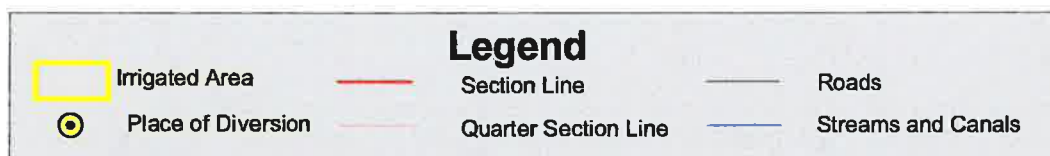
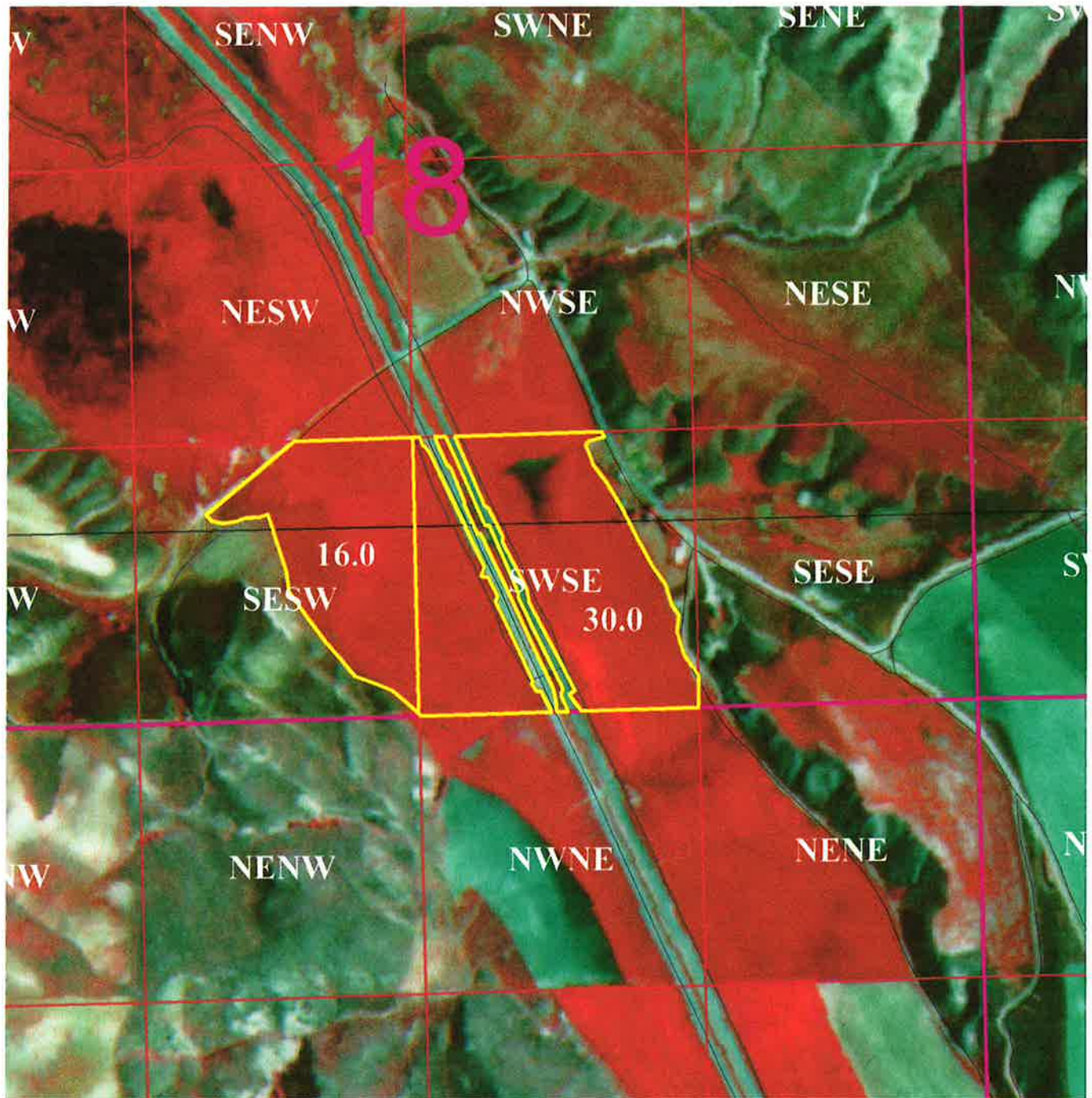
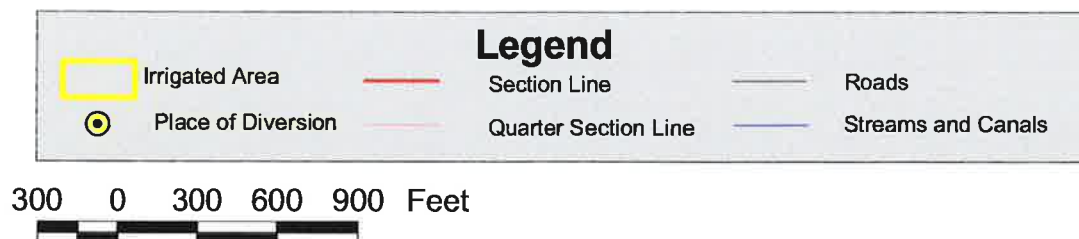


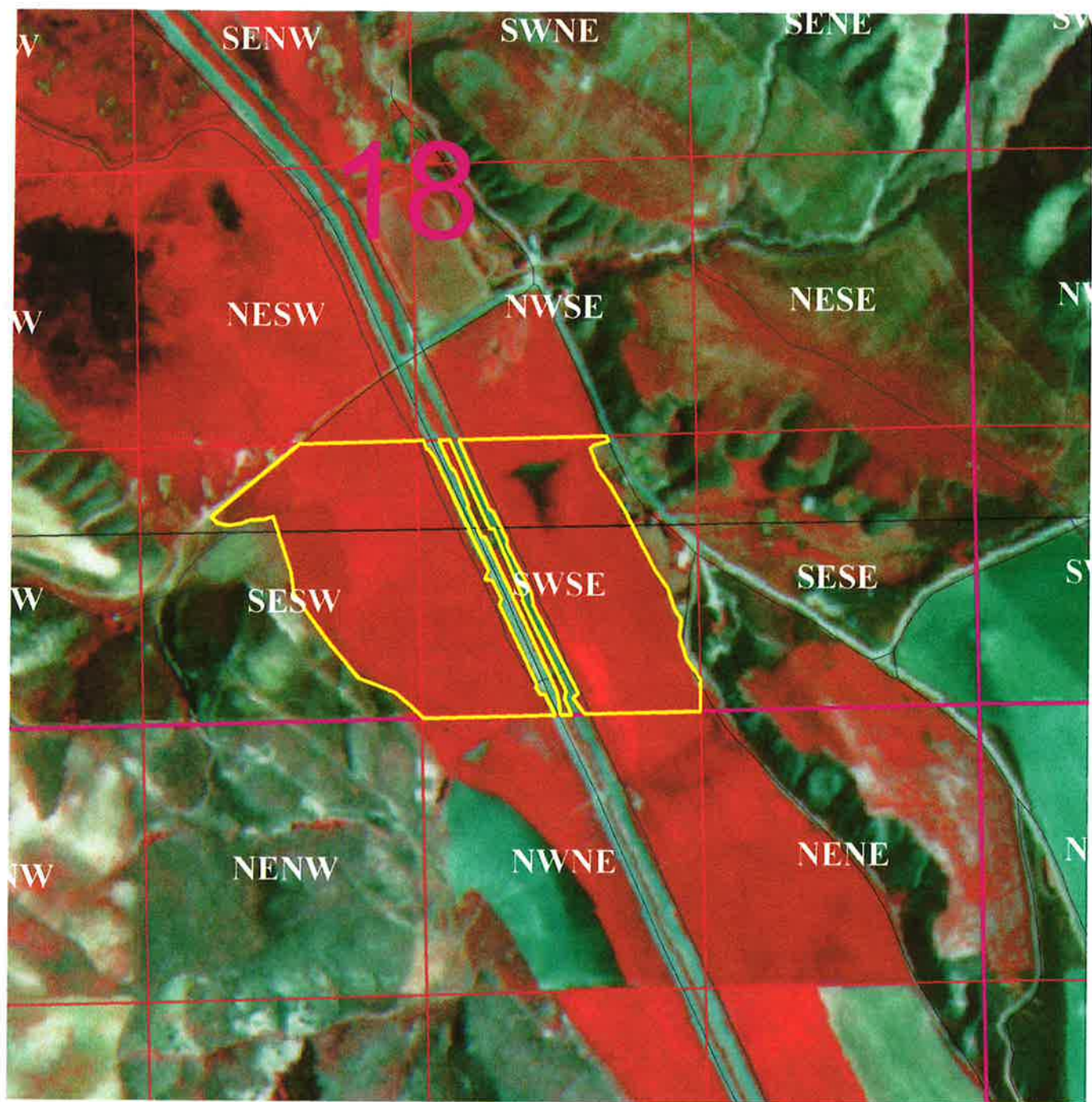
10/18/2001

Township , 12S38E

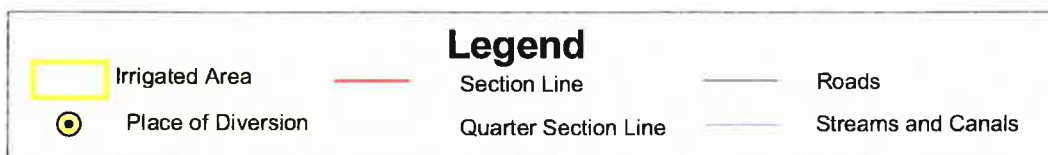
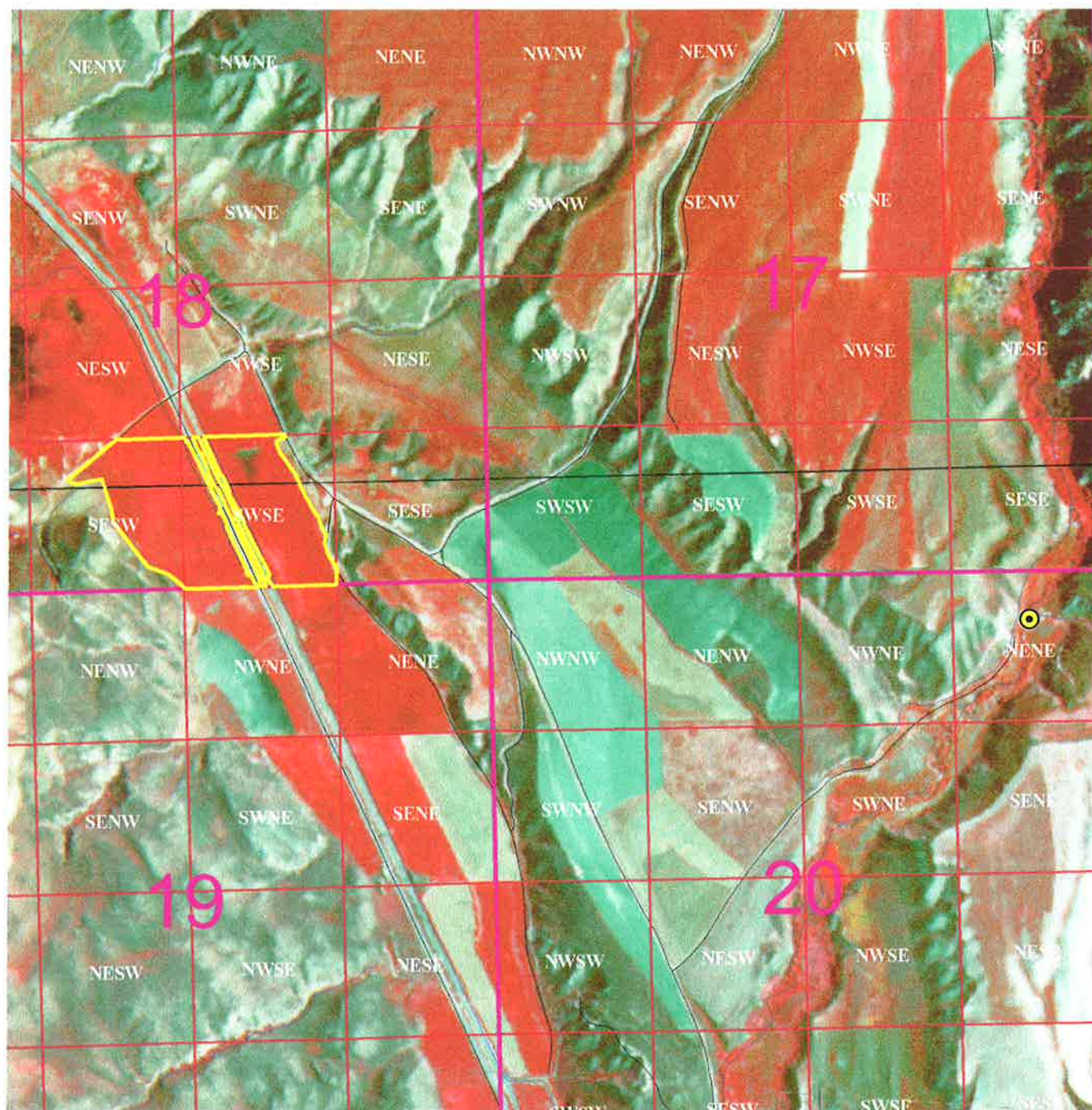




Township , 12S38E



Township , 12S38E



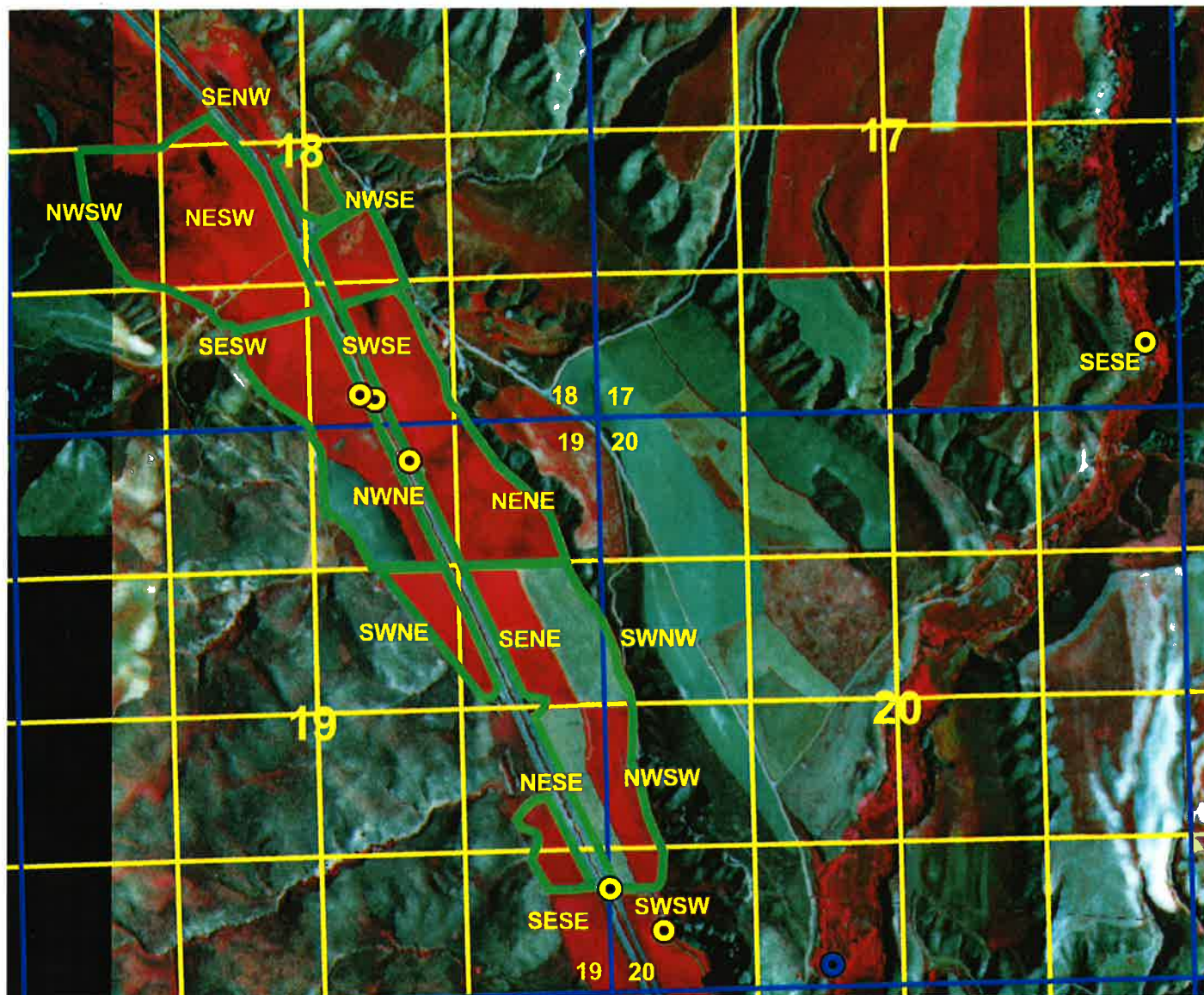
600 0 600 1200 1800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

29-00349, 29-00351, 29-00356

T12S, R38E SEC. 18,19,20



ACRES IRRIGATED- 232



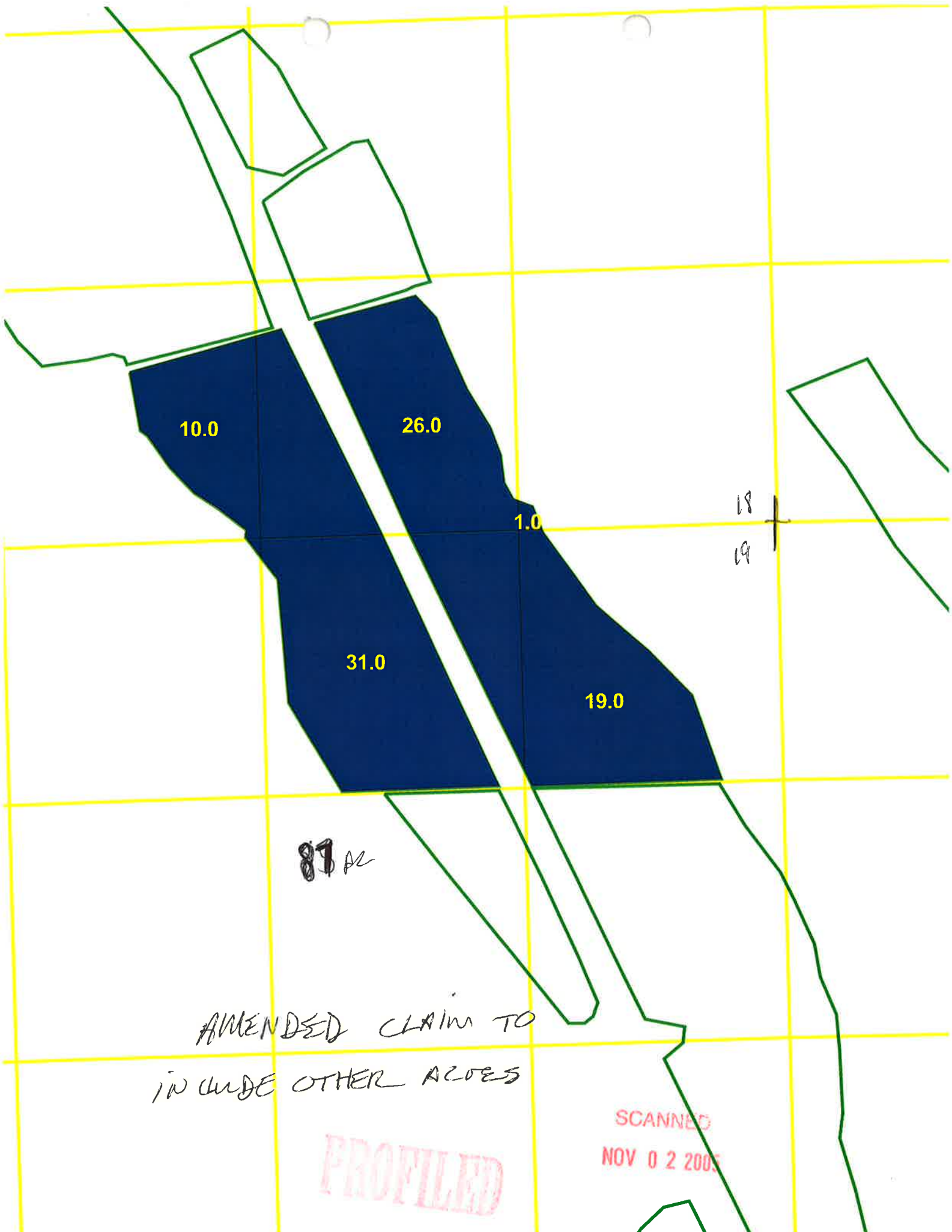
POINT OF DIVERSION



PLACE OF USE

PROFILED
SCANNED
NOV 02 2005

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**



AMENDED CLAIM TO
INCLUDE OTHER ACRES

PROFILED

SCANNED
NOV 02 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 2, 2001

JOHN M EVANS
26704 S RED ROCK RD
DOWNEY ID 83234

RE: CHANGE IN OWNERSHIP FOR A29-00351

Dear Mr. Evans:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

SCANNED

NOV 02 2005

PROFIT

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 29-351
Date Received: 5/17/1990
Receipt No: E014591
Received By:

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

1. Name of Claimant(s)

JOHN M EVANS Phone: (208)897-5973

26704 S RED ROCK RD
DOWNEY ID USA 83234

2. Date of Priority: 08/01/1865

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	38E	20	SW SW	BANNOCK	

5. Description of diverting works:

CEMENT HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	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
12S	38E	18	SE SW	IRRIGATION	20
			SW SE	IRRIGATION	20

Section Acres 40
Total Acres 40

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

MEASURING DEVICE REQUIRED

See remarks for additional conditions of approval.

15. Basis of Claim: Decreed

PROFILED

SCANVILLE
NOV 02 2005

OK
DC 1/2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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
A29-351					

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)

Pratt Brothers

4. New Owner/Claimant(s)

John M EVANS

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

26704 S Red Rock RD

City, State and ZIP Code

DOWNEY, ID 83234

New Telephone Number

208 897-5973

5. Date you acquired the property

1999

FILED

SCANNED
NOV 02 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

PROFILED

NOV 02 2005

9/28/2001

Change of Ownership

Water Right 29-00351

Old Owners: Pratt Brothers

NEW OWNERS: ^{John} M. Evans

26704 B. Red Rock Rd.
Downey, Idaho 83234
PH. 897-5973
MOB. 251-5973

* John M. Evans 9/28/2001

PROFILED

SCANNED
NOV 02 2005

5-1

HA 21588 (1)

99014199

NO **99014199**
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
99 JUL 19 AM 11 10
OFFICIAL RECORD BOOK NO **242**
BANNOCK COUNTY IDAHO
LARRY S. DEAN RECORDER
FEE **15.00** DEPUTY *J*

WARRANTY DEED

FOR VALUE RECEIVED

LEON PRATT and BETTY L. PRATT, husband and wife, and COY H. PRATT and CAROLYN A. PRATT, husband and wife,

do hereby grant, bargain, sell and convey unto

J. MORGAN EVANS and CHARLA M. EVANS, husband and wife,

whose current address is: 26704 S Back Red Rock Rd, Downey, ID 83234,

the Grantees, the following described premises in Bannock County, Idaho to wit:

See Exhibit "A" attached hereto

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the 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 encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: July 16, 1999.

Leon Pratt

LEON PRATT

Betty L. Pratt

BETTY L. PRATT

Coy H. Pratt

COY H. PRATT

Carolyn A. Pratt

CAROLYN A. PRATT

PROFILED

SCANNED
NOV 02 2005

STATE OF IDAHO)
)
County of Franklin)

On this 16th day of July, 1999, before me, the undersigned a Notary Public in and for said State, personally appeared **LEON PRATT and BETTY L. PRATT, 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.



Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Exp.: 2/19/05

STATE OF IDAHO)
)
County of Franklin)

On this 16th day of July, 1999, before me, the undersigned a Notary Public in and for said State, personally appeared **COY H. PRATT**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, Idaho
Comm. Exp.: 2/19/05

STATE OF IDAHO)
) ss.
County of Franklin)

On this 16th day of July, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **CAROLYN A. PRATT**, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Steven R. Fuller
NOTARY PUBLIC for State of Idaho
Residing at: Preston, ID
Comm. Expires: 2/19/05

FILED

SCANNED
NOV 02 2005

PARCEL 1:

THE SE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ AND THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, SAVE AND EXCEPT THAT PORTION THEREOF DEEDED TO GEORGE C. PRATT, PARTICULARLY DESCRIBED IN THAT CERTAIN WARRANTY DEED FOUND OF RECORD IN BOOK 22 OF DEEDS, PAGE 365 OF THE RECORDS OF BANNOCK COUNTY, IDAHO, AND EXCEPT THE LANDS CONVEYED TO BANNOCK COUNTY, IDAHO, BY THAT CERTAIN WARRANTY DEED WHICH IS FOUND OF RECORD IN BOOK 33 OF DEEDS, PAGE 387, AND THE LANDS CONVEYED TO THE STATE OF IDAHO BY THAT CERTAIN RIGHT OF WAY DEED WHICH IS FOUND OF RECORD IN BOOK 80 OF DEEDS, AT PAGE 96, OF THE RECORDS OF SAID BANNOCK COUNTY, IDAHO.

ALSO:

BEGINNING AT THE SECTION CORNER BETWEEN OR COMMON TO SECTIONS 17, 18, 19 AND 20 IN SAID TOWNSHIP AND RANGE, THENCE RUNNING WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION A DISTANCE OF 1320 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SUBDIVISION, RUNNING THENCE NORTH ALONG THE WEST BOUNDARY THEREOF A DISTANCE OF 775 FEET, MORE OR LESS, RUNNING THENCE SOUTH 57°51' EAST 1000 FEET, MORE OR LESS, THENCE RUNNING NORTH 46°59' EAST 656 FEET, MORE OR LESS, TO THE EAST BOUNDARY OF SAID SUBDIVISION, RUNNING THENCE SOUTH 697 FEET, MORE OR LESS, TO PLACE OF BEGINNING.

EXCEPT THEREFROM, A TRACT IN THE SOUTHEASTERLY CORNER OF THE SE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 18, RUN THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH BOUNDARY LINE OF SAID SUBDIVISION A DISTANCE OF 13 RODS 2 $\frac{1}{2}$ FEET, MORE OR LESS, TO THE NORTHEASTERLY BOUNDARY OF THE ROAD KNOWN AND REFERRED TO AS CALVIN ROAD, RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG THE BOUNDARY LINE OF SAID CALVIN ROAD A DISTANCE OF 10 RODS, MORE OR LESS, TO ITS INTERSECTION WITH THE ROAD REFERRED TO AS THE PRATT ROAD OR THE GRANT ROAD, RUN THENCE IN A NORTHEASTERLY DIRECTION ALONG THE SAID PRATT OR GRANT ROAD A DISTANCE OF 22 RODS 4 FEET, RUN THENCE IN AN EASTERLY DIRECTION WITH A BEARING TO THE NORTH ALONG SAID ROAD A DISTANCE OF 10 RODS 6 FEET, MORE OR LESS, TO THE EAST BOUNDARY LINE OF SAID SUBDIVISION, RUN THENCE IN A SOUTHERLY DIRECTION ALONG THE EASTERLY BOUNDARY LINE OF SAID SUBDIVISION A DISTANCE OF 28 RODS 12 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

ALSO EXCEPTING:

TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

SECTION 18: A PARCEL IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 359.4 FEET NORTH AND 155.3 FEET EAST OF THE SOUTHWEST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 18, AND RUNNING THENCE NORTH 73°35' EAST 100 FEET; THENCE NORTH 16°25' WEST 100 FEET; THENCE SOUTH 73°35' WEST 100 FEET; THENCE SOUTH 16°25' EAST 100 FEET TO THE POINT OF BEGINNING.

(Continued)

FILED

SCANNED

NOV 02 2005

ALSO EXCEPTING:
TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY,
IDAHO

SECTION 18: A PARCEL IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
OF SAID SECTION DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 359.4 FEET NORTH AND 155.3 FEET EAST OF THE
SOUTHWEST CORNER OF THE SOUTHEAST QUARTER SOUTHEAST QUARTER OF
SECTION 18, AND RUNNING THENCE NORTH 73°35' EAST 100 FEET; THENCE SOUTH
16°25' EAST 30 FEET; THENCE SOUTH 73°35' WEST 100 FEET; THENCE SOUTH 16°25'
EAST 35 FEET; THENCE SOUTH 73°35' WEST 60 FEET; THENCE NORTH 16°25' WEST 65
FEET; THENCE NORTH 73°35' EAST 60 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING:
TOWNSHIP 12 SOUTH, RANGE 38 E.B.M., BANNOCK COUNTY, IDAHO.

SECTION 18: COMMENCING AT A POINT 359.4 FEET N AND 155.3 FEET E OF THE SW
CORNER OF THE SE¼SE¼ OF SAID SECTION; AND RUNNING THENCE N 16°25' W, 100
FEET TO THE TRUE POINT OF BEGINNING; THENCE N 73°35' E, 115 FEET; THENCE S
16°25' E 210 FEET; THENCE S 73°35' W, 175 FEET; THENCE N 16°25' W, 210 FEET; THENCE
N 73°35' E, 60 FEET TO THE POINT OF BEGINNING.

EXCEPT: COMMENCING AT A POINT 359.4 FEET N AND 155.3 FEET E OF THE SW
CORNER OF THE SE¼SE¼ OF SAID SECTION; AND RUNNING THENCE N 16°25' W, 100
FEET; THENCE N 73°35' E, 100 FEET; THENCE S 16°25' E 130 FEET; THENCE S 73°35' W
100 FEET; THENCE S 16°25' E 35 FEET; THENCE S 73°35' W 60 FEET; THENCE N 16°25' W
65 FEET; THENCE N 73°35' E, 60 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING:
A TRACT OF LAND IN A PORTION OF THE SW¼SE¼ SECTION 18, T 12 S, R 38 EBM,
BANNOCK COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 359.4 FEET NORTH OF THE SW CORNER OF SE¼SE¼ OF
SAID SECTION 18; SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE
CONTINUING NORTH ALONG SAID 1/16 LINE 281.0 FEET MORE OR LESS TO THE
WESTERLY RIGHT OF WAY LINE OF SOUTH BACK RED ROCK ROAD; THENCE N 50°0' W
ALONG SAID RIGHT OF WAY 260.0 FEET; THENCE S 40°0' W 160.0 FEET; THENCE S 50°0'
E 491.0 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THOSE PARCELS DEEDED TO UNION PACIFIC RAILROAD FOR RIGHT
OF WAY.

SUBJECT TO A RIGHT OF WAY EASEMENT 33 FEET WIDE, 16.5 FEET ON EACH SIDE OF
THE FOLLOWING DESCRIBED CENTER LINE:

COMMENCING AT A POINT NORTH 359.4 FEET, EAST 155.3 FEET, NORTH 16°25' WEST
100 FEET, AND NORTH 73°35' EAST 50 FEET TO THE TRUE POINT OF BEGINNING, AND
RUNNING THENCE NORTH 19°55' WEST 270 FEET MORE OR LESS TO THE COUNTY
ROAD.

(Continued)

PROFILED

SCANED
NOV 02 2005

99014199

PARCEL 2:

THE N½ OF THE NE¼ AND THE E½ SW¼ OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO SAVE AND EXCEPT THE LANDS CONVEYED TO BANNOCK COUNTY, IDAHO, BY THAT CERTAIN WARRANTY DEED WHICH IS FOUND OF RECORD IN BOOK 33 OF DEEDS, PAGE 387, AND THE LANDS CONVEYED TO THE STATE OF IDAHO BY THAT CERTAIN RIGHT OF WAY DEED WHICH IS FOUND OF RECORD IN BOOK 80 OF DEEDS, AT PAGE 96, OF THE RECORDS OF SAID BANNOCK COUNTY, IDAHO;

ALSO:

NE¼ OF THE NW¼ AND THE SE¼ OF THE NW¼ OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

EXCEPTING THOSE PARCELS DEEDED TO UNION PACIFIC RAILROAD FOR RIGHT OF WAY.

PARCEL 3:

A PORTION OF N½ OF NW¼ IN SECTION 20, ALL IN TOWNSHIP 12 SOUTH, RANGE 38 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID NW¼ OF THE NW¼ OF SECTION 20, RUN THENCE NORTH ALONG THE WEST BOUNDARY LINE OF SAID SUBDIVISION A DISTANCE OF 63 RODS 4½ FEET, MORE OR LESS, TO THE SOUTHWESTERLY BOUNDARY LINE OF THE CALVIN ROAD, RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID LAST MENTIONED BOUNDARY LINE A DISTANCE 77 RODS 13½ FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE SOUTH BOUNDARY LINE OF SAID SUBDIVISION, RUN THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH BOUNDARY LINE OF SAID SUBDIVISION A DISTANCE OF 29 RODS 10½ FEET, MORE OR LESS, TO THE PLACE OF BEGINNING. THIS IS A TRACT IN N½ OF NW¼ REFERRED TO AS TAX 13, SECTION 20, TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO.

RESERVING UNTO THE GRANTORS, THEIR HEIRS AND ASSIGNS, ALL MINERAL, OIL AND GAS RIGHTS TO THE ABOVE-DESCRIBED PREMISES.

TOGETHER WITH an easement for ingress and egress over an existing road 20 feet in width over the East side of the following described property:

A TRACT OF LAND IN A PORTION OF THE SW¼SE¼ OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 359.4 FEET NORTH OF THE SOUTHWEST CORNER OF THE SE¼SE¼ OF SAID SECTION 18; SAID POINT BEING THE TRUE POINT OF BEGINNING: THENCE CONTINUING NORTH ALONG SAID 1/16 LINE 281.0 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH BACK RED ROCK ROAD; THENCE NORTH 50°0' WEST ALONG SAID RIGHT-OF-WAY 260.0 FEET; THENCE SOUTH 40°0' WEST 160.0 FEET; THENCE SOUTH 50°0' EAST 491.0 FEET TO THE TRUE POINT OF BEGINNING AND COMPRISING 1.3 ACRES, MORE OR LESS.

SCANNED

NOV 02 2005

PROFILED

AJ5809NP
No. A29-00351

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 26

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEON OR COY PRATT BROTHERS BOX 326 DOWNEY ID 83234 (208) 897-5797	08/01/1865	IRRIGATION	04-01 11-01	0.800 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.800 CFS	100.00 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T12S R38E S20 SWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
12S	38E	18	:																	:			
																			20	:	20	:	40.0
																			TOTAL ACRES		:	40.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00349

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00349

Conditions of Approval:
016 - See remarks for additional conditions of approval.

Remarks: GEN MEASURING DEVICE REQUIRED.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29H Field Inspection Flag:
Presumption Flag:

Audit: 06/21/90 DCARLSON 03/29/95 POST-STD

JUN 04 2001

Log for claim A29-00351

Spatial Dynamics TWB

5/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s38e	18	SESW	20	16	
12s38e	18	SWSE	20	30	
Totals:			40	46	

29-0349, 351, 356, 357
ARE ALL USED TOGETHER
ON ONE POD THROUGH
MANY ~~POD~~ SHARED PODS

6 pods - 5 ditches
1 pump in Marsh Crk

#47 ACRES
more

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 29-351
Date Received: 5/17/1990
Receipt No: E014591
Received By: E027196

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

1. Name of Claimant(s)

JOHN M EVANS Phone: (208)897-5973

26704 S RED ROCK RD
DOWNEY ID USA 83234

2. Date of Priority: 08/01/1865

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	38E	20	SW SW	BANNOCK	

5. Description of diverting works:

CEMENT HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	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
12S	38E	18	SE SE	IRRIGATION	1
			SE SW	IRRIGATION	10
			SW SE	IRRIGATION	26

PROFILED

SCANNED

NOV 02 2005

					Section Acres	37
12S	38E	19	NW	NE	IRRIGATION	31
			NE	NE	IRRIGATION	19
					Section Acres	50
					Total Acres	87

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

MEASURING DEVICE REQUIRED

See remarks for additional conditions of approval.

15. Basis of Claim: Decreed

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): *J. Morgan Evans* Date: 10-17-01

Date:

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this
of Oct 10 2001 *Danue Cole*



Notary Public
Residing at *Digby, Id*
My commission Expires 2/26/2002

PROVIDED

SCANNED
NOV 02 2005

JUN 04 2001

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
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CIVIL CASE NUMBER: 39576

Ident. Number: A29-00351
Date Received: 5/01/1990
Receipt No: E014591
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEON OR COY PRATT BROTHERS 208-897-5797
Address: BOX 326
DOWNEY, ID 83234

2. Date of Priority: AUG 01, 1865

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	38E	20	SW	SW			BANNOCK

5. Description of diverting works:
CEMENT HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	38E	18	SE	SW		IRR	20.0
			SW	SE		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:
MEASURING DEVICE REQUIRED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

LIBERTY HUNT, ET AL.
Decree Plaintiff

vs

CHAS. THORNTON, ET AL.
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 pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-00351	12S 38E	20		SW	SW			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX		R PREFIX								
A29-00349		NONE	NONE							

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

B. WR POINT OF DIVERSION AND SOURCE:

2900351 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 12S	RGE. 38E	SEC. 20	1/4	1/4 SW	1/4 SW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-00351

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	38E	18	SE	SW		PRATT BROTHERS, LEON OR COY	A29-00351 / 20.0	- /	28.0		
			SE	SW		EVANS, JOHN M	A29-00349 / 6.0	- /			
12S	38E	18	SW	SE		PRATT BROTHERS, LEON OR COY	A29-00351 / 20.0	- /	5.0		
ADDITIONAL POU FOUND											

TOTAL ACRES A29-00351 40.00 33.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-00351	MARSH CREEK	PRATT BROTHERS, LEON OR COY	0.800	0.020		
A29-00349	MARSH CREEK	EVANS, JOHN M	1.200	0.008		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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CIVIL CASE NUMBER: 39576

Ident. Number

A29-00351

Date Received

Receipt Number

E014591 / 90

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 1 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Pratt Brothers, Leon or Coy Phone (208) 897 5797Mailing Address P.O. Box 326, Downey, Idaho Zip 832342. Date of Priority (Only one (1) per claim) August 1, 18653. Source of water supply (a) MARSH CREEKwhich is tributary to (b) PORTNEUF RIVER4. a. Location of existing point of diversion is: Township 12 S Range 38 E Section 20,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of BANNOCKAdditional points of diversion if any: None

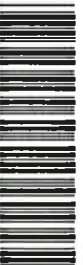
b. If instream flow, beginning point of claimed instream flow is:

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

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Cement headgates installed in the Marsh Creek.

A2900351



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 0.800 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.800 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

9. Non-irrigation uses; describe fully (a). Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____ None

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12S	38E	18												20			20		40

Total number of acres irrigated 40

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (x)

14. Remarks: None

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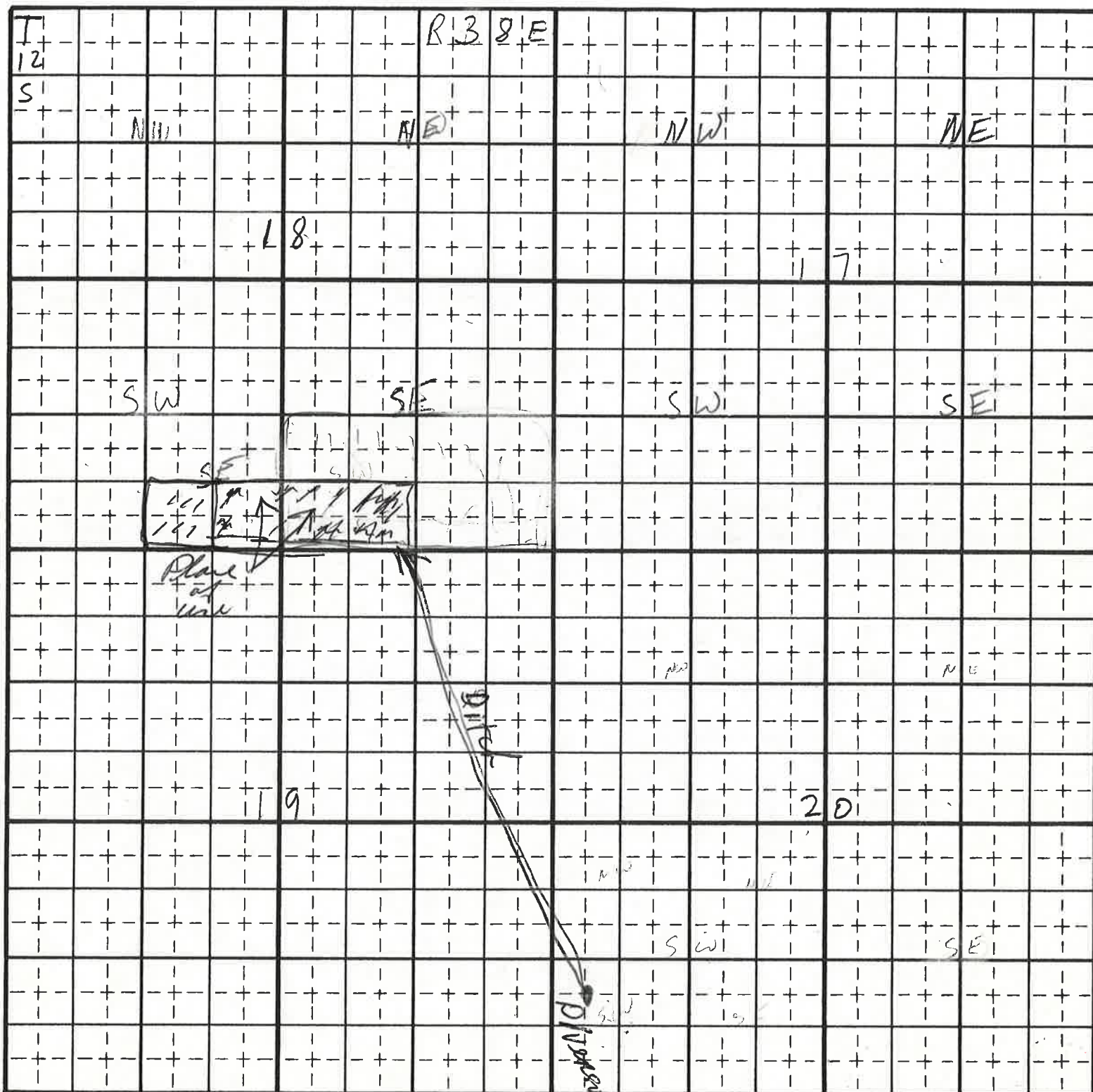
NOV 13 1992

Last Name PRATT BROTHER, LEON Ident No. A29-00351
OR COY

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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Last Name PRATT

Ident No. A29 00351

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number 39576 Decree Date 3/30/1896

Plaintiff vs Defendant Liberty Hunt, ET AL. VS CHAS. Thornton, ET AL.

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Lion Pratt Date 4/30/90

Date _____

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

Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30 day of April 19 90

SEAL

Notary Public Barbara A. Byler

Residing at Downey St

My Commission Expires 12-22-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant