

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: A36-02110
Date Received: 9/21/1989
Receipt No: MO04579
Received By: gre

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JIMMY D. TUCKNESS 208-438-5826
Address: RT. 2 BOX 2420
PAUL, ID 83347

AND/OR

Name: LAVONE L. TUCKNESS 208-438-5826
Address: RT. 2 BOX 2420
PAUL, ID 83347

2. Date of Priority: FEB 20, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	22E	16	NW	SE	SW		MINIDOKA

5. Description of diverting works:
16" CASING 495'DEEP WITH A 100HP.VERT. TURBINE 75HP. BOOSTER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.160		

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

8. Total consumptive use is 462.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	22E	16	SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0
Section Acres								154.0
Total Acres								154.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT IS STILL USING THE SAME AMOUNT OF WATER AS
ORIGINALLY LICENSED BEFORE THE COUNTY ROADS WENT THROUGH.

15. Basis of Claim: LICENSE
Water Right Number: 21949

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): Jimmy D. Luckness Date: 9/21/89
_____ Date: _____

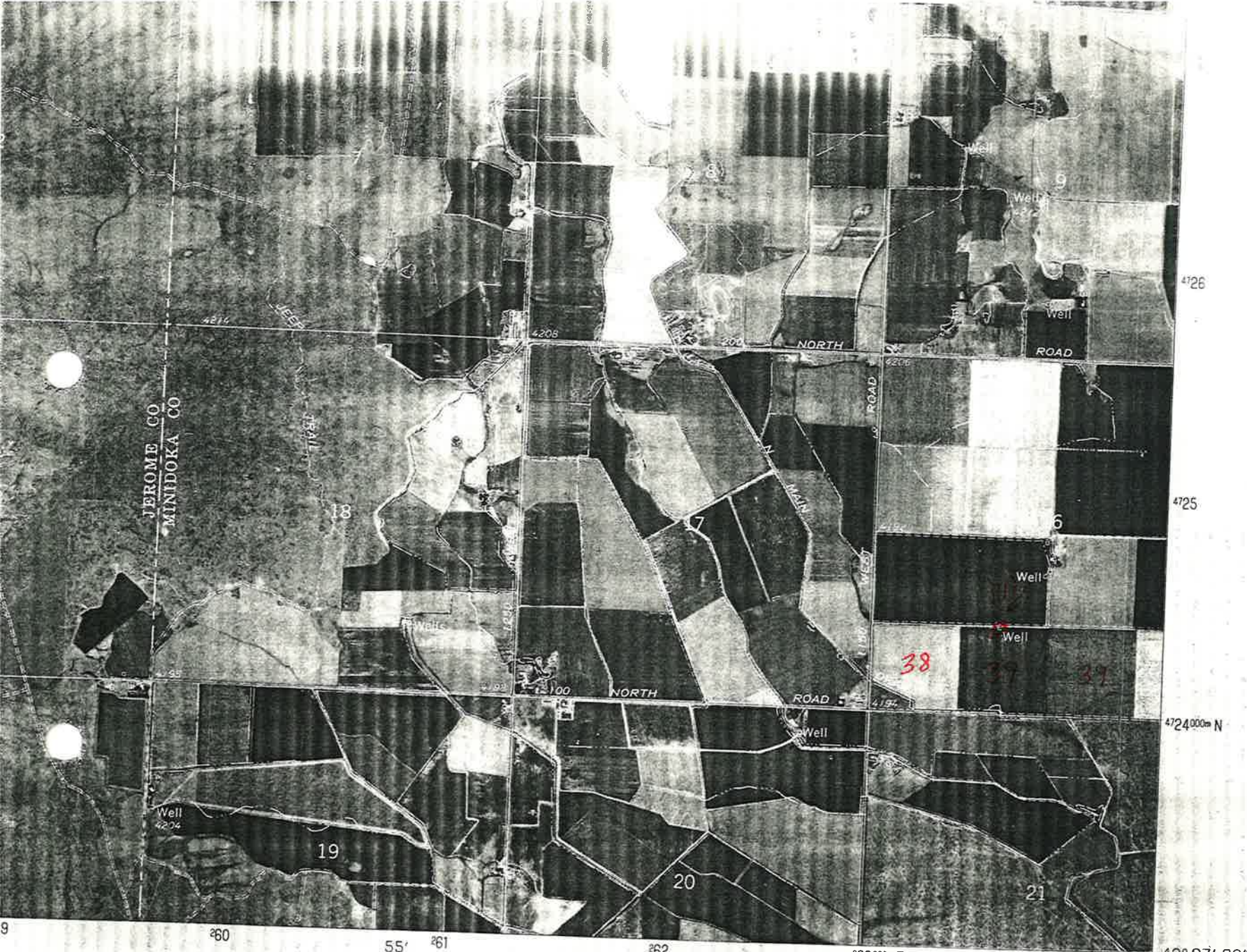
State of Idaho)
County of minidoka) SS.

Subscribed and sworn (or affirmed) before me this 21 day
of Sept. 19 89
John Paul Corbin
Notary Public

Seal

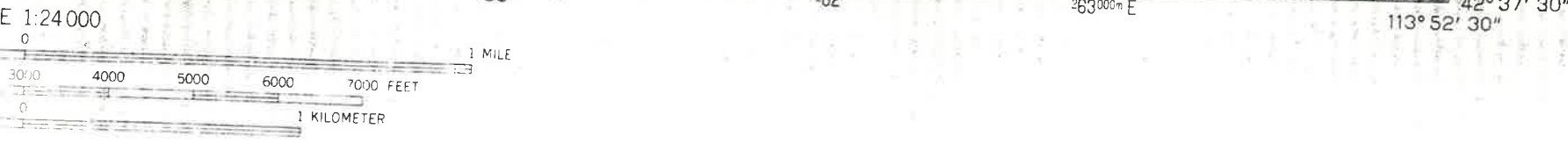
Residing at Boise Id
My Commission Expires 6/2/94

MICROFILMED
JAN 25 1993



MICROFILMED

JAN 25 1993



(BURLEY SW)
3269 III SW

Produced by the Geological Survey
in cooperation with the State of Idaho

Orthophotograph prepared from 1:80,000-scale aerial
photographs taken September 9, 1984

Projection and 10,000-foot grid ticks
Idaho coordinate system, central zone
(Transverse Mercator)

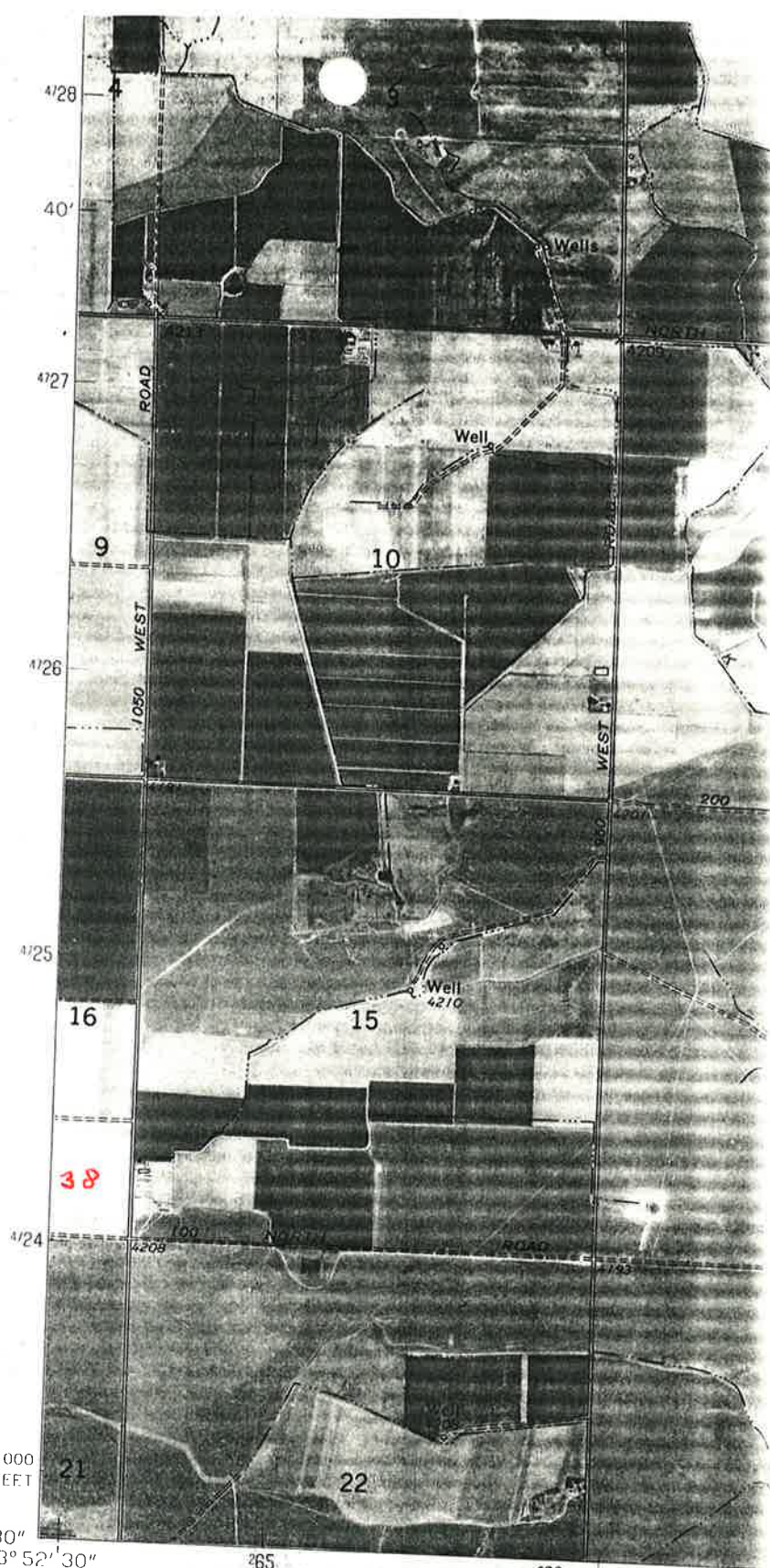
1,000-meter Universal Transverse Mercator grid ticks,
zone 12, 1927 North American Datum

Photomimagery rectified by optical scanning
Where double or mismatched image occur use the
mean of image position for map point

MICROFILMED

JAN 25 1993

42° 37' 30" 113° 52' 30" 265 266 540 000 FEET
350 000 FEET



SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208) 327-7900
Fax: (208) 327-5400
Idaho State Bar #4615

Attorneys for IDWR

COPY

RECEIVED

NOV - 3 2001

2001 NOV -8 AM 11:38

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RECEIVED

DEC 03 2001

Department of Water Resources
Southern Region

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 NOS.: See attached
) Exhibit A
)

) IDWR'S WITHDRAWAL OF
) NOTICES OF
) ADMINISTRATIVE
) PROCEEDINGS
)

TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that the Idaho Department of Water Resources (IDWR) hereby withdraws its Notices of Administrative Proceedings (NAP) for the subcase numbers identified on "Exhibit A" attached herein¹.

The NAP's in these subcases are being withdrawn at this time for the following reasons: a) partial decrees had been issued for these water right recommendations prior to the filing of the Supplemental Director's Reports by IDWR for Reporting Areas 1 (Basin 34) and 3 (Basin 36) Regarding Revision of the Period of Use for Irrigation Water Uses and Conjunctive Management Provisions; b) there were no objections filed to the Supplemental Director's Report; and, c) the administrative proceedings resulting in the

¹ Note to claimants: The withdrawal of this notice with the SRBA District Court does affect the administrative process which is presently pending before IDWR.

filing of the NAP's do not include changes to the season of use element for these water rights.

Therefore, IDWR is withdrawing the NAP's in the subcases identified herein.

Dated this 6th day of November, 2001.

By: 
SUSAN HAMLIN NYGARD
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on November 6, 2001, I caused to be served true and correct copies of IDWR'S WITHDRAWAL OF NOTICES OF ADMINISTRATIVE PROCEEDING, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Beeman & Associates
409 W. Jefferson St.
Boise, ID 83702

☐ Overnight mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Tony & Carol Visser
1660 E. 2400 S.
Gooding, ID 83330

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Kent W. Foster
P.O. Box 50130
Idaho Falls, ID 83405

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Grant Daniels
Rita J. Daniels
Antelope Route
Darlington, ID. 83231

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Craig A. Clark
Ellen B. Clark
P.O. Box 65
New Castle, UT 84756

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Dale & Colleen Huffaker
Rt. 1 Box 56
Darlington, ID 83231

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Jimmy D. & Lavone L. Tuckness
Rt. 2 Box 2420
Paul, ID 83347

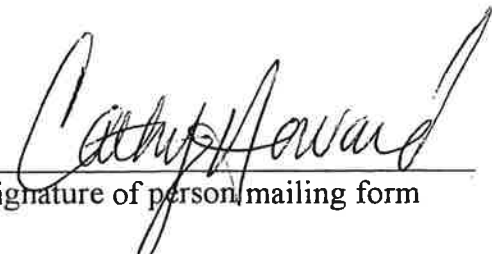
☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Michael H. Felton Jr.
P.O. Box 589
1020 Main Street
Buhl, ID 83316-0589

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Frans & Cornelia Heida
Thomas & Mary Jane Aardema
P.O. Box 140
Wendall, ID 83355

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile



Signature of person mailing form

EXHIBIT A

34-00028H
34-00080
34-00217D
34-00259C
34-00300
34-00372B
34-00377C
34-00378A
34-00379
34-00442
34-00509A
34-00510A
34-00577B
34-02473
34-02474A
34-10428
34-10552
34-13415
34-13572A
34-13572B

36-02110
36-02425A
36-04117
36-07690B

DEC 28 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES Department of Water Resources

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

December 21, 2001

LAVONE L TUCKNESS
JIMMY D TUCKNESS
1251 W 300 N
PAUL ID 83347Re: Snake River Basin Adjudication (SRBA)
Water Right(s) #36-2110, 36-12446
Change of Address*Records modified 12-28-01,
-ss*

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by January 11, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Jimmy D Tuckness
Claimant Signature*208-438-5826*
Telephone No.

Snake River Basin Adjudication
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

ADDRESS SERVICE
REQUESTED



- ☐ FIRST CLASS PERMIT NO. 1000 BOISE, ID
- ☐ ADDITIONAL POSTAGE REQUIRED IF RETURNED TO SENDER
- ☐ POSTAGE WILL BE PAID BY ADDRESSEE
- ☐ NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES
- ☐ RETURN TO SENDER IF UNDELIVERABLE
- ☐ NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES
- ☐ RETURN TO SENDER IF UNDELIVERABLE
- ☐ NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

need ltr.

Gimmy P. C10309167

C1029714

*36-12446 P.D.
36-2110 R.D.*

TUCKNESS, LAVONE L
RT 2 BOX 2420
~~PAUL ID 83647~~

*1251 W. 300N.
Paul To 83347*

COPY

2000 JUN 23 PM 1:55

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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: 36-02110

Case No. 39576

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

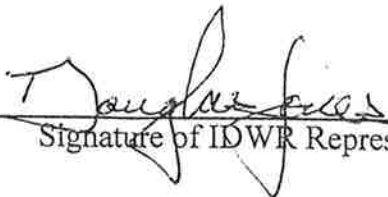
☒ I.C. § 42-222 transfer 5729

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: June 29, 2001.

Dated 6/27/00



Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on 6/23, 2000, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Jimmie Tuckness
LaVon Tuckness
1251 W 300 N
Paul ID 83347
3. One copy to:
Claimant or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JIMMIE TUCKNESS
LAVON TUCKNESS
1251 W 300 N
PAUL ID 83347

RE: SRBA Claim(s) 36-02110

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5127

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Jimmy D. &/or LaVonne L. Tuckness

Phone (208) 438-5826

Post Office address 1251 West 300 North, Paul, Idaho 83347

APR 26 2000 RECEIVED

A. PURPOSE OF TRANSFER

Department of Water Resources
Southern Region

APR 24 2000

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use Department of Water Resources
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes The Tucknesses and Triple Ace Inc. have swapped 77 acres each so that each would have a full quarter of land on which to install pivot systems. This makes irrigating the lands more efficient.

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

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	
<u>36-02110</u>	<u>02/02/1951</u>	<u>3.08</u>	<u>irrigation</u>	<u>04-01</u>	to <u>10-31</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>

2. Total amount of water being transferred 3.08 cubic feet per second and/or 616 acre-feet per annum.

3. Source of water groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres 154

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JIMMY D TUCKNESS	02/20/1951	IRRIGATION	03-15 11-15	3.080 CFS	616.00 AFA
C	LAVONE L TUCKNESS					
	RT 2 BOX 2420					
	PAUL ID 83347					
	(208) 438-5826					
				TOTAL DIVERSION:	3.080 CFS	616.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T09S R22E S16 NWSEW MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	22E	16	:					:					:					:						:		
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POU County: MINIDOKA

Other Rights: NONE

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

36-02110 A36-02110

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

36-02110 A36-02110

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

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 12/12/1997 User-ID: KCHRISTE Subject: REFORMAT
DELETED CONS USE

Audit: 07/13/99 KCHRISTE 07/15/99 CWU-DSHA



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

October 12, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**DONALD J CHISHOLM
ATTORNEY AT LAW
PO BOX 1118
BURLEY ID 83318**

**Re: Jimmie D. Tuckness – Triple Ace, Inc. – Exchange of Properties
Adjudication Claim Numbers: R36-02110, R36-02558, R36-02060**

Dear Counselor:

Thank you for your letter dated October 4, 1999, inquiring about the proper steps to take in order to accomplish changing the appurtenant water right and/or adjudication claim records to reflect the exchange of places of use between the Tucknesses and Triple Ace, Inc. The only way to achieve this is for each party to file an Application for Transfer of Water Right.

Enclosed please find two copies of the transfer form, instructions and an extra copy of part 2. I am also enclosing computer print-outs of the above listed adjudication claims to assist all parties in completion of the transfer form. Should you have any questions or need further assistance, please feel free to contact one of the water allocations agents in this office. Thank you once again for allowing us to opportunity to assist you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

**Trish Fawcett
Technical Records Specialist**

enclosures

Donald J. Chisholm

Attorney at Law
223 East Main Street
P.O. Box 1118
Burley, Idaho 83318
Telephone (208) 678-9181
Fax: (208) 678-4998

October 4, 1999

RECEIVED

OCT 05 1999

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301

Re: Jimmie D. Tuckness - Triple Ace, Inc. - Exchange of Properties
and Exchange of Points of Diversion and/or Beneficial Use

Dear Sir or Madam:

Mr. and Mrs. Jimmie D. Tuckness and Triple Ace, Inc. wish to exchange eighty (80) acre parcels in the South Half of Section 16, Township 9 South, Range 22 East of the Boise Meridian in Minidoka County, Idaho.

Triple Ace, Inc. owns the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$. Jimmie Tuckness owns the S $\frac{1}{2}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$. In the exchange, Tuckness' will acquire the N $\frac{1}{2}$ SW $\frac{1}{4}$, so they will own the entire SW $\frac{1}{4}$. Triple Ace, Inc. will acquire the S $\frac{1}{2}$ SE $\frac{1}{4}$, so Triple Ace, Inc. will own all of the SE $\frac{1}{4}$.

Tucknesses have a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ which they wish to use to water the entire SW $\frac{1}{4}$. Triple Ace, Inc. has a well in the located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ which it wishes to retain to water all of the SE $\frac{1}{4}$ and other property it owns in NE $\frac{1}{4}$ of Section 16 after the exchange has been completed.

I am enclosing a copy of the agreement the parties are signing. The copy contains the exact legal descriptions of the properties being exchanged. I did not have the water license numbers for the existing wells. I would appreciate your advising me of the steps required to accomplish the objectives of the parties with respect to their water rights on the parcels which are being relinquished and the parcels which are being acquired in the exchange.

Very truly yours,



Donald J. Chisholm

lac
cc: Jimmie D. Tuckness
Enclosure

LAND EXCHANGE AND EASEMENT AGREEMENT

THIS AGREEMENT entered the 1st day of October, 1999, by and between JIMMIE D. TUCKNESS and LaVON TUCKNESS, husband and wife, hereinafter known as Tuckness, of 1251 West 300 North, Paul, Idaho 83347, and TRIPLE ACE, INC., an Idaho corporation, of 1800 Z Street, Heyburn, Idaho 83336,

W I T N E S S E T H,

WHEREAS, Triple Ace, Inc. is the owner of eighty (80) acres of land, more or less, in Minidoka County, Idaho which is referred to as Parcel 1 on a survey prepared by Desert West Land Surveys as Job # 5299-99B1 dated September 9, 1999. Said property is described on Exhibit A which is attached hereto and incorporated by reference, and

WHEREAS, Jimmie D. Tuckness and LaVon Tuckness are the owners of eighty (80) acres of land, more or less, in Minidoka County, Idaho which is referred to as Parcel 2 on the Desert West Land Surveys survey. Said property is described on Exhibit B which is attached hereto and incorporated by reference, and

WHEREAS, Triple Ace, Inc. is the owner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16, Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, Idaho and the N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 16, and

WHEREAS, Jimmie D. Tuckness and LaVon Tuckness are the owners of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 16, and

WHEREAS, Triple Ace, Inc. wishes to acquire Parcel 2 from Tuckness so Triple Ace, Inc. can install a pivot irrigation system on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, and Tuckness wishes to acquire Parcel 1, so Tuckness can install a pivot irrigation system on the SW $\frac{1}{4}$ of Section 16, and

WHEREAS, Triple Ace, Inc. will retain ownership of a well located in the easterly portion of Parcel 1 and adjacent to the East boundary of said Parcel 1, and

WHEREAS, Triple Ace, Inc. and Tuckness wish to create a permanent easement twenty feet (20') in width for the benefit of

themselves and their respective successors in interest in the SE¼ of said Section 16, and the SW¼ of said Section 16 along the common boundary of the Northwest Quarter and the Southwest Quarter of said Section 16, and along the common boundary of the Southwest Quarter and the Southeast Quarter of said Section 16 from the center of said Section 16 to the well of Triple Ace, Inc. which is located on the East boundary of Parcel 1. The easement is described on Exhibit C which is attached hereto and incorporated by reference,

NOW THEREFORE, in consideration of the foregoing, the parties agree to the following:

1. Upon execution of this agreement Triple Ace, Inc. will convey Parcel 1 to Jimmie D. Tuckness and LaVon Tuckness by warranty deed subject only to accruing 1999 real property taxes, the easement which is created by this agreement, assessments of the Magic Valley Groundwater District and two Power Line Easements described as exceptions 12 and 13 on Schedule B of the Commitment for Title Insurance issued by Commonwealth Land Title Insurance Co. as order # 32123 MC. Triple Ace, Inc. will receive ownership of the well and irrigation equipment located on the East boundary of Parcel 1 to provide irrigation water for the SE¼ of said Section 16 and other property owned by Triple Ace, Inc. which is situated in the N¼ of said Section 16.

2. Jimmie D. Tuckness and LaVon Tuckness shall convey Parcel 2 to Triple Ace, Inc. by warranty deed subject only to accruing 1999 real property taxes, assessments of the Magic Valley Groundwater District and two Power Line Easements described as items 12 and 13 on Schedule B of the Commitment for Title Insurance issued by Commonwealth Land Title Insurance Co. as order # 32125 MC.

3. Each party shall pay the 1999 real property taxes and assessments of Magic Valley Groundwater District on the parcel which said party is to convey to the other party. Said taxes and assessments shall be paid in full not later than December 20, 1999. Each party shall hold the other party harmless from any real property taxes or assessments for 1999 and prior years on the parcel said party is conveying to the other party.

4. Each party will be allowed to complete harvest operations on the parcel said party is conveying to the other party. When each party has completed harvest operations on the parcel to be conveyed to the other party, the party receiving said

parcel shall be entitled to begin fall work and installation of irrigation equipment on the parcel of property said party is to receive.

5. Jimmie D. Tuckness and LaVon Tuckness and Triple Ace, Inc. hereby declare, create and grant to one another a permanent easement described on Exhibit C which is attached hereto and incorporated by reference. The purpose of the easement will be to allow each party to install, operate, maintain, repair and replace irrigation equipment and electrical lines and equipment related to operation of wells, pumps and irrigation systems on the respective parcels of property owned by the parties in the Southeast Quarter and the Southwest Quarter of Section 16, Township 9 South, Range 22 East of Boise Meridian, Minidoka County, Idaho. The easement shall also be available for use by the respective parties for access to their respective farming operations. The parties acknowledge and agree that the irrigation well of Triple Ace, Inc. which is located at the Southern end of the easement adjacent to the South Quarter section line of said Section 16 shall be owned by Triple Ace, Inc. and its successors in interest in the Southeast Quarter of said Section 16. Tuckness will be permitted to install electric utility poles, transformers, electric panels and switching gear within the easement so that Tuckness can supply electric energy to the pivot irrigation system to be installed in the SW $\frac{1}{4}$ of Section 16. The benefits and burdens of the easement shall run with the land inure to the benefit of the successors in interest of the respective parties in the Southeast Quarter and the Southwest Quarter of said Section 16.

6. Utility poles and buried pipe line shall be installed and maintained in a manner which will allow the easement to be used safely for ingress and egress by the parties to this agreement and their successors in interest in the parcels which are benefitted and burdened by this easement. The parties shall share equally in the reasonable cost of maintaining the easement in a manner satisfactory to allow adequate ingress and egress and use of the easement. Neither party shall cause or allow irrigation water to be discharged on the easement in a manner which will make the easement impassable.

7. Each party will provide the other party with a title insurance policy showing good and marketable title in the parcel which is to be acquired by each party hereunder, including the easement. The parties agree that the title insurance policies shall each be issued for the face amount of \$120,000. The title

insurance shall insure the parties rights in the easement as long as the parcel shall be received by the parties.

8. The parties will bear equally the cost of the preparation of the survey by Desert West Land Surveys. The parties shall also bear equally the cost of preparation of this agreement and the other documents and conveyances in the cost of closing the transaction.

9. Closing shall take place at Land Title & Escrow, Inc. at Burley, Idaho not later than October 15, 1999. Each party shall obtain releases of any mortgages or other encumbrances on the parcel said party is to convey and encumbrances on the easement prior to the time of closing.

10. It is the intention of the parties that this transaction qualify as a tax deferred exchange of like-kind real property under § 1031 of the Internal Revenue Code. No irrigation equipment or other personal property is included in the sale.

11. Each party acknowledges that the party is familiar with the parcel being acquired from the other party, the said party is not relying upon any representations or warranties other than warranty of title.

12. It is the intention of the parties that the water rights owned by each party in the parcel of property currently owned by said party be retained and transferred to the parcel of property each party is to receive from the other party. Each party acknowledges that the parcel it receives from the other party will not include water rights which are currently appurtenant to the parcel said party is to receive.

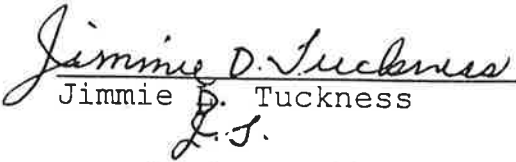
13. A copy of this agreement will be submitted to the Idaho Department of Water Resources for preparation of appropriate applications for exchanging the place of beneficial use and/or points of diversion of the water rights of the respective parties to give effect to this agreement. Each party will pay its own application fees and other charges of the Idaho Department of Water Resources for its application.

14. This agreement has been prepared by Donald J. Chisholm at the request of Jimmie D. Tuckness and LaVon Tuckness. Triple Ace, Inc. acknowledges that it has been advised that Donald J. Chisholm is not acting as the attorney for Triple Ace, Inc. and

that Triple Ace, Inc. should have the documents examined by its own counsel if it desires to do.

15. Each party will execute any other documents and conveyances which may be required to give full force and effect to this agreement.

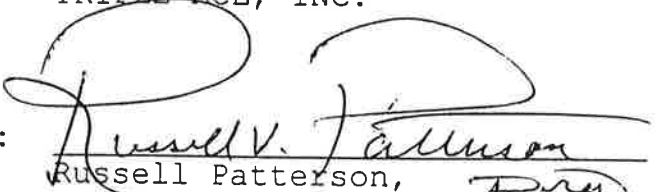
IN WITNESS WHEREOF the parties have set their hands the day and year first written above.


Jimmie D. Tuckness
L.S.

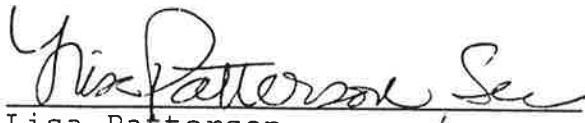

LaVon Tuckness

TRIPLE ACE, INC.

by:


Russell Patterson,
President

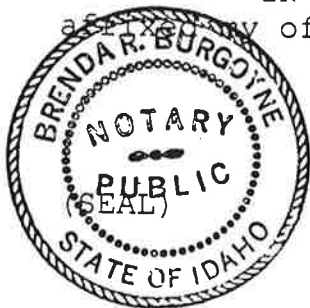
Attest:


Lisa Patterson,
Secretary

STATE OF IDAHO)
) ss.
County of Cassia)

On this 14th day of October, in the year of 1999, before me the undersigned notary public in and for said state, personally appeared JIMMIE D. TUCKNESS AND LAVON TUCKNESS, h&w, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.





Notary Public
Residing at Heyburn - Idaho
My Commission expires 2-24-2005

STATE OF IDAHO)
) ss.
County of Cassia)

On this 1st day of October, 1999, before me the undersigned notary public in and for said state, personally appeared RUSSELL PATTERSON and LISA PATTERSON, known to me to be the president and secretary, respectively, of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.





Notary Public
Residing at Heyburn - Idaho
My Commission expires 2-24-2005

EXHIBIT A

September 9, 1999
JOB # 5299-99B1
RUSSELL PATTERSON and
JIMMY TUCKNESS SURVEY

PARCEL 1

L E G A L D E S C R I P T I O N

Part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16 of Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the West $\frac{1}{4}$ section corner of Section 16 of T.9 S., R.22 E., B.M., said corner marked by a $\frac{3}{8}$ " rebar which shall be the Point of Beginning;

THENCE North 00 degrees 02 minutes 32 seconds West along the west line of the S $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 11.76 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 21 minutes 49 seconds East for a distance of 2625.31 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 37 minutes 48 seconds West for a distance of 587.80 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 21 minutes 49 seconds East for a distance of 12.97 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 04 minutes 56 seconds East for a distance of 744.49 feet to the south line of the N $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE North 89 degrees 20 minutes 55 seconds West along said line for a distance of 2631.44 feet to the Southwest corner of the N $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE North 00 degrees 03 minutes 45 seconds West along the west line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 1319.88 feet to the Point of Beginning.

Said property contains 80.33 acres more or less and is subject to a county road right of way along the west side and subject to and together with an Access Easement for the benefit of both parties said easement being more particularly described as follows: (insert Access Easement legal description).

PREPARED BY:
DESERT WEST LAND SURVEYS
1751 Overland Ave.
Burley, ID 83318



EXHIBIT B

September 9, 1999
JOB # 5299-99B1
RUSSELL PATTERSON and
JIMMY TUCKNESS SURVEY

PARCEL 2

LEGAL DESCRIPTION

Part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ and all of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 16 of Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the Southeast section corner of Section 16 of T.9 S., R.22 E., B.M., said corner marked by a $\frac{1}{2}$ " rebar which shall be the Point of Beginning;

THENCE North 89 degrees 22 minutes 33 seconds West along the south line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 2641.54 feet to the South $\frac{1}{4}$ section corner marked by a $\frac{5}{8}$ " rebar;

THENCE North 89 degrees 20 minutes 00 seconds West along the south line of the S $\frac{1}{2}$ SW $\frac{1}{4}$ for a distance of 9.45 feet to a $\frac{1}{2}$ " rebar;

THENCE North 00 degrees 04 minutes 56 seconds West for a distance of 1320.58 feet to the north line of the S $\frac{1}{2}$ SW $\frac{1}{4}$;

THENCE South 89 degrees 20 minutes 55 seconds East along said line for a distance of 9.45 feet to the Northwest corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$;

THENCE South 89 degrees 22 minutes 11 seconds East along the north line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 2640.93 feet to the Northeast corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$;

THENCE South 00 degrees 06 minutes 33 seconds East along the east line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 1320.31 feet to the Point of Beginning.

Said property contains 80.34 acres more or less and is subject to a county road right of way along the south and east sides and subject to any other easements or right of ways of record or use.

PREPARED BY:
DESERT WEST LAND SURVEYS
1751 Overland Ave.
Burley, ID 83318



EXHIBIT C

September 9, 1999
JOB # 5299-99B1
RUSSELL PATTERSON and
JIMMY TUCKNESS SURVEY

ACCESS EASEMENT

L E G A L D E S C R I P T I O N

Part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16 of Township 9 South, Range 22 East of the Boise Meridian, Minidoka County, State of Idaho.

Beginning at the West $\frac{1}{4}$ section corner of Section 16 of T.9 S., R.22 E., B.M., said corner marked by a $\frac{3}{8}$ " rebar; Thence North 00 degrees 02 minutes 32 seconds West along the west line of the S $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 1.76 feet to a point which shall be the Point of Beginning;

THENCE North 00 degrees 02 minutes 32 seconds West continuing along said line for a distance of 20.00 feet;

THENCE South 89 degrees 21 minutes 49 seconds East for a distance of 2635.43 feet;

THENCE South 00 degrees 37 minutes 48 seconds West for a distance of 597.80 feet;

THENCE North 89 degrees 21 minutes 49 seconds West for a distance of 20.00 feet;

THENCE North 00 degrees 37 minutes 48 seconds East for a distance of 577.80 feet;

THENCE North 89 degrees 21 minutes 49 seconds West for a distance of 2615.19 feet to the Point of Beginning.

Said property contains 1.48 acres more or less.

PREPARED BY:
DESERT WEST LAND SURVEYS
1751 Overland Ave.
Burley, ID 83318



Water Right Number - 36-02110

Prefix Translation: WATER RIGHT

Old (D) Number - 21949

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TUCKNESS

JIMMY D

1 - RT 2 BOX 2420

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5826

TUCKNESS

LAVONE L

1 - RT 2 BOX 2420

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5826

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
02/20/1951 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
09S 22E 16 NW SE SW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 3.080 616.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.080 616.00 462.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 22E 16 SW SW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE SW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SW SE 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE SE 38.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 154.0

+ - - Diversion Means - 16" CASING 495'DEEP WITH A 100HP.VERT. TURBINE 75HP. BOOSTER.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.

Water right number - 36-02110

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/16/91 MERRITT 07/24/91 GIVENS 03/11/92 ROBERTSO 07/10/92 CWU-PROD 07/18/92 POST-STD
08/28/92 PR-PRODM 11/02/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257645 08/24/92

+ - - - - Comments - - - - - +

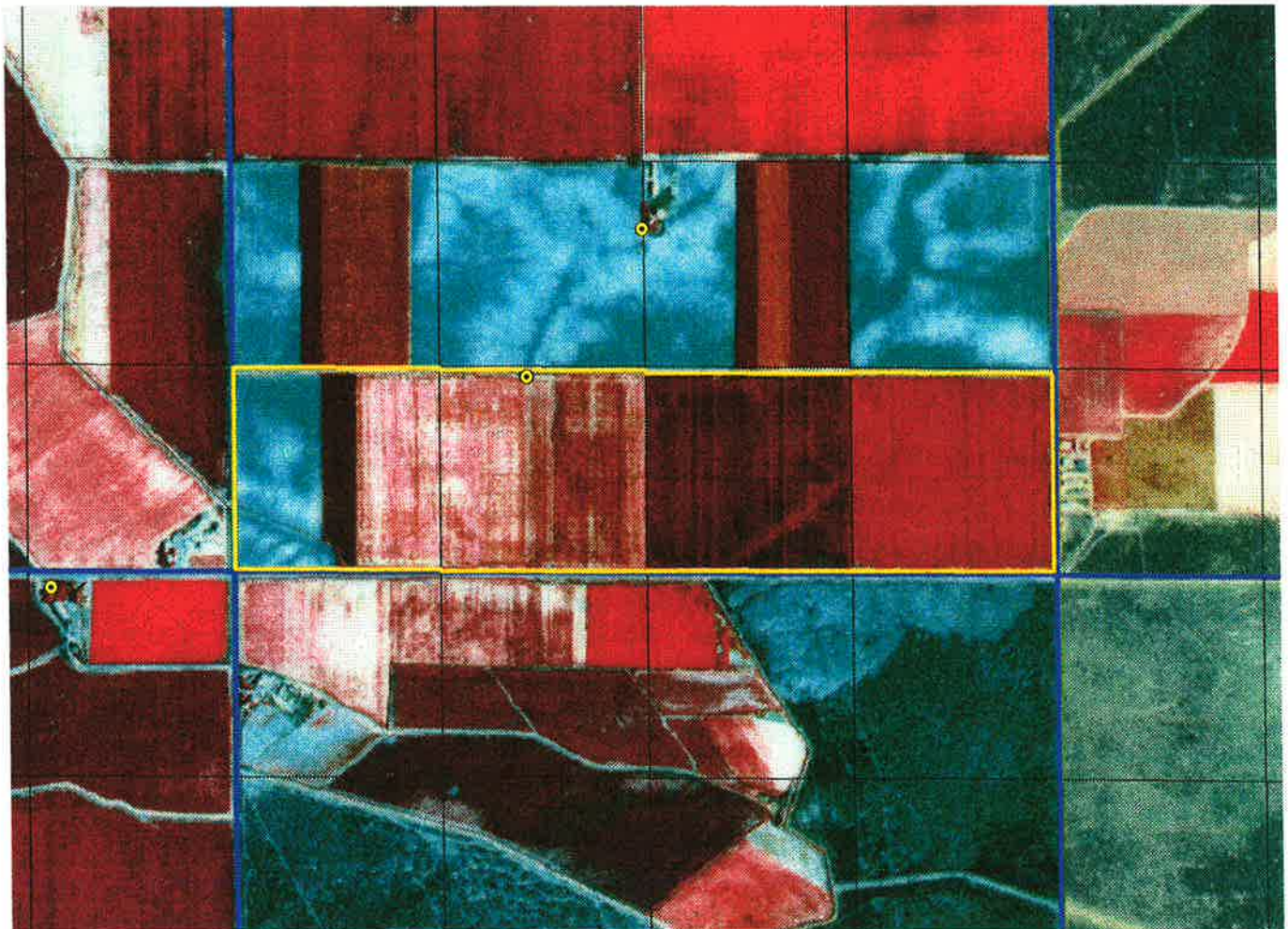
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/11/1992	Old Judicial District	-
Claim Received Date	- 09/21/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M004579	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	- AND/OR	Notice of Error Flag	-

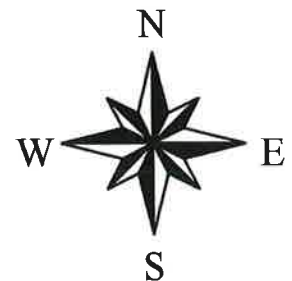
IDAHO DEPARTMENT OF WATER RESOURCES

36-02110
JIMMY & LAVONE TUCKNESS



660 0 660 1320 1980 2640 Feet

TNS 9S, RNG 22E, SEC 16



- ⊙ B36-pod.shp
- Pou-outline.shp
- 09s22e.dxf
- 4
- T09s22eqq.shp

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY SEPTEMBER 1997
BY KELLY K CHRISTENSEN

CLAIM NUMBERS 36-02110DATE 9-4-97TRANSFER NUMBER noneOBJECTION FILED noAGENT KKCTOTAL ACRES FROM RECOMMENDATION 154GEOGRAPHIC INFO SYSTEM 155

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>95</u>	<u>22E</u>	<u>16</u>											<u>38</u>	<u>39</u>			<u>39</u>	<u>38</u>
GIS														<u>39</u>	<u>39</u>			<u>38.4</u>	<u>38.1</u>
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

9-4

POLYGON CREATED ON 604 ()

ATTRIBUTES OF B36-POU.SHP (414) 9-4-97

B36-DBPOD.DBF

9-4ATTRIBUTES OF B36-POD.SHP (384) 9-4-97

P/D location not visible on napp photo.
Location selected based upon location
identified on map in claim file.

P/U CONFLICT yes () no (X)P/D CONFLICT yes () no (X)READY FOR DECREE yes (X) no ()

SENT FOR DECREE yes () no ()



R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILM

JAN 27 1988

Water Right Number - R36-02110

Prefix Translation: RESEARCH

Old (D) Number - 21949

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TUCKNESS

JIMMY D.

1 - RT. 2 BOX 2420

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5826

TUCKNESS

LAVONE L.

1 - RT. 2 BOX 2420

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5826

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/20/1951 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09S 22E 16 NW SE SW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.080 616.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.080 616.00 462.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 22E 16 SW SW 38.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE SW 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SW SE 39.0 01 IRRIGATION (67) MINIDOKA
09S 22E 16 SE SE 38.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 154.0

+ - - Diversion Means - 16" CASING 495'DEEP WITH A 100HP.VERT. TURBINE 75HP. BOOSTER.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

MICROFILMED

JAN 25 1993

Water right number - R36-02110

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
03/11/92 ROBERTSO

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/11/1992	Old Judicial District	-
Claim Received Date	- 09/21/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M004579	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED

JAN 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:09
12/13/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02110

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			AD~	N			AD~	KKC
POINT OF DIV	Y			N	6			7-22-91
SOURCE				N				
PLACE OF USE	Y			N	6, 14			
DIV. AMOUNT CFS/VOLUME	Y			N	6			
CONSUMPTIVE USE	-			N				
PURPOSES	Y			N	6			
PERIOD OF USE	Y			N	6			
BASIS OF CLAIM				N				
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

RECEIVED
JAN 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:09
12/13/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02110

LAST: MOFFAT
ADDRESS:
CITY: XXXXXXXX
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

FIRST: HOWARD W.

STATE: ID ZIP: 000000

LAST: MC CLELLAN
ADDRESS:
CITY: PAUL
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

FIRST: ARTHUR

STATE: ID ZIP: 0000000

LAST: TUCKNESS
ADDRESS: RT. 2 BOX 2420
CITY: PAUL
PHONE NUMBER: 208-438-5826

OWNER CODE: C

FIRST: JIMMY D.

STATE: ID ZIP: 83347

LAST: TUCKNESS
ADDRESS: RT. 2 BOX 2420
CITY: PAUL
PHONE NUMBER: 208-438-5826

OWNER CODE: C

FIRST: LAVONE L.

STATE: ID ZIP: 83347

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: CLAIMANT IS STILL USING THE SAME AMOUNT OF WATER AS
ORIGINALLY LICENSED BEFORE THE COUNTY ROADS WENT THROUGH.

MICROFILMED

JAN 25 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 4/15/91

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

In office review

MICROFILMED

JAN 25 1993

A. AJ CLAIM: # A36-02110 PRIORITY DATE: 02-20-1951 STAGE: L
B. WR RECORD: # 36-02110 PRIORITY DATE: 02-20-1951 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
02-20-1951

REVIEWED BY AD

DATE 4/15/91

MICROFILMED

JAN 25 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02110	09S	22E	16	NW	SE	SW		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02110	09S	22E	16		SE	SW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

Apperus correct from licensing exam & from
ortho photo grid.

Microfilm

JAN 25 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	—	—	OK	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

AD

4/15/91

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JAN 25 1993

A. ROOT WATER RIGHT NUMBERS: A36-02110

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	22E	16	SW	SW		TUCKNESS , JIMMY D.	A36-02110 /38.0	36-02110 /40.0	40.0	38	1
09S	22E	16	SE	SW		TUCKNESS , JIMMY D.	A36-02110 /39.0	36-02110 /40.0	38.0	39	1
09S	22E	16	SW	SE		TUCKNESS , JIMMY D.	A36-02110 /39.0	36-02110 /40.0	41.0	39	1
09S	22E	16	SE	SE		TUCKNESS , JIMMY D.	A36-02110 /38.0	36-02110 /40.0	38.0	38	1
TOTAL ACRES							A36-02110	154.00	160.00	157.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 154

REVIEWED BY: AD~

DATE: 4/15/91

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JAN 25 1993

154

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02110 IRRIGATION	FROM 03-15 TO 11-15	~~3.160 CFS~~
TOTAL DIVERSION RATE/VOLUME CLAIMED		~~3.160 CFS~~ 3.08

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02110 IRRIGATION	FROM TO	3.160 CFS
36-02110 DOMESTIC	FROM TO	3.160 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.160 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

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JAN 25 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.160 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(~~X~~) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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JAN 25 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 154 x 0.02 CFS/ACRE = 3.08 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(✓) N()

Reduce to 3.08 cfs

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 462.0 AF/A

ACRES 154 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 462 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 154 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 616 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

No Overlap.

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JAN 25 1993

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

Invis.

3/15 11/15

DATABASE EXAMINER
3.08

DATABASE EXAMINER
616

DATABASE EXAMINER
462

TOTAL FOR THIS RIGHT

REVIEWED BY: Adm

DATE: 9/15/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02110

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	3.160		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02110	3.160	-		36-02110	3.160
TOTAL CFS		3.160				3.160

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	Y	
IF NO, is the written review sheet attached? (Y/N)		

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: 4/15/91

NAME OF FIELD EXAMINER: _____ TITLE: _____

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JAN 25 1993