

03/15/2005

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

RIGHT NUMBER: 27-11931

Disallowed

NAME AND ADDRESS: PAUL REID
875 REID RD
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T02S R37E S12 NWNWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S01	NESW	15.0	T02S R37E S01	NWSW	12.3
T02S R37E S01	SWSW	20.0	T02S R37E S01	SESW	37.0
T02S R37E S01	NWSE	5.0	T02S R37E S01	SWSE	40.0
T02S R37E S12	NWNE	37.5	T02S R37E S12	NENW	33.8
T02S R37E S12	NWNW	19.7			

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

CHANGE IN USE, INSUFFICIENT EVIDENCE OF DATE OF CHANGE: This is included for a claim that is PROPOSED to be disallowed because use of the water right was changed without prior IDWR approval and the claimant did not submit sufficient evidence from which the date of the change could be determined. The date of change is necessary to determine if the right may be claimed as changed without prior IDWR approval, and if the change will result in injury to other water right holders.

CHANGE IN USE; INSUFFICIENT EVIDENCE OF DATE OF CHANGE.

EXPLANATORY MATERIAL:

PROFIT

MAY 25 2006

SCANNED

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 27-1B

WATER RIGHT NUMBER: 27-1B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	AFTON COOK 831 N 1100 E SHELLEY, ID 83274 (208)357-3747
Current Owner	PAUL REID 875 REID RD FIRTH, ID 83236 (208)785-1494
Original Owner	DARRELL L COOK 831 N 1100 E SHELLEY, ID 83274 (208)357-3747

Priority Date: 04/01/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACKFOOT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.430 CFS	
<u>Total Diversion:</u>		0.430 CFS	

Location of Point(s) of Diversion

BLACKFOOT RIVER
BINGHAM County

NW 1/4NW 1/4SW 1/4 Sec. 12, Twp 02S, Rge 37E, B.M.

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			
02S	37E	1									15.0	12.3	20.0	37.0					5.0	40.0	129.3
02S	37E	12					33.8	19.7													91.0

Total Acres: 220.3

Conditions of Approval:

1. TRANSFER 1561 COMBINED RIGHTS MAKING THEM APPURTENANT TO ENTIRE PLACE OF USE.
PAID RECIEPT #E007175

27-2B
27-3E
27-5B

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 27-1B

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 5/5/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number: .
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

08/18/2006

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

RIGHT NUMBER: 27-11931

NAME AND ADDRESS: PAUL REID
875 REID RD
FIRTH ID 83236

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1885

POINT OF

DIVERSION: T02S R37E S17 NENWSW Lot 3 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S01	NESW	14.00	T02S R37E S01	NWSW	7.90
T02S R37E S01	SWSW	15.00	T02S R37E S01	SESW	37.00
T02S R37E S01	NWSE	4.10	T02S R37E S01	SWSE	40.00
T02S R37E S12 Lot 2	NWNE	39.00	T02S R37E S12 Lot 3	NENW	34.00
T02S R37E S12 Lot 4	NWNW	16.00	T02S R37E S12	SWNW	1.40
T02S R37E S12	SENW	3.00			

211.4 ACRES TOTAL

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

Change in use; insufficient evidence of date of change.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Change in use, insufficient evidence of date of change: This is included for a claim that is proposed to be disallowed because use of the water right was changed without prior IDWR approval and the claimant did not submit sufficient evidence from which the date of the change could be determined. The date of change is necessary to determine if the right may be claimed as changed without prior IDWR approval, and if the change will result in injury to other water right holders.

AMENDED DIRECTOR'S REPORT

SUBCASE NO. 27-11931

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

July 27, 2006

Prepared under the supervision of Karl Dreher, Director, IDWR and Donald V. Shaff,
IDWR Adjudication Bureau Chief.

RECEIVED
AUG 02 2006
Department of Water Resources
Eastern Region

Pursuant to Special Master Bilyeu's bench order on July 27, 2006, granting the *Motion to Amend Claim* dated January 4, 2006, the Department submits for filing the Amended Director's Report for the above-referenced subcase. (See attached printout)

 7-27-06
Ernest Carlsen Date
IDWR Adjudication Supervisor

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED RECOMMENDATION

RIGHT NUMBER: 27-11931

NAME AND ADDRESS: PAUL REID
875 REID RD
FIRTH, ID 83266

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.8 cfs

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION: T02S R37E S17 NENWSW, Lot 3 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.80 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S31	NENW	40 acres
	NWNW, Lot 1	32 acres

ACRES TOTAL 72 acres

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 - Decreed

Point of diversion is the heading for Eastern Idaho Canal.
This right is a portion of 27-4Z.

CERTIFICATE OF MAILING

I certify that on July 29, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

Hand-Delivered

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

BINGHAM County District Court
501 W. Maple Street
Blackfoot ID 83221

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 0333
Boise, ID 83724

Paul Reid
875 Reid Rd
Firth, ID 83236

IDWR Repository
PO Box 83720
Boise, ID 83720



Signature of person mailing the form

November 16, 2005

Paul Reid
875 Reid Rd
Firth, ID 83236

RE: Objection to 27-11931

Dear Paul:

By now you should have received the Director's Reports for your water rights on the Blackfoot River. Though we were able to find a satisfactory resolution on the diversion volume limit for those decreed rights transferred to your pump, I was not able to change the recommendation to disallow 27-11931.

Some time back we talked about the need for filing a transfer application to formalize moving the water you purchased. I have consulted with Roger Warner, the Water Right Supervisor for Allocations, who would oversee the processing of the transfer application. He advised me that to transfer the water right it would be preferable to have a positive recommendation on your claim. In order to go from the disallowed recommendation to a positive recommendation there are a couple of steps you will need to take. First I suggest you file with the Court an objection to the Director's Report for 27-11931. This will delay a ruling by the court and allows you to then file with the Court a petition to amend the claim. The purpose of the amendment will be to identify the point of diversion and place of use for the water right at the time you purchased it.

Though the actions mentioned above are civil processes involve the SRBA Court you are not required to hire an attorney to complete them though it is an option available to you. To get started I have enclosed a Standard Form 1 for filing the objection. I do suggest you plan to meet with me or another staff member to complete the amended Notice of Claim that must accompany the Standard Form 4 for filing the amend claim. I am certainly willing to provide some guidance and assist with completion of the documents.

Respectfully yours,

Ernest Carlsen
Water Right Supervisor

Enclosure (1)
emc

PROTECTED

SCANNED

MAY 25 2006

NOTE: Telran with Alvin Young 3-15-2005. He only purchased
See meets & boards description. 60.2 ac.
Gator-Alvin Young Co. water. - No Fox & Whitten.

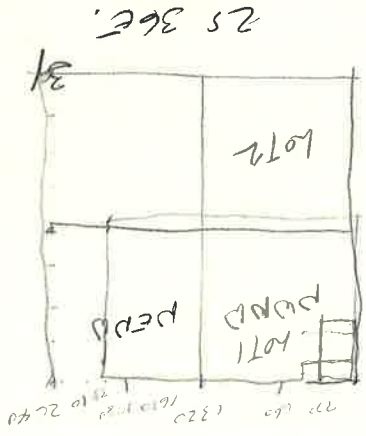
1982 January 8 Rex & Elida Hile to Adrian Young
Lot 1 & NE 1/4 Sec 31 T2S 36E.
681-2919

1/2 interest in 40" 6-1-1885 F&W.
1 1/2 shares Eastern Idaho Water
102 shares Loyd Canal Co.

1975 July 28. Rosella to Rex & Elida Hile.
Lot 1 & NE 1/4 Sec 31 T2S 36E

1975 July 28 40" 6-1-1885 F&W.
1 1/2 share Eastern Idaho Water.
102 shares Loyd Canal Co.
Lot 1 & NE 1/4 Sec 31 T2S 36E
Rosella Hile

Warranty Deed
- 1921, Feb 23 - 40" 6-1-1885 Fox & Whitten to
Lot 1 & NE 1/4 Sec 31 T2S 36E 72.08 ac



NOTE: - After purchase in 1920 there
was no transfer to change Fox's Pond
Recommend on Lot 1 & NE 1/4

Notes

3/5/04 No delivery records for Paul
Reid from 1976-1988 CB.

Notes

Claims A27-1B, -2B, -3E, -42, -5B + A27-11931

1/ Claims share a common P.O.D, which is a 200hp pump in the Blackfoot River. This exam was done on 9-04-2003 with claimant, Paul Reid.

2/ GPS data - 0655995 file # -2B-
0241728
Tag # A0012464

3/ The 0.80 cfs under A27-11931 was a straight purchase of a water right done in 1990. This is a post 1987 change of P.O.U. + must have an approved Transfer.

The implied conflict of ownership by Adrian Young does not seem to have materialized. There is no claim filed on this right by Mr Young, that I could find. Mr. Young did file on a portion of right 27-23B (see claim A27-10545)

4/ Claims A27-1B, -2B, -3E, -42, + -5B appear to be pro-rations of the end result of Transf.

#1561. Claim A27-11931 does appear to be a portion of 27-4 but will have to be recommended to the Hale place + then have a transfer filed to move it to the Reid Farm

Notes

7/7/03

Rex Hale, sold to Paul Reid
0.8 cts under 27-44 or V. Paul
wasn't sure which one it came from.
The file noted it as part of 27-42.
This is incorrect. Paul Reid also filed
on decree 27-42.

This might be a Beneficial Use claim?
* Please verify?

✓ This, according to affidavits is a
portion of 27-00004. HWJ

2/ Need on-site, GPS, Spatial Dynamics
Shows 208 acres

3/ Is ground in Sect 31 T2S R 36 E as
per warranty deed, the Rex Hale place?

* 4/ NE NW Sec 31 2S 36E - check
Assessors office to see if Rex Hale
owned ground

Claims A27-00001B, -00002B, -00003E, -00004Z, 00005B, -11931



200 HP River Pump (Blackfoot River)

WARRANTY DEED

No. 2684

Book No. 41

CARTON PRINTERS, CALDWELL 20257

THIS INDENTURE, Made the 23rd day of February in the year of our Lord one thousand nine hundred and twenty-one, between

Chris Peterson and Jane H. Peterson, his wife

of the County of Bingham ~~and~~ State of Idaho, the parties of the first part, and W. H. Cherry

of the County of Bingham ~~and~~ State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

EIGHT HUNDRED (\$800.00) - - - - - DOLLARS,

lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged

do- by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the - certain lot, piece or parcel ^{real estate} of ~~land~~ situate, lying and being in the

County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

Forty (40) inches of the waters of the Blackfoot River; being a part of the 1500 inches of the waters of the Blackfoot River as decreed to P. S. Fox, Jr., William Howard, A. Whitten, Susan E. Whitten and Calvin Miles as of date of June 1st, A.D. 1885; said decree being recorded in Judgment Book "I" at pages 107 to 116 of the records of Bingham County, Idaho, and said water right hereby conveyed being a portion of the eighty-seven and one-half ($87\frac{1}{2}$) inches of the above described waters heretofore conveyed to said Chris Peterson, by warranty deed dated July 8, 1919, made and executed by A. Whitten and Susan E. Whitten, his wife, and recorded October 19, 1920, in Book 41 of deeds at page 174 of the said records of Bingham County, Idaho.

Said water right herein conveyed to be and become appurtenant to Lot numbered one (1) and the Northeast quarter of the Northwest quarter of Section Thirty-one (31) in Township Two (2) South of Range Thirty-six (36) East of the Boise Meridian, containing 72.08 acres.

\$1.00 I. R. S. attached and cancelled.

6.14

WARRANTY DEED

203215

For Value Received ROSELLA C. HALE, widow,
of Blackfoot, Bingham County, Idaho
the grantor , does hereby grant, bargain, sell and convey unto REX A. HALE and ELEDA O.
HALE, Husband and Wife, of Blackfoot, Bingham County, Idaho *Kt 3 Box 246*
the grantees , the following described premises to-wit:

The Lot One of Section Thirty-one in Township Two South of Range Thirty-six, East of the Boise Meridian, in Bingham County, Idaho. Together with an undivided 1/2 interest in and to all ditches and water rights appurtenant thereto, and particularly 40 inches of the waters of Blackfoot River, being a part of 1500 inches decreed to P. S. Fox, Jr., William Howard, A. Whitten, et al., with date of priority June 1, 1885, as shown by deed recorded in Book 41 of deeds, page 470, Bingham County, Idaho; and 1 1/2 shares Eastern Idaho Water Company, and 102 shares of stock in the Loyd Canal Company.

EXCEPT a tract in said Lot One described as :
Commencing at the Northwest corner of Lot One
in Section 31, Township 2 South of Range 36, E.B.M.,
Bingham County, Idaho, thence east along the northerly
line of said Lot 165 feet, thence south at right angles
565 feet, more or less, to the center of a ditch running
east and west, thence west 165 feet along the center
of said ditch to the west line of said Lot 1, thence
north along the west line of said Lot 1 565 feet,
more or less, to the point of beginning.

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

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

Dated: July 28, 1975

Mrs Rosella C. Hale

STATE OF IDAHO, COUNTY OF BINGHAM
On this 28th day of July, 1975,
before me, a notary public in and for said State, personally
appeared ROSELLA C. HALE, a widow

RECORDING DATA:

203215

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Earl A. Perry
Notary Public
Idaho

Residing at Blackfoot
Comm. Expires February 29th, 1976

75 Jul 30
75 JUL 30
RECORDED AT 1000

BINGHAM TITLE & TRUST CO.

STATE OF IDAHO,
County of Bingham.

ss.

AFFIDAVIT OF HEIRSHIP

203211

Rosella C. Hale, being first duly sworn upon oath, deposes and says:

1. That Joseph A. Hale died intestate at Blackfoot, Bingham County, Idaho, on the 20th day of October, 1962, and at said date and for many years prior thereto, he had been a resident of Blackfoot, Bingham County, Idaho.

2. That said Joseph A. Hale and affiant, Rosella C. Hale, were married November 28th, 1917, at Logan, Cache County, Utah, and were from said date continuously husband and wife, until the death of the said Joseph A. Hale, and that during coverture they acquired the following described property in the County of Bingham, State of Idaho, with community funds and as community property, to-wit:

The Lot One and the Northeast Quarter of the Northwest Quarter of Section Thirty-one in Township Two South of Range Thirty-six, East of the Boise Meridian, in Bingham County, Idaho. Together with all ditches and water rights appurtenant thereto, and particularly 40 inches of the waters of Blackfoot River, being a part of 1500 inches decreed to P. S. Fox, Jr., William Howard, A Whitten, et al., with date of priority June 1, 1885, as shown by deed recorded in Book 41 of deeds, page 470, Bingham County, Idaho; and 1 1/2 shares Eastern Idaho Water Company, and 102 shares of stock in the Loyd Canal Company.

EXCEPT a tract in said Lot One described as: Commencing at the Northwest corner of Lot One in Section 31, Township 2 South of Range 36, E.B.M., Bingham County, Idaho, thence east along the northerly line of said Lot 165 feet, thence south at right angles 565 feet, more or less, to the center of a ditch running east and west, thence west 165 feet along the center of said ditch to the west line of said Lot 1, thence north along the west line of said Lot 1 565 feet, more or less, to the point of beginning.

3. That upon the death of said Joseph A. Hale, affiant became vested with the title thereto by reason of the laws of the State of Idaho relative to the devolution of community property upon the death of the husband intestate.

4. That all funeral expenses, the expenses of last illness and all debts have been fully paid.

5. That affiant, Rosella C. Hale, has been in open and unmolested possession of the above described property since she and said Joseph A. Hale acquired same by Warranty Deed dated July 10th, 1943; that she has resided on said property and used all available land for farming purposes, and that during said time she has paid all taxes lawfully levied and assessed upon said real estate.

Mrs. Rosella C. Hale

Subscribed and sworn to before me this 28th day of July 1975, at Blackfoot, Bingham County, Idaho.

(NOTARY SEAL)



My Commission Expires:
February 29th, 1976.

Earl W. Cory
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

203214

JUL 29 1975

OFFICIAL RECORDS
RECORDED & INDEXED

INGHAM TITLE & TRUST CO

368025

WARRANTY DEED

For Value Received REX A. HALE and ELEDA O. HALE, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto ADRIAN J. YOUNG and MARGOT B. YOUNG, husband and wife, whose current address is Route 6, Box 433, Blackfoot, Idaho 83221

the grantees, the following described premises, in Bingham County Idaho, to wit:

Part of Section 31, Township 2 South, Range 36 East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point that is N. 89°38'49" E. 2296.32 feet along the section line and S. 00°39'06" E. 210.00 feet from the N.W. corner of said Section 31; and running thence along a fence line S. 00°39'06" E. 1142.10 feet; thence N. 89°34'57" W. 2304.45 feet; thence N. 00°18'14" W. 1021.10 feet; thence leaving said fence line N. 89°38'49" E. 455.0 feet; thence N. 00°21'11" W. 90.0 feet; thence N. 89°38'49" E. 1842.42 feet to the point of beginning. EXCEPTING that portion lying within Lot 2 and the SE¼NW¼ of said Section 31.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights. *1/2 share of Bearfoot Idaho Water Co.* Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and rights-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 1982 and thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: January 8, 1982

Rex A. Hale

REX A. HALE

Eleda O. Hale

ELEDA O. HALE

STATE OF IDAHO, COUNTY OF Bingham

On this 8th day of January, 1982, before me, a notary public in and for said State, personally appeared REX A. HALE and ELEDA O. HALE, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Stephen J. Blase

Notary Public

368025

BRINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
JAN 30 1982

1988 JAN 22 PM 3:47

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

STATE OF IDAHO)
) ss.
County of Bingham)

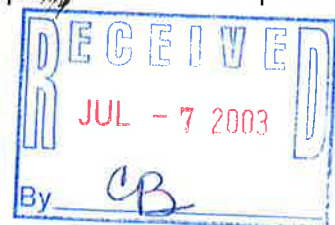
1. I make this affidavit based upon my own personal knowledge.

3. That I was his attorney. I represented him in those matters.

5. That in 1990, Mr. Hale had contracted with Paul Reid to sell him 40 inches of water from the Blackfoot River.

7. That this was confirmed with Ed Hall of Firth, Idaho, who was the Water Master at that time. We also confirmed this with the Department of Water Resources.

9. That in January, 1991, Mr. Hall was going to make the necessary transfer from Rex Hale to Paul Reid. At that time Mr. Hall was going to sign an Affidavit confirming that he had delivered that water to the Rex Hale property for over the past



25 years.

10. That after that time, it was assumed that this water was transferred. Mr. Reid had actually purchased the water in September, 1990 by check number 294 from First Federal Savings Bank.

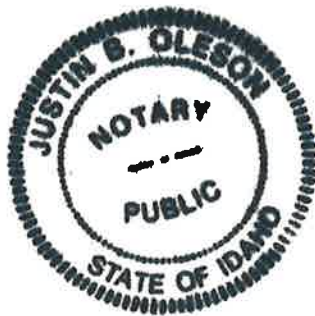
11. That it was my understanding from the time the water was purchased that Mr. Reid has used the water and Ed Hall, as Water Master, delivered that water to Mr. Reid's property on Reid Road in Firth, Idaho.

12. Further the affiant saith not.

DATED AND SIGNED this 23 day of June, 2003.


STEPHEN J. BLASER

SUBSCRIBED AND SWORN to before me this 23 day of June, 2003.




Notary Public for State of Idaho
Residing at Blackfoot, Idaho

My cmn exprs: 2/09

FARM ACCOUNT
PAUL E. OR BILLIE A. REID
 SSN 519-60-2534 SSN 519-66-7655
 875 REID RD.
 FIRTH, ID 83236

294
 92-7010/3241

PAY TO THE ORDER OF Rex Hale Sept 12 19 90

Four thousand dollars no/100 \$ 4000.00 DOLLARS

FIRST FEDERAL SAVINGS
 715 WEST JUDICIAL • BLACKFOOT, IDAHO 83221

MEMO 40 inches Blackfoot water Paul E Reid

⑆324170108⑆ 003 8 007088⑈ 0294 ⑈0000400000⑈

SAFETY PAPER

ENDORSE HERE Rex G. Hale

DO NOT WRITE STAMP OR SIGN BELOW THIS LINE
 RESERVED FOR FINANCIAL INSTITUTION USE *

1045 43656
 → 124100119
 WINSTON BANK, INC. NA
 OF A WABO S&B Bank
 BOISE, IDAHO
 #10
 → 124100119

SEP 11 90

12410042
 06 12410042
 0000230320
 SF 90 12

* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

6/17/03 - This COPY OF THE PAYMENT CHECK BARES
 WITNESS TO A TRANSACTION BETWEEN PAUL
 REID (BUYER) AND REX HALE (SELLER).

AFFIDAVIT OF JOHN DAVIDSON

STATE OF IDAHO)
) ss.
County of Bingham)

JOHN DAVIDSON, being first duly sworn on oath deposes and says:

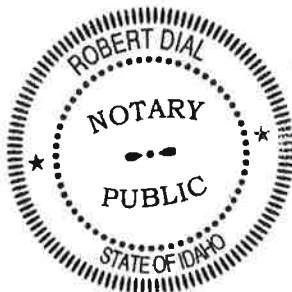
1. I make this affidavit based upon my own personal knowledge.
2. That I have been the Water Master since 1996.
3. That since the time I have been the Water Master, I have delivered over 40 inches of water to Paul Reid.
4. That during that time, it was my understanding that Paul Reid owned a right to an additional 40 inches of Blackfoot River water that came from Rex Hale.
5. That as Water Master I delivered that water to Paul Reid and assessments were sent to Paul Reid based upon that additional 40 inches of water. Those assessments Paul Reid paid for each year.
6. Further the affiant saith not.

DATED AND SIGNED this 2nd day of July, 2003.

John H Davidson
JOHN DAVIDSON

SUBSCRIBED AND SWORN to before me this 2 day of July, 2003.

Robert Dial
Notary Public for State of Idaho
Residing at Blackfoot, Idaho
Firth



My com expires: 1-7-2009

AFFIDAVIT OF ED HALL

STATE OF IDAHO)
) ss.
County of Bingham)

ED HALL, being first duly sworn on oath deposes and says:

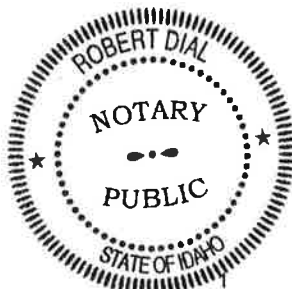
1. I make this affidavit based upon my own personal knowledge.
2. That I was the Water Master for the Blackfoot River water for 20 years.
3. That in 1990 Paul Reid purchased 40 inches of Blackfoot River water from Rex Hale.
4. That after that purchase, and since 1990 until I retired, I delivered, as Water Master, an additional 40 inches of Blackfoot River water to Paul Reid on Mr. Reid's property on Reid Road. He was assessed and paid for that water.
5. That as far as I am aware, that water had been delivered for 20 plus years to Rex Hales property, but that it was sold outside of any property transfer. That when Rex Hale's property was sold to another party, the water was not sold with it.
6. Further the affiant saith not.

DATED AND SIGNED this 2 day of ^{July}~~June~~, 2003.

Ed Hall
ED HALL

SUBSCRIBED AND SWORN to before me this 2 day of ^{July}~~June~~, 2003.

Robert Dial
Notary Public for State of Idaho
Residing at Blackfoot, Idaho
Firth



My cmn exprs: 1-7-2009

Idaho Department of Water Resources Receipt

Receipt ID E028890

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION LATE FEE	0337		43503	1155
\$50.00	ADJUDICATION FILING FEE	0337		43503	1155



Signature Line (Dept. Representative)

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: A27-000042
Date Received: 5/ 5/1989
Receipt No: X777777
Received By: _____

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

1. Name: PAUL REID
Address: 875 REID RD
FIRTH ID 83236 208-785-1494
2. Date of Priority: JUN 1, 1885
3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | | | | | | | | |
|----------|-------|---------|--------|--------|--------|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
| 02S | 37E | 12 | NW | NW | SW | | BINGHAM |
5. Description of diverting works:
PUMP, PIPELINE, 4 CENTER PIVOTS AND 9 LATERAL HAND LINES.
6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|--------|------|--------|
| Purpose | From | To | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 0.525 | | |
7. Total Quantity Appropriated is:
0.525 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 551.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	37E	1	NE	SW		IRR	15.0
			NW	SW		IRR	12.3
			SW	SW		IRR	20.0
			SE	SW		IRR	37.0
			NW	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	37E	1	SW	SE		IRR	40.0
Section Acres							129.3
		12	NW	NE		IRR	37.5
			NE	NW		IRR	33.8
			NW	NW		IRR	19.7
Section Acres							91.0
Total Acres							220.3

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
A27-00002/00003A/00005/00001.

14. Remarks:
TRANSFER 1561 COMBINED RIGHTS MAKING THEM APPURTENANT TO ENTIRE PLACE OF USE.
THIS NOTICE IS FOR A PORTION OF RIGHT 27-00004J.
PAID RECIEPT #E007175

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/ 1/1891

FRED S. STEVENS, ET AL
Decree Plaintiff

EASTERN IDAHO WATER CO., ET A
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 2/15/1998

LEGAL DESCRIPTION OF PROPERTY: Township 2 South Range 37 East
Section 1, 2, 11, 12, 1/4 of 1/4 of 1/4 Govt. Lot East, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

27-001 27002 27-0003A, 27-005 27-006 00004X

Blackfoot River decree date Aug 1 1891

[] Name and Address of Former Owner/Claimant(s)(Seller):

Darrell Cook and Traveler's Insurance
831 N. 1100 E., Shelley, ID

[] New Owner/Claimant (Purchaser):

Casey W. Reid and Paul Reid

[] New Mailing Address:

1051 Reid Rd. 875 Reid Rd.
Firth, ID 83236 Firth, ID 83236

[] New Telephone Number:

(208) 785-3798 AND (208) 285-1494

[] Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Casey Reid 60%
Paul Reid 40%

[] Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s)

Casey Reid Carol A. Reid Date 12/20/92
Paul E. Reid Date 12/20/92

[] Signature of Former Owner/Claimant(s):

Paul E. Reid Darrell L. Cook Date 12/20/92

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

NOTE: Casey Reid wants the former owner's w. rights to be split between him and his brother, Paul, as indicated above. 3-19-93 3-30-93 - Dave C. spoke to Casey Reid & told me I don't need to send a letter to them. We'll send letter to Darrell Cook. Jo

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: _____

Claim Numbers of Split, if any:

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

Bull

80 Fox d... 85 (Hole)

1.00 Lead Water 601
1.12 James Drew 303
1.00 Robert M... 100
1.82 Fort Worth 100
2.00 Radio Bump 100
5.34
Paul - 43% = 9.2
Case 1 - 53% = 3.12
Fox d... 4.90
James Drew 1.05
Fort Worth 1.45
Hole Fox d... 62
Cut
Hole Fox d... 7.04
8.04
8.04
1.34 Easton Th
1.38 Shomaker 031
2.00 Just - 025
4.00
4.8 Fox d... 3

James Drew 1.05
Fort Worth 1.45
Total 2.50
9.08
Cuts Fox d... 44
James Drew 1.05
Fort Worth 1.45
Total 2.50
9.08

Wallas

1.60 Shomaker 031
1.32 Just 014C
1.05 Fort Worth 10289
1.14 " 10370
1.70 Easton Th
3.10 Cooke - Carry
6.92
- 3.10 Cut
3.82
Cut
Fox d... 1.00
Easton Th 1.00
Cuts Fox d... 1.00
James Drew 1.00
Total cut 3.10

1.46 Fox d... 10339
1.00 Shomaker 031
1.24 Just 0143
1.05 Fort Worth 10289
1.14 " 10370
1.70 Easton Th
3.10 Cooke - Carry
6.92
- 3.10 Cut
3.82
Cut
Fox d... 1.00
Easton Th 1.00
Cuts Fox d... 1.00
James Drew 1.00
Total cut 3.10

1.00 Lead Water 601
1.12 James Drew 303
1.00 Robert M... 100
1.82 Fort Worth 100
2.00 Radio Bump 100
5.34
Paul - 43% = 9.2
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Fox d... 4.90
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Fort Worth 1.45
Hole Fox d... 62
Cut
Hole Fox d... 7.04
8.04
8.04
1.34 Easton Th
1.38 Shomaker 031
2.00 Just - 025
4.00
4.8 Fox d... 3

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~P.B. Fox, Jr., et al~~	~~30.0~~		~~27-0004~~
237	Thomson, R. A.	1.2		27-0004A
246	Stewart, John I.	1.0		27-0004B
328	Johnson, Peter G.	1.0		27-0004C
465	Hansen, B. D	1.55		27-0004D
531	Shaw, Alfred	0.4		27-0004E
852	Cook, Orval E.	0.2		27-0004F
853	Mickelsen, Elmer	0.6		27-0004G
854	Carson, S. George	0.2		27-0004H
1561	Cook, Darrell L.	3.5		27-0004J
	Vincent, Fred B. &/or Reid, Wallace R.	3.15		27-0004K
2445	Cox Enterprises, Inc.	0.570		27-0004L
	~~P.B. Fox, Jr., et al~~	~~16.63~~		~~27-0004M~~
	Hollingsworth, Gerald PENDING	2.66		27-0004P
2935	Esplin, Don	5.44		27-0004N
294	Allen, Preston	2.0		27-0004Q
	P.B. Fox, Jr., et al	6.53		27-0004R

S 4.08
 27-0004R
 T 2.45
 V

BLASER, SORENSEN & HANSEN, *Chartered*

Attorneys at Law
(208) 785-4700
FAX No. 785-7080

Stephen J. Blaser
Murray Jim Sorensen
Scott H. Hansen

285 N.W. Main
MAILING ADDRESS:
P.O. Box 1047
Blackfoot, Idaho 83221

June 13, 2003

Paul Reid
875 Reid Road
Firth, ID 83236

Dear Paul:

After we left the courthouse, I went to the title company and sweet talked one of the girls into helping us find the enclosed Deeds.

Enclosed are copies of the Warranty Deeds when Rex purchased the property showing the 40 inches of water that was sold to you. Of course, Adrian Young believes that is his water and it also shows 1½ shares of Eastern Idaho and 102 shares of the Loyd Canal. Adrian is the secretary of the Loyd Canal and says that is only a carrying right for 102 inches. The 1½ shares should be a right to approximately 49 inches.

This should be enough evidence to file a claim on the water.

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

Yours very truly,

BLASER, SORENSEN & HANSEN, Chrt.



Justin B. Oleson
Attorney at Law

JBO/ly
enclosure

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 27-11931
Date Received: 6/17/2003
Receipt No: E028890
Received By: ABR

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

1. Name of Claimant(s)
PAUL REID Phone: (208)785-1494
875 REID RD
FIRTH ID USA 83236
2. Date of Priority: 06/01/1885
3. Source: BLACKFOOT RIVER / Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4	of 1/4	Lot	County	Type
02S	37E	12	NW	NW	SW	BINGHAM	
5. Description of diverting works:
PUMP IN RIVER TO 4 PIVOTS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.8	
7. Total Quantity Appropriated is:
0.8 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
02S	37E	1	SE	SW	IRRIGATION	37
			NW	SE	IRRIGATION	5
			SW	SE	IRRIGATION	40
			NE	SW	IRRIGATION	15
			NW	SW	IRRIGATION	12.3
			SW	SW	IRRIGATION	20
Section Acres						129.3
02S	37E	12	NW	NE	IRRIGATION	37.5
			NE	NW	IRRIGATION	33.8
			NW	NW	IRRIGATION	19.7
			Section Acres		91	
Total Acres						220.3
11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used: B.U.

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF ORIGINAL DECREED RIGHT OTHER THAN 27-00004Z. DECREED UNDER STEVENS VS EASTERN IDAHO WATER CO., 8/01/1891.

15. Basis of Claim:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Paul E Reid

Date: 6/17/03

Date: _____

State of Idaho)

County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 17th

of JUNE 2003

ALEX RUBERRY

Notary Public

Residing at

BOANO FAUS RD

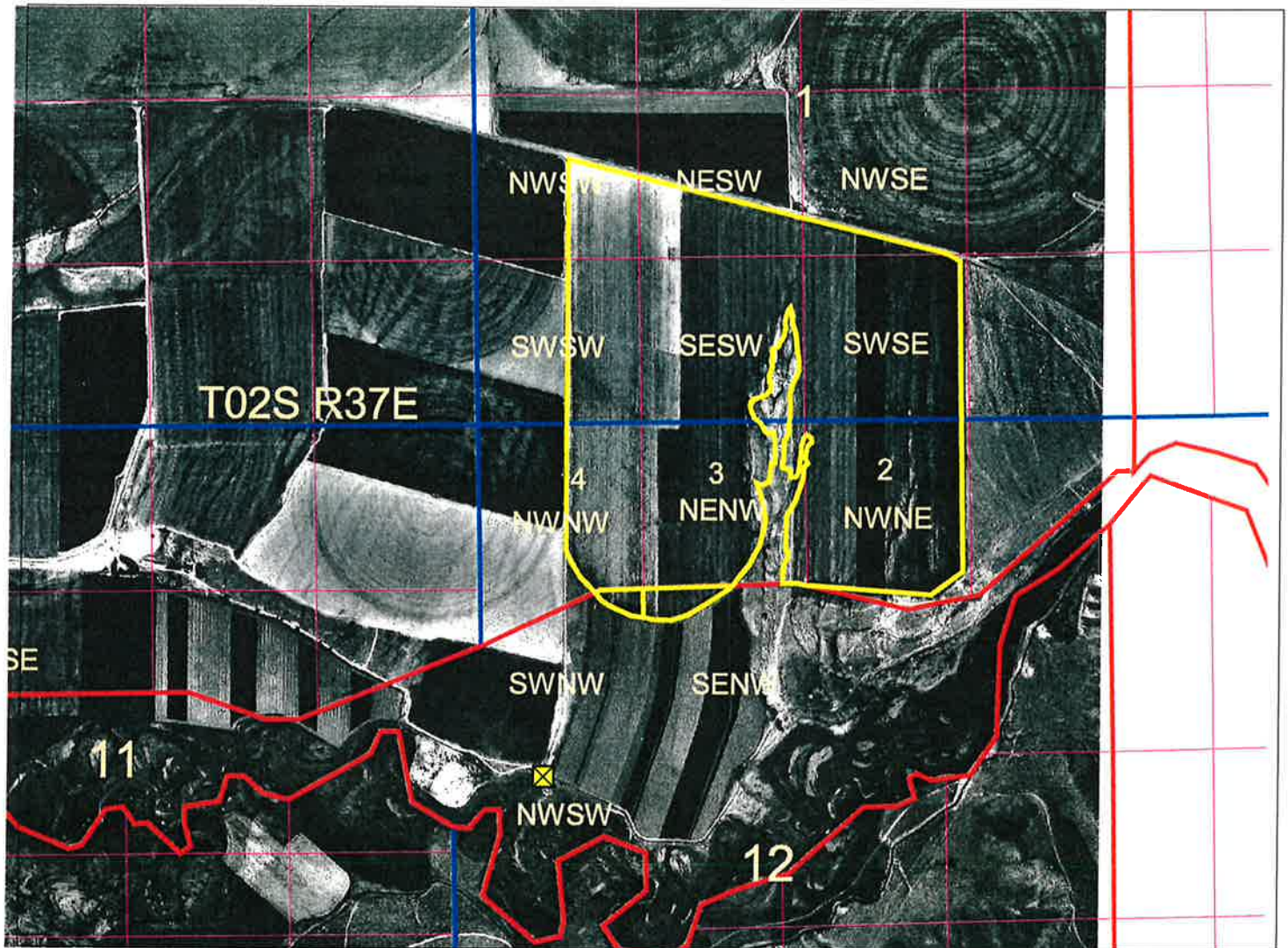
My commission Expires

9/23/03



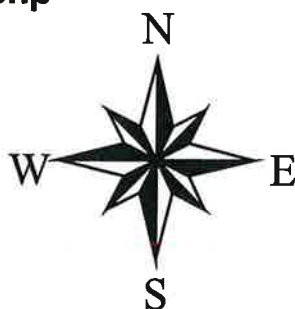
Idaho Department of Water Resources

Claim No.: 27-1B, 27-2B, 27-3E,
27-4Z, 27-5B



0 1320 2640 3960 5280 Feet

- ☒ Point of diversion.shp
- Place of use.shp
- Township/Range
- Sections
- QQ



1992 DOQQ Photography
Prepared by: Ernest Carlsen
Date Prepared: March 2005