

12/23/2002

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

RIGHT NUMBER: 29-10831
NAME AND ADDRESS: BRETT CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

NATHAN CASPERSON
8789 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.200 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.4 CFS. COMBINED RIGHT NOS.: 29-10831,
29-10833, 29-13406, AND 29-13407.

PRIORITY DATE: 09/04/1915

POINT OF DIVERSION:

T09S R38E S33 SENWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	4/15	9/15	
IRRIGATION			1.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S30	NWNE	2.7	T09S R38E S30	SWNE	37.0
T09S R38E S30	SENE	33.0	T09S R38E S30	NESE	33.0
T09S R38E S30	NWSE	39.0	T09S R38E S30	SWSE	18.0
T09S R38E S30	SESE	17.0			

179.7 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 179.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10831, 29-10833,
29-13406, 29-13407.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.0 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: Decreed

12/23/2002

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM TOPAZ CANAL
SYSTEM.

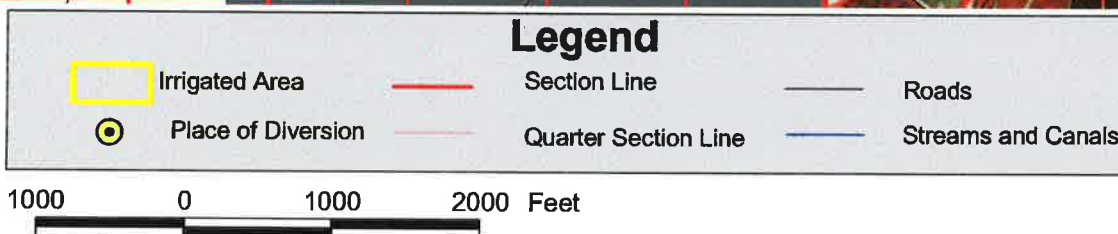
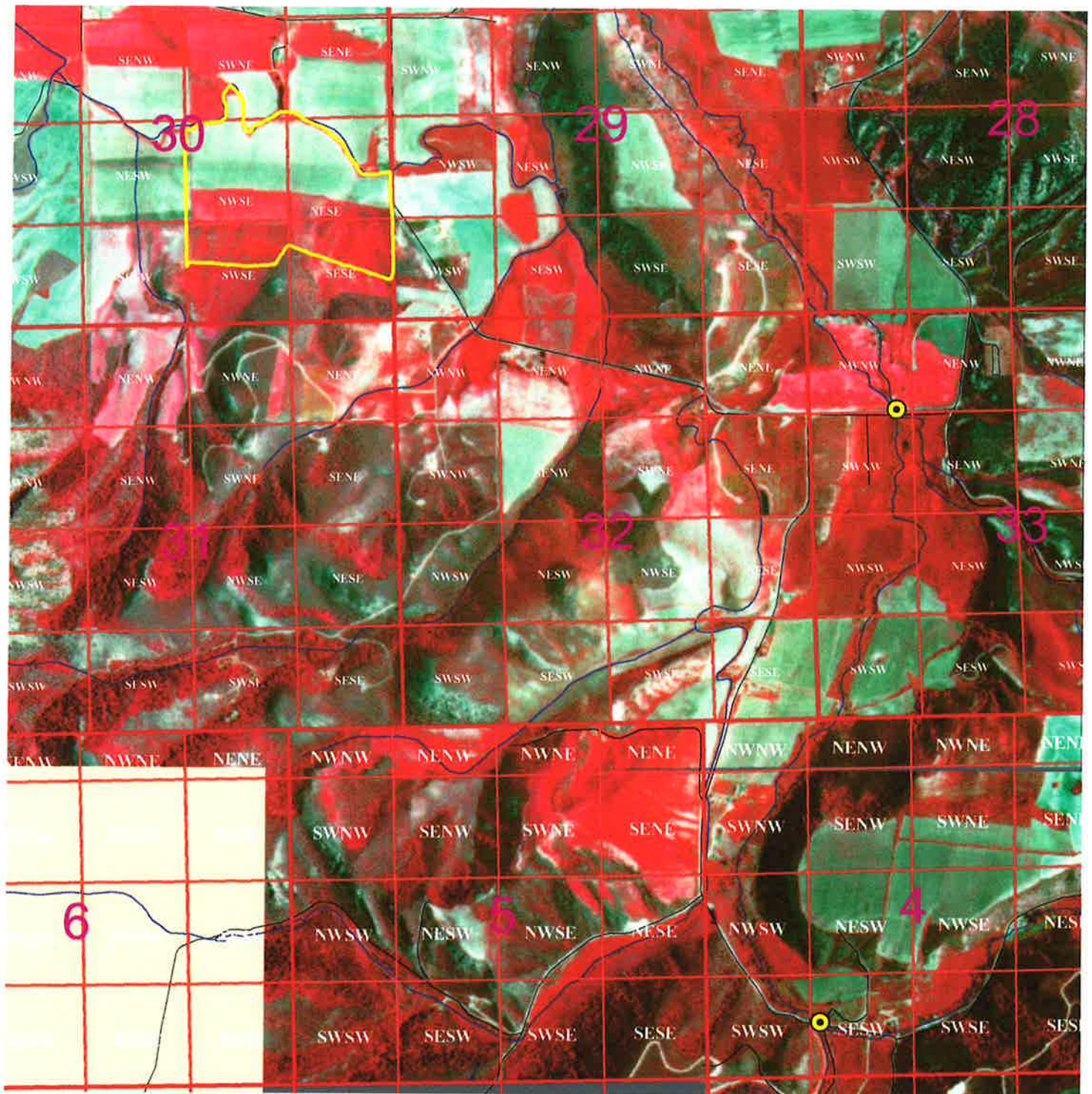
RIGHT NO. 29-13406 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-174 AND 29-176.

Water Right Claim Number A29-10831

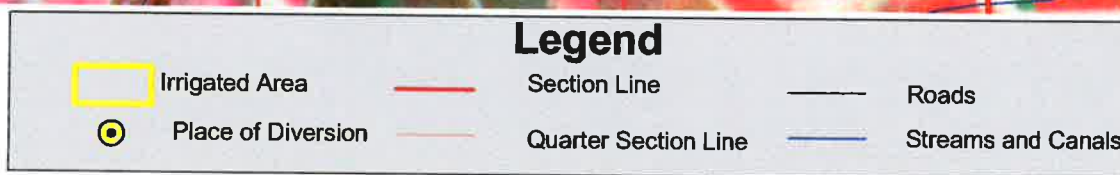
Township , 9S38E

09/12/2000



Water Right Claim Number A29-10831
Township , 9S38E

09/12/2000



1000 0 1000 2000 Feet





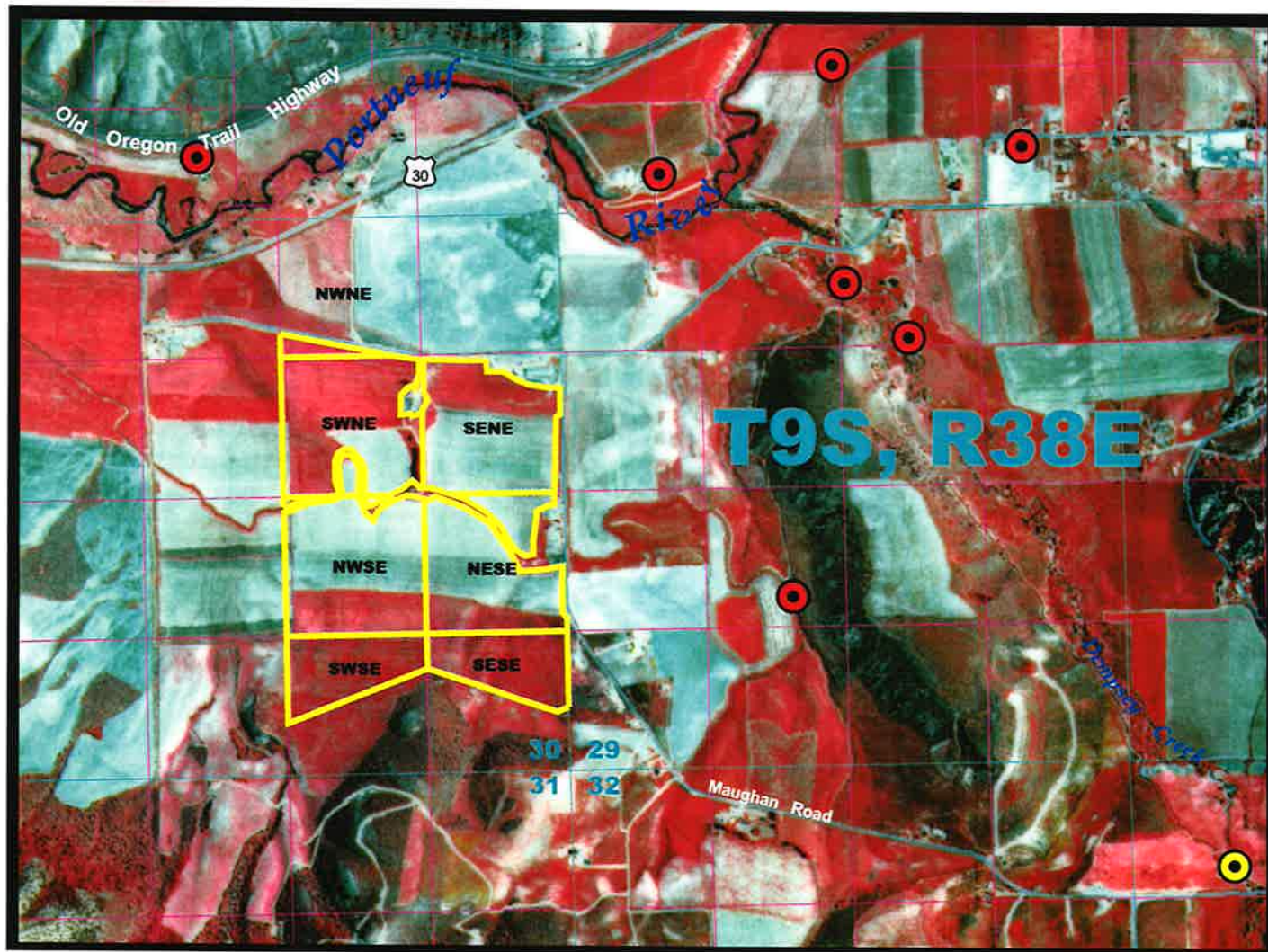
JAN 26 2006

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-10831, 29-10833,
29-13406, 29-13407

Place of Use: (parts of) T9S, R38E
Sec. 30 SE, W2NE, SENE

Point(s) of Diversion: T9S, R38E
Sec. 33 SENWNW

NOTE: Delivery through the
Topaz Canal system.



LEGEND

-  Point of Diversion
-  SESE Place of Use
-  Section
-  Quarter-Quarter

1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

05/23/2005

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

RIGHT NUMBER: 29-10831

NAME AND ADDRESS: BRETT CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

NANCY CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.200 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.4 CFS. COMBINED RIGHT NOS.:
29-10831, 29-10833, 29-13406, AND 29-13407.

PRIORITY DATE: 09/04/1915

POINT OF
DIVERSION: T09S R38E S33 SENWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	1.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S30	NWNE	2.7	T09S R38E S30	SWNE	37.0
T09S R38E S30	SENE	33.0	T09S R38E S30	NESE	33.0
T09S R38E S30	NWSE	39.0	T09S R38E S30	SWSE	18.0
T09S R38E S30	SESE	17.0			

179.7 ACRES TOTAL

05/23/2005

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

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10831, 29-10833, 29-13406, 29-13407.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.0 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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-174 AND 29-176.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM TOPAZ CANAL
SYSTEM.

done

NATHAN CASPERSON
8789 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.200 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.4 CFS. COMBINED RIGHT NOS.:
29-10831, 29-10833, 29-13406, AND 29-13407.

PRIORITY DATE: 09/04/1915

POINT OF
DIVERSION:

T09S R38E S33 SENWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

<u>PERIOD OF USE</u>	
4/15	9/15

QUANTITY
1.200 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R38E S30	NWNE	2.7	T09S R38E S30	SWNE	37.0
T09S R38E S30	SENE	33.0	T09S R38E S30	NESE	33.0
T09S R38E S30	NWSE	39.0	T09S R38E S30	SWSE	18.0
T09S R38E S30	SESE	17.0			

179.7 ACRES TOTAL

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THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.0 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM TOPAZ CANAL
SYSTEM.

~~RIGHT NO. 29-13406 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.~~

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-174 AND 29-176.

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: 29-10831, 29-10833,
29-13407, 29-13406

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

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

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

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

DATED: June 6, 2005

Ernest Calhoun

Signature of IDWR Representative

SCANNED

JAN 26 2006

CERTIFICATE OF MAILING

I certify that on June 10, 2005, 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:
NATHAN CASPERSON
8789 E MAUGHAN
LAVA HOT SPRINGS ID 83246

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
BRETT CASPERSON
NANCY CASPERSON
8893 E MAUGHAN
LAVA HOT SPRINGS ID 83246

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

Form 47-44R/42-149(8) July, 2000

OK JC
5/23/05

RECEIVED
MAY 04 2005

**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.

Department of Water Resources
Eastern Region

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
29-10831	29-10831	—			—
29-10833	29-10833	—			—
29-13407	29-13407	—			—
29-13406	29-13406	—			—
		—			—

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) NATHAN CASPERSON
8789 E Maughan LAWA Hot Springs Id 83246
4. New Owner/Claimant(s) Brett + or NANCY CASPERSON
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 8893 E Maughan
- City, State and ZIP Code LAWA Hot Springs Id 83246
- New Telephone Number 208 776-5428
5. Date you acquired the property _____

need
NAP

Form 12-244-42-1409(6) July, 2000

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Brett Cassperson
Nancy Casperson

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

1-67394 TA

WARRANTY DEED

For Value Received

3-1

97018579

NATHAN M. CASPERSON and BETH G. CASPERSON, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

BRETT H. CASPERSON and NANCY E. CASPERSON, husband and wife

whose current address is

8893 E. MAUGHAN RD.

LAVA HOT SPRINGS, ID 83246

the grantees, the following described premises, in BANNOCK County IDAHO, to wit:

SEE ATTACHED "EXHIBIT A"

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 encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

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

Dated: October 28, 1997

Nathan M. Casperson
NATHAN M. CASPERSON

Beth G. Casperson
BETH G. CASPERSON

STATE OF IDAHO, COUNTY OF BANNOCK
On this 27TH day of OCTOBER, 1997
before me, a Notary Public in and for said State, personally
appeared

NATHAN M. CASPERSON
BETH G. CASPERSON

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

Shirley M. Drollinger
Notary Public
Residing in INKOM, ID
Comm. Expires 12-10-99

97018579

No. _____
Recorded at request of:
ALLIANCE TITLE & ESCROW
Date: 10-28-97
Official Record Book 1098
Bannock County Recorder
Fee 9.00 Deputy *[Signature]*

PARCEL 1:

32

97018579

SW $\frac{1}{4}$ NE $\frac{1}{4}$ AND W $\frac{1}{2}$ SE $\frac{1}{4}$ IN SECTION 30, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M., BANNOCK COUNTY, IDAHO.

EXCEPT:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M.; THENCE NORTH 80°57'38" WEST 891.07 FEET TO THE POINT OF BEGINNING; THENCE NORTH 19°00'50" EAST 652.69 FEET; THENCE NORTH 70°15'34" WEST, 696.99 FEET; THENCE SOUTH 37°50'27" WEST, 690.00 FEET; THENCE SOUTH 48°32'36" EAST, 676.06 FEET; THENCE NORTH 68°44'59" EAST, 386.26 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT:

BEGINNING AT THE SOUTHWESTERLY CORNER OF INSTRUMENT NO. 779073, SAID POINT BEING NORTH 89°40'29" EAST 1400 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M., AND RUNNING THENCE NORTH 48°32'36" WEST ALONG SAID SOUTHWESTERLY LINE OF INSTRUMENT NO. 779073, A DISTANCE OF 676.06 FEET TO A POINT; THENCE SOUTH 37°50'27" WEST 581.90 FEET TO A POINT OF THE SOUTH LINE IF SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION; THENCE EAST ON SAID SOUTH LINE 860 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 2:

A TRACT OF LAND IN THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 30; THENCE NORTHERLY ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 30, 221.3 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY BOUNDARY OF COUNTRY ROAD; THENCE SOUTH 79°53' EAST ALONG SAID RIGHT OF WAY BOUNDARY 670.8 FEET; THENCE SOUTH 0°14' WEST 102.6 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 30; THENCE WEST ALONG SAID SOUTH LINE OF SAID SECTION 660 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE $\frac{1}{4}$ NE $\frac{1}{4}$; THENCE SOUTH 89°20' WEST 581.00 FEET; THENCE SOUTH 0°01' EAST, 450.00 FEET; THENCE NORTH 89°20' EAST, 581.00 FEET TO THE EAST LINE OF SAID SECTION 30; THENCE NORTH 0°01' WEST, ALONG SAID EAST LINE, 450.00 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

A PARCEL OF LAND IN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 30; THENCE NORTH 0°01' WEST, ALONG THE EAST LINE OF SAID SECTION, 2302.59 FEET, TO THE TRUE POINT OF BEGINNING; THENCE NORTH 87°45' WEST, 284.44 FEET; THENCE SOUTH 1°59' WEST, 204.20 FEET; THENCE SOUTH 66°18' WEST, 195.37 FEET; THENCE SOUTH 16°55' EAST, 124.92 FEET; THENCE NORTH 87°37' EAST, 434.31 FEET TO THE EAST LINE OF SAID SECTION 30; THENCE NORTH 0°01' WEST, 372.89 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 5:

LOT 4; NE $\frac{1}{4}$ SW $\frac{1}{4}$; AND THE SE $\frac{1}{4}$ NW $\frac{1}{4}$, ALL IN SECTION 31, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M.

EXCEPT:

PARCEL 10 OF CEDAR RIDGE ESTATES, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M.; THENCE SOUTH 63°26'06" WEST, 2638.56 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 74°39'23" WEST, 533.62 FEET TO THE CENTERLINE OF A 60 FOOT WIDE ROAD ACCESS EASEMENT; THENCE SOUTH 55°01'32" WEST ALONG SAID CENTERLINE 74.25 FEET; THENCE NORTH 56°41'31" WEST ALONG SAID CENTERLINE 178.10 FEET; THENCE SOUTH 26°21'36" WEST ALONG SAID

3-3

97018579

CENTERLINE 81.46 FEET; THENCE SOUTH 46°51' WEST, 30.00 FEET; THENCE SOUTH 00°00' WEST, 1321.17 FEET TO THE CENTER MERIDIONAL LINE OF SAID SECTION 31; THENCE NORTH 89°53'14" EAST ALONG SAID MERIDIONAL LINE, 517.41 FEET; THENCE NORTH 10°28'30" EAST, 1504.29 FEET TO THE POINT OF BEGINNING.

wd-ll for
10/31/96

SUBJECT TO: A REAL ESTATE MORTGAGE IN THE ORIGINAL AMOUNT OF \$37,000.00, DATED MARCH 26, 1968 FROM NATHAN M. CASPERSON & BETH G. CASPERSON TO FARMER'S HOME ADMINISTRATION, RECORDED MARCH 27, 1968 AS INSTRUMENT NO. 448512 AND AMENDED WITH INSTRUMENT NO. 453704.

A REAL ESTATE MORTGAGE IN THE ORIGINAL AMOUNT OF \$57,600.00, DATED MAY 10, 1976, FROM NATHAN M. CASPERSON AND BETH G. CASPERSON, TO THE UNITED STATES OF AMERICA, FARMER'S HOME ADMINISTRATION, RECORDED MAY 11, 1976 AS INSTRUMENT NO. 554488, RE-RECORDED AS INSTRUMENT NO. 555684 AND RE-RECORDED AGAIN AS INSTRUMENT NO. 609569.

A REAL ESTATE MORTGAGE IN THE ORIGINAL AMOUNT OF \$50,300.00, DATED JANUARY 25, 1979, FROM NATHAN M. CASPERSON AND BETH G. CASPERSON, TO THE UNITED STATES OF AMERICA ACTING THROUGH THE FARMER'S HOME ADMINISTRATION, RECORDED JANUARY 25, 1979 AS INSTRUMENT NO. 617637.



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

ALAN G. LANCE
December 10, 2002

Mr Brett Casperson,
8893 E Maughan Rd,
Lava Hot Springs, ID 83246

Re: 29-10831, 29-10833, 29-13407, 29-13406

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 29 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding the need to amend your SRBA claim nos. 29-10831 and 29-10833. The Department has also contacted you regarding a claim for an extended season of use and an enlargement claim. These additional claims require fees in the amount of \$260.00; \$160 for the enlargement claim and \$100 for the extended season of use claim. These additional claims will help you receive the most accurate recommendation for the water rights you have developed.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. The Department plans to issue its Preliminary Recommendations on your water rights in January, 2003. At this time, the Department will not be recommending your water rights as claimed because we have incomplete information.

Please contact Allen Ruberry at the Eastern Region Office for the Idaho Department of Water Resources at 208-525-7161 or you can contact me directly at 208-327-5404.

Very truly yours,

A handwritten signature in cursive script, reading "Candice McHugh", is written over the typed name.

CANDICE M. McHUGH

Deputy Attorney General

Idaho Department of Water Resources

CMM/pm
Allen Ruberry

Ruberry, Allen

From: Ruberry, Allen
Sent: Monday, December 09, 2002 9:55 AM
To: McHugh, Candice
Cc: Music, Vicky
Subject: Nasty Gram

Will you please send a letter ASAP to Mr Brett Casperson, 8893 E Maughan Rd, Lava Hot Springs, ID 83246.

I have been down this road several times prior and each time he says Ya Ya but no response.

I first wrote an enlargement claim in Sept. 6, 2001..... no response. Met him again this last summer a couple times to discuss and rediscuss his needs. Then mailed two amended claims (29-10831 and 29-10833), Ext SOU (9-13407) Enlarg (9-13406). Fees are due in the amount of \$260.00.

I heard what Dave said at the last staff meeting but I just don't want to revisit the revisited again and again....know what I mean..... Yes, its time to just move on but these issues are still lurking over my shoulder and will resurface.
thx.....al

September 6, 2001

BRETT CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

RE: Amendments to SRBA claims and filing of Enlargement Claim

Dear Mr. Casperson;

As we discussed during our visit I would amend your decreed water right claims and write a new enlargement claim to cover the extra acres covered in irrigation use. You will find them enclosed with GIS illustrations of the 'new' claimed place of use. Please review them carefully, make changes as necessary (initialing any changes), sign before a Notary public and return them to this office to my attention.

You should note there is a fee for the enlargement claim of \$176.00. You can make your check payable to IDWR and send it with the signed claims.

Thank you for your attention to this important matter. I look forward to your timely response.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

Cc: file

Enclosures: Amended claims 29-10831 and 29-10833
Enlargement Claim 29-13228

B. Casperson

**SWNE
37**

**SENE
33**

**NWSE
39**

**NESE
34**

T9S R38E

**SWSE
16**

**SESE
17**

30

29

31

32

29-10831 DELETED

THIS CLAIM APPEARS TO BE A COMBINED RT OF DELETED RTS
29-00174 AND 29-00176. AS;

29-00174, 1915 SEPT. 4, .6 cts
29-00176, 1915 SEPT. 4, .6 cts
29-10831 5 cts
1.2 cts

SIX PAID/POD/GRAVE NOTES IN 29-10833. RTS
USED IN COMBINATION. ALSO HAS SHARES IN TOPAZ
GRAVE (FROM DUMPER CR). THIS ACCOUNT ALSO ALL
WIFENS IN COMBINATION ON ALL EXAMINABLE DATES

At 1.2 cts this right can serve 60th (0.02 cts/rt)
Claims 100th rt. (Combined PAID/PPA or RT). 29-10831
is also FOR 1.2 cts; Another 60th rt. PAID/1500 Wm.

(Kempson) considering removing his claim to 100 and more

20th rt. And, since the 12th has PAID on another claim

or 180th across the probably needs to PAID an 180th again

claim for (P) across. The agrees $\Rightarrow$ Sent. Amount/Extra
ON 9/7/01. Some kind of problem here - No response. No fees,

Change PAID to Δ rt $\Rightarrow$ 1500 PAID

With buying claim $\Rightarrow$ 29-13406

* Claims POD @ 7105 2386 SEPT. 4 $\Rightarrow$ NO LONGER SERVED THIS
Farm

19-0170 1881. July 1. .4 c.f.s.

Said water to be diverted by means of ditch having intake North 53 degrees East, 1550 feet from the Southwest corner, Section 4, Township 10, South, Range 38 E.B.M.

19-0171 1882. April 1. .3 c.f.s.

And in ditch having intake near where Demps Creek crosses the line between Townships 9 and 10 South, Range 38 E.B.M., for the irrigation of the East half of the Northeast quarter, Section 32; the Southeast quarter of the Southeast quarter, Section 29, Township 9 South, Range 38 E.B.M.

128. HEMENWAY, NEPHI
9-0172 1881. April 1. 2.4 c.f.s.
9-0173 1881. June 1. .8 c.f.s.

Said water to be diverted by means of a ditch having intake in the Southwest quarter of Section 4, Township 10 South, Range 38 E.B.M.; also by means of another ditch having intake in Lot 4 of said Section 4, Township 10, South, Range 38 E.B.M.; also by means of a ditch having intake in the Southwest quarter of the Southwest quarter, Section 33, Township 9 South, Range 38 E.B.M., for the irrigation of the South half of the Northwest quarter, and the North half of the Southwest quarter, Section 33, Township 9 South, Range 38 E.B.M.

129. MAUGHAN BROTHERS,
George Harrison Maughan,
John Raymond Maughan.
9-0174 1915. Sept 4. .6 c.f.s.
9-0175 1919. Dec. 31. .6 c.f.s.

Said water to be diverted by means of ditch having intake North 53 degrees East, 1550 feet from the Southwest corner, Section 4, Township 10 South, Range 38 E.B.M., for the irrigation of the East half of the Southeast quarter, Section 30, Township 9 South, Range 38 E.B.M.

29-10831
C. Aspinwall
130. MAUGHAN, George Harrison
John Raymond,
Joseph Howard
9-0176 1915. Sept 4. .6 c.f.s.
9-0177 1919. Dec 31 .6 c.f.s.

Said water to be diverted by means of a ditch having intake North 53 degrees East, 1550 feet from the Southwest corner Section 4, Township 10, South, Range 38 E.B.M., for the irrigation of the West half of the Southeast quarter; the Southeast quarter of the Southwest quarter, Section 30, Township 9 South, Range 38 E.B.M.

131. JENSEN, E. C.
19-0178 1882 May 1. 1.24 c.f.s.

Said water to be diverted at a point which bears South, 53 degrees EAST, 400 feet from the South quarter corner of Section 3, Township 10 South, Range 38 E.B.M.; also at a point which bears South, 48 degrees East, 190 feet, from the South quarter corner, Section 3, Township 10 South, Range 38 E.B.M.; also at a point which bears North 53 degree West, 1200 feet from the South quarter corner, Section 3, Township 10 South, Range 38 E.B.M.; also at a point which bears North, 35 degrees East, 2100 feet from the South quarter corner of Section 4, Township 10 South, Range 38 E.B.M. for the irrigation of Lots 1, 2, and 3, and the South half of the Northeast quarter, the Southeast quarter and a strip of land, lying in the East half of the Northwest quarter and the East half of the Southwest quarter.

Section 4, Township 10, South, Range 38 E.B.M.

29-1729 not in Book => Sec 3 Pgs on back

27757

SCANNED

MAY 18 2001

Log for claim A29-10831

Spatial Dynamics PJM

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	30	SWNE	1.9	2.3	
09s38e	30	SENE	0.5	0.3	
09s38e	30	NESE	29.5	29	
09s38e	30	NWSE	39	39	
09s38e	30	SWSE	13.5	16	
09s38e	30	SESE	16	17	
Totals:			100.4	103.6	

NO Fee

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 29-10831
Date Received: 4/26/1990
Receipt No: E013746
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRETT CASPERSON Phone: (208)776-5428
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID USA 83246

NATHAN CASPERSON Phone: (208)776-5519
8789 E MAUGHAN RD
LAVA HOT SPRINGS ID USA 83246

2. Date of Priority: 09/04/1915

3. Source: DEMPSEY CREEK , DEMPSEY CREEK Trib. to: PORTNEUF RIVER , PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	38E	4	NW SE SW	BANNOCK	
09S	38E	33	SE NW NW	BANNOCK	

5. Description of diverting works:

HEADING FOR TOPAZ CANAL CO. AND HEADING FOR OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	9/15	1.2	

7. Total Quantity Appropriated is:

1.2 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
09S	38E	30	SW NE	IRRIGATION	37
			SE NE	IRRIGATION	33
			NE SE	IRRIGATION	33
			NW SE	IRRIGATION	39
			SW SE	IRRIGATION	18
			SE SE	IRRIGATION	17
			NW NE	IRRIGATION	3

Section Acres 180

Total Acres 180

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:

CLAIM AMENDED TO ADD AC AND PPU W/ OTHER RIGHTS. THIS RIGHT LIMITED TO 60 ACRES W/I POU.

29-13406 IS AN ENLARGEMENT CLAIM OF THIS RIGHT AND 29-10833.

COMBINATION OF 29-00174, 00176

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): Brett Carpenter Date: 12-18-02

Date: _____

State of Idaho)

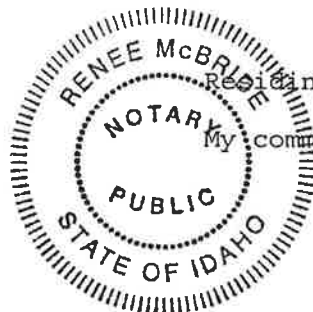
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 18th Day
of December 2002

Renée McBrine
Notary Public

Residing at Lower Hot Springs

My commission Expires May 31, 2006



MAY 18 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
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10831

Date Received: 3/28/1990

Receipt No: EO 13746/JoReceived By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRETT CASPERSON 208-776-5428
Address: 8893 E. MAUGHN RD.
LAVA HOT SPRINGS, ID 83246

OR

Name: NATHAN CASPERSON 208-776-5519
Address: 8789 E. MAUGHN RD.
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: SEP 04, 1915

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	33	SE	NW	NW		BANNOCK
10S	38E	4	NW	SE	SW		BANNOCK

5. Description of diverting works:

HEADING FOR TOPAZ CANAL CO. AND HEADING FOR OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	1.200		

7. Total Quantity Appropriated is:

1.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 251.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-10831

Page 1

Date: 03/28/90

29-13406
enlarg claim
[Signature]

MICROFILMED

NOV 16 1992

A2910831



73
70
33
170

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	30	SW	NE -		IRR	1.9
			SE	NE -		IRR	0.5
			NE	SE -		IRR	29.5
			NW	SE		IRR	39.0
			SW	SE		IRR	13.5
			SE	SE -		IRR	16.0

52.50

Section Acres 100.4

Total Acres 100.4

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:
A29-10833.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. 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 0 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Brett Casperson Date: 3/28/90

Nathan M. Casperson Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of March 19 90 Diane Carls
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

MICROFILMED
NOV 16 1992

