

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: **A36-02197A**

Date Received: 6/16/1989

Receipt No: X777777

Received By: split - O/C *X*

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

1. Name: ACEQUIA INC
Address: PO BOX 1678
KETCHUM ID 83340
208-726-8474

2. Date of Priority: FEB 25, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	24E	7	SW	NW	SE		MINIDOKA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.080		

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

8. Total consumptive use is 844.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	24E	7	NE	SW		IRR	40.0
			NW	SW	3	IRR	20.8
			SW	SW	4	IRR	20.8
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	24E	7	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							281.6
Total Acres							281.6

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:

THIS IS A PORTION OF ORIGINAL RIGHT A36-02197 WHICH WAS SPLIT AS
THE RESULT OF AN OWNERSHIP CHANGE. jr

15. Basis of Claim: LICENSE

Water Right Number: 23815

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

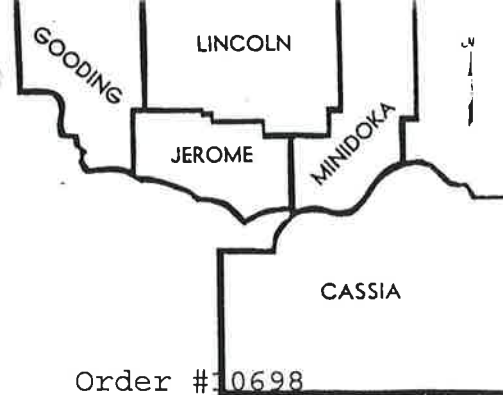
Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:
OFFICE:

Order #10698
Rupert

February 20, 1996

ATTENTION: JEANIE ROBERTSON
WATER RIGHTS AGENT
ADJUDICATION

RECEIVED

FEB 21 1996

IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE ST. EAST
TWIN FALLS, IDAHO 83301

Department of Water Resources
Southern Region

Dear Jeanie:

Enclosed herewith please find an IDAHO DEPARTMENT OF WATER RESOURCES NEW PROPERTY OWNER- NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP to Mr. and Mrs. Richard C. Young, from Acequia, Inc. Attached to this form is a copy of the recorded Warranty Deed, which also has the Water Right No. on it.

If you have any questions, please do not hesitate to contact this office.

Very truly yours:
LAND TITLE AND ESCROW, INC.

Steve B. Porch
Steve B. Porch
Rupert Office Manager

enc.
pc: file

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0606 - FAX 438-1199

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 1-16-96

LEGAL DESCRIPTION OF PROPERTY: Township 7 Range 24
Section 7, NE 1/4 of and 1/4 of E 1/4 NW 1/4, Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

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

☒ Water Right Number(s) 36-02197
Assigned by IDWR:

Department of Water Resources
Sustainable Resources

☐ Name and Address of Former Owner/Claimant(s)(Seller):
Acequia Inc.
P.O. Drawer 226
Sun Valley, ID 83353-0226

☐ New Owner/Claimant (Purchaser):
Richard C. Young & Jolynn L. Young

☐ New Mailing Address:
Rt. 5 Box 174
Rupert, ID 83350

☐ New Telephone Number: (208) 532-4114

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

☐ Attach proof of ownership, describe proof attached: Warranty Deed

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

☐ Signature of New Owner/Claimant(s): Richard C. Young Date 1/19/96
Jolynn L. Young Date 1-19-96

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2-22-96 By: [Signature]
Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

421981

421981

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

COPY

RECORDED AT REQUEST OF
Land Title-Rupert

FILM NO. _____

RECEIVED JAN 19 16:57

FEB 2 1996 MINIDOKA COUNTY, IDAHO

(Space above line for Recorder's use)

Department of Water Resources
Southern RegionDOANE SMITH, RECORDER
DEPUTY

WARRANTY DEED

FOR VALUE RECEIVED, ACEQUIA, INC., an Idaho corporation, whose address is P.O. Box 226, Sun Valley, ID 83353 ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto RICHARD C. YOUNG and JOLYNN L. YOUNG, husband and wife, whose address is Route 5, Box 174, Rupert, Idaho 83350 ("Grantee", whether one or more), that certain real property situated in Minidoka County, Idaho and described as follows:

NE ¼ and E ½ NW ¼ of Section 7, Township 7 South, Range 24
East, B.M., Minidoka County, Idaho.

SUBJECT TO the following:

1. Liens for taxes and assessments not yet due and payable;
2. Reservations and exceptions in any patents from the United States or any patent or deed from the State of Idaho;
3. Building and zoning ordinances and regulations;
4. Covenants, conditions, rights-of-way, easements and restrictions of record if any as disclosed by the records of Minidoka County, Idaho;

TOGETHER WITH the following:

2.62 cfs of Water Right No. 36-02197 as recommended in the Directors Report for Reporting Area 3 in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576 (the "SRBA");

SUBJECT TO the final outcome of all proceedings in and the provisions, terms and

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DEC 03 1996
1/16/96

F:\WPDATA\ACEQUIA\FARM\YOUNG\WARRANTYDEED.001

-1-

conditions of the decree to be entered in the SRBA.

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever. However, notwithstanding the description of the water rights set forth above, Grantor does not make any representation or warranty as to the amount, volume or any other element of such water rights.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the date set forth below.

"GRANTOR"

ACEQUIA, INC.

Date: 1/17/96

By: Michael Haley
Michael Haley, President

DISTRICT OF COLUMBIA) ss.

On this 17th day of January, 1996, before me, the undersigned notary public in and for said state, personally appeared Michael Haley, known or identified to me to be the president of ACEQUIA, INC. and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Adrianne A. Schmidt
Notary Public for District My Commission
Residing at: Edgewater, MD Expires 5/15/99
Commission Expires:

FAWPDATA\IMACEQU\LAIFARM\YOUNGRI\WRNTYDED.001

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Important Information About Your Water Right

December 3, 2001

Acequia Inc.
PO Box 226
Sun Valley, ID 83353

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-02197A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order***, in combination with the ***Partial Decree*** that was issued for this water right on November 24, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of this water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued on the same date that the ***Partial Decree*** was originally issued.

Sincerely,


Diana Delaney
Case Administrator

2001 DEC -3 PM 4:31

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 Right 36-02197A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on November 24, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

CLAIM NUMBERS 36-02197A

DATE 09-25-97
AGENT 7H

TRANSFER NUMBER Q
OBJECTION FILED YES
TOTAL ACRES FROM RECOMMENDATION 281.6

GEOGRAPHIC INFO SYSTEM

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>07S</u>	<u>24E</u>	<u>7</u>									<u>40</u>	<u>20.8</u>	<u>20.8</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>281.6</u>
GIS												<u>39.9</u>	<u>20.7</u>	<u>20.8</u>	<u>39.9</u>	<u>39.9</u>	<u>39.9</u>	<u>39.9</u>	<u>39.9</u>
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

POLYGON CREATED ON 604 ()

ATTRIBUTES OF B36-POU.SHP ()

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP ()

① split due to sale - 02-22-1996 by JR - ORIG POU total
1521.6 ACRES; 36-02197

A: 281.6 AC
B: 240. AC

Field Nervein recommended 521.6 in 1990.

09-26-97

Complete shp file.

POU-ID: 471-280.885 AC

POD-ID: 436

P/U CONFLICT yes () no (✓)

P/D CONFLICT yes () no (✓)

READY FOR DECREE yes (✓) no ()

SENT FOR DECREE yes () no ()

OF CLAIMS IN POLYGON

CLAIM NUMBERS 36-02197B

DATE 08-04-97

AGENT 77

TRANSFER NUMBER

OBJECTION FILED

TOTAL ACRES FROM RECOMMENDATION 240

GEOGRAPHIC INFO SYSTEM 240

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	75	24E	7	40	40	40	40	40			40								
GIS				40	40	40	40	40	10	10	40								
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

ATTRIBUTES OF B36-POU.SHP ()

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP () 08-04-1997

08-04-97:

NOTE: there are numerous outages in this polygon of the NE & NW 40s. The scale is large enough that they could be dealt with if time was available.

all 40s recommended full to acre.

PD: used OPQ for a clear print as original in base. It fill almost black. Attached and CC to - 02197A.

08-06-97: ① correction \$5 on the West of NW 1/4 were outaged as irrigated/cultivated ground and given separate POV ID #5.

P/U CONFLICT yes () no (✓)

P/D CONFLICT yes () no (✓)

SENT FOR DECREE yes () no ()

COPY

for POD
determination
(see 02197)

Record 36-02197A
POD-SWNWSE
MAP from -02197
Poor copy in
original claim

CLAIM 36-02197A INIT 7H
T. R. S. Q/Q
P/D 75 24E 7 SWNWSE
PHOTO OPQ-USOS-NORLAND
DT. & ID. 09-01-78 AA 79

RECEIVED

AUG 08 1987

Department of Water Resources
Southern Region

Norland
Industrial Waste
Pond

COPY

36-02197A

ACEQUIA, INC.

1997 MAR 14 PM 3:45

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

Case No. 39576

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
)
)
)

SUB CASE NO. 36-02197

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No**FROM: Claimant/Seller(s):**

Name and Address of Claimant/Seller(s):

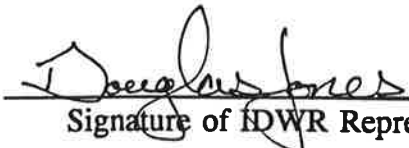
Acequia Inc
PO Drawer 226
Sun Valley ID 83353
Phone: 726-8474**TO: Claimant/Purchaser(s):**

Name and Address of Claimant/Purchaser(s):

Acequia Inc
PO Drawer 226
Sun Valley ID 83353
Phone: 726-8474Richard C Young
Jolynn L Young
Rt 5 Box 174
Rupert ID 83350
Phone: 532-4114

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: 3/12/97

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3-14, 1997, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
James P Speck
Hogue Speck & Aanestad
PO Box 987
Ketchum ID 83340
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Richard C Young
Jolynn L Young
Rt 5 Box 174
Rupert ID 83350
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy 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

AJ5859NP

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

DATE: MAR-12-1997

PAGE: A-1

RIGHT NUMBER: 36-02197

SPLIT RIGHT: SEE RIGHT NOS. 36-02197A AND 36-02197B.

AJ5856NP

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

DATE: MAR-11-1997
PAGE: A-3

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02197A

NAME & ADDRESS: ACEQUIA INC
PO BOX 226
SUN VALLEY ID 83353

SOURCE: GROUNDWATER

QUANTITY: 3.08 CFS
1126.4 AFY

PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T07S R24E S07 SWNWSE Within MINIDOKA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.08 CFS
			1126.4 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County
	T07S R24E S07	NESW 40.0 Lot 3 (NWSW) 20.8 Lot 4 (SWSW) 20.8
		NESE 40.0 NWSE 40.0 SWSE 40.0
	281.6 ACRES TOTAL	SESW 40.0 SESE 40.0

CONSUMPTIVE USE: 844.8 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: MAR-11-1997

PAGE: A-4

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02197B

NAME & ADDRESS: RICHARD C YOUNG
JOLYNN L YOUNG
RT 5 BOX 174
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.62 CFS
960.0 AFY

PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T07S R24E S07 SWNWNE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.62 CFS
			960.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R24E S07	NENE 40.0	NWNE 40.0	SWNE 40.0	SENE 40.0
		NENW 40.0	SENE 40.0		
	240.0 ACRES TOTAL				

CONSUMPTIVE USE: 720.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE



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

March 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD C YOUNG
JOLYNN L YOUNG
RT 5 BOX 174
RUPERT ID 83350

RE: SRBA Claim(s) 36-02197

Dear Claimant:

Please find the enclosed copy of the Notice of Completed 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.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Acequia Inc.
c/o James P Speck

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

February 22, 1996 4:21pm **STEVE PORCH** **A36-02197A & B**

SUBJECT: SPLIT/OWNERSHIP CHANGE

phone call (.) walk-in (.)

Received a Change of Ownership form for 36-02197 which split the right. Renumbered the part that Acequia kept to 36-02197A and gave the B portion to the Young's. The P/D listed two wells and Steve said that he understood one well went with each parcel. Gave the well in the SWNWNE to Young's and the well in SWNWSE was left with Acequia...

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

February 22, 1996

JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: OWNERSHIP CHANGE/SPLIT - SRBA CLAIM NO. A36-02197-ACEQUIA

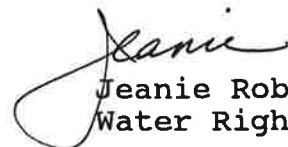
Mr. Speck;

Pursuant to the notification that you are representing the claimant on the above referenced Adjudication Claim, please find the enclosed copy of claim #A36-02197A. As the Young's purchased only a portion of the property represented by the original right, the Department split A36-02197 into parts A and B. Acequia's portion has been renumbered to A36-02197A and the Young's portion is A36-02197B. Please look the records over carefully to be sure they correctly reflect the intended change.

I've also enclosed a Profile Report of R36-02197B, which represents how the right will be recommended in the Director's Report when the court decides how it will deal with splits. They require submission of the Standard Form 3 for ownership changes.

If you should have any questions, feel free to give me a call at the office.

Sincerely,


Jeanie Robertson
Water Right Agent

/jr

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Water Right Number - R36-02197A

Prefix Translation: RESEARCH

Old (D) Number - 23815

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

*** A - ATTORNEY ***
SPECK

JAMES P

1 - PO BOX 987
2 -
3 -

City- KETCHUM
Phone - 208-726-4421

State- ID Zip- 83340

*** C - CURRENT OWNER ***
ACEQUIA INC

1 - PO BOX 1678
2 -
3 -

City- KETCHUM
Phone - 208-726-8474

State- ID Zip- 83340

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/25/1953 17 SOUTHERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 24E 7 SW NW SE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 3.080 1126.40

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.080 1126.40 844.8

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 24E 7 NE SW 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 7 NW SW 3 20.8 01 IRRIGATION (67) MINIDOKA
07S 24E 7 SW SW 4 20.8 01 IRRIGATION (67) MINIDOKA
07S 24E 7 SE SW 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 7 NE SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 7 NW SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 7 SW SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 7 SE SE 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 281.6

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

MICROFILMED
DEC 03 1995

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

[illegible][illegible]

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

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

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

Date: 07/29/1991 User Id: WELLS Subject: P/D IDENTIFICATION
THE ORIGINAL WATER RIGHT DESCRIBED THE TWO P/D BY LISTING TWO POSSIBLE QUARTER/QUARTERS PER P/D. THE CURRENT LISTING REFLECTS
THE CORRECT LEGAL DESCRIPTION FOR THE TWO EXISTING P/DS.

Date: 10/08/1992 User Id: ROBERTSO Subject: ADDRESS CHANGE & NOTICE OF APPEARANCE ENTERED

Date: 02/22/1996 User Id: JROBERTS Subject: SPLIT/OWNERSHIP CHANGE
THIS IS A PORTION OF ORIGINAL RIGHT 36-02197 WHICH WAS SPLIT AS A RESULT OF AN OWNERSHIP CHANGE. jr

+ - - Audit Fields - - +
02/22/96 JROBERTS

+ - - - - - 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	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	06/16/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	X777777	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-		Presumption Flag	-	
						Notice of Error Flag	-	

MICROFILMED
DEC 03 1996

RECEIVED

JAN 19 1995

Department of Water Resources
Adjudication Bureau

RECEIVED

JAN 18 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

FEB 01 1995

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

Water Right No. 36-02125

STANDARD FORM 1

OBJECTION

INSTRUCTIONS

This form must be used to file an objection to a water right recommended in the director's report. ***Only one party/claimant may object to one water right per objection form.*** To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you do, the text must be on the front and back of each page exactly as it appears here. The objection must be received by the court on or before the deadline specified in the Notice of Filing the Director's Report that IDWR mailed to you. Follow the Instructions for Mailing this objection (Page 6) or the court will not accept it for filing. This form has been adopted by the court in ***SRBA Administrative Order 1*** (amended June 21, 1993), Section 4, which may be consulted for further information.

Any party filing 25 or more objections must make an appointment with the Clerk of the SRBA Court.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

COPY

RECEIVED

SEP 25 1997 Page 1

Department of Water Resources
Southern Region

I. GENERAL INFORMATION

Please fill in the following information:

1. ***Party/Claimant objecting:***

Name: Acequia, Inc.

Address: c/o James P. Speck
Hogue, Speck & Aanestad
P. O. Box 987
Ketchum, ID 83340

Phone: Work: (208) 726-4421
Home:

Briefly describe your interest in this water right: Claimant

If this objection is *filed by an attorney*:

Attorney Name: James P. Speck

Attorney Address: Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, Idaho 83340

Attorney Phone No.: (208) 726-4421

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

2. ***Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:***

Name: Acequia, Inc.

Address: P. O. Drawer 226
Sun Valley, ID 83353

COPY

II. STATEMENT OF THE OBJECTION

1. ☒ **Period of Year:** I object to the period of year when water is used or is necessary for the purpose stated.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The Water Right is based upon a license issued by the Idaho Department of Water Resources ("IDWR") which did not specify or otherwise limit the period of use for the Water Right. The Water Right has historically been used from March 15 through November 15. Claimant and its predecessors have a vested interest in and have relied upon this period of use. IDWR is estopped from and has waived any right it may have had to change the period of use or recommend such change.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The period of use should be changed to March 15 through November 15.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection (as listed on Page 2, Section 1, "Party/Claimant Objecting"), as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

Signature of party/claimant filing objection

By: JS
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____
(Insert Date)

JS
Notary Public for Idaho
Residing at _____
My Commission expires _____

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

You must sign the Certificate of Mailing to show that you followed these steps.

COPY

CERTIFICATE OF MAILING

I certify that on 11/17, 1995, I mailed the original and copies of this objection, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right, and you must fill in the following information:

Owner's name: Acequia, Inc.

Owner's address: c/o James P. Speck
Hogue, Speck & Aanestad
P. O. Box 987
Ketchum, ID 83340

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

/s/
Signature of party/claimant or attorney