

12/23/2002

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

RIGHT NUMBER: 29-13406
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: 1.190 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: 04/01/1962

POINT OF DIVERSION:

T09S R38E S33 SWNNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.190 CFS
STOCKWATER	04/01 10/31	0.040 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			

STOCKWATER Within BANNOCK County

T09S R38E S30	SWNE	T09S R38E S30	SENE
T09S R38E S30	NESE	T09S R38E S30	NWSE
T09S R38E S30	SWSE	T09S R38E S30	SESE

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.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-10831
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

SCANNED

MAR 25 2005

PROFILED

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.

THIS RIGHT IS FOR AN ENLARGEMENT OF 59.7 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.



State of Idaho

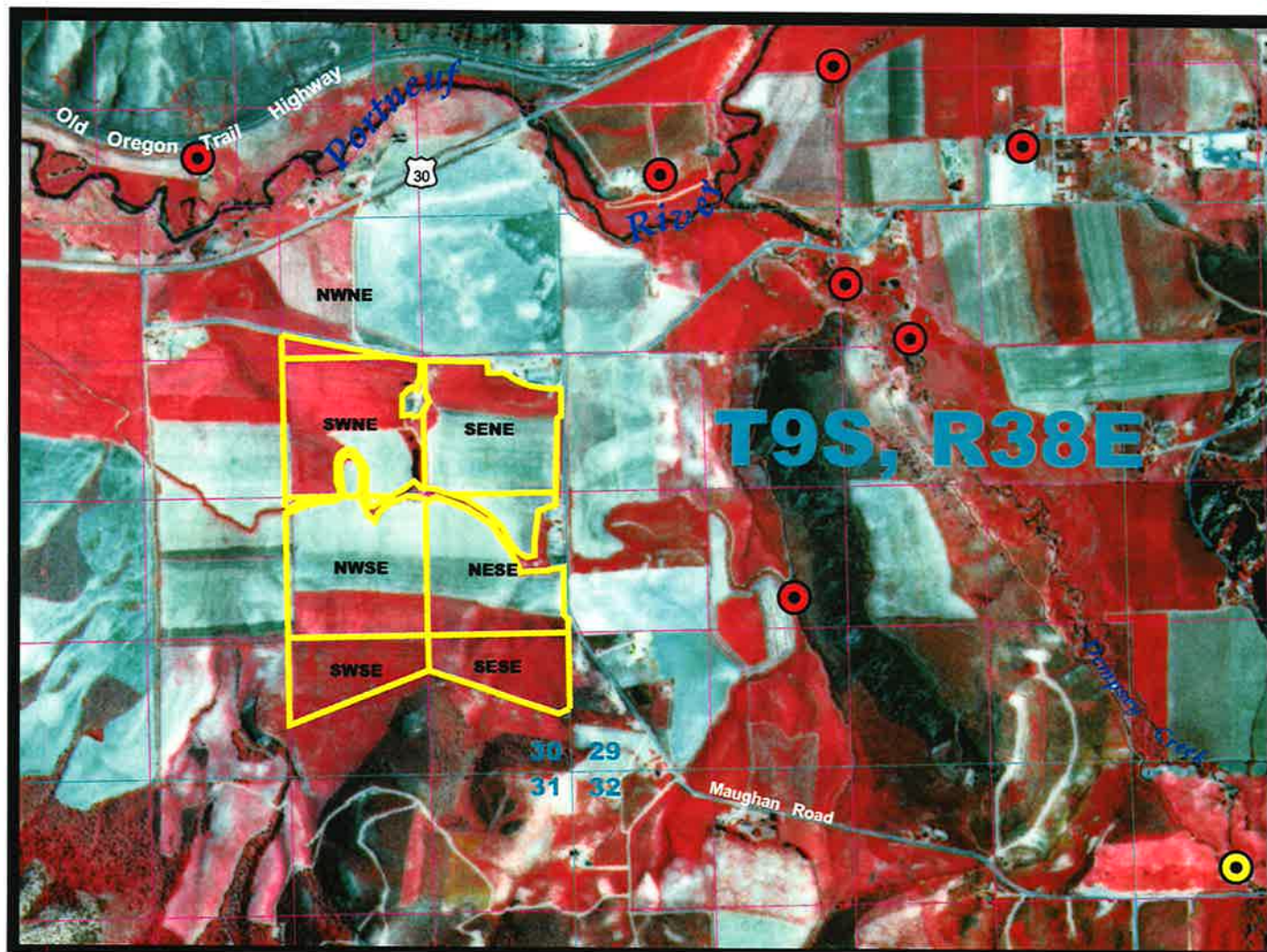
Department of Water Resources

Eastern Region

PROFILED

MAR 25 2005

SCANNED



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

05/23/2005

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

RIGHT NUMBER: 29-13406

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: 1.190 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: 04/01/1962

POINT OF
DIVERSION: T09S R38E S33 SWNNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.190 CFS
STOCKWATER	04/01 10/31	0.040 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			

STOCKWATER Within BANNOCK County

T09S R38E S30	SWNE	T09S R38E S30	SENE
T09S R38E S30	NESE	T09S R38E S30	NWSE
T09S R38E S30	SWSE	T09S R38E S30	SESE

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 59.7 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 - Beneficial Use

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

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.

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

RIGHT NUMBER: 29-13406

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: 1.190 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: 04/01/1962

POINT OF
DIVERSION: T09S R38E S33 SWNNWN Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.190 CFS
STOCKWATER	04/01 10/31	0.040 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			

STOCKWATER Within BANNOCK County

T09S R38E S30	SWNE	T09S R38E S30	SENE
T09S R38E S30	NESE	T09S R38E S30	NWSE
T09S R38E S30	SWSE	T09S R38E S30	SESE

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 59.7 acres within the place of use
described above in a single irrigation season.

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TO SECTION 42-1425, IDAHO CODE.

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

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

RIGHT NUMBER: 29-13406

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

done

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.190 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: 04/01/1962

~~THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.~~

POINT OF

DIVERSION: T09S R38E S33 SWNNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.190 CFS
STOCKWATER	04/01 10/31	0.040 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			

STOCKWATER Within BANNOCK County

T09S R38E S30	SWNE	T09S R38E S30	SENE
T09S R38E S30	NESE	T09S R38E S30	NWSE
T09S R38E S30	SWSE	T09S R38E S30	SESE

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described above in a single irrigation season.

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

~~THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO.
29-10831 PURSUANT TO SECTION 42-1426, IDAHO CODE.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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.

~~THIS RIGHT IS FOR AN ENLARGEMENT OF 59.7 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.~~



File

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

January 26, 2006

Brett and Nancy Casperson
8893 E Maughan Road
Lava Hot Springs, ID 83246

Re: Subcase Nos. 29-13406

Dear Mr. and Mrs. Casperson:

I received your Interrogatories and Requests for Production of Documents to the Idaho Department of Water Resources ("IDWR"). However, since IDWR is not a party to the Snake River Basin Adjudication, such discovery requests are not allowed. See I.C. 42-1401B In a Pre-Trial Order on Basin-Wide Issue 5, Judge Wood noted that IDWR is not a party to the SRBA and therefore may not be served with interrogatories. *Order Setting Trial Date, Final Pre-Trial Conference etc. Subcase No. 91-00005-34 (Remaining General Provisions Unique to Basin 34) at 5 FN 1 (Issued June 13, 2000)*. In addition, I.R.C.P. 33(a), 34(a) and 36(a) authorize discovery requests to be served on parties only. Thus, I am requesting that you withdraw your discovery requests and any Notice of Service that you may have filed with the Court.

Much of the information you are seeking can be found in the Department's files. You may review the claim files, license files and other relevant documents at the Department during normal business hours. During the inspection you have the right to make a photocopy of any public record. As a matter of convenience for those who live away from the Department offices, the Department will photocopy the entire file(s) and mail a copy of the contents to you at a rate of \$.05 per page. I have asked that the entire claim file for 29-13406 and the overlapping water rights 29-10831, 29-10833 and 29-13407 be scanned and placed on the Department's website at www.idwr.idaho.gov under "On-Line Data" using the water right numbers.

In addition, many of the questions you asked will be answered in the Department's 706 Report that will be filed on or before April 26, 2006, in accordance with the Trial Scheduling Order in this matter. You will be sent a copy of the 706 Report when it is completed.

If you have any questions regarding this matter, please call me at (208) 287-4810.

Very Truly Yours,

Candice M. McHugh
Deputy Attorney General

PROFILED

SCANNED
APR 14 2006

cc: Ernest Carlsen

RECEIVED
JAN 30 2006

Department of Water Resources
Eastern Region

Feb 17, 2006

- Mtg with Brett & Nancy Casperson -

RE: 29-13406 -

- After much discussion & reviewing all their water rights from Denny Creek I found the following:

- 1- Casperson land is also included as P.O.U. for Topaz Canal to which they have shares.
- 2- Topaz Canal filed for both decreed rights & extended season of use beneficial use rights.
- 3- 29-13406 is enlargement claim for ~~land~~ 59 acres historically irrigated from Topaz Canal. Before I can recommend a different priority they need evidence that the decreed rights 29-174 then 179 were diverted through Topaz Canal for irrigation.
- 4- 29-13407 could be amended from 1.2 cfs to 2.4 cfs provided they can show 2.4 cfs being diverted during non irrigation prior to 1932.
- 5- They have good evidence of early & late season irrigation but no quantity.

Feb 17, 2006

- Mtg with Brett & Nancy Casperson -

RE: 29-13406 -

- After much discussion & reviewing all their water rights from Daffney Creek I found the following:

- 1- Casperson land is also included as P.O.U. for Topaz Canal. to which they have shares.
- 2- Topaz Canal filed for both decreed rights & extended season of use beneficial use rights.
- 3- 29-13406 is enlargement claim for ~~land~~ 59 acres historically irrigated from Topaz Canal.
Before I can recommend a different priority they need evidence that the decreed rights 29-174 thru 179 were diverted through Topaz Canal for irrigation.
- 4- 29-13407 could be amended from 1.2 cfs to 2.4 cfs provided they can show 2.4 cfs being diverted during non irrigation prior to 1932.
- 5- They have good evidence of early & late season irrigation - but no quantity.

Telecon 4-04-06 at Randy Budge Office -
in attendance ~~Bill~~ Brett & Nancy Casperson,
Randy Budge & Emie Moore

1935 - Dad raised potatoes ~~below~~ Topaz Canal and
used water from Dempsey Creek to irrigate
potatoes. - Attempted to move water into high ditch.

- Lowell born in 1921 - raised ~~and~~ on the place of use.

- What is the priority of Topaz Canal out of Dempsey Creek?

- Use of the water in 1935 was described in his dad's journal.
- Read his journal.

- Lowell and his brother irrigated from the high ditch
early and late. He does not recall making a decision
to cease diverting ~~water~~ secured rights to increase
quantity received through the Topaz Canal.

Topaz heading from Dempsey Creek is at Placer.

Topaz Canal - after Sept. 15 was divided 3 ways. -
Got permission from other users to put water in High
Ditch.

(435)-628-2438. - Lowell Maughan.

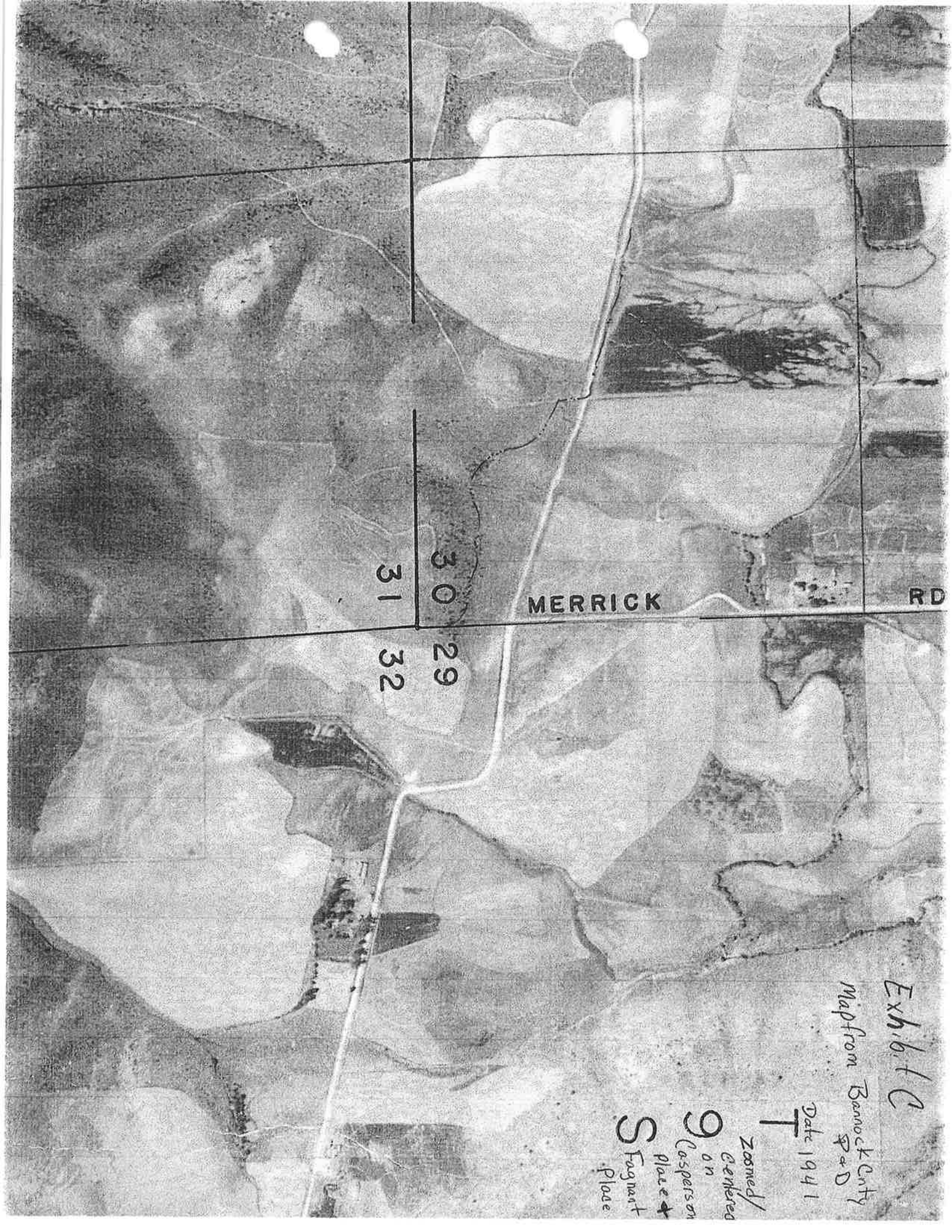


Exhibit C

Map from Benoit Cnty
SPAD

Date 1941

T

Zoomed/
Centered

on

Casper

place

place

place

9
S

Carlsen, Ernie

From: Carlsen, Ernie
Sent: Wednesday, April 27, 2005 2:19 PM
To: McHugh, Candice
Cc: Williams, Ray; Ruberry, Allen
Subject: Casperson

Candice I have concluded that Brett Casperson is not entitled to a 1932 priority date for 29-13406. However, I do have a question concerning 29-13407 which is his extended season irrigation beneficial use claim.

First let me discuss 29-13406. This claim was originally filed to provide for irrigation of 59.7 acres that was not covered by his decreed water. Though the basis is beneficial use it does not provide for the diversion of more water than he was decreed and the season of use is 4-1 to 10-31. After consulting with Allen and reviewing the file it is apparent this claim was to cover land Casperson started to irrigate in 1962 when he installed a sprinkler system and began pumping water from the ditch. Most of the newly irrigated land is actually north of his pump. The high ditch reference in statement by Lowell Maughan is south (but up hill) of the pump. The land irrigated from the high ditch was filed on as part of the decreed POU under 29-10831 and 29-10833. It was also included on 29-13407, which is the extended season of use claim.

My question on 29-13407 concerns an acreage limit. It seems to me that 29-13407 should have an acreage limit of 120 acres. Since the 59.7 acres under 29-13406 has a priority of 1962, Casperson's extended season of use claim with a priority of 1932 is limited to the remaining 120 acres ($179.7\text{ac} - 59.7\text{ac} = 120\text{ac}$). Rather than change the recommendation on 29-13406 we should add an acreage limit remark to 29-13407.



ADR 29-13407.doc ADR 29-13406.doc

I have not updated the database to show the change in 29-13407. Let me know if you decide to go forward with it so I can make the update.

Ernie Carlsen
Water Right Supervisor
ernie.carlsen@idwr.idaho.gov
(208) 525-7161

SCANNED

JAN 26 2006

29-13406

Mr. Brett Casperson
8893 E. Maughan Road
Lava Hot Springs, Idaho
83246

J. Lowell Maughan
3665 Marigold Way
St George, Utah
84790

To Whom it may Concern:

Re: use of irrigation water on the "high ground"
from the "high ditch" on the "Maughan" farm prior
to 1932. (This ditch came through Art Faganant's homes

I, J. Lowell Maughan, son of John Raymond Maughan,
personally assisted my Dad to irrigate this acreage
each fall after 15 September & prior to 15 May
each spring.

My Dad used this water each year from
the time he purchased this property in 1917 to
1948 when he leased it to me. From 1948 to 1958 he
assisted me to irrigate the same.

Since that time the water has been
use by the Casperson family - Brett being the
present owner/operator.

Sincerely,

J. Lowell Maughan
J. Lowell Maughan

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

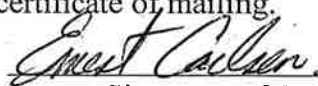
☐ split of water right

☐ 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



Signature of IDWR Representative

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 42-448/42-1409(2) July, 2000

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

RECEIVED
MAY 04 2005

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	—			—
		—			—

*needs
NAP*

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 LAUA 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

LAUA Hot Springs Id 83246

New Telephone Number

208 776-5428

5. Date you acquired the property

Form 42-244/42-1409(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 Casperson
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 _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	Date _____	WR _____ Date _____

167394 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

Abigail M. Drollinger
Notary Public

Residing at INKOM, ID
Comm. Expires 12-10-99

97018579

No. _____

Recorded at request of
ALLIANCE TITLE & ESCROW

Date: 10-28-97 4:10 PM

Official Record Book 1098

Bannock County Recorder

Fee 9.00 Deputy DW

PARCEL 1:

SW¼NE¼ AND W¼SE¼ 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 SW¼SE¼ 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 SW¼SE¼ 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 NW¼NE¼ OF SECTION 30, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF NW¼NE¼ 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 NW¼NE¼ 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 SE¼NE¼ OF SECTION 30, TOWNSHIP 9 SOUTH, RANGE 38 E.B.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE¼NE¼; 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 NE¼SE¼ 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; NE¼SW¼; AND THE SE¼NW¼, 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

33

97018579

CENTERLINE 81.46 FEET; THENCE SOUTH 00°46'51" WEST, 30.00 FEET; THENCE SOUTH 00°00'10" 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.

SCANNED
MAR 25 2005

RECEIVED

JAN 16 2004

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

2004 JAN 15 PM 2 35

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

Case No. 39576

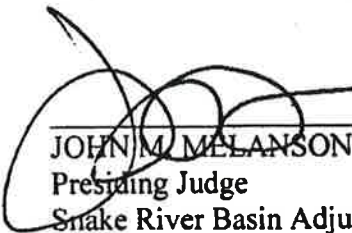
) SUBCASE: See Exhibit A

) ORDER SETTING OBJECTION &
) RESPONSE DEADLINE

On January 14, 2004, the Idaho Department of Water Resources filed an *Amended Director's Report* for water rights listed on attached Exhibit A, to include a subordination remark pertaining to enlargement claims. Notice of the filing of the *Amended Director's Report* was served on the claimants for the above captioned claims and shall appear on the docket sheet for January 2004, served on February 8, 2004.

IT IS SO ORDERED that all *Objections* to the *Amended Director's Report* are due **no later than 5:00 p.m. on February 27, 2004**. *Responses* to the *Objections* are due **no later than 5:00 p.m. on March 15, 2004**. All *Objections* and *Responses* are limited to issues pertaining to the amendments to the *Director's Report*.

Dated January 15, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

FILED

EXHIBIT A

Subcase Nos:

29-10065
29-10176
29-10449
29-11775
29-13213
29-13251
29-13327
~~29-13406~~
29-13408
29-13421
29-13428
29-13429
29-13482
29-13553
29-13554
29-13618
29-13619
29-13620
29-13621
29-13622

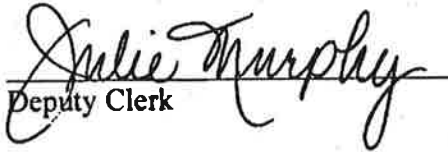
CERTIFICATE OF MAILING

I certify that a true and correct copy of the Order was mailed on 1/15/04 with sufficient first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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


Deputy Clerk

JAN 13 2004

Department of Water Resources
RECEIVED

PROOF OF PUBLICATION

JAN 05 2004

Department of Water Resources
Eastern Region

STATE OF IDAHO
County of Bannock

LN10275

KAREN MASON

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

DEC. 18	2003	2003
DEC. 25	2003	2003
	2003	2003

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

Karen Mason

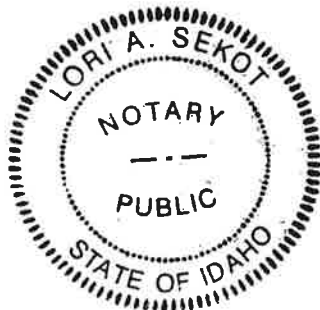
STATE OF IDAHO
COUNTY OF BANNOCK

On this 30TH DAY of DEC. in the year of 2003, before me, a Notary Public, personally appeared KAREN MASON, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that she executed the same.

Lori A. Sekot
Notary Public for Idaho

Residing at ARIMO

My commission expires :FEBRUARY 2009



RECEIVED

JAN 23 2004

Department of Water Resources
Eastern Region

Water Right: 29-13251
NAME & ADDRESS: ARKANSAS RANCHES INC
8450 S BOB SMITH RD
LAVA HOT SPRINGS, ID 83246

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 05/20/1970

POINT OF DIVERSION: T09S R37E S10 NWSWNE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S10 NESE SWSE SESE
S14 SWNW
S15 NENE NWNE SWNE SENE

This right is for an enlargement of 150.0 acres within the total 157.0 acres recommended.

Water Right: 29-13327
NAME & ADDRESS: RONNIE D & SHERILL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS, ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION: T10S R38E S04 NESWSW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R38E S32 SESE
S33 SWSW SESW

This right is for an enlargement of 5.2 acres within the total 41.2 acres recommended.

Water Right: 29-13386
NAME & ADDRESS: CATHERINE SPINNER-SCHUEREN
2641 E TWO MILE RD
MC CAMMON, ID 83250

SOURCE: TWO MILE CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1985

POINT OF DIVERSION: T08S R37E S31 SWSWNE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S31 NESW NWSW(LOT 3) SWSW(LOT 4) SWSE

This right is for an enlargement of 2.8 acres within the total 72.8 acres recommended.

Water Right: 29-13406
NAME & ADDRESS: BRETT CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS, ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION: T08S R38E S33 SWNW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R38E S33 NESE NWSE SWSE SESE

This right is for an enlargement of 59.7 acres within the total 179.7 acres recommended.

Water Right: 29-13498
NAME & ADDRESS: CECIL E ARMSTRONG
NORMAN ARMSTRONG
849 W GLOVER RD
ARIMO, ID 83214

SOURCE: GROUNDWATER

PRIORITY DATE: 04/01/1985

POINT OF DIVERSION: T10S R36 S09 NENE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T10S R36 S09 NENE NWNE SWNE SESE
T10S R36 S10 NWNW

This right is for an enlargement of 34 acres within the total 174 acres recommended.

Water Right: 29-13553
NAME & ADDRESS: JASON & AMBER HALL
1302 AMMON ST
POCATELLO, ID 83201

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T08S R37E S15 SENESW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S22 NENE NWNE

This right is for an enlargement of 2.1 acres within the total 5.0 acres recommended.

Water Right: 29-13554
NAME & ADDRESS: RUSSELL & NATALIE GUNTER
PO BOX 433
MC CAMMON, ID 83250

SOURCE: GROUNDWATER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T08S R37E S15 SENENW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S14 NWSW

This right is for an enlargement of 4.9 acres within the total 11.7 acres recommended.

Water Right: 29-13617
NAME & ADDRESS: MAX W HALL
PO BOX 784
LAVA HOT SPRINGS, ID 83246

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S14 NWSW
S15 NESW NESE NWSE SWSE SESE
S22 NENE NWNE SWNE(LOT 2) SENE(LOT 1)
NWNW(LOT 4) SENW(LOT 3)

This right is for an enlargement of 69.0 acres within the total 222.4 acres recommended.

Water Right: 29-13618
NAME & ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T08S R37E S15 SENENW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S15 NESW SESW NWSE SWSE

This right is for an enlargement of 3.3 acres within the total 8.6 acres recommended.

Water Right: 29-13619
NAME & ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S15 SWSE

This right is for an enlargement of 3.3 acres within the total 8.7 acres recommended.

Water Right: 29-13620
NAME & ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S15 SWSE
S22 NWNE

This right is for an enlargement of 3.3 acres within the total 8.8 acres recommended.

Water Right: 29-13621
NAME & ADDRESS: LARRY & LANA NAEF
5512 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S22 NENE NWNE

This right is for an enlargement of 2.0 acres within the total 6.2 acres recommended.

Water Right: 29-13622
NAME & ADDRESS: ROBIN HULL
2142 ARBON VALLEY HWY
POCATELLO, ID 83204

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T08S R37E S12 SENENW SESENN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S15 NWSE SWSE

This right is for an enlargement of 3.0 acres within the total 8.3 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402-3653 on or before March 25, 2004.

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Bannock County are shown to the nearest section — more specific locations are available upon request.

Water Right: 29-4381
NAME & ADDRESS: FUHRMAN RANCH INC
RICK FUHRMAN PRES
997 E RICHARDS RD
DOWNEY, ID 83234
SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T11S R36E S11 NESWNE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T11S R36E S11 NENE NWNE SWNE SENW
This right is for an enlargement of 5.0 acres within the total 74.0 acres recommended.

Water Right: 29-10077
NAME & ADDRESS: CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY, UT 84150-6312
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1981
POINT OF DIVERSION: T11S R37E S07 SENW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T11S R37E S07 NENW SENW NESW SESW
This right is for an enlargement of 7.0 acres within the total 324.0 acres recommended.

Water Right: 29-10888
NAME & ADDRESS: ROBERT F & KATHLEEN A ZALUSCH
8083 W POCATELLO CREEK RD
POCATELLO, ID 83201
SOURCE: NORTH FORK POCATELLO CREEK TRIBUTARY: POCATELLO CREEK
PRIORITY DATE: 11/18/1987
POINT OF DIVERSION: T06S R35E S20 SENENE
S21 SWNNWN
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S R35E S20 SENE
This right is for an enlargement of 2.2 acres within the total 2.2 acres recommended.

Water Right: 29-11493
NAME & ADDRESS: WILLIAM A & KATHLEEN M EGAN
1451 W HAWKINS RD
ARIMO, ID 83214
SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 06/01/1982
POINT OF DIVERSION: T11S R36E S11 NWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T11S R36E S11 NESW NWSE
This right is for an enlargement of 8.0 acres within the total 48.0 acres recommended.

Water Right: 29-11775
NAME & ADDRESS: CARROLL & IONE WILLMORE ESTATE
C/O JIM WILLMORE
519 PARK ST
ST ANTHONY, ID 83445
SOURCE: WEST 808 SMITH CREEK TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 08/07/1992

PURPOSE OF USE: IRRIGATION
PLACE OF USE: T06S R37E S14 SENW NESW SESW SWSE
This right is for an enlargement of 6.6 acres within the total 121.4 acres recommended.
Water Right: 29-11799
NAME & ADDRESS: CARL & ANAJOE BARNES
3717 E BACK DOWNTOWN RD
DOWNEY, ID 83234
SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER
PRIORITY DATE: 04/01/1976
POINT OF DIVERSION: T12S R37E S06 NESESE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T12S R37E S04 SWSW
S05 NWSE SWSE SESE
This right is for an enlargement of 28.0 acres within the total 78.0 acres recommended.

Water Right: 29-12518
NAME & ADDRESS: CECIL E ARMSTRONG
849 W GLOVER RD
ARIMO, ID 83214
SOURCE: DALE EVANS
PO BOX 34
ARIMO, ID 83214
PRIORITY DATE: 06/26/1979
POINT OF DIVERSION: T10S R36E S15 NESW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T10S R36E S15 NESW NWSW SWSW SESW
This right is for an enlargement of 77.0 acres within the total 156.0 acres recommended.

Water Right: 29-12519
NAME & ADDRESS: HOWARD L ARMSTRONG
13244 W TRAIL CREEK
POCATELLO, ID 83204
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1970
POINT OF DIVERSION: T10S R36E S15 SWNNW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T10S R36E S15 NENW NWNW SWNNW SENW
S16 NENE SENE
This right is for an enlargement of 77.0 acres within the total 237.0 acres recommended.

Water Right: 29-13150
NAME & ADDRESS: KENNETH R & BRENDA DEGN
19748 S DEGN RD
DOWNEY, ID 83234
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1976
POINT OF DIVERSION: T11S R37E S18 SWNNW (LOT 2)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T11S R37E S18 NWNW (LOT 1) SWNNW (LOT 2)
This right is for an enlargement of 17.9 acres within the total 100.0 acres recommended.

Water Right: 29-13180
NAME & ADDRESS: MOUNTAIN VIEW FARMS INC

POCATELLO, ID 83202-5206
SOURCE: GROUNDWATER
PRIORITY DATE: 06/27/1986
POINT OF DIVERSION: T05S R35E S30 NESWNE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T05S R35E S30 NESW SESW NWSE SWSE
This right is for an enlargement of 53.1 acres within the total 53.1 acres recommended.
Water Right: 29-13204
NAME & ADDRESS: ELMER H & FRANCES ANNE STANGER
2770 W PORTNEUF RD
INKOM, ID 83245
SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
PRIORITY DATE: 10/31/1981
POINT OF DIVERSION: T07S R36E S20 SWSWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T07S R36E S20 SWSE SWSE SESE
S29 NWNE NENW
This right is for an enlargement of 10.0 acres within the total 91.2 acres recommended.

Water Right: 29-13213
NAME & ADDRESS: BARBARA W KEVAN
3462 N 2500 E
TWIN FALLS, ID 83301
SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
PRIORITY DATE: 08/07/1932
POINT OF DIVERSION: T08S R36E S28 SWNESW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T09S R36E S04 SWNE NENW
This right is for an enlargement of 2.4 acres within the total 4.0 acres recommended.

Water Right: 29-13247
NAME & ADDRESS: OX YOKE RANCH
1705 N HWY 38
BRIGHAM CITY, UT 84302
SOURCE: GROUNDWATER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T10S R36E S33 SESE (4 POD's within this section)
S34 SESW
S03 SESW
T11S R36E S04 SWNE
S05 SESE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T10S R36E S33 SESE
S34 SWSW SESW NWSE SWSE SESE
T11S R36E S03 NENE(LOT1) NWNW(LOT2) SWNE SENE
NWNW(LOT3) NWNW(LOT4) SWNNW SENW
S04 NENE(LOT1) NWNE(LOT2) SWNE SENE
NENE(LOT1) NWNW(LOT2) SESW
S05 SESW NWSE SWSE SESE
S06 NENE(LOT1) NWNE SWNE SENE(LOT2)
S09 NENE SENW
S10 NENE NWNE SWNE NWNW SENW
NWNW
This right is for an enlargement of 45.0 acres within the total 1480.0 acres recommended.

Contacts Data Entry Form

29-13406

By

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Brett Casperson					
Name connector: and						
Current Owner						
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

This is an amalgamation of Decedent's (see → P15
29-10831 which combines 29-174 and 176) ROR
an additional 60 acres.

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 4/1/1962 Claimed Basis: BYRecommended Priority Date: 4/1/1962 Recommended Basis: BY☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

Priority based on time period when the main-
line was installed for sprinkler irrigation.

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

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

Source: _____ Tributary: _____

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

Source: _____ Tributary: _____

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

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
9S	38E	33		SE1/4NW1/4	BANAI	A. Dampson Ck
GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

TRIB.
Port, Riv.

Other rights from this POD? _____

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

Transfers Changing POD _____

Reviewer: _____

Date: _____

NWNE

3

SWNE
37

SENE
33

NWSE
39

NESE
34

SWSE
18

SESE
17

Casperson, brett
29-10831 (Decreed)
29-10833 (Decreed)
29-13406 (Enlargement)

30 29
31 32

29 28
32 33

T9S, R38E

Dempsey Creek
Dempsey-Topaz Canal

Dempsey Creek

Fee: \$160⁰⁰

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 29-13406
Date Received: 10/21/2002
Receipt No:
Received By: E028393

ENLARGEMENT

ENLARGEMENT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVE
DEC 19 2002
Department of Water Resources
Eastern Region

A2913406



1. Name of Claimant(s)

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

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

2. Date of Priority: 04/01/1962

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

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
09S 38E 33 SE NW NW BANNOCK

5. Description of diverting works:

POD OFF DEMPSEY CREEK ALSO SERVES TOPAZ CANAL SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.20	
STOCKWATER	04/01	10/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 25

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	38E	30	SE	NE	IRRIGATION	33
			NE	SE	IRRIGATION	33
			SE	SE	IRRIGATION	17
			NW	NE	IRRIGATION	3
			SW	NE	IRRIGATION	37
			NW	SE	IRRIGATION	39
			SW	SE	IRRIGATION	18
			SW	NE	STOCKWATER	

SE	NE	STOCKWATER
NE	SE	STOCKWATER
NW	SE	STOCKWATER
SW	SE	STOCKWATER
SE	SE	STOCKWATER

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:

THIS CLAIM AUTHORIZES NO ADDITIONAL WATER. ONLY IRRIGATION OF AN ADDITIONAL 60 ACRES WITHIN THE POU SHOWN THAT HAS BEEN IRRIGATED SINCE 1962.

THIS IS AN ENLARGEMENT CLAIM OF 29-10831 AND 29-10833 FOR 60 ACRES.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

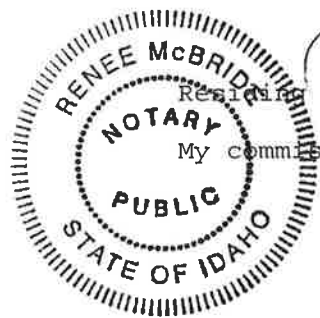
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Brett Casperson 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 McBride



Notary Public
Residing at Lava Hot Springs
My commission Expires May 31, 2006