

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: A61-00300

Date Received: 12/ 7/1989

Receipt No: W006957

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: MAY 1, 1889

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04S      | 08E   | 1       | NE     | NW     | SE     |     | ELMORE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.500 |      |        |

7. Total Quantity Appropriated is:

2.500 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

2445.0 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 |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 04S      | 08E   | 1       | SE     | SW     |     | IRR | 25.0  |
|          |       |         | NW     | SE     |     | IRR | 25.0  |
|          |       |         | SW     | SE     |     | IRR | 40.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
|          |       |         |        |     |     | Section Acres | 90.0  |
|          |       | 12      | NE     | NE  |     | IRR           | 38.0  |
|          |       |         | NW     | NE  |     | IRR           | 40.0  |
|          |       |         | SW     | NE  |     | IRR           | 40.0  |
|          |       |         | SE     | NE  |     | IRR           | 39.0  |
|          |       |         | NE     | NW  |     | IRR           | 35.0  |
|          |       |         | NW     | NW  |     | IRR           | 6.0   |
|          |       |         | SW     | NW  |     | IRR           | 20.0  |
|          |       |         | SE     | NW  |     | IRR           | 33.0  |
|          |       |         | NE     | SW  |     | IRR           | 40.0  |
|          |       |         | NW     | SW  |     | IRR           | 33.0  |
|          |       |         | SW     | SW  |     | IRR           | 40.0  |
|          |       |         | SE     | SW  |     | IRR           | 40.0  |
|          |       |         | NW     | SE  |     | IRR           | 40.0  |
|          |       |         | SW     | SE  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 484.0 |
|          |       | 13      | NW     | NE  |     | IRR           | 38.0  |
|          |       |         | SW     | NE  |     | IRR           | 40.0  |
|          |       |         | NE     | NW  |     | IRR           | 38.0  |
|          |       |         | NW     | NW  |     | IRR           | 10.0  |
|          |       |         | SE     | NW  |     | IRR           | 35.0  |
|          |       |         | NE     | SW  |     | IRR           | 40.0  |
|          |       |         | NW     | SE  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 241.0 |
|          |       |         |        |     |     | Total Acres   | 815.0 |

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 A61-00302 & A61-02014.

14. Remarks:  
CHANGE OF OWNERSHIP 7/28/95 MTS  
CHANGE OF OWNERSHIP 5/6/1997 MTS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADIN HALL  
Decree Plaintiff

WILLIAM WALKER 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 \_\_\_\_\_

## FOR VALUE RECEIVED

ARK PROPERTIES, L.L.C.

Tract II:

Section 31: Lots 4 and 5

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

Dated: APRIL 22, 1997

FRANKLIN JACK 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  
RE..... is given within instrument, and  
acknowledged to me that THEY executed the same.

Signature: *[Handwritten Signature]*

★ ○ ★

Public SHERYL A. REYMENT.....

STATE OF IDAHO (Type or print)

Residing at MOUNTAIN HOME ..... 12 37 00

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 |
|------|------|

DOLGERS ROBISON

Recorder

For ~~the~~ 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.



SHERYL A. REYMENT  
Notary Public  
State of Idaho  
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 Deputy

Fee \$6.00

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: A61-00300  
Date Received: 12/ 7/1989  
Receipt No: W006957  
Received By: \_\_\_\_\_

**NOTICE OF CLAIM TO A WATER RIGHT  
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: MAY 1, 1889

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04S      | 08E   | 1       | NE     | NW     | SE     |     | ELMORE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.500 |      |        |

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

8. Total consumptive use is 2445.0 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 | 25.0  |
|               |       |         | NW  |    | SE  |     | IRR | 25.0  |
|               |       |         | SW  |    | SE  |     | IRR | 40.0  |
| Section Acres |       |         |     |    |     |     |     | 90.0  |
|               |       | 12      | NE  |    | NE  |     | IRR | 38.0  |
|               |       |         | NW  |    | NE  |     | IRR | 40.0  |
|               |       |         | SW  |    | NE  |     | IRR | 40.0  |
|               |       |         | SE  |    | NE  |     | IRR | 39.0  |
|               |       |         | NE  |    | NW  |     | IRR | 35.0  |
|               |       |         | NW  |    | NW  |     | IRR | 6.0   |
|               |       |         | SW  |    | NW  |     | IRR | 20.0  |
|               |       |         | SE  |    | NW  |     | IRR | 33.0  |
|               |       |         | NE  |    | SW  |     | IRR | 40.0  |
|               |       |         | NW  |    | SW  |     | IRR | 33.0  |
|               |       |         | SW  |    | SW  |     | IRR | 40.0  |
|               |       |         | SE  |    | SW  |     | IRR | 40.0  |
|               |       |         | NW  |    | SE  |     | IRR | 40.0  |
|               |       |         | SW  |    | SE  |     | IRR | 40.0  |
| Section Acres |       |         |     |    |     |     |     | 484.0 |
|               |       | 13      | NW  |    | NE  |     | IRR | 38.0  |
|               |       |         | SW  |    | NE  |     | IRR | 40.0  |
|               |       |         | NE  |    | NW  |     | IRR | 38.0  |
|               |       |         | NW  |    | NW  |     | IRR | 10.0  |
|               |       |         | SE  |    | NW  |     | IRR | 35.0  |
|               |       |         | NE  |    | SW  |     | IRR | 40.0  |
|               |       |         | NW  |    | SE  |     | IRR | 40.0  |
| Section Acres |       |         |     |    |     |     |     | 241.0 |
| Total Acres   |       |         |     |    |     |     |     | 815.0 |

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 A61-00302 & A61-02014.

14. Remarks:  
CHANGE OF OWNERSHIP 7/28/95 MTS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADIN HALL  
Decree Plaintiff

WILLIAM WALKER 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 \_\_\_\_\_

RECEIVED

FEB 24 1995

WATER RESOURCES  
WESTERN REGION

WARRANTY DEED

For Value Received, WILLIAM H. MCGREW and HELEN BRANDT MCGREW, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto FRANKLIN JACK POWERS and ELIZABETH M. POWERS, husband and wife, whose current address is P.O. Box 203, Leadore, Idaho, 83464, the grantees, and to grantees' heirs and assigns forever, all of the following described real property located in Elmore County, Idaho:

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

Section 16: SW1/4SW1/4  
Section 17: SE1/4SE1/4  
Section 21: N1/2NW1/4  
Section 22: SE1/4SW1/4 and SW1/4SE1/4  
Section 27: N1/2NE1/4; SW1/4NE1/4; E1/2NW1/4 and SW1/4NW1/4

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

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

Section 2: All that portion of Lot 4 lying North of State Highway 68 (formerly State Highway No. 22)

Section 3: All that portion of Lots 1, 2, 3 and 4, and SW1/4NW1/4 lying North of State Highway No. 68 (formerly State Highway No. 22)

EXCEPT those portions of Lots 1 through 3, S1/2NW1/4 and NW1/4SW1/4 of Section 3, deeded to the State of Idaho for highway purposes.

TRACT II:

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

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 SE1/4NW1/4, NE1/4SW1/4

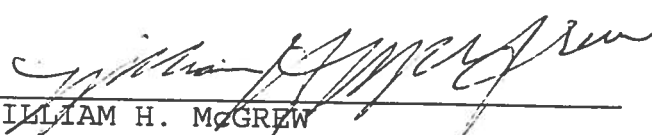
TOGETHER WITH all improvements, water, water rights, ditches, ditch rights, easement, hereditaments and appurtenances thereto (conveying hereby 3,163.56 acres more or less).

SUBJECT TO:

- a. Easements and rights-of-way of record;
- b. That certain mortgage dated May 12, 1980, granted by Thomas A. Gill and Joy E. Gill, husband and wife, as mortgagors, to the United States of America acting through the Farm Home Administration, United States Department of Agriculture, as mortgagee, recorded May 12, 1980, as Instrument No. 195140, records of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant and warrant to and with the said Grantees that they are the owners in fee simple of said real property; that they hereby convey good and marketable title to the same; that the property is free from all liens and encumbrances, except as set out above, and that Grantors will forever warrant and defend the same and Grantees' (and their heirs and assigns') quiet and peaceable possession of said premises from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 18th day of January, 1995.

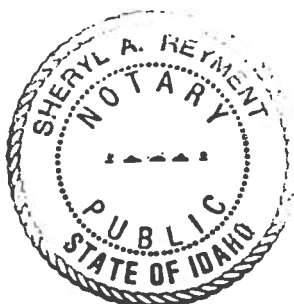
  
\_\_\_\_\_  
WILLIAM H. MCGREW

  
\_\_\_\_\_  
HELEN BRANDT MCGREW

STATE OF IDAHO                    )  
                                          :SS  
County of Elmore                )

On this 18th day of January, 1995, before me, the undersigned Notary Public in and for said State, personally appeared WILLIAM H. MCGREW and HELEN BRANDT MCGREW, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



(SEAL)

Sheryl A. Reymond  
NOTARY PUBLIC - STATE OF IDAHO  
Residing at: MOUNTAIN HOME  
My commission expires: 12-27-97

**284960**

ELMORE COUNTY, IDAHO ss  
Request of

**GUARANTY TITLE, INC.**

Time 2:51 P M  
Date January 19, 1995  
Book Page

DOLORES ROBISON

Recorder

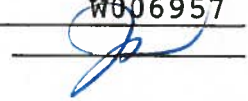
By Merle F. Becker  
Deputy

Fee \$12.00

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: A61-00300  
Date Received: 12/05/1989  
Receipt No: W006957  
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: W. H. MCGREW 208-366-2480  
Address: P.O. BOX 965  
GLENNS FERRY, ID ID

OR  
Name: HELEN B. MCGREW 208-366-2480  
Address: P.O. BOX 965  
GLENNS FERRY, ID ID

2. Date of Priority: MAY 01, 1889

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04S      | 08E   | 1       | NE     | NW     | SE  |     | ELMORE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.500 |      |        |

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

8. Total consumptive use is 2445.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE.

A61-00300

Page 1

Date: 12/07/89

MICROFILME  
AUG 11 1992

10. Place of Use:

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 04S      | 08E   | 1       | SE            | SW  |     | IRR | 25.0  |
|          |       |         | NW            | SE  |     | IRR | 25.0  |
|          |       |         | SW            | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 90.0  |
|          |       | 12      | NE            | NE  |     | IRR | 38.0  |
|          |       |         | NW            | NE  |     | IRR | 40.0  |
|          |       |         | SW            | NE  |     | IRR | 40.0  |
|          |       |         | SE            | NE  |     | IRR | 39.0  |
|          |       |         | NE            | NW  |     | IRR | 35.0  |
|          |       |         | NW            | NW  |     | IRR | 6.0   |
|          |       |         | SW            | NW  |     | IRR | 20.0  |
|          |       |         | SE            | NW  |     | IRR | 33.0  |
|          |       |         | NE            | SW  |     | IRR | 40.0  |
|          |       |         | NW            | SW  |     | IRR | 33.0  |
|          |       |         | SW            | SW  |     | IRR | 40.0  |
|          |       |         | SE            | SW  |     | IRR | 40.0  |
|          |       |         | NW            | SE  |     | IRR | 40.0  |
|          |       |         | SW            | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 484.0 |
|          |       | 13      | NW            | NE  |     | IRR | 38.0  |
|          |       |         | SW            | NE  |     | IRR | 40.0  |
|          |       |         | NE            | NW  |     | IRR | 38.0  |
|          |       |         | NW            | NW  |     | IRR | 10.0  |
|          |       |         | SE            | NW  |     | IRR | 35.0  |
|          |       |         | NE            | SW  |     | IRR | 40.0  |
|          |       |         | NW            | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 241.0 |
|          |       |         | Total Acres   |     |     |     | 815.0 |

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 A61-00302 & A61-02014.

14. Remarks:

15. Basis of Claim: DECREED  
Case Number:

Court :  
Decree date:

ADIN HALL

Decree Plaintiff

vs

WILLIAM WALKER ET. AL.

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 \_\_\_\_\_

6. Each tract of land herein described is arid in character and requires the artificial application of water to render such tract valuable for agricultural purposes and the amount of water awarded to each party under the provisions hereof is necessary for the successful irrigation and cultivation of the land to which the water is made appurtenant.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED AS  
FOLLOWS:

61 0300 1. During the irrigation season of each year, which season is hereby established as beginning April 1 and ending on November 1, the defendants Lee shall have the right to use 125 miner's inches of continuous flow of water from the Lee artesian well, with a priority date of May 1, 1889, which amount of water represents and is in lieu of the flow of the Lee Nat

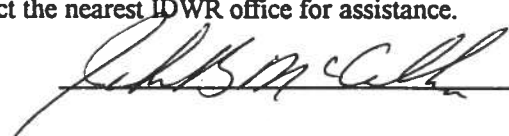
STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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 GLENNS 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, USVI 00851  
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.

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: A61-00300

Date Received: ~~11/13/1989~~ 12/5/89

Receipt No: W886957

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: W. H. MCGREW  
Address: P.O. BOX 965 208-366-2480  
GLENNS FERRY, ID ID

OR

Name: HELEN B. MCGREW  
Address: P.O. BOX 965 208-366-2480  
GLENNS FERRY, ID ID

2. Date of Priority: MAY 01, 1889

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04S      | 08E   | 1       | NW     | SE     |        |     | ELMORE |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 2.500  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE.

A61-00300

Page 1

Date: 11/13/89

NOT RECORDED

NOV 11 1989

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 04S      | 08E   | 1       | SE  |    | SW  |     | IRR |       |
|          |       |         | NW  |    | SE  |     | IRR |       |
|          |       |         | SW  |    | SE  |     | IRR |       |
|          |       | 11      | SE  |    | SE  |     | IRR |       |
|          |       | 12      | NE  |    | NE  |     | IRR |       |
|          |       |         | NW  |    | NE  |     | IRR |       |
|          |       |         | SW  |    | NE  |     | IRR |       |
|          |       |         | SE  |    | NE  |     | IRR |       |
|          |       |         | NE  |    | NW  |     | IRR |       |
|          |       |         | NW  |    | NW  |     | IRR |       |
|          |       |         | SW  |    | NW  |     | IRR |       |
|          |       |         | SE  |    | NW  |     | IRR |       |
|          |       | 14      | NE  |    | NE  |     | IRR |       |

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 A61-00302 & A61-02014.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ADIN HALL

Decree Plaintiff

vs

WILLIAM WALKER ET. AL.

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

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 20 Nov '89  
*[Signature]* Date: "

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 20<sup>th</sup> day  
of November 1989

Seal

*[Signature]*  
Notary Public

Residing at *[Signature]*  
My Commission Expires 9-14-94



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

FEB 24 1995

WATER RESOURCES  
WESTERN REGIONDATE OF CLOSING: 01-19-95

Legal description of property attached

LEGAL DESCRIPTION OF PROPERTY: Township \_\_\_\_\_ Range \_\_\_\_\_  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A61-10377, A61-00361, A61-10364, A61-04111, A61-10365, A61-00300, A61-00302, A61-10376, A61-00282, A61-10335, A61-00358, A61-02006, A61-02014, A61-02017, A61-02013, A61-00281, A61-00362, A61-02208  
Assigned by IDWR:
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Helen B. Mc Grew and/or William Mc Grew  
P O Box 965  
Glenns Ferry, Idaho 83623
- ☐ New Owner/Claimant (Purchaser): Franklin Jack Powers and/or Elizabeth M. Powers
- ☐ New Mailing Address: P O Box 1238  
Glenns Ferry, IDaho 83623
- ☐ New Telephone Number: (208) 366-2802
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: copy of warranty deed attached

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Franklin Jack Powers Date 02/23/95  
Elizabeth M. Powers Date 02-23-95
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Dates MTS By: MTS  
Further Action Needed: 7-28-95

Further Action Taken

Dates \_\_\_\_\_ By: \_\_\_\_\_

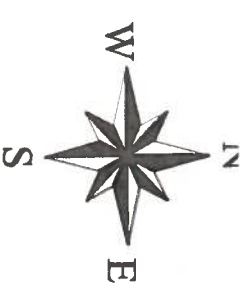
Final Review and Data-Entry

Dates 7-28-95 By: MTS  
Claim Numbers of Split, if any:

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

# IDAHO DEPARTMENT OF WATER RESOURCES

## T04S, R08E, S1, 12 & 13



### 1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

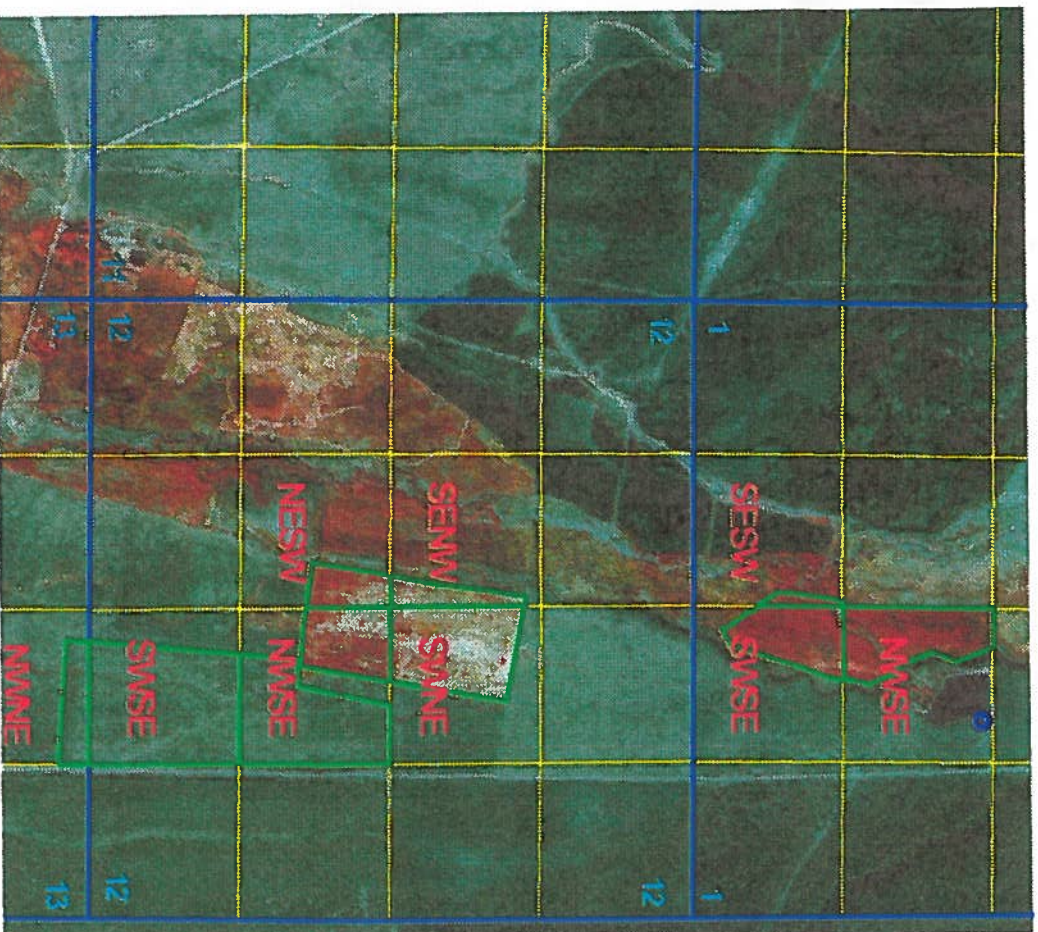
6 SECTION NUMBERS

CLAIM(S): 61-00300

OWNER(S): ARK PROPERTIES, INC

Prepared by Mel Schulte

DATE: OCTOBER 19, 1998



DATE: 10/20/98  
PAGE: 1

**Stage: DECREED**

**ELMORE County**



**POU County: ELMORE**

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

**A61-00300      A61-00302**

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

|            |            |            |            |            |            |            |            |           |            |
|------------|------------|------------|------------|------------|------------|------------|------------|-----------|------------|
| A61-00281  | A61-00281A | A61-00282  | A61-00282A | 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 | A61-10377 | A61-10377A |
| R61-00281A | R61-00282A | R61-00358A | R61-00361A | R61-00362C | R61-02006A | R61-02014A | R61-10377A |           |            |

RIGHT NO. 61-00302 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

**WATER TEMPERATURE MEASURED AT 140 DEGREES F.**

**Objection Filed Date:**

**Field Inspection Flag:**  
**Presumption Flag:**

Comments: Date: 10/20/1998 User-ID: NSCHULTE Subject: COPIED FROM REMARKS  
CHANGE OF OWNERSHIP 7/28/95 MTS  
CHANGE OF OWNERSHIP 5/6/1997 MTS

Date: 10/20/1998 User-ID: MSCHULTE Subject: IRRIGATED ACRES

AJ0749NP  
No. R61-00300

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

DATE: 10/20/98  
PAGE: 2

Comments: Date: 10/20/1998 User-ID: MSCHULTE Subject: IRRIGATED ACRES  
THE ACTUAL ACRES IRRIGATED EQUALS 125 BUT THE GIS INTERSECTION  
PROCESS CALCULATED 124.1 ACRES.

Audit: 10/20/98 MSCHULTE

November 20, 1998

NOTICE OF ERROR  
REPLY

RECEIVED

DEC 21 1998

WATER RESOURCES  
WESTERN REGION

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: 61-00300

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):

*Quantity, Period of Use, Place of Use.*

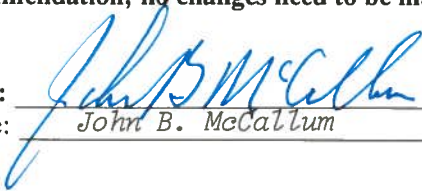
2. Describe the changes you wish to make in the proposed recommendation:

*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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

11:01:43  
09/06/96

PAGE: 19  
QUICKLOOK INFORMATION

CLAIM NUMBER: A61-00300  
19

| WR ELEMENT                | DATA DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                         |                                                 | MS<br>3-20-98<br>etc.      | N                      | MS<br>10-20-98                     | MS<br>10-20-98                   |                                      |                               |
| POINT OF DIV              |                         |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| SOURCE                    |                         |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                       |                                                 |                            | Y                      |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                         |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                       |                                                 |                            | N/A                    |                                    |                                  |                                      |                               |
| PURPOSES OF USE           |                         |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PERIOD OF USE             | Y                       |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            |                         |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| REMARKS                   | Y                       |                                                 |                            | Y                      |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

MS 10-20-98

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?

|                                                                    |                                             |                 |           |
|--------------------------------------------------------------------|---------------------------------------------|-----------------|-----------|
| <input type="checkbox"/> ORTHOPHOTOQUAD                            | DATE OF PHOTO                               | IDMR ID NO.     | Y( ) N( ) |
| <input type="checkbox"/> TOPOGRAPHIC                               | DATE FIELD CHECKED                          | IDMR ID NO.     | Y( ) N( ) |
| <input checked="" type="checkbox"/> <del>MAP</del> <u>GIS maps</u> | DATE OF PHOTO                               | IDMR ID NO.     | Y( ) N( ) |
| <input type="checkbox"/> ASCS AERIAL PHOTO                         | DATE OF PHOTO                               |                 | Y( ) N( ) |
| <input type="checkbox"/> ASCS COLOR SLIDE                          | DATE OF PHOTO                               |                 | Y( ) N( ) |
| <input type="checkbox"/> BLM OR USFS AERIAL PHOTO                  | DATE OF PHOTO                               |                 | Y( ) N( ) |
| <input type="checkbox"/> TOWNSHIP SURVEY (GOVERNMENT PLAT)         | DATE OF SURVEY                              |                 | Y( ) N( ) |
| <input type="checkbox"/> SCS SOIL SURVEY MAP                       | DATE ISSUED                                 |                 | Y( ) N( ) |
| <input type="checkbox"/> SUBDIVISION PLAT MAP                      | DATE OF MAP                                 |                 | Y( ) N( ) |
| <input checked="" type="checkbox"/> OTHER <u>GPS</u>               | DATE <u>5-22-96</u>                         |                 | Y( ) N( ) |
| <input checked="" type="checkbox"/> OTHER <u>Wheel log</u>         | DATE <u>5-19-01</u>                         |                 | Y( ) N( ) |
| <input checked="" type="checkbox"/> OTHER <u>Deuce</u>             | DATE <u>11-6-1967</u>                       |                 | Y( ) N( ) |
| =====                                                              |                                             |                 |           |
| LIST OF ATTACHMENTS (CHECK IF ATTACHED)                            | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF<br>PAGES | NOTES     |
| <input type="checkbox"/> LICENSING FIELD EXAM                      | DATE OF FIELD EXAM                          |                 |           |
| <input type="checkbox"/> WATER RIGHT LICENSE                       | DATE LICENSE SIGNED                         |                 |           |
| <input type="checkbox"/> IDMR APPROVED TRANSFER                    | DATE TRANSFER APPROVED                      |                 |           |
| <input type="checkbox"/> SYSTEM DESCRIPTION                        | DATE DRAWN                                  |                 |           |
| <input checked="" type="checkbox"/> PHOTOGRAPHS                    | DATE(S) PHOTOS TAKEN                        |                 |           |
| <input type="checkbox"/> SPLIT RIGHT REVIEW                        | DATE REVIEW COMPLETED                       |                 |           |
| <input type="checkbox"/> HUBBLE ANALYSIS                           | DATE ANALYSIS COMPLETED                     |                 |           |
| <input type="checkbox"/> CONVEYANCE LOSS ANALYSIS                  | DATE ANALYSIS COMPLETED                     |                 |           |
| <input checked="" type="checkbox"/> FLOW MEASUREMENT CALCULATIONS  | DATE SYSTEM MEASURED                        |                 |           |
| <input checked="" type="checkbox"/> OTHER <u>GIS calculations</u>  | DATE <u>10-19-99</u>                        |                 |           |
| <input type="checkbox"/> OTHER                                     | DATE                                        |                 |           |

9a & 9b

50 & 5b

Deuce 85

3-27-99 4

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

11:19:45  
09/04/96  
20

PAGE: 20  
PROFILE REPORT

CLAIM NUMBER: A61-00300

| OWNER CODE | NAME & ADDRESS       | PRIORITY DATE | WATER USE  | USE PERIOD FROM TO | DIVERSION RATE | DIVERSION VOLUME |
|------------|----------------------|---------------|------------|--------------------|----------------|------------------|
| C          | FRANKLIN JACK POWERS | 05/01/1889    | IRRIGATION | 04-01 11-01        | 2.50 CFS       | 500 AFE = 20V    |
| C          | ELIZABETH M POWERS   |               |            |                    | 2.50 CFS       | 2445.00 AFA      |

TOTAL DIVERSION:  
~~CONSUMPTION HERE~~  
2445.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Points) of Diversion:

T04S R08E S01

NEWSE

ELMORE County

Place of use Legal Description for: IRRIGATION

|             | NE | NE | SE | SE | SE | SE | SE | SUM   |
|-------------|----|----|----|----|----|----|----|-------|
| T R S       | NE | NE | SE | SE | SE | SE | SE |       |
| 04S 08E 1   | 40 | 40 | 39 | 35 | 06 | 20 | 33 | 90.0  |
| 04S 08E 12  | 38 | 40 | 39 | 35 | 06 | 20 | 33 | 484.0 |
| 04S 08E 13  | 38 | 40 | 39 | 35 | 06 | 20 | 33 | 241.0 |
| TOTAL ACRES |    |    |    |    |    |    |    | 815.0 |

POU County: ELMORE

Non-Irrigation Uses: NONE.

Other Rights: CLAIM NO.'S A61-00302 & A61-02014.

Remarks: GEN CHANGE OF OWNERSHIP 7/28/95 MTS

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

*See QTS map*

PAGE: 1  
GENERAL INFORMATION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A61-00300  
1

11:01:43  
09/04/96

LAST: MC GREW  
ADDRESS: PO BOX 965  
CITY: GLENN'S FERRY  
PHONE NUMBER: 208-366-2480

FIRST: HELEN B  
STATE: ID ZIP: ID

OWNER CODE: 0

LAST: POWERS  
ADDRESS: PO BOX 1238  
CITY: GLENN'S FERRY  
PHONE NUMBER: 208-366-2802

FIRST: FRANKLIN JACK  
STATE: ID ZIP: 83623

OWNER CODE: C

LAST: POWERS  
ADDRESS: PO BOX 1238  
CITY: GLENN'S FERRY  
PHONE NUMBER: 208-366-2802

FIRST: ELIZABETH M  
STATE: ID ZIP: 83623

OWNER CODE: C

LAST: MC GREW  
ADDRESS: PO BOX 965  
CITY: GLENN'S FERRY  
PHONE NUMBER: 208-366-2480

FIRST: WH  
STATE: ID ZIP: ID

OWNER CODE: 0

LAST: LEE  
ADDRESS: XXXXX  
CITY: XXXXX  
PHONE NUMBER: 208-000-0000

FIRST: HAZEL ROWENA  
STATE: ID ZIP: XXXXX

OWNER CODE: 0

FIELD EXAM REQUIRED?  
VERIFICATION REQUIRED DUE TO REMARKS? Y  
CLAIM REMARKS: GEN CHANGE OF OWNERSHIP 7/28/95 MTS  
FIELD EXAMINER  
Y( ) N( )

CONTACT PERSON: John McCallum

PHONE NUMBER: ( ) - -

DATE OF FIELD EXAM: 3/30/96 DATE APPOINTMENT MADE: Y( ) N( )

TIME: : A( ) P( )

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: ( ) - -

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / NOTES:

Shell exam was performed with obvious owners for  
them however before this exam I was split in half.

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

A. AJ CLAIM: # A61-00300 PRIORITY DATE: 05-01-1889 STAGE: D

B. WR RECORD: # 61-00300 PRIORITY DATE: 05-01-1889 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y( ☒ ) N( ☐ )

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y( ☐ ) N( ☒ )

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y( ☐ ) N( ☒ )

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A( ☒ ) Y( ☐ ) N( ☐ )

FIELD EXAM COMPLETED

N/A( ☒ ) Y( ☐ ) N( ☐ )

FIELD EXAM SENT TO STATE OFFICE

N/A( ☒ ) Y( ☐ ) N( ☐ )

LICENSE ISSUED

N/A( ☒ ) Y( ☐ ) N( ☐ )

\* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A( ☒ ) Y( ☐ ) N( ☐ )

\* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y( ☒ ) N( ☐ )

NOTES:

RECOMMENDED PRIORITY DATE:

05-01-1889

REVIEWED BY

*Mike Schultz*

DATE

*10-20-98*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | FLAG | POD | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-----|------|-----|--------|----------------|------------------|
| A61-00300 | 04S       | 08E  | 1   | NE  | NW  | SE  |     |      |     | ELMORE |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX  
A61-00302 NONE

61-00302

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | FLAG | POD | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|-----------|------|-----|-----|-----|-----|-----|------|-----|--------|----------------|------------------|
| 61-00300 | 04S       | 08E  | 1   | NW  | SE  |     |     |      |     | ELMORE |                |                  |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

61-00302

A61-00302

NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A( ☒ ) Y( ☐ ) N( ☐ )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A( ☐ ) Y( ☒ ) N( ☐ )

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y( ☒ ) N( ☐ )

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ☐ ) Y( ☒ ) N( ☐ )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y( ☒ ) N( ☐ )

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y( ☒ ) N( ☐ )

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 3-20-96) Y( ☐ ) N( ☒ )

AJ FIELD EXAM (DATE OF FIELD EXAM 3-20-96) NAME OF EXAMINER McLachlan Y( ☒ ) N( ☐ )

OTHER (DESCRIBE IN NOTES BELOW) etc.

NOTES:

POD determined by GPS - see attached

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|------|--------|----------------|---------------|
| 04S  | 08E  | 1    | NE  | NW  | SE  |     |      | ELMORE |                |               |

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

McSchultz

DATE: 10-20-98

SYSTEM DESCRIPTION: DESCRIBED BELOW ( ), SEE LICENSE FILE ( ), OR SEE ATTACHMENT ( )

See block under labeled "Beckman & HRT Properties"

| Recs          | Mean       | Std Dev | Minimum    | Maximum    |
|---------------|------------|---------|------------|------------|
| Latitude 210  | 43.10431N  | 3.42523 | 43.10430N  | 43.10434N  |
| Longitude 210 | 115.44616W | 4.11896 | 115.44621W | 115.44614W |
| Altitude 210  | 3421.35051 | 3.96485 | 3418.39190 | 3434.75304 |

No velocity records in file.

No DOP records in file.

Start GPS Week #854 on 05/22/96 at 15:47:49  
End GPS Week #854 on 05/22/96 at 15:50:56

Datum : NAD-27 CONUS  
Coordinate System : Latitude/Longitude  
Altitude Mode : Height Above Ellipsoid  
Altitude/Distance Units : Feet  
Velocity Units : Feet/Second

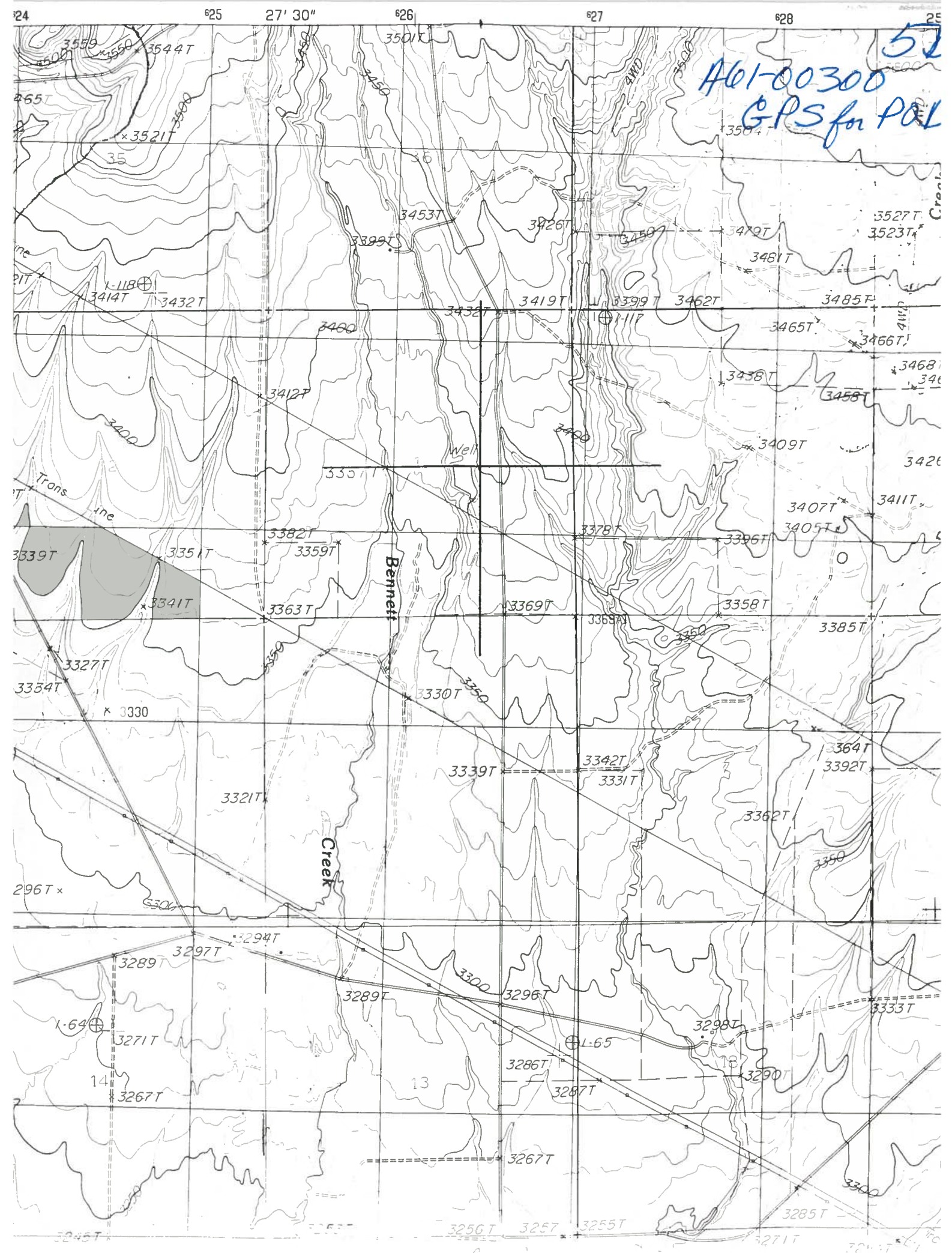
$$\text{Lat.} = 43.10431 = 43^{\circ}(.10431)(60) = 6'(.2586)(60) = 16''$$

$$43^{\circ} 6' 16''$$

$$\text{Long.} = 115.44616 = 115^{\circ}(.44616)(60) = 26'(.7696)(60) = 46''$$

$$115^{\circ} 26' 46''$$

NENWSE, S1, 4S, 8E



A. ROOT WATER RIGHT NUMBERS: A61-00300

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                  | AJ<br>#/ACRES    | MR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------|------------------|-----------------|-----------------|----------------|------------------|
| 04S | 08E | 1   | SE  | SW  |     | POWERS, FRANKLIN JACK | A61-00300 / 25.0 | 61-00300 /      |                 |                | 28.0             |
|     |     |     | SE  | SW  |     | POWERS, FRANKLIN JACK | A61-00281 / 25.0 | -               |                 |                |                  |
|     |     |     | SE  | SW  |     | POWERS, FRANKLIN JACK | A61-00282 / 25.0 | -               |                 |                |                  |
|     |     |     | SE  | SW  |     | POWERS, FRANKLIN JACK | A61-00302 / 25.0 | 61-00302 /      |                 |                |                  |
|     |     |     | SE  | SW  |     | POWERS, FRANKLIN JACK | A61-00361 / 25.0 | -               |                 |                |                  |
|     |     |     | SE  | SW  |     | POWERS, FRANKLIN JACK | A61-02014 / 20.0 | 61-02014 / 20.0 |                 |                |                  |
| 04S | 08E | 1   | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00300 / 25.0 | 61-00300 /      |                 |                | 23.0             |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00281 / 25.0 | -               |                 |                |                  |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00282 / 25.0 | -               |                 |                |                  |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00302 / 25.0 | 61-00302 /      |                 |                |                  |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00361 / 25.0 | -               |                 |                |                  |
| 04S | 08E | 1   | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | 61-00300 /      |                 |                | 19.0             |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -               |                 |                |                  |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -               |                 |                |                  |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | 61-00302 /      |                 |                |                  |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -               |                 |                |                  |
| 04S | 08E | 12  | NE  | NE  |     | POWERS, FRANKLIN JACK | A61-00300 / 38.0 | 61-00300 /      |                 |                |                  |
|     |     |     | NE  | NE  |     | POWERS, FRANKLIN JACK | A61-00281 / 38.0 | -               |                 |                |                  |
|     |     |     | NE  | NE  |     | POWERS, FRANKLIN JACK | A61-00282 / 38.0 | -               |                 |                |                  |
|     |     |     | NE  | NE  |     | POWERS, FRANKLIN JACK | A61-00302 / 38.0 | 61-00302 /      |                 |                |                  |
|     |     |     | NE  | NE  |     | POWERS, FRANKLIN JACK | A61-00361 / 38.0 | -               |                 |                |                  |
| 04S | 08E | 12  | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | 61-00300 /      |                 |                | 4.0              |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -               |                 |                |                  |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -               |                 |                |                  |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | 61-00302 /      |                 |                |                  |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -               |                 |                |                  |
| 04S | 08E | 12  | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | 61-00300 /      |                 |                | 28.0             |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -               |                 |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -               |                 |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | 61-00302 /      |                 |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -               |                 |                |                  |
| 04S | 08E | 12  | SE  | NE  |     | POWERS, FRANKLIN JACK | A61-00300 / 39.0 | 61-00300 /      |                 |                |                  |
|     |     |     | SE  | NE  |     | POWERS, FRANKLIN JACK | A61-00281 / 39.0 | -               |                 |                |                  |
|     |     |     | SE  | NE  |     | POWERS, FRANKLIN JACK | A61-00282 / 39.0 | -               |                 |                |                  |
|     |     |     | SE  | NE  |     | POWERS, FRANKLIN JACK | A61-00302 / 39.0 | 61-00302 /      |                 |                |                  |
|     |     |     | SE  | NE  |     | POWERS, FRANKLIN JACK | A61-00361 / 39.0 | -               |                 |                |                  |
| 04S | 08E | 12  | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 35.0 | 61-00300 /      |                 |                | 38.0             |

1.4

15

11

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18

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| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                  | AJ<br>#/ACRES    | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------|------------------|---------------|-----------------|----------------|------------------|
| 04S | 08E | 12  | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00281 / 35.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00282 / 35.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00302 / 35.0 | 61-00302      | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00361 / 35.0 | -             | /               |                |                  |
| 04S | 08E | 12  | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-02014 / 30.0 | 61-02014      | /               | 30.0           |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 6.0  | 61-00300      | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00281 / 6.0  | -             | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00282 / 6.0  | -             | /               |                |                  |
| 04S | 08E | 12  | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00302 / 6.0  | 61-00302      | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00361 / 6.0  | -             | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 20.0 | 61-00300      | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00281 / 20.0 | -             | /               |                |                  |
| 04S | 08E | 12  | SW  | NW  |     | POWERS, FRANKLIN JACK | A61-00282 / 20.0 | -             | /               |                |                  |
|     |     |     | SW  | NW  |     | POWERS, FRANKLIN JACK | A61-00302 / 20.0 | 61-00302      | /               |                |                  |
|     |     |     | SW  | NW  |     | POWERS, FRANKLIN JACK | A61-00361 / 20.0 | -             | /               |                |                  |
|     |     |     | SW  | NW  |     | POWERS, FRANKLIN JACK | A61-02014 / 20.0 | 61-02014      | /               | 30.0           |                  |
| 04S | 08E | 12  | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 33.0 | 61-00300      | /               |                |                  |
|     |     |     | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00281 / 33.0 | -             | /               |                |                  |
|     |     |     | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00282 / 33.0 | -             | /               |                |                  |
|     |     |     | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00302 / 33.0 | 61-00302      | /               |                |                  |
| 04S | 08E | 12  | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00361 / 33.0 | -             | /               |                |                  |
|     |     |     | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-02014 / 30.0 | 61-02014      | /               | 30.0           |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
| 04S | 08E | 12  | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-02014 / 30.0 | 61-02014      | /               | 30.0           |                  |
| 04S | 08E | 12  | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-00300 / 33.0 | -             | /               |                |                  |
|     |     |     | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-00281 / 33.0 | -             | /               |                |                  |
|     |     |     | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-00282 / 33.0 | -             | /               |                |                  |
|     |     |     | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-00302 / 33.0 | -             | /               |                |                  |
| 04S | 08E | 12  | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-00361 / 33.0 | -             | /               |                |                  |
|     |     |     | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-02014 / 33.0 | 61-02014      | /               | 40.0           |                  |
|     |     |     | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                |                  |
|     |     |     | NW  | SW  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
| 04S | 08E | 12  | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-02014 / 40.0 | 61-02014      | /               | 40.0           |                  |
| 04S | 08E | 12  | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-04111 / 30.0 | 61-04111      | /               | 30.0           |                  |
|     |     |     | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SW  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -             | /               |                |                  |

5.4

4.7

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                  | AJ<br>#/ACRES    | HR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------|------------------|---------------|-----------------|----------------|------------------|
| 04S | 08E | 12  | SE  | SM  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                | 34.0             |
|     |     |     | SE  | SM  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
|     |     |     | SE  | SM  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -             | /               |                |                  |
|     |     |     | SE  | SM  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | -             | /               |                |                  |
|     |     |     | SE  | SM  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -             | /               |                |                  |
| 04S | 08E | 12  | SE  | SM  |     | POWERS, FRANKLIN JACK | A61-02013 / 13.0 | 61-02013      | /               | 13.0           |                  |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                | 39.0             |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -             | /               |                |                  |
|     |     |     | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | -             | /               |                |                  |
| 04S | 08E | 12  | NW  | SE  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                | 36.0             |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | -             | /               |                |                  |
| 04S | 08E | 12  | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | SE  |     | POWERS, FRANKLIN JACK | A61-02013 / 12.0 | -             | /               |                |                  |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00300 / 38.0 | -             | /               |                | 3.0              |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00281 / 38.0 | -             | /               |                |                  |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00282 / 38.0 | -             | /               |                |                  |
| 04S | 08E | 12  | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00302 / 38.0 | 61-00302      | /               |                |                  |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-00361 / 38.0 | -             | /               |                |                  |
|     |     |     | NW  | NE  |     | POWERS, FRANKLIN JACK | A61-02013 / 10.0 | 61-02013      | /               | 10.0           |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
| 04S | 08E | 13  | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00282 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00302 / 40.0 | 61-00302      | /               |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00361 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00300 / 40.0 | -             | /               |                |                  |
|     |     |     | SW  | NE  |     | POWERS, FRANKLIN JACK | A61-00281 / 40.0 | -             | /               |                |                  |
| 04S | 08E | 13  | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 38.0 | -             | /               |                | 22.0             |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00281 / 38.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00282 / 38.0 | -             | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00302 / 38.0 | 61-00302      | /               |                |                  |
|     |     |     | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-00361 / 38.0 | -             | /               |                |                  |
| 04S | 08E | 13  | NE  | NW  |     | POWERS, FRANKLIN JACK | A61-02013 / 18.0 | 61-02013      | /               | 18.0           |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 10.0 | -             | /               |                | 39.0             |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00284 / 9.0  | -             | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00281 / 10.0 | -             | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00282 / 10.0 | -             | /               |                |                  |
| 04S | 08E | 13  | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00302 / 10.0 | 61-00302      | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00361 / 10.0 | -             | /               |                |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-02014 / 10.0 | 61-02014      | /               | 20.0           |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-04111 / 10.0 | 61-04111      | /               | 10.0           |                  |
|     |     |     | NW  | NW  |     | POWERS, FRANKLIN JACK | A61-00300 / 10.0 | -             | /               |                |                  |

31

5.6

32

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                  | AJ<br>#/ACRES | HR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|-----------------------|---------------|---------------|-----------------|----------------|------------------|
| 04S | 08E | 13  | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00300     | / 35.0        | -               | /              | 13.0             |
|     |     |     | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00281     | / 35.0        | -               | /              |                  |
|     |     |     | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00282     | / 35.0        | -               | /              |                  |
|     |     |     | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00302     | / 35.0        | 61-00302        | /              |                  |
| 04S | 08E | 13  | SE  | NW  |     | POWERS, FRANKLIN JACK | A61-00361     | / 35.0        | -               | /              |                  |
|     |     |     | SE  | NW  |     | WALKER, MARGARET      | A61-00284     | / 2.0         | -               | /              |                  |
|     |     |     | SE  | NW  |     | WALKER, MARGARET      | A61-10830     | /             | -               | /              |                  |
|     |     |     | SE  | NW  |     | WALKER, MARGARET      | A61-10830     | /             | -               | /              |                  |
| 04S | 08E | 13  | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00300     | / 40.0        | -               | /              | 3.0              |
|     |     |     | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00281     | / 40.0        | -               | /              |                  |
|     |     |     | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00282     | / 40.0        | -               | /              |                  |
|     |     |     | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00302     | / 40.0        | 61-00302        | /              |                  |
| 04S | 08E | 13  | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00361     | / 40.0        | -               | /              |                  |
|     |     |     | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00302     | / 40.0        | -               | /              |                  |
|     |     |     | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00361     | / 40.0        | -               | /              |                  |
|     |     |     | NE  | SW  |     | POWERS, FRANKLIN JACK | A61-00302     | / 40.0        | 61-00302        | /              |                  |

ADDITIONAL POU FOUND

TOTAL ACRES A61-00300 815.00 531.00

POU COUNTY: ELMORE

124.1 \*

\* Area total 125 but GIS intersection shows only 124.1 acres.

# WESTERN REGION

OWNER(S): ARK Properties  
 CLAIM NUMBERS A61-00300  
 AGENT MS DATE 10-19-98  
 TOTAL ACRES FROM RECOMMENDATION 124.1  
 GEOGRAPHIC INFO SYSTEM ACRES 124.1  
 READY FOR DECREE \_\_\_\_ (YES) SENT FOR DECREE \_\_\_\_ (YES)

| RIGHT<br>NO |     |     |     | NE |     |    |    | NW |    |    |     | SW  |    |     |    | SE |    |    |    |
|-------------|-----|-----|-----|----|-----|----|----|----|----|----|-----|-----|----|-----|----|----|----|----|----|
|             | TNS | RNG | SEC | NE | NW  | SW | SE | NE | NW | SW | SE  | NE  | NW | SW  | SE | NE | NW | SW | SE |
| RECOM       | 45  | 8E  | 1   |    |     |    |    |    |    |    |     |     |    | 1.4 |    |    | 15 | 11 |    |
| GIS         |     |     | 12  |    |     | 18 |    |    |    |    | 4.7 | 5.4 |    |     |    |    | 32 | 31 |    |
|             |     |     | 13  |    | 5.6 |    |    |    |    |    |     |     |    |     |    |    |    |    |    |
| RECOM       |     |     |     |    |     |    |    |    |    |    |     |     |    |     |    |    |    |    |    |
| GIS         |     |     |     |    |     |    |    |    |    |    |     |     |    |     |    |    |    |    |    |
|             |     |     |     |    |     |    |    |    |    |    |     |     |    |     |    |    |    |    |    |

POLYGON CREATED ON 330

POLYGON # ( ) ( ) ( ) ( ) 12-4-98 UPDATED BY MS

ATTRIBUTES OF B61-POU.SHP ( 398 ) ( 399 ) ( 400 ) ( ) ( )

ATTRIBUTES OF B61-POD.SHP ( 380 ) ( ) ( ) ( ) ( )

B61-DBPOU.DBF \_\_\_\_\_ UPDATED BY MS

B61-DBPOD.DBF \_\_\_\_\_ UPDATED BY MS

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RDH GPSTABLE

# IDAHO DEPARTMENT OF WATER RESOURCES

## T04S, R08E, S1, 12 & 13



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

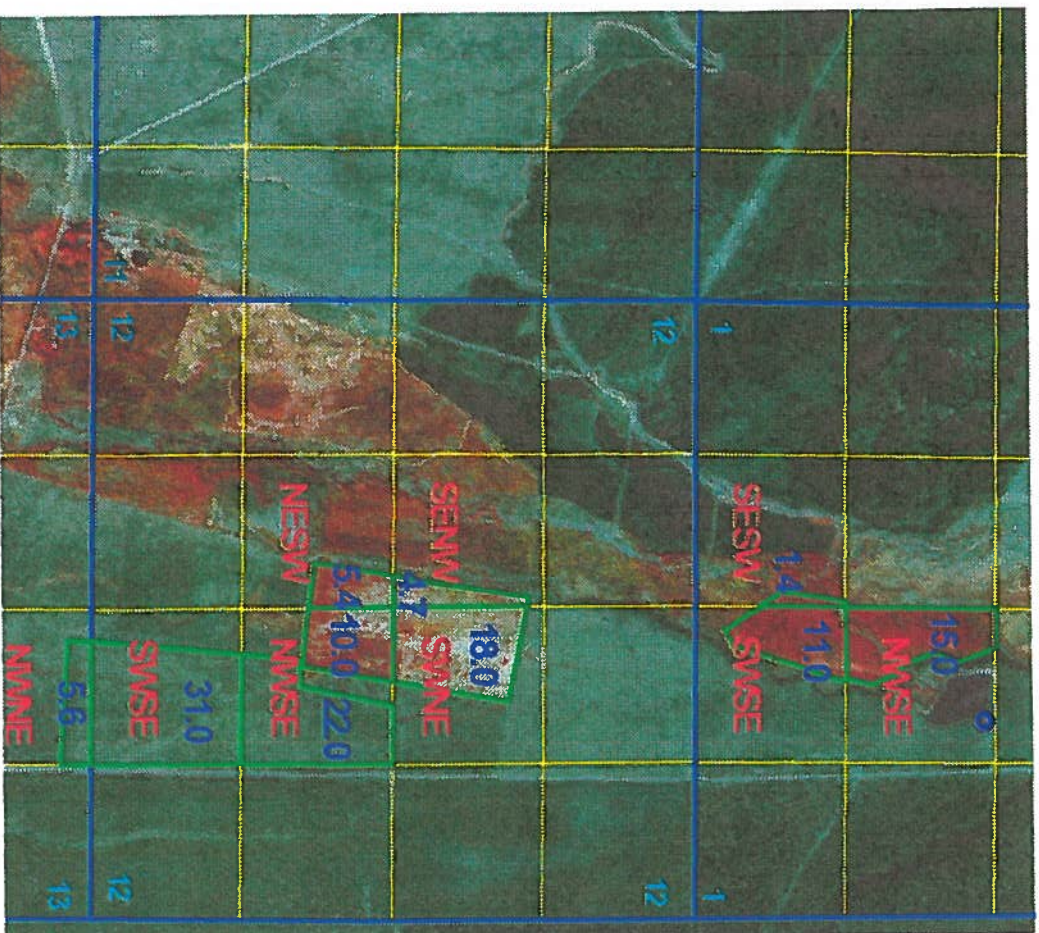
6 SECTION NUMBERS

CLAIM(S): 61-00300

OWNER(S): ARK PROPERTIES, INC

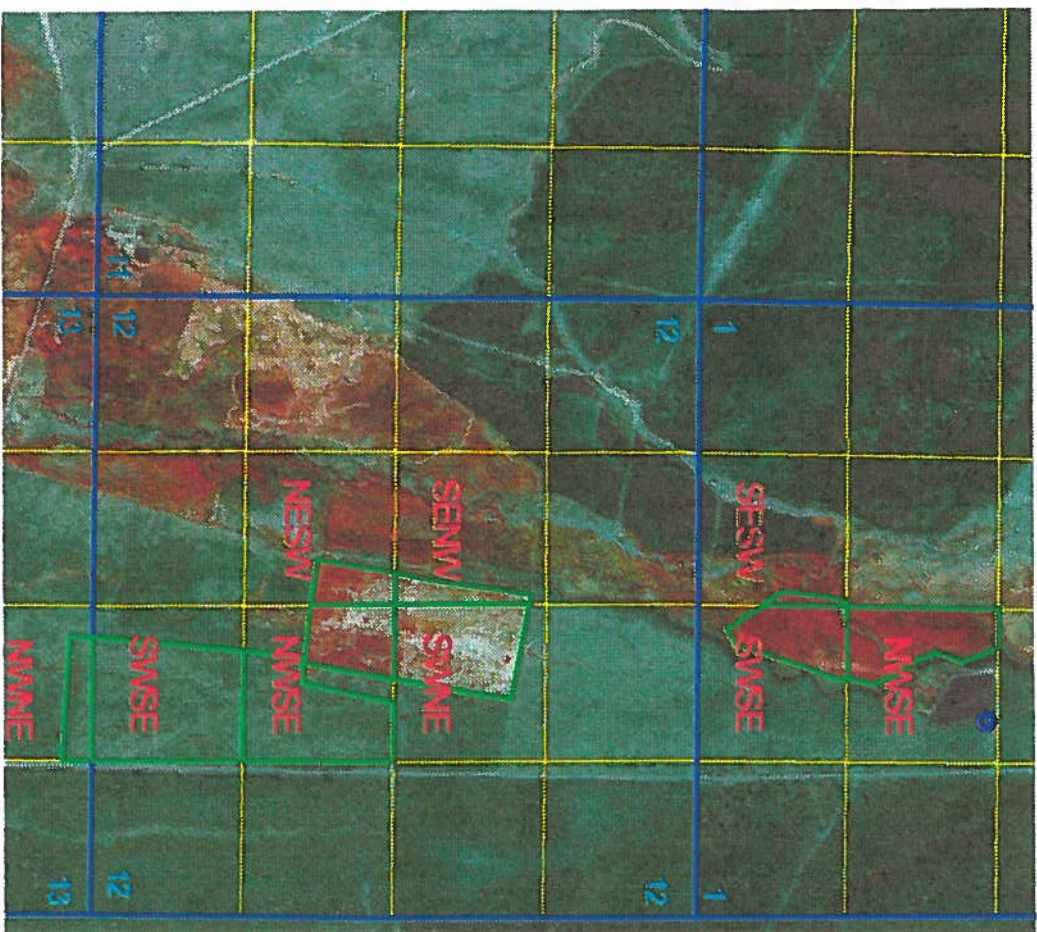
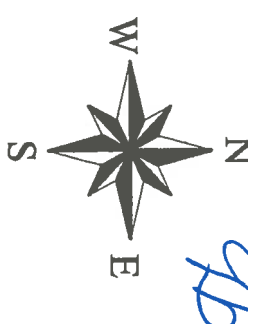
Prepared by Mel Schulte

DATE: OCTOBER 19, 1998



# IDAHO DEPARTMENT OF WATER RESOURCES

## T04S, R08E, S1, 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): 61-00300

OWNER(S): ARK PROPERTIES, INC

Prepared by Mel Schulte

DATE: OCTOBER 19, 1998



C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

\* IF YES, ARE THESE TRACTS LISTED ABOVE ( ), OR ARE THEY LISTED ON AN ATTACHED SHEET ( )

Y ( ) N ( ☒ )

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO. | SOURCE        | NAME                  | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|---------------|-----------------------|-----------|----------------|-----------|----------------|
| A61-00300 | GROUNDWATER   | POWERS, FRANKLIN JACK | 2.500     | 0.003          |           |                |
| A61-00281 | BENNETT CREEK | POWERS, FRANKLIN JACK | 2.860     | 0.003          |           |                |
| A61-00282 | BENNETT CREEK | POWERS, FRANKLIN JACK | 1.020     | 0.001          |           |                |
| A61-00283 | BENNETT CREEK | WALKER, WILLIAM H     | 4.760     | 0.016          |           |                |
| A61-00284 | BENNETT CREEK | WALKER, MARGARET      | 2.280     | 0.012          |           |                |
| A61-00302 | GROUNDWATER   | POWERS, FRANKLIN JACK | 20.000    | 0.024          |           |                |
| A61-00361 | BENNETT CREEK | POWERS, FRANKLIN JACK | 0.700     |                |           |                |
| A61-02013 | BENNETT CREEK | POWERS, FRANKLIN JACK | 1.050     | 0.019          |           |                |
| A61-02014 | BENNETT CREEK | POWERS, FRANKLIN JACK | 5.000     | 0.023          |           |                |
| A61-04111 | SPRINGS       | POWERS, FRANKLIN JACK | 0.820     | 0.020          |           |                |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES   | NAME             | MONTH/DAY           | RATE      | VOLUME                |
|-----------|------------|------------------|---------------------|-----------|-----------------------|
| A61-10830 | STOCKWATER | WALKER, MARGARET | FROM 01-01 TO 12-31 | 0.140 CFS | - different ownership |

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

\* IF YES, COMPLETE OVERLAP REVIEW:

Y ( ) N ( ☒ )

OTHER RIGHTS LISTED IN CLAIM: CLAIM NO.'S A61-00302 & A61-02014.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A ( ) Y ( ☒ ) N ( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A ( ) Y ( ☒ ) N ( )

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y ( ☒ ) N ( )

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y ( ☒ ) N ( ☒ )

CHECK DOCUMENTS USED TO VERIFY POI: ☒ ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ☐ ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;

☒ <sup>3-15</sup> ~~1-15~~, IDWR NO. \_\_\_\_\_; ☐ ( ) VASCS PHOTO; ☐ ( ) OTHER \_\_\_\_\_

NOTES:

The historical use of this right was confirmed with two previous owners, operators, land held and by the McLean. The next owners did not agree and wanted the area irrigated by 172 acres and the two Bennett Creek water. The historical and evidence area. An application for permit and transfer are pending. This recommendation reflects the historical use.

RECOMMENDATIONS:

TOTAL ACRES: 135 N/A( )

REVIEWED BY: McLehutte DATE: 10-20-98

A. AD CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A61-00300 IRRIGATION        | FROM 04-01 TO 11-01       | 2.500 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.500 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 61-00300 IRRIGATION         | FROM TO                   | 2.500 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.500 CFS              |                        |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

\* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☐) N(☒)

\* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☒) N(☐)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☒) N(☐)

- as desired

NOTES:

Amount of Use per device = 4-1 to 11-1

$$AV = 125 \times 4 = 500 AF$$

AJ CLAIM TOTAL DIVERSION RATE: 2.500 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.500 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y( ) N( )

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A( ) Y( ) N( )

\* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y( ) N( )

\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y( ) N( )

E. MEASUREMENT METHOD Flow Measurement - see attached, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 185 x 0.02 CFS/ACRE = 3.70 CFS  
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y( ) N( )  
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( )

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 185 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 500 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2445.0 AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW ( ) OR SEE ATTACHMENT ( )

2+

Lee (Powers)

3-27-97 6.25 cfs = 2805 gpm = 3.12"  
live flow - open channel measurement  
45-60 min after opening well

7.30 = 3276 gpm = 3.65"

30 min after opening well

5-27-93 1800 gpm could be sustained  
for 210 days. (4.01 cfs) @  
40 psi at the beginning of season  
and no other wells used.

8-28-96 1.7 cfs to 1.0 cfs for 210 days  
combined <sup>use</sup> with Lee well

2.3 to 1.6 cfs for 210 days  
combined use with 2+  
well

$$565 \text{ ac} \times 3 \text{ af} = 1695 \text{ AFA}$$

$$4.0 \times 1.9835 \times 210 = 1666 \text{ AFA}$$

LEE WELL 140 DEGREES F

1. Name of stream or ditch: DITCH  
 2. Location: BELOW WELL, 175' APPROX  
 3. Person conducting measure: MEL SCHULTE AND RON HOWERTON  
 4. Date and time of measure: 03-27-97 13:05  
 5. Accompanied by: SEAN POWERS-OWNER  
 6. Measuring device size and ID: PYGMY # 090175  
 7. Spin test OK? Before: Yes After: Yes  
 8. Purpose of measure: CAPACITY FLOW

| DIST<br>FROM LEW<br>(feet) | WIDTH<br>(feet) | DEPTH<br>(feet) | OBS<br>DEPTH | REVS | TIME<br>(secs) | VELOCITY<br>(ft/sec) | DISCHARGE<br>(cfs) |
|----------------------------|-----------------|-----------------|--------------|------|----------------|----------------------|--------------------|
| 1.0                        |                 |                 |              |      |                |                      |                    |
| 1.5                        | 1.0             | 0.5             | 0.6          | 38   | 40             | 0.95                 | 0.48               |
| 2.5                        | 1.0             | 0.6             | 0.6          | 30   | 40             | 0.75                 | 0.45               |
| 3.5                        | 1.0             | 0.8             | 0.6          | 50   | 40             | 1.25                 | 0.94               |
| 4.5                        | 1.0             | 0.8             | 0.6          | 59   | 40             | 1.48                 | 1.11               |
| 5.5                        | 1.0             | 0.8             | 0.6          | 57   | 40             | 1.43                 | 1.14               |
| 6.5                        | 1.0             | 0.7             | 0.6          | 49   | 40             | 1.23                 | 0.86               |
| 7.5                        | 1.0             | 0.7             | 0.6          | 40   | 40             | 1.00                 | 0.70               |
| 8.5                        | 1.0             | 0.7             | 0.6          | 33   | 40             | 0.83                 | 0.54               |
| 9.5                        | 1.0             | 0.7             | 0.6          | 32   | 40             | 0.80                 | 0.52               |
| 10.5                       | 0.9             | 0.6             | 0.6          | 24   | 40             | 0.60                 | 0.31               |
| 11.4                       | 1.3             | 0.4             | 0.6          | 24   | 40             | 0.60                 | 0.26               |
| 12.2                       |                 |                 |              |      |                |                      |                    |

TOT WIDTH 11.2

TOTAL DISCHARGE: 7.30

## Open Channel Discharge Measurement Notes

### A. GENERAL INFORMATION

- ## B. MEASUREMENT DATA

[illegible]

### C. REMARKS

**SIGNATURE**

## Open Channel Discharge Measurement Notes

### A. GENERAL INFORMATION

- ## B. MEASUREMENT DATA

### C. REMARKS

**SIGNATURE**

NOTES:  $185 \times 0.2 = 2.50$

The well draws water by suction pressure from a four-ton geothermal pumped pump. The pressure and discharge decreases as the well and a similar well located in 45, 90, 50 (2+ well) with draws water from the aquifer. The measurement on 3-27-98 was extended to estimate the maximum capacity of the well at the most optimum level up the 0 drawing when the pressure should be at the highest level.

MR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV<br>RATE CFS | EXAMINER | REC. DIV<br>VOL. AF/A | EXAMINER | REC. CONS.<br>USE | EXAMINER |
|------------------------|-------------|-------|----------------------|----------|-----------------------|----------|-------------------|----------|
|                        | FROM        | TO    |                      |          |                       |          |                   |          |
| IRRIGATION             | 04-01       | 11-01 | 2.500                |          |                       | 500      | 2445.0            | 10 H     |
|                        |             |       |                      |          |                       |          |                   |          |
|                        |             |       |                      |          |                       |          |                   |          |
|                        |             |       |                      |          |                       |          |                   |          |
|                        |             |       |                      |          |                       |          |                   |          |
|                        |             |       |                      |          |                       |          |                   |          |
| TOTAL FOR THIS RIGHT   |             |       | 2.500                |          |                       | 500      | 2445.0            | 10 H     |

NON-IRRIGATION USES CLAIMED: NONE.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

REVIEWED BY: Mark Schultz DATE: 10-20-98.

FLAG: \_\_\_\_\_

STANDARD CONDITIONS (CODE): \_\_\_\_\_

STANDARD REMARKS (CODE):

Exp - F05 & B05

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED AS CLAIMED ( )  
( )  
( )  
( )

NEEDS REVIEW ( )  
( )  
( )  
( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-00300  
TOTAL DIVERSION RATE OF WR SPLITS 2.500

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| -                 | A61-00300             | 2.500          | -                      |               | 61-00300         | 2.500          |
| TOTAL CFS         |                       |                |                        |               |                  | 2.500          |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW ( ) OR SEE ATTACHMENT ( )?

FIELD EXAMINER  
DATABASE Y ( ) N ( )

NOTES:

AUTHENTICATION:

SIGNATURE:

*Michael Schultz*

DATE:

10-20-98

NAME OF FIELD EXAMINER:

*Michael Schultz*

TITLE:

*As Agent*

WELL LOG AND REPORT OF THE  
STATE RECLAMATION ENGINEER OF IDAHO

Permit No. G-29900 Well No. \_\_\_\_\_ County Elmore

Owner Worth Lee

Address Mountain Home Idaho

Driller Russel Cowe

Address Boise, Idaho

Well location NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Sec. 1, T. 4S 8E N/S, R. \_\_\_\_\_ E/W

Size of drilled hole 16" 12"

Total depth of well 1140

Give depth to standing water from the ground flowing Water temp. 142 °Fahr.

On "Pumping Test" delivery was \_\_\_\_\_ g.p.m. or \_\_\_\_\_ c.f.s. Drawdown was \_\_\_\_\_ feet.

Size of pump and motor used to make test \_\_\_\_\_

Length of time of test \_\_\_\_\_ hours \_\_\_\_\_ minutes.

If flowing well, give flow \_\_\_\_\_ c.f.s. or 5000 g.p.m. and of shut off pressure \_\_\_\_\_

If flowing well, described control works 1 12" gate valve 1 10" valve  
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for irrigation Weight of casing per lineal foot 36

Thickness of casing .025 Casing material steel  
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 1 - 620 16" 2' above ground to 930 12"  
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;  
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

| Diam.<br>Casing | From<br>Feet | To<br>Feet | Length | Remarks—seals, grouting, etc. |
|-----------------|--------------|------------|--------|-------------------------------|
| 16"             | 1            | 620        | 620    |                               |
| 12"             | 2' above 930 | 932        |        |                               |
|                 |              |            |        |                               |
|                 |              |            |        |                               |

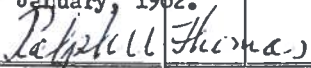
Number and size of perforations \_\_\_\_\_ located \_\_\_\_\_ feet to \_\_\_\_\_ feet from ground

Date of commencement of well \_\_\_\_\_ Date of completion of well May 1961

Locate well in section

|                  |                  |
|------------------|------------------|
| NW $\frac{1}{4}$ | NE $\frac{1}{4}$ |
| SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |

# WELL LOG

| From<br>Feet                                                                                                                                                                                                                                                                                                                  | To<br>Feet | Type of Material                  | Water-bearing<br>Formation<br>Ann. Yes or No                                         | Casing<br>Perforated<br>Ann. Yes or No |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------|--------------------------------------------------------------------------------------|----------------------------------------|
| 0                                                                                                                                                                                                                                                                                                                             | 1          | top soil                          |                                                                                      |                                        |
| 1                                                                                                                                                                                                                                                                                                                             | 5          | hard pan                          |                                                                                      |                                        |
| 5                                                                                                                                                                                                                                                                                                                             | 25         | broken rock                       |                                                                                      |                                        |
| 25                                                                                                                                                                                                                                                                                                                            | 50         | sand and clay                     |                                                                                      |                                        |
| 50                                                                                                                                                                                                                                                                                                                            | 100        | brown muddy sand                  |                                                                                      |                                        |
| 100                                                                                                                                                                                                                                                                                                                           | 150        | clay and sand                     |                                                                                      |                                        |
| 150                                                                                                                                                                                                                                                                                                                           | 200        | brown muddy sand                  |                                                                                      |                                        |
| 200                                                                                                                                                                                                                                                                                                                           | 300        | clay and sand                     |                                                                                      |                                        |
| 300                                                                                                                                                                                                                                                                                                                           | 450        | blue shale                        |                                                                                      |                                        |
| 450                                                                                                                                                                                                                                                                                                                           | 550        | blue shale with stringers of sand |                                                                                      |                                        |
| 550                                                                                                                                                                                                                                                                                                                           | 640        | blue shale                        |                                                                                      |                                        |
| 640                                                                                                                                                                                                                                                                                                                           | 940        | shale                             |                                                                                      |                                        |
| 940                                                                                                                                                                                                                                                                                                                           | 1205       | green shale                       |                                                                                      |                                        |
| 1205                                                                                                                                                                                                                                                                                                                          | 1230       | gray hard shale                   |                                                                                      |                                        |
| 1230                                                                                                                                                                                                                                                                                                                          | 1245       | sand stone                        |                                                                                      |                                        |
| 1245                                                                                                                                                                                                                                                                                                                          | 1260       | gray hard shale                   |                                                                                      |                                        |
| 1260                                                                                                                                                                                                                                                                                                                          | 1265       | sand stone                        |                                                                                      |                                        |
| 1265                                                                                                                                                                                                                                                                                                                          | 1285       | shale                             |                                                                                      |                                        |
| 1285                                                                                                                                                                                                                                                                                                                          | 1290       | blue shale                        |                                                                                      |                                        |
| 1290                                                                                                                                                                                                                                                                                                                          | 1316       | shale                             |                                                                                      |                                        |
| 1316                                                                                                                                                                                                                                                                                                                          | 1380       | rock below drilling               |                                                                                      |                                        |
| 1380                                                                                                                                                                                                                                                                                                                          | 1400       | sand some flow                    |                                                                                      |                                        |
| 1400                                                                                                                                                                                                                                                                                                                          | 1440       | broken rock good flow             |                                                                                      |                                        |
| STATE OF IDAHO                                                                                                                                                                                                                                                                                                                |            | ss.                               |                                                                                      |                                        |
| County of Ada                                                                                                                                                                                                                                                                                                                 |            |                                   |                                                                                      |                                        |
| I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, do hereby certify that the above and foregoing is a full, true and correct copy of the log on a well drilled for Worth Lee, as same appears of record in the Department of Reclamation of the State of Idaho, in the Log Book for Elmore County. |            |                                   |                                                                                      |                                        |
| IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the State Department of Reclamation at Boise, Idaho this 5th day of January, 1962.                                                                                                                                                           |            |                                   |                                                                                      |                                        |
| If more space is required use Sheet No. 2                                                                                                                                                                                                                                                                                     |            |                                   |  |                                        |

Deputy State Reclamation  
Engineer

## WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed /s/ Russel Cowe

By \_\_\_\_\_

Dated June, 19 61.

License No. 65

AGI-00300 & AGI-00302  
Ark Properties, Inc



Measurement site

A61-00300 & A61-00302  
Ark Properties, Inc



Well



Measurement site

A61-00300 & A61-00302  
Ark Properties, Inc. claims Photos 3-27-96



#24 Valve in cooling pond to release water to ditches SE of pond.



#25 Valve in cooling pond to release water to ditches West of pond.

#61-00300 & #61-00302

Ark Properties, Inc claims

Photos 3-27-96



#26 Diversion structure and ditches below cooling pond at site of photo #24



#27

Diversion ditch from well in photo #22 to cooling pond looking South from well.  
Site of measurement

A61-00300 & A61-00302

Ark Properties, Inc. claims

Photos 3-27-96



#22 P/R -  
Artesian well in  
NWSE, S1, 4S, 8E



#23 - Cooling  
pond adjacent  
to hot water  
artesian well  
in Photo 22  
above

Ark Properties, Inc

461-00300

Photos 3-27-96



POU - Drill 18  
looking NE  
from SW corner.

⑥  
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE

\*  
\*  
\*

ADIN HALL and RUBY HALL,  
husband and wife,  
  
Plaintiffs,

-vs-

WILLIAM H. WALKER and  
MARGARET WALKER, husband  
and wife;

Civil No. 2248

D E C R E E

GILBERT C. WALKER and  
LENA WALKER, husband and  
wife;

WORTH E. WALKER and  
PAULINE WALKER, husband  
and wife;

GILBERT WALKER AND SONS, a  
co-partnership, consisting of  
GILBERT C. WALKER, LENA M.  
WALKER, WORTH E. WALKER and  
WILLIAM H. WALKER;

HAZEL ROWENA LEE, as executrix  
of the estate of WORTH S. LEE,  
also known as WORTH SCOTT LEE  
and also known as WORTH S.  
LEE, JR.;

HAZEL ROWENA LEE;

Defendants.

\*  
\*  
\*

The plaintiffs herein being represented by Anderson, Kaufman,  
Anderson & Ringert; the defendants William H. Walker and Margaret  
Walker, Gilbert C. Walker and Lena Walker, Worth E. Walker and

23  
11-1-67  
2248  
Anderson & Kaufman  
Anderson & Ringert  
Anderson & Daly

Pauline Walker and Gilbert Walker and Sons, a partnership, being represented by Parry, Robertson & Daly, and the defendants Hazel Rowena Lee, individually and as executrix of the estate of Worth S. Lee, deceased, being represented herein by Hall & Rowett, and the said parties having executed and filed with the Court a written stipulation for the entry of a decree settling and adjusting the respective rights of the parties, NOW, THEREFORE;

Pursuant to the stipulation of the parties, IT IS HEREBY FOUND BY THE COURT AS FOLLOWS:

1. The defendants William H. Walker and Margaret Walker, husband and wife; Gilbert C. Walker and Lena Walker, husband and wife; Worth E. Walker and Pauline Walker, husband and wife; and Gilbert Walker and Sons, a co-partnership consisting of Gilbert C. Walker, Lena M. Walker, Worth E. Walker and William H. Walker, are hereinafter referred to collectively as the defendants Walker. Hazel Rowena Lee, as executrix of the estate of Worth S. Lee, also known as Worth Scott Lee and also known as Worth S. Lee, Jr., and Hazel Rowena Lee, individually, are hereinafter referred to collectively as defendants Lee.

2. The plaintiffs Adin Hall and Ruby Hall, husband and wife, have released, relinquished, transferred and conveyed to the defendants Lee all of their right, title, claim and interest in and to the waters of the Hot Springs, sometimes known as the Lee Hot Springs, located near the corner common to Sections Sixteen, Seventeen, Twenty and Twenty-one, Township Three South, Range Eight East, Boise Meridian, in Elmore County, Idaho, which waters flow into a creek known as Warm Springs Creek, and the said plaintiffs have transferred and conveyed to the defendants

Lee all of their right, title, claim and interest in and to all waters produced by the said Lee Hot Springs and to all waters from said springs flowing in Warm Springs Creek after being so produced, and that by virtue of such transfer and conveyance, the defendants Lee are now the owners of all of the rights of the plaintiffs in and to the waters produced at said Hot Springs and flowing therefrom into Warm Springs Creek.

3. The defendants Walker are the owners of an artesian well located in the Northwest Quarter of the Northeast Quarter of Section Eight, Township Four South, Range Nine East, Boise Meridian, in Elmore County, Idaho, drilled pursuant to Permit No. G25745 issued by the Department of Reclamation of the State of Idaho, which permit has a priority date of June 10, 1955, and which said well is hereinafter referred as the Walker well.

4. The defendants Lee are the owners of an artesian well located in the Northwest Quarter of the Southeast Quarter of Section One, Township Four South, Range Eight East, Boise Meridian, Elmore County, Idaho, which well was drilled pursuant to Permit No. G29317 issued by the Department of Reclamation of the State of Idaho, which permit has a priority date of January 19, 1961, and which said well is hereinafter referred to as the Lee well.

5. Waters flowing from the Lee Hot Springs and from the Walker well and the Lee well, both of which are artesian wells, all come from a common source of water in the same aquifer or the same subterranean body of water and the flow of water from both artesian wells tends to decrease, interfere with and eliminate the flow of the Lee Hot Springs.

61 0301 2. During said irrigation season, the defendants Walker shall have the right to the use of 320 miner's inches of continuous flow of water from the Walker artesian well with a priority date of June 10, 1955, for use upon the following described lands located in Elmore County, Idaho, to-wit:

The Southwest Quarter, the West Half of the East Half, and the Southeast Quarter of the Southeast Quarter of Section Eight; the Southwest Quarter of the Southwest Quarter of Section Nine; the North Half of the North Half of Section Seventeen; the East Half of the Northeast Quarter, the North Half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section Twenty-nine; the South Half of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section Ten; the West Half of the Northwest Quarter of Section Fifteen; the East Half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section Sixteen, all in Township Four South, Range Nine East, Boise Meridian.

61 0302 3. During said irrigation season, the defendants Lee, in addition to the rights provided for in paragraph 1 above, shall be entitled to and shall have the right to the use of 1000 miner's inches of continuous flow of water from the Lee well with a priority date of January 19, 1961, for use upon and which water shall be appurtenant to the real property of the defendants Lee described in paragraph 1 above.

4. Neither the defendants Lee nor the defendants Walker shall have the right, without the consent of the other, to pump water from their respective wells.

5. For a period of three years from and after October 18, 1967, the defendants Lee shall not withdraw more than 200 miner's inches of continuous flow of water at any time from the Lee artesian well unless it is sooner determined to the satisfaction

6. Each tract of land herein described is arid in character and requires the artificial application of water to render such tract valuable for agricultural purposes and the amount of water awarded to each party under the provisions hereof is necessary for the successful irrigation and cultivation of the land to which the water is made appurtenant.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

61 0300 1. During the irrigation season of each year, which season is hereby established as beginning April 1 and ending on November 1, the defendants Lee shall have the right to use 125 miner's inches of continuous flow of water from the Lee artesian well, with a priority date of May 1, 1889, which amount of water represents and is in lieu of the flow of the Lee Hot Springs, and withdrawal of said water from the Lee well will constitute a change of the point of diversion and a change of the place of use of the entire flow of the Lee Hot Springs and of the waters flowing therefrom into Warm Springs Creek and shall be for use upon and shall be appurtenant to the following described land located in Elmore County, Idaho, to-wit:

The West Half of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section One; the North Half, the Southwest Quarter and the West Half of the Southeast Quarter of Section Twelve; the Southeast Quarter of the Southeast Quarter of Section Eleven; the West Half of the Northeast Quarter, the North Half of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section Thirteen; and the Northeast Quarter of the Northeast Quarter of Section Fourteen, all in Township Four South, Range Eight East, Boise Meridian.

of the defendants Lee and Walker that the water supply is ample for a larger withdrawal.

6. The right of the defendants Lee to withdraw 125 miner's inches of continuous flow under paragraph 1 above is hereby established as the first right in order of priority; that the right of the defendants Walker to withdraw 320 miner's inches of continuous flow is hereby established as the second right in order of priority and the right of the defendants Lee under paragraph 3 above to withdraw 1000 miner's inches of continuous flow is hereby established as the third right in order of priority; that if the Lee well does not produce an artesian flow of 125 miner's inches of continuous flow throughout each entire irrigation season, the defendants Walker shall reduce the flow of water from the Walker well in an amount sufficient to insure the continued artesian flow of 125 miner's inches of water from the Lee well throughout each entire irrigation season; that if the Walker well, subject to the foregoing limitation, does not produce an artesian flow of 320 miner's inches of water throughout each entire irrigation season, the defendants Lee will reduce the flow of water from the Lee well under the rights set forth in paragraph 3 above in an amount sufficient to insure the continued artesian flow of 320 miner's inches of water from the Walker well throughout each entire irrigation season, but in no event shall the defendants Lee be required to reduce the flow of their well below the 125 miner's inches recognized as a first right, as set forth in paragraph 1 above.

7. Before the start of the irrigation season for the year 1968, the defendants Lee and the defendants Walker shall each construct at their respective wells a permanent-type concrete

or metal weir adequate for accurate measurement of the water produced by their well; that both wells shall be maintained and equipped at the owner's expense with the necessary valves and equipment to control the flow of water from the wells and for capping and closing off completely the flow of water from said wells when the same are not in use; that both of said wells shall be kept closed at all times except during said irrigation season; provided, however, that during the nonirrigation season each of said parties shall be entitled to withdraw from their respective wells for domestic purposes, including water for livestock, an amount not to exceed one miner's inch of water.

water master  
control  
provision

8. At the written request of either the defendants Lee or the defendants Walker, transmitted to the other, the operation of both artesian wells shall be placed in charge of the water master of Bennett Creek, providing such water master be willing to take charge of and supervise the operation of the wells pursuant to this decree. If such water master be not so willing, then another person shall be selected by said parties to serve as water master, to take charge of the operation of the two wells in accordance with this decree; that if the parties are unable to agree upon such a water master, then he shall be selected by three arbitrators, one chosen by the defendants Lee, one by the defendants Walker and a third by the two thus chosen. The decision of any two of the three arbitrators shall determine who shall serve as water master. The expenses and compensation of such board of arbitrators and of the water master for services in connection with the operation of the wells and the cost of providing a pressure gauge shall be borne equally by the

defendants Lee and the defendants Walker.

9. The rights and duties of the defendants Lee and the defendants Walker shall inure to the benefit of and be binding upon the heirs, administrators, executors, successors and assigns of the said parties insofar as the same are related to the ownership of the land and the operation of the artesian wells above described, and each of said parties is hereby ordered to comply with the provisions of this decree.

10. All of the parties hereto, their agents, employees, attorneys, privies and successors in interest are, and each of them is hereby, enjoined and restrained from any and all interference with the enjoyment of the rights to the use of said subterranean waters, as set forth in this decree and the rights and priorities, as herein determined and awarded, be and each of them is hereby quieted and confirmed as against each and every party to this action.

11. All pleadings filed herein be and the same are hereby amended to conform to the terms of this decree and each party shall pay his own costs herein.

Dated this 6 day of November, 1967.

[Signature]  
District Judge

APPROVED:

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By [Signature]  
Attorneys for Plaintiffs

PARRY, ROBERTSON & DALY

By [Signature]  
Attorneys for Defendants Walker

HALL & ROWETT

By [Signature]  
Attorneys for Defendants Lee

STAFF OF JUDGE  
Clerk of Court

11-2-67

11-2-67  
Clerk  
Deputy Clerk

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 61-00300  
(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)).

- Ark Properties, Inc.  
Rt. 1, Box 451
1. ☒ Name and Address Should be: \_\_\_\_\_ Glens Ferry ID 83623 \_\_\_\_\_
2. ☒ Source Should be: "no connection between well and surface water"
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: As claimed

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.

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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)

Bruce M. Smith  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/9/99

Cuthbert Sherritt  
Notary Public for Idaho  
Residing at: 1714 Silver Dr., Nampa  
My Commission Expires: 1-27-2000

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on 9 June, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_ Claimant is Objector  
\_\_\_\_\_

3. Copies to:

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

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

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

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

# MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AT LAW

225 NORTH 9TH STREET, SUITE 420  
BOISE, ID 83702  
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202

DAVID H. BIETER  
SUSAN E. BUXTON \*  
JOSEPH D. MALLET  
JOHN J. MCFADDEN \*‡  
MICHAEL C. MOORE ‡  
BRUCE M. SMITH  
PAUL A. TURCKE

\*Also Admitted in Oregon  
‡ Also Admitted in Washington

RECEIVED

AUG 21 2000

WATER RESOURCES  
WESTERN REGION

August 18, 2000

IDWR Western Region  
2735 Airport Way  
Boise, Idaho 83705-5082

Re: Change of Address and Name Correction for Ark Properties, LLC.

To Whom It May Concern:

The IDWR water right claim numbers listed below have an incorrect mailing address. Additionally, Ark Properties was inadvertently listed as Inc. on these claims. The correct suffix for Ark Properties is LLC. Please update the mailing address and business name to:

Ark Properties, LLC.  
Rt. 1 Box 451  
Glenns Ferry, Idaho 83623

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| 61-00281A | 61-00302  | 61-00362C | 61-02014A |
| 61-00282A | 61-00358A | 61-02006A | 61-04111  |
| 61-00300  | 61-00361A | 61-02013  | 61-10377A |

Thank you. Please call with any questions.

Sincerely yours,



Bruce M. Smith

BMS/to