

12/13/2006

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

RIGHT NUMBER: 67-4468

NAME AND ADDRESS: THOMAS BARRY
10100 SANTA MONICA BLVD STE 1200
LOS ANGELES CA 90067

SOURCE: SPRINGS

TRIBUTARY: HORNET CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1890

POINT OF DIVERSION:

T16N R01W S8 SENWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.040 CFS

PLACE OF USE: STOCKWATER in ADAMS County

T16N R01W S08 NWNE

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

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4468 V1

WATER RIGHT NUMBER: 67-4468 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HENDERSON RANCHES C/O REED HENDERSON PO BOX 475 COUNCIL, ID 83612 (208)253-4559
Original Owner	ISOM LAND & LIVESTOCK INC 279 SW 10TH ST ONTARIO, OR 97914
Current Owner	THOMAS BARRY 10100 SANTA MONICA BLVD STE 1200 LOS ANGELES, CA 90067

Priority Date: 01/01/1890

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	HORNET CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

SPRINGS	SE1/4NW1/4NE1/4	Sec. 8,	Twp 16N,	Rge 01W, B.M.
ADAMS County				

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N	01W	8		X															

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4468 V1

Remarks:Comments:

1. mvanbussum 10/27/2006 Priority Date
Comment: No evidence of priority has been received from claimant, Owen Thomas Barry III, regarding any of his beneficial use claims. Recommend as disallowed. No beneficial use found.
2. mvanbussum 10/27/2006 Copied from remarks
Comment: CHANGE OF OWNERSHIP 11/22/04
3. mvanbussum 10/27/2006 Copied from remarks
Comment: CHANGE IN POINTS OF DIVERSION AND NUMBER OF SPRINGS. THIS IS A MARSHY AREA AND IT IS DIFFICULT TO DETERMINE THE ACTUAL NUMBER OF SPRINGS. CHANGE IN AMOUNT OF WATER AND NUMBER OF ACRES PER QUARTER, QUARTER.
4. mvanbussum 11/15/2006 Priority Date
Comment: Received an affidavit from Reed Henderson that listed 67-4468. Affidavit is for water from Hornet Creek and contains no mention of springs. Recommendation will remain as disallowed.
5. mvanbussum 12/13/2006 De minimus
Comment: Recommend as de minimus stockwater with the usual n codes. Claimant does not own property in this QQ.
6. mvanbussum 12/13/2006 Quantity
Comment: Claimant claimed 0.1 for stockwater and did not state how many stock. Recommended 0.04 to be more in line with most stockwater rights for 1 QQ.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/27/2006 11:46:15 AM	mvanbussum			Active
Summary			10/27/2006	mvanbussum	Active
Contacts	12/13/2006 4:47:08 PM	mvanbussum			Active
Priority Date	12/13/2006 4:47:36 PM	mvanbussum			Active
POD	12/13/2006 4:47:47 PM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4468 V1

Source	12/13/2006 4:49:53 PM	mvanbussum	Active
POU	12/13/2006 4:50:05 PM	mvanbussum	Active
Season	12/13/2006 4:51:36 PM	mvanbussum	Active
Use	12/13/2006 5:12:24 PM	mvanbussum	Active
Quantity	12/13/2006 5:13:10 PM	mvanbussum	Active
Summary	12/13/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/13/2006 4:47:03 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	12/13/2006 4:47:42 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	12/13/2006 4:50:00 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
General	12/13/2006 4:47:31 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - De minimus. No further evidence of priority needed.
POD	12/13/2006 4:49:26 PM	mvanbussum	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4468 V1

Source	12/13/2006 4:49:48 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	12/13/2006 4:50:50 PM	mvanbussum	Updated shape for Active POU
Season	12/13/2006 4:51:31 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Summary	12/13/2006 5:17:25 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Use	12/13/2006 5:12:19 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4468 V1

Quantity	12/13/2006 5:13:05 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Water Management Division Administrator Dave Tuthill, no measurement required if recommended cfs below 0.2.
Contacts	10/27/2006 11:46:16 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
Summary	10/27/2006 11:47:53 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

11/14/2006

NOTICE OF ERROR
REPLY

DEC 07 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-4468

THOMAS BARRY
10100 SANTA MONICA BLVD STE 1200
LOS ANGELES CA 90067

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

This right is for stock water.
would like to visit about it with you

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-5-06

SIGNATURE:

F. Fred Clemser

Please print your name:

F. FRED CLEMSE

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Signing for
Tom BARRY

Please call Earl Henderson at
253-6424 or 741 9481

NOE review

Recommended de minimus stock water.

MLB 12-13-06

SCANNED

DEC 08 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 13, 2006

67-04468, 67-11292
THOMAS BARRY
10100 SANTA MONICA BLVD STE 1200
LOS ANGELES CA 90067

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources review of Snake River Basin Adjudication (SRBA) claims in Basin 67 is coming to a close. In reviewing the Notice(s) of Claim 67-4468 and 67-10498, it appears that we still need evidence of priority for SRBA claims 67-4468 and 67-11292.

67-4468 claims irrigation from a spring. However the only Evidence of Priority I can find in the file speaks of use of Hornet Creek water. In addition, 67-11292 claims use from Hornet Creek, but notes from a filed examiner indicate that the source of water is actually springs.

Claims 67-4468 and 67-11292 indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by **October 25, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4800.

Respectfully submitted,

Craig T. Egan

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 67-4468 and 67-11292

Notes.

67-4468

Main Source is a spring-fed pond. Henderson dammed it and let water sub out into field via a pipe. Other springs along southern edge of field also sub down into field to irrigate for grazing $\approx$ 25 head cattle. The cattle also drink from the pond.

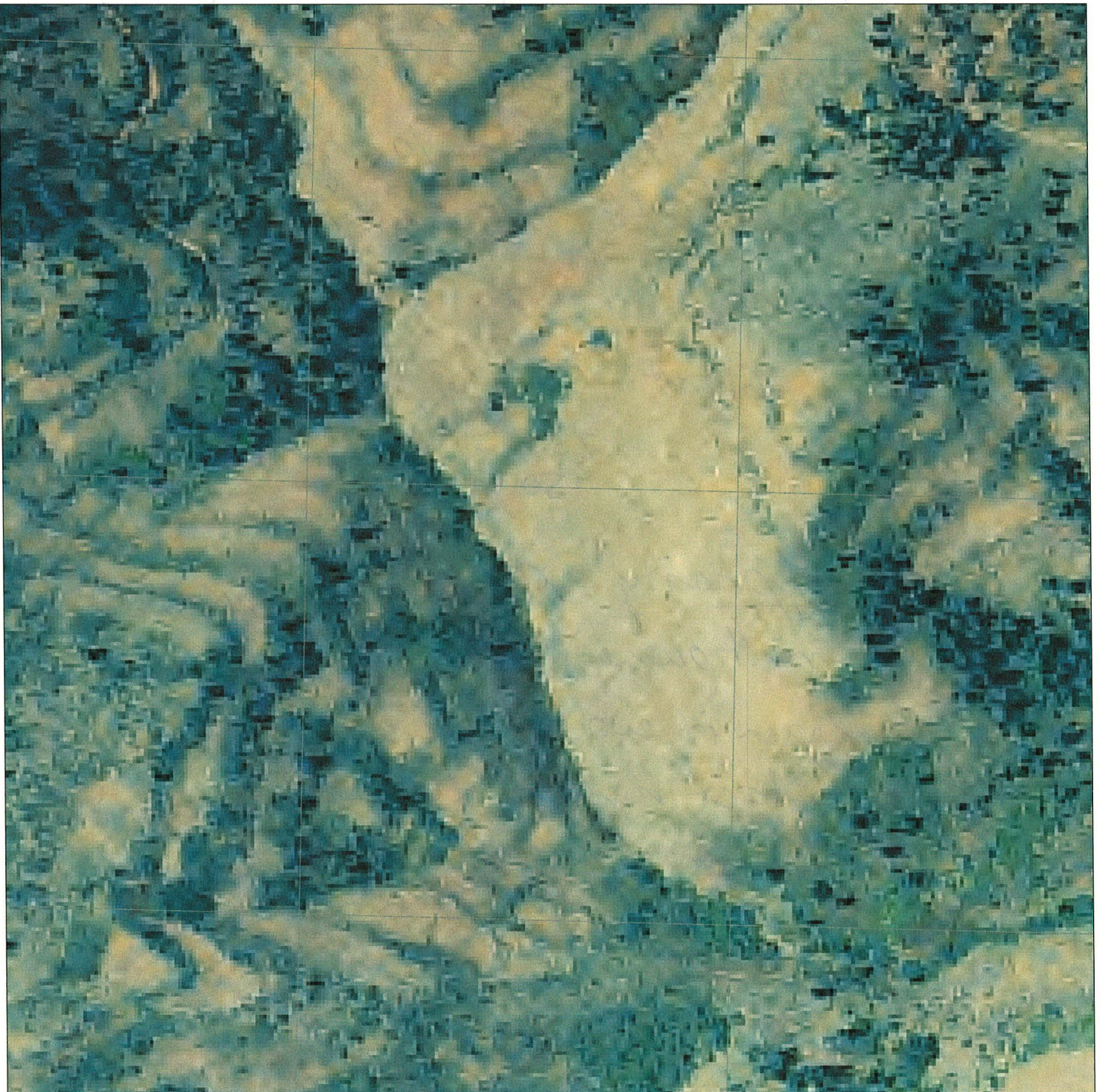
GPS pt: 67-4468

230 3190

1507763

Evidence of priority - Please send Mr. Barry (current owner) letter. I told Mr. Henderson it would be up to Mr. Barry to contact him if he wanted assistance establishing proof of priority date.

Claim67-10498





Idaho Department of Water Resources

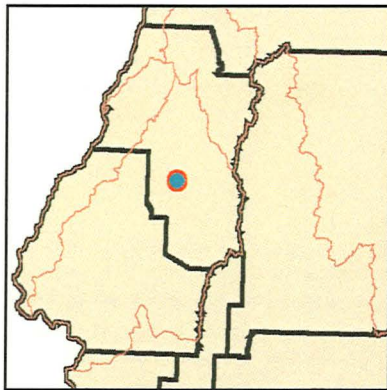
*irrigation and
25 head stock*

Adjudication Claim Number: **67-4468**

T16N R01W

Legend

-  PLS Sections
-  Quarter Quarters
-  Streams



Adams County
IDWR Basin 67



0 0.2 0.4 Miles



Prepared by D. Narsavage
On Tuesday, June 14, 2005
1987 Aerial Photography

Contacts Data Entry Form

Claim Number: 67-4468

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	HENDERSON RANCHES	C/O REED HENDERSON PO BOX 475	COUNCIL	ID	83612	(208)253-4559
Original Owner	ISOM LAND & LIVESTOCK INC	279 SW 10TH ST	ONTARIO	OR	97914	
Current Owner	THOMAS BARRY	10100 SANTA MONICA BLVD., SUITE 1200	LOS ANGELES	CA	90067	

Date of Field Exam: 8/9/05 Time: 8:30 amAccompanied By: Earl Henderson Phone Number: 253-6424Relationship to Claimant: previous owner, still farms property

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

Reviewer: mvDate: 8/9/05

Priority Date Data Entry Form

Claim Number 67-4468

Claimed Priority Date: 1/1/1890

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 1/1/1890

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

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

please mail letter to
current owner. He can then
contact Henderson for assistance in
establishing end of prior.

Point of Diversion and Source Data Entry Form

Claim Number 67-4468

Claimed Point of Diversion and Source

T16N R01W S8 SENWNE Within ADAMS County Source: SPRINGS HORNET CREEK

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T16N R01W S8 NENE Within ADAMS County

T16N R01W S8 NWNE Within ADAMS County

T16N R01W S8 NENW Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Reviewer: 8/9
MVDate:

IDWR Field Exam Form

06/14/2005

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

POD is a spring-fed pond - see ArcViewshp54
+
GPS shape
67-4468

Coord. 2303190
1507763

Reviewer: _____

mv

Date: _____

8/9/05

Place Of Use Data Entry Form

Claim Number 67-4468

Claimed Place Of Use

T16N R01W S08	NWNE	15.0	T16N R01W S08	NENW	5.0
T16N R01W S08	NWNE				

Total Acres 20

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T16N R01W S08	NWNE	10.0	T16N R01W S08	NENW	10.0
T16N R01W S08	NENE				

Total Acres 20

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

F.E. - see ArclView shapefile

Reviewer: MMVDate: 8/9/05

Purpose of Use Data Entry Form

Claim Number 67-4468

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

STOCKWATER
IRRIGATION☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

STOCKWATER
IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Document how the Purpose of Use was verified:

F.E.

Reviewer:



Date:

8/9/05

Period of Use and Quantity Data Entry Form

Claim Number 67-4468

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.4	
STOCKWATER	1/01	12/31	0.1	

Overall Diversion Rate 0.5 Overall Diversion Volume

Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.4	
STOCKWATER	1/01	12/31	0.1	

Overall Diversion Rate 0.4 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

may need flow measurement

Quantity- needs flow measurement - no information on flow rate in exam. [may be difficult to obtain because system is not developed.]
determined via map that ~~the~~ measurement wouldn't help

Reviewer: *MV*

Date: *8/9/05*

RECEIVED

SEP 15 2005

Department of Water Resources

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
67-4468)
67-11292)
67-10498)
State of Idaho)
County of Adams)

AFFIDAVIT

Reed Henderson

being first duly sworn,

deposes and says: I have lived and operated and owned
Henderson Ranches since January 1, 1961. The decreed
water and flood water has always been used
for irrigation and stock water.

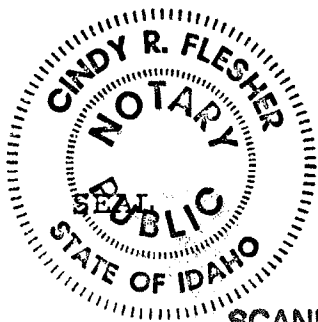
Reed Henderson
(Signature)

Subscribed and sworn to before me this
day 14th of Aug, 19 2005.

Cindy R. Flesher
(Notary Public)

Residing at Meridian.

My Commission Expires 7.28.07.



SCANNED

SEP 15 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4468

WATER RIGHT NUMBER: 67-4468

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HENDERSON RANCHES C/O REED HENDERSON PO BOX 475 COUNCIL, ID 83612 (208)253-4559
Original Owner	ISOM LAND & LIVESTOCK INC 279 SW 10TH ST ONTARIO, OR 97914
Current Owner	THOMAS BARRY 10100 SANTA MONICA BLVD., SUITE 1200 LOS ANGELES, CA 90067

Priority Date: 01/01/1890

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	HORNET CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.100 CFS	
IRRIGATION	4/01 to 11/01	0.400 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

SPRINGS	SE1/4NW1/4NE1/4	Sec. 8,	Twp 16N,	Rge 01W, B.M.
ADAMS County				

Place of UseSTOCKWATER Within ADAMS County

T16N R01W S08 NWNE

IRRIGATION Within ADAMS County

T16N R01W S08 NWNE 15.0 T16N R01W S08 NENW 5.0

Total Acres: 20

Conditions of Approval:

1. CHANGE IN POINTS OF DIVERSION AND NUMBER OF SPRINGS. THIS IS A MARSHY AREA AND IT IS DIFFICULT TO DETERMINE THE ACTUAL NUMBER OF SPRINGS. CHANGE IN AMOUNT OF WATER AND NUMBER OF ACRES PER QUARTER, QUARTER.
2. CHANGE OF OWNERSHIP 11/22/04

Remarks:

SCANNED

SEP 15 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-11292

WATER RIGHT NUMBER: 67-11292

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WALDON E ISOM 279 SW 10TH ST ONTARIO, OR 97914 (503)889-7296
Current Owner	THOMAS BARRY 10100 SANTA MONICA BLVD., SUITE 1200 LOS ANGELES, CA 90067

Priority Date: 05/20/1888
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
HORNET CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion
HORNET CREEK NE1/4SW1/4 Sec. 5, Twp 16N, Rge 01W, B.M.
ADAMS County

Place of Use
IRRIGATION Within ADAMS County
T16N R01W S05 SESE 0.5 T16N R01W S08 NENE 1.0
Total Acres: 1.5

Conditions of Approval:
1. CHANGE OF OWNERSHIP 11/22/04

Remarks:

SCANNED

SEP 15 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10498

WATER RIGHT NUMBER: 67-10498

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS BARRY 10100 SANTA MONICA BLVD., SUITE 1200 LOS ANGELES, CA 90067
Original Owner	HENDERSON RANCHES C/O REED HENDERSON PO BOX 475 COUNCIL, ID 83612 (208)253-4559

Priority Date: 06/01/1881

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HORNET CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.880 CFS	
	<u>Total Diversion:</u>	1.880 CFS	

Location of Point(s) of Diversion

HORNET CREEK	SE1/4NW1/4	Sec. 5,	Twp 16N,	Rge 01W, B.M.
ADAMS County				

Place of UseIRRIGATION Within ADAMS County

T16N R01W S05	SWSE	10.0	T16N R01W S05	SESE	1.0
T16N R01W S08	NENE	33.0	T16N R01W S08	NWNE	12.0
T16N R01W S08	SENE	10.0	T16N R01W S09	NWNW	11.0
T16N R01W S09	SWNW	37.0	T16N R01W S09	NWSW	18.0

Total Acres: 132

Conditions of Approval:

1. CHANGE OF OWNERSHIP 11/22/04
2. DELETED SOME ACREAGES, ADDED OTHERS-SEE ATTACHED.
THIS IS A COMBINATION OF A67-00378, A67-00379, A67-00380.
ALSO ADDED THE POINT OF DIVERSION WHICH WAS NOT SHOWN ON THE DECREED WATER RIGHT. THE POINT OF DIVERSION MAY BE IN THE SW1/4, NW1/4 OF SECTION 5 SINCE IT IS SO CLOSE TO THE 1/16TH LINE.

Remarks:**SCANNED**

SEP 15 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 22, 2004

Thomas Barry
10100 Santa Monica Blvd., Suite 1200
Los Angeles, CA 90067

Re: Notice of Claim to a Water Right No. 67-11292, 67-4468 & 67-10498

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

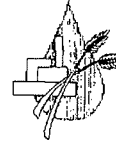
Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Isom Land & Livestock, Inc.

(Name of Claimant)

279 South West 10th St. Ontario, OR 97914

(Mailing Address)

(Zip Code)

Telephone No. 889-7296

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1890

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Springs tributary to Hornet Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

		(Both dates inclusive)			
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)	
Quantity <u>10</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To	<u>12/31</u>	
Quantity <u>40</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To	<u>11/1</u>	
Quantity _____	Use _____	Period of Use From _____	To	_____	
Quantity _____	Use _____	Period of Use From _____	To	_____	
Quantity _____	Use _____	Period of Use From _____	To	_____	

- (4) .40 TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 8 Twp. 16N Rge. 1W B.M., County of Adams
 Additional points of diversion: NENE Sec 8 T16N R1W NNE Sec. 8 T16N T1W

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Springs with gravity ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

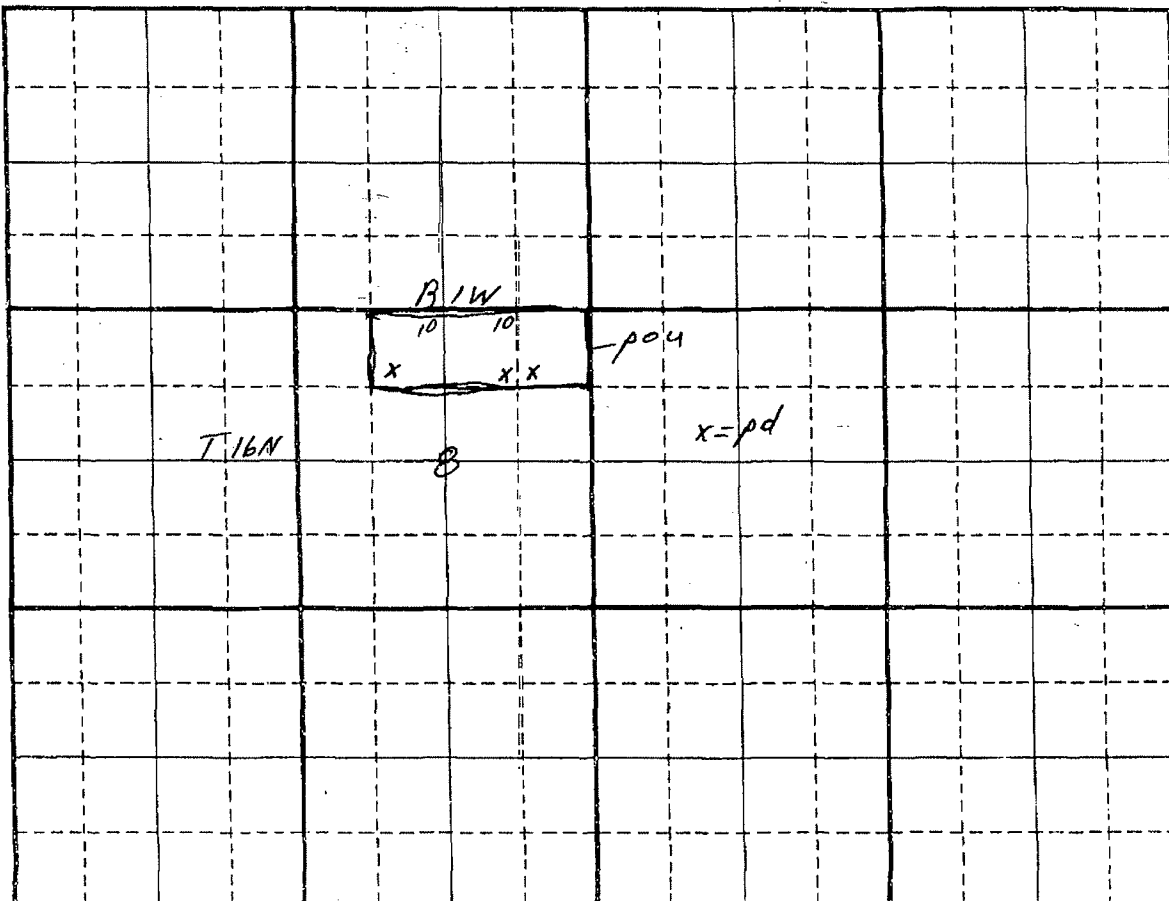
No. of acres 20

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 1000 HD. STOCK

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____

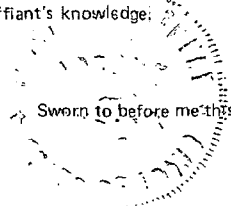


Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge:



Sworn to before me this

29 day of

December

, 19 82.

x W. E. Joon Per.
(Claimant)

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by GLS

Date

12/29/82

Exception filed by:

Forwarded to

Date

Per m. check by KG

Date

1/5/83

\$30.00 fee received by JP

Date

12/29/82

2309N

claimant by:

Published in

Adams County, Idaho

Dates

12/18 - 12/31/82

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Jan Grover

Right Number

607-4468

Applicant

Don L & Co.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Claim published correctly. Adams County Leader
1/27 & 2/3/83 30/23094
- ☐ Exceptions processed.

By DBS

Date 2/14/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By tw

Date 2/15/83

RECEIVED

RECEIVED
FEB 15 1983

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 67-4468
Date Received: 10/3/1989
Receipt No: W006134
Received By:

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

1. Name of Claimant(s)

THOMAS BARRY Phone:

10100 SANTA MONICA BLVD STE 1200
LOS ANGELES CA USA 90067

2. Date of Priority: 01/01/1890

3. Source: SPRINGS Trib. to: HORNET CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	8	SE NW NE	ADAMS	

5. Description of diverting works:

UNDEVELOPED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.4	
STOCKWATER	1/01	12/31	0.1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
16N	01W	8	NW NE	STOCKWATER	
			NW NE	IRRIGATION	15

NE	NW	IRRIGATION	5
		Section Acres	20
		Total Acres	20

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP 11/22/04

CHANGE IN POINTS OF DIVERSION AND NUMBER OF SPRINGS. THIS IS A MARSHY AREA AND IT IS DIFFICULT TO DETERMINE THE ACTUAL NUMBER OF SPRINGS. CHANGE IN AMOUNT OF WATER AND NUMBER OF ACRES PER QUARTER, QUARTER.

15. Basis of Claim: Statutory Claim

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

RECEIVED

OCT 06 2004

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

- i. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>67-10498</u>	<u> </u>	<u>no</u>	<u> </u>	<u> </u>	<u> </u>
<u>67-11292</u>	<u> </u>	<u>no</u>	<u> </u>	<u> </u>	<u> </u>
<u>67-4468</u>	<u> </u>	<u>no</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Henderson Ranches / Isom Land & Livestock
P.O. Box 475, Council, ID 83612
4. New Owner/Claimant(s) Thomas Barry
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 10100 Santa Monica Blvd., Suite 1200
- City, State and ZIP Code Los Angeles, CA 90067
- New Telephone Number ()
5. Date you acquired the property September 14, 2004

EXHIBIT 'A'

Parcel A

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 5: S1/2SE1/4SW1/4; EXCEPTING THEREFROM A parcel of land situated in the SE1/4SW1/4 more particularly described as follows:
Commencing at a 5/8" rebar marking the corner common to Sections 5, 6, and 8, T16NR1WBM, Adams County, Idaho;
Thence North 89° 50'00" East 1314.51 feet to a 5/8" rebar marking the West 1/16 corner common to said Sections 5 and 8, the REAL POINT OF BEGINNING;
Thence North 00° 57'15" West 162.42 feet to a 1/2" rebar on the Southwesterly right-of-way of the Old Cuprum Road;
Thence South 40° 23'25" East 78.48 feet along said right-of-way to a 5/8" rebar;
Thence 172.75 feet along a curve to the left whose radius is 380.00 feet, and delta angle is 26° 02'48" along said right-of-way to a 1/2" rebar on the South boundary of said Section 5;
Thence South 89° 50'00" West 185.67 feet to the REAL POINT OF BEGINNING.

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 5: A parcel of land situated within the SE1/4SE1/4 more particularly described as follows:
Beginning at the section corner common to Sections 4, 5, 8 and 9 of T16NR1WBM;
Thence South 89° 50'00" West a distance of 798.66 feet along the South line of the SE1/4SE1/4 of said Section 5 to the REAL POINT OF BEGINNING, which point is on the Southerly right-of-way line of an existing County Road known as Council Cuprum Road;
Thence continuing South 89° 50'00" West a distance of 509.64 feet along the South line of said SE1/4SE1/4 to the Southwest corner of said SE1/4SE1/4;
Thence North a distance of 231 feet, more or less, along the West line of said SE1/4SE1/4 to a point on the Southerly right-of-way line of said Council Cuprum Road;
Thence South 65° 53'52" East a distance of 562 feet, more or less, along the Southerly right-of-way line of said Council Cuprum Road to the REAL POINT OF BEGINNING.

- ✓ Section 19: Lots 2, 3, and 4, SE1/4NW1/4, SW1/4NE1/4, E1/2SW1/4, W1/2SE1/4
- ✓ Section 20: N1/2, SE1/4
- ✓ Section 29: N1/2NE1/4, SW1/4SE1/4
- ✓ Section 30: Lots 1, 2 and 3, E1/2NW1/4, E1/2SW1/4, SW1/4SE1/4
- ✓ Section 31: NW1/4NE1/4, E1/2NW1/4
- ✓ Section 32: NE1/4NW1/4

✓ Township 16 North, Range 2 West, Boise Meridian, Adams County, Idaho

- ✓ Section 23: W1/2SE1/4, ALSO all that part of the E1/2NW1/4 lying East of Johnson Creek
- ✓ Section 24: S1/2
- Section 25: NE1/4
- ✓ Section 26: Part of the W1/2NE1/4 described as:
Beginning at the NW corner of the NW1/4NE1/4;
Thence Southeasterly in a straight line to the SE corner of the SW1/4NE1/4;
Thence North to the NE corner of the NW1/4NE1/4;
Thence West to the REAL POINT OF BEGINNING.

INSTRUMENT NO. **107114** CORPORATE WARRANTY DEED
PAGE 1 OF 2

For Value Received, ISOM LAND & LIVESTOCK CO., an Idaho Corporation

the grantor, does hereby grant, bargain, sell and convey unto
TOM BARRY LIVING TRUST, under Trust Agreement, dated 03/31/98

the grantee, whose current address is 10100 Santa Monica Blvd, ^{Ste. 1200} Los Angeles, CA 90067
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: September 8, 2004

ISOM LAND & LIVESTOCK CO., an Idaho corporation

By: *Reed L. Henderson*
REED L. HENDERSON, President

Instrument # 107114

COUNCIL, ADAMS, IDAHO

2004-09-17

04:06:38 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

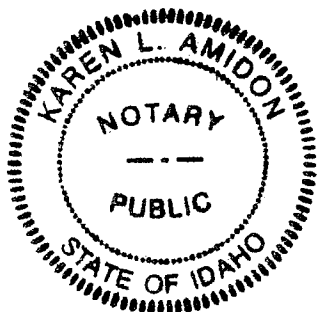
Fee: 6.00

Ex-Officio Recorder Deputy *Deanna Linkal*

Index to: DEED

STATE OF Idaho)
COUNTY OF Adams : ss

On this 8th day of September, in the year of 2004, before me, a Notary Public in and for said State, personally appeared REED L. HENDERSON known or identified to me to be the President of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Karen L. Amidon
Notary Public

Residing at: Cambridge, ID

Commission expires: 6/26/2009

INSTRUMENT NO. **107114** CORPORATE WARRANTY DEED
PAGE 1 OF 2

COPY

For Value Received, ISOM LAND & LIVESTOCK CO., an Idaho Corporation

the grantor, does hereby grant, bargain, sell and convey unto
TOM BARRY LIVING TRUST, under Trust Agreement, dated 03/31/98

the grantee, whose current address is 10100 Santa Monica Blvd, ^{Ste. 1200} Los Angeles, CA 90067

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: September 8, 2004

ISOM LAND & LIVESTOCK CO., an Idaho corporation

By: Reed L. Henderson
REED L. HENDERSON, President

Instrument # 107114

COUNCIL, ADAMS, IDAHO

2004-09-17

04:06:38 No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

MICHAEL FISK

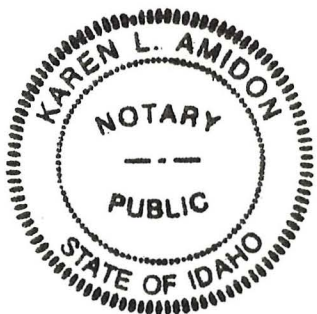
Fee: 6.00

Ex-Officio Recorder Deputy Michael Fisk

Index to: DEED

STATE OF Idaho)
COUNTY OF Adams : ss

On this 8th day of September, in the year of 2004, before me, a Notary Public in and for said State, personally appeared REED L. HENDERSON known or identified to me to be the President of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Karen L. Amidon
Notary Public

Residing at: Cambridge, SD

Commission expires: 6/26/2009

EXHIBIT 'A'

PARCEL B

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 5: All that part of the SW1/4SE1/4 lying West of
Council-Cuprum Road

✓ Section 6: Lot 6

✓ Section 7: E1/2NE1/4, E1/2SE1/4

Section 8: All of said Section EXCEPTING that portion of the NE1/4NE1/4 lying Northerly of the former Council-Bear County Road (also referred to as Hornet Creek Wagon Road and now State Aid Highway Project S-3894(1); ALSO EXCEPTING: A parcel of land situated within the NE1/4NE1/4 of Section 7 and the N1/2NW1/4 of Section 8, T16NR1WBM, more particularly described as follows:
Beginning at the northwest corner of the N1/2NW1/4 of Section 8 (Northeast corner of the NE1/4NE1/4 of Section 7) T16NR1WBM;
Thence N 89° 57'18" E a distance of 1624.13 feet along the North line of said N1/2NW1/4;
Thence S 00° 08'19" E a distance of 561.35 feet;
Thence S 77° 34'07" W a distance of 892.30 feet;
Thence S 88° 21'35" W a distance of 2065.90 feet (formerly S 88° 17'03" W a distance of 2060.00 feet, more or less,) to a point on the West line of the NE1/4NE1/4 of Section 7, T16NR1WBM;
Thence N 00° 04'14" W a distance of 797.45 feet (formerly North a distance of 800.00 feet, more or less,) along the West line of said NE1/4NE1/4 to the Northwest corner of said NE1/4NE1/4;
Thence N 89° 23'45" E a distance of 1312.01 feet (formerly N 89° 23'41" E a distance of 1312.03 feet, more or less) along the North line of said NE1/4NE1/4 to the Real Point of Beginning.
SUBJECT TO the right-of-way of an existing county road known as Old Hornet Road along the Northeast corner of the above described parcel.

✓ Section 9: SE1/4NW1/4, SW1/4, W1/2SE1/4, all that part of the W1/2NW1/4 lying South of the former Council-Bear County Road (now State Aid Highway Project S-3894(1) also referred to as Hornet Creek Wagon Road).

✓ Section 17: N1/2NE1/4

Township 16 North, Range 2 West, Boise Meridian, Adams County, Idaho

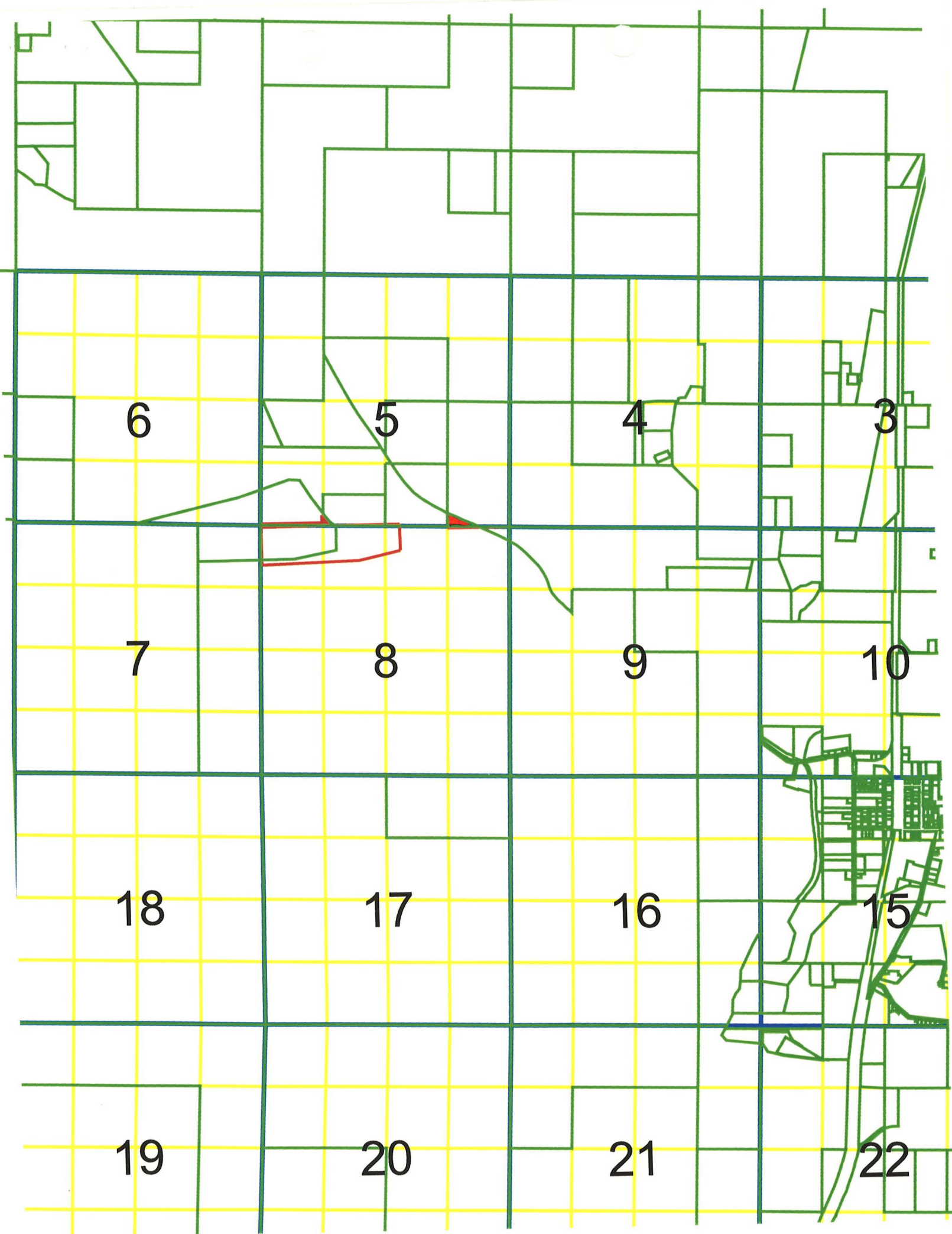
✓ Section 1: SW1/4, W1/2SE1/4, NE1/4SE1/4

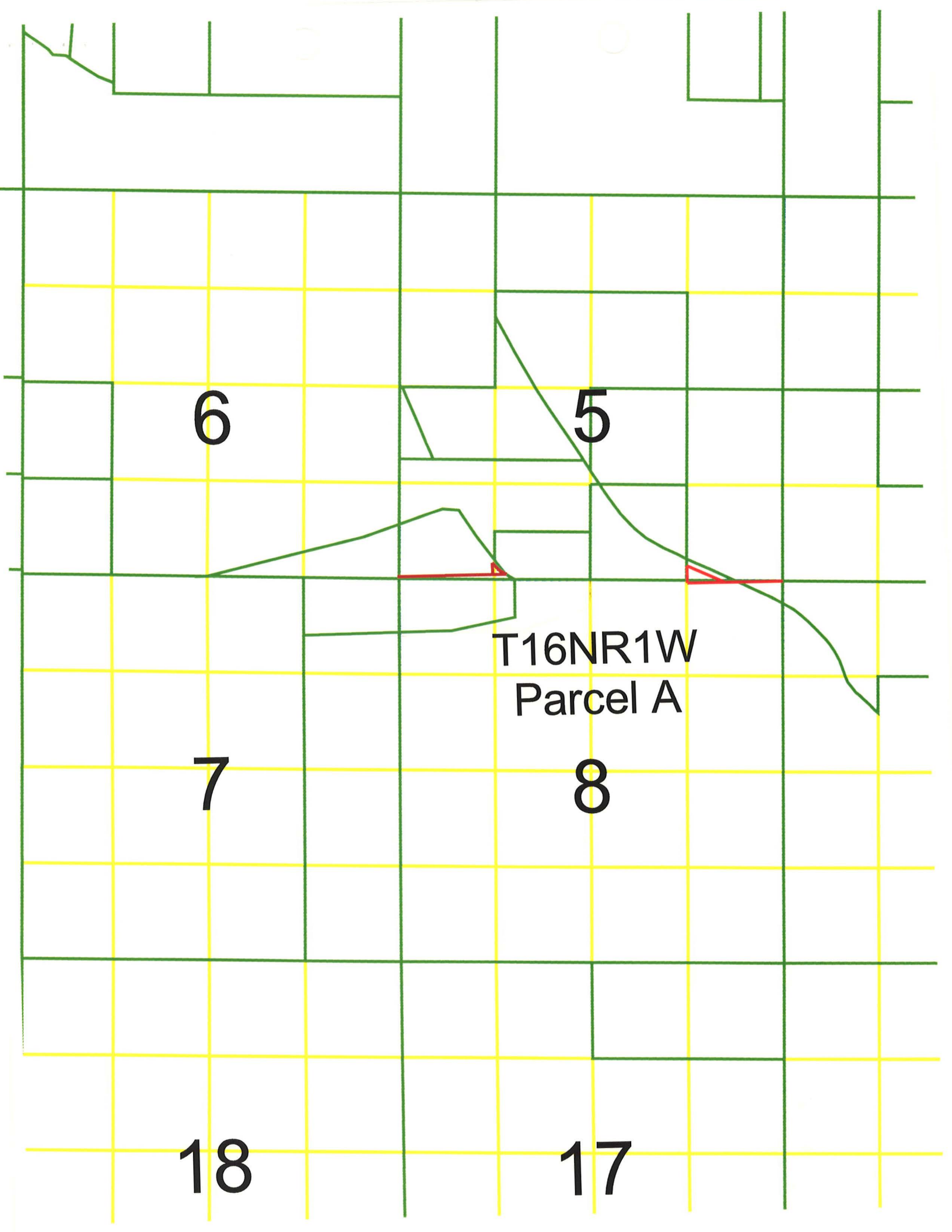
Section 12: NW1/4, SW1/4

MEMO

To: 67-10498, 67-11292, 67-4468
From: Liberty Gagnon
Date: November 16, 2004
Subj: Ownership Change

I called Timberline Title to confirm the beginning point for the exception in parcel B section 8. On the deed given to us it states "beginning at the northwest corner of the N1/2NW1/4 of section 8". According to the tax lot info. It should begin in the northwest corner of the NW1/4NE1/4 of section 7. Angie from Timberline title returned my call @ 4pm Nov. 15 and said that the deed was correct and to use that legal description even though it is a Qq off from what the tax lot said. The change of ownership was processed based on that info.





6

5

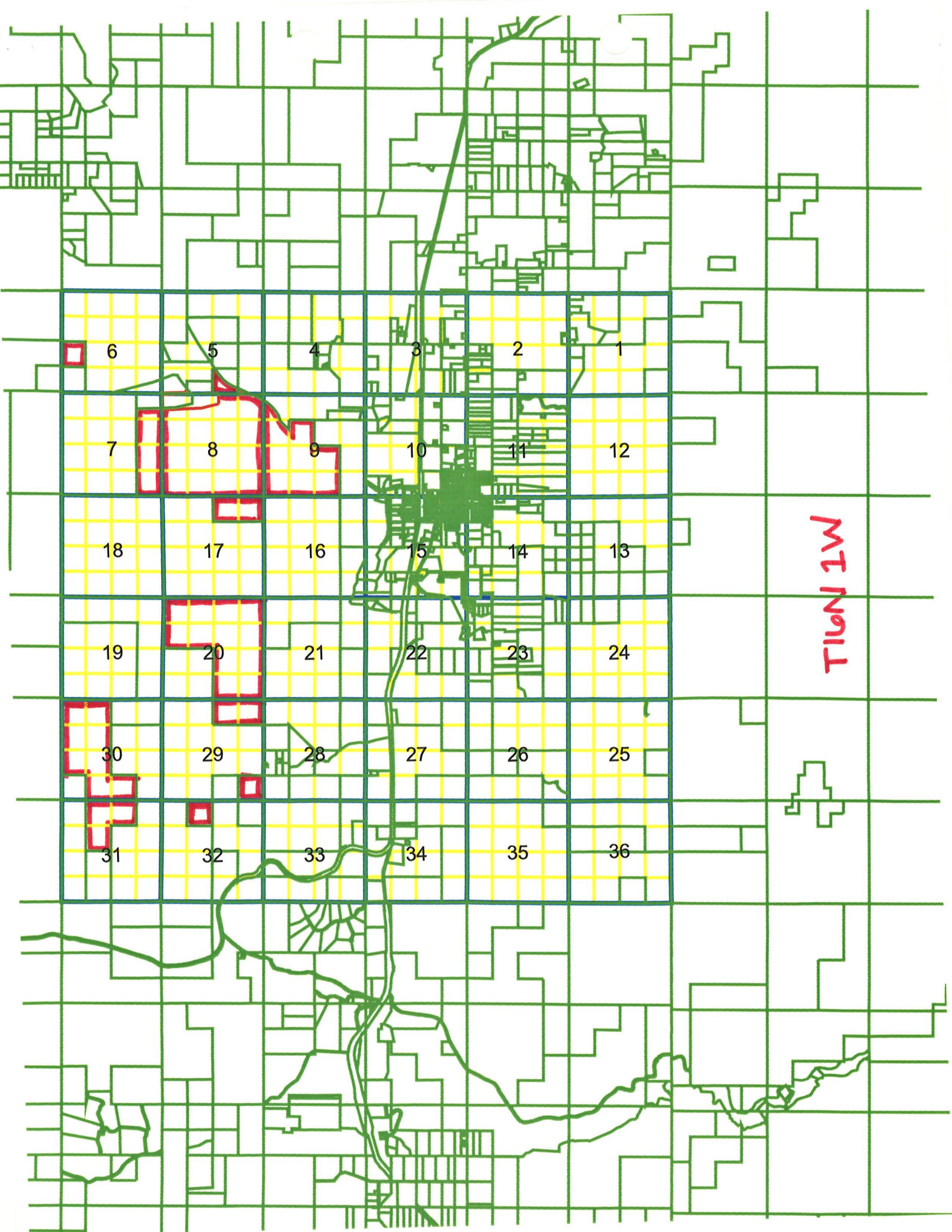
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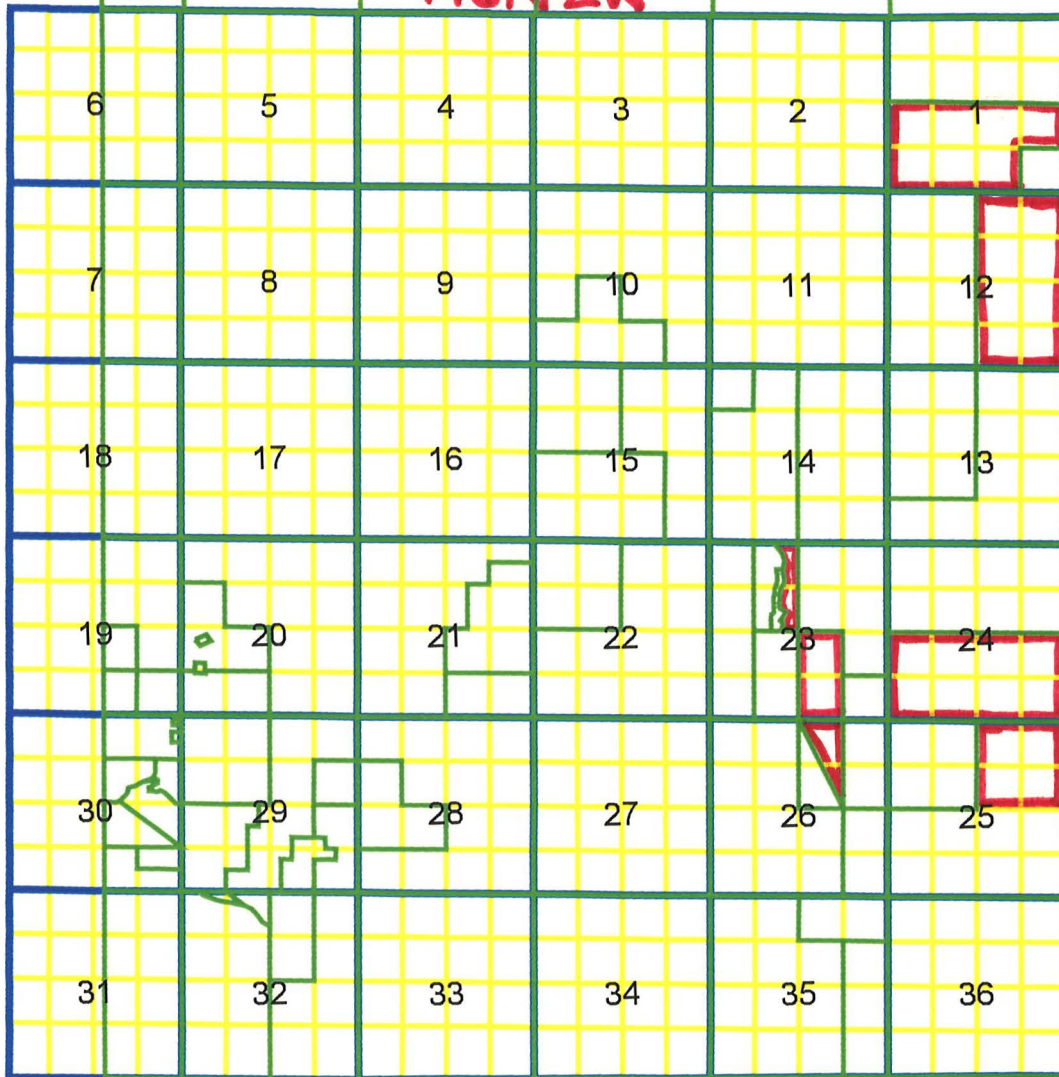
T16NR1W
Parcel A

18

17

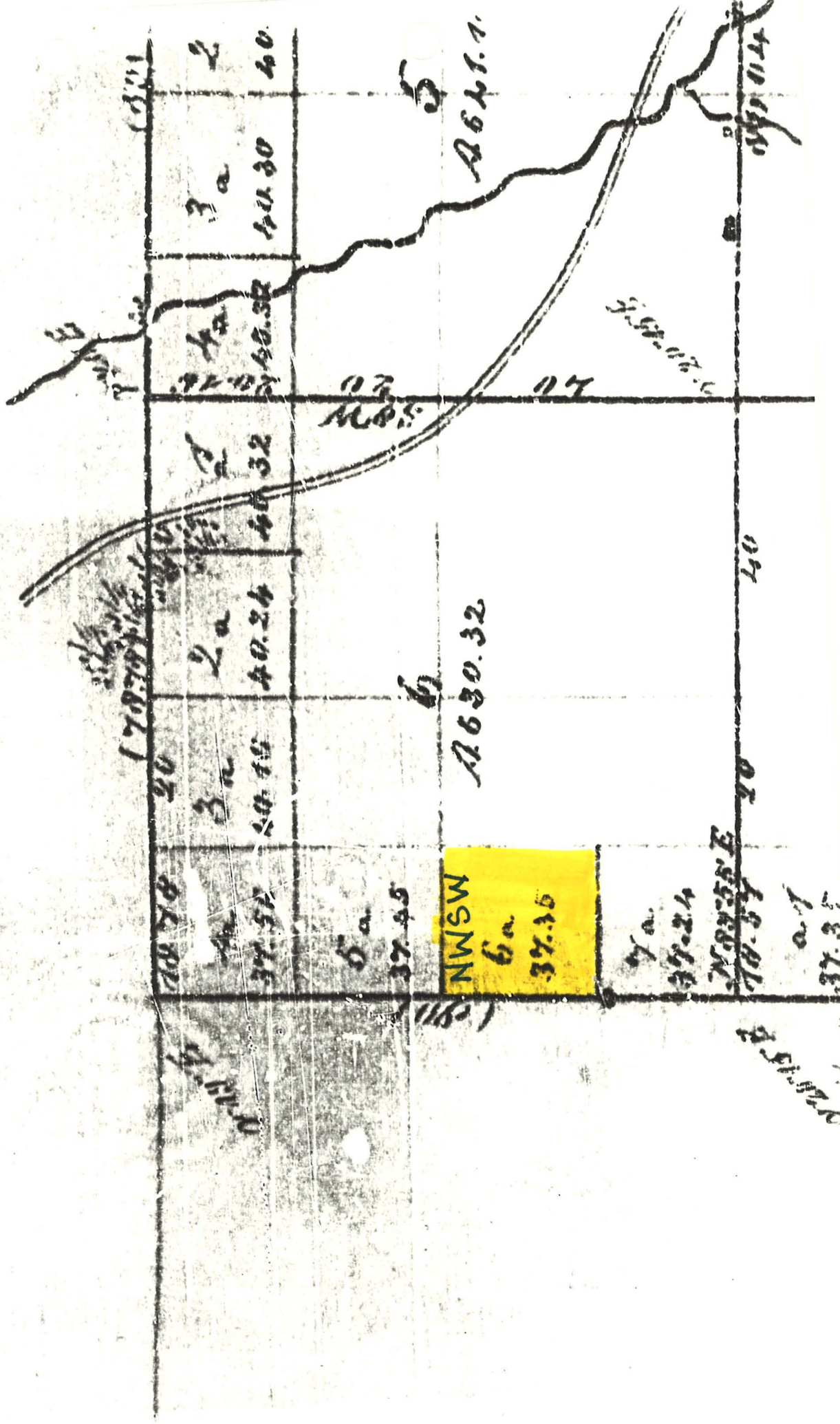


T16N12W



16N1W

Township No. 16.



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: A67-04468
Date Received: 10/03/1989
Receipt No: WG6134
Received By: rw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENDERSON RANCHES 208-253-4559
Address: BOX 475
COUNCIL, ID 83612

2. Date of Priority: JAN 01, 1890

3. Source: SPRINGS Trib. to: HORNET CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	8	SE	NW	NE		ADAMS

5. Description of diverting works:
UNDEVELOPED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 HD RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16N	01W	8	NW	NE		STOCK	
			NW	NE		IRR	15.0

A67-04468

Page 1

Date: 10/03/89

SCANNED
APR 14 2004

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	8	NE NW		IRR	5.0
Section Acres						20.0
Total Acres						20.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGE IN POINTS OF DIVERSION AND NUMBER OF SPRINGS. THIS IS A MARSHY AREA AND IT IS DIFFICULT TO DETERMINE THE ACTUAL NUMBER OF SPRINGS. CHANGE IN AMOUNT OF WATER AND NUMBER OF ACRES PER QUARTER, QUARTER.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

For Organizations:

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

[Signature]
Signature of Authorized Agent
Partner
Title and Organization
10/3/89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of October 19 89

[Signature]
Notary Public

Seal

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994
Date: 10/03/89

A67-04468

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MICROFILMED
OCT 02 1992

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: A67-04468
Date Received: 10/03/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ISOM LAND & LIVESTOCK INC.
Address: 279 S. WEST 10TH ST.
ONTARIO, OR 97914

2. Date of Priority: JAN 01, 1890

3. Source: SPRINGS Trib. to: HORNET CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	8	NE	NE	NE		ADAMS
			NW	NE	NE		ADAMS
			NE	NW	NW		ADAMS

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.100		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/1000 RANGE
400

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	8	NE	NE		STOCK	
			NW	NE		IRR	~~10.0~~ 15
			NE	NW		IRR	~~10.0~~ 5
Section Acres							20.0
Total Acres							20.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks: *chg. in points of diversion + no. of springs.*
This is a marshy area + it is
 15. Basis of Claim: STATUTORY CLAIM *is difficult to determine the*
actual no. of springs,
chg in amt of water

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

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 _____

MICROFILMED

OCT 02 1992