

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 A36-02446

Date Received _____

Receipt Number 5010060 40

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

RECEIVED

OCT 12 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) SPLIT BUTTE RANCH, Inc Phone (208) 531-5348Mailing Address Rt. 3 Box 220, Rupert, ID Zip 833502. Date of Priority (Only one (1) per claim) 7-22-19603. Source of water supply (a) Ground WATER Source
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7S Range 25E Section 36,NW 1/4 of SE 1/4 of 1/4, Govt. Lot, 258 B.M., County of Mundaka

Additional points of diversion if any: _____

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

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

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.wheelines well 275 - 300 feet depth Pump, well, Mainline AND2 150 HP Motor (Overloaded)

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OCT 18 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 3.69 or 440

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.69 (cfs) and/or (b) 440 (acre feet)

8. Total consumptive use claimed is 440 510 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	25E	36									39	39	38	39		15	20		190

Total number of acres irrigated 190

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
LICENSE 36-1356 or None None

14. Remarks:

Last Name

Split Butte Ranch Inc
by Elisey Adams

Ident No. _____

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OCT 18 1994

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. The grid is composed of small squares, each containing a crosshair. In the bottom right corner, there are handwritten notes in black ink:

- Row 18, Column 15: NW 1/4
- Row 18, Column 19: NE 1/4
- Row 19, Column 15: SW 1/4
- Row 19, Column 19: SE 1/4
- Row 19, Column 18: IRRIGATION
- Row 19, Column 17: mainline

Split Butte Ranch Inc

Ident No.

75

R. 25 OCT 18 1994 BM

JAN 2 1960

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Official Use ☐ Posted Notice ☒ License ☐ Permit
Decree _____
If applicable provide IDWR Water Right Number 28883/36-2446
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments _____

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

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

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

of Split Butte Ranch, Inc. Organization _____, that I have signed the foregoing

document in the space below as Secretary Title _____ of Split Butte Ranch, Inc. Organization _____

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

Signature of Authorized Agent Eileen G. Kernal

Title and Organization Secretary - Split Butte Ranch Inc Date 9/29/89

State of Idaho/or _____)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 29th day of September 1989

SEAL

Notary Public Roger D. Ling

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

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

Signature Roger D. Ling

Address P.O. Box 396, Rupert, Idaho 83350

Date 9/29/89

Last Name Split Butte Ranch Inc Ident. Number _____

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OCT 18 1994

Copies White-State, Yellow-Claimant

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: A36-02446
Date Received: 10/12/1989
Receipt No: S010060
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPLIT BUTTE RANCH, INC. 208-531-5348
Address: RT 3 BOX 220
RUPERT, ID 83350

2. Date of Priority: JUL 22, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	36	NW	SE			MINIDOKA

5. Description of diverting works:
275-300' WELL, 150HP PUMP, MAINLINE, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.690		760.00

7. Total Quantity Appropriated is:
3.690 C.F.S. (and/or) 760.00 A.F.A.

8. Total consumptive use is 570.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	36	NE	SW		IRR	39.0
			NW	SW		IRR	39.0
			SW	SW		IRR	38.0
			SE	SW		IRR	39.0

A36-02446

Page 1

Date: 11/20/89

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JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	36	NW	SE		IRR	15.0
			SW	SE		IRR	20.0
Section Acres							190.0
Total Acres							190.0

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:
A36-07356

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 28883

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 36-02446

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 28883

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

*** C - CURRENT OWNER ***
HEINS

WARREN

1 -
2 -
3 -
City- RUPERT
Phone -

State- ID Zip- 83350

HEINS

ELISE

1 -
2 -
3 -
City- RUPERT
Phone -

State- ID Zip- 83350

*** O - ORIGINAL OWNER ***
NEWCOMB

W. W.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/22/1960 17 L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 25E 36 NW SE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.690 760.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.690 760.00

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 36 NE SW 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 NW SW 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 SW SW 38.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 SE SW 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 NW SE 15.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 SW SE 20.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 190.0

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JAN 28 1993

Water right number - 36-02446

Adj. flag translation: Standard Water Right Number

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+	-	Remarks	+
		No Remarks found.	

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

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

+ - - Audit Fields -

	Water Rights Dates and Flags	Area
+	- - - - -	+ - - - -

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Start Work Date	-	00/00/0000	Verified Date	-	05/20/1985	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	04/26/1979	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000						

MICROFILMED
JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Nov. 22, 1989

SPLIT BUTTE RANCH INC
RT 3 BOX 220
RUPERT ID 83350

A36-13529
A36-13530
A36-07356
Re: A36-02446
A36-02447
A36-02141
A36-02143
A36-02142B

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
JAN 28 1993

A36-14784
ROGER D. LING
P.O. BOX 396

PAGE 2

A36-04087
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-07908
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14785
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02100
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14787
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-07139
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-04089
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02301
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02612
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-13530
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14788
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

RUPERT ID 83350

A36-02141
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A36-02446
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RUPERT ID 83350

A36-13529
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P.O. BOX 396

RUPERT ID 83350

A36-07356
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-07906
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02221
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14661
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-07920
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14648
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02062
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

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JAN 28 1993

A36-07904
ROGER D. LING
P.O. BOX 396

PAGE 3

A36-14807
ROGER D. LING
P.O. BOX

RUPERT ID 83350

RUPERT ID 83350

A36-02186
ROGER D. LING
P.O. BOX 396

A36-14649
ROGER D. LING
P.O. 396

RUPERT ID 83350

RUPERT ID 83350

A36-02400
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02187
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02099
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14783
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-13527
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02143
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02447
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02142B
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

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JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jul-1990 13:51

A36-02439 *
ROGER D. LING
P.O. BOX 396

RUPERT

ID 83350

RE: Field examination of a water right claimed
in the Snake River Basin Adjudication

Dear Counselor,

The field staff of this agency may need to conduct water right field examinations of your client's water right claim(s) during the coming season. The field examiner may be visiting your client's property to obtain information necessary to verify the water use.

If a field exam is necessary your client will be contacted directly about the examination unless you contact us otherwise. If you wish to accompany your client at the time of any field examination, or if you have any questions regarding the field examination, you may contact this office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

*See attached pages for other Water Right Numbers

MICROFILMED
JAN 28 1993

COPY

1997 AUG -8 PM 1:38

DIST. CLERK
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. 36-02141, 36-02142B,
36-02143, 36-02446, 36-13529**

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):
Split Butte Ranch Inc
Rt 3 Box 220
Rupert ID 83350

Phone: 531-5348

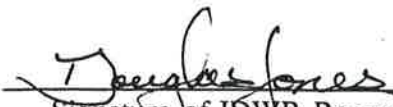
TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):
The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
Rupert ID 83350
Phone: 436-1214

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: 2/10/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8-8, 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:
Roger D Ling Esq
Ling Nielsen & Robinson
PO Box 396
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
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

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

DATE: AUG-8-1997

PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02446

NAME & ADDRESS: PAUL H DUNCAN
THE DUNCAN LIMITED PARTNERSHIP
KATHY F DUNCAN
750 E 100 S
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 3.69 CFS
760.0 AFY

PRIORITY DATE: 07/22/1960

POINT OF DIVERSION: T07S R25E S36 NESWSE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.69 CFS
			760.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R25E S36	NESW 39	NWSW 39	SWSW 38	SESW 39
		NWSE 15	SWSE 20		
	190 ACRES TOTAL				

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

August 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THE DUNCAN LIMITED PARTNERSHIP
PAUL H DUNCAN
KATHY F DUNCAN
750 E 100 S
RUPERT ID 83350

RE: SRBA Claim(s) 36-02447, 36-02109, 36-02141, 36-02142B,
36-02143, 36-02446, 36-13529

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: Roger D. Ling Esq.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

December 17, 1996

KARL J. DREHER
DIRECTOR

PAUL H DUNCAN AND
KATHY F DUNCAN AND
JACK F DUNCAN AND
JANET H DUNCAN
RT 1 BOX 364
RUPERT ID 83350

RECEIVED

FEB 12 1997

Department of Water Resources
Snake River Basin

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Notices of Claim #36-02062, 36-02066A,
36-02098, 36-02099, 36-02100, 36-02109, 36-02141,
36-02143, 36-02221, 36-02446, 36-02447, 36-02469D,
36-02469E, 36-02678, 36-07294, 36-07356, 36-13527,
36-13529, 36-13531, 36-13550 and 36-13458
Ownership Change

Dear Claimants:

As you know, the title company assisted you with some documents dealing with changing the ownership of water rights. Those documents were sent to the SRBA Court who in turn forwarded the Standard Forms 3 you completed to our office. In mid-1996 the Court altered the procedure placing the Department in the 'gate-keeper' role. Before we can make any changes, we must have a copy of the recorded Warranty Deeds to confirm the conveyance and legal descriptions.

Upon receipt of the Deed copies, the water right claim records will be reviewed and changed. Notice of the change will be sent to the SRBA Court, to you and any other necessary parties to the water right cases.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right claims.

Please contact this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

AJ0749NP
No. R36-02446

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/07/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL H DUNCAN	07/22/1960	IRRIGATION	04-01 10-31	3.69 CFS	760.00 AFA
C	KATHY F DUNCAN					
	750 E 100 S			TOTAL DIVERSION:	3.69 CFS	760.00 AFA
	RUPERT ID 83350					

C THE DUNCAN LIMITED PARTNERSHIP
750 E 100 S
RUPERT ID 83350
(208) 436-1214

D SPLIT BUTTE RANCH INC
RT 3 BOX 220
RUPERT ID 83350
(208) 531-5348

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R25E S36 NESWSE

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
07S	25E	36	:					:					:	39	39	38	39	:	15	20			:	190.0	
																							TOTAL ACRES		190.0

POU County: MINIDOKA

Other Rights: NONE

Dates: Exam Made Date:

Verified Date: 08/07/1997 Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

=====

Comments: Date: 08/22/1991 User-ID: CLELLAND Subject: POU & WELL CAPACITY
THIS RIGHT RECOMMENDED AS PPU SINCE IT OVERLAPS WITH 36-07356,
WHICH IS QUESTIONABLE RE: PER ACRE RATE OF DIVERSION.

|
THE THREE WELLS USED IN THIS SYSTEM HAVE THE FOLLOWING LICENSED
CAPACITIES BASED ON THE REVIEW OF THE LICENSE EXAM REPORTS:
NESWSE CAP. = 3.69 CFS
SENWNW CAP. = 3.21 CFS
SWSENE CAP. = 2.94 CFS
TOTAL DIVERSION = 9.84 CFS

Date: 09/17/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/16/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 12/19/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/16/1992 User-ID: MERRITT Subject: RESPONDED TO NOE
LETTER SENT 10/16. CHANGED RECORD TO REFLECT THAT WELLS WERE
NOT INTERCONNECTED. RECOMMENDED THE THREE WELLS AS THREE
SEPARATE SYSTEMS AS DISCUSSED IN PHONE CONV. WITH ELISE ON
10/15.

Date: 03/14/1994 User-ID: FRAZEE Subject: NOTICE OF APPEARANCE (NOA)
NOA REC'D 2/17/94 FROM ATTORNEY ROGER D LING

Date: 07/02/1997 User-ID: SCLELLAN Subject: NAME CHANGE
FORMS AND DEEDS SUBMITTED BY DUNCANS TO PROVE OWNERSHIP CHANGE.
METES & BOUNDS DESCRIPTION DEFINED THE EAST EDGE OF POU.

Audit: 08/07/97 SCLELLAN

AJ5856NP

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

DATE: JUL-10-1997

PAGE: A-10

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02446

NAME & ADDRESS: PAUL H DUNCAN
KATHY F DUNCAN
THE DUNCAN LIMITED PARTNERSHIP
750 E 100 S
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 3.69 CFS
760.0 AFY

PRIORITY DATE: 07/22/1960

POINT OF DIVERSION: T07S R25E S36 NESWSE Within MINIDOKA County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
3.69 CFS
760.0 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County
T07S R25E S36 NESW 39 NWSW 39 SWSW 38 SESW 39
NWSE 15 SWSE 20
190 ACRES TOTAL

CONSUMPTIVE USE: ~~570.0 AFY~~

Remove/Del

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

su
8/7/97

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. 36-02141, 36-02142B,
36-02143, 36-02446, 36-13529

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):

Split Butte Ranch Inc
Rt 3 Box 220
Rupert ID 83350

Phone: 531-5348

TO: Claimant/Purchaser(s):

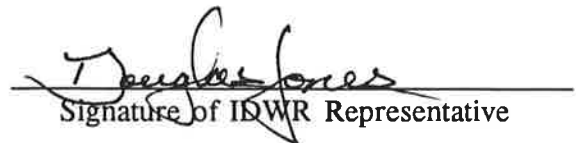
Name and Address of Claimant/Purchaser(s):

The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
Rupert ID 83350
Phone: 436-1214

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: 2/10/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on _____, 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:
Roger D Ling Esq
Ling Nielsen & Robinson
PO Box 396
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/02/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL H DUNCAN	07/22/1960	IRRIGATION	04-01 10-31	3.69 CFS	760.00 AFA
C	KATHY F DUNCAN					
	750 E 100 S					
	RUPERT ID 83350			TOTAL DIVERSION:	3.69 CFS	760.00 AFA
				CONSUMPTIVE USE:		570.00 AFA
C	THE DUNCAN LIMITED PARTNERSHIP					
	750 E 100 S					
	RUPERT ID 83350					
	(208) 436-1214					
D	SPLIT BUTTE RANCH INC					
	RT 3 BOX 220					
	RUPERT ID 83350					
	(208) 531-5348					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R25E S36

NESWSE

MINIDOKA County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	25E	36	:					:					:	39	39	38	39	:		15	20			:	190.0
																				TOTAL ACRES				:	190.0

POU County: MINIDOKA

Other Rights: NONE

Dates: Exam Made Date: 06/07/1991

Verified Date:

Objection Filed Date: 04/29/1993

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

=====
Comments: Date: 08/22/1991 User-ID: CLELLAND Subject: POU & WELL CAPACITY
THIS RIGHT RECOMMENDED AS PPU SINCE IT OVERLAPS WITH 36-07356,
WHICH IS QUESTIONABLE RE: PER ACRE RATE OF DIVERSION.

|
THE THREE WELLS USED IN THIS SYSTEM HAVE THE FOLLOWING LICENSED
CAPACITIES BASED ON THE REVIEW OF THE LICENSE EXAM REPORTS:
NESWSE CAP. = 3.69 CFS
SENWNW CAP. = 3.21 CFS
SWSENE CAP. = 2.94 CFS
TOTAL DIVERSION = 9.84 CFS

Date: 09/17/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/16/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 12/19/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/16/1992 User-ID: MERRITT Subject: RESPONDED TO NOE
LETTER SENT 10/16. CHANGED RECORD TO REFLECT THAT WELLS WERE
NOT INTERCONNECTED. RECOMMENDED THE THREE WELLS AS THREE
SEPARATE SYSTEMS AS DISCUSSED IN PHONE CONV. WITH ELISE ON
10/15.

Date: 03/14/1994 User-ID: FRAZEE Subject: NOTICE OF APPEARANCE (NOA)
NOA REC'D 2/17/94 FROM ATTORNEY ROGER D LING

Date: 07/02/1997 User-ID: SCLELLAN Subject: NAME CHANGE
FORMS AND DEEDS SUBMITTED BY DUNCANS TO PROVE OWNERSHIP CHANGE.
METES & BOUNDS DESCRIPTION DEFINED THE EAST EDGE OF POU.

Audit: 07/02/97 SCLELLAN



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DEC 06 1996

DATE OF CLOSING: 10-18-96

Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED QUITCLAIM DEED
FOR LEGAL DISCRIPTION

- [] 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)
Assigned by IDWR: #36-13529 #36-02447 #36-02109 #36-02446 #36-07356 #36-13530
#36-02141 #36-02142B #36-02143
- [] Name and Address of Former Owner/Claimant(s)(Seller): JACK F. DUNCAN AND JANET H. DUNCAN, husband and wife
- [] New Owner/Claimant (Purchaser): THE DUNCAN LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP
- [] New Mailing Address: 750 East 100 South
RUPERT, IDAHO 83350
- [] New Telephone Number: (208) 436-1214
- [] 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:
NE1/4 and S1/2 of Section 17: NE1/4 of Section 35 and Section 36, with an exception
all in Township 7 South Range 25 East Boise, Meridian, Minidoka County, Idaho

- [] Attach proof of ownership, describe proof attached: QUITCLAIM 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) THE DUNCAN LIMITED PARTNERSHIP Date _____
by Jack F. Duncan GENERAL PARTNER Date 11-15-96
- [] Signature of Former Owner/Claimant(s) Jack F. Duncan Date 11-15-96
Janet H. Duncan Date 11-15-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: 6/19/97 By: SW

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

QUITCLAIM DEED

#10684

COPY

For Value Received

JACK F. DUNCAN and JANET H. DUNCAN, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

THE DUNCAN LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP
750 East 100 South Rupert, Idaho 83350

Hereinafter called the grantee, the following described premises, in MINIDOKA County, Idaho to-wit:

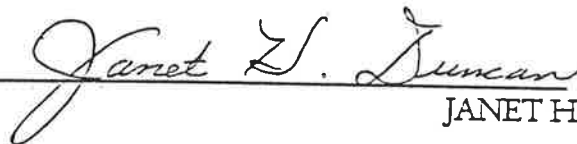
SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: October 18, 1996



JACK F. DUNCAN

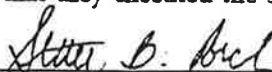


JANET H. DUNCAN

STATE OF IDAHO)

COUNTY OF MINIDOKA)

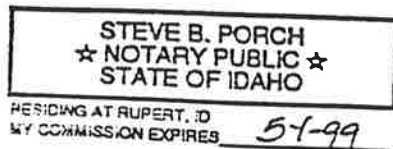
On this 18th day of OCTOBER, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared JACK F. DUNCAN AND JANET H. DUNCAN, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public

Residing at: Rupert, Id.

My Commission expires: 5-1-99



RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO.
96 NOV 15 15 : 40
MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FILE 9 DEPUTY 

427017

EXHIBIT "A"

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 17: NE¼ and S½;
SECTION 35: NE¼;
SECTION 36: **SAVE AND EXCEPT** the following described tract:

Beginning at the Northeast corner of Section 36, said corner marked by a U.S. GLO iron pipe with brass cap which shall be the POINT OF BEGINNING;
Thence South 00°05'00" East along the East line of Section 36 for 2639.97 feet to a 5/8 inch rebar alongside a bent U.S. GLO iron pipe;
Thence South 00°14'25" East along the East line of Section 36 for 2628.09 feet to a 5/8 inch rebar at the Southeast corner of Section 36;
Thence North 88°56'38" West along the South line of Section 36 for 1982.66 feet to a point;
Thence North 01°02'58" East for 37.49 feet to a ½ inch rebar;
Thence North 01°02'58" East for 1239.35 feet to a ½ inch rebar;
Thence North 89°03'28" East for 78.68 feet to a ½ inch rebar;
Thence North 00°10'53" West for 47.21 feet to a ½ inch rebar;
Thence North 78°47'40" West for 272.35 feet to a ½ inch rebar;
Thence North 00°15'49" West for 1122.27 feet to a ½ inch rebar;
Thence North 43°54'39" West for 52.13 feet to a ½ inch rebar;
Thence North 89°43'54" West for 561.95 feet to a ½ inch rebar;
Thence North 64°50'51" West for 69.79 feet to a ½ inch rebar;
Thence North 50°17'16" West for 200.49 feet to a ½ inch rebar;
Thence North 89°43'41" West for 874.35 feet to a ½ inch rebar;
Thence North 00°55'56" East for 1270.63 feet to a ½ inch rebar;
Thence South 88°50'12" East for 973.71 feet to a ½ inch rebar;
Thence North 01°11'23" East for 1333.41 feet to a ½ inch rebar on the North line of Section 36;
Thence South 88°52'57" East along the North line of Section 36 for 166.05 feet to a 5/8 inch rebar at the North quarter section corner of Section 36;
Thence South 88°52'57" East along the North line of Section 36 for 2640.32 feet to the POINT OF BEGINNING.

AN UNDIVIDED E-HALF INTEREST IN AND TO THE FOLLOWING
DESCRIBED PARCELS:

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 34: NE¼.

PARCEL NO. 2:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 19: E½, SAVE AND EXCEPT the following described tract:

Beginning at the Northeast corner of said Section 19; thence South for 41¼ rods
to the TRUE POINT OF BEGINNING;
Thence West for 15 rods;
Thence South for 15 rods;
Thence East for 15 rods;
Thence North for 15 rods to the POINT OF BEGINNING.

SECTION 20: W½.

PARCEL NO. 3:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 16: All.

PARCEL NO. 4:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 17: NE¼ and S½;

SECTION 35: NE¼;

SECTION 36: SAVE AND EXCEPT the following described tract:

Beginning at the Northeast corner of Section 36, said corner marked by a U.S.
GLO iron pipe with brass cap which shall be the POINT OF BEGINNING;
Thence South 00°05'00" East along the East line of Section 36 for 2639.97 feet
to a 5/8 inch rebar alongside a bent U.S. GLO iron pipe;
Thence South 00°14'25" East along the East line of Section 36 for 2628.09 feet
to a 5/8 inch rebar at the Southeast corner of Section 36;
Thence North 88°56'38" West along the South line of Section 36 for 1982.66
feet to a point;
Thence North 01°02'58" East for 37.49 feet to a ½ inch rebar;
Thence North 01°02'58" East for 1239.35 feet to a ½ inch rebar;
Thence North 89°03'28" East for 78.68 feet to a ½ inch rebar;
Thence North 00°10'53" West for 47.21 feet to a ½ inch rebar;
Thence North 78°47'40" West for 272.35 feet to a ½ inch rebar;
Thence North 00°15'49" West for 1122.27 feet to a ½ inch rebar;
Thence North 43°54'39" West for 52.13 feet to a ½ inch rebar;
Thence North 89°43'54" West for 561.95 feet to a ½ inch rebar;
Thence North 64°50'51" West for 69.79 feet to a ½ inch rebar;
Thence North 50°17'16" West for 200.49 feet to a ½ inch rebar;
Thence North 89°43'41" West for 874.35 feet to a ½ inch rebar;
Thence North 00°55'56" East for 1270.63 feet to a ½ inch rebar;
Thence South 88°50'12" East for 973.71 feet to a ½ inch rebar;
Thence North 01°11'23" East for 1333.41 feet to a ½ inch rebar on the North
line of Section 36;
Thence South 88°52'57" East along the North line of Section 36 for 166.05 feet
to a 5/8 inch rebar at the North quarter section corner of Section 36;
Thence South 88°52'57" East along the North line of Section 36 for 2640.32 feet
to the POINT OF BEGINNING.

EXHIBIT "A"
(CONTINUED)

PARCEL NO. 5:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 23: S½;
SECTION 24: W½SW¼;
SECTION 25: W½, SW¼SE¼;
SECTION 26: All.

PARCEL NO. 6:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 27: NW¼, SAVE AND EXCEPT the following described tract:

Beginning at the Northwest corner of Tract A in said Section 27, said corner marked by a U.S. Bureau of Reclamation pipe with brass cap which shall be the POINT OF BEGINNING;
Thence North 0°01'00" West along section line for 17.00 feet to a point;
Thence South 89°16'31" East for 391.49 feet to a point;
Thence South 0°01'00" East for 17.00 feet to a ½ inch rebar on the North line of Tract A;
Thence North 89°16'31" West along the North line of Tract A for 391.49 feet to the POINT OF BEGINNING.

PARCEL NO. 7:

TOWNSHIP 8 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 5: Farm Unit F, Tract F of the North Side Pumping Division of the Minidoka Project, Idaho, (as shown by plat, dated July 22, 1954, filed in the office of the County Recorder, Minidoka County, Idaho).

PARCEL NO. 8:

An Easement and road right-of-way for the purpose of ingress and egress as created by Agreement for Easement And Right-Of-Way, recorded January 23, 1973 as Document 230321, Minidoka County records, said Easement described, as:

Beginning at a point 8.78 chains South 0°11' East of the West ¼ corner of Section 5, Township 8 South, Range 24 East, Boise Meridian; Thence South 78°31' East for 10.25 chains; Thence South 72°55' East for 9.46 chains; Thence South 67°41' East for 30 feet; Thence South 22°19' West for 30 feet; Thence North 67°41' West for 30 feet; Thence North 72°55' West for 9.46 chains; Thence North 78°31' West for 10.25 chains to a point on the West section line of said Section 5; Thence North along the said West section line of Section 5 for 30 feet to the POINT OF BEGINNING.



EW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DEC 06 1996

DATE OF CLOSING: 9-12-96

Department of Water Resources
Southeast Region

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED WARRANTY DEED
FOR LEGAL DESCRIPTION

[] 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) Assigned by IDWR: #36-13529* #36-02447* #36-02109* #36-02446* #36-07356* #36-13530*
~~#36-02141* #36-02142B* #36-02143*~~

[] Name and Address of Former Owner/Claimant(s)(Seller): SPLIT BUTTE RANCH, INC., an Idaho Corporation

[] New Owner/Claimant (Purchaser): JACK F. DUNCAN, JANET H. DUNCAN AND PAUL H. DUNCAN AND KATHY F. DUNCAN

[] New Mailing Address: 750 EAST 100 SOUTH
RUPERT, IDAHO 83350

[] New Telephone Number: () 436 -1214

[] 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:
NE 1/4 and S 1/2 of Section 17; NE 1/4 of Section 35 and Section 36, with an exception
, all in Township 7 south range 25 East Boise Meridian, Minidoka County, Idaho

[] 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) Jack F. Duncan Janet H. Duncan Paul H. Duncan Kathy F. Duncan Date 9-17-96

[] Signature of Former Owner/Claimant(s): Split Butte Ranch, Inc. Date Sept 17, 1996
By: Ellen Skene, President Date _____

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

Exhibit 'A' is Attached to the 2ND change of owner form for the Partnership

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: 6/19/97 By: scu

Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

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

For Value Received

SPLIT BUTTE RANCH, INC., an Idaho Corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

PAUL H. DUNCAN and KATHY F. DUNCAN, husband and wife; JACK F. DUNCAN
and JANET H. DUNCAN, husband and wife
Address: Route 1 Box 2934, Rupert, Idaho 83350

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

(SEE EXHIBIT "A" ATTACHED)

TOGETHER WITH all water and water rights, which includes water right numbers 36-13529, 36-02447, 36-02109, 36-02446, 36-07356, 36-13530, 36-02141, 36-02142B and 36-02143.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1996 and subsequent years.

A Power Line Easement, dated December 10, 1953, recorded March 16, 1954 as Document No. 116958 in Book 29 of Deeds, Page 569, Minidoka County records.

A Power Line Easement, dated June 30, 1963, recorded September 30, 1963 as Document No. 166978, Minidoka County records.

A Power Line Easement, dated January 5, 1970, recorded May 22, 1970 as Document No. 209792, Minidoka County records.

A Power Line Easement, dated April 22, 1974, recorded August 7, 1974 as Document No. 243931, Minidoka County records.

A Power Line Easement, dated August 19, 1974, recorded January 28, 1975 as Document No. 247379, Minidoka County records.

A Power Line Easement, dated August 13, 1975, recorded November 21, 1975 as Document No. 254792, Minidoka County records.

A Power Line Easement, dated March 9, 1976, recorded March 16, 1977 as Document No. 268509, Minidoka County records.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

(Page 1 of 3)

426061
RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO. _____
96 SEP 17 16 : 41
MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE - 9 DEPUTY *JP*

Dated: September 12, 1996

SPLIT BUTTE RANCH, INC., an Idaho Corporation

BY: *Elise Heins*
ELISE HEINS - President

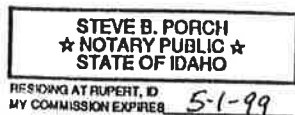
STATE OF IDAHO)
COUNTY OF MINIDOKA) ss

On this ^{12th} day of September, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ELISE HEINS, President of the corporation that executed the within instrument or the person who 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 in this certificate first above-written.

(SEAL)

Steve B. Porch
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 5/1/99



Right No: A36-02446

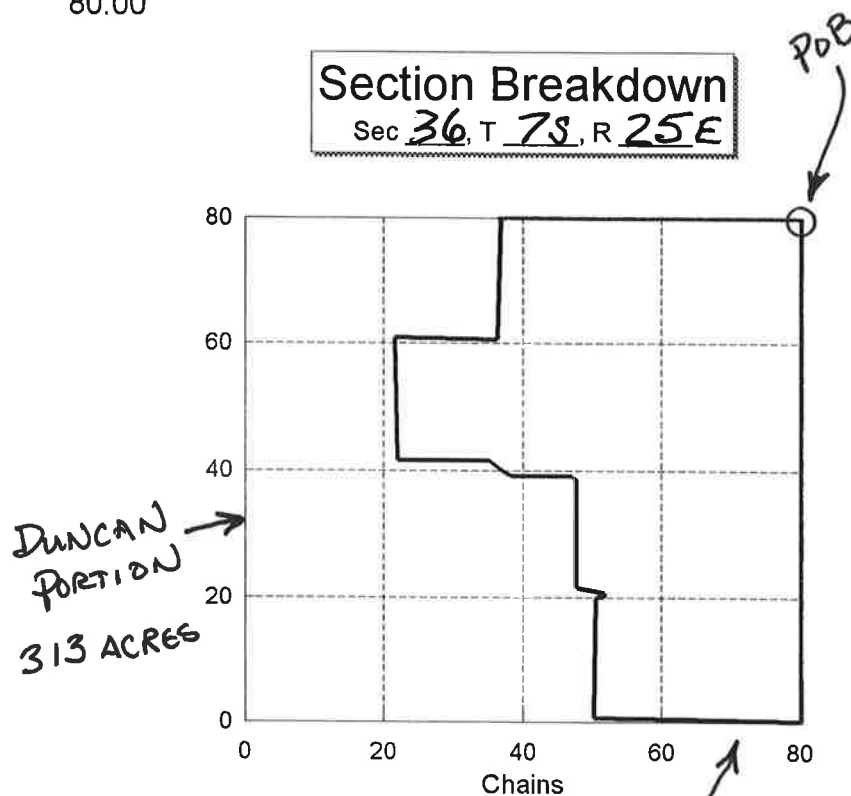
MEETS AND BOUNDS TABLE

[illegible]

HEINS - DUNCAN
owner change

79.37	80.00
79.37	80.00
79.37	80.00
79.37	80.00
79.37	80.00
79.37	80.00

Sec 36, T 7S, R 25E



EXCEPTION AS
DESCRIBED IN
EXHIBIT "A"
= 327. ACRES

By: SCC

Right No: _____

ACREAGE CALCULATIONS

LAST DEP.	DEPARTURE	LATITUDE	DMD	AREA FT2	CUM ACRES
-----------	-----------	----------	-----	----------	-----------

[illegible]

06/27/97 11:37 AM

Acres = 327.17

By: Sen

Right No: _____

0.00	0.00	-82.72	0.00	-327.17
0.00	0.00	-82.72	0.00	-327.17
0.00	0.00	-82.72	0.00	-327.17
0.00	0.00	-82.72	0.00	-327.17
0.00	0.00	-82.72	0.00	-327.17
0.00	0.00	-82.72	0.00	-327.17
				327.17
				Acres = 327.17



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

December 17, 1996

KARL J. DREHER
DIRECTOR

PAUL H DUNCAN AND
KATHY F DUNCAN AND
JACK F DUNCAN AND
JANET H DUNCAN
RT 1 BOX 364
RUPERT ID 83350

DEC 20 1996

Department of Water Resources
Southern Region

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Notices of Claim #36-02062, 36-02066A,
36-02098, 36-02099, 36-02100, 36-02109, 36-02141,
36-02143, 36-02221, 36-02446, 36-02447, 36-02469D,
36-02469E, 36-02678, 36-07294, 36-07356, 36-13527,
36-13529, 36-13531, 36-13550 and 36-13458
Ownership Change

Dear Claimants:

As you know, the title company assisted you with some documents dealing with changing the ownership of water rights. Those documents were sent to the SRBA Court who in turn forwarded the Standard Forms 3 you completed to our office. In mid-1996 the Court altered the procedure placing the Department in the 'gate-keeper' role. Before we can make any changes, we must have a copy of the recorded Warranty Deeds to confirm the conveyance and legal descriptions.

Upon receipt of the Deed copies, the water right claim records will be reviewed and changed. Notice of the change will be sent to the SRBA Court, to you and any other necessary parties to the water right cases.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right claims.

Please contact this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

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 September 9, 1996 11:14am **CUSTOMER** STEVE PORCH/LAND TITLE-BURLEY

SUBJECT: PROFILE REPORTS
phone call (X) walk-in (.)

He FAXed a request for AJ Profile Reports for the following claim numbers:

Rancho Verde, Inc	36-02062
	36-02099
	36-02100
	36-02221
	36-13527
Split Butte Ranch, Inc	36-02109
	36-02141
	36-02142B
	36-02143
	36-02446
	36-02447
	36-07356
	36-13529
	36-13530
Gregory & Cristi Heins	36-02678
	36-07294
	36-15458
Warren & Elise Heins	36-02066A
	36-02098
	36-02469D
	36-02469E
	36-13531

MICROFILMED
DEC 04 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 18 1994

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-02446 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: GREG HEINS
Address: RT 3 BOX 225
RUPERT ID 83350

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this

water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ 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:

Notice of Claim No. A36-02446

No. of
Pages

4

(Over)

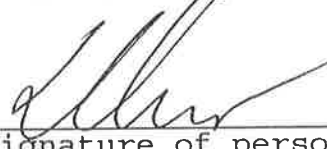
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 16TH day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared 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:

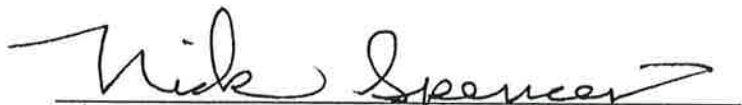
Name: ROGER D LING
Address: PO BOX 396
RUPERT ID 83350

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: GREG HEINS
Address: RT 3 BOX 225
RUPERT ID 83350

4. One copy to:

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


Signature of Respondent or attorney
mailing on Respondent's behalf

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 A36-02446

Date Received _____

Receipt Number 5010060 40

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 12 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) SPLIT BUTTE RANCH, Inc Phone (28) 531-5348Mailing Address Rt. 3 Box 220, Rupert, ID Zip 833502. Date of Priority (Only one (1) per claim) 7-22-19603. Source of water supply (a) GROUND WATER SOURCE
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7S Range 2SE Section 36,
NW 1/4 of SE 1/4 of 1/4, Govt. Lot, 254 B.M., County of Mundaka

Additional points of diversion if any: _____

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

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

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Wheelines well 275-300 feet depth. Pump, well, MAINLINE AND2 150 HP Motor (Overlander)

JAN 28 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 3.69 or 440
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.69 (cfs) and/or (b) 440 (acre feet)

8. Total consumptive use claimed is 440 510 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	25E	36									39	39	38	39		15	20		190

Total number of acres irrigated 190

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
LICENSE 36-1356 or None None

14. Remarks:

Last Name

Split Butte Ranch Inc
by Elise J. Hens

Ident No. _____

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MICROFILMED

OCT 18 1994

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Apple Butte Ranch Inc
Ident M

Ident No.

75

SECTION 36
R. 25E BM
MICROFILMED
OCT 28 1994
Copies: White-State, Yellow-Claimant

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Be ☐ Official Use ☐ Posted Notice ☐ License ☒ Permit ☐ Decree ☐

If applicable provide IDWR Water Right Number 28883/36-2446

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

of Split Butte Ranch, Inc _____ Organization, that I have signed the foregoing

document in the space below as Secretary _____ Title of Split Butte Ranch, Inc _____ Organization

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

Signature of Authorized Agent Glenn E. Keena _____

Title and Organization Secretary - Split Butte Ranch Inc Date 9/29/89

State of Idaho/or _____)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 29th day of September 1989

SEAL

Notary Public Carol A. Pring

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

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

Signature Carol A. Pring

Address P.O. Box 396, Rupert, Idaho 83350

Date 9/29/89

Last Name Split Butte Ranch Inc Ident. Number _____

MICROFILMED
JAN 28 1994
OCT 18 1994

Copies White-State, Yellow-Claimant

RECEIVED

APR 30 1993

Department of Water Resources
Adjudication Bureau

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

A55809NP

Case No. 36-02446
(You must insert the
water right number you
are objecting to)

OBJECTION

36-02446 -0001/
93-04-0207

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." 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, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

OCT 18 1994

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 that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Greg HEINS
Address: ROUTE 3, BOX 225
RUPERT, ID 83350

Briefly describe your interest in this water right:

ASSISTANT MANAGER of FARM

2. Owner of the water right:

Name: SPLIT BUTTE RANCH, INC.
ROUTE 3 BOX 220
Address: RUPERT, ID 83350
(208) 531-5348 FARM
(208) 531-5901 RANCH

3. If this objection is filed by an attorney:

Attorney Name: _____
Attorney Address: _____

Attorney Phone No.: _____

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

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED

OCT 18 1994

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____

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.

Box #8. WE Typically irrigate in March.

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.

Period of use changed to.

Period of use From 3-01 to 11-01

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.

I do have support material, please call.

VERIFICATION (Must be Completed)

State of IDAHO

County of MINIDOKA

Greg Heins, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Greg Heins
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

1993 Subscribed and sworn to before me this 26 day of April.

William S. Ghyser
Notary Public for Idaho
Residing at: Boise
My Commission expires: 12-2-98

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 the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct 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 name:

SPLIT BUTTE RANCH, INC.

Owner's address:

ROUTE 3 BOX 220

RUPERT, ID 83350

(208) 531-5348 FARM

(208) 531-5901 RANCH

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



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

MAR 15 1994

Department of Water Resources
Southern Region Office

RECEIVED

FEB 17 1994

Department of Water Resources
Adjudication Bureau

Movant's Name: Split Butte Ranch, Inc.
Attorney Name & Address: ROGER D. LING
LING, NIELSEN & ROBINSON
615 H. Street, P.O. Box 396
Rupert, Idaho 83350

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) Subcase No. 36-02446

Case No. 39576) NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This document is a Notice of Appearance by Roger D. Ling of the firm of Ling, Nielsen and Robinson on behalf of Split Butte Ranch, Inc.

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that Roger D. Ling of the firm of Ling, Nielsen and Robinson hereby enters an appearance of the firm as the attorneys of record in the subcase listed above for Split Butte Ranch, Inc.

DATED this 16th day of February, 1994.

LING, NIELSEN AND ROBINSON

By: 

Roger D. Ling
Attorney for Split Butte
Ranch, Inc.

OCT 18 1994

1
2 CERTIFICATE OF MAILING

3 I hereby certify that on the 16th day of February,
4 1994, I served a true and correct copy of the NOTICE OF
5 APPEARANCE upon:

6 **Original to:**

7 Clerk of the District Court
8 Snake River Basin Adjudication
9 253 Third Avenue North
10 P.O. Box 2707
11 Twin Falls, ID 83303-2707

12 **Copies to:**

13 Nicholas B. Spencer
14 Deputy Attorney General
15 Idaho Department of Water Resources
16 P.O. Box 44449
17 Boise, Idaho 83711-4449

18 United States Department of Justice
19 Environment and Natural Resource Division
20 550 West Fort Street, Box 33
21 Boise, Idaho 83734

22 Greg Heins
23 Route 3, Box 225
24 Rupert, Idaho 83350

25 by depositing a copy thereof in the United States mail, postage
26 prepaid, in an envelope addressed to said persons at the
27 foregoing addresses.

28
29 
30 Roger D. Ling

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

WARREN HEINS
GREG & CRISTI HEINS

2. SUBJECT OF INQUIRY:

They called to set up an appointment to get copies and review all their SRBA claims on file with the Court. They came in and asked for these copies and objection forms.

3. RESPONSE TO INQUIRY:

On the phone I told Cristi Heins, I cannot discuss the recommendations or objections; I can explain the process of the adjudication.

When they came in I explained this is a lawsuit and is operated under certain legal rules and procedures. Since I am not a lawyer I am unable to give this or other information which might be legal advice.

I gave them ^{profiles} copies of the recommended rights and the claims record. I explained the differences between Total Volume and Consumptive Volumes. I showed them the map published by IDWR listing these values and the season of use.

I gave them 22 objection forms and explained I cannot assist in completing them. They also got a handout explaining D+S special procedure for late filing after the DReport.

4. IDWR STAFF AND DATE:

Steve Clelland 4-9-93

Print name and initial

STEVE CLELLAND

Sm

(22) WATER RIGHT CLAIM (Nos.):

A36-7294, A36-7356
A36-13527, A36-13529
A36-13530, A36-13531
A36-15458

A36-2026, A36-2066A, A36-02098, A36-2099,
A36-2100, A36-2109, A36-2141, A36-2142B,
A36-2143, A36-2221, A36-2446, A36-2447,
A36-2469D, A36-2469E, A36-2678

MICROFILMED

OCT 18 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

JAN 28 1993

Water Right Number - R36-02446

Prefix Translation: RESEARCH

Old (D) Number - 28883

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

*** A - ATTORNEY ***
LING

ROGER D

1 - PO BOX 396
2 -
3 -
City- RUPERT
Phone - 208-000-0000

State- ID Zip- 83350

*** C - CURRENT OWNER ***
SPLIT BUTTE RANCH INC1 - RT 3 BOX 220
2 -
3 -
City- RUPERT
Phone - 208-531-5348

State- ID Zip- 83350

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/22/1960 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
07S 25E 36 NE SW SE (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 3.690 760.00
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.690 760.00 570.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
()
07S 25E 36 NE SW 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 NW SW 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 SW SW 38.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 SE SW 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 NW SE 15.0 01 IRRIGATION (67) MINIDOKA
07S 25E 36 SW SE 20.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 190.0

+ - - Diversion Means - WELL & PUMP TO 150 MAINLINE & SPRINKLERS.

+ - - Non-Irrigation Use -

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JAN 28 1993

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/07/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/16/1992	Old Judicial District	-
Claim Received Date	- 10/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010060	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	- C

JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

16-Oct-1992 15:02

Warren & Elise Heins
Rt 3 Box 220
Rupert, ID 83350

RE:Split Butte Ranch SRBA 36-02109, 36-02446, 36-02447 & 36-07356

Dear Mr. & Mrs. Heins:

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendations of the claims listed above.

Your NOE indicates that you would like the recommendations to show a longer season of use for irrigation. For the reasons stated in my earlier letter to you regarding 36-02098 & others, the season of use that will be recommended in the Director's Report will remain as proposed.

Additionally your NOE indicates these rights as recommended in a common system with three wells tied together are in fact three separate systems. IDWR's recommendations of a common system were based on the fact that the places of use of the original records overlapped and it must have been incorrectly deduced that to be this way the wells had to have been tied together. Based on the description given to me on the phone yesterday by Elise and by using NAPP photography and the original water right files I have modified our recommendations to describe the acres irrigated by three separate systems. (Please find enclosed profile reports of the corrected recommendations for 36-02109, 36-02446, 36-02447 & 36-07356)

If you still disagree with IDWR's recommendations you will have an opportunity to file an objection to the Director's report with the court.

Sincerely,

Allen D. Merritt, P.E.
Water Rights Supervisor

CC: Roger Ling, PO Box 396, Rupert, ID 83350

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JAN 28 1993

NOTICE OF ERROR FORM

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

RECEIVED

SEP 16 1992

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-02446 ✓
Combined with 36-02109, 36-02447, 36-07356 ✓

2. Name:

SPLIT BUTTE RANCH, INC.

Address:

RT. 3 BOX 220

RUPERT, ID. 83350

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JAN 28 1993

Weekday Telephone Number:

208-531-5348

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on a copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Period of use FROM is March 15 on our permit rather than the April 1st date on the recommendation.

4. Describe the changes you wish to have made in the proposed recommendation:

Maintain the permit recommendation as per our original permit.

5. Describe why you disagree with the proposed recommendation:

See comments on Water Right number 36-02109

Can a person's property right be taken away or changed by administrative decree? We protest....

6. Date: Sept. 15, 1992

SIGNATURE

Elise Y. Weems, Secretary

R PROOF

✓

CVR

✓

MAPS

✓

PHOTOS

—

MISC

✓

JAN 28 1993

VERIFIED BY

See

Water Right Number - R36-02446

Prefix Translation: RESEARCH

Old (D) Number - 28883

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

*** C - CURRENT OWNER ***
SPLIT BUTTE RANCH INC

1 - RT 3 BOX 220

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5348

*** A - ATTORNEY ***
LING

ROGER D

1 - PO BOX 396

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/22/1960 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County07S 25E 36 SW SE NE (67) MINIDOKA
SE NW NW (67) MINIDOKA
NE SW SE (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 3.690+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.690 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S	25E	35	NE NE		38.0	01	IRRIGATION	(67) MINIDOKA
			NW NE		39.0			(67) MINIDOKA
			SW NE		40.0			(67) MINIDOKA
			SE NE		39.0			(67) MINIDOKA
		36	NE NE		40.0			(67) MINIDOKA
			NW NE		39.0			(67) MINIDOKA
			SW NE		39.0			(67) MINIDOKA
			SE NE		40.0			(67) MINIDOKA
			NE NW		38.0			(67) MINIDOKA
			NW NW		38.0			(67) MINIDOKA
			SW NW		38.0			(67) MINIDOKA
			SE NW		31.0			(67) MINIDOKA
			NE SW		39.0			(67) MINIDOKA

Water right number - R36-02446

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
			NW SW		39.0			(67) MINIDOKA
			SW SW		38.0			(67) MINIDOKA
			SE SW		39.0			(67) MINIDOKA
			~~NE SE~~		~~40.0~~			(67) MINIDOKA
			~~NW SE~~		~~38.0~~			(67) MINIDOKA
			~~SW SE~~		~~26.0~~			(67) MINIDOKA
			~~SE SE~~		~~30.0~~			(67) MINIDOKA

Total Acres: 748.0

+ - - Diversion Means - 275-300' WELL, 150 HP PUMP, MAINLINE, HANDLINES; 2 WELLS & PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02109, 36-02447 & 36-07356

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 190 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02109, 36-02447 & 36-07356. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.84 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2992 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 2244 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 748 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02109, 36-02447 & 36-07356.

Old Water Right Numbers

3602446

Conditions of Approval

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A.

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.

Decree Plaintiff

Decree Defendant

Decree Date 00/00/0000

Comments

Date: 08/22/1991 User Id: CLELLAND Subject: POU & WELL CAPACITY
THIS RIGHT RECOMMENDED AS PPU SINCE IT OVERLAPS WITH 36-07356,
CAPACITIES BASED ON THE REVIEW OF THE LICENSE EXAM REPORTS:
SENWNW CAP. = 3.21 CFS
TOTAL DIVERSION = 9.84 CFS

WHICH IS QUESTIONABLE RE: PER ACRE RATE OF DIVERSION.
THE THREE WELLS USED IN THIS SYSTEM HAVE THE FOLLOWING LICENSED
NESWSE CAP. = 3.69 CFS
SWSENE CAP. = 2.94 CFS

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JAN 28 1993

Water right number - R36-02446

Prefix Translation: RESEARCH

+ - - Audit Fields - - +

12/19/91 CLELLAND

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/07/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/19/1991	Old Judicial District	-
Claim Received Date	- 10/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010060	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	-

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JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:34:14
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02446

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			6-7-91 SEC	N		See 8-22-91		
POINT OF DIV	Y		5-22-91 sec	(Y)	145			
SOURCE				N				
PLACE OF USE	Y			N (Y)	145			
DIV. AMOUNT CFS/VOLUME				N (Y)				
CONSUMPTIVE USE				N (Y)				
PURPOSES				N				
PERIOD OF USE				N				
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.

MICROFILMED
JAN 8 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:34:14
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02446

LAST: SPLIT BUTTE RANCH INC.
ADDRESS: RT. 3 BOX 220
CITY: RUPERT
PHONE NUMBER: 208-531-5348

FIRST:
STATE: ID ZIP: 83350

OWNER CODE: C

LAST: LING
ADDRESS: P.O. BOX 396
CITY: RUPERT
PHONE NUMBER: 208-000-0000

FIRST: ROGER D.
STATE: ID ZIP: 83350

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD
EXAMINER
DATABASE
N

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JAN 28 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See Fax Memo sent 7/22/91

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JAN 28 1993

A. AJ CLAIM: # A36-02446 PRIORITY DATE: 07-22-1960 STAGE: L
B. WR RECORD: # 36-02446 PRIORITY DATE: 07-22-1960 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
N EXAMINER N

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
07-22-1960

REVIEWED BY SA

DATE 6-25-91

=====

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JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02446	07S	25E	36		NW	SE		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
36-02446	07S	25E	36		NW	SE		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:

Confirmed error in POD location on license.

RECORDED

JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
---	---	<u>36</u>	<u>NE</u>	<u>SW</u>	<u>SE</u>	---	---
---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: SW DATE: 6-25-91

MICROFILMED

JAN 28 1993

5-22-91
Exam on
POD
NE SW SE

C03

A. ROOT WATER RIGHT NUMBERS: A36-02446

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM ACRES
07S	25E	36	NE	SW		SPLIT BUTTE RANCH INC.	A36-02446 /39.0	36-02446 /39.0	39.0	39	39.0
07S	25E	36	NW	SW		SPLIT BUTTE RANCH INC. WICKER, HOWARD H.	A36-02446 /39.0	36-02446 /39.0 36-02258 /40.0	39.0	39	39.0
07S	25E	36	SW	SW		SPLIT BUTTE RANCH INC. WICKER, HOWARD H.	A36-02446 /38.0	36-02446 /38.0 36-02258 /40.0	39.0	38	38
07S	25E	36	SE	SW		SPLIT BUTTE RANCH INC.	A36-02446 /39.0	36-02446 /39.0	39.0	39	39.0
07S	25E	36	NW	SE		SPLIT BUTTE RANCH INC.	A36-02446 /15.0	36-02446 /15.0	40.0	16	15
						SPLIT BUTTE RANCH INC. *	A36-07356 /40.0	36-07356 /40.0			
07S	25E	36	SW	SE		SPLIT BUTTE RANCH INC.	A36-02446 /20.0	36-02446 /20.0	40.0	20	20
						SPLIT BUTTE RANCH, INC.	A36-13530 /	- /			
						SPLIT BUTTE RANCH INC. *	A36-07356 /40.0	36-07356 /40.0			
TOTAL ACRES						A36-02446	190.00	190.00	236.00	191	190

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

* A36-7356

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

* Overlapped by A36-7356 on 35 Acres Recommended as P.P.U.
See attached sheet

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

190 / 748
8/24/91
SCU
SCU

6-25-91
8-22-91

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02446 IRRIGATION	FROM 03-15 TO 11-15	3.690 CFS 760.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.690 CFS 760.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02446 IRRIGATION	FROM 03-15 TO 11-15	3.690 CFS 760.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.690 CFS 760.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

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 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.690 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.690 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?

FIELD
DATABASE EXAMINER
N

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-07356 § 36-02447

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02446	GROUNDWATER	SPLIT BUTTE RANCH INC.	3.690	0.019	760.00	4.00
A36-07356	GROUNDWATER	SPLIT BUTTE RANCH INC.	2.940	0.009	1147.00	3.58

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-13530	DOMESTIC	SPLIT BUTTE RANCH, INC.	FROM 01-01 TO 12-31	.160 CFS	
A36-13530	STOCKWATER	SPLIT BUTTE RANCH, INC.	FROM 01-01 TO 12-31	.160 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 190 x 0.02 CFS/ACRE = 3.8 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

$$\frac{3.89}{190} = 0.019 \text{ cfs/Ac.}$$

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2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 570.0 AF/A

ACRES 190 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 570 AF/A

748
~~681~~ ACRES

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 760.00 AF/A

ACRES 190 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 760 AF/A

$$x 3 = ~~2582~~ 2244$$

$$x 4 = ~~3040~~ 2992$$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	03-15	11-15	DATABASE 3.690	EXAMINER <u> </u>	DATABASE 760.00	EXAMINER <u> </u>	DATABASE 570.0	EXAMINER <u> </u>
TOTAL FOR THIS RIGHT			3.690		760.00		570.0	

REVIEWED BY: See

DATE: 6-25-91

See

8-22-91

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JAN 28 1993

Remarks:

None

K06

~~F06~~

E04

COA:

C03

E05

Comments: well capacitius

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02446

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.690

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-02446

3.690

-

36-02446

3.690

TOTAL CFS

3.690

N/A

3.690

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

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JAN 28 1993

REVIEW OF WELL CAPACITY —

36-02446

36-02447

36-07356

→ assume the wells were
licensed at capacity since
none could produce at the
standard rate of 0.02 cfs/Acre.

36-02446 (190 Acres) , $\times 0.02 = 3.80$ allowed max.
permit for 6.40

Sec. 36 NESWSE

licensed at capacity of 3.69 cfs

36-02447 (379 Acres) $\times 0.02 = 7.58$ allowed max
permit for 6.40

Sec. 36 SENW NW

36-02109 (280 Ac.)

licensed at capacity of 3.21 cfs

licensed at 3.08 cfs

* Same system no additional flow

36-07356 (320 Acres) $\times 0.02 = 6.40$ allowed max
(292 Acres) permit for 6.40

Sec. 36 SWSENE

licensed at capacity 2.94 cfs

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JAN 28 1993

36-2446

P.S.I.	Size Nozzle	Series	G.P.M.	No. of Heads	gal/min	c.f.s.
33	7/64	30WS	3.25	32	104.96	23
37	7/64	30WS	3.45	32	111.36	25
46	9/64	30WS	3.55	32	124.16	28
34	9/64	30WS	3.35	32	107.2	24
38	9/64	30WS	3.54	32	113.28	25
40	9/64	30WS	3.63	32	116.16	26
36	9/64	30WS	3.42	32	109.44	24
				36	2446	3.69

Name source exchanged with _____
 twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of Injection _____
 twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange _____
 twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 3.69 c.f.s. Method of measurement Pitot Gauge
 Total Q recommended 3.69 c.f.s. Meter No. ✓ Type ✓ Condition ✓
 Total V recommended 760 AF/ANN

Recommended Amendments:

P.D. _____ No
 Place of Use _____ No
 Other _____ No
 None _____ No

MEASUREMENT CALCULATION:

Q = 3.69 c.f.s. See MEASUREMENT NOTES
V = (In Reg 4.0) x (190 Acres) = 760 AF/ANN

SYSTEM DESCRIPTION:

U.S. Motor 200 Hp #920932 w/Booster GE #75Hp #5K35AK222
Sprinkler System has 15 Laterals each approximately 32 Heads.

REMARKS:

Examiner's Signature [Signature] Date 8-1-73
 Checked by [Signature] Date 8/14/73
 Approved by _____ Date _____

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 36 2446 JAN 28 1993

36-2447

DATE OF EXAM 7-18-73ACREAGE
Found 379
Recommended 379Irrigation Requirement 4.0 Ac Ft/Ac

USE 3.21 CF
 Irrigation Q = 323 c.f.s. V = 1516 AF/Ann. from MARCH 15 to Nov-15
 Domestic Q = c.f.s. V = AF/Ann. from to
 Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no ☒

Name source:
 twp. N/S Rge E/W B.M., Sec. Sub 1/4 1/4 County

Exchange? yes no ☒ County

Name source exchanged with:
 twp. N/S Rge E/W B.M., Sec. Sub 1/4 1/4 County

Point of injection:
 twp. N/S Rge E/W B.M., Sec. Sub 1/4 1/4 County

Point of exchange:
 twp. N/S Rge E/W B.M., Sec. Sub 1/4 1/4 County

Total Q measured 3.21 CF 323 C.F.S. Method of measurement Pitot Gauge
3.21 CF

Total Q recommended 323 C.F.S. Meter No. Type Condition Total V recommended 1516 AF/ANN

Recommended Amendments:

P.D. No
 Place of Use No
 Other No
 None No

MEASUREMENT CALCULATION:

Q = 3.23 C.F.S. See MEASUREMENT Notes.
V = (Acres Irr 379) x (4.0 Irr Req.)

SYSTEM DESCRIPTION:

U.S. Motors 150 Hp # 1354743
Sprinkler System has 42 laterals.

REMARKS:

Examiner's Signature Sam Linderburg Date 7-23-73Checked by K.D. Flawender Date 8/12/73Approved by Date

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JAN 28 1993

36-7356

DATE OF EXAM 10-8-74

ACREAGE

Found 320Recommended 320Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 2.94 c.f.s. V = 1135 AF/Ann. from April - 1 to Oct 15
 Domestic Q = _____ c.f.s. V = 1280 AF/Ann. from _____ to _____
 Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____

 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____
Exchange? yes _____ no ☒

Name source exchanged with: _____

 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____

Point of injection: _____

 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____

Point of exchange: _____

 twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
 County _____
Total Q measured 1320 gal/min = 2.94 cfs Method of measurement Badger MeterTotal Q recommended 2.94 cfs Meter No. M0552618 Type 8" Condition NewTotal V recommended 1135 Ac Ft/Ann.

Recommended Amendments:

 P.D. ☒
 Place of Use ☒
 Other ☒
 None ☒

MEASUREMENT CALCULATION:

Q = 2.94 1320 gal/min ÷ 448.8 gal/min = 1 cfs
V = 1280 Ac Ft/Ann (Irr Req 4.0) (320 Acres)
V = 1135 Ac Ft/Ann (1.98) (209.1 cfs) (198 days)

SYSTEM DESCRIPTION:

pump motor 250 Hp
hayne & Bowler #13 Badger Meter (Plate missing)
sprinkler system -

REMARKS:

Examiner's Signature

Spy Sunderburg

Checked by

Bob Armes

Approved by _____

Date 10-8-74Date 10-17-74

Date _____

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JAN 28 1993

12-19-91 Sec

Overlap Review of A36-02109 & A36-02447

these rights are describing the same system and pou but the Earlier right was overlooked when the later right was licensed.

TOTAL WELL CAPACITY WHEN these RIGHTS ARE COMBINED IS LIMITED TO 3.21 CFS

allowed rates:

A36-02109:

$$\frac{3.08 \text{ cfs}}{280 \text{ ACRES}} = 0.0110 \text{ cfs/Ac.}$$

* allow full right

A36-02447:

$$\frac{3.21 \text{ cfs}}{379 \text{ Ac.}} = 0.0085 \text{ cfs/Ac}$$

* allow this rate on 99 Acres
= 0.84 CFS DIVERSION.

$$\begin{array}{r} \boxed{-2446} \end{array} \quad \begin{array}{c} \text{CFS} \\ \hline 3.69 \div 190 = 0.0194211 \end{array}$$

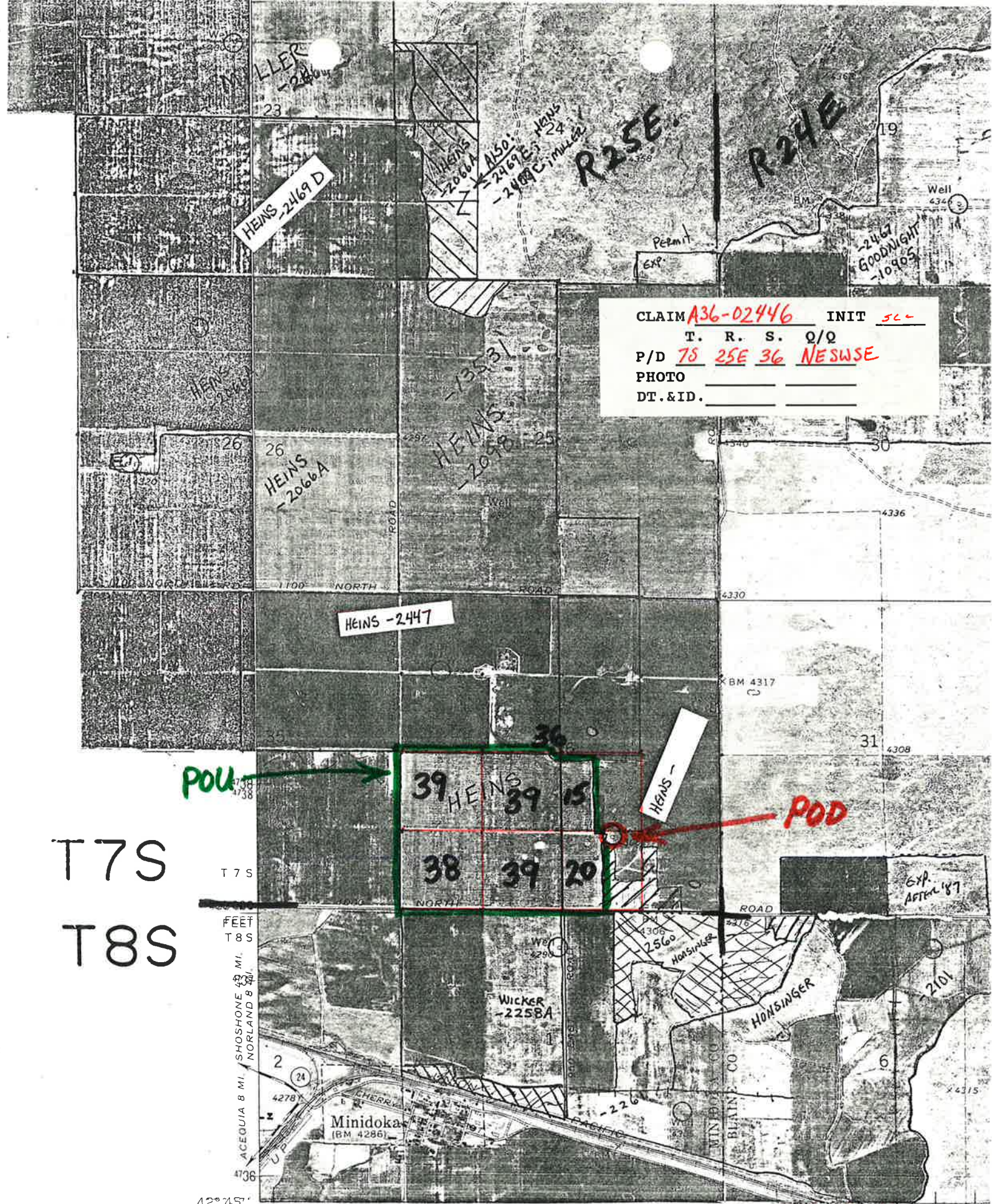
$$\begin{array}{r} \boxed{-2447} \end{array} \quad 3.21 \div 379 = 0.0084697$$
$$\begin{array}{r} \boxed{-2109} \end{array} \quad (3.08 \div 280 = 0.0110) \text{ Earlier license Same system.}$$

$$\begin{array}{r} \boxed{-7356} \end{array} \quad 2.94 \div 320 = 0.0091875$$
$$\begin{array}{r} \boxed{-2009} \end{array} \quad \div 292 = 0.0100685$$

$$\begin{array}{l} \text{TOTAL OF SYSTEMS} \quad \boxed{9.84} + \boxed{881} = \boxed{0.0110686} \\ \text{as P.P.U.} \quad \text{w/OVERLAP} \\ \text{TOTAL ACRES} = 748 \\ \text{* per acre rates} \quad \boxed{0.013155} \text{ cfs/Ac} \\ \text{HEINS} \quad = 0.657 \text{ "/Ac} \end{array}$$

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JAN 28 1993



CLAIM A36-02446 INIT 500
T. R. S. Q/Q
P/D 78 25E 36 NESWSE
PHOTO _____
DT. & ID. _____

T7S
T8S

42° 45' 113° 30' 296 640 000 FEET R 25 E

Produced by the Geological Survey
in cooperation with the Soil Conservation Service
Orthophotograph prepared from 1:78,000-scale
aerial photographs taken August 4, 1979

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Recommended P. MISSIBLE PLACE OF USE FOR WR's:

A36-2446

R36-2447

R36-7356

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	7S	2SE																			
2446			36									39	39	38	39	15	20			190	
²¹⁰⁹ 2447			36		39	39		²⁰ 38	⁴⁰ 38	⁴⁰ 38	²⁰ 31									¹²⁰ 223	
7356			36	40	39	39	40									40	38	26	30	292	
PPU				40	39	39	40	38	38	38	31	39	39	38	39	40	38	26	30	592	

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	7S	2SE																			
2446			35																	Ø	
²¹⁰⁹ 2447			35		40	40	40	40												¹⁶⁰ 156	²⁸⁰ (379)
7356			35																	Ø	
PPU				38	39	40	39													156 =	748

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

updated 12-19-91

additional claim filed by claimant this day overlaps with existing license. Steve [signature]

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JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

M E M O

TO: WARREN & ELISE HEINS

FROM: STEVE CLELLAND

DATE: 15-Jul-1991 10:53

RE: ADJUDICATION CLAIMS

THE FOLLOWING FOUR ITEMS ARE IN NEED OF FURTHER ACTION OR INFORMATION FROM YOU. MAY I SUGGEST, THAT AFTER YOU REVIEW THE FILES INVOLVED, WE ARRANGE AN APPOINTMENT HERE IN TWIN FALLS TO COMPLETE THE FINAL REPORT INFORMATION. THANK YOU FOR YOUR PROMPT ATTENTION AND RESPONSE.

RE: → 1. A36-02447 & A36-07356

THESE TWO WATER RIGHTS ARE CLAIMED TO IRRIGATE LANDS AT LESS THAN 1/2 INCH PER ACRE. IT APPEARS THESE RIGHTS ARE USED IN COMBINATION WITH A36-02446. BECAUSE OF THE OVERLAP OF ACRES COVERED BY THESE RIGHTS, THEY MAY NEED TO BE REPORTED AS A COMBINED SYSTEM.

2. A36-02098 & A36-13531

I TOLD GREG THIS MIGHT NEED AN AMENDMENT FOR MORE ACRES. THIS SITUATION HAS BEEN RESOLVED AND RECOMMENDED AS A COMBINED SYSTEM UNDER A PERMISSABLE PLACE OF USE.

3. LICENSE 36-02109

THIS IS AN UNCLAIMED WATER RIGHT THAT APPEARS TO BE APPURTENANT TO LANDS OWNED BY YOU. T07S, R25E, S35, NE1/4 FOR 160 ACRES AND S36, NW1/4 FOR 120 ACRES.

4. A36-02469E & A36-02066A

30 ACRES IN THE SW1/4 OF S24, T07S, R25E HAVE OVERLAPPING WATER RIGHTS. THE COMBINED RATE EXCEEDS 1" PER ACRE, AN IDWR STANDARD, AND THE IRRIGATION SYSTEMS APPEAR TO BE SEPARATE. I AM NOT SURE HOW TO REPORT THIS OVERLAP IN THE FINAL REPORT. PERHAPS YOU CAN EXPLAIN HOW IT IS IRRIGATED AND THE SYSTEM AND WATER RIGHTS USED.

***ALL THE OTHER CLAIMS YOU HAVE FILED, THAT ARE NOT MENTIONED HERE, ARE BEING REPORTED AS YOU HAVE CLAIMED; NO DISCREPANCIES FOUND.

MICROFILMED

JAN 28 1993

FAKED 7/22/91 su