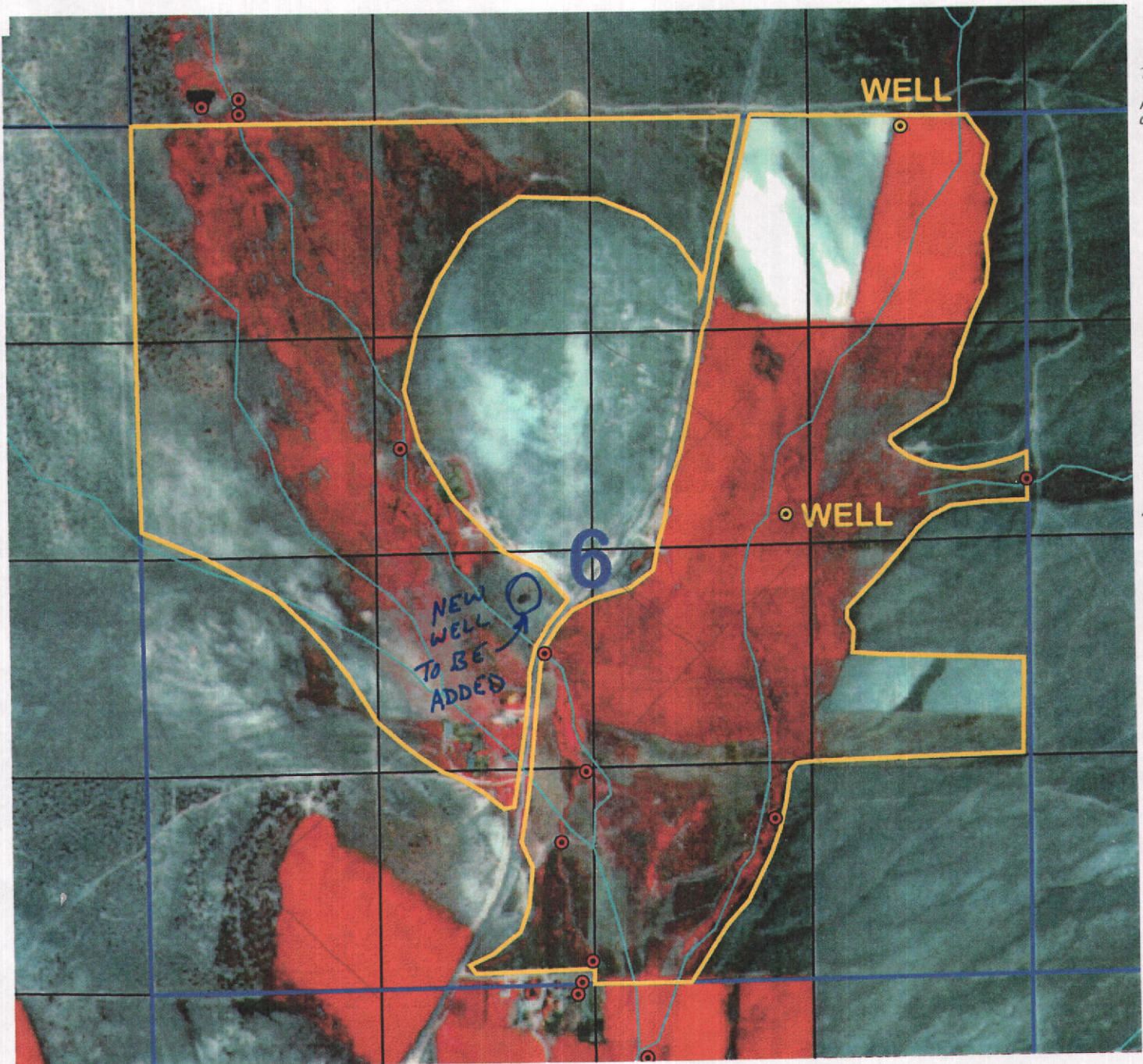


RIGHTS: 43-402, 43-403A, 43-404, 43-405,
43-2247, 43-2279, 43-10304, 43-13030

RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E, SEC 06
Data entry on June 5, 2001



0 1320 2640 3960 5280 Feet

● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

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GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK

15S25E

OWNERSHIP

08 LT04	08 LT03	08 LT02	08 LT01	05 LT04	05 LT03	05 LT02	05 LT01	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
08 LT05	08 SENW	08 SWNE	08 SENE	05 SWNW	05 SENW	05 SWNE	05 SENE	04 SWNW	04 SENW	04 SWNE	04 SENE	03 SWNW	03 SENW	03 SWNE	03 SENE	02 SWNW	02 SENW	02 SWNE	02 SENE	01 SWNW	01 SENW	01 SWNE	01 SENE
08 LT06	08 NESW	08 NWSE	08 NESE	05 NWSW	05 NESW	05 NWSE	05 NESE	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 NESE	01 NWSW	01 NESW	01 NWSE	01 NESE
08 LT07	08 SESW	08 SWSE	08 SESE	05 SESW	05 SESW	05 SWSE	05 SESE	04 SESW	04 SESW	04 SWSE	04 SESE	03 SESW	03 SESW	03 SWSE	03 SESE	02 SESW	02 SESW	02 SWSE	02 SESE	01 SESW	01 SESW	01 SWSE	01 SESE
07 LT01	07 NEHW	07 NWNE	07 NENE	08 NNNW	08 NEHW	08 NWNE	08 NENE	08 NNNW	08 NEHW	08 NWNE	08 NENE	10 NNNW	10 NEHW	10 NWNE	10 NENE	11 NNNW	11 NEHW	11 NWNE	11 NENE	12 NNNW	12 NEHW	12 NWNE	12 NENE
07 LT02	07 SEHW	07 SWNE	07 SENE	08 SWNW	08 SEHW	08 SWNE	08 SENE	08 SWNW	08 SEHW	08 SWNE	08 SENE	10 SWNW	10 SEHW	10 SWNE	10 SENE	11 SWNW	11 SEHW	11 SWNE	11 SENE	12 SWNW	12 SEHW	12 SWNE	12 SENE
07 LT03	07 NESW	07 NWSE	07 NESE	08 NWSW	08 NESW	08 NWSE	08 NESE	08 NWSW	08 NESW	08 NWSE	08 NESE	10 NWSW	10 NESW	10 NWSE	10 NESE	11 NWSW	11 NESW	11 NWSE	11 NESE	12 NWSW	12 NESW	12 NWSE	12 NESE
07 LT04	07 SESW	07 SWSE	07 SESE	08 SESW	08 SESW	08 SWSE	08 SESE	08 SESW	08 SESW	08 SWSE	08 SESE	10 SESW	10 SESW	10 SWSE	10 SESE	11 SESW	11 SESW	11 SWSE	11 SESE	12 SESW	12 SESW	12 SWSE	12 SESE
18 LT01	18 NEHW	18 NWNE	18 NENE	17 NNNW	17 NEHW	17 NWNE	17 NENE	18 NNNW	18 NEHW	18 NWNE	18 NENE	15 NNNW	15 NEHW	15 NWNE	15 NENE	14 NNNW	14 NEHW	14 NWNE	14 NENE	13 NNNW	13 NEHW	13 NWNE	13 NENE
18 LT02	18 SEHW	18 SWNE	18 SENE	17 SWNW	17 SEHW	17 SWNE	17 SENE	18 SWNW	18 SEHW	18 SWNE	18 SENE	15 SWNW	15 SEHW	15 SWNE	15 SENE	14 SWNW	14 SEHW	14 SWNE	14 SENE	13 SWNW	13 SEHW	13 SWNE	13 SENE
18 LT03	18 NESW	18 NWSE	18 NESE	17 NWSW	17 NESW	17 NWSE	17 NESE	18 NWSW	18 NESW	18 NWSE	18 NESE	15 NWSW	15 NESW	15 NWSE	15 NESE	14 NWSW	14 NESW	14 NWSE	14 NESE	13 NWSW	13 NESW	13 NWSE	13 NESE
18 LT04	18 SESW	18 SWSE	18 SESE	17 SESW	17 SESW	17 SWSE	17 SESE	18 SESW	18 SESW	18 SWSE	18 SESE	15 SESW	15 SESW	15 SWSE	15 SESE	14 SESW	14 SESW	14 SWSE	14 SESE	13 SESW	13 SESW	13 SWSE	13 SESE
19 LT01	19 NEHW	19 NWNE	19 NENE	20 NNNW	20 NEHW	20 NWNE	20 NENE	21 NNNW	21 NEHW	21 NWNE	21 NENE	22 NNNW	22 NEHW	22 NWNE	22 NENE	23 NNNW	23 NEHW	23 NWNE	23 NENE	24 NNNW	24 NEHW	24 NWNE	24 NENE
19 LT02	19 SEHW	19 SWNE	19 SENE	20 SWNW	20 SEHW	20 SWNE	20 SENE	21 SWNW	21 SEHW	21 SWNE	21 SENE	22 SWNW	22 SEHW	22 SWNE	22 SENE	23 SWNW	23 SEHW	23 SWNE	23 SENE	24 SWNW	24 SEHW	24 SWNE	24 SENE
19 LT03	19 NESW	19 NWSE	19 NESE	20 NWSW	20 NESW	20 NWSE	20 NESE	21 NWSW	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE
19 LT04	19 SESW	19 SWSE	19 SESE	20 SESW	20 SESW	20 SWSE	20 SESE	21 SESW	21 SESW	21 SWSE	21 SESE	22 SESW	22 SESW	22 SWSE	22 SESE	23 SESW	23 SESW	23 SWSE	23 SESE	24 SESW	24 SESW	24 SWSE	24 SESE
30 LT01	30 NEHW	30 NWNE	30 NENE	29 NNNW	29 NEHW	29 NWNE	29 NENE	30 NNNW	30 NEHW	30 NWNE	30 NENE	27 NNNW	27 NEHW	27 NWNE	27 NENE	28 NNNW	28 NEHW	28 NWNE	28 NENE	25 NNNW	25 NEHW	25 NWNE	25 NENE
30 LT02	30 SEHW	30 SWNE	30 SENE	29 SWNW	29 SEHW	29 SWNE	29 SENE	30 SWNW	30 SEHW	30 SWNE	30 SENE	27 SWNW	27 SEHW	27 SWNE	27 SENE	28 SWNW	28 SEHW	28 SWNE	28 SENE	25 SWNW	25 SEHW	25 SWNE	25 SENE
30 LT03	30 NESW	30 NWSE	30 NESE	28 NWSW	28 NESW	28 NWSE	28 NESE	29 NWSW	29 NESW	29 NWSE	29 NESE	27 NWSW	27 NESW	27 NWSE	27 NESE	28 NWSW	28 NESW	28 NWSE	28 NESE	25 NWSW	25 NESW	25 NWSE	25 NESE
30 LT04	30 SESW	30 SWSE	30 SESE	28 SESW	28 SESW	28 SWSE	28 SESE	29 SESW	29 SESW	29 SWSE	29 SESE	27 SESW	27 SESW	27 SWSE	27 SESE	28 SESW	28 SESW	28 SWSE	28 SESE	25 SESW	25 SESW	25 SWSE	25 SESE
31 LT01	31 NEHW	31 NWNE	31 NENE	32 NNNW	32 NEHW	32 NWNE	32 NENE	33 NNNW	33 NEHW	33 NWNE	33 NENE	34 NNNW	34 NEHW	34 NWNE	34 NENE	35 NNNW	35 NEHW	35 NWNE	35 NENE	36 NNNW	36 NEHW	36 NWNE	36 NENE
31 LT02	31 SEHW	31 SWNE	31 SENE	32 SWNW	32 SEHW	32 SWNE	32 SENE	33 SWNW	33 SEHW	33 SWNE	33 SENE	34 SWNW	34 SEHW	34 SWNE	34 SENE	35 SWNW	35 SEHW	35 SWNE	35 SENE	36 SWNW	36 SEHW	36 SWNE	36 SENE
31 LT03	31 NESW	31 NWSE	31 NESE	32 NWSW	32 NESW	32 NWSE	32 NESE	33 NWSW	33 NESW	33 NWSE	33 NESE	34 NWSW	34 NESW	34 NWSE	34 NESE	35 NWSW	35 NESW	35 NWSE	35 NESE	36 NWSW	36 NESW	36 NWSE	36 NESE
31 LT04	31 SESW	31 SWSE	31 SESE	32 SESW	32 SESW	32 SWSE	32 SESE	33 SESW	33 SESW	33 SWSE	33 SESE	34 SESW	34 SESW	34 SWSE	34 SESE	35 SESW	35 SESW	35 SWSE	35 SESE	36 SESW	36 SESW	36 SWSE	36 SESE

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SEP 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70028

This is to certify that: JAY L BLACK
PO BOX 103
ALMO ID 83312
(208)824-5593

And/Or

SHARON P BLACK
PO BOX 103
ALMO ID 83312
(208)824-5593

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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
43-2279	AJC/License	08/28/1965	2.11 cfs	596 af	149.0	149.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

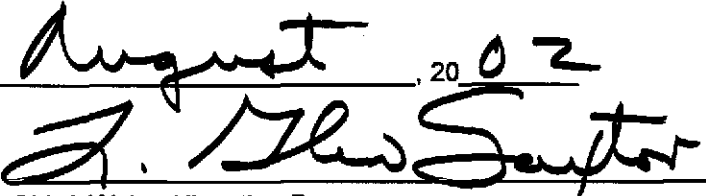
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2279	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2279	43-2279	2.11 cfs	596 af	149.0	206.0		N/A	N/A	N/A	N/A
TOTALS		2.11 cfs	596 af	149	206.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of August, 2002


Chief, Water Allocation Bureau

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SEP 11 2002

WATER RIGHT NO. 43-2279
As Modified by Transfer No. 70028

In accordance with the approval of Transfer No. 70028, Water Right No. 43-2279 is now described as follows.

Right Holder: JAY L BLACK
 PO BOX 103
 ALMO ID 83312
 (208)824-5593

Priority Date: 08/28/1965

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	2.11 CFS	596.0 AF
			2.11 CFS	596.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	Lot 1	NWNENE	Sec. 6	Twp 15S	Rge 25E	CASSIA County
GROUND WATER		SESWNE	Sec. 6	Twp 15S	Rge 25E	CASSIA County
GROUND WATER		NESW	Sec. 6	Twp 15S	Rge 25E	CASSIA 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		
15S	25E	6	31.0	15.0	23.0	28.0					7.0			13.0			23.0	38.0	30.0	206.0
			L1	L2																

Total Acres: 206

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SEP 11 2002

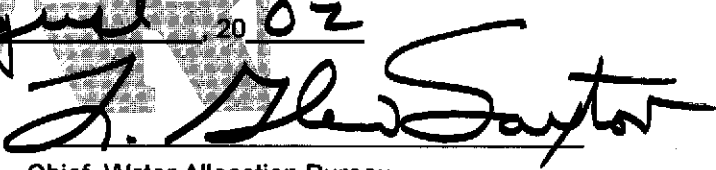
WATER RIGHT NO. 43-2279
As Modified by Transfer No. 70028

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 149 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-2279 shall not exceed 2.11 cfs, nor total combined annual volume of 596 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 43-2279, 43-402, 43-403A, 43-404, 43-405, 43-2247, 43-10304 and 43-13030 when combined shall not exceed a total diversion rate of 10.40 cfs and the irrigation of 378 acres in a single season.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 26th day of August 2002


Chief, Water Allocation Bureau

MICROFILMED

SEP 11 2002

Transfer No. 70028
 Receipt No. 5075114

**STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1**

1. Applicant Information JAY L BLACK
 PO BOX 103
 ALMO ID 83312
 (208)824-5593
 AND/OR

SHARON P BLACK
 PO BOX 103
 ALMO ID 83312
 (208)824-5593

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JUL 25 2002
 Department of Water Resources
 Southern Region

Will this transfer result in an ownership change? _____ Yes ☒ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
43-2279	WR/License	2.11 cfs	596.0 af	149.0	149.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2279	NO	NO	NO	YES	NO	NO

Describe the reason for the proposed changes

To add a new well to the existing irrigation system.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
43-2279	2.11 cfs	149.0	206.0	596.0 af
TOTAL	2.11 cfs	149.0	206.0	596.0 af

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SEP 11 2002

RECEIVED
JUL 25 2002
Department of Water Resources
Southern Region

Transfer No. 70028
Receipt No. 5025114

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

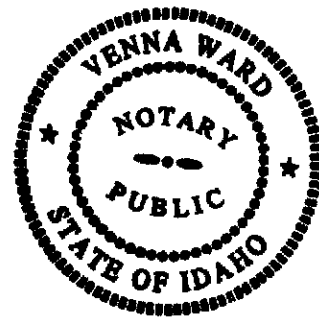
Jay L. Black
(Signature of Applicant)

Ptn. Black Livestock
(Title or Office)

Subscribed and sworn to before me this 24 day of July, 2002.

Venna Ward
(Notary Public)

My commission expires 9/23/02



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SEP 11 2002

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JUL 25 2002

Page 3

Department of Water Resources
Southern Region

Transfer No. 70028

Receipt No. 5025114

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

Current Water Right No. 43-2279

Priority Date: 08/28/1965

Origin: Water Right

Basis: License

Status: Closed

Source: GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01 11/01	2.11 CFS	596.0 AFA	
	Total Diversion	2.11 CFS	596.0 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	15S	25E	6	NWNENE	1	CASSIA
GROUND WATER	15S	25E	6	SESWNE		CASSIA

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	
15S	25E	6	31.0	15.0	23.0	26.0					7.0			13.0	23.0	38.0	30.0		206.0
			L1	L2															

Total Acres: 149

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.4 CFS. COMBINED RIGHT NOS.: 43-402, 43-403A, 43-404, 43-405, 43-2247, 43-10304 AND 43-13030.

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Page 4

4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 378 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-402, 43-403A, 43-404, 43-405, 43-2247, 43-10304 AND 43-13030.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 149 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

Tax Notice

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

YES

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

No change proposed in the place of use.

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

NO

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Page 5

Department of Water Resources
Southern Region

Transfer No. 70028

Receipt No. 5025114

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A

Proposed Water Right No. 43-2279

Priority Date: 08/28/1965

Origin: Water Right

Basis: License

Status: Closed

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	2.11 CFS	596.0 AFA	
	Total Diversion	2.11 CFS	596.0 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	15S	25E	6	NWNE	1	CASSIA
GROUND WATER	15S	25E	6	SESWNE		CASSIA
GROUND WATER	15S	25E	6	NESW		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 Existing well
Point of Diversion # 2 Existing well
Point of Diversion # 3 New well to be drilled

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
15S	25E	6	31.0	15.0	23.0	26.0					7.0			13.0	23.0	38.0	30.0		206.0
			L1	L2															

Total Acres: 206

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RIGHTS: 43-402, 43-403A, 43-404, 43-405,
43-2247, 43-2279, 43-10304, 43-13030

RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E, SEC 06
Data entry on June 5, 2001



0 1320 2640 3960 5280 Feet

- RECOMMENDED POINT OF DIVERSION
□ RECOMMENDED PLACE OF USE
□ SECTION LINES
□ QUARTER/QUARTER LINES
- MICROFILMED
SEP 11 2002
- N

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK

OWNERSHIP

[illegible]

2001-2002

CHECK PAYABLE TO:
E EREKSON
IA COUNTY TAX COLLECTOR
OVERLAND PH: 878-7202
EY, ID 83318
1ST HALF DUE
341.40

2001 TAX BILL/RECEIPT
BILL# 15298
CODE AREA 70-00
L
I
2ND HALF DUE
341.40
TAX
LATE
INT
COST
TOT

T70028
PARCEL NUMBER
RP15S25E0600104
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FULL DUE
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INT
COST
TOT
WAC
TOT ACS
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366.510

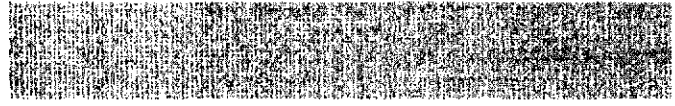
BLACK JAY L ETUX
& BLACK KENNETH S
& RICE WESLEY N L/E
352 S HWY 27
BURLEY ID 83318

LIFE ESTATE
for house
per
Cassia County
Assessor's
office
7/26/2002
C.S.

TAXING DISTRICT RATE AMOUNT
COUNTY .003197485 172.80
SCH DIST 151 .006381862 344.88
ELBA-ALMO HWY .001316573 71.14
FLOOD DIST 15 .000445349 24.06
ALMO REC .000183594 9.92
DISTRICT TOTAL .011524863 622.80
SOLID WASTE FEE 60.00
AMOUNT DUE 682.80

LOTS 1, 2 & 6, SENE,
NW1/4, NESE
S 6 T 15 R 25

2648 50 ELBA-ALMO RD 83312



*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.
ENTIRE NOTICE WHEN PAYING IN PERSON

NO: RP15S25E060000A * TAX REMINDER *
BILL# TAX TOTAL
15297 561.03 561.03

GAYLE EREKSON
CASSIA COUNTY TAX COLLECTOR
1459 OVERLAND PH: 878-7202
BURLEY, ID 83318
DATE PRINTED: 5/15/2002
RP15S25E060000T

=====

TOTAL DUE:	561.03	VALID THROUGH:	6/20/2002
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BLACK JAY L
& BLACK SHARON P H/W
P O BOX 103
ALMO ID 83312

SWNE, W1/2SE, LOT 7,
E1/29W LESS T 3071
S 6 T 15 R 25
1977 HILLCREST 14X68
MOVED MH TO MH# FOR 2001

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-02279

NAME AND ADDRESS: JAY L BLACK
PO BOX 103
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 2.11 CFS
596.00 APY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 10.4 CFS. COMBINED RIGHT NOS.:
43-402, 43-403A, 43-404, 43-405, 43-2247, 43-10304 AND 43-13030.

PRIORITY DATE: 08/28/1965

POINT OF DIVERSION: T15S R25E S06 LOT 1 (NWNENE) Within Cassia County
SESWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.11 CFS 596.00 APY

PLACE OF USE:	Irrigation	Within Cassia County
	T15S R25E S06 LOT 1	(NENE) 31.0 LOT 2 (NWNE) 15.0
		SWNE 23.0 SENE 26.0
		NESW 7.0 SESW 13.0
		NESE 23.0 NWSE 38.0
		SWSE 30.0
	206.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 149 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 378 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-402, 43-403A,
43-404, 43-405, 43-2247, 43-10304 AND 43-13030.

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).

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SEP 11 2002

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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SEP 11 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

August 27, 2002

JAY L BLACK
SHARON P BLACK
PO BOX 103
ALMO ID 83312

RE: Transfer No.: 70028 - Water Right 43-2279 - 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.

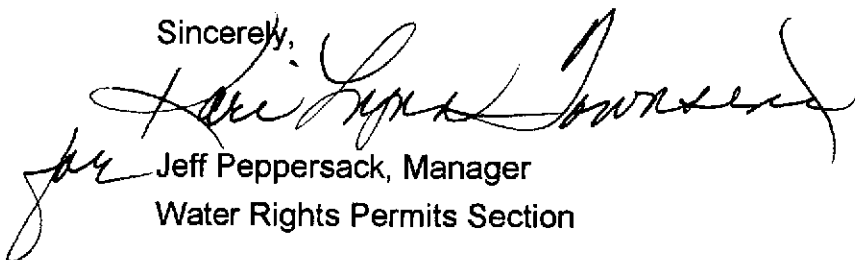
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14)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



Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

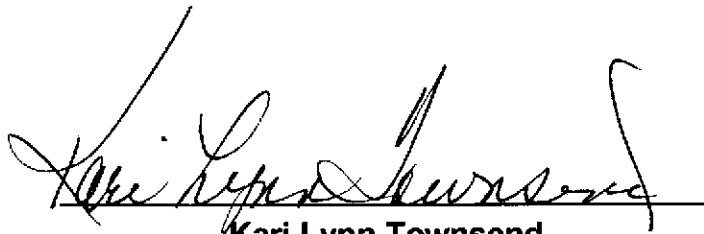
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SEP 11 2002

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 70028 - WATER RIGHT 43-2279

**JAY L BLACK
SHARON P BLACK
PO BOX 103
ALMO ID 83312**



**Kari Lynn Townsend
Secretary**

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SEP 11 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).

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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.

IDWR TRANSFER ANALYSIS SHEET

APPLICANT BLACK, JAY & SHARON TRANSFER NO. 70028

1. Right number(s) 43-2279

2. Type of right ☒ Decree ☐ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: RIGHT HAS BEEN DECREED IN SRBA.

RIGHTS 43-402, 43-403A, 43-404, 43-405, 43-2247,

43-10304, AND 43-13030 (ALL SURFACE WATER)

OVERLAP ~~PROPOSED~~ POU.

5. Check Proposed Right for amount of land &/or water transferred:

Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☐ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: _____

NONE APPARENT

70028

i. X Existing rights from same source, on land water is being transferred to; right number(s): _____

SEE COMMENTS FIRST PAGE

j. X SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

ALREADY DECREED.

k. X Comment letters _____ Yes X No _____
If yes _____ Water District # _____
IN FILE Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY _____ DATE _____
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWRO3::VAULT _____ Yes
2. COMMENT LETTERS Copy of Pg 1 to AJ Yes 7/26/02

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? _____ Yes _____ No
4. Affidavit of publication received? _____ Yes _____ No
5. Protests received? _____ Yes _____ No; Acknowledgement sent? _____ Yes
6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. _____ Approve
2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

_____ Also see attached memo for recommendation dated: _____

4. By _____ Date _____

FILE PROGRESS SUMMARY

APPLICANT: Black, Jay + 1/2 Sharon WATER RIGHT NO. 43-2279

[illegible]

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 12 2002
Department of Water Resources
Southern Region

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated August 1, 2002 and ending with the issue dated August 8, 2002.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 8th day of August in the year of 2002 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

ANN HARPER
NOTARY PUBLIC
STATE OF IDAHO

Ann Harper
Notary Public for Idaho

Residing at: Burley, Idaho

My commission expires: 9-14-2007

Cost of Publication 72.93
Affidavit Fee 5.00
Total Cost 77.93

OK
MB
8/12/02

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SEP 11 2002

02-299

**NOTICE OF PROPOSED
CHANGES TO WATER RIGHTS**

Notice is hereby given that two Applications for Transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Cassia County:

PICKETT RANCH & SHEEP CO, 1650 S 568 W; OAKLEY ID 83346 filed Transfer No. 70063 on 7/23/02 for diversion of a combined total of 1.00 cfs from ground water. Transfer proposes drying up 67.5 acres, located 11 to 12 miles North and 5.5 to 6.5 miles West of Oakley, ID and transferring the appurtenant ground water rights to a new proposed dairy site for ground water diversion and use at the proposed dairy. The diversion at the new dairy will consist of one existing (currently unused) well and one new well to be drilled. The proposed dairy is located 7 to 7.5 miles North and 4 to 4.5 miles West of Oakley, ID.

JAY L. &/OR SHARON P. BLACK, PO BOX 103; ALMO ID 83312 filed Transfer No. 70028 on 7/25/02 for diversion of 2.11 cfs from ground water. Transfer proposes adding a new well to an existing ground water irrigation system covered by right 43-2279. The property involved with the application, and the site of the new well, is located approximately 3 to 4 miles North and 2.25 to 3.25 miles East of Almo, ID.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before August 19, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on August 1 and 8, 2002.

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Karl J. Dreher, Director

Published in the South Idaho Press on 8/1 & 8/8/02.

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SEP 11 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax: 736-3037

July 26, 2002

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

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 at 736-3033.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

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SEP 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 26, 2002

JAY L. &/OR SHARON P. BLACK
PO BOX 103
ALMO ID 83312

RE: Application for **Transfer No. 70028**, Water Right No. 43-2279

Dear Applicants:

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

This office has scheduled advertising the application in the South Idaho Press on 8/1 & 8/8/02. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (August 19, 2002)

If an application is protested, the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application(s) and will notify the applicant regarding the outcome of this review.

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

Sincerely,

A handwritten signature in cursive script that reads 'Mary Baldwin'.

Mary A. Baldwin
Administrative Assistant

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SEP 11 2002

Baldwin, Mary

From: Baldwin, Mary
Sent: Friday, July 26, 2002 4:06 PM
To: Yenter, Cindy (Hodges)
Cc: Baldwin, Mary
Subject: NEW transfer app

FYI &/or comment:

Jay Black of Almo, ID filed Transfer No. 70028 on Right 43-2279 to add a new well to the existing irrigation system.

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SEP 11 2002



T70028

**United States
Department of
Agriculture**

Farm and Foreign
Agricultural
Services

Farm Service
Agency

Minidoka County
FSA Office
98C S 100 W
Rupert, ID 83350

PHONE:
(208) 436-4777
FAX:
(208) 436-3098

DATE: July 18, 2002

TO: Idaho Department of Water Resources

SUBJECT: Black Livestock

RECEIVED
JUL 25 2002
Department of Water Resources
Southern Region

Jay Black of Black Livestock has applied to our office for consent to change the location of his well. He has submitted the necessary information, and his request for consent has been approved by Dee L. Seamons, County Executive Director of the Minidoka County FSA Office. Our understanding is that he will be moving the location of his well from the southeastern part of the SW1/4NE1/4 of T15S, R25E, Sec. 6 (indicated as "OLD WELL" on the attached map) to the northeastern part of the NE1/4SW1/4 of T15S, R25E, Sec. 6 (indicated as "NEW WELL" on the map). If we have understood the situation correctly, then Mr. Black has our consent.

If you should have any questions, please feel free to contact me at this office, extension 15.

Bonnie Fenton
Farm Loan Officer

USDA is an Equal Opportunity Employer

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SEP 11 2002

T70028

RECEIVED

JUL 25 2002

Department of Water Resources
Southern Region

July 18, 2002

To whom it may concern,

We, the undersigned, grant permission to Jay L. and Sharon Black to drill an additional well to replace or supplement an existing well, (current water right #43-2279). The existing well's water output has dropped significantly and is in need of replacement or repair.



Kenneth S. Black



Nina E. Black

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