

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: **A61-00282A**
Date Received: 12/ 7/1989
Receipt No: X777777
Received By: _____

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

1. Name: ARK PROPERTIES, INC
Address: 1656 KINGSHILL
ST CROIX VI

00851

2. Date of Priority: APR 1, 1883

3. Source: BENNETT CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	08E	1		SE	SW		ELMORE

5. Description of diverting works:
GRAVITY FLOW VIA DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.370		

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

8. Total consumptive use is 547.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	08E	1	SE	SW		IRR	19.0
			SW	SE		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	21.0
		11	SE	SE		IRR	6.0
						Section Acres	6.0
		12	NE	NW		IRR	29.0
			NW	NW		IRR	5.0
			SW	NW		IRR	22.0
			SE	NW		IRR	25.0
			NE	SW		IRR	23.0
			NW	SW		IRR	32.0
			SW	SW		IRR	31.0
			SE	SW		IRR	15.0
						Section Acres	182.0
		13	NE	NW		IRR	5.0
			NW	NW		IRR	2.0
						Section Acres	7.0
						Total Acres	216.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

CLAIM NO.'S A61-00300, 00302, 00281, 00361 & 02014.

14. Remarks:

FOR USE ON THE MARLEY TRACT.

CHANGE OF OWNERSHIP 7/28/95 MTS

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM A61-00282, FEE PAID UNDER W006957. 4/30/1997 MTS

CHANGE OF OWNERSHIP 5/6/1997 MTS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADIN M. HALL

Decree Plaintiff

WILLIAM H. BLACKMAN ET. AL.

vs 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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

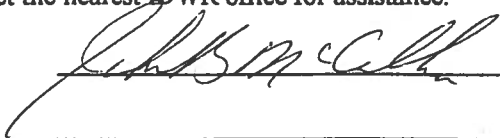
RECEIVED

APR 24 1997

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) _____
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) FRANKLIN JACK POWERS & ELIZABETH M. POWERS
PO BOX 1238 GLENN'S FERRY, ID 83623
4. New Owner/Claimant(s) ARK PROPERTIES, INC.
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 1656 Kingshill
City, State and ZIP Code ST. CROIX, UTAH 84005
New Telephone Number () -
5. Date you acquired the property APRIL 22, 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 _____ 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 4/22/97
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.

WARRANTY DEED

FOR VALUE RECEIVED

FRANKLIN JACK POWERS AND ELIZABETH M. POWERS, HUSBAND AND WIFE

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

ARK PROPERTIES, L.L.C.

GRANTEE(S), whose current address is: 1656 KINGSHILL ST CROIX, USVI 00851
the following described real property in ELMORE County, State of Idaho,
more particularly described as follows, to wit:

Tract II:

Township 3 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 31: Lots 4 and 5

Township 4 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 6: Lots 3, 4, 5, 6 and SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

TOGETHER with and including all grazing, water, mineral, ditch and
other rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all
encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or
done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if
any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same
from all lawful claims whatsoever, except those of record.

Dated: APRIL 22, 1997

Franklin Jack Powers
FRANKLIN JACK POWERS

Elizabeth M. Powers
ELIZABETH M. POWERS

STATE OF IDAHO....., County of ELMORE....., ss.

On this 22ND..... day of APRIL.....
in the year of 1997, before me, the undersigned, a Notary
Public in and for said State, personally appeared
.....FRANKLIN JACK POWERS.....
.....ELIZABETH M. POWERS.....

known or identified to me to be the person(s) whose name
ARE..... within instrument, and
acknowledged to me that..... executed the same.

Signature: *[Signature]*
.....
.....
.....
My commission expires: 12-27-99

300155

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE INC.

Time 4:50 P M

Date April 22, 1997

Book Page

DOLores ROBISON
Recorder

By *[Signature]* Deputy

Fee \$3.00

RECEIVED

APR 24 1997

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED

FRANKLIN JACK POWERS AND ELIZABETH M. POWERS, HUSBAND AND WIFE

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

ARK PROPERTIES, L.L.C.

GRANTEE(S), whose current address is: 1656 KINGSHILL ST CROIX, USVI 00851
the following described real property in ELMORE County, State of Idaho,
more particularly described as follows, to wit:

SEE ATTACHED LEGAL DESCRIPTION

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated: APRIL 22, 1997

Franklin Jack Powers
FRANKLIN JACK POWERS

Elizabeth M. Powers
ELIZABETH M. POWERS

STATE OF IDAHO....., County of ELMORE, ss.

On this 22ND day of APRIL
in the year of 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared
FRANKLIN JACK POWERS
ELIZABETH M. POWERS

known or identified to me to be the person(s) whose name
ARE..... within instrument, and
acknowledged to me that..... executed the same.
Signature: *Sherel A. Reymont*

Sherel A. Reymont
PUBLIC SHEREL A REYMENT
(Type or print)
Residing at MOUNTAIN HOME
My commission expires: 12-27-99

300156

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 4:51 P M
Date April 22, 1997
Book _____ Page _____

DOLORES ROBISON

Recorder

By *[Signature]*
Deputy
Fee 6.50

RECEIVED

APR 24 1997

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION

Tract I:

Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho

Section 1: W1/2SE1/4 and SE1/4SW1/4

Section 11: SE1/4SE1/4

Section 12: W1/2, SW1/4SE1/4, NW1/4SE1/4 and NE1/4

Section 13: E1/2NW1/4, W1/2NE1/4, NE1/4SW1/4, NW1/4SE1/4; also

Tax No. 1, more particularly described as follows:

All that portion of the NW1/4NW1/4 of said Section 13, lying North of the following described line:

Commencing at a point 473 feet 10 inches due South of the Section corner common to Sections 11, 12, 13 and 14, Township 4 South, Range 8 East, Boise Meridian, and running thence

Southeasterly on a line in the center of the lane to a stone, a distance of 113 feet 6 inches; thence

In a Northeasterly direction making a right angle to a line in the center of said lane a distance of 280 feet 6 inches; thence

Southeasterly parallel with the line in the lane to the East boundary line of the NW1/4NW1/4 of said Section 13

Section 14: Tax No. 2, more particularly described as follows:

All that portion of the NE1/4NE1/4 of said Section 14, lying North of the following described line:

Commencing at a stone in the center of the Lane 63 feet 5 inches South of the Southwest corner of the SE1/4SE1/4 of Section Eleven, Township 4 South, Range 8 East, and running Southeasterly in the center of the lane to a stone 473 feet 10 inches due South of the corner common to Sections 11, 12, 13 and 14, Township 4 South, Range 8 East, Boise Meridian.

Township 2 South, Range 8 East, Boise Meridian, Elmore County, Idaho

Section 20: S1/2SE1/4 and SE1/4SW1/4

Section 21: W1/2SW1/4 and all that portion of E1/2SW1/4
SW1/4SE1/4; SE1/4NW1/4 and NW1/4SE1/4 lying West
of Bennett Creek

Section 29: N1/2N1/2, SW1/4NW1/4 and NW1/4SW1/4

TOGETHER with and including all grazing, water, mineral, ditch and other rights appurtenant thereto.

RECEIVED
APR 24 1997
WATER RESOURCES
WESTERN 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A61-00282A**
Date Received: 12/ 7/1989
Receipt No: X777777
Received By: _____

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

1. Name: FRANKLIN JACK POWERS 208-366-2802
Address: PO BOX 1238
GLENN'S FERRY ID 83623
OR
Name: ELIZABETH M POWERS 208-366-2802
Address: PO BOX 1238
GLENN'S FERRY ID 83623

2. Date of Priority: APR 1, 1883

3. Source: BENNETT CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	08E	1	SE	SW			ELMORE

5. Description of diverting works:
GRAVITY FLOW VIA DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.370		

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

8. Total consumptive use is 547.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	08E	1	SE	SW		IRR	19.0
			SW	SE		IRR	2.0
					Section Acres		21.0
		11	SE	SE		IRR	6.0
					Section Acres		6.0
		12	NE	NW		IRR	29.0
			NW	NW		IRR	5.0
			SW	NW		IRR	22.0
			SE	NW		IRR	25.0
			NE	SW		IRR	23.0
			NW	SW		IRR	32.0
			SW	SW		IRR	31.0
			SE	SW		IRR	15.0
					Section Acres		182.0
		13	NE	NW		IRR	5.0
			NW	NW		IRR	2.0
					Section Acres		7.0
					Total Acres		216.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

CLAIM NO.'S A61-00300, 00302, 00281, 00361 & 02014.

14. Remarks:

FOR USE ON THE MARLEY TRACT.

CHANGE OF OWNERSHIP 7/28/95 MTS

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM A61-00282, FEE PAID UNDER W006957. 4/30/1997 MTS

15. Basis of Claim: DECREED

Case Number:

Court :

vs Decree Defendant

A61-00282 - N/O Powers

DR: 1.02 cfs CU: 1530 AF

POD: 35, 8E, S25, NWNW
45, 8E, S1, SESW

POU: 604 acre PPU (See attached)

-00282A N/O Powers

DR: .37 cfs CU: 547.7

POD: 45, 8E, S1, SESW

POU: 216 acres (See attached)

-00282B N/O Beckman

DR: .65 cfs CU: 982.3 AF

POD: 35, 8E, S25, NWNW

POU: 388 acres (See attached)

Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
03S	08E	36	NE		NW		IRR	7.0		
			NW		NW		IRR	13.0		
			SW		NW		IRR	16.0		
			SE		NW		IRR	10.0		
			NE		SW		IRR	21.0		
			NW		SW		IRR	28.0		
			SW		SW		IRR	39.0		
			SE		SW		IRR	16.0		
Section Acres								150.0		
04S	08E	1	NW		NE		IRR	10.0		
			SW		NE		IRR	12.0		
			NE		NW		IRR	33.0		
			NW		NW		IRR	38.0		
			SW		NW		IRR	40.0		
			SE		NW		IRR	32.0		
			NE		SW		IRR	33.0		
			NW		SW		IRR	40.0		
		SE		SW		IRR	19.0			
		SW		SE		IRR	2.0			
		Section Acres								259.0
		11	SE		SE		IRR	6.0		
			Section Acres							
		12	NE		NW		IRR	29.0		
			NW		NW		IRR	5.0		
			SW		NW		IRR	22.0		
SE			NW		IRR	25.0				
NE			SW		IRR	23.0				
NW			SW		IRR	32.0				
SW			SW		IRR	31.0				
SE			SW		IRR	15.0				
Section Acres								182.0		
13	NE		NW		IRR	5.0				
	NW		NW		IRR	2.0				
Section Acres								7.0		
Total Acres								604.0		

"B" = 388 ac

"A" = 216 ac

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

RECEIVED

NOV 18 1996

WATER RESOURCES
WESTERN 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) A61-10377 - A61-00362 - A6100358 - A61-02066
Adjudication Claim Number(s) _____
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) FRANKLIN JACK or ELIZABETH POWERS
PO BOX 1239
GLENN'S FERRY, ID 83623
4. New Owner/Claimant(s) MICHAEL KENN BECKMAN CARLA B. BECKMAN
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR
New Mailing Address 156 SOUTH 45TH WEST
City, State and ZIP Code IDAHO FALLS, ID 84303
New Telephone Number (208) 524-6333
5. Date you acquired the property JUNE 14, 1996
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 480 Number and type of stock 600 - cattle
Diversion rate in CFS 12.27 Number of homes 1 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) Donn Beckman Date 11/14/96
Carla Beckman Date 11-14-96
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.

WARRANTY DEED

RECEIVED

RECEIVED

Franklin Jack Powers and Elizabeth M. Powers, husband and wife

NOV 18 1996

WATER RESOURCES
WESTERN REGION

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Michael Kenn Beckman and Carla B. Beckman, husband and wife

GRANTEE(S), whose current address is: 156 South 45th West Idaho Falls, Id
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

Township 3 South, Range 8 East, Boise Meridian, Elmore County, Idaho

Section 36: W1/2

Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho

Section 1: Lot 2, SW1/4NE1/4, NW1/4 and N1/2SW1/4

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever. , except those of record.

Dated: June 14, 1996

Franklin Jack Powers
Franklin Jack Powers

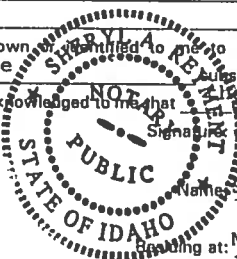
Elizabeth M. Powers
Elizabeth M. Powers

STATE OF Idaho, County of Elmore, ss.

On this 14th day of June
in the year of 1996, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Franklin Jack Powers and Elizabeth M.
Powers

known to me to be the person(s) whose name
are subscribed to the within instrument, and
acknowledged to me that they executed the same.

Signature of Sheryl A. Reymont
Name: Sheryl A. Reymont
(Type or print)
Residing at: Mountain Home
My commission expires: 12/27/99



AJ0749NP
No. R61-00282A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/19/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARK PROPERTIES, INC 1656 KINGSHILL ST CROIX VI 00851	04/01/1983	IRRIGATION	03-15 11-15	0.37 CFS	
					TOTAL DIVERSION:	0.37 CFS

Water Source: BENNETT CREEK
Point(s) of Diversion: T04S ROBE S01 SESW
Tributary to: SNAKE RIVER
Stage: DECREED
ELMORE County

Place of use Legal Description for: IRRIGATION											
			NE		NW		SW		SE		
T	R	S	NE	SE	NW	SW	NE	SE	NW	SW	SUM
04S	08E	1	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
04S	08E	11	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
04S	08E	12	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
04S	08E	13	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac
											TOTAL ACRES
											216.2

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A61-00281	A61-00281A	A61-00282A	A61-00358A	A61-00361A	A61-00362C	A61-02006A	A61-02013A	A61-02014A	A61-02236D
A61-07273	A61-10377A	R61-02236D	R61-07273						

Other Water Rights Listing Overlapping Place(s) of Use:

A61-00281	A61-00281A	A61-00282	A61-00282A	A61-00283	A61-00284	A61-00300	A61-00302	A61-00358	A61-00358A
A61-00361	A61-00361A	A61-00362	A61-00362C	A61-02006	A61-02006A	A61-02013	A61-02013A	A61-02014	A61-02014A
A61-04111	A61-10377	A61-10377A	R61-00283	R61-04111					

Remarks: POU1
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00281A, 61-00358A,
61-00361A, 61-00362C, 61-10377, 61-02006A, 61-00302.
EXP
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 61-00281A, 61-00358A, 61-00361A,
61-00362C, 61-10377A, 61-02006A, 61-02013A.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 61C	Field Inspection Flag:	Presumption Flag:

AJ0749NP
No. R61-00282A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/19/98
PAGE: 2

Comments: Date: 10/19/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
FOR USE ON THE MARLEY TRACT.
CHANGE OF OWNERSHIP 7/28/95 MTS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM A61-00282, FEE PAID UNDER W006957. 4/29/1997 MTS
CHANGE OF OWNERSHIP 5/6/1997 MTS

Audit: 10/19/98 MSCHULTE

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
DEC 21 1998

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: December 18, 1998

Water right number: 61-00282A

ARK PROPERTIES INC
1656 KINGSHILL
ST CROIX VI 00851

Daytime Telephone Number: 208-366-7931
Evening Telephone Number: 208-366-7931

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

Period of Use, Place of use.

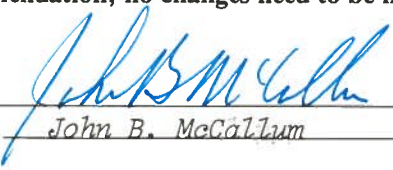
2. Describe the changes you wish to make in the proposed recommendation:

Should be consistant with adjudication claim.

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

Because they don't appear to reflect historical use.

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

DATE: 12/17/98 SIGNATURE: 

Please print your name:

John B. McCallum

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARK PROPERTIES, INC	04/01/1983	IRRIGATION	04-01-11-01	0.37 CFS	

TOTAL DIVERSION: 3-15-11-15
CONSUMPTIVE USE: 0.37 CFS
547.70 AFA

Water Source: BENNETT CREEK
Tributary to: SNAKE RIVER
Stage: DECREED

Point(s) of Diversion: T04S R08E S01
SESW
ELMORE County

Place of use Legal Description for: IRRIGATION

NE NE NE NE NE NE NE NE NE NE NE NE											
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac											
04S 08E 1 :	:	:	:	:	:	:	:	:	:	:	:
04S 08E 11 :	:	:	:	:	:	:	:	:	:	:	:
04S 08E 12 :	:	:	:	:	:	:	:	:	:	:	:
04S 08E 13 :	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES											216.0

POU County: ELMORE

Non-Irrigation Uses: NONE.

Other Rights: CLAIM NO.'s A61-00300, 00302, 00281, 00361 & 02014.

Remarks: GEN FOR USE ON THE MARLEY TRACT.
CHANGE OF OWNERSHIP 7/28/95 MTS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM A61-00282, FEE PAID UNDER W006957. 4/30/1997 MTS
CHANGE OF OWNERSHIP 5/6/1997 MTS
To Comments

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 61C Field Inspection Flag: Presumption Flag:

A61-014
EXP- F06

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

() ORTHOPHOTOQUAD	DATE OF PHOTO	IDMR ID NO.	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	IDMR ID NO.	Y() N()
() ~~MAP~~ <i>GIS map</i>	DATE OF PHOTO	IDMR ID NO. <i>10-16-98</i>	Y(<i>5</i>) N()
() ASCS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM	DATE OF FIELD EXAM		
() WATER RIGHT LICENSE	DATE LICENSE SIGNED		
() IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED		
() SYSTEM DESCRIPTION	DATE DRAIN		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
() OTHER	DATE		
() OTHER	DATE		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A61-00282A

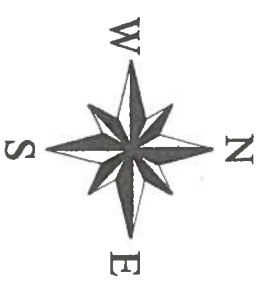
MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-		M5 3-30-96 J.P.C.	N		M5 10-19-98	M5 10-19-98	
POINT OF DIV	-			N				
SOURCE	-			N				
PLACE OF USE	-			N				
DIV. AMOUNT CFS/VOLUME	-			N				
CONSUMPTIVE USE	-			NH				
PURPOSES OF USE	-			N				
PERIOD OF USE	-			N				
BASIS OF CLAIM	-			N				
REMARKS	-			N				

BARCODE UPDATED
WHOM/DATE

M5 10-19-98

IDAHO DEPARTMENT OF WATER RESOURCES

T04S, R08E, S1, 11, 12 & 13



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

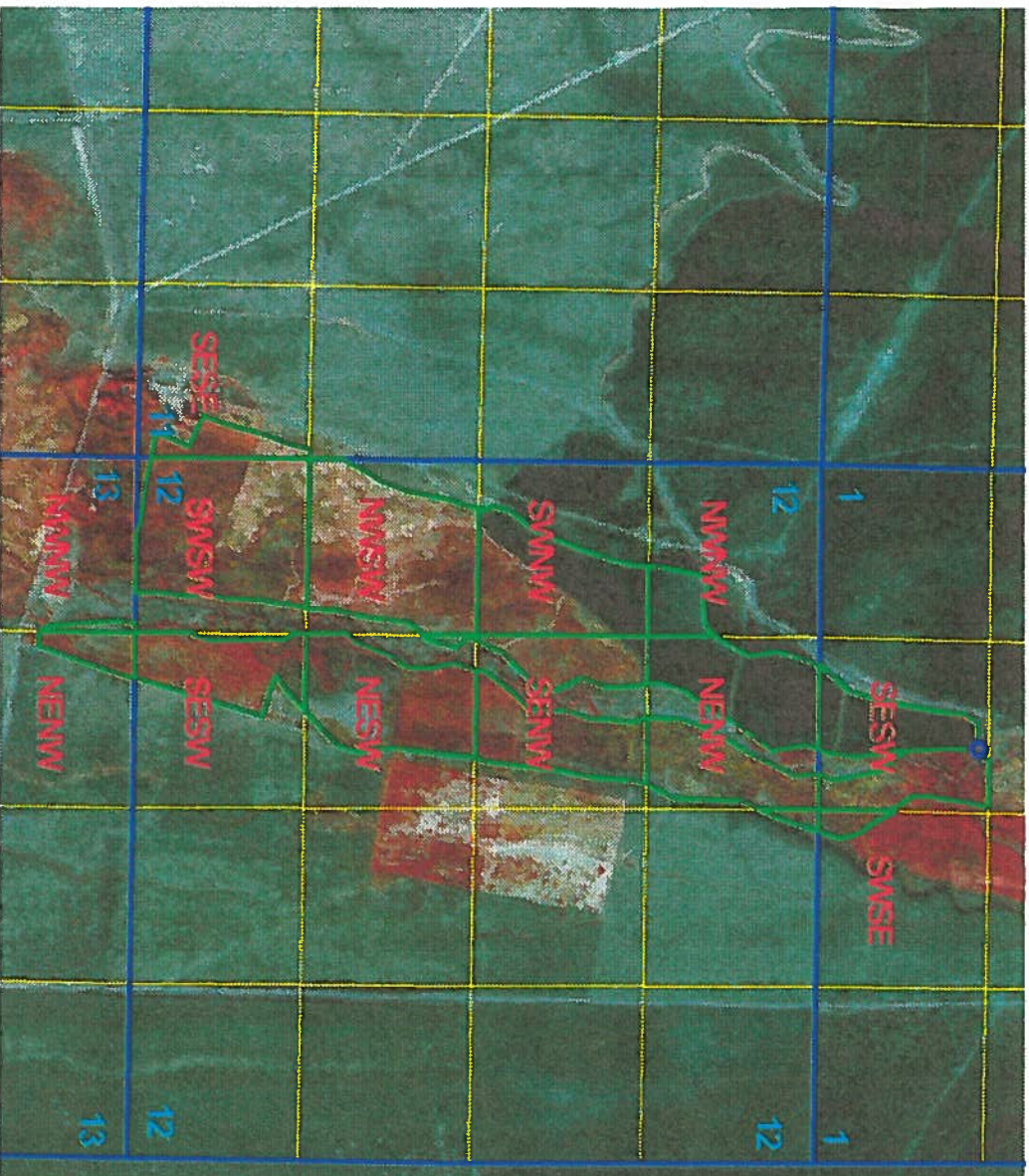
6 SECTION NUMBERS

CLAIM(S): 61-00281A, 61-00282A,
61-00358A, 61-00362C, 61-02006A,
61-10377A, 61-00361A, 61-00302

OWNER(S): ARK PROPERTIES, INC

Prepared by Mel Schulte

DATE: OCTOBER 16, 1998





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 12, 1996

PHILIP E. BATT
GOVERNOR

MR & MRS JACK POWERS
PO BOX 1239
GLENNS FERRY ID 83623

KARL J. DREHER
DIRECTOR

RE: Amended claims

Dear Jack & Betty:

Enclosed are several amended claim forms for your Bennett Creek water rights. These amended claims comply with your desire to use a permissible place of use so that all rights will be appurtenant to each acre of land. As we discussed during our previous meeting, this concept recognizes how the Bennett Creek water has been historically used on the ranch. Also, when the claims are split due to a split in ownership of the ranch, each acre will receive a prorated share of each claimed right.

You will note on the enclosed forms that the place of use describes the 510 acres historically irrigated with creek water and the two points of diversion historically used to divert water from Bennett Creek. When these claims are subsequently split, the points of diversion and place of use will be split to comply with the change of ownership of the land.

To complete the amended claims, one of you should sign the claim forms in front of a notary public. Please return the signed forms to my attention so that I can prepare our records prior to the change of ownership request that is forthcoming. There are no fees for filing these amended claims. If you have any questions or discussion concerning this matter please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.

CC: Sean Powers
Terry Scanlan

RECEIVED

JUN 10 1999

Department of Water Resources

RECEIVED

JUN 22 1999

WATER RESOURCES
WESTERN 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 No. 39576

A Subcase 61-00282A
(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B NAME AND ADDRESS OF PERSON OBJECTING

Name: John McCallum
Address: Charter Mountain Ranch, Inc.
Rt. 1, Box 451
Glenns Ferry ID 83623
Daytime Phone: (208) 366-7931

Name & Address of Attorney, if any:

Bruce M. Smith
Moore & McFadden, Chtd.
One Capital Center, Suite 910
999 Main Street
Boise ID 83702

C CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Ark Properties, Inc.
Address: 1656 Kingshill
St. Croix VI 00851

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address** Ark Properties, Inc.
Should be: _____ Rt. 1, Box 451
Glenns Ferry ID 83623 _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☒ **Period of Year**
Should be: "irrigation season or 2/1 -11/15"
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Water is beneficially used as claimed.

F:

VERIFICATION (Must be Completed)

State of Idaho)
County of Ada) ss.

Bruce M. Smith, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/4/99

Clifford Swenitt
Notary Public for Idaho
Residing at: 1714 Silver Dr., Nampa
My Commission Expires: 1.27.2000