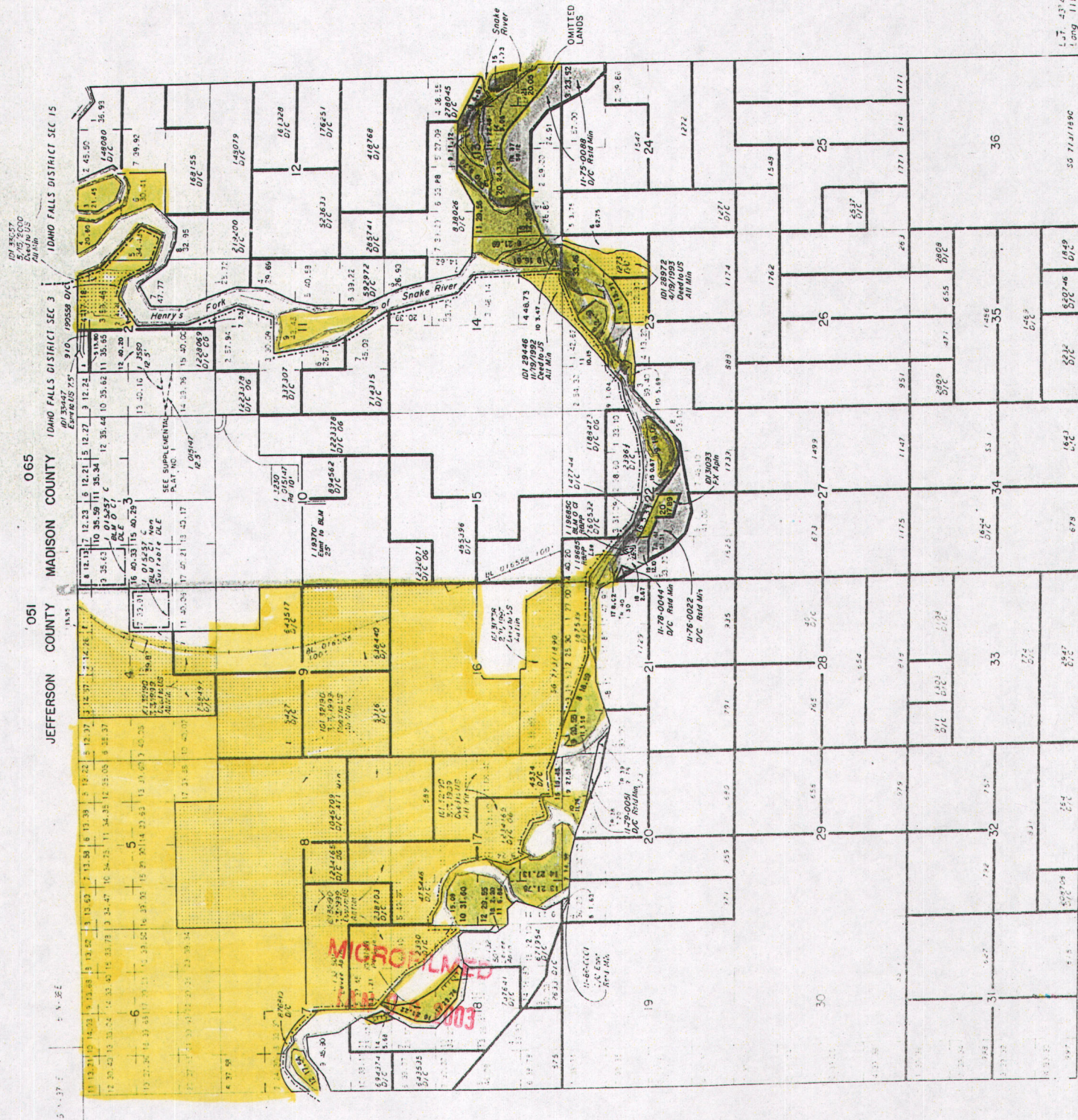


STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

[illegible][illegible]

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

RECEIVED

DEC - 9 2002

Department of Water Resources

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>35-7031</u>	<u>35-7031</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25
- 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) Jim Horkley
3190 S. Hwy 191, Rexburg, ID 83440
4. New Owner/Claimant(s) USDI - Bureau of Land Management
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1387 S. Vinnell Way
 City, State and ZIP Code Boise, ID. 83709
 New Telephone Number (208) 373-3831
5. Date you acquired the property 11/13/2002

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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. Signature of New Owner(s) or Claimant(s) Wendy Mauldin Natural Resource Specialist
(include title if applicable) 11/8/02 (Water Rights)

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 <u>CK</u>	Date <u>11.26.02</u>	Fee <u>\$ 25.00</u>	
Received by <u>CK</u>	Date <u>11.26.02</u>	Receipt No. <u>E028341</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

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JAN 9 2003

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

SPECIAL WARRANTY DEED (WATER)

9
IDI-33965

For the true and actual consideration of Ten Dollars, and other good and valuable consideration, **THE CONSERVATION FUND**, a Maryland non-profit corporation, organized and existing under the laws of the State of Maryland, whose address is 1800 North Kent Street, Suite 1120, Arlington, VA 22209, Attention: General Counsel, hereinafter called "**Grantor**", does hereby grant, bargain, sell, and convey to the **UNITED STATES OF AMERICA** and its assigns, as authorized by Section 205 of the Federal Land Policy and Management Act of 1976 as amended (90 Stat. 2755; 43 U.S.C. 1715), any and all water rights appurtenant to or associated with the following described real property situated in the County of Jefferson, State of Idaho (the "**Property**"), to wit:

The West Half of the Northeast Quarter, subject to any claims to railroad right-of-way; and the Southeast Quarter of the Northeast Quarter all in Section 9, Township 5 North, Range 38 East, Boise Meridian

including, but not limited to, State of Idaho Water Right No. 35-7031, Priority date of July 22, 1968, source: groundwater, for irrigation use, dates of use: from April 1 to October 15; diversion rate of 1.66 cfs; volume of 332 afa; for irrigation of 83 acres, and any and all other water and water rights including all surface and subsurface water, well, spring, reservoir, storage, domestic, irrigation, subirrigation, livestock water or ditch rights of any type, including all shares or certificates of any type in ditch or water delivery companies or associations, associated with or appurtenant to the Property (the "**Water Rights**").

SUBJECT TO (1) an easement granted to Utah Power & Light Company for the purpose of public utilities recorded October 26, 1966 as Instrument No. 142647, records of Jefferson County, Idaho; (2) any reservations of mineral rights evidenced in Quitclaim Deed dated July 31, 1981, and recorded August 27, 1981 in Instrument No. 211581 of Official Records, records of Jefferson County, Idaho; (3) any right, title, or interest whether in easement or fee, as to a parcel of 6.14 acres, more or less, located in the W1/2 of the NE1/4 of Section 9 being a former right of way of the railroad of the West Belt Branch, retired, including any interest evidenced by Quitclaim Deed recorded August 27, 1981 in Instrument No. 211581 of Official Records, records of Jefferson County, Idaho; and (4) any right, title and interest of the public in those portions of the Property falling within the bounds of roads and highways.

The acquiring agency is the United States Department of the Interior, Bureau of Land Management.

TO HAVE AND TO HOLD unto the UNITED STATES OF AMERICA and its assigns forever.

Grantor warrants the title to the Water Rights against all persons claiming under Grantor, except that the special warranties as to the Water Rights relate only to record title to the Water Rights conveyed, and do not include or create any representations or warranties with respect to any other aspects of the Water Rights, including, but not limited to the legal or physical availability of water, loss or diminishment of the rights by non-use, water quality, the condition of related diversion or conveyance facilities, or any matters a physical inspection of the rights would reveal.

IDI-33965
Page 1 of 2

Dated this 13th day of November, 2002.

THE CONSERVATION FUND,
a Maryland non-profit corporation

By: [Signature]

Title: EXEC V.P.

CORPORATE ACKNOWLEDGMENT

Commonwealth of Virginia)
) ss:
COUNTY OF Arlington)

On this 13th day of November, 2002, before me personally appeared
Richard L. Erdmann to me known to be the Executive V.P.
of the corporation that executed the foregoing instrument, and acknowledged said instrument to
be the free and voluntary act and deed of said corporation, for the uses and purposed therein
mentioned, and on oath stated they are authorized to execute said instrument on behalf of the
corporation.

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

Seal

[Signature]
Notary Public in and for the
State of VIRGINIA
Residing at ALEXANDRIA, VA
My commission expires: 3/31/06

IDI-33965
Page 2 of 2

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NOV 9 2003

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

[illegible]

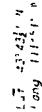
126

126

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO OFFICE OF
MISCELLANEOUS DOCUMENTS

CURRENT TO CURRENT TO

USE PLAYS



DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED _____

In Re SRBA)
)
Case No. 39576)
)
_____) : **ORDER OF PARTIAL DECREE**
) : **For Water Right 35-07031**

DATED January 31, 2002.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
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

200 JAN 31 PM 4:01

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 35-07031

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

NAME AND ADDRESS: JIM HORKLEY
3190 S HWY 191
REXBURG, ID 83440

SOURCE: GROUNDWATER

QUANTITY: 1.66 CFS
332.00 AFY

PRIORITY DATE: 07/22/1968

POINT OF DIVERSION: T05N R38E S09 NWNE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-15	1.66 CFS 332.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Jefferson County
	T05N R38E S09 NWNE 36.0 SENE 12.0	SWNE 35.0
	83.0 Acres Total	

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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2000 0 9 2003

2002 JAN ³¹~~29~~ PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 35-07031

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-07031 was mailed
on January ~~29~~³¹, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ABERDEEN-AMERICAN FALL GROUND
ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DIST.
BINGHAM GROUND WATER DISTRICT
UPPER VALLEY IRRIGATORS ASSOC
UPPER VALLEY IRRIGATORS ASSOC.

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

FREMONT-MADISON IRR DIST

Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

CERTIFICATE OF MAILING

PAGE 1
01/29/02

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JAN 6 9 2003

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

JIM HORKLEY
3190 S HWY 191
RESBURG, ID 83440

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2
01/29/02

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JAN 05 2003



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

December 11, 2002

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1387 S VINNELL WY
BOISE ID 83709-1657

RE: Change of Ownership for Water Right 35-7031

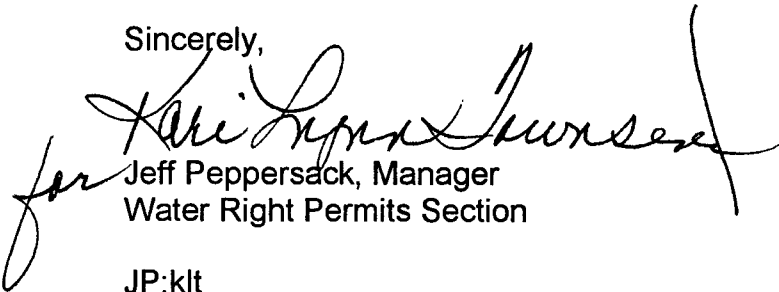
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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JAN 03 2003