

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

CIVIL CASE NUMBER: 39356

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

Ident Number 61-00318  
Date Received 12-11-89  
Receipt Number W007068

RECEIVED

DEC 11 1989

NOTICE OF CLAIM  
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources  
Western Regional Office

1. Name of Claimant(s): Joyce Wunderlich Pearson, trustee under the Amended and Restated Joyce Wunderlich Pearson 1972 Trust, dated May 31, 1988  
Phone: 1-208-788-3093  
Mailing Address: P. O. Box 449  
Bellevue, ID 83313
2. Date of Priority: May 1, 1877
3. Source of water supply (a) Cold Spring Creek which is tributary to (b) Snake River
4. a. Location of point of diversion is:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>1/4</u> | <u>1/4</u> | <u>1/4</u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|------------|------------|------------|------------|---------------|
| 5S              | 9E           | 5              | SE         | NE         | SW         |            | Elmore        |

Additional points of diversion if any: None

- b. If instream flow, beginning point:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>1/4</u> | <u>1/4</u> | <u>1/4</u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|------------|------------|------------|------------|---------------|
|-----------------|--------------|----------------|------------|------------|------------|------------|---------------|

Ending point:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>1/4</u> | <u>1/4</u> | <u>1/4</u> | <u>Lot</u> | <u>County</u> |
|-----------------|--------------|----------------|------------|------------|------------|------------|---------------|
|-----------------|--------------|----------------|------------|------------|------------|------------|---------------|

5. Description of existing diversion works: Pump in Creek to mainline and handlines for sprinkler irrigation system.

MAILED

DEC 11 1989

6. Water is claimed for following purposes:

| <u>Purpose</u> | <u>From</u> | <u>To</u>   | <u>Amount</u> |
|----------------|-------------|-------------|---------------|
| Irrigation     | March 15    | November 15 | 0.5 cfs       |

7. Total Quantity Claimed: 0.5 cfs

8. Total consumptive use claimed is 1085 acre feet per annum.

9. Non-irrigation uses: None

10. Place of use:

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>½</u> | <u>½</u> | <u>Use</u> | <u>Irrig. Acres</u> |
|-----------------|--------------|----------------|----------|----------|------------|---------------------|
| 5S              | 9E           | 5              | SE       | SW       | I          | 30                  |
| 5S              | 9E           | 5              | SW       | SE       | I          | 40                  |
| 5S              | 9E           | 8              | NW       | NE       | I          | 40                  |
| 5S              | 9E           | 8              | SW       | NE       | I          | 40                  |
| 5S              | 9E           | 8              | NE       | NW       | I          | 40                  |
| 5S              | 9E           | 8              | SE       | NW       | I          | 40                  |
| 5S              | 9E           | 8              | NW       | SE       | I          | 40                  |
| 5S              | 9E           | 8              | SW       | SE       | I          | 40                  |

Total number of irrigated acres: 310

11. Place of use is located in Elmore County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 61-00288A, 61-00288B, 61-00319, 61-00320 and 61-00321.

14. Remarks: Claimant is the contract purchaser from the Farm Credit Bank of Spokane ("Farm Credit") and has full possession and use as an owner of the lands identified as the place of use. Farm Credit holds the lands pursuant to a Sheriff's Certificate of Sale, dated January 23, 1989, subject to rights of redemption. This Claim is commingled with the other surface rights identified in paragraph 13, above, and used to irrigate the entire ranch through the same irrigation system. Place of use is claimed pursuant to Idaho Code Section 42-1416 to the extent it differs from the decree.

Last Name: Pearson Ident No. \_\_\_\_\_

RECEIVED  
MAY 11 1990

**Scale: 2 inches equals 1 mile**

[illegible]

PEARSON

Ident No.

**Copies: White-State, Yellow-Claimant**

2011 11 22

15. **Basis of Claim: Decree**

**IDWR Water Right Number:** 61-00318

**Court:** Elmore County District Court

**Case Number:**

**Decree Date:** May 10, 1899

**Plaintiff v. Defendant:**

Daniel McGinness, et al. v. James Stanfield et al.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

I do solemnly swear or affirm that I am the trustee of the Amended and Restated Joyce Wunderlich Pearson Trust, dated May 11, 1988, that I have signed the foregoing document in the space below as the trustee of said Trust, and that the statements contained in the foregoing document are true and correct.

Date: Dec. 7, 1989

Joyce W. Pearson, Trustee  
Joyce W. Pearson, trustee of the Amended  
and Restated Joyce Wunderlich Pearson  
Trust, dated May 11, 1988

State of Idaho )  
County of Blaine ) ss.

Subscribed and sworn before me this 7th day of December, 1989.

Notary Public James P. Speck  
Residing at Edinboro, ID  
Commission Expires 1/25/91

17. **Notice of Appearance:**

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature: James P. Speck  
James P. Speck  
Hogue, Speck & Aanestad  
P.O. Box 987  
Ketchum, ID 83340

Date: 12/7/89

Last Name: Pearson Ident No.: \_\_\_\_\_

prsnprt3.clm  
12/7/89

MICROFILMED

1989 11 1982



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED  
APR 1 1993

DATE OF CLOSING: Feb 12, 1993

Department of Water Resources  
Western Regional Office

LEGAL DESCRIPTION OF PROPERTY: Township 05S Range 09E  
Section \_\_\_\_\_, 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM. (Various)  
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)  
Assigned by IDWR: 61-00288B, 61-00318, 61-00319, 61-00320, 61-00321
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): Joyce Wunderlich Pearson - 1972 Trust  
c/o Joyce Pearson, Trustee  
142 S. Hiawatha Hailey, ID 83333
- ☒ New Owner/Claimant (Purchaser): Half Moon Ranch, An Idaho Partnership
- ☒ New Mailing Address: 6874 Fairview Avenue  
Boise, ID 83704
- ☒ New Telephone Number: (208) 322-5600

- ☐ 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: Memorandum of Contract of Sale (Recorded in Elmore County)

(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): Joy R. Caven Date 3/31/93
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

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

Further Action Needed:

Further Action Taken

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

Final Review and Data-Entry

Date: 4/7/93 By: EW

Claim Numbers of Split, if any:

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

POWER OF ATTORNEY

TO ALL PERSONS, be it known that:

ROBERT MATHWIG

Of Half Moon Ranch, an Idaho Partnership, the undersigned Grantor does hereby make and grant a general power of attorney to JAY R. CAVEN, and does thereupon constitute and appoint said individual as my attorney-in-fact.

My attorney-in-fact shall have full powers and authority to do and undertake all acts on my behalf that I could do personally, with full power of substitution and revocation to have authority to buy, trade, lease, mortgage assign, the right to execute, accept, undertake and perform any and all contracts related to the following described property.

Property Description:

TRACT I: Township 5 South, Range 9 East of the Boise Meridian  
Section 5: Lot 4, SE1/4SW1/4, SW1/4-SE1/4, NW1/4 SW1/4  
lying South and West of County Road  
Section 6: Lot 1, SE1/4NE1/4, N1/2SE1/4  
Section 8: W1/2E1/2, E1/2NW1/4

Township 4 South, Range 9 East of the Boise Meridian  
Section 31: SE1/4SE1/4  
Section 32: SW1/4SW1/4

TRACT II:

Township 2 South, Range 9 East of the Boise Meridian  
Township 2 South, Range 9 East of the Boise Meridian  
Section 11: SW1/4, W1/2SE1/4, S1/2NW1/4  
Section 14: W1/2, NW1/4NE1/4  
Section 15: All except SW1/4NE1/4  
Section 21: All  
Section 22: All

Section 23: W1/3S1/2, NE1/4NW1/4

TRACT: III

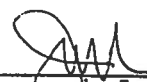
Township 2 South, Range 9 East of the Boise Meridian  
Section 15: SW1/4NE1/4

All water and water rights used upon or appurtenant to said property, however evidenced:

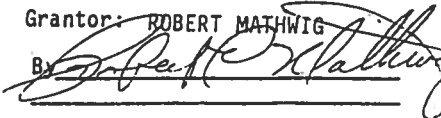
Together with grazing privileges for 1184 AUMs under permit of the Bureau of Land Management and for 55 head from July 1 to August 15 through the Boise National Forest.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Signed under seal this 29 day of January, 1993.

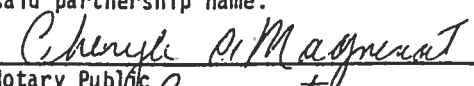
  
\_\_\_\_\_  
Attorney-in-Fact

Grantor: ROBERT MATHWIG

By   
\_\_\_\_\_  
Robert C. Mathwig

STATE OF Washington }  
COUNTY OF Kitsap } ss.

On this 29<sup>th</sup> day of January, in the year 1993,  
before me, a Notary Public, personally appeared Robert C. Mathwig  
known or identified to me to  
be (one of) the partners in the partnership of Half Moon Partners  
and the partner (s) who  
subscribed said partnership name to the foregoing instrument, and acknowledged  
to me that he executed the same in said partnership name.

  
\_\_\_\_\_  
Notary Public  
Residing at Bremerton  
Commission Expires 5-13-93

POWER OF ATTORNEY

1993

TO ALL PERSONS, be it known that:

Department of Water Resources  
Western Regional Office

BARBER FAMILY ASSOCIATES L.P.

Of Half Moon Ranch, an Idaho Partnership, the undersigned Grantor does hereby make and grant a general power of attorney to JAY R. CAVEN, and does therupon constitute and appoint said individual as my attorney-in-fact.

My attorney-in-fact shall have full powers and authority to do and undertake all acts on my behalf that I could do personally, with full power of substitution and revocation to have authority to buy, trade, lease, mortgage assign, the right to execute, accept, undertake and perform any and all contracts related to the following described property.

Property Description:

TRACT I: Township 5 South, Range 9 East of the Boise Meridian  
Section 5: Lot 4, SE1/4SW1/4, SW1/4-SE1/4, NW1/4 SW1/4  
lying South and West of County Road  
Section 6: Lot 1, SE1/4NE1/4, N1/2SE1/4  
Section 8: W1/2E1/2, E1/2NW1/4

Township 4 South, Range 9 East of the Boise Meridian  
Section 31: SE1/4SE1/4  
Section 32: SW1/4SW1/4

TRACT II:  
Township 2 South, Range 9 East of the Boise Meridian  
Township 2 South, Range 9 East of the Boise Meridian  
Section 11: SW1/4, W1/2SE1/4, S1/2NW1/4  
Section 14: W1/2, NW1/4NE1/4  
Section 15: All except SW1/4NE1/4  
Section 21: All  
Section 22: All

Section 23: W1/3S1/2, NE1/4NW1/4

TRACT: III  
Township 2 South, Range 9 East of the Boise Meridian  
Section 15: SW1/4NE1/4

All water and water rights used upon or appurtenant to said property, however evidenced:

Together with grazing privileges for 1184 AUMs under permit of the Bureau of Land Management and for 55 head from July 1 to August 15 through the Boise National Forest.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Signed under seal this 29<sup>th</sup> day of January, 1993.

[Signature]  
Attorney in Fact: Jay R. Caven  
STATE OF Washington  
County of The Homestead

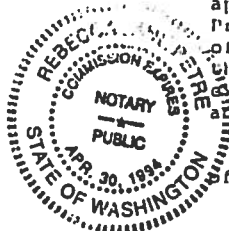
Grantor: BARBER FAMILY ASSOCIATES LP

By PACIFIC FUNDING CORPORATION  
Its Managing General Partner

By [Signature]  
Its President

ss:

On this 29<sup>th</sup> day of January, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared George Barber, known or identified to me to be the President of Pacific Funding Corporation, Managing General Partner of Barber Family Associates L.P., a Washington Limited Partnership, the partnership that executed the instrument or the person who executed the instrument on behalf of said partnership, and acknowledge to me that such partnership executed the same.



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

[Signature]  
NOTARY PUBLIC for Washington  
Residing at Bellevue  
My commission expires: 4/30/94

POWER OF ATTORNEY

TO ALL PERSONS, be it known that:

REGISTERED IN THE  
CLERK'S OFFICE

PAYETTE RIVER INDUSTRIES

Of Half Moon Ranch, an Idaho Partnership, the undersigned Grantor does hereby make and grant a general power of attorney to JAY R. CAVEN, and does thereupon constitute and appoint said individual as my attorney-in-fact.

My attorney-in-fact shall have full powers and authority to do and undertake all acts on my behalf that I could do personally, with full power of substitution and revocation to have authority to buy, trade, lease, mortgage assign, the right to execute, accept, undertake and perform any and all contracts related to the following described property.

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Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Signed under seal this 29<sup>th</sup> day of January, 1993.

  
\_\_\_\_\_  
Attorney-in-Fact

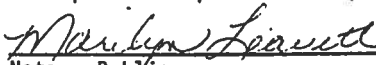
Grantor: PAYETTE RIVER INDUSTRIES, Inc.

By   
\_\_\_\_\_

STATE OF Idaho }  
COUNTY OF Boise } ss.

On this 29<sup>th</sup> day of January, in the year 1993,  
before me, a Notary Public, personally appeared ERNE CHEREY  
President of Payette River Industries, Inc. known or identified to me to  
be (one of) the partners in the partnership of Half Moon Ranch  
and the partner (s) who

subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

  
\_\_\_\_\_  
Notary Public  
Residing at MacCall, Idaho  
Commission Expires 7-10-97

## POWER OF ATTORNEY

PR

TO ALL PERSONS, be it known that:

ARIZONA-IDAHO LANDS CORPORATION

Of Half Moon Ranch, an Idaho Partnership, the undersigned Grantor does hereby make and grant a general power of attorney to JAY R. CAVEN, and does thereupon constitute and appoint said individual as my attorney-in-fact.

My attorney-in-fact shall have full powers and authority to do and undertake all acts on my behalf that I could do personally, with full power of substitution and revocation to have authority to buy, trade, lease, mortgage assign, the right to execute, accept, undertake and perform any and all contracts related to the following described property.

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Township 2 South, Range 9 East of the Boise Meridian  
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Signed under seal this 29 day of January, 1993.

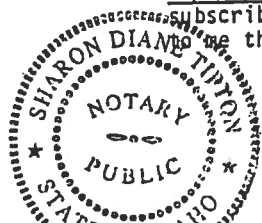
Attorney-in-Fact: Jay R. Caven

Grantor: ARIZONA-IDAHO LANDS CORPORATION

By Jerry L. Caven Its President

STATE OF Idaho  
 COUNTY OF ADA } ss.

On this 29<sup>th</sup> day of January, in the year 1993,  
 before me, a Notary Public, personally appeared JAY R. CAVEN  
Idaho designee known or identified to me to  
 be (one of) the partners in the partnership of Half Moon  
Partnership and the partner (s) who  
 subscribed said partnership name to the foregoing instrument, and acknowledged  
 to me that he executed the same in said partnership name.



Sharon Diane Tipton  
 Notary Public  
 Residing at Boise  
 Commission Expires 2/12/94

November 20, 1998

**NOTICE OF ERROR  
REPLY**

**RECEIVED  
JAN 07 1999  
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

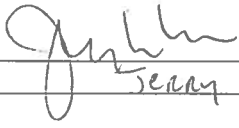
Water right number: 61-00318

HALF MOON RANCH  
6874 FAIRVIEW AVE  
BOISE ID 83704

Daytime Telephone Number:  
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
  
  
  
  
  
  
  
  
  
  
2. Describe the changes you wish to make in the proposed recommendation:
  
  
  
  
  
  
  
  
  
  
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 1-6-99 SIGNATURE:   
Please print your name: Jerry L Caven

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: A61-00318  
Date Received: 12/11/1989  
Receipt No: W007068  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: HALF MOON RANCH 208-322-5600  
Address: 6874 FAIRVIEW AVE  
BOISE ID 83704

2. Date of Priority: MAY 1, 1877

3. Source: COLD SPRINGS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05S      | 09E   | 5       | SE     | NE     | SW  |     | ELMORE |

5. Description of diverting works:  
PUMP IN CREEK TO MAINLINE & HANDLINES FOR SPRINKLER IRRIG. SYSTEM

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.500  |      |        |

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

8. Total consumptive use is 1085.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 05S      | 09E   | 5       | SE     | SW  |     | IRR | 30.0  |
|          |       |         | SW     | SE  |     | IRR | 40.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 70.0  |
|          |       | 8       | NW         | NE  | IRR           | 40.0  |
|          |       |         | SW         | NE  | IRR           | 40.0  |
|          |       |         | NE         | NW  | IRR           | 40.0  |
|          |       |         | SE         | NW  | IRR           | 40.0  |
|          |       |         | NW         | SE  | IRR           | 40.0  |
|          |       |         | SW         | SE  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 240.0 |
|          |       |         |            |     | Total Acres   | 310.0 |

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:

61-00288A, 61-00288B, 61-00319, 61-00320, & 61-00321

14. Remarks:

SUBJECT TO RIGHTS IDENTIFIED IN PARAGRAPH 13, ABOVE, AND USED TO IRRIGATE THE ENTIRE RANCH THROUGH THE SAME IRRIGATION SYSTEM. THIS CLAIM IS BASED ON A RIGHT ORIGINALLY DECREED FROM BENNETT CREEK. POINT OF DIVERSION WAS CHANGED TO COLD SPRING CREEK PRIOR TO 1969. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SECTION 42-1416 TO THE EXTENT IT DIFFERS FROM THE DECREE. OWNERSHIP CHANGED BY KW 4/7/1993.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/10/1899

DANIEL MCGINNESS ET. AL.

Decree Plaintiff

JAMES STANFIELD 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 Organizations:

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

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

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

\_\_\_\_\_  
Date

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

# RECEIVED

APR 7 1993

Department of Water Resources  
Western Regional Office

## AGREEMENT FOR SALE OF REAL PROPERTY

**AGREEMENT** made and entered into this 12th day of FEBRUARY, 1993, by and between JOYCE PEARSON, an unmarried woman, hereinafter referred to as the Seller, and THE HALF MOON RANCH PARTNERSHIP, comprised of ARIZONA - IDAHO LANDS CORPORATION, an Idaho Corporation in good standing; PAYETTE RIVER INDUSTRIES, INC., an Idaho Corporation in good standing; ROBERT MATHWIG, an unmarried man as an individual; and "\_\_\_\_\_", or his successor, Trustee of the BARBER FAMILY TRUST dated \_\_\_\_\_ " hereinafter collectively referred to as the "Buyer".

**WITNESSETH:** That for and in consideration of the purchase price and performance of each of the terms and conditions herein set forth, in the time and manner as herein provided, time being expressly made of the essence of this Agreement, the Seller by these presents promises and agrees to sell and convey to the Buyer, and the Buyer agrees to purchase the following real property, situation in the County of Elmore, State of Idaho, to-wit:

**Tract I:**

Township 5 South, Range 9 East of the Boise Meridian  
Section 5: Lot 4, SE1/4SW1/4, SW1/4SE1/4,  
NW1/4SW1/4 lying South and West of County Road  
Section 6: Lot 1, SE1/4NE1/4, N1/2SE1/4  
Section 8: W1/2E1/2, E1/2NW1/4

Township 4 South, Range 9 East of the Boise Meridian  
Section 31: SE1/4SE1/4  
Section 32: SW1/4SW1/4

RECORDING REQUESTED BY AND  
WHEN RECORDED, MAIL TO:

RECEIVED

APR 1 1993

Douglas J. Aanestad, Esq.  
HOGUE, SPECK & AANESTAD  
Post Office Box 987  
Ketchum, Idaho 83340

Department of Water Resources  
Western Regional Office

(Space above line for Recorder's use)

MEMORANDUM OF CONTRACT OF SALE

SELLER: JOYCE WUNDERLICH PEARSON, as trustee under the Amended and Restated Joyce Wunderlich Pearson 1972 Trust, dated May 11, 1988. and Joyce Wunderlich Pearson an unmarried person

BUYER: THE HALF MOON RANCH PARTNERSHIP

LEGAL DESCRIPTION OF PROPERTY: Certain real property situated in the County of Elmore, State of Idaho, more particularly described as follows:

(See Exhibit A attached hereto and made a part hereof.)

NOTICE IS HEREBY GIVEN that the above-named Seller has entered into an Agreement for Sale of Real Property, dated FEBRUARY 12, 1993, 1993 (the "Agreement"), wherein the above-named Buyer agreed to buy, and the Seller agreed to sell, the above-described real property.

Pursuant to the terms of said Agreement, title has been reserved in the Seller's name until the Buyer fully performs the Agreement, and a Warranty Deed has been placed in escrow for delivery to the Buyer upon completion of such performance. The recording of said Warranty Deed at a future date shall be conclusive proof, as against the Seller, and Seller's heirs, personal representatives, successors, and assigns, that Buyer has fully and completely performed all of the terms of said Agreement, and that Seller has no further right, title, or interest in and to the real property above-described.

DATED this 12<sup>th</sup> day of FEBRUARY, 1993.

SELLER:

Joyce Wunderlich Pearson, Trustee  
JOYCE WUNDERLICH PEARSON, as trustee  
under the Amended and Restated  
Joyce Wunderlich Pearson 1972 Trust,  
dated May 11, 1988.

Joyce Wunderlich Pearson

BUYER:

THE HALF MOON RANCH PARTNERSHIP,

By: [Signature]  
Its: Power of Attorney  
for Half Moon Ranch

STATE OF IDAHO                    )  
                                          )       SS.  
County of Elmore                )  
                                          )  
County of ~~Blaine~~

On this 12<sup>th</sup> day of FEBRUARY, 1993, before me  
the undersigned notary public in and for said state, personally  
appeared JOYCE W. PEARSON, known or identified to me to be the  
person whose name is subscribed to the foregoing instrument as  
trustee under the AMENDED AND RESTATED JOYCE WUNDERLICH PEARSON  
1972 TRUST, dated May 11, 1988, and acknowledged to me that she  
executed the same as such trustee.

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

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: \_\_\_\_\_  
Comm. Expires: \_\_\_\_\_

EXHIBIT A

Tract I:

Township 5 South, Range 9 East of the Boise Meridian

Section 5: Lot 4,  $SE\frac{1}{4}$   $SW\frac{1}{4}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$   $NW\frac{1}{4}$   $SW\frac{1}{4}$  lying South and West of County Road

Section 6: Lot 1,  $SE\frac{1}{4}$ ,  $NE\frac{1}{4}$ ,  $N\frac{1}{2}$ ,  $SE\frac{1}{4}$

Section 8:  $W\frac{1}{2}$   $E\frac{1}{2}$ ,  $E\frac{1}{2}$   $NW\frac{1}{4}$

Township 4 South, Range 9 East of the Boise Meridian

Section 31:  $SE\frac{1}{4}$   $SE\frac{1}{4}$

Section 32:  $SW\frac{1}{4}$   $SW\frac{1}{4}$

Tract II

Township 2 South, Range 9 East of the Boise Meridian

Section 11:  $SW\frac{1}{4}$ ,  $W\frac{1}{2}$   $SE\frac{1}{4}$ ,  $W\frac{1}{2}$   $NW\frac{1}{4}$

Section 14:  $W\frac{1}{2}$ ,  $NW\frac{1}{4}$   $NE\frac{1}{4}$

Section 15: All except  $SW\frac{1}{4}$   $NE\frac{1}{4}$

Section 21: All

Section 22: All

Section 23:  $W\frac{1}{2}$   $W\frac{1}{2}$ ,  $NE\frac{1}{4}$   $NW\frac{1}{4}$

All water and water rights used upon or appurtenant to said property, however evidenced;

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

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: A61-00318  
Date Received: 12/11/1989  
Receipt No: W007068  
Received By: DE JED

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

1. Name: JOYCE WUNDERLICH PEARSON 1972 TRUST 208-788-3093  
Address: JOYCE W PEARSON TRUSTEE  
PO BOX 449  
BELLEVUE ID 83313

2. Date of Priority: MAY 1, 1877

3. Source: COLD SPRING CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05S      | 09E   | 5       | SE     | NE     | SW  |     | ELMORE |

5. Description of diverting works:  
PUMP IN CREEK TO MAINLINE & HANDLINES FOR SPRINKLER IRRIG. SYSTEM

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.500  |      |        |

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

8. Total consumptive use is 1085.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 05S      | 09E   | 5       | SE     | SW  |     | IRR | 30.0  |
|          |       |         | SW     | SE  |     | IRR | 40.0  |

MICROFILMED

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 70.0  |
|          |       | 8       | NW         | NE  | IRR           | 40.0  |
|          |       |         | SW         | NE  | IRR           | 40.0  |
|          |       |         | NE         | NW  | IRR           | 40.0  |
|          |       |         | SE         | NW  | IRR           | 40.0  |
|          |       |         | NW         | SE  | IRR           | 40.0  |
|          |       |         | SW         | SE  | IRR           | 40.0  |
|          |       |         |            |     | Section Acres | 240.0 |
|          |       |         |            |     | Total Acres   | 310.0 |

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:

61-00288A, 61-00288B, 61-00319, 61-00320, & 61-00321

14. Remarks:

CLAIMANT IS THE CONTRACT PURCHASER FROM THE FARM CREDIT BANK OF SPOKANE ("FARM CREDIT") AND HAS FULL POSSESSION AND USE AN OWNER OF THE LANDS IDENTIFIED AS THE PLACE OF USE. FARM CREDIT HOLDS THE LANDS PURSUANT TO A SHERIFF'S CERTIFICATE OF SALE, DATED JANUARY 23, 1989, SUBJECT TO RIGHTS IDENTIFIED IN PARAGRAPH 13, ABOVE, AND USED TO IRRIGATE THE ENTIRE RANCH THROUGH THE SAME IRRIGATION SYSTEM. THIS CLAIM IS BASED ON A RIGHT ORIGINALLY DECREED FROM BENNETT CREEK. POINT OF DIVERSION WAS CHANGED TO COLD SPRING CREEK PRIOR TO 1969. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SECTION 42-1416 TO THE EXTENT IT DIFFERS FROM THE DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/10/1899

DANIEL MCGINNESS ET. AL.  
Decree Plaintiff

JAMES STANFIELD ET. AL.  
vs Decree Defendant

MICROFILMED

AUG 11 1992

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 \_\_\_\_\_

Water Right Number - 61-00318

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

BLACKWELL

S. B.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +

05/01/1877

14 WESTERN

D - DECREED

+ - - Source - - - - - + + - - - - Tributary - - - - - +

COLD SPRING CREEK

SNAKE RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Diversion Rate Diversion No.

Twn Rng Sec Tract Lot Rflg County

+ - - - - - Description - - - - - Water Use - - - - - Diversion Rate Diversion Volume

Code

01 - IRRIGATION

0.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

0.500

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County    |
|-----|-----|-----|-------|-----|-------|------|-------------|-----------|
| 05S | 09E | 5   | SE SW |     |       | 01   | IRRIGATION  | 39 ELMORE |
| 05S | 09E | 5   | SW SE |     |       | 01   | IRRIGATION  | 39 ELMORE |
| 05S | 09E | 8   | NW NE |     |       | 01   | IRRIGATION  | 39 ELMORE |
| 05S | 09E | 8   | SW NE |     |       | 01   | IRRIGATION  | 39 ELMORE |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - Remarks found.

+ - - - - - Old Water Right Numbers - - - - - Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - - - Decree Date - +

DANIEL MCGINNESS ET. AL.

JAMES STANFIELD ET. AL.

05/10/1899

Water right number - 61-00318

**Prefix Translation:**

**WATER RIGHT**

+ . . . . . +  
-Comments-  
No Comments Found

+ - - Audit Fields - 05/06/80 05/01/88 CONVERT

[illegible]

DATE: 11/10/98  
PAGE: 1

|        |                            |                                                 |                       |
|--------|----------------------------|-------------------------------------------------|-----------------------|
| Dates: | Exam Made Date: 08/08/1994 | Verified Date: 11/10/1998                       | Objection Filed Date: |
| Misc:  | Water District Number: 61E | Field Inspection Flag: Y<br>Presumption Flag: C |                       |

AJ0749NP  
No. R61-00318

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

DATE: 11/10/98  
PAGE: 2

Audit: 11/10/98 RHOWERTO

# ADJUDICATION CLAIM CHECKLIST

| WR ELEMENT            | FIELD EXAM<br>Y/N-IF NO,<br>DO OFFICE<br>VERIFICATION | FIELD EXAM<br>OR IN-OFFICE<br>VERIFICATION<br>WHOM/DATE | CLAIM<br>VERIFIED BY<br>CODE<br>(SEE BELOW) | CHANGE<br>CLAIM<br>Y/N | CLAIMANT CONTACT<br>NEEDED - Y/N** | REVIEW<br>COMPLETED<br>WHOM/DATE | NOTICE OF CLAIM NO. <u>61-00318</u> | "R" RECORD |
|-----------------------|-------------------------------------------------------|---------------------------------------------------------|---------------------------------------------|------------------------|------------------------------------|----------------------------------|-------------------------------------|------------|
| PRIORITY*             | <u>Y</u>                                              | <u>Ref 8/6/94</u>                                       | <u>6</u>                                    | <u>N</u>               | <u>N</u>                           |                                  |                                     |            |
| PT. OF DIV.           |                                                       |                                                         | <u>6</u>                                    |                        |                                    |                                  |                                     |            |
| SOURCE                |                                                       |                                                         | <u>6</u>                                    |                        |                                    |                                  |                                     |            |
| PL. OF USE            |                                                       |                                                         | <u>6</u>                                    |                        |                                    |                                  |                                     |            |
| DIV. AMOUNT<br>CFS/AF |                                                       |                                                         | <u>6</u>                                    |                        |                                    |                                  |                                     |            |
| CONSUMPTIVE<br>USE    |                                                       |                                                         | <u>NA</u>                                   | <u>NA</u>              |                                    |                                  |                                     |            |
| NATURE OF<br>USE      |                                                       |                                                         | <u>6</u>                                    | <u>N</u>               |                                    |                                  |                                     |            |
| PERIOD OF<br>USE      |                                                       |                                                         | <u>6</u>                                    |                        |                                    |                                  |                                     |            |
| BASIS OF<br>CLAIM     |                                                       |                                                         | <u>6</u>                                    |                        |                                    |                                  |                                     |            |
| REMARKS               |                                                       |                                                         |                                             |                        |                                    |                                  |                                     |            |

VERIFICATION CODES  
 TOPO MAP/ORTHOPHOTO = 1  
 ASCS MAP = 2  
 WATERMASTER RECORDS = 3  
 NAPP PHOTOS = 4  
 FIELD EXAM = 5  
 OTHER(SEE COMMENTS) = 6

\*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN  
 SUBMITTED - YES NO

\*\*IF CLAIMANT CONTACT IS NEEDED, COMPLETE  
 CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: ALL MAPS AND DATA IN RECOMMENDING THIS CLAIM IS IN  
FILE 61-11899

6= SAME AS CLAIM

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

13:17:38  
07/05/94

PAGE: 1  
GENERAL INFORMATION

16  
CLAIM NUMBER: A61-00318

LAST: PEARSON 1972 TRUST  
ADDRESS: JOYCE W PEARSON TRUSTEE  
PO BOX 449  
CITY: BELLEVUE  
PHONE NUMBER: 208-788-3093

FIRST: JOYCE WUNDERLICH  
STATE: ID ID ZIP: 83313

OWNER CODE: 0

LAST: BLACKWELL  
ADDRESS:  
CITY: XXXXXX  
PHONE NUMBER: 208-000-0000

FIRST: S. B.  
STATE: ID ID ZIP: 00000

OWNER CODE: 0

LAST: HALF MOON RANCH  
ADDRESS: 6874 FAIRVIEW AVE  
CITY: BOISE  
PHONE NUMBER: 208-322-5600

FIRST:  
STATE: ID ID ZIP: 83704

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD  
EXAMINER  
BEN

DATABASE  
Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: SUBJECT TO RIGHTS IDENTIFIED IN PARAGRAPH 13, ABOVE, AND USED  
TO IRRIGATE THE ENTIRE RANCH THROUGH THE SAME IRRIGATION SYSTEM.  
THIS CLAIM IS BASED ON A RIGHT ORIGINALLY DECREED FROM BENNETT  
CREEK. POINT OF DIVERSION WAS CHANGED TO COLD SPRING CREEK PRIOR  
TO 1969. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SECTION  
42-1416 TO THE EXTENT IT DIFFERS FROM THE DECREE.  
OWNERSHIP CHANGED BY KW 4/7/1993.

CONTACT PERSON: CARY GILL

PHONE NUMBER: ( ) - -

DATE OF FIELD EXAM: 9/2/94

APPOINTMENT MADE: Y( ) N( )

TIME: 9:30 A(X) P( )ACCOMPANIED BY: ABOVE

PHONE NUMBER: ( ) - -

RELATIONSHIP TO CLAIMANT: FOREMAN

DIRECTIONS TO PROPERTY / NOTES:

SEE STRIP MAP IN 61-11899

A. AJ CLAIM: # A61-00318 PRIORITY DATE: 05-01-1877 STAGE: D  
B. WR RECORD: # 61-00318 PRIORITY DATE: 05-01-1877 STAGE: D

C. FIELD EXAM REQUIRED? FIELD EXAMINER  
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N(☒)

NOTES:

RECOMMENDED PRIORITY DATE:  
05-01-1877

REVIEWED BY Rdk DATE 11/10/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A61-00318 | 05S  | 09E  | 5    | SE  | NE  | SW  |     | ELMORE |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX  
A61-00288A  
A61-00288B  
A61-00319  
A61-00320  
A61-00321

WR RECORDS IN SAME 40 ACRE TRACT  
NONE

SOURCE: COLD SPRINGS CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

6100318 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: COLD SPRING CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY?    | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|----------------|
| DUE TO SOURCE DISCREPANCY? | (Y/N) | Y        | Y              |

NOTES:



A. ROOT WATER RIGHT NUMBERS: A61-00318

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                            | AJ<br>#/ACRES    | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|---------------------------------|------------------|---------------|-----------------|----------------|------------------|
| 05S | 09E | 5   | SE  | SW  |     | HALF MOON RANCH                 | A61-00318 /30.0  | 61-00318 /    | 40.0            |                |                  |
|     |     |     | SE  | SW  |     | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /30.0 | 61-00288A /   |                 |                |                  |
|     |     |     | SE  | SW  |     | HALF MOON RANCH                 | A61-00319 /30.0  | 61-00319 /    |                 |                |                  |
|     |     |     | SE  | SW  |     | HALF MOON RANCH                 | A61-00320 /30.0  | 61-00320 /    |                 |                |                  |
|     |     |     | SE  | SW  |     | HALF MOON RANCH                 | A61-00321 /30.0  | - /           |                 |                |                  |
|     |     |     | SE  | SW  |     | HALF MOON RANCH                 | A61-10660 /30.0  | - /           |                 |                |                  |
|     |     |     | SE  | SW  |     | HALF MOON RANCH                 | A61-00288B /30.0 | - /           |                 |                |                  |
| 05S | 09E | 5   | SW  | SE  |     | HALF MOON RANCH                 | A61-00318 /40.0  | 61-00318 /    | 38.0            |                |                  |
|     |     |     | SW  | SE  |     | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /40.0 | 61-00288A /   |                 |                |                  |
|     |     |     | SW  | SE  |     | HALF MOON RANCH                 | A61-00319 /40.0  | 61-00319 /    |                 |                |                  |
|     |     |     | SW  | SE  |     | HALF MOON RANCH                 | A61-00320 /40.0  | 61-00320 /    |                 |                |                  |
|     |     |     | SW  | SE  |     | HALF MOON RANCH                 | A61-00288B /40.0 | - /           |                 |                |                  |
|     |     |     | SW  | SE  |     | HALF MOON RANCH                 | A61-00321 /40.0  | - /           |                 |                |                  |
|     |     |     | SW  | SE  |     | HALF MOON RANCH                 | A61-10660 /40.0  | - /           |                 |                |                  |
| 05S | 09E | 8   | NW  | NE  |     | HALF MOON RANCH                 | A61-00318 /40.0  | 61-00318 /    | 33.0            |                |                  |
|     |     |     | NW  | NE  |     | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /40.0 | 61-00288A /   |                 |                |                  |
|     |     |     | NW  | NE  |     | HALF MOON RANCH                 | A61-00288B /40.0 | - /           |                 |                |                  |
|     |     |     | NW  | NE  |     | HALF MOON RANCH                 | A61-00319 /40.0  | 61-00319 /    |                 |                |                  |
|     |     |     | NW  | NE  |     | HALF MOON RANCH                 | A61-00320 /40.0  | 61-00320 /    |                 |                |                  |
|     |     |     | NW  | NE  |     | HALF MOON RANCH                 | A61-00321 /40.0  | - /           |                 |                |                  |
|     |     |     | NW  | NE  |     | HALF MOON RANCH                 | A61-10660 /40.0  | - /           |                 |                |                  |
| 05S | 09E | 8   | SW  | NE  |     | HALF MOON RANCH                 | A61-00318 /40.0  | 61-00318 /    | 33.0            |                |                  |
|     |     |     | SW  | NE  |     | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /40.0 | 61-00288A /   |                 |                |                  |
|     |     |     | SW  | NE  |     | HALF MOON RANCH                 | A61-00288B /40.0 | - /           |                 |                |                  |
|     |     |     | SW  | NE  |     | HALF MOON RANCH                 | A61-00319 /40.0  | 61-00319 /    |                 |                |                  |
|     |     |     | SW  | NE  |     | HALF MOON RANCH                 | A61-10660 /40.0  | - /           |                 |                |                  |
|     |     |     | SW  | NE  |     | HALF MOON RANCH                 | A61-00320 /40.0  | 61-00320 /    |                 |                |                  |
|     |     |     | SW  | NE  |     | HALF MOON RANCH                 | A61-00321 /40.0  | - /           |                 |                |                  |
| 05S | 09E | 8   | NE  | NW  |     | HALF MOON RANCH                 | A61-00318 /40.0  | - /           | 36.0            |                |                  |
|     |     |     | NE  | NW  |     | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /40.0 | - /           |                 |                |                  |
|     |     |     | NE  | NW  |     | HALF MOON RANCH                 | A61-00288B /40.0 | 61-00288B /   |                 |                |                  |
|     |     |     | NE  | NW  |     | HALF MOON RANCH                 | A61-00319 /40.0  | - /           |                 |                |                  |
|     |     |     | NE  | NW  |     | HALF MOON RANCH                 | A61-00320 /40.0  | - /           |                 |                |                  |
|     |     |     | NE  | NW  |     | HALF MOON RANCH                 | A61-10660 /40.0  | - /           |                 |                |                  |
|     |     |     | NE  | NW  |     | HALF MOON RANCH                 | A61-00321 /40.0  | - /           |                 |                |                  |
| 05S | 09E | 8   | SE  | NW  |     | HALF MOON RANCH                 | A61-00318 /40.0  | - /           | 39.0            |                |                  |
|     |     |     | SE  | NW  |     | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /40.0 | - /           |                 |                |                  |
|     |     |     | SE  | NW  |     | HALF MOON RANCH                 | A61-00319 /40.0  | - /           |                 |                |                  |
|     |     |     | SE  | NW  |     | HALF MOON RANCH                 | A61-00320 /40.0  | - /           |                 |                |                  |

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                            | AJ<br>#/ACRES    | MR<br>#/ACRES | LANDSAT<br>DATA                 | FIELD<br>EXAM.   | RECOMM.<br>ACRES |   |      |
|-------------|-----|-----|-----|-----|-----|---------------------------------|------------------|---------------|---------------------------------|------------------|------------------|---|------|
| 05S         | 09E | 8   | SE  | NW  |     | HALF MOON RANCH                 | A61-10660 /40.0  | -             |                                 |                  |                  |   |      |
|             |     |     | SE  | NW  |     | HALF MOON RANCH                 | A61-002888 /40.0 | 61-002888     | /                               |                  |                  |   |      |
|             |     |     | SE  | NW  |     | HALF MOON RANCH                 | A61-00321 /40.0  | -             | /                               |                  |                  |   |      |
|             |     |     | NW  | SE  |     | HALF MOON RANCH                 | A61-00318 /40.0  | -             | /                               | 33.0             |                  |   |      |
|             |     |     | NW  | SE  |     | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /40.0 | 61-00288A     | /                               |                  |                  |   |      |
|             |     |     | NW  | SE  |     | HALF MOON RANCH                 | A61-00319 /40.0  | -             | /                               |                  |                  |   |      |
|             |     |     | NW  | SE  |     | HALF MOON RANCH                 | A61-00320 /40.0  | -             | /                               |                  |                  |   |      |
|             |     |     | NW  | SE  |     | HALF MOON RANCH                 | A61-00321 /40.0  | 61-00321      | /                               |                  |                  |   |      |
|             |     |     | NW  | SE  |     | HALF MOON RANCH                 | A61-002888 /40.0 | -             | /                               |                  |                  |   |      |
|             |     |     | NW  | SE  |     | HALF MOON RANCH                 | A61-10660 /40.0  | -             | /                               |                  |                  |   |      |
|             |     |     | 05S | 09E | 8   | SW                              | SE               |               | HALF MOON RANCH                 | A61-00318 /40.0  | -                |   |      |
|             |     |     |     |     |     | SW                              | SE               |               | PEARSON 1972 TRUST, JOYCE WUNDA | A61-00288A /40.0 | 61-00288A        | / | 31.0 |
| SW          | SE  |     |     |     |     | HALF MOON RANCH                 | A61-00319 /40.0  | -             | /                               |                  |                  |   |      |
| SW          | SE  |     |     |     |     | HALF MOON RANCH                 | A61-00320 /40.0  | -             | /                               |                  |                  |   |      |
| SW          | SE  |     |     |     |     | HALF MOON RANCH                 | A61-00321 /40.0  | 61-00321      | /                               |                  |                  |   |      |
| SW          | SE  |     |     |     |     | HALF MOON RANCH                 | A61-002888 /40.0 | -             | /                               |                  |                  |   |      |
| TOTAL ACRES |     |     |     |     |     |                                 | A61-00318        | 310.00        | 283.00                          |                  |                  |   |      |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( X )  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER peh  
 DUE TO POU DISCREPANCY? (Y/N) POU COUNTY: ELMORE  
 PRESUMPTION FLAG: d SEE FILE 61-11899  
 NOTES:

RECOMMENDATIONS:  
 TOTAL ACRES: 303.8  
 REVIEWED BY: peh DATE: 11/10/98

A. AJ CLAIMED USES:

|                      |                                     |                    |
|----------------------|-------------------------------------|--------------------|
| PURPOSES             | MONTH/DAY                           | DIVERSION QUANTITY |
| A61-00318 IRRIGATION | FROM 03-15 TO 11-15                 | .500 CFS           |
|                      | TOTAL DIVERSION RATE/VOLUME CLAIMED | .500 CFS           |

B. WR RECORDED USES:

|                     |                                     |                    |
|---------------------|-------------------------------------|--------------------|
| PURPOSES            | MONTH/DAY                           | DIVERSION QUANTITY |
| 61-00318 IRRIGATION | FROM TO                             | .500 CFS           |
|                     | TOTAL DIVERSION RATE/VOLUME CLAIMED | .500 CFS           |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                          |          |                |
|------------------------------------------|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      | DATABASE | FIELD EXAMINER |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N        | N              |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y        | YES            |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y( X ) N( )

Y( ) N( )

Explain in notes, below.

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y( ☒ ) N( ☐ )

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 CFS

\*\*\* IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. \*\*\*  
\*\* If an amount smaller than the original diversion rate is \*\*  
\*\* claimed and an exam is NOT required, explain in notes. \*\*

FLOW MEASUREMENT REQUIRED? FIELD DATABASE EXAMINER  
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N

B. MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.  
FLOW MEASUREMENT

C. ARE OTHER WATER RIGHTS USED? Y( ) N( ) IF YES COMPLETE OVERLAP REVIEW. (TOTAL OVERLAP)  
OTHER RIGHTS LISTED IN CLAIM: 61-002888, 61-00319, 61-00320, & 61-00321 PPou  
LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE: 318 J. 11899 & 10660

| CLAIM NO.  | SOURCE             | NAME                           | DIV. RATE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------------|--------------------------------|-----------|-----------|----------------|
| A61-00318  | COLD SPRINGS CREEK | HALF MOON RANCH                | 0.500     |           | 0.001          |
| A61-00288A | COLD SPRINGS CREEK | PEARSON 1972 TRUST, JOYCE WJND | 2.800     |           | 0.009          |
| A61-00288B | COLD SPRINGS CREEK | HALF MOON RANCH                | 1.600     |           | 0.005          |
| A61-00319  | COLD SPRINGS CREEK | HALF MOON RANCH                | 0.800     |           | 0.002          |
| A61-00320  | COLD SPRINGS CREEK | HALF MOON RANCH                | 0.700     |           | 0.002          |
| A61-00321  | COLD SPRINGS CREEK | HALF MOON RANCH                | 0.900     |           | 0.002          |
| A61-10660  | HENLEY SPRINGS     | HALF MOON RANCH                | 0.800     |           | 0.002          |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE ACRES 303.9 x 0.02 CFS/ACRE = 6.08 CFS  
(Taken from p/u review)

1b. CALCULATIONS

DECREED 15: .5 cfs

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y( ) N(X)

SEE FILE 61-11899

\*\*\* IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( ) \*\*\*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1085.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

SEE FILE 61-11899

| RECOMMENDATIONS:        |                       |                   |                    |                |                   |                   |
|-------------------------|-----------------------|-------------------|--------------------|----------------|-------------------|-------------------|
| REC. PURPOSES           | REC. PERIOD FROM TO   | REC. DIV RATE CFS | REC. DIV VOL. AF/A | REC. CONS. USE | DATABASE EXAMINER | DATABASE EXAMINER |
| IRRIGATION              | 03-15 11-15           | 0.500             | DATABASE EXAMINER  |                | 1085.0            | 1085.0            |
| TOTAL FOR THIS RIGHT    |                       | 0.500             |                    |                |                   |                   |
| REVIEWED BY: <u>Pch</u> | DATE: <u>11/10/98</u> |                   |                    |                |                   |                   |

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: 61-00318

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
0.500

EXAMINER

CFS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| -                 | A61-00318             | 0.500          | -                      |               | 61-00318         | 0.500          |

TOTAL CFS 0.500

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 sheet attached? (Y/N)

DATABASE  
Y

FIELD EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE: Ron Howerton

DATE: 11/10/98

NAME OF FIELD EXAMINER: Ron Howerton

TITLE: Sr Water Agent

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

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07/05/94

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QUICKLOOK INFORMATION

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CLAIM NUMBER: A61-00318

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
NAPP PHOTOS = 4  
FIELD EXAM = 5  
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION  
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

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PROFILE REPORT

CLAIM NUMBER: A61-00318

|                                      |                                                                          |                  |            |                       |                   |                     |
|--------------------------------------|--------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| OWNER<br>CODE                        | NAME & ADDRESS                                                           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
| C                                    | HALF MOON RANCH<br>6874 FAIRVIEW AVE<br>BOISE ID 83704<br>(208) 322-5600 | 05/01/1877       | IRRIGATION | 03-15 11-15           | 0.50 CFS          |                     |
| TOTAL DIVERSION:<br>CONSUMPTIVE USE: |                                                                          |                  |            |                       | 0.50 CFS          | 1085.00 AFA         |

Water Source: COLD SPRINGS CREEK Tributary to: SNAKE RIVER Stage: DECREED  
Point(s) of Diversion: T05S R09E S05 SENESW ELMORE County

Place of use Legal Description for: IRRIGATION

|             |     |     |     |     |     |     |       |
|-------------|-----|-----|-----|-----|-----|-----|-------|
| NE          |     | NW  |     | SW  |     | SE  |       |
| T           | R   | S   | ENE | ENE | ENE | ENE | ENE   |
| ---         | --- | --- | --- | --- | --- | --- | ---   |
| 05S 09E 5 : | 40  | 40  | 40  | 40  | 40  | 40  | 40    |
| 05S 09E 8 : | 40  | 40  | 40  | 40  | 40  | 40  | 40    |
| TOTAL ACRES |     |     |     |     |     |     | 310.0 |

POU County: ELMORE

Non-Irrigation Uses: NONE

Other Rights: 61-00288A,61-00288B,61-00319,61-00320, & 61-00321

Remarks: SUBJECT TO RIGHTS IDENTIFIED IN PARAGRAPH 13, ABOVE, AND USED TO IRRIGATE THE ENTIRE RANCH THROUGH THE SAME IRRIGATION SYSTEM. THIS CLAIM IS BASED ON A RIGHT ORIGINALLY DECREED FROM BENNETT CREEK. POINT OF DIVERSION WAS CHANGED TO COLD SPRING CREEK PRIOR TO 1969. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SECTION 42-1416 TO THE EXTENT IT DIFFERS FROM THE DECREE. OWNERSHIP CHANGED BY KW 4/7/1993.

|        |                            |                                          |
|--------|----------------------------|------------------------------------------|
| Dates: | Exam Made Date:            | Verified Date:                           |
| Misc:  | Water District Number: 61E | Field Inspection Flag: Presumption Flag: |



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

Date: July 1, 1994

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

Half Moon Ranch  
6874 Fairview Ave  
Boise, Id 83704

RE: Field Exam Scheduling Letter for the following Adjudication Claims:

A61-00288B, A61-00318, A61-00319, A61-00320, A61-00321 &  
A61-10660.

Dear Claimant:

The Adjudication Staff of the Department of Water Resources will be conducting Snake River Basin Adjudication Claim Examinations for Elmore County from July through November 1994.

Information on your claim that may need to be verified includes, source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

Although it is not mandatory that you accompany me, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available during the field exam. This will help in the accuracy of collecting specific information about your water right and speed up our findings.

I would appreciate your call ASAP to set-up a field exam date. I may also be calling to help speed up the scheduling due to the short field season this year.

If you have other questions prior to scheduling a date or about the field examination, feel free to call me on that too. Please call today to set-up your exam!

Sincerely,

Ron Howerton  
ADJUDICATION STAFF  
Department of Water Resources  
Western Region Office  
(208) 334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

April 8, 1993

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

RE: Notice of Claims to Water Right Nos. A61-10660, A61-00288B,  
A61-00318, A61-00319, A61-00320 and A61-00321

Half Moon Ranch  
6874 Fairview Ave.  
Boise, ID 83704

Dear Claimants:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any other requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER  
Sr. Water Resource Agent  
Adjudication Bureau

KW:k  
Enclosures