

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: A37-00529
Date Received: 8/02/1989
Receipt No: S008739
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL JESSEN 208-764-2636
Address: RT. 1 BOX 1215
FAIRFIELD, ID 83327

2. Date of Priority: JUN 18, 1883

3. Source: LITTLE DEER CREEK Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	15E	31	NW	NE	SW		CAMAS

5. Description of diverting works:
PUMP AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	15E	31	NE	SW		IRR	10.0

Section Acres 10.0

Total Acres 10.0

A37-00529

Page 1

Date: 08/02/89

MICROFILMED
FEB 23 1993

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
A37-00530

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

MICROFILMED
FEB 23 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Michael Jensen Date: 8/12/89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2ND day
of Aug 19 89
Seal

Steve Cell
Notary Public

Residing at Twin Falls
My Commission Expires Dec 7/1994

of NE 1/4 of Sec. 32, E 1/2 of SE 1/4 of Sec. 32, and W 1/2 of SW 1/4 of Sec. 33, T. 3 N., R. 18 E., containing 520 acres.

Packard, John Q., et al. (See Annie I. Miller, et al.)

Parke, Albert SE 1/4 of NE 1/4 of Sec. 22, T. 1 S., R. 21 E.

Parke, Thompson S 1/2 of NW 1/4 and Lots 3 and 4 of Sec. 3, T. 2 S., R. 21 E., containing 159.07 acres.

Payne Brothers,
partners.

NE 1/4 of Sec. 29, N 1/2 of SE 1/4, and SW 1/4 of SE 1/4 of Sec. 29, NW 1/4 of NW 1/4 of Sec. 28, and E 1/2 of SW 1/4 of Sec. 20, T. 2 S., R. 21 E., containing 400 acres.

Pearson, Elam

Lots 3 and 4 and E 1/2 of SW 1/4 of Sec. 31, T. 1 N., R. 15 E., containing 171.33 acres.

Peck, Charles M.

S 1/2 of NE 1/4 of Sec. 12, T. 5 S., R. 16 E., and SW 1/4 of NE 1/4, SE 1/4 of NW 1/4 and Lot 2, of Sec. 7, T. 5 S., R. 17 E., containing 165.14 acres.

Peck, George W.

N 1/2 of SW 1/4 of Sec. 32, T. 1 N., R. 15 E.

Peck, Joseph B.

SW 1/4 of NE 1/4, W 1/2 of SE 1/4, and SE 1/4 of SW 1/4 of Sec. 12, T. 5 S., R. 16 E., containing 160 acres.

Peck, William H.

N 1/2 of SE 1/4, NE 1/4 of NW 1/4 and Lot 1, of Sec. 31, T. 1 N., R. 15 E., containing 164.77 acres.

Peck, W. J.

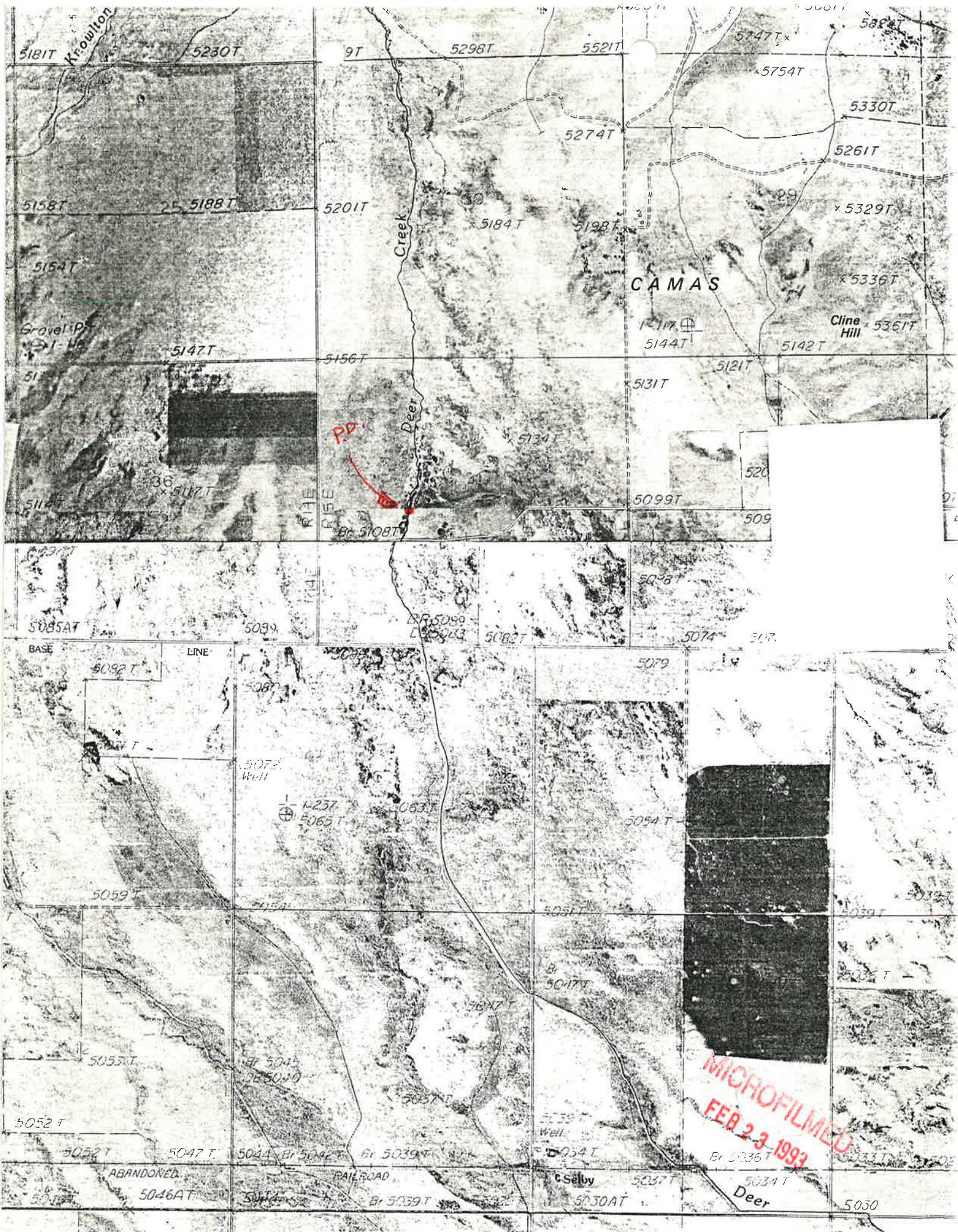
E 1/2 of SE 1/4 of Sec. 12, T. 5 S., R. 16 E., and part of Lot 4, of Sec. 7, T. 5 S., R. 17 E., containing 118.79 acres.

Peterlin, Charles

SW 1/4 of NW 1/4, N 1/2 of SW 1/4 of Sec. 26, T.

MICROFILMED
FEB 23 1993

37 0514	" "	30	"	45	Apr.	1, 1888	" "
37 0514	Nelson, Charles	c 160	"	47	May	1, 1889.-	Dyer Creek, a tributary of Upper Malad.
37 0515	Newhouse, R. A.	c 40	"	323	Aug.	2, 1909.-	Little Wood River.
	Nisson, Christian, and H.P. Johnson						(See Johnson, H. P. and Christian Nisson)
37 0516	Novinger, George B.	320	"	285	Oct.	20, 1902.-	Big Wood River.
37 0517	Novinger, Leonora G.	300	"	44	Oct.	20, 1902.-	" " "
37 0518	Olson, Peter	c 100	"	272	June	1, 1902.-	Soldier Creek.
37 0519	"	50	"	285	June	1, 1903.-	" "
37 0520	"	100	"	294	June	1, 1905.-	" "
37 0521	Osborn, Israel T.	B 400	"	418	June	1, 1886.-	Big Wood River.
37 0522	" "	350	"	463	May	4, 1889.-	" " "
37 0523	" "	300	"	177	May	21, 1890.-	" " "
	Packard, John Q., et al.						(See Annie I. Miller, Packard, et al.)
37 0524	Parke, Albert	B 80	"	204	May	12, 1893.-	Little Wood River.
37 0525	Parke, Thompson	B 110	"	45	May	5, 1883.-	" " "
							(Also shares in Little Wood River Canal Co.)
37 0526	Payne Brothers	B 140	"	✓	June	1, 1881.-	Silver Creek.
37 0527	"	109	"	19	Apr.	1, 1882.-	Little Wood River.
37 0528	"	40	"	83	June	10, 1883.-	" " "
							(Also shares in Little Wood River Canal Co.)
37 0529	Pearson, Elam	c 25	"	56	June	18, 1883.-	Little Deer Creek
37 0530	"	75	"	103	June	1, 1885.-	" " "
37 0531	Peck, Charles M.	L 140	"	793	May	1, 1905.-	Big Wood River.
37 0532	Peck, George W.	c All of	"	✓	July	1, 1880.-	Peck's Spring.
37 0533	Peck, Joseph B.	c 160 inches.	"	222	May	1, 1896.-	Big Wood River.
37 0534	Peck, William H.	c 12-1/2	"	44	May	9, 1883.-	Little Deer Creek
37 0535	"	150	"	31	July	5, 1884.-	" " "
		3212					
		6424					



COPY

RECEIVED DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED

2008 JUN 25 PM 12 05

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

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)

Subcase No. 37-529 37-530

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

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

Dated:

6/24/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/25, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Barber Family Associates LP
PO Box 1449
Edmonds WA 98020

Michael Jessen
89 Freedom Loop
Bellevue ID 83313



Signature of person or attorney mailing the form

06/23/2008

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

RIGHT NUMBER: 37-529

NAME AND ADDRESS: BARBER FAMILY ASSOC LP
PO BOX 1449
EDMONDS WA 98020

SOURCE: DEER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/18/1883

POINT OF
DIVERSION:

T01N R15E S31 NENESW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.100 CFS
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01N R15E S31 NESW 3.00	T01N R15E S31 Lot 3 NWSW 7.00	
	10 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 10 acres in a single irrigation season. Combined Right Nos.: 37-529 and 37-530.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

06/23/2008

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

RIGHT NUMBER: 37-530

NAME AND ADDRESS: BARBER FAMILY ASSOC LP
PO BOX 1449
EDMONDS WA 98020

SOURCE: DEER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T01N R15E S31 NENFSW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.100 CFS
PLACE OF USE:	<u>IRRIGATION</u> in CAMAS County		
	T01N R15E S31	NESW 3.00	T01N R15E S31 Lot 3 NWSW 7.00
	10 ACRES TOTAL		

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Notes

T1N R15E Section 31

- Found 10 acres.
- 6/5/06 – Tried to contact claimant by telephone, but listed number (208-764-2636) was disconnected. Sent letter to claimant, but letter was returned as undeliverable.
- 6/15/06 – Claimant contact failed. Recommended PPU for 10 acres and 0.2 cfs. More acres appear to be irrigated and the claimant appears to own 160 acres of decreed POU, so more water and acres might be available.
- Assuming accomplished transfers for POD, POU, and Source. Source change from Little Deer Creek tributary to Deer Creek, to Deer Creek tributary to Camas Creek.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

7/27/05/
Sec

37-529

37-530

POU: claim is for 10 Acres.

decre is for 160 in SW $\frac{1}{4}$

Appears there is irrigation South
of the road in the N $\frac{1}{2}$ SW $\frac{1}{4}$ S.31.
(see DOQQ Y71 NW 1992)

update process shows ~~1N~~ 15E AERIAL PHOTO
in sections - it shows irrigation in SW $\frac{1}{4}$
GIS AC = 133.1 Acres

Needs amendment to POB acres!

Source/POB: original POB in Sec. 19 is for
Little Deer Cr. Current POB is located
on Deer Cr. Change in POB & Source.

(Y21 topo)
(Y71 topo)

COPY

US District Court - Idaho
TWIN FALLS CO. IDAHO
FILED

2003 JUN 25 PM 12 05

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

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06/23/2008

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PO BOX 1449
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TRIBUTARY: CAMAS CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/18/1883

POINT OF
DIVERSION:

T01N R15E S31 NENESW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.100 CFS
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01N R15E S31 NESW 3.00	T01N R15E S31 Lot 3 NWSW 7.00	
	10 ACRES TOTAL		

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

06/23/2008

IDAHO DEPARTMENT OF WATER RESOURCES
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NAME AND ADDRESS: BARBER FAMILY ASSOC LP
PO BOX 1449
EDMONDS WA 98020

SOURCE: DEER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T01N R15E S31 NENESW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.100 CFS

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R15E S31

NESW

3.00

T01N R15E S31 Lot 3 NWSW

7.00

10 ACRES TOTAL

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

June 25, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

BARBER FAMILY ASSOCIATES LP
PO BOX 1449
EDMONDS WA 98020

RE: SRBA Claim(s) 37-529, 37-530

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

Enclosure

cc: Michael Jessen
89 Freedom Loop
Bellevue ID 83313

Form 42-24840-1408(0) July, 2000

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

RECEIVED

JUN 20 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>1-37-529 A</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>2-37-530 A</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY or SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Michael Jessen
4. New Owner/Claimant(s) Barber Family Associates LP
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 1449
- City, State and ZIP Code Edmonds, WA 98020
- New Telephone Number ☒ (206) 817-7013
5. Date you acquired the property June 18, 2008

Form 42-201/42-1400(5) July, 2000

6. If the change in ownership affects the entire water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Barber Family Associates, Limited Partnership
 Signature of New Owner(s) or Claimant(s) _____
 (include title if applicable) By: George E. Barber, President of Pacific
 Funding Corporation Managing General Partner
 of Barber Family Associates

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	Date _____	WR _____ Date _____

No. G080046

EXHIBIT "A"

PARCEL 1

TOWNSHIP 1 NORTH, RANGE 15 EAST, BOISE MERIDIAN, CAMAS
COUNTY, IDAHO

SECTION 31: LOTS 3 AND 4; SE1/4/SW1/4

PARCEL 2

TOWNSHIP 1 NORTH, RANGE 15 EAST, BOISE MERIDIAN, CAMAS
COUNTY, IDAHO

SECTION 31: NE1/4SW1/4

PARCEL 3

TOWNSHIP 1 NORTH, RANGE 15 EAST, BOISE MERIDIAN, CAMAS
COUNTY, IDAHO

SECTION 31: SE1/4

BFA

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

RECEIVED

JUN 20 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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 Incomplete forms will be returned.

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Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
1-37-529 A					
2-37-530 A					

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PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Michael Jessen
4. New Owner/Claimant(s) Barber Family Associates, LP
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address P.O. Box 1449
- City, State and ZIP Code Edmonds, WA 98020
- New Telephone Number ☒ ()
5. Date you acquired the property

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. **Barber Family Associates, Limited Partnership**
 Signature of New Owner(s) or Claimant(s) By: George E. Barber, President of Pacific
 (include title if applicable) Funding Corporation Managing General Partner
of Barber Family Associates

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

CAMAS TITLE
4:30:15 pm 06-18-2008
2008-081572
NO. PAGES: 2 FEE: \$6.00
ROLLIE BENNETT
COUNTY CLERK
DEPUTY: SHALTON

For Value Received and as Relinquished Property in a 1031 Tax Deferred Exchange

MICHAEL JESSEN, a married man as his sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

BARBER FAMILY ASSOCIATES, Limited Partnership

the grantee(s), whose current address is

P.O. BOX 1449, EDMONDS, WA 98020

the following described premises, to-wit:

See Attached Exhibit "A"

TOGETHER WITH THE WATER RIGHTS APPURTENANT THERETO, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

1-37-529 A Priority Date 06-18-1883 Diversion Rate 0.5 cfs

2-37-530 A Priority Date 06-01-1885 Diversion Rate 1.5 cfs

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

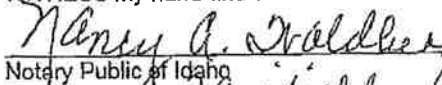
Dated: June 16, 2008

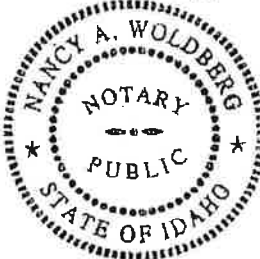

MICHAEL JESSEN

STATE OF IDAHO
COUNTY OF CAMAS

On This 16th day of June, in the year 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL JESSEN, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at 1 Fairfield
Commission Expires: 9-15-11



No. C080046

EXHIBIT "A"

PARCEL 1

TOWNSHIP 1 NORTH, RANGE 15 EAST, BOISE MERIDIAN, CAMAS
COUNTY, IDAHO

SECTION 31: LOTS 3 AND 4; SE1/4/SW1/4

PARCEL 2

TOWNSHIP 1 NORTH, RANGE 15 EAST, BOISE MERIDIAN, CAMAS
COUNTY, IDAHO

SECTION 31: NE1/4SW1/4

PARCEL 3

TOWNSHIP 1 NORTH, RANGE 15 EAST, BOISE MERIDIAN, CAMAS
COUNTY, IDAHO

SECTION 31: SE1/4



RECEIVED
JUN 20 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

June 18, 2008

IDWR
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Order No. C080046
Barber Family Ass./Jessen

Dear Sir or Madame:

In connection with the above mentioned order, please find our check no 12182 in the amount of \$50.00, representing water transfer fee.

Also enclosed please find copies of the following document(s):

Notice of Change in Water Right Ownership

Thank you for using Gooding Title & Escrow Company. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Mari Ramos for
Nancy A. Woldberg, Escrow Officer
Gooding Title & Escrow Company

/mr

encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 26, 2008

ATTN NANCY WOLDBERG
GOODING TITLE & ESCROW
PO BOX 446
GOODING ID 83330

RE: Your File No.: C080046
350 E 240 N Fairfield / Barber Family Associates
SRBA Claim Nos. 37-529 and 37-530

Dear Nancy:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted on the above listed transaction. Because the Snake River Basin Adjudication Court has not yet decreed these claims, no fee is due to process the owner change. I am herein returning Gooding Title & Escrow's check no. 12182 in the amount of \$50.00.

Thank you and should you have any questions please feel free to give me a call.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 835.

THIS IS TO CERTIFY, That E. G. Commons of Twin Falls, Idaho, is the owner of and using the following water rights in Deer Creek:

12½ inches with priority of May 9, 1883 - 37-0410
70 inches with priority of May 15, 1883 - 37-0411
150 inches with priority of July 5, 1884 - 37-0412
100 inches with priority of June 15, 1885 - 37-0413
100 inches with priority of July 1, 1893 - 37-0414

said water being decreed to William Leonard by Judge Alfred Budge in the District Court of the Fourth Judicial District of the State of Idaho in and for the County of Lincoln, in the case of

S. C. Frost, et al.
Plaintiffs,

vs.

Alturas Water Company, et al.
Defendants.

said decree bearing date of December 13, 1909, and being appurtenant to the following described lands, to-wit:

SE¼, E½SW¼, Lots 3 and 4; E½NW¼, Lots 1 and 2, S½NE¼ Section 30
S½NW¼ Section 29
All in Township 1 North, Range 15 East B.M.

Also the following water rights in Little Deer Creek:

25 inches with priority of June 18, 1883 - 37-0529
75 inches with priority of June 1, 1885 - 37-0530

said water being decreed to Elam Pearson in the same decree, and being appurtenant to the following described lands, to-wit:

Lots 3 and 4, E½SW¼ Section 31
Township 1 North, Range 15 East B.M.

Also the following water rights in Little Deer Creek:

12½ inches with priority of May 9, 1883 - 37-0534
150 inches with priority of July 5, 1884 - 37-0535

said water being decreed to William H. Peck in the same decree and being appurtenant to the following described lands, to-wit:

N½SE¼, NE¼NW¼, Lot 1 Section 31
Township 1 North, Range 15 East B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees, beginning at page 807.

That E. G. Commons has become the owner of said described lands through mesne conveyances.

And that now, upon the application of E. O. Commons of Twin Falls, Idaho, for the transfer of 13.9 cubic feet per second of the waters of Deer Creek and Little Deer Creek made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 13.9 cubic feet per second of the waters of Deer Creek and Little Deer Creek upon the above described land is hereby abandoned, and the land to which the water rights hereby confirmed shall, by this certificate, become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

S $\frac{1}{2}$ Section 25
Township 1 North, Range 14 East B.M.

NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ Section 30
S $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29
SE $\frac{1}{4}$ and N $\frac{1}{2}$ Section 31
NW $\frac{1}{4}$ Section 32
Township 1 North, Range 15 East B.M.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

12 $\frac{1}{2}$ inches from Deer Creek with priority of May 9, 1883
70 inches from " " " " " " May 15, 1883
150 inches from " " " " " " July 5, 1884
100 inches from " " " " " " June 15, 1885
100 inches from " " " " " " July 1, 1893
25 inches from Little Deer Creek with priority of June 18, 1883
75 inches " " " " " " June 1, 1885
12 $\frac{1}{2}$ inches " " " " " " May 9, 1883
150 inches " " " " " " July 5, 1884

That the water rights hereby transferred have heretofore been conducted to the first above described lands with points of diversion in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19, Township 1 North, Range 15 East B.M.

That the water rights hereby transferred will hereafter be conducted to the last above described lands with no change in points of diversion.

That the right of use of said water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 8th day of October, 1954.

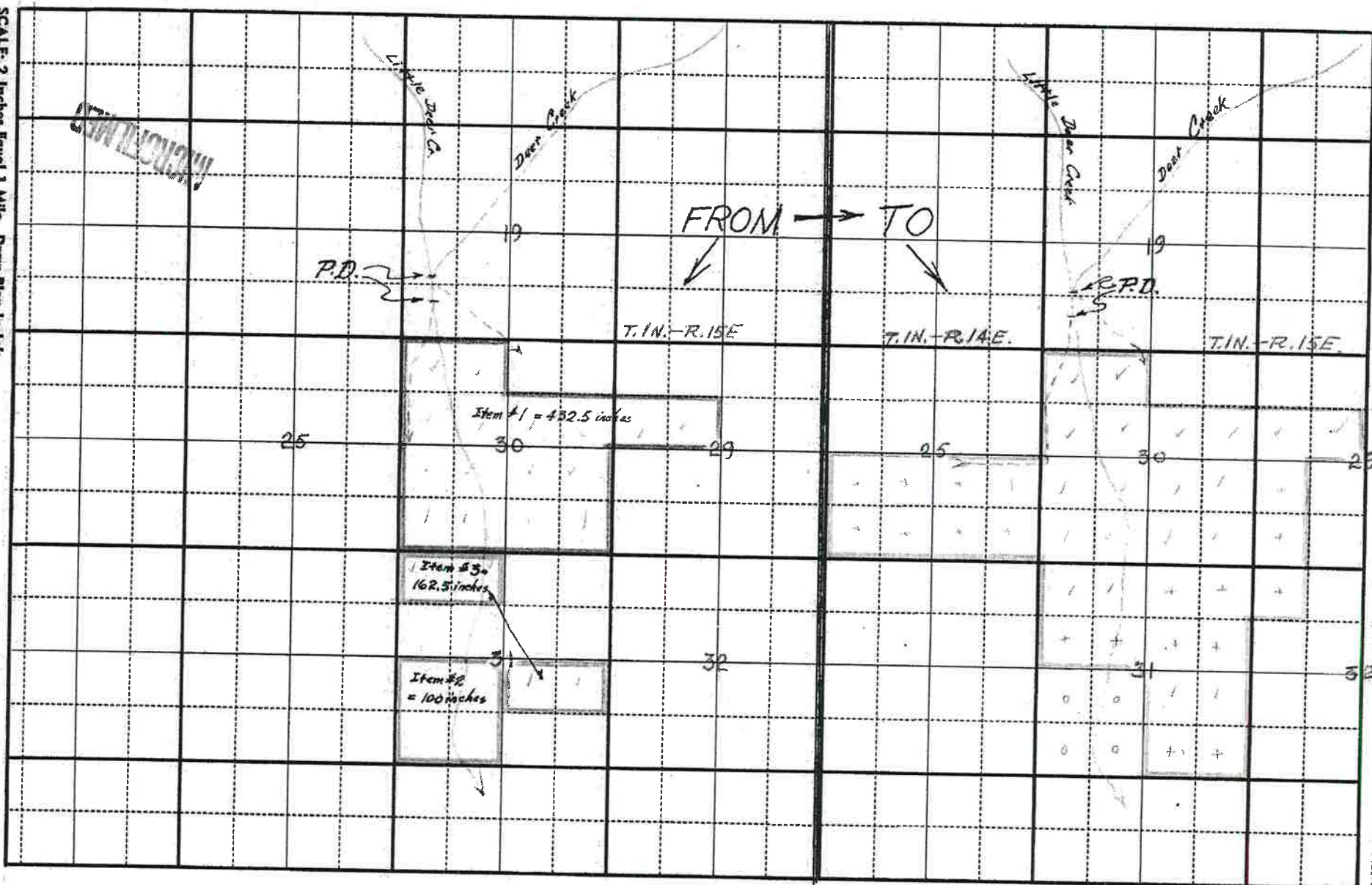
Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT L. G. JENNINGS

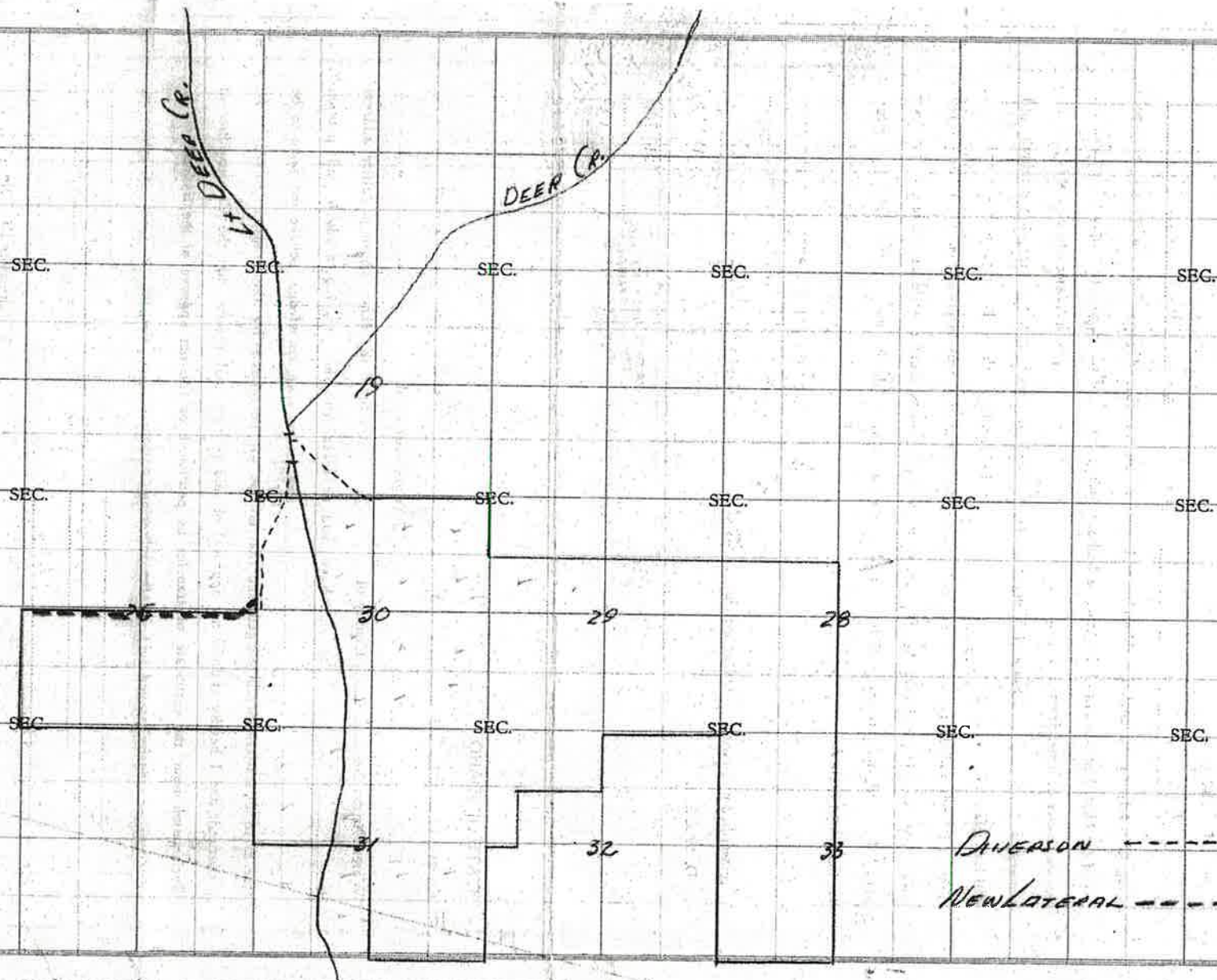
Form No. 0

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.



7

Scale: 2 Inches—1 Mile. Draw Map in Ink.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

M. Anders
Return Service Requested

FIRST CLASS



UNITED STATES POSTAGE
PITNEY BOWES
02 1A \$ 00.63⁰
0004389393 JUN 06 2006
MAILED FROM ZIP CODE 83702

JESS 001

Michael Jessen

Rt1. Box 1215

Fairfield

RECEIVED

JUN 13 2006

DEPARTMENT OF
WATER RESOURCES

JESS001 833272001 1506 05 06/09/06
RETURN TO SENDER
JESSEN
89 FREEDOM LOOP
BELLEVUE ID 83313-5013
RETURN TO SENDER

83327+9718-13 R001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 5, 2006

Michael Jessen
Rt 1. Box 1215
Fairfield, ID 83327

RE: Snake River Basin Adjudication claims 37-529 and 37-530

Dear Mr. Jessen,

I am reviewing water right claims 37-529 and 37-530 that you filed for the Snake River Basin Adjudication (SRBA). At present, 37-529 is claimed for 0.5 cfs (25 inches) of water for irrigation of 10 acres and 37-530 is claimed for 1.5 cfs (75 inches) of water for irrigation of what appears to be the same 10 acres. When these claims are combined, it appears you have claimed 0.2 cfs (10 inches) per acre for irrigation. The current Idaho standard is 0.02 cfs (1 inch) per acre.

If you feel claims 37-529 and 37-530 are incorrect, please contact me at (208) 287-4937 as soon as possible to discuss your options to correct them. Otherwise, I plan to recommend that the SRBA court decree water right claims 37-529 and 37-530 for a combined diversion rate of 0.2 cfs for irrigation of 10 acres.

Sincerely,

A handwritten signature in blue ink that reads "Matt Anders". The signature is written in a cursive, flowing style.

Matt Anders
GIS Specialist – Snake River Basin Adjudication

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: A37-00529
Date Received: 8/02/1989
Receipt No: S008739
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL JESSEN 208-764-2636
Address: RT. 1 BOX 1215
FAIRFIELD, ID 83327

2. Date of Priority: JUN 18, 1883

3. Source: LITTLE DEER CREEK Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	15E	31	NW	NE	SW		CAMAS

5. Description of diverting works:
PUMP AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	15E	31	NE	SW		IRR	10.0
Section Acres							10.0
Total Acres							10.0

A37-00529

Page 1

Date: 08/02/89

MICROFILMED
FEB 23 1993

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
A37-00530

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

MICROFILMED
FEB 23 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Michael Jensen Date: 8/12/89
_____ Date: _____

State of Idaho)

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2ND day

of Aug 19 89

Seal

Steve Cell
Notary Public

Residing at Twin Falls

My Commission Expires Dec 7/1994

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00530
Date Received: 8/02/1989
Receipt No: S008739
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL JESSEN 208-764-2636
Address: RT. 1 BOX 1215
FAIRFIELD, ID 83327

2. Date of Priority: JUN 01, 1885

3. Source: LITTLE DEER CREEK Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	15E	31	NW	NE	SW		CAMAS

5. Description of diverting works:
PUMP AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	15E	31	NE	SW		IRR	10.0
Section Acres							10.0
Total Acres							10.0

A37-00530

Page 1

Date: 08/02/89

MICROFILMED
FEB 23 1993

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
A37-00529

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Michael Jensen Date: 8/12/89
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2ND day
of Aug 19 89 Steve Collins
Notary Public
Seal

Residing at Twin Falls
My Commission Expires Dec 7 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-529

WATER RIGHT NUMBER: 37-529

Owner Type Name and Address
 Current Owner E G COMMONS

 TWIN FALLS, ID 83301
 Original Owner ELAM PEARSON

 , ZZ

Priority Date: 06/18/1883

Basis: Decreed

Status: Active

Source Tributary
 LITTLE DEER CREEK DEER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.500 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		0.500 CFS	

Location of Point(s) of Diversion

LITTLE DEER CREEK	L4 (SW1/4SW1/4)	Sec. 19, Twp 01N, Rge 15E, B.M.
CAMAS County		
LITTLE DEER CREEK	L3 (NW1/4SW1/4)	Sec. 19, Twp 01N, Rge 15E, B.M.
CAMAS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	14E	25									X	X	X	X	X	X	X	X	
01N	15E	29							X	X		X	X						
01N	15E	30			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01N	15E	31	X	X	X	X	X	X	X	X						X	X	X	
01N	15E	32						X											

TRANS. 835 ADDED DOMESTIC USE