

01/08/2008

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

RIGHT NUMBER: 22-13279

NAME AND ADDRESS: NATHAN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.620 CFS
273.00 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 annual diversion volume of 1471.4 af. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

PRIORITY DATE: 08/12/1965

POINT OF
DIVERSION:

T06N R41E S16 SWNWSW Within MADISON County
T06N R41E S21 SENENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.620 CFS 273.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S16	NESW	35.00	T06N R41E S16	NWSW	39.00
T06N R41E S16	SWSW	39.00	T06N R41E S16	SESW	34.00
T06N R41E S16	NESE	39.00	T06N R41E S16	NWSE	39.00
T06N R41E S16	SWSE	38.00	T06N R41E S16	SESE	38.00
T06N R41E S17	NESE	19.00	T06N R41E S17	NWSE	11.00
T06N R41E S17	SWSE	8.70	T06N R41E S17	SESE	39.00
T06N R41E S21	NENE	39.00	T06N R41E S21	NWNE	2.70

420.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are diverted through points of diversion described above: 22-2168, 22-4052, 22-13279, and 22-13281.

Failure of the right holder to comply with the conditions of Transfer 73977 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 73977 prior to December 19, 2008.

This right is a split from former right 22-2256C.

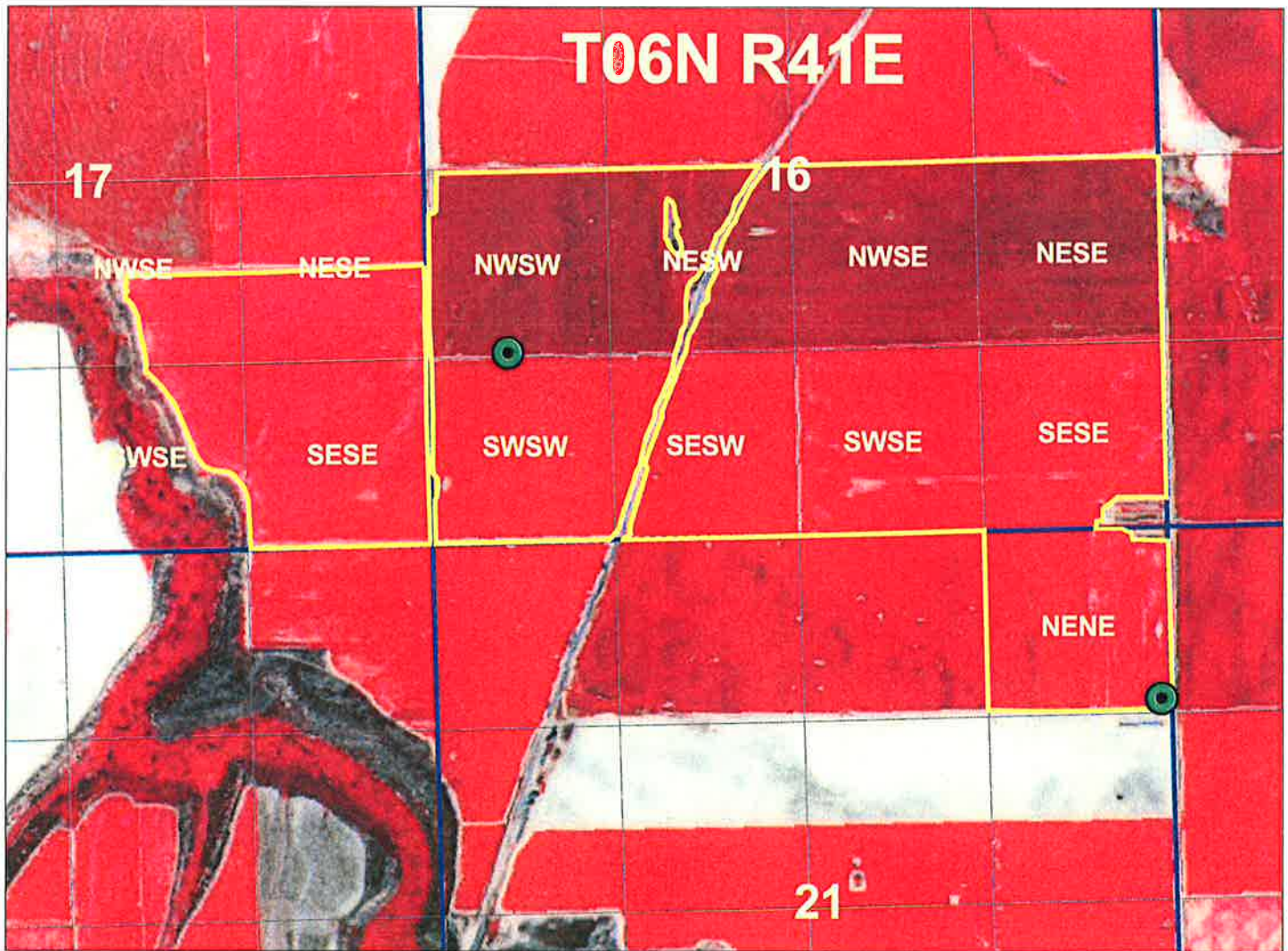
After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Department of Water Resources

Eastern Region

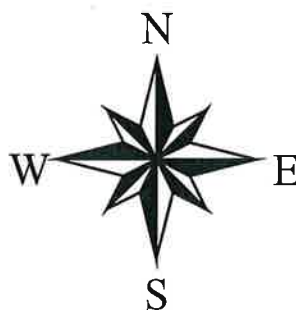


Claim No.: 22-2168, 22-4052,
22-13279, & 22-13281



0 0.25 0.5 0.75 1 Miles

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: December 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73977

This is to certify that: BHA INC And
NATHAN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448
(208)356-3533

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-4052	AJC/Statutory Claim	09/01/1961	0.97 cfs	280 af	80.0	420.4	GROUND WATER
22-13279	AJC/License	08/12/1965	0.62 cfs	273 af	78.0	420.4	GROUND WATER
22-2168	AJC/License	04/07/1958	3.64 cfs	819 af	234.0	420.4	GROUND WATER
22-13281	AJC/License	04/04/1968	0.76 cfs	133 af	38.0	420.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-4052	NO	NO	YES	NO	NO	NO
22-13279	NO	NO	YES	NO	NO	NO
22-2168	NO	NO	YES	NO	NO	NO
22-13281	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

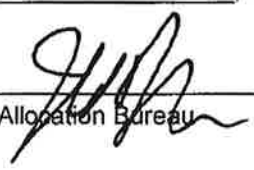
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-4052	22-4052	0.97 cfs	280 af	80.0	420.4		N/A	N/A	N/A	N/A
22-13279	22-13279	0.62 cfs	273 af	78.0	420.4		N/A	N/A	N/A	N/A
22-2168	22-2168	3.64 cfs	819 af	234.0	420.4		N/A	N/A	N/A	N/A
22-13281	22-13281	0.76 cfs	133 af	38.0	420.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		5.99 cfs	1471.4 af	420.4	420.4		N/A	N/A	N/A	N/A

SUPPORT DATA
IN FILE # 22-2168

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73977

Detailed Water Right Description(s) attached

Dated this 19th day of December, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13279
As Modified by Transfer No. 73977

In accordance with the approval of Transfer No. 73977, Water Right No. 22-13279 is now described as follows.

Right Holder: NATHAN ASHCRAFT And/Or
 JAMIE ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448

Priority Date: August 12, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.62 CFS	273.0 AF
			0.62 CFS	273.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 16 Twp 06N	Rge 41E	MADISON County
GROUND WATER	SENE	Sec. 21 Twp 06N	Rge 41E	MADISON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	41E	16									35.0	39.0	39.0	34.0	39.0	39.0	38.0	38.0	301.0
06N	41E	17													19.0	11.0	8.7	39.0	77.7
06N	41E	21	39.0	2.7															41.7

Total Acres: 420.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.
2. Rights 22-2168, 22-4052, 22-13279, and 22-13281 when combined shall not exceed a total diversion rate of 5.99 cfs, a total annual maximum diversion volume of 1471.4 af at the field headgate, and the irrigation of 420.4 acres.
3. 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.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 22-13279
As Modified by Transfer No. 73977

CONDITIONS OF APPROVAL

7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. The following rights are diverted through points of diversion described above: 22-2168, 22-4052, 22-13279, and 22-13281.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of December, 20 07



Chief, Water Allocation Bureau

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

RECEIVED
JAN 19 2007
 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
	22-13279				
	22-13281				
7D 22-13208					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **\$25 -**
- 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) Boyd Ashcraft Shelter Trust
4. New Owner/Claimant(s) Nathan and/or Jamie Ashcraft
 Name Connector (Check one): [] and, [] or, ☒ and/or
- New Mailing Address 2983 E 2000 N
- City, State and ZIP Code Sugar City ID 83448
- New Telephone Number (208) 356-3533
5. Date you acquired the property 9/1/06

GIFT DEED

THIS INDENTURE, Made and entered into this 12th day of December, 2003, by and between HELEN F. ASHCRAFT, of 2983 East 2000 North, Sugar City, Idaho 83448, "Donor" and NATHAN ASHCRAFT and JAMIE ASHCRAFT, of 2983 East 2000 North, Sugar City, Idaho 83448, with the income, rents, issues and proceeds thereof to be and remain sole and separate property, "Donees",

WITNESSETH:

That Donor, for and in consideration of the love and affection she holds for Donees, by these presents, does give, convey and confirm unto Donees, an undivided one-half interest in and to the following described property, located in Madison County, Idaho:

Being a part of Instrument No. 305410 of the Northeast Quarter of the Northeast Quarter of Section 21, Township 6 North, Range 41 East of the Boise Meridian, Madison County, Idaho further described as follows:

Beginning at a point that is South 648.35 feet along the Section line from the Northeast corner of Section 21, Township 6 North, Range 41 East of the Boise Meridian, and running thence South 671.09 feet along the Section line to the North 1/16th line of said Section 21; thence S89°40'50"W 1312.84 feet along said North 1/16th line to the East 1/16th line of said Section 21; thence N0°00'27"E 671.09 feet along said East 1/16th line; thence N89°40'50"E 1312.75 feet to the point of beginning, containing 20.22 acres more or less.

SUBJECT TO: A county road Right-of way along the South and East sides of the above described parcel.

Together with the rents, issues and profits thereof, and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto Donee, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The Donor has hereunto set her hand the day and year first
above written.

Helen F. Ashcraft
Helen F. Ashcraft

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

On this 12th day of December, 2003, before me, the undersigned, a Notary Public in and
for said State, personally appeared Helen F. Ashcraft, known to me to be the person whose name
is subscribed to the within instrument and acknowledged to me that 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.



Debra Chadwick
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires 4/27/04

GIFT DEED

THIS INDENTURE, Made and entered into this 8th day of January, 2004, by and between
HELEN F. ASHCRAFT, of 2983 East 2000 North, Sugar City, Idaho 83448, "Donor" and
NATHAN ASHCRAFT and JAMIE ASHCRAFT, of 2983 East 2000 North, Sugar City, Idaho
83448, with the income, rents, issues and proceeds thereof to be and remain sole and separate
property, "Donees",

WITNESSETH:

That Donor, for and in consideration of the love and affection she holds for Donees, by
these presents, does give, convey and confirm unto Donees, an undivided one-half interest in and
to the following described property, located in Madison County, Idaho:

Being a part of Instrument No. 305410 of the Northeast Quarter of the Northeast
Quarter of Section 21, Township 6 North, Range 41 East of the Boise Meridian,
Madison County, Idaho further described as follows:

Beginning at a point that is South 648.35 feet along the Section line from the
Northeast corner of Section 21, Township 6 North, Range 41 East of the Boise
Meridian, and running thence South 671.09 feet along the Section line to the
North 1/16th line of said Section 21; thence S89°40'50"W 1312.84 feet along said
North 1/16th line to the East 1/16th line of said Section 21; thence N0°00'27"E
671.09 feet along said East 1/16th line; thence N89°40'50"E 1312.75 feet to the
point of beginning, containing 20.22 acres more or less.

SUBJECT TO: A county road Right-of way along the South and East sides of the
above described parcel.

Together with the rents, issues and profits thereof, and the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining unto Donee, and to her heirs and
assigns forever.

Instrument # 309287

REXBURG, MADISON, IDAHO

2004-01-08

04:20:00 No. of Pages: 2

Recorded for : RIGBY THATCHER

MARILYN R. RASMUSSEN

Ex-Officio Recorder Deputy

Fee: 6.00

Helen F. Ashcraft
Helen F. Ashcraft



GIFT DEED - Page 2
AshcrafH.GD6

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, Made this 1st day of September, 2006, between Nathan Ashcraft, as Personal Representative of the Estate of Helen F. Ashcraft, deceased, of 2983 East 2000 North, Sugar City, Idaho 83448, the party of the first part, and Nathan Ashcraft, of 2983 East 2000 North, Sugar City, Idaho, as his sole and separate property, with the income, rents, issues and proceeds thereof to be and remain sole and separate property, the party of the second part,

WITNESSETH, That the said party of the first part, as the duly appointed, qualified and acting Personal Representative of said estate, does by these presents grant, convey and confirm, unto the said party of the second part, and to his heirs and assigns forever, all of the right, title and interest of the Estate of Helen F. Ashcraft, deceased, in and to the Reed Ashcraft farm, located in Madison County, Idaho, described as follows to-wit:

The undivided one-half interest of the Estate of Helen F. Ashcraft as a tenant in common with others in and to the following:

Tract One: NE1/4NE1/4 of Section 21, Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho.

Tract Two: Being a part of the NW1/4 of the NE1/4 of Section 21, Township 6 North, Range 41 East of the Boise Meridian, Madison County, Idaho further described as follows:

Beginning at the 1/16th corner that is S89°40'50"W 1312.67 feet along the Section line from the Northeast corner of Section 21, Township 6 North, Range 41 East of the Boise Meridian, and running thence S0°00'27"W 213.87 feet along the 1/16th line to a point on a curve having a radius of 1557.36 feet and a chord that bears N75°38'18"W 806.83 feet; thence to the right along said curve 816.13 feet through a central angle of 30°01'33"; to a point of a reverse curve having a radius of 1445.47 feet and a chord that bears N61°00'45"W 19.17 feet; thence to the left along said curve 19.17 feet through a central angle of 0°45'36" to the North line of said Section 21; thence N89°40'50"E 798.42 feet along said Section line to the Point of Beginning, containing 2.66 acres.

Tract Three: Township 6 North, Range 41 East Boise Meridian, Madison County, Idaho. Section 16: S1/2SE1/4 Less: Commencing at the SE corner of said Section 16, thence West 395 feet; thence North 205 feet; thence East 255 feet; thence North 50°35'58" East 181.18 feet along existing roadway to the East line of

said Section; thence South 320 feet to the point of beginning.

LESS: Being a part of Instrument No. 305410 of the Northeast Quarter of the Northeast Quarter of Section 21, Township 6 North, Range 41 East of the Boise Meridian, Madison County, Idaho further described as follows:

Beginning at a point that is South 648.35 feet along the Section line from the Northeast corner of Section 21, Township 6 North, Range 41 East of the Boise Meridian, and running thence South 671.09 feet along the Section line to the North 1/16th line of said Section 21; thence S89°40'50"W 1312.84 feet along said North 1/16th line to the East 1/16th line of said Section 21; thence

N0°00'27"E 671.09 feet along said East 1/16th line; thence N89°40'50"E 1312.75 feet to the point of beginning, containing 20.22 acres more or less.

SUBJECT TO: A county road Right-of way along the South and East sides of the above described parcel.

ALSO LESS:

Commencing at the Southeast corner of Section 16; Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho and running thence N 0°00'00" E(North), a distance of 320.00 feet along the section line to the TRUE POINT OF BEGINNING; thence N 0°00'00" E(North), a distance of 250.00 feet along the section line; thence N 90°00'00" W, a distance of 175.87 feet; thence S 30°57'52" W, a distance of 426.82 feet; thence N 89°50'37" E, a distance of 255.09 feet; thence N 50°36'16" E, a distance of 181.66 feet to the POINT OF BEGINNING; said described tract containing 2.21 acres, more or less. Less the county road right-of-way along 8000 East and an easement for ingress, egress and maintenance of a buried mainline running along the East line of the above property.

ALSO LESS:

A part of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Section 16, Township 6 North, Range 41 East of the Boise

Meridian, Madison County, Idaho further described as follows:

Beginning at a point that is S89°40'50"W 2111.09 feet along the Section line from the Southeast corner of Section 16, Township 6 North, Range 41 East of the Boise Meridian, said point being on a curve having a radius of 1445.47 feet and a chord that bears S89°40'50"W 1398.63 feet; thence to the left along said curve 1459.89 feet through a central angle of 57°52'03"; to a point on said South line of said Section 16; thence N89°40'50"E 1398.63 feet along said Section line to the Point of Beginning, containing 3.91 acres

Together with all water rights of every kind and nature thereunto belonging or in anywise appertaining including a well and water right license #22-7007. Priority date April 4, 1968.

Together with the existing well, pump, irrigation system and all related equipment.

Subject to all roadways, easements, rights-of-way, power and transmission lines.

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

TO HAVE AND TO HOLD, all and 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, Personal Representative, has, as aforesaid, hereunto set his hand the day and year first above written.



Nathan Ashcraft Personal Representative of the
Estate of Helen F. Ashcraft

STATE OF IDAHO)
 ss.
County of Madison.)

On this 1st day of September, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Nathan Ashcraft**, known to me to be the Personal

Representative of the Estate of Helen F. Ashcraft, deceased, and acknowledged to me that he executed the same as such Personal Representative.

Debra Chadwick

Notary Public for Idaho

Residing at: Rexburg, Idaho

My Commission expires: 4/29/2010



WARRANTY DEED

FOR VALUE RECEIVED, Lavona Lyn Woodward of Box 242, Cascade, Idaho 83611; Susan Bell of 291 North Eighth West, Preston, Idaho 83263; Tawna Jean Ashcraft, Mannheim ES, CMR 437 Box 906, APO AE 09267; Douglas Boyd Ashcraft of 1898 North 2250 East, Hamer, Idaho 83425; Garth Arvel Ashcraft of 156 West Indian Creek Road, Dubois, Idaho 83423; Blaine Vern Ashcraft of 3021 North 5000 East, Sugar City, Idaho 83448; Colleen Bunn of 1717 Spruce Street, Sandpoint, Idaho 83864; Kenneth Ashcraft of 536 Richland, Pocatello, Idaho 83401; Joseph Ashcraft of 158 North 4544 East, Rigby, Idaho 83442; Aaron Ashcraft of 1055 Coleman Road, Apartment 2120, San Jose, California 95123; and Philip Ashcraft of 1024 North 900 East, Shelley, Idaho 83274, hereinafter called "Grantors", do hereby grant, bargain, sell and convey unto NATHAN ASHCRAFT, of 2983 East 2000 North, Sugar City, Idaho 83448, dealing in his sole and separate property, hereinafter called "Grantee", all of Grantors' interest consisting, for each Grantor, of a 1/12th interest in an undivided one-half interest (with the combined Grantors' interest representing an 11/24ths interest) as tenants in common held by the Grantors herein in the following described real property in Madison County, State of Idaho, known as the Reed Ashcraft place, to-wit:

Tract One: NE1/4NE1/4 of Section 21, Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho.

Tract Two: Being a part of the NW1/4 of the NE1/4 of Section 21, Township 6 North, Range 41 East of the Boise Meridian, Madison County, Idaho further described as follows:

Beginning at the 1/16th corner that is S89°40'50"W 1312.67 feet along the Section line from the Northeast corner of Section 21, Township 6 North, Range 41 East of the Boise Meridian, and running thence S0°00'27"W 213.87 feet along the 1/16th line to a point on a curve having a radius of 1557.36 feet and a chord that bears N75°38'18"W 806.83 feet; thence to the right along said curve 816.13 feet through a central angle of 30°01'33"; to a point of a reverse curve having a radius of 1445.47 feet and a chord that bears N61°00'45"W 19.17 feet; thence to the left along said curve 19.17 feet through a central angle of 0°45'36" to the North line of said Section 21; thence N89°40'50"E 798.42 feet along said Section line to the Point of Beginning, containing 2.66 acres.

Tract Three: Township 6 North, Range 41 East Boise Meridian, Madison County, Idaho. Section 16: S1/2SE1/4 Less: Commencing at the SE corner of said Section 16, thence West 395 feet; thence North 205 feet; thence East 255 feet; thence North 50°35'58" East 181.18 feet along existing roadway to the East line of said Section; thence South 320 feet to the point of beginning.

LESS: Being a part of Instrument No. 305410 of the Northeast Quarter of the Northeast Quarter of Section 21, Township 6 North, Range 41 East of the Boise Meridian, Madison County, Idaho further described as follows:

Beginning at a point that is South 648.35 feet along the Section line from the Northeast corner of Section 21, Township 6 North, Range 41 East of the Boise Meridian, and running thence South 671.09 feet along the Section line to the North 1/16th line of said Section 21; thence S89°40'50"W 1312.84 feet along said North 1/16th line to the East 1/16th line of said Section 21; thence N0°00'27"E 671.09 feet along said East 1/16th line; thence N89°40'50"E 1312.75 feet to the point of beginning, containing 20.22 acres more or less.

SUBJECT TO: A county road Right-of way along the South and East sides of the above described parcel.

ALSO LESS:

Commencing at the Southeast corner of Section 16; Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho and running thence N 0°00'00" E(North), a distance of 320.00 feet along the section line to the TRUE POINT OF BEGINNING; thence N 0°00'00" E(North), a distance of 250.00 feet along the section line; thence N 90°00'00" W, a distance of 175.87 feet; thence S 30°57'52" W, a distance of 426.82 feet; thence N 89°50'37" E, a distance of 255.09 feet; thence N 50°36'16" E, a distance of 181.66 feet to the POINT OF BEGINNING; said described tract containing 2.21 acres, more or less. Less the county road right-of-way along 8000 East and an easement for ingress, egress and maintenance of a buried mainline running along the East line of the above property.

ALSO LESS:

A part of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Section 16, Township 6 North, Range 41 East of the Boise Meridian, Madison County, Idaho further described as follows:

Beginning at a point that is S89°40'50"W 2111.09 feet along the Section line from the Southeast corner of Section 16, Township 6 North, Range 41 East of the Boise Meridian, said point being on a curve having a radius of 1445.47 feet and a chord that bears S89°40'50"W 1398.63 feet; thence to the left along said curve 1459.89 feet through a central angle of 57°52'03"; to a point on said South line of said Section 16; thence N89°40'50"E 1398.63 feet along said Section line to the Point of Beginning, containing 3.91 acres

Together with all water rights of every kind and nature thereunto belonging or in anywise appertaining including a well and water right license #22-7007. Priority date April 4, 1968.

Together with the existing well, pump, irrigation system and all related equipment.

Subject to all roadways, easements, rights-of-way, power and transmission lines.

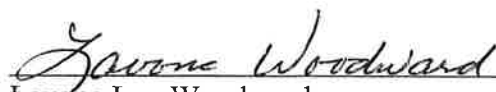
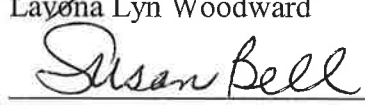
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

The remaining thirteen-twenty-fourths (13/24ths) interest is currently held by Grantee, Nathan Ashcraft. With the within deed, Grantee, Nathan Ashcraft shall hold a full fee simple title to the above described real property.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining.

Grantor covenants and warrants that fee simple title, to the property, is conveyed to Grantees by this Deed, free from all encumbrances.

DATED This ____ day of November, 2006.


Layona Lyn Woodward

Susan Bell

Tawna Jean Ashcraft

~~Douglas Boyd Ashcraft~~

Garth Arvel Ashcraft

Blaine Vern Ashcraft

Colleen Bunn

Kenneth Ashcraft

Joseph Ashcraft

Aaron Ashcraft

Philip Ashcraft

STATE OF IDAHO,)

County of Valley)

On this 15th day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Lavona Lyn Woodward**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

HEATHER GILTNER
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho

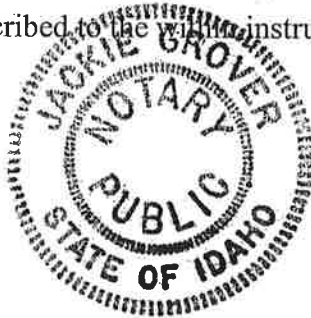
Residing at: Cascade

My Commission Expires: 9-4-01

STATE OF IDAHO,)

County of Madison ^{SS.}

On this 2nd day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Susan Bell**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Jackie Grover
Notary Public for Idaho

Residing at: Rexburg ID

My Commission Expires: 5/28/08

STATE OF IDAHO,)

County of Madison ^{SS.}

On this 28 day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Tawna Jean Ashcraft**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Brent R Barrus

Notary Public for Idaho

Residing at: Rexburg, Idaho

My Commission Expires: 7-7-09

STATE OF IDAHO,)

County of Madison ^{SS.}

On this 23rd day of October, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Douglas Boyd Ashcraft**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Deann Chadwick

Notary Public for Idaho

Residing at Rexburg, Idaho

My Commission Expires: 4/29/2010

STATE OF IDAHO,)

County of Madison)

On this 9 day of November, 2006, before me, the undersigned, a
in and for said State, personally appeared **Garth Arvel Ashcraft**, known to me to
whose name is subscribed to the within instrument and acknowledged to me that he
ame.



Residing at Rexburg, Idaho

STATE OF IDAHO,)

County of Madison)

On this 9th day of November, 2006, before me, the undersigned, a
in and for said State, personally appeared **Blaine Vern Ashcraft**, known to me to
whose name is subscribed to the within instrument and acknowledged to me that he
ame.



Residing at: Rexburg, Idaho.

STATE OF IDAHO,)

County of Jefferson

On this 9th day of November, 2006, before me, the undersigned, a
in and for said State, personally appeared **Colleen Bunn**, known to me to be the
name is subscribed to the within instrument and acknowledged to me that she
ame.



Residing at: Right ID

AshcraftN.WD

STATE OF IDAHO,)

SS.

County of Madison)

On this 2nd day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Kenneth Ashcraft**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Jackie Grover
Notary Public for Idaho

Residing at: Rexburg, Idaho

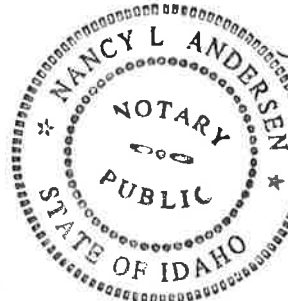
My Commission Expires: 5/28/08

STATE OF IDAHO,)

SS.

County of Jefferson)

On this 9th day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Joseph Ashcraft**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Nancy L. Andersen
Notary Public for Idaho

Residing at Rexburg, Idaho Rexburg ID

My Commission Expires: 2/9/2010

STATE OF CALIFORNIA,)

SS.

County of _____)

On this _____ day of _____, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Aaron Ashcraft**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

11/27/06

see attachment - Spina's Residency

Notary Public for California

Residing at:

My Commission Expires:

STATE OF IDAHO,)
 ss.
County of Madison)

On this 2nd day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Philip Ashcraft**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Notary Public for Idaho

Residing at: Rexburg, Idaho

My Commission Expires:

5/28/08

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

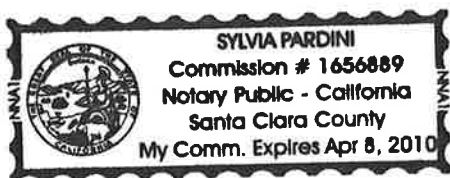
County of SANTA CLARA

On November 27, 2006 before me, Sylvia Pardini
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Aaron Ashcraft
Name(s) of Signer(s)

☐ personally known to me

☒ (or proved to me on the basis of satisfactory evidence)



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Sylvia Pardini
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: WARRANTY DEED

Document Date: _____ Number of Pages: 8

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

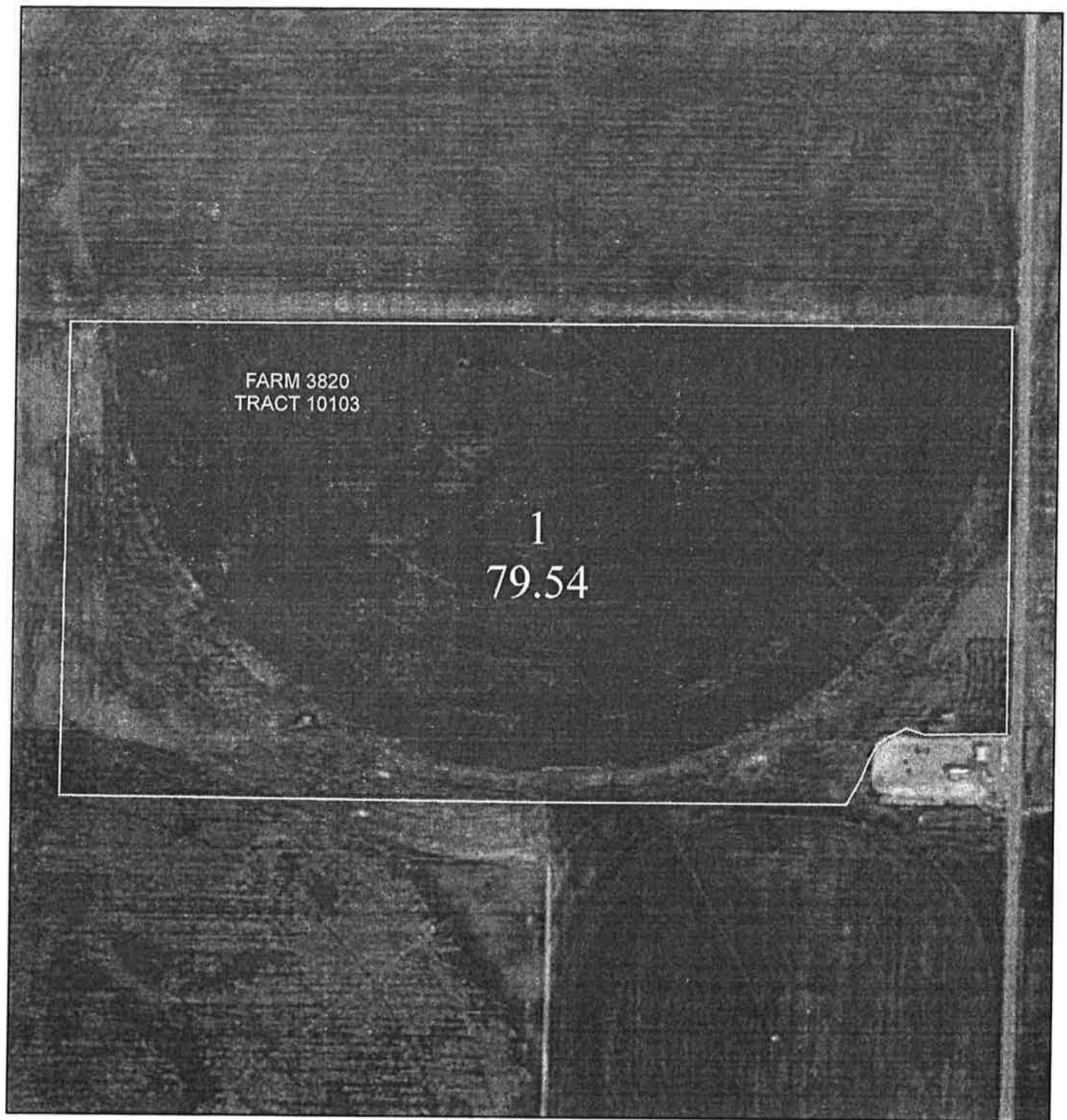
- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here



UNITED STATES DEPARTMENT OF
AGRICULTURE
Farm Service Agency



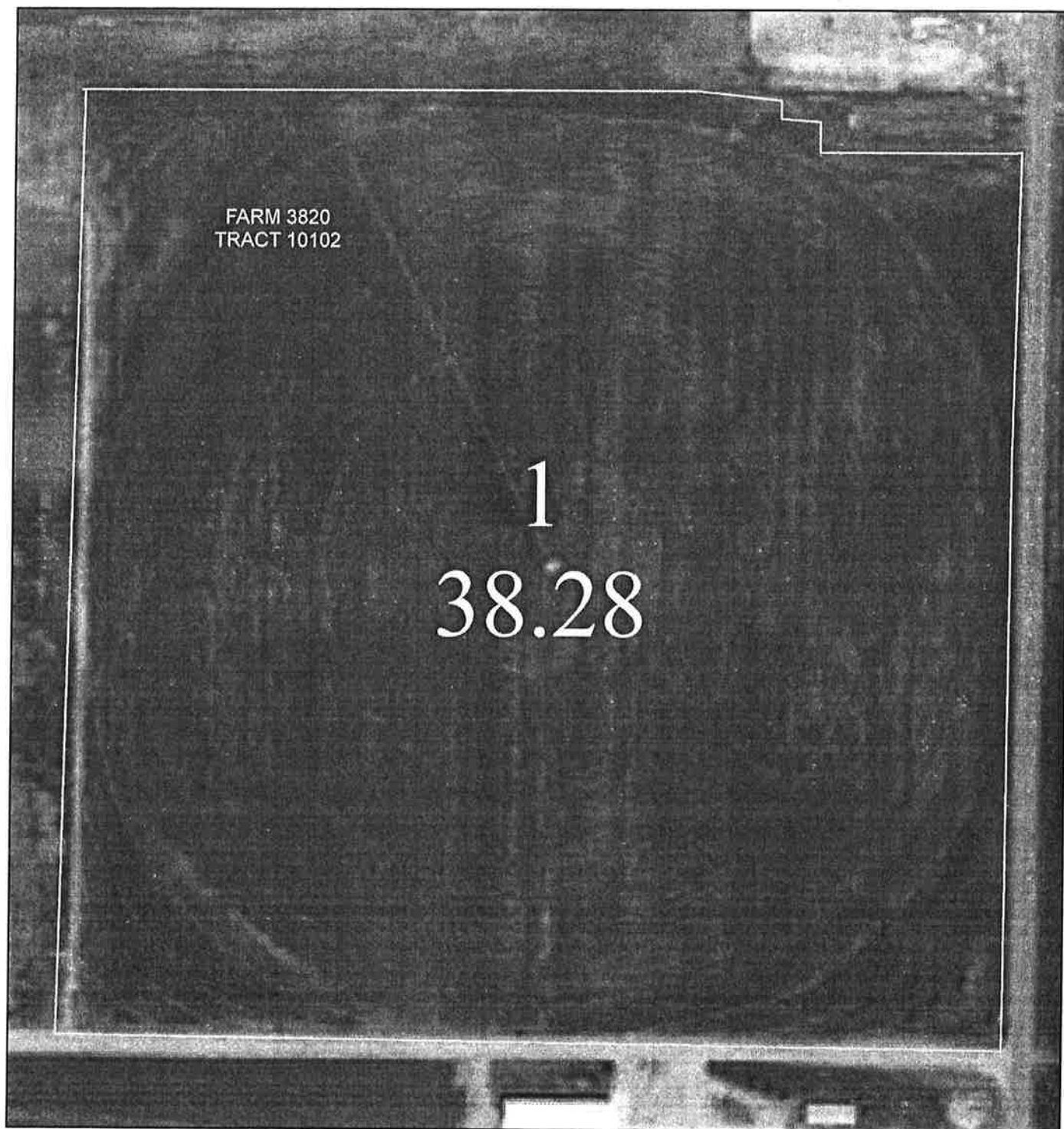
Digital Orthophotography
Not to Scale

FARM 3820
TRACT 10103
NATHAN ASHCRAFT-OP
HELEN ASHCRAFT-OW
16-6-41 MADISON COUNTY





UNITED STATES DEPARTMENT OF
AGRICULTURE
Farm Service Agency



Digital Orthophotography
Not to Scale

FARM 3820
TRACT 10102
NATHAN ASHCRAFT-OP
HELEN ASHCRAFT-OW
21-6-41 MADISON COUNTY





Address **2983 E 2000 N**
Sugar City, ID 83448

7100 E 11000 N

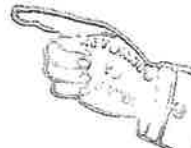
To see all the details that are visible on the screen, use the "Print" link next to the map.



ENT OF WATER RESOURCES
ERN DISTRICT OFFICE
0 N. SKYLINE DR.
FALLS, IDAHO 83402

★ ★  TM
U.S. POSTAGE
1681 PB3523907
8992 \$00.63 JAN 05 2007
8708 MAILED FROM ZIP CODE 83402

ADDRESS SERVICE
REQUESTED

 UNDELIVERABLE
UNADDRESSED
NO FORWARDING
ORDER ON FILE

UTF

LINDEN FIELDING
BOYD B ASHCRAFT SHELTER TRUST
1195 E 1100 N
SHELLEY ID 83274

RECEIVED
JAN 16 2007
Department of Water Resources
Eastern Region

22-13279

08/31/2006

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: 22-13279

BOYD B ASHCRAFT SHELTER TRUST
LINDEN FIELDING TRUSTSEE
1195 E 1100 N
SHELLEY ID 83274
Telephone Number: (208)357-7751

HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448
Telephone Number: (208)356-3533

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: 10/16/06

SIGNATURE:

Helen F. Ashcraft by Nathan Ashcraft
Nathan Ashcraft

Please print your name:

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

RECEIVED

OCT 25 2006

Department of Water Resources
Eastern Region

LWS
10/25

November 3, 2006

NATHAN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: CHANGE IN OWNERSHIP FOR: A22-13279

Dear Claimant:

Per our phone call:

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

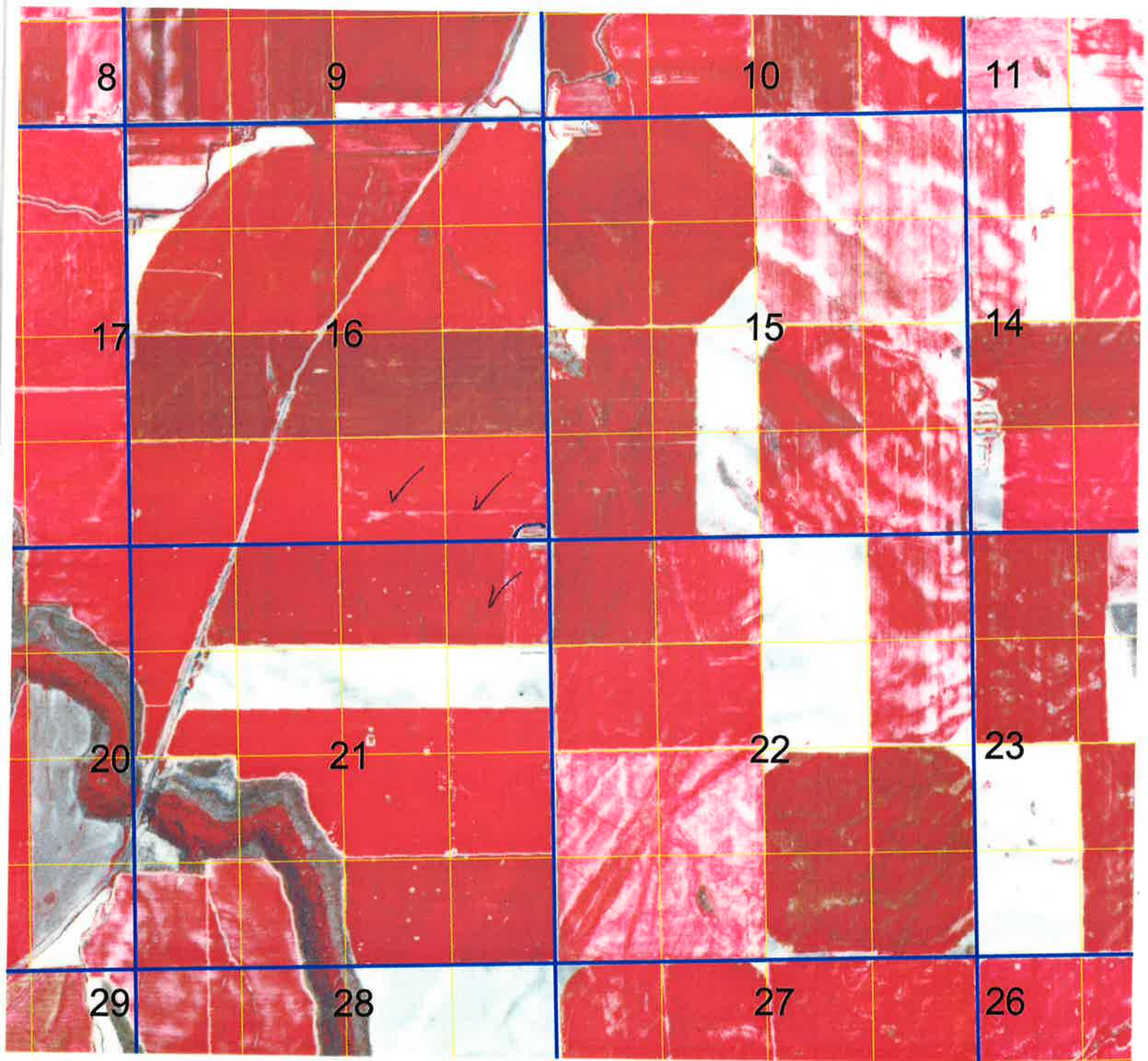
If you questions regarding this matter, please call 525-7161.

Respectfully submitted,

Katy Jackson
Office Specialist 1

Enclosure(s)

22-13279
6N 41E



Claim no. _____

Claimant Contact Log

Date

Remarks

Agent initials

Wells in Sec 16 & 27 interconnected - see transfer 71017

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.WATER RIGHTS:

Lic. 22-2256, 5.80 cfs on 725 ac 0.008 cfs/ac

SPLIT TO A & B BY TX #2345

A - 0.30 cfs

B - 5.50 cfs

5.80 cfs - Full

SPLIT FROM 22-2256 B BY TX #2749 to:

22-2256 C - 3.13 cfs

22-2256 D - 2.37 cfs

5.50 cfs - Full

SRBA Claims:

22-2256A - 0.30 on 37 ac (0.008 cfs/ac)

22-2256B - 3.13 - SPLIT TO:

22-1327B - 2.51 cfs on 313 ac (0.008)

22-13279 - 0.62 cfs on 78 ac (0.0079) - TX 71017 *

22-2256D - 2.37 cfs on 297 ac. (0.0079)

5.80 cfs; 725 ac claims in full.

* TX #71017 Moves POD - Adds second POD

→ PDH all Rts: 22-2468, 4052, 13279 and 13281

Reviewer: _____ Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 8/12/1965 Claimed Basis: lic

Recommended Priority Date: _____ Recommended Basis: _____

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

Matches license

Reviewer: _____

Date: _____

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32479/22-2256 Priority August 12, 1965 Amount 5.80 cfs

THIS IS TO CERTIFY, that Donald Staker & Warren Walters
of Newdale, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 32479/22-2256 issued pursuant to Application for Permit dated August 12, 1965
and has submitted proof to the Department of Water Administration on July 17, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.80 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 5.80 cfs for Irrigation from April 1 to Nov. 1 (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 5.80 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE 1/4 Sec. 16, Twp. 6 N, Rge. 41 E, B.M.

in the county of Madison; 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 2,457.5 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

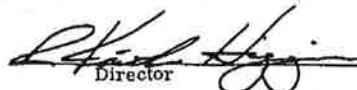
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 N	41 E	15									40	39	39	40					158
		16	37	37		39											40	38	191
		22							39	40	40	39	39	40					237
		27					40	39	30	30									139

Total number of acres irrigated 725

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 28 day of

December, 19 73.


Director

22 2256

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32479/22-2256

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant DONALD STAKER AND WARREN WALTERS, Newdale, Idaho

2. Source of water supply: ground water

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16

T 6 N R 41 E County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: _____

16" pump 300 HP main and 150 HP booster 16" well casing 725' deep well
390' casing

GE 300 Hp Motor Ser# DAJ 407003 Bstr Mtr US Motors 150 Hp
Peerless Pump Ser# 208539 Ser# 1380711

Bstr Pump Ser# K22K102654

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Proof: Section 15, T. 6 N., R. 41 E., SW $\frac{1}{4}$ 160. acres

Section 16, T. 6 N., R. 41 E., NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ 200

Section 22, T. 6 N., R. 41 E., W $\frac{1}{2}$ 220

27 " " NW $\frac{1}{4}$ 60

680 TOTAL

Permit: Section 15, T. 6 N., R. 41 E., (S $\frac{1}{2}$) 298 acres

Section 16, T. 6 N., R. 41 E., NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ 225

Section 21, T. 6 N., R. 41 E., NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40

Section 22, T. 6 N., R. 41 E., N $\frac{1}{2}$, SW $\frac{1}{4}$ 474

(Submit map on attached plat, showing location and details of above description.) 1037 TOTAL

8. What large stream would the water here appropriated finally reach? _____

Remarks: Land List:

Sec 15 T6N R41E SW $\frac{1}{4}$ 158 Ac.

Sec 16 T6N R41E N $\frac{1}{2}$ NE $\frac{1}{4}$ 74 Ac

" " " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 Ac

" " " " S $\frac{1}{2}$ SE $\frac{1}{4}$ 78 Ac

Sec 22 T6N R41E S $\frac{1}{2}$ NW $\frac{1}{4}$ 79 Ac

" " " " SW $\frac{1}{4}$ 158 Ac

Sec 27 T6N R41E N $\frac{1}{2}$ NW $\frac{1}{4}$ 79 Ac

" " " " S $\frac{1}{2}$ NW $\frac{1}{4}$ 60 Ac

This examination was made on the 29 day of May, 1973

(Signed) William Rhoads
Examiner.

9 Lines $\frac{5}{32}$ No 2 62/line

44 psi Aug = 4.67 gal/noz

$$4.67 \text{ g/L K}(558) = 26.05 \text{ g/mL}$$
$$\frac{2605 \text{ gal}}{448.8} = 5.80 \text{ cfs}$$

37	37
----	----

39

39

40	①
----	---

39

39

34

39

39

$\rho_{\text{measured}} = 30$ 5.80 ok

Q recommended 5.80

Volume $3.5 \text{ A\AA} / 2496 \text{ A\AA} / \text{mm} = (1.9835) (217 \text{ days}) (5.80 \text{ dte})$

Acreage .

Found	725
-------	-----

RECORDED INDEXED 725

Subnet

Amendments

Name

IP. ID.

~~12/1/1996 off use~~

April 1 - NOOT

- { appears for list + agree
with the proof not
NOT with the permit
NCF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71017

This is to certify that: HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448
(208)356-3533

And

BOYD B ASHCRAFT SHELTER TRUST
1195 E 1100 N
SHELLEY ID 83274
(208)357-7751

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-13279	AJC/License	08/12/1965	0.62 cfs	N/A	N/A	78.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

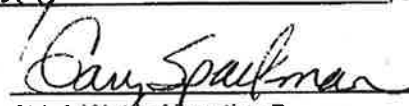
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13279	NO	YES	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-13279	22-13279	0.62 cfs	273 af	N/A	78.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.62 cfs	273 af	N/A	78.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13279
As Modified by Transfer No. 71017

In accordance with the approval of Transfer No. 71017, Water Right No. 22-13279 is now described as follows.

Right Holder: BOYD B ASHCRAFT SHELTER TRUST
 1195 E 1100 N
 SHELLEY ID 83274

And

HELEN F ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448

Priority Date: August 12, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.62 CFS	273.0 AF
			0.62 CFS	273.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County
 GROUND WATER SENENE Sec. 21 Twp 06N Rge 41E MADISON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	41E	16															40.0	38.0	78.0

Total Acres: 78

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 22-13279
As Modified by Transfer No. 71017

CONDITIONS OF APPROVAL

6. The total instantaneous diversion of water from all points of diversion under Right 22-13279 shall not exceed 0.62 cfs, nor a total combined annual volume of 273.0 af.
7. Rights 22-2168, 22-4052, 22-13279, and 22-13281 are also diverted through the point(s) of diversion described above.
8. 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.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 1st day of May, 2004

Barry Spallman
Chief, Water Allocation Bureau

RECEIVED

JAN 16 2004

Department of Water Resources
Eastern RegionPage 1 of 5STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71017

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Helen F. Ashcraft & Boyd B. Ashcraft Shelter Trust
c/o Helen F. Ashcraft Phone (208) 366-3533
Post Office address 2983 E 2000 N, Sugar City, ID 83448

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Ownership change and change in irrigation
System for better utilization of water

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|------------------|-----------------------|-------------------|---------------------------|
| <u>22-13279</u> | <u>8/12/1965</u> | <u>0.62 cfs</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| _____ | _____ | _____ | _____ | to _____ |
| _____ | _____ | _____ | _____ | to _____ |
| _____ | _____ | _____ | _____ | to _____ |
2. Total amount of water being transferred 0.62 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	16	6N	4E	Madison	
	SE	NE	NE	21	6N	4E	Madison	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	4E	16															40	38	78.0

SCANNED

FEB 10 2004

Total acres 78.0

T71017

PART 1

6. General Information:

a. Description of diversion system two wells pumps to mainline to laterals with sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes NO No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Better distribution of water

d. Remarks:

Points of Diversion will also deliver water for rights 22-4052, 22-13279 and 22-2168.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

SCANNED
FEB 10 2004

T71017

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 22-13279

Priority Date: 08/12/1965
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01 11/01	0.62 CFS		
	Total Diversion	0.62 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESESE 06N 41E 16 MADISON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 41E 16															40.0	38.0	78.0

Total Acres: 78

Conditions/Remarks:

1. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-2256B

Documentation of Ownership of the Current Place of Use *Warranty Deed & Tax Notice*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? **NO**

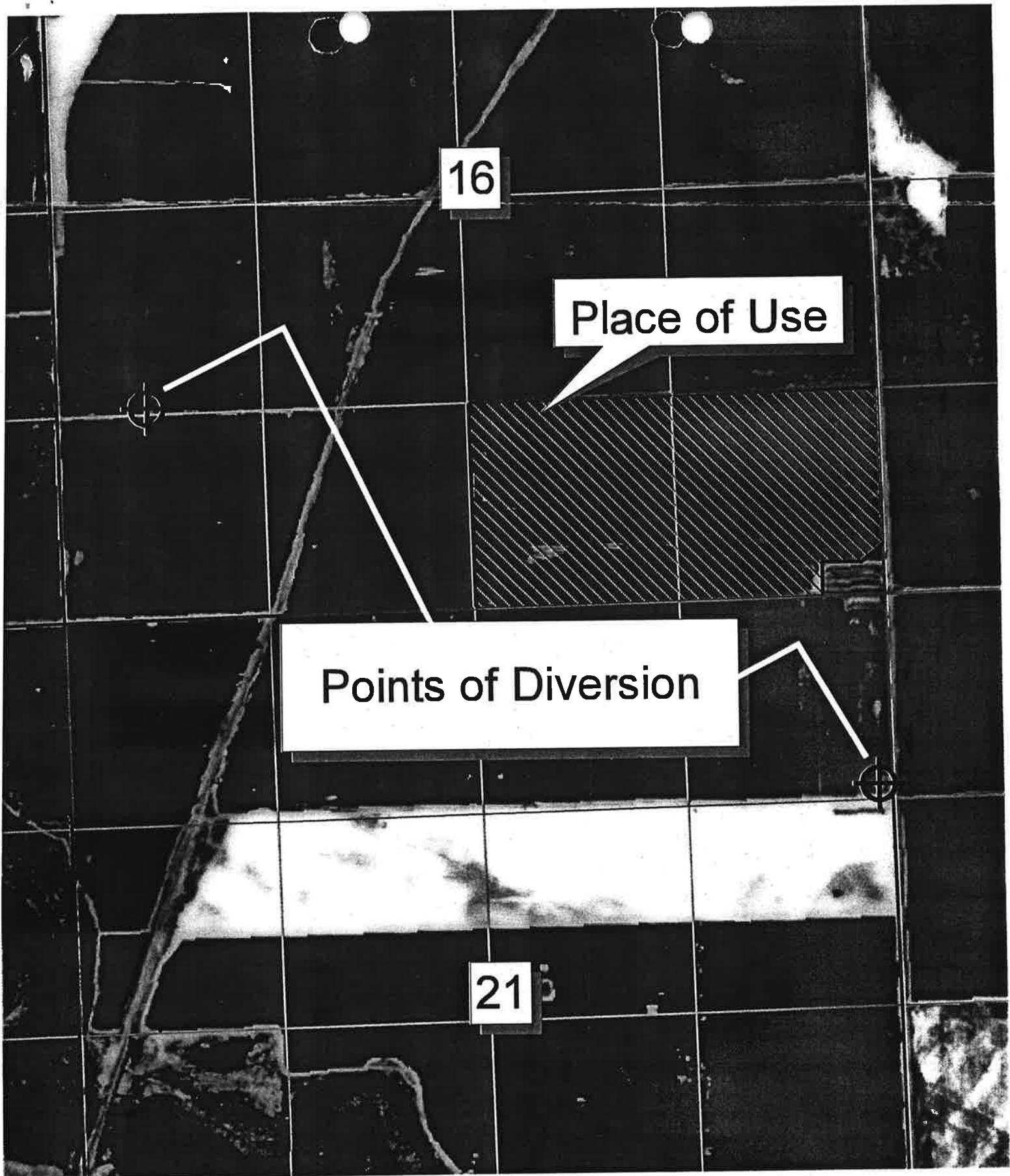
Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Better distribution of water*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? **NO**

SCANNED

FEB 10 2004

771017



16

Place of Use

Points of Diversion

21

Page 4 of 5
T171017

22-13279

SCANNED
FEB 10 2004

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 15th day of January, 192004

(Signature of Applicant)

(Notary Public)

My commission expires 11/6/2006

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 8 attachments

Received by

Date

Protest filed by

Prelim. check by

Fee

Received by

Date

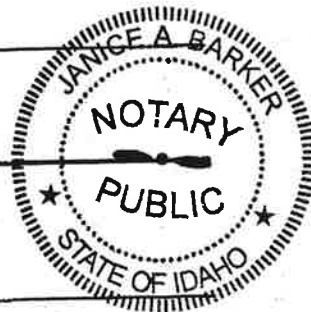
Published in

Pub. dates

Watermaster recommendation requested on

rec'd.

Copy of transfer sent to lien holder



Copies of protest forwarded by

Hearing held by

Date

Recommended for



approval



denial

by RPL

SCANNED

FEB 10 2004

T71017

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

RECEIVED

AUG 14 2003

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, 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
22-2256C	22-2256B	Y			

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) are 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)
Donald or Delilah Staker
P.O. Box 111, Newdale Id 83436
- 4. New Owner/Claimant(s)
Helen F. Ashcraft & Beryl B. Ashcraft Shelter Trust, Linden Fielding
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or Trustee
✓ Helen F. Ashcraft
2983E 2000 N
 New Mailing Address
 City, State and ZIP Code Sugar City, ID 83448
 New Telephone Number (208) 356-3533
- 5. Date you acquired the property 07/18/2003

WARRANTY DEED

THIS INDENTURE, Made this 18th day of July, 2003, between V. Grant Ashcraft and Dorothy S. Ashcraft, husband and wife, of 3930 East 2000 North, Sugar City, Idaho 83448, Sugar City, Idaho 83440, the party of the first part and, Helen F. Ashcraft, a widow as her sole and separate property, of 2983 East 2000 North, Sugar City, Idaho 83448 and Linden Fielding, of 1195 East 1100 North Shelley, Idaho 83274, as Trustee of the Boyd B. Ashcraft Shelter Trust, for such trust, the party of the second part,

WITNESSETH, That the said party of the first part, does by these presents grant, convey, transfer and confirm, unto the said party of the second part, and to their heirs and assigns forever as tenants in common, each holding an undivided one-half interest as tenants in common in the whole, in and to the following described real estate located in Madison County, Idaho:

TRACT 1:

NE1/4NE1/4 of Section 21, Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho.

TRACT 2:

Township 6 North, Range 41 East Boise Meridian, Madison County, Idaho.
Section 16: S1/2SE1/4 Less: Commencing at the SE corner of said Section 16, thence West 395 feet; thence North 205 feet; thence East 255 feet; thence North 50°35'58" East 181.18 feet along existing roadway to the East line of said Section; thence South 320 feet to the point of beginning.

Reserving unto the grantors an easement for ingress, egress and maintenance of buried mainline running along the East line of said S1/2SE1/4.

Together with all water rights of every kind and nature thereunto belonging or in anywise appertaining including a well and water right license #22-7007. Priority date April 4, 1968.

Together with the existing well, pump, irrigation system and all related equipment.

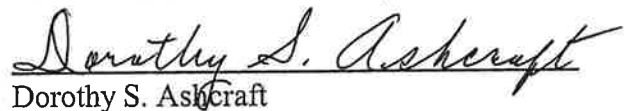
Also including 25 acres of wheat and 25 acres of barley USDA grain allotment or contract acres.

Subject to all roadways, easements, rights-of-way, power and transmission lines.

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

IN WITNESS WHEREOF, The said party of the first part, have, as aforesaid, hereunto set their hands the day and year first above written.


V. Grant Ashcraft


Dorothy S. Ashcraft

STATE OF IDAHO)
 ss.
County of Madison.)

On this 18th day of July, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared V. Grant Ashcraft and Dorothy S. Ashcraft, husband and wife, known to me to be persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

 
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission expires: 4/27/04

MAKE CHECK PAYABLE TO:
MADISON COUNTY TAX COLLECTOR
P O BOX 65 359-6200 EXT-217
REXBURG ID 83440

2003 TAX BILL/RECEIPT

BILL# 10778 CODE AREA 13-0000 L

PARCEL NUMBER
RP06N41E169010A
27,881

1ST HALF DUE
TAX 186.67
LATE
INT
COST
TOT

2ND HALF DUE
TAX 186.67
LATE
INT
COST
TOT

FULL DUE
TAX 373.34
LATE
INT
COST
TOT

TOT MV 27,881

WAC 1.000
TOT ACS 76.956

ASHCRAFT BOYD B SHELTER TR
ASHCRAFT HELEN F ETAL TRSTE
2983 E 2000 N
SUGAR CITY ID 83448

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.005919496	165.04
SCH DIST 322	.005600766	156.14
TETON CEM	.000222396	6.20
MADISON CO FIRE	.000949863	26.48
SUGAR COM LIB	.000300751	8.38
MOSQ ABATE	.000032822	.92
MADISON CO AMB	.000365598	10.18
AMOUNT DUE	.013391692	373.34

CERT #23724
16-06N-41E S2SE4

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

pd in full
1/2 - #104 - Shelter Tr
1/2 - #0486 - Zion's Helen

1/69

RYLE

26

T

2021

17/16

75.8
2

76.8
1 NHCL

NW

T-451

2336

1615
2122

SEE K-5-H



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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 12, 2003

HELEN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: CHANGE IN OWNERSHIP FOR 22-2256B

Dear Mrs. Ashcraft:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

22-2256B split into:

22-13278: 2.51 cfs, 313 acres, Staker

22-13279: 0.62 cfs, 78 acres, Ashcraft

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist



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

March 7, 2008

NATHAN & JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: Transfer #73977 for water right(s) 22-13279, 22-13281 and Notice
of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Ashcraft:

On December 19, 2007, the Idaho Department of Water Resources (IDWR) approved Transfer #73977, 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,

Jennifer Crabtree
Technical Records Specialist

cc: Helen Ashcraft
Linden Fielding

SCANNED

MAR 07 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: 22-13279

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 73977

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☒ change in ownership (ASHCRAFT –
ASHCRAFT)

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: 1 March 2008

Ernst Carlson

Signature of IDWR Representative

SCANNED

MAR 07 2008

CERTIFICATE OF MAILING

I certify that on March 7, 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:
HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

BOYD B ASHCRAFT SHELTER TRUST
LINDEN FIELDING TRUSTEE
1195 E 1100 N
SHELLEY ID 83274

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
NATHAN & JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

4. One copy to:

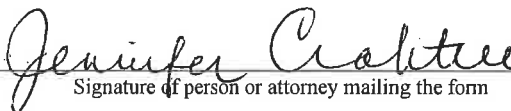
Each party in the subcase, or attorney of record
N/A

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

MAR 07 2008

01/17/2008

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

RIGHT NUMBER: 22-13279

NAME AND ADDRESS: NATHAN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.620 CFS
273.00 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 annual diversion volume of 1471.4 af. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

PRIORITY DATE: 08/12/1965

POINT OF
DIVERSION:

T06N R41E S16 SWNWSW Within MADISON County
T06N R41E S21 SENENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.620 CFS 273.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S16	NESW	35.00	T06N R41E S16	NWSW	39.00
T06N R41E S16	SWSW	39.00	T06N R41E S16	SESW	34.00
T06N R41E S16	NESE	39.00	T06N R41E S16	NWSE	39.00
T06N R41E S16	SWSE	38.00	T06N R41E S16	SESE	38.00
T06N R41E S17	NESE	19.00	T06N R41E S17	NWSE	11.00
T06N R41E S17	SWSE	8.70	T06N R41E S17	SESE	39.00
T06N R41E S21	NENE	39.00	T06N R41E S21	NWNE	2.70

420.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED

MAR 07 2008

The following rights are diverted through points of diversion described above: 22-2168, 22-4052, 22-13279, and 22-13281.

Failure of the right holder to comply with the conditions of Transfer 73977 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 73977 prior to December 19, 2008.

This right is a split from former right 22-2256C.

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

SCANNED

MAR 07 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73977

This is to certify that: BHA INC And
 NATHAN ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448
 (208)356-3533

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-4052	AJC/Statutory Claim	09/01/1961	0.97 cfs	280 af	80.0	420.4	GROUND WATER
22-13279	AJC/License	08/12/1965	0.62 cfs	273 af	78.0	420.4	GROUND WATER
22-2168	AJC/License	04/07/1958	3.64 cfs	819 af	234.0	420.4	GROUND WATER
22-13281	AJC/License	04/04/1968	0.76 cfs	133 af	38.0	420.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-4052	NO	NO	YES	NO	NO	NO
22-13279	NO	NO	YES	NO	NO	NO
22-2168	NO	NO	YES	NO	NO	NO
22-13281	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-4052	22-4052	0.97 cfs	280 af	80.0	420.4		N/A	N/A	N/A	N/A
22-13279	22-13279	0.62 cfs	273 af	78.0	420.4		N/A	N/A	N/A	N/A
22-2168	22-2168	3.64 cfs	819 af	234.0	420.4		N/A	N/A	N/A	N/A
22-13281	22-13281	0.76 cfs	133 af	38.0	420.4		N/A	N/A	N/A	N/A
COMBINED TOTALS		5.99 cfs	1471.4 af	420.4	420.4		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # **22-2168**
SCANNED

MAR 07 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73977

Detailed Water Right Description(s) attached

Dated this 19th day of December, 20 07



Chief, Water Allocation Bureau

SCANNED

MAR 07 2008

WATER RIGHT NO. 22-13279
As Modified by Transfer No. 73977

In accordance with the approval of Transfer No. 73977, Water Right No. 22-13279 is now described as follows.

Right Holder: NATHAN ASHCRAFT And/Or
 JAMIE ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448

Priority Date: August 12, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.62 CFS	273.0 AF
			0.62 CFS	273.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County
 GROUND WATER SENENE Sec. 21 Twp 06N Rge 41E MADISON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 41E 16									35.0	39.0	39.0	34.0	39.0	39.0	38.0	38.0	301.0
06N 41E 17													19.0	11.0	8.7	39.0	77.7
06N 41E 21	39.0	2.7															41.7

Total Acres: 420.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.
2. Rights 22-2168, 22-4052, 22-13279, and 22-13281 when combined shall not exceed a total diversion rate of 5.99 cfs, a total annual maximum diversion volume of 1471.4 af at the field headgate, and the irrigation of 420.4 acres.
3. 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.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED

MAR 07 2008

WATER RIGHT NO. 22-13279
As Modified by Transfer No. 73977

CONDITIONS OF APPROVAL

7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. The following rights are diverted through points of diversion described above: 22-2168, 22-4052, 22-13279, and 22-13281.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

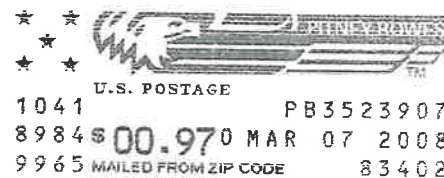
Dated this 19th day of December, 20 07

Chief, Water Allocation Bureau

SCANNED

MAR 07 2008

22-13279



SCANNED
MAR 15 2008

RECEIVED
MAR 17 2008
Department of Water Resources
Eastern Region

IDAHO DEPT. OF WATER RESOURCES

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

VTF

TO

LINDEN FIELDING
1195 E 110 N
SHELLEY ID 83274





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

March 7, 2008

NATHAN & JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: Transfer #73977 for water right(s) 22-13279, 22-13281 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Ashcraft:

On December 19, 2007, the Idaho Department of Water Resources (IDWR) approved Transfer #73977, 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,

Jennifer Crabtree
Technical Records Specialist

cc: Helen Ashcraft
Linden Fielding

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: 22-13279

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 73977

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☒ change in ownership (ASHCRAFT –
ASHCRAFT)

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: 1 March 2008

Ernst Carlson

Signature of IDWR Representative

SCANNED

MAR 15 2008

CERTIFICATE OF MAILING

I certify that on March 7, 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:
HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

BOYD B ASHCRAFT SHELTER TRUST
LINDEN FIELDING TRUSTEE
1195 E 1100 N
SHELLEY ID 83274

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
NATHAN & JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

4. One copy to:

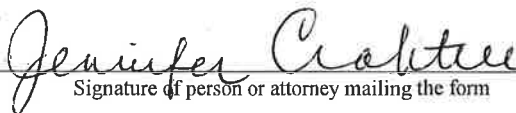
Each party in the subcase, or attorney of record
N/A

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

01/17/2008

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

RIGHT NUMBER: 22-13279

NAME AND ADDRESS: NATHAN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

JAMIE ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.620 CFS
273.00 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 annual diversion volume of 1471.4 af. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

PRIORITY DATE: 08/12/1965

POINT OF
DIVERSION:

T06N R41E S16 SWNSW Within MADISON County
T06N R41E S21 SENENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.620 CFS 273.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S16	NESW	35.00	T06N R41E S16	NWSW	39.00
T06N R41E S16	SWSW	39.00	T06N R41E S16	SESW	34.00
T06N R41E S16	NESE	39.00	T06N R41E S16	NWSE	39.00
T06N R41E S16	SWSE	38.00	T06N R41E S16	SESE	38.00
T06N R41E S17	NESE	19.00	T06N R41E S17	NWSE	11.00
T06N R41E S17	SWSE	8.70	T06N R41E S17	SESE	39.00
T06N R41E S21	NENE	39.00	T06N R41E S21	NWNE	2.70

420.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED
MAR 18 2008

The following rights are diverted through points of diversion described above: 22-2168, 22-4052, 22-13279, and 22-13281.

Failure of the right holder to comply with the conditions of Transfer 73977 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 73977 prior to December 19, 2008.

This right is a split from former right 22-2256C.

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

SCANNED
MAR 12 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-13279
Date Received: 12/12/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

HELEN F ASHCRAFT & BOYD B ASHCRAFT SHELTER TRUST Phone: (208)356-3533
C/O HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID USA 83448

2. Date of Priority: 08/12/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	41E	16	SE SE SE	MADISON	

5. Description of diverting works:

WELL PUMP MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.62	

7. Total Quantity Appropriated is:
0.62 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	41E	16	SW SE	IRRIGATION	40
			SE SE	IRRIGATION	38

A2213279



Section Acres 78
Total Acres 78

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:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-2256B

15. Basis of Claim: License