

TRANS
#69575

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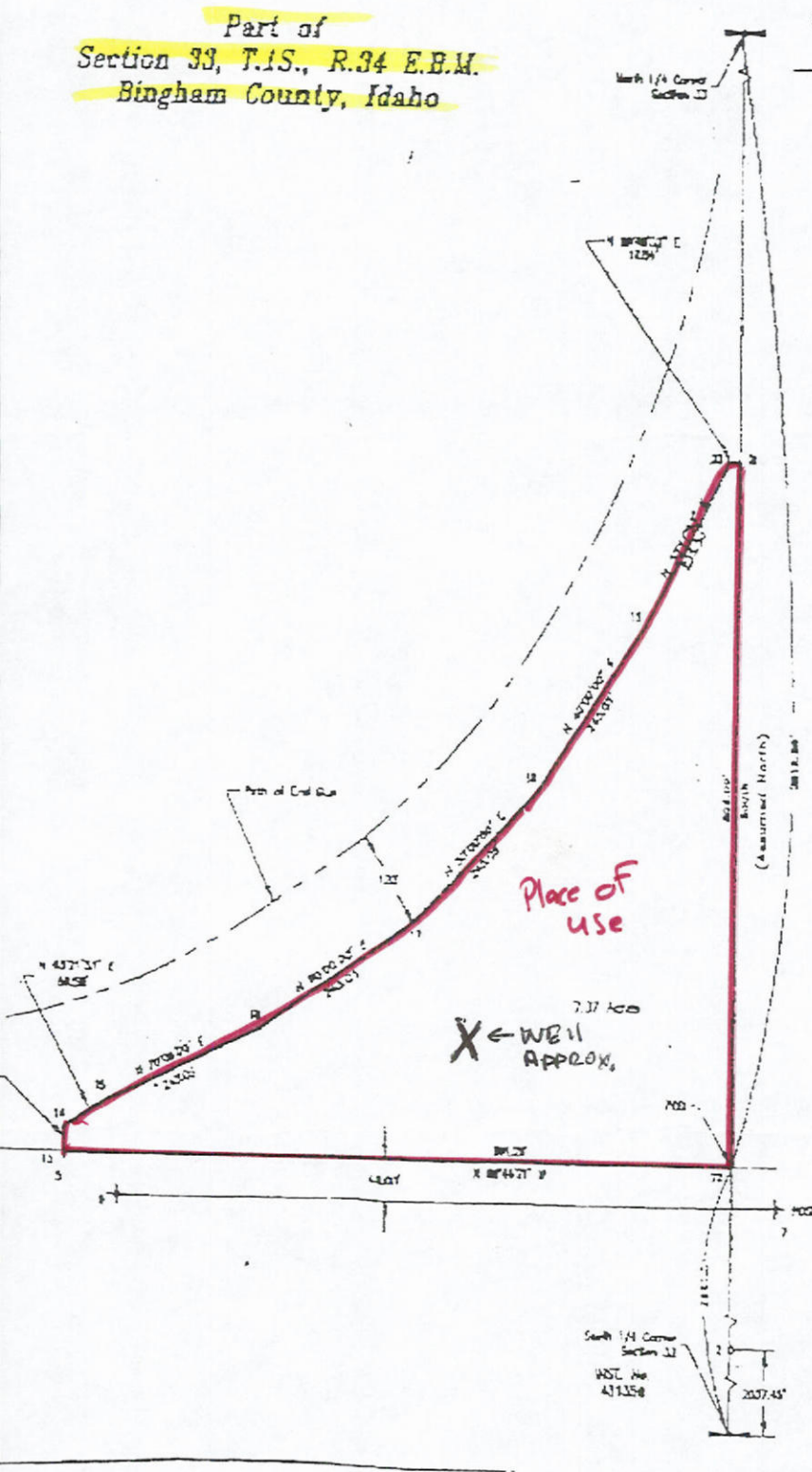
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JAN 24 2002

Part of
Section 33, T.1S., R.34 E.B.M.
Bingham County, Idaho



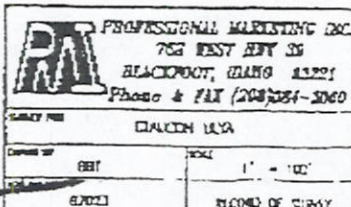
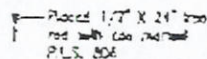
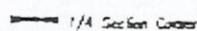
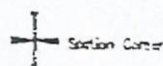
SURVEYORS CERTIFICATE

1. A. Wall Morgan, a Registered Professional Land Surveyor in the State of Maine do hereby certify that this plot is an accurate representation of the survey completed under my supervision.

2. Hal. Mangan. Uraian No. 803. 2000

4

LEGEND:



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JAN 24 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69575

This is to certify that: LAYNE STEIDLEY Or
NEELEY STEIDLEY
960 W 650 N
BLACKFOOT ID 83221
(208)684-5505

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
35-13341	AJC/License	11/13/1972	0.18 cfs	32.2 af	9.2	10.0	GROUND WATER
35-13363	AJC/Beneficial Use	11/13/1972	0.01 cfs		0.8	10.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13341	NO	YES	YES	NO	NO	NO
35-13363	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-13341	35-13341	0.15 cfs	30.0 af	N/A	7.5		N/A	N/A	N/A	N/A
35-13363	35-13363	0.01 cfs	3.2 af	0.8	7.5		N/A	N/A	N/A	N/A
TOTALS		0.15 cfs	30.0 af	N/A	7.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of January, 2002


Chief, Water Allocation Bureau

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JAN 24 2002

WATER RIGHT NO. 35-13341
As Modified by Transfer No. 69575

In accordance with the approval of Transfer No. 69575, Water Right No. 35-13341 is now described as follows.

Right Holder: LAYNE STEIDLEY And
 NEELEY STEIDLEY
 960 W 650 N
 BLACKFOOT ID 83221

Priority Date: 11/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.15 CFS	30.0 AF
		0.15 CFS	30.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 33 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	34E	33								7.5									7.5

Total Acres: 7.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Rights 35-13341 and 35-13363 when combined shall not exceed a total diversion rate of 0.15 cfs, a total annual maximum diversion volume of 30.0 af at the field headgate, and the irrigation of 7.5 acres.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Right 35-13363 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. Right 35-13363 is also diverted through the point(s) of diversion described above.
6. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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JAN 24 2002

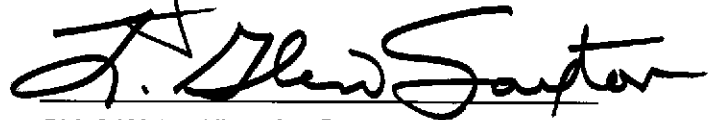
WATER RIGHT NO. 35-13341
As Modified by Transfer No. 69575

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of January, 20 02



Chief, Water Allocation Bureau

MICROFILMED
JAN 24 2002

WATER RIGHT NO. 35-13363
As Modified by Transfer No. 69575

In accordance with the approval of Transfer No. 69575, Water Right No. 35-13363 is now described as follows.

Right Holder: NEELEY STEIDLEY And
 LAYNE STEIDLEY
 960 W 650 N
 BLACKFOOT ID 83221

Priority Date: 11/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.01 CFS	3.2 AF
			0.01 CFS	3.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 33 Twp 01S Rge 34E BINGHAM 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	
01S	34E	33								7.5									7.5

Total Acres: 7.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Right 35-13363 is limited to the irrigation of 0.8 acres within the place of use described above in a single irrigation season.
3. Rights 35-13341 and 35-13363 when combined shall not exceed a total diversion rate of 0.15 cfs, a total annual maximum diversion volume of 30.0 af at the field headgate, and the irrigation of 7.5 acres.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Right 35-13363 is an enlargement of Right 35-13341 pursuant to Section 42-1426, Idaho Code.
6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

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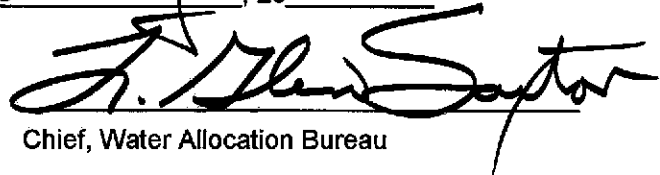
JAN 24 2002

WATER RIGHT NO. 35-13363
As Modified by Transfer No. 69575

7. Right 35-13341 is also diverted through the point(s) of diversion described above.
8. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of January, 2002


Chief, Water Allocation Bureau

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JAN 24 2002

\$100 Fee

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69575

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant LAYNE OR NEELEY STEIDLEY Phone 208-684-5505Post Office address 960 W. 650 N. Blackfoot, ID 83221

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

JAN 7 2002

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NOV 15 2001

Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes Applicant has purchased 10 acres worth of the water right to irrigate his own 7.5 acre place of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
(Part) <u>35-7262</u> <u>35-13344</u>	<u>11-13-1972</u>	<u>0.18</u>	<u>Irrigation</u>	<u>4-1</u> to <u>11-1</u>
				to
				to
				to

2. Total amount of water being transferred 0.18 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	33	15	34E	Bingham	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	34E	33								7.5									7.5

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JAN 24 2002

Total Acres 7.5

(69575)

PART 1

6. General Information:

a. Description of diversion system Well + sprinkler

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
This place of use is now a housing subdivision.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

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For the Director

JAN 24 2002

Page 1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-7262

Priority Date: 11/13/1972

Origin: Adjudication Recommendation

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.92 CFS	161.0 AFA	
Total Diversion			0.92 CFS	161.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	02S	35E	21	NWNW		BINGHAM

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	
02S 35E 21					40.0	10.0											50.0

Total Acres: 50

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-13112 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.92 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 200 AF.^^
2. USE OF THIS RIGHT WITH RIGHT NO. 35-13112 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 50 ACRES IN A SINGLE IRRIGATION SEASON.^^ THIS RIGHT IS LIMITED TO THE IRRIGATION OF 46 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. RIGHT NO. 35-13112 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.^^ RIGHT NO. 35-13112 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.^^
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. USE OF THIS RIGHT IS COMBINED WITH WATER FROM PEOPLES CANAL & IRRIGATION CO.

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JAN 24 2002

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-7262

6. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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JAN 24 2002

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.18 cfs for Irrigation purposes from 4-01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	21	2S	3SE	Bingham	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	3SE	21							10										10

Total Acres 10

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.74 cfs for Irrigation purposes from 4-01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	21	2S	3SE	Bingham	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	3SE	21							40										40

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JAN 24 2002

Total Acres 40

TRANS

#69575

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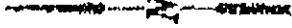
Part of
Section 33, T.1S., R.34 E.B.M.
Bingham County, Idaho

MSJ No.

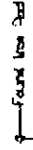
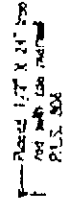
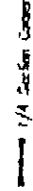
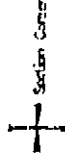
SURVEYORS CERTIFICATE

I, A. Neil Morgan, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

A. Neil Morgan License No. 6103 Date



LEGEND



Place of
use

X ← well
approx.

Survey No.	6103
County	BENT
State	IDAHO
Scale	1" = 100'
Record of Survey	

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JAN 24 2002

Part of the W 1/4 of Section 33 T. 1 S.R. 34 E.B.M. described as.

Beginning at a point on the North-South Half Section Line that is North 2661.51 feet along said line from the South-quarter corner of said Section 33, (said point of Beginning also being South 2612.89 feet from the North quarter Corner of said Section 33) and running thence N 89° 44' 21" W 991.29 feet along the North Line of a County Road; thence North 30.00 feet; thence N 63° 21' 53" E 69.58 feet; thence N 70° 00' 00" E 245.05 feet thence N 60° 00' 00" E 245.05 feet, thence N 50° 00' 00" E 245.05 feet, thence N 33° 11' 53" E 225.56 feet, thence N 89° 48' 32" E 17.84 feet thence South 806.09 feet to the point of beginning.

Parcel contains 7.37 acres more or less.

Page 79 &

769575

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JAN 24 2002

PART 3

B. CHANGES IN NATURE OF USE

- | 1. | New Nature of Use | Amount(cfs/af-ft) | Hours/days/year | Period of Use |
|----|-------------------|-------------------|-----------------|---------------|
| | | | | to _____ |
| | | | | to _____ |
2. Quantity and quality of return flows and location of discharge:
- _____
- _____
3. Describe effects on other water uses resulting from the proposed change:
- _____
- _____
- _____
- _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Neely Steidley
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of November, 2001.

CARRIE L. SMITH
NOTARY PUBLIC
STATE OF IDAHO

Carrie Smith
(Notary Public)

My commission expires April 2006

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 14 attachments

Received by HWT Date 11-15-01 Protest filed by _____

Prelim. Check by KCW Fee 100.00

Receipted by HWT #B021270 Date 11-15-01

Published in Morning News Copies of protest forwarded by _____

Pub. Dates 12/6 & 12/13/01 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received by RDC

Copy of transfer sent to lien holder _____

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JAN 24 2002

FEE 3.00 OK DEF e

489594

2000 APR 26 PM 3:59

SATISFACTION OF MORTGAGE

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

KNOW ALL MEN, that NATHAN HALE AND CLARA IRENE HALE, husband and wife, hereby certifies that a certain mortgage executed by CLAUDON E. LILYA AND MARGARET M. LILYA, husband and wife to NATHAN HALE AND IRENE HALE, husband and wife, recorded AUGUST 24, 1995, as Instrument No. 437259, records of Bingham County, Idaho, together with the debt thereby secured, is fully paid, satisfied and discharged.

IN WITNESS WHEREOF, the undersigned has affixed its hand and seal this 24 day of August, 1995.

Nathan Hale
NATHAN HALE

Clara Irene Hale
IRENE HALE

STATE OF IDAHO

)

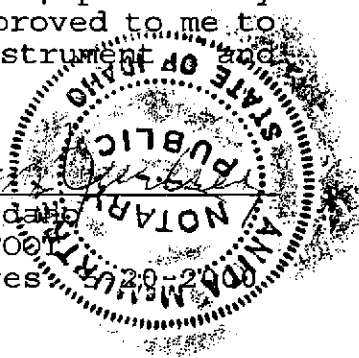
: ss.

COUNTY OF BINGHAM

)

On this 24 day of AUGUST, 1995, before me the undersigned, a Notary Public in and for the said county and state, personally appeared NATHAN HALE AND CLARA IRENE HALE, known or proved to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same.

Anta M. [Signature]
Notary Public for Idaho
Residing at: BLACKFOOT
My Commission Expires 2002



489594

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JAN 24 2002

T 69575

ATTACHMENT 2 OF 14

'95 AUG 24 PM 3 53

RECORDED AT THE REQUEST OF
WARRANTY DEED
FIRST AMERICAN TITLE
Reservation of Life Estate

FOR VALUE RECEIVED NATHAN HALE AND CLARA IRENE HALE, husband and wife, of 283 North 400 West, Blackfoot, Idaho, the Grantors, do hereby grant, bargain, sell, and convey unto CLAUDON E. LILYA and MARGARET M. LILYA, husband and wife, of 345 West 400 North, Blackfoot, Idaho, the Grantees, the following described premises, to-wit:

A portion of the W1/2NW1/4 of Section 21, Township 2 South, Range 35 E.B.M., Bingham County, Idaho, described as:

Beginning at the NW corner of said Section, thence S. 100 rods, thence E. 80 rods, thence N. 100 rods, thence W. 80 rods to the place of beginning.

Together with tenements, hereditaments, appurtenances, ditches and ditch rights and water and water rights thereunto belonging or in anywise appertaining.

LIFE ESTATE: Grantors hereby reserve in themselves a life estate reserving the right to occupy the premises until each of them are deceased.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 24 day of August, 1995.

Claudon E. Lilya
Claudon E. Lilya
Nathan Hale
NATHAN HALE

Margaret M. Lilya
Margaret M. Lilya
Clara Irene Hale
CLARA IRENE HALE

WARRANTY DEED

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JAN 24-2002

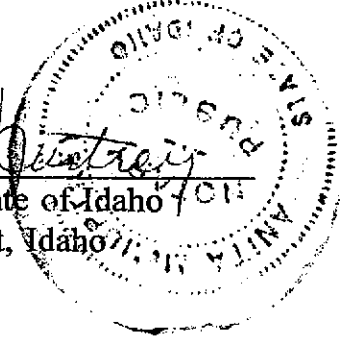
T 69575
ATTACHMENT 3 OF 14

STATE OF IDAHO)
) ss.
 County of Bingham)

On this 24 day of August, 1995, before me, the undersigned, a notary public in and for said state, personally appeared NATHAN HALE and CLARA IRENE HALE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Anita Margaret
 Notary Public for State of Idaho
 Residing at Blackfoot, Idaho

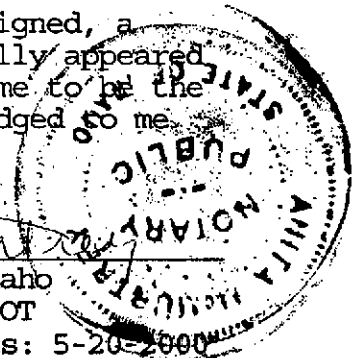


My cmn exprs: 5/20/2000

STATE OF IDAHO)
) ss.
 COUNTY OF BINGHAM)

On this 24TH day of AUGUST, 1995, before me the undersigned, a Notary Public in and for the said county and state, personally appeared CLAUDON E. LILYA AND MARGARET M. LILYA, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.

Anita Margaret
 Notary Public for Idaho
 Residing at: BLACKFOOT
 My Commission Expires: 5-20-2000



MICROFILMED

JAN 24 2002

WARRANTY DEED

- 2

T 69575
 ATTACHMENT 4 OF 14

BILL OF SALE

STATE OF IDAHO)
) ss.
County of Bingham)

I, Claudon E. Lilya, (Seller), whose address is 345 West 400 North, Blackfoot, Idaho, 83221, in consideration of the sum of an Agreed amount, payment to be made as agreed to Sell Property, executed herewith, do hereby sell, convey and transfer to **Layne & Neeley Steidley**, (Buyer), whose address is 960 West 650 North Blackfoot, Idaho 83221, and to their successors and assigns, the following described personal property:

Water Right: A35-07262 and A35-13112
10acers, .18CFS
T 02S R 35E S21 NWNW

This Bill of Sale shall be effective as to the transfer of a portion of the property (water right) listed herein as of this 27 day of October, 2001.

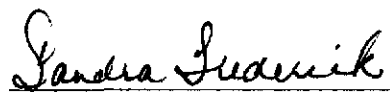

Seller

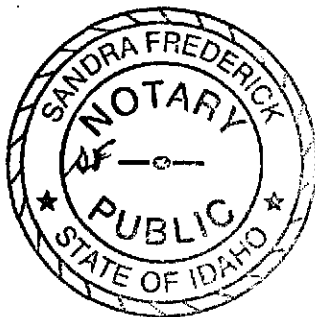
ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Bingham)

Subscribed and sworn before me this 27 day of October 2001.
Witness my hand and seal.

(seal)


Notary Public
Residing at: Bingham County
Commission Expires: 04/06



MICROFILMED

JAN 24 2002

ATTACHMENT T 69575
5 OF 14

Peoples' Canal & Irrigation Co

1050 West Hwy 39
Blackfoot, Idaho 83221
208-684-3105

Oct. 1, 2001

To whom it may concern:

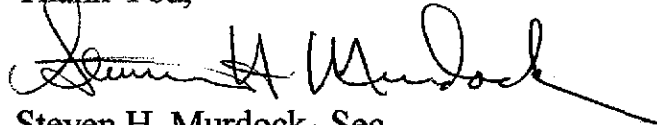
The water shares for surface water from the People's Canal & Irr. Co.,
for the Nathan Hale property were sold from the property as follows:

28 shares were sold to Don Hale--June 1, 1992

38 shares that remained were turned back to the canal co.--March 25, 1993

The transfer of these shares left no surface water on this property. When
Cladon Lilya bought the property in 1995, there were no surface rights with
the property.

Thank You,



Steven H. Murdock--Sec.
People's Canal & Irr. Co.

MICROFILMED

JAN 24 2002

ATTACHMENT T 69575
6 OF 14

AFFIDAVIT

STATE OF IDAHO)

County of Bingham)

) ss:
)

Jack Newsome and Louina Newsome, being first duly sworn on oath, deposes and say:

1. That we make this Affidavit of our own personal knowledge.
2. That we are one of the purchasers of Parcel No. 1 described as:

Part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 21, Township 2 South, Range 35 East Boise Meridian, Bingham County, Idaho described as follows:

Beginning at the Northwest corner of said Section 21 and running thence S 89° 56' 41" E 397.00 feet along the section line; thence S 00° 14' 21" W 550.27 feet; thence N 89° 56' 41" W 397.13 feet to the West line of said Section 21; thence N 00° 15' 10" E 550.27 feet along said West line to the point of beginning.

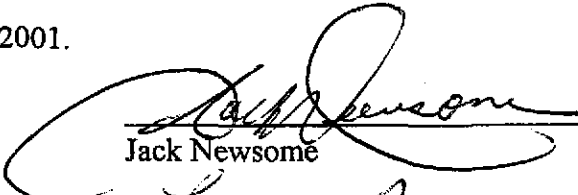
Parcel contains 5.02 acres and is subject to the existing County Road right-of-way along the North and West sides of the above described property.

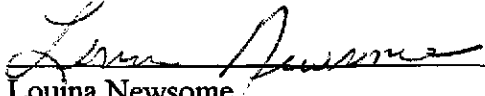
from Claudon and Margaret Lilya.

3. That no well irrigation water rights were represented, sold or transferred with the sale of the above described property.

4. That we have read the foregoing Affidavit, know the contents thereof and verily believe the same to be true.

DATED this ____ day of October, 2001.


Jack Newsome


Louina Newsome

SUBSCRIBED AND SWORN TO before me this ____ day of October, 2001.

MICROFILMED

T 10/13/2002

ATTACHMENT 7 OF 14

Notary Public for _____
Residing at _____
My Commission Expires: _____

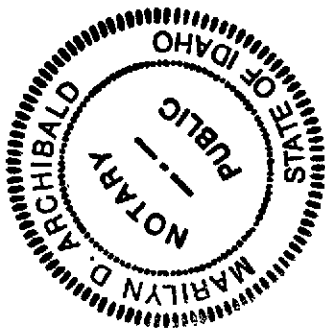
STATE OF IDAHO

)
) ss:
)

County of Bingham

On this 19th day of October, 2001, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jack Newsome, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



Marilyn D. Archibald
Notary Public
Residing at: Blackfoot, Idaho
My Commission Expires: 10-10-06

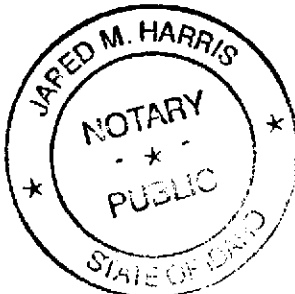
STATE OF IDAHO

)
) ss:
)

County of Bingham

On this ____ day of October, 2001, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Louina Newsome, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



Jared Harris
Notary Public
Residing at: Blackfoot, Idaho
My Commission Expires: 2/23/05

MICROFILMED

JAN 24 2002

ATTACHMENT T 69575
8 OF 14

AFFIDAVIT

STATE OF IDAHO)

County of Bingham)

) ss:

Jared M. Harris and Sonya Harris, being first duly sworn on oath, deposes and say:

1. That we make this Affidavit of our own personal knowledge.
2. That we are one of the purchasers of Parcel No. 2 described as:

Part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 21, Township 2 South, Range 35 East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point that is S 89° 56' 41" E 397.00 feet along the section line from the Northwest corner of said Section 21 and running thence S 89° 56' 41" E 396.99 feet along said section line; thence S 00° 13' 30" W 550.27 feet; thence N 89° 56' 41" W 397.13 feet; thence N 00° 14' 21" E 550.27 feet to the point of beginning.

Parcel contains 5.02 acres and is subject to the existing County Road right-of-way along the North side of the above described property.

from Claudon and Margaret Lilya.

3. That no well irrigation water rights were represented, sold or transferred with the sale of the above described property.

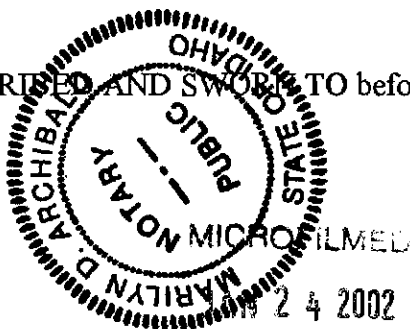
4. That we have read the foregoing Affidavit, know the contents thereof and verily believe the same to be true.

DATED this 5th day of October, 2001.

Jared Harris
Jared M. Harris

Sonya Harris
Sonya Harris

SUBSCRIBED AND SWORN TO before me this 5th day of October, 2001.



Marilyn Archibald
Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires: 10-10-02

T 6875
ATTACHMENT 8 OF 14

AFFIDAVIT

STATE OF IDAHO

)
) ss:
)

County of Bingham

Paul K Wolfley and Kim A Wolfley, being first duly sworn on oath, deposes and say:

1. That we make this Affidavit of our own personal knowledge.
2. That we purchased Parcel No. 3 described as:

Part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 21, Township 2 South, Range 35 East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point that is S 00° 15' 10" W 550.27 feet along the section line from the Northwest corner of said Section 21 and running thence S 00° 15' 10" W 275.04 feet along said section line; thence S 89° 56' 41" E 794.39 feet; thence N 00° 13' 30" E 275.04 feet; thence N 89° 56' 41" W 794.26 feet to the point of beginning.

Parcel contains 5.02 acres and is subject to the existing County Road right-of-way along the West side of the above described property.

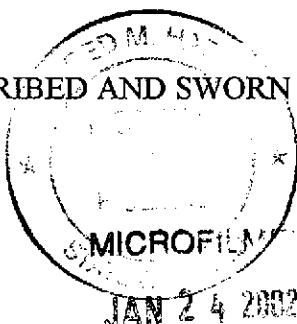
from Claudon and Margaret Lilya.

3. That no well irrigation water rights were represented, sold or transferred with the sale of the above described property.
4. That we have read the foregoing Affidavit, know the contents thereof and verily believe the same to be true.

DATED this 4th day of October, 2001.

Paul K. Wolfley
Paul K. Wolfley
Kim A. Wolfley
Kim A. Wolfley

SUBSCRIBED AND SWORN TO before me this 4th day of October, 2001.



David Harris
Notary Public for Idaho
Residing at Bluffport
My Commission Expires: 2/23/05

T 69575-
ATTACHMENT 9 OF 14

AFFIDAVIT

STATE OF IDAHO

County of Bingham

)
) ss:
)

Kenneth Miles Dickson, being first duly sworn on oath, deposes and says:

1. That I make this Affidavit of my own personal knowledge.
2. That I am the purchaser of Parcel No. 4 described as:

Part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 21, Township 2 South, Range 35 East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point that is S 00° 15' 10" W 825.31 feet along the section line from the Northwest corner of said Section 21 and running thence S 00° 15' 10" W 275.00 feet along said section line; thence S 89° 56' 41" E 794.52 feet; thence N 00° 13' 30" E 275.00 feet; thence N 89° 56' 41" W 794.39 feet to the point of beginning.

Parcel contains 5.02 acres and is subject to the existing County Road right-of-way along the West side of the above described property.

from Claudon and Margaret Lilya.

3. That no well irrigation water rights were represented, sold or transferred with the sale of the above described property.

4. That I have read the foregoing Affidavit, know the contents thereof and verily believe the same to be true.

DATED this 1st day of October, 2001.

SUBSCRIBED AND SWORN TO before me this 10 day of October, 2001.



JAN 24 2002

Kenneth Miles Dickson

Jared Harris
Notary Public for Idaho

Residing at Blackfoot

My Commission Expires: 2/23/05

T 68525
ATTACHMENT 10 OF 14

AFFIDAVIT

STATE OF IDAHO

)
) ss:
)

County of Bingham

Evelyn Young, being first duly sworn on oath, deposes and says:

1. That I make this Affidavit of my own personal knowledge.
2. That I am one of the purchasers of Parcel No. 5 described as:

Part of the Northwest Quarter of Section 21, Township 2 South, Range 35
East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point that is S 00° 15' 10" W 1100.31 feet along the
section line from the Northwest corner of said Section 21 and running
thence S 00° 15' 10" W 274.95 feet along said section line; thence S 89°
56' 41" E 794.66 feet; thence N 00° 13' 30" E 274.95 feet; thence N 89°
56' 41" W 794.52 feet to the point of beginning.

Parcel contains 5.02 acres and is subject to the existing County Road
right-of-way along the West side of the above described property.

from Claudon and Margaret Lilya.

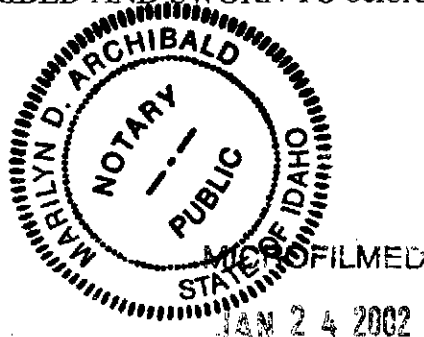
3. That no well irrigation water rights were represented, sold or transferred with the sale
of the above described property.

4. That I have read the foregoing Affidavit, know the contents thereof and verily believe
the same to be true.

DATED this 11th day of October, 2001.

E. Young
Evelyn Young

SUBSCRIBED AND SWORN TO before me this 11th day of October, 2001.



Marilyn D. Archibald
Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires: 10-10-06

T 69575
ATTACHMENT 11 OF 14

AFFIDAVIT

STATE OF IDAHO)

) ss:

County of Bingham)

Paul T. Schneider and Toiny Schneider, being first duly sworn on oath, deposes and say:

1. That we make this Affidavit of our own personal knowledge.
2. That we are one of the purchasers of Parcel No. 6 described as:

Part of the Northwest Quarter of Section 21, Township 2 South, Range 35 East of the Boise Meridian, Bingham County, Idaho described as follows:

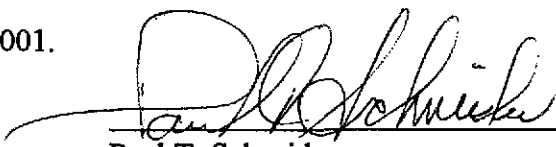
Beginning at a point that is S 00° 15' 10" 1375.26 feet along the section line from the Northwest corner of said Section 21 and running thence S 00° 15' 10" W 274.74 feet along said section line; thence S 89° 56' 41" E 794.79 feet; thence N 00° 13' 30" E 274.74 feet; thence N 89° 56' 41" W 794.66 feet the point of beginning.

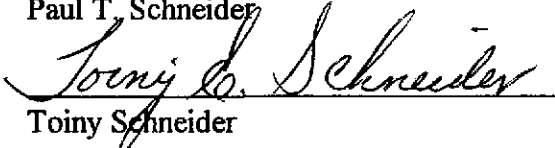
Parcel contains 5.02 acres and is subject to the existing County Road right-of-way along the West side of the above described property.

from Claudon and Margaret Lilya.

3. That no well irrigation water rights were represented, sold or transferred with the sale of the above described property.
4. That we have read the foregoing Affidavit, know the contents thereof and verily believe the same to be true.

DATED this 18TH day of October, 2001.


Paul T. Schneider


Toiny Schneider

SUBSCRIBED AND SWORN TO before me this ____ day of October, 2001.

Notary Public for Idaho

Residing at _____

My Commission Expires: _____

MICROFILMED

JAN 24 2002

T 68575
12 OF 14
ATTACHMENT

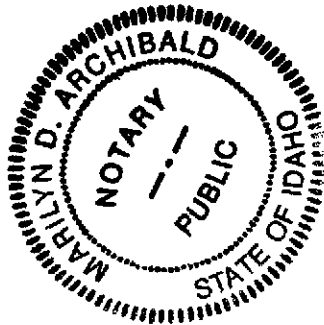
STATE OF IDAHO)

) ss:
)

County of Bingham

On this 18th day of October, 2001, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Paul T. Schneider, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



Marilyn D Archibald

Notary Public

Residing at: Blackfoot, Idaho

My Commission Expires: 10-10-06

STATE OF IDAHO)

) ss:
)

County of Bingham

On this ____ day of October, 2001, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Toiny Schneider, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.

Notary Public

Residing at: Blackfoot, Idaho

My Commission Expires: _____

MICROFILMED

JAN 24 2002

T 69575
ATTACHMENT 13 OF 14

AFFIDAVIT

STATE OF IDAHO

County of Bingham

)
) ss:
)

Ann Kuck and Bryon Kuck, being first duly sworn on oath, deposes and say:

1. That we make this Affidavit of our own personal knowledge.
2. That we are one of the purchasers of Parcel No. 7 described as:

Part of the Northwest Quarter of Section 21, Township 2 South, Range 35 East of the Boise Meridian, Bingham County, Idaho described as follows:

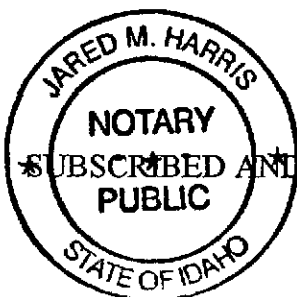
Beginning at a point that is S 89° 56' 41" E 793.99 feet along the section line from the Northwest corner of said Section 21 and running thence S 89° 56' 41" E 529.32 feet along said section line to the East line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 21; thence S 00° 12' 22" W 1650.00 feet along said East line; thence N 89° 56' 41" W 529.86 feet; thence N 00° 13' 30" E 1650.00 feet to the point of beginning.

Parcel contains 20.06 acres and is subject to the existing County Road right-of-way along the North side of the above described property.

from Claudon and Margaret Lilya.

3. That no well irrigation water rights were represented, sold or transferred with the sale of the above described property.
4. That we have read the foregoing Affidavit, know the contents thereof and verily believe the same to be true.

DATED this 4th day of October, 2001.



Ann Kuck
Ann Kuck
Bryon Kuck
Bryon Kuck

SUBSCRIBED AND SWORN TO before me this 4th day of October, 2001.

Jared Harris
Notary Public for Idaho
Residing at Blackfoot
My Commission Expires: 2/23/05

MICROFILMED

JAN 24 2002

T 69525
ATTACHMENT 14 OF 14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69574

This is to certify that: GROVELAND CEMETERY
C/O CLAUDE LILYA
414 N 400 W
BLACKFOOT ID 83221
(208)785-6775

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
35-13339	AJC/License	11/13/1972	0.27 cfs	48.3 af	13.8	15.0	GROUND WATER
35-13361	AJC/Beneficial Use	11/13/1972	0.02 cfs		1.2	15.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13339	YES	YES	YES	NO	NO	NO
35-13361	YES	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-13339	35-13342	0.09 cfs	16.0 af	N/A	4.0	35-13341	0.18 cfs	32.2 af	9.2	10.0
35-13361	35-13364	0.01 cfs	1.6 af	0.4	4.0	35-13363	0.01 cfs		.8	10.0
TOTALS		0.09 cfs	16.0 af	N/A	4.0		0.18 cfs	40.0 af	N/A	10.0

Detailed Water Right Description(s) attached

Dated this

11th

day of

January, 2002

[Signature]

Chief, Water Allocation Bureau

MICROFILMED

JAN 24 2002

Transfer 69574

WATER RIGHT NO. 35-13341
As Modified by Transfer No. 69574

In accordance with the approval of Transfer No. 69574, Water Right No. 35-13341 is now described as follows.

Right Holder: CLAUDON E LILYA Or
 MARGARET M LILYA
 345 W 400 N
 BLACKFOOT ID 83221

Priority Date: 11/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.18 CFS	32.2 AF
			0.18 CFS	32.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 21 Twp 02S Rge 35E BINGHAM 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	
02S 35E 21							10.0										10.0

Total Acres: 10

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.2 acres within the place of use described above in a single irrigation season.
2. Use of this right with Right 35-13363 is limited to a total combined diversion rate of 0.18 cfs and to a total combined annual diversion volume of 40.0 af.
3. Use of this right with Right 35-13363 is limited to the irrigation of a combined total of 10.0 acres in a single irrigation season.
4. The following water rights from the following sources of water in Basin 35 shall be administered separately from all other water rights in Basin 35: Water Right No Source None. The following water rights from the following sources of water in Basin 35 shall be administered separately from all other water rights in the Snake River Basin: Water Right No Source None. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. Right 35-13363 is also diverted through the point(s) of diversion described above.
6. Right 35-13363 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

MICROFILMED

JAN 24 2002

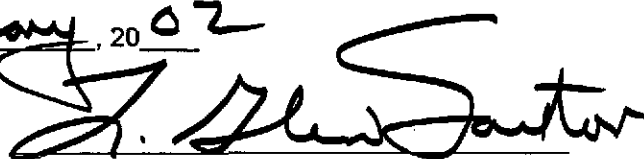
WATER RIGHT NO. 35-13341
As Modified by Transfer No. 69574

CONDITIONS OF APPROVAL

7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. Use of this right is combined with water from Peoples Canal & Irrigation Co.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of January, 2002



Chief, Water Allocation Bureau

MICROFILMED

JAN 24 2002

WATER RIGHT NO. 35-13342
As Modified by Transfer No. 69574

In accordance with the approval of Transfer No. 69574, Water Right No. 35-13342 is now described as follows.

Right Holder: GROVELAND CEMETERY
 C/O CLAUDE LILYA
 414 N 400 W
 BLACKFOOT ID 83221

Priority Date: 11/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.09 CFS	16.0 AF
			0.09 CFS	16.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 20 Twp 02S Rge 35E BINGHAM 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	
02S	35E	20															4.0		4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Rights 35-13342 and 35-13364 when combined shall not exceed a total diversion rate of 0.09 cfs, a total annual maximum diversion volume of 16.0 af at the field headgate, and the irrigation of 4.0 acres.
3. Right 35-13364 is an enlargement of Right 35-13342 pursuant to Section 42-1426, Idaho Code.
4. Right 35-13364 is also diverted through the point(s) of diversion described above.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

JAN 24 2002

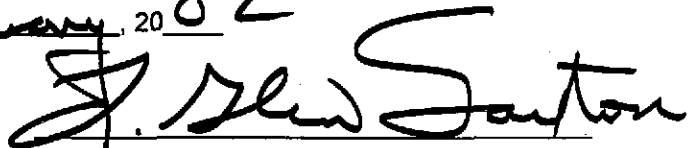
WATER RIGHT NO. 35-13342
As Modified by Transfer No. 69574

CONDITIONS OF APPROVAL

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of January, 2002



Chief, Water Allocation Bureau

MICROFILMED

JAN 24 2002

WATER RIGHT NO. 35-13363
As Modified by Transfer No. 69574

In accordance with the approval of Transfer No. 69574, Water Right No. 35-13363 is now described as follows.

Right Holder: CLAUDON E LILYA Or
 MARGARET M LILYA
 345 W 400 N
 BLACKFOOT ID 83221

Priority Date: 11/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.01 CFS	
			0.01 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 21 Twp 02S Rge 35E BINGHAM 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	
02S 35E 21							10.0										10.0

Total Acres: 10

CONDITIONS OF APPROVAL

1. Use of this right with Right 35-13341 is limited to a total combined diversion rate of 0.18 cfs and to a total combined annual diversion volume of 40.0 af.
2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
3. The following water rights from the following sources of water in Basin 35 shall be administered separately from all other water rights in Basin 35: Water Right No Source None. The following water rights from the following sources of water in Basin 35 shall be administered separately from all other water rights in the Snake River Basin: Water Right No Source None. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
4. Use of this right is combined with water from Peoples Canal & Irrigation Co.
5. Use of this right with Right 35-13341 is limited to the irrigation of a combined total of 10.0 acres in a single irrigation season.

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JAN 24 2002

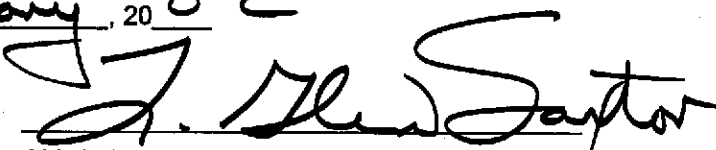
WATER RIGHT NO. 35-13363
As Modified by Transfer No. 69574

CONDITIONS OF APPROVAL

6. Right 35-13341 is also diverted through the point(s) of diversion described above.
7. This right is for an enlargement of 0.8 acres within the place of use described for this right.
8. This right is based upon an enlargement of Right 35-13341 pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of January, 2002


Chief, Water Allocation Bureau

MICROFILMED

JAN 24 2002

WATER RIGHT NO. 35-13364
As Modified by Transfer No. 69574

In accordance with the approval of Transfer No. 69574, Water Right No. 35-13364 is now described as follows.

Right Holder: GROVELAND CEMETERY
 C/O CLAUDE LILYA
 414 N 400 W
 BLACKFOOT ID 83221

Priority Date: 11/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.01 CFS	1.6 AF
			0.01 CFS	1.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 20 Twp 02S Rge 35E BINGHAM 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	
02S	35E	20															4.0		4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Right 35-13364 is limited to the irrigation of 0.4 acres within the place of use described above in a single irrigation season.
3. Rights 35-13342 and 35-13364 when combined shall not exceed a total diversion rate of 0.09 cfs, a total annual maximum diversion volume of 16.0 af at the field headgate, and the irrigation of 4.0 acres.
4. Right 35-13364 is an enlargement of Right 35-13342 pursuant to Section 42-1426, Idaho Code.
5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
6. Right 35-13342 is also diverted through the point(s) of diversion described above.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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JAN 24 2002

WATER RIGHT NO. 35-13364
As Modified by Transfer No. 69574

CONDITIONS OF APPROVAL

8. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

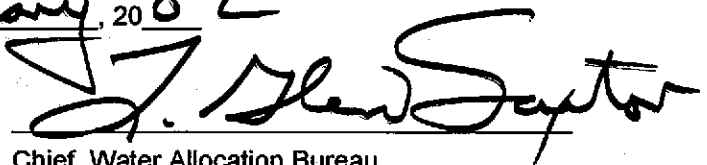
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this

11th

day of

January, 2002



Chief, Water Allocation Bureau

MICROFILM

JAN 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 14, 2002

LAYNE STEIDLEY
NEELEY STEIDLEY
960 W 650 N
BLACKFOOT ID 83221

RE: Transfer No.: 69575 - Water Rights 35-13363, 35-13341
Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

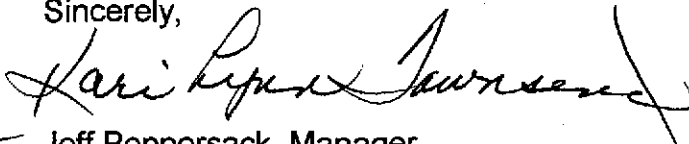
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for 
Jeff Peppersack, Manager

Water Rights Permits Section

MICROFILMED

JAN 24 2002

JP:klt

Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on January 14, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69575 - WATER RIGHTS 35-13363, 35-13341

**LAYNE STEIDLEY
NEELEY STEIDLEY
960 W 650 N
BLACKFOOT ID 83221**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
JAN 24 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
JAN 24 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JAN 24 2002

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 69575

DATE REVIEWED 1-11-2002 Q8

SPLIT POD ADD POD POU PERIOD or NATURE of USE

ALL OF RIGHT(S) W=Water Right C=SRBA Claim R=SRBA Recommendation

<u>R/35-13341</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>R/35-13363</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>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season 4-1 to 10-31

Standard Volume 4.0 / 3.0

(1) ☒ Priority (2) ☒ Use (3) Season/W61 (4) Rate (5) Volume

(6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Bingham GW Dist Water District (12) Yes Pertinent Conditions (13) No Expansion
WM/Rcvd Reduced C.U. Vol.

- (3) 35-13341 season > standard per license
 (4) Maximum rate allowable .02 x 7.5 acres = .15 cfs individually + combined.
 (5) Standard Vol. limited to maximum for 7.5 acres 4 x 7.5 = 30 cfs
 (7) Change P/D
 (8) Change/Consolidate POU 10 Acres to 7.5

Steidleys purchased .18 cfs + 10 acres.

35-13341 .15 cfs 7.5 acres 30 cfs at 3.5 cfs @ 4.0

35-13363 .01 " .8 " 3.2 " 3.2

(.15 cfs + .18 cfs) 7.5 acres 30 cfs at 3.5 cfs @ 4.0

Rts. not supplemental per WR app, FE + statement from Canal Co.

Conditions/Remarks 046, W27, W35, W36, W63, R64, T07, T08, T19
067

WRs for Update Comments

Database Updated to Reflect Final Action 1-11-2002 Q8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

11-15-01

T#69575

RECEIVED

JAN - 7 2002

Department of Water Resources

INITIAL REVIEW BY: KCW

1. Right number 35-7262 Applicant Stadley

2. Type of right: ☐ Decree ☒ License ☐ Claim ☒ SRBA Recommendation

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s)
☒ Change place of use ☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☒ No

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments NONE

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By RDL Date 12/26/01

RECEIVED

DEC 17 2001

DEPT. OF WATER RESOURCES
900 N. Skyline Drive
Suite A, Idaho Falls, Idaho
83402-1718
PHONE: 525-7161
Fax: (208) 525-7177

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 69575

LAYNE STEIDLEY or NEELEY
STEIDLEY, 960 W., 650 N., Blackfoot,
Idaho, 83221, has filed Application
No. 69575 for changes to the
following water rights within
BINGHAM County:

Right No.: 35-7262

Priority: 11/13/1972

Source: GROUNDWATER

Use: IRRIGATION (50 acres) 0.92
CFS 161.0 AFA

Total Amount: 0.92 CFS 161.0 AFA

Point(s) of Diversion: NWNW, S21,
T02S, R35E.

Place of Use: S21, T02S, R35E

The purpose of the transfer is to
change a portion of the above rights
as follows:

The applicant has purchased 10
acres of water right (0.18 cfs) and is
transferring it to 7.5 acres and a well
in the SENW, Sec. 33, T01S, R34E.

Protests may be submitted based on
the criteria of Sec. 42-222, Idaho
Code.

Any protest against the proposed
change must be filed with the
Department of Water Resources,
Eastern Region, 900 N. Skyline Drive,
Suite A, Idaho Falls, Idaho, 83402,
together with a protest fee of \$25.00
for each application on or before
December 24, 2001. The protestant
must also send a copy of the protest
to the applicant.

KARL J. DREHER
Director

(5328)

Pub.: 12/6, 13

Department of Water Resources
Eastern Region

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

SS

State of Idaho)

I, Jacqueline Graham do solemnly
swear that I am the Legal
Coordinator of The Morning News,
which is a daily newspaper of
general circulation, published each
day except Sunday at Blackfoot,
Bingham County, Idaho, said
newspaper having been so published
at Blackfoot, aforesaid for more than
one year past; that said newspaper
heretofore complied with all the
provisions of Chapter 154 of the
Sessions Laws of Idaho of 1911,
approved March 11, 1911, and duly
designated, pursuant to law, a
particular day of the week as the day
on which legal notices required by
law or by the order of any Court of
competent jurisdiction within the
State of Idaho shall be published to-
wit: of each week; that the notice
attached hereto and which is a part
of this affidavit and part of the proof
of publication was published in said
issue of said

newspaper 2 consecutive times
the first publication having been
made on the 6th day of Dec
2001, and the last publication having
been made on the 13th day of Dec
2001; that said notice was
published in the regular and entire
issue of every number of the paper
as aforesaid during the period and
time of publication, and that notice
was published, in the newspaper and
not in a supplement.

On this 13th day of Dec, in
the year of 2001, before me a Notary
Public of the State, personally
appeared Jacqueline Graham,
known or identified to me to be the
person whose name is subscribed to
the within instrument, and being by
me the first duly sworn, declared that
the statements therein are true, and
acknowledged to me that the
executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 19, 2004 NNAWZ11515
Affidavit Processing Fee.....\$5.00

MICROFILMED

JAN 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

LAYNE STEIDLEY
NEELEY STEIDLEY
960 W 650 N
BLACKFOOT ID 83221

RE: Application for Transfer No 69575
Water Right No(s) 35-7262

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Morning News on December 6 and 13, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

JAN 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

November 28, 2001

KARL J. DREHER
Director

Legal Notice Department
MORNING NEWS
PO BOX 70
BLACKFOOT ID 83221

RE: Transfer No. 69574 and 69575

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 24, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
11/28/01
SC*

MICROFILMED

JAN 24 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69575

LAYNE STEIDLEY or NEELEY STEIDLEY,, 960 W 650 N, BLACKFOOT ID 83221, has filed Application No. 69575 for changes to the following water rights within BINGHAM County:

Right No. 35-7262

Priority 11/13/1972

Source GROUND WATER

Use IRRIGATION (50 acres) 0.92 CFS 161.0 AFA

Total Amount 0.92 CFS 161.0 AFA

Point(s) of Diversion NWNW S21 T02S R35E

Place of Use S21 T02S R35E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant has purchased 10 acres of water right (0.18 cfs) and is transferring it to 7.5 acres and a well in the SENW SEC 33 T01S R34E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before December 24, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 6 and 13, 2001

MICROFILMED

JAN 24 2002

MEMORANDUM

TO: FILE 35-13341

FROM: VAULT

RE: TRANSFER # 69574

DATE: 1.11.02

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 35-13339

MICROFILMED

JAN 24 2002