Entry Form

Claim Number: A22-653A

| Owner Type | Full Name | Address | City | State | Zip |
|------------|-----------|---------|------|-------|-----|
|------------|-----------|---------|------|-------|-----|

Current Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Current Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Current Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_.

Representing Attorney: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_ Date of Field Exam: \_\_\_\_\_

Discussion of right origin and split history. Questions and problems.

Claimed water use was in place @ time of claim filing } continued until ~ 1998 or 1999 or later. New water use via permit requires purchase of Storage. Claimant didn't know permit # but showed me letter & pump cards from WOOD. Because claimed use was in place up until recently I have sketched original use. Owner intends to file a transfer once AIT recommendation is complete.

<sup>234</sup> Photos show that headgate @ GPS waypoint 18 is a return to river & not a source. Gate in photo 4 is a one-way check gate design (flapper)

GPS 18 coordinates are 2671518E 1395324N  
IDTM 83

Current use is a pump from a pond to sprinklers on elk pen as sketched on layout. User has plans to file transfer.

Bac 10/30/04

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

SCANNED

MAY 24 2007

## Priority Date Data Entry Form

Claim Number: A22-653A

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: 6/1/1887 Claimed Basis: Donor

Recommended Priority Date: \_\_\_\_\_ Recommended Basis: \_\_\_\_\_

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

NO old book indicates 6/1/1887. See  
also printout from Rexburg Assn. 43ae 10/30/04

Reviewer: \_\_\_\_\_

Date: SCANNED

MAY 24 2007

Water Right No(s). A22-653A

See A22-65D  
for PDD photo.

**GPS DATA:**

Tag # A000229 Location: on board @ headgate

**Diversion Data:**

Source: \_\_\_\_\_ Trib to: \_\_\_\_\_

**MOTOR**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_

SN: \_\_\_\_\_

**PUMP**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_

SN: \_\_\_\_\_

**NOTES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Field Exam Date: \_\_\_\_\_ Agent: \_\_\_\_\_

SCANNED

MAY 24 2007

## Point of Diversion and Source Data Entry Form

Claim Number: A22-653AWater Right Point(s) of diversion and Source.

Water Right Point of Diversion: T \_\_\_\_\_, R \_\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Water Right Point of Diversion: T \_\_\_\_\_, R \_\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Claimed Point(s) of Diversion and Source.

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source | Tributary to |
|-----|-----|-----|---------|----------------|--------|--------|--------------|
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |

Recommended Point(s) of Diversion and Source.

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source | Tributary to |
|-----|-----|-----|---------|----------------|--------|--------|--------------|
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |

Other rights from this POD? \_\_\_\_\_

Transfers Pending or approved: \_\_\_\_\_

Document how the POD and Source were verified:

POD up until recently was SN 39E 35 SESE NW.  
 See A22-653 for GPS, photo, etc. BAC 10/30/04

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

SCANNED

MAY 24 2007

## Place Of Use Data Entry Form

Claim Number: A22-653A

## Claimed Place Of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total acres \_\_\_\_\_

## Recommended Place of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total acres \_\_\_\_\_

Pending or approved Transfers: \_\_\_\_\_

Overlapping rights: \_\_\_\_\_

## Document how the POU was verified:

Sketch on layout marked "original pou"  
 is pou as of claim date & up until  
 recently, Owner with file transfer  
 for new pou, 10/30/04

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

SCANNED

MAY 24 2007

## Season of Use and Quantity Data Entry Form

Claim Number: A22-653AWater Right Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

Claimed Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

Recommended Period of Use and Diversion Rate

| Water Use | Start | End | Rate | Volume |
|-----------|-------|-----|------|--------|
|           |       |     |      |        |
|           |       |     |      |        |
|           |       |     |      |        |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

Document how the Period of Use and/or Diversion Rate were verified:

Excessive diversion rate justified by  
long ditch & heavy soils. CBA 10/30/04

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

SCANNED

MAY 24 2007



# State of Idaho

## Department of Water Resources

Eastern Region



### Water Right(s): 22-653C

#### Point(s) of Diversion:

T5N, R39E

Sec. 35 SESENW

#### Place of Use: (parts of)

T5N, R39E

Sec. 27 SWNW,

Sec. 28 SENE (L4), NESE (I3)

### LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 Feet

GIS Place of Use Illustration  
1987/1988 NAIP Photography  
Prepared by: A. Ruberry  
Date: December 2005



A22-653A  
end of slough  
where return  
culverts carry  
excess water  
to Snake  
River  
photo # 3 on  
map



A22-653A  
flapper gate  
@ discharge  
end of return  
culvert.  
photo # 4  
on map

bae 10/30/04



A22-653A  
looking south  
along old  
ditch. photo  
# 2 on map



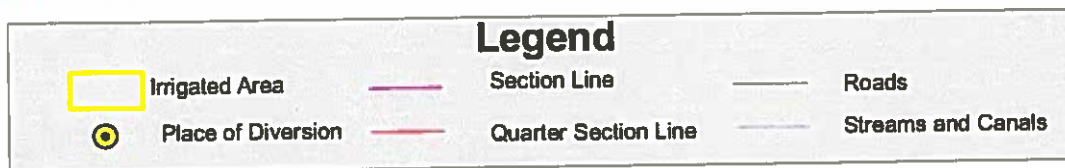
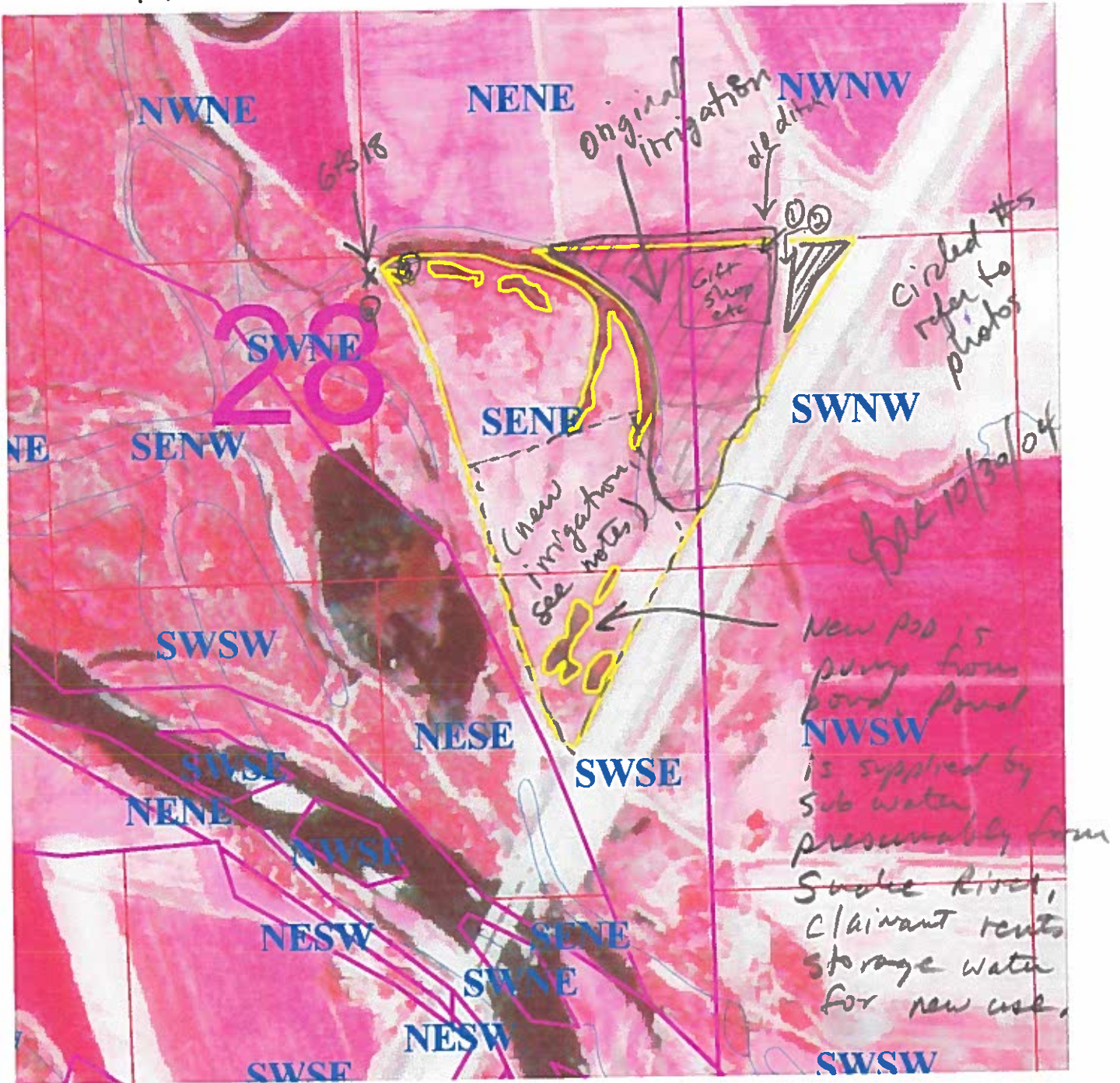
A22-653A  
looking SW  
at original  
pool, now  
gift shop &  
buildings.  
photo # 1  
on map

Bac  
10/30/04

SCANNED  
MAY 24 2007

Water Right Claim Number 22-00653A  
Township, 5N39E

06/22/2001



400 0 400 800 Feet

SPATIAL DYNAMICS

SCANNED

MAY 24 2007

# EE OF THE SOUTH FORK OF SNAKE RIVER AND ITS TRIBU- TARIES.

(Arranged According to Priority of Rights.)

|                                                                                                                 |       |
|-----------------------------------------------------------------------------------------------------------------|-------|
| ong Island Irrigation Co.; June 11, 1880; South Fork of Snake River                                             | 2,000 |
| ong Island Irrigation Co.; June 1, 1881; South Fork of Snake River                                              | 3,000 |
| ong Island Irrigation Co.; June 1, 1882; South Fork of Snake River                                              | 3,000 |
| igham, Charles R.; June 1, 1882; Garden Creek                                                                   | 25    |
| heaton, Charles; July 1, 1882; Burns Creek                                                                      | 100   |
| ong Island Irrigation Co.; June 1, 1883; South Fork Snake River                                                 | 3,000 |
| arks & Lewisville Canal Co.; June 1, 1883; South Fork of Snake River                                            | 1,000 |
| orth Rigby Irrigation Co.; June 10, 1883; South Fork of Snake River                                             | 2,500 |
| law, C. B.; May 1, 1884; 3-5 of the flow of Elkhorn                                                             | 210   |
| rug, John D.; May 1, 1884; Elkhorn Springs and 2-5 of Hawley Springs up to 140 inches                           | 140   |
| ong Island Irrigation Co.; June 1, 1884; South Fork of Snake River                                              | 3,000 |
| enroot Canal Co.; June 1, 1884; South Fork of Snake River                                                       | 450   |
| uxton, William; June 1, 1884; Spring Creek, near Menan                                                          | 400   |
| hallynne, Z.; June 1, 1884; Spring Creek, near Menan                                                            | 160   |
| unham, W. W.; June 1, 1884; Spring Creek, near Menan                                                            | 250   |
| arks & Lewisville Canal Co.; June 1, 1884; South Fork of Snake River                                            | 1,000 |
| ndependent Irrigation Co., Ltd.; June 4, 1884; South of Snake River                                             | 1,700 |
| ark & Edwards Irrigation Co., Ltd.; Feb. 27, 1885; South Fork of Snake River                                    | 3,500 |
| utler Island Canal Co.; June 1, 1885; South Fork of Snake River                                                 | 3,500 |
| leid Canal Co.; June 1, 1885; South Fork of Snake River                                                         | 1,500 |
| and Irrigation Co.; June 1, 1885; South Fork of Snake River                                                     | 3,000 |
| West Labelle Irrigating Co.; June 1, 1885; South Fork of Snake River                                            | 6,000 |
| Lenroot Canal Co.; June 1, 1885; South Fork of Snake River                                                      | 450   |
| Labelle Irrigation Co.; June 1, 1885; South Fork of Snake River                                                 | 2,400 |
| Parks & Lewisville Canal Co.; June 1, 1885; South Fork of Snake River                                           | 5,000 |
| Texas Slough Irrigating Canal Co.; June 1, 1885; Texas Slough and Bannock Jim Slough                            | 2,000 |
| Liberty Park Irrigation Co.; June 1, 1885; Bannock Jim Slough                                                   | 400   |
| Summers, Stephen J., and William and Soren Nelson; June 10, 1885; South Fork of Snake River                     | 670   |
| Nelson, Soren, and Stephen J., and William Summers; June 10, 1885; dry bed channel of South Fork of Snake River | 670   |
| Rigby Canal & Irrigating Co.; June 15, 1885; South                                                              |       |

|                                                                                                       |        |
|-------------------------------------------------------------------------------------------------------|--------|
| Fork of Snake River                                                                                   | 500    |
| 33 Jones, John F.; May 1, 1886; Fall Creek                                                            | 200    |
| 33 Morgan, Joshua B.; May 1, 1886; South Fork of Snake River                                          | 100    |
| 35 Rostan, C. E.; June 1, 1886; South Fork of Snake River                                             | 100    |
| 35 Reid Canal Co.; June 1, 1886; South Fork of Snake River                                            | 2,000  |
| 35 Liberty Park Irrigation Co.; June 1, 1886; Bannock Jim Slough                                      | 1,900  |
| 35 Texas Slough Irrigating Canal Co.; June 1, 1886; Texas Slough and Bannock Jim Slough               | 600    |
| 35 Matson, John; June 1, 1886; South Fork of Snake River                                              | 40     |
| 35 Merrill, Oscar; June 1, 1886; South Fork of Snake River                                            | 240    |
| 35 Long Island Irrigation Co.; June 1, 1886; South Fork of Snake River                                | 3,000  |
| 35 Island Irrigation Co.; June 1, 1886; South Fork of Snake River                                     | 750    |
| 36 Burgess Canal & Irrigation Co.; June 10, 1886; South Fork of Snake River                           | 500    |
| 37 Rigby Canal & Irrigating Co.; June 15, 1886; South Fork of Snake River                             | 500    |
| 38 Wakeman, Herman; July 1, 1886; Myers Creek                                                         | 500    |
| 40 Taylor, John; Oct. 16, 1886; Lyman or Lyons Creek                                                  | 240    |
| 42 Island Irrigation Co.; June 1, 1887; South Fork of Snake River                                     | 175    |
| 42 Long Island Irrigation Co.; June 1, 1887; South Fork of Snake River                                | 1,500  |
| 42 Craig, R. A.; June 1, 1887; South Fork of Snake River                                              | 3,000  |
| 42 Nelson, James D.; June 1, 1887; Bannock Jim Slough                                                 | 240    |
| 42 Liberty Park Irrigation Co.; June 1, 1887; Bannock Jim Slough                                      | 300    |
| 42 Corey, George L., and Lester S.; June 1, 1887; South Fork of Snake River                           | 1,900  |
| 44 Rigby Canal & Irrigation Co.; June 15, 1887; South Fork of Snake River                             | 300    |
| 43 Burgess Canal & Irrigation Co.; June 10, 1887; South Fork of Snake River                           | 1,000  |
| 46 Farmers Friend Canal Co. (an unincorporated association); Jan. 18, 1888; South Fork of Snake River | 500    |
| 47 Jones, John F.; May 1, 1888; Indian Creek                                                          | 15,000 |
| 47 Morgan, Joshua B.; May 1, 1888; South Fork of Snake River                                          | 150    |
| 49 Higham, Charles R.; June 1, 1888; Garden Creek                                                     | 50     |
| 49 Rostan, C. E.; June 1, 1888; South Fork of Snake River                                             | 300    |
| 49 Matson, John; June 1, 1888; South Fork of Snake River                                              | 100    |
| 49 Long Island Irrigation Co.; June 1, 1888; South Fork of Snake River                                | 40     |
| 49 Parks & Lewisville Canal Co.; June 1, 1888; South Fork of Snake River                              | 3,000  |
| 49 Liberty Park Irrigation Co.; June 1, 1888; Bannock Jim Slough                                      | 12,000 |
| 49 Labelle Irrigation Co.; June 1, 1888; South Fork of Snake River                                    | 1,900  |
| 50 Burgess Canal & Irrigation Co.; June 10, 1888; South Fork of Snake River                           | 4,600  |
| 51 Rigby Canal & Irrigating Co.; June 15, 1888; South Fork of Snake River                             | 19,000 |
| 54 Idaho Canal & Improvement Co.; Aug. 13, 1888; Snake River, Boones Canal from South Fork            | 6,000  |
| 54 Ruddy Irrigation Canal Co., Ltd.; Aug. 13, 1888; South                                             | 15,000 |

SCANNED  
MAY 2 1907



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

**EASTERN REGION**

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

October 5, 2000

BEAR WORLD LTD LLC  
PO BOX 413  
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP  
NOTICE OF CLAIM TO A WATER RIGHT 01-319A, 22-653A

Dear Sir:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

**Please keep this report for your records.**

Respectfully yours,

Jennifer Crabtree  
Technical Records Specialist

Enclosure

SCANNED

MAY 24 2007

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

DELOG

BC 4-3-00

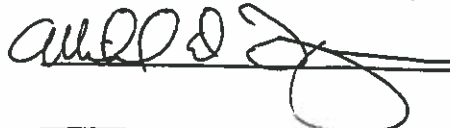
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Department of Water Resources  
Eastern Region

OK BUC 10/3/00

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

1. Water Right Number(s) ~~AJ021111P~~ ~~A22-00653A~~, A01-00319A  
Adjudication Claim Number(s) AJ0749NP
2. The following REQUIRED information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Robert R Lee 1330 Barney Hwy R. Rexburg Id.  
Gwen J. Lee " " " " " "
4. New Owner/Claimant(s) BEAR CREEK LTD. LLC  
Name connector (Check one) ☐ AND ☐ OR ☐ AND/OR  
New Mailing Address 435 WEST MAIN PO. Box 413  
City, State and ZIP Code REXBURG, IDAHO 83440  
New Telephone Number (208) 356-0657
5. Date you acquired the property MAY 1, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)  Date MAY 15 1998  
\_\_\_\_\_  
Date \_\_\_\_\_
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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MAY 24 2007



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P.08

## EXHIBIT A

271900

PARCEL I: A PARCEL OF LAND SITUATED IN MADISON COUNTY, STATE OF IDAHO, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SECTION 28, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 4, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING. THENCE SOUTH 00°14'02" EAST FOR A DISTANCE OF 1134.30 FEET TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 191-20; THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 215.16 FEET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 4 AND THE NORTHEAST CORNER OF LOT 3; THENCE SOUTH 89°44'11" WEST BETWEEN LOTS 3 AND 4 FOR A DISTANCE OF 817.40 FEET, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 4 AND THE NORTHWEST CORNER OF LOT 3; SAID POINT ALSO BEING A CLOSING CORNER ON THE EAST AND WEST CENTER LINE OF SECTION 28 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 23°42'03" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 156.39 FEET, SAID POINT BEING CALLED ANGLE POINT NUMBER 3 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 89°17'53" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 360.36 FEET, SAID POINT BEING A CLOSING CORNER ON THE NORTH AND SOUTH CENTER LINE OF THE NORTHEAST QUARTER OF SECTION 28, SAID POINT ALSO BEING ON THE WEST LINE OF LOT 4; THENCE NORTH 01°09'34" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 942.47 FEET TO AN EXISTING B.L.M. BRASS CAP, SAID POINT BEING THE NORTHWEST CORNER OF LOT 4 AND ALSO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28; THENCE NORTH 89°52'58" FOR A DISTANCE OF 1317.45 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL II: A PARCEL OF LAND SITUATED IN MADISON COUNTY, STATE OF IDAHO, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SECTION 28, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 4, THENCE SOUTH 00°14'02" EAST FOR A DISTANCE OF 1134.30 FEET TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 191-20; THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 215.16 FEET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 4 AND THE NORTHEAST CORNER OF LOT 3, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING. THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 531.79 FEET TO AN EXISTING RIGHT OF WAY MARKER; THENCE SOUTH 41°37'27" WEST SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 152.97 FEET TO AN EXISTING RIGHT OF WAY MARKER; THENCE SOUTH 30°18'51" WEST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 266.84 FEET TO AN EXISTING B.L.M. BRASS CAP, SAID CORNER BEING A WITNESS POINT ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 18°23'51" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 183.13 FEET TO AN EXISTING B.L.M. BRASS CAP, SAID CORNER BEING ANGLE POINT NUMBER 3 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 23°42'03" WEST ALONG SAID MEANDER LINE FOR A DISTANCE OF 767.33 FEET, SAID POINT BEING A CLOSING CORNER ON THE EAST AND WEST CENTER LINE OF SECTION 28 ON THE RESTORED ORIGINAL MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER; THENCE NORTH 89°44'11" EAST BETWEEN LOTS 3 AND 4 FOR A DISTANCE OF 817.40 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL III: A PARCEL OF LAND SITUATED IN MADISON COUNTY, STATE OF IDAHO, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SECTION 27, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 39 EAST OF THE BOISE MERIDIAN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 4, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING. THENCE SOUTH 00°14'02" EAST FOR A DISTANCE OF 1134.30 FEET TO THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 191-20; THENCE NORTH 30°18'51" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 796.83 FEET; THENCE NORTH 00°14'01" WEST FOR A DISTANCE OF 346.90 FEET, SAID POINT OF BEGINNING ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 39 EAST, THENCE SOUTH 89°57'35" WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 405.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A RIGHT OF WAY OVER AND ACROSS THE WEST 30 FEET OF THE FOLLOWING DESCRIBED PROPERTY FOR INGRESS AND EGRESS AS RESERVED IN WARRANTY DEEDS RECORDED FEBRUARY 10, 1977, AS INSTRUMENT NOS: 164911, 164912, 164913, 164914 AND 164915, RECORDS OF MADISON COUNTY, IDAHO, TO WIT: COMMENCING AT A POINT 405 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 39 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO, SAID POINT OF BEGINNING BEING LOCATED AT THE INTERSECTION OF THE WEST RIGHT OF

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WAY LINE OF THE OLD COUNTY ROAD AND THE NORTH BOUNDARY LINE OF THE AFORESAID  
SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 37, AND RUNNING THENCE  
SOUTH 304 FEET ALONG SAID COUNTY ROAD RIGHT OF WAY LINE; THENCE EAST 158.18 FEET,  
MORE OR LESS, TO THE WEST RIGHT OF WAY LINE OF THE NEW U.S. HIGHWAY 20-191; THENCE  
NORTH 30°18'51" EAST, ALONG SAID RIGHT OF WAY LINE TO ITS INTERSECTION WITH THE  
AFORESAID NORTH BOUNDARY LINE OF THE OLD COUNTY ROAD; THENCE WEST 240 FEET,  
MORE OR LESS, TO THE POINT OF BEGINNING.

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MAY 24 2007

Lee - Bear World Change of Ownership  
Blue - Approximate claimed POU  
Yellow/Green - Lands Conveyed in Deed



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MAY 24 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

MAY 8, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

ROBERT R LEE  
1330 BARNEY DAIRY RD  
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-00653A, A22-00319A

Dear Mr. Lee:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson  
Adjudication Secretary

Enclosure: Notices of Claim

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MAY 24 2007

DE.L 5-7-97

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

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NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources  
Eastern Region

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

1. Water Right Number(s) Nelson - Cory Ditch  
Adjudication Claim Number(s) A 22-00653Apt (1987) A 01-00319A 1939

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant(s) Sheryl B. Nelson  
724 Park Lane, Pocatello, Idaho 83201

4. New Owner/Claimant(s) Robert R. Lee and Gwen J. Lee

Name connector (Check one): [ ] AND, [ ] OR, [ ] AND/OR

New Mailing Address 1330 Barney Dring Rd.

City, State and ZIP Code Reeburg, Idaho 83440

New Telephone Number (208) 356-9506

5. Date you acquired the property April 4, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 47 Number and type of stock \_\_\_\_\_

Diversion rate in CFS 2.0 Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

SCANNED

7. Signature of New Owner/Claimant(s) Robert R. Lee Date 5/3/97  
Gwen J. Lee Date 5/3/97

MAY 24 2007

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

# WARRANTY DEED

For Value Received Sheryl B. Nelson, a married man dealing with his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Robert R. Lee and Gwen J. Lee, husband and wife

whose address is: 1330 Barney Dairy Road, Rexburg, ID 83440

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

SEE ATTACHED EXHIBIT "A".

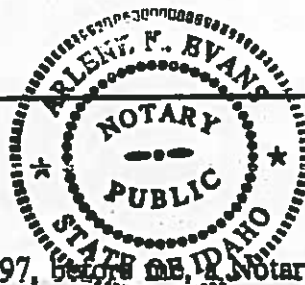
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 31, 1997

Sheryl B. Nelson  
Sheryl B. Nelson

STATE OF IDAHO )  
COUNTY OF Dannock ) ss



On This 1st day of April 1997, before me, a Notary Public in and for said State, personally appeared Sheryl B. Nelson, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that he executed the same.

Arlene F. Evans  
Notary Public of Idaho  
Residing at: Pocatello, Idaho  
Commission Expires: 8/29/98

M-23252-4

# WARRANTY DEED

For Value Received **Norma Karen Sanders, a married woman dealing with her sole and separate property**

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

**Robert R. Lee and Gwen J. Lee, husband and wife**

whose address is: **1330 Barney Dairy Road, Rexburg, ID 83440**

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

**SEE ATTACHED EXHIBIT "A".**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

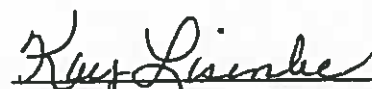
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

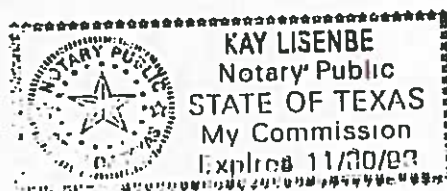
Dated: **March 31, 1997**

  
Norma Karen Sanders

STATE OF TEXAS )  
 ) : ss  
COUNTY OF )

On This 1st day of ~~March~~ <sup>APRIL</sup>, in the year 1997, before me, a Notary Public in and for said State, personally appeared Norma Karen Sanders, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that she executed the same.

  
Notary Public of Texas  
Residing at:  
Commission Expires:



SCANNED  
MAY 24 2007

M-23252-4

# WARRANTY DEED

For Value Received **Joan Snell, Trustee of The Snell Family Trust**

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

**Robert R. Lee and Gwen J. Lee, husband and wife**

whose address is: **1330 Barney Dairy Road, Rexburg, ID 83440**

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

**SEE ATTACHED EXHIBIT "A".**

**SUBJECT TO** all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

**TO HAVE AND TO HOLD** the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: **March 31, 1997**

**The Snell Family Trust**

*Joan Snell, Trustee*  
Joan Snell, Trustee

STATE OF UTAH )

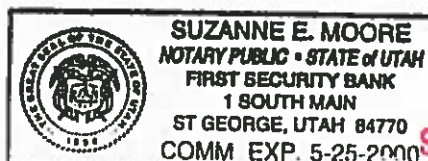
: ss

COUNTY OF )

*Washington*

On This 1st day of April, in the year 1997, before me, a Notary Public in and for said State, personally appeared Joan Snell, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument as Trustee for The Snell Family Trust, and acknowledged to me that she executed the same.

*Suzanne E. Moore*  
Notary Public of Utah  
Residing at: *St George*  
Commission Expires: *5/25/2000*



SCANNED

MAY 24 2007

WARRANTY DEED

For Value Received Jack W. Nelson, a married man dealing with his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Robert R. Lee and Gwen J. Lee, husband and wife

whose address is: 1330 Barney Dairy Road, Rexburg, ID 83440

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

SEE ATTACHED EXHIBIT "A".

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

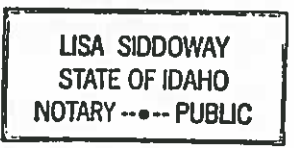
Dated: March 31, 1997

*Jack W. Nelson, by Phillip J. Norris, POA*  
Jack W. Nelson

STATE OF IDAHO )  
COUNTY OF *Madison* )  
: ss  
: *April*

On This 1st day of March, in the year 1997, before me, a Notary Public in and for said State, personally appeared Phillip Joel Norris, Jr., known or identified to me to be the person whose name is subscribed to the within Instrument as the attorney-in-fact of Jack W. Nelson, and acknowledged to me that he subscribed the name of Jack W. Nelson thereto as principal and his own name as attorney-in-fact.

*Lisa Siddoway*  
Notary Public of Idaho  
Residing at: *Rexburg*  
Commission Expires: *11-19-99*



## WARRANTY DEED

For Value Received Michael Mart Nelson, a married man dealing with his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Robert R. Lee and Gwen J. Lee, husband and wife

whose address is: 1330 Barney Dairy Road, Rexburg, ID 83440

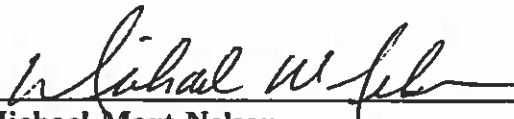
Hereinafter called the Grantee, the following described premises situated in Madison County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A".

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

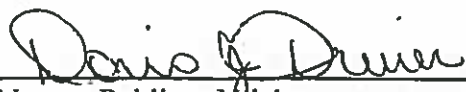
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 31, 1997

  
Michael Mart Nelson

STATE OF IDAHO )  
 ) : ss  
COUNTY OF Cassia )

On This 31<sup>st</sup> day of March, in the year 1997, before me, a Notary Public in and for said State, personally appeared Michael Mart Nelson, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that he executed the same.

  
Notary Public of Idaho  
Residing at: Burley, Idaho  
Commission Expires: 12-01-2000

SCANNED

MAY 24 2007

WARRANTY DEED

For Value Received Kathy Lynn Wilcox formerly known as Kathy Lynn Nelson, a married woman dealing with her sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells & conveys to

Robert R. Lee and Gwen J. Lee, husband and wife

whose address is: 1330 Barney Dairy Road, Rexburg, ID 83440

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

SEE ATTACHED EXHIBIT "A".

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

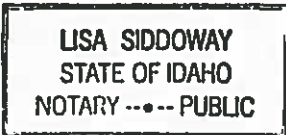
Dated: March 31, 1997

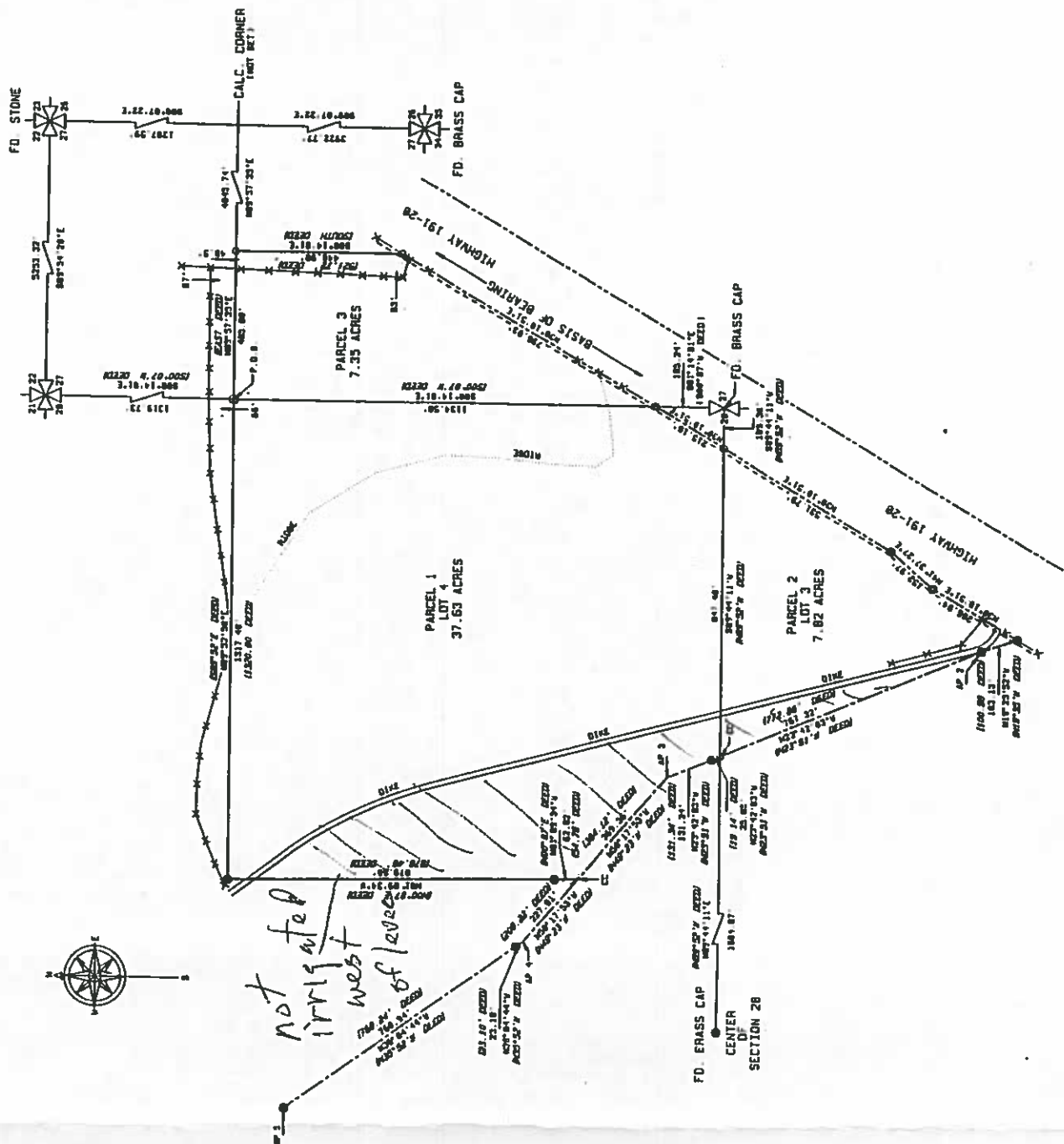
Kathy Lynn Wilcox  
Kathy Lynn Wilcox

STATE OF IDAHO )  
 ) : ss  
COUNTY OF Madison )

On This 3rd day of March, in the year 1997, before me, a Notary Public in and for said State, personally appeared Kathy Lynn Wilcox formerly known as Kathy Lynn Nelson, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that she executed the same.

Lisa Siddoway  
Notary Public of Idaho  
Residing at: Rexburg  
Commission Expires: 11-19-99





**NOTES:**

NOTE 1: THERE IS APPROXIMATELY 7.5 ACRES OF LAND ON THE WEST SIDE OF THE DIKE.  
 NOTE 2: ALL BRASS CAPS WERE SET BY CADASTRAL SURVEYOR GERALD V. HOCHSTRASSER IN 1979 ON A RESURVEY OF THE RESTORED MEANDER LINE FOR THE RIGHT BANK OF THE SNAKE RIVER.

**LEGEND**

- RESTORED MEANDER LINE ON THE RIGHT BANK OF THE SNAKE RIVER
- STATE HIGHWAY 191-28 RIGHT OF WAY
- FD. EXISTING BLM BRASS CAP
- SET 5/8" X 24" IRON ROD
- SET 1/2" X 24" IRON ROD
- CLOSING CORNER
- ANGLE POINT
- FENCE

**THOMPSON ENGINEERING INC.**  
**CONSULTING ENGINEERS**  
**RICHEY, IDAHO 83442**

**RECORDERS CERTIFICATE**

INSTRUMENT NO. 264764  
 TIME OF DAY 1524  
 DATE 1-27-97  
 RECORDED IN MADISON COUNTY, IDAHO  
for S. O. County Recorder by [Signature]

**CERTIFICATE OF SURVEY**

I, LYLE I. THOMPSON, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO. THAT THE ATTACHED PLAT WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

NOVEMBER 12, 1996 654  
 DATE LICENSE NO.  
 LYLE I. THOMPSON

**RECORD OF SURVEY**

|                                      |                                        |
|--------------------------------------|----------------------------------------|
| TOWNSHIP 5 NORTH, RANGE 38 EAST 28E. | SECTION 27 & 28, MADISON COUNTY, IDAHO |
| PROJECT: LARRY CHAPPLER              | JOB NUMBER: 96035                      |
| DATE: 11-12-96                       | SURVEYOR: L.I.T.                       |
| DRAWN BY: K.L.T.                     | CHECKED BY: L.I.T.                     |
| SHEET 1                              | OF 1                                   |

EXHIBIT "A"

PARCEL I:

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 39 East of the Boise Meridian, Section 28, more particularly described as follows: beginning at the Northeast Corner of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 28, Township 5 North, Range 39 East of the Boise Meridian, said point also being the Northeast Corner of Lot 4, said point also being the true point of beginning.

Thence S00°14'02"E for a distance of 1134.50 feet to the West right-of-way line of U.S. Highway 191-20;

Thence S30°18'51"W along said West right-of-way line for a distance of 215.16 feet, said point also being the Southeast Corner of Lot 4 and the Northeast Corner of Lot 3;

Thence S89°44'11"W between Lots 3 and 4 for a distance of 847.40 feet, said point being the Southwest Corner of Lot 4 and the Northwest Corner of Lot 3, said point also being a closing corner on the East and West Center Line of Section 28 on the restored original meander line for the right bank of the Snake River;

Thence N23°42'03"W along said meander line for a distance of 156.39 feet, said point being called angle point number 3 on the restored original meander line for the right bank of the Snake River;

Thence N50°17'53"W along said meander line for a distance of 369.36 feet, said point being a closing corner on the North and South Center Line of the Northeast Quarter (NE1/4) of Section 28, said point also being on the West Line of Lot 4;

Thence N01°09'34"W along said West Line for a distance of 942.47 feet to an existing B.L.M. brass cap, said point being the Northwest Corner of Lot 4 and also the Northwest Corner of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 28;

Thence N89°52'58"E for a distance of 1317.48 feet to the true point of beginning.

PARCEL II:

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 39 East of the Boise Meridian, Section 28, more particularly described as follows: beginning at the Northeast Corner of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section 28, Township 5 North, Range 39 East of the Boise Meridian, said point also being the Northeast Corner of Lot 4.

Thence S00°14'02"E for a distance of 1134.50 feet to the west right-of-way line of U.S. Highway 191-20;

Thence S30°18'51"W along said West Right-of-Way Line for a distance of 215.16 feet, said point also being the Southeast Corner of Lot 4 and the Northeast Corner of Lot 3, said point also being the true point of beginning.

Thence S30°18'51"W along said West Right-of-Way line for a distance of 531.79 feet to an existing right-of-way marker;

Thence S41°37'27"W along said West right-of-way line for a distance of 152.97 feet to an existing right-of-way marker;

Thence S30°18'51"W along said West right-of-way line for a distance of 266.84 feet to an existing B.L.M. brass cap, said corner being a witness point on the restored original meander line for the right bank of the Snake River;

Thence N19°23'52"W along said meander line for a distance of 103.13 feet to an existing B.L.M. brass cap, said corner being angle point number 2 on the restored original meander line for the right bank of the Snake River;

Thence N23°42'03"W along said meander line for a distance of 767.32 feet, said point being a closing corner on the East and West Center Line of Section 28 on the restored original meander line for the right bank of the Snake River;

Thence N89°44'11"E between Lots 3 and 4 for a distance of 847.40 feet to the true point of beginning.

SCANNED

MAY 24 2007

Legal description continued

PARCEL III:

A parcel of land situated in Madison County, State of Idaho, Township 5 North, Range 39 East of the Boise Meridian, Section 27, more particularly described as follows: Beginning at the Northwest corner of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 27, Township 5 North, Range 39 East of the Boise Meridian, said point also being the Northeast Corner of Lot 4, said point also being the true point of beginning.

Thence S00°14'02"E for a distance of 1134.50 feet to the West right-of-way line of U.S. Highway 191-20;

Thence N30°18'51"E along said West right-of-way line for a distance of 796.83 feet;

Thence N00°14'01"W for a distance of 446.90 feet, said point of beginning on the North Line of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 27, Township 5 North, Range 39 East.

Thence S89°57'35"W along said North Line for a distance of 405.00 feet to the true point of beginning.

Together with a right-of-way over and across the West 30 feet of the following described property for ingress and egress as reserved in Warranty Deeds recorded February 10, 1977, as Instrument No.'s 164911, 164912, 164913, 164914 and 164915, records of Madison County, Idaho, to wit:

Commencing at a point 405 feet East of the Northwest Corner of the Southwest Quarter of the Northwest Quarter of Section 27, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, said point of beginning being located at the intersection of the West right-of-way line of the old county road and the North boundary line of the aforesaid Southwest Quarter of the Northwest Quarter of Section 27, and running thence South 200 feet along said county road right-of-way line; thence East 158.10 feet, more or less, to the West right-of-way line of the New U.S. Highway 20-191; thence North 30°18'51" East, along said right-of-way line to its intersection with the aforesaid North boundary line of the old county road; thence West 240 feet, more or less, to the point of beginning.

SCANNED

MAY 24 2007

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 22-653A  
Date Received: 8/19/88  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEAR WORLD LTD LLC Phone:

PO BOX 413  
REXBURG ID USA 83440

2. Date of Priority: 06/01/1887

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  |
|----------|-------|---------|-----------------------|---------|
| 05N      | 39E   | 35      | SE SE NW              | MADISON |

5. Description of diverting works:

HEADWORKS OF BANNOCK JIM SLOUGH T. NELSON/CORY DITCH

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 2      |            |

7. Total Quantity Appropriated is:  
2 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 |
|----------|-------|---------|----------------|---------------|-------|
| 05N      | 39E   | 27      | SW NW          | IRRIGATION    | 7     |
|          |       |         |                | Section Acres | 7     |

05N

39E 28

SE  
NE

NE  
SE

IRRIGATION  
IRRIGATION

31  
9

Section Acres 40

Total Acres 47

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

THIS RT. WAS ORIGINALLY NO. 01-0129 TO JAMES D. NELSON . 4.0 CFS WAS SOLD TO ALLRED BROS. . SEE A22-00653B \*\*CHANGED OWNERSHIP 5/7/97/JT/GT\*\*

CHANGED OWNERSHIP 10/3/2000 BCONTOR.

15. Basis of Claim: Decreed

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: A22-00653A  
Date Received: 8/19/1988  
Receipt No: E001449  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: ROBERT R LEE  
Address: 1330 BARNEY DAIRY RD  
REXBURG ID 83440  
AND  
Name: GWEN J LEE  
Address: 1330 BARNEY DAIRY RD  
REXBURG ID 83440  
208-356-9506  
208-356-9506
2. Date of Priority: JUN 1, 1887
3. Source: SNAKE RIVER, SOUTH FORK Trib. to: COLUMBIA RIVER
4. Point of Diversion:  
Township Range Section 1/4 of 1/4 of 1/4 Lot County  
05N 39E 35 SE SE NW MADISON
5. Description of diverting works:  
HEADWORKS OF BANNOCK JIM SLOUGH T. NELSON/CORY DITCH
6. Water is used for the following purposes:  
Purpose From To C.F.S (or) A.F.A.  
IRRIGATION 04/01 11/01 2.000
7. Total Quantity Appropriated is:  
2.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 117.5 Acre Feet Per Annum.
9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 05N      | 39E   | 27      | SW     | NW  |     | IRR           | 7.0   |
|          |       |         |        |     |     | Section Acres | 7.0   |
|          |       | 28      | SE     | NE  |     | IRR           | 31.0  |
|          |       |         | NE     | SE  |     | IRR           | 9.0   |
|          |       |         |        |     |     | Section Acres | 40.0  |
|          |       |         |        |     |     | Total Acres   | 47.0  |

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:  
A01-00319A

14. Remarks:  
THIS RT. WAS ORIGINALLY NO. 01-0129 TO JAMES D. NELSON . 4.0 CFS  
WAS SOLD TO ALLRED BROS. . SEE A22-00653B  
\*\*CHANGED OWNERSHIP 5/7/97/JT/GT\*\*

15. Basis of Claim: DECREED

Water Right Number: 010129

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIG.

Decree Plaintiff

TETON IRRIGATION CANAL

vs

Decree Defendant

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: A22-00653A  
Date Received: 8/11/1988  
Receipt No: E001449  
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: SHERYL NELSON 208-237-6421  
Address: 724 PARK LANE  
POCATELLO, ID 83201

2. Date of Priority: JUN 01, 1887

3. Source: SNAKE RIVER, SOUTH FORK Trib. to: COLUMBIA RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 05N      | 39E   | 35      | SE     | SE     | NW  |     | MADISON |

5. Description of diverting works:  
HEADWORKS OF BANNOCK JIM SLOUGH T. NELSON/CORY DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.000 |      |        |

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

8. Total consumptive use is 117.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|-------|
| 05N           | 39E   | 27      | SW     | NW     |     | IRR | 7.0   |
| Section Acres |       |         |        |        |     |     | 7.0   |

A2200653A

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 05N           | 39E   | 28      | SE     | NE  |     | IRR | 31.0  |
|               |       |         | NE     | SE  |     | IRR | 9.0   |
| Section Acres |       |         |        |     |     |     | 40.0  |
| Total Acres   |       |         |        |     |     |     | 47.0  |

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:  
A01-00319A

14. Remarks:  
THIS RT. WAS ORIGINALLY NO. 01-0129 TO JAMES D. NELSON . 4.0 CFS  
WAS SOLD TO ALLRED BROS. . SEE A22-00653B

15. Basis of Claim: DECREED  
Water Right Number: 010129  
Case Number:  
Court :  
Decree date: 12/16/1910

REXBURG IRRIG.

Decree Plaintiff

vs

TETON IRRIGATION CANAL

Decree 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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

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): X Sheryl B. Nelson Date: X 8-16-88  
\_\_\_\_\_  
Date: \_\_\_\_\_

For Organizations:

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

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )  
County of Bannock ) SS.

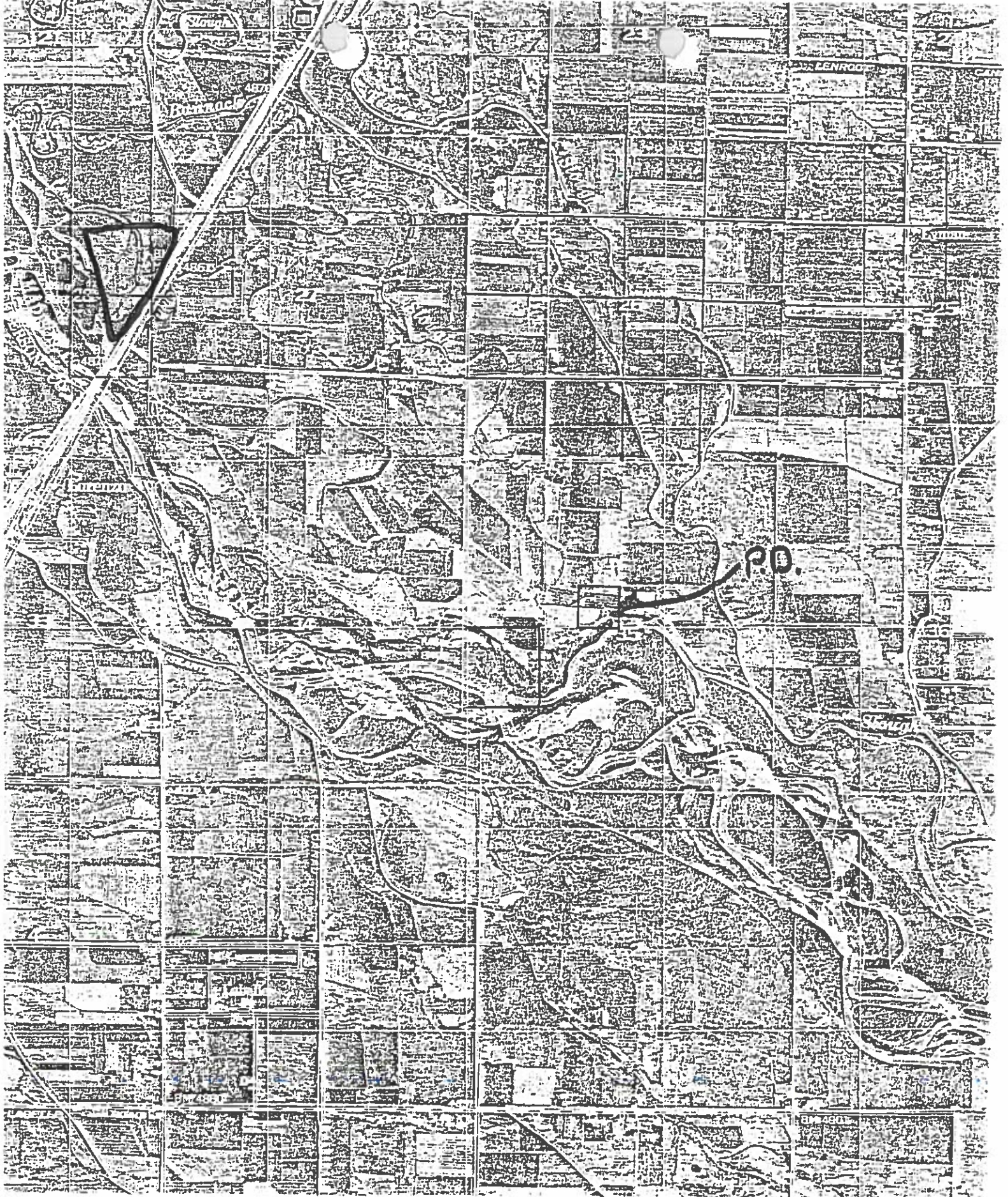
Subscribed and sworn (or affirmed) before me this 110<sup>th</sup> day  
of August 19 88

Seal

Marianne Lusch  
Notary Public

Residing at Pocatello

My Commission Expires April 1992  
3 Date: 08/11/88



A 22-00653A

SCANNED  
MAY 24 2007

INDEXED  
OCT 28 1992