

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

RIGHT NUMBER: 22-7065

NAME AND ADDRESS: RANDY HUGHES
310 N 2675 E
ST ANTHONY ID 83445

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.200 CFS
910.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The rights listed below are limited to a total combined diversion rate of 12.73 cfs and to a total combined annual diversion volume of 4707.5 AF. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.

PRIORITY DATE: 02/26/1973

POINT OF
DIVERSION:

T07N R42E S17 SENENW Within FREMONT County
T07N R42E S17 SWNNW Within FREMONT County
T07N R42E S18 NENESW Within FREMONT County
T07N R42E S18 NENESE Within FREMONT County

This right is limited to the irrigation of 260 acres within the place of use described above in a single irrigation season.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	5.200 CFS 910.00 AFY

PLACE OF USE:

IRRIGATION in FREMONT County

T07N R42E S07 Lot 4 SWSW	29.00	T07N R42E S07	SESW	34.00	
T07N R42E S07	SWSE	30.00	T07N R42E S07	SESE	33.00
T07N R42E S08	SWSW	32.00	T07N R42E S08	SESW	35.00
T07N R42E S08	SWSE	32.00	T07N R42E S08	SESE	33.00
T07N R42E S17	NENE	34.00	T07N R42E S17	NWNE	33.00
T07N R42E S17	SWNE	33.00	T07N R42E S17	SENE	35.00
T07N R42E S17	NENW	35.00	T07N R42E S17	NWNW	32.00
T07N R42E S17	SWNW	33.00	T07N R42E S17	SENW	35.00
T07N R42E S17	NESW	33.00	T07N R42E S17	NWSW	39.00
T07N R42E S17	SWSW	30.40	T07N R42E S17	SESW	35.80
T07N R42E S17	NESE	33.00	T07N R42E S17	NWSE	31.00
T07N R42E S17	SWSE	1.90	T07N R42E S18	NENE	32.00
T07N R42E S18	NWNE	32.00	T07N R42E S18	SWNE	30.00
T07N R42E S18	SENE	40.00	T07N R42E S18	NENW	33.00

SCANNED
DEC 11 2008

T07N R42E S18 Lot 1 NWNW	28.00	T07N R42E S18 Lot 2 SWNW	37.00
T07N R42E S18 SENW	40.00	T07N R42E S18 NESW	34.00
T07N R42E S18 Lot 3 NWSW	30.00	T07N R42E S18 Lot 4 SWSW	30.00
T07N R42E S18 SESW	33.00	T07N R42E S18 NESE	33.00
T07N R42E S18 NWSE	33.00	T07N R42E S18 SWSE	33.00
T07N R42E S18 SESE	33.00	T07N R42E S20 NWNE	1.10
T07N R42E S20 NENW	34.00	T07N R42E S20 NWNW	32.00
T07N R42E S20 SWNW	1.00	T07N R42E S20 SENW	1.80

1345 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1345 acres in a single irrigation season. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.

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

Right No. 22-12765 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Prior to the diversion and use of water under Transfer approval 74559, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by approved transfer 74559 by April 10, 2009.

Failure of the right holder to comply with the conditions of approved transfer 74559 is cause for the Director to rescind approval of the transfer.

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.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

The following rights are also diverted through point of diversion described above: 22-7085 and 22-12765.

SCANNED

DEC 11 2000

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

In Re SRBA

Water Rights: 22-7065, 22-7085,
22-12765

Case No. 39576

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative proceeding for the above
mentioned water right(s):

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74559

☐ point of diversion

☒ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

IDWR projects the Administrative Proceeding shall be completed no later than: November
18, 2009

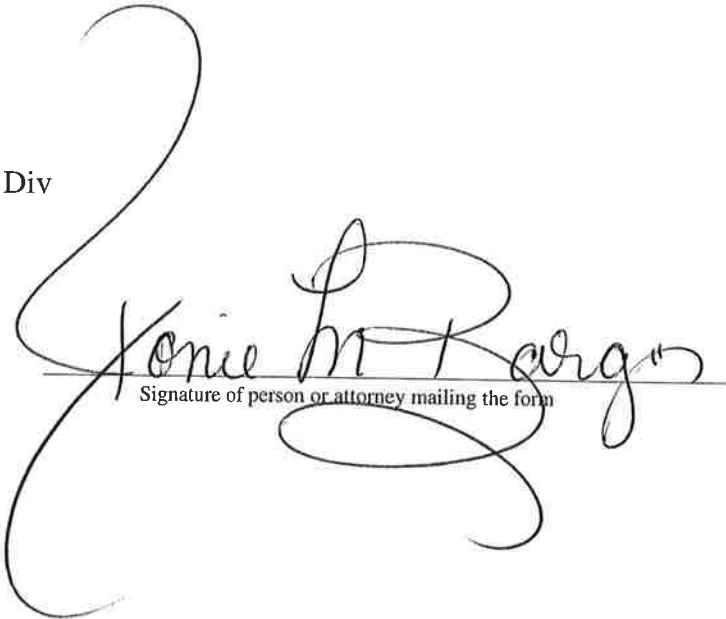
DATED: 11-18-08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 19, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Randy Hughes
310 N 2675 E
St Anthony ID 83445
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

December 5, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Randy Hughes
310 N 2675 E
St Anthony ID 83445

RE: Transfer #74559 for water right(s) 22-7065, 22-7085, 22-12765
and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Sir/Madam:

On April 10, 2008 the Idaho Department of Water Resources (IDWR) approved Transfer #74559, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg

Technical Records Specialist

SCANNED

DEC 11 2008

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

In Re SRBA)

Water Rights: 22-7065, 22-7085 and
22-12765

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74559

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

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

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

DATED: Dec 1, 2008

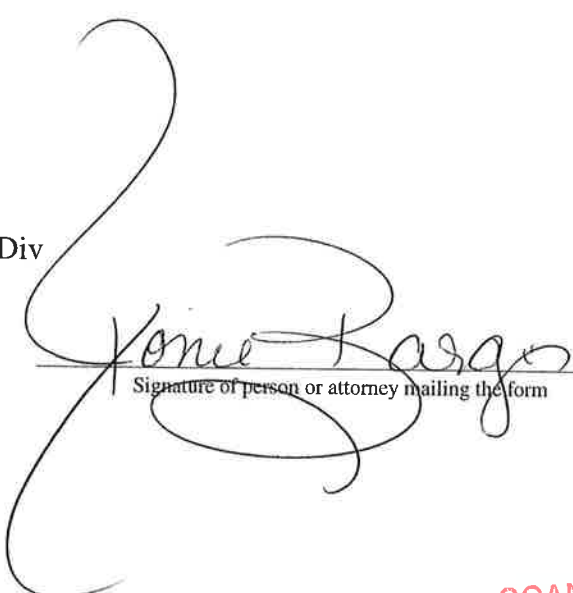
Ernest C. Culp

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 5, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Randy Hughes
310 N 2675 E
St Anthony ID 83445
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

NT OF WATER RESOURCES
RN DISTRICT OFFICE
0 N. SKYLINE DR.
FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

PITNEY BOWES
U.S. POSTAGE
1401 PB3523907
8982 \$01.110 SEP 29 2006
3144 MAILED FROM ZIP CODE 83402

IDAHO DEPT. OF WATER RESOURCES

Eastern Region
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
(208) 525-7161

TO

SMITH HANCOCK & RAMMELL
ATTN: J D HANCOCK
PO BOX 427
REXBURG ID 83440



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

HANC427 834402004 1N 10 10/02/06
UNABLE TO FORWARD
NO FORWARD ORDER
SMIT427 834402004 1N 10 10/02/06
UNABLE TO FORWARD
NO FORWARD ORDER ON FILE
RETURN TO POSTMASTER
OF ADDRESSEE FOR REVIEW

22-12765
22-7085
22-7065

LINE 11 8
9:30 a.m.
sewer volume
Hogher

for phone call -
JD Hancock no longer
Represents Mr. Hogher.

05/04/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7065

RANDY HUGHES

310 N 2675 E

ST ANTHONY ID 83445

Telephone Number: (208)624-3280

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: 11-6-06 SIGNATURE: Randy Hughes
Please print your name: Randy Hughes

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

Kar 11/14



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 24, 2006

RANDY HUGHES
310 N 2675 E
ST ANTHONY ID 83445

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-7065, 22-7085,
22-12765

Dear Mr. Hughes:

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

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

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

RECEIVED

MAR 07 2006

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A22-12765	IV - OK			
	A22-7065	N - OK			
	A22-7085	N - OK			

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Neal Hughes
 Rt 1, Box 105 St. Anthony, ID

4. New Owner/Claimant(s)

~~Hughes Farms Inc~~ Randy + Neal Hughes
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

310 N. 2675 East

City, State and ZIP Code

St. Anthony, ID 83445

New Telephone Number

(208) 624-3280

5. Date you acquired the property

2002

Changed to
 Randy Hughes
 per deeds
 JC
 4/20/06

To Whom it May Concern

I Randy Hughes watered in sections 19, 20 with handlines in 1986

My neighbor John Zerker can verify my irrigation practices and the fact that we had water on the ground at this time.

I John Zerker know that Randy & Neil Hughes irrigated this ground at this time.

John Zerker
March 1, 2006



POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land;
5. The invalidity or unenforceability of the lien of the insured mortgage upon the title;
6. The priority of any lien or encumbrance over the lien of the insured mortgage;
7. Lack of priority of the lien of the insured mortgage over any statutory lien for services, labor or material:
 - (a) arising from an improvement or work related to the land which is contracted for or commenced prior to Date of Policy; or
 - (b) arising from an improvement or work related to the land which is contracted for or commenced subsequent to Date of Policy and which is financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance;
8. Any assessments for street improvements under construction or completed at Date of Policy which now have gained or hereafter may gain priority over the insured mortgage; or
9. The invalidity or unenforceability of any assignment of the insured mortgage, provided the assignment is shown in Schedule A, or the failure of the assignment shown in Schedule A to vest title to the insured mortgage in the named insured assignee free and clear of all liens.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title or the lien of the insured mortgage, as insured, but only to the extent provided in the Conditions and Stipulations.

COUNTERSIGNED

First American Title Insurance Company

FIRST AMERICAN TITLE COMPANY

BY

Gary L. Kernutt

PRESIDENT

ATTEST

Mark R. Andersen

SECRETARY

TITLE OFFICER

CW 3944174

SCHEDULE A

Order No. F-27876

Policy No. CW - 3944174
2-14-01/I.A.C.A

Amount of Insurance \$1,551,200.00

Premium \$3,884.00

Date of Policy: January 8, 2001 at 11:53

1. Name of Insured:

IDAHO AGRICULTURAL CREDIT ASSOCIATION

2. The estate or interest in the land which is encumbered by the insured mortgage is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

See Q-c/a m
Deed

- PARCEL I: NEAL HUGHES and FAUN HUGHES, AKA FAUN S. HUGHES, husband and wife
PARCEL II: NEAL HUGHES AND FAUN S. HUGHES, HUSBAND AND WIFE
PARCEL III: RANDY HUGHES, a single person, dealing with his sole and separate property
PARCEL IV: RANDY NEAL HUGHES, a single person, dealing with his sole and separate property
PARCEL V AND VI: NEAL HUGHES and FAUN S. HUGHES, HUSBAND AND WIFE
PARCEL VII: RANDY NEAL HUGHES, as his sole and separate property

4. The insured mortgage and assignments thereof, if any, are described as follows:

REAL ESTATE MORTGAGE dated December 27, 2000 to secure an original indebtedness of \$1,551,200.00, and any other amounts and/or obligations secured thereby.

Recorded: January 8, 2001, as Instrument No. 466827

Mortgagor: NEAL HUGHES and FAUN S. HUGHES, aka FAUN HUGHES, husband and wife; and RANDY NEAL HUGHES, aka RANDY HUGHES, a single man

Mortgagee: IDAHO AGRICULTURAL CREDIT ASSOCIATION

5. The land referred to in this policy is described as follows:

SEE ATTACHED EXHIBIT "A"

PARCEL I:

Lots 1 and 2, Block 35 of the Townsite of South St. Anthony, Fremont County, Idaho, as per the recorded plat thereof.

ALSO:

Lots 3, 4, 5, 6, 7, 13, and those parts of Lots 8, 9, and 10 lying Southeasterly of the Southeasterly line of the Oregon Shortline Railroad Company property, which line is a straight line that is parallel with and 125 feet distant Southeasterly measured at right angles from the center of the main track of said railroad, in Block 35, of the Townsite of South St. Anthony, Fremont County, Idaho, as per the recorded plat thereof.

PARCEL II:

Neal & Faun → Randy

Township 7 North, Range 42 E.B.M., Fremont County, Idaho

Section 8: S $\frac{1}{2}$ SE $\frac{1}{4}$

✓
Section 17: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPT all that portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows: Commencing at the SE corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, said point being monumented with a bronze marker bearing the inscription - POSL 17/16; and, thence running N. 47°16'46" W. 908.05 feet to a point monumented with a bronze marker bearing the inscription 17-B-7-42; and, running N. 30°41'29" W. 1159.60 feet to a point monumented with a bronze marker bearing the inscription 17-A-7-42; and, thence S. 32°27'49" W. 1932.32 feet to the West West Southeast 1/256 corner monumented with a bronze marker bearing the inscription 17-C-W-W-SE 1/256; thence N. 89°34'20" E. 2296.26 feet along the S. line of the N $\frac{1}{2}$ SE $\frac{1}{4}$ to the point of beginning.

PARCEL III:

Randy

Township 7 North, Range 42 E.B.M., Fremont County, Idaho

Section 8: S $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPT the W. 4 rods.

Section 17: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and Beginning at the SW corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and running thence N. 1320 feet, thence E. 990 feet to the NE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, thence Southwesterly to the SW corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, thence W. 330 feet to the point of beginning, EXCEPT the W. 4 rods.

Section 20: Beginning at the NW corner of said Section 20, and running thence E. 2310 feet to the NE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, thence Southwesterly to the NE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, thence Southerly to the SE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, thence Southwesterly to the SE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence Westerly to the SW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence N. along the W. line of said Section 20, 2970 feet, more or less, to the point of beginning, EXCEPT the W. 4 rods.

CONTINUED . . .

PARCEL IV:

Randy
Township 7 North, Range 41 E.B.M., Fremont County, Idaho

Section 15: All that part of the SW $\frac{1}{4}$ lying West and North of the center of the Teton River, **EXCEPTING THEREFROM:** Commencing at the NW corner of the SW $\frac{1}{4}$, said point being at the intersection of the County road running East, West and North and being marked with a two foot long, 5/8" rebar with 1 $\frac{1}{2}$ inch aluminum cap set 6 inches below road surface, thence N. 89°13'17" E, along the centerline of the county road, said line being the North line of the grantor's land, a distance of 946.02 feet to the TRUE POINT OF BEGINNING; thence S. 41°38'32" E. 184.22 feet; thence S. 52°34'12" E. 92.67 feet; thence S. 29°31'19" E. 40.66 feet; thence N. 89°13'17" E. 379.14 feet; thence N. 53°10'24" E. 394.90 feet to a point on the North line of grantor's land; thence S. 89°13'17" W. along said North line 911.13 feet to the TRUE POINT OF BEGINNING, ALSO: a roadway easement along the West line of the above tract for the purpose of ingress and egress to said tract.

Section 16: E $\frac{1}{2}$ SE $\frac{1}{4}$

✓ **PARCEL V:**

Neal & Faun → Randy

Township 7 North Range 42 E.B.M., Fremont County, Idaho

Section 7: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 18: E $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$

PARCEL VI:

Neal & Faun

Township 7 North, Range 41 E.B.M., Fremont County, Idaho

N/A
Section 21: NE $\frac{1}{4}$, **EXCEPT** railroad right-of-way and county road right-of-way, **ALSO EXCEPT** Beginning at a point 1625 feet S. of the NW corner of said NE $\frac{1}{4}$; thence N. 76°00' E. 174 feet; thence S. 77°10' E. 146 feet; thence N. 75°20' E. 496 feet; thence N. 64°00' E. 313 feet; thence S. 85°30' E. 385 feet; thence S. 36°00' E. 276 feet; thence N. 75°00' E. 274 feet; thence S. 15°00' E. 142 feet; thence S. 3°00' W. 381 feet; thence S. 12°30' E. 572 feet; thence W. 2050 feet to the W. line of said NE $\frac{1}{4}$; thence N. 1088 feet to the point of beginning. **ALSO EXCEPT** Beginning at the NW corner of said NE $\frac{1}{4}$; thence S. along the center line of said Section 1625 feet to a point; thence N. 76°00' E. to a point which is 25 feet distant at right angles from said center line; thence N. and parallel to said center section line to the N. line of said Section 21; thence W. along said N. section line 25 feet, more or less, to the point of beginning.

PARCEL VII:

Randy

Township 7 North Range 42 E.B.M., Fremont County, Idaho

Section 18: NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$

End of Exhibit "A"

QUITCLAIM DEED

499003
15:30 Nov 20 05
RECORDED
CO RECORDER
Deputy
Recorded at Request of
Faun S. Hughes
Randy Hughes
* 8340

THIS INDENTURE, made this 15 day of November, 2005, between Faun S. Hughes, of 2617 East 300 North, St. Anthony, County of Fremont, State of Idaho, party of the first part, who does hereby grant, bargain, sell and convey unto Randy Hughes, a married person, of 310 North 2675 East, St. Anthony, County of Fremont, State of Idaho, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of \$1.00 and other valuable consideration, lawful money of the United States of America, to me in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM unto said party of the second part, and to her heirs and assigns, forever, all the following described real estate, situated in Fremont County, State of Idaho, and described as follows, to-wit:

PARCEL II

Township 7 North, Range 42 E.B.M., Fremont County, Idaho

Section 8: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 17: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPT all that portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows:

Commencing at the SE corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, said point being monumented with a bronze marker bearing the inscription - POSL 17/16; and, thence running N. 47°16'46" W. 908.05 feet to a point monumented with a bronze marker bearing the inscription 17-B-7-42; and, running N. 30°41'29" W. 1159.60 feet to a point monumented with a bronze marker bearing the inscription 17-A-7-42; and, thence S. 32°27'49" W. 1932.32 feet to the West West Southeast 1/256 corner monumented with a bronze marker bearing the inscription 17-C-W-W-SE 1/256; thence N. 89°34'20" E. 2296.26 feet along the S. Line of the N $\frac{1}{2}$ SE $\frac{1}{4}$ to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto

belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all singular, the said premises, together with the appurtenances, unto the said party of the second part, and to her heirs and assigns forever.

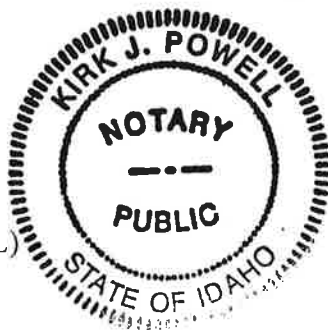
IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Faun S. Hughes
Faun S. Hughes

STATE OF IDAHO)
 :SS
County of Madison)

On this 15 day of November, 2005, before me, the undersigned, a Notary Public in and for said state, personally appeared Faun S. Hughes, a married person, known and identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me she 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.



Kirk J. Powell

Notary Public
Residing at: *Rexburg*
My Commission Expires: *4-20-06*

QUITCLAIM DEED

THIS INDENTURE, made this 9th day of January, 2003, between, Faun S. Hughes, a married woman, of 2617 East 300 North, St. Anthony, County of Fremont, State of Idaho, party of the first part, and Randy Hughes, a single person, of 310 North 2675 East, St. Anthony, County of Fremont, State of Idaho, as his sole and separate property, the rents, issues and profits to remain his sole and separate property, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of \$1.00 and other valuable consideration, lawful money of the United States of America, to me in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto said party of the second part, and to his heirs and assigns, forever, all the following described real estate, situated in Fremont County, State of Idaho, and described as follows, to-wit:

My undivided one-half interest in and to the following parcels:

FARM PROPERTY

Township 7 North, Range 42 E.B.M., Fremont County, Idaho,

Section 7: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 18: E $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$

SHOP & PITS

Township 7 North, Range 42 East, Boise Meridian, Fremont County, Idaho.
Commencing at the NE corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18 and running South 255 feet; thence West 760 feet; thence North 255 feet; thence East 760 feet, to the point of beginning. Subject to existing right-of-way for an irrigation mainline.

NYBORG PLACE

NE $\frac{1}{4}$ of Section 21, Township 7 North, Range 41, E.B.M., Fremont County, Idaho, together with four shares of capital stock of the Fall River Irrigation Company and all other water and ditch rights belonging thereto and used

478983
Microfilm No. 16 Day Jan 10 03
At 11:16 a.m. A M.
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 12
Recorded at Request of
Smith & Hancock
Do Box 427
Rexburg Id.
4783440

NIA

therewith.

Excepting from the above described premises the following two tracts, to-wit:

Tract 1. Beginning at a point 1625 feet South of the Northwest corner of NE¼, Section 21, Township 7 North, Range 41, E.B.M.; thence North 76°00' East 174 feet; thence South 77°10' East 146 feet; thence North 75°20' East 496 feet; thence North 64°00' East 313 feet; thence South 85°30' East 385 feet; thence South 36°00' East 276 feet; thence North 75°00' East 274 feet; thence South 15°00' East 142 feet; thence South 3°00' West 381 feet; thence South 12°30' East 572 feet; thence West 2050 feet to the West line of said NE¼; thence North 1088 feet to the point of beginning.

N/A

Tract 2. Beginning at the Northwest corner of the NE¼ of the Section, thence South along the center line of said Section 1625 feet to a point; thence North 76°00' East to a point which is 25 feet distant at right angles from said center line; thence North and parallel to said center section line to the North line of said Section 21; thence West along said North section line 25 feet, more or less to the point of beginning.

N/A

CANAL STRAIGHTENING WITH WILLYERD PROPERTY

A parcel of land situated in Fremont County, State of Idaho, Township 7 North, Range 41 East of the Boise Meridian, Section 21, more particularly described as follows: Beginning at the Northwest corner of Section 21, Township 7 North, Range 41 E.B.M.; thence East along the North line of said section for a distance of 2650.61 feet to the North Quarter Corner of said section; thence South for a distance of 1628.63 feet to the True Point of Beginning; thence N76°00'00" E for a distance of 34.10 feet; thence S70°15'00"W for a distance of 35.16 feet; thence North for a distance of 3.63 feet to the True Point of Beginning;

N/A

And

A parcel of land situated in Fremont County, State of Idaho, Township 7 North, Range 41 East of the Boise Meridian, Section 21, more particularly described as follows: Beginning at the Northwest corner of Section 21, Township 7 North, Range 41 E.B.M.; thence East along the North line of said section for a distance of 2650.61 feet to the North Quarter Corner of said section; thence South for a distance of 1628.63 feet; thence N76°00'00" E for a distance of 34.10 feet; thence N70°15'00" E for a distance of 203.22 feet; thence S59°41'54" E for a distance of 65.66 feet; thence N78°26'26" E for a distance of 162.59 feet; thence N78°20'06" E for a distance of 253.83 feet; thence N87°55'52" E for a distance of 85.01 feet to the True Point of

N/A

Beginning; thence N75°20'00" E for a distance of 17.72 feet; thence N64°00'00" E for a distance of 313.00 feet; thence S85°30'00" E for a distance of 385 feet; thence S36°00'00" E for a distance of 104.60 feet; thence S87°55'52" W for a distance of 744.24 feet to the True Point of Beginning.

ELEVATOR LOTS

Lots 3, 4, 5, 6, 7, 11, 12, 13, 14 and 15 and those parts of Lots 8, 9, and 10 lying Southeasterly of the Southeasterly line of the Oregon Shortline Railroad Company Property, which line is a straight line that is parallel with and 125 feet distant Southeasterly measured at right angles from the center of the main tract of said railroad, in Block 35, all in the Townsite of South St. Anthony, Fremont County, Idaho, as per the recorded plat thereof.

N/A

ELEVATOR LOTS

Lots 1 and 2 of Block 35 of the Townsite of South St. Anthony, Fremont County, Idaho.

N/A

Subject to all roadways, easements, rights of way, and reservations of record.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Faun S. Hughes
Faun S. Hughes

10/05 -
2293 - only 1 well not 2
Kendy highs - given c/o form
Engagement need to be awarded
for 1987 or earlier priority
84 does not work
IT 2-28-06

Claim no. _____

Claimant Contact Log

Date _____

Remarks

Agent initials

Turn Rt then turn, left on highway then
1/2 mile, Rt 1/2 mile,
turn left. 1 1/4 to 500N
Turn Rt

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7065 Priority February 26, 1973 Amount 5.2 cfs

THIS IS TO CERTIFY, that Neal Hughes
of St. Anthony, Idaho, has complied with the terms and conditions of Permit
No. 22-7065 issued pursuant to Application for Permit dated February 26, 1973,
and has submitted proof to the Department of Water Resources on March 22, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 12.73 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>October 15</u>	at <u>5.2</u> cfs and	<u>910.0</u> Acre Feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 5.2 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
910.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, Twp 7N, Rge 42E, in the County of Fremont

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWW				SWW				SEW				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	42E	18									33	32	32	33	32	33	33	32	260

Total number of acres irrigated 260

This right when combined with Right No. 22-7085 shall not exceed 12.73 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18TH day of JANUARY, 19 84.

Acting for the Director

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A22-07065
Date Received: 4/19/1989
Receipt No: E006963
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEAL HUGHES 208-624-7174
Address: RT 1 BOX 105
SAINT ANTHONY ID 83445

2. Date of Priority: FEB 26, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	42E	17		NE	NW		FREMONT
				NW	NW		FREMONT
		18		NE	SW		FREMONT
				NE	SE		FREMONT

5. Description of diverting works:
SEE ORIG CLAIM/ FOUR WELLS/PUMPS TO MAINLINE AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	24.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	18		NE	SW	IRR	33.0
				NW	SW	IRR	32.0

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NOV 16 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	18	SW	SW		IRR	32.0
			SE	SW		IRR	33.0
			NE	SE		IRR	32.0
			NW	SE		IRR	33.0
			SW	SE		IRR	33.0
			SE	SE		IRR	32.0

Section Acres 260.0

Total Acres 260.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

THIS RT. WHEN COMBINED WITH RT 22-7085 SHALL NOT
EXCEED 12.73 CFS.

15. Basis of Claim: LICENSE

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: _____

MICROFILMED
NOV 16 1990

BY 4/16/89IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Z.O.

3/00

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

CIVIL CASE NUMBER: 39576

Ident. Number A22-07065

Date Received

Receipt Number EC06963NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 19 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Neal Hughes Phone (208) 624-7174
Mailing Address Rt. #1 Box 105, St. Anthony, Idaho Zip 834452. Date of Priority (Only one (1) per claim) February 26, 1973 (Permit No. 22-7065)3. Source of water supply (a) Four ground water wells
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township ^{#1} 7 N. Range 42 E.B. Section 18,
_____ 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of FremontAdditional points of diversion if any: #2 well is located in NE¹/₄NW¹/₄, of Sec. 17, Twp. 7 N., 42 E.B.M.
#3 well is located in NW¹/₄NW¹/₄, of Sec. 17, Twp. 7 N., 42 E.B.M.
#4 well is located in NE¹/₄SE¹/₄, of Sec. 18, Twp. 7 N., 42 E.B.M.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. #1: 12" pump, 500 H.P. motor with booster,
20" well casing, 780' deep; #2: 12" pump, 450 H.P. motor with booster, 20" well casing,
approx. 810' deep; #3: 12" pump, 500 H.P. motor, 20" well casing, approx. 900' deep;
#4: 14" pump, 600 H.P. motor with booster, 20" well casing, approx. 1050' deep; pumping
equipment places water into an integrated buried steel mainline and then it is
distributed to the pivot circles and other sprinklers.

A2207065



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NOV 6 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from Apr. 1 to Oct. 15 amount 24 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 24 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	42E	18									33	32	32	33	32	33	33	32	260

Total number of acres irrigated 260

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

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.
_____ or None ()

14. Remarks:

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NOV 25 1996

Last Name HUGHES

Ident No. A22-07065

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☒ Permit ☒
Decree ☐
If applicable provide IDWR Water Right Number 22-7065
Court ☐ Case Number ☐ Decree Date ☐
Plaintiff vs Defendant ☐

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

Number of attachments ☐

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

Signature of Claimant (s) Neal Hughes Date April 14, 1989
Date ☐

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

Signature of Authorized Agent ☐
Title and Organization ☐ Date ☐

State of Idaho/or ☐)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 14th day of April 19 89

SEAL

Notary Public J. D. Hancock
Residing at Rexburg, Idaho
My Commission Expires 11/25/92

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, J. D. Hancock will be acting as attorney at law on behalf
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 me at the address listed below.

Signature ☐

Address ☐

Date ☐

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NOV 06 1986

Last Name HUGHES Ident. Number A22-07065

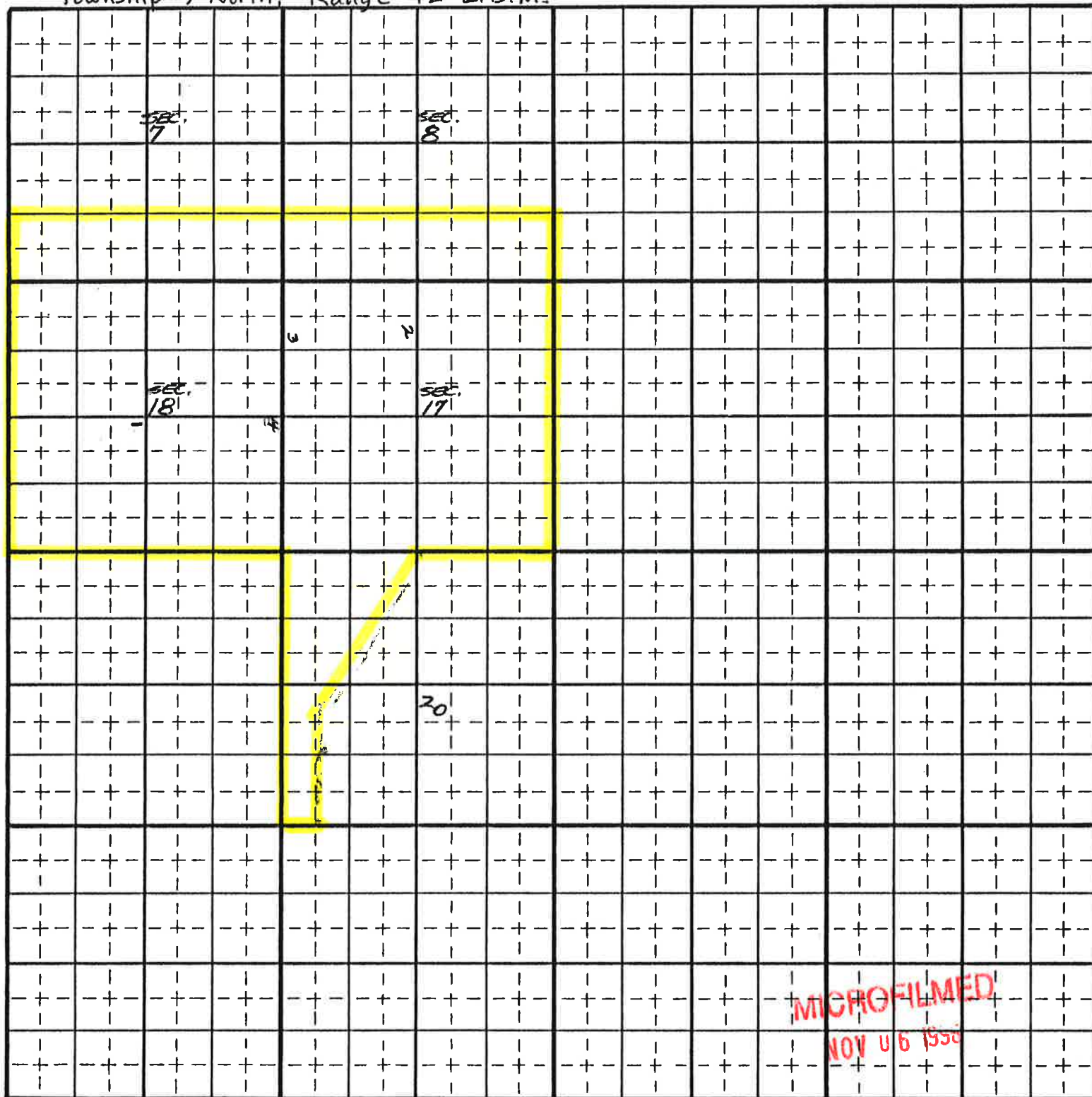
Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

N

Township 7 North, Range 42 E.B.M.



Last Name HUGHES

Ident No. A22-07065

Copies: White-State, Yellow-Claimant