

10/05/2005

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

RIGHT NUMBER: 22-10933

NAME AND ADDRESS: ORLAND R HALL TRUST AND/OR AFTON H HALL
C/O PATSY H JENSEN
4333 W WELBY HILLS DR
JORDAN UT 84088-2333

SOURCE: SPRING SLOUGH

TRIBUTARY: BANNOCK JIM SLOUGH

QUANTITY: 2.020 CFS

PRIORITY DATE: 03/15/1960

POINT OF DIVERSION:

T05N R39E S16 NWSWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.020 CFS

PLACE OF USE: IRRIGATION Within MADISON County

T05N R39E S16	NESW	23.0	T05N R39E S16	NWSW	22.0
T05N R39E S16	SWSW	18.0	T05N R39E S16	SESW	38.0

101 ACRES TOTAL

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

This right is subject to regulation by the watermaster of Water District 01.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

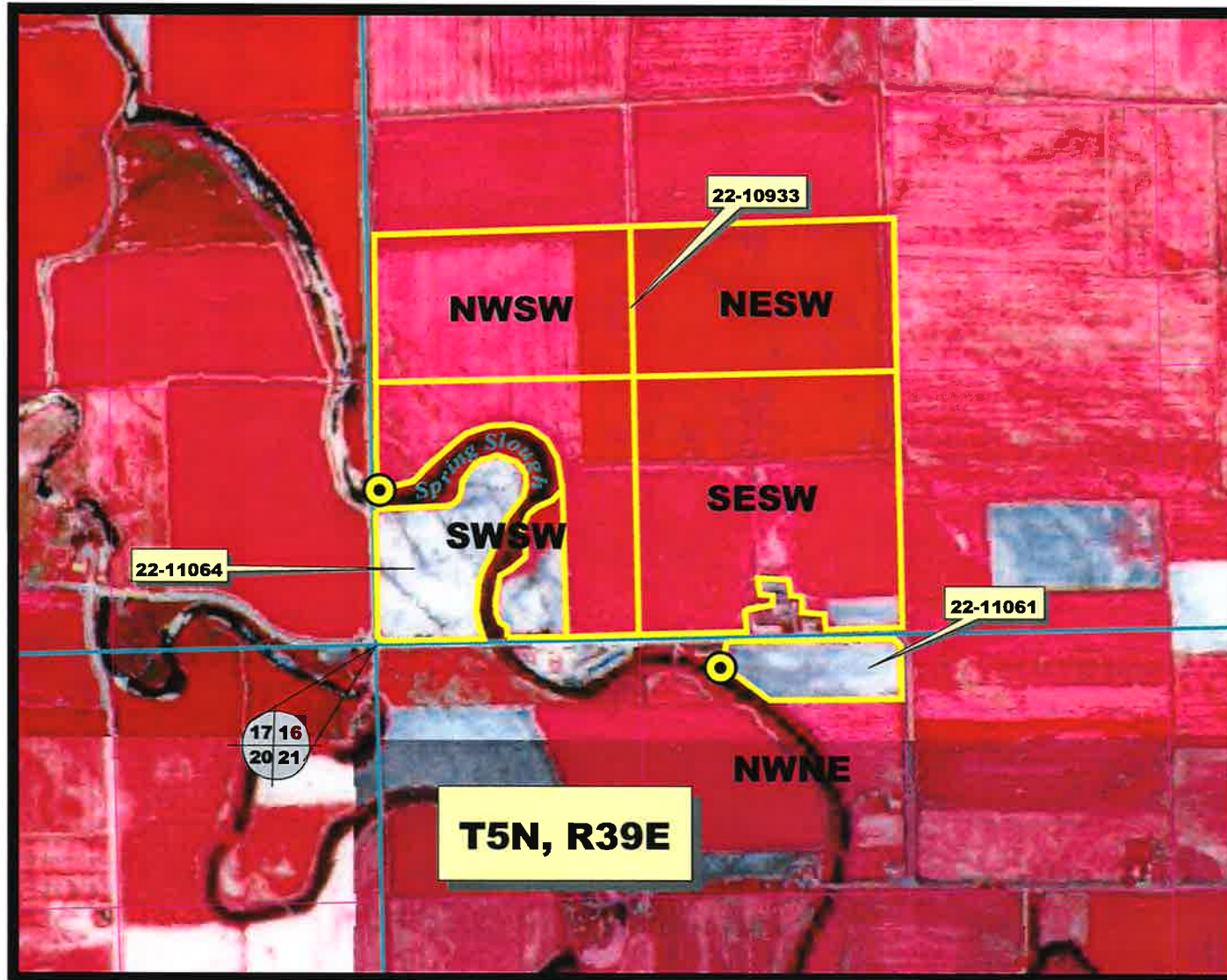
Right No. 22-11064 is also diverted through point of diversion described above.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

**22-10933,
22-11061,
22-11064**

Point(s) of Diversion:

**T5N, R39E
Sec. 16 NWSWSW
Sec. 21 NWNENW**

Place of Use: (parts of)

**T5N, R39E
Sec. 16 SW, Sec. 21 NENW**

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: October 2005

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 Feet



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 17, 2009

BAGLEY LAND LLC
PO BOX 122
REXBURG ID 83440

RE: Notice of Change of Water Right Ownership (NCO) for 22-10933, 22-11061
& 22-11064 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of an NCO changing the right holder for the above referenced water right(s). Based on this NCO, 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 water right(s) as recorded in the SRBA.

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

Respectfully,

Bobby Kern
Office Specialist II

Enclosure

cc Hall, Afton H.; Orland Ray Hall Trust

SCANNED

JUL 23 2009

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: 22-10933,
22-11061 & 22-11064

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party HALL - BAGLEY
- ☐ I.C. § 42-222 transfer
 - ☐ 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: 15 July 2009

Ernest Carlson

Signature of IDWR Representative

SCANNED
JUL 23 2009

CERTIFICATE OF MAILING

I certify that on July 17, 2009, 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:
ORLAND R HALL TRUST
AND/OR AFTON H HALL
C/O PATSY H JENSEN
4333 W WELBY HILLS DR
WEST JORDAN UT 84088-2333

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
BAGLEY LAND LLC
PO BOX 122
REXBURG ID 83440

4. One copy to:

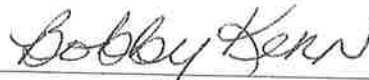
Each party in the subcase, or attorney of record

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

SCANNED
JUL 23 2009

06/17/2009

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

RIGHT NUMBER: 22-10933

NAME AND ADDRESS: BAGLEY LAND LLC
PO BOX 122
REXBURG ID 83440

SOURCE: SPRING SLOUGH

TRIBUTARY: BANNOCK JIM SLOUGH

QUANTITY: 2.020 CFS

PRIORITY DATE: 03/15/1960

POINT OF
DIVERSION:

T05N R39E S16 NWSWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	2.020 CFS
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>		
	T05N R39E S16 NESW 23.00	T05N R39E S16 NWSW	22.00
	T05N R39E S16 SWSW 18.00	T05N R39E S16 SESW	38.00
	101 ACRES TOTAL		

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

This right is subject to regulation by the watermaster of Water District 01.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 22-11064 is also diverted through point of diversion described above.

SCANNED
JUL 23 2009

06/17/2009

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

RIGHT NUMBER: 22-11061

NAME AND ADDRESS: BAGLEY LAND LLC
PO BOX 122
REXBURG ID 83440

SOURCE: SPRING SLOUGH

TRIBUTARY: BANNOCK JIM SLOUGH

QUANTITY: 0.110 CFS

PRIORITY DATE: 03/15/1960

POINT OF
DIVERSION:

T05N R39E S21 NWNENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.110 CFS
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>		
	T05N R39E S21 NENW	5.70	
	5.7 ACRES TOTAL		

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

This right is subject to regulation by the watermaster of Water District 01.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED
JUL 23 2009

06/17/2009

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

RIGHT NUMBER: 22-11064

NAME AND ADDRESS: BAGLEY LAND LLC
PO BOX 122
REXBURG ID 83440

SOURCE: SPRING SLOUGH

TRIBUTARY: BANNOCK JIM SLOUGH

QUANTITY: 0.280 CFS

PRIORITY DATE: 03/15/1960

POINT OF
DIVERSION:

T05N R39E S16 NWSWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.280 CFS
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>		
	T05N R39E S16 SWSW	14.00	

14 ACRES TOTAL

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.

This right is subject to regulation by the watermaster of Water District 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 22-10933 is also diverted through point of diversion described above.

SCANNED
JUL 23 2009

DEV

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-10933					
22-11064					
22-11061					

RECEIVED

JUN 15 2009

Department of Water Resources
Eastern Region

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 on file with the county Planning and Zoning or Recorder's Office).
 - OR**
 - D. 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 or equivalent **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)
Orland R. Hall Trust and/or Afton H. Hall Estate
c/o Patsy H. Jensen and Kim L. Jensen
4333 W. Welby Hills Dr.
West Jordan, UT 84088-2333
4. New Owner/Claimant(s)
Bagley Land LLC
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address
4805 S 3300 W PO Box 122
- City, State and ZIP Code
Rexburg, ID 83440
- New Telephone Number
(208) 356-7926 Email:

SCANNED

JUL 23 2009

5. Date you acquired the property

June 1, 2009

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

ALKBY

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

SCANNED

JUL 23 2009

AMERITITLE
5001164

GRANT DEED

Patsy Raye Jensen, of 4333 W. Welby Hills Drive, West Jordan, UT 84088, as Personal Representative of the Estate of Afton H. Hall, to convey the interest of said Afton H. Hall and her estate, and **Patsy Raye Jensen and Kim L. Jensen**, as Trustees of the Orland Ray Hall Trust, to convey the interest of said trust, and of said Afton H. Hall, and the said Orland Ray Hall, in said trust, all together, hereinafter called "Grantors;" do hereby grant and convey, to **Bagley Land, LLC**, an Idaho limited liability company, of P.O. Box 122, Rexburg, ID 83440, hereinafter called "Grantee," the following described property located in Madison County, State of Idaho, to-wit:

The Southwest Quarter of Section 16, Township 5 North, Range 39 East, Boise Meridian, Containing 160 acres.

Also: Commencing at a point 2 rods South of the Northeast corner of the Northwest Quarter of Section 21, Township 5 North, Range 39 East, Boise Meridian, and running thence West 80 rods; thence South 20 rods; thence East 80 rods; thence North 20 rods to the point of beginning, containing 10 acres, more or less.

Together with 78 shares of capital stock of the Liberty Park Irrigation Company.

ALSO TOGETHER WITH any and all other water rights and improvements and appurtenances thereto and rents, issues and profits thereof; and reversions and remainders.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to his heirs and assigns forever.

DATED This 1st day of ^{June}~~May~~, 2009.


Patsy Raye Jensen, as Personal Representative
of the Estate of Afton H. Hall and as
Trustee of the Orland Ray Hall Trust


Kim L. Jensen, as Trustee of the Orland Ray
Hall Trust

SCANNED
JUL 23 2009

STATE OF IDAHO)
)
) SS.
County of Madison.)

A circular notary seal for Kellie Murdock, a Notary Public in the State of Idaho. The seal features the text "STATE OF IDAHO" at the top, "KELLIE MURDOCK" in the center, and "NOTARY PUBLIC" at the bottom.

Acknowledgment by Trustee

STATE OF IDAHO,)
County of Madison. ss.
)

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

A circular notary seal for Kellie Murdock, Notary Public, State of Idaho. The seal features the text "STATE OF IDAHO" at the top, "KELLIE MURDOCK" in the center, and "NOTARY PUBLIC" at the bottom.



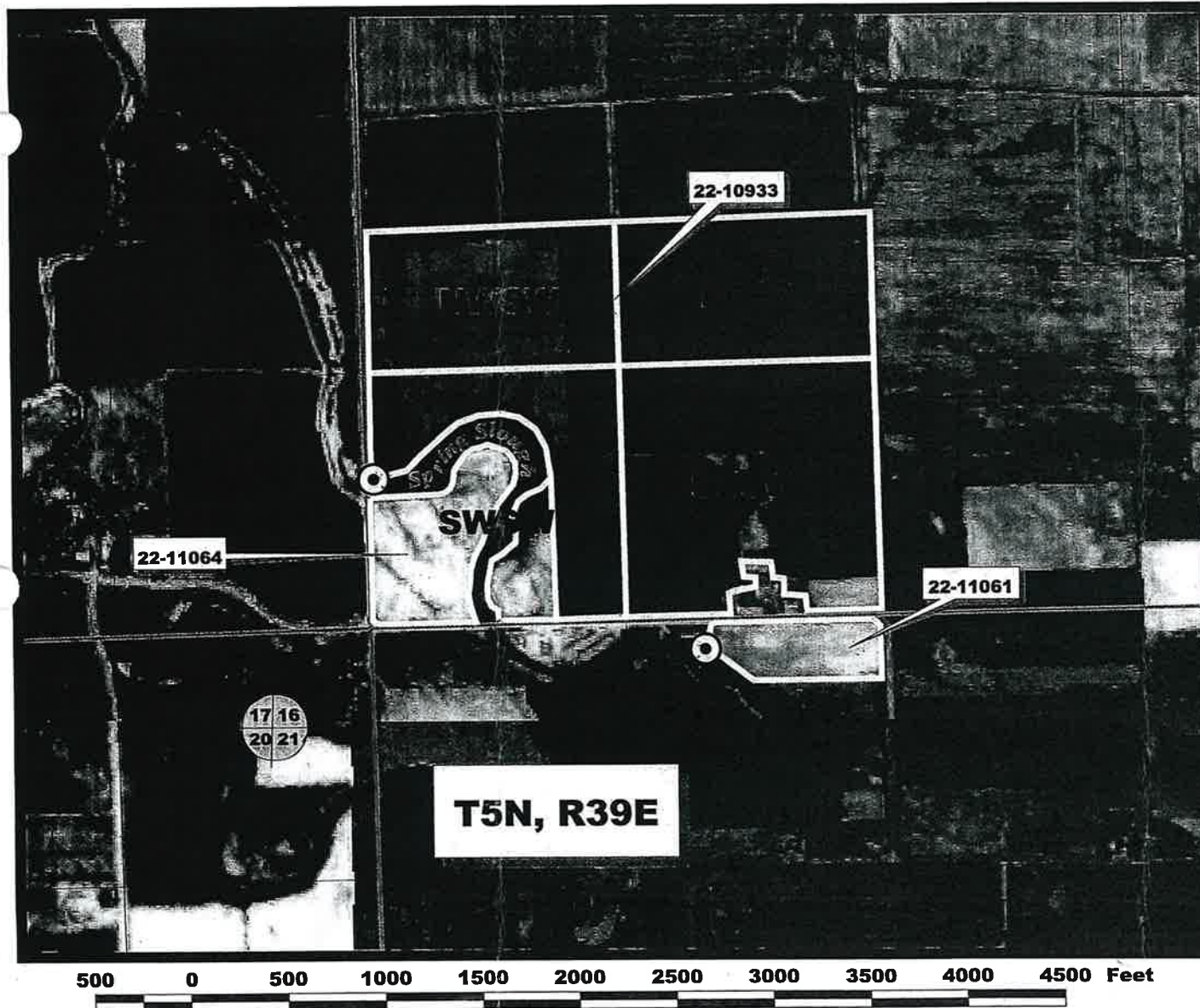
Notary Public for Idaho
Residing: _____ Residing in Jefferson County
My Commission expires _____ Commission Expires: 07-17-09



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-10933,
22-11061,
22-11064

SCANNED
JUL 23 2009

Point(s) of Diversion:

T5N, R39E
Sec. 16 NWSWSW
Sec. 21 NWNENW

Place of Use: (parts of)

T5N, R39E
Sec. 16 SW, Sec. 21 NENW

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: October 2005

09/08/2006

**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: 22-10933

ORLAND R HALL TRUST AND/OR AFTON H HALL

C/O PATSY H JENSEN

4333 W WELBY HILLS DR

JORDAN UT 84088-2333

Telephone Number: (801) 280-2226

West

(City name is West Jordan, UT)

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: 10-18-06

SIGNATURE: Patsy H. Jensen

Please print your name: Patsy H. Jensen

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

address updated KNO 10/30

KNO
10/30

CHANGE MY ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim. ---

[] Water Right Number (s): A22-11064
A22-10933
A22-11061

[] Old Mailing Address: 4894 West 5000 S, Rexburg, ID
4708 Mountlake, Picatello ID

[] New Mailing Address: Orland Ray Hall Trust and/or
Apton H. Hall
c/o Patsy H. Jensen

New Telephone Number: (801) 280-2226

[] Signature of Claimant: Patsy H. Jensen for Apton H. Hall*
Date: Sep. 9, 2004

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

* By Power of Attorney

Notarized

(my mother, Apton, suffers from Alzheimer's)

Patsy H. Jensen
4333 W. Welby Hills Dr.
West Jordan, UT
84088-2333

Mail to:

IDWR

900 N Skyline Ste A

Idaho Falls ID 83402

10/4/05 c/a
Done
MSR

Allen Rabe

Claim no. A2210933

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

Not in Wm's	7/1/04	
-------------	--------	--

9/9/04	Please see A22-11064 for contact & correspondence	Bac 9/9/04
--------	---	------------

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim. ____

[] Water Right Number (s): A 22-11064
A 22-10933
A 22-11061

[] Old Mailing Address: 4894 West 5000 S., Rexburg, ID
4708 Mountlake, Pocatello ID

[] New Mailing Address: Oreland Ray Hall Trust and/or
Afton H. Hall
c/o Patsy H. Jensen

New Telephone Number: (801) 280-2226

[] Signature of Claimant: Patsy H. Jensen for Afton H. Hall*
 Date: Sep. 9, 2004

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

SCANNED

SEP 17 2004

* By Power of Attorney,

Notarized -

(my mother,
Afton, suffers from
Alzheimer's)

Patsy H. Jensen
4333 W. Welby Hills Dr.
West Jordan, UT
84088-2333

Mail to:

IDWR

900 N Skyline Ste A

Idaho Falls ID 83402

PROFILED

Address updated

Contacts Data Entry Form

Water Right No. A2210933

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>AFTON H. HALL</u>					
Name connector: and _____, or _____, and/or _____						
Current Owner	_____					
Current Owner	_____					

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

B.U. Claim
Please see affidavit in A22-11064, it is possibly enough
for a change in address. Bac 9/9/04

Reviewer: _____

Date: _____



Photo #1, POD and pump. POD and pump are also used for A22-11064. Pump can be moved to POD for A22-11061. Looking NE, POU is beyond pump.

Bac 9/25/04

Make 6
2-24-04

February 24, 2004

**AFTON H HALL
4894 WEST 5000 SOUTH
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10933

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of MARCH 15, 1960, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)

MAR 29 2004

Department of Water Resources
Eastern Region

Re: Evidence of Priority for SRBA Water Right Claims 22-10933, 22-11064, and 22-11061

Water Right Claim 22-11064 in the name of: Afton H. Hall
4894 West 5000 South
Rexburg, ID 83440

See Additional Documents

(new address) And Orland R. Hall Trust
% Kim and Patsy H. Jensen, Trustees
4333 W. Welby Hills Drive
West Jordan, UT 84088-2333

The following facts are attested to according to my personal knowledge, involvement, and experience:

- My father, Orland Ray Hall, in 1960 irrigated his entire farm either from the Spring Slough or from canal water provided by shares he owned in Liberty Park Canal Co.
- By 1960, all farmland had been land leveled for proper irrigation drainage, and all crops were under irrigation with a crop rotation of hay, potatoes, wheat and barley.
- Irrigation water under claims #22-10933 and #22-11064 were diverted in 2 places by pump to irrigate crops directly north of the Spring Slough as indicated in attached Exhibit A.
- Irrigation water under claim #22-11061 was diverted in 1 place by pump to irrigate crops directly south of the Spring Slough as indicated in attached Exhibit B.

- Photostatic copies of original documents relating to pump repairs, sprinkler pipe purchases and crops grown and sold in 1960 and 1961 (crops sold in 1960 were grown in 1959---those sold in 1961 were grown in 1960 and stored until selling dates listed) are provided in Exhibit C.
- Property tax collection notice and/or receipts for 1959 and 1960 from Madison County showing how the property was taxed. Included in Exhibit C.

All of the above information is certain, true and complete to the best of my knowledge as one who was personally involved as a witness of the facts stated.

Affiant:

Patsy Raye Hall Jensen

Patsy Raye Hall Jensen

Daughter of Orland Ray and Afton H. Hall

March 26, 2004

On this date, March 26, 2004, appeared Patsy Raye Hall Jensen, known to be the Affiant whose signature is affixed to this document.

Ann L. Barrus, Notary Public, in and for West Jordan City, Salt Lake County, Utah.



To best of my recollection it was 1969
or 1970 that O. Ray Hall bought sprinkler
pipe and started watering potatoes by
pumping out of McMillan slough. I was
about 14 yrs old and lived neighbors
to Halls. About that time I was working
for Halls. I am currently operating
the Alton Hall Farm

Richard Wilson
9/9/04

Signed before me At September 9 2004

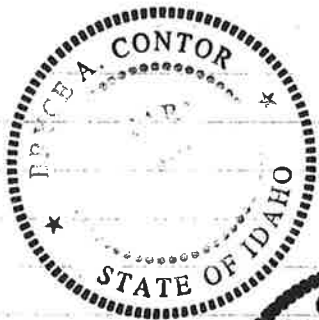
Bryce A. Contor

Notary Public

Residing at Mud Lake

Commission expires

10/15/05



Priority Date Data Entry Form

Claim Number: A2210933

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 15 mprech Claimed Basis: B.URecommended Priority Date: _____ Recommended Basis: B.U☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

B.U. ClaimPlease see A22-11064. Evidence supports at least1969 perhaps 1960. BAC 9/9/04Patsy Hall Jensen phone call 9/10/04 supports 1960. BAC

What
Evidence
Where?

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: A2210933

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T54, R39E, Sec. 16,____, SW, SW. County: MadisonSource: Spring Slough. Tributary: Bannock Trail Slough.

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? GPS Tag#

Document how the POD and Source were verified and/or Pump and Motor data:

Field inspection } GPS. Current POD is different
from claimed but both are in same QQ. POD
is shared w/ A22-11064. CBAC 1/9/04
Please see paper file A22-11064 re: source } overlap

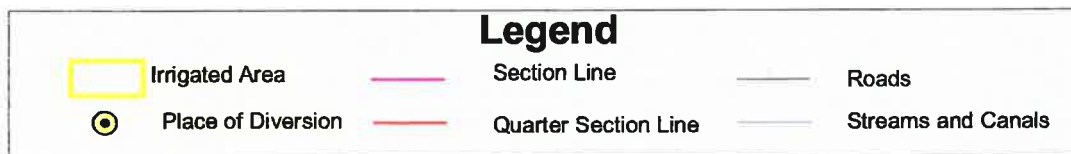
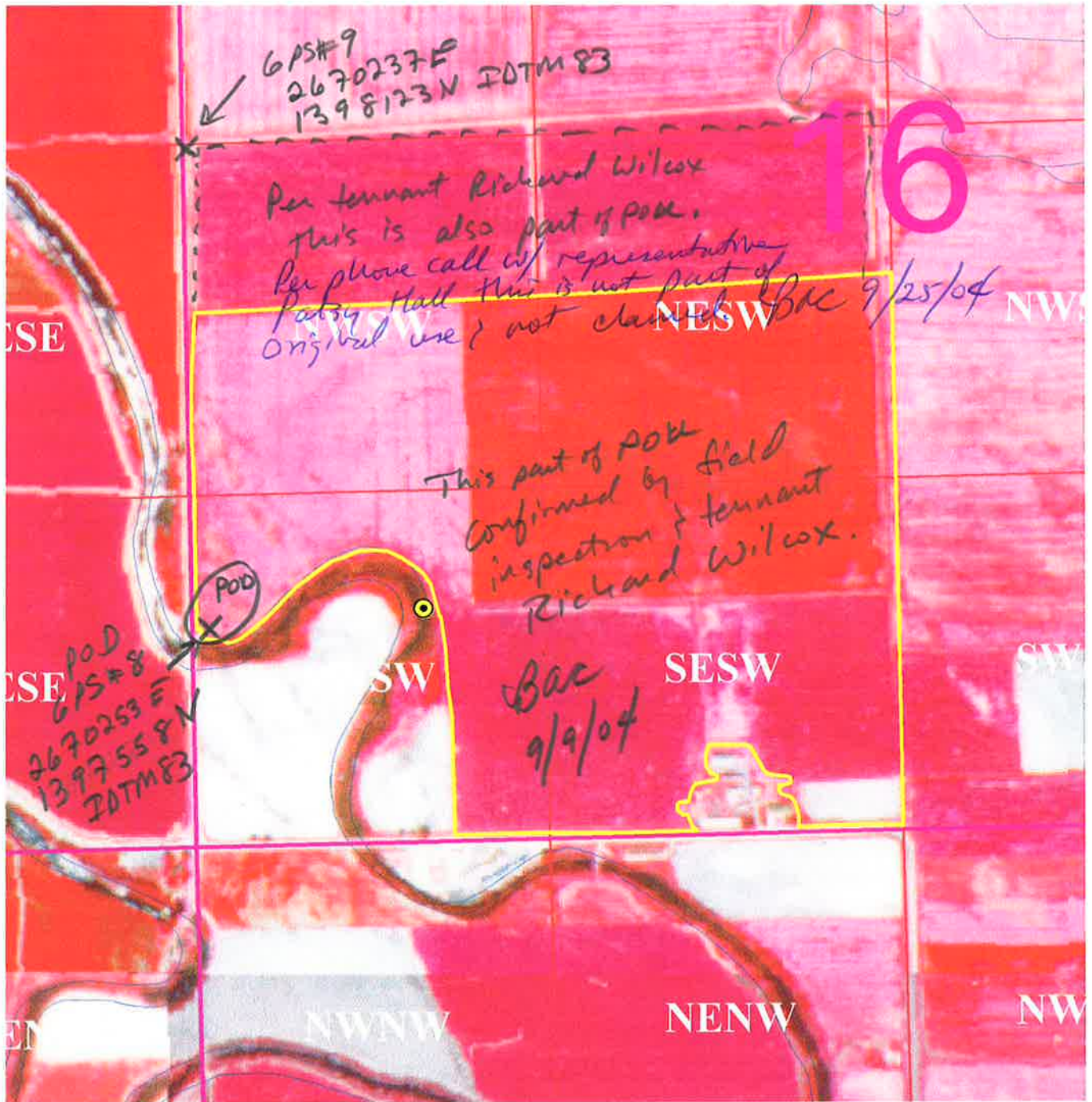
Transfers Changing POD _____

Reviewer: _____

Date: _____

Water Right Claim Number 22-10933
Township , 5N39E

07/13/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

Place Of Use Data Entry Form

Claim Number:

A0210933☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	39E	16	NE	SW	Madison		23	Irrigation
"	"	"	NW	SW	"		22	"
"	"	"	SW	SW	"		20	"
"	"	"	SE	SW	"		36	"

Total Acres 101

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Field inspection } What was shown me by tenant
 Richard Wilcox show larger POU than claimed.
 Please see layout } use GPS for northwest corner. Bae 9/9/04

Not all of POU is watered every year per Wilcox. Bae

Per Patsy Hall Jensen, north part of what Wilcox
 showed me is NOT part of original use, not part of
 claim. Bae 9/25/04

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: A2210 933☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>Forgotten</u>	<u>4/1</u>	<u>11/1</u>		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>Same</u>	<u>4/1</u>	<u>10/31</u>	<u>2.02</u>	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IOWR. STD SOU 4/1 - 10/31 NO!
Pump appears to support $\approx$ 2.1 gfs total. Please see
A22-11064 Bac 9/9/04

Reviewer: _____

10/1 ac X .02 = 2.02 Date: _____

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: A22-10933
Date Received: 8/19/1988
Receipt No: E001486
Received By: ISM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: AFTON H. HALL 208-356-6464
Address: 4894 WEST 5000 SOUTH
REXBURG, ID 83440

AND

Name: ORLAND RAY HALL TRUST 208-234-7129
Address: 4708 MOUNTLAKE
POCATELLO, ID 83202

2. Date of Priority: MAR 15, 1960

3. Source: SPRING SLOUGH Trib. to: BANNOCK JIM SLOUGH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	16	SW	SW			MADISON

5. Description of diverting works:
PUMP TO HANDLINES

6. Water is used for the following purposes:

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

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

8. Total consumptive use is 252.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A2210933



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	39E	16	NE		SW		IRR	23.0
			NW		SW		IRR	22.0
			SW		SW		IRR	20.0
			SE		SW		IRR	36.0
							Section Acres	101.0
							Total Acres	101.0

11. Place of use in counties: MADISON

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: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 1

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): Afton H. Hall Date: Aug 19, 1988

Date: _____

For Organizations:

I do solemnly swear or affirm that I am Co-trustee of

Title
Orland Ray Hall Trust, that I have signed the foregoing
Organization
document in the space below as Co-trustee of

Title
Orland Ray Hall Trust and that the statements contained in the
Organization
foregoing document are true and correct.

Kim Jensen
Signature of Authorized Agent
Co-trustee
Orland Ray Hall Trust
Title and Organization
8-19-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of August 19 88

Dana Green
Notary Public

Seal

Residing at Ledy

A22-10933

Page

My Commission Expires 4-22-1994
3 Date: 08/19/88

MICROFILMED

NOV 06 1992

