

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 A36-13530
Date Received _____
Receipt Number 5010060 AD

COPY
FOR YOUR FILES
DO NOT RETURN

**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) 531-5348
Mailing Address Route 3, Box 220, Rupert, Idaho Zip 83350

2. Date of Priority (Only one (1) per claim) July 22, 1960

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7S Range 25E Section 36,
_____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Minidoka

Additional points of diversion if any: center of North East Quarter of Section 36 - used
primarily for stockwater.

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. Deep well, 275 to 300 feet deep, 6"
in diameter, 5 H.P. submergible pump, 2" water pipe to four dwellings.
Nine cattle waterers and two barns.

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OCT 20 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For domestic purposes from Jan. 1 to Dec. 31 amount .16 or _____

For stockwater purposes from Jan. 1 to Dec. 31 amount .16 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) four households, 400 feed calves and 300 beef cows

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															D&S		

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X 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.
_____ or None (X)

14. Remarks:

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Last Name Split Butte Ranch, Inc. Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
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. _____, that I have signed the foregoing
Organization

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

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

Signature of Authorized Agent _____ *Shirley Hume* _____

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 _____ 39th _____ day of September _____ 19 89

SEAL

Notary Public _____ *Robert W. King* _____

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 _____ *Robert W. King* _____

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

Date _____ 9/29/89 _____

Last Name _____ Split Butte Ranch, Inc. _____ Ident. Number _____

FEB 11 1994
MICROFILMED
OCT 20 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: A36-13530
Date Received: 10/12/1989
Receipt No: S010060
Received By: lw

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	SW	SE			MINIDOKA

5. Description of diverting works:
275-300' X6" WELL, 5HP SUBMERSIBLE PUMP, 2" PIPE, TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.160		
STOCKWATER	01/01	12/31	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HOUSEHOLDS, S/400 FEED CALVES, 300 BEEF COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	36	SW	SE		DOMEST	
			SW	SE		STOCK	

A36-13530

Page 1

Date: 11/20/89

MICROFILMED
FEB 08 1993

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:
CENTER OF NE QTR OF SECTION 36 USED PRIMARILY FOR STOCK WATER.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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
FEB 08 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:

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FEB 08 1993

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

PAGE 2
Spl. Butte Ranch

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

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

ID 83350

RUPERT
A36-02141
ROGER D. LING
P.O. BOX 396

ID 83350

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

ID 83350

RUPERT
A36-02446
ROGER D. LING
P.O. BOX 396

ID 83350

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

ID 83350

RUPERT
A36-13529
ROGER D. LING
P.O. BOX 396

ID 83350

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

ID 83350

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

ID 83350

RUPERT
A36-07139
ROGER D. LING
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ID 83350

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

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

ID 83350

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

ID 83350

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

ID 83350

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

ID 83350

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

ID 83350

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

ID 83350

RUPERT
A36-13530
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RUPERT
A36-14648
ROGER D. LING
P.O. BOX 396

ID 83350

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

ID 83350

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

ID 83350

RUPERT
ID 83350

RUPERT
ID 83350

FEB 08 1993

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

PAGE 3

A36-14807
ROGER D. LING
P.O. BOX 396

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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FEB 08 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,

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

*See attached pages for other Water Right Numbers

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FEB 08 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DEC 06 1996

Department of Water Resources
Southern Region

DATE OF CLOSING: 10-18-96

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 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): 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: SEC By: 7/2/97

Claim Numbers of Split, if any:

36-13530 IS NOT PART OF THE
PROPERTY CONVEYED TO DUNCAN'S.

7/2/97 SW

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

NO CHANGE MADE

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:

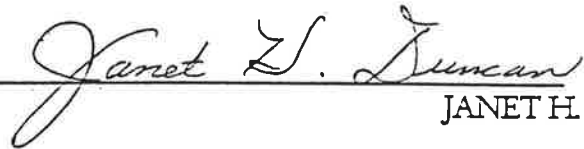
SEE ATTACHED EXHIBIT "A"

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

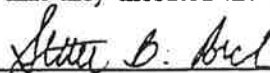


JANET H. DUNCAN

STATE OF IDAHO)

COUNTY OF MINIDOKA)

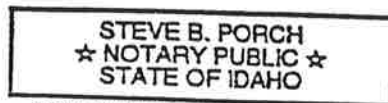
On this 18th day of OCTOBER, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared JACK F. DUNCAN AND JANET H. DUNCAN, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the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



Notary Public

Residing at: Rupert, Id.

My Commission expires: 5-1-99



RESIDING AT RUPERT, ID
MY COMMISSION EXPIRES

5-1-99

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FILE 9 DEPUTY 

96 NOV 15 15 : 40

RECORDED AT REQUEST OF
Janet H. Duncan
FILM NO. 10684

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: W¼SW¼;
SECTION 25: W¼, 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.



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: 9-12-96

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 WARRANTY 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* #36-02142* #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 $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 17; NE $\frac{1}{4}$ 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 Date 9-17-96
Paul H. Duncan Kathy F. Duncan Date _____

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

Final Review and Data Entry

Date: 7/2/97 By: SW

Claim Numbers of Split, if any:

36-13530 IS NOT PART OF THE PROPERTY CONVEYED TO DUNCANS.
Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

SW
7/2/97

* NO CHANGE MADE

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)

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 9 DEPUTY

SEP 17 16 : 41

RECORDED AT REQUEST OF
Land Title Report
FILM NO.

426061

Dated: September 12, 1996

SPLIT BUTTE RANCH, INC., an Idaho Corporation

BY: *Elise Heins*
ELISE HEINS - President

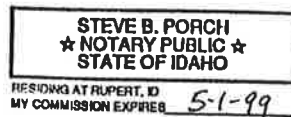
STATE OF IDAHO)
COUNTY OF MINIDOKA) ss

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: A36-13530

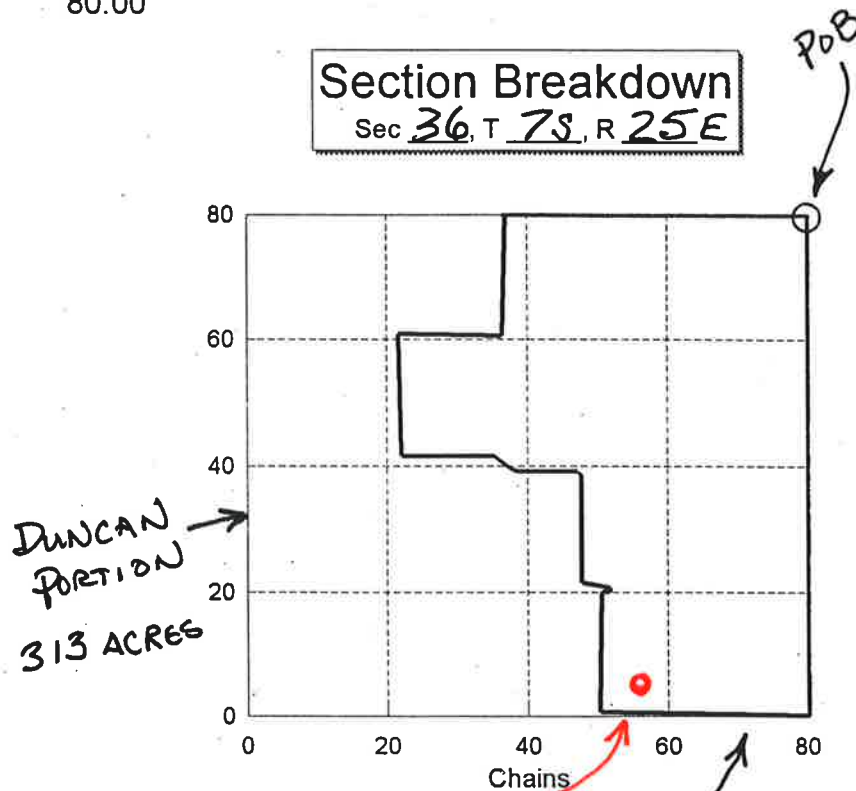
MEETS AND BOUNDS TABLE

[illegible]

HEINS - DUNCAN
owner change

Right No: _____

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



WELL
A36-13530

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

A36-13530

06/27/97 11:37 AM

Acres = 327.17

HEINS - Duncan
owner change

By: SCC

ACREAGE CALCULATIONS

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

Conversation Memo to file:

increased diversion rate in pumps
with less water right

A36-07356

(ie 4.82 cfs Capacity

w/ 2.60 cfs rt on 160 Acres)

- consider as a rotation of GW
w/ surrounding users; assuming
no draw down injury

(Domestic is not owned per Deed
A36-13530) and per conversation w/
Paul Duncan + Julie Rushton
3/26/97

Δ ownership on -7356 w/ Duncan + Mickelson
proposal of split - then resolve for EBS issues

IDWR AGENT: STEVE CLELLAND

DATE: 3/26/97

(AT ROGER LINGS OFFICE)

A36-13530

SD-2503-3

Idaho Department Of Water Resources
Receipt Maintenance II - Maint. Screen 3

Date: 03/25/97
Time: 12:06:57

Receipt Number : S010060

Page 1 Of 3

Receipt Amt :

1690.00

A3613529	68.00	A3613530	66.00	A3607356	257.00
A3602446	240.00	A3602447	429.00	A3602141	210.00
A3602143	210.00	A3602142B	210.00		

(Enter=Continue) (GOLD2=Update) (GOLD4=Prev Pg) (GOLD5=Next Pg)

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 1998

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 20 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. 36-13530 -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

3. ☒ Quantity: I respond to the objection concerning:

3c. ☒ The total quantity of water reserved for each and every purpose, including all present and future uses.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 3 and all allegations of the objection regarding this item, IDWR responds as follows: This right was claimed and recommended based on beneficial use. IDWR's records disclose no license for the claimed right. IDWR recommended the amount of water it determined was beneficially used for the uses claimed, and the claimant is not entitled to any amount greater than that which is beneficially used. IDWR further responds that the notice of claim claimed water for four homes; the objection asserts that water is used in five houses. By asserting additional uses not set forth in the notice of claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once

leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

In response to Statement of the Objection item 3.c, and all allegations of the objection regarding that item, IDWR responds as follows: Since this water right is not a federal reserved water right, this objection item is inapplicable and the claimant's assertion of it is in error. IDWR further responds that under Idaho law water cannot be reserved for future use, but must be appropriated and put to beneficial use before the user can acquire a water right.

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:

	No. of Pages
Notice of Claim No. A36-13530	3

(Over)

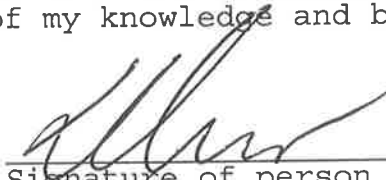
VERIFICATION (Must be Completed)

State of IDAHO

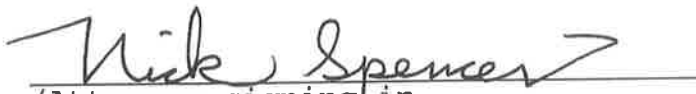
County of ADA

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 10th day of September,
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 10th day of SEPTEMBER, 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 A36-13530
Date Received _____
Receipt Number 5010060 AD

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) 531-5348
Mailing Address Route 3, Box 220, Rupert, Idaho Zip 83350

2. Date of Priority (Only one (1) per claim) July 22, 1960

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7S Range 25E Section 36,
_____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Minidoka

Additional points of diversion if any: center of North East Quarter of Section 36 - used
primarily for stockwater.

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,

_____ 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. Deep well, 275 to 300 feet deep, 6"
in diameter, 5 H.P. submergible pump, 2" water pipe to four dwellings.
Nine cattle waterers and two barns.

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FEB 08 1993

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OCT 20 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For domestic purposes from Jan. 1 to Dec. 31 amount .16 or _____

For stockwater purposes from Jan. 1 to Dec. 31 amount .16 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .32 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is de minimus acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) four households, 400 feed calves and 300 beef cows

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															D&S		

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X 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.
_____ or None (X)

14. Remarks:

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FEB 08 1993
MICROFILMED
OCT 20 1994

Last Name: Split Butte Ranch, Inc. Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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. _____, that I have signed the foregoing

Organization

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

Title

Organization

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

Signature of Authorized Agent *Elise Y. Heine* _____

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

State of Idaho/or _____)

) SS.

County of Minidoka _____)

Subscribed and sworn (or affirmed) before me this 39th day of September 19 89

SEAL

Notary Public *Robert W. King* _____

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 *Robert W. King* _____

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

Date 9/29/89

Last Name Split Butte Ranch, Inc. Ident. Number _____

MICROFILMED
FEB 08 1993

MICROFILMED

Copies White-State Yellow-Claimant
OCT 20 1994

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. 36-13530
Case No. 39576)
) NOTICE OF APPEARANCE

*Added NUA to Comment
CM 010
of 3-14-94*

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: *[Signature]*
Roger D. Ling
Attorney for Split Butte
Ranch, Inc.

NOTICE OF APPEARANCE - 1

MICROFILMED
OCT 20 1994

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW

RUPERT, IDAHO 83350

1
2
3 CERTIFICATE OF MAILING

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

7 **Original to:**

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

13 **Copies to:**

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

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

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

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

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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 those 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 ^{PROFILE} 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 seasons 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

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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

36-13530
Case No. A5809NP
(You must insert the
water right number you
are objecting to)

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

OBJECTION

Petitioner,

36-13530 -0001/
93-04-0443

vs.

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

Respondents.

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.

OBJECTION - 1

(Over)

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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:

Greg HEINS
ROUTE 3, BOX 225
RUPERT, ID 83350

Name: _____

Address: _____

Briefly describe your interest in this water right:

ASSISTANT manager of FARM

2. Owner of the water right:

Name: _____

SPLIT BUTTE RANCH, INC.

Address: _____

ROUTE 3 BOX 220

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.

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.

3-C This Domestic well Supplies water to 5 House Hholds
2 Barns 400 Feed Calves & 300 stock Cows. The need for
adequate water is very necessary.

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.

3-C Changed back to the .32 Combined CFS as
stated in original water License.

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 Adams, 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.

[Signature]
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

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

William P. Bryant
Notary Public for Idaho
Residing at: Rupert
My Commission expires: 12-3-98

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:

Owner's address:

SPLIT BUTTE RANCH, INC.

ROUTE 3 BOX 220

RUPERT, ID 83350

(208) 531-5348 FARM

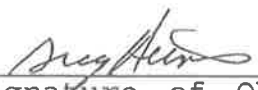
(208) 531-5901 RANCH

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

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

FEB 0 8 1993

Water Right Number - R36-13530

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
LING

ROGER D

1 - PO BOX 396

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-000-0000

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

1 - RT 3 BOX 220

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5348

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
07/22/1960 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 25E 36 SE SW SE (67) MINIDOKA

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.070
04 - STOCKWATER 01/01 12/31 0.070+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.070 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 36 SW SE 04 STOCKWATER (67) MINIDOKA
07S 25E 36 SE SE 04 STOCKWATER (67) MINIDOKA
07S 25E 36 SW SE 43 DOMESTIC (67) MINIDOKA
07S 25E 36 SE SE 43 DOMESTIC (67) MINIDOKA

Total Acres:

+ - - Diversion Means - 275-300' X6" WELL, 5HP SUBMERSIBLE PUMP, 2" PIPE, TROUGHS

+ - - Non-Irrigation Use - DOMESTIC, 4 HOUSEHOLDS; STOCKWATER, 400 CALVES, 300 BEEF COWS

+ - - Other Rights for Same Use - NONE

MICROFILMED
FEB 08 1993

Water right number - R36-13530

Prefix Translation: RESEARCH

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

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

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

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

+ - - - - Comments - - - - -

Date: 02/14/1992 User Id: CLELLAND Subject: DIVERSION LIMITS
THE STANDARD DIVERSION RATE FOR THIS RIGHT WOULD BE D/0.10 CFS AND S/0.16 CFS, BUT, BASED ON THE THEORETICAL CALC. THE WELL
CAPACITY IS 0.07 CFS.

Date: 02/14/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS
CENTER OF NE QTR OF SECTION 36 USED PRIMARILY FOR STOCK WATER.

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 2/14/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/16/1992 User Id: MERRITT Subject: RESPONDED TO NOE
LETTER SENT 10/16. NO CHANGE.

+ - - Audit Fields - - +
10/16/92 MERRITT

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 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 | - B |

MICROFILMED
FEB 08 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 11:03

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

RE: Heins SRBA 36-13531
Split Butte Ranch SRBA 36-13529 & 36-13530

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 for 36-13529 questioned IDWR changing an original water right and specifically changing the priority date of 6/7/1951 to that of 3/27/1958. Please understand the record 36-13529 is a claim in the SRBA with a basis of beneficial use. IDWR's responsibility is to confirm such claims and make a recommendation to the court. IDWR's recommendation of the priority date is based on evidence we requested in which your lawyer responded by submitting a drilling log. The log supports a priority date of 3/27/1958. This right will be recommended in the Director's Report as proposed.

Your NOE for 36-13530 questioned IDWR changing the claimed diversion rate of 0.32 cfs to 0.07 cfs. Again this record 36-13530 represents your claim as to the water use. IDWR's recommendation is based on a review of your pump system which determined that the capacity of the pump was 0.07 cfs. This capacity is based on a theoretical calculation using information obtained from you that the pump is a 5 HP pump and pumps water from 290' with 60 psi in the pressure system. Unless you can provide specific pump capacity information this recommendation will remain as proposed.

Your NOE for 36-13531 questioned IDWR changing the claimed priority date and cfs rate. Again this record 36-13531 represents your claim as to the expanded use of the well licensed under 36-02098. IDWR's review of the evidence submitted and records of the IDWR conflict as to supporting a priority date of 4/1/1961. The earliest non-conflicting evidence to support the expanded acres is our orthophoto map with photograph dated 1979. IDWR's recommendation of the cfs rate is based on our understanding of the presumption statute which allows expanded acres. Our understanding is that the base water right diversion rate shall not be increased although acres are

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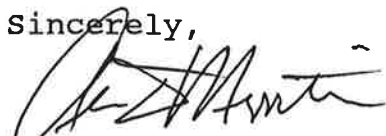
FEB 08 1993

PAGE 2
Oct. 16, 1992

allowed to be expanded. The base right, 36-02098, is for 4.00 cfs recommended for 305 acres. This right is for the 36 additional acres, so as we understand the presumption, when this right and 36-02098 are combined the rate shall not exceed 4.00 cfs. The rate 0.42 was calculated as $[4.00 / (305 + 36) \times 36]$ which represents the 36 acres share of the 4.00 cfs. The recommendation as proposed for this right will remain as proposed.

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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FEB 08 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 16 1992

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

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

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: *36-13530*

2. Name: **SPLIT BUTTE RANCH, INC.**
RT. 3 BOX 220
Address: **RUPERT, ID. 83350**

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FEB 08 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 the copy.)

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

The maximum Quantity

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

*WE NEED
the Amount
Claimed,
I.E. .16 CFS
.32 CFS*

5. Describe why you disagree with the proposed recommendation:

6. Date: *See ABOVE* *WE would not have filed a Claim of water right for that amount if that amount was not BEING USED.*
- SEPT. 15, 1992*

SIGNATURE

Elise J. Neuma
Secretary

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED
FEB 08 1993

VERIFIED BY

see

Water Right Number - R36-13530

Prefix Translation: RESEARCH

Old (D) Number -

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

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

State- ID Zip- 83350

*** A - ATTORNEY ***
LING

ROGER D

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

State- ID Zip- 83350

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/22/1960 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 25E 36 SE SW SE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.070
04 - STOCKWATER 01/01 12/31 0.070+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.070 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 36 SW SE 04 STOCKWATER (67) MINIDOKA
07S 25E 36 SE SE 04 STOCKWATER (67) MINIDOKA
07S 25E 36 SW SE 43 DOMESTIC (67) MINIDOKA
07S 25E 36 SE SE 43 DOMESTIC (67) MINIDOKA

Total Acres:

+ - - Diversion Means - 275-300' X6" WELL, 5HP SUBMERSIBLE PUMP, 2" PIPE, TROUGHS

+ - - Non-Irrigation Use - DOMESTIC, 4 HOUSEHOLDS; STOCKWATER, 400 CALVES, 300 BEEF COWS

+ - - Other Rights for Same Use - NONE

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FEB 08 1993

Water right number - R36-13530

Prefix Translation: RESEARCH

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

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

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

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

+ - - - - Comments - - - - - +
Date: 02/14/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS
CENTER OF NE QTR OF SECTION 36 USED PRIMARILY FOR STOCK WATER.
Date: 02/14/1992 User Id: CLELLAND Subject: DIVERSION LIMITS
THE STANDARD DIVERSION RATE FOR THIS RIGHT WOULD BE D/0.10 CFS AND S/0.16 CFS, BUT, BASED ON THE THEORETICAL CALC. THE WELL
CAPACITY IS 0.07 CFS.

+ - - Audit Fields - - +
02/14/92 CLELLAND

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 02/14/1992 | 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 | - |

MICROFILMED
FEB 08 1993

CLAIM NO. 136-13530STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
☐ NEW OWNER:
☒ No Change ADDRESS:
☐ NEW ADDRESS: _____
- ☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in COMMENTS.)
3. ☒ No Change - SOURCE:
☐ CHANGE - Different Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
☒ Point of diversion is different than the claim *FIELD EXAM By SCC*
New P/D: Twp. _____, Rge. _____, Sec. SE 1/4 1/4 1/4

Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irr. _____
6. ☒ No Change - WATER USES:
☒ Different uses, (list uses found).

Use Dom From _____ To _____ Amount 0.07 cfs _____ af
Use Stock From _____ To _____ Amount 0.16 cfs _____ af

7. ☒ No Change - TOTAL VOLUME:
☒ Change found, The new total is, --- cfs --- af

8. N/A

theoretical
calc.
$$\frac{(8.8)(5)(20)}{290 + (60 \times 2.31)} = \frac{30.8}{429.6} = 0.07 \text{ cfs}$$

9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

☒ DATA ENTRY STANDARDS (correct to..)

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FEB 08 1993

10. ☐ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

add Don SE SE
STOCK SE SE

11. ☒ Checked: N/A

12. ☒ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE: _____

14. ☒ None REMARKS: (copy existing remarks to comments in "R")
☐ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - (J) (circle one)

COMMENTS: (pertinent to field examination)

ATTACHMENTS: Attached to This Form. Attachments are in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

DATE EXAM CONDUCTED: 1991 (see negotiating files)
(for exact date.)

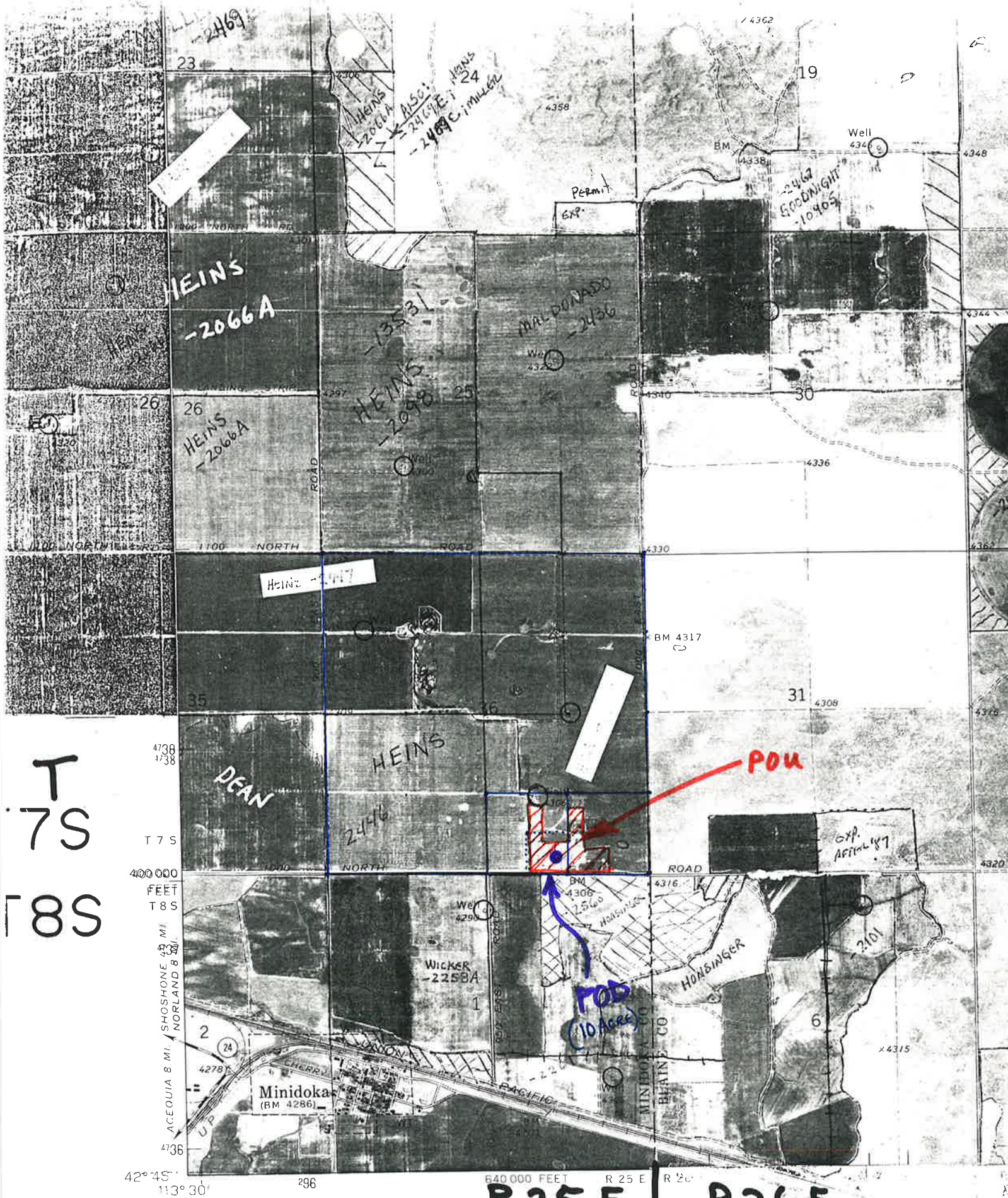
FIELD EXAMINER: STEVE CLELLAND

Signature Steve Clelland

REVIEWED BY/DATE: SCC 2-14-92

DATA ENTRY BY/DATE: _____

VERIFICATION BY/DATE: _____



2469
23
Harris
2066
ASO
2469E
2469C; imulca
Harris
24

26
HEINS
2066A

HEINS
-209

MAI-DONADO
-2436

DEAN

HEINS

7446

WICKER

Minidok
(PM 1286)

M

2462
GOODNIGHT
905

Heine - 2017

EXP.
APR 1987

10 Acres

POW

42° 45' 113° 30'

296

640 000 FEET R
R 25 E

R26E

A36-13530

REFILMED
FEB 08 1993

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

Projection and 10,000-foot grid ticks

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:34:27
01/09/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-13530

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?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: CENTER OF NE QTR OF SECTION 36 USED PRIMARILY FOR STOCK WATER.

** See Short form CVR*

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FEB 08 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:

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FEB 08 1993

A. AJ CLAIM: # A36-13530 PRIORITY DATE: 07-22-1960 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:

__-__-__

REVIEWED BY _____

DATE _____

=====

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FEB 08 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|----------|
| A36-13530 | 07S | 25E | 36 | | SW | 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:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
Y

FIELD
EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
| ___ | ___ | ___ | ___ | ___ | ___ | ___ | ___ |
| ___ | ___ | ___ | ___ | ___ | ___ | ___ | ___ |

SOURCE: _____ TRIB: _____
REVIEWED BY: _____ DATE: _____

MICROFILMED
FEB 08 1993

A. ROOT WATER RIGHT NUMBERS: A36-13530

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 | SW | SE | | SPLIT BUTTE RANCH, INC. | A36-13530 / | - / | 40.0 | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC. | A36-02446 /20.0 | 36-02446 /20.0 | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-02109 /26.0 | - / | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-02446 /26.0 | - / | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC. | A36-07356 /40.0 | 36-07356 /40.0 | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-02447 /26.0 | - / | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-07356 /26.0 | - / | | | |
| 07S | 25E | 36 | SW | SE | | SPLIT BUTTE RANCH, INC. | A36-13530 / | - / | 40.0 | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC. | A36-02446 /20.0 | 36-02446 /20.0 | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-02109 /26.0 | - / | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-02446 /26.0 | - / | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC. | A36-07356 /40.0 | 36-07356 /40.0 | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-02447 /26.0 | - / | | | |
| | | | SW | SE | | SPLIT BUTTE RANCH INC | R36-07356 /26.0 | - / | | | |
| TOTAL ACRES | | | | | | | A36-13530 | | 80.00 | | |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE FIELD
Y EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED
FEB 08 1993

A. AJ CLAIMED USES:

| | PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-----------|-------------------------------------|---------------------|--------------------|
| A36-13530 | DOMESTIC | FROM 01-01 TO 12-31 | .160 CFS |
| A36-13530 | STOCKWATER | FROM 01-01 TO 12-31 | .160 CFS |
| | TOTAL DIVERSION RATE/VOLUME CLAIMED | | .320 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|----------|-----------|--------------------|
|----------|-----------|--------------------|

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

MICROFILMED
FEB 08 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.320 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 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
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y DATABASE EXAMINER

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: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|------------------------|-----------|----------------|-----------|----------------|
| R36-02109 | GROUNDWATER | SPLIT BUTTE RANCH INC | 3.080 | 0.004 | | |
| R36-02446 | GROUNDWATER | SPLIT BUTTE RANCH INC | 3.690 | 0.004 | | |
| A36-02446 | GROUNDWATER | SPLIT BUTTE RANCH INC. | 3.690 | 0.019 | 760.00 | 4.00 |
| R36-02447 | GROUNDWATER | SPLIT BUTTE RANCH INC | 0.840 | 0.001 | | |
| R36-07356 | GROUNDWATER | SPLIT BUTTE RANCH INC | 2.940 | 0.003 | | |
| A36-07356 | GROUNDWATER | SPLIT BUTTE RANCH INC. | 2.940 | 0.009 | 1147.00 | 3.58 |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

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

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

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RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD | | REC. DIV | | REC. DIV | | REC. CONS. | |
|----------------------|-------------|-------|----------|----------|----------|----------|------------|----------|
| | FROM | TO | RATE | CFS | VOL. | AF/A | USE | |
| | | | DATABASE | EXAMINER | DATABASE | EXAMINER | DATABASE | EXAMINER |
| _____ | _____ | _____ | | _____ | | _____ | | _____ |
| _____ | _____ | _____ | | _____ | | _____ | | _____ |
| TOTAL FOR THIS RIGHT | | | | _____ | | _____ | | _____ |

REVIEWED BY: _____

DATE: _____

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-13530

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-13530 | 0.320 | - | - | - | - |
| TOTAL CFS | | 0.320 | | | | |

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
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

CLAIM NUMBER: A36-13530

| 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 | Y | | | | | | | |
| POINT OF DIV | Y | | | | | | | |
| SOURCE | Y | | | | | | | |
| PLACE OF USE | Y | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | Y | | | | | | | |
| PERIOD OF USE | Y | | | | | | | |
| BASIS OF CLAIM | Y | | | | | | | |
| 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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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PROFILE REPORT

CLAIM NUMBER: A36-13530

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|--|------------------|------------------------|----------------------------|----------------------|---------------------|
| C | SPLIT BUTTE RANCH, INC.
RT 3 BOX 220
RUPERT ID 83350
(208) 531-5348 | 07/22/1960 | STOCKWATER
DOMESTIC | 01-01 12-31
01-01 12-31 | 0.16 CFS
0.16 CFS | |
| TOTAL DIVERSION: | | | | | 0.32 CFS | |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R25E S36

SWSE

MINIDOKA County

Place of use Legal Description for: STOCKWATER

| | | | | 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 | : |
| 07S | 25E | 36 | : | | | | | : | | | | | : | | | | | : | | | | | : |

Place of use Legal Description for: DOMESTIC

| | | | | 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 | : |
| 07S | 25E | 36 | : | | | | | : | | | | | : | | | | | : | | | | | : |

Other Rights: NONE

Non-Irrigation Use: D/4 HOUSEHOLDS, S/400 FEED CALVES, 300 BEEF COWS

Remarks: CENTER OF NE QTR OF SECTION 36 USED PRIMARILY FOR STOCK WATER.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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