

Options 1) Remove
2) Transfer
3) Share Ownership

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AUG 22 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 67-02326
(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Sand Hollow Partnership, c/o George & Joseph Hixon

Address: 1095 Calf Pen Rd; Council, Idaho 83612-5048

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

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

1. ☒ **Name and Address**
Should be: See attached.
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See attached.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.
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):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which the use is claimed. The claimant is not authorized to use Federal land at the described POD and POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of ADA)

Fredric W. Price, Water Rights Specialist, 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.

Fredric W. Price
(Signature of person filing objection)

Casey R. O'Brien
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 20, 2007

Casey R. O'Brien
Casey R. O'Brien



Notary Public for State of Idaho

Residing at: Nampa, ID.

My Commission Expires: 10-31-2009

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 August 20th, 2007, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Sand Hollow Partnership, c/o George & Joseph Hixon

Address: 1095 Calf Pen Rd; Council, Idaho 83612-5048

Name:

Address: ;

Name:

Address: ;

Name:

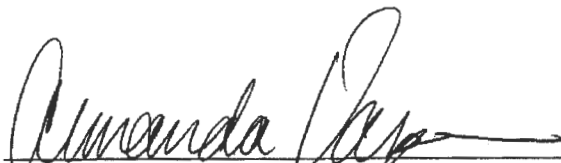
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. 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

12/21/2006

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

RIGHT NUMBER: 67-2326

NAME AND ADDRESS: SAND HOLLOW PARTNERSHIP
GEORGE & JOSEPH HIXON
1095 CALF PEN RD
COUNCIL ID 83612-5048

POD/POU on BLM:

-The claimant's livestock are not authorized on BLM land at this location.

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
1.40 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/26/1964

POINT OF
DIVERSION:

T11N R03W S31 SWSWSW Lot 4 Within WASHINGTON County BLM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01/01 12/31

QUANTITY
0.020 CFS
1.40 AFY

PLACE OF USE: STOCKWATER in WASHINGTON County

T10N R03W S06 Lot 4 NWNW

T11N R03W S31 Lot 4 SWSW BLM

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

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

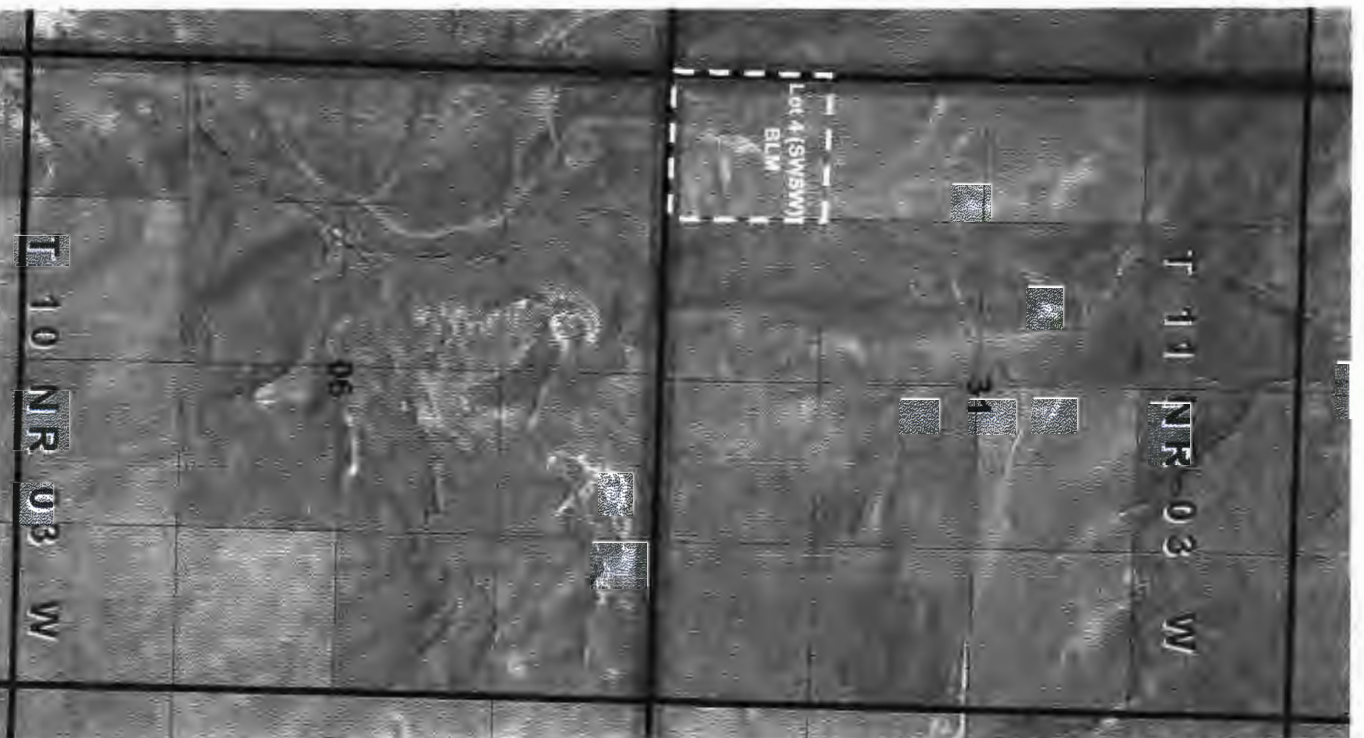
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use is for 50 range cattle.

**67-02326; Sand Hollow Partnership
George & Joseph Hixon**

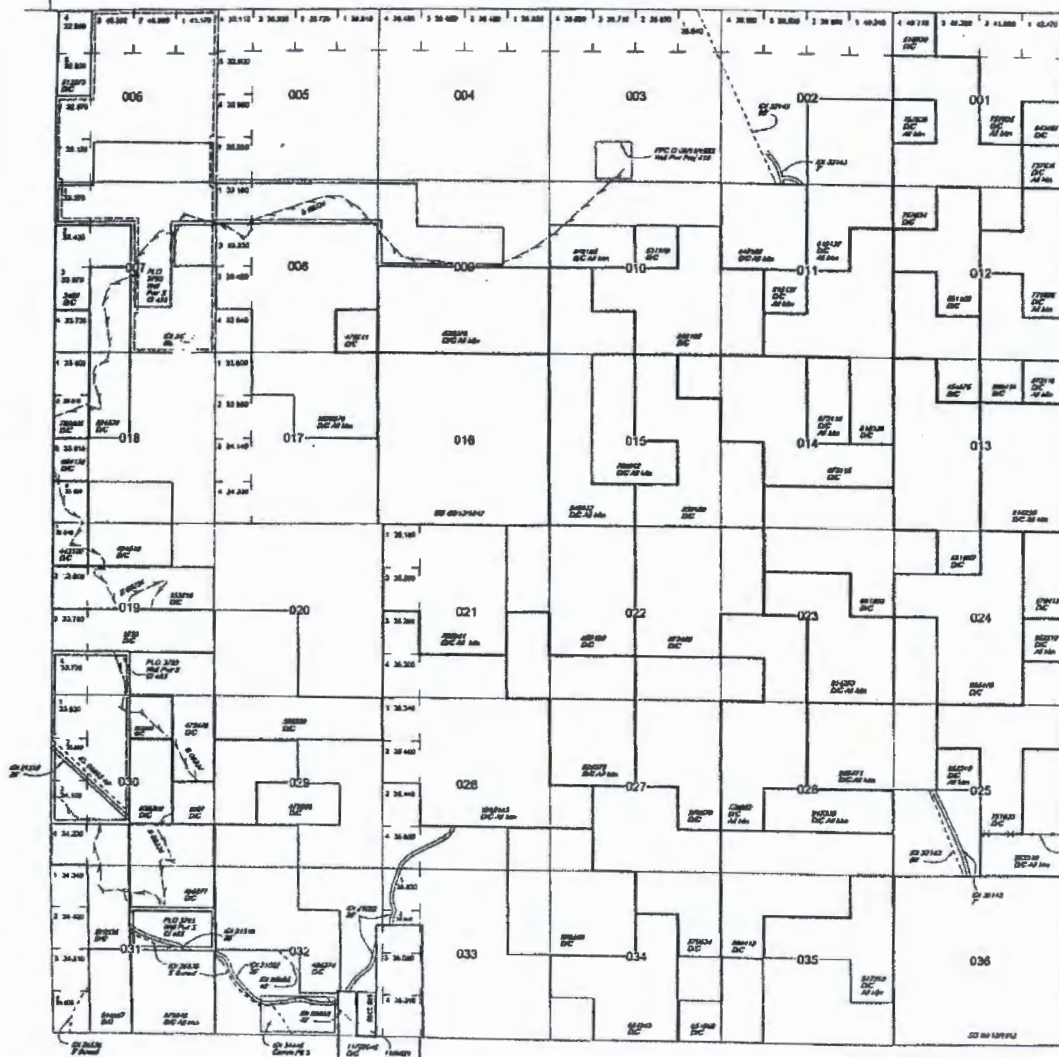
POD/POU on BLM:

-The claimant's livestock are not authorized on
BLM land at this location.



12.04 W	12.03 W
---------	---------

WASHINGTON COUNTY DB7
BOISE DISTRICT SEC 3

Lat 41° 14.5' N
Long 116° 32' W

DISCLAIMER

The data are a graphic copy of the Bureau of Labor Information (BLS) Record of Time and Earnings and may not reflect time changes which may have been affected by future re-analysis of data or other losses of data. Refer to BLS for more information.

The values are an estimate and represent the best data labor, but may still be the effect of 1930. See the historical values for the case of actual information available.

The caption above an attachment represents the last action taken, but only did so the effective date. Use the historical value for the year of original attachment date.

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

Geo PLAT

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF	COMPTON/STONER/STONER/STONER/STONER/STONER		
CONVERTED TO	DATE	BY	DATE
LAST UPDATED	DATE	BY	DATE
LAST VERIFIED	DATE	BY	DATE
POSTED TO PUBLIC RECORDS			
PUBLIC LAND SURVEY SYSTEM PLUS			
PLAN NUMBER		DATE	
LEAFS OF ACQUIRED		DATE	
PROJECTED COORDINATE SYSTEM			
NORTH ZONE 14N 60D 1983			
NOTES			

USE DATE

Scale 100.
Y. 91.00
R. 2.00



Idaho Department of Water Resources

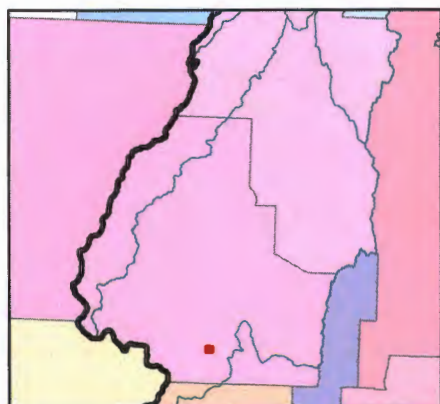
SRBA Recommendation

67-2326

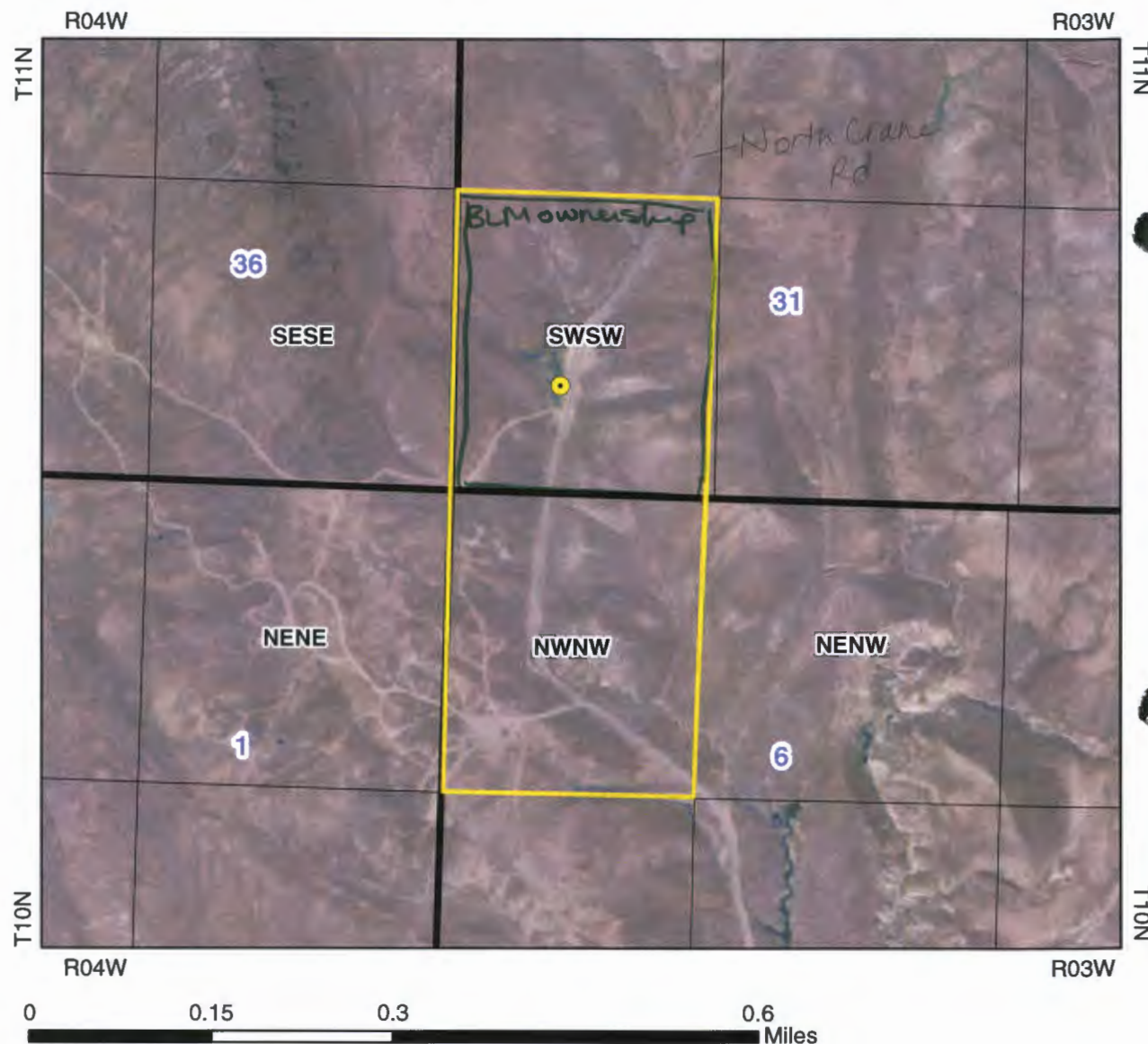
(STOCKWATER)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Washington County
IDWR Basin 67



Prepared by Monica Van Bussum

On August 04, 2008 for Basin 67 initial hearings. MVB 8/4/08

2004 Aerial Photography

09/27/2006

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

RIGHT NUMBER: 67-2326

NAME AND ADDRESS: SAND HOLLOW PARTNERSHIP
GEORGE & JOSEPH HIXON
1095 CALF PEN RD
COUNCIL ID 83612-5048

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
1.400 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/26/1964

POINT OF DIVERSION:

T11N R03W S31 SWSWSW Lot 4 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 1.40 AFY

PLACE OF USE: STOCKWATER Within WASHINGTON County

T10N R03W S06 Lot 4 NWNW

T11N R03W S31 Lot 4 SWSW

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

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use is for 50 range cattle.



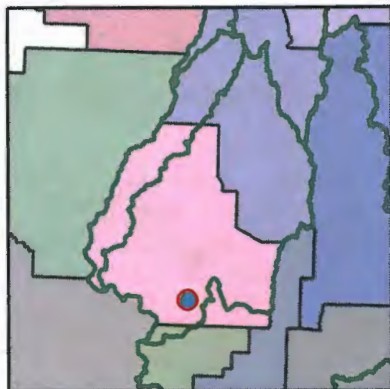
Idaho Department of Water Resources

SRBA Recommendation:

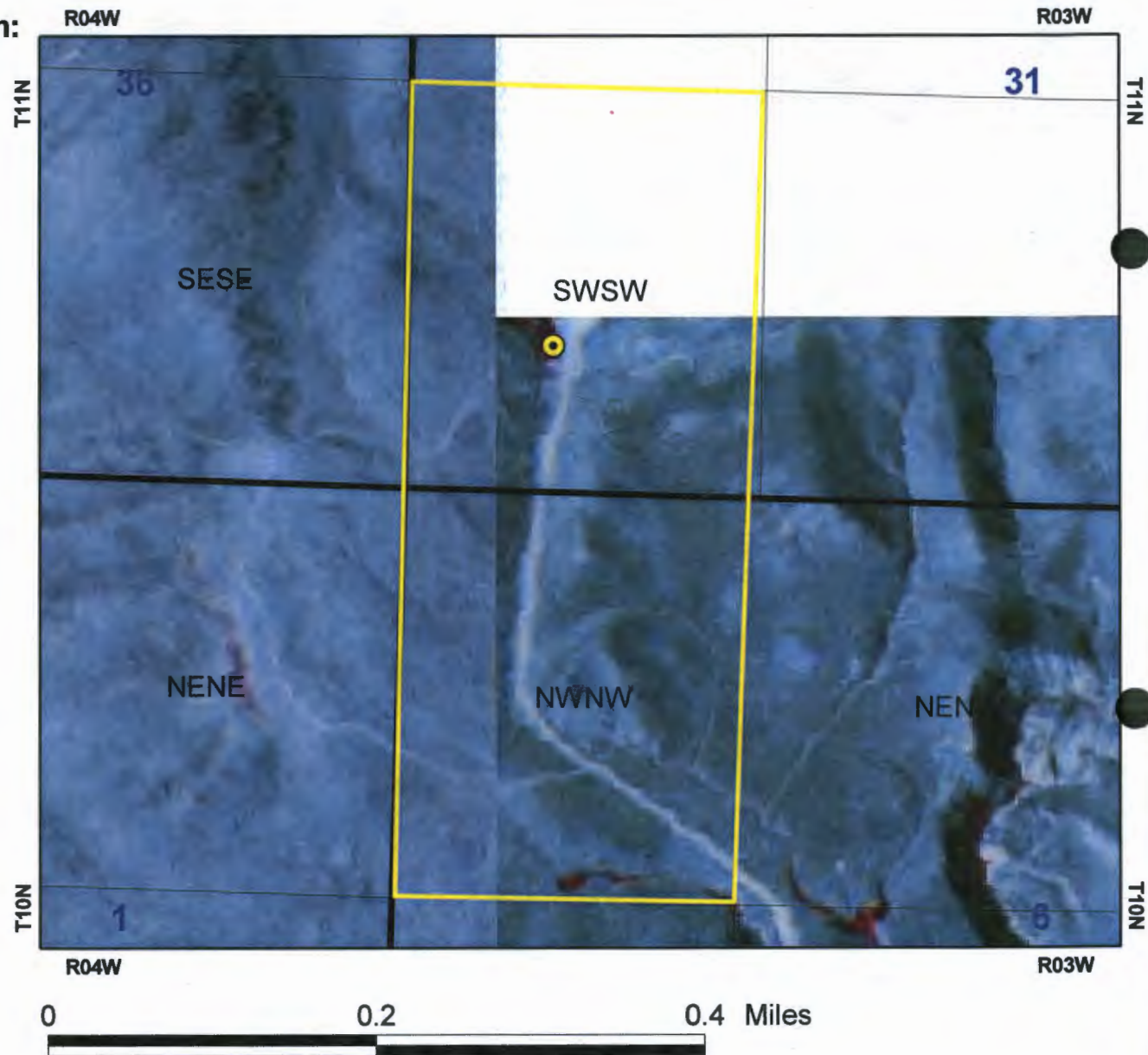
67-2326

Legend

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



Washington County
IDWR Basin 67



Prepared by J. Dean
On Wednesday, September 27, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2326 V1

WATER RIGHT NUMBER: 67-2326 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAND HOLLOW PARTNERSHIP GEORGE & JOSEPH HIXON 1095 CALF PEN RD COUNCIL, ID 83612-5048 (208)258-4351
Original Owner	GEORGE C HIXON 1095 CALF PEN COUNCIL, ID 83612
Original Owner	JOE L MAGEE
Original Owner	WEISER, ID JOSEPH M HIXON 1095 CALF PEN COUNCIL, ID 83612 (208)258-4351

Priority Date: 10/26/1964

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	1.40 AF
	<u>Total Diversion:</u>	0.020 CFS	1.40 AF

Location of Point(s) of Diversion

SPRING L4 (SW1/4SW1/4SW1/4) Sec. 31, Twp 11N, Rge 03W, B.M.
WASHINGTON County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	03W	6						X											
								L 4											
11N	03W	31										X							
												L 4							

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2326 V1

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. X02 Stockwater use is for 50 range cattle.
4. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:Comments:

1. HARRIS 12/17/1993 OWNERSHIP CHANGE
Comment: OWNERSHIP CHANGED BY LH 12/17/93.

2. mcase 4/19/2004 POD
Comment: Claimed wrong Township for POD. Recommended licensed township.

3. mcase 4/19/2004 POU
Comment: Claimed wrong Township for one QQ in POU. Recommended licensed QQ.

4. jdean 9/27/2006 Parcel
Comment: PARCEL NO. 10N03W310000

5. jdean 9/27/2006 BLM
Comment: It appears that the portion of this right in 11N, 3W, S31 is on BLM ground. In the licensing file there is an agreement with BLM that indicates diversion from the spring and use for stockwater has been approved by BLM.

6. jdean 9/27/2006 Ownership
Comment: It appears that Sand Hollow Partnership does not own property covered by this license. The current taxlot owner (for the portion not owned by BLM) is Teddie R Evans/1253 Mann Creek Rd/Weiser ID.

7. jdean 9/27/2006 Recommended as licensed
Comment: The POU and POD for this claim were recommended as licensed, because there was no additional evidence to support what was claimed.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2326 V1

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/19/2004 9:01:43 AM	mcase			Active
POD	4/19/2004 9:05:17 AM	mcase			Active
Source	4/19/2004 9:05:27 AM	mcase			Active
POU	4/19/2004 9:13:27 AM	mcase			Active
Use	4/19/2004 9:15:32 AM	mcase			Active
Season	4/19/2004 9:16:08 AM	mcase			Active
Quantity	4/19/2004 9:16:31 AM	mcase			Active
Summary			09/27/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	4/19/2004 9:01:43 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	4/19/2004 9:07:01 AM	mcase	Created polygon from PLS
Quantity	4/19/2004 9:16:31 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 1.4 AF.
POD	9/27/2006 1:04:32 PM	jdean	Updated shape
POD	9/27/2006 1:04:56 PM	jdean	Updated PLS
POU	9/27/2006 1:11:40 PM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2326 V1

Summary	9/27/2006 1:18:05 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	9/27/2006 1:11:24 PM	jdean	Updated shape for Active POU
POU	9/27/2006 1:11:50 PM	jdean	Updated PLS for Active POU
POU	4/19/2004 9:08:12 AM	mcase	Created polygon from PLS
POU	4/19/2004 9:13:28 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? Description for Question 13 - Using licensed POU and maps from water right file.
Use	4/19/2004 9:15:33 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
POD	4/19/2004 9:05:17 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/19/2004 9:05:28 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POD	4/19/2004 9:10:28 AM	mcase	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2326 V1

Season	4/19/2004 9:16:09 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
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Water Supply Bank:

George:

69-10040
69-20013

67-2326
65-12464

Records Modified
8-15-04

Joseph:

69-10020
69-10019-P.D.

cc: W.A.

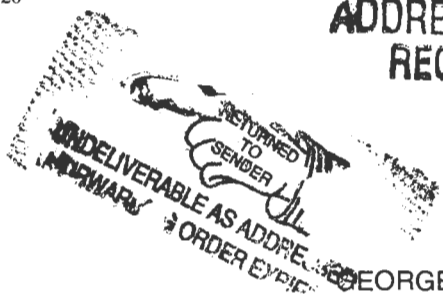
SCANNED
AUG 17 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE REQUESTED

RESORTED
FIRST CLASS
AUG 12 2004

DEPARTMENT OF
WATER RESOURCES



GEORGE C HIXON
C/O OX RANCH

GEORGE C HIXON

JOSEPH M HIXON
HC 67 BOX 2490
COUNCIL ID 83612

1095 Calf Pen
Council Id
83612

RECEIVED
AUG 12 2004
DEPARTMENT OF
WATER RESOURCES

FAAGTMS 83612



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32116/67-2326 Priority Oct. 26, 1964 Amount 0.02 cfs

THIS IS TO CERTIFY, that JOE L. MAGEE
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 32116/67-2326 issued pursuant to Application for Permit dated October 26, 1964,
and has submitted proof to the Department of Water Administration on October 27, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed spring

tributary of _____ is hereby confirmed in the following amounts:
Amount 0.02 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW 1/4 Sec. 31, Twp. 11 N, Rge. 3 W, B.M.
in the county of Washington; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.4 acre feet per year ~~xx~~

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 N	3 W	31											X						
10 N	3 W	6					X												

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of

March, 19 73.


Director

67 2326

AUG 11 2008

1

IDWR Concurrence:

Monty Van Buren 8/6/08
IDWR Agent Date

Chris M. Bromley 8/6/08
Chris M. Bromley Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on August 7, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

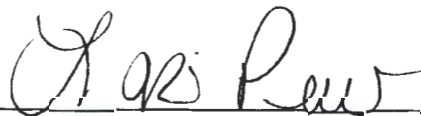
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

SAND HOLLOW PARTNERSHIP
GEORGE & JOSEPH HIXON
1095 CALF PEN RD
COUNCIL, ID 83612-5048

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form

08/06/2008

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

RIGHT NUMBER: 67-2326

NAME AND ADDRESS: SAND HOLLOW PARTNERSHIP
GEORGE & JOSEPH HIXON
1095 CALF PEN RD
COUNCIL ID 83612-5048

MVB

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
1.40 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/26/1964

POINT OF
DIVERSION:

~~T11N~~ T10N R03W S31 SWNESWSW Lot 4 Within WASHINGTON County
T10N R03W S31 SWSW Lot 4 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 1.40 AFY

PLACE OF USE: STOCKWATER in WASHINGTON County

T10N R03W S06 S31 Lot 4 SWSW T11N R03W S31 Lot 4 SWSW

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

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use is for 50 range cattle.

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

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

CB
STG
JLH
DA
Ful

8/6/08

The water in this claim
has been authorized and used
since the 60's for stockwater
in T510W R3W Section 31.

Santa Helena Partnership

by John Edwards
Manager

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: **A67-02326**
Date Received: 10/20/1989
Receipt No: W006451
Received By: _____

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

1. Name: SAND HOLLOW PARTNERSHIP 208-258-4351
Address: GEORGE & JOSEPH HIXON
1095 CALF PEN ROAD
COUNCIL ID 83612-5048

2. Date of Priority: OCT 26, 1964

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	03W	31	SW	SW			WASHINGTON

5. Description of diverting works:
SPRINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.40 A.F.A.

**SCANNED
MAY 10 2004**

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
50 HEAD BEEF

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AUG 05 1994**

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	03W	6	NW	NW		STOCK	
		31	SW	SW		STOCK	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY LH 12/17/93.

15. Basis of Claim: LICENSE

Water Right Number: 32116

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 _____

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AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 16 1993

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____
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: _____

A67 02326

☐ Name and Address of Former
Owner/Claimant(s) (Seller): _____

George & Joseph Hixon

HC 67 Box 2490

☐ New Owner/Claimant
(Purchaser): _____

COUNCIL IDAHO 83612

SAND HOLLOW PARTNERSHIP (George & Joseph Hixon)

☐ New Mailing Address: _____

1095 CALF PAST ROAD

COUNCIL IDAHO 83612-5048

☐ New Telephone Number: _____

(208) 258-4351

☐ 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:

Post Office changed mailing address to
New Listing - (County & City for all purposes)

☐ Attach proof of
ownership, describe
proof 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): _____

SAND HOLLOW PARTNERSHIP

Date 12/10/93

manager John Edwards

Date 12/10/93

☐ Signature of Former
Owner/Claimant(s): _____

x [Signature]

Date 12/13/93

x [Signature]

Date 12/14/93

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-17-93 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12-17-93 By: [Signature]

Claim Numbers of Split, if any:

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AUG 05 1994

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

RECEIVED
DEC 1 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is ESSENTIAL and should be available from the documents that will be present at the time of closing. The first two lines of the legal description MUST be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsit or subdivision and lot and block number, please also include this additional information. A lot and block legal description is NOT a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for BOTH the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

AJ0749NP
No. R67-02326

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

DATE: 12/17/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SAND HOLLOW PARTNERSHIP GEORGE & JOSEPH HIXON 1095 CALF PEN ROAD COUNCIL ID 836125048 (208) 258-4351	10/26/1964	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	1.4 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R03W S31

SWSW

WASHINGTON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	03W	6	:																
10N	03W	31	:																

POU County: WASHINGTON

Non-Irrigation Uses: STOCKWATER, 50 BEEF

Other Rights: NONE

Remarks: PARCEL NO. 10N03W310000

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 12/17/1993 User-ID: HARRIS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BY LH 12/17/93.

Audit: 12/17/93 HARRIS

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AUG 05 1994

AJ0749NP
No. R67-02326

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

DATE: 12/17/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE C HIXON	10/26/1964	STOCKWATER	01-01 12-31	0.02 CFS	
C	JOESPH M HIXON					
	HC 67 BOX 2490					
	COUNCIL ID 83612					
				TOTAL DIVERSION:	0.02 CFS	1.4 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R03W S31

SWSW

WASHINGTON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10N	03W	6	:																	:
10N	03W	31	:																	:

POU County: WASHINGTON

Non-Irrigation Uses: STOCKWATER, 50 BEEF

Other Rights: NONE

Remarks: PARCEL NO. 10N03W310000

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 00/00/00

MICROFILMED
AUG 05 1994

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: A67-02326
Date Received: 10/19/1989
Receipt No: W006451
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE C. HIXON
Address: HC 67 BOX 2490
COUNCIL, ID

83612

OR

Name: JOESPH M. HIXON
Address: HC 67 BOX 2490
COUNCIL, ID

83612

2. Date of Priority: OCT 26, 1964

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	03W	31	SW	SW	SW		WASHINGTON

5. Description of diverting works:
SPRINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

1.40 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
50 HEAD BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	03W	6	NW	NW		STOCK	
		31	SW	SW		STOCK	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 32116

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 _____

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: 39576

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

Identification No. 107-02326
Date Received 10-19-89
Receipt Number W0006451

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
OCT 19 1989

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources
Western Regional Office Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) George C. Hixon or Joseph M. Hixon Phone () _____

Mailing Address HC 67, Box 2490, Council, Idaho Zip 83612

2. Date of Priority (Only one per claim) 10/26/64 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) Spring
Name or kind of source

which is tributary to (b) sinks

4. Location of point of diversion is: Township 10 N Range 3 W

Section 31, 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,

County of Washington

Additional points of diversion if any: _____

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

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For stock water purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount .02 ^(cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 50 head beef cattle

MICROFILMED

OCT 02 1992

10. Place of use is: Township: 10 N Range 3 W

Section 31, SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Washington for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 67-02326

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

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

Signature of Claimant (s) X [Signature] Date Oct. 18, 1989

Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 18 day of October 1989

SEAL

Notary Public [Signature]

Residing at Council

My Commission Expires 10-23-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 02 1992

WARRANTY DEED

144137

For Value Received, IDAHO BANK & TRUST CO., an Idaho corporation,

Sandhollow

the grantor, does hereby grant, bargain, sell and convey unto JOSEPH M. HIXON III and GEORGE C. HIXON, as equal tenants in common, and as their respective sole and separate property,

the grantees, whose current address is 341 Milam Building, San Antonio, Texas 78205,

the following described premises, in Washington County, Idaho, to-wit:

TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, STATE OF IDAHO:

In Section 29: SE $\frac{1}{4}$;
In Section 31: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
In Section 32: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Assigning to Grantees as well, all of Grantor's right, title and interest in and to any permits issued by the Bureau of Land Management, any grazing rights and AUM's, any water licenses, permits or other water rights benefiting said premises, and any rights under leases with the State of Idaho pertaining to property situated within or contiguous to the above-described premises.

And all income and gain derived from said premises shall be the respective separate property of the Grantees, pursuant to Section 32-906(1), Idaho Code.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that they are free from all incumbrances, except for taxes and assessments for the year 1987;

and that it will warrant and defend the same from all lawful claims whatsoever.

Dated: This 12th day of Dec, 1987.

IDAHO BANK & TRUST CO.

By: *Randy G. Diller*
Title: VP

STATE OF IDAHO, COUNTY OF Ada) ss.

On this 12th day of Dec, 1987, before me, a Notary Public in and for said State, personally appeared Linda A. Diller, known or identified to me to be the VP of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

[Signature]
Notary Public
Residing at , Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF Washington

I hereby certify that this instrument was filed for record at the request of

Weiser Valley Title
at 31 minutes past 10 o'clock A. M.,
this 23rd day of December,
19 87, in my office, and duly recorded in Book Index
of Deeds at Page as #801.

Mary Kautz
E. Office Recorder

By *Peaggy Linkal* Deputy.

Fees \$ 3.00
Mail to: Weiser Valley Title

INSTRUMENT No. 144137

INDEXED

COMPARED

WARRANTY DEED

For value received, JON L. BARNES and MARILYN BARNES, husband and wife, grantors, whose address is 1401 Shoreline Drive, Boise, Idaho 83702, do hereby grant, bargain, sell and convey unto GEORGE C. HIXON, a married man dealing with his sole and separate property, grantee, whose address is 341 Milam Building, San Antonio, Texas 78205, the following described property, in Adams and Washington Counties, Idaho, to-wit:

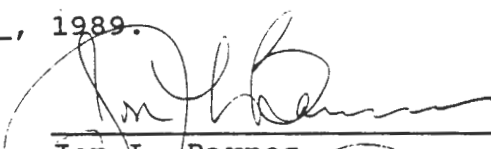
That property described in Exhibit "A", attached hereto and incorporated herein in full by reference.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

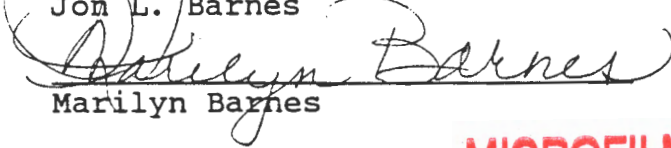
Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee and grantors do not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State or local laws, rules or regulations pertaining to zoning, building, subdivision, platting, surveys, planning and use, health, ecology, drainage, irrigation, water quality, sewage or disposal systems. Grantors make no warranties as to surveys, boundaries or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee, his heirs and assigns forever. And the said grantors do hereby covenant to and with the said grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise stated herein; and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 2 June, 1989.



Jon L. Barnes



Marilyn Barnes

EXHIBIT "A"

Parcel 1:

Land in Adams County, Idaho:

Township 17 North, Range 4 West, Boise Meridian:

Section 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 3: S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 5, 6 and 7.

Section 5: Lot 4.

Section 6: Lot 1.

Township 18 North, Range 4 West, Boise Meridian:

Section 23: S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 27: NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 31: E $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 32: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$.

Section 33: NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 34: W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Parcel 2:

Land in Washington County, Idaho:

Township 17 North, Range 4 West of the Boise Meridian:

Section 2: NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$.

which last described land does not include, but specifically excludes approximately 110 acres designated as the Starveout Ranch, title to which is vested in Helena E. Schmidt, and further subject to an easement of right to perpetual use of private roadway over and across the herein described lands in favor of Henry Schmidt and Helena E. Schmidt, as a means of access to and ingress from the premises known as "Starveout Ranch."

Including all water and ditch rights appurtenant to or used in connection with the land being sold or conveyed hereby, as now exists, which includes water from No Business Creek and Wild Horse River. Also including any easements or rights of ways appurtenant to or used for the benefit of said described premises. This sale or conveyance is made subject to easements, rights of ways, reservations and exceptions.

EXHIBIT "A"

MICROFILMED

OCT 02 1992

STATE OF IDAHO)
)
) :ss
County of Ada)

On this 2nd day of June, 1989, before me, a Notary Public in and for said state, personally appeared JON L. BARNES and MARILYN BARNES, husband and wife, known to me, or identified to me to be the persons whose names are subscribed to the within and foregoing 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 in this certificate first above written.



Rosalind A. Hamming
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 3/16/93

INSTRUMENT NO. 77190

State of Idaho)
) :ss.
County of Adams)

Filed for record at the request of

Adams County Abstract

45 min. past 2 o'clock P.M.

is 9th day of June, 19 89

411 of DEEDS PG. 468

MICHAEL FISK, RECORDER

by Marlene Stowers Indep.
Deputy

Fee \$ 9.00

WARRANTY DEED

Jon L. & Marilyn Barnes

to

George C. Hixon

WARRANTY DEED, Page 2

MICROFILMED

OCT 02 1992

DONOT
SCAN

04/10/2004

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2328 V1

WATER RIGHT NUMBER: 67-2326 V1

Owner Type	Name and Address
Current Owner	SAND HOLLOW PARTNERSHIP GEORGE & JOSEPH HIXON 1095 CALF PEN RD COUNCIL, ID 83612-5048 (208)258-4351
Original Owner	GEORGE C HIXON HC 67 BOX 2490 COUNCIL, ID 83612
Original Owner	JOE L MAGEE
Original Owner	WEISER, ID JOESPH M HIXON HC 67 BOX 2490 COUNCIL, ID 83612

Priority Date: 10/26/1964
Basis: Beneficial Use
Status: Active

Source	Tributary
SPRING	SINKS

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	01/01 to 12/31	0.020 CFS	1.40 AF
	Total Diversion:	0.020 CFS	1.40 AF

Location of Point(s) of Diversion
SPRING SW1/4SW1/4 Sec. 31, Twp 11N, Rge 03W, B.M.
WASHINGTON County

Place of Use
STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	03W	6	NE NW SW SE	NW SW SE	NE NW SW SE	NE NW SW SE	
				X			
11N	03W	31			X		

Conditions of Approval:

DRAFT

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2328 V1

04/19/2004

Remarks:

1. General PARCEL NO. 10N03W310000

Comments:

1. HARRIS 12/17/1993 OWNERSHIP CHANGE
Comment: OWNERSHIP CHANGED BY LH 12/17/93.

2. mcase 4/19/2004 POD
Comment: Claimed wrong Township for POD. Recommended licensed township.

3. mcase 4/19/2004 POU
Comment: Claimed wrong Township for one QQ in POU. Recommended licensed QQ.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	4/19/2004 9:01:43 AM	mcase			Active
POD	4/19/2004 9:05:17 AM	mcase			Active
Source	4/19/2004 9:05:27 AM	mcase			Active
POU	4/19/2004 9:13:27 AM	mcase			Active
Use	4/19/2004 9:15:32 AM	mcase			Active
Season	4/19/2004 9:16:08 AM	mcase			Active
Quantity	4/19/2004 9:16:31 AM	mcase			Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
---------	-----------------	----------	----------

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2326 V1

Priority Date	4/19/2004 9:01:43 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	4/19/2004 9:07:01 AM	mcase	Created polygon from PLS
Quantity	4/19/2004 9:16:31 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a Irrigation a purpose of use? Description for Question 10 - Diversion licensed for 1.4 AF.
POU	4/19/2004 9:08:12 AM	mcase	Created polygon from PLS
POU	4/19/2004 9:13:28 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? Description for Question 13 - Using licensed POU and maps from water right file.
Use	4/19/2004 9:15:33 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
POD	4/19/2004 9:05:17 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/19/2004 9:05:28 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POD	4/19/2004 9:10:28 AM	mcase	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2326 V1

Season	4/19/2004 9:16:09 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
--------	----------------------	-------	--

HOLD FOR CLAIMANT CONTACT & POSSIBLE EXAM -
SEE BELOW.

AJ5809NP
No. R67-02326

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/24/99
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SAND HOLLOW PARTNERSHIP GEORGE & JOSEPH HIXON 1095 CALF PEN ROAD COUNCIL ID 836125048 (208) 258-4351	10/26/1964	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	1.40 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R03W S31

SWSW

WASHINGTON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10N	03W	6	:							S										:
10N	03W	31	:											S						:

POU County: WASHINGTON

Non-Irrigation Uses: STOCKWATER, 50 BEEF

Other Rights: NONE

Remarks: GEN PARCEL NO. 10N03W310000

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/17/1993 User-ID: HARRIS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BY LH 12/17/93.

Audit: 08/16/93 DUNN1 08/17/93 DUNN1 12/17/93 HARRIS 03/30/95 POST-STD

MAY 10 2004

SCANNED

This claim was filed on License # 67-02326. However, license 67-02326 was licensed for T. 11N, R. 3W, S. 31, SWSW, not 10N, 3W, S. 31. Database on water rights side is incorrect on this also. See copy of license. Therefore, the ownership in should be checked, the addition of the Sec. 6 POU was never claimed-added in error. Need contact w/claimant for possible change to a beneficial use claim, etc.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32116/67-2326 Priority Oct. 26, 1964 Amount 0.02 cfs

THIS IS TO CERTIFY, that JOE L. MAGEE
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 32116/67-2326 issued pursuant to Application for Permit dated October 26, 1964
and has submitted proof to the Department of Water Administration on October 27, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed spring
tributary of _____ is hereby confirmed in the following amounts:

Amount 0.02 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW 1/4 Sec. 31, Twp. 11 N, Rge. 3 W, B.M.
in the county of Washington; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.4 acre feet per year ~~xx~~
~~xxxxxxxxxxxxxx~~.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 N	3 W	31											X						
10 N	3 W	6					X												

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 73.

[Signature]
Director

67 2326

WR5809NP
No. 67-02326

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/99
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOE L. MAGEE WEISER ID	10/26/1964	STOCKWATER	01/01 12/31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	1.40 AFA

Water Source: SPRING

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11N R03W S31 SWSW WASHINGTON County

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE			
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	03W 6	:		:		:		S	:	:		S	:	:		:	
10N	03W 31	:		:		:		:		:		:		:		:	

Pou County: WASHINGTON

Dates:	App. Received:	
	Proof Due Date:	
	Exam Made Date:	
	Licensed Date:	01/31/1979
Misc:	Water District Number:	
	Field Exam Fee:	

incorrectly
data
entered off
of orig. license.
Should be
WN

15.5

Sec. 28.

33

Total number of Acres. 5612.90

Surveys Designated	By Whom Surveyed	Date of Certificate	Amount of Survey M. Ch. ²	When Surveyed	Mean Declination
Township lines	Allen M. Thompson	16 January 23, 1870	18 72 01	March 5, 1911, 1870	
Subdivisions	William B. Himmel	26 September 18, 1899	16 63 94	October 21, 27, 1899	20° 00' E
N. boundary lines			5 00 10	October 12-19, 1899	
Connections			5 5 22	October 19-25, 1899	



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 17, 1993

Re: Notice of Claim to a Water Right No. A67-02326

Sand Hollow Partnership
George & Joseph Hixon
1095 Calf Pen Road
Council, ID 83612-5048

Claimant(s):

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

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

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

MICROFILMED
AUG 05 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

DEC 08 1993

WATER RESOURCES
WESTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

- Sand Hollow Partnership
- HC 67 Box 2470
- Council ID 83612

MAILING DATE: Dec 6, 1993

RESPONSE DATE: Dec 21, 1993

RE: NOTICE OF CLAIM NO[S]: A67-02326

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

- George & Joseph Nixon
- HC 67 Box 2470
- Council ID 83612

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

- Change of Ownership Form
- Change of Address Form

MICROFILMED

AUG 05 1994

EBERLE, BERLIN, KADING, TURNBOW & MCKLVEEN,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

FACSIMILE
(208) 344-8542

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

STEPHEN A. BRADBURY

July 23, 1990

RECEIVED
JUL 24 1990

Bruce A. Schuld, Senior Water Resource Agent
Western Region
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Department of Water Resources
Western Regional Office

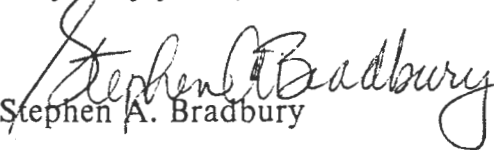
Re: Adjudication Claims A69-02001, A69-10040 & A67-02326

Dear Mr. Schuld:

I am in receipt of your letter dated July 13, 1990 relating to the above referenced claims. As you requested, I have forwarded Claim A69-10040 to Mr. Hixon for his signature and will return it to you under separate cover. Enclosed with this letter, as you requested, are copies of warranty deeds conveying the lands to which the above referenced claims appertain.

Should you have any questions, please feel free to contact me.

Very truly yours,


Stephen A. Bradbury

SAB/jt

Enclosures

cc: George C. Hixon

MICROFILMED

OCT 02 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 13, 1990

Stephen A. Bradbury
Eberle, Berlin, Kading, Turnbow,
& Gillespie, Chartered
Capitol Park Plaza
300 North Sixth Street
P.O. Box 1368
Boise, Idaho 83720

RE: A65-12464, A69-10040, A69-02001, A67-02326

Dear Mr. Bradbury;

As per our conversation this morning, I am returning your client's claim A69-10040 for his signature, notary, and re-submittal. I would also request the proof of the change of ownership of the claims for the lands listed below. Also attached is the receipt #W006451 for the \$95 in fees your firm submitted in October.

The Adjudication Claims A69-02001 and A69-10040 are appurtenant to the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3, Township 17 North, Range 4 West. The lands were previously owned by Jon L. Barnes.

The claim A67-02326 is appurtenant to lands described as the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 10 North, Range 3 West. The lands were previously owned by a Mr./Mrs. Magee.

A change of ownership in the form of a copy of the Transfer of Title with the legal description of the lands and the signatures of the parties of interest will be sufficient.

Regards,

Bruce A. Schuld
Senior Water Resource Agent
Western Region

cc:BAS:SB:files

MICROFILMED

OCT 02 1992

EBERLE, BERLIN, KADING, TURNBOW & MCKLVEEN,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

STEPHEN A. BRADBURY

TELEPHONE
(208) 344-8535

FACSIMILE
(208) 344-8542

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

June 29, 1990

RECEIVED
JUL 2 1990

Department of Water Resources
Western Regional Office

Mr. Bruce A. Schuld
Senior Water Resource Agent
Western Region
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: Snake River Basin Adjudication: Permit
No. A65-12464 (Payette County)

Dear Mr. Schuld:

Your letter directed to John Dyer, manager of the OX Ranch dated June 22, 1990 concerning the above referenced permit has been referred to this office for response. Your letter indicates that no adjudication claim for the above referenced permit has been filed on behalf of the OX Ranch. I am enclosing for your review and information a copy of a Notice of Claim to a Water Right dated October 18, 1989 pertaining to Permit No. A65-12464 and my letter of transmittal of the same date directed to the Department of Water Resources. Perhaps the original claim form has been misplaced. I am, for that reason, also enclosing copies of the other claims referenced in my letter of October 18, 1989 for your review. I have retained in my file the yellow page of the original claim forms and can make arrangements to display those to you if necessary.

Please also note that this firm's check in the amount of \$95.00 was mailed with those claim forms. Although I am having our bookkeeping department review its records in order to determine if that check has been negotiated, I would appreciate it if you would determine whether the check was received by the Department. We will, of course, want to issue a stop payment order on the first check if the Department has not received it.

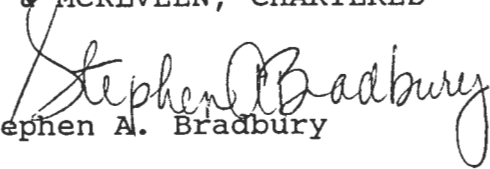
MICROFILMED
OCT 02 1992

Mr. Bruce A. Schuld
Page 2
June 29, 1990

Once you have had an opportunity to review the enclosed, I would appreciate it if you would contact me in order to confirm the matters discussed above.

Very truly yours,

EBERLE, BERLIN, KADING, TURNBOW
& MCKLVEEN, CHARTERED


Stephen A. Bradbury

SAB/ks
Enclosures
cc: Mr. John E. Dyer, III

MICROFILMED
OCT 02 1992

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SOUYRES, JR.
THOMAS R. LINVILLE
RICHARD A. RILEY
JAMES J. DAVIS
JOSEPH H. UBERUAGA II
T. A. BANDUCCI
JOHN MICHAEL BRASSEY
ROBERT L. BERLIN
SCOTT D. HESS
BRADLEY G. ANDREWS
KATHY PERKINS BROOKS
WILLIAM A. FUHRMAN
RICHARD K. LIERZ
NEIL D. MCFEELEY
STEPHEN A. BRADBURY
STEVEN E. ALKIRE
HOLLIS MERCER WHILES

ATTORNEYS AND COUNSELORS AT LAW

CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

October 18, 1989

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

RECEIVED
OCT 19 1989

Department of Water Resources
Western Regional Office

Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Adjudication Claims

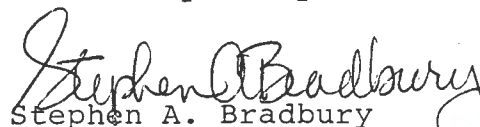
Dear Sirs:

Enclosed please find three claims to be filed in the Snake River Basin Water System Adjudication. Also enclosed is this firm's check in the amount of \$95 for filing fees. Please note that no amount has been included as a filing fee for the claim on water diverted from Lake Creek at T17N, R4W, S2, NW of SW, Washington County. As noted in the remarks section of that claim, that water was previously claimed as part of claim no. A69-02001 and a filing fee paid by the previous owner. We are making a new filing solely for the purpose of ensuring that your records are up to date and complete. If, however, an additional filing fee is required, please contact the undersigned at your earliest convenience.

Also enclosed is a copy of claim no. A69-10040 filed in the name of Jon L. Barnes. Please be advised that the property to which that claim pertains has been purchased by Mr. George C. Hixon. Attached to that claim is the Department's standard name change form indicating the name and address of the new owner.

Should you have any questions or concerns with respect to any of the foregoing, or should there be additional steps which must be taken in order for Mr. Hixon to perfect his claims, please contact the undersigned.

Yours very truly,


Stephen A. Bradbury

SAB/rah
Encl.
cc: John Dyer

MICROFILMED
OCT 22 1992

OLD (D) NUMBER - 32116

+ - - - - - ADDRESS - - - - - +

1 - HC 67 BOX 2490

2 -

3 -

CITY- COUNCIL

STATE- ID ZIP- 83612

PHONE - 208-000-0000

HIXON

JOSEPH M.

1 - HC 67 BOX 2490

2 -

3 -

CITY- COUNCIL

STATE- ID ZIP- 83612

PHONE - 208-000-0000

*** O - ORIGINAL OWNER ***
MAGEE

JOE L.

1 -

2 -

3 -

CITY- WEISER

STATE- ID ZIP- 0

PHONE - 208-000-0000

+ - - PRIORITY DATE - - +
10/26/1964

+ - - - REGION - - - +
14 WESTERN

+ - - - STAGE - - - +
L - LICENSE

+ - - - STATUS - - - - +

```

+ - - - - - SOURCE - - - - - +
      SPRING

```

```
+ - - - - - - - - TRIBUTARY - - - - - - - - +  
      SINKS
```

POINT OF DIVERSION							STREAM INDEX (BLANK IF NO INDEX CODE)
TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	
10N	03W	31	SW SW			(37) WASHINGTON	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
04 - STOCKWATER		01/01	12/31		0.020	

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
0.020		1.40				0.0			

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
10N	03W	6	NW NW			04	STOCKWATER	(87) WASHINGTON
10N	03W	31	SW SW			04	STOCKWATER	(87) WASHINGTON

+ - - DIVERSION MEANS - SPRINGS

+ - - NON-IRRIGATION USE - 50 HEAD BEEF

+ - - OTHER RIGHTS FOR SAME USE - NONE

MICROFILMED
AUG 05 1994

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible]

10 NOV 2003 15000

Sand Hollow Partnership

HC 67 Box 2490

Course, 1 8361B

MICROFILMED

AUG 05 1994

DATA ENTRY

ENTERED 8-17-93 1/3

CHECKED 10/13/99 AKD

CHANGE OF OWNERSHIP
LETTER SENT 11-30-93 *08* Verified By
Topo Map/Oriho-PQ
Aerial Map
Watermaster Records
New Photos
Field Notes
Current Remarks
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JUN 18 1993

CERTIFIED
JUN 28 1993
WATER EXAMINER