

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: A36-07830
Date Received: 5/31/1988
Receipt No: 5000275

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEE G. ELLIS 801-458-3516
Address: P. O. BOX 158
FIELDING, UT 84311

AND/OR

Name: CHAILLE B. ELLIS
Address: FIELDING, UT 84311

2. Date of Priority: NOV 09, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	23E	31	SW	NE			LINCOLN
			SE	NE			LINCOLN
			NE	SE			LINCOLN
			NW	SE			LINCOLN

5. Description of diverting works:
16" X 280' WELL, 350 HP MOTOR, 75 HP BOOSTER, 7 HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.380		

7. Total Quantity Appropriated is:
2.380 C.F.S. (and/or) 476.00 A.F.A.

8. Total consumptive use is 342.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06S	23E	32	NW	NE		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 119.0

Total Acres	119.0
-------------	-------

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

NONE

14. Remarks:

THIS RT. WHEN COMBINED WITH RT 36-7611 SHALL NOT EXCEED 5.96 CFS.

P/D IS IN CENTER OF E1/2, S31, T6S, R23E.

LAND IS OWNED BY B. L. M. LAND IS LEASED TO IDAHO FISH & GAME DEPT., WHICH SUB-LEASES IT TO US. HALF THE LAND IS FARMED AND HALF IS WATERED FOR WILDLIFE COVER.

15. Basis of Claim: LICENSE

Water Right Number:

MICROFILMED

OCT 20 1994

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 X 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): Lee G. Ellis Date: 5/31/88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 31st day

of May 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, Id

My Commission Expires 10/16/1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
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2. Date of Priority: NOV 09, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	23E	31	SW	NE			LINCOLN
			SE	NE			LINCOLN
			NE	SE			LINCOLN
			NW	SE			LINCOLN

5. Description of diverting works:
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7. Total Quantity Appropriated is:
2.380 C.F.S. (and/or) 476.00 A.F.A.

8. Total consumptive use is 342.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07830

Page 1

Date: 05/31/88

MICROFILMED
MICROFILMED
FEB 05 1993
OCT 20 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	23E	32	NW	NE		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	119.0
						Total Acres	119.0

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RT. WHEN COMBINED WITH RT 36-7611 SHALL NOT EXCEED 5.96 CFS.
P/D IS IN CENTER OF E1/2, S31, T6S, R23E.
LAND IS OWNED BY B. L. M. LAND IS LEASED TO IDAHO FISH & GAME
DEPT., WHICH SUB-LEASES IT TO US. HALF THE LAND IS FARMED AND
HALF IS WATERED FOR WILDLIFE COVER.

15. Basis of Claim: LICENSE
Water Right Number:

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 X 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): Lee G. Ellis Date: 5/31/88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 31st day

of May 19 88

Seal

Mary G. Baldwin
Notary Public

Residing at Gooding, Id

My Commission Expires 10/16/1992

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 03/07/91
Time: 14:52:16

Rec/No - S000299 AR/No -
From: - LEE G. ELLIS

Receipt Type - CK Doc/No - 327
Remarks -

VOIDED RECEIPT

Receipt Date: 05/31/1988

Type Of Payment
ADJUDICATION FEE

Program	Acct	Class	Fee
410162	9337	6490	560.00

Total Due - 560.00

WR/No	WR Fee	WR/No
A3610048	25.00	A3607611

WR Fee	WR/No	WR Fee
366.00	A3607830	169.00

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

MICROFILMED
FEB 05 1993

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 03/07/91
Time: 14:45:36

Rec/No - S000295 AR/No -
From: - LEE G. ELLIS

Receipt Type - CK Doc/No - 327
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 05/31/1988

Type Of Payment	Program	Acct	Class	Fee
ADJUDICATION FEE	410162	9337	6490	560.00

Total Due - 560.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A3610048	25.00	A3607611	366.00	A3607830	169.00

(ENTER=CONTINUE) (GOLD7=SELECTION SCREEN) (GOLD8=CANCEL)

MICROFILMED
FEB 05 1993

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. 36-07830
)
)
) **Standard Form 5**
)
)
) **STIPULATED ELEMENTS**
) **OF A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the original claim shall be "split" into two new claims. The claimant shall hold title to the non-federal land POUs under 36-07830B and shall withdraw with prejudice its claim to the federal land POUs which will be held by the United States under 36-07830A. The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

Randy W. Newton
Dennis L. Newton
Connie C. Newton

Randy W. Newton 7/27/00
Randy W. Newton Date

Dennis L. Newton 7/27/00
Dennis L. Newton Date

Connie C. Newton 7/27/00
Connie C. Newton Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 8/1/00
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Royanne Brown 10/4/2000
Royanne Brown Date

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

Right Number: 36-07830A

Name and Address: ~~LEE G. ELLIS~~
~~CHAILLE B. ELLIS~~
~~P.O. BOX 158~~
~~FIELDING, UT 84311~~

UNITED STATES OF AMERICA, ACTING THROUGH
U.S.D.I., BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S. VINNELL WAY
BOISE, ID. 83709-1657

Source: GROUNDWATER

Quantity: 0.67 CFS

OWN
RB

USE OF THIS RIGHT WITH RIGHT NO. 36-07611A IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 1.67 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 476 AF.

Priority Date: 11/09/1978

Diversion Point: T06S R23E S31 SWNE Within LINCOLN County
SENE
NESE
NWSE

POINT OF DIVERSION IS IN THE CENTER OF E1/2 OF S31, T06S,
R23E.

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	IRRIGATION	03-15 TO 11-15	0.67 CFS

Place of Use:	IRRIGATION		Within LINCOLN County
	T06S R23E S32	NWNE 39 SWNW 40 SENE 40	
119 ACRES TOTAL			

USE OF THIS RIGHT WITH RIGHT NO. 36-07611A IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 119 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 33 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

Other Provisions Necessary for Definition / Administration of this Water Right:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THESE 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.

Explanatory Material: Basis of Claim - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 36-07611A, 36-07611B AND 36-07830B ARE ALSO
DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

Blw
ilw
ced *JS*
RB

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

Right Number: 36-07830B

Name and Address: RANDY W. NEWTON
CONNIE C. NEWTON
DENNIS L. NEWTON
1250 N 400 W
PAUL, ID 83347

aw
ccw *JES*
RP

Source: GROUNDWATER

Quantity: 1.71 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07611B IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 4.29 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1240 AF.

Priority Date: 11/09/1978

Diversion Point: T06S R23E S31 SWNE Within LINCOLN County
SENE
NESE
NWSE

POINT OF DIVERSION IS IN THE CENTER OF E1/2 OF S31, T06S,
R23E.

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	IRRIGATION	03-15 TO 11-15	1.71 CFS

Place of Use:	IRRIGATION	Within LINCOLN County	
	T06S R23E S31	NENE 37	NWNE 39
		SWNE 40	SENE 37
		NESE 40	NWSE 39
		SWSE 39	SESE 39
	310 ACRES TOTAL		

USE OF THIS RIGHT WITH RIGHT NO. 36-07611B IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 86 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

Other Provisions Necessary for Definition / Administration of this Water Right:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THESE 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.

Explanatory Material: Basis of Claim - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 36-07611A, 36-07611B AND 36-07830A ARE ALSO
DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

over
the
old *JE*
RB

CERTIFICATE OF MAILING

I certify that on October 5th, 2000, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

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

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83720-0098

Randy W. Newton
Connie C. Newton
1250 North 400 West
Paul, Idaho 83347

Dennis L. Newton
P.O. Box 443
Paul, Idaho 83347



Signature of person or attorney mailing the form

March 26, 1999

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 36-07611A, 36-07830A
Adjudication Claim No(s): 36-07611A, 36-07830A

2. ~~The following REQUIRED~~ information must be submitted with this form:
A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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**.

Name and Address of Former Owner/Claimant

Lee G. Ellis and Chaille B. Ellis

P.O. Box 158; Fielding, UT. 84311

New Owner/Claimant(s)

Randy W. Newton Dennis L. Newton

☒ Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1250 N. 400 W.

P.O. Box 443

City, State and ZIP Code

Paul, ID. 83347

Paul Idaho 83347

New Telephone Number

(208) 532-4396

(208) 532-4552

5. Date you acquired the property 5-11-99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Other uses _____

7. Signature of New Owner(s) X Randy W. Newton
or Claimant(s) X Dennis L. Newton

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

WARRANTY DEED

##31442MC

For Value Received

LEE G. ELLIS and FAYE CHAILLE ELLIS, husband and wife

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

**RANDY W. NEWTON and CONNIE C. NEWTON, husband and wife, and
DENNIS L. NEWTON, a single man**
Address: 1250 North 400 West
Paul, Idaho 83347

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

**SECTION 31, T4S, R2E, S4, SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 31: E $\frac{1}{2}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Water Adjudication Nos. 36-10048, 36-07611 and 36-07830.

SUBJECT TO:

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

Taxes for 1999 and subsequent years.

Power Line Easement given by w. Kaye Young and Mary Young, husband and wife, to Idaho Power Company, a corporation, dated November 2, 1977, recorded July 25, 1978 as Instrument No. 135690, Lincoln County records.

Power Line Easement given by Steven D. Young, Marin Young, Roy M. Young and Cheryl Young, to Idaho Power Company, a corporation, dated April 23, 1993, recorded August 4, 1993 as Instrument Number 157173, Lincoln 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.

STATE OF IDAHO		166860
COUNTY OF LINCOLN		
Recorded at the request of		
Land Title		
MAY 12 1999		
at _____ minutes past 2 P. M.		
recorded by _____		
Fee: 6.00 Return to _____		

**COOPERATIVE WILDLIFE HABITAT-
FARMING DEVELOPMENT AGREEMENT**

04-01-2000

**ISSUED BY BLM TO
NEWTON BROTHERS**

COOPERATIVE WILDLIFE HABITAT-FARMING DEVELOPMENT AGREEMENT

THIS AGREEMENT, entered into this 1st day of April, 2000, by and between the Idaho Department of Fish and Game, acting by and through its Director, hereinafter referred to as the Department and the Bureau of Land Management, acting by and through its Field Office Manager, hereinafter referred to as BLM, and Newton Brothers c/o Newton of 1250 North 400 West Paul, Idaho 83347 (telephone 532-4552) referred to as LESSEE.

WITNESSETH:

WHEREAS, the Department and BLM have entered into a cooperative agreement under the authority of the Sikes Act (Public Law 93-452) on those lands known as Shoshone Wildlife Tracts: Area L-18 and further described as follows:
Public Lands: Township 6 South, Range 23 East, Section 32, S1/2NW1/4, NW1/4NE1/4

Private Lands: None

WHEREAS, the Department and BLM desire to have portions of the above-described lands to produce wildlife habitat.

WHEREAS, LESSEE is willing, capable and desires to farm said lands and to comply with the promises herein contained.

NOW, THEREFORE, the parties to this agreement in consideration of the mutual benefits accruing under this agreement to each of them, hereby covenant, contract and agree:

The term length of this agreement shall begin 1 April, 2000, and end 30 December 2004.

LESSEE agrees to do the following:

1. To farm approximately 60 acres of the above-described lands, as shown in attachment A item 1 according to the following farming schedule:
Regular crop rotation; potatoes to be grown no more than twice during the term of this agreement.
2. In exchange for the above farm production values received, to provide 20 acres of irrigated wildlife habitat, as shown in attachment A item 2.
3. To maintain wildlife habitat areas and any food patches in good condition as shown in attachment A, item 2 & 3.
4. In those years that grain is grown, an unharvested strip of grain shall be left throughout the winter in such amounts and locations as shown in attachment A, item NA.
5. In those years that grain is grown, stubble or stubble mulch will be left as shown in attachment A, item 4.
6. To till and in all respects cultivate the farmland of the above-described premises during the term of this lease in a good and farmlike manner and agree to pay all costs associated with the farming operations of these lands.
7. To maintain all existing ditches, canals, laterals, and sprinkling systems in such condition as to provide for maximum flow of waters therein.
8. To use only pesticides and herbicides which have been approved beforehand by the Department and BLM, and to use these in such a manner as to not damage wildlife habitat and still effectively control noxious weeds in the areas shown in attachment A, item 5.
9. To maintain all fences and not to graze any wildlife habitat and to immediately remove any trespass livestock from said lands as shown in attachment A, item 6.
10. To not assign this agreement without written permission from the Department or BLM.
11. To immediately notify BLM of any wildfire on the agreement area or adjacent BLM lands.

12. To indemnify, save harmless and defend the Department and BLM from any and all liability, claims, loss, cost, damage or expenses arising by reason of any personal injury including any person or damage to any property of whatsoever ownership occurring on the described lands arising in connection with his use or occupation thereof

13. All water applied on lands administered by the BLM shall consist of ground water or surface waters which have been delivered to the place of use for irrigation purposes. No water applied on the public lands contained in this agreement shall originate on, or be part of, an effluent or waste disposal system.

14. Title to any water rights established for use on federal land in connection with this agreement shall be held solely by the United States for the term of the authorization. The LESSEE shall bear all the costs of establishing such rights solely in the name of the United States that are required under state law. Use of this water rights(s) shall be conducted consistent with state law. Failure of the LESSEE to remain in compliance with any portion of this stipulation to the satisfaction of the BLM will result in the automatic termination of this permit in accordance with 43 CFR 2920.9-3, unless BLM in its sole discretion elects otherwise in writing.

15. Evidence of application with the Idaho State Department of Water Resources (IDWR) rights associated with this agreement must be submitted to the BLM within two months. As soon as IDWR action on the water application has been taken, the LESSEE shall notify the BLM Authorized Officer and provide a copy of the IDWR water authorization, or will accept termination of the Sikes Act agreement if IDWR rejects the application for water.

16. Upon expiration, non-renewal or termination of this agreement, the BLM agrees to allow water rights associated with this agreement to be transferred off of federal land and to confer title of said water rights to the LESSEE. The LESSEE shall not assume title to any places of use which describe federal land. All costs incurred for seeking such transfer shall be borne by the LESSEE. Any water rights or portions thereof not transferred off of federal land shall be forfeited. The United States shall be released and held harmless from loss, injury, damage and/or reduction in value to the herein described water rights should this agreement expire, not be renewed, terminate according to its terms, or the state not allow transfer of any portion of the right(s) and is forfeited.

It is mutually agreed and understood by LESSEE, the Department and BLM that:

1. Any personnel of the Department or BLM shall have the right to enter and pass across the hereinabove described lands at any time and that at no time shall the public in general be excluded from the lands as shown in attachment A, item 7 for the purpose of lawful hunting or other recreational purposes which do not conflict with the wildlife habitat-farming development.

2. This agreement may be terminated or cancelled due to noncompliance with the terms of this agreement or to a reclassification of BLM lands on Area # L-18 as a result of a change in national need. Any noncompliance as determined by the Department Director and BLM District Manager or their duly authorized agents will be just cause for cancellation or termination of all provisions of this agreement and trespass action may be taken by BLM.

3. If LESSEE's use of the public lands, should cease, whether voluntarily or involuntarily, LESSEE will rehabilitate, at his own expense, all public lands used for irrigated agricultural crops and lands must be seeded to a mixture of perennial grasses, forbs and shrubs specified by the BLM Field Office Manager.

4. The law of the landlord and tenant as construed by the courts of the State of Idaho shall apply to this agreement and that any strip or waste committed by LESSEE shall void this agreement upon the option of the Department and BLM.

5. This agreement may be reviewed by all parties annually prior to the use season. The terms of this agreement may be amended by mutual consent of all parties hereto. Any mutually accepted changes will be drafted by the Department, signed by all parties and attached hereto and will become legal and binding parts of the agreement.

6. Idaho Code, Section, 36-1604--Limitation of Liability of Landowner--will apply to the land herein described (see attached.)

7. This agreement and all of the terms and covenants hereof shall not expire to the benefit of and be binding upon the heirs, assigns, or other successors in the interest of the respective parties hereto during the pendency of the Cooperative Wildlife Habitat-Farming Development Agreement.

on above mentioned lands.

8. All Federal lands involved in this agreement will not be subject to any Federal subsidized program, either direct or indirect, including but not limited to set-aside, soil bank, ASCS cost sharing; nor will Federal acreage be used in determining "normal crop acreage" (NCA), unless mutually agreed upon by LESSEE, BLM and the Department.

9. The measured boundaries and/or acreages referred to in attachment A are approximate and do not prohibit subsequent adjustments of said measurements upon legal survey; provided, however, such adjustments will not alter previously established acreage ratios between irrigated wildlife habitat and crop land as enumerated, herein.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement as of the last date written below.

IDAHO DEPARTMENT OF FISH AND GAME

By Carl H. Nelson

Regional Supervisor

Date: 03-23-00

BUREAU OF LAND MANAGEMENT

By [Signature]

Field Office Manager

Date: 3/30/00

LESSEE Newton Brothers By

Merri L. Newton Partner

Date: 4-7-00

ATTACHMENT A
COOPERATIVE WILDLIFE HABITAT-FARMING DEVELOPMENT COOPERATIVE
AGREEMENT

SHOSHONE WILDLIFE TRACT L - 18

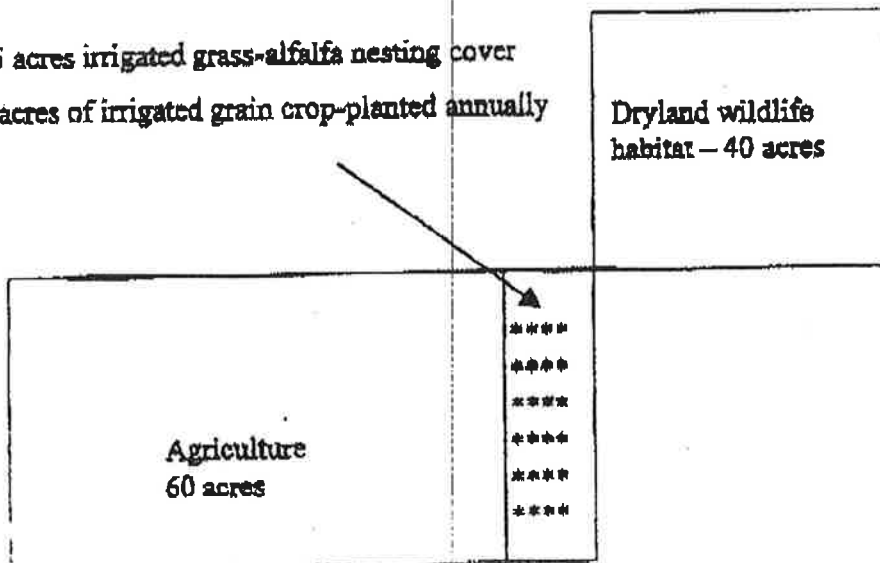
Cooperator: Newton Brothers

Dates: April 1, 2000 to December 30, 2004

<u>Item</u>	<u>Acres</u>	<u>Treatment</u>
1	60	Agriculture on public land
2	20	Irrigated wildlife habitat on public land
3	5	Annual wheat planting (located within item 2)
4	60	Grain stubble or stubble mulch
5	120	Noxious weed control
6	120	Grazing prohibited
7	120	Public hunting

* 15 acres irrigated grass-alfalfa nesting cover

* 5 acres of irrigated grain crop-planted annually



AMENDMENT TO COOPERATIVE WILDLIFE HABITAT-FARMING
DEVELOPMENT AGREEMENT

Cooperator - Newton Brothers

Dates: April 1, 2000 to December 30, 2004

Newton Brothers agrees:

1. That the wildlife habitat areas are established solely to benefit wildlife and no personal gain is expected from these areas.
2. To properly prepare and plant the 40 acres of dryland wildlife habitat during the year 2000 with a seed mixture furnished by the BLM.
3. Construct 1 mile of fence around the dryland wildlife habitat and a ¼ mile of fence protecting the east boundary of the irrigated wildlife habitat. Fence construction to be completed in 2001.
4. To prepare the soil and plant 15 acres of irrigated grass-alfalfa within the irrigated wildlife habitat during the year 2000.
5. To prepare the soil and plant 5 acres of irrigated wheat within the irrigated wildlife habitat during the year 2000 and each year during the term of this agreement. Provide the wheat seed for the annual wheat planting.

The Bureau of Land Management agrees to provide the following:

1. Public land (120 acres) for this cooperative agreement.
2. Seed for planting the 40 acres of dryland wildlife habitat. Coordinate with IDFG in providing seed for planting the 15 acres of grass-alfalfa mixture.
3. A rangeland drill for seeding the dryland wildlife habitat if one is available.
4. Coordinate with IDFG to provide fencing materials.

The Idaho Department of Fish and Game agrees to provide the following:

1. Personnel to monitor this cooperative agreement.
2. Cooperate with BLM in providing seed and fencing materials for this project.

Carl H. Neel

Idaho Department of Fish and Game

03-23-00

Date

[Signature]

Bureau of Land Management
Newton Brothers By

3/30/00

Date

Newton Brothers

Lessee

4-7-00

Date

36-1604. Limitation of liability of landowner. - (a) Statement of Purpose. The purpose of this section is to encourage owners of land to make land and water areas available to the public without charge for recreational purposes by limiting their liability toward persons entering thereon for such purposes.

(b) Definitions. As used in this section:

1. "Land" means private or public land, roads, trails, water, watercourses, irrigation dams, water control structures, headgates, private or public ways and buildings, structures, and machinery or equipment when attached to or used on the realty.
2. "Owner" means the possessor of a fee interest, a tenant, lessee, occupant or person in control of the premises.
3. "Recreational Purposes" includes, but is not limited to, any of the following or any combination thereof: Hunting, fishing, swimming, boating, rafting, tubing, camping, picnicking, hiking, pleasure driving, nature study, water skiing, animal riding, motorcycling, snowmobiling, recreational vehicles, winter sports, and viewing or enjoying historical, archeological, scenic, or scientific sites, when done without charge of the owner.

(c) Owner Exempt from Warning. An owner of land owes no duty of care to keep the premises safe for entry by others for recreational purposes, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes. Neither the installation of a sign or other form of warning of a dangerous condition, use, structure, or activity, nor any modification made for the purpose of improving the safety of others, nor the failure to maintain or keep in place any sign, other form of warning or modification made to improve safety, shall create liability on the part of an owner of land where there is no other basis for such liability.

(d) Owner Assumes No Liability. An owner of land or equipment who either directly or indirectly invites or permits without charge any person to use such property of recreational purposes does not thereby:

1. Extend any assurance that the premises are safe for any purpose.
2. Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.
3. Assume responsibility for or incur liability for any injury to person or property caused by an act of omission of such persons.

(e) Provisions Apply to Leased Public Land. Unless otherwise agreed in writing, the provisions of this section shall be deemed applicable to the duties and liability of an owner of land leased to the state or any subdivision thereof for recreational purposes.

(f) Owner Not Required to Keep Land Safe. Nothing in this section shall be construed to:

1. Create a duty of care or ground of liability for injury to persons or property.
2. Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this section to exercise care in his use of such land and in his activities thereon, or from legal consequences or failure to employ such care.
3. Apply to any person or persons who for compensation permits the land to be used for recreational purposes.

(g) User Liable for Damages. Any person using the land of another for recreational purposes, with or without permission, shall be liable for any damage to property, livestock or crops which he may cause while on said property. [I.C., § 36-1604, as added by 1976, ch. 95 § 2, p. 315; am. 1980, ch. 161, § 1, p. 349; am. 1988, ch. 230, § 1, p. 443; am. 1988, ch. 336, § 1, p. 1002.]

COOPERATIVE WILDLIFE HABITAT- FARMING DEVELOPMENT AGREEMENT

03-14-1995

ISSUED BY BLM TO
LEE G. ELLIS

03/13/98

10:14

2083275400

BLM-SHOSHONE

0004/009

**COOPERATIVE WILDLIFE HABITAT-FARMING
DEVELOPMENT AGREEMENT**

THIS AGREEMENT, entered into this 14 day of March, 19 95, by and between the Idaho Department of Fish and Game, acting by and through its Director, hereinafter referred to as the Department and the Bureau of Land Management, acting by and through its District Manager, hereinafter referred to as BLM, and Lee G. Ellis of P.O. Box 158 Fielding, Utah 84311, hereinafter referred to as LESSEE.

WITNESSETH:

WHEREAS, the Department and BLM have entered into a cooperative agreement under the authority of the Silt Act (Public Law 93-452) on those lands known as Shoshone Isolated Tracts Isolated Tracts: Area L-18 and further described as follows:

Public Lands: T6S, R23E, Section 32, 31/4NW1/4, NW1/4NE1/4

Private Lands: None

WHEREAS, the Department and BLM desire to have portions of the above-described lands agreed to produce wildlife habitat.

WHEREAS, LESSEE is willing, capable and desires to farm said lands and to comply with the promises herein contained.

NOW, THEREFORE, the parties to this agreement in consideration of the mutual benefits accruing under this agreement to each of them, hereby covenant, contract and agree:

The term length of this agreement shall begin April 1, 19 95, and end April 1, 2000.

LESSEE agrees to do the following:

1. To farm approximately 60 acres of the above-described lands, as shown in Attachment A according to the following farming schedule:

Not to exceed two rows of grain and sorghum of any kind in the next five years. No fall plowing, disking, or burning of stubble on public land, unless winter wheat is grown. stubble left at 12 inches tall.

2. In exchange for the above farm production values received, to provide 60 acres of irrigated permanent wildlife habitat as shown in attachment A, item 2.

3. To maintain wildlife habitat areas in good condition as shown in attachment A, item 3 with sufficient irrigation to produce 24 inch height of nesting cover.

4. To replace wildlife habitat shown in Attachment A, item 2 if determined necessary by the Department and BLM. Seed will be provided by the Department and BLM.

03/13/96 10:34 20888447117

BLM-BOZEMAN

4005/009

5. To till and in all respects cultivate the farmland of the above-described premises during the term of this lease in a good and farm-like manner and agree to pay all costs associated with the farming operations of these lands.

6. To maintain all existing ditches, canals, laterals, and sprinkling systems in such condition as to provide for maximum flow of waters therein.

7. To use only pesticides and herbicides which have been approved beforehand by the Department and BLM, and to use these in such a manner as to not damage wildlife habitat and still effectively control noxious weeds in areas shown in attachment A, items 1 and 2.

8. To maintain all fences and not to graze any grain scabbie or any wildlife habitat and to immediately remove any trespass livestock from said lands shown in attachment A, items 1 and 2.

9. To not assign this agreement without written permission from the Department or BLM.

10. To immediately notify BLM of any wildfire on the agreement area or adjacent BLM lands.

11. To indemnify, save harmless and defend the Department and BLM from any and all liability, claims, loss, cost, damage or expenses arising by reason of any personal injury including death to any person or damage to any property of whatsoever ownership occurring on the hereinabove described lands arising in connection with his use or occupation thereof.

It is mutually agreed and understood by LESSEE, the Department and BLM that:

1. Any personnel of the Department or BLM shall have the right to enter and pass across the hereinabove described lands at any time and that at no time shall the public in general be excluded from the lands as shown in attachment A, items 1 and 2 for the purpose of lawful hunting or other recreational purposes which do not conflict with the wildlife habitat farming development.

2. This agreement may be terminated or cancelled due to noncompliance with the terms of this agreement or to a reclassification of BLM lands on Area # 1-18 as a result of a change in national need. Any noncompliance as determined by the Department Director and BLM District Manager or their duly authorized agents will be just cause for cancellation or termination of all provisions of this agreement and trespass action may be taken by BLM.

3. If LESSEE defaults on this agreement or fails to renew it within 12 months of the expiration date, LESSEE will rehabilitate, at his own expense, all public lands used for irrigated agricultural crops. The lands must be seeded to a mixture of perennial grasses, forbs and shrubs specified by the BLM District Manager.

4. The law of the landlord and tenant as construed by the courts of the State of Idaho shall apply to this agreement and that any strip or waste committed by LESSEE shall void this agreement upon the

10:38

EP2088887317

BLM-SHOSEHONE

option of the Department and BLM.

5. This agreement may be reviewed by all parties annually prior to the use season. The terms of this agreement may be amended by mutual consent of all parties hereto. Any mutually accepted changes will be drafted by the Department, signed by all parties and attached hereto and will become legal and binding parts of the agreement.

6. Idaho Code, Section, 36-1604—Limitation of Liability of Landowner—will apply to the land herein described (see attached.)

7. This agreement and all of the terms and covenants hereof shall/should ~~shall~~ (strike one) ensure to the benefit of and be binding upon the heirs, assigns, or other successors in the interest of the respective parties hereto during the pendency of the Cooperative Wildlife Habitat-Farming Development Agreement on above mentioned lands.

8. All Federal lands involved in this agreement will not be subject to any Federal subsidization program, either direct or indirect, including but not limited to conservation, soil bank, and other programs. Nor will Federal acreage be used in determining "normal crop acreage" (NCA), unless mutually agreed upon by LESSEE, BLM and the Department.

9. The measured boundaries and/or acreage referred to in attachment A are approximate and do not prohibit subsequent adjustments of said measurements upon legal survey; provided, however, such adjustments will not alter previously established acreage ratios between irrigated wildlife habitat and crop land as contemplated herein.

03/13/98 10:28 TR2083275400

BLX-SHOSHO

0007/008

36-1504. LIMITATION OF LIABILITY OF LANDOWNER. (a) **Statement of Purpose.** The purpose of this section is to encourage owners of land to make private land and water areas available to the public without charge for recreational purposes by limiting their liability toward persons entering thereon for such purposes.

(b) **Definitions.** As used in this section:

1. "Land" means private land, roads, water, watercourses, private ways and buildings, structures, and machinery or equipment when attached to the realty.
2. "Owner" means the possessor of a fee interest, a tenant, lessee, occupant or person in control of the premises.
3. "Recreational Purposes" includes, but is not limited to, any of the following or any combination thereof: Hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, winter sports, and viewing or enjoying historical, archeological, scenic, or scientific sites, when done without charge of the owner.

(c) **Owner Exempt from Warning.** An owner of lands owes no duty of care to keep the premises safe for entry by others for recreational purposes, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes.

(d) **Owner Assumes No Liability.** An owner of land who either directly or indirectly invites or permits without charge any person to use such property for recreational purposes does not thereby:

1. Extend any assurance that the premises are safe for any purpose.
2. Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.
3. Assume responsibility for or incur liability for any injury to person or property caused by or as a result of omission of such persons.

(e) **Provisions Apply to Leased Public Land.** Unless otherwise agreed in writing, the provisions of this section shall be deemed applicable to the duties and liability of an owner of land leased to the state or any subdivision thereof for recreational purposes.

(f) **Owner not Required to Keep Land Safe.** Nothing in this section shall be construed to:

1. Create a duty of care or ground of liability for injury to persons or property.
2. Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this section or from legal consequences or failure to employ such care.
3. Apply to any person or persons who for compensation permits the land to be used for recreational purposes.

(g) **User Liable for Damages.** Any person using the land of another for recreational purposes, with or without permission, shall be liable for any damage to property, livestock or crops which he may cause while on said property.

10:25 2083867317

BLM-SPOKANE

40005/000

IN WITNESS WHEREOF, the Parties hereto have executed this agreement as of the last date written below.

DEPARTMENT OF FISH AND GAME

By Carl J. Hill
REGIONAL SUPERVISOR
Date: 03-07-95

BUREAU OF LAND MANAGEMENT

By David A. Tye
Date: 3-07-95

LESSEE

Lee J. Ellis
Date: Feb. 18, 1995

03/13/99 10:36

20804507317

BLK-2000000000

0000000000

ATTACHMENT A

COOPERATIVE WILDLIFE HABITAT-FARMING AGREEMENT

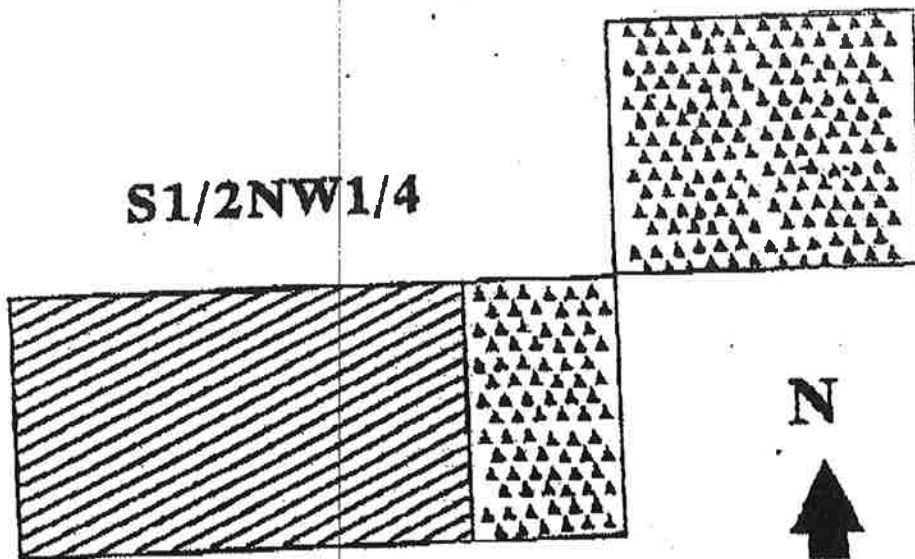
Shoshone Isolated Tract L-13
Cooperator: Lee Ellis
Dates: April 1, 1995 to April 1, 2000

Item	Acres	Symbol	Treatment
1	60		Agriculture on public land
2	60		Irrigated wildlife habitat on public land

T6S, R23E, Section 32

NW1/4NE1/44

S1/2NW1/4



Do

RECEIVED

NOV 30 1999

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS

) Water Rights 36-07830, 36-07830A
) and 36-07830B

~~Section 32 - For 119 Acre~~ *Should Be For T.O.G.S. R 23E*
~~Of Ground~~

IDWR has completed the following Administrative Proceeding:

- ☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☒ Yes ☐ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☒ No

Water Right(s): 36-07830, 36-07830A and 36-07830B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
10/22/1999

36-07830, 36-07830A and 36-07830B

PAGE 1

From (Claimant/Seller):

Water Right Number: 36-07830

Name of Claimant: CHAILLE B ELLIS
LEE G ELLIS
Address: PO BOX 158
FIELDING UT 84311
Phone: (801) 458-3516

To (Claimant/Purchaser):

Water Right Number: 36-07830A

Name of Claimant: LEE G ELLIS
CHAILLE B ELLIS
Address: PO BOX 158
FIELDING UT 84311
Phone: (801) 458-3516

Water Right Number: 36-07830B

Name of Claimant: RANDY W NEWTON
CONNIE C NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

Name of Claimant: RANDY W NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

Name of Claimant: CONNIE C NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

Name of Claimant: DENNIS L NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

CERTIFICATE OF MAILING

I certify that on 11/19/1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

CHAILLE B ELLIS
LEE G ELLIS
PO BOX 158
FIELDING UT 84311
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

LEE G ELLIS
CHAILLE B ELLIS
PO BOX 158
FIELDING UT 84311

RANDY W NEWTON
CONNIE C NEWTON
1250 N 400 W
PAUL ID 83347

DENNIS L NEWTON
1250 N 400 W
PAUL ID 83347
4. One Copy to:
Each party in the subcase, or attorney of record:

US DEPT OF JUSTICE
ENVT & NAT RESOURCES DIV
550 W FORT ST MSC 033
BOISE ID 83724

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
10/22/1999

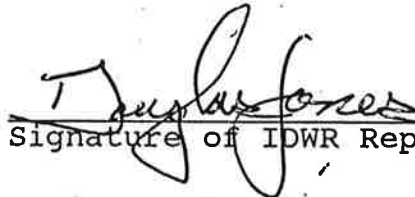
36-07830, 36-07830A and 36-07830B

PAGE 4

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

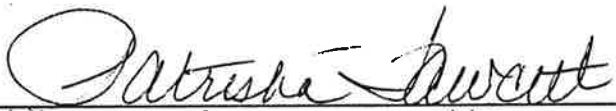
DATED: 11/5/99



Signature of IDWR Representative

CHAILLE B & LEE G ELLIS
PO BOX 158
FIELDING UT 84311

5. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
6. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: OCT-22-1999
PAGE: A-2

RIGHT NUMBER: 36-07830

SPLIT RIGHT: SEE RIGHT NOS. 36-07830A AND 36-07830B.

Wong. Newton Brothers
HAS LEASE ON THIS BLNR
Ground

AJ5856NP

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

DATE: OCT-22-1999
PAGE: A-7

RIGHT NUMBER: 36-07830A

NAME & ADDRESS: LEE G ELLIS
CHAILLE B ELLIS
PO BOX 158
FIELDING UT 84311

SOURCE: GROUNDWATER

QUANTITY: 0.67 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07611A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.67 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 476 AF.

PRIORITY DATE: 11/09/1978

POINT OF DIVERSION: T06S R23E S31 SWNE Within LINCOLN County
SENE
NESE
NWSE

POINT OF DIVERSION IS IN CENTER OF E1/2 OF S31, T6S, R23E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	0.67 CFS

PLACE OF USE:	IRRIGATION	Within LINCOLN County		
	T06S R23E S32	NWNE 39	SWNW 40	SENE 40
	119 ACRES TOTAL			

USE OF THIS RIGHT WITH RIGHT NO. 36-07611A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 119 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 33 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 36-07611A, 36-07611B AND 36-07830B ARE ALSO
DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

AJ5856NP

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

DATE: OCT-22-1999
PAGE: A-8

RIGHT NUMBER: 36-07830B

NAME & ADDRESS: RANDY W NEWTON
CONNIE C NEWTON
DENNIS L NEWTON
1250 N 400 W
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.71 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07611B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.29 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF.

PRIORITY DATE: 11/09/1978

POINT OF DIVERSION: T06S R23E S31 SWNE Within LINCOLN County
SENE
NESE
NWSE

POINT OF DIVERSION IS IN CENTER OF E1/2 OF S31, T6S, R23E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	1.71 CFS

PLACE OF USE:	IRRIGATION	Within LINCOLN County			
	T06S R23E S31	NENE 37	NWNE 39	SWNE 40	SENE 37
		NESE 40	NWSE 39	SWSE 39	SESE 39
	310 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-07611B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 86 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT NO. 36-07611A, 36-07611B AND 36-07830A ARE ALSO DIVERTED
THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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: A36-10048
Date Received: 5/31/1988
Receipt No: S000295

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEE G. ELLIS
Address: P. O. BOX 158
FIELDING, UT 84311
AND/OR
Name: CHAILLE B. ELLIS
Address: FIELDING, UT 84311

2. Date of Priority: APR 01, 1983

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	23E	31	SW	NE			LINCOLN
			SE	NE			LINCOLN
			NE	SE			LINCOLN
			NW	SE			LINCOLN

5. Description of diverting works:

16" X 280' WELL, 350 HP. MOTOR, TAP ON MAINLINE TO 350 GAL. TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	03/15	11/15	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC - ONE MOBILE HOME FOR SUMMER FARM HELP.

A36-10048

Page 1

Date: 05/31/88

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: A36-07830
Date Received: 5/31/1988
Receipt No: 5000295

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

801-458-3516

1. Name: LEE G. ELLIS
Address: P. O. BOX 158
FIELDING, UT 84311

AND/OR
Name: CHAILLE B. ELLIS
Address: FIELDING, UT 84311

2. Date of Priority: NOV 09, 1978

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	23E	31	SW	NE			LINCOLN
			SE	NE			LINCOLN
			NE	SE			LINCOLN
			NW	SE			LINCOLN

5. Description of diverting works:
16" X 280' WELL, 350 HP MOTOR, 75 HP BOOSTER, 7 HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.380		

7. Total Quantity Appropriated is:
2.380 C.F.S. (and/or) 476.00 A.F.A.

8. Total consumptive use is 342.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07830

Page

1

Date: 05/31/88



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 18, 1999

RANDY W NEWTON
CONNIE C NEWTON
DENNIS L NEWTON
1250 N 400 W
PAUL ID 83347

RE: SRBA Claim(s) 36-07830, 36-07611

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Lee and Chaille Ellis

1999 NOV 19 PM 12: 46

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS

Water Rights 36-07830, 36-07830A
and 36-07830B

IDWR has completed the following Administrative Proceeding:

<u> </u>	Change of Address
<u>X</u>	Substitution of Party
<u> </u>	I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☒ No

Water Right(s): 36-07830, 36-07830A and 36-07830B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
10/22/1999

36-07830, 36-07830A and 36-07830B

PAGE 1

From (Claimant/Seller):

Water Right Number: 36-07830

Name of Claimant: CHAILLE B ELLIS
LEE G ELLIS
Address: PO BOX 158
FIELDING UT 84311
Phone: (801) 458-3516

To (Claimant/Purchaser):

Water Right Number: 36-07830A

Name of Claimant: LEE G ELLIS
CHAILLE B ELLIS
Address: PO BOX 158
FIELDING UT 84311
Phone: (801) 458-3516

Water Right Number: 36-07830B

Name of Claimant: RANDY W NEWTON
CONNIE C NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

Name of Claimant: RANDY W NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

Name of Claimant: CONNIE C NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

Name of Claimant: DENNIS L NEWTON
Address: 1250 N 400 W
PAUL ID 83347
Phone: (208) 532-4552

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
10/22/1999

36-07830, 36-07830A and 36-07830B

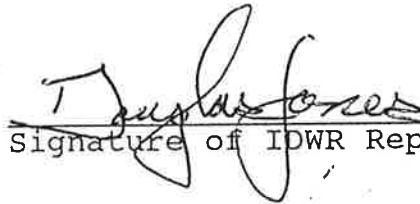
PAGE 2

COBY

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 11/5/99



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/19/1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

CHAILLE B ELLIS
LEE G ELLIS
PO BOX 158
FIELDING UT 84311
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

LEE G ELLIS
CHAILLE B ELLIS
PO BOX 158
FIELDING UT 84311

RANDY W NEWTON
CONNIE C NEWTON
1250 N 400 W
PAUL ID 83347

DENNIS L NEWTON
1250 N 400 W
PAUL ID 83347
4. One Copy to:
Each party in the subcase, or attorney of record:

US DEPT OF JUSTICE
ENVT & NAT RESOURCES DIV
550 W FORT ST MSC 033
BOISE ID 83724

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
10/22/1999

36-07830, 36-07830A and 36-07830B

PAGE 4

CHAILLE B & LEE G ELLIS
PO BOX 158
FIELDING UT 84311

5. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
6. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

RIGHT NUMBER: 36-07830

SPLIT RIGHT: SEE RIGHT NOS. 36-07830A AND 36-07830B.

AJ5856NP

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

DATE: OCT-22-1999
PAGE: A-7

RIGHT NUMBER: 36-07830A

NAME & ADDRESS: LEE G ELLIS
CHAILLE B ELLIS
PO BOX 158
FIELDING UT 84311

SOURCE: GROUNDWATER

QUANTITY: 0.67 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07611A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.67 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 476 AF.

PRIORITY DATE: 11/09/1978

POINT OF DIVERSION: T06S R23E S31 SWNE Within LINCOLN County
SENE
NESE
NWSE

POINT OF DIVERSION IS IN CENTER OF E1/2 OF S31, T6S, R23E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	0.67 CFS

PLACE OF USE:	IRRIGATION	Within LINCOLN County
	T06S R23E S32	NWNE 39
	119 ACRES TOTAL	SWNW 40
		SENE 40

USE OF THIS RIGHT WITH RIGHT NO. 36-07611A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 119 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 33 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 36-07611A, 36-07611B AND 36-07830B ARE ALSO
DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

AJ5856NP

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

DATE: OCT-22-1999

PAGE: A-8

RIGHT NUMBER: 36-07830B

NAME & ADDRESS: RANDY W NEWTON
CONNIE C NEWTON
DENNIS L NEWTON
1250 N 400 W
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.71 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07611B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.29 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF.

PRIORITY DATE: 11/09/1978

POINT OF DIVERSION: T06S R23E S31 SWNE Within LINCOLN County
SENE
NESE
NWSE

POINT OF DIVERSION IS IN CENTER OF E1/2 OF S31, T6S, R23E.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03-15 11-15	1.71 CFS

PLACE OF USE:	IRRIGATION	Within LINCOLN County			
	T06S R23E S31	NENE 37	NWNE 39	SWNE 40	SENE 37
		NESE 40	NWSE 39	SWSE 39	SESE 39
	310 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-07611B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 86 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT NO. 36-07611A, 36-07611B AND 36-07830A ARE ALSO DIVERTED
THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

RECEIVED
MAY 17 1999
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) R36-07611, R-36-07830, 36-10048
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION,
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Lee G. Ellis and Faye Chaille Ellis
P. O. Box 158, Fielding, Utah 84311
4. New Owner/Claimant(s) Randy W. Newton & Connie C. Newton, and Dennis L. Newton
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address 1250 North 400 West
City, State and ZIP Code Paul, Idaho 83347
New Telephone Number (208) 532 - 4552
5. Date you acquired the property May 11, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Randy W. Newton Connie C. Newton Date 5-11-99
Theresa L. Newton Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

For Value Received

LEE G. ELLIS and FAYE CHAILLE ELLIS, husband and wife

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

**RANDY W. NEWTON and CONNIE C. NEWTON, husband and wife, and
DENNIS L. NEWTON, a single man**
Address: 1250 North 400 West
Paul, Idaho 83347

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

**TOWNSHIP 6 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 31: E $\frac{1}{2}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Water Adjudication Nos. 36-10048, 36-07611 and 36-07830.

SUBJECT TO:

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

Taxes for 1999 and subsequent years.

Power Line Easement given by w. Kaye Young and Mary Young, husband and wife, to Idaho Power Company, a corporation, dated November 2, 1977, recorded July 25, 1978 as Instrument No. 135690, Lincoln County records.

Power Line Easement given by Steven D. Young, Marin Young, Roy M. Young and Cherlyn Young, Grantors to Idaho Power Company, a corporation, dated April 23, 1993, recorded August 4, 1993 as Instrument Number 157173, Lincoln 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.

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>land title</i>	166860
MAY 12 1999	
at _____ minutes past <i>2P</i> M	
recorded by <i>Dee E. Smith</i>	

Lee G. Ellis
Lee G. Ellis

Faye Chaille Ellis
Faye Chaille Ellis

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 11th day of May, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared LEE G. ELLIS and FAYE CHAILLE ELLIS, 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.

[Signature] [Signature]

Larry Roberts
Notary Public
State of Idaho

Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

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

August 6, 1999 3:59pm

CUSTOMER

DENNIS NEWTON 36-07611, 36-07830, 36-10048

SUBJECT: Wrong Township ??

phone call (x) walk-in (.)

Said he'd received a letter from Trish he thought, (although we couldn't find anything) telling him that 36-10048 had a wrong place of use, showed T07S but is actually T06S. He wondered if his other two irrigation rights had the same problem? I checked around and found that 36-10048 is indeed wrong, but has been partially decreed. Karilynn from the SO said Sharla Curtis had recently completed an ownership change from Ellis to Newton, but that the error in the POU had once again slipped by. She said she would ask around and find the best way to fix it and the SO would take care of it...

As for the two irrigation rights, the subcases have been STAYED so Trish will do the ownership change on them. Their legals seem to be correct but they will need to be split...

RECEIVED

MAY 01 1998

Department of Water Resources
Southern Region

1998 APR 23 AM 9:52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

SOUTHERN
DOUG

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

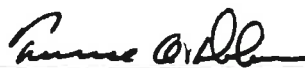
) Subcases: 36-07611 and 36-07830
)
) AMENDED ORDER SETTING
) TRIAL DATE
)

At a Status Conference held on November 13, 1997, the parties represented to the court that a *Standard Form 5* would be filed on or before December 12, 1997. As of this date, a *Standard Form 5* has not been received. Therefore, IT IS ORDERED that a trial is set for the above subcases as follows:

DATE: Wednesday, May 6, 1998 at 9:00 am

LOCATION: SRBA District Courthouse
253 Third Avenue North
Twin Falls, Idaho

DATED April 23, 1998.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **AMENDED ORDER SETTING TRIAL DATE** was mailed April 23, 1998, with sufficient first-class postage prepaid as follows:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Lee and Faye Chaille Ellis
PO Box 158
Fielding, UT 84311

Unites States Dept. of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724


Deputy Clerk

RECEIVED

MAY 01 1998

Department of Water Resources
Southern Region

RECEIVED

APR 14 1998

Department of Water Resources
Adjudication Bureau

4-13
1998 APR 13 AM 8:33
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcases: 36-07611 and 36-07830
)
) ORDER SETTING TRIAL DATE
)
)

At a Status Conference held on November 13, 1997, the parties represented to the court that a *Standard Form 5* would be filed on or before December 12, 1997. As of this date, a *Standard Form 5* has not been received. Therefore, IT IS ORDERED that a trial is set for the above subcases as follows:

DATE: Tuesday, May 6, 1998 at 9:00 am

LOCATION: SRBA District Courthouse
253 Third Avenue North
Twin Falls, Idaho

DATED April 13, 1998.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

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Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Lee and Faye Chaille Ellis
PO Box 158
Fielding, UT 84311

Unites States Dept. of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724


Deputy Clerk

NOTICE OF PLEDGE

STATE OF IDAHO
Department of Water Resources
Statehouse
Boise, Idaho 83720

Loan No. 0620201-200
and 0620214-400

RECEIVED

AUG 08 1997

Attention: Reclamation Engineer

Department of Water Resources
Southern Region

Please be notified that Lee G. Ellis and Faye Chaille Ellis, also known as Chaille B. Ellis have this date executed a Mortgage in favor of the Federal Land Bank Association of Utah, FLCA, covering certain land in Lincoln County, State of Idaho, together with all of the Mortgagor's right to use the following:

Water User No. 36-07611 and 36-07830 for Irrigation purposes

The said Mortgage, given to secure a promissory note of even date, was recorded

May 27, 1997, in the office of the County Recorder of the above referenced
County, as Instrument No. 162319.

Please file this notice with your records of the above referenced and direct notice of any intended change of the place of use or other change which materially affects the beneficiary's security interest in the said rights to the Federal Land Bank Association of Utah, FLCA, 406 West South Jordan Parkway (Suite 500), South Jordan, Utah 84095

Dated: May 20, 1997

FEDERAL LAND BANK ASSOCIATION OF UTAH,
FLCA

By: _____
Kenneth L. Wright
Lending Operations Manager

Lee G. Ellis
Lee G. Ellis

Faye Chaille Ellis aka Chaille B. Ellis
Faye Chaille Ellis aka Chaille B. Ellis

RECEIPT IS HEREBY ACKNOWLEDGED THIS 8th DAY OF AUGUST, 1997.

DEPARTMENT OF WATER RESOURCES

BY: Irish Sweet

Department of Water Resources
San Diego, California

NOV 18 1988

RECEIVED

H-45143
06-025-0018, 0019

FIRST AMERICAN TITLE COMPANY OF UTAH
DBA HILLAM TITLE AGENCY
26 North Tremont
Tremonton, Utah 84337
Phone: (801) 257-0128
Telefax: (801) 257-0129

RECEIVED

AUG 08 1997

Department of Water Resources
Southern Region

NUMBER OF
PAGES TO
FOLLOW

: 1

DATE

: 08/08/97

TIME

: 12:15 P.M.

LOCATION

: DEPT. OF WATER RESOURCES

FAX NUMBER

: 1-208-736-3037

~~TO~~ From

: ~~CORY~~ Trish Fawcett

~~FROM~~ TO

: BRENT KIRKLAND

MESSAGE

: CORY: AS PER OUR CONVERSATION, PLEASE ACKNOWLEDGE RECEIPT
OF THE "NOTICE OF PLEDGE" AND FAX ME BACK A COPY. I
WILL FORWARD IT ON TO THE FEDERAL LAND BANK ASSOC. OF UT.
THANK YOU FOR ALL YOUR HELP IN THIS MATTER. BRENT

Brent - Federal Land Bank Assn
of Utah has been added as
lienholder to adjudication claims.
If you need anything else please
call - Trish

Department of the Interior
Bureau of Land Management

APR 18 1981

100-100000-100000

TRANSMISSION VERIFICATION REPORT

TIME : 08/08/1997 15:13
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

08/08 15:13
918012570129-540044
00:00:48
02
OK
STANDARD
ECM

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

08/08/97 14:58:20

Page 1

Water Right Number - 36-07830

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

ELLIS

CHAILLE B

1 - PO BOX 158

2 -

3 -

City- FIELDING

State- UT Zip- 84311

Phone - 801-458-3516

1 - PO BOX 158

2 -

3 -

City- FIELDING

State- UT Zip- 84311

Phone - 208-000-0000

ELLIS

LEE G

*** L - LEINHOLDER ***

FEDERAL LAND BANK ASSN OF UTAH FLCA

1 - 406 W SOUTH JORDAN PARKWAY

2 - SUITE 500

3 -

City- SOUTH JORDAN

State- UT Zip- 84095

Phone - 208-000-0000

+ - - Priority Date - - +
11/09/1978

+ - - - Region - - - +
ERROR IN REGION

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

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

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

06S 23E 31 SW NE (63) LINCOLN
SE NE (63) LINCOLN
NE SE (63) LINCOLN
NW SE (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 2.380

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.380 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

06S	23E	31	NE NE		37.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	NW NE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SW NE		40.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SE NE		37.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	NE SE		40.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	NW SE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SW SE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SE SE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	32	NW NE		39.0	01	IRRIGATION	(63) LINCOLN

"DO NOT FILM"

Water right number - 36-07830

Prefix Translation: WATER RIGHT

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	23E	32	SW NW		40.0	01	IRRIGATION	(63) LINCOLN
06S	23E	32	SE NW		40.0	01	IRRIGATION	(63) LINCOLN

Total Acres: 429.0

+ - - Diversion Means - 16" X 280' WELL, 350 HP MOTOR, 75 HP BOOSTER, 7 HANDLINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A36-07611

GEN P/D IN CENTER OF E1/2 OF S31, T6S, R23E.
USE OF THIS RIGHT WITH RIGHT NO. 36-07611 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.96 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1716 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 1287 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 429 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07611 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 119 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Old Water Right Numbers -
No Old Water Right Numbers Found

Conditions of Approval -
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

Comments -
Date: 03/07/1991 User Id: SCHOLER Subject: STATUS OF OWNERSHIP
FROM REMARKS ON CLAIM: LAND IS OWNED BY BLM. LAND IS LEASED TO IDAHO FISH AND GAME DEPT., WHICH SUB-LEASES IT TO US. HALF THE
LAND IS FARMED AND HALF IS WATERED FOR WILDLIFE COVER.
NOTE: ORIGINAL LEASE RAN FROM OCTOBER 25, 1978 TO OCTOBER 25, 1988.
Date: 01/03/1996 User Id: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.
*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS.
Date: 08/08/1997 User Id: TFAWCETT Subject: LIENHOLDER ADDED
FEDERAL LAND BANK OF UT ADDED AS LIENHOLDER PER NOTICE OF PLEDGE.

Audit Fields - - +
08/08/97 TFAWCETT

DO NOT FILM

AJ0743NP
(00-124)

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

08/08/97 14:58:21
Page 3

Water right number - 36-07830

Prefix Translation: WATER RIGHT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 04/30/1993	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 08/16/1993	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/31/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000295	Water District	-
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

"DO NOT FILM"

AJ0749NP
No. 36-07830

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

DATE: 08/08/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHAILLE B ELLIS PO BOX 158 FIELDING UT 84311 (801) 458-3516	11/09/1978	IRRIGATION	04-01 10-31	2.38 CFS	
TOTAL DIVERSION:					2.38 CFS	

C LEE G ELLIS
PO BOX 158
FIELDING UT 84311

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R23E S31 SWNE SENE NESE NWSE LINCOLN County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
06S	23E	31	:	37		39	40	37	:					:					:	40	39	39	39	:	310.0
06S	23E	32	:			39			:		40	40		:					:					:	119.0
																					TOTAL ACRES			429.0	

POU County: LINCOLN

Other Rights: A36-07611

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: GEN P/D IN CENTER OF E1/2 OF S31, T6S, R23E.
USE OF THIS RIGHT WITH RIGHT NO. 36-07611 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.96 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1716 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 1287 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 429 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07611 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 119 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date: 04/30/1993

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

"DO NOT FILM"

NO. OF CLAIMS IN POLYGON 2
CLAIM NUMBERS 36-7611
36-7830
(Combined PPU.)

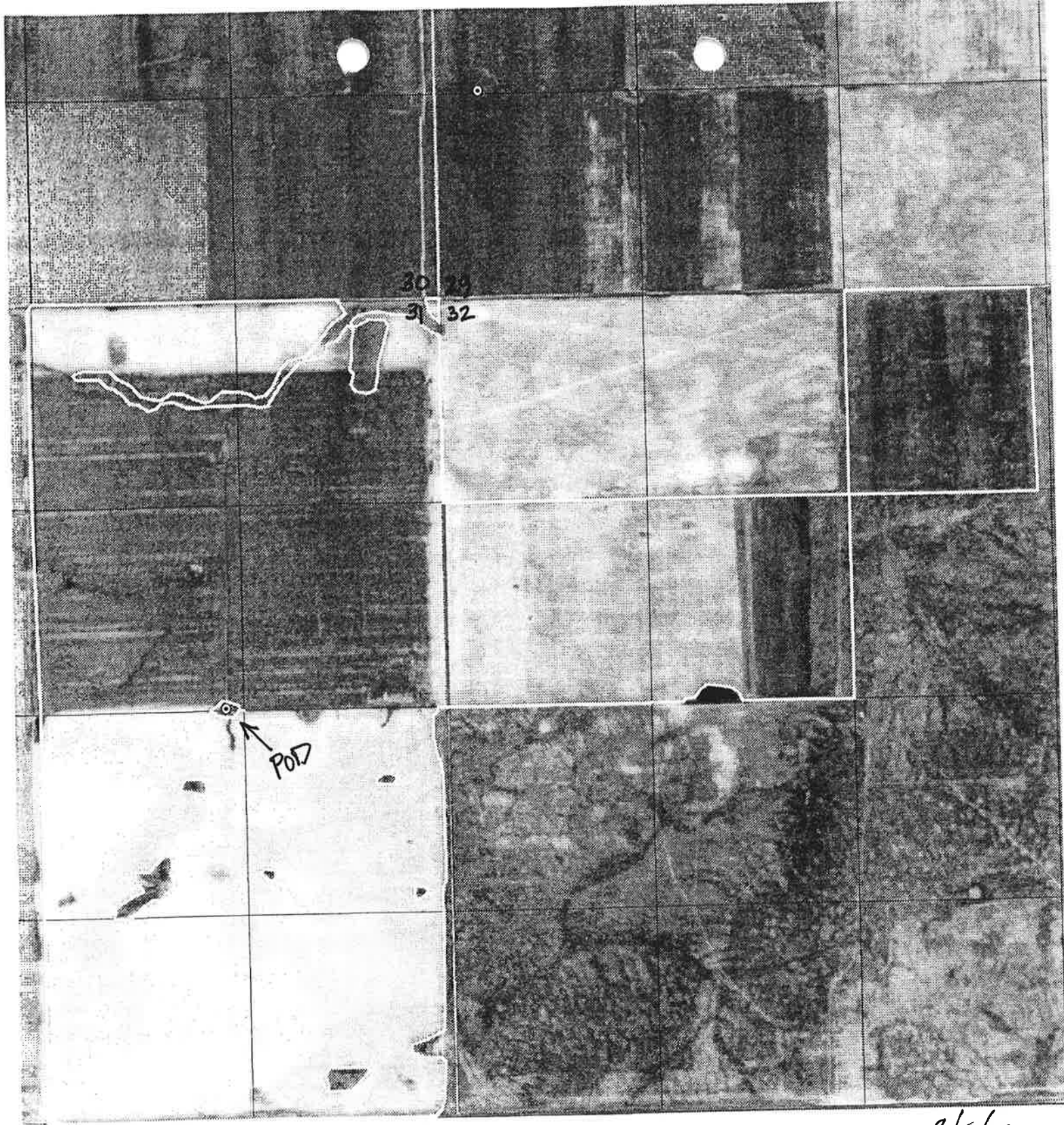
DATE 7/22/97
AGENT see

TRANSFER NUMBER _____
OBJECTION FILED YES (7830)
TOTAL ACRES FROM RECOMMENDATION 429
GEOGRAPHIC INFO SYSTEM 422

RIGHT NO				NE				NW				SW				SE				w/in 5'
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	65	23E	31	37	39	40	37									40	39	39	39	310
GIS				~~28~~ 35	38	40	40									38	39	40	36	306
RECOM			32		39					40	40									119
GIS					37					40	39									116
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED
B36-DBPOU.DBF 7/22
B36-DBPOD.DBF _____
POLYGON # _____
ATTRIBUTES OF B36-POU.SHP (209) 7/22/97 see
ATTRIBUTES OF B36-POD.SHP (221) 7/22/97 see
Recommendation lists 4 Q-Q with POD in Center. To follow current Dept. policy only one Q-Q is selected based on the GIS view.
*POD: S.31 SESWNE

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



↑
NORTH

↑
POU

8/5/97 su

36-07611
36-07830

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. 36-07830 -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: US BUREAU OF LAND MANAGEMENT
Address: DEPT OF INTERIOR
3380 AMERICANA TERRACE
BOISE ID 83706

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

9. ☒ Place of Use: I respond to the objection concerning:
9a. ☒ The legal description of the place of use.
11. ☒ Remarks: I respond to the objection concerning the
"remarks" listed with the water right.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 9, 9a., and 11 and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is used pursuant to this right are owned by the United States. IDWR further lacks sufficient information to form a belief as to whether the claimant's use of any lands owned by the United States is subject to conditions imposed by the United States. IDWR denies that any terms of any agreement between the United States and the claimant regarding use of land owned by the United States are appropriately included in the description of the water right. IDWR denies the objection and all allegations of the objection

not expressly admitted herein.

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. A36-07830

3

(Over)

MICROFILMED
OCT 20 1994

CCF 7 2003
MICROFILMED

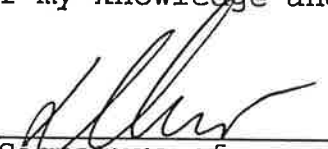
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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

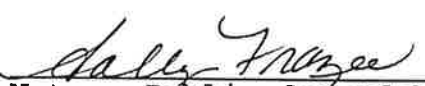


Signature of person filing response

By: 

(Attorney signing in
representative capacity)

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



Notary Public for Idaho
Residing at: Boise ID
My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name: CHAILLE B & LEE G ELLIS
Address: PO BOX 158
FIELDING UT 84311

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: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

RECEIVED
APR 30 1993
Department of Water Resources
Adjudication Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-07830
(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,

36-07830 -0001/
93-04-0357

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.

(Over)

OBJECTION - 1

MICROFILMED

OCT 20 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of the land
upon which this water right is claimed.

2. Owner of the water right:

Name: claimant CHAILLE B. ELLIS
LEE G. ELLIS
Address: P.O. BOX 158
FIELDING, UTAH 84311

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U. S. Department of Justice
500 West Fort Street
Box 33
Boise, Idaho 83734

Attorney Phone No.: 202-272-4134/8351

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.

(Over)

- RECEIVED
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.

Boxes 9, 9a, and Box 11 were checked because the Place of Use includes federal land. The claimant has a conditional right to irrigate that land.

CHANGES TO THE DIRECTOR'S REPORT

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

The Directors report should be changed to reflect in the remarks section that irrigation use of the federal land located within the claimants Place(s) of Use, described as, T06S R23E S32 (NWNE) 39.0, (SWNW) 40.0, and (SENW) 40.0, are conditioned upon the maintenance of an applicable agreement(s) between the claimant and the Bureau of Land Management.

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

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

VERIFICATION (Must be Completed)

State of Idaho

County of Lincoln

MARY C. GAYLORD, SHOSHONE DIST. MANAGER, 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 of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 27th day of April,
1993.


Notary Public for Lincoln County
Residing at: Shoshone, Idaho
My Commission expires: July 1, 1994

(Over)

OBJECTION - 5

MICROFILMED
OCT 20 1994

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 30 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: CHAILLE B. ELLIS
LEE G. ELLIS
Owner's address: P.O. BOX 158
FIELDING, UTAH 84311

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
500 West Fort Street
Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
1993

Water Right Number - R36-07830

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

ELLIS

LEE G.

1 - P.O. BOX 158

2 -

3 -

City- FIELDING

State- UT Zip- 84311

Phone - 801-458-3516

ELLIS

CHAILLE B.

1 - P.O. BOX 158

2 -

3 -

City- FIELDING

State- UT Zip- 84311

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/09/1978 ERROR IN REGION L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

Twn	Rng	Sec	Tract	Lot	RFlg	County
06S	23E	31	SW NE		(63)	LINCOLN
06S	23E	31	SE NE		(63)	LINCOLN
06S	23E	31	NE SE		(63)	LINCOLN
06S	23E	31	NW SE		(63)	LINCOLN

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	2.380	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.380 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	23E	31	NE NE		37.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	NW NE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SW NE		40.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SE NE		37.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	NE SE		40.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	NW SE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SW SE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	31	SE SE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	32	NW NE		39.0	01	IRRIGATION	(63) LINCOLN
06S	23E	32	SW NW		40.0	01	IRRIGATION	(63) LINCOLN
06S	23E	32	SE NW		40.0	01	IRRIGATION	(63) LINCOLN

MICROFILMED
FEB 05 1993

Water right number - R36-07830

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 429.0

+ - - Diversion Means - 16" X 280' WELL, 350 HP MOTOR, 75 HP BOOSTER, 7 HANDLINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A36-07611

+ - - - - - Remarks - - - - -

P/D IN CENTER OF E1/2 OF S31, T6S, R23E.
USE OF THIS RIGHT WITH RIGHT NO. 36-07611 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.96 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1716 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 1287 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 429 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07611 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 119 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

No Old Water Right Numbers Found

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

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - - Decree Date - +

00/00/0000

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

Date: 03/07/1991 User Id: SCHOLER Subject: STATUS OF OWNERSHIP
FROM REMARKS ON CLAIM: LAND IS OWNED BY BLM. LAND IS LEASED TO IDAHO FISH AND GAME DEPT., WHICH SUB-LEASES IT TO US. HALF THE
LAND IS FARMED AND HALF IS WATERED FOR WILDLIFE COVER.
NOTE: ORIGINAL LEASE RAN FROM OCTOBER 25, 1978 TO OCTOBER 25, 1988.

+ - - Audit Fields - - +

11/26/91 WORSTELL

+ - - - - - 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	- 11/26/1991	Old Judicial District	-
Claim Received Date	- 05/31/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000295	Water District	-
		POU Ownership Flag	- N	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C

MICROFILMED
FEB 05 1993

Water right number - R36-07830

Prefix Translation: RESEARCH

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

Notice of Error Flag -

MICROFILMED
FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:30:01
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07830

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	N	NONE	NONE	N	6	BH2 3-6-91	BH2 3-7-91	BH2 3-7-91
POINT OF DIV	YN	NONE	NONE	N	1,2, 6	BH2 3-6-91		
SOURCE	N	NONE	NONE	N	6	BH2 3-6-91		
PLACE OF USE	N	NONE	NONE	N	1,2, 6	BH2 3-6-91		
DIV. AMOUNT CFS/VOLUME	N	NONE	NONE	N	6	BH2 3-6-91		
CONSUMPTIVE USE	-	NONE	NONE	Y	6	BH2 3-6-91		
PURPOSES	N	NONE	NONE	N	6	BH2 3-6-91		
PERIOD OF USE	N	NONE	NONE	N	6	BH2 3-6-91		
BASIS OF CLAIM	N	NONE	NONE	N	6	BH2 3-6-91		
REMARKS	Y							

"VERIFIED BY" CODES

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

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

RECEIVED 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:30:01
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07830

LAST: ELLIS
ADDRESS: P.O. BOX 158
CITY: FIELDING
PHONE NUMBER: 801-458-3516

FIRST: LEE G.
STATE: UT ZIP: 84311

OWNER CODE: C

LAST: ELLIS
ADDRESS: P.O. BOX 158
CITY: FIELDING
PHONE NUMBER: 208-000-0000

FIRST: CHAILLE B.
STATE: UT ZIP: 84311

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS RT. WHEN COMBINED WITH RT 36-7611 SHALL NOT EXCEED 5.96 CFS.
P/D IS IN CENTER OF E1/2, S31, T6S, R23E.
LAND IS OWNED BY B.L.M. LAND IS LEASED TO IDAHO FISH & GAME
DEPT., WHICH SUB-LEASES IT TO US. HALF THE LAND IS FARMED AND
HALF IS WATERED FOR WILDLIFE COVER. ~~LEASE~~ LEASE EXPIRED 10/88

MICROFILMED
FEB 05 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:

MICROFILMED
FEB 05 1993

A. AJ CLAIM: # A36-07830 ✓ PRIORITY DATE: 11-09-1978 ✓ STAGE: L ✓
B. WR RECORD: # 36-07830 ✓ PRIORITY DATE: 11-09-1978 ✓ STAGE: L ✓

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINER

BAI

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

REMARKS: SAME AS LICENSED

RECOMMENDED PRIORITY DATE:

11-09-1978

REVIEWED BY

Burke H. Scholer

DATE

3-6-91

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FEB 05 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07830 ✓	06S	23E	31		SW	NE		LINCOLN
A36-07830	06S	23E	31		SE	NE		LINCOLN
A36-07830	06S	23E	31		NE	SE		LINCOLN
A36-07830	06S	23E	31		NW	SE		LINCOLN

} OK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-10048 NONE
A36-07611

WR RECORDS IN SAME 40 ACRE TRACT
36-07611

SOURCE: GROUNDWATER ✓

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07830	06S	23E	31		SW	NE		LINCOLN
36-07830	06S	23E	31		SE	NE		LINCOLN
36-07830	06S	23E	31		NW	SE		LINCOLN
36-07830	06S	23E	31		NE	SE		LINCOLN

} OK

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-10048 ✓ NONE
A36-07611 ✓

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
ON
N

FIELD
EXAMINER
BWS

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REMARKS:

POINT OF DIVERSION IS LISTED IN THE LICENSE AS SHOWN (CENTER OF E $\frac{1}{2}$ OF SEC 31). TO DETERMINE WHICH $\frac{1}{4}$ $\frac{1}{4}$ THE POD IS ACTUALLY IN WOULD NOT BE FEASIBLE AND WE DO NOT WANT TO SPECULATE AS IT IS NOT POSSIBLE TO MAKE THE DETERMINATION FROM ANY THING WE HAVE AVAILABLE IN THE OFFICE. THE DISCREPANCY SHOWN ON PAGE 4 BETWEEN WR + AD RECORD IS THE ORDER OF THE $\frac{1}{4}$ $\frac{1}{4}$ SHOWN. THIS IS NO PROBLEM.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
06S	23E	31	---	NW	SE	---	LINCOLN
06S	23E	31	---	NE	SE	---	LINCOLN
06S	23E	31	---	SW	NE	---	LINCOLN
06S	23E	31	---	SE	NE	---	LINCOLN

SOURCE: GROUNDWATER
TRIB:

REVIEWED BY:

Donna H. Schuler

DATE:

3-6-91

A. ROOT WATER RIGHT NUMBERS: A36-07830

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	23E	32	NW	NE		ELLIS , LEE G. J.R. SIMPLOT CO. KERBS , WILLIAM	A36-07830 /39.0	36-07830 /39.0 36-02620 /40.0 36-04006 /40.0	42.0		39.0
06S	23E	32	SW	NW		ELLIS , LEE G. KERBS , WILLIAM	A36-07830 /40.0	36-07830 /40.0 36-04006 /40.0	41.0		40.0
06S	23E	32	SE	NW		ELLIS , LEE G. KERBS , WILLIAM	A36-07830 /40.0	36-07830 /40.0 36-04006 /40.0	40.0		40.0
TOTAL ACRES							A36-07830	119.00	119.00	123.00	119.0

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
EXAMINER

N

BH2

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 119

REVIEWED BY: BH2

DATE: 2-6-91

A. AJ CLAIMED USES:

PURPOSES MONTH/DAY
A36-07830 IRRIGATION FROM 03-15 TO 11-15
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.380 CFS
2.380 CFS 476.00 AF/A

B. WR RECORDED USES:

PURPOSES MONTH/DAY
36-07830 IRRIGATION FROM 03-15 TO 11-15
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.380 CFS 476.00 AF/A
2.380 CFS 476.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

SAME AS LICENSED

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.380 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.380 CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

☒ N

dk

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B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-07611

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE ☒

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE

ACRES 119 x 0.02 CFS/ACRE = 2.38 CFS
(Taken from p/u review)

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 = 342.0 AF/A [?] ✓

ACRES 119 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 357 AF/A - *RECOMMENDED*

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 476.00 AF/A

ACRES 119 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 476 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

D.2 Cons. USE CHANGED FROM 342 AF/A TO 357 AF/A (342 IN ERROR) SEE CALCULATIONS

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION ✓	03-15 11-15 ✓	DATABASE EXAMINER 2.380 ✓ <u>BK2</u>	DATABASE EXAMINER <u>476.00</u> ✓ <u>BK2</u>	DATABASE EXAMINER 342.0 <u>BK2</u>
TOTAL FOR THIS RIGHT		2.380 ✓	<u>476.00</u> ✓	~~342.0~~ 357 (3.0 x 119)

REVIEWED BY:

Burke H. Scholten

DATE:

3-6-91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07830

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.380 ✓

EXAMINER
BH2

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07830 ✓	2.380	R36-07830	2.38	36-07830 ✓	2.380 ✓
	TOTAL CFS	2.380				2.380

DIVERSION RATE REVIEW

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

DATABASE
Y ✓

FIELD
EXAMINER
BH2

REMARKS:

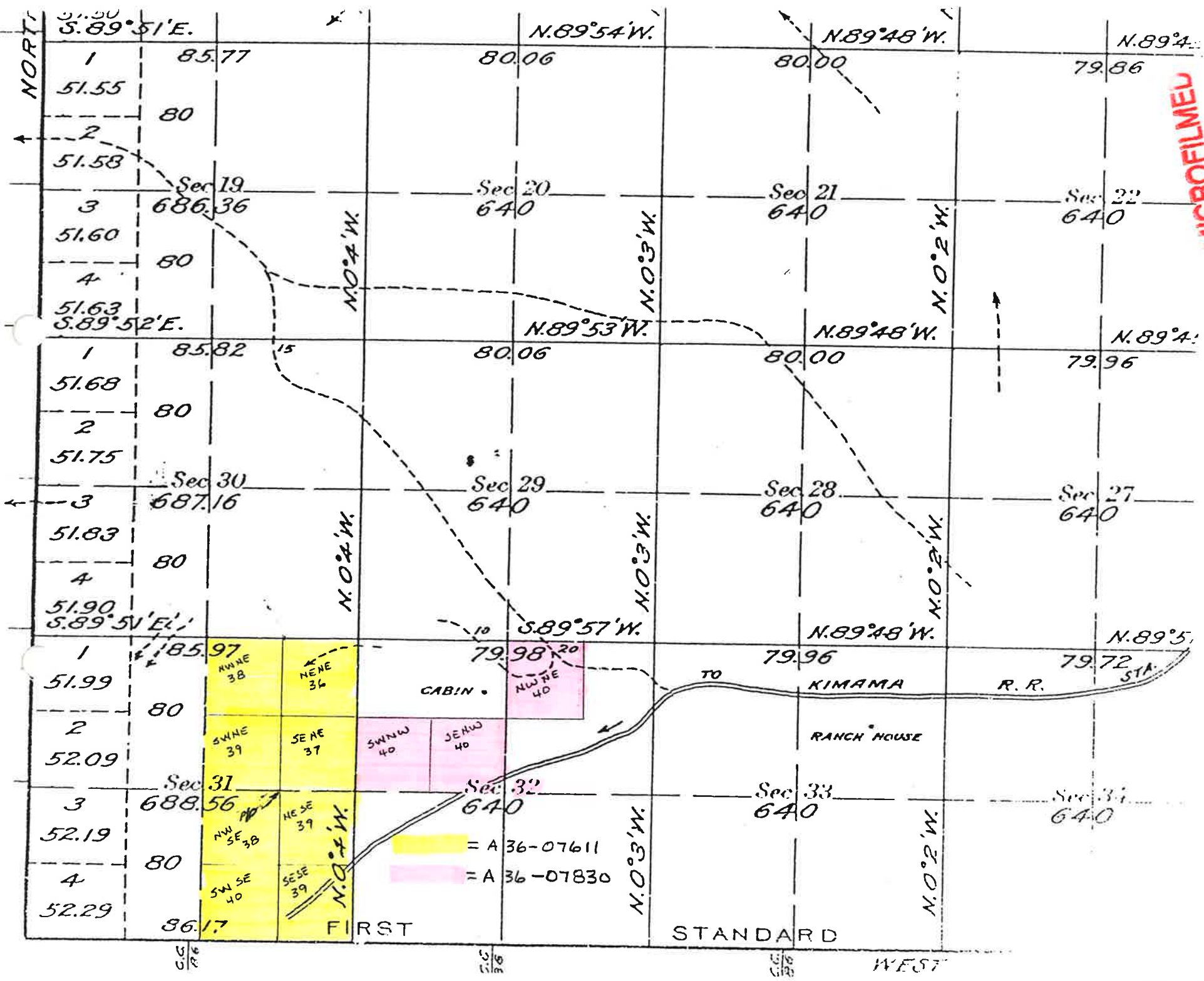
AUTHENTICATION:

SIGNATURE: Bruce A. Schuler

DATE: 3-7-91

NAME OF FIELD EXAMINER: _____ TITLE: _____

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FEB 05 1993





R23E

NW NE

SW NE

phon

NW SE

SW SE

T
6
S

N
S

NORTH

ROAD

= A36-07611

= A36-07830

LINCOLN CO

LINCOLN CO

MINDOKA CO

KIMAMA

Corral

ROAD

UNION

BM 4290

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FEB 19 1993

Form 219
2/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

36-7830

Permit No.

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made:
(List Telephone No. used)

☐ Appointment scheduled for:
(Date, time, location)

6/27/80 ADM 532-4151

6/27/80 ADM
11:00 a.m. @ ranch house

EXAMINATION

Date 6/27/80

Accompanied by W. Kaye Young

Total Q measured

5.96 cfs ✓

If source is surface water, estimate total flow of source

Methods of measurement

Pressure gauge & nozzle orifice

Meets Permit requirements?

Yes

Measurement calculations:

192 heads with 1/8" nozzles, average pressure of 33 psig ⇒ 499 gpm
512 heads with 9/64 nozzles, average pressure of 52 psig ⇒ 2176 gpm
Q_{Total} = 2675 gpm
= 5.96 cfs

Allow 2.38 ✓ (1" per acre on 119 acres)

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
@ Well	350	G.E.	CN3330011	Verti-Line	37772775	Badge Meter	Meter Broken	
Booster	75	Century	0686	Pacific	1AKP8P34024	M0645B47		

System Description Pumping plant delivers to a portable mainline network which supplies water to 22 1/4 mile handlines; 16 with 9/64" nozzles and 6 with 1/8" nozzles.
Approx. 435 Acres are irrigated by the system.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation requirement = 4.0

Q (cfs)

2.38 ✓

V (afa)

476.0 ✓

FAA/Acre

FROM

3-15

TO

11-15

Irrig.

Total

2.38 ✓

476.0 ✓

3-15

11-15

Remarks

Same system supplies water to mt. 36-7611
(These lands covered by 16 handlines with 9/64" nozzles)

Vol. = (119 Acres) (4.0 Afa/Acre) = 476.0 Afa or
2.38 cfs x 245 days x 1.9835 = 1156.6

Pressure @ pump was 72 psig.

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Overlap Review for 36-7830

License 36-7611 gw P/O Center of E 1/2 Sec 31
T65 R23E
(same well) ✓
 $\frac{5.96 \text{ cfs}}{316 \text{ AC}} = .019 \text{ cfs/AC}$

P/O see attached
license copy
(different lands) ✓

OK
jim Recommend licensing 36-7830 at
.02 cfs/AC & limiting both rights
combined to system capacity.

RC 11/3/82
jim
11-5-82

NOTE: Modifications to or variance from this license must be made in accordance with the applicable Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby authorized is restricted to the lands or place described herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, arrived at Boise, Idaho, this 2nd day of December, 1982.

Director

MICROFILMED
FEB 05 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7611 Priority February 25, 1977 Amount 5.96 cfs

THIS IS TO CERTIFY, that W. KAYE & MARY G. YOUNG & THE TRAVELERS INSURANCE CO.
of Portland, Oregon has complied with the terms and conditions of Permit
No. 36-7611 issued pursuant to Application for Permit dated February 25, 1977
and has submitted proof to the Department of Water Resources on November 9, 1978
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.96 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use as
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 15 to October 15	at 5.96 cfs and	1264 acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 5.96 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1264 acre feet per year, said waters to be diverted within the NE1/4, SW1/4, SE1/4,
NW1/4, Sec. 31, Twp. 6S, Rge. 23E, B.M. in the County of Lincoln

Description and location of place of use:

Description and location of place or site																			
Twp.	Range	Sec.	1/4				1/2				3/4				Total				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	23E	31	39	39	40	40									40	40	29	39	316
										</									

Total number of acres irrigated 316

REMARKS: (Point of diversion in center of E1/4 of Sec. 31, Twp. 6S, Rge. 23E.)

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is resuscitated and appurtenant to its lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, Office of Water Resources, Idaho, this

December

1981

Director

MICROFILMED

FEB 05 1993